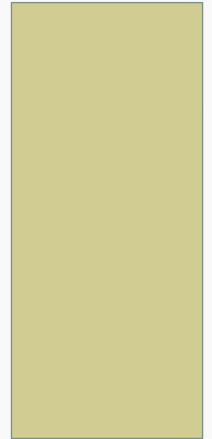


A GUIDE TO MANAGING WASTE WITHIN THE LAW

LEARNING ABOUT THE NATIONAL ENVIRONMENTAL
MANAGEMENT : WASTE ACT (NO. 59 OF 2008)



Jeffares & Green
ENGINEERING & ENVIRONMENTAL CONSULTING

Presented by: Sally-Anne Kasner

THE WASTE ACT

- There is one National Law that South Africa.
- **The National Environmental Act (no. 59 of 2008) (The Waste**



UNDERSTANDING THE WASTE ACT

- The Waste Act states that Waste Producers are responsible for the waste they generate.
- It also holds businesses involved in waste management and recycling **accountable** for the waste they manage.
-
- **The Waste Act Aims to:**
 - protect human health and the environment
 - provide for the licensing and control of waste management activities;
 - provide for national norms and standards for regulating the management of waste; and
 - provide for a national waste information system

LICENSING OF WASTE MANAGEMENT ACTIVITIES

1. Storage of waste,
2. Reuse, recycling and recovery of waste
3. Treatment of waste,
4. Disposal of waste,
5. Storage, treatment and processing of animal waste
6. Storage of hazardous waste, and
7. The construction of facilities to undertake the above.

Listed Activities

IN-DEPTH LOOK AT THE LISTED ACTIVITIES

- **Category A = Basic Assessment**

CATEGORY B

4. A person who wishes to commence, undertake or conduct an activity listed under this Category, must conduct an environmental impact assessment process, as stipulated in the environmental impact assessment regulations made under section 24(5) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as part of a waste management licence application.

STORAGE OF WASTE

1. **Temporary or permanent** storage of general waste whose total capacity is over **100m³** in a facility at any one time.
 - 100m³ = 3 Shipping containers (30m³)



STORAGE OF WASTE

1. **Temporary or permanent** storage of waste **tyres** in an area exceeding 500m²

REUSE, RECYCLING AND RECOVERY

- A facility that **can** process more than **one ton** of general waste per day by means of sorting, shredding, grinding or baling
- 1 ton (1000kg) = 20 bags of cement



REUSE, RECYCLING AND RECOVERY

- Recycling or re-use of general waste of more than **10 tons per month**

REUSE, RECYCLING AND RECOVERY



The recovery of waste including the refining, utilisation or co-processing of waste at a facility than has the capacity to process in excess of **3 tons** of general waste or less than **500kg** of hazardous waste per day – excluding where this happens as an internal process

TREATMENT OF WASTE

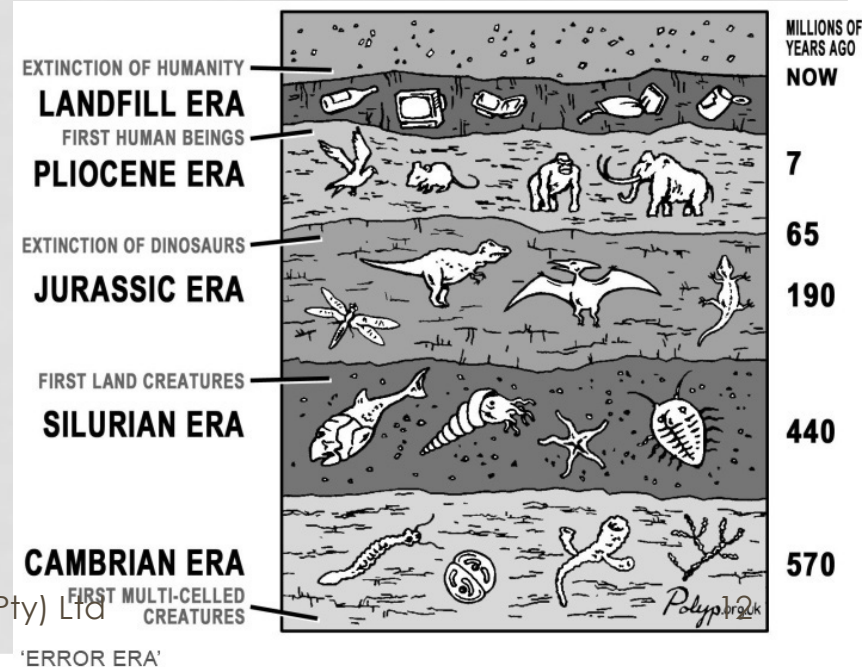
- Includes the establishment, upgrading and some cases the maintenance of capacity of more than 2000 cubic metres but less than 15 000 cubic meters

- Exce



DISPOSAL

- The disposal of general waste to land covering an area of more than 50m² but less than 200m² and with a total capacity not exceeding 25 000 tons
 - Exceed 200m² or 25 000 tons triggers a full EIA
 - Dispose any amount of hazardous waste triggers a full EIA



AUTHORITY RESPONSIBILITIES

Provincial Government

- General Waste

National Government

- Hazardous Waste
 - Sewage
 - E-waste

OBTAINING A WASTE MANAGEMENT LICENCE

- If you trigger a listed activity, you will be required to apply for a Waste Management Licence.
 - The assessment will ensure that the facility does not negatively impact the environment
 - The legislation requires that an **INDEPENDENT ENVIRONMENTAL PROFESSIONAL** conducts the assessment,
 - The process will take between 8 and 14 months to complete
- Operating without a licence, is considered unlawful and you can be fined or imprisoned.
 - The maximum fine is R10 000 000 and / or 10 Years imprisonment.

BASIC ASSESSMENT

Complete Basic Assessment Application Form and submit to DEA&DP



DEA&DP acknowledges the application & provides a Reference Number

14 days

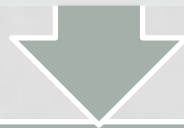


The Draft Basic Assessment Report is compiled

BASIC ASSESSMENT

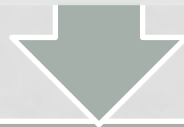
The Draft Basic Assessment Report is made available for public comment

40 days (legislated timeframe)



The Final Basic Assessment Report is made available for public comment

21 days

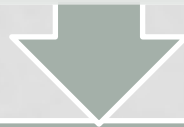


The Final Basic Assessment Report is compiled and submitted to DEA & DP

BASIC ASSESSMENT

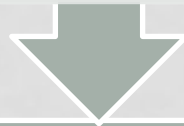
DEA&DP acknowledges the Final Basic Assessment Report

14 days



DEA&DP accepts/rejects the Final Basic Assessment Report

30 days



DEA&DP makes a decision (grant or refuse Environmental Authorisation/WML)

30 days

BASIC ASSESSMENT

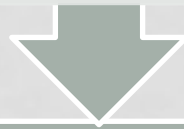
DEA&DP informs the Applicant

2 days



Applicant to notify the public and registered IAPs of the decision

12 days



Right to appeal after the date of the EA decision

20 days

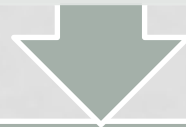
SCOPING & EIA

Submission of Application Form to DEA&DP



DEA&DP acknowledges the application & provides a Reference Number

14 days

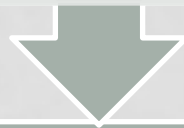


Draft Scoping Report (DSR) & Plan of Study for EIA (PoSEIA)

SCOPING & EIA

The DSR & POSEIA is made available for public comment

40 days



Compile Final Scoping Report (FSR)/PoSEIA



The FSR and PoSEIA is made available for public comment


21 days

SCOPING & EIA

Finalize FSR/PoSEIA/Waste License Application and submit to DEA&DP



DEA&DP assesses the FSR & PoSEIA (Accept or Reject)



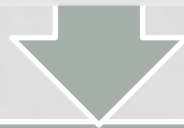
30 days

Draft Environmental Impact Report (EIR) and Environmental Management Programme

SCOPING & EIA

The Draft EIR and EMP is made available for public comment

40 days



Compile Final EIR and EMP



Submit Final EIR and EMP to registered IAPs for comment

21 days

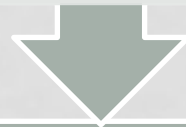
SCOPING & EIA

Finalize EIR (FEIR) and EMP and submit to DEA&DP



DEA&DP acknowledges the FEIR and EMP

14 days



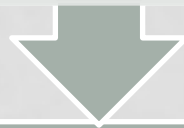
DEA&DP assesses the FEIR and EMP (Accept or Reject)

60 days

SCOPING & EIA

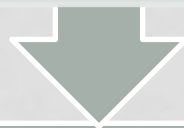
DEA&DP makes a decision (grant or refuse Environmental Authorisation)

45 days



DEA&DP informs the Applicant of the decision

2 days



Applicant to notify the public and registered IAPs of the decision

12 days

SCOPING & EIA

Right to appeal after the date of the EA decision

20 days

ENVIRONMENTAL IMPACT ASSESSMENT

Basic Assessment

- Approximate cost:
>R80,000
- Time Frame: 7-9Months

Scoping & EIA

- Approximate cost:
>R150,000
- Time Frame: 9-14
Months

THANK YOU

