

DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 2290

15 July 2022

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

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby publish a 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 attached to this notice.



BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

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;

“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;

“proclaimed fishing harbours” means those fishing harbours regulated in terms of the Marine Living Resources Act;

“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 2.

1.2. This General Discharge Authorisation also applies to—

- 1.2.1. the ports listed in Annexure 3; and
- 1.2.2. proclaimed fishing harbours, except to those fishing harbours located within a marine protected area governed under the Protected Areas Act.

2. Application of Duty of Care

- 2.1 In terms of section 58(1) of the Act, the duty of care contained in section 28 of the National Environmental Management Act applies to any impact caused by any person which has an adverse effect on the coastal environment.
- 2.2 Among others, section 58(2) of the Act prescribes that the duty of care specifically applies to—
 - (a) the owner, occupier, person in control of or user of land or premises on which an activity that caused or is likely to cause an adverse effect occurred, is occurring or is planned;
 - (b) an operator of a pipeline which ends in the coastal zone; and
 - (c) a producer or discharger of a substance which caused, is causing or is likely to cause, an adverse effect on the coastal environment.

3. Description of General Discharge Authorisation

Where this General Discharge Authorisation refers to a “discharge” of effluent, the authorisation means the discharge of effluent *per* pipeline or *per* point of discharge into coastal waters. Where a facility comprises of multiple discharge points, this authorisation’s requirements pertain to each point of discharge independently.

Table 1 and Table 2 is set out in Annexure 1 of this 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.

- 3.1. The effluent will be neutrally-buoyant or positively-buoyant with respect to the coastal waters into which the effluent is being discharged.
- 3.2. In Table 1—
 - 3.2.1. for offshore discharges, the effluent’s constituents do not exceed the General Limits specified in that table; and

- 3.2.2. in respect of discharges into coastal waters other than the offshore environment, the effluent does not exceed the Special Limits specified in that table.
- 3.3. In addition to the requirements in 3.2 above, where the volume of effluent being discharged exceeds—
- (a) 10000m³ per day in the case of an offshore discharge, the General Limits specified in Table 2 apply; or
 - (b) 2000m³ per day in the case of discharges into coastal waters other than the offshore environment, the Special Limits specified in Table 2 apply.
- 3.4. Where the influent water's constituent quantities exceed the General Limits or 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 or the Special Limits in Table 1, and where applicable, Table 2.
- 3.5. In addition to the requirements in 3.1 to 3.4, a discharge of effluent into coastal waters will only be lawful under this General Discharge Authorisation if the requirements of sections 4, 5 and 6 are complied with.

4. Obligation to notify in writing

- 4.1. A person intending to discharge effluent in terms of this General Discharge Authorisation must notify the Department in writing of the intended discharge in compliance with 4.2 prior to undertaking the discharge.
- 4.2. A notification in terms of 4.1 must contain the following information:
- (a) the full name of the person, legal entity or organ of state responsible for the discharge;
 - (b) the name of a contactable person and their contact details;
 - (c) a description of the facility and the process which is undertaken at the facility;
 - (d) GPS coordinates of the land-based operation (facility responsible for the generation of the effluent being discharged);

- (e) GPS coordinates of the points of location of the discharge into coastal waters;
- (f) the volume of effluent being discharged per day;
- (g) the analysis results of the screened effluent-constituents as required in paragraph 6.1;
- (h) the province and the municipal area in which the discharge will occur; and
- (i) confirmation as to whether or not the discharge will be continuous, a once-off or an intermittent discharge.

4.3. The person, or the representative of the legal entity or organ of state, must date and sign the notification submitted to the Department.

5. 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:

- 5.1. the bays set out in Annexure 2;
- 5.2. estuaries, except for those estuaries inside a port as set out in Annexure 3;
- 5.3. marine protected areas governed under the Protected Areas Act; and
- 5.4. special management areas declared in terms of section 23 of the Act.

6. Monitoring requirements

- 6.1. Effluent must be screened for constituents which are anticipated by the process or sector producing the effluent and be measured against the constituents and their limits listed in Table 1 and where applicable, Table 2.
- 6.2. The analysis of all effluent samples must be undertaken at a SANAS-accredited laboratory.
- 6.3. 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.

- 6.4. **For discharges other than a once-off discharge**, the quality of the effluent discharged into coastal waters must be monitored and sent to a SANAS-accredited laboratory 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.
- 6.5. 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.
- 6.6. All reports must be submitted to the Department by hand, by post or by email, to the following address:

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

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

By e-mail: GDA@dffe.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

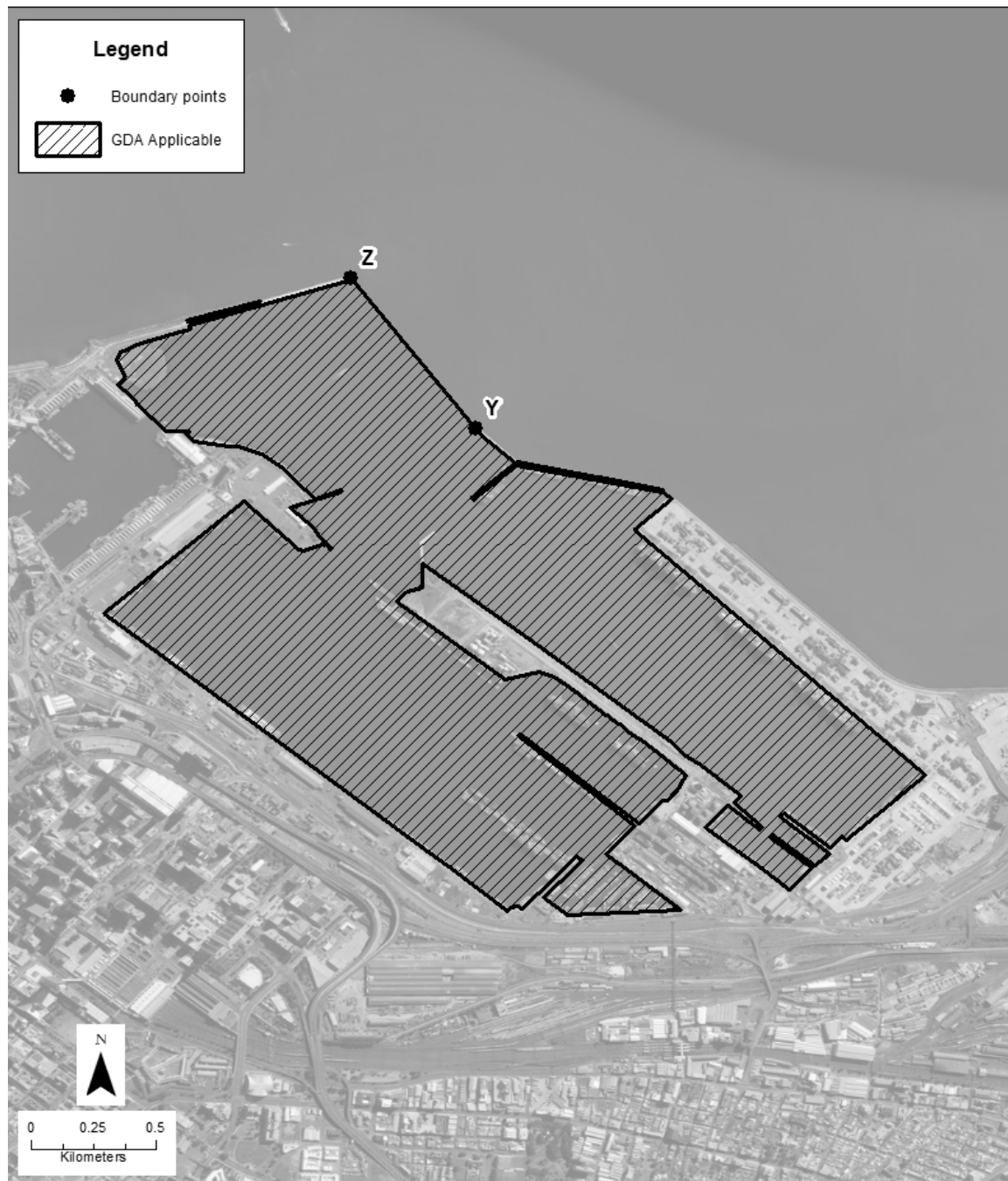


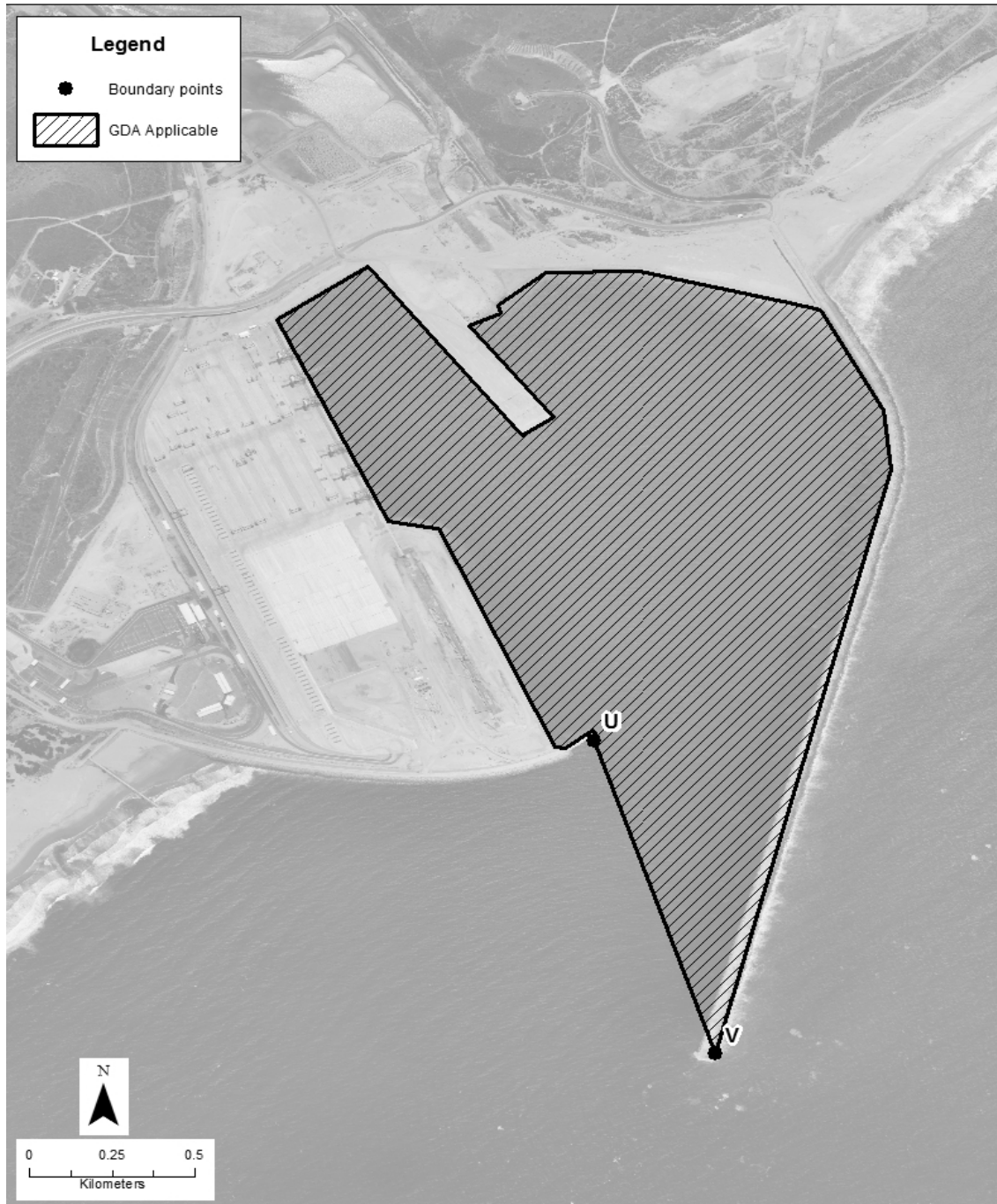
General Discharge Authorisation Applicable: Port Nolloth



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

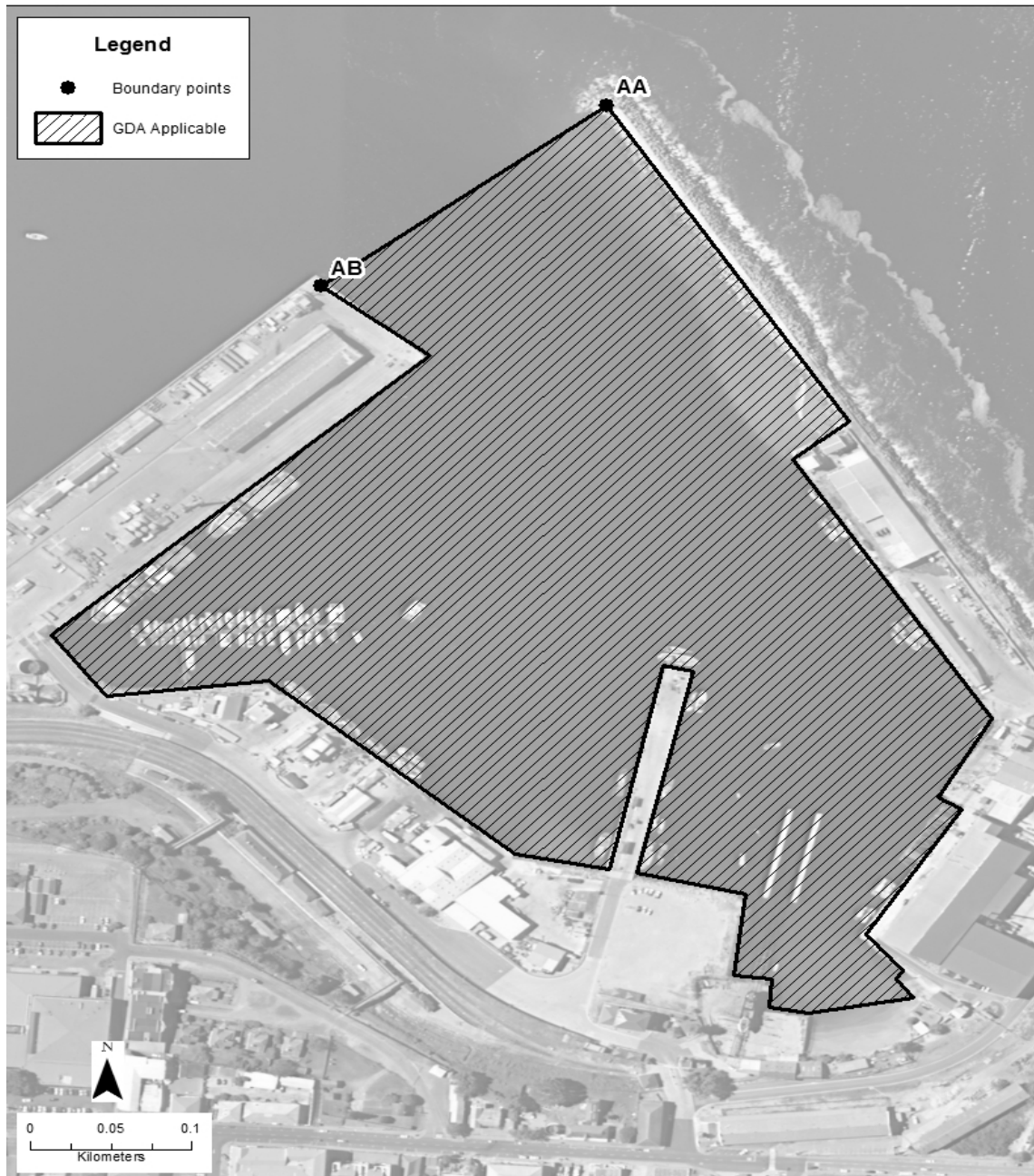


General Discharge Authorisation Applicable: Port of Durban

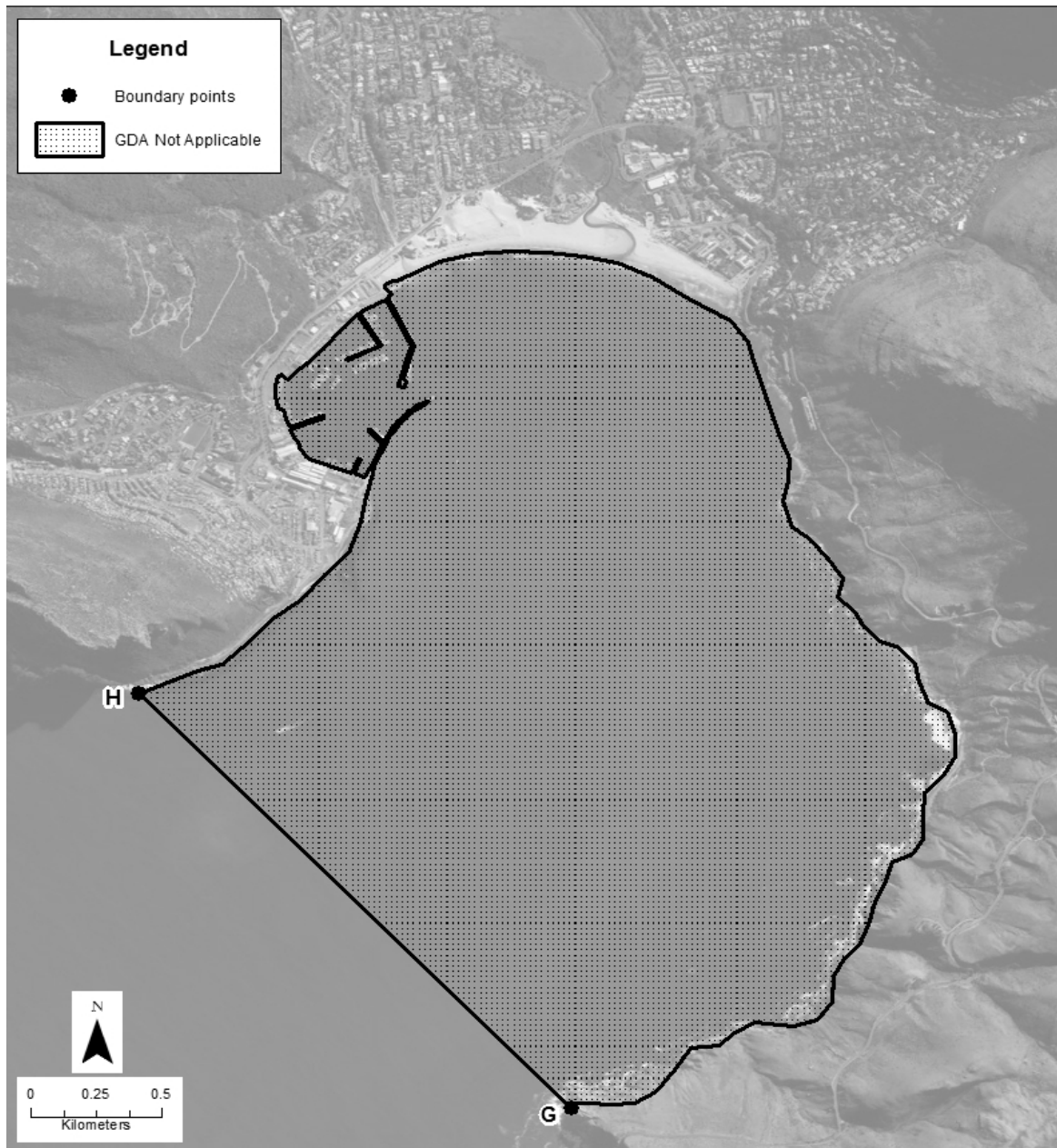


General Discharge Authorisation Applicable: Port of Richards Bay

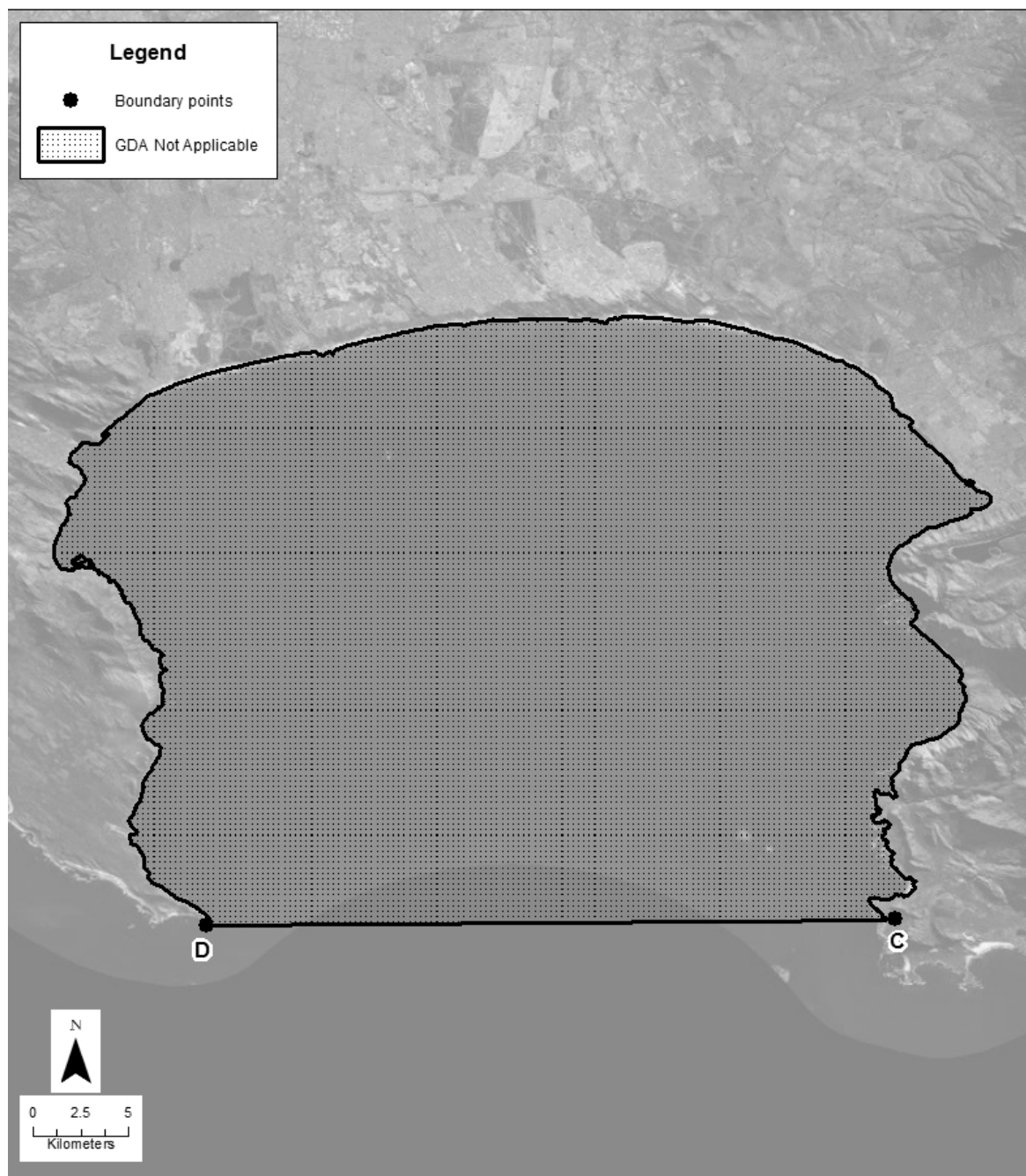


General Discharge Authorisation Applicable: Port of Mossel Bay

General Discharge Authorisation Not Applicable: Hout Bay



General Discharge Authorisation Not Applicable: False Bay



General Discharge Authorisation Not Applicable: Gansbaai



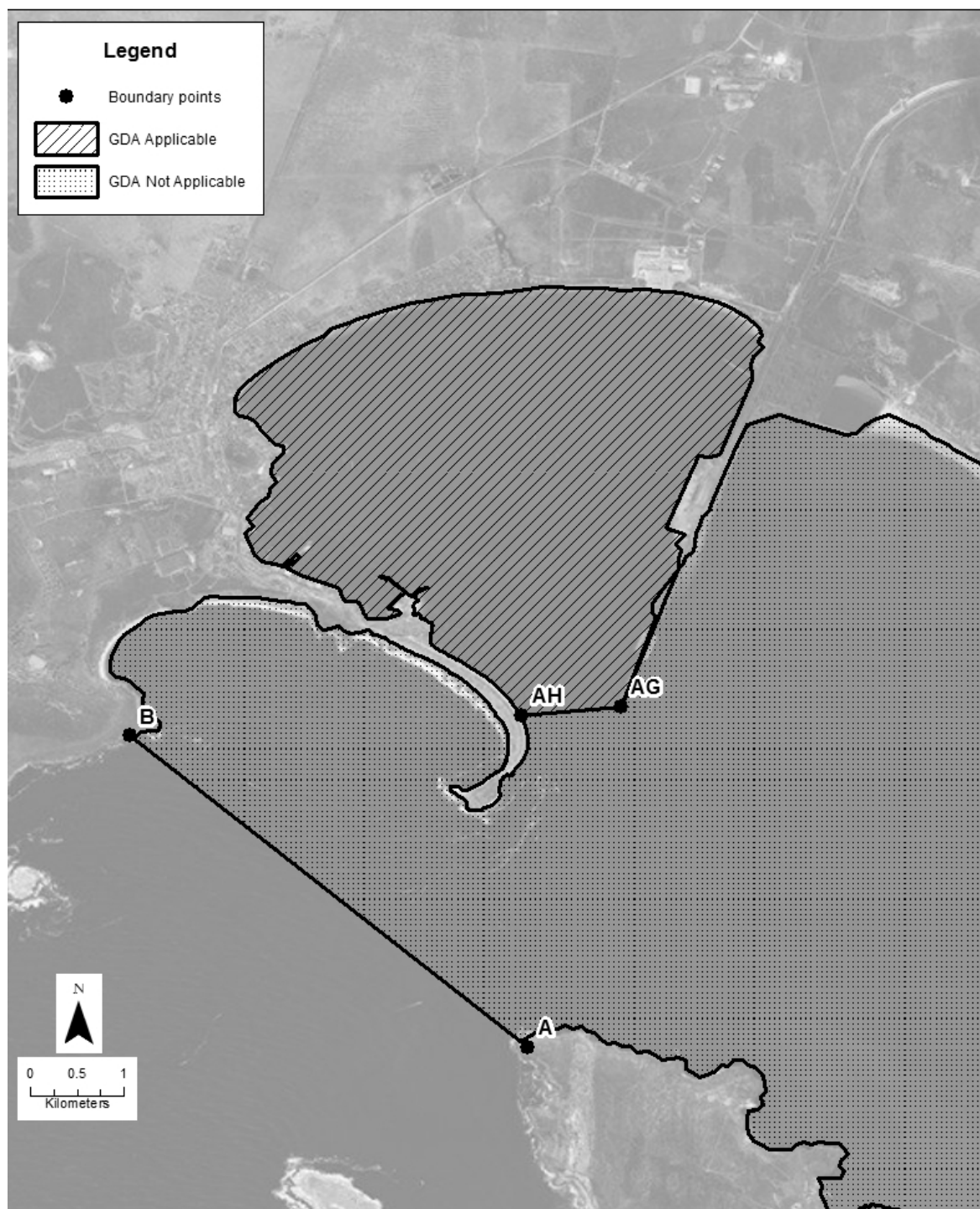
General Discharge Authorisation Not Applicable: Plettenberg Bay



General Discharge Authorisation Not Applicable: St Francis Bay



General Discharge Authorisation Applicable: Port of Saldanha



General Discharge Authorisation Not Applicable: Mossel Bay

