

# GROUNDWORK

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ArcelorMittal -  
Clean up your Act!

environmental justice action in Southern Africa

*groundWork is a non-profit environmental justice service and developmental organisation working primarily in South Africa, but increasingly in Southern Africa.*

*groundWork seeks to improve the quality of life of vulnerable people in Southern Africa through assisting civil society to have a greater impact on environmental governance. groundWork places particular emphasis on assisting vulnerable and previously disadvantaged people who are most affected by environmental injustices.*

*groundWork's current project areas are: air quality, waste (including health care waste, industrial landfill waste and incineration) and corporate accountability.*

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#### **AFFILIATIONS:**

*groundWork is affiliated to the following international organisations:*

*Health Care Without Harm*

*International POPs Elimination Network*

*Basel Action Network*

*Oilwatch International*

*Global Anti-Incineration Alliance*

*groundWork is the South African member of Friends of the Earth International*

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*Cover photo: Protesters march towards ArcelorMittal as part of a world-wide protest against that company's polluting practices.*  
*Photograph: groundWork*



# From the smoke stack



by groundWork Director, Bobby Peek

On the 1<sup>st</sup> of June, groundWork turned nine, and I reflect back on nine years of struggles for environmental justice that we can be proud of. Despite the successes gained, our struggles remain the same – fighting for people to have access to an environment that is not harmful to their health and well-being, fighting for people to have a say in environmental governance.

In the last week of our ninth year, I found myself treading through townships in the Vaal area where there is a legacy of illegal dumps. Here we found waste everywhere. People have to live with garbage dumps in their neighbourhoods, and we heard stories of how medical waste was uncovered as people dug trenches for home gardening. The groundWork Report for 2008 will focus on waste, and the Vaal Triangle, Pietermaritzburg and Bisasar Road dumpsites will be key focus areas. Musa speaks more about our visits in these community areas (see page 22).

As we are speaking about waste, let us not forget the Waste Bill. The provincial governments are currently holding public hearings on the bill and once again - both in KwaZulu Natal and Gauteng – once groundWork staffers had made their presentations, you could see the concern on the faces of the politicians over the fact that mining waste and health care waste just do not appear in the Bill, and the issues around incineration. Imagine having a Waste Act that does not deal with 83% of South Africa's waste. So, as it stands now, the various 'residue' deposits, as DME refers to mining waste, will remain unmanaged outside the ambit of any independent, well managed waste strategy.

The battle for management of the environmental impact of mining is being discussed frenetically between politicians and officials. There have been no formal public hearings country-wide on this issue. Rather, all discussions have taken place in Cape Town, far away from the mining areas and the provinces where mining is a mainstay. The grapevine informs us that the Departments of Minerals and Energy and Environment and Tourism are making some

uncomfortable compromises and we hear – surprise – that DEAT is far from happy with these. But what can they do? In reality they have no power!

Closer to home, Pietermaritzburg has finally started to consider a broad approach to understanding the environmental challenges facing the city. But, lo and behold, the approach seemingly is falling into the managerial bureaucratisation of environment, rather than viewing it from a justice perspective. This is summed up succinctly in the opening paragraph of the final inception report:

“...has recognised that to support sustainable social, economic and environmental development within the Municipality, the adoption and implementation of an appropriate policy to inform development planning and approval is required. A comprehensive environmental policy framework will allow systematic conservation planning and management of the use of environmental resources, while safeguarding important components and viable representative samples of the natural environment. To address these requirements, the preparation of an Environmental Management Framework (EMF) is proposed for the Msunduzi municipal area. In August 2007 SRK Consulting (SRK) was appointed to prepare the Msunduzi EMF to include a Strategic Environmental Assessment (SEA), a Municipal Open Space System (MOSS), a Strategic Environmental Management Plan (SEMP) and the EMF for the Msunduzi Municipality.”

Come on sleepy hollow, I am sure that we can be more creative. I am no doubt going to get flack from those involved in the Pmb process for what I have said, but, hell, very little has changed in Pietermaritzburg over the last decade. We still have the chrome dumps in Edendale and a poorly managed New England Road landfill site and, with winter upon us, we still have the usual smells.

As we enter our tenth year, we will be spending time on reviewing our past, and working on new strategies on how to ensure that political leaders feel the heat on environment! One strategy that will not change is the strategy of spending time with local people in local situations – on landfill sites and in neighbourhoods adjacent to polluting industry – to experience what they do and to learn from their struggles so that we can support and share these struggles with people facing the same challenges elsewhere!



# ArcelorMittal - Steeling our tomorrow

Sunita Dubey & Bobby Peek

The world's largest steel company has a global footprint of pollution and the exploitation of resources and people

On May 13, 2008, people from different countries gathered in Luxembourg to register their concerns and to protest the years of neglect and exploitation of resources and communities by Mittal steel, which has now become the largest steel company in the world after its merger with Arcelor in 2006. In addition to our little action in front of the headquarters of the company on the day of their Annual General Meeting exposing ArcelorMittal's poor environmental and social record, it also opened our eyes to the collective strength in the coming together of groups from different countries: South Africa, Kazakhstan, India, USA, Czech Republic, Romania, Poland, Ukraine etc. We have all have been raising issues of pollution, safety standards, health and impact on communities in our respective countries to no avail, but that day we were a force that no one could ignore, as we got not only the attention of the media, but also of the company itself.

## Thinking globally

The idea of initiating a global level campaign started in the month of September 2007, during my visit to ArcelorMittal plant in Vanderbijlpark, South Africa. It was interesting for me to learn more about what they were doing in South Africa, as ArcelorMittal was planning a major investment in a "greenfields" project in India. My visit opened my eyes to the footprints left by their steel mill on the environment, workers and communities. With the images of ArcelorMittal bright in my mind, and the stories of community members still ringing in my ears, I exchanged a couple of e-mails with other groups from places where ArcelorMittal was operating steel mills and mines. It was disheartening to find that the pattern of pollution, health and safety and labour problems experienced by neighbours and workers at ArcelorMittal were more than occasional blips. Rather, they represented the logical conclusion of the company's strategy of buying old, heavily polluting steel mills and taking cost cutting to its extreme.

The idea of starting a global campaign or network on ArcelorMittal became a focal point of our discussions with other groups in Poland, Czech Republic, Romania and other eastern European states and soon we were talking about documenting the cases of various violations and neglect of environment, people and laws by ArcelorMittal. Within four months the team of people who believed that there was a need to expose these issues at an international level and to join hands to show our collective strength, were ready with a compilation titled "In the wake of ArcelorMittal - the global steel giant's local impacts". The case studies exposed that, from the health and safety issues in the company's Kazakh mines to the air pollution at all of the sites and the hazardous waste dumping in South Africa, the problems vary, but the common theme is the age-old clash between the need to invest in environmental, labour and health and safety improvements and the need to keep costs down. In South Africa, the company has even resorted to coercive practices in the case of families that have refused to give up their land for ArcelorMittal's use. In India they are planning a huge steel complex on the lands of indigenous communities and poor farmers.

## False claims and Corporate Social Irresponsibility

While the company claims that significant investments have been made for the necessary improvements, particularly in Central and Eastern Europe, anecdotal evidence from workers and local residents suggests that the level of effectiveness of these investments has not been satisfactory for various reasons. In some cases questions have been raised about whether the investments themselves were actually made, and in other cases investments seem to have been made, but demands for higher production and the system of bonus payment appear to have led to managers being put in situations in which they had to choose between higher production or environmental, health and safety protection.



While no one expects all of the problems to be resolved overnight, the company's claims to be making intensive investments to address the issues are severely undermined by its reluctance to release basic information to, and meet with, stakeholders. Its approach in ignoring the huge number of letters sent by Ohio citizens, as well as requests to release its Environmental Action Plans in Romania, Ukraine and South Africa, shows a basic lack of goodwill and casts doubt on the sincerity of its intentions. It took the deaths of 130 mineworkers in Kazakhstan for ArcelorMittal to adopt a Stakeholder Engagement Programme, but how it works in practice is yet to be seen.

Even in the guise of Corporate Social Responsibility, the ArcelorMittal approach towards compensating people for taking away their lands is lopsided. In the case of India, where they have asked for 8000 acres of land for their project in eastern state, the problem lies in the very fact that the land sought for the project is multi-crop, fertile, and irrigated agricultural land. This brings in the issue of what people are going to get in lieu of losing their only source of livelihood and homes, and all ArcelorMittal has to offer is health care and a sports facility.

### The Rise of a Steel Giant

The rise of Mittal Steel from a small mill to a global steel giant is perceived by many as one of the great wonders of the business world. After having worked for years in his father's small steel business, and having successfully opened a steel plant in Indonesia, Lakshmi Mittal branched out on his own and made his fortune by buying up old plants around the world and turning them into profitable ventures. Success in business has resulted in great personal wealth for Mittal, who is now rated the fourth richest person in the world by Forbes, with an estimated wealth of USD 45 billion. He is now also CEO of the world's biggest steel company, ArcelorMittal, after the Luxembourg-based Arcelor agreed to a takeover by Mittal in 2006. In addition to mines in Africa, Central Asia, North America and Eastern Europe, Mittal, at the time it took over Arcelor, owned steel mills in 14 countries. Now Arcelor Mittal is focusing on "green-field projects"<sup>1</sup>, in places like India and China.

The success of the company has come with exploitation of weaker national laws and political wrangling. In the last three decades Mittal has bought up old, run-down state-owned steel factories in places like Trinidad, Mexico, Poland, Czech Republic, Romania, South Africa and Algeria. The cost of Mittal Steel's



One of the many greenwash billboards posted around the ArcelorMittal site in the Vaal.

Photo:  
groundWork

<sup>1</sup> Greenfield projects are projects which take place on previously undeveloped land



## Lead Story

success has largely been paid by the communities living and working near the company's plants. Despite frequent company statements to the contrary, Mittal Steel has a global reputation of having little regard for the environment, communities and fair labour practices in the countries where it operates.

### Global Action on ArcelorMittal

The groups from around the world have formed a coalition called "Global Action on ArcelorMittal" to collectively raise the issue and highlight the fact that the problems associated with ArcelorMittal steel plants are not occasional blips, but a global trend of disregard for environment and people. Even though ArcelorMittal officials met with the members of the group, no concrete commitment was made to disclose the information, which the company has been refusing to give to groups. Given its track-

record, it is still to be seen how this company is going to behave in places like India, where it is starting one of the most ambitious greenfield projects, and also in places where it has been operating mine and steel plants for many years.

As a global network, we will keep on raising these issues at every forum with new vigour and enthusiasm. Our meeting in Luxembourg was not a one-time gathering, but a serious step toward working together to expose the working practice of the company and support community struggles, all over the world, where ArcelorMittal is operating. I have come back from Luxembourg with so much hope and a belief that we can make a difference and we can change the business as usual approach taken by multinational corporations like ArcelorMittal.

### Action in South Africa

While comrades were putting critical issues to the Annual General Meeting in Luxembourg, in the Vaal Triangle, just south of Johannesburg, where ArcelorMittal has its major steel mill in Vanderbijlpark, groundWork, the Vaal Environmental Justice Alliance and local residents and ex-workers gathered in the main road outside the plant and marched toward the main gates to deliver the research on global ArcelorMittal to the local managers.

Hot and dusty is the usual state of the environment in the Vaal and through this about 150 people marched, singing songs to liberate the pain they felt from the actions of ArcelorMittal, which makes the poor of the Vaal Triangle poorer because of pollution and poor worker conditions. After 30 minutes on the road we were met at the gates by cameras and video machines, more from ArcelorMittal and the State than from the media. Our throats were dry, we were sweaty and dusty and in front of us stood crisp, clean, well dressed ArcelorMittal personnel. There were two layers of personnel: new black staff that came to address the people in well versed corporate greenwash speak and, standing behind them, the real power, the larger than life white men who make the decisions.

We kept them out there. We were not going to give them the pleasure of making a quick exit! Comrades from the ex-workers, community organisations, VEJA and groundWork all spent time explaining in English, Zulu and Sotho our concerns and dissatisfaction with ArcelorMittal. Our major demands were numerous, but summed up in two key statements: one, we need unconditional access to 'all relevant information' and, two, that we want Lakshmi Mittal to come to speak to us himself. He owns ArcelorMittal and the decisions and the changes we want will require a decision that will not be made in South Africa, but rather in the corporate head quarters in Luxembourg. Mittal is often in South Africa. He protects his investment by advising President Mbeki about how 'not to make life difficult for his profit making venture' and how to continue a corporate neo-liberal state. I was stunned when the response from ArcelorMittal was that they will bring Mittal to speak to the community, but we need to respect that it cannot happen 'tomorrow'. Well we are willing to wait! But not for too long!

However what surprised me more – and I should not have been surprised – was the all so in your face greenwash ArcelorMittal was spinning. We cannot place all the photos here, but we have to put some of the words down: "ArcelorMittal – ensures a cleaner environment for a better tomorrow"; "Our environment, our responsibility". The classic was the one using children which we have printed for you to witness for yourself. The question is, is this global greenwashing under the guise of Corporate Social responsibility?



# Incineration in our backyard a Big No No!

By Musa Chamane

## Consultation by DEAT on the High Temperature Thermal Treatment Policy has been less than sincere

South African policy development processes still lack proper community participation. As a result groundWork has run extensive community workshops regarding the Waste Bill and Waste Incineration Policy, focused primarily on communities that live next to cement kilns. NGOs, including groundWork, have been exerting pressure on the DEAT to develop these policies; so, incidentally, has the cement industry, which stands to benefit by making a massive profit should waste incineration be authorised.

The process of developing the incineration policy commenced early last year. The DEAT, as government, should be neutral about this but it was clear from the start that they had already taken a stand on waste incineration in cement kilns. The government has essentially been marketing waste incineration in communities and is, to my mind, misrepresenting incineration as a correct and safe solution to waste management. The presentations that are made by the DEAT consultants seem one sided, and I believe that they are biased. One cannot critique something by only focusing on one side of the coin.

The argument by government is that the issue of waste and space for waste disposal in this country is a challenge. The DEAT believes that waste burning in cement kilns will be a solution to our waste problem in South Africa. The other argument the DEAT puts forward is that in waste such as tyres there is energy value left and that can be recovered when it is burnt. This recovered energy can be used in the internal processes of the plant and there will be less need of coal fired energy from Eskom.

As believers in environmental justice, we do not believe that two wrongs will make a right. Landfilling of waste is not an ideal solution for waste disposal, but neither is waste incineration. The burning of waste creates a number of problems, such as dioxins and

furans from the burning process. Dioxins and furans come as residues in the form of emissions/smoke. The danger of these two chemicals is that they do not show an instant impact in human lungs, but at a later stage one will start developing respiratory problems. These chemicals are Persistent Organic Pollutants (POPs), meaning they are persistent in nature and they accumulate in the body of a human being.

What the DEAT is proposing is quite appalling because South Africa is a signatory to the Stockholm convention, which stresses that the countries must limit the production of POPs. As we speak, the DEAT is in a process of developing an implementation plan for the Stockholm Convention. This is really confusing, but when one raises this with the DEAT, one is told that incineration is happening in Sweden, Germany and other European countries. Waste incineration may be happening in other countries, but that does not mean South Africa must follow suit. Currently the DEAT is failing to monitor the operations of the cement companies. The main challenge faced by cement companies is dust minimisation as it impacts badly on the nearest communities. South Africa is not ready to engage in the burning of waste. Europe is years or ahead of us in terms of governance, so they might be in a better position to engage in highly technological or 'dangerous' activities than us.

### African Solutions for Africa

Of course we cannot live in isolation but we can adopt things that will not give us problems in the future. Waste incineration results in costing the country millions of Rand (the DEAT's consultants put it at Euro 40 per ton of waste). How? Despite the industry's assurances to the contrary, people will suffer from respiratory diseases such as Asthma and TB where waste is incinerated. POPs released will not only result in respiratory diseases, but also



diseases such as cancer. In this country there are a substantial number of people whose immune systems are compromised due to HIV. Imagine someone infected by the HIV being exposed to smoke from tyre burning by a cement plant. You can draw your own conclusions.

The health of the people must come before profit. Cement companies tell you point blank that they want to help municipalities by burning their waste, as well as industrial waste, to make more money. Cement companies are not waste companies. They do not know much about waste. For them it is about making money. The impacts that will accompany their profits are not being considered in these discussions.

How are the cement companies going to make money? Actually, they are going to make money in four ways:

1. SATRP Co<sup>1</sup> proposes a levy on each tyre sold and this levy is going to be given to cement companies that are going to be burning waste tyres;
2. Waste that will be burnt will not be burned for free. They will be paid by the company whose waste it is;
3. Waste tyre burning will reduce the amount of coal to be bought by the factory as coal as an energy source will be partly replaced by waste. The cost of buying coal will be saved. Does this mean better salaries for labour? I'm not convinced.
4. Potentially, Clean Development Mechanism (CDM) credits could be claimed.

The big question is how are the cement companies going to protect our lives and the environment? Their motivation is to make more money and not to protect the environment or conserve nature. What is painful is that our own government that we voted for is not intending to protect us from such a horrible mistake. Some countries, like the Philippines, have banned waste incineration because of the human impacts that were borne from waste burning.

The consultations with communities that reside next to the cement companies were a complete farce. The DEAT officials decided to have three public participation meetings about the proposed

incineration by cement companies. The meetings were in Port Shepstone in KwaZulu-Natal, New Brighton in the Eastern Cape and in Lichtenburg in the North West Province. There were issues raised by communities to which the DEAT officials could not provide answers.

Port Shepstone people came in numbers to fill the Oribi George conference room. Among the people who attended these meetings were two amakhosi<sup>2</sup>. The issues raised were many. It was clear that the people are not satisfied by the presence of this factory in their locality. Inkosi Mavundla advised the factory to stop expansion because he felt proper protocol, such as informing the public about the expansion, has not been followed. The DEAT was ordered to come back with answers to the questions they have raised. An elderly woman asked an interesting question: "what if we as a community say no to waste burning in our neighborhood. Will the department still proceed to grant them the license?" The issue of the school that closed down in 1985 due to poor plant operation was raised. The issue of job opportunities was also raised. Fortunately, the plant management was there and tackled some of the questions. People raised their concern that they do not want waste to be burnt in the cement kiln by NPC plant. People are still waiting for the DEAT to come back with answers to a number of questions they have asked.

The Lichtenberg community meeting never took place. As soon as the meeting was declared open the local comrades took control of the meeting. They asked a number of questions. Questions were asked about other departments, such as the Department of Health, Labour, Minerals and Energy, not being part of the meeting. They felt that these departments are important stakeholders and, due to their absence, they felt that there was no point for this meeting to proceed. The DEAT was ordered to come back and have another meeting with other departments represented. The other thing which was mentioned to DEAT is that they should not come to them with a prepared agenda but that the agenda must be adopted at the beginning of the meeting. The meeting was adjourned with a hope that a second meeting will be called by the DEAT.

In PE, people protested/demonstrated at the plant

<sup>1</sup> South Africa Tyre Recycling Process Company

<sup>2</sup> Inkosi WT Mavundla: Chairperson of the Constitutional Development Committee, and Inkosi Lushaba



gates trying to make a statement that they do not want waste incineration in their township. There were also a number of questions raised in this meeting. It was mentioned that in late 90s the issue of dust was reported to the plant management and to the municipality. Even though they complained, nothing happened and they do not trust the DEAT to provide solution to their problems. They further mentioned that the DEAT should not use them to rubber stamp something that they have already decided upon. The presentations made were not completed and people asked the DEAT to come back, making sure that there is enough time to talk about issues. People felt that there was not enough time to discuss issues pertaining to this plant. People reported that this plant is not fit to manage such a dangerous activity and the DEAT was told that this plant is not in an industrial zone but rather in a residential zone.

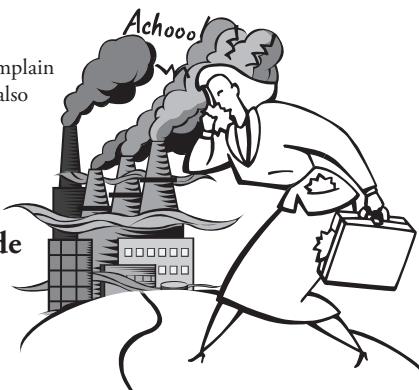
I wonder what these meetings mean to the DEAT? It was obvious that people are not happy about this proposed activity. My general interpretation of this was that people told the DEAT to back off with waste incineration in their areas. For them there is no need to please the industry because it is not pleasing them. It was clear that there is a bad vibe between these factories and neighbouring communities. People feel that the government is not protecting them since they know their rights; they have a right not to live in an unhealthy environment. I hope there are lessons learned by the DEAT from these consultative processes.

# What's wrong with incineration?

All around the world people are opposed to incineration because:

## Incineration is bad for your health

People who live near places where waste is burned complain of asthma, burning eyes and skin diseases. There are also more people with cancer, and more babies with birth defects, in communities that live near waste burners.



## When waste is burned, deadly

### chemicals called dioxins can be made

These chemicals are the most dangerous in the world and cause cancer in people and animals. It is also possible that, when different wastes are burned together, brand new chemicals might be made. Nobody can know what harm these chemicals can

## When waste is burned, dangerous particulates get into the air

When waste is burned, very small pieces of waste, called particulates, get into the air. These are very bad for your lungs and can cause asthma and lung cancer.

## Incineration does not get rid of the waste, it just changes its form

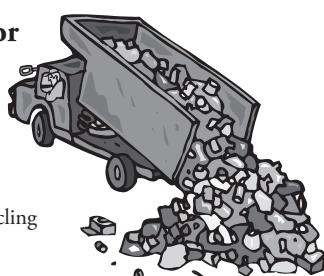
When waste is burned, it is changed into emissions and into ash. The emissions can contain dangerous chemicals which can affect your health. The ash can contain dangerous residues which can get into the water supply, blow onto food crops and into people's homes, or contaminate the cement if waste is burned in cement kilns.

## Burning waste is wasting waste

Even if waste is burned to make energy, the energy it creates is far less than the energy that it took to make the things that are in the waste. Recycling is much better than incineration because the energy is saved.

## Much waste is needed to feed the incinerator

Once an incinerator is built, or a cement kiln is changed to be able to burn waste, they need plenty of waste to make them cost effective. This means that people must keep on making waste to keep them going. Waste is not a renewable resource.



## Incineration does not create jobs

Very few people are needed to run a waste burning facility. Recycling and re-use of waste creates far more jobs than burning waste.



## Spotlight on Assmang

By Siziwe Khanyile

### Defying all logic (and any sense of decency), Assmang accuse employees of having malingeringism rather than manganism

The spotlight has once again fallen on Assmang, a ferromanganese smelter at Cato Ridge, outside Durban in KwaZulu-Natal. In February the company made media headlines because of the death of six workers caused by an explosion on the plant. This time, a Department of Labour enquiry continues, after several months' recess, where the department is investigating cases of manganese poisoning, also called manganism, which exist as a result of poor health and safety measures at the plant that resulted in workers breathing dust and fumes containing manganese particles.

Assmang is jointly owned by African Rainbow Minerals Limited (50%) and Assore Limited (50%). African Rainbow is a company owned by Patrice Motsepe, one of South Africa's wealthiest beneficiaries of the Black Economic Empowerment policy. Assore has as directors Cyril Ramaphosa and Max Sisulu.

The hearings are focused on a group of 10 workers who were diagnosed with manganism and were determined disabled by the Compensation Commissioner in terms of the Compensation for Occupational Injuries and Diseases Act (COIDA). Their counsel is seeking compensation for them as well as many other workers at Assmang who have allegedly fallen ill as a result of exposure for years, and often decades, to manganese-containing dust and fumes.

This enquiry also, however, holds hope for another group of manganese sufferers from the Vaal Triangle in Gauteng. The Samancor Retrenched Workers' Crisis Committee (SRWCC) is a group representing over 100 retrenched workers from Samancor, a ferromanganese and silicomanganese producer in Meyerton, Gauteng. This group has diligently attended these hearings since they started because both Assmang and Samancor are ferromanganese producers. SRWCC are seasoned activists who are

well organised in their battle against Samancor. They attend the Assmang hearings to lend solidarity to the current and retrenched workers of Assmang, but they also hope that a positive outcome to the case will strengthen their own battle against Samancor, who retrenched workers when they were diagnosed with manganism.

On one of the days of the hearing I was able to talk to some of those affected and diagnosed with Manganese poisoning.

In my conversations I spoke to Sibusiso Sibisi who is a Cato Ridge resident with seven children. Baba Sibisi worked for Assmang for 25 years as a Tapper. He is not an old man but, like several others, he has had to resort to walking with a crutch. I witnessed him struggling to climb down a single stair. I also witnessed him shaking uncontrollably as he tried to eat his lunch. He confirms his poor health which he says includes sore joints, headaches, memory loss, and trembling. He started to get sick and in 2005 was diagnosed with manganism by company doctors and was medically boarded in 2007. He says that the doctors who made his diagnosis, and that of several others, have been dismissed from the company. Assmang has, in the media, admitted that they disputed the initial diagnosis after getting medical advice.

Baba Sibisi has refused to see the new doctors employed by the company because the new doctors refute the findings of the previous set of company doctors. "The company took us to seven doctors and in the end the company said those doctors were not reliable, simply because of a diagnosis that didn't favour the company". He feels that Assmang is trying to escape responsibility. "They buy doctors and lawyers and pay them well, but those of us who worked to make money for the company are paid nothing to compensate us for our suffering", he says.





Sufferers of manganism from Assmang and from the Samancor Retrenched Workers Association. Despite having been exposed to manganese contamination, and showing many symptoms of the disease, Assmang management maintains that these people do not, in fact, actually have the disease.

Photo: groundWork

Sizwe Ndlovu worked at Assmang for 26 yrs between 1976 and 2002. His job as a crane driver directly exposed him to fumes from the furnaces.

He started to get sick in 2001, experiencing severe headaches, anger issues, problems with joints, spinal cord problems, and lack of sensation. Ndlovu maintains that they were not given effective protective clothing, aside from a pair of eye glasses, and an inadequate paper mask which was introduced later.

The company has provided him with medical aid which he sees as a clear admission of guilt. He survives off his provident fund and is awaiting claims for compensation from the Compensation Commission.

I spoke to Visy Naicker, a young man who started work at Assmang in 2000 and was medically boarded in 2006. He started out as a Millwright, then worked

as an electric and instrumentation foreman which required that he move through the whole plant doing various repairs.

Visy is one of the 10 workers that the hearing is focused on, although Assmang insists he should attend further medical examinations to enable the company to determine exactly what may be wrong with him. He has refused to be retested because six previous Assmang specialists diagnosed him with definite manganism and two private specialists confirmed the diagnosis. Visy is getting a full monthly salary from the company, but has received a letter from them informing him that he will be terminated if he refuses to see the new company doctors.

His list of ailments is very similar to that of others that I spoke to, and includes memory loss, headaches, difficulty in walking, mood swings, tremors and a decreased ability to learn and concentrate. Having



## Corporate Accountability

had a clean bill of health before working at Assmang, his list of medications is quite extensive.

"I won't get my health back and no amount of money can compensate me for my poor health. All I want is the company to compensate me so I can live the same quality of life that I would if I was not sick".

I also spoke to Sharene Wright who is passionately fighting for justice to be served after her husband Freddy Wright died in January last year. Freddy worked

Sharene Wright and daughter, Sherri-Lee Baker. Sharene's husband, who worked at Assmang, died of manganism.



for Assmang from 1990 to 2007 as a foreman in the crushing and screening department. Where her husband worked there was no protective clothing. "There was so much dust that he could put his hand in front of his face and not see it", she says.

Sharene's husband started to get sick from 2002, experienced mood swings, tremors, sore legs, lost balance, couldn't concentrate, slept a lot, had a high heart rate and hearing loss and, in his last days, he became violent and had to be tied down. He was given sleeping medication, from which he never woke.

Her mission is to make as many people aware of manganism and the dangers associated with managanese. She wants the company to look after the current staff and upgrade the plant so that they are not hurt like her husband was. She also wants the company to compensate her for the time until her husband would have retired.

Sharene's concerns also extend to the environment outside the plant. She is troubled by the amount of cancer in the community, which she says is quite prevalent. She is concerned about the visible dust and a constant black cloud over the plant, which causes white lace curtains to go black very quickly and need constant washing and leaves black dust particles on cars when parked outside.

She worries about the state of their lungs.

Having attended the hearings and spoken to several workers, it boggles the mind how Assmang can have the audacity to demand that workers be re-tested with a clear intention to get a diagnosis which exonerates the company. It is beyond words that after polluting their workers, and killing them in some instances, they can say that their employees' sickness (if, they suggest, the employees are indeed sick and not just malingering) has nothing to do with them. Assmang makes manganese products and the workers have symptoms of manganese poisoning!

It is shocking that companies that have poisoned people for decades are still getting away with it and it is infuriating that the regulators do too little too late.



# A Journey to Geneva

By Nomcebo Mvelase

## Nomcebo attends an international nurses' meeting

Geneva is the second most populous city in Switzerland (after Zurich) and is the most populous city in the French speaking part of Switzerland. It is regarded as a global city, mainly because of the presence of numerous international organisations, including the headquarters of many of the agencies of the United Nations and the Red Cross. It is also the place where the Geneva Convention was signed, which chiefly concerned the treatment of wartime non-combatants and prisoners of war.

This is where I went for the Environmental Health Capacity Building in the nurses' global Planning meeting. It was such an honor for me to be in such a meeting, talking about medical waste management in the SADC region. It was exciting for me because it was my first international meeting and also because it was an opportunity for me to rub shoulders with many senior, highly experienced and knowledgeable international nurses.

The purpose of the meeting was to develop a plan of action for capacity building among nurses on environmental health in nursing practice, education, research and advocacy. Specific objectives included:

- Identifying needs and available resources for nurses to develop capacity for environmental health practice;
- The adaptation for nursing of one or more of the WHO Training Modules for Health Professional in Children's Environmental Health;
- and the development of a dissemination plan, including the identification of major global opportunities/events in Nursing over the next 2 years to incorporate environmental health content.

The environment we live in is not the same as 15 years ago. We now have far more pollutants, chemicals and radiations which are all impacting on the ecological system and nurses therefore need to have more knowledge and understanding of how people get affected and what exactly can be done to combat these illnesses.

The only way in which nurses can do this is by adopting an action orientated strategy which not only focuses on the "fix it mechanism" but also on one that will fundamentally embrace prevention as the best level of treatment, especially on cross-cutting critical issues like HIV and Malaria. A lot of planning was done and processes for the way forward have been drawn up to ensure that nurses are ready to act and to close all the loops as far as total health is concerned. There is a good chance that this process will be linked with the International Council for Nurses' meeting that will be taking place in Durban in June 2009.

The Alma Ata Declaration that was signed in 1978 reaffirms that health, which is a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity, is a fundamental human right and that the attainment of the highest possible level of health is a most important world wide social goal whose realisation requires the action of many other social and economic sectors in addition to the health sector.

This to me throws a challenge to all the health officials, especially the nurses, to be reminded of what exactly the meaning of total health is, and to make an assessment of how many of risks our environments have, because only then can we get to understand why as nurses we are failing to provide optimum health to our patients.

Most nurses, including myself, have always thought that one of the reasons why we are failing in our health system is that we do not have enough nurses to treat our patients. The reality of the matter, however, is that we do not necessarily need to have more nurses to deal and treat illnesses: what we really need is to have a strong voice from nurses who will stand firm and advocate for preventative measures to be implemented rather than just curative measures. This will make our communities remain healthy beings rather than patients. Prevention is better than cure!



# Nurse Training

By Nomcebo Mvelase

## A visit to a clinic in Mooi River reveals a wide variety of problems

The Health Care Waste Campaign's main aim is to reduce and, where possible, eliminate the harmful effects of health care waste and incineration on human health and the environment.

Lots of effort has been put into educating and empowering all health care workers, including nurses, procurement and finance officers, around the impacts of health care waste, although particular emphasis has been put on nurses for the following reasons:

- Nurses are the major component of health care workers involved with waste;
- They are key persons in the environmental health work plan;
- Nurses are in a good position to motivate for positive change because they understand the health implications and the disease processes;
- Most of the waste is generated when nursing duties are carried out (dressings, deliveries etc);
- When waste is improperly managed and the communities suffer the ill effects, eventually they end up being the nurse's burden;
- I am a professional nurse too and so I just love nurses.

It is because of these reasons that most of my duties have been of an outreach nature - going to different nursing schools and clinics to provide workshops on the proper management of health care waste. This includes proper waste segregation, waste minimisation (recycling, reusing and reducing waste generation). I have also conducted awareness programs on the dangers of incineration and chemicals like mercury in the health care setting. This has been done to raise their occupational health and safety. The training sessions consist of lectures, visual aids and a lot of group interaction and also hard copies of educational material. I encourage nurses to use the power of their voices to improve our environment.

Because of the increasing workload for the nurses, with more and more patients seeking medical attention, in-service training and awareness programs are often ignored, leading to nurses working without having the necessary knowledge about health related issues. I work more closely with nurses to make them realise that their role goes far further than just treating the ill patients but also involves an holistic approach to ensure optimum health. One way of me doing this is by reminding them of the binding nursing oath which, among other things, states that ".....the health of my patient will be my utmost consideration." I always like to make sure that the nurses have an understanding of what this really means, and how much we can do as nurses to ensure the health, not only of the patients, but of ourselves and the people in the communities, and to prevent all of us from becoming patients.

The most common finding in the institutions that I have worked with is that the nurses can hardly distinguish what is infectious from what is not. Because of the fear of contracting HIV/AIDS and Hepatitis, the nurses end up confusing what the Universal precautions state: "Treat all patients as though HIV infected", and have landed up treating all the waste as infectious waste.

The impacts of this have been that they end up paying more for the disposal of their waste because the charge for treating infectious waste is higher than that of domestic waste.

It was quite inspiring for me to be approached by Sithe Mkhize, a nurse from Imbali, at one of the nursing colleges that I have been working with. She told me about the challenges that the community of Mooi-River, where she is working, are faced with. It made me realise that at least my workshops are helpful. The nurses are turning from just being ordinary nurses to serving as advocates for change in the communities. This is what I mean: nurses are so



capable, more than they can ever imagine. They are the change agent, and I want them to believe that!

She told me that in the community there is an unauthorised dumpsite, which is not even fenced and which is along the route which the little school kids use to go to school. She indicated that many of the children go to the clinic because they get injured from broken bottles which are found in this dumpsite. There is also an increasing incidence of food poisoning illnesses as children pick unhealthy food from this dump too.

Another issue that came up is that in the very same community there is a company that improperly deals with sewage and apparently some of their waste leaks into the ground and also goes straight to the river, which is used to supply water to some of the residents who do not have other, safer alternatives for water supply.

Having heard all these challenges, groundWork has decided to give it a team approach, which means that in the near future we will all go there and find out the statistics of all the health impacts of this dumpsite and also this sewage company from all the nearby clinics (conditions like diarrhea or any other fecal-oral diseases, cuts and injuries, food poisoning, etc). We will also do water samples to assess how safe

the river is for water consumption. Once we have the results, we will take the matter forward with the municipality of this area to ensure that necessary and required steps are taken to correct all these issues.

This is what groundWork calls environmental injustice and we believe it is our role to help improve the quality of life of vulnerable people affected by all these injustices. The groundWork team will never turn a blind eye on this issue and we are going to get to the bottom of this as soon as we possible can.

I just wish to sincerely applaud the help of the nurse who brought all this to our attention because otherwise no initiatives would have been taken to deal with it and that would have meant more suffering for the patients and ultimately for the nurses as well! Without interventions such as this nurse's, the environmental health component will always have a lot of gaps and therefore the total health of all the citizens will never be achieved.

My utmost call to all nurses is that they must never put boundaries which can cripple their capabilities in fulfilling what their nursing oath says. Let us start with making a safe environment by ensuring the utmost health of our patients, because this we can definitely do! 



Nurses at Caluza Clinic involved in nurse training.

Photo:  
groundWork



# The Challenges of HC Waste Management

By Rico Euripidou

A Health Care Waste Imbizo allows expression of a civil society perspective on health care waste management

The Health Care Waste Imbizo 2008, organised by the Health Care Waste Forum - Southern Africa, is a national road show of workshops aiming to assist the private and public sector with the effective roll-out of best practice for Health Care Waste Management. The Durban Imbizo, held on the 13<sup>th</sup> of May, brought together various role-players including local, regional and national government officials, industry practitioners, waste management specialists and many delegates that are involved with health care waste related issues on a daily basis.

Generally civil society, public interest and NGO coalitions arise when a need exists that has not been adequately addressed by state governance systems and the business world.

The medical waste crisis we currently face in South Africa is widely considered a technical one, relating to the capacity of the State and the private sector to 'safely' dispose of our medical waste. Alarmingly, however, this crisis is not equally recognised as a crisis of inadequate health care waste policy and governance.

Medical waste comprises general waste, health care risk waste, anatomical waste, and hazardous waste. Each waste stream is equally problematic and potentially poses a risk to health care workers, patients, service providers and local communities. The mismanagement of health care waste in South Africa is a growing threat to our health and also our environment. While there is much concern about the

Mixed medical and domestic waste is common in poorly managed medical waste incineration and is likely to result in the formation of persistent organic pollutants (POPs).



possible spread of disease (especially from contact with contaminated needles), the burning of those wastes in incinerators is known to create and release hazardous pollutants into our air, land and water.

The health care sector in South Africa currently generates approximately 15000 tons of health care risk waste destined for incineration each year.

The epidemiological evidence base identifies medical waste incineration as the third largest known source to the environment of highly toxic dioxin, a known carcinogen that has been linked to birth defects, immune system disorders and other harmful health effects. Incineration is also responsible for about ten percent of mercury emissions to the environment by human activities. Mercury is a potent neurotoxin that can cause developmental defects and harm the brain, kidneys and lungs. Other pollutants from incineration include furans, acid gases, heavy metals and particulates.

In addition, incinerators are the most costly method of dealing with waste, do not create many jobs and do not encourage waste segregation or minimisation.

The Polokwane Declaration on Waste Management, agreed in Polokwane, Northern Province, South Africa over 26-28 September 2001, recognised that "waste management is a priority for all South Africans, and [that there is a] need for urgent action to reduce, reuse, and recycle waste in order to protect the environment"; with a vision to "implement a waste management system which contributes to sustainable development and a measurable improvement in the quality of life, by harnessing the energy and commitment of all South Africans for the effective reduction of waste".

The declaration went even further to set goals to "reduce waste generation and disposal by 50% and 25% respectively by 2012 and develop a plan for ZERO WASTE by 2022".

Worryingly these progressive targets are not even considered in the latest revision of the National Environmental Management: Waste Bill currently sitting with the various Provincial Legislatures for stakeholder comments. Furthermore, unless Provincial

health care waste tenders meaningfully stipulate segregation, reduce, reuse and recycling targets the private contractors/vendors will not apply the training and behavioral changes necessary to achieving the sustainable management of health care risk waste in South Africa.

Disappointingly, to date most research and attention to general, hazardous and health care waste management in South Africa has focussed on technical issues related to the disposal of waste which is an issue mostly dominated by the private sector and higher levels of government decision making. The exclusion of civil society in this regard in various settings around South Africa has ultimately led to different policy and technological approaches to health care waste management e.g. the consolidated civil society response and outcome to medical waste incineration in KZN has led to the use of alternatives to incineration which has been very different to other Provinces in South Africa.

A review of medical waste treatment technologies shows that cost-effective alternatives, that are just as effective at rendering medical waste harmless, are available.

There is little doubt that the development of a comprehensive policy on medical waste management is an urgent and essential requirement for South Africa. It is, however, disturbing to see that most of the Provincial Policies on medical waste appear to have been developed in a National policy vacuum and have tenuous, if any, links with sustainable waste Policy frameworks from around the world.

Our collective response to the challenges we face in light of our health care waste crisis in South Africa must carefully consider a course of action addressing the whole medical waste life cycle if we are to meaningfully address our crisis. End of pipe technological solutions in isolation will not provide us with a sustainable solution. Instead we must collectively act to minimize and segregate health care waste streams, substitute hazardous materials and reuse and recycle valuable resources. The infectious waste stream must then be treated locally to prevent the spread of disease. ■



# Update on Air Quality Standards

By Rico Euripidou

Setting air quality standards that meet the requirements of all parties is a lengthy process

The National Environmental Management: Air Quality Act 2004 ultimately aims to align air pollution control with the rights conferred in the Constitution of South Africa. It replaces the outdated Air Pollution Prevention Act (Act 45 of 1965) with a more effective regulatory regime by including such measures as the establishment of national norms and standards, and a framework for air quality management planning.

The purpose of The National Framework (NF) for air quality management in the Republic of South Africa (September 2007) is to achieve the objectives of the Air Quality Act (AQA), and as such the NF provides a medium to long term plan of the practical implementation of the AQA.

Furthermore the NF "must provide mechanisms, systems and procedures to promote holistic and integrated air quality management through pollution prevention and minimisation at source, and through impact management with respect to the receiving environment from local scale to international issues. Hence, the NF provides norms and standards for all technical aspects of air quality management.

Paragraph 5.4.3.1: The standard setting process of the NF states that: The AQA provides for the setting of standards for:

- Ambient air quality;
- Emissions;
- Controlled emitters, and
- Controlled fuels.

A generic standard setting process is described in this Section (5.3.4) of the NF for the setting of standards.

The standards setting process is more than just the identification of the defined standard of a specific

pollutant. A number of factors beyond the exposure-response relationship need to be taken into account.

These factors include:

- (i) understanding the current concentration of pollutants and exposure levels of the population;
- (ii) the specific mixture of air pollutants, and the specific goal;
- (iii) economic and cultural conditions encountered within a country;
- (iv) a technical and legal process must be followed to ensure the proposed ambient air quality standards can be achieved in practice and at a justifiable cost.

In deriving standards the following factors must be considered:

- The health, safety and environmental protection objectives;
- Analytical methodology;
- Technical feasibility;
- Monitoring capability; and
- Socio-economic consequences."

## Establishment of an expert panel

Following the identification of a hazard, the national department will request Standards South Africa (STANSA), a division of the South African Bureau of Standards (SABS), to establish standards for the identified hazard. An expert panel must be established for the development of standards. This expert panel will include, but not necessarily be limited to, representatives from:

- the national department,
- affected national departments,
- provincial government,
- municipal government,



- industry,
- business,
- civil society, and
- academia

In this regard, the department must, together with STANSA, make every effort to ensure that the membership of the expert panel is representative and balanced.

### Setting the standard

The expert panel has a specific role to play in the standards setting process for the pollutant of interest. This includes the review of all available toxicological and epidemiological information and all available information of the effects on the receiving information. The generic standard setting process is depicted in Figure 4 of the NF and includes:

- Identify critical factors for health impact;
- Identify sensitive sub-populations;

- Review available databases for health status;
- Review available databases for ambient air quality information, and
- Review and assess international guidelines and standards;

Once the expert panel has submitted their findings in terms of Section 56(2) of AQA, the standards setting process must then be followed involving the relevant spheres of government and the publication process.

The Ambient air quality Standard Project is intended to provide the Department of Environmental Affairs and Tourism (DEAT) with a forum to develop and agree Ambient Air Quality Standards. To date the DEAT has submitted the Draft Ambient Air Quality Standards to the STANSA Technical Committee for Air Quality for finalisation, before they can be gazetted for public comments.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM					
No. 528					
9 June 2006					
<b>NATIONAL ENVIRONMENTAL MANAGEMENT: AIR QUALITY ACT, 2004</b>					
<b>IDENTIFICATION OF SUBSTANCES IN AMBIENT AIR AND ESTABLISHMENT OF NATIONAL STANDARDS FOR THE PERMISSIBLE AMOUNT OR CONCENTRATION OF EACH SUBSTANCE IN AMBIENT AIR</b>					
<b>PUBLICATION FOR COMMENT</b>					
<p>The Minister of Environmental Affairs and Tourism intends under section 9(1)(a) and (b) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), to make notice in the schedule, which is hereby published for public comment under section 9(2) read together with sections 56 and 57 of the said Act.</p> <p>In accordance with government's Integrated Pollution and Waste Management Policy, the standards contained in the schedule define the ambient air quality targets for all air quality management interventions. Margins of tolerance, compliance time frames and permissible frequencies by which these standards may be exceeded will be included in regulations or the national framework to be established in terms of Section 7 of the Act.</p>					
<b>Table: Ambient Air Quality Standards for Common Air Pollutants</b>					
Substance	10-minute maximum	1-hour maximum	8-hour maximum	24-hour maximum	Annual average
1	2	3	4	5	6
Sulphur Dioxide (SO <sub>2</sub> )	500 µg/m <sup>3</sup>	350 µg/m <sup>3</sup>		125 µg/m <sup>3</sup>	50 µg/m <sup>3</sup>
Nitrogen Dioxide (NO <sub>2</sub> )		200 µg/m <sup>3</sup>			40 µg/m <sup>3</sup>
Carbon Monoxide (CO)		30 mg/m <sup>3</sup>	10 mg/m <sup>3</sup>		
Particulate Matter (PM10)				75 µg/m <sup>3</sup>	40 µg/m <sup>3</sup>
Ozone (O <sub>3</sub> )		200 µg/m <sup>3</sup>	120 µg/m <sup>3</sup>		
Lead (Pb)					0.5 µg/m <sup>3</sup>
Benzene (C <sub>6</sub> H <sub>6</sub> )					5 µg/m <sup>3</sup>

### The AQA Implementation: Listed Activities and Minimum Emission Standards Project:

The DEAT has also completed the Draft Minimum Emission Standards for Listed Activities. These can be accessed from the project website: [www.saaqis.org.za/projects/](http://www.saaqis.org.za/projects/). These standards have also been submitted to STANSA for consideration by the Technical Committee for Air Quality. The first meeting of the Technical Committee to discuss these was held on the 25<sup>th</sup> February 2008. Stakeholder organisations who have commented and participated in this process have also been invited to participate in a STANSA Technical Committee.



# Peak Poison still peaking

By Bobby Peek

## The groundWork Report "Peak Poison" proves to have been most prescient

Over the years The groundWork Report has gained an increasing following. However, the extent of the demand for the 2007 report, Peak Poison, has taken us by surprise. Since the last groundWork newsletter there have been two energetic meetings in Johannesburg where activists used the report to understand the Eskom debacle and to consider a response to climate change.

The demands for the publication have grown, and boxes of the book have been shared with comrades in the media, community meetings and, as reported on in the last newsletter, in parliament. I write this while awaiting an Africa Day debate with academics and the public in the Senate Hall, Theo Van Wijk Building, at the University of South Africa, overlooking Pretoria. Around us are large painted portraits of leaders of a past bastion of Afrikanerdom, but amongst them is the larger than life Barney Pityana – how strange yet also comfortable he looks in this building.

Well, it is in this ornate auditorium where people are questioning the science of climate change and stating that we have to use our own knowledge to understand and make decisions on global warming. What is important about Peak Poison and Poisoned Spaces (The groundWork Report 2006) is that they were developed with community peoples' voices. In these books community people are their own scientists, and their knowledge has been coupled with information from those outside of the community.

Our first meeting taking the research to the public was at the Witwatersrand University. In a recital hall with a grand piano and large organ, around 50 activists met in March to make sense of Peak Poison and the debacle of Eskom. Eskom's strategies, especially

their call for a 10% reduction in use, were discussed and people resisted and considered this nothing more than 'grandfathering rights'. Grandfathering makes it easy for those who are currently using too much electricity to reduce (and still use more than their fair share), while those who are already using as little electricity as possible will be forced to use less than they actually require (and less than their fair share).

People praised the publication and welcomed the timing of it. That it was 'long overdue' and 'one of the best civil society reports in years' was good to hear. It is good to understand that the work and research pieces are considered positively.

The debate was robust and critical of where we find ourselves in South Africa, i.e. the energy crisis. There was no general acceptance that this was a crisis of a lack of energy. Comrades were blunt and direct that this could be 'an artificially created' crisis by government, in order that tariffs could be increased. As one comrade put it:

'Is there a crisis? In one way, there seem to be questions of distribution. Or is it a smokescreen?'

It is critical to consider these arguments seriously when thinking through the challenges facing us. People on the ground are getting distorted messages, not only from government but also from comrades who are being misinformed. From groundWork's perspective, the fact that there is a crisis is unquestionable. It is a crisis of climate change as well as 'dirty' energy. It is a crisis that we as people from the movement can all agree is caused by 'capitalism, and its need for ever growing profits'.



How Eskom is managing the crisis was a critical point articulated by groundWork: 'Energy should be in the service of the people – can we act upon this – can we deal with the change or is the change going to be determined by the elites as is presently the case with a call for 10% reduction in use of electricity. The response to the 'national crisis is managed exclusively from the top.'

Sandile Ndawonde, on the groundWork Board of Trustees, was also at the meeting and made it clear that:

'proposed rationing should not be imposed on poor people, especially those using the prepaid system. As David Hallowes made clear, for rich people to switch off a few appliances does not mean much, but to us, 10% is a real cut.'

And this is the real crux of the matter. In response Lerato Maregele of Earthlife Africa Johannesburg called for a 'stepped block tariff' where those consumers who utilise more, pay more for electricity, including industry and middle income people.

In a meeting hosted in May in Johannesburg by groundwork and the Amandla Collective, a group of social justice activists with comrades in most cities, community people and social movement people considered Peak Poison, and the legacy that Peak Oil is going to leave us, and started talking about possible solutions to the challenges we face. To drive the climate change point home, the new National Geographic documentary '6 degrees' was shown. The results of climate change were drastically represented – rivers bursting their banks, weather events of magnitudes bigger and more powerful than the present cyclone and hurricanes, islands disappearing – these are events happening now, not when we get to 2 degrees warmer, at which point scientist say change will be irreversible. What happens after 2 degrees is something I am fearful of contemplating – for my own reality and that of my children. If there is no change and action we are doomed. We need to stop growth as it is defined and look at growth from a well-being perspective. The 'Cap and Share'<sup>1</sup> proposal presented by Citizens United for Renewable Energy and Sustainability , a participant within the Amandla Collective, was considered as a option to respond to climate change.

People grappled with the idea that there has to be a 'recession' or downturn in the economy – a powering down was needed. But getting the concept across in an Africa that is impoverished, and sees the 'over consumption' pushed by the media and the middle classes as development that is so desperately 'needed', is a challenge. Unfortunately, this is the crux of the debate. Getting the imagery across that development does not mean the creation of uncontrolled wealth is a challenge. If one has to continue growing the economy every year by 6%, this will have a compound growth and the economy will double in 12 years, and then double again in around 5 years. There is no way that our economy can increase at that rate. Reserve Bank Governor, Tito Mboweni, President Thabo Mbeki and all in parliament believe that this should happen, but can they fathom this type of doubling of economy? Can they see the inevitable collapse of the economy and society built on growth that is not real? Growth cannot happen at this rate without an implosion. If we do not recognise that we are on this path of self-destruction, then climate change is going to force us to make the necessary changes anyway.

Finally, out of the meetings there was a critical voice indicating that more action is needed and less talk – people were critical of the lack of action in the streets putting pressure on government and forcing them to respond to the peoples' demands rather than the undemocratic influence of industry on government.

The groundWork position, as commented on by David Hallowes, co-author with Victor Munnik of Peak Poison, is summed up as follows in David's own words:

'Is this a real crisis? We do think Eskom is using the crisis to push nukes and coal fired power stations, where the issue of pollution is trumped by the urgency of the "energy crisis". There have been impatient dismissals of environmental concerns – they said, we are in a crisis, we need to move fast. But the fact that they are using it like this does not mean its not a crisis. It would be a very brave Eskom to take on the mining industry on the basis of a smokescreen. But I do believe the crisis is being used to justify some very dodgy moves. I do believe there should be a stepped tariff.'

<sup>1</sup> Cap and share is a system whereby carbon emissions would be capped at their current levels, and then brought down each year at the rate necessary to achieve the temperature target. The emissions tonnage for each year would be divided equally between all adults on earth, each of whom would be given a certificate for their individual entitlement. These could then be sold through the banking system to oil, coal and gas producers, who would have to buy enough of them to cover their CO<sub>2</sub> emissions. This system provides everyone with at least some compensation for the fact that limiting fossil fuel availability will drive up the price of these commodities.



# Recycling could be a solution to poverty

By Musa Chamane

During a recent tour of some of South Africa's landfill sites Musa discovers that the life of a waste picker is not an easy one

groundWork produces a report annually on a particular subject. This year's subject is waste management in South Africa with a focus on KwaZulu-Natal and Gauteng. The interviews to inform the report were done with a number of different role players: landfill managers, union representatives, waste staff, officials, councilors, community and waste pickers.

The New England Road Landfill in Pietermaritzburg was one of the landfills that was visited. The site has proven to be operating badly, even though the manager claims that it is operating correctly. There are many shortfalls that were observed at this landfill: overgrown vegetation on the outskirts, surface not covered adequately, and waste not screened properly.

Some waste pickers were on site while others were loitering around the landfill premises. They were asked whether they get access and they confirmed that they do get access for a limited time during security breaks and lunchtime. Some waste pickers mentioned that they are now denied the livelihood they once had while others said that they do get a chance to salvage at the landfill. It is, however, not easy for waste pickers to get access to the landfill.

The landfill manager says that the pickers cause problems. He accuses them of stealing cables and pipes, and causing fires. As groundWork we have advised the landfill monitoring committee that the waste pickers must be formalised so that problems can be negotiated. The local council has been advised to engage in talks with the waste pickers so that a win-win situation can be negotiated. The council, however, says that it is bound by the minimum requirements for a licensed landfill and can't do this.

In the Vaal Triangle we visited three landfills. The main problem with all three sites is that they are unpermitted. The sites visited were Palm Springs, Boitshepi and Sasolburg landfill. There were quite obvious shortfalls with these landfills. A lack of availability of proper cover material in Boitshepi landfill led to the use of the industrial slag from Cape Gate industry as a cover material. In all the sites there were, however, recycling projects taking place. Plastic, paper, cardboard, metals etc were being recycled by the waste pickers. The waste pickers are not employed by the municipality but are self employed. They collect recyclables and they reported making about a reasonable income.

The difference between the Vaal waste pickers and the KwaZulu Natal waste pickers was that the waste pickers from the Vaal are organised. In Sasolburg the waste pickers were very united. They have even registered a co-operative with the intention of tendering for the right to take recyclables off the landfill. Unfortunately they were not given an opportunity by the council to bid and the tender was won by someone else. The waste pickers have been told that they may sell only to the council appointed operator, who has failed to pay the pickers for what they have given him.

It is clear that the problem of unemployment in this country can be eased through recycling. Waste is a resource and it can be used to put bread on the table for the poor people. In the current Waste Bill the issue of scavengers has been recognised after groundWork's interventions but it is high time that the government sees the light and thinks again about recycling and the contribution that can be made by recyclers. As regards waste, South Africa needs to reduce, recycle and re-use, and by so doing the lives of many people can be changed and at the same time government will save a lot of money.

## EU set to lock down mercury

By Elena Lymberidi-Settimo

Environmental and health NGOs were very pleased that decision makers have found an agreement to implement an EU-wide ban on exports of mercury and to safely store the surplus

In a 2<sup>nd</sup> reading plenary vote, the European Parliament approved the compromise amendments previously agreed with the Council. "Reason reigned at the end, narrowly overturning the threat of a deal-breaker, said Elena Lymberidi-Settimo, EEB's Project Coordinator of the Zero Mercury Campaign. Although we would have liked to see a more robust regulation, this agreement between the two institutions is a very good step towards locking down mercury in the EU."

Already supported by the Parliament, the compounds now included in the export ban are cinnabar ore, calomel and mercury oxide, with some medical and research exceptions. Export of mixtures of mercury with other substances having a mercury concentration of at least 95% has also been banned.

The NGOs are pleased that after all their efforts, the ban now includes those compounds which would otherwise pose a serious loophole in the regulation. Closing this loophole means that another 50-100 tonnes of mercury per year, which could have been recovered from calomel will not be exported from the EU onto the world market.

Storage of metallic mercury, which is considered waste, will now take place either temporarily or permanently in underground salt mines and hard deep bedrock. In addition, temporary storage is still possible above-ground. Although the door to permanent underground disposal of liquid mercury is open, any technological advances in transforming liquid mercury into a solid compound must now be considered before mercury can be accepted for disposal into adapted underground facilities. The NGOs hope that, provided that an environmentally safe solidification process is available soon, it will become a mandatory requirement before such a highly toxic substance is disposed of out of sight, ensuring long term safety for people and the environment.

Several features of the new ban did not come into the compromise agreement, including extending the scope to mercury-containing products which are banned from sale in the EU and an import ban. These features are to be reviewed in the coming years, and the European Commission will present a proposal for a revision of the regulation by March 2013.

"We do regret that mercury-containing products which are forbidden in Europe were not included in the export ban, because we believe it constitutes a double standard that hurts public health," said Lisette van Vliet of Health Care Without Harm Europe "However, we hope that the momentum started by the ban will tackle more uses as countries increasingly recognise the need to stop using this toxic liquid".

Parliament and Council met half way on the implementation date of the export ban, now by 15 March 2011.

"Better sooner than later," said Zuleica Nycz, Association for the combat against POPs (ACPO), Brazil. "The EU has finally closed the door on easily available mercury reaching developing countries, like Brazil, where it has been carelessly used in artisanal and small scale gold mining, almost all of it ending up in the environment contaminating fish and people. It is now time that other countries follow this example, to better protect our global health and environment, and move towards a global legally binding instrument on mercury."

NGOs call on the Environment Council to endorse the Parliament text as agreed, and on the European Commission to proceed swiftly with official publication and implementation arrangements.

Elena Lymberidi-Settimo is the EEB Zero Mercury Project Coordinator



# The future of Uranium mining in Africa

By Amelia du Rand

## A regulatory framework is needed to protect African uranium resources from being exploited by foreign companies

In 1980, Africa was the world's top uranium producer, but subsequently lost this status to other continents due to weak prices. However, international pricing trends have improved dramatically over the last five years, resulting in a renewed interest in uranium mining in Africa. In 2006, the Democratic Republic of Congo signed an agreement with a British mining company, the Brinkley Mining Company, to investigate the country's uranium resources. Uranium reserves have also recently been discovered in countries such as Angola and Malawi. The continent has the potential to treble its uranium output by 2011.

Uranium mining in Africa offers two key advantages to international mining companies. The first is that most African states do not have comprehensive regulatory processes for uranium mining. Government approval for uranium mining is therefore usually uncomplicated and easily obtained. The second is that in Africa uranium deposits are located relatively close to the earth's surface in comparison to that of the rest of the world. Shallow mining operations decrease the time from discovery of the deposit to mining, hence making the mining process much faster and more profitable for mining companies.

International mining companies in Africa have typically argued that their investments and operations in Africa provide opportunities for local job creation and community development. However, there is a feeling, especially amongst civil society organisations (CSOs) and local communities, that the health and environmental risks associated with uranium mining are being sidelined in favour of the perceived economic benefits.

The recent experience of Paladin Energy Limited in Malawi clearly indicates that local communities are not completely convinced that uranium mining

is as safe as mining companies claim. In October 2006, Paladin submitting its draft Environmental Impact Assessment (EIA) to the Malawi government as required by international mining regulations. The Malawi government granted Paladin a licence to exploit an estimated 34,5 million tons of uranium at the Kayalekera site in Karonga in April 2007. However, local CSOs opposed the Malawi government's decision to grant a licence to Paladin and environmental engineers at Monash University (Australia) questioned the authenticity of the company's draft EIA. In addition, Peter Waget, a member of the the IAEA (International Atomic Energy Agency) team that visited Malawi in July 2007, denied claims that the IAEA had authorised the uranium-mining project in Kayalekera.

According to Rafiq Hajat ("Malawi and Minerals: Are Malawians Benefiting?". Southern African Resource Watch. Resource Insight, Issue No 2, June 2007), there were several issues regarding Paladin's activities in Malawi including: insensitivity and lack of consultation with local communities; the threat of radiation pollution water resources such as Lake Malawi, and secrecy surrounding scoping documents that should have been provided to local communities for comment.

These issues were raised by a group of six CSOs in the country, led by the Citizens for Justice Malawi and the Centre for Human Rights and Rehabilitation. Other concerns of CSOs included the estimated use of 20% of the country's electricity to supply the mining operation. The absence of local benefits sharing for communities, and the lack of local facilities to treat sexually transmitted diseases and HIV/AIDS (known to increase in mining areas) was also worrying for CSOs.



The group of CSOs was concerned that Paladin had not sufficiently complied with the Environmental Management Act of Malawi, and hence obtained a court injunction to legally prevent the project from continuing. The case has since been settled out of court, amid allegations of intimidation lodged by some CSO members, although the Malawian Ministry of Energy and Mining has denied these claims. Local CSOs are, nevertheless, continuing with legal action in the interest of protecting the constitutional rights of the Malawian people.

According to Paladin's Managing Director, John Borshoff, the mining project will commence in December 2008, provided the company adheres to the terms agreed upon in the court settlement. The terms include the establishment of a CSO, which will be included as part of a broader monitoring group to monitor the environmental and health impact of Paladin's mining operations. The company has also amended its social responsibility programme, which now includes the use of US\$8.2-million to upgrade the water supply to Karonga.

What is clear from the case of Malawi is that uranium-mining projects in Africa need to be better regulated. The lack of adequate legislation to monitor and control the industry means that many projects are being implemented to the detriment of local communities and the environments in which they live. Recently, the Minister of Lands and Natural Resources, Khumbo Chirwa, stated that Malawi does not currently have the appropriate structures in place to monitor the impact of nuclear technologies on health and the environment. In order to address this issue, the IAEA are working in partnership with the Malawi government to formulate Nuclear Law and Subsidiary Legislation in Malawi.

The African Nuclear-Weapon-Free Zone Treaty (Pelindaba Treaty) is an important step towards the promotion of co-

operation in the peaceful uses of nuclear energy. Once the Pelindaba Treaty comes into force, Parties have agreed to establish an African Commission on Nuclear Energy (AFCONE), which will ensure that countries adhere to IAEA safeguards.

The Institute for Security Studies and the James Martin Center for Nonproliferation Studies, will be hosting a seminar on 31 March to 1 April 2008, to debate the Treaty of Pelindaba as an important step towards the eventual global elimination of nuclear weapons.

What is also clearly needed is a regulatory framework to protect African uranium resources from being exploited by foreign companies at the expense of local communities and to ensure that uranium does not fall into the wrong hands. Uranium exploration on the African continent will certainly increase in the future. It is therefore vital that African states have the necessary control and regulations in place to protect their citizens and the environment. This can be accomplished by firstly, formulating and implementing the appropriate legislation; secondly, including all relevant parties during the negotiations with mining companies; and lastly, weighing the economic benefits against the anticipated health costs for the local communities as well as assessing the environmental impact of such uranium mining activities. ■



Rossing  
Uranium,  
Namibia

Photo:  
groundWork



### **GMOs contribute towards food crisis**

The African Centre for Biosafety (ACB) has condemned Bayer Cropsciences' eight permit applications for field trials involving GM cotton. These trials are to take place in the Limpopo Province of South Africa.

ACB says that genetically modified organisms (GMOs) are part of a "Green Revolution" package for Africa. This package is designed by transnational agribusinesses and depends heavily on inputs of chemical fertilisers, herbicides and insecticides. It also requires that new, corporate owned, seeds be purchased each planting season. The system is very energy dependent. The whole system both drives up the cost of food production and contributes to climate change.

The "Green Revolution" system marginalises farmers, their knowledge and sustainable agricultural practices, and consolidates the agricultural system into the capitalist economy. ACB say that they "strongly oppose Bayer's applications as being part of the capitalist scheme designed to control the very core component of agriculture, namely seeds."

### **Areva to build a power system at Coega**

Areva, a French energy giant, has signed a contract worth Euro 80-million with Rio Tinto Alcan to build a power supply system for the Alcan smelter at Coega, Port Elizabeth.

CEO Anne Lauvergeon said: "This contract strengthens our long-standing partnership with Rio Tinto Alcan. It represents a step forward towards our global objective to double our order intake for the electro-intensive industries by 2010". Lauvergeon also reaffirmed the company's commitment to strengthen its position in the country's nuclear industry. To this end, Areva and Nuclear Energy Corporation of South Africa (Necsa) have signed a technical development agreement whereby Areva will support engineering and nuclear skills development in South Africa.

### **Oil and gas companies are not transparent enough in their reporting**

A new report from Transparency International (TI) says that oil and gas companies are insufficiently transparent about their activities in host countries. In particular they do not make clear payments to governments for resource extraction rights, leading to increased chances for corruption.

"The tragic paradox, that many resource-rich countries remain poor, stems from a lack of data on oil and gas revenues and how they are managed. Companies must do more to increase transparency," said Huguette Labelle, the chair of TI.

Company reporting standards were rated high, middle and low. Those rated high generally disclose payments and have anti-corruption programmes that go further than is required by law. Those rated low will disclose information only by geographical segments and provide little additional information.

This is how some of the well known companies did:

High: Shell, StatoilHydro, Petrobras.

Middle: BP, Chevron, Conoco-Phillips, Eni, Gazprom, Repsol, Sonatrach, Total.

Low: China National Petroleum Corporation, Exxon-Mobil, Kuwait Petroleum Corporation, Lukoil, Petronas, Petroleos de Venezuela, Saudi Aramco.

TI says that as oil prices reach new highs, and industry revenues soar, the question of transparency has never been more critical.

### **Cement plant poisoning community**

After months of studies, sampling and chemical fingerprinting it was established that Riverside Cement is responsible for dust bearing hexavalent chromium that has been drifting through the Los Angeles Basin. Chromium-6 is the cancer-causing chemical made famous by Erin Brockovich.



### **And In Brief would not be complete without Shell...**

IUCN, also known as the World Conservation Union, is a very powerful nature conservation network. Shell is a giant oil company and one of the most controversial corporations in the world. Last year these two organisations made a pact. According to the agreement, Shell has a staff member posted to IUCN's headquarters and both organisations have promised open communication, withholding no information from each other.

IUCN member organisation are up in arms about this agreement. They say that they were not consulted and strongly oppose any agreement with Shell.

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In Argentina, a scathing government audit of Shell's refinery facilities in Buenos Aires has resulted in an unprecedented preventative closure of these facilities, and the filing of an international complaint against Shell by local groups.

Initially, Shell denied the findings of the National Environmental Authority but later, after the closure of the plant and the huge losses that accrued each day, Shell capitulated and agreed to invest \$80-million to improve its refinery.

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Shell's AGM was held in both Amsterdam and London on May 20. Naomi Klein held a special benefit for Iraqi workers the night before the AGM, and a protest outside the AGM on the day. Shell has been angling for control over Iraqi reserves ever since the company lost its concessions in the country through the oil industry nationalisations in the 60s and 70s.

Shell is one of five International Oil Companies negotiating Technical Service Agreements with the Iraqi Ministry of Oil for producing fields. These

deals represent a foot in the door for companies to be given preferential status for longer term contracts granting the companies reserves for over a generation.

Also at the AGM were representatives of the Alaskan native people who are strongly opposing Shell's activities in Alaska.

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Friends of the Earth Netherlands, ERA (FoE Nigeria) and four Nigerian plaintiffs are bringing suit against Shell Headquarters for the massive damage done by Shell's oil spills in the Niger Delta. It is the first time that Shell's liability for pollution in another country would be asserted in a Dutch court.

Shell, however, say that they are not legally responsible for these spills.

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In protest against having to pay for a new EU environmental permit, Shell threatened to no longer invest in EU refineries. Shell is also pushing for the use of EU taxpayers' money to finance the carbon capture and storage technology which is believed to be necessary to stem CO2 emissions.

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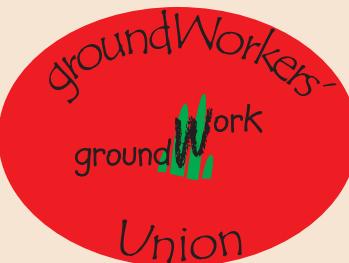
In deeply embarrassing documents that the British Government fought for three years to keep secret, it has been revealed that Britain agreed to bankroll controversial oil and gas drilling, despite warnings from its own officials that this could have "potentially devastating effects" on the critically endangered western grey whales. Only about 120 of these whales survive, and the waters around Sakhalin Island are their only known feeding ground. Despite opposition from many quarters, the British Department of Trade and Industry had no qualms and agreed to financially support several UK contracts for the project.



# Join the groundWorkers' Union

Since we launched the groundWorkers' Union we have had responses from across the country and lots of new international unionists.

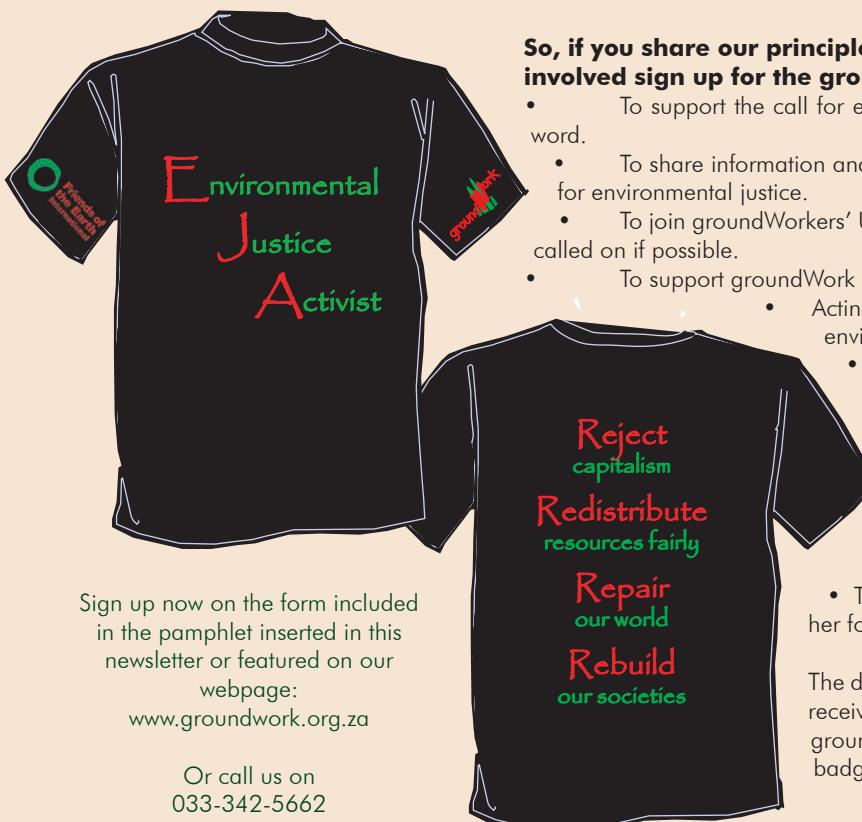
One of the purposes of the groundWorkers' Union is to identify and connect people who identify with groundWork's guiding principles and want to actively support the struggle for environmental justice.



## groundWork's Guiding Principles

groundWork seeks to bring about environmental justice in a system based upon principles of fairness and solidarity through:

- democratic practices
- empowering affected communities to challenge corporate power and bring about government accountability by leveraging resources to catalyse local struggles and facilitate broader alliances
- ensuring access of ordinary people to environmental justice where communities are able to actively take up their environmental struggle through building and strengthening social movements
- ensuring the accountability of companies to practices that are just and acceptable through legislative means
- demanding accountability, responsibility and delivery from government to ensure an effective democracy.



Sign up now on the form included in the pamphlet inserted in this newsletter or featured on our webpage:  
[www.groundwork.org.za](http://www.groundwork.org.za)

Or call us on  
033-342-5662  
and we will get one to you.

**So, if you share our principles and want to get connected and involved sign up for the groundWorkers' Union and pledge....**

- To support the call for environmental justice for all and spread the word.
- To share information and experiences with people to further the call for environmental justice.
- To join groundWorkers' Union public campaigns and marches when called on if possible.
- To support groundWork and uphold its values of :
  - Acting in the interests of people who experience environmental injustice
  - Striving for sustainable change through supporting environmental justice campaigns and through its advocacy role.
  - Believing that everybody should have the opportunity to have a just, healthy, clean environment
  - To wear your t-shirt and cap with pride.
- To respect our planet and all that depend on her for life.

The dues are R50.00 a year and this year you will receive this great t-shirt and a black cap with the groundWorkers' Union badge on it plus an extra badge to sew onto whatever you want!

## Let's go change the world!

