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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 1093

11 OCTOBER 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)****NATIONAL NORMS AND STANDARDS FOR THE SORTING, SHREDDING, GRINDING,
CRUSHING, SCREENING OR BALING OF GENERAL WASTE**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby under section 7(2)(a) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), set national norms and standards for the sorting, shredding, grinding, crushing, screening or baling of general waste, under section 7(2)(a) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in the Schedule hereto.



**BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS**

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CHAPTER 1 INTERPRETATION, PURPOSE AND APPLICATION

1. Definitions

- (1) In this Schedule, unless the context indicates otherwise, any word or expression that is defined in the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (as amended) has the same meaning, and—

“baling” means the manual or mechanical tying, bundling or wrapping of compressed waste material;

“chipping” means the manual or mechanical chopping or cutting of garden waste into smaller pieces in preparation for further processing;

“competent authority” means, the organ of state charged by the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (as amended), as the licensing authority;

“crushing” means breaking-down of waste into small pieces by pressing or pounding using mechanical or manual means;

“grinding” means breaking-down or reducing waste material to smaller fragments or a powder through manual or mechanical friction;

“impermeable surface” means an area provided with a physical barrier or a membrane that prevents leaching of waste into the soil;

“operational area” means an area where waste is sorted, shredded, ground, crushed, screened, chipped or baled;

“screening” means a process or system for examining, removing or separating material from the waste stream identified through sorting for a specific process;

“shredding” means the breaking down of waste material, through manual or mechanical cutting or tearing, into smaller parts;

“sorting” means the manual or automated separation of waste materials according to type, class, state of contamination or usability for a particular purpose;

“waste facility” means a commercial place, infrastructure or containment of any kind including associated structures or infrastructure where there is sorting, shredding, grinding, crushing, screening, chipping or baling of general waste.

- (2) For any action contemplated in terms of these Norms and Standards for which a timeframe is prescribed, the specified numbers of days are calendar days.

2. Purpose

The purpose of these Norms and Standards is to provide a uniform national approach relating to the management of waste facilities that sort, shred, grind, crush, screen, chip or bale general waste.

3. Application

- (1) These Norms and Standards apply to a waste facility that has an operational area that is 1000m² and more.
- (2) A waste facility that has an operational area that is less than 1000m² must comply with section 4(4) of these Norms and Standards only.

CHAPTER 2 REQUIREMENTS FOR FACILITIES THAT SORT, SHRED, GRIND, CRUSH, SCREEN, CHIP OR BALE GENERAL WASTE

4. Registration

- (1). A new waste facility must be registered with the competent authority in accordance with these Norms and Standards within 90 days prior to any construction taking place.
- (2). Existing waste facilities must register with the competent authority in accordance with these Norms and Standards within 90 days of publication of these Norms and Standards in the Government Gazette.
- (3). A waste facility that is already registered in terms of the National Norms and Standards for Storage of Waste and is sorting, shredding, grinding, crushing, screening or baling general waste must not re-register, but must comply with these Norms and Standards from the date of publication of these Norms and Standards in the Government Gazette.
- (4). A waste facility that is less than 1000m² must register with the competent authority and comply with the principle of duty of care as contained in Section 28 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and Section 16(1) and 16(3) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).
- (5). The applicant must provide the following information as a minimum to be registered:
- (a) Name of the waste facility;
 - (b) Name of the owner of the waste facility;

- (c) Physical address of the owner of the waste facility;
- (d) Postal address of the owner of the waste facility;
- (e) Contact details of the owner of the waste facility;
- (f) Land use or zoning of the waste facility location area;
- (g) Locality map and site plan including a full description of all activities that will be conducted on the site;
- (h) Geographical co-ordinates of the 4 corners of the waste facility;
- (i) The size of the operational area (m²) as well as the footprint of the entire waste facility;
- (j) The types and maximum quantities of waste to be processed at the waste facility;
- (k) The sources of waste to be processed at the waste facility; and
- (l) The approved civil engineering designs, where applicable in terms of relevant building regulations and bylaws.

5. Location

- (1). The location of the waste facility must give consideration to public health, environmental protection and the requirements in respect of existing servitudes.
- (2). The waste facility must be located such that it is easily accessible especially by emergency response personnel and equipment.

6. Construction and design

- (1). Construction and development of the waste facility must be undertaken in accordance with relevant regulations and by-laws pertaining to construction and development of buildings and structures.
- (2). The owner of the waste facility must ensure good housekeeping in managing waste material and rubble generated, during the construction of the waste facility.
- (3). The contractor responsible for removal of the waste generated during the construction of the waste facility must supply the facility owner with a certificate indicating safe disposal.
- (4). All stormwater must be channelled away from the construction site to avoid contamination.
- (5). The construction of the processing floor must be constructed in a way that the movement of heavy machinery and vehicles is supported.

CHAPTER 3
MANAGEMENT OF FACILITIES THAT SORT, SHRED, GRIND, CRUSH, SCREEN, CHIP OR BALE
GENERAL WASTE

7. Access control and notices

- (1). A waste facility must be securely fenced and gated to prevent unauthorised entry.
- (2). Security personnel must be provided at the entrances.
- (3). The following must be recorded:
 - (a) All incoming vehicles and persons; and
 - (b) tonnages and volumes of waste entering or leaving the premises.
- (4). All notice boards placed in the waste facility must be written in at least two languages, one of which should be the predominant local language in the area.
- (5). A notice board should be placed at all entrances of the waste facility detailing the name of the waste facility, accepted waste type, operating hours, contact details including contact details in emergency situations.

8. Operation

- (1). Waste accepted at the waste facility must be screened for any hazardous waste material.
- (2). No hazardous waste may be accepted at the waste facility covered by these Norms and Standards.
- (3). The operational area must be hard surfaced or impermeable where there is potential for significant leachate generation.
- (4). The facility including the operational area must be kept clear of any residual waste that is spilled during the loading and offloading of waste or produced as part of the processing.
- (5). Roadways must be maintained and accessible.
- (6). Dust suppression abatement methods must be employed in accordance with relevant National Dust Control Regulations, 2013 in the case where dust emissions are generated from the processing of waste material.
- (7). Any waste water generated from the processing of waste material must comply with municipal waste water requirements.

- (8). Noise levels in the waste facility must meet the noise standard requirements of applicable relevant legislation.
- (9). The waste facility should be free from odour or emissions that are likely to cause a nuisance.
- (10). The storage of waste must be compliant with all relevant legislation regulating storage of general waste.
- (11). Personnel employed at the waste facility must be trained accordingly in relation to and as a minimum:
 - (a) Facility management and operation;
 - (b) Health and safety requirements including the importance of personal protective equipment;
 - (c) Response to complaints and emergency incidents;
 - (d) The identification of hazardous and unacceptable waste materials; and
 - (e) Storage requirements relevant to the specific waste streams.
- (12). Proof of the requisite training must be kept on-site and presented to competent authority upon request.
- (13). Health and safety issues including the use of personal protective equipment must be in compliance with relevant legislation at all times during the operational processes.

9. Emergency Preparedness Plan

The waste facility must minimise environmental impacts by preparing and implementing an emergency preparedness plan, which must include the following as a minimum:

- (a) Emergency response plan;
- (b) Remedial actions; and
- (c) Preventative measures.

10. Monitoring and inspection

- (1). Temporary waste storage containers must be inspected for any sign of deterioration on a bi-annual basis.
- (2). The storm water containment system, where applicable, must be inspected weekly or after each significant rainfall event to ensure that the system is free from debris, and other materials.

11. Auditing

- (1). Internal audits must be conducted bi-annually by the waste facility owner and on each occasion a report must be compiled for record purposes.

- (2). The waste facility owner must appoint a suitably qualified independent auditor to undertake external audits biennially.
- (3). A competent authority may prescribe auditing formats and methodologies to be applied by the external auditor.
- (4). The external audit report must—
 - (a) Detail the extent of compliance with the conditions of these standards for the reporting period;
 - (b) Specify non-compliances identified and rectified prior to the audit;
 - (c) Contain recommendations regarding non-compliance or potential non-compliance; and
 - (d) Specify target dates for the implementation of the recommendations and whether corrective action taken for the previous audit non-compliances was adequate.

12. Competent Authority Audits and Inspections

- (1). A competent authority reserves the right to audit and/or inspect the waste facility without prior notification at any time.
- (2). Any records or documentation pertaining to the management of the waste facility must be made available to the competent authority upon request, as well as any other information that may be required.
- (3). Records must be kept for a minimum of five years and must also be available for inspection by the competent authority.
- (4). A complaints register and incident report must be made available to the external auditor and the competent authority.

13. Reporting

All incidents occurring at the waste facility, excluding those that fall within the ambit of Section 30 of the National Environmental Management Act, 1998 must be reported to the competent authority.

14. Minimum requirements for the Decommissioning Phase

- (1). Should the owner of the waste facility plan to cease operations at the waste facility, the competent authority must be contacted in writing at least six months prior to the ceasing of operations to determine the required actions for the decommissioning of the waste facility.
- (2). The facility owner must also identify and inform the competent authority of the future end use of the site.

- (3). The competent authority may—
- (a) Require a decommissioning plan to be prepared and submitted; or
 - (b) In cases where the impacts envisaged are of a lower intensity, make certain requirements that the facility owner has to comply with to ensure that the potential impacts of the decommissioning process are avoided or minimised without the need for a decommissioning plan.
- (4). Where a waste facility is decommissioned, all surplus feedstock and product must be removed from site.
- (5). The decommissioning plan contemplated in subsection (3) must indicate the following as a minimum:
- (a) The future end use of the site;
 - (b) The site specific decommissioning process to be followed;
 - (c) Potential human and environmental impacts of the decommissioning process; and
 - (d) Mitigation measures to be implemented to minimise and/or avoid such impacts.
- (6). Should the land be contaminated as a result of these waste management activities, the owner of the waste facility must comply with all relevant legislation dealing with remediation of contaminated land.
- (7). The waste facility owner, including the subsequent owner of the waste facility, are responsible for compliance with the provisions for duty of care and remediation of environmental damage as contained in Section 28 of the National Environmental Management Act, 1998.
- (8). In the advent of change of ownership, the registered owner of the waste facility must notify the competent authority in writing, within one month of such change.

CHAPTER 4 MISCELLANEOUS

15. Transitional Provisions

A person who has been lawfully operating a waste facility for the sorting, shredding, grinding, crushing, screening, chipping or baling of general waste prior to and on the date of coming into effect of these Norms and Standards, must register in terms section 4(2) of these Norms and Standards, and where after must comply with these Norms and Standards within 90 days after such registration.

16. Short Title

These Norms and Standards are called National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening, Chipping or Baling of General Waste, 2017.

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 1094

11 OCTOBER 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)****AMENDMENT TO THE LIST OF WASTE MANAGEMENT ACTIVITIES THAT HAVE, OR ARE LIKELY
TO HAVE, A DETRIMENTAL EFFECT ON THE ENVIRONMENT**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby under section 19(2)(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), amend the list of waste Management activities that have, or are likely to have a detrimental effect on the environment, published under Government Notice No. 921 in *Gazette* No. 37083 of 29 November 2013 as amended, as set out in the Schedule hereto.



**BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS**

SCHEDULE

Definitions

1. In this Schedule unless the context requires otherwise—

"Waste Management Activities List" means the list of waste management activities that have or are likely to have a detrimental effect on the environment, published under Government Notice No. 921 of 29 November 2013, as amended by Government Notice No. 332, published in Gazette No. 37604 of 2 May 2014 and Government Notice R. 633, published in Gazette No. 39020 of 24 July 2015.

Amendment of Category A of the Waste Management Activities List

2. The Waste Management Activities List is hereby amended by the repeal of the following waste management activity in paragraph 3 Category A:

"(2) The sorting, shredding, grinding, crushing, screening or baling of general waste at a facility that has an operational area in excess of 1000m²."

Substitution of Category C of the Waste Management Activities List

3. The Waste Management Activities List is hereby amended by the substitution for Paragraph 5 Category C of the following paragraph:

"5. Category C

A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must comply with the relevant norms or standards determined by the Minister listed below:

- (a) Norms and Standards for Storage of Waste, 2013; or
- (b) Standards for Extraction, Flaring or Recovery of Landfill Gas, 2013; or
- (c) Standards for Scrapping or Recovery of Motor Vehicles, 2013; or
- (d) National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017.

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 storage of hazardous waste in lagoons or 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.
- (6) The sorting, shredding, grinding, crushing, screening or baling of general waste at a waste facility that has an operational area that is 1000m² and more.”.

Transitional Arrangements

4. (1) A person who lawfully conducts the repealed waste management activity contemplated in paragraph 2 of this notice on the date of the commencement of this Notice, must register in terms paragraph 4(2) of the National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017, and must comply with the National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017 within 90 days from the date of such registration.
- (2) A person, who submitted an application for a waste management licence for the repealed waste management activity contemplated in paragraph 2 of this notice and a decision is still pending on the date of the commencement of this Notice, must consider such an application withdrawn and such a person must comply with the National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Baling of General Waste, 2017.

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