

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 1089

23 AUGUST 2019

**NATIONAL ENVIRONMENTAL MANAGEMENT: INTEGRATED COASTAL
MANAGEMENT ACT, 2008 (ACT NO. 24 OF 2008)****DRAFT GENERAL DISCHARGE AUTHORISATION IN TERMS OF SECTION 69(2)**

I, Barbara Dallas Creecy, Minister of Environment, Forestry and Fisheries, hereby publish a Draft General Discharge Authorisation in terms of section 69(2) of the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) as set out in the Schedule hereto, for public comment.

Any person who wishes to submit representations or comments in connection with the Draft General Discharge Authorisation is invited to do so within 30 calendar days of the date of publication of this notice in the *Gazette*. Comments received after this time may not be considered. All representations and comments must be submitted in writing to the following addresses:

By post to: The Deputy Director-General
Department of Environment, Forestry and Fisheries
Attention: Mr M Tshikotshi
Branch: Oceans and Coasts
Private Bag X4390
CAPE TOWN
8002

By hand at: 2 East Pier Building, East Pier Road, Victoria & Alfred Waterfront,
Cape Town

By email: Mtshikot@environment.gov.za



BARBARA DALLAS CREECY

MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES

SCHEDULE

1. DEFINITIONS

A word or expression defined in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008) has the same meaning in this document, and—

“**influent water**” means coastal waters which is drawn into or abstracted into, a facility or process and which will be discharged into coastal waters as effluent;

“**neutrally-buoyant**” means when the effluent’s buoyancy is such that solid matter within the effluent does not sink to the bottom of the body of effluent nor rises to the top of that body of effluent, but will remain suspended and hang freely;

“**offshore**” means the area in coastal waters—

- (a) starting from the 10 meter isobath; or
- (b) starting at 500 meters in distance from the low-water mark,

whichever is further in distance from the low-water mark;

“**offshore discharge**” means a discharge of effluent into the offshore environment;

“**port**” means the defined area of a port described in Annexure 3;

“**positively-buoyant**” means where solid matter within the effluent will float towards the surface and stay there;

“**SANAS**” means the South African National Accreditation System established in terms of the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006); and

“**the Act**” means the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008).

1. Scope of applicability of this General Discharge Authorisation

- 1.1. This General Discharge Authorisation is applicable to discharges of effluent from land-based sources into coastal waters of the Republic, except for those areas set out in Annexure 1.
- 1.2. The General Discharge Authorisation also applies to the ports listed in Annexure 3.

2. Description of General Discharge Authorisation

A General Discharge Authorisation in terms of section 69(2) of the Act is hereby granted to any person discharging effluent into coastal waters from a land-based source where the effluent meets **ALL** of the following requirements.

2.1. The effluent will be neutrally-buoyant or positively-buoyant with respect to the coastal waters into which the effluent is being discharged.

2.2. In Table 1—

2.2.1. for offshore discharges, the effluent's constituents do not exceed the General Limits specified in that table; and

2.2.2. in respect of discharges into coastal waters other than the offshore environment, the effluent does not exceed the Special Limits specified in that table.

2.3. Where the volume of effluent being discharged exceeds—

(a) 10000 m³ per day in the case of an offshore discharge; or

(b) 2000 m³ per day in the case of discharges into coastal waters other than the offshore environment,

in addition to 2.2 above, the General Limits for an offshore discharge, and the Special Limits for a discharge other than an offshore discharge, specified in Table 2, apply.

2.4. Where the influent water's constituents exceed the General Limits and the Special Limits of Table 1, and where applicable, Table 2, the difference between the constituent quantities of the influent water, and that of the effluent, must not exceed the General Limits and the Special Limits in Table 1, and where applicable, Table 2.

2.5. In addition to the requirements in 2.1 to 2.4, a discharge of effluent into coastal waters will only be lawful under this General Discharge Authorisation if the provisions of sections 3, 4 and 5 are complied with.

3. Obligation to notify in writing

3.1. No person may discharge effluent in terms of this General Discharge Authorisation unless that person has notified the Department in writing of the intended discharge in compliance with 3.2.

3.2. A notification in terms of 3.1 must contain the following information:

- 3.2.1. the full name of the person or legal entity responsible for the discharge;
 - 3.2.2. the name of a contactable person and their contact details;
 - 3.2.3. a description of the facility and the process which is undertaken at the facility;
 - 3.2.4. GPS coordinates of the land-based operation (facility responsible for the generation of the effluent being discharged);
 - 3.2.5. GPS coordinates of the points of location of the discharge into coastal waters;
 - 3.2.6. the volume per day of effluent being discharged;
 - 3.2.7. the province and the municipal area in which the discharge occurs; and
 - 3.2.8. confirmation as to whether or not the discharge is continuous, a once-off or an intermittent discharge.
- 3.3. The notification must be dated and signed by the person notifying the Department or a representative, if a legal entity is undertaking the notification.

4. Discharges not authorised in terms of this General Discharge Authorisation

Discharges of effluent into the receiving environments listed below are not authorised in terms of this General Discharge Authorisation:

- 4.1. the bays set out in Annexure 2;
- 4.2. estuaries, except for those estuaries inside a port as set out in Annexure 3;
- 4.3. marine protected areas declared in terms of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003); and
- 4.4. special management areas declared in terms of section 23 of the Act.

5. Monitoring requirements

- 5.1. All analysis of effluent samples must be screened for the constituents listed in Table 1 and where applicable, Table 2.
- 5.2. The analysis of all effluent samples must be undertaken at a SANAS accredited laboratory.

- 5.3. In respect of a once-off discharge, the person responsible for the discharge must, within 15 calendar days after the date of the discharge, submit a once-off analysis report to the Department of samples taken of the effluent discharged.
- 5.4. For discharges other than a once-off discharge, the quality of the effluent discharged into coastal waters must be monitored and sent to the laboratory for analysis in accordance with 5.1 on a quarterly basis by taking effluent samples of the effluent at a location-point prior to its discharge into coastal waters, for the first year only. Those analysis reports must be sent to the Department every quarter. After the first year, the person responsible for the discharge must continue to take effluent samples at a location-point prior its discharge into coastal waters and have those samples analysed at the laboratory once every six months. These analysis reports must be sent to the Department bi-annually.
- 5.5. In addition, the person in charge of a discharge must submit a report setting out the quantity of effluent discharged into coastal waters together with each effluent analysis report submitted in accordance with the requirements set out above.
- 5.6. All reports must be submitted to the Department by hand, by post or by email, to the following address:

By hand: National Department of Environment, Forestry and Fisheries
Attention: Director responsible for Coastal Pollution
Branch: Oceans & Coasts
2 East Pier Building, East Pier Road
Victoria & Alfred Waterfront, Cape Town

By Post: National Department of Environment, Forestry and Fisheries
Attention: Director responsible for Coastal Pollution
Branch: Oceans & Coasts
Private Bag x4390
CAPE TOWN
8002

By e-mail: Mtshikot@environment.gov.za

Annexure 1 - Tables**Table 1: General and Special effluent limits for organic and inorganic constituents in effluent**

| Organic and inorganic constituents | Unit | General limit | Special limit |
|---|-------------|----------------------|----------------------|
| Ammonia (ionised and un-ionised) as N | mg/l | 10 | 2 |
| Arsenic | mg/l | 0.8 | 0.04 |
| Cadmium | mg/l | 0.02 | 0.001 |
| Total Chlorine Residual | mg/l | 0.2 | 0.01 |
| Chromium (VI) | mg/l | 0.2 | 0.01 |
| Copper | mg/l | 0.3 | 0.015 |
| Cyanide | mg/l | 0.1 | 0.005 |
| Fluoride | mg/l | 150 | 7.5 |
| Lead | mg/l | 0.2 | 0.01 |
| Mercury | µg/l | 1.6 | 0.08 |
| Nickel | mg/l | 0.5 | 0.025 |
| Nitrate as Nitrogen | mg/l | 20 | 3.5 |
| Nitrogen (Total Kjeldahl Nitrogen) | mg/l | 100 | 10 |
| Polychlorinated Biphenyls (PCBs) | µg/l | 0 | 0 |
| Chlorophenols | mg/l | 0 | 0 |
| Ortho-Phosphate as Phosphorus | mg/l | 20 | 1 |
| Radioactivity | µC/ml | 0 | 0 |
| Pesticides (Dieldrin, Endrin, DDT) | µg/l | 0 | 0 |
| Soap, oil or grease | mg/l | 20 | 10 |
| Hydrogen sulphide | mg/l | 0.2 | 0.01 |
| Total Suspended Solids (TSS) | mg/l | 50 | 10 |
| Tributyltin | µg/l | 0 | 0 |
| Zinc | mg/l | 2 | 0.1 |

Note: In Table 1, the value "0" means that the constituent in question must not be present in the effluent at all.

Table 2: General and Special effluent limits for physico-chemical properties of the effluent

| <i>Physico-chemical properties</i> | <i>Unit</i> | <i>General limit</i> | <i>Special limit</i> |
|------------------------------------|-------------|----------------------|----------------------|
| Biological Oxygen Demand (BOD) | mg/l | 50 | 10 |
| Chemical Oxygen Demand (COD) | mg/l | 250 | 75 |
| Dissolved oxygen | mg/l | 50% saturation | 75% saturation |
| pH | pH | 7.1 - 8.3 | 7.3 - 8.2 |
| Temperature | °C | ±3 of ambient | ±2 of ambient |
| Salinity | psu | 37 | 36 |

Annexure 2 – List of bays where this General Discharge Authorisation is not applicable

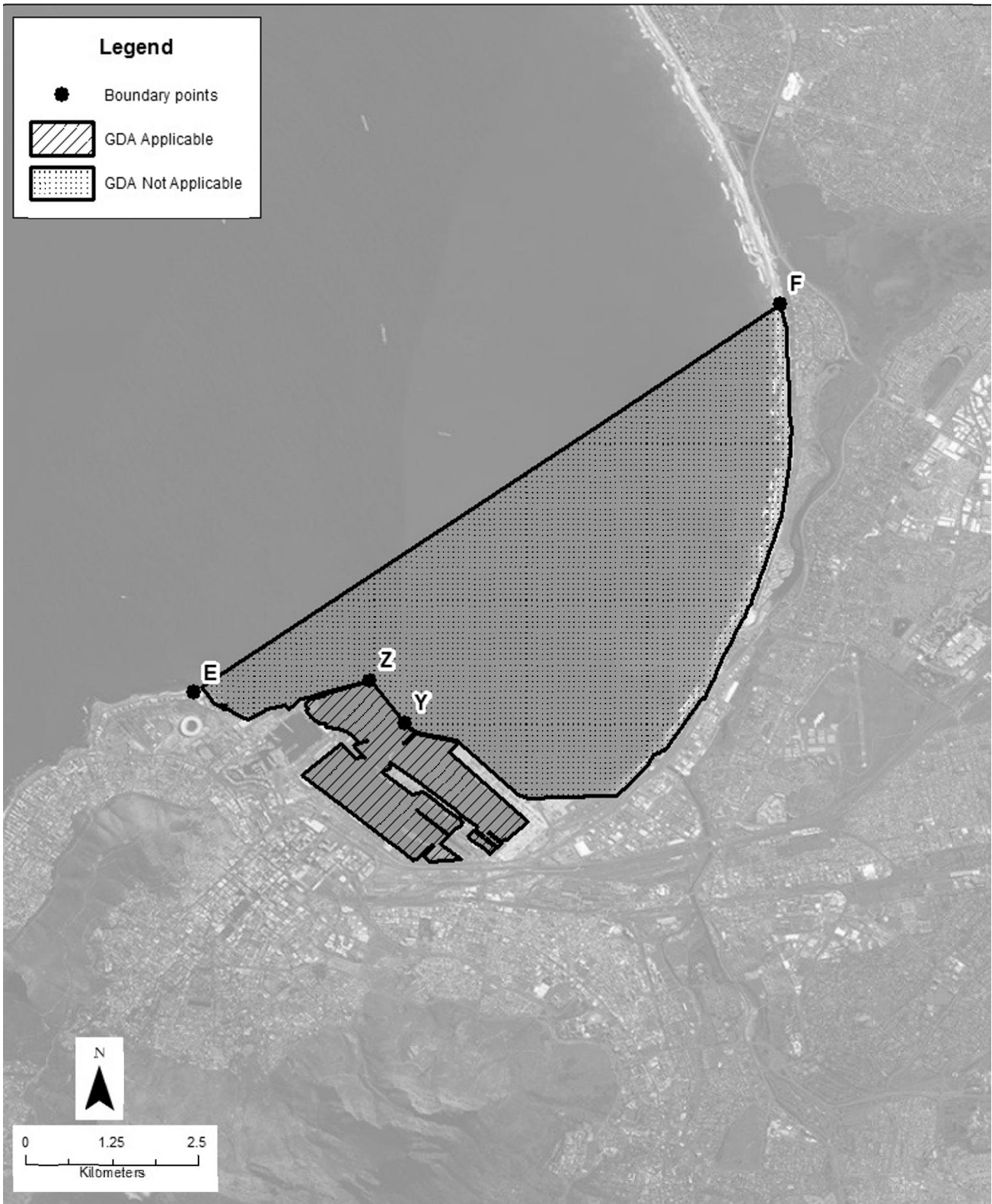
| Name of bay | Location on map | Seaward GPS boundary for purposes of this GDA |
|-----------------|-----------------|---|
| Saldanha Bay | A | 33° 4'7.10"S; 17°58'26.09"E to |
| | B | 33° 2'19.16"S ;17°56'8.50"E |
| False Bay | C | 34°21'27.01"S; 18°49'19.92"E to |
| | D | 34°21'37.50"S; 18°29'50.97"E |
| Table Bay | E | 33°53'57.26"S; 18°24'41.24"E to |
| | F | 33°51'00.2196"S; 18°29'16.2132"E |
| Hout Bay | G | 34° 4'36.07"S; 18°21'18.26"E to |
| | H | 34° 3'42.98"S; 18°20'25.00"E |
| Gansbaai | I | 34°34'42.82"S; 19°20'31.44"E to |
| | J | 34°35'6.45"S; 19°20'22.31"E |
| Mossel Bay | K | 34°11'6.34"S; 22° 9'30.87"E to |
| | L | 34° 4'58.93"S; 22° 9'52.34"E |
| Plettenberg Bay | M | 34° 6'28.78"S; 23°24'39.67"E to |
| | N | 34° 0'24.01"S; 23°27'12.10"E |
| St Francis Bay | O | 34°11'51.74"S ; 24°52'25.55"E to |
| | P | 34° 6'10.81"S; 24°53'26.82"E |

General exception: Where a port is located within the territory of a bay as set out in this annexure, that port is excluded from the prohibited bays in this annexure and that port must be regarded as a port listed in Annexure 3, while the rest of the bay remains excluded from this General Discharge Authorisation.

Annexure 3 List of ports to which this General Discharge Authorisation is applicable

| Name of port | Location on map | Seaward GPS boundary of Port for purposes of this General Discharge Authorisation |
|------------------------|------------------------|--|
| Port Nolloth | Q | 29°15'51.55"S; 16°52'6.24"E to |
| | R | 29°15'49.10"S; 16°52'7.21"E |
| Port of East London | S | 33° 1'39.18"S; 27°55'2.40"E to |
| | T | 33° 1'41.08"S; 27°55'30.29"E |
| Port of Ngqura (Coega) | U | 33°48'33.50"S; 25°41'25.94"E to |
| | V | 33°49'5.49"S 25°41'37.82"E |
| Port of Port Elizabeth | W | 33°57'18.29"S; 25°38'19.63"E to |
| | X | 33°57'10.80"S; 25°38'36.69"E |
| Port of Cape Town | Y | 33°54'11.11"S; 18°26'20.06"E to |
| | Z | 33°53'51.69"S; 18°26'3.99"E |
| Port of Mossel Bay | AA | 34°10'30.22"S; 22° 8'49.24"E to |
| | AB | 34°10'34.25"S; 22° 8'43.52"E |
| Port of Durban | AC | 29°51'59.85"S; 31° 3'27.12"E to |
| | AD | 29°51'55.60"S; 31° 3'50.25"E |
| Port of Richards Bay | AE | 28°48'51.81"S; 32° 5'51.90"E to |
| | AF | 28°48'22.63"S; 32° 5'53.34"E |
| Port of Saldanha | AG | 33°02'9.20"S; 17°58'58.06"E to |
| | AH | 33°02'12.21"S; 17°58'23.89"E |

General Discharge Authorisation Not Applicable: Table Bay



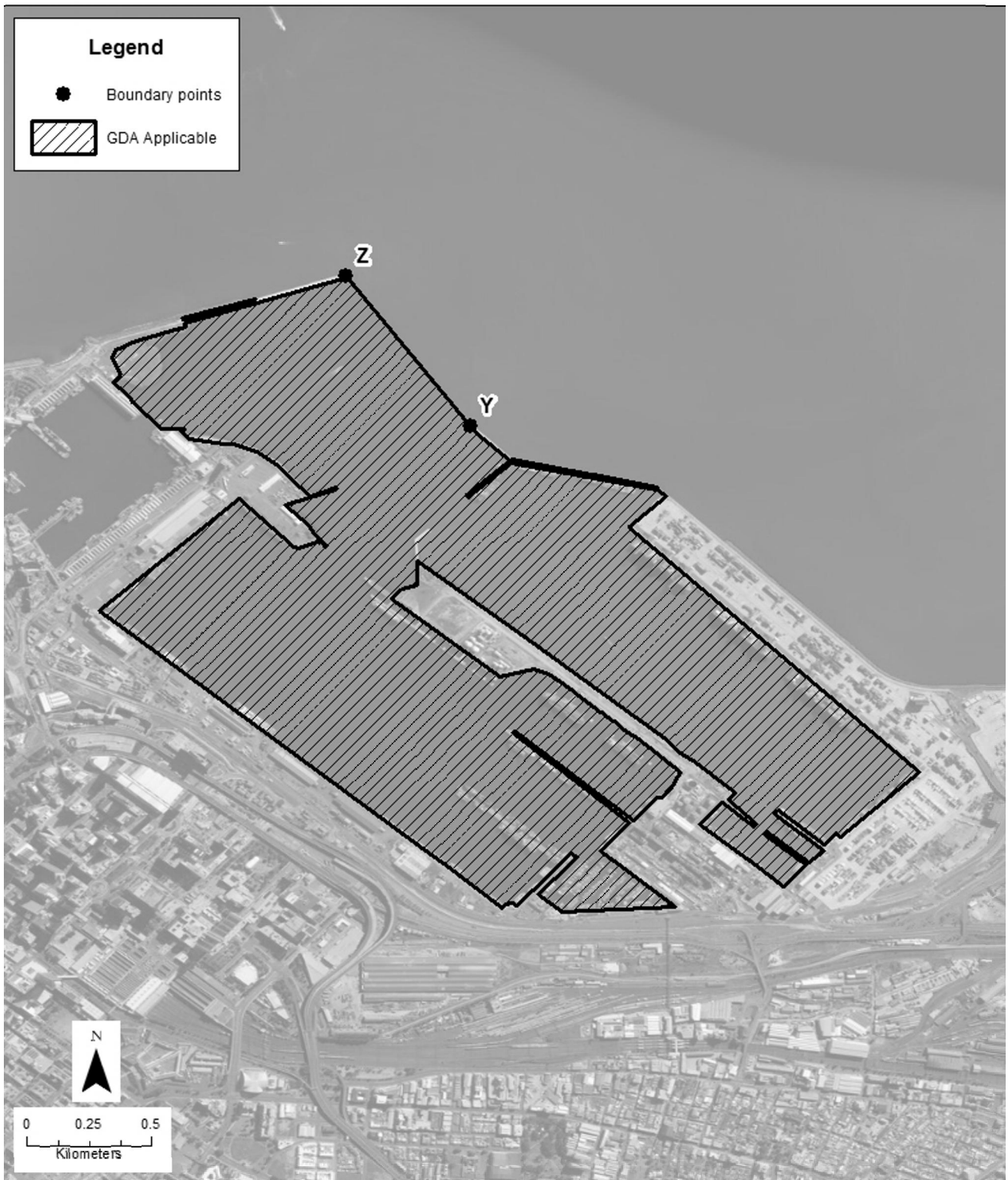
General Discharge Authorisation Applicable: Port Nolloth



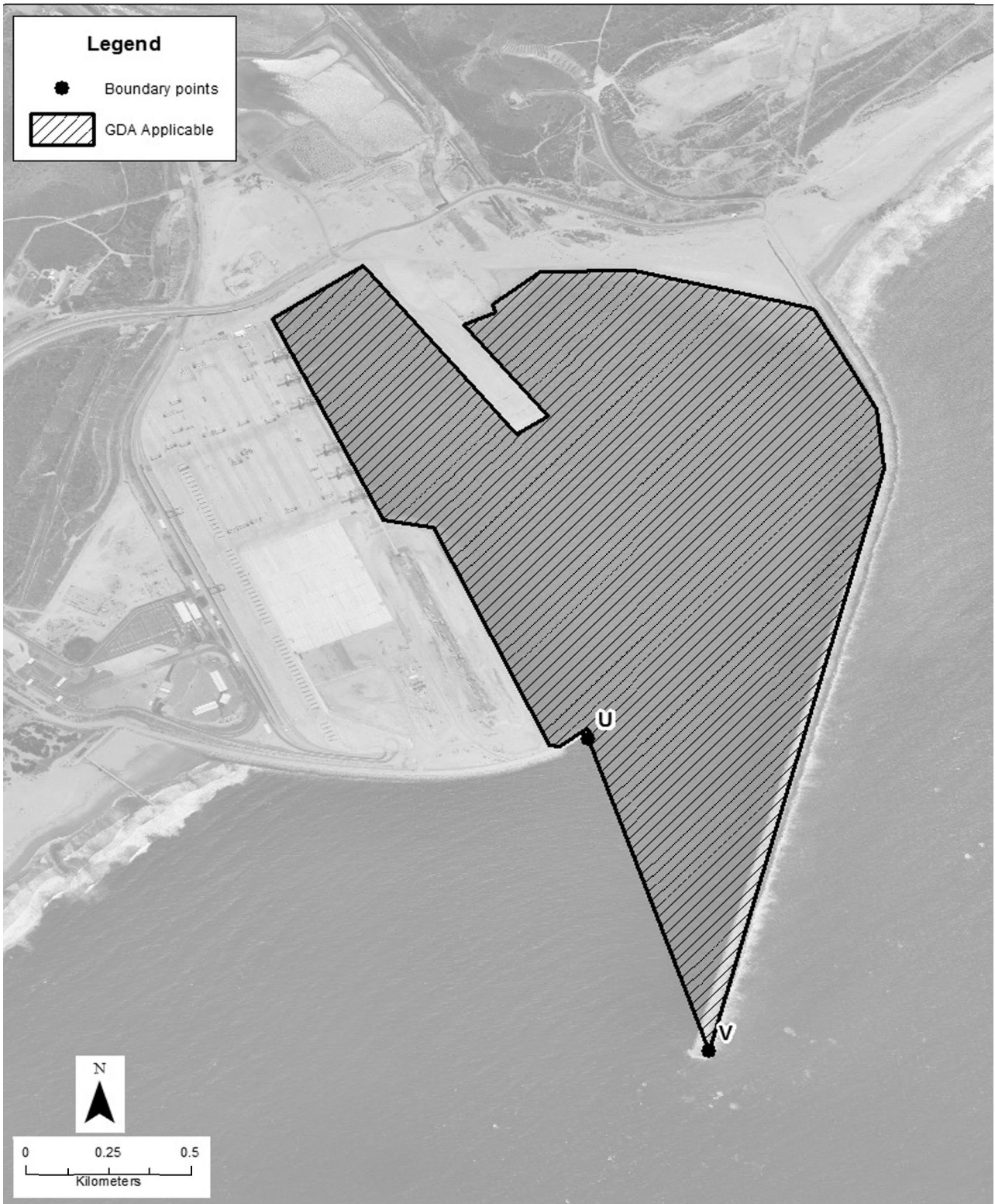
General Discharge Authorisation Applicable: Port of Port Elizabeth



General Discharge Authorisation Applicable: Port of Cape Town



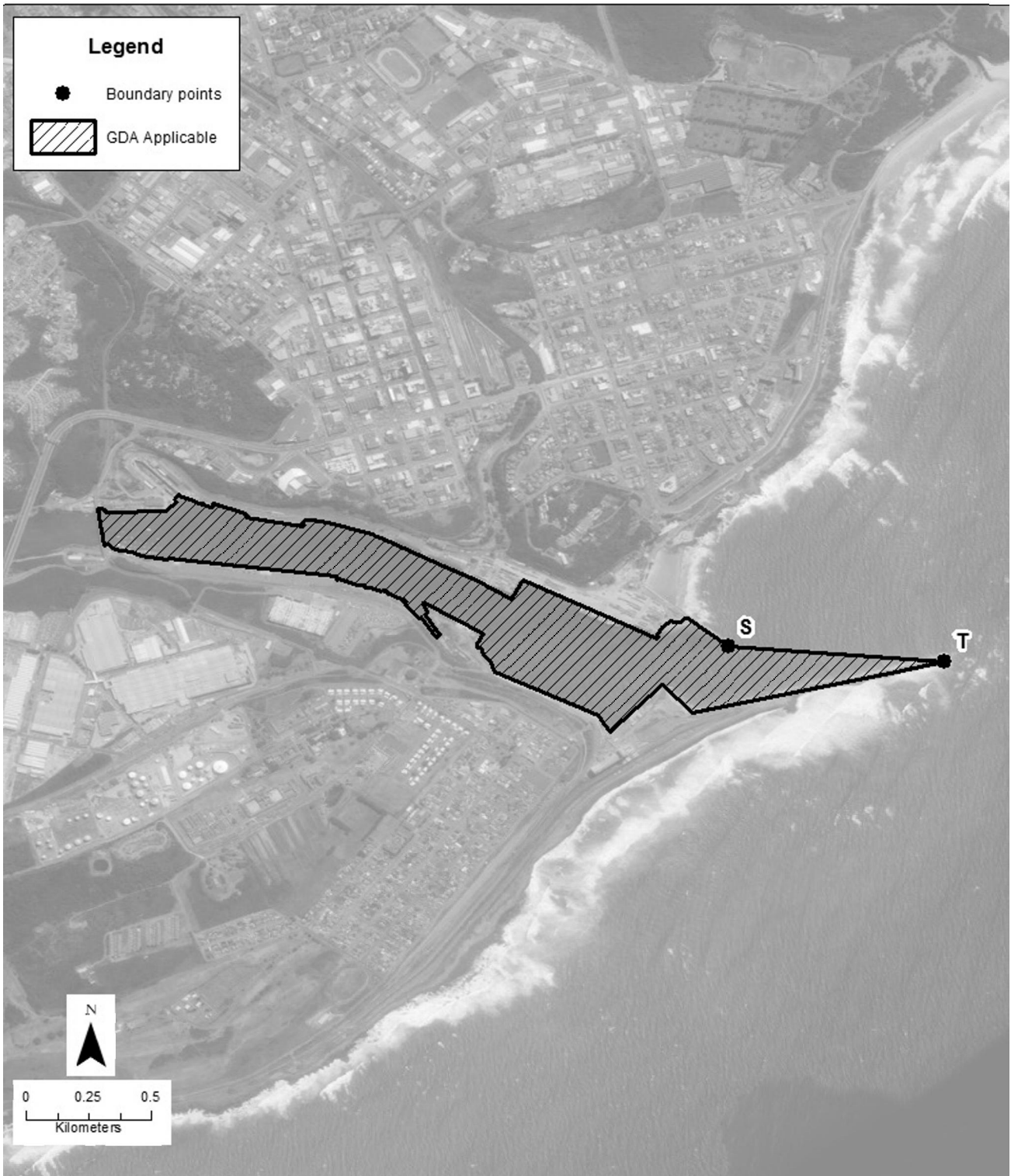
General Discharge Authorisation Applicable: Port of Ngqura (Coega)



General Discharge Authorisation Not Applicable: Saldanha Bay



General Discharge Authorisation Applicable: Port of East London



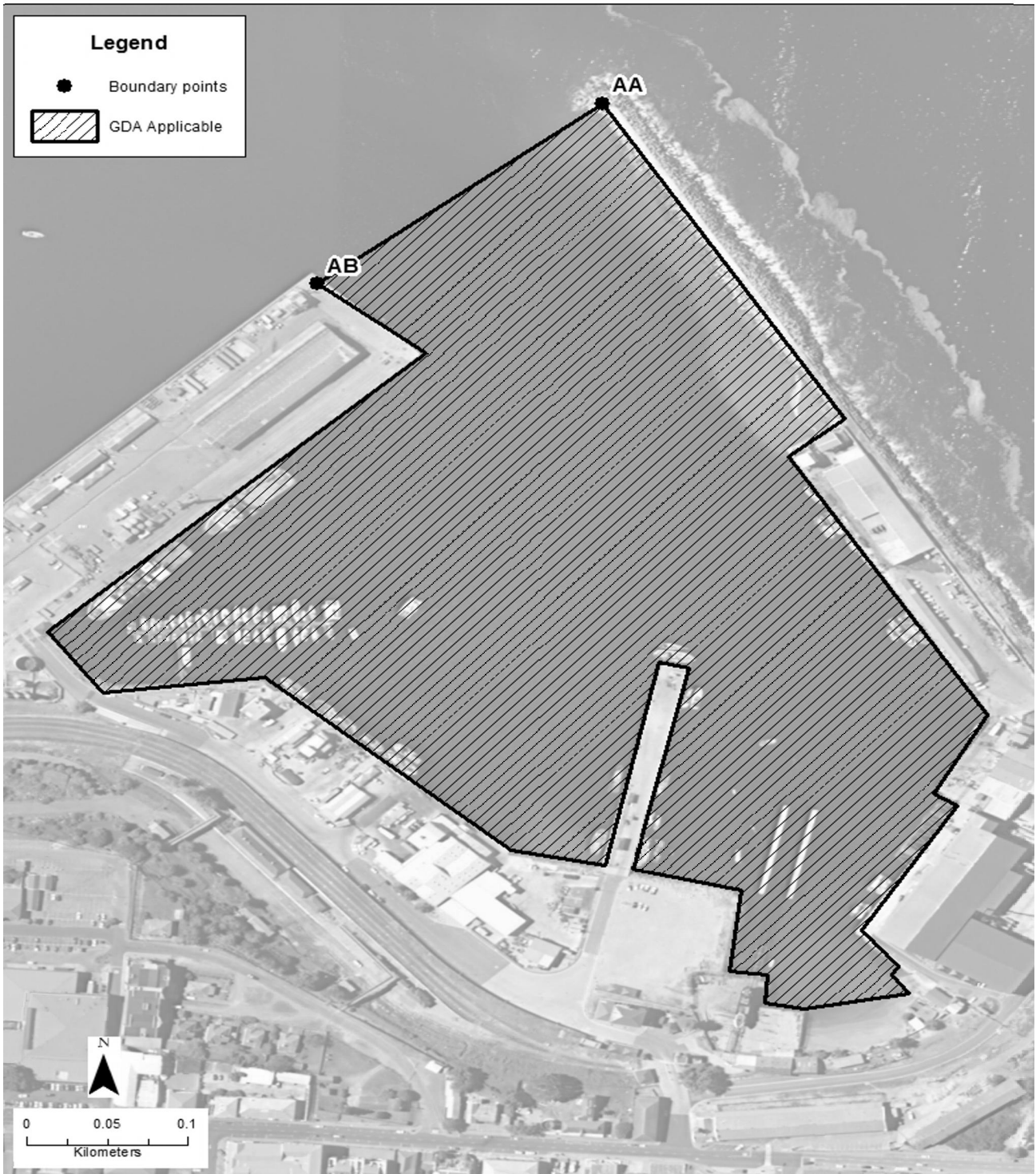
General Discharge Authorisation Applicable: Port of Durban



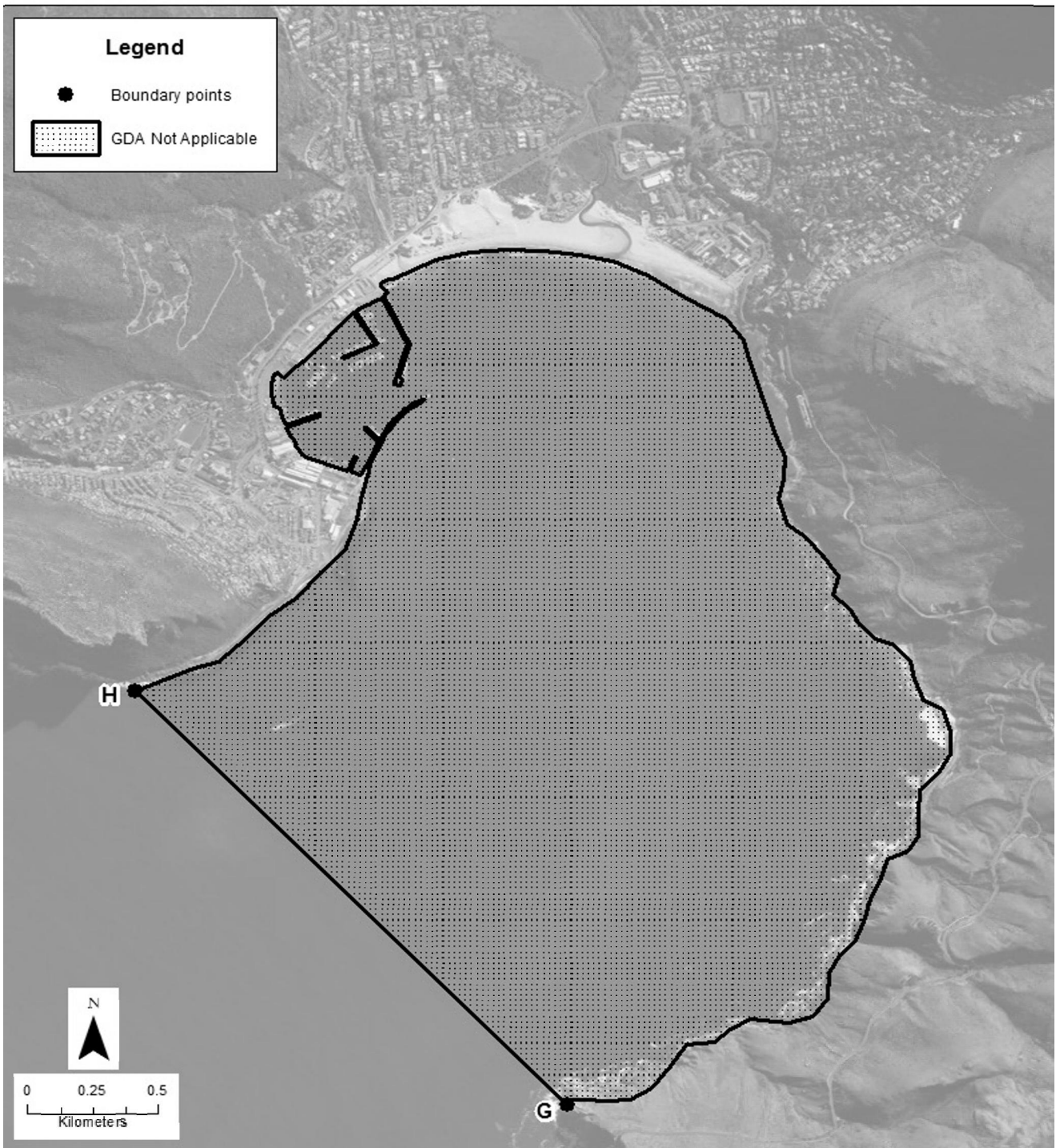
General Discharge Authorisation Applicable: Port of Richards Bay



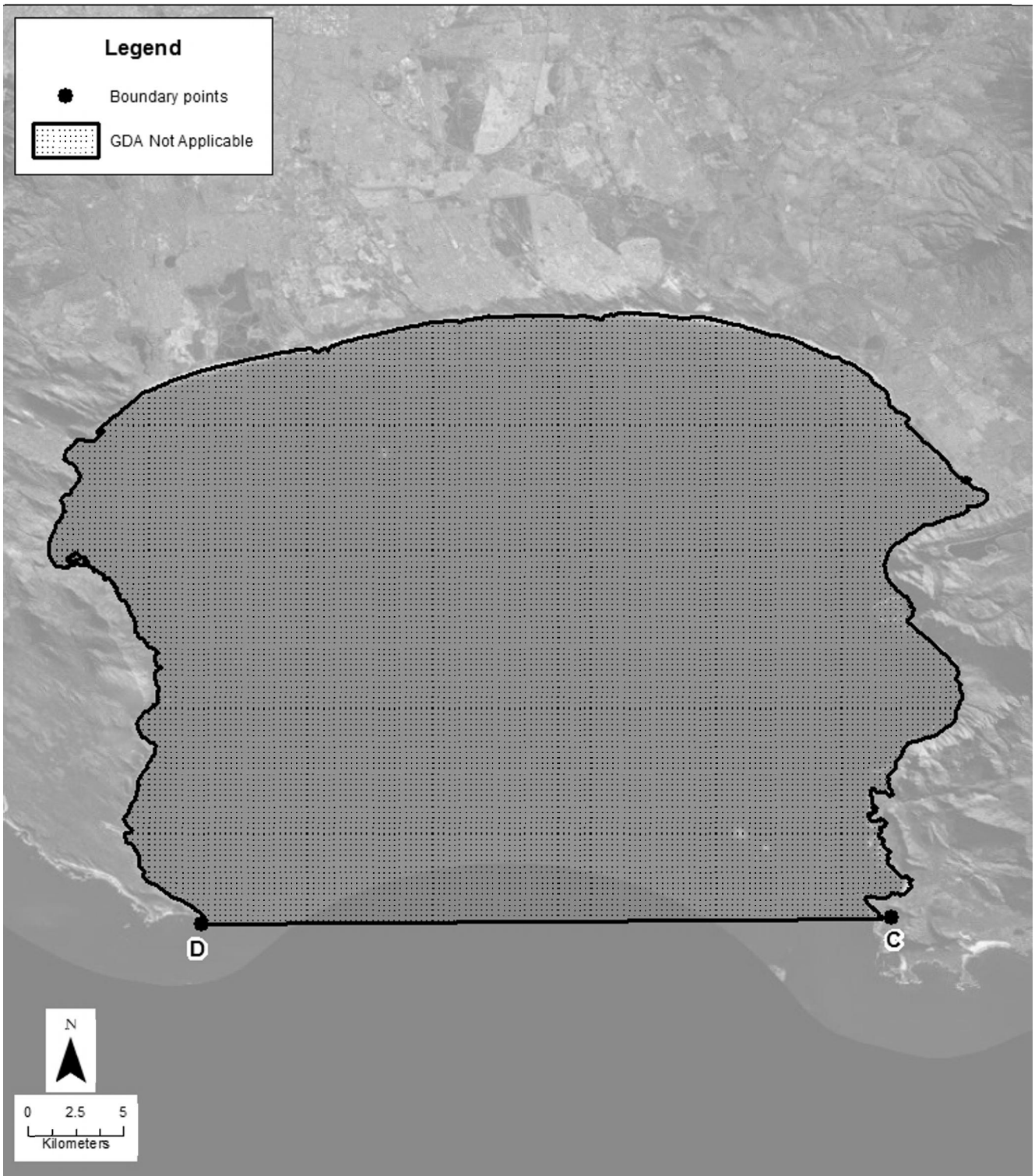
General Discharge Authorisation Applicable: Port of Mossel Bay



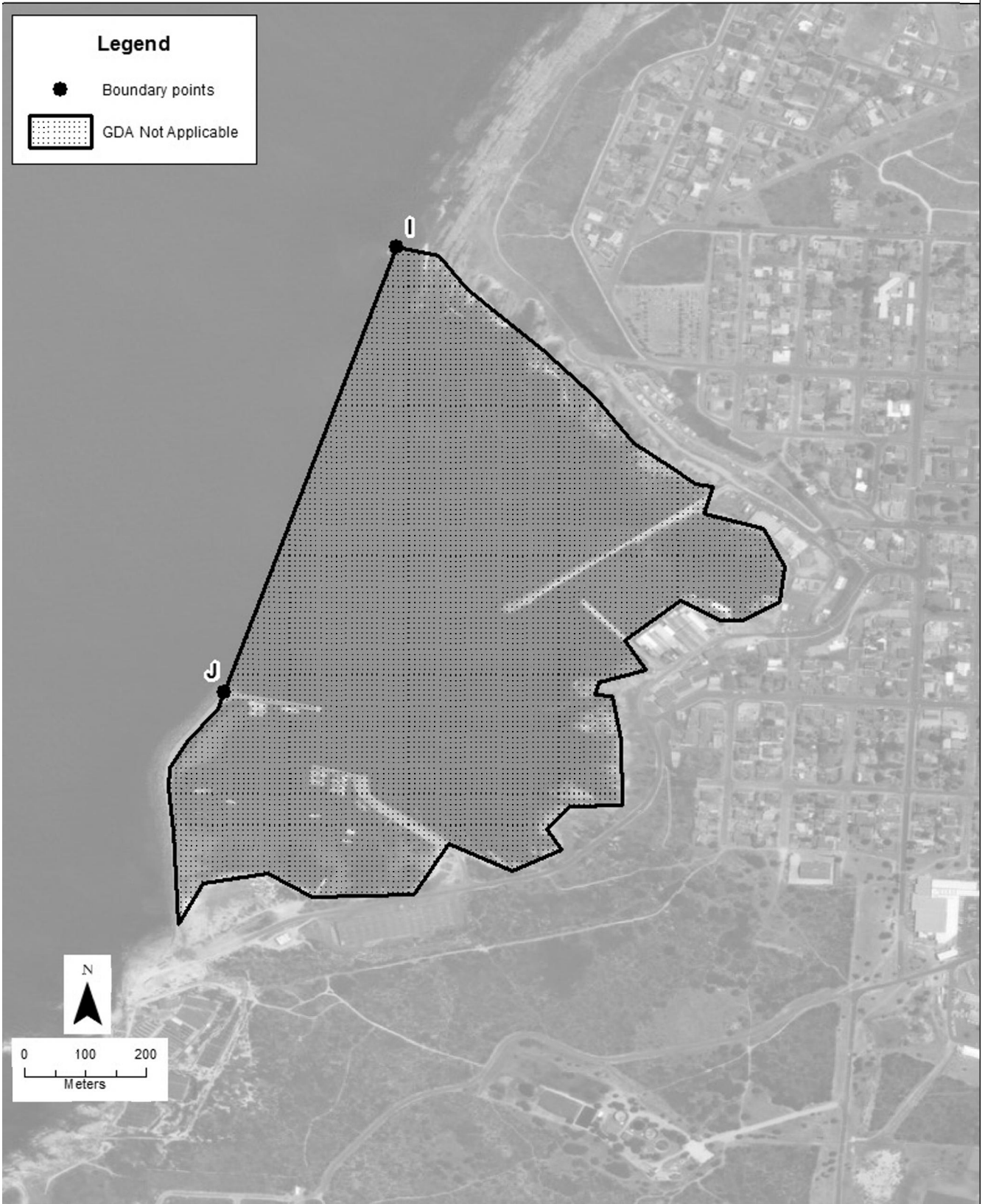
General Discharge Authorisation Not Applicable: Hout Bay



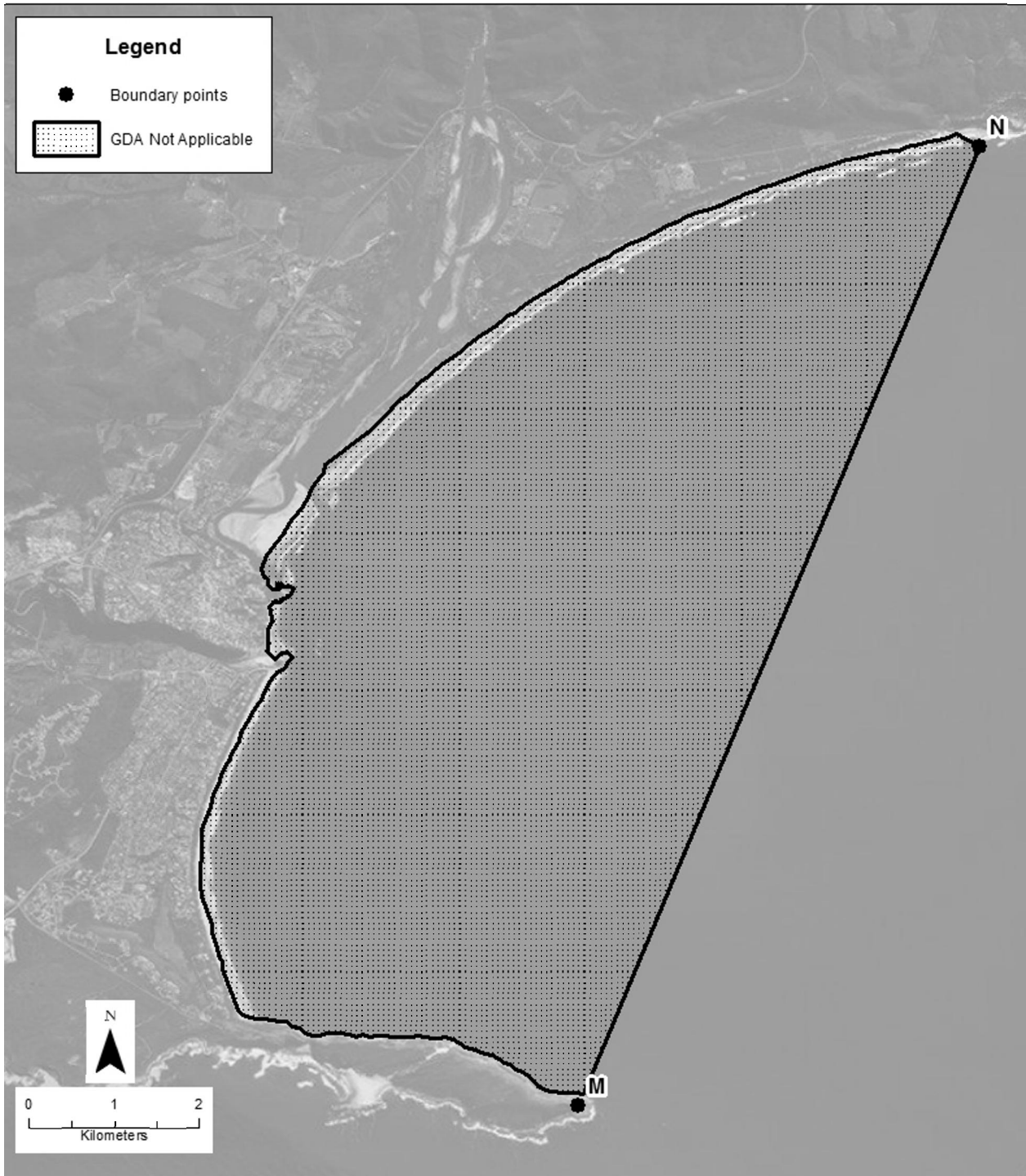
General Discharge Authorisation Not Applicable: False Bay



General Discharge Authorisation Not Applicable: Gansbaai



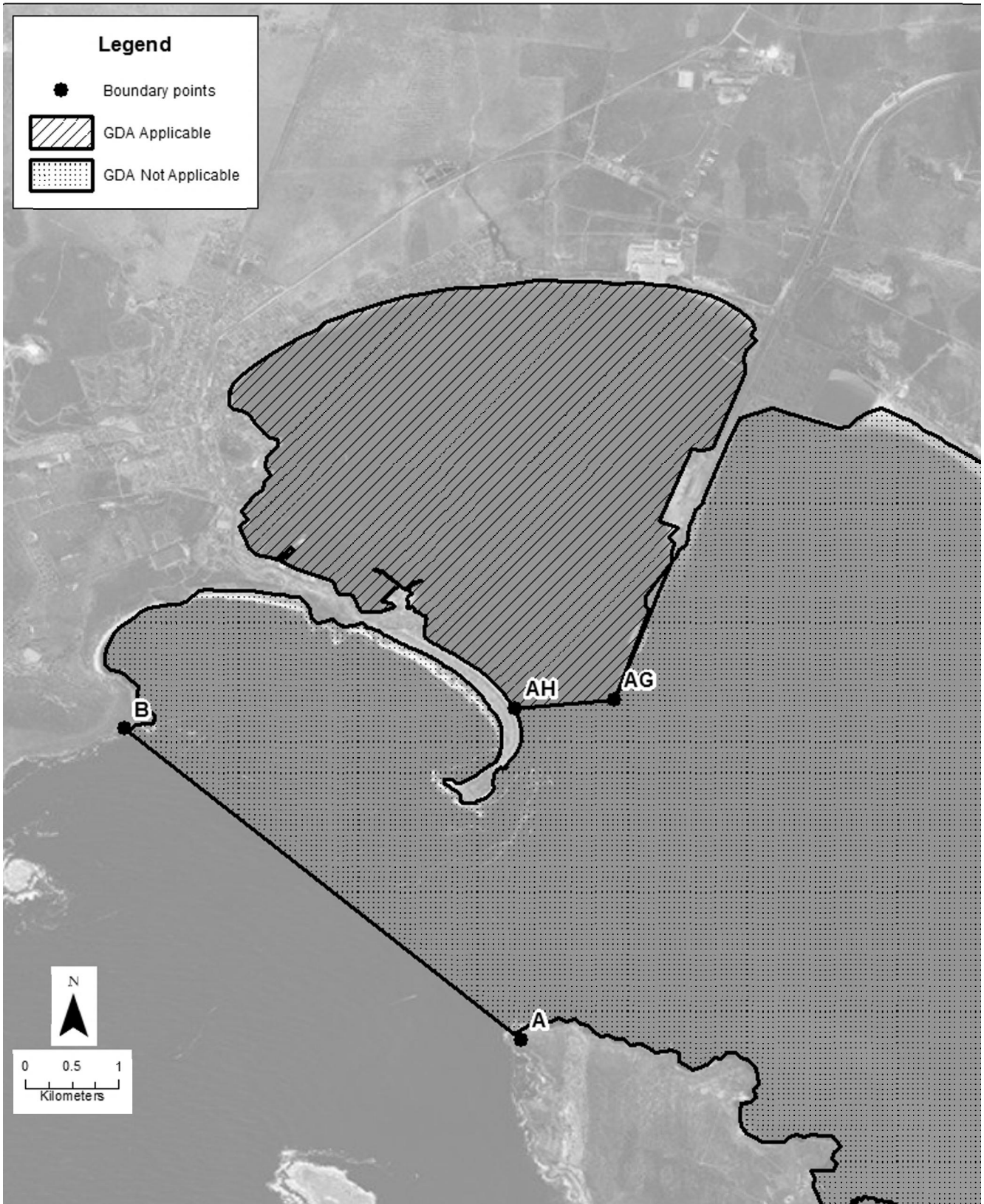
General Discharge Authorisation Not Applicable: Plettenberg Bay



General Discharge Authorisation Not Applicable: St Francis Bay



General Discharge Authorisation Applicable: Port of Saldanha



General Discharge Authorisation Not Applicable: Mossel Bay

