



# LIMPOPO

PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

## DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

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Ref: 12/4/10 – B/10/C1

Capricorn District Municipality  
P O Box 4100  
Polokwane  
0700

Fax: 086 506 2104


Dear License Holder

### WASTE LICENSE: LEPELLE-NKUMPI WASTE DISPOSAL FACILITY AND RECYCLING FACILITIES

Please find hereto attached a waste license issued in terms of section 49(a) of National Environmental Management: Waste Act, 2008 (Act 59 Of 2008) "NEMWA".

You are welcomed to contact this office should you need any clarification.

Yours Sincerely

  
MS BRODERICK H.O.D  
SENIOR GENERAL MANAGER  
ENVIRONMENT AND TOURISM  
DATE 02 FEBRUARY 2011

HEAD OFFICE

20 Hans van Rensburg Street/ 19 Biccard Street, POLOKWANE, 0699, Private Bag X 9484, POLOKWANE, 0700  
(Switchboard) Tel: +27 15 293 8300 Website: www.ledet.gov.za

**The heartland of southern Africa - development is about people!**





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## DEPARTMENT OF ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Ref: 12/4/10 – B/10/C1

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**LICENCE NUMBER:** 12/4/10 – B/10/C1

**CLASS:** G: M: B-

**WASTE DISPOSAL FACILITY:** LEPELLE-NKUMPI WASTE DISPOSAL FACILITY AND RECYCLING FACILITIES

**LOCATION:** FARM POORTJIE 492 KS WITHIN LEPELLE-NKUMPI LOCAL MUNICIPALITY IN LIMPOPO PROVINCE

**LICENCE HOLDER:** CAPRICORN DISTRICT MUNICIPALITY

**ADDRESS:** P O BOX 4100, POLOKWANE, 0700

**CONTACT:** MERIUM MATSHIPSANA MOLALA, Tel: 015 294 1000,  
Fax: 086 506 2104, Email: molalam@cdm.org.za

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

I, Charles Mphahlele Maluleke in my capacity as the Senior General Manager: Environment and Tourism in the Department of Economic Development, Environment and Tourism (hereinafter referred to as "the Department"), in terms of section 49 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), hereby grant Capricorn District Municipality a waste management licence for the disposal and recycling of general waste at Lepelle-Nkumpi Waste Disposal Facility.

### HEAD OFFICE

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DEFINITIONS APPLICABLE TO THIS LICENCE ONLY

i. "HOD" means the Head of Department: Department of Economic Development, Environment and Tourism, who may be contacted at the address below:

HOD:  
 Department of Economic Development, Environment and Tourism  
 Private Bag X 9484  
**POLOKWANE**  
 0700

ii. "Regional Director" means the Regional Director of the Limpopo Department of Water Affairs (DWA) who may be contacted at the address below:

Regional Director: Limpopo  
 Department of Water Affairs  
 Private Bag X9506  
**POLOKWANE**  
 0700

iii. "The Waste Act" means the National Environmental Management: Waste Act, 2008 (Act 59 of 2008)

iv. "The EIA regulations" means the Environmental Impact Assessment Regulations, 2006, published in Government Notice No.R.385 of 21 April 2006.

v. "The facility" means one or more of the areas indicated through geographic coordinates in condition 1.1.2, 1.1.3, 1.1.4. below

vi. "The Department" – The Department of Economic Development, Environment and Tourism

1. SITE DETAILS

1.1 LOCATION

1.1.1 This Licence authorises the disposal and recycling of general waste to a land at the areas indicated at 1.1.2, 1.1.3, 1.1.4 below and situated on Farm Pootjie 492 KS within the Lepelle-Nkumpi Local Municipality in Limpopo Province (hereinafter referred to as "the Site") according to the application form and Environmental Impact Assessment Report for the proposed development of Lepelle-Nkumpi Waste Disposal and recycling facilities, compiled by EnviroXcellence Services, dated 21 September 2010 (herein referred to as "the Report") submitted by the Licence Holder.

- 1.1.2 The location of the general waste disposal facility must be according to the co-ordinates indicated below:

Number of corner	Latitude	Longitude
A	24° 24'26.377230"	29° 31'19.0369"
B	24° 24'42.41568"	29° 31'27.9351"
C	24° 24'34.02512"	29° 31'04.5991"
D	24°24'50.06381"	29°31'14.4969"

- 1.1.3 The location of the Composting Facility must be according to the co-ordinates indicated below:

Number of corner	Latitude	Longitude
A	24° 24'34.59"	29° 31'15.68"
B	24° 24'32.05"	29° 31'17.83"
C	24° 24'30.68"	29° 31'15.15"
D	24°24'32.64"	29°31'14.38"

- 1.1.4 The location of the Recycling Facility must be according to the co-ordinates indicated below:

Number of corner	Latitude	Longitude
A	24° 24'35.38"	29° 31'13. 52"
B	24° 24'34.59"	29° 31'29.15"
C	24° 24'32.64"	29° 31'14.38"
D	24°24'34.02"	29°31'13.39"

## 1.2 DOCUMENTS CONSIDERED

- 1.2.1 Waste Management License Application form;
- 1.2.2 The Environmental Impact Assessment Report compiled by EnviroXcellence Services dated 21 September 2010; and
- 1.2.3 A Record of Decision (RoD) issued by the Department of Water Affairs, dated 22 October 2010.

## 1.3. LICENCE CONDITIONS

### 1.3.1 SITE SECURITY AND ACCESS CONTROL

- 1.3.1.1 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 and curtail the spreading of wind-blown waste.

1.3.1.2 The Licence Holder must ensure that all entrance gates are manned during the hours of operation and locked outside the hours of operation.

1.3.1.3 The Licence Holder must prevent the acceptance of waste not authorised at the Site as per condition 3.1.

1.3.1.4 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 must prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.

2. MANAGEMENT

2.1 GENERAL MANAGEMENT

2.1.1 The activities must be managed and operated:

(a) in accordance with an updated environmental management system that inter alia identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-compliance and those drawn to the attention of the Licence Holder as a result of complaints;

(b) in accordance with conditions of this licence and with any other written instruction by the HOD;

(c) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities; and

(d) in accordance to the applicable legislation, authorisations; and/or updated site operation plan.

2.1.2 Records demonstrating compliance with condition 2.1.1 must be maintained.

2.1.3 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 Department.

2.2 APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER

2.2.1 A Waste Management Control Officer (WMCO) must be appointed to monitor and ensure

compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and Operation and Maintenance Plan. The WMCO must:

- (a) Develop a plan to implement waste management hierarchy; and
- (b) Report any non-compliance with any licence conditions or requirements or provisions of NEMWA to the licensing authority through the means reasonable available.

### 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 and after each emergency and or major accident. The plan must among others include:

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

## 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 disposal of all waste types which are classified as general waste according to the latest edition of "Minimum Requirements" series of documents as published by the DWA (hereinafter referred to as the "Minimum Requirements), as General waste suitable for disposal at a general disposal facility, excluding those waste types listed in Annexure II.

3.2 The licence Holder must take all steps to ensure that-

3.2.1 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;

3.2.2 no medical waste; and

3.2.3 no 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.

**4 CONSTRUCTION AND COMMISSIONING OF THE ACTIVITY**

- 4.1 The construction and further development within the Site must be in accordance with the drawings numbered 2088-CV-002, 2088-CVI-003, 2088-CVI-004, 2088-CVI-005, 2088-CVI-006, 2088-CVI-007, 2088-CVI-008, 2088-CVI-009, 2088CVI-010, 2088-STR-001, 2088-STR-002, 2088-STR-003, 2088-STR-004 by SFC Engineers in association with Envitech Solution.
- 4.2 The polluted storm water pond should be lined with a suitable HDPE geomembrane.
- 4.3 The Site or any portion thereof may only be used for the disposal of permissible waste if the Site or any such portion has been constructed or developed according to the conditions listed under condition 4 of this License.
- 4.4 Construction and further development within the Site must be carried out under the supervision of a suitable qualified person proposed by the License Holder and approved by the Responsible Authority.
- 4.5 Works must be constructed and maintained on a continuous basis by the License Holder to divert and drain from the Site in a legal manner, all runoff water arising on the land adjacent to the Site, which could be expected as a result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty years (50) (hereinafter referred to as the "estimated maximum precipitation"). Such works must, under the said rainfall event, maintain a freeboard of half a meter.
- 4.6 Works must be constructed and maintained on a continuous basis by the License Holder to divert and drain from the working phase of the Site, all runoff water arising on the Site, which could be expected as a result of the estimated maximum precipitation and to prevent such runoff water from coming into contact with leachate from the Site. Such works must, under the said rainfall event, maintain a freeboard of half a meter.
- 4.7 Runoff water 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 the Minister and must be drained from the Site in a legal manner.
- 4.8 Runoff referred to in condition 4.5 which does not comply with the quality requirements applicable in terms of condition 4.6 and all sporadic leachate from the Site shall, by means of works which must be constructed and maintained on a continuous basis by the License Holder-
- 4.9 Works constructed in compliance with 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 shall, under the said rainfall event, maintain a freeboard of half a metre. The polluted storm water pond should be lined with a suitable HDPE geomembrane.

- 4.10 Should any archaeological artefacts be exposed during excavation, the construction in the vicinity of the findings must be stopped immediately. Under no circumstances shall any artefacts be destroyed, such archaeological site must be marked and fenced off, and South African Heritage Resource Agency must be contacted within 48 hours.
- 4.11 The Site must be constructed in accordance with recognised civil engineer practice to ensure that it remains suitable.
- 4.12 The slope of the sides of the Site must be constructed in such a manner that little or no erosion occurs.
- 4.13 The License Holder must ensure that health and safety of workers and employees on site and make provision for sanitation facilities on site in line with the Occupational Health and Safety Act, 1993 (Act, 85 of 1993) and any other applicable legislations.
- 4.14 The License Holder must make provision for adequate sanitation facilities on the Site during operation.

## **5 GENERAL OPERATION AND IMPACT MANAGEMENT**

### **5.1 IMPACT MANAGEMENT**

- 5.1.1 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 and wind-blown waste and litter must be picked up and removed from fences at all times to prevent pollution or nuisance.
- 5.1.2 Licence Holder must ensure that emissions from the activities are free from odour and/or noise at levels likely to cause annoyance outside the Site, as perceived by an authorised officer of the Department and interested and affected parties.
- 5.1.3 Licence Holder must ensure that all liquid wastes, whose emission to water or land could cause pollution, are provided with secondary containment and/or diverted to sewer only after receiving written approval from the relevant Municipality.
- 5.1.4 Waste disposed on the Site may be reclaimed at a designated area under roofed area provided the reclamation activity does not add any negative impact on the environment and that relevant

safety precautions in terms of the Occupational Health and Safety Act, 85 of 1993 and its regulations as amended are adhered to.

5.1.5 The recycling facility/ies must have a firm, impermeable and chemical resistant floors and roof to prevent direct sunlight and rainwater from getting into contact with the waste.

5.1.6 Waste deposited 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.

5.1.7 Should the Site generate significant leachate, the Licence Holder must ensure that the leachate is collected for treatment. Under no circumstance must the leachate or runoff from the Site be used for dust suppression.

5.1.8 Suitable fencing and indigenous vegetation must be established and maintained around the Site to effectively screen the Site from nearby roads and residential areas paying attention to blending with the natural environs of the area.

5.1.9 Any complaint from the public during the construction and operation of this waste disposal facility must be attended to by the holder of this licence as soon as possible to the satisfaction of parties concerned.

5.1.10 Licence Holder must develop and maintain the incidents and complaints register.

## 5.2 OPERATION

5.2.1 Licence Holder must ensure that records in terms of volume/weight, source and nature of all wastes received, reclaimed and landfilled are maintained and reported as per Annexure V hereafter on annual basis.

5.2.2 Waste that is not permissible under condition 3.1 above must be dealt with according to relevant legislation or the Department's policies and practices.

5.2.3 Waste disposed of on the Site must be compacted and covered on a daily basis with a minimum of 150 millimetres of soil or other material approved by the HOD.

5.2.4 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.

5.2.5 Licence Holder must not accept any hot or burning waste on the Site.

- 5.2.6 In addition to calling the fire services to extinguish the fire on the Site, the License Holder must identify and incorporate internal measures in the revised site operation plan that must be submitted within six month of the date of this license, such measures must be implemented to prevent fires on the site or extinguish fires which may occur.

## **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 methods 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 must put in place a monitoring and measurement plan that must amongst others include:

- (a) Tonnage received, reclaimed and/or landfilled;
- (b) Surface and Ground water quality monitoring;
- (c) Biogas monitoring;
- (d) Air space monitoring;
- (e) Storm water monitoring; and
- (f) Landfill site stability monitoring.

### **6.2 AIR QUALITY MONITORING**

- 6.2.1 The License Holder must develop and implement landfill gas monitoring programme to determine the pollutants concentrations at the surrounding areas in order to establish the potential gas problems. These must be monitored at three quarterly intervals during the operation and at the discretion of the Department.

### **6.3 WATER MONITORING**

- 6.3.1 A monitoring borehole network for the Site shall be established and maintained by the License Holder according to the section 3.4.9 page 22-23 of the Environmental Impact Assessment Report for development of a licensed municipal waste disposal facility within Lepelle-Nkumpi Local Municipality: Capricon District Municipality, Limpopo Province prepared by EnviroXecellence Consulting Geohydrological and Environmental Scientists to the satisfaction of the Responsible Authority so that unobstructed sampling, as required in terms of the License, can be undertaken.

- 6.3.2 Three newly drilled boreholes Bh1, Bh2 and Bh3 need to be monitored on a quarterly basis (four times per annum) for quality purposes while the Site is operational for the water quality variables listed in paragraph (a) Annexure IV and bi-annually for the variables listed in paragraph (b) of Annexure IV.
- 6.3.3 Monitoring borehole must be equipped with lockable caps. The Department and the DWA reserves the right to take water samples at any time and to analyse these sample or to have them analysed.
- 6.3.4 Surface water monitoring must be performed in all storm water drains on and adjacent to the Site at locations selected in conjunction with the Department and the DWA at such a frequency as determined by the HOD and the Regional Director.
- 6.4 BACKGROUND MONITORING
- 6.4.1 Sample 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 Site, must be considered as background monitoring. Background groundwater monitoring shall be conducted during each monitoring occasion in terms of conditions 6.5, 6.6 or 6.7 for the water quality variable listed in Annexure III or Annexure IV.
- 6.5 DETECTION MONITORING
- 6.5.1 Groundwater monitoring should take place on a quarterly basis (four times per annum) for quality purposes while the Site is operational for the water quality variables listed in paragraph (a) Annexure IV and bi-annually for the variables listed in paragraph (b) of Annexure IV.
- 6.6 INVESTIGATIVE MONITORING
- 6.6.1 If, in the opinion of the HOD and/or the Regional Director, a water quality variable listed under the detection monitoring programme, as referred to in condition 6.4, shows an increasing trend, the License Holder must initiate a monthly monitoring programme for the water quality variable listed in Annexure II.
- 6.7 POST-CLOSURE MONITORING
- 6.7.1 Groundwater monitoring by the License Holder, in accordance with condition 6.3 or 6.4, must commence immediately upon closure of the Site, should be conducted bi-annually and be maintained for a period of 30 years, or such lesser period as may be determined by the HOD and/or the Regional Director.

**6.8 FURTHER INVESTIGATIONS**

6.8.1 If, in the opinion of the HOD and/or the Regional Director, groundwater and/or surface water pollution have occurred or may possibly occur, the License Holder must conduct the necessary investigations and implement additional monitoring and rehabilitation measures which must be to the satisfaction of the HOD and/or the Regional Director.

**7 INVESTIGATIONS**

7.1 If, in the opinion of the HOD, environmental pollution, nuisances or health risks may be or is 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 Regional Director, water pollution may be 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 such frequency as may be specified by Regional Director.

7.3 Investigations carried out in terms of conditions 7.1 and 7.2 above must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the HOD.

7.4 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 HOD.

**8. METHODS OF ANALYSIS**

8.1 The License Holder must carry out all tests in accordance with methods prescribed by and obtained from the South African Bureau of Standards (SABS), referred to in the Standards Act, 1982 (Act 30 of 1982), to analyse the samples taken under the monitoring programme specified in condition 6.

8.2 The License Holder must only use another method of analysis if written proof that the method is at least equivalent to the SABS method is submitted to the Regional Director and written permission is provided by the Department.

**9. AUDITING**

9.1 INTERNAL AUDITS

9.1.1 Internal audits must be conducted quarterly 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 DWFA and the Department according to conditions 9.3.3 and 12.1.

9.2 EXTERNAL AUDITS

9.2.1 The Licence Holder must appoint an independent external auditor to audit the site bi-annually and this auditor must compile an audit report documenting the findings of his audit, which must be submitted by the Licence Holder according to condition 11.11, below. The audit report must:

- (a) specifically state compliance with regard to each license condition;
- (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 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.

9.3 DEPARTMENTAL AUDITS AND INSPECTIONS

9.3.2 The Department and the Department of Water Affairs reserves the right to audit and/or inspect the Site at any time and at such a frequency as the HOD and/or the Regional Director may decide, or to have the Site audited or inspected.

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

9.3.4 The findings of these audits or inspection must be made available to the Licence Holder within 60 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).

10 RECORDING

10.1 The Licence Holder must keep records of and update all the information referred to in Annexure V on an annual basis.

10.2 The License Holder must record all borehole data and chemical analyses in the format depicted in Annexure VI.

## 11 REPORTING

11.1 The Licence Holder must, within 24 hours notify, the HOD and/or the Regional 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 water pollution, pollution to the environment, health risks, nuisance conditions.

11.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the HOD from the occurrence or detection of any incident referred to in condition 11.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Regional Director and/or the HOD of measures taken to:

11.2.1 correct the impact resulting from the incident;

11.2.2 prevent the incident from causing any further impact; and

11.2.3 prevent a recurrence of a similar incident.

11.3 The License Holder must, within 48 hours, notify the Regional Director and/or the HOD of any sporadic leachate generated on account of unusual circumstances on the Site.

11.4 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 11.1, or measures which have been implemented are inadequate, the HOD may implement the necessary measures at the cost and risk of the Licence Holder.

11.5 The Licence Holder must keep an incident and complaints register, which must be made available to both external and the Department and the DWA auditor's for the purpose of audit.

11.6 The License Holder shall, within 48 hours, notify HOD and/or the Regional Director of any sporadic leachate generated on account of unusual circumstances on the Site.

11.7 The Department must be notified without delay in the case of the following:

11.7.1 any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;

11.7.2	the breach of this licence; and	
11.7.3	any significant adverse environmental and health effects.	
11.8	Prior written notification must be given to the HOD of the following events and in the specified timescales:	
11.8.1	as soon as practicable prior to the permanent cessation of any operational activities;	
11.8.2	full or partial cessation of the operational activities for a period likely to exceed 3 months;	
11.8.3	full or partial resumption of the operation of all or part of the activities after a cessation notified under (b) above; and	
11.8.4	the professional engineer appointed by the Licence Holder in line with condition 4.1 must make a signed declaration that condition 4.1, above have been adhered to.	
11.9	The Department must be notified within 7 days of any changes to the management of the site including the name of the incoming person together with evidence that such person has the required technical competence.	
11.10	The Department must be notified within 14 days of the following changes:	
11.10.1	Licence Holder's trading name, registered name or registered office address;	
11.10.2	Particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary;	
11.10.3	steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.	
11.11	Each external audit report referred to in condition 9.2 must be submitted to the Director and HOD within 30 days from the date on which the external auditor finalised the audit.	
12	<b>AUDIT REPORTS</b>	
12.1	All internal audit reports referred to in condition 9.1.1 must be made available to the DWA and LEDET.	



- 12.2 Each external audit report referred to in condition 9.2 must be submitted to the DWA: Regional office, LEDET and the Monitoring Committee within 30 days from the date on which the external auditor finalized the audit.
- 12.3 The audit report must specifically indicate whether conditions of this License are adhered to and must include an interpretation of all available data and test results regarding the operation of the Site and all its impacts on the environment.
- 12.4 All audit reports must contain recommendations regarding non compliance; specify target dates for the implementation of the recommendations by the License Holder and environmental objectives for the License Holder to achieve continual improvement.

**13 OTHER REPORTS**

- 13.1 The information required in terms of condition 10.1 must be submitted to the Regional Director and this Department (LEDET) within a period of one year from the date of issuing of this License and annually thereafter.
- 13.2 The information required in terms of condition 6 must be reported to the Regional Director and this Department, in the format specified in condition 10.2 where applicable, within a period of 30 days following the analysis of the samples. 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.

**14 MONITORING COMMITTEE**

- 14.1 The License Holder must take all reasonable steps to maintain and ensure the continued functioning of a Monitoring Committee for the normal operative lifetime of the site and for a period of at least two years after the closure of the Site, or such longer period as may be determined by the Department.
- 14.2 The Monitoring Committee must formulate a terms of reference and code of conduct, according to the Minimum Requirements, Second
- 14.3 The Monitoring Committee must be representative of relevant interested and affected persons as recommended in the Minimum Requirements and may comprise:
- 14.3.1 License Holder and/or his appointed consultant(s) or advisor(s);
- 14.3.2 representative(s) of the Health, Environment and/or Waste Departments of the relevant

Local Authority;

14.3.3 representative(s) of this Department;

14.3.4 representative(s) of the Provincial Government responsible for waste management and environmental functions; and

14.3.5 at least 3 (three) persons/parties, or their representatives elected by the local community;

14.4 The Monitoring Committee must meet at least twice a year and not later than 30 days after the external audit report specified in condition 9.2 has been submitted according to condition 11.11.

14.5 The License Holder must keep minutes of all meetings of the Monitoring Committee and distribute these minutes to all members of the Monitoring Committee within 14 days after the

**15 REHABILITATION AND CLOSURE OF THE SITE**

15.1 The License Holder must at least 180 days prior to the intended closure of the Site, notify the HOD by registered mail of such closure and submit final rehabilitation plan for his approval.

15.2 The License Holder shall remain responsible for the Site, and/or any of its impacts on the environment, after operations on the Site have ceased.

15.3 Immediately following the cessation of operation with the intention to close the Site or any portion thereof, the surface of the Site must be covered and the Site must be maintained in such a way that-

15.3.1 the formation of pools due to rain is prevented;

15.3.2 free surface runoff of rain-water is ensured; and

15.3.3 no objects or material which may hamper the rehabilitation of the Site are present.

15.4 The License Holder must rehabilitate the Site in accordance with a rehabilitation plan, which must be submitted by the License Holder and which must be to the satisfaction of the HOD.

**16 LEASING AND ALIENATION OF THE SITE**

16.1 Should the Licence Holder want to alienate or lease the Site, he/she must notify the HOD 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.

16.2 Should the Licence Holder want to transfer holder-ship of this, he/she must notify and obtain approval from the HOD for such transfer, at least 120 days prior to the said transfer.

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

## 17 GENERAL

17.1 The construction of the licensed activity may not commence within thirty (30) days of the date of signature of this licence.

17.2 Should you be notified by the Member of Executive Council (MEC) of a suspension of the licence pending any appeals decision, you may not commence with the activities licensed by the MEC in writing.

17.3 After an 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.

17.4 The activity 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 for a licence must be made in order for the activity to be undertaken.

17.5 This licence shall not be transferable unless such transfer is subject to condition 16.2.

17.6 This licence shall 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.

17.7 Transgression of any condition of this licence could result in the validity of the licence being terminated by the Department.

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

17.9 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.

17.10 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.

17.11 This license does not negate the License Holder's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity or any applicable environmental legislation.

17.12 Construction activities must be suspended and a representative of the South African Heritage Resources Agency and/or any of their delegated provincial agencies be contacted immediately in the event of finding or uncovering any heritage remains.

17.13 The Licence Holder must apply for a licence for the decommissioning of the existing waste management facility within 6 months of the date of this licence.

17.14 This licence is valid for a period of twenty (20) years and the Licence Holder must initiate a licence review process five 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.

17.15 In case where the removal of Marula tree at the Site is unavoidable the special permit should be applied in terms of National Forests Act, 1998 (Act 84 of 1998).

17.16 Landfill activities should set 200m away from the foot of the rocky hill west of the Site.

## 18 APPEAL OF LICENCE

18.1 The Licence Holder must notify every registered interested and affected party, in writing and within five (5) days, of receiving the Department's decision.

18.2 The notification referred to in 18.1, above must –

18.2.1 Specify the date on which the licence was issued;

- 18.2.2 Inform the registered interested and affected party 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 I).
- 18.2.3 Advise the interested and affected party that a copy of a licence and reasons for the decision will be furnished on request.
- 18.2.4 An appeal against the decision must be lodged in terms of chapter 7 of the GN No. R 385 of 21 April 2006 in terms of the 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 9484, POLOKWANE, 0700, Fax: (015) 291 5809.



MS Broderick H.O.D.

SENIOR GENERAL MANAGER  
ENVIRONMENT AND TOURISM

DATE 02/02/11

**ANNEXURE I**

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 385 OF 2006 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. Applicant 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.

**ANNEXURE II**  
**WASTE WHICH MAY NOT BE ACCEPTED ON THE SITE: CONDITION 3.1**

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.

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



**ANNEXURE III****WATER QUALITY VARIABLES REQUIRED FOR BACKGROUND MONITORING  
AND INVESTIGATIVE MONITORING: CONDITIONS 6.3.1 and 6.5.1**

Alkalinity (P.Aik)	Free & saline ammonia as N (NH <sub>4</sub> -N)
Calcium (Ca)	Boron (B)
Chromium (hexavalent) (Cr <sup>6+</sup> )	Magnesium (Mg)
Chromium (Total) (Cr)	Cadmium (Cd)
Chemical oxygen demand (COD)	Chloride (Cl)
Cyanide (CN)	Fluoride (F)
Mercury (Hg)	pH
Lead (Pb)	Sodium (Na)
Nitrate (as N) (NO <sub>3</sub> -N)	Electrical conductivity (EC)
Phenolic compounds (Phen)	Sulphate (SO <sub>4</sub> )
Potassium (K)	
Total dissolved solids (TDS)	

**ANNEXURE IV**

**WATER QUALITY VARIABLES REQUIRED FOR BACKGROUND MONITORING AND DETECTION  
MONITORING: CONDITIONS 6.4 AND 6.5**

(a) Quarterly for:  
Alkalinity (P,Alk)  
Chemical oxygen demand (COD)  
pH  
Total dissolved solids (TDS)  
Chlorides (Cl)  
Nitrate (NO<sub>3</sub>-N)  
Potassium (K)

(b) Bi-annuals for:  
Electrical conductivity (EC)  
Calcium (Ca)  
Magnesium (Mg)  
Sodium (Na)  
Sulphate (SO<sub>4</sub>)  
Fluoride (F)

**ANNEXURE V****INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS: CONDITION 5.2.1 & 10.1**

\* = Indicate with an X. Please print legibly.

NAME OF SITE: \_\_\_\_\_ DATE OF REPORT: \_\_\_\_\_ (yy/mm/dd)

**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:**

<b>Name</b>	Telephone	
Identity number	After hours	
Educational Qualifications (*)		

**3. Latest estimated lifetime of the disposal site: \_\_\_\_\_ yr.****4. Indicate the type of waste and approximate quantities of waste disposed of during the year:**

Type of waste	Quantity (m <sup>3</sup> annum <sup>-1</sup> )	Compacted (C)	Uncompacted (U)
Non-hazardous waste			
Household			
Garden refuse			
Building rubble			
Industrial (Specify Source)			
<b>TOTAL</b>			

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

Salvaging undertaken?	Yes
Type	(Collector's Name & final destination of Waste) Quantity (m <sup>3</sup> )
Paper/wood fibre	
Plastics	
Glass	
Rubber	
Textiles	
Iron	
Other (Specify)	
Other (Specify)	



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? This residual risk will be controlled by Compliance Assessment
unauthorised access to the activities	handling & storage activity								
		Arson and/or vandalism causing the release of polluting materials	Arson-air. Liquids polluting watercourses and/or groundwater						
Ground water	Contaminated runoff from waste	Contamination of ground water	Soil to ground water to borehole.						
Local human population	Smoke from burning of waste in case of fire.	Nuisance, loss of amenity, loss of sleep. Respiratory irritation/illness	Air transport						

EXPAND TABLE AS PER YOUR RISKS

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 \_\_\_\_\_

**ANNEXURE VI****FORM TO BE USED FOR CHEMICAL INFORMATION: CONDITION 10.2**

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 <sup>+</sup> ])			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 <sub>3</sub> /l)			Mn	(mg/l)		
Cl	(mg/l)			Pb	(mg/l)		
SO <sub>4</sub>	(mg/l)			Hg	(mg/l)		
NO <sub>3</sub> -N	(mg/l)			S-	(mg/l)		
F	(mg/l)						
COD	(mg/l)						
NH <sub>4</sub> -N	(mg/l)						
Phenol	(mg/l)						
PO <sub>4</sub>	(mg/l)						
TOX	(µg/l)						
TOC	(mg/l)						
Ba	(mg/l)						



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