

NEWSLETTER ENV-3-2023**1 March 2023 – 31 March 2023****CONTENT****Notices:**

National Forests Act 84 of 1998
National Water Act 36 of 1998
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NOTICES:**NATIONAL FORESTS ACT 84 OF 1998***AMENDMENTS TO THE REGULATIONS ON THE NATIONAL FORESTS ACT 84 OF 1998*

The Minister of Forestry, Fisheries and the Environment intends to amend the Regulations on the National Forests Act, 1998, which was published under GN R466 in GG 32185 of 29 April 2009. Members of the public were invited to submit written comments on the proposed amendments, to the Director-General: Department of Forestry, Fisheries and the Environment within 30 days of publication of the Notice in the Government Gazette or in the newspaper, whichever date is the last date. Published under Government Notice 3121, Government Gazette 48181 of 8 March 2023.

NATIONAL WATER ACT 36 OF 1998*NOTICE TO UPDATE WATER USE INFORMATION IN TERMS OF THE NATIONAL WATER ACT, 1998*

In terms of Regulation 11 of the Water Use Registration Regulations, published under Government Notice R1352 in Government Gazette 20606 of 12 November 1999, the registered water user must within one month of any change in the water use reflected in any registration certificate, report that change to the responsible authority. The Minister of Water and Sanitation instructed water users to submit a written application for an amendment or to submit a new application for registration for amendment within 90 days from publication of the Notice. An amendment to the registration information as reflected on registration certificate refers to formal or official change made to information on the registration certificate. This includes the replacement of outdated contact details; provision of updated information on new property owners upon buying of property or change in customer name (water user name) including transformation of the Irrigation Boards or Government Water Scheme into Water User Association; renewal information of passport holders; updating or corrections on Value Added Tax (VAT) and business registration information.

The following water users should send an application for amendment of the registration of water use information as set out above.

- taking water from a water resource (Section 21(a) of National Water Act, 1998);
- storing water (Section 21(b) of National Water Act, 1998);
- engaging in a stream flow reduction activity contemplated in section 36 (Section 21(d) of National Water Act, 1998).

The following water uses (water users) are exempted from registration:

(a) A water user who falls under the area of operation of the water management institution water user association or irrigation boards or government water scheme. These water users should submit their application directly to their water management institution.

(b) Schedule 1 water users

Any person who fails to comply with the notice will be guilty of an offence.

Published under Government Notice 3137, Government Gazette 48187 of 10 March 2023.

NOTICE TO REGISTER WATER USE IN TERMS OF THE NATIONAL WATER ACT, 1998

In terms of Regulation 3(b)(i) of the water use registration regulations published under Government Notice R1352 in Government Gazette 20606 of 12 November 1999 a person who uses water as contemplated in section 21 of National Water Act, 1998, must when called upon by a responsible authority to do so, register a water use. The Minister of Water and Sanitation requested all persons who uses water to register their water use within 90 days of publication of the Notice.

For the purpose of this notice, and as set out in section 21 of the Act, the following water uses should be registered:

- Section 21(e) – engaging in a controlled activity defined as such in Section 37(1), with specific reference to irrigation of any land with waste or water containing waste generated through any industrial activity or by a water work.
- Section 21(f) – discharging waste or water containing waste into a water resource through a pipe, canal or other conduit.
- Section 21(g) – disposing of waste in a manner which may detrimentally impact on a water resource.
- Section 21(h) – disposing in any manner of water which contains waste from, or which has been heated in, any industrial or power generation process.
- Section 21(j) – removing, discharging, or disposing of water found underground if it is necessary for the efficient continuation of an activity or for the safety of people.
- Section 21(h) – disposing in any manner of water which contains waste from, or which has been heated in, any industrial or power generation process. The

The abovementioned wastewater uses include a number of non-point sources of discharge:

- Disposal of effluent to land or to a facility (such as a tailings dam, irrigated effluent, or evaporation ponds treatments).
- Disposal of effluent to land or to a facility (such as a landfill, waste rock dumps, fly ash disposal or solid waste disposal).
- Land use activities such as confined animal facilities or dirty water systems.

The following water uses are excluded from registering in terms of this notice:

- Schedule 1 uses in terms of the National Water Act, 1998.
- Water uses by members of the Irrigation Board, Water Use Association, and government Water Scheme in a distribution system where they are supplied by the Board or Association or Scheme.

Any person who fails to comply with this notice shall be guilty of an offence.

Published under Government Notice 3138, Government Gazette 48187 of 10 March 2023.

REVISION OF GENERAL AUTHORISATIONS IN TERMS OF SECTION 39 OF THE NATIONAL WATER ACT, 1998, FOR WATER USES AS DEFINED IN SECTION 21(c) OR SECTION 21(i)

The Director-General of the Department of Water and Sanitation published for comments the revised General Authorisations for section 21(c) (Impeding or diverting the flow of water in a watercourse) or 21(i) (Altering the bed, banks, course or characteristics of a watercourse) water uses in terms of section 39. Members of the public were invited to submit written comments on the proposed notice within 60 days of publication of the Notice.

Published under Government Notice 3139, Government Gazette 48187 of 10 March 2023.

WATER RESOURCE CLASSES AND RESOURCE QUALITY OBJECTIVES FOR THUKELA CATCHMENTS IN THE PONGOLA-MTAMVUNA WATER MANAGEMENT AREA

The Minister of Water and Sanitation determined the classes of water resources and the associated resource quality objectives for the Thukela Catchments in the Pongola-Mtamvuna Water Management area. Published under Government Notice 3141, Government Gazette 47187 of 10 March 2023.

DRAFT INTEGRATED WATER QUALITY MANAGEMENT POLICY

The Minister of Water and Sanitation published the draft Integrated Water Quality Management policy for public comments. Written representations or comments on the revised Integrated Water Quality Management policy may be submitted within 90 days of publication of the Notice. Published under Government Notice 3142, Government Gazette 48187 of 10 March 2023.

REGULATIONS RELATING TO ACCESS AND USE OF GOVERNMENT WATERWORKS AND SURROUNDING STATE-OWNED LAND FOR RECREATIONAL PURPOSES IN TERMS OF THE NATIONAL WATER ACT, 1998

The Minister of Water and Sanitation intends to make the abovementioned Regulations. Interested persons were invited to submit any substantiated comments or representations on the proposed Regulations to the Director-General, Department of Water and Sanitation, within two months of the date of publication of the Notice. Published under Government Notice 3204, Government Gazette 48294 of 24 March 2023.

NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT 39 OF 2004

CONSULTATION ON PROPOSED REGULATIONS FOR IMPLEMENTING AND ENFORCING PRIORITY AREA AIR QUALITY MANAGEMENT PLANS

The Minister of Forestry, Fisheries and the Environment gave notice of the intention to publish the Regulations for implementing and enforcing priority area air quality management plans. These Regulations set out the requirements necessary for implementing and enforcing any approved priority area Air Quality Management Plans. The Regulations will provide for mandatory implementation of interventions; mechanisms for government to monitor and evaluate the effectiveness of the plans, transitional arrangements as well as the activation of enforcement measures where non-compliance is identified. It will apply to all key stakeholders identified to be significant contributors to poor air quality in the respective air quality management plans, including listed activities; controlled emitters; mining operations and government stakeholders. Written comments may be submitted within 30 days from the date of the publication of the Notice to the Director-General: Department of Forestry, Fisheries and the Environment. Published under Government Notice R. 3152, Government Gazette 48211 of 17 March 2023.

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 59 OF 2008

EXTENDED PRODUCER RESPONSIBILITY SCHEMES

The Minister of Forestry, Fisheries and the Environment published the following Producer Responsibility Schemes which require the producers of the identified products to implement the specified extended producer responsibility measures:

- Extended Producer Responsibility Scheme for the Pesticide Sector – GN 3177, GG 48281 of 23 March 2023 <https://implex.co.za/wp-content/uploads/2023/04/ENV-NEMWA-G48281-GoN3177-Mar2023.pdf>

- Extended Producer Responsibility Scheme for the Lubricant Oil Sector – GN 3178, GG 48282 of 23 March 2023
<https://implex.co.za/wp-content/uploads/2023/04/ENV-NEMWA-G48282-GoN3178-Mar2023.pdf>
- Extended Producer Responsibility Scheme for the Portable Battery Sector – GN 3179, GG 48283 of 23 March 2023
<https://implex.co.za/wp-content/uploads/2023/04/ENV-NEMWA-G48283-GoN3179-Mar2023.pdf>

PROPOSED AMENDMENTS TO THE NATIONAL NORMS AND STANDARDS FOR THE ASSESSMENT OF WASTE FOR LANDFILL DISPOSAL, 2013

The Minister of Forestry, Fisheries and the Environment intends to amend the abovementioned Norms and Standards. Members of the public were invited to submit written comments on the proposed amendments to the Director-General: Department of Forestry, Fisheries and the Environment, within 30 days from the date of publication of the notice in the Government Gazette or in a national newspaper, whichever date is later. Published under Government Notice 3183, Government Gazette 48288 of 24 March 2023.

PROPOSED AMENDMENTS TO THE NATIONAL NORMS AND STANDARDS FOR THE DISPOSAL OF WASTE TO LANDFILL, 2013

The Minister of Forestry, Fisheries and the Environment intends to amend the abovementioned Norms and Standards. Members of the public were invited to submit written comments on the proposed amendments to the Director-General: Department of Forestry, Fisheries and the Environment within 30 days from the date of publication of the notice in the Government Gazette or in a national newspaper, whichever date is later. Published under Government Notice 3184, Government Gazette 48289 of 24 March 2023.

PROPOSED AMENDMENTS TO THE WASTE CLASSIFICATION AND MANAGEMENT REGULATIONS, 2013

The Minister of Forestry, Fisheries and the Environment intends to amend the abovementioned Regulations. Members of the public were invited to submit written comments on the proposed amendments to the Director-General: Department of Forestry, Fisheries and the Environment, within 30 days from the date of publication of the notice in the Government Gazette or in a national newspaper, whichever date is later. Published under Government Notice 3185, Government Gazette 48290 of 24 March 2023.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998

PROPOSED AMENDMENTS TO THE REGULATIONS TO PHASE-OUT THE USE, PRODUCTION, DISTRIBUTION, SALE, IMPORT AND EXPORT OF PERSISTENT ORGANIC POLLUTANTS

The Minister of Forestry, Fisheries and the Environment gave notice of the intention to amend the Regulations to phase-out the use, production, distribution, sale, import and export of persistent organic pollutants, 2019, which was published under GN R. 1150 on 10 September 2019. Written comments on the proposed amendments may be submitted to the Director-General: Department of Forestry, Fisheries and the Environment, within 30 days from the date of publication of the notice in the Government Gazette or in a national newspaper, whichever date comes last.

Published under Government Notice 3180, Government Gazette 48284 of 23 March 2023.

PROPOSED AMENDMENTS TO THE REGULATIONS TO PROHIBIT THE PRODUCTION, DISTRIBUTION, IMPORT, EXPORT, SALE AND USE OF PERSISTENT ORGANIC POLLUTANTS THAT ARE LISTED BY THE STOCKHOLM CONVENTION ON PERSISTENT ORGANIC POLLUTANTS

The Minister of Forestry, Fisheries and the Environment gave notice of the intention to amend the abovementioned Regulations, which was published under GN R. 414 on 12 May 2021. Written comments may be submitted to the Director-General: Department of Forestry, Fisheries and the Environment, within 30 days from the date of publication of the notice in the Government Gazette or in a national newspaper, whichever date comes last.

Published under Government Notice 3181, Government Gazette 48285 of 23 March 2023.

CONSULTATION ON THE DRAFT NATIONAL REGULATIONS FOR THE MANAGEMENT OF MERCURY IN SOUTH AFRICA

The Minister of forestry, Fisheries and the Environment intends to publish the Regulations for the management of mercury in South Africa. These Regulations are intended to manage and regulate mercury in South Africa and to domesticate the Minamata Convention on Mercury, of which South Africa is a party and which was ratified in 2019. Members of the public were invited to submit written comments to the Director-General: Department of Forestry, Fisheries and the Environment, within 30 days of publication of the Notice in the Government Gazette or in a national newspaper, whichever date comes last.

Published under Government Notice 3189, Government Gazette 48292 of 24 March 2023.

PLANT IMPROVEMENT ACT 53 OF 1976

FEES PAYABLE

Table 1 of the abovementioned Act regarding the fees payable for the period 1 April 2023 to 31 March 2024 was published under Government Notice R. 3190, Government Gazette 48293 of 24 March 2023.

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SOURCES

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