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Sustainability Legal Specialists (Pty) Ltd

FEBRUARY 2022 SUSTAINABILITY NEWSLETTER

For a copy of the Safety, Health and Environmental (SHE) Legislation Update, please go to:
<https://imbewu.co.za/wp-content/uploads/2022/03/SHE-Legislation-Update-Feb-2022.pdf>

NATIONAL

GENERAL

SEISMIC SURVEY HALTED ON THE WEST COAST – On 1 March, the Western Cape High Court ruled in favour of small-scale fishing communities on the West Coast noting a flawed consultation process prior to the granting of the reconnaissance permit in May 2021. The ruling confirmed that the interdict halting the seismic survey will remain in place pending the outcome and legal review of the reconnaissance permit and required environmental authorisations.

Source: Fin24 dated 1 March 2022

<https://www.news24.com/fin24/companies/victory-for-west-coast-fishing-communities-as-court-blocks-seismic-blasting-20220301>

INVESTMENT IN WIND ENERGY REFORM IN MPUMALANGA - Mercia Grimbeek, chairperson of the South African Wind Energy Association (SAWEA), has confirmed that the industry is in a good position to take advantage of the 100MW reform and release of 36 000ha of Eskom land in Mpumalanga." Developers are looking to facilitate projects for energy intensive users. A renewable-energy development zone has been demarcated in eMalahleni and, supported by commitments from companies including Sasol. Grimbeek is confident that wind will secure a portion of the 3900MW project being developed by Minerals Council South Africa and stated that: "This is game-changing for a province that has historically been the centre of fossil-fuel electricity generation."

Source: Engineering News dated 28 January 2022

https://www.engineeringnews.co.za/article/sawea-chair-sees-100-mw-reform-unlocking-wind-investments-in-mpumalanga-2022-01-28/rep_id:4136

SOUTH AFRICA IS FACING A SEWAGE CRISES – Incidents of sewage and waste water spills are on the increase. Recent reports include pollution to local rivers and beaches across the country resulting in the flooding of homes, wiping out of fish and other wildlife and forced closures of popular tourist beaches. The threat this poses to human health cannot be ignored. Our Burning Planet spoke to various veteran water managers, engineers and environmental law experts to get their opinions and suggestions.

Source: Daily Maverick dated 27 January 2022

<https://www.dailymaverick.co.za/article/2022-02-27-putting-a-cork-into-south-africas-overflowing-sewage-crisis/>

COMPLIANCE WITH THE WASTE ACT FOR GENERATORS OF USED OIL – Used lubricating oil removed from machinery and motor vehicles contains harmful compounds and is classified as hazardous waste. Businesses that generate more than 20kg of used oil per day are required to register on the South African Waste Information System (SAWIS), and must capture their figures of used oil on a quarterly basis. They are required to comply with all the legal obligations as set out in the National Environmental Management: Waste Act 59 of 2008.

Source: News24 dated 25 February 2022

<https://www.news24.com/news24/partnercontent/what-generators-of-used-oil-must-know-to-comply-with-the-waste-act-20220223>

INTERNATIONAL

GENERAL

UNEA DELEGATES UNANIMOUSLY AGREE TO END PLASTIC POLLUTION – The United Nations Environment Assembly (UNEA) met from 28 February to 2 March and have unanimously agreed to develop a legally binding treaty to end plastic pollution. The treaty will address the full life cycle of plastic from production to disposal. Espen Barth Eide, Norway's Minister for Climate and the Environment said in a statement that, "*Plastic pollution has grown into an epidemic. With today's resolution we are officially on track for a cure.*"

Source: Mail & Guardian dated 3 March 2022

<https://mg.co.za/environment/2022-03-03-a-triumph-for-the-planet-over-plastic-pollution/>

RUSSIA – UKRAINE CONFLICT COULD CAUSE ENVIRONMENTAL DISASTER – Dams, nuclear power plants and oil refineries in the Ukraine are at risk. Any impact on these types of facilities has the potential to cause short-term and long-term environmental disasters. A representative for the Ukrainian Volunteer Journalists Initiative (UVJI) said that the environmental threat from the invasion is "*enormous*". Ukraine has 15 nuclear power plants and have called for the International Atomic Energy Agency to impose a protective zone around these facilities.

Source: The Hill dated 2 March 2022

<https://thehill.com/policy/energy-environment/596427-how-russias-invasion-of-ukraine-holds-the-environment-hostage>

CLIMATE CHANGE CASE BEING HEARD IN THE USA SUPREME COURT COULD RESTRICT FEDERAL AGENCIES FROM ENACTING NEW REGULATIONS – President Biden's climate change agenda could be affected by what is being referred to as "*the biggest climate change case in a decade*". The Supreme Court will hear arguments in a dispute that could restrict or eliminate the Environmental Protection Agency's authority to control pollution.

Source: The New York Times dated 27 February 2022

<https://www.nytimes.com/2022/02/27/climate/supreme-court-will-hear-biggest-climate-change-case-in-a-decade.html>

PUBLICATIONS

S&P GLOBAL SUSTAINABILITY YEARBOOK 2022 – An assessment of sustainability practises examining major business sustainability trends across 7554

Companies from 61 different industries.

https://www.spglobal.com/esg/csa/yearbook/2022/downloads/spglobal_sustainability_yearbook_2022.pdf

DISRUPTING ABALONE HARMS – A report released by Global Initiative against transnational organized crime on the illicit flows of *H.Midae* from South Africa to East Asia.

https://globalinitiative.net/wp-content/uploads/2022/02/Abalone-Report_31-Jan-Final.pdf

CONFERENCES AND OTHER EVENTS

- 4 March 2022 – **6th International Conference on Green Energy and Applications (ICGEA 2022)** - Singapore and online
- 10 March 2022 – **The Irish Waste Management Conference 2022** – Dublin, Ireland
- 2 April 2022 – **4th International Conference on Clean Energy and Electrical Systems (CEES 2022)** - Tokyo, Japan and online

IMBEWU'S ONLINE Safety, Health & Environmental (SHE) Legal Register Platform. This new, cost effective SHE Legal Register offering is contemporary and streamlined for easy access with secure passwords, easy navigation, explanations of SHE legislation relevant to your operation, access to a comprehensive searchable SHE legislation database (which is updated monthly) and site-specific document management.

For more information contact sam@imbewu.co.za or visit <https://imbewu.co.za/she-electronic-legal-registers/>

"We learned that economic growth and environmental protection should go hand in hand" – **Christopher Dodd**

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