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MARCH 2019 SUSTAINABILITY NEWSLETTER

For a copy of the Safety, Health and Environmental (SHE) Legislation Update, please go to:
<http://imbewu.co.za/wp-content/uploads/2019/04/Monthly-Sustainability-Legislation-Update-March-2019.pdf>

INTERNATIONAL

GENERAL

TAILINGS DAM: Anglo American have installed 256 photovoltaic solar panels on top of its tailings dam at its Los Bronces complex in Chile. This project is the first of its kind in the world and the Chilean Mining Minister, Baldo Prokurica, noted that this solar project is an example of how Chile is leading the way in dealing with mine waste. **Source: Mining Weekly dated 15 March 2019.** <http://www.miningweekly.com/article/a-mini-solar-farm-is-floating-in-a-dam-of-liquid-copper-waste-2019-03-15> Brazilian mining firm Vale has activated alarms in areas below three of its tailings dams after the structures failed to receive a safety certification from independent auditors. **Source: Mining Weekly dated 28 March 2019.** <http://www.miningweekly.com/article/vale-activates-alarms-near-tailings-dams-amid-risk-of-rupture-2019-03-28>

PLASTIC: A Cuvier beaked whale has been found dead on a beach in the Philippines with over 40kg of plastic in its stomach. **Source: Climate Action Programme dated 18 March 2019.** http://www.climateaction.org/news/dead-whale-found-with-40kg-of-plastic-in-its-stomach?utm_source=ActiveCampaign&utm_medium=email&utm_content=Dead+whale+found+with+40kg+of+plastic+in+its+stomach+-+Climate+Action+News&utm_campaign=CA+Newsletter+19th+March+2019 A dead pregnant whale has washed ashore in Sardinia, Italy with approximately 24kg of plastic in its stomach. **Source: CNN dated 1 April 2019.** https://www.instagram.com/p/BvuGK9VDZ68/?utm_source=ig_share_sheet&igshid=1157za25cyf4c The European Parliament has passed a

new law banning single use plastics which will come into force across all European Union (EU) member states by 2021. **Source: Climate Action Programme dated 28 March 2019.** http://www.climateaction.org/news/eu-finally-seals-ban-on-single-use-plastics-by-2021?utm_source=ActiveCampaign&utm_medium=email&utm_content=EU+finally+seals+ban+on+single-use+plastics+by+2021+-+Climate+Action+News&utm_campaign=CA+Newsletter+29th+March+2019

CLIMATE CHANGE RULING: Rudolph Contreras, a US district judge in Washington DC, has ruled that the Bureau of Land Management (BLM), which manages public land and issues leases to the energy industry, must consider the impacts of climate change before issuing leases to oil and gas projects. Flowing from this decision, hundreds of drilling projects have been halted as the BLM failed to calculate and limit the amount of greenhouse gas emissions that these projects would emit before issuing them with their leases. **Source: The Guardian dated 20 March 2019.** <https://www.theguardian.com/environment/2019/mar/20/judge-halts-drilling-climate-change-trump-administration>

PUBLICATIONS

RENEWABLE ENERGY: The Institute of Welsh Affairs (IWA) has released a report which outlines the urgent and essential actions for Wales to reach its 100% renewable energy target by 2035. **Source: Climate Action Programme dated 19 March 2019.** http://www.climateaction.org/news/iwa-sets-out-new-plan-for-wales-to-run-on-100-renewable-energy-by-2035?utm_source=ActiveCampaign&utm_medium=email&utm_content=Dead+whale+found+with+40kg+of+plastic+in+its+stomach+-+Climate+Action+News&utm_campaign=CA+Newsletter+19th+March+2019

CARBON EMISSIONS: The International Energy Agency (IEA) has released an annual report entitled “*Global Energy and CO2 Status Report 2018*” which shows that global energy-related carbon emissions increased by 1.7% in 2018. **Source: Climate Action Programme dated 27 March 2019.** http://www.climateaction.org/news/global-carbon-emissions-increased-at-a-record-rate-in-2018?utm_source=ActiveCampaign&utm_medium=email&utm_content=EU+finally+seals+ban+on+single-use+plastics+by+2021+-+Climate+Action+News&utm_campaign=CA+Newsletter+29th+March+2019

IMPACTS OF CLIMATE CHANGE: The World Meteorological Organisation (WMO) has released the 25th edition of its annual “*Statement on the State of the Global Climate*” which finds that the financial and physical impacts of climate change are accelerating. **Source: Climate Action Programme dated 29 March 2019.** http://www.climateaction.org/news/wmo-makes-it-clear-that-the-climate-crisis-is-accelerating-faster-than-we-a?utm_source=ActiveCampaign&utm_medium=email&utm_content=EU+finally+seals+ban+on+single-use+plastics+by+2021+-+Climate+Action+News&utm_campaign=CA+Newsletter+29th+March+2019

WATER: The United Nations Educational, Scientific and Cultural Organisation (UNESCO) has released a report entitled “*World Water Development Report 2019: Leaving No One Behind*”. **Source: ELA Newsletter 13 dated 29 March 2019.** <https://en.unesco.org/water-security/wwap/wwdr/2019> The Environmental Integrity Project has released a report entitled “*Coals Poisonous Legacy – Groundwater Contamination By Coal Ash Across the U.S.*” which finds that 91% of coal-fired power plants with monitoring data in the United States are contaminating groundwater with unsafe levels of toxic pollutants. **Source: Climate Action Programme dated 5 March 2019.** http://www.climateaction.org/news/new-analysis-finds-most-us-coal-plants-contaminating-groundwater?utm_source=ActiveCampaign&utm_medium=email&utm_content=Microplastic+pollution+widespread+in+iconic+British+lakes

[+and+rivers+-+Climate+Action+News&utm_campaign=CA+Newsletter+8th+March+2019](#)

BIRDS AND BATS: Bird Studies Canada have released a report entitled "Wind Energy Bird and Bat Monitoring Database: Summary of the Findings from Post-construction Monitoring Reports Bird Studies Canada, Canadian Wind Energy Association, Environment and Climate Change Canada and Ontario Ministry of Natural Resources and Forestry 2018". **Source: Environmental Law Association (ELA) Newsletter 10 dated 8 March 2019.** https://www.bsc-eoc.org/birdmon/wind/wind_templates.jsp

CHEMICALS: The United Nations (UN) has released the "Second Global Chemicals Outlook" report which finds that the internationally agreed goal of minimising the adverse impacts of chemicals and chemical waste will not be met by 2020. David Kapindula, a member of the report's steering committee, believes the findings are important for developing countries because "they highlight the uneven implementation of chemicals and waste management and point to opportunities for enhanced knowledge sharing, capacity development and innovative financing." **Source: Climate Action Programme dated 12 March 2019.** http://www.climateaction.org/news/un-report-reveals-urgent-action-required-to-tackle-chemical-pollution?utm_source=ActiveCampaign&utm_medium=email&utm_content=UK+Government+announces+end+of+fossil+fuel+heating+systems+in+new+houses+from+2025+-+Climate+Action+News&utm_campaign=CA+Newsletter+15th+March+2019

NATIONAL

GENERAL

WATER: Agri SA and the South African Association of Water Users Associations (SAAFWUA) have signed a Memorandum of Understanding (MoU) aimed at enhancing effective water resources management by the national government, Catchment Management Agencies (CMAs) and Water User Associations (WUAs) in South Africa. **Source: BizCommunity dated 14 March 2019.** <https://www.bizcommunity.com/Article/196/741/188529.html> South African Breweries (SAB) is looking to expand its water saving collaboration efforts with other water-stressed municipalities in South Africa. SAB has worked with local municipalities in Cape Town and Tshwane and has provided an additional 4.4 billion litres of water a year for use by residents in those cities through leak detection and advanced water pressure management initiatives. **Source: Engineering News dated 22 March 2019.** <http://www.engineeringnews.co.za/article/sab-to-expand-water-saving-collaborations-to-more-municipalities-2019-03-22>

CARBON TAX: The Carbon Tax Bill has been adopted by the National Assembly and the National Council of Provinces. The National Council of Provinces' select committee held public meetings on the Bill in March 2019 at which the Airlines Association of Southern Africa (AASA) requested that the airline industry be exempted from the proposed tax. The tax will not apply to international airlines. AASA believes that if domestic flights are not exempted from the carbon tax it would undermine the competitiveness of domestic airlines and reduce the return on investment for taxpayers with respect to state-owned airlines and local private sector airlines. **Source: Business Day Live dated 12 March 2019 and Parliamentary Monitoring Group dated 28 March 2019.** <https://www.businesslive.co.za/bd/companies/transport-and-tourism/2019-03-12-airlines-plea-for-exemption-from-carbon-tax/> and <https://pmg.org.za/bill/858/>

GREEN JOBS: The City of Cape Town and the Natural Research Management Programme have signed a three-year Memorandum of Agreement (MoA) to create 1300 green jobs for entry-level job seekers to assist the City with the removal of invasive species and the ecological rehabilitation of local ecosystems. **Source: BizCommunity dated 18 March 2019.** <https://www.bizcommunity.com/Article/196/628/188563.html>

CONSTRUCTION: The Department of Labour hosted a Construction Indaba in Umhlanga, Durban, with industry role players. Participants discussed compliance with laws and regulations as well as the occupational health and safety non-compliance findings at various construction sites. **Source: BizCommunity dated 12 March 2019.** <https://www.bizcommunity.com/Article/196/494/188415.html#more> Master Builders South Africa (MBSA) have called on government to urgently intervene in the country's construction industry following Group Five filing for business rescue this month (the fifth major construction company to do so in less than a year). **Source: BizCommunity dated 22 March 2019.** <https://www.bizcommunity.com/Article/196/494/188805.html>

WATER: The first solar powered desalination plant in South Africa (based in Witsand in the Western Cape) has become operational. **Source: Southern African Alternative Energy Association (SAAEA) dated 21 February 2019.** <http://www.saaea.org/renewable-energy-news/first-solar-powered-desalination-plant-in-south-africa>

MINING CHARTER: The Minerals Council has filed an application for judicial review of the Broad-Based Socio-Economic Empowerment Charter for the Mining and Minerals Industry 2018 (Charter) citing that there are problematic clauses in the Charter, particularly the requirement to increase black ownership from 26% to 30% when mining leases are renewed or on the transfer of mining rights. The Minerals Council has approached the court in light of the 180-day time limit imposed by the Promotion of Administrative Justice Act with respect to launching judicial review proceedings. Talks between the Minerals Council and the Department of Mineral Resources are however "ongoing and may bear fruit". **Source: Business Day dated 27 March 2019.** <https://www.businesslive.co.za/bd/companies/mining/2019-03-27-minerals-council-takes-mining-charter-to-court/>

2019 ELECTIONS: The Green Party of South Africa will not be listed on the ballot on 8 May 2019. The Economic Freedom Fighters (EFF) have 18 points on environmental policies in its 170-page manifesto. The African National Congress' (ANC) current manifesto mentions 20 environmentally friendly policies. The Democratic Alliance (DA) has a long list of green policies in its manifesto although this also includes examples of their implementation of green policies. The United Democratic Front (UDM) has the most comprehensive policy on environmental affairs. **Source: SAAEA dated 15 March 2019.** <https://www.saaea.org/renewable-energy-news/green-parties-in-the-next-election-south-africa>

RENEWABLE ENERGY: The Pretoria High Court has dismissed an application bought by the Coal Transporters Forum to have the 20-year power purchase agreements signed between Eskom and 26 independent power producers in 2018 declared null and void. **Source: Mining Weekly dated 26 March 2019.** http://www.miningweekly.com/article/high-court-dismisses-bid-by-coal-transporters-to-interdict-renewables-projects-2019-03-26/rep_id:3650

KNYSNA ESTUARY: The South African National Parks' (SANParks) Manager for Knysna, Megan Taplin, has confirmed that water sample results taken by the Garden Route Local Municipality in early March 2019 show that there are unacceptably high levels of E-Coli in areas around

the Knysna estuary. Signage has been erected at four spots warning recreational users not to fish, collect bait or swim. **Source: The BizCommunity dated 13 March 2019.** <https://www.bizcommunity.com/Article/196/628/188447.html#more>

GOOD GREEN DEEDS: President, Cyril Ramaphosa, launched the Good Green Deeds Campaign which is an initiative to make South Africa a cleaner country by performing one green deed each day. He noted that "You can make all the difference. Whether it is in recycling your waste, or conducting clean-up activities in your street, in your neighbourhood, school, or municipality, you must be the agent of change we want and need." **Source: South African Government News Agency dated 9 March 2019.** <https://www.sanews.gov.za/south-africa/one-good-green-deed-day>

PUBLICATIONS

THE GREEN BOOK: The Council for Scientific and Industrial Research (CSIR) has developed an open access online climate risk profiling and adaptation tool called "The Green Book" which will assist municipalities in South Africa to assess their climate risks and implement adaptation measures to develop climate resilient human settlements. **Source: Engineering News dated 3 March 2019.** www.greenbook.co.za

SOCIAL ECONOMY: The Department of Economic Development has released the "National Social Economy Draft Green Paper" for public comment. **Source: ELA Newsletter 11 dated 15 March 2019.** <http://www.economic.gov.za/images/Draft%20Green%20Social%20Economy.PDF>

MINING: Corruption Watch has released a report entitled "2018 Mining Royalties Research Report" which highlights the complexities of and challenges facing the South African mining industry. The Department of Mineral Resources announced that it would study the report and the issues it has highlighted. **Source: South African Government News Agency dated 27 March 2019.** <https://www.sanews.gov.za/south-africa/dmr-study-mining-royalties-report>

CONFERENCES AND OTHER EVENTS

IMBEWU WORKSHOPS

MINE CLOSURE AND RECENT CASE LAW WORKSHOP: 14 May 2019 in Emalahleni. R2750 per delegate, excluding VAT. Please contact Lulu Lewis on 011 214 0660 or at lulu@imbewu.co.za for more information or go to: <http://imbewu.co.za/services/>.

NATIONAL

AFRICA UTILITY WEEK AND POWERGEN AFRICA: 14-16 May 2019 in Cape Town.

W12 FUTURE OF WATER CONFERENCE: 14-17 May 2019 in Cape Town.

SUSTAINABILITY WEEK: 24-26 June 2019 in Pretoria.

IFAT 2019 (AFRICA'S LEADING TRADE FARE FOR WATER, SEWAGE, REFUSE AND RECYCLING): 9-11 July 2019 in Johannesburg.

INTERNATIONAL

MARRAKESH MINING CONVENTION 2019: 17-19 April 2019 in Marrakesh, Morocco.

EARTH DAY: 22 April 2019.

IAIA19: 29 April-2 May 2019 in Brisbane, Australia.

WORLD MIGRATORY BIRD DAY: 14 May 2019.

INTERNATIONAL BIODIVERSITY DAY: 22 May 2019.

CITES CoP18: 23 May – 3 June 2019 in Colombo, Sri Lanka.

WORLD ENVIRONMENT DAY: 5 June 2019.

WORLD OCEANS DAY: 8 June 2019.

2019 ANNUAL CONFERENCE: WORLD ASSOCIATION OF MINING LAWYERS: 9-11 June 2019 in Marrakech, Morocco.

2019 AFRICA BLUE ECONOMY FORUM: 25-26 June 2019 in Tunis, Tunisia.

LONDON CLIMATE ACTION WEEK: 1-8 July 2019.

IMBEWU's environmental note: 5 everyday food items that take the longest to decompose:

https://www.iwmsa.co.za/sites/default/files/IWMSA_Five%20everyday%20waste%20items%20that%20take%20longest%20to%20decompose_20180719_V1.0_1.pdf

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