



Western Cape Government

Environmental Affairs &
Development Planning



Waste Management Licensing

Lance McBain-Charles

25 July 2013

Content

- Definition of waste
- Definition of e-waste
- Challenges experienced and targets reached by DEADP
- Pitfalls DEADP and DEA have experienced
- Shift in licensing of types of facilities
- New regulations
- New triggers

Definition of waste

“waste” means any substance, whether or not that substance can be reduced, re-used, recycled and recovered—

- (a) that is surplus, unwanted, rejected, discarded, abandoned or disposed of;
- (b) which the generator has no further use of for the purposes of production;
- (c) that must be treated or disposed of; or
- (d) that is identified as a waste by the Minister by notice in the Gazette, and includes waste generated by the mining, medical or other sector, but—
 - (i) a by-product is not considered waste; and
 - (ii) any portion of waste, once re-used, recycled **and** recovered, ceases to be waste;

When the “and” becomes “or” then the definition will change, this is proposed under National Environmental Management Laws Amendment Bill

Definition of waste

“general waste” means waste that does not pose an immediate hazard or threat to health or to the environment, and includes:—

- (a) domestic waste;
- (b) building and demolition waste;
- (c) business waste; and
- (d) inert waste;

“hazardous waste” means any waste that contains organic or inorganic elements or compounds that may, owing to the inherent physical, chemical or toxicological characteristics of that waste, have a detrimental impact on health and the environment;

Definition of e-waste

The e-Waste Association of South Africa (eWASA) was established in 2008 to manage the establishment of a sustainable environmentally sound e-waste management system for the country.

- The widely accepted international definition of e-waste is “anything that runs on electricity”.
- Therefore e-waste (electronic & electrical waste) includes computers, entertainment electronics, mobile phones, household appliances and less obvious items such as spent fluorescent tubes, batteries and battery-operated toys that have been discarded by their original users.
- While there is no generally accepted definition of e-waste, in most cases e-waste consists of expensive and more or less durable products used for data processing, telecommunications or entertainment in private households and businesses.

Definition of e-waste

E-waste is of concern:

- Largely due to the toxicity of some of the substances if processed improperly.
- The toxicity is due in part to lead, mercury, cadmium and a number of other substances. A typical computer monitor may contain more than 6% lead by weight.
- Up to thirty-six separate chemical elements are incorporated into e-waste items.
- It presents difficulties for recycling due to the complexity of each item and lack of viable recycling systems.
- Many of the plastics used in electronic equipment contain flame retardants.
- These are generally halogens added to the plastic resin, making the plastics difficult to recycle.
- Regarded as hazardous waste

Challenges experienced and targets reached by DEADP

- 2009 the function of Waste Licensing was assigned to the Provinces
 - Complex transitional arrangements
 - Land management issued some licences (2009 to 2010)
- Government notice 718 no interpretation guideline
- 24G process and lack of component (established currently)
- Staffing component ideal staff, skills in geo-hydrology and civil engineering
 - Only a third of posts in the Sub-directorate are filled others vacant and unfunded.
 - Staff turnover, difficult to attract new staff
 - OSD (Occupational Specific Dispensation)
- Funding of Posts and vacant post that are unfunded, is difficult under budgetary constraints.

Challenges experienced and targets reached by DEADP

- In excess of 60 licences issued by DEADP since 2009
- Waste Management Licensing (WML) issued 48 licences since 2009
- National Outcome 10 targets licence 80% of unlicensed WDF
- Currently we have 45% (71 of 156) licenced waste disposal facilities
- The Definition of Waste and interpretation thereof (setting precedence's)
- No designated unit dealing with complaints mainly WML unit

Challenges experienced and targets reached by DEADP

- Funding for projects from international donors
 - yet the waste licensing process needs to be adhered to
 - (Time constraints for EIA process legislation does not make provision for test plants)
- Waste Management Licensing plan
 - Municipal Infrastructure Grant funding and the links to the IDP's
 - (timing and lack of planning not always in favour of the waste activities)

DEA and DEADP challenges

- Applications submitted during the transitional phase have been subject to delays, by the various Departments
- Documents processed during the transfer of function from DWAF to DEAT have been misplaced, or case officers changing Jobs cannot account for some documents
- Capacity constraints in DWA concurrent function for licences, RODs need to be issued on designs and plans (60days)
DWA lack the capacity of the technical engineering skills associated with Landfill design etc.
- Registration of transporters
Gauteng they get a certificate and in Western Cape need to register on IPWIS no consistency
- National Norms and Standards promulgation dates no clarity
- No costing of new legislative requirements wrt classification of waste and the associated new design requirements for disposal at landfill.
- SAWIC South African Waste information System new web address is now <http://sawic.environment.gov.za>

Legislative changes

- National Environmental Management Waste Act 2008 (Act 59 of 2008)
- Government Notice 718 of 3 July 2009
- General Notice 779 of 28 September 2012

Legislative changes

1. In this notice "the Notice" means the notices published by Government Notice No. R. 544 of 2 August 2010, as amended by Government Notices Nos. R. 660 of 30 July 2010 and R. 1159 of 10 December 2010.

Insertion of items 55A and 55B in the Notice

The following items are hereby inserted in the Notice, after item 55:

"55A. The construction of facilities for the treatment of effluent, wastewater or sewage with an annual throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres."; (Cat A (11))

"55B. The expansion of facilities for the treatment of effluent, wastewater or sewage where the expanded capacity will be increased by 15000 cubic metres or more.". (Cat B (7)).

CATEGORY C

5. A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must comply with the requirements or standards determined by the Minister in terms of this Act.

Storage of waste

(1) The storage of general waste at a facility that has the capacity to store in excess of 100m³ of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste.

(2) The storage of hazardous waste at a facility that has the capacity to store in excess of 80m³ of hazardous waste at any one time, excluding the temporary storage of such waste.

(3) The storage of waste tyres in a storage area exceeding 500m².

Recycling or recovery of waste

(4) The scrapping or recovery of motor vehicles at a facility that has an operational area in excess of 500m².

(5) The extraction, recovery or flaring of landfill gas.



- Thank you any questions?