

# Government is being sued over Eskom, Sasol threat to the environment

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Sasol's coal-to-liquids plant in Secunda and the NatRef oil refinery also emit pollutants. File Photo: IOL

CAPE TOWN – The government is being sued by two environmental groups to take action against some of the world's worst pollution allegedly being emitted by Eskom and Sasol plants.

GroundWork, an environmental justice organisation, said in a statement yesterday that it and Vukani Environmental Justice Movement in Action had on Friday served papers at the high court in Pretoria.

The papers cite Barbara Creecy, Minister of Forestry and Fisheries and Environmental Affairs; National Air Quality Officer Dr Thuli Khumalo; and President Cyril Ramaphosa as the first three respondents.

Mpumalanga accounts for some 83 percent of South Africa's coal production. Eskom has 12 coal-fired power plants in the area. Sasol's coal-to-liquids plant in Secunda and the NatRef oil refinery also emit pollutants.

GroundWork said a new independent study by Dr Andy Gray, an expert in air and health risk modelling, found these 14 facilities were responsible for the lion's share of air pollution in 2016. "The area has been plagued with deadly air quality for decades," GroundWork said. The Forestry, Fisheries and Environmental Department did not respond to queries yesterday.

Greenpeace analysis of satellite data last year showed Mpumalanga to have the world's largest nitrogen dioxide air pollution hotspots across six continents.

These plants also emit toxic chemical compounds such as sulphur dioxide, heavy metals such as mercury, and fine particulate matter, which result in respiratory illnesses such as asthma, bronchitis and lung cancer, and contribute to strokes, heart attacks, birth defects and premature death.

“Both the government and industry have continuously failed to deal with the problem Vukani has decided to use litigation to push the government to take urgent steps to deal with the high air pollution,” said Vukani chairperson Vusi Mabaso.

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In 2007, the Department of Environmental Affairs had acknowledged the area was an air pollution hotspot of extremely poor air quality.

Nearly five years later, in 2012, an air quality management plan (AQMP) was published by the government to clean up the air pollution. But since then, little had changed, GroundWork claimed.

Gray estimated in court papers that emissions from the 14 facilities had caused between 305 and 650 early deaths in the area in 2016.

The environmental justice groups are asking the court to declare the air pollution a violation of constitutional rights and to force the government to take action to enforce the AQMP.

“Our lived experience is that the government is not holding the big polluters to account,” said GroundWork director Bobbie Peek.

In May, former Environmental Affairs Minister Nomvula Mokonyane had said although air quality was not at acceptable levels in the area, “desired improvements will not happen over a short period of time, but rather progressively over time”.

She also indicated the AQMP “was never meant to be a regulation but instead a plan that seeks to promote collaboration between stakeholder(s) and articulate shared vision and goals”.

In February, according to reports, a study using Eskom data by US coal plant expert Dr Ranajit Sahu found that for more than 21 months Eskom power plants emitted pollutants that exceeded South Africa's already weak air quality standards close to 3200 times, sometimes by as much as 15 times the legal limit.

Eskom denied that there had been thousands of emission standard violations, and claimed the count was “significantly overstated” because of “a number of errors”.

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