

# ArcelorMittal SA told to give data to environmental group

**SUE BLAINE**

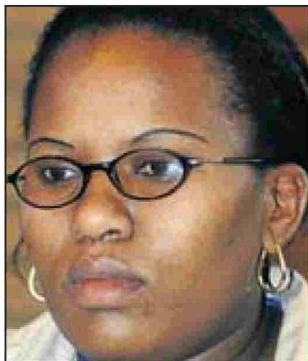
Development & Environment Editor

A JOHANNESBURG court yesterday ordered that steel producer ArcelorMittal SA provide a Vaal Triangle environmental group with papers including its environmental master plan and records of the closure and rehabilitation of its Vaal disposal site.

Acting South Gauteng High Court judge Paul Carstensen's ruling confirmed the right of "fence-line" communities to have access to environmental documents of corporate polluters, placing them in a stronger position to protect their constitutional rights to a safe and healthy environment, said the Vaal Environmental Justice Alliance and the Centre for Environmental Rights.

The alliance and the centre successfully argued before acting judge Carstensen that the Promotion of Access to Information Act, which allows access to any state information and any information held by private bodies that is required for the exercise and protection of any rights, gave it access to the papers.

ArcelorMittal SA spokesman Themba Hlengani said the company was studying the judgment and that it "will be consulting with our legal team on the appropriate



**Caroline Ntaopane**

course of action". The alliance's first request, in 2011, was for a copy of ArcelorMittal SA's environmental master plan, compiled in 2002 for the rehabilitation of its Vanderbijlpark site.

Last year, it requested records relating to the closure and rehabilitation of the Vaal disposal site, in Vereeniging, after the company was alleged to have illegally dumped hazardous waste.

ArcelorMittal SA argued that the environmental master plan was outdated and scientifically and technically flawed. But acting judge Carstensen ruled that this actually "emphasises its relevance and importance" to a group aimed at ensuring a clean environment. The plan was published to Arcelor

Mittal SA's shareholders, mentioned in its annual reports and relied on as a "primary management strategy tool", he said.

ArcelorMittal SA had also failed to show how it would be prejudiced by the alliance's receiving the documents. It has 14 days to produce the documentation.

The alliance said it and the communities it represented could now better ensure ArcelorMittal SA carried out its legal obligations, including those in the National Environmental Management Act, the National Environmental Management: Waste Act and the National Water Act.

"Now the communities that have been affected ... and struggling with health issues can finally better understand the extent of the company's impact and how they can begin to hold it more accountable," said alliance project co-ordinator Caroline Ntaopane. She said ArcelorMittal had not only conducted its operations in SA in a "less than exemplary" fashion, but a 2009 report published by nongovernmental organisations including ground-Work, Friends of the Earth Europe and CEE Bankwatch Network, highlighted its international status as "a major polluter of people and their environment".

blaines@bdfm.co.za