

<b>APPLICANT</b>	Sappi Ngodwana Mill
<b>REFERENCE NO</b>	
<b>WASTE STREAM/S</b>	Ash
<b>BENEFICIAL USE</b>	Landfill cover material

<b>REQUIREMENTS</b>		<b>YES</b>	<b>PARTIAL</b>	<b>NO</b>	<b>COMMENTS</b>	<b>RESPONSE</b>
<b>REQUIREMENTS FOR EXCLUSION</b>						
7	The Minister may exclude a waste stream or a portion of a waste stream, from the definition of waste for the purposes of beneficial use, provided that the -					
7(a)	application demonstrates that the waste is being or has been or will be used for a beneficial purpose either locally or internationally;	✓			Application form states that ash has not been utilised as landfill cover material.  Landfill cover material, as approved at Sappi Tugela Mill.	
7(b)	applicant undertakes a risk assessment and submits a risk management plan demonstrating that the intended beneficial use of the excluded waste can be managed in such a way as to ensure that the intended beneficial use will not result in significant adverse impacts on the environment; and	✓			Risk assessment report and risk management plan are submitted	

7(c)	Risk management plan developed and responding to the risks identified in the risk assessment undertaken in terms of paragraph (b) above accompanies any delivery of the excluded waste to the user.	✓			A risk management plan has been developed that addresses the risks identified.	
<b>RISK ASSESSMENT</b>						
8(1)	A risk assessment undertaken in terms of regulation 7(b) must include the following elements:					
(a)	provide information that is facility based;	✓				
(b)	description and source of the waste;	✓				
(c)	intended uses of the excluded waste;	✓				
(d)	description of the methodology used to assess the hazardous characteristics of the waste that is to be excluded;	✓			Methodology described in the assessment.	
(e)	identification of any potential risks relating to all the activities associated with the intended beneficial use of the excluded waste; and	✓				
(f)	Identification of mitigation measures that can be used to manage the risks identified in paragraph (e) above.	✓			Risk Management Plan provides mitigation measures for each identified risk in the risk assessment	
<b>RISK MANAGEMENT PLAN</b>						
9	The risk management plan contemplated in regulation 7(c) must include the following:					
(a)	a Safety Data Sheet which complies with the requirements of SANS 10234, where the waste material is classified as hazardous;	✓			Waste classification attached. Material is Boiler ash and fly ash and is classified as hazardous. SDS' attached.	
(b)	permitted uses for which the waste material may be used; and	✓			Risk management plan includes the beneficial uses.	

(c)	A mechanism to record the amount of waste distributed to specific users for a permitted use; including the number of enterprises established or supported and the extent to which previously disadvantaged individuals have been supported.	✓			Records will be maintained on site and will be available on request	
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**General comments:**

The final decision letter issued by the Department should include conditions on how the following will be recorded and reported to the Department:

1. the distribution of the waste to specific users;
2. the number of enterprises that will be established or supported; and
3. the extent to which PDIs have been supported.

*A record of the amount of waste that is provided for beneficial use will be maintained. A record of the following activities will be kept and made available to the department on request:*

- *Amount of waste distributed to entities undertaking identified beneficial uses*
- *Number of enterprises established and supported*
- *Number of existing enterprises supported*
- *Extent to which previously disadvantaged individuals have been supported.*