

## MEMORANDUM

<b>To:</b>	Cllr HPC de Wet	<b>File ref no:</b>	
<b>CC Registry:</b>		<b>DMS No:</b>	1532753
<b>Other:</b>		<b>In response to DMS No:</b>	1532543 & 1533803
<b>From:</b>	AMM: Mr NG Zulu	<b>Date:</b>	6 June 2022
<b>Subject:</b>	AIR QUALITY INVESTIGATION OF ALLEGED GAS LEAK		

Dear Councilor de Wet,

Attached herewith is structured responses to your written submission, dated 18 May 2022 (also attached). As a precursor to our response, we are confirming that, soon after the alleged gas leak, the details of the locally conducted investigation were presented to Council and during April a joint, intergovernmental investigation was conducted by national government. The results of the latter are still awaited and once more information/findings are available, details can be shared.

### **Alleged Gas Leak Incident Response by Air Quality Management Unit**

***With the above background on the incident that occurred on 7 February 2022, I write to you the following questions with the expectancy that you answer them as accurately and truthfully as possible and provide detailed explanations for all questions:***

#### **1. Has the City of uMhlathuze concluded its investigation into the gas leak?**

No, however a preliminary report (RPT172706) served at Council as per Resolution No.15285:

1. the Preliminary Investigation Report on Investigation of Richards Bay High School Alleged Gas Leak Incident be noted; and
2. it be noted that the Joint Government hierarchical investigation team comprising of all relevant sections will be conducting inspections during the first week of April 2022 to conclude their findings on the incident.

**(a) If yes, what was the outcome? N/A.**

**(b) If not, when is the investigation expected to be concluded?**

A joint-inspection on the 11<sup>th</sup> to 13<sup>th</sup> of April 2022, was conducted by various spheres of Government including the Department of Environment, Forestry and Fisheries (DEFF), Department of Economic Development, Tourism and Environmental Affairs (EDTEA) -



Provincial and District, King Cetshwayo District Municipality (KCDM) and City of uMhlathuze (CoU). The conclusion of the investigation will be in place once the DEFF has consolidated the report

**2. Has the City of uMhlathuze, during its investigation;**

**(a) Reached out to all 370 residents reportedly affected by gas inhalation?**

*uMhlathuze Municipality only received one complaint through Richards Bay Clean Air Association (RBCAA) which was investigated.*

**(b) Approached medical practitioners or healthcare facilities within Richards Bay and its surroundings to establish the number of patients treated for gas inhalation?**

No, however King Cetshwayo District Municipality: Environmental Health visited the health care services and the findings will be incorporated in the final report. It bears noting that the investigation was conducted by all spheres of government collectively.

**(c) Approached the Richards Bay Community and Air Quality Stakeholders to establish the extent of the gas leak?**

Yes. Various stakeholders including Richards Bay Hoërskool, Arboretum Primary School, Little People Centre, John Ross High School, Arboretum Swimming Pool, community in the vicinity of the school in discussion and Foskop were visited.

**3. With regards to the affected residents;**

**(a) How many incidents of residents affected by the gas leak did the City record?**

Only complaints received from RBCAA. The City did not directly receive complaints.

**(b) To what extent did the investigators go to determine the number of affected residents or to gather such information?**

Various stakeholders including Richards Bay Hoërskool, Arboretum Primary School, Little People Centre, John Ross High School, Arboretum Swimming Pool, community in the vicinity of the school in discussion and Foskop were visited.

**(c) What type of assistance was offered to the affected residents by the City?**

City of uMhlathuze: Disaster, Fire and Rescue and Air Quality Management Unit visited the school on receipt of the complaint to ascertain the nature and the extent of the incident. Furthermore, later on the day, the delegation from the City led by Honourable Mayor: Cllr X. Ngwezi visited the school. It is unfortunate that the school denied the delegation access to school.

**4. It was alleged that Municipal employees from the Arboretum Swimming Pool were also affected;**

**(a) Were these allegations investigated? Yes.**

**(b) Can you confirm if any municipal employees were affected?**



It was revealed that two employees were affected.

**(c) *What form of assistance was offered to them?***

The investigation team was informed that the employees were treated for minor symptoms and returned to work. More information will be sourced from the clinic for further verification.

**5. *For what reason was there until this day, no effort whatsoever from the investigating officials to reach out to me as the Ward Councillor to determine if any other residents were affected?***

A preliminary report (RPT172706) did serve at Council as per Resolution No.15285

**6. *Have any contravention notices or directives been issued to any company that may be responsible for this gas leak?***

The outcomes of the investigation conducted did not reveal any facility as a source of the complaint. Findings of the joint government investigation are awaited.

**7. *Is the City of uMhlathuze satisfied with the investigation done or investigations that might still be in progress with regards to the gas leak?***

Yes

**8. *In terms of the City's response to future incidents of gas leaks or similar air quality events;***

**(a) *Does the City have a contingency plan in place?***

Fire and Rescue Services in its response to any emergency and in the event of any incident including the above in Question follows Fire Ground Standard Operational Procedure and Hazmat Standard Operational Procedure, which are in essence contingencies.

**(b) *Does the City have the capacity to effectively enforce such contingency plan?***

In the event of Gas Leak King Cetshwayo District Municipality Air Quality, City of uMhlathuze Air Quality Management and the Department of Environmental Affairs (EDTEA) work together to deal with such similar incidents, while Fire and Rescue isolate and evacuate affected communities during incidents, and for that City is ready and has capacity to deal with it.

**(c) *What mitigation or preventative measures are in place to monitor and prevent such incidents from happening again?***

In the event of mitigation and prevention King Cetshwayo District Municipality Air Quality, City of uMhlathuze Air Quality Management and the Department of Environmental Affairs (EDTEA) work together conducting inspections and issuing of schedule trade permits and AELS (Atmospheric Air Emission Licenses). There are also similar forums, such as QUARTERLY ENVIRONMENTAL FORUMS, that are the platform where mitigation and



preventative measures are discussed. Furthermore, there are Quarterly Disaster Advisory Forums.

The City installed Ambient Monitoring Station that provides monitoring and reporting takes place to Council quarterly and results also go to SAAQIS and the results are public knowledge and open to scrutiny, including by relevant provincial and national authorities.

An allocation in the 2022/23 budget will be used to augment/replace air quality monitoring instruments.

**(d) Does the City have the capacity to effectively communicate warnings and or to perform evacuation of affected communities if needed?**

The City of uMhlathuze has adopted and created a number of systems that assist should there be a need to communicate with public during disaster related emergencies. The communication systems are as follows:

- Area based bulk short message system
- Municipal bulk short message system
- Municipal Facebook handle account
- Municipal Twitter handle account
- Loud hailing system
- All users internal GroupWise system
- Industry based alarm system
- Local Radio i.e. ICORA, North Coast Radio
- East Coast Radio
- uKhozi FM.

**9. In terms of the reoccurring exceedances per year;**

**(a) How many exceedances have the City recorded in the past year?**

Fifteen (15)

**(b) What is the City's stance on these reoccurrences?**

- ✓ Holding of Quarterly Environmental Management Forums as a platform to ensure environmental compliance
- ✓ Facilities regulated by conducting inspections as per legislation, National Environment Management: Air Quality Act 39 of 2004 (NEM:AQA 39 of 2004)

**(c) Has the City come to any conclusion that our resident's health are at risk of long-term health effects?**

No. More health studies will need to be conducted to determine the long-term health effects.

**(d) What is the City doing to protect its residents from long-term health effects?**

- ✓ City installed Ambient Monitoring Station provide monitoring.
- ✓ To install an additional ambient monitoring station. An allocation in the 2022/23 budget will be used to contribute to such.
- ✓ Hold Quarterly Environmental Management Forums as a platform to ensure environmental compliance



- ✓ Inspect facilities frequently
- ✓ Health studies can be done as per 9(c) above by responsible authority.

**(e) What has the City done in this regard and have there been any successes?**

An Air Quality Management Plan (AQMP) is being developed which will inform the City of various pollutant "hot spot" zones.

**(f) How many of these reoccurring incidents have been escalated to the Provincial or National government for their intervention?**

The City's air quality monitoring station reports go to SAAQIS and the results are public knowledge and open to scrutiny, including by relevant provincial and national authorities.

**(g) Has the City litigated against those responsible for these reoccurrences?**

In this case, the investigation to date could not determine the source. Furthermore, in general, exceedances are measured against prescribed norms.

**10. Is there any potential dereliction of duty by City Officials;**

- (a) In terms of conducting this investigation?** No
- (b) In terms of acting against responsible parties for reoccurrences of exceedances of NEMA standards?** No
- (c) If so, what has the City done in this regard?** N/A

It is trusted that the above responds adequately to your enquiry and when available, Council will be advised of the findings from the joint investigation.

Yours faithfully

  
**MR NG ZULU**  
**ACTING MUNICIPAL MANAGER**  
**DMS 1532753**



