



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Ref. 12/9/11/L1395/9

EDMS Reference: WL130844

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LICENCE NUMBER: 12/9/11/L1395/9
CLASS: B (WASTE DISPOSAL FACILITY)
WASTE MANAGEMENT FACILITY: EDEN REGIONAL WASTE DISPOSAL FACILITY
LOCATION: PORTION 9 OF THE FARM DRIE FONTEINEN NO.
243, PORTION 1 OF THE FARM PATRYSFONTEIN
NO. 228 AND REMAINDER OF FARM NO. 310
IMMEDIATELY WEST OF
PETROSA/MOSSDUSTRIA, MOSSELBAY,
WESTERN CAPE PROVINCE
LICENCE HOLDER: EDEN DISTRICT MUNICIPALITY
ADDRESS: P.O. BOX 12, GEORGE, 6530
CONTACT PERSON: MORTON HUBBE
CONTACT DETAILS: TEL: (044) 493 0006; FAX: (044) 693 3159

**WASTE MANAGEMENT LICENCE IN TERMS OF SECTION 49(1)(a) OF THE
NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008(ACT NO. 59
OF 2008)**

In terms of National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) read with the Environmental Impact Assessment Regulations, 2010, published in Government Notice No. R.543 of 18 June 2010 (the Regulations), the Deputy Director General: Chemicals and Waste Management, hereby grants Eden District Municipality a Waste Management Licence for the following waste management activities as listed in Category A and B of Government Notice No 921 dated 29 November 2013:



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Category A

- (2) The sorting, shredding, grinding, crushing, screening or bailing of general waste at a facility that has a an operational area in excess of 1000m².
- (7) The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons but les that 100 tons.
- (9) The disposal of inert waste in excess of 25 tons and with a total capacity of 25 000 tons, excluding the disposal of such waste for the purposes of levelling and building which has been authorized by or under other legislation.
- (12) The construction of facilities for the activities listed in Category A of this Schedule (not in isolation to associated activity).

Category B

- (7) The disposal of any quantity of hazardous waste to land.
- (8) The disposal of general waste to land covering an area in excess of 200m² and with a total capacity exceeding 25 000 tons.
- (10) The construction of facilities for activities listed in Category B of this Schedule (not in isolation to associated activity).

In this Licence, "Director" means the Director: Licencing of the National Department of Environmental Affairs who may be contacted at the address below:

Director: Licensing
Department of Environmental Affairs
Private Bag X447
PRETORIA
0001



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In this Licence, "Director: RPW" means the Director: Resource Protection and Waste of the National Department of Water Affairs (DWA) who may be contacted at the address below:

Director: Resource Protection and Waste

Department of Water Affairs

Private Bag X 313

PRETORIA

0001

1. SITE DETAILS

1.1 LOCATION

1.1.1 This Licence authorises the construction and operation of Eden Regional Waste Disposal Facility which is located on the Portion 9 of the Farm Drie Fonteinen No. 243, Portion 1 of the Farm Patryfontein No. 228 and Remainder of Farm No. 310 Immediately West of Petrosa/Mossdustria, Mosselbay, within the jurisdiction of Eden District Municipality, Western Cape Province (hereafter referred to as "the Site").

1.1.1 The location of the Site must be according to the co-ordinates indicated on the licence application form, which is defined as follows:

Hazardous waste disposal facility

Number of corners	Latitude	Longitude
Corner 1	34°09'53.39"	21°56'58.23"
Corner 2	34°09'49.56"	21°57'13.94"
Corner 3	34°10'02.39"	21°57'19.30"
Corner 4	34°10'06.34"	21°57'03.53"

Builder's Rubble Disposal Footprint

Number of corners	Latitude	Longitude



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Corner 1	34°10'35.25"	21°57'01.27"
Corner 2	34°10'35.53"	21°57'10.53"
Corner 3	34°10'39.25"	21°57'10.39"
Corner 4	34°10'38.97"	21°57'01.12"

Green waste Disposal Footprint

Number of corners	Latitude	Longitude
Corner 1	34°10'35.05"	21°56'51.74"
Corner 2	34°10'35.22"	21°57'00.77"
Corner 3	34°10'38.92"	21°57'00.64"
Corner 4	34°10'38.67"	21°56'51.12"

Reclamation Facility Footprint

Number of corners	Latitude	Longitude
Corner 1	34°10'35.63"	21°57'11.02"
Corner 2	34°10'35.66"	21°57'14.80"
Corner 3	34°10'39.44"	21°57'14.60"
Corner 4	34°10'39.33"	21°57'10.81"

1.2 DOCUMENTS CONSIDERED

- 1.2.1 The Waste Management Licence Application Form dated 8 June 2010,
- 1.2.2 The Record of Decision from Department of Water Affairs dated 1 July 2013; and
- 1.2.3 The draft waste management licence from Western Cape Department of Environmental Affairs and Development Planning.



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LICENCE CONDITIONS

1.3 SITE SECURITY AND ACCESS CONTROL

1.3.1 The Licence Holder must ensure effective access control of the Waste Management Site to prevent unauthorised entry. Weatherproof, durable and legible signs in at least three official languages applicable in the area must be displayed at each entrance to the site. The signs must indicate the risks involved in entering the Site, warn against the use of water containing waste and must include the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.

1.3.2 The Licence Holder must prevent treatment of waste that is not authorised for treatment at the Site.

2. MANAGEMENT

2.1 GENERAL MANAGEMENT

2.1.1 The activities shall be managed and operated:

- a) In accordance with a documented Environmental Management System (EMS), that, *inter alia*, identifies and minimises the risk of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformance as well as those drawn to the attention of the Licence Holder as a result of complaints;
- b) In accordance with conditions of this Licence and any other written instruction by the Director; and
- c) By an adequate, competent staff complements.

2.1.2 Any persons having duties that are or may be affected by this Licence must have convenient access to a copy thereof, which copy must be kept at or near the place where those duties are carried out.

2.1.3 A copy of this Licence may be published by the Department, in its discretion, on any



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website or other media.

2.2 DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER

2.2.1 A Waste Management Control Officer (WMCO) must be designated to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the licence and standard operation procedures. The WMCO must:

(a) Report any non-compliance with any Licence conditions or requirements or provisions of NEM:WA to the licensing authority.

2.2.2 The duties and responsibility of the WMCO should not be seen as exempting the Licence Holder from any other legal obligations in terms of the NEM:WA

2.3 EMERGENCY PREPAREDNESS PLAN

2.3.1 The Licence Holder must maintain and implement an emergency preparedness plan and review it annually when conducting audit, after each emergency incident and major accident. The plan must, amongst others, include measures to address:

- a) Power failure;
- b) Equipment malfunction;
- c) Site fires;
- d) Spillage (on Site);
- e) Industrial Action
- f) Natural disasters such as floods; and
- g) The plan must include contact details of the nearest police station, ambulance services and the emergency centre.

3. PERMISSIBLE WASTE

3.1 Any portion of the Facility which has been constructed or developed according to



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Condition 4 of this Licence may be used for sorting, treatment and disposal of general and hazardous waste.

- 3.2 The classification, acceptance and disposal criteria as listed in the latest edition of the document "Minimum Requirements for Handling, Classification and Disposal of Hazardous Waste, Waste Management Series, Department of Water Affairs and Forestry" or its successor must be conformed to.

4. CONSTRUCTION OF THE FACILITY

- 4.1 The construction and further development of the Site must be in accordance with the engineering drawings numbered A122/101 AE, typical layout site 2 drawing number A122/102AE Site layout plan A122/103AE, locality Plan drawing A122/201, 202 and 203 prepared by Jan Palm Consulting Engineers dated July 2013.
- 4.2 The design reports and drawings must be certified by a registered, professional civil engineer prior to submission to the competent authority.
- 4.3 The Service life considerations must be quantified taking into account temperature effects on containment barriers
- 4.4 The total solute seepage (inorganic and organic) must be calculated in determining acceptable leakage rates and action leakage rates
- 4.5 Alternative elements of proven equivalent performance which has been considered, as the replacement of the following:
- (i) Granular filters or drains with geosynthetic filters or drains
 - (ii) Protective soil layers with geotextiles; or
 - (iii) Clay components with geomembranes or geosynthetic clay liners



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- 4.6 All drainage layers must contain drainage pipes of adequate size, spacing and strength to ensure atmospheric pressure within the drainage application for the service life of the landfill
- 4.7 The alternative design layouts for slopes exceeding 1.4 (vertical: horizontal) may be considered provided equivalent performance is demonstrated
- 4.8 The Licence Holder must ensure that the construction quality assurance during construction is conducted
- 4.9 Geosynthetic materials must comply with relevant South African National Standards specifications, or any prescribed management practice or standards which ensure equivalent performance
- 4.10 The License Holder must consider the compatibility of liner material with the waste stream, in particular noting the compatibility of natural and modified clay soils exposed to waste containing salts
- 4.11 The Licence Holder must construct and maintain on a continuous basis, drainage and containment system capable of collecting and storing all contaminated runoff water arising from the site in the event of 1:100 year rain event. The system must under the said rainfall event, maintain a freeboard of one metre.
- 4.12 After the construction of the Site the Licence Holder shall notify the Director and shall submit a certificate or alternatively a letter stating that the construction of the Site is in accordance with the recognised civil engineering practice and the requirements is satisfied with the construction of the Site and has given permission for the Licence Holder to dispose within the Site
- 4.13 The liner system for hazardous cells must survive the service life (50 years) and the post closure monitoring period of the Facility. The temperature of the primary liner



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must be monitored by a registered professional engineer and if it exceeds 35 degrees Celsius remedial action such as cooling must be done.

- 4.14 After construction of the Facility or further development within the Facility, the Licence Holder shall notify the Director thereof and the person referred to in condition 4.13 shall submit a certificate that the construction of the Facility or further development within the Facility, as proposed by the Licence Holder and approved by the Director, is in accordance with recognised civil engineering practices before treatment and disposal of waste activity may commence at the Facility.
- 4.15 The completed construction works of the Facility shall be inspected by an official of the Department and the person referred to in condition 4.13. If the Director is satisfied with the construction of the Facility or any further development within the Facility and has given written permission, the Licence Holder may use the Facility or any further development within the Facility for the disposal or any other waste activity mentioned above.

5. GENERAL IMPACT MANAGEMENT AND OPERATION

5.1 IMPACT MANAGEMENT

- 5.1.1 Waste which is not permissible on Site must be dealt with according to relevant legislation or the Department's policies and practices.
- 5.1.2 The Licence Holder must prevent spillages. Where they happen nonetheless, condition 2.3.1 above shall apply and the Licence Holder must ensure the effective and safe cleaning of such spillages.
- 5.1.3 The Licence Holder must ensure that waste water is not discharged to a water source, or to land where it could cause pollution. Waste water should be contained and disposed of in terms of the relevant legislation.
- 5.1.4 The Licence Holder must ensure that emissions from the activities shall be free from



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odour at levels likely to cause annoyance.

- 5.1.5 The slope of the sides of the disposal area must be constructed to form part of the 1:3 sloped berms that is in 5m vertical steps and maintained in such a manner that erosion is prevented.
- 5.1.5 The Licence Holder must prevent the occurrence of nuisance conditions or health hazards.
- 5.1.8 The Licence Holder must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimise the risks involved. Records of training and verification of competence must be kept by the Licence Holder.
- 5.1.9 The Licence Holder must ensure that suitable fencing and indigenous vegetation must be established and maintained around the Facility to effectively screen the Facility from nearby roads paying attention to blending in with the natural environment of the area.
- 5.1.10 A 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
- 5.2.4 The Licence Holder must take all reasonable steps to ensure that the integrity of the waterproof base and infrastructure are routinely monitored and corrective action must be taken before containment integrity is breached.
- 5.2.7 No general and hazardous waste is burned at the Facility.
- 5.2.8 The Licence Holder must ensure that all roads on the Facility are maintained to allow access to all areas by vehicle.
- 5.2.9 Waste disposed of at the Facility must be compacted and covered on a daily basis



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with a minimum of 150 millimetres of soil or other material approved by the Director.

- 5.2.10 The Licence Holder must ensure that the maximum height of the waste body must not exceed 12m above the immediate ground level relative to the average metres above mean sea level (mamsl).
- 5.2.11 The Licence Holder must make use of moveable fences to control windblown litter.
- 5.2.12 Waste disposed of at the Facility must not be reclaimed by unauthorised salvagers.
- 5.2.13 The Licence Holder must establish servitudes for the "buffer zone" of 380m West, 600m North, 400m East and 250m South. Heavy industries or light industries which may be permitted within the buffer zone or servitudes.
- 5.2.14 The Licence Holder must ensure that the Facility layout and levels of the surface of the Facility is free-draining throughout so that no ponding of runoff water occurs on or around the waste management Facility.
- 5.2.15 The Licence Holder must ensure that all runoff water arising on land adjacent to the Facility, which could be expected as a result of the estimated maximum precipitation during a period of 24 (twenty four) hours with an average frequency of once in 50 (fifty) years does not come in contact with the waste.
- 5.2.16 Operational works on the Facility must be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the waste management areas of the Facility, all runoff water arising on the Facility, which could be expected as a result of the estimated maximum precipitation. Such operational works, under the said rainfall event, must maintain a freeboard of half a metre (0.5 m).
- 5.2.17 Runoff water must comply with the quality requirements as per the Department of Water Affairs or with such quality requirements as may from time to time be



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determined by the Minister and shall be drained from the Facility in a legal manner.

- 5.2.18 Runoff water which does not comply with the quality requirements and all leachate must, by means of works which must be constructed and maintained on a continuous basis by the Licence Holder to be treated to comply with the aforementioned quality requirements and be discharged in a legal manner.
- 5.2.19 The Licence Holder must ensure that stormwater is prevented to flow onto and off the Facility (including through the entrance gate) by means of clay and soil berms.
- 5.2.20 Erosion-protection must be provided to berms by means of vegetation.
- 5.2.21 The areas designated to various processes or waste types should be clearly marked.
- 5.2.22 The Licence Holder must manage landfill gas in terms of the standards specified in the Minimum Requirements, a gas monitoring and/or extraction system must be implemented when required or indicated by the Director.

6. MONITORING

6.1 MONITORING METHODS AND PARAMETERS

- 6.1.1 The Licence Holder must carry out all tests required in terms of this Licence in accordance with published laboratory analysis methods or those prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 08 of 2008).
- 6.1.2 The Licence Holder may only use another method of analysis if approved by the Department.
- 6.1.3 The Licence Holder must put in place a monitoring and measurement plan that must amongst others include:



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- 6.1.3.1 Tonnage received, reclaimed, treated and transferred;
 - 6.1.3.2 Waste types and sources;
 - 6.1.3.3 Air quality monitoring;
 - 6.1.3.4 Yearly topographical survey
- 6.2 WATER QUALITY MONITORING
- 6.2.1 Surface water monitoring shall be performed in all storm water drains on and adjacent to the Site at locations selected in conjunctions with the Department of Water Affairs and at such a frequency as determined by the responsible authority.
 - 6.2.2 The Licence Holder must establish and maintain a ground water monitoring network for the Facility within 6 (six) months of the date of this Licence. The monitoring network should consist of upstream and downstream monitoring boreholes of the Facility, to the satisfaction of the Director and the Director: RPW, so that unobstructed sampling, as required in terms of this Licence, can be undertaken. The boreholes must monitor the same aquifer and must be hydraulically linked through pumping test results.
 - 6.2.3 Monitoring boreholes must be equipped with lockable caps. The Department and DWA reserve the right to take water samples at any reasonable time and to analyse these samples or have them analysed.
 - 6.2.4 Storm water management must be implemented to avoid storm water mixing with leachate generated from the Facility. Surface water monitoring must be performed in all stormwater drain outlets that discharges to the natural environment and at locations selected in conjunction with the Director: RPW and at such a frequency as determined by the Director: RPW.
 - 6.2.5 Groundwater quality should be the same as per background analysis and if groundwater quality deteriorates remediation action should be taken.



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6.3 INVESTIGATIVE MONITORING

- 6.3.1 If, in the opinion of the Director or Director: RPW, a water quality variable at any monitoring point referred to in condition 6.2.2 above shows an increasing trend, the Licence Holder shall report in terms of condition 9 below.

6.4 DETECTION MONITORING

- 6.4.1 Monitoring for groundwater and surface water shall be conducted quarterly for the water quality variables listed in Annexure III and annually for the quality variables listed in Annexure IV.

6.5 Background Monitoring

- 6.5.1 Samples from the borehole where the groundwater in the borehole is at an expected higher hydraulic pressure level than the hydraulic pressure level of the groundwater under the Facility shall be considered as background monitoring.
- 6.5.2 Background groundwater monitoring shall be conducted during each monitoring occasion in terms of conditions 6.5 and 6.5 for the water quality variables listed in Annexure III and IV

6.6 MONITORING COMMITTEE

- 6.6.1 The Licence Holder must take all reasonable steps to maintain and ensure the continued functioning of the Eden Regional waste disposal facility for the normal operative lifetime of the Facility and for the closure of the Facility, as determined by the Director-General.
- 6.6.2 The Monitoring Committee must formulate a terms of reference and code of conduct, according to the Minimum Requirements and to the satisfaction of the Regional Director, under which the Committee can operate.



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- 6.6.3 The Monitoring Committee shall be representative of relevant interested and affected persons and may consist of at least the following persons:-
- 6.6.3.1 representative(s) of this Department;
- 6.6.3.2 representative(s) of the Provincial Department responsible for waste management and environmental functions; and
- 6.6.3.3 at least 3 (three) persons/parties, or their representatives elected by the local residents.
- 6.6.4 The Monitoring Committee shall meet at least once every six (6) months and not later than 30 days after the external audit report specified in condition 10.2.
- 6.6.5 The Permit Holder must keep minutes of all meetings of the Monitoring Committee and distribute these minutes to all members of the Monitoring Committee within 30 days after the meeting.

7. INVESTIGATIONS

- 7.1 If, in the opinion of the Director, environmental pollution, nuisances or health risks may be occurring or are occurring on the Site, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem.
- 7.2 If, in the opinion of the Director and/or Director: RPW, water pollution may be occurring or is occurring, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables at those monitoring points and at such frequency as may be specified by Director: RPW.
- 7.3 Should the investigation carried out as per conditions 7.1 and 7.2 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.



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8. RECORDS

- 8.1 The Licence Holder must keep records and update all the information referred to in Annexure II and submit this information to the Director on an annual basis.
- 8.2 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.
- 8.3 Records demonstrating compliance with condition 2.1.1 must be maintained for five years.

9. REPORTING

- 9.1 The Licence Holder must, within 24 hours, notify the Director of the occurrence or detection of any incident on the Site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 9.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the Director, from the occurrence or detection of any incident referred to in condition 9.1, submit an action plan, which must include a detailed time schedule, and resource allocation, signed off by top management, to the satisfaction of the Director and/or the Director: RPW of measures taken to –
- a) Correct the impact resulting from the incident;
 - b) Prevent the incident from causing any further impact; and
 - c) Prevent a recurrence of a similar incident.



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- 9.3 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 9.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.
- 9.4 The Licence Holder must keep an incident and complaints register, which must be attached to the external audit report, as well as the Department and DWA for audit purposes.
- 9.5 The Department must be notified without delay in the case of the following:
- a) Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - b) The breach of this Licence; and
 - c) Any significant adverse environmental and health effects.
- 9.6 The Department must be notified within 14 days of the following changes:
- a) Licence Holder's trading name, registered name or registered office address;
 - b) Particulars of the licence Holder's ultimate holding company (including details of an ultimate holding where a licence holder has become a subsidiary; and
 - c) Steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- 9.7 Each external audit report referred to in condition 10.2 below must be submitted to the Director within 30 days from the date on which the external auditor finalised the audit report.
- 10. AUDITING**
- 10.1 INTERNAL AUDITS
- 10.1.1 Internal audits must be conducted annually by the Licence Holder and on each audit



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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 external auditor specified in condition 10.2.1.

10.2 EXTERNAL AUDITS

10.2.1 The Licence Holder must appoint an independent external auditor to audit the site biennially and the auditor must compile an audit report documenting the findings of the audit, which must be submitted by the licence holder according to condition 9.7 above.

10.2.2 The audit report must:

- a) Specifically state whether conditions of this licence are adhered to;
- b) Include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
- c) Specify target dates for the implementation of the recommendations by the Licence Holder to achieve compliance;
- d) Contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Licence Holder and whether corrective action taken for the previous audit non conformities was adequate; and
- e) Show monitoring results graphically and conduct trend analysis.

10.3 DEPARTMENTAL AUDITS AND INSPECTIONS

10.3.1 The Department reserves the right to audit and/or inspect the Site without prior notification at any time and at such frequency as may be determined by the Director.

10.3.2 The Licence Holder must make any records or documentation available to the Director upon request, as well as any other information he/she may require.



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11. LEASING AND ALIENATION OF THE SITE

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

12. TRANSFER OF WASTE MANAGEMENT LICENCE

- 12.1 Should the Licence Holder want to transfer the Licence, he/she must apply in terms of Section 52 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).
- 12.2 Any subsequent Licence Holder shall be bound by conditions of the Licence.

13. GENERAL

- 13.1 The construction of the licenced activity may not commence within twenty (20) days of the date of signature of this Licence.
- 13.2 Should the Licence Holder be notified by the Minister in writing of a suspension of the Licence pending any appeals decision, you may not commence with the activities licenced by the Minister.
- 13.3 After the appeal period has expired and no good cause to extend the appeal period has been submitted, the activity may commence provided a notice has been submitted to the Department. The notice must include a date on which it is anticipated that the activity will commence.
- 13.4 The activity must commence within a period of two (2) years from the date of issue. If



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commencement of the activity does not occur within that period, the Licence lapses and a new application for a Licence must be made in order for the activity to be undertaken.

- 13.5 If the Licence Holder anticipates that commencement of the activity would not occur within two (2) year period, he/she **must** apply and **show good cause** for an extension of the licence six (6) months prior to its expiry date.
- 13.6 This Licence shall not be transferable unless such transfer is subject to condition 12.1.
- 13.7 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of National and Provincial Legislation and any relevant Ordinance, Regulation, By-law or relevant National Norms and Standards.
- 13.8 Transgression of any condition of this Licence could result in the Licence being withdrawn by the Department.
- 13.9 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.
- 13.10 In terms of section 28 and 30 of the NEMA 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 understands 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 the environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 13.11 This Licence is valid for a period of ten (10) years and shall be reviewed every five (05) years from the date of issue or at any time before or after that date. Based on the



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results of the review, especially compliance to Licence conditions or recommendations from the audit reports and or changing legislation, the Licence could be amended or withdrawn or the validity thereof extended.

14 APPEAL OF LICENCE

- 14.1 The licence holder must notify every registered interested and affected party, in writing and within twelve (12) days, of receiving the Department's decision.
- 14.2 The notification referred to in 14.1. must –
- 14.2.1 Specify the date on which the Licence was issued;
- 14.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of GN No. R 543 of 18 June 2010 in terms of National Environmental Management Act, 1998, as amended (see Annexure 1);
- 14.2.3 Advise the interested and affected party that a copy of a Licence will be furnished on request; and
- 14.2.4 An appeal against the decision must be lodged in terms of chapter 7 of GN No. R 543 of 18 June 2010 in terms of NEMA 1998, as amended, from the date of this license, with: The Minister, Department of Environmental Affairs, Private Bag X 447, PRETORIA, 0001, Tel No.: (012) 310 3705, Fax No.: (012) 320 7561.

Mr. Mark Gordon

DEPUTY DIRECTOR GENERAL: CHEMICALS AND WASTE MANAGEMENT

DATE: 05/02/2014



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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 12 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 20 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



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NOTES:

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

- a) The Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) The delegated organ of state where relevant.

2. An appeal lodged with:-

- a) The Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs by means of one of the following methods:
By facsimile: (012) 320 7561
By post: Private Bag X447, Pretoria, 0001; or
By hand: 2nd Floor, Fedsure Forum Building, North Tower, cnr. Pretorius and Lilian Ngoyi Streets, Pretoria.
- c) The delegated organ of state, where relevant, must be submitted to the delegated organ of state.

3. 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.

4. A copy of the official appeal form can be obtained from:

Mr TH Zwane

Senior Legal Administration (Appeals)

Tel: 012 310 3929

tzwane@environment.gov.za; or

Mr. TR Rambuda

Legal Administration Officer (Appeals)

Tel: 012 310 1758

trambuda@environment.gov.za,



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ANNEXURE II

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS (CONDITION 8.1)

* = Indicate with an X. Please print legibly

NAME OF SITE: _____	DATE OF REPORT : _____ (y/m/d)
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1. Registered owner(s) of property on which the waste management facility is situated is situated:

Name	Telephone	
Postal Address	Fax	
	Postal Code	

2. Operator in control of the waste management facility

Name	Telephone	
Identity number	Tel. After hours	
Educational Qualifications		
Other Relevant competencies:		

3. Indicate the type of waste and approximate quantities of waste stored and sorted

Type of waste (Specify)	Quantity (m ³ annum ⁻¹)	Source
TOTAL		

4. Indicate the type of waste and approximate quantities of waste transferred for recycling, treatment and disposal during the year:

Type of waste	Quantity (m ³ annum ⁻¹)	Reused or Disposed
TOTAL		

I, the undersigned, declare that the information stated above below is to my knowledge a true reflection of the status at Eden Regional Waste Disposal Facility.

Signature: _____

Name: _____

Capacity: _____

Place: _____



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ANNEXURE III

WATER QUALITY VARIABLES REQUIRED FOR QUARTERLY MONITORING

Monitor at quarterly intervals for:

Chemical Constituent		Surface water should include
pH	Nitrite as N	Suspended Solids
Electrical Conductivity (EC)	Potassium	
Dissolved Organic Carbon	Chemical Oxygen Demand	
Boron	Total Alkalinity	
Chloride	Boron	
Calcium	Bicarbonate	
Magnesium	Total Dissolved Solids	
Sodium	Total Alkalinity	
Sulphate	Ammonium	



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ANNEXURE IV

WATER QUALITY VARIABLES REQUIRED FOR DETECTION AND INVESTIGATIVE

MONITORING:

Chemical Constituent Chemical Constituent		Surface water should include
pH	Nitrite as N	Suspended Solids
Electrical Conductivity (EC)	Potassium	
Dissolved Organic Carbon	Chemical Oxygen Demand	
Boron	Total Alkalinity	
Chloride	Boron	
Calcium	Bicarbonate	
Magnesium	Total Dissolved Solids	
Sodium	Total Alkalinity	
Sulphate	Ammonium	
Aluminium	Manganese	
Strontium	Mercury	
Nickel	Zinc	
Lead	Phosphate	
Arsenic	Bromide	
Cadmium	Copper	
Total chromium	Chromium (hexavalent) (Cr6+)	

[Handwritten signature]