Waste Management Licensing

Presented by:

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PRESENTATION

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Waste Licensing – Introduction

- 1 July 2009 the NEM:WA came into operation – provisions regarding licensing of waste management activities (Chapter 5)

- Minister published a list of activities which require a waste licence (3 July 2009)

- GN No. R. 718 defines list of activities based on thresholds:
    - *Category A – Requires a Basic Assessment Process*
    - *Category B – Requires a Scoping/EIA Process*

    (in accordance with the NEMA EIA Regulations of 2010)

Note - Additional requirements in terms of the NEM:WA must also be met (e.g. placement of an advert in 2 local newspapers in the area).

Why should you be licensed?

- **Legal Requirement** – Required by National Law

- **Good Business Sense** -
    - Tenders - Request that companies must be licensed.
    - Improves image of the company

- **Improve Operational Aspects of your Business** –
    - Manage environmental impacts &
    - Improved environmental monitoring

Aspects of Waste Licensing – NEM:WA

SECTION	DESCRIPTION
43	*Details the licensing authority*
44	*Co-operative governance in waste management licence applications*
45	*Process for applying for a waste management licence*
46	*Appointment of persons to manage waste management licence applications*
47	*Procedure for waste management licence applications*
48	*Factors to be taken into account by the Competent Authority (CA) when issuing a waste licence*
49	*Decision making processes by CA*
50	*Issuing of waste licences*
51	*Content of waste licences*
52	*Transfer of waste licences and process*
53	*Review of waste licences*
54	*Variation of waste licences*
55	*Renewal of waste licences*
56	*Revocation and suspension of waste management licences*

THIS CITY WORKS FOR YOU

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Name here

Do you need a waste licence?

- Depends on the types and quantity of wastes which you are handling and the activity/ies being carried out on the site.

- Activities include treatment, re-use, recovery, recycling, storage, grinding, shredding, baling, sorting, and disposal of waste within thresholds.

- Licence is also required for upgrades/expansions, if you plan to alter your facility, as well as decommission your facility.

Waste Licensing - Process

- Competent Authority (CA):
    - *Provincial (general waste)*
    - *National (hazardous waste)*

- An application must be made to the CA. Once a reference number has been received the process (either Basic Assessment or Scoping/EIA) shall be followed.

- Waste licensing has a compulsory element of public participation (in line with the NEMA EIA Regulations, 2010).

Waste Licensing - Timeframes

- BA Process – 8/10 months

- Scoping/EIA - 12 months or more

Timeframes dependant on school holidays, public holidays, level of public sensitivity *etc*.

Challenges

An EAPs perspective…

- **Legislative requirements -** Laws have been changing and requirements for waste licensing – has created delays and budgetary implications

- **Definitions as provided in the Regulations are broad and unclear** – Waste licenses are required for establishment and alterations of facilities – includes even minor changes.

- **Decision making timeframes** - Are not adhered to – delays in process

- **Competent Authority** - Certain cases authorisation required in terms of NEMA and NEM:WA. Different competent authorities – more administration.

PRESENTATION

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Challenges

A clients perspective…

- **Lengthy and costly process**

- **Public participation** – Objections from the public

Useful Websites/Contacts

- http://www.sawic.org.za/

- http://www.capegateway.gov.za/eng/yourgovernment/gsc/406/services/27683/202219

- Contact: Provincial Waste Licensing Directorate -

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Thank You