

Waste Information Today

A Quarterly newsletter that is aimed at communicating the Department of Forestry, Fisheries and the Environment (DFFE) Chemicals and Waste Management projects

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Welcome note

In this issue we provide feedback on the Construction and Demolition waste awareness webinar which was held on the 24th of November 2021, we provide a brief update on the implementation of the EPR Regulations an article on the exclusion of a waste stream or a portion of a waste stream from the definition of waste and a note in terms of compliance with POPIA. Please feel free to forward any comments regarding this newsletter to sawic@environment.gov.za

We look forward to hearing from you.

Regards,

Waste Information Team

BEST PRACTICES ON CONSTRUCTION AND DEMOLITION WASTE

Prior to 01 July 2009 waste was managed through a fragmented legislative framework in South Africa. The promulgation and coming to effect of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) on 01 July 2009 provided a specific legislation in terms of which waste would be managed in a consolidated manner in South Africa. The Waste Act is based on the principles of the Waste Hierarchy, which requires that the generation of waste is avoided, or where it cannot be avoided that it is reduced, reused, recycled, or recovered and only as a last resort treated and safely disposed of to landfill.

The 2012 Waste Information Baseline report indicates that Construction and Demolition Waste (C&DW) is the highest by weight (20% of the total waste) that has the lowest recycling rate.

According to the South Africa State of Waste Report (2018) there is a lack of data regarding C&DW generation rates in South Africa and as a result estimates are relied on which approximate production of 5 million tons of C&DW waste per annum, 48% of which is disposed.

Based on the above, a study to “determine management options for (C&DW) and factors that influence recycling behaviour of construction and demolition waste generators and the manufacturers (i.e., producers) in South Africa”, was undertaken by the Department of Forestry, Fisheries and the Environment (DFFE) in 2018.

The study highlighted that, among other issues, the management of C&DW has generally been overlooked in South Africa particularly regarding the recycling and re-use thereof, hence the DFFE has undertaken to assess this waste stream in South Africa with the intention of facilitating its better management in future.

BEST PRACTICES ON CONSTRUCTION AND DEMOLITION WASTE (continued)

What is the Problem?

In terms of C&DW management in South Africa, disposal of C&DW to landfill remains the most common form of management.

According to Recycling International, South Africa spends R 25 Billion per year on landfilling. South Africa is experiencing severe constraints in terms of the availability of landfill space, as well as challenges in operating and decommissioning landfills in a manner that is compliant with licensing conditions (NWMS, 2020)

Construction and Demolition Waste Webinar

The Directorate General Waste hosted a virtual webinar on Construction & Demolition Waste on the 24th of November 2021. The theme for the webinar was *Best Practices on Construction & Demolition (C&D) Waste*.

The webinar targeted both private and all spheres of public sectors in South Africa that are interested and affected parties by Construction & Demolition waste.

The objective of this webinar was to address the problems and possible solutions around C&DW in South Africa in order to promote the reduction of C&DW going to the landfill site and redirecting them back to construction phase of new projects throughout the country

The topics that were covered included the following:

- Draft Legislative Framework for the Review of Legislation, Regulations, Standards, Procurement Policies, and Rules Pertaining to Construction & Demolition (C&D) Waste (DFFE)
- Overview Construction and Demolition Waste with Highlight on the need to create an enabling environment for the increase of C&D materials recycling by focussing on both policy instruments and infrastructure development (Phakisa DU-DFFE)
- Designing for and using construction waste in construction, A case study: coastal park landfill site focusing on how the landfill site can be redesigned to process C&D waste for re-use (City of Cape Town)
- Control of Construction & Demolition Waste
How to re-use Construction & Demolition

waste during the construction of a road (SANRAL)

- Recycling opportunities and technologies to create a viable market for C&DW Highlighted on how the C&D Waste can be used in the building of houses and any other type of construction (Chris Whyte Associates & ACEN.)
- The benefits of effectively managing construction and demolition waste highlighting the separation of C&D waste for different use, i.e Flat glass recycling for use in wastewater treatment (SheqProf)
- Winning with Waste Highlighted the Circular Economy approach to C&D Waste management also taking into consideration of the 4Rs and save the landfill airspace. (Aggreg8)

The Solutions (Use Of C&DW):

- Road crusher run
- Sub-base aggregate for foundations
- Pipeline bedding
- G3 to G9 Aggregate replacement
- Block production



Figure 1: Quality Eco Construction



Figure 2: Eco building material
(Source: Rambricks)

BEST PRACTICES ON CONSTRUCTION AND DEMOLITION WASTE (continued)



Figure 3: Sub base aggregate



Figure 4: C&DW crusher line

Benefits of Applying Best Practices:

- Reduce, Re-use, Recycle and Recover
- Reduced Demand for Landfill sites
- Reduced impact on the environment due to the decreased requirement for virgin materials
- Increased Employment
- Skills Development

For any further information sharing contact:

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Extended Producer Responsibility Implementation Updates

On 5 May 2021, the Minister of Forestry, Fisheries and the Environment published the Amendments to the Regulations and Notices Regarding Extended Producer Responsibility Extended Producer Responsibility for implementation. In terms of Regulation 4 (1) of the Amendment Regulations, all existing producers of identified products at the time these Regulations come into operation must register with the department within six (6) months of the publication of the Government Notice in the Gazette.

The deadline for the registration of all existing producers of identified products was 5 November 2021. The Department received and processed all registration applications received on or before 5 November 2021. All registered producers and product responsibility organisations (PRO) were issued with EPR Registration numbers and EPR login credentials, such login details may be used to edit registration details and for reporting.

All new producers who commence producing the identified products after these Regulations come into effect must register with the Department within three (3) months of being established.

Regulation 7 (2) of the EPR Regulations requires Producers and PROs to submit proposed EPR fee to the Minister which should include amongst others motivation, justification and any other relevant information. The Minister has received EPR fee proposals from a number of registered Producers and PROs. Upon receipt of the EPR fee proposals, the Minister then requested concurrence from the Minister of Finance within 60 days as required under Regulations 7 (2) of the EPR Regulations.

For queries related to extended producer responsibility, please contact:

- Mr Jeremia Sibande
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EXCLUSION OF A WASTE STREAM OR PORTION OF A WASTE STREAM FROM THE DEFINITION OF WASTE

The Regulations regarding the exclusion of a waste stream or a portion of a waste stream from the definition of waste (2018), hereafter referred to as the exclusion regulations, were promulgated by the Minister in the Government Gazette No. 715 of 18 July 2018 in terms of S69(1)(dd) read with S1 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

Objective of the Exclusion Regulations

The exclusion regulations were published as an Environmental Tool aimed at assisting the Waste Generators and to encourage the beneficiation of waste without going through the process of obtaining the Waste Management Licence which requires the Environmental Impact Assessment (EIA) Process. The exclusion regulations allows for the exclusion of a waste stream or portion thereof from the definition of waste.

The overall outcome of the exclusion regulations is to enhance Beneficiation of waste and divert waste away from the landfills.

Status Quo Prior to the Exclusion Regulations

Generators of Hazardous waste were permitted to give or sell their waste only to authorized (licensed) facilities for either recycling, recovery or re-use of that waste.

NB: Recycling or re-use and recovery of hazardous waste streams that are not excluded from the definition of waste, through the exclusion regulations, requires a Waste Management Licence. Exclusion does not apply to general waste because re-use of general waste was removed from the listed waste management activities requiring a WML.

The process of applying to Exclude a waste stream or a portion thereof is as follows:

The Generator of the waste must apply to the Department for his/her waste stream or portion thereof to be excluded from the definition of waste. In the application, the applicant is required to indicate the beneficial uses of his/her waste stream. In addition, the applicant, is required to undertake a Risk Assessment of that waste and provide the Risk Management Plan to the Department.

The Department will evaluate the Risk Assessment Report and the Risk Management Plan thereof and decide to grant or refuse the application.

Since the implementation of the Exclusion Regulations in 2020, the following quantities of waste has been reported as beneficiated:

| | |
|---------|-------------|
| ASH | 143718 mt |
| BIOMASS | 67433 mt |
| GYPSUM | 47mt |
| SLAG | 792487.34mt |
| SLUDGE | 9570mt |

The following Waste Streams were excluded for the listed Beneficial Uses:

1. Ash for block making, brick making, landfill capping Soil Amelioration, Road construction and Cement Production.
2. Biomass for Composting, Bio fuels, Animal bedding, Soil Amelioration, Soil conditioner, Particle Board manufacturing.
3. Gypsum for Soil conditioner and Inert products
4. Slag for Aggregates, Concrete aggregates, Road base and covering, Road stabilization, Asphalt.
5. Sludge for Soil conditioner and composting.

It is estimated that the process has created in excess of 13,000 jobs and in excess of 300 SMMEs throughout the county.

The Department has issued over 70 exclusion authorizations and is currently processing more applications which are mainly for big industry which is supporting and mentoring the SMMEs

Status Quo Post Exclusion of the waste

Once the waste stream or portion of that waste stream is excluded from the definition of waste in terms of the exclusion regulations, the waste can be given to any user of the waste for only the approved beneficial use without requiring a Waste Management licence.

It is important to note that the Exclusion of a waste Stream applies only to the generators who hold the exclusion authorisation and not to all generators who have not applied for their waste to be Excluded.

For enquiries related to the exclusion of waste please contact: Mr. Lucas Mahlangu: lmahlangu@dffe.gov.za

COMPLIANCE WITH THE PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

As you might be aware, the coming into effect of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) (POPI Act) from 1 July 2021, did not spare any responsible party that is processing personal information of others, including the Department of Forestry, Fisheries and the Environment (the Department) from the obligation to comply with the POPI Act. Following the coming into effect of the POPI Act on 1 July 2021, we hereby would like to reassure you of the Department's continued commitment to protecting your personal information when processed as required by the POPI Act. The content of this article is specifically addressed to subscribers to the Waste Information Today (WIT). Please note that you have an option to unsubscribe to the Waste Information Today (WIT) newsletter by sending an email to the sawic@environment.gov.za bearing the subject "***Unsubscribe from WIT newsletter***".

If we do not receive an email from you bearing the subject "Unsubscribe from WIT newsletter" as directed above, please note that we would accept that as indication of your option to maintain your subscription on the mailing list of the newsletter. As a result, you will continue to receive the quarterly relevant content, including:

- Updates on Chemicals and Waste Management legislation in South Africa
- Best practice information sharing
- Invitations to conferences, webinars, and events

However, should you wish at another time in the future to unsubscribe, please send the email as directed above bearing the subject "***Unsubscribe from WIT newsletter***" to the SAWIC email address mentioned above in order for your subscription to be removed from the mailing list.

For further enquiries on this please contact the SAWIC team on 012 399 9831/9832/9373 or by email at sawic@environment.gov.za.