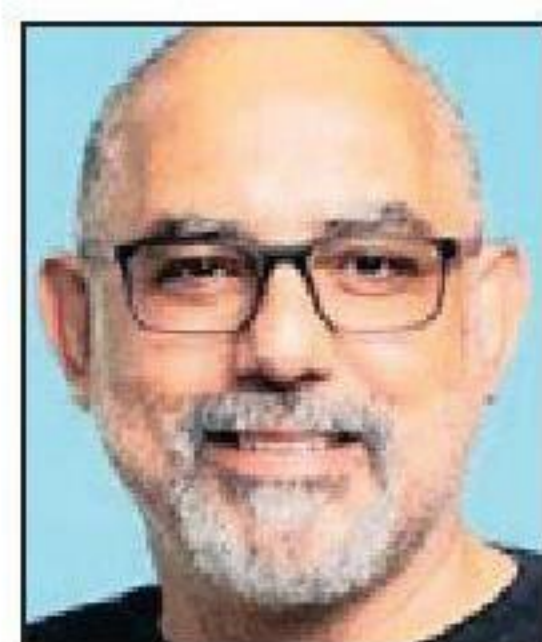


Fight for clean environment goes on

Opportunistic industrial polluters continue to exploit weak government regulation, but determined, organised citizens have proved they can be stopped

Bobby Peek



COMMENT

AS SHONGWENI residents and EnviroServ appear in court today in the ongoing battle over the company's landfill site in the area, it is an opportune time to reflect on the waste giant's foul-smelling history, especially in KwaZulu-Natal.

The Shongweni toxic dumpsite has been closed for more than a year as a result of community pressure, which forced government to act, but still, as you drive past on the N3, you are more than likely to smell the fumes of the dumpsite drifting across.

Clearly there is still a problem. They should not be allowed to reopen it.

The Shongweni story has made headlines in recent years, but it is not a new story. The story of communities, fed up with the health and social impacts of living alongside toxic landfill sites, and banding together to take on the might of EnviroServ goes back more than two decades.

Just before the dawn of democracy in 1994, Waste-tech, which EnviroServ bought in 1997, came under the spotlight as Umlazi-based members of the Black Lawyers' Association started asking questions of the then KwaZulu government and the company about why toxic waste was being dumped in their residential area.

It was a blatant example of environmental racism, where black people are forced to live with the impacts of toxic pollution. Records of a meeting

on January 13, 1994, attended by the Black Lawyers' Association, Waste-tech, the KwaZulu government and others, reflect government's support for the site.

Later, similar sentiments were echoed in a letter from the IFP to the first democratically elected environment minister, Kader Asmal, with the site being described as "a community asset".

And another record from the meeting reflects the true nature of the toxic waste industry: "The waste management industry cannot be stopped", it is recorded, although it was not clear who the comment was attributed to.

Against this backdrop of high-level support, Waste-tech and EnviroServ continued to operate with impunity in Umlazi, turning a blind eye to the suffering of residents living alongside their rank-smelling assets.

But by February 1997, the last Waste-tech toxic dumpsite in Umlazi had been closed, not because the company and government suddenly came to their senses, but because of the relentless fight put up by Umlazi residents and their neighbours in Isipingo, Wentworth, Merebank and the Bluff.

They joined forces, putting aside the racial, cultural and social differences which had kept them apart for many decades, and forced Asmal to close the site.

It was not an easy challenge to take on: it was a time of turmoil; Umlazi's T-section was up in flames as the IFP and ANC conflict was at its height, and people were dying. Shacks were being set alight when community members accompanied Asmal on a visit to the dumpsite on June 29, 1995.

But it was no deterrent for the band of cross-community



The Shongweni toxic waste dumpsite, which has been closed for more than a year after the surrounding community put pressure on the government to take action. RIGHT: Community members protest outside the Durban High Court last year during the EnviroServ civil case initiated by the Upper Highway Air organisation. The case is still before court.

campaigners determined to rid their neighbourhood of toxic waste dumping. Among those who stand out as the victors in the anti-toxic dumping campaign, were the children of the Isipingo Secondary School, whose classrooms were downwind of the site, on the border of Umlazi.

They took it upon themselves to protest against Waste-tech and Asmal for his inaction, despite agreeing with the community on August 24, 1995, that the site should close.

During one of the protests at the Waste-tech premises in Isipingo, the company got its

staff to counter protest, and stones were thrown at the children.

Waste-tech also claimed there would be job losses and the economy would be affected if the site was closed.

Waste-tech, however, was bought by EnviroServ, and jobs were not lost, and directors in Waste-tech got a more than favourable settlement to retire on. The industry continued.

At the time, EnviroServ also acquired Waste-tron, which owned the current Shongweni dumpsite, which was opened in 1992. Community campaigners from south Durban who

fought for the closure of the Umlazi sites, visited the community in Shongweni when it became known that the waste destined for Umlazi would end up in their area.

It was suggested that this should not be accepted and that people should protest.

The DA councillors at the time indicated that this was not the way the DA operated.

Fast forward 20 years later, and history has repeated itself, as poor management and governance oversight has led to people in KwaNdengezi, Dassenhoek and Hillcrest having to face the consequences of



this toxic waste legacy, which, as we have come to learn, has no boundaries. Even the wealthy and comfortable, who escaped the smog of the city for the greenery of the hills, get it in the neck in the Upper Highway area.

KwaZulu-Natal is not alone in feeling the impacts of poor toxic waste management.

EnviroServ has had challenges at their sites in Nelson Mandela Bay Municipality and Holfontein.

It is abundantly clear that toxic waste management is an

ongoing problem in KZN and the rest of the country. But, as past experience has shown us, the waste industry can be stopped.

The south Durban community has proved this, and now the west Durban community and Upper Highway Air is proving this too. But this is not the solution to our ongoing waste crisis in South Africa.

While the Department of Environmental Affairs must be commended for responding to community concerns over the Shongweni site, they have

to recognise that the challenge countrywide is as a result of their failure to force industries to produce cleaner products, with less toxic waste.

The blame has to be laid at the doorstep of the government, which allows for these situations to repeat themselves, leading to waste companies exploiting weak governance to make profits, and industries that still want to do things dirty and on the cheap instead of investing in cleaner technology.

Turning this around is the only way to stop this legacy of toxic waste from continuing into the next generation.

The victories of the past will be hollow if EnviroServ is allowed to merge again with another waste company and gets access to another site and continue with dirty practices.

For environmental justice to be delivered, the struggle has to continue beyond the courts. The government must be forced to deliver on section 24 of our Bill of Rights, and this means forcing industries toward cleaner production and zero waste, so that we are not confronted with more Umlazi and Shongweni situations in the future.

To this end, groundWork will be hosting a national meeting of all people affected by toxic waste, which include waste pickers, people living next to dump sites, toxic mines, incinerators and Eskom coal ash dumpsites, to ensure that these injustices do not continue.

● Peek is an environmental justice campaigner and the director of groundWork, Friends of the Earth South Africa, which campaigned with communities in south Durban for the closure of the Umlazi toxic dumpsites in the 1990s.