

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 243

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**NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008
(ACT NO. 59 OF 2008)**

**DRAFT NATIONAL NORMS AND STANDARDS FOR THE SORTING, SHREDDING, GRINDING,
CRUSHING, SCREENING OR BAILING OF GENERAL WASTE**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby give notice of my intention to set national norms and standards for the sorting, shredding, grinding, crushing, screening or bailing of general waste, under section 7(2) (a), read with section 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), set out in the Schedule hereto.

Members of the public are invited to submit to the Minister, within 60 days of the publication of this notice in the *Gazette*, written comments or objections to the following addresses:

By post to: The Director-General: Department of Environmental Affairs
Attention: Ms Nolwazi Tetyana
Private Bag X447
PRETORIA
0001

By hand at: Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0183.
By email: ntetyana@environment.gov.za.
Telephone: 012 399 9803.

The draft Norms and Standards can also be accessed at <http://sawic.environment.gov.za/> under "Documents for comment", or obtained in the Department's offices.

Comments received after the closing date may not be considered.


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—

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

“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;

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

“screening” means a process or system for examining and removing unwanted 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 place, infrastructure or containment of any kind including associated structures or infrastructures wherein general waste is accumulated for the purpose of sorting, shredding, grinding, crushing, screening, chipping or baling.

- (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 facilities that sort, shred, grind, crush, screen, or bale general waste.

3 Application

- (1) These norms and standards apply to any person who processes general waste by means of sorting, shredding, grinding, crushing, screening or bailing at a waste facility that is 100m² and more.
- (2) Waste facilities that are less than 100m² must only comply with section 4(4) of these norms and standards.

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 within 90 days prior to any construction taking place.
- (2) Existing waste facilities must register with the competent authority within 90 days of publication of these norms and standards.
- (3) A waste facility that is already registered in terms of National Norms and Standards for Storage of Waste and is sorting, shredding, grinding, crushing, screening or baling general waste must not re-register and comply with these norms and standards on a date publication in the *Gazette*.
- (4) A waste facility that is less than 100m² 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 and Section 16(1) and (3) of this Act.
- (5) A person 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) Demarcation of the waste facility location area;

- (g) Locality map or site plan and 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 waste facility;
- (j) The types 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.

5 Location

- (1) The location of a waste facility must give consideration to public health, environmental protection and the requirements in respect of existing servitudes.
- (2) Only a waste facility that is less than 100m² may be located in a residential area and must comply with relevant municipal bylaws and any other specific condition or conditions by the competent authority.
- (3) A waste facility must be located in such a manner that it optimises efficiencies of processing and transportation of waste material.
- (4) A 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 a waste facility must be undertaken under the supervision of a registered professional engineer and must be in accordance with civil engineering designs approved by a local municipality.
- (2) The owner of a 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 a waste facility must supply the owner of a waste facility with a certificate indicating safe disposal.
- (4) The construction camp must be situated away from any adjacent properties and at least 50m away from any watercourse; however, the construction camp must be easily accessible.
- (5) A storm water containment system capable of collecting all runoff water arising from the waste facility must be constructed.
- (6) All manual concrete mixing must take place on a designated impermeable surface.
- (7) The construction of the processing floor must be reinforced such that the heavy movement of 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 pedestrian and vehicular traffic from entering the waste facility during non-operating hours.
- (2) Security personnel must be provided at the entrances and keep the register to register all cars and people coming in and out as well as the waste quantities coming in and leaving the waste facility.
- (3) All notice boards placed in the waste facility must be written in two languages, with one language being dominant in the area.
- (4) A notice board should be placed at the entrance of the facility detailing the name of the facility, accepted waste type, operating hours, contact details including contact details in emergency situations.

8 Operation

- (1) All waste accepted at the waste facility must be screened for any hazardous waste material.
- (2) Any hazardous waste arriving at the waste facility must be sent to a licensed waste management facility that can accept such waste.
- (3) The operational area must be impermeable.
- (4) 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) Extraction systems for the extraction of air from enclosed processing areas must be installed and must pass through an emission abatement system.
- (7) Dust suppression abatement methods must be employed in the case where dust emissions are generated from the processing of waste material.
- (8) Any waste water generated from the processing of waste material must comply with municipal waste water requirements and be discharged to sewer.
- (9) Noise levels in the waste facility must meet the noise standard requirements of applicable relevant legislation.
- (10) The waste facility should be free from odour or emissions that are likely to cause a nuisance.
- (11) The storage of waste must be compliant with the requirements of the National Norms and Standards for the Storage of Waste or the Waste Tyre Regulations, 2009 where applicable.

- (12) 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.
- (13) Proof of the requisite training must be kept on-site and presented to competent authority upon request.
- (14) 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

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

11 Auditing

- (1) Internal audits must be conducted bi-annually by the owner of the waste facility and on each occasion a report must be compiled for record purposes.
- (2) External audits must be conducted by a suitably qualified independent auditor bi-annually and the auditor must compile an audit report documenting the findings.
- (3) 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) The competent authority responsible for waste processing and management 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) The complaints register and incident reports must be made available to the external auditor and the competent authority.

13 Reporting

All incidents at the waste facility must be reported in accordance with section 30 of NEMA.

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 to determine the required actions for the decommissioning of the waste facility.
- (2) The owner of the waste facility should 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;
 - (b) In cases where the impacts envisaged are of a lower intensity, make certain requirements that the waste 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 contemplated in this section 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, the owner of the waste facility must comply with Chapter 4, Part 8 of this Act.
- (7) The owner of the waste facility, including the subsequent owner of the waste facility, are responsible for compliance with the duty of care 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 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 or bailing of general waste prior to and on the date of coming into effect of these norms and standards, must continue with the waste management activity for the duration stipulated in the waste management licence until the expiry date of the waste management licence where after such a person must comply these norms and standards.

16 Short Title

These Norms and Standards are called Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening or Bailing of General Waste, 2017 and come into effect on the date of publication in the *Gazette*.