

ENVIRONMENTAL RACISM IN THE DURBAN SOUTH REGION: THE IMPORTANCE OF PUBLIC PARTICIPATION IN ENVIRONMENTAL IMPACT ASSESSMENTS

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Abstract: The idea of community participation is seen as one of the ingredients necessary to promote sustainable development. Community participation is firmly entrenched in the constitution of South Africa. It revolves around communities taking responsibility for themselves in the ways that will assist them in improving their quality of life. The participation of the community in the Durban South Basin should be seen as a way in which citizens contribute towards the shaping of the final decisions with regard to industrial and community development in the area. The shaping of the final decision-making about the location of industries has been a bone of contention between the industrialists and the community of the Durban South Basin. This area characterizes a long history of conflicts between residents and the industrialists. The struggle of the community members has been for a better life for all in the area, free from toxic fumes.

The Objectives of the study were: (i) to establish the significant decision makers in the Durban South Industrial Basin, (ii) to explore how the public, generally excluded from the decision-making process are able to hold their own in the light of development demands from business, (iii) and to determine to what extent the structures of production, particularly industrial and petrol related industries affect local municipalities in decision-making.

Methodology used in collecting data involved the review of published material on the study area. These included government policies, studies done by local and international scholars in local and foreign tertiary institutions, parastatals as well as articles published in the newspapers from 1996 to 2014. Analysis of the documents was done in relation to policy guidelines and strategies for public participation. Respiratory illnesses are prevalent in the South Durban area due to the proximity of the residents to the industry. The study reflects that current practices and patterns of industrialization, have contributed to the questioning of the development process which has been labelled as unsustainable. The analysis revealed that the neglect of people by industries amounts to environmental racism and this is regarded as violation of human rights. The Durban South community exposed to the toxic environment consists mainly of Non-white populations of South Africa. The recommendations from the study encourage the industrialists to access local and traditional knowledge so that they will be able to understand and respond to public concerns with reference to diverse communities.

Keywords: environmental racism, industrialization, pollution, public participation and respiratory illnesses

INTRODUCTION

The motivation for writing this article was a report which appeared recently in the Drum Magazine (2014). The title of the report was “There’s something in the air”. According to Drum’s reporters Ngcobo and Meywa (2014), residents of the Durban South Region were up in arms over the pollution that fills the air, their homes and their lungs. What happens in the Durban South region was confirmed by the University of KwaZulu Natal scientists who state that the Durban South Region is renowned as a hotspot for air pollution (<http://newsletter.ulzn.ac.za>). This area which seems severely affected by high levels of pollution sees residential communities juxtaposed with industry and commerce (see figure 1)



Figure 1: A refinery situated close to residential areas

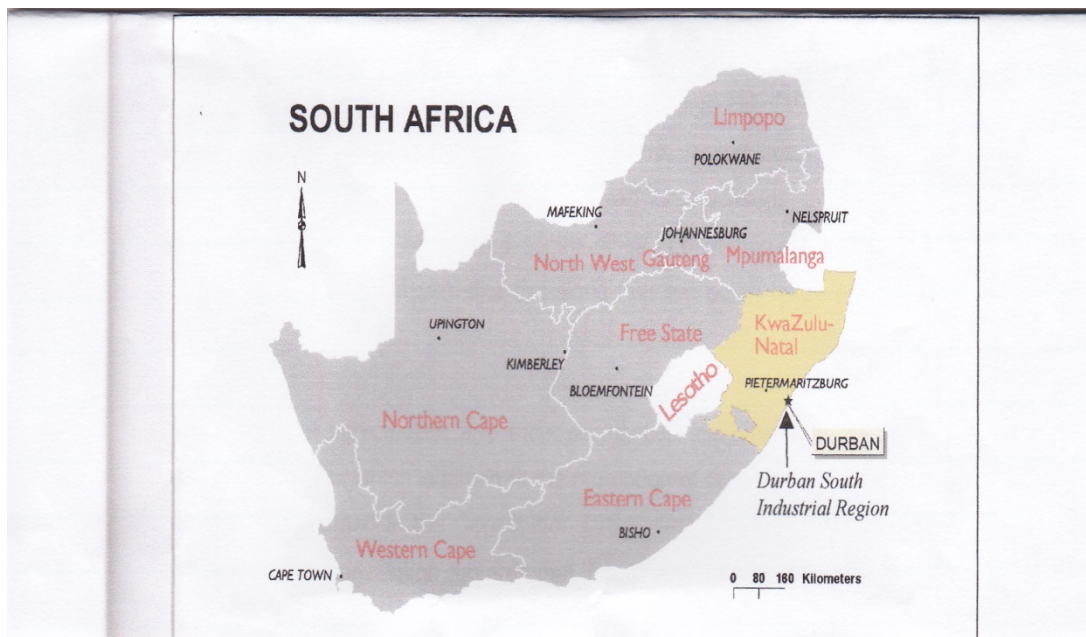


Figure 2: Location of Durban in KwaZulu Natal and South Africa

The aim of this paper was to explore issues of public participation (PP) in Environmental Impact Assessment (EIA) and why the process seems to fail to have the desired effect in some instances. According to Toth and Lucivjansky (2013) the EIA is an important instrument to balance the diverging interests of two of the decade's most pressing concerns, namely the protection of the environment and the growth of the economy.

STATEMENT OF PURPOSE OF THE PAPER

The purpose of the research was to explore and review the role that public participation plays in creating transparency in the Environmental Impact Assessment process in the Durban South Industrial Basin. Transparency in the process of Environmental Impact Assessments ensures the public that operational, financial, management and legal risks affecting industries are identified beforehand. When these take place, people should be able to anticipate or contribute towards the control of the consequences of such risks. Transparency also helps people to understand reasons, if any, for the company's non-compliance to conditions set in the environmental impact assessment. In the case of Durban South Industrial Basin, the participation by people will empower them to understand the issues that engulf the industries in the area (Cameron and Cross, 2002:7).

Critical questions this paper intended to explore are among others: (a) who are the significant decision makers and influential people in the Durban South Industrial Basin? (b) How do members of Durban South Industrial Basin who are generally excluded from the decision making process, try to hold these decision makers in check and exert their own influence in the whole process in the area? (c) What educational strategies can be employed in order to inform and educate local population in the process of public involvement and impact assessment? (d) What factors have inhibited genuine participation in the Durban South Industrial Basin?

RESEARCH METHODOLOGY

The methodology that was used to execute the study focused primarily on the review of published material. Material included government policies, studies done by researchers from local and international tertiary institutions and parastatals and articles published in the newspapers from 1996 to 2014. An analysis of the documents was done in relation to policies, guidelines and strategies for public participation in the context of the Durban South Industrial Basin. The question of authenticity has been addressed as the materials were collected from the library and archives of the Independent Newspapers. The dates of documentary materials reviewed ranged from 1996 to 2014

It is noticeable that populations are vulnerable to economic activities or projects that promise financial or infrastructural benefit. The Environmental Impact Assessment process is a mechanism of identifying and assessing the benefits and costs of a project. Impact on the social environment is also considered during the Environmental Impact Assessment process (Madonsela & Ramasar, 2001). The involvement of interested and affected parties (I & APs) in environmental decision making is considered a key component of Integrated Environmental Management. Thus it is imperative that concerns of the interested and affected parties be taken into consideration in any development that is being planned, no matter how small the development is going to be.

In the light of the enormous technological progress, man has come to realize that industrial development has profound effects on all aspects of the environment. Ordinary people are also aware that their habitat is a relatively limited asset. Environmental problems bring undue pressure to all those that depend on the environment, thus it is important that every human being is brought on board in the management of the environment.

Mouton and Marais (1990:76) refer to these sources that have been used to research this article as extensive collection of records, documents, library collections or mass media such as census data life statistics, ecological and demographic data, personal documents like diaries, autobiographies, letters and case studies. Other types of archival sources include mass media like newspaper reports, the content of radio and television programmes, and film material. Redfield in Babie and Mouton classifies these newspaper articles as human documents.

The review focused on: (a) Identifying the significant decision makers and influential people in the Durban South Industrial Basin (b) Establishing how the community of the Durban South Industrial Basin, with no experience at all in decision making, are able to hold the decision makers in check and exert their own influence of protecting communities.

THE ISSUE OF PUBLIC PARTICIPATION

A global increase in environmental awareness has resulted in pressure on industries and organisations to be accountable for the environmental consequences for their developments. McMillan (1997) holds the view that environmental awareness in this country has grown with the recognition of the complexity of natural ecosystems and the role of ecological relationships in maintaining the quality of life.

The dilemma that exists in South Africa and in Durban (Figure 2) in particular, is that there is rapid urbanization and industrialization which attempts to address the socio-economic backlogs which have been a reality for the majority of the country's population. Economic development in Durban, is primarily in the Durban South Industrial Basin. The concentration of industries in this area has inevitably led to the confrontation between residents and the developers. The confrontation arises from the fact that development in this area is at the expense of the built environment where people live, work and play (McMillan, 1997). Several major industrial developments are seen as violating residents' fundamental rights to a clean and healthy environment. Thus the residents are paying dearly for the problems associated with development in the area. Massive and irreversible damage to natural resources is common in the area.

Subsequently, McMillan (1997) states that serious environmental problems have made public consciousness about environmental problems and sensitivity to environmental issues to rise dramatically. It is for this reason that Burger, McCallum, Robertson and Robertson (1997) argue that it is critical that the interested and effected parties be involved in decision making which is regarded as a key component of the Integrated Environmental Management. Makara (2001) argues that substantial worldwide consensus has emerged on the systematic and proactive involvement of the public in the shaping of environmental decisions that affect them. She contends that in this way, decisions are more likely to be not only technically and economically attractive and viable but also better understood by those affected politically and socially acceptable.

Consultation and public participation is mandatory and has to be carried out in all Environmental Impact Assessments and as stated by Madonsela and Ramasar (2001), this process is considered central and key to the whole Environmental Impact process. It aims to involve all those who are interested or affected directly (primary stakeholders) or indirectly (secondary stakeholders) by a proposed development. Interested and effected parties (I & APs) include government agencies, local authorities, affected communities, Non Governmental Organisations and Community-Based Organisations. This involvement is to help determine the scope or impact of the project or work to be carried out. The objective of public involvement in the Environmental Impact Assessment process is to inform stakeholders, allow for presentation of views, concerns and values and also to obtain local knowledge and increase public confidence (Madonsela & Ramasar, 2001).

The pressure that is mounted by the interested and affected parties stand to witness democracy whose aim is the involvement of all people in all forms of decision making. In this study, the term interested and affected parties

(I & APs) carries the same meaning as in Mafune, Mclean, Rodkin and Hill (1997), where public participation is inclusive of these parameters: authorities, specialists, non-governmental organisations, community-based organisations and the public at large. The involvement of affected communities in development is another way of ensuring transparency in all major decisions that are being taken on and for their behalf.

The principle of participation and empowerment is also linked to the principle of public participation, which is aimed at the promotion of development and democratic governance as stated in the Constitution (RSA, 1996). Freeman (2001) reiterates the fact that the Constitution requires that 'the public be consulted and informed on any development that may have an effect on their quality of life. Perhaps a definition by Makara (2001) contextualizes the concept when she views public participation as a process in terms of which the public is systematically and proactively afforded an opportunity to share their knowledge and concerns on the proposed developments with a view to the promotion of informed and generally accepted decisions.

Environmental Impact Assessments are, according to Cubitt and Diab (2001) tools that are widely used to aid environmental decision making. They argue that through the processes of assessment, mitigation and public participation, EIA should contribute to sound environmental management and thus it should promote sustainable development. This opinion is also shared by de Wit (2001) when he states that the decision making process does not exclude all the winner situations such as an improved economic growth through greener technologies that also have a positive economic impact. Decisions that are taken are aimed at multi-pronged achievement of economic, social and environmental objectives which necessitate clear trade-offs and checks and balances between various objectives (de Wit, 2001:1).

Adequate public participation in Environmental Impact Assessment also fosters a sense of local ownership. The complete involvement of local communities in activities taking place in their surrounding guarantees sustainability. The concept of sustainable development is well expressed by the Brutland report which defines it as development that meets the needs of the present without compromising the ability of future generations to meet their own needs (WCED:1987:43). Madonsela and Ramasar (2001) brings sustainability even closer to home when they view sustainable development as development along the lines of culture.

The fragile nature of the situation explored in this article in the Durban South Industrial Basin, will certainly reflect that balancing economic, social and environmental factors are a very delicate act to follow. Cumulative and large scale effects of industrial pollution build up incrementally over time and when a threshold is felt, the negative effects are felt. Whilst Linthicum (1991):15 concurs with this view, he goes on to state that such development is aimed at alleviating poverty which he defines as the lack of capability of being able to change one's situation. This definition is very important as it helps to highlight the context of development problems in the Durban South Industrial Basin.

Environmental Impact Assessments (EIA's) were introduced to assist in decision making by providing comprehensive and detailed information on the environmental consequences of the development. This statement is supported by Boer and O'Brien (2002:1) where they state that environmental assessments are tools that promote sustainable development. An Environmental Impact Assessment is a process of gathering and evaluating environmental information in order to provide sufficient supporting arguments to evaluate the overall impact, consider alternative options, and make a valued judgement in choosing one development alternative instead of another (DEAT, 2000:8).

Central to the progress of EIA is the concept of public participation in the development process. Baken, Covary and Prior (2001:2) argue that the history of South Africa has been characterised by the exclusion of the majority population from participation in decision making. They argue that broad-based participation is crucial if the public is to be engaged as an equal partner in responsible environmental decision making.

According to André Enserink, Connor and Croal (2006), public participation is essential for good governance and may empower local communities. According to these authors, the aims of public participation are to: (a) Invite the affected and interested public into the decision making progress to foster justice, equity and collaboration. (b) Inform and educate the stakeholders (which includes the proponent, public, decision maker(s) and the regulator) on the planned intervention and its consequences. (c) Gather data and information from the public about their human (including cultural, social, economic and political dimensions) and bio-physical environment, as well as about relations (including those related to traditional and local knowledge) they have with their environment. (d) Seek input from the public on the planned intervention including its scale, timing and ways to reduce its negative impacts, to increase its positive outcomes or to compensate impacts which may not be mitigated. (e) Contribute to better analysis of proposals leading to more creative development, more sustainable interventions and consequently greater public acceptance and support than would otherwise be the case. (f) Contribute to the mutual learning of stakeholders and to improvement of the PP and IA practice for a proposal.

This article shows that it is one thing to have good policies in place, but implementation and proper monitoring of these policies for the benefit of all is usually a challenge.

THE DURBAN SOUTH INDUSTRIAL BASIN: ANALYSIS OF PUBLIC PARTICIPATION

It has been argued that economic development cannot be environmentally sustainable because, economic development necessarily involves greater use of resources, more pollution and more environmental damage generally (Sakar in Hunter 1999). From this view, Hunter (1999), holds that an attempt to 'manage sustainable economic development' is bound to mean sweeping environmental concerns under the carpet. One can however argue that sustainable economic development has to be linked to sustainable human development if it is to foster justice and equity. Spetti (1994) captured sustainable human development when the author defined it as follows:-

“Sustainable human development is development that not only generates economic growth but distributes its benefits equitably, that re-generates environment rather than destroying it, that empowers people rather than marginalising them. It gives priority to the poor, enlarging their choices and opportunities and provides for their participation in decisions affecting them. It is development that is pro- poor, pro-nature, pro-jobs, pro-democracy, pro-women, and pro-children.

The picture that prevails in the Durban South Industrial Basin leaves a lot to be desired. For residents, Durban South Basin characterises a long history of conflicts with industry which reflect a struggle for a better quality of life (Scott and Diab, 1997). The residents are particularly worried about the impact of pollution and natural resource degradation on their health and on prospects for sustainable development. Pollution and resource degradation continue to impose considerable costs in the social fabric of the residents in the Durban South Industrial Basin. It is as though the industries in the area have adopted 'produce now, clean-up later' approach to development which imposes high developmental costs, costs that could be avoided by adopting policies and programmes that prevent serious social damage in the first place (World Bank, 2001:7).

The creation of South Durban Environmental Alliance, (SDEA) in 1996 can be interpreted a pro-active means by the community to fight marginalisation by industries and government. This alliance has enabled the promotion of information sharing among residents of Durban South Industrial Basin. The SDEA organises across the historical racial divisions of its communities to speak out for environmental justice at local, national and international levels. Some of the members have no literacy skills, some have no jobs and there is representation from both genders. The only common factor shared by these community members is that they want to create a sustainable community environment (Van Niekerk, 2001). The creation of sustainable community environment revolves around the concerns they raise regarding the impact of further industrial development on ambient pollution levels and the impact on the health of local residents. The basis of widespread opposition to any further development in the Durban South Basin was that data available on Sulphur Dioxide revealed that the national and local guidelines were regularly exceeded in the valley.

Scott and Diab (1997) emphasize the fact that through their struggle, residents demand environmental justice. The struggle illustrates that there is active participation by the residents in environmental matters. The struggle ensures that environmental concerns are not swept under the carpet. The participation by residents in matters that affect them is supported by various legislation and policies.

One of the worst problems is the double standard which is practised by the multi-national oil companies. Residents in various countries have long suspected that these companies have one way of doing things in rich European countries, and quite another standard of operating in the Third and African countries. The examples that are cited in the Natal Mercury are those of Ogoni people in Nigeria and the residents of the Durban South Basin. (The Natal Mercury 2002:March 19) According to (Pelser, 2002b) disadvantaged communities in Durban South live near two oil refineries that are responsible for high volumes of air pollution. The author reported that in the past pollution levels of these refineries were up to 60 times more than that of a clean refinery in Europe or North America. Through pressure from the community, in 1998, Engen agreed to a reduction in pollution permit levels by 65% over 5 years starting from 1999. (<http://www.engen.co.za/content/news>)

The Durban South Basin residents are concerned about the corporate accountability. They are particularly concerned with the manner in which major industries handle community concerns. Furthermore, they are concerned on how Government's responds to queries from communities living next door to the refineries. Adding salt to the injury is the Government's approval of EIA's regardless of the communities' concerns. The case in point was Engen's proposal of increasing their production from 125 000 barrels a day to 150 000 a day. This was 20% increase and the community felt that this would increase pollution in the area. Therefore productivity would increase at the expense of the environment and of the community. The community was concerned that Engen had already purchased all the necessary equipment for the increase before involving the public affected. This suggested that they intended going ahead with their plans regardless of communities' concern or an approval from Government.

The picture that prevails in the Durban South Industrial Basin is far from being entirely positive. For residents, Durban South Industrial Basin characterises a long history of conflicts with the industry which reflects a struggle for a better quality of life (Scott and Diab 1997). The residents are particularly worried about the impact of pollution and natural resource degradation on their health and on prospects for sustainable development. Pollution and resource degradation continue to impose considerable costs in the social fabric of the residents in Durban South Industrial Basin. In a recent article in Drum Magazine (2014), Ngcobo and Meywa in an article entitled 'There's something in the air' reported that Durban South areas were up in arms over the pollution that fills the air, their homes and their lungs. The report sounded like a call from desperate people, for protection against a toxic environment. According to the report, the industries in question include Major South African as well as international companies. Among these the three main culprits are reported to be Mondi Paper Mill, Petroleum Company Engen and Sapref Refineries.

There are people who have equated the situation in the Durban South Industrial Basin as environmental racism. This is because the marginalised and poor communities are discriminated against at the hand of corporate polluters. Environmental groups state that communities of colour around the world were victims of corporate greed and the world leaders have a responsibility to recognise environmental racism which is a violation of basic human rights.

Scott and Ridsdale (1997) in Scott and Diab (2000) argue that various factors have contributed to the lower levels of development and lower quality of life among the Black communities of the South Industrial and these include the following: (a) lower per capita incomes (b) lower levels of education (c) higher levels of unemployment and poverty (d) wide range of legislation that served to prejudice and under-develop black community during apartheid era (e) environmental impacts of adjacent industrial development such as poor air quality, noise and light pollution (Scott and Diab, 2000)

Public participation with special reference to the promotion of development and democratic government can be best understood through the analysis of the policies and legislation that underpin it. The Constitution of South Africa stipulates that the state must protect the environment through reasonable steps to prevent, inter-alia, pollution.

The mandate for government on environmental management focuses on the following: (a) The universal duty to protect the environment to ensure that we all survive and have a better quality of life (b) Ensuring that every citizen has an unqualified right to an environment that does not harm their health and well being and this includes their cultural interests (RSA, 1996). Section 24 of the Constitution (RSA, 1996) states that:

According to The Constitution of South Africa everyone has the right: (a) to an environment that is not harmful to health or well being, and (b) to have the environment protected for the benefit of present and future generations through reasonable and other legislative measures that: (1) prevent pollution, (2) promote conservation and (3) secure ecologically suitable development and use of natural resources while promoting justifiable economic and social development.

ENVIRONMENTAL POLLUTION AND HEALTH ISSUES

Durban community groups have expressed serious concerns about health problems which result from pollution in the area. The Natal Mercury (2001) reported on a new study linking air pollution to respiratory diseases in school children in South Durban. The study involved children at the Settlers Primary School in the heavily polluted Merebank residential area. The school is sandwiched between three major polluting industries (the Engen, Sapref Fuel Refineries and Mondi Paper Mill (The Natal Mercury, 2001). Other polluters include Tongaat Hullet Refineries, NCP Isipingo, Sasol Fibres, Dunlop and SA Breweries (The Natal Mercury 2000). The school is 700m from Engen. Observation by the staff at the school point to a high rate of illness and the absentee rate which is linked to the severe pollution from neighbouring industries. This assertion is now supported by research results in a study by Naidoo, Robins, Batterman, Mentz and Jack (2013). In a study entitled 'Ambient pollution and respiratory outcomes among school children in Durban, South Africa', the results of the study found that school children from industrial exposed communities experienced higher prevalence's of persistent asthma than children from communities distant from industrial sources. Pelsler 2000b reported that the rate of leukaemia amongst children in Durban South was 24 times higher than the rest of the country and a fair amount of inhabitants suffer from asthma

The historic issue of pollution, a legacy of the Apartheid industrial revolution in which manufacturing industries were placed side by side with residential zones that were created in the wake of mass exodus of Indian, African and Coloured people under the 1950 Group Areas Act, is still haunting residents. In the past, Indian and African and Coloured residents bore the brunt of unrelenting emissions of noxious gases (The Natal Mercury 2002). According to recent literature, these communities continue to suffer as a result of poorly controlled noxious emissions from industries. Policies are in place but it appears there is a lack of enforceable standards for air pollution which seems to be the root of air pollution problems experienced to date.

PROBLEMS THAT CAN HINDER EFFECTIVE PUBLIC PARTICIPATION

Problems that are related to pollution are technical in nature. Illiteracy will have significant impact in terms of participation. Illiterate people are not able to comprehend what the presence of a contaminant in their environment means to their health. Such lack of information leads to fatalism. Scott and Diab (2000) argue that this is the contributory factor to the diverse knowledge between regulating authorities and local residents. They contend that on the one hand there is the discourse or language of the regulating authorities and industries which require precise scientific measurements in order to regulate and manage the problem. On the other hand, there are local residents who experience the effects of air pollution but describe their experiences in lay language which makes it possible for their complaints to be dismissed by polluting companies.

It is therefore common knowledge that residents have a different knowledge base which is rooted in their everyday life and local experience. The knowledge of the authorities is quantitative and technical in nature (precise scientific measurements) and that of the residents is an historical narrative which is qualitative and anecdotal in nature. Scott and Diab (2000) explain that these two bodies of knowledge whilst describing the same phenomena are in conflict. The observation by these two authors is that there is a tendency in the sciences to devalue anecdotal and qualitative information such as attitudes, values and impressions. They argue that scientific knowledge can be used as a powerful tool to exclude and dismiss contributions by people not having an understanding of the terminology and concepts used. For instance, in the 2014 article where the Durban South Industrial Basin residents are complaining about pollution, they say, 'there's something in the air'. That is a very vague description captured by the Drum magazine reporters (2014).

According to André et al (2006), writing on 'Public Participation: International Best Practice Principles,' the authors stress the importance of PP being context-oriented. This means PP should be adapted to the social organisation of the impacted communities including the cultural, social, economic and political dimensions. This shows respect for the affected community and is likely to improve confidence of the process and its outcomes.

It is also important to demystify the language in which PP reports are written so that they are accessible to lay persons. Another problem highlighted by the community was associated with the lack of a comprehensive epidemiological health study to look at the effects of air pollution. Durban community projects want an independent assessment of the relationship between community health and air pollution impact of various industries in the Durban South Industrial Basin. The lack of expertise on air quality issues, makes the community accept issues at face value (The Natal Mercury 2000). It was interesting to read that in a unique interdisciplinary collaborative project, a group of the University of KwaZulu Natal scientists are tackling environmental and health issues and risks in the Durban South Basin as part of an international project known as EO2 heaven. The acronym stands for 'Earth Observation and Environmental Modelling for the mitigation of health risks' (<http://enewsletter.ukzn.ac.za>). This study is a triumph to the community that has steadfastly demanded a right to a clean environment which allows both economic and human sustainable development. Furthermore, human rights and development are supposed to be mutually interdependent and mutually reinforcing. Here, development is doing the direct opposite. Development of the South Durban Industrial Basin has brought misery, ill health to the residents is prevalent to the extent that the area is referred to as 'Cancer valley' by the community. Schaefer and Kreisel (1998) explained that chemical pollution of the atmosphere has the direct health effects of inducing and intensifying pulmonary and cardio-vascular disease and increasing skin cancers through thinning the stratospheric ozone shield and consequent reducing filtering-off of ultra violet sunlight.

CONCLUSION

The study has highlighted the fact that the people of the Durban South Industrial Basin through their formations like SDCEA, have been at the forefront in the protection of environment. Local knowledge has empowered the local people to address issues relating to environmental management with some success. The success referred to in this study, has been through the creation of fora that would address the issues of common concern.

The study has proved that the interaction between the industries and communities contributes to sustainable development when issues of concern are addressed. In the case of Durban South Industrial Basin, sustainable development looks at improving the way that the human and natural resource base is managed, both to maximise human welfare and maintain the environment for current and future use. For instance, Engen committed to reducing emissions and studies of the effects of industrial emissions on health are being conducted.

The misgiving with regard to health and pollution issues is cause for alarm. The spills and emissions have not only violated environmental regulations, they have also contributed to a high incidence of cancer-and-lung related diseases. Furthermore, environmental degradation that has engulfed the area has turned the region into an environmental disaster. The environment is thus, no longer safe due to problems of pollution. The community continues to struggle for a healthy environment through public participation.

The lack of transparency on the part of industries has been the cause of problems. The lack of decisiveness and urgency with regard to environmental issues affecting residents contribute to a theory that this is a deliberate attempt to hide information from the public. Writing on "Challenges of Public Participation in China's EIA Practice", Zhang, Liu, Yu Bean, Li and Long (2012) state that access to information is limited. The authors felt that although progress had been made to increase public access to environmental information, there are still uncertainties regarding what to disclose and how much to disclose. There could be social unrest if too much information is disclosed. Sometimes companies try to conceal chemical spillages, denying people from protecting themselves from toxic fumes.

The National Environment Management Act (107 of 1998) is an Act that specifies the conditions under which Environmental Impact Assessments must be undertaken. It states that information about pollution and waste products can never be private information and that the public, under certain circumstances, are allowed access to information pertaining to the environment and public health. This kind of crucial information is called risk communication, which is a social process encompassing a purposeful exchange of information between interested parties about the existence, nature, severity or acceptability of health or environmental risks (Barnes 1994). The struggle by the SDCEA to get accurate information on the state of their environment will continue. The struggle should be seen as the only means through which residents of South Durban Industrial Basin can demand environmental justice. It appears that hazardous waste sites, landfills and other potential environmental health hazards are more often located in or near areas that are predominantly occupied by disadvantaged communities.

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