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Department of Economic Development, Environment and Tourism

Litiko Letekutifufukiswa
Kwetsimolfo, Simondzvo neteku Vakasha

Umngango WezokuThuthukiswa
KoMnetho, iBheduluko nezama Vakatiho

Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

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FUNANI ENVIRONMENTAL MANAGEMENT SOLUTIONS
P.O. BOX 899
JOHANNESBURG
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ATTENTION: MANQOBA THWALA

SUBJECT: RECORD OF DECISION: EXPANSION OF MIDDELBURG LANDFILL SITE -
WASTE LICENCE

1. Background

- 1.1 Steve Tshwete Local Municipality has appointed Funani Environmental Management Solutions to apply for the Waste Licence, in terms of Section 20(b) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008), for the expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province.

2. Information considered in making the decision

The Department took the following into consideration:

- 2.1 Waste Licence Application Form: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province Dated March 2012.
- 2.2 Draft Scoping Report: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated March 2012.
- 2.3 Final Scoping Report: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated July 2012.



- 2.4 Amendment Environmental Impact Report: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontein 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated October 2013.
- 2.5 Record of Decision from the Department of Water Affairs, dated 09 December 2013.
- 2.6 Correspondance between the Environmental Assessment Practitioner (EAP), Applicant and the Department.

3. Key factors considered in making the decision.

In processing the application, the Department followed the requirements of the Waste Act in general, and in particular the provisions of section 48 of the Act. Section 48 requires, amongst others, that the Competent Authority takes into account such environmental and socio-economic aspects of the development for which the Licence is desired. All information presented to the Department was taken into account.

4. Findings and Decision

After consideration of the information and factors listed above, the Department made the following findings:

- a) According to the applicant's submission:
- (i) The activity, for which the Licence is required, is considered to be environmentally, economically and socially sustainable;
 - (ii) The significance of the impact of the activity on the environment is considered to be low after the implementation of management and mitigation measures;
 - (iii) The land use associated with the activity being applied for is commensurate with both local and regional planning initiatives with regard to socio-economic development; and
- b) In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Waste Licence, the activities will not conflict with the general objectives of the Constitution, the National Environmental Management Act, 107 of 1998 as amended (NEMA) and the Waste Act.
- c) The applicant has committed to satisfactorily mitigate against any potentially detrimental environmental impacts resulting from the activities applied.
- d) The Waste Licence is accordingly granted to the applicant.


MR S. S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 17 / 03 / 2014

MPUMALANGA PROVINCIAL GOVERNMENT

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Enquiries: GH Nyalunga Ref. 17/04/WL/MP313/12/01 Tel: 013 766 4846 Email: ghnyalunga@mpg.gov.za

LICENCE NUMBER : 17/04/WL/MP313/12/01

WASTE MANAGEMENT FACILITY : EXPANSION OF MIDDELBURG LANDFILL SITE

LOCATION : PART OF THE REMAINDER OF PORTION 1 OF
THE FARM REITFONTAIN 208-JS, STEVE
TSHETE LOCAL MUNICIPALITY, NKANGALA
DISTRICT MUNICIPALITY, MPUMALANGA
PROVINCE

LICENCE HOLDER : STEVE TSHWETE LOCAL MUNICIPALITY

ADDRESS : P.O. BOX 14, MIDDELBURG 1050

LICENCE IN TERMS OF SECTION 20(b) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, (ACT 59 OF 2008)

I, Mr SS Maluleka, in my capacity as Chief Director: Environmental Services, Department of Economic Development, Environment & Tourism (hereinafter referred to as "the Licensing Authority"), in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008), hereby grant authorisation to the above-mentioned Licence Holder for the expansion of Middelburg Landfill Site, subject to the conditions specified herein;

In this Licence, "Licensing Authority" means the Department of Economic Development, Environment and Tourism (MDEDET), which may be contacted at the address below:

Chief Director: Environmental Services
Department of Economic Development, Environment and Tourism
Private Bag X11259
NELSPRUIT
1200

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1. SITE DETAILS

1.1 LOCATION

1.1.1 The Licence authorises the expansion of Middelburg Waste Disposal Site on the Remainder of Portion 1 of the farm Reitfontain 286-JS, Steve Tshwete Local Municipality, Nkangala District, Mpumalanga Province.

1.1.2 The location of the Site must be according to the co-ordinates indicated on the Licence application form as follows:

Number of Corner	Latitude X	Longitude Y
A	25° 46' 50.36"	29° 24' 7.05"
B	25° 46' 49.25"	29° 24' 9"
B	25° 46' 47.54"	29° 24' 10.18"
D	25° 46' 46.75"	29° 24' 12.06"
E	25° 46' 46.66"	29° 24' 13.4"
F	25° 46' 4.9"	29° 24' 15.54"
G	25° 46' 48.78"	29° 24' 17.02"
H	25° 46' 49.78"	29° 24' 13.08"
I	25° 46' 52.13"	29° 24' 10.35"
J	25° 46' 55.21"	29° 24' 8.82"

1.2 DOCUMENTS CONSIDERED

1.2.1 Waste Licence Application Form: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontain 286-JS, Steve Tshwete Local Municipality: Nkangala District, Mpumalanga Province Dated July 2012.

1.2.2 Final Scoping Report: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontain 286-JS, Steve Tshwete Local Municipality: Nkangala District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated July 2012.

1.2.3 Amendment Environmental Impact Report: Expansion of Middelburg Landfill Site on the Remainder of Portion 1 of the Farm Reitfontain 286-JS, Steve Tshwete Local Municipality: Nkangala District, Mpumalanga Province Dated by Funani Environmental Management Solutions Dated October 2013.

1.2.4 Record of Decision from the Department of Water Affairs, dated 09 December 2013.

1.2.5 Correspondence between the Environmental Assessment Practitioner (EAP), Applicant and the Department.

LICENCE CONDITIONS

1.3 SITE SECURITY AND ACCESS CONTROL

- 1.3.1 The Licence Holder must ensure effective access control on the Site by having it fenced to a minimum height of 1.8 metres, with gates of the same height at all entrances, to reasonably prevent unauthorised entry.
- 1.3.2 The Licence Holder must prevent the unauthorised acceptance, reclamation, reuse and recycling of waste at the Site. The Licence Holder must include in the notices referred in 1.3.3 below a list of the waste types that can be accepted on Site.
- 1.3.3 Weatherproof, durable and legible notices in at least three official languages applicable in the area, shall be displayed at each entrance to the Site. These notices shall prohibit unauthorised entry, the name, address and telephone number (including emergency telephone numbers) of the Licence Holder and the person responsible for the closure of the Site.

2 MANAGEMENT

2.1 GENERAL MANAGEMENT

2.1.1 The activities must be managed and operated:

- (a) in accordance with an environmental management plan that *inter alia* identifies and minimises risks of pollution, including those arising from construction, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the Licence Holder as a result of complaints;
- (b) in accordance with conditions of the Licence.
- (c) in accordance with any other written instruction by the Competent Authority; and
- (d) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the construction of the activities.

2.1.2 Any persons having duties that are or may be affected by the matters set out in this Licence must have convenient access to a copy of it, kept at or near the place where those duties are carried out. A copy of this Licence may be published on any webSite deemed fit by the Competent Authority.

2.1.3 This Licence does not negate the Licence Holder of the responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

2.1.3.1 Relevant legislation that must be complied with by the Licence Holder includes, *inter alia*:

- Archaeological remains, artificial features and structures older than 60 years are protected by National Heritage Resources Act, 1999 (Act No. 25 of 1999). Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped

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immediately. A registered Heritage Specialist must be called to the Site for inspection. Under no circumstances shall any heritage material be destroyed or removed from the Site and the relevant heritage resource agency must be informed about the finding. Heritage remains uncovered or disturbed during earthworks must not be disturbed further until the necessary approval has been obtained from the South African Heritage Resources Agency and/or any of their delegated provincial agencies.

- All applicable provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).
- All applicable provisions of the National Water Act, 1998 (Act 36 of 1998).
- All applicable provisions of the National Forests Act, 1998 (Act No. 84 of 1998).
- All applicable provisions of the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004).
- All applicable provisions of the National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003) and its Regulations.
- All applicable provisions of the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004).
- Should fill material be required for any purpose, the use of borrow pits must comply with the provisions of the Minerals and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) administered by the Department of Minerals and Energy.

2.2 APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER

- 2.2.1 A Waste Management Control Officer (WMCO) must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence.
- 2.2.2 Report any non-compliance with any Licence conditions or requirements or provisions of National Environment Management: Waste Act to the Competent Authority through means reasonably available.
- 2.2.3 The duties and responsibility of the WMCO should not be seen as exempting the Licence Holder from the legal obligations in terms of National Environmental Management: Waste Act, 59 of 2008.

2.3 EMERGENCY PREPAREDNESS PLAN

- 2.3.1 The Licence Holder must maintain and implement an emergency preparedness plan, review it after each emergency and/ or major accident and annually when conducting an audit. The plan must among others include:

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- (a) Vehicle / Machinery Fire & Malfunction
- (b) Natural disaster such as floods
- (c) Industrial action
- (d) Contact details of police, ambulance and any emergency centre closer to the Site.
- (e) Site fires

2.3.2 Waste on Site must not be allowed to burn and suitable measures must be implemented to prevent fires which might occur.

3. PERMISSIBLE WASTE

- 3.1 Any portion of the Site which has been constructed or developed according to condition 4 of this Licence may be used for the storage, sorting, recovery and disposal of general waste.
- 3.2 Waste types which are classified according to the Waste Classification, as General Waste may be accepted on Site. Waste types listed in Annexure II may not be accepted or stored on Site.
- 3.3 The Licence Holder must take all steps to ensure that-
 - 3.3.1 no organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment, due to its toxic, physical, chemical or persistent characteristics and which corresponds with the UNEP definition of hazardous waste;
 - 3.3.2 no health-care risk waste; and no scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers, are to be accepted on the Site.

4. CONSTRUCTION OF THE WASTE MANAGEMENT FACILITY

- 4.1 Construction within the Site must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South Africa Act, 1990 (Act 114 of 1990).
- 4.2 The construction and further developments to the Site must be in accordance with the following approved Engineering Designs: 267100PW0-D01-0: Status Quo Layout; 2267100PW0-D02-0: Proposed Lined Area with Starter Berm & Evaporation Pond; 267100PW0-D03-0: Proposed End Use Plan; 267100PW0-D04-0: Side Slopes and Cross Sections and 267100PW0-D05-0: Cell Layout Detail.
- 4.3 The Licence Holder must take all reasonable steps, such as suitable zoning and / or written agreements with the adjacent landowners, to establish and maintain an unbuilt area or buffer zone of 500 meters between the Site and nearest residential and/or light industrial areas during the operative life of the Site. Heavy industries or industries, which may create nuisance conditions, may be permitted within the buffer zone in terms of appropriate

legislation.

- 4.4 Works must be constructed and maintained at continuous basis by the Licence Holder to divert and drain from the Site in a legal manner, all runoff water arising on land adjacent to the Site, which could be expected as result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty years (hereinafter referred to as the " estimated maximum precipitation").Such works must, under the said rainfall event, maintain a freeboard of the half a meter.
- 4.5 Works must be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the working face of the Site, all runoff water arising on the Site , which could be expected as result of the estimated maximum precipitation and prevent such runoff for water from coming with leachate from the Site. Such works must, under said rainfall event, maintain a freeboard of the half a meter.
- 4.6 Runoff referred to in condition 4.5 must comply with the quality requirements of the General Standards, as published in Government Notice 991 of 18 May 1984, or with such quality requirements as may from time to time be determined by Minister and must be drained from the Site in legal manner.
- 4.7 Runoff water referred to in condition 4.5 which does not comply with quality requirement applicable in terms of the condition 4.6 and all sporadic leachate from the Site must, by means of works which must be constructed and maintained on a continuous basis by the Licence Holder-
 - 4.7.1 be treated to comply with the aforementioned Standard and discharged in a legal manner; and / or,
 - 4.7.2 with the written approval of the Licensing Authority be evaporated in dams and/ or be evaporated by spraying over those portions of the Site which comply with the requirement said in terms of condition 4.2
- 4.8 Works constructed in compliance with the condition 4.7 must be of such a capacity as to accommodate all runoff and leachate which could be expected as a result of the estimated maximum precipitation. Such works must, under said rainfall event, maintain a freeboard of half a metre.
- 4.9 The Site must be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.
- 4.10 The maximum height of the Site above ground level must not exceed seven meters above ground level.
- 4.11 The slope of the sides of the Site must be constructed in such a manner that little or no erosion occurs.
- 4.12 The Licence Holder must make provision for adequate sanitation facilities on the Site.
- 4.13 The single compoSite Geomembrane plus Geosynthetic Clay Liner (GM plus GCL) covers the solum and adjacent phase 2 area overlap, with floor under drains and base preparation layer on the extension area. Gas venting should be provided in phase 2 and the base

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preparation above the waste is provided by locally available soils (already stockpiled). The above liner protection and LCS comprise an A7 Geotextile (GT) and 150 mm aggregates of 25mm nominal diameter, protected by an A5 GT filter over the whole liner.

- 4.14 The Leachate Collection System (LCS) drains to the lowest are of phase 3A where a double lined sump is provide with 200mm soil ballast. Upon end of operation life the LCS extends over this area and will be filled with waste followed by capping. The cap comprises a 30mm Compacted Clay Liner (CCL) plus 200mm topsoil growth medium. Prior to filling the leachate sump area, a replacement sump facility external to the waste area should be provided, with a sump connected to the LCS, this sump will be sized based on the first 5 year operation of the phase 3A LCS and the sump shall meet the leachate dam barrier performance standard (This can be done with the use of a penel tank with surrounding pea gravel and GM, which drains vertically to the floor of similar stone drain over a concrete screed and underlain geomembrane). An abstraction and monitoring pipe constructed in the pea gravel to monitor performance of the penel tank and allow for abstraction in the event of failure, will equate to a Leak Detection System (LDS).
- 4.15 The Licence Holder must determine the size of the leachate treatment plant during the detailed design phase and submit it to the Competent Authority, for approval, before construction.
- 4.16 The geomembrane liner temperatures shall be monitored by thermistors or similar.
- 4.17 If the geomembrane liner temperature exceeds 35 degrees Celsius an approved mitigatory temperature control measure shall be employed due to the long service life and inter connection of cells.
- 4.18 After the Site construction of the Site or further development within the Site, the Licence Holder must notify the Competent Authority thereof and the person referred to in the condition 4.1 must submit a certificate or and alternatively a letter to licensing authority that the construction of the Site or further development within the Site, as proposed by the Licence Holder and approve by the licensing Authority, is in accordance with recognised civil engineering practice before disposal may commence on the Site. An Official of the Department must inspect the completed construction works of the Site and the person referred to in condition 4.1. If the Licensing Authority is satisfied with the construction of the Site or further development within the Site and has given a written permission, the Licence Holder may use the Site or any further development within the Site for disposal of waste.

5. GENERAL OPERATION AND IMPACT MANAGEMENT

5.1 IMPACT MANAGEMENT

- 5.1.1 The Licence Holder must ensure that litter and mud arising from the activities must be cleared from affected areas outside the Site as soon as practicable.
- 5.1.2 Any waste handled on Site must not be allowed to burn and suitable measures must be implemented to prevent fires on the Site or extinguish fires which may occur.
- 5.1.3 Any complaint from the public during the decommissioning, construction and operation

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of the waste facility must be attended to by the Licence Holder.

- 5.1.4 Specific area must be demarcated for fuelling and workshop services and such area must be bunded to reduce the possibility of soil and water contamination.

5.2 OPERATION

- 5.2.1 The Licence Holder must ensure that records in terms of volume/weight, source and nature of all wastes received and reclaimed are maintained and reported as per Annexure III hereafter on annual basis.
- 5.2.2 Waste that is not permissible under condition 3 above must be dealt with according to relevant legislation or the Department's policies and practices.
- 5.2.3 The Licence Holder must ensure that the Site is operated in such a manner that nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards are prevented.
- 5.2.4 Access to the Site must be controlled to prevent unauthorised entry and illegal dumping on the Site. There must be a person responsible for verifying all waste entering the Site.
- 5.2.5 Access to the Site must be from 07H00 – 18H00 Monday to Saturdays and from 09H00-16H00 Sundays and Public Holidays.
- 5.2.6 The Licence Holder must ensure the health and safety of workers and employees on Site, in terms of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 5.2.7 A suitable, qualified supervisor must visit the Site on regular basis.
- 5.2.8 The area must be kept clean in and around the Site at all times.

5.3 COMMENCEMENT OF THE ACTIVITY

- 5.3.1 The authorised activity(ies) shall not commence within thirty (30) days of the date of signature of the Licence to allow the appeal process, should there be any.
- 5.3.2 The activity(ies) must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the Licence lapses and a new application must be made for the activity(ies) to be undertaken. Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.
- 5.3.3 If the Licence Holder anticipates that commencement of the activity would not occur within a three (3) year period, he/she must apply and show good cause for an extension of the Licence six (6) months prior to its expiry date.
- 5.3.4 Should the Licence Holder be notified by the Member of Executive Council (MEC) of a suspension of the Licence pending appeal procedures, the Licence Holder must not commence with the activity(ies) unless so authorised by the MEC in writing.

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5.4 NOTIFICATION TO AUTHORITIES

Fourteen (14) days written notice must be given to the Competent Authority that the activity will commence. Commencement for the purposes of this condition includes Site preparation. The notice must include a date on which it is anticipated that the activity will commence.

6 WATER QUALITY MANAGEMENT

6.1 Runoff Management

- 6.1.1 All runoff water (storm water) arising as a result of precipitation on land adjacent to the Site must be prevented from entering the Site and must be diverted and drained from the Site, by means of works constructed by the Licence Holder in accordance with condition 4.

7. MONITORING

7.1 Further Investigations

If, in the opinion of the Competent Authority, groundwater and/or surface water pollution have occurred or may possibly occur, the Licence Holder must conduct and/or appoint specialists to conduct the necessary investigations and implement monitoring and rehabilitation measures to the satisfaction of the Competent Authority.

7.2 Analysis of Samples

- 7.2.1 The License Holder must ensure that all samples taken in accordance with condition 7.1, are-
- 7.2.2 analysed by a laboratory accredited by the South African Bureau of Standards (SABS); and, according to the methods prescribed in terms of the Standards Act, (Act 30 of 1982), or another method of analysis for which written approval has been obtained from the Competent Authority, should it be necessary.

8. AUDITING

8.1 Internal audits

- 8.1.1 Internal audits must be conducted bi-annually by the Licence Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the Competent Authority, according to conditions 8.2.2

8.2 Competent Authority audits and inspections

- 8.2.1 The Competent Authority reserves the right to audit and/or inspect the Site at any time and at such a frequency as the Competent Authority may decide, or to have the Site audited or inspected.

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8.2.2 The Licence Holder must make any records or documentation available to the Competent Authority upon request, as well as any other information the Competent Authority may require.

8.2.3 The findings of these audits or inspections shall be made available to the Licence Holder within 30 days of the end of the audit or inspection. Information from the audits must be treated in accordance with the Promotion of Access to Information Act, 2000 (Act 2 of 2000).

9. RECORDING

9.1 The Licence Holder must keep a record of and update all the information referred to in Annexure III and submit this information to the Competent Authority on an annual basis.

9.2 The Licence Holder must record chemical analysis in the format depicted in Annexure IV.

9.3 All records required or resulting from activities required by this Licence must:

- a) be legible;
- b) be made as soon as reasonably practicable and should form part of the external audit report;
- c) if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable and
- d) be retained in accordance with documented procedures which are approved by the Department.

9.4 The License Holder shall keep record of the following:

- Amount and type of waste stored; and
- Amount of waste dispatched for disposal on the licensed waste disposal Site,

which shall be submitted on an annual basis to the Competent Authority.

9.5 Copies of the safe disposal certificate of the waste disposed of at a licensed waste disposal Site must be forwarded to the Competent Authority on an annual basis.

10. REPORTING

10.1 Reporting of Incidents

10.1.1 The Licence Holder must, within 24 hours, notify the Competent Authority of the occurrence or detection of any incident on the Site which has the potential to cause, or has caused water pollution.

10.1.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the Competent Authority, from the occurrence or detection of any incident referred to in condition 10.1.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Competent Authority of measures taken to -

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- 10.1.2.1 correct the impact resulting from the incident;
- 10.1.2.2 prevent the incident from causing any further impact; and
- 10.1.2.3 prevent a recurrence of a similar incident.
- 10.1.3 In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 10.1.1, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost and risk of the Licence Holder.
- 10.1.4 The Licence Holder must keep an incident report and complaints register, which must be made available to both external and Departmental auditors for the purpose of their audits.

10.2 Other reports

- 10.2.1 The information required in terms of Condition 6 must be reported to the Competent Authority. The information must also be included into a trend report, which must contain a graphical presentation of all results obtained previously at any specific point, as well as an interpretation and discussion of the results of each monitoring occasion, should it be necessary.
- 10.2.2 The Licence Holder must submit a written report to the Competent Authority regarding any deviations from plans described in this Licence and must obtain written permission from the Competent Authority before such deviations may be implemented.

11. REHABILITATION AND CLOSURE OF THE SITE

- 11.1 The Licence Holder must, at least 1 year prior to the intended closure of the Site, notify the Competent Authority by registered mail of such intention and submit final rehabilitation plans for his approval at least 180 days before closure.
- 11.2 The Licence Holder must rehabilitate the Site in accordance with a rehabilitation plan, which must be submitted by the Licence Holder and which must be approved at the satisfaction of the Competent Authority.

12. LEASING AND ALIENATION OF THE SITE

- 12.1 Should the Licence Holder want to alienate or lease the Site, he/she must notify the Competent Authority in writing of such an intention at least 120 days prior to the said transaction. Should the approval be granted, the subsequent Licence Holder shall remain liable to compliance with all Licence conditions.

13. TRANSFER OF WASTE MANAGEMENT LICENCE

- 13.1 Should the Licence Holder want to transfer holder-ship of this Licence, he/she must apply in terms of Sec 52 of the NEMWA, Act 2008 (59 of 2008).

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13.2 Any subsequent Licence Holder shall be bound by the conditions of this Licence.

14. GENERAL

14.1 Licence Holder must initiate a public participation process which must include at least one public meeting and continuous consultations with all Interested and Affected Parties. The proceedings of all meetings and consultations must be recorded and minutes be forwarded to the Competent Authority.

14.2 This Licence must not be transferable unless such transfer is subject to condition 13.

14.3 This Licence must not be construed as exempting the Licence Holder from compliance with the provisions of the national and provincial legislation and any relevant ordinance, regulation, by-laws and relevant national standards and norms.

14.4 Transgression of any condition of this Licence could result in the validity of the Licence being terminated by the Department.

14.5 Non-compliance with a condition of this Licence may result in criminal prosecution or other actions provided for in Section 67(1) of the National Environmental Management: Waste Act, 2008.

14.6 Any committees appointed in terms of the application or any other public authority or organization shall not be held responsible for any damages or losses suffered by the Licence Holder or his/her successor in title in any instance where construction or operation are to be temporarily or permanently stopped for reasons of non-compliance.

14.7 In terms of section 28 and 30 of the National Environmental Management Act No. 107 of 1998, and section 19 and 20 of the National Water Act No. 36 of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understand the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.

14.8 This Licence is valid for a period of ten (10) years and the Licence Holder must initiate a Licence review process five (5) years from the date of issue. Based on the results of the review, compliance to Licence conditions or recommendations from audit reports and or changing legislation, the Licence could be amended or withdrawn or validity thereof extended.

15. APPEAL OF LICENCE

15.1 The Licence Holder must notify every registered interested and affected parties, in writing and within ten (10) days, of receiving the Department's decision.

15.2 The notification referred to in 15.1. must –

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- 15.2.1 Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 7 of the GN No. R 543 of 18 June 2010 in terms of National Environmental Management Act, 1998, as amended (see Annexure 1).
- 15.2.2 Advise the interested and affected parties that a copy of a Licence and reasons for the decision will be furnished on request.
- 15.2.3 An appeal against the decision must be lodged in terms of Chapter 7 of the GN No. R 543 of 18 June 2010 in terms of NEMA 1998, as amended, from the date of this license, with: The Member of Executive Council, Department of Economic Development, Environment and Tourism, Private Bag X 11219, NELSPRUIT, 1200, Tel No. 013 766 8445, Fax No. 013 766 6063, and
- 15.2.4 Specify the date on which the Licence was issued.


Mr SS MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 17 / 03 / 2014

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ANNEXURE I

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 543 OF 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF A WASTE MANAGEMENT LICENCE

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive a notification of a Waste Management Licence from the relevant Competent Authority	1. Receive a notification of a Waste Management Licence from Applicant/Consultant
2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal
3. Notification served by the Applicant must include: 3.1. A copy of the notice of intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs	3. Appellant must serve on the Applicant 3.1. A copy of the notice of intention to appeal 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by the applicant
4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal
5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date that the appeal submission was made available for inspection by the appellant	5. An Applicant that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of State within 30 days from the date the appeal submission was made available for inspection by the appellant

NOTES:

1. An appeal against a decision must be lodged with:-

- a) the MEC if the decision was issued by the Head of Department (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) the delegated organ of state where relevant.

2. An appeal must be:-

- a) on an official form obtainable or published by the relevant department;
- b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal and is not available to the relevant Competent Authority;
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62;
 - the prescribed appeal fee, if any.

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ANNEXURE II

WASTE WHICH MAY NOT BE ACCEPTED ON THE SITE: CONDITION 3.2

1. Waste where specific control has been established in terms of the Nuclear Energy Act, 1999 (Act 46 of 1999).
2. Waste types controlled in terms of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and the Electricity Act, 1987 (Act 41 of 1987), Nuclear Energy Act, 1999 (Act 46 of 1999), unless written permission has been obtained from the Director.
3. Waste which is defined, according to the Minimum Requirements, as an extreme hazard or Hazard Group 1 (HG1); high hazard or Hazard Group 2 (HG2); moderate hazard or Hazard Group 3 (HG3) and low hazard or Hazard Group 4 (HG4), unless an application for delisting has been successfully submitted to the Manager: Waste Discharge and Disposal through the Regional Director and written approval was obtained from the Manager: Waste Discharge and Disposal for the disposal of this waste on the Site.
4. Flammable wastes, with a closed cup flash point less than 61°C.
5. Corrosive substances, as defined and described in the Minimum Requirements as Class 8 (1998 edition: page 6-8, Diagram III).
6. Oxidising substances and organic peroxides, as defined and described in the Minimum Requirements as Class 5 (1998 edition: page 6-8, Diagram III).
7. Any waste with a substance which is a Group A and/or Group B carcinogen/mutagen. Group A carcinogens/mutagens have been proven in humans, both clinical and epidemiological. Group B carcinogens/mutagens have been proven without doubt in laboratory animals.
8. Any waste with a substance at a concentration greater than 1% where the substance is a Group C and/or Group D carcinogen/mutagen. Group C carcinogens/mutagens have shown limited evidence in animals. Group D carcinogen/mutagen - the available data is inadequate and doubtful.
10. Any infectious waste which is generated during the diagnosis, treatment or immunisation of humans or animals; in the research pertaining to this; in the manufacturing or testing of biological agents including blood, blood products and contaminated blood products, cultures, pathological wastes, sharps, human and animal anatomical wastes and isolation wastes that contain infectious substances.
11. All materials which fall in Class 1 (explosives), Class 2 (compressed gases) and Class 7 (radioactive materials), as defined and described in the Minimum Requirements.
12. Any waste with a pH less than 6 or greater than 12.
13. Any waste which is difficult to analyse and classify.
14. Any complexes of heavy metal cations, paint and paint sludges, or laboratory chemicals.

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15. Organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment, due to its toxic, physical, chemical or persistent characteristics;
16. Medical waste; and Scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers, are disposed of on the Site.

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ANNEXURE III

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS: CONDITION 9.1

* = Indicate with an X. Please print legibly.

NAME OF SITE: _____ (yy/mm/dd)	DATE OF REPORT: _____
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1. Registered owner(s) of property on which disposal Site is situated:

Name	Telephone
Postal Address	Fax
	Postal Code

2. Operator in control of disposal Site:

Name						Telephone	
Identify Number						After hours	
Educational Qualifications (*)	Std 6		Std 8		Matric		Other (specify)
	Diploma		Higher Diploma		Degree		

3. Indicate the type of waste and approximate quantities of waste disposed of during the year:

Type of waste	Quantity (m ³ annum ⁻¹)	Compacted (C)	Uncompacted (U)
General Waste			
Domestic			
Commercial			
Garden refuse			
TOTAL			
Hazardous Waste			
Oil			
Fluorescent lights			
Batteries			
TOTAL			

4. Indicate the applicable waste types and quantities salvaged during the year (*)

Salvaging undertaken?		Yes	No		
Type	(*)	Quantity (m ³)	Type	(*)	Quantity (m ³)
Paper					
Glass					

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Plastics					
Metal					
Domestic					
Food residues					
Other (Specify)					

5. Attach Emergency Preparedness and Business Continuity Plan for the current year.

Receptor	Source	Harm	Pathway	Probability of exposure	Consequence	Magnitude of risk	Justification for magnitude	Risk Management	Residual risk
What is at risk? What do I wish to protect?	What is the agent or process with potential to cause harm?	What are the harmful consequences if things go wrong?	How might the receptor come into contact with the source?	How likely is this contact?	How severe will the consequences be if this occurs	What is the overall magnitude of the risk? (Low-Medium-High)	On what did I base my judgement?	How can I best manage the risk to reduce the magnitude?	What is the magnitude of the risk after management? To be controlled by Compliance Assessment)
Local human population	Airborne dusts /particular	Nuisance dust on cars, clothing etc.	Deposition from air						
Local human population	Noise from machine	Nuisance loss of amenity, loss of sleep	Air transport						
Local human population	Odour	Nuisance loss of amenity.	Air transport						
Local human population	Scavenging birds and animals	Nuisance loss of amenity.	Air transport and over land						
	Pests (e.g flies)	Nuisance loss of amenity.	Air transport and over land						
Local human population	Flooding of Site	If waste is washed off Site it may cause contamination	Flood waters						
Groundwater and surface waters	Fire on Site leading to run-off from polluted fire fighting waters.	Contaminating of groundwater and aquatic ecosystems	Direct and indirect run-off						
Local human population and/or livestock gaining unauthorised access to the activities.	All non-Site hazards-particularly relating to waste handling & storage activity	People/ livestock coming into contact with hazards.	Direct physical contact						
		Arson and/or vandalism causing the release of polluting materials.	Arson-air: Liquids polluting watercourse s and/or groundwater						
Groundwater	Contaminated run-off from waste	Contaminating of ground water	Soil to ground water to borehole.						
Local human population	Smoke from burning of waste in case of	Nuisance, loss of amenity, loss of sleep. Respiratory irritation/illness	Air transport						

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Receptor	Source	Harm	Pathway	Probability of exposure	Consequence	Magnitude of risk	Justification for magnitude	Risk Management	Residual risk
What is at risk? What do I wish to protect?	What is the agent or process with potential to cause harm?	What are the harmful consequences if things go wrong?	How might the receptor come into contact with the source?	How likely is this contact?	How severe will the consequences be if this occurs?	What is the overall magnitude of the risk? (Low, Medium, High)	On what did I base my judgement?	How can I best manage the risk to reduce the magnitude?	What is the magnitude of the risk after management? To be controlled by Compliance Assessment
	fire.								

EXPAND TABLE AS PER YOUR RISKS

6. Indicate the types, sources and approximate quantities of available covering material during the year.

Type	Source	Quantity (m ³)
Other (Specify)		

I, the undersigned, declare that the information stated above and the risk assessment below is to my knowledge a true reflection of the status at the _____ waste management facility.

Signature: _____

Name: _____

Capacity: _____

Place: _____

Date _____

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ANNEXURE IV

FORM TO BE USED FOR CHEMICAL INFORMATION: CONDITION 9.2

Name of Site			
Borehole/observation- point name/number			
Sampling date (y-m-d)		Method:	Bail
Sampling Time			Pump
Time after start of pump:	h min	Depth of sample	M
Date of analysis (y-m-d)		Laboratory	

General chemistry

Constituent	Unit	Required standard	Value	Constituent	Unit	Required standard	Value
pH	(-log[H ⁺])			As (III)	(mg/l)		
EC	(mS/m)			B	(mg/l)		
TDS	(mg/l)			Cd	(mg/l)		
Ca	(mg/l)			Free CN	(mg/l)		
Mg	(mg/l)			Cr (Total)	(mg/l)		
Na	(mg/l)			Cr (VI)	(mg/l)		
K	(mg/l)			Cu	(mg/l)		
Alkalinity	(mg CaCO ₃ /l)			Mn	(mg/l)		
Cl	(mg/l)			Pb	(mg/l)		
SO ₄	(mg/l)			Hg	(mg/l)		
NO ₃ -N	(mg/l)			S-	(mg/l)		
F	(mg/l)						
COD	(mg/l)						
NH ₄ -N	(mg/l)						
Phenol	(mg/l)						
PO ₄	(mg/l)						
TOX	(µg/l)						
TOC	(mg/l)						
Ba	(mg/l)						

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ANNEXURE V
FACILITY LAYOUT PLAN

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