

DEPARTMENT OF WATER AND SANITATION  
NOTICE 999 OF 2015

NATIONAL WATER ACT, 1998

**DECLARATION OF THE EXPLORATION AND OR PRODUCTION OF ONSHORE NATURALLY OCCURRING HYDROCARBONS THAT REQUIRES STIMULATION, INCLUDING BUT NOT LIMITED TO HYDRAULIC FRACTURING AND OR UNDERGROUND GASIFICATION, TO EXTRACT, AND ANY ACTIVITY INCIDENTAL THERETO THAT MAY IMPACT DETRIMENTALLY ON THE WATER RESOURCE AS A CONTROLLED ACTIVITY IN TERMS OF SECTION 38(1) AND PUBLICATION OF SCHEDULE OF ALL CONTROLLED ACTIVITIES IN TERMS OF SECTION 38 (4) OF THE NATIONAL WATER ACT, 1998 (ACT NO. 36 OF 1998)**

I, Nomvula Mokonyane, Minister of Water and Sanitation, in terms of section 38(1) and (4) of the National Water Act, 1998 (Act No. 36 of 1998), hereby declare the following activities to be a controlled activity:

**“The exploration and or production of onshore naturally occurring hydrocarbons that requires stimulation, including but not limited to hydraulic fracturing and or underground gasification, to extract, and any activity incidental thereto that may impact detrimentally on the water resource”.**

And publish attached Schedule containing all controlled activities set out in Section 37(1)(a) to (d) and those which have, up to date of the notice, been declared to be controlled activities under section 38(1).



**MRS NP MOKONYANE  
MINISTER OF WATER AND SANITATION**

DATE: 03.09.15

**SCHEDULE**

The following are controlled activities under section 37 of the National Water Act, 1998 (Act No. 36 of 1998):

- (a) Irrigation of any land with waste or water containing waste generated through any industrial activity by a waterwork;
- (b) An activity aimed at the modification of atmospheric precipitation;
- (c) A power generation activity which alters the flow regime of a water resource;
- (d) Intentional recharging of an aquifer with any waste or water containing waste;
- (e) The exploration and or production of onshore naturally occurring hydrocarbons that requires stimulation, including but not limited to hydraulic fracturing and or underground gasification, to extract, and any activity incidental thereto that may impact detrimentally on the water resource.