



**Western Cape
Government**
Environmental Affairs and
Development Planning

BETTER TOGETHER.

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REFERENCE: 19/2/5/1/F3/2/WL0025/14

The Municipal Manager
Matzikama Local Municipality
P.O. Box 98

VREDENDAL

8160

Fax: (086) 645 1487

For attention: Mr Jan Swart

**THE WASTE MANAGEMENT LICENCE ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL
MANAGEMENT: WASTE ACT 2008 (ACT NO. 59 OF 2008) FOR THE CLOSURE OF THE
BITTERFONTEIN WASTE DISPOSAL FACILITY ON PORTION 39 OF FARM NO. 47, BITTERFONTEIN.**

1. Your Application Form dated 9 January 2014 and the final Basic Assessment Report, as received by this Department on 1 April 2014, refers.
2. Attached please find the Waste Management Licence issued by the Department of Environmental Affairs and Development Planning in terms of the aforementioned legislation.
3. Please note that the applicant must in writing, within 12 (twelve) calendar days of the date of the decision on the licence application:
 - 3.1. Notify all registered interested and affected parties of the outcome, reasons and date of the decision; and
 - 3.2 Inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of Government Notice No. R. 543 of 18 June 2010.
4. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

EDDIE HANEKOM

DIRECTOR: WASTE MANAGEMENT

DATE: 28/05/2014

CC: (1) Nicola Liversage(AECOM)

Fax: (086) 297 2147



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REFERENCE: 19/2/5/1/F3/2/WL0025/14

LICENCE NUMBER: 19/2/5/1/F3/2/WL0025/14

WASTE APPLICATION: DECOMMISSIONING OF THE BITTERFONTEIN WASTE DISPOSAL FACILITY (G:C:B")

LOCATION: REMAINING EXTENT OF PORTION 39 OF FARM NO. 47, BITTERFONTEIN

LICENCE HOLDER: MATZIKAMA LOCAL MUNICIPALITY

CONTACT PERSON: THE MUNICIPAL MANAGER OR THE DESIGNATED WASTE MANAGER/OFFICER

ADDRESS: P.O. BOX 98, VREDENDAL, 8160

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

I, Eddie Hanekom, in my capacity as the Director: Waste Management of the Department of Environmental Affairs and Development Planning (hereinafter referred to as "the Department"), in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM: WA), read with the Environmental Impact Assessment (EIA) Regulations promulgated in terms of Government Notice (GN) No. R. 543 of 18 June 2010 hereby issue this Waste Management Licence to the above-mentioned Licence Holder for the decommissioning of the Bitterfontein Waste Disposal Facility (WDF) on the Remainder Extent of Portion 39 of Farm no. 47, Bitterfontein (hereinafter referred to as "the Facility").

DESCRIPTION OF THE ACTIVITY:

The activities for decommissioning of a Communal WDF such as this Facility as per the "Minimum Requirements for Waste Disposal by Landfill of the Department of Water Affairs" (DWA), Second Edition 1998 for the Facility will entail but not limited to the following:

- (a) Remedial design to address identified problem areas;
- (b) Final shaping, landscaping and re-vegetation;
- (c) Final landfill cover or capping design;
- (d) Construct the capping layer to a minimum quality and thickness;
- (e) Permanent storm water diversion measures, run-off control and anti-erosion measures; and
- (f) Any infrastructure relating to the End-use Plan.

The following activities have been identified in Government Notice No. 921 (The list of waste management activities that have, or are likely to have, a detrimental effect on the environment) of 29 November are hereby authorised: -

Category A

3 (14) The decommissioning of a facility for a waste management activity listed in Category A or B of this Schedule.

Category C

In the event of constructing and operating a Drop-off Facility on the above-mentioned Facility, the following waste management activities in Category C may be triggered if the volumes are exceeded.

5(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.

5(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.

5(3) The storage of waste tyres in a storage area exceeding 500m².

Should the above-mentioned threshold volumes be exceeded then it would be required for the applicant to comply with the Government Notice No. 926 of November 2013 Norms and Standards for Storage of Waste and register on the Departments Integrated Pollutant and Waste Information System as per Condition 14.8 of this Licence.

In this Licence, "Director" means the Director: Waste Management of the Western Cape Department of Environmental Affairs and Development Planning who may be contacted at the address below:

Director: Waste Management
Department of Environmental Affairs and Development Planning
Private Bag X 9086
CAPE TOWN
8000

In this Licence, "Regional Director" means the Chief Director of the Department of Water Affairs: Western Cape Region who may be contacted at the address below:

Chief Director: Western Cape
Department of Water Affairs
Private Bag X16
Sanlamhof
7532

A. LICENCE CONDITIONS

1. LOCATION

- 1.1 This Licence authorises the Matzikama Local Municipality to decommission the Facility on the Remaining Extent of Portion 39 of Farm no. 47, Bitterfontein.
- 1.2 The location of the Facility must be according to co-ordinates indicated on the Waste Management Licence Application Form dated 9 January 2014 and Waste Management Licence Application Additional Information Annexure dated 1 April 2014 submitted by the Licence Holder, which is defined as follows:-

Footprint of the Facility		
Number of corners	Latitude	Longitude
1	31°03'32.5" S	18°15'18.1" E
2	31°03'30.5" S	18°15'16.9" E
3	31°03'31.2" S	18°15'14.9" E
4	31°03'33.6" S	18°15'16.1" E

- 1.3 Location of property on which the Facility is situated:-

Latitude	Longitude
31°03'32.04" S	18°15'16.61" E

- 1.4 The footprint of the Facility and its associated infrastructure is 4482 m².
- 1.5 The SG 21 Digit code of the Facility is: C078 0001 00000 18600000.

2. APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER/ENVIRONMENTAL CONTROL OFFICER

- 2.1 A Waste Management Control Officer (WMCO)/Environmental Control Officer (ECO) must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and Environmental Management Programme (EMP) dated 1 April 2014, prior to any construction activities being undertaken on the Facility. The WMCO/ECO must:-
- (a) Report any non-compliance with any Licence conditions or requirements or provisions of NEM:WA to the Licensing Authority through the means reasonably available; and
 - (b) Monitor the closure activities and ensure that the closure plans are in accordance with the engineering designs.

3. MANAGEMENT

3.1 General Management

- 3.1.1 The EMP for the decommissioning of the Facility submitted as part of the final Basic Assessment Report (BAR) is hereby approved and must be implemented together with all the conditions of this Licence.
- 3.1.2 An application for the amendment to the EMP must be submitted to the Licensing Authority if any further amendments are to be made to the EMP and this may only be implemented once the amended EMP has been authorised by the Licensing Authority.
- 3.1.3 The closure and rehabilitation of the Facility must be managed by a fit and proper person who is competent in respect of the responsibilities to be undertaken by them in connection with the commencement of the decommissioning activity.
- 3.1.4 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. This must be kept at or near the place where those duties will be carried out.
- 3.1.5 A copy of this Licence and the EMP must be kept at the Facility where the waste listed activity will be undertaken. The Licence and EMP must be produced to any authorised official of the Department who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein, and must be made available for inspection by any employee or agent of the Licence Holder who works or undertakes work at the Facility.
- 3.1.6 The Licence Holder shall remain responsible for the Facility, and/or any of its impacts arising from the operations on the environment.

4. DECOMMISSION PHASE

- 4.1 Decommissioning-construction of the Facility must be considered in accordance with the proposed Closure Report for the Facility in the EMP and final BAR as prepared by AECOM dated 1 April 2014.
- 4.2 The Facility must be capped with an appropriate infiltration control cap comprising out of 200mm topsoil, 450mm of compacted clay Layer ('CCL') (in 3 type V layers of the Minimum Requirements of 1998) having a clay permeability not exceeding 10^{-6} cm/sec or have static infiltration less than 0,5m/year, over a compacted waste body shaped to have a slope between 1v:4h (25%) and 1v:50h (2%). An alternative to the 450mm CCL of specified performance clay is acceptable in which the 450 mm CCL is replaced with 450mm random soil compacted fill over a Geosynthetic Clay Layer.
- 4.3 Construction within the Facility must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South Africa Act, 1990 (Act 114 of 1990).
- 4.4 The waste body must be covered with the surrounding indigenous vegetation.
- 4.5 The closure of the Facility must be constructed in accordance with recognised civil engineering practice, with special consideration to stability.
- 4.6 The slopes of the sides of the Facility must be constructed in accordance with recognised civil engineering practices, with special consideration to stability.

- 4.7 The Facility, or any portion thereof must be covered and must be maintained in such a way that:-
- 4.7.1 The formation of pools due to rain is prevented;
 - 4.7.2 Free surface runoff of rain-water is ensured;
 - 4.7.3 Contamination of stormwater is prevented;
 - 4.7.4 No objects or material which may hamper the rehabilitation of the Site are present; and
 - 4.7.5 Little or no erosion occurs.
- 4.8 Any development which occurs within the 1:100 year flood line and/or within 500m from the boundary of a wetland would require a Water Use Licence in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998).

5. IMPACT MANAGEMENT

5.1 Facility Security and Access Control

- 5.1.1 The Licence Holder must prevent unauthorised access to the Facility, by having the Facility enclosed with a fence of 1.8m in height and a gate with the same height.
- 5.1.2 Weather proof, durable and legible notices must be displayed at each entrance to the Facility in at least three official languages applicable to the area. These notices must prohibit unauthorised entry and must contain the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Facility.
- 5.1.3 The Licence Holder must ensure that there is no illegal access to the closed and rehabilitated Facility and that no illegal dumping occurs on the Facility.

6. FACILITY MANAGEMENT AND OPERATIONS

- 6.1 The Licence Holder shall retain the responsibility for the Facility, and its monitoring after decommissioning of the Facility is according to the Minimum Requirements and any relevant Norms and Standards that may replace the Minimum Requirements and ensure that:-
- (a) The presence of any nuisances such as flies, exposed waste, and bad odours must be monitored every 6 (six) months and monitoring results are kept in terms of Condition 13.
 - (b) Any complaints from the public must be attended to by the Licence Holder, who must take all reasonable and practical steps to alleviate the cause of the complaint within a reasonable timeframe to the satisfaction of the Department and record it in terms of Conditions 13 and 14.

7. ENVIRONMENTAL POLLUTION INVESTIGATIONS

- 7.1 If, in the opinion of the Director, any environmental pollution, nuisances or health risks may be or is occurring on the Facility, the Licence Holder must investigate the cause of the problem and take reasonable steps to alleviate the problem in consultation with the Director.
- 7.2 Should the investigation carried out as per Condition 7.1 above reveal any unacceptable levels of pollution, the Licence Holder must submit a report with mitigation measures to the satisfaction of the Director.

8. WATER QUALITY MANAGEMENT

8.1 Runoff Management

8.1.1 Works constructed in compliance with Condition 4 must be of such a capacity as to maintain a freeboard of half a meter and to accommodate:-

- (a) All stormwater runoff, which could be expected as a result of the estimated maximum precipitation during a period of 24 (twenty four) hours with an average frequency of once in the fifty years; and
- (b) All expected leachate.

8.1.2 Works constructed in compliance with Condition 8.1 must, on a continuous basis, be properly maintained.

8.1.3 All runoff water (storm water) arising as a result of precipitation on land adjacent to the Facility must be prevented from entering the Facility and must be diverted and drained from the Facility, by means of works constructed by the Licence Holder in accordance with Condition 4.

8.1.4 Uncontaminated runoff water must under no circumstances be used to dilute leachate emanating from the Facility but must be diverted to and discharged into the nearest storm water channel.

9. MONITORING

9.1 Water Quality Monitoring

9.1.1 The Licence Holder must establish and maintain a ground water monitoring plan with at least one upstream and one downstream borehole, within 3 (three) months of obtaining this licence and submit the plan to the Director and the Regional Director for approval, so that unobstructed sampling, as required in terms of this Licence, can be undertaken.

9.1.2 Monitoring boreholes must be equipped with lockable caps. The Department and DWA reserve the right to take water samples at any reasonable time and to analyse these samples or have them analysed.

9.1.3 Surface water monitoring must be performed in all storm water drains outlets that discharges to the natural environment and adjacent to the Facility at locations selected in conjunction with the Regional Director and at such a frequency as determined by the Regional Director.

9.2 Detection monitoring

9.2.1 Monitoring for groundwater and surface water shall be conducted:-

- (a) Bi-annually (twice a year) for the water quality variables listed in Annexure II;
- (b) Annually for the quality variables listed in Annexure III; or
- (c) Such frequency as may be determined by the Licencing Authority.

9.3 Investigative monitoring

If, in the opinion of the Director, a water quality variable listed under the detection monitoring programme, as referred to in Condition 9.2, shows an increasing trend, the Licence Holder shall initiate a monthly monitoring programme.

9.4 Further investigation

If, in the opinion of the Director, groundwater and/or surface water pollution have occurred or may possibly occur, the Licence Holder must conduct and/or appoint specialists to conduct the necessary investigations and implement monitoring and rehabilitation measures to the satisfaction of the Director.

10. ANALYSIS OF SAMPLES

10.1 Monitoring Methods and Parameters

- 10.1.1 The Licence Holder must carry out all tests required in terms of Condition 9.2 in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act No. 8 of 2008).
- 10.1.2 The Licence Holder may only use another method of analysis if written proof is submitted to and accepted by the Licensing Authority, specifying that the method to be used is at least equivalent to the SABS method.

11. AUDITING

11.1 Internal audits

- 11.1.1 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 external auditor specified in Condition 11.2 and the internal audit report must be submitted to the Director.

11.2 External audits

- 11.2.1 The Licence Holder must appoint an independent external auditor to audit after the decommissioned phase has been concluded the site annually and this auditor must compile an audit report documenting the findings of the audit, which must be submitted by the Licence Holder to the Director.
- 11.2.2 The audit report must:-
 - 11.2.2.1 Specifically state whether conditions of this licence are adhered to;
 - 11.2.2.2 Include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment;
 - 11.2.2.3 Specify target dates for the implementation of the recommendations to achieve compliance; and
 - 11.2.2.4 Specify whether corrective action which was taken for the previous audits non conformities was adequate.

12. DEPARTMENTAL AUDITS AND INSPECTIONS

- 12.1 The Department reserves the right to audit or inspect the Facility without prior notification at any time and frequency as may be determined by the Director.
- 12.2 The Licence Holder must make any records or documentation available to the Director upon request, as well as any other information the Director may require.
- 12.3 The findings of these audits or inspections must be made available to the Licence Holder within 60 (sixty) 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 No. 2 of 2000).

13. RECORD KEEPING

- 13.1 All records required or resulting from activities required by this Licence must:-
 - 13.1.1 Be legible;
 - 13.1.2 Be made available and should form part of the external audit report;
 - 13.1.3 If amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
 - 13.1.4 be retained in accordance with documented procedures which are approved by the Department; and
 - 13.1.5 be made available to the Department upon the request of the Director.

14. REPORTING

- 14.1 The Licence Holder must, within 24 (twenty four) hours, notify the Director of the occurrence or detection of any incident on the Facility which has the potential to cause, or has caused any pollution.
- 14.2 The Licence Holder must, within 14 (fourteen) days, or as specified by the Director from the occurrence or detection of any incident referred to in Condition 15.1, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by management, to the satisfaction of the Director of measures taken to:-
 - (a) Correct the impact resulting from the incident;
 - (b) Prevent the incident from causing any further impact; and
 - (c) Prevent a recurrence of a similar incident.
- 14.3 In the event that measures have not been implemented within 21 (twenty one) days of the incident to address impacts caused by the incident referred to in Condition 15.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and responsibility of the Licence Holder.
- 14.4 The Licence Holder must keep and maintain an incident and complaints register, which must be available at the request of the Director.
- 14.5 The Department must be notified within 7 (seven) days of any changes to the management of the Facility including the name of the incoming person together with evidence that such person has the required technical competence.
- 14.6 The Department must be notified within 14 (fourteen) days of the following changes:-
 - (a) Licence Holder's trading name, registered name or registered office address;

- (b) Particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary); and
- (c) Steps taken with a view to the Licence Holder going into bankruptcy, entering into composition or arrangement with creditors.

14.7 All audit reports (internal and external) must be submitted to the Director within 30 (thirty) days from the date on which the auditor finalised the audit.

14.8 The Licence Holder must register and report to the Departmental Integrated Pollutant and Waste Information System (IPWIS), which can be accessed on the URL: <http://ipwis.pgwc.gov.za/ipwis3/public>.

15. CONDITION OF OPERATIONS UNTIL CLOSURE

15.1 15.1 The Facility must be managed and operated:-

- (a) In such a manner that no nuisance conditions such as odour or health hazards occur; and
- (b) So that no general waste is burned at the Facility.

15.2 The Licence Holder must ensure that all roads on the Facility are maintained to allow access to all areas by vehicle.

15.3 Waste disposed of at the Facility must be compacted and covered on a daily basis with a minimum of 150 millimetres of soil or other material approved by the Director.

15.4 The Licence Holder must make use of moveable fences to control windblown litter.

15.5 No new waste cell may be developed and the existing waste cells may not be expanded.

15.6 The Licence Holder must ensure the health and safety of workers and employees on the Site, in terms of Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).

15.7 The Licence Holder shall take reasonable steps to prevent the disposal of hazardous waste at the Facility.

15.8 The types of waste accepted for disposal must comply with the National Norms and Standard for disposal of waste to landfill of August 2013.

15.9 No tyres should be disposed of at the Facility.

16 LEASING AND ALIENATION OF THE FACILITY

16.1 Should the Licence Holder want to alienate or lease the Facility, he/she must notify the Director in writing of such an intention at least 120 (one hundred and twenty) days prior to the said transaction. Should the approval be granted, the subsequent Licence Holder shall remain liable to compliance with all Licence conditions.

17 TRANSFER OF MANAGEMENT LICENCE

17.1 Should the Licence Holder want to transfer holdership of this Licence, he/she must apply in terms of Section 52 of the NEM: WA, 2008.

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

17.3 The rights granted by this Licence are personal rights (i.e. not attached to a property, but granted to a natural or juristic person). As such, only the Licence Holder may undertake the activities authorised by the Licensing Authority.

Permission to transfer the rights and obligations contained herein must be applied for in the following manner:-

17.3.1 The applicant must submit an originally signed and dated application for an amendment of the Licence to the Licensing Authority stating that he/she wishes the rights and obligations contained herein to be transferred, and including:-

- (a) Confirmation that the Licence is still in force (i.e. that the validity period has not yet expired or the listed activities were lawfully commenced with);
- (b) The contact details of the person who will be the new Licence Holder;
- (c) The reasons for the transfer; and
- (d) An originally signed letter from the proposed new Licence Holder acknowledging the rights and obligations contained in the Licence and indicating that he/she has the ability to implement the mitigation and management measures and comply with the stipulated conditions.

17.3.2 The Licensing Authority will issue an amendment to the new Licence Holder either by way of a new Licence or an addendum to the existing Licence if the transfer is found to be appropriate.

18 COMMENCEMENT

- 18.1 The construction and rehabilitation activities of the licensed activity may not commence within 20 (twenty) days of the date of signature of the Licence.
- 18.2 Should the Licence Holder be notified by the Licensing Authority of a suspension of the Licence pending any appeals decision on the authorized activities, he/she may not commence with the activities until authorised by the Director in writing.
- 18.3 After the 20 (twenty) day appeal period has expired and no good cause to extend the appeal period has been submitted, a written notice must be given to the Department that the activity will commence.
- 18.4 This decommissioning phase must commence within a period of 5 (five) years from the date of issue. If commencement of the activity does not occur within that period, the validity of this Licence lapses and a new application for Licence must be made in order for the activity to be undertaken.
- 18.5 If the proponent anticipates that commencement of the activity would not occur within 5 (five) year period, he/ she must apply and show good cause for an extension of the commencement date in this Licence 6 (six) months prior to its expiry date.

19 GENERAL

- 19.1 This Licence shall not be transferable unless such transfer is subject to Condition 17 above.
- 19.2 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of any National and Provincial Legislation and relevant Ordinance, Regulation, By-laws and relevant National Norms and Standards.
- 19.3 Transgression of any condition of this Licence could result in the suspension of the Licence by this Department.
- 19.4 This Licence is valid for a period of 10 (ten) years from the date of issue of this Licence. The

licence may be reviewed at any time after commencement. Based on the results of the review, especially compliance to Licence conditions or recommendations from the audit reports and or changing legislation, the Licence can be amended or withdrawn or the validity thereof extended.

- 19.5 Should the Licence Holder want to conduct the waste management activity beyond 10 (ten) years, the Licence Holder must apply for a review 1 (one) year before the expiry date.
- 19.6 Transgression of any condition of this Licence could result in the suspension of the Licence by the Licensing Authority and may render the Licence Holder liable for criminal prosecution or other actions provided for in Section 67(1) of the NEM:WA, 2008.
- 19.7 In terms of section 28 and 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), and section 19 and 20 of the National Water Act, 1998 (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 understands the legislative requirements pertaining to the project. It is the Licence Holder'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.

20 APPEAL OF LICENCE

- 20.1 The applicant must in writing, within 12 (twelve) calendar days of the date of this decision and in accordance with regulation 10(2) of GN No. R. 543 of 18 June 2010: –
- 20.1.1 Notify all registered Interested & Affected Parties (I&AP's) of: –
- 20.1.1.1 The outcome of the application;
 - 20.1.1.2 The reasons for the decision as included in Annexure 1; and
 - 20.1.1.3 The date of the decision.
- 20.1.2 Draw the attention of all registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Amendment Regulations, 2010; and
- 20.1.3 Draw the attention of all registered I&AP's to the manner in which they may access the decision.
- 20.2 Appeals must comply with the provisions contained in Chapter 7 of the NEMA EIA Regulations.
- 20.3 An appellant must: –
- 20.3.1 Submit a notice of intention to appeal to the Minister, within 20 (twenty) calendar days of the date of the decision;
 - 20.3.2 Submit the appeal within 30 (thirty) calendar days after the lapsing of the 20 (twenty) calendar days contemplated in regulation 60(1), for the submission of the notice of intention to appeal; and
 - 20.3.3 Within 10 (ten) calendar days of having lodged the notice of intention to appeal, provide each person and organ of state registered as an I&AP's in respect of the application, or the applicant, with
 - 20.3.3.1 A copy of the notice of intention to appeal form; and
 - 20.3.3.2 A notice indicating where and for what period the appeal submission will be

made available for inspection by such person, organ of state, or applicant, on the day of lodging it with the Minister, and that a responding statement may be made on the appeal within 30 (thirty) calendar days from the date the appeal submission was lodged with the Minister.

- 20.4 A person, organ of state or applicant who submits a responding or answering statement in terms of regulation 63 must within 10 (ten) calendar days of having submitted the responding or answering statement, serve a copy of the statement on the other party.
- 20.5 If the person, organ of state or applicant fails to meet a timeframe with respect to the requirements as detailed above, the person, organ of state or applicant must immediately submit a written explanation to the Ministry providing a concise explanation for the non-compliance.
- 20.6 All notice of intention to appeal and appeal forms must be submitted by means of one of the following methods:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9086
CAPE TOWN
8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Jaap de Villiers (Tel: 021-483 3721)
(Room 809, 8th Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001)

- 20.7 A prescribed notice of intention to appeal form and appeal form as well as assistance regarding the appeal processes is obtainable from the office of the Minister at: Tel. (021) 483 3721, E-mail Jaap.deVilliers@westerncape.gov.za or URL: <http://www.westerncape.gov.za/eadp>.

Provincial Government, Local Authority or committees appointed in terms of the conditions of the application or any other public authority or organisation shall not be held responsible for any damages or losses suffered by the developer or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the developer with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



EDDIE HANEKOM

DIRECTOR: WASTE MANAGEMENT

DATE OF DECISION: 28/08/2014

CC: (1) Nicola Liversage (AECOM SA (Pty) Ltd)
(2) W Moolman (DWA: Resource protection & Waste)

Fax: (086) 297 2147

Fax: (012) 323 0321

ANNEXURE I

REASONS FOR THE DECISION

The reasons for the licence decision as well as factors affecting the broader development that were considered to ensure the effective implementation of this Licence are explained below.

- (a) The information contained in the Application Form for a Waste Management Licence dated 9 January 2014;
- (b) The Basic Assessment Report (BAR) dated 01 April 2014, compiled by AECOM (Pty) Ltd., including the Waste Management Licence Application Additional Information Annexure.
- (c) Comments raised by I&AP's throughout the Public Participation Process, the Applicant and the Environmental Assessment Practitioner's responses thereto;
- (d) Relevant information contained in the Departmental information base; and
- (e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA, 1998 (Act No. 107 of 1998).

A summary of the issues which, in the Department's view were of the most significance, are set out below.

Environment

The Facility is being used for the disposal of general waste, including domestic, garden and building waste. The Facility is fenced but access control is not implemented. The surrounding land-uses in the area predominantly consist of agricultural activities.

Deviation

The applicant requested deviation from Regulation 54(2) (a) to (d) of GN No. R. 543 of 18 June 2010 and was granted permission for such deviation from the site alternatives, as the Facility is already an existing waste disposal facility requirement to fix notice boards, give written notices and place advertisements contemplated under the relevant paragraphs, site notice will be placed on alternatives.

ALTERNATIVES

The following alternatives were considered:-

Site Alternatives

No site alternatives have been assessed as the activity focuses on the closure of the existing Facility.

Activity Alternatives

There are no direct activity alternatives as the process will involve the closure of the current Facility.

Design Alternatives

The project will entail the closure and rehabilitation of an existing waste disposal facility, which will entail:

- (a) Gathering all the waste to form a dome shape. Determine the depth of waste on the Site. If the volume allows it, gather the waste together in order to cap a smaller portion of the Waste Disposal Facility. Create a dome shape with the waste with a flat surface, and 1:3 slopes;
- (b) Compact and cover the waste body with soil; and
- (c) Placing a clay layer or Geosynthetic Clay Layer and topsoil on top of the cover and grass it with the hydroseed mix prescribed in the EMP on page 37 (Table 8: Engineering specifications – Closure Design).

PUBLIC PARTICIPATION PROCESS (PPP)

The PPP comprised of the following:-

- (a) 40-day I&AP Registration and public review and comment period on draft BAR (17 February 2014 to 28 March 2014);
- (b) Engagements were held with several stakeholders between 20 February 2014 and 7 March 2014;
- (c) Advertisements were placed in the "Cape Argus" on 24 January 2014, in "Die Burger" on 24 January 2014 and other local newspapers on 12 to 18 January 2014 and 17 February 2014, respectively;
- (d) Fixing of notice board at the Bitterfontein Waste Disposal Facility and at the "Ons Bakkerij" local dealer on 23 January 2014;
- (e) Notification sent to registered I&AP's via sms and email on 17 February 2014 and copy made available at the Bitterfontein public library of final BAR from 1 April 2014 for review for 21 days; and
- (f) Submission of the final BAR to the Department on 1 April 2014.

Authorities Consultation:

- (a) Cape Nature; and
- (b) Department of Water Affairs (DWA) regional office, Western Cape.

Comments and recommendations provided by the other relevant authorities have been considered in the evaluation of this application. No authorities objected to the commencement of the activity. Where possible and relevant, the conditions imposed by Cape Nature and DWA have been included in the Waste Management Licence.

END

ANNEXURE II

WATER QUALITY VARIABLES REQUIRED FOR DETECTION MONITORING:

Monitor at bi-annual intervals for:

Alkalinity (P.AIk)

Ammonia ($\text{NH}_3\text{-N}$)

Chemical Oxygen Demand (COD)

Chlorides (Cl)

Electrical Conductivity (EC)

Nitrate ($\text{NO}_3\text{-N}$)

pH

Potassium (K)

Total Dissolved Solids (TDS)

END

ANNEXURE III

WATER QUALITY VARIABLES REQUIRED FOR DETECTION MONITORING:

Monitor at annual intervals for:

Calcium (Ca)
Fluoride (F)
Magnesium (Mg)
Sodium (Na)
Sulphate (SO₄)

END

Destination	Start Time	Time	Prints	Result	Note
*00866451487	08-29 09:26	00:29:28	017/017	OK	
*00862972147	08-29 10:00	00:21:40	017/017	OK	

Note TMR:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX,
DPG:Page Separation TX, MIX:Mixed Original TX, CALL:Manual TX, CSRC:CSRC,
FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original,
FCODE:F-code, RTX:Re-TX, RLY:Relay, MBX:Confidential, BUL:Bulletin, SIP:SIP Fax,
IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
TEL: RX from TEL, NG: Other Error, Cont: Continue, No Ans: No Answer,
Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full,
LOVR:Receiving length Over, POVR:Receiving page Over, FIL:File Error,
DC:Decode Error, MDN:MDN Response Error, DSN:DSN Response Error.



Western Cape
Government
Environmental Affairs and
Development Planning

BETTER TOGETHER

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Directorate: Waste Management
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Fax: (021) 483 4425
Clayton.Hendricks@westerncape.gov.za

REFERENCE: 19/2/5/1/F3/2/WL0025/14

The Municipal Manager
Matzikama Local Municipality
P.O. Box 98
VREDENDAL
8160

Fax: (086) 645 1487

For attention: Mr Jan Swart

THE WASTE MANAGEMENT LICENCE ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT 2008 (ACT NO. 59 OF 2008) FOR THE CLOSURE OF THE BITTERFONTEIN WASTE DISPOSAL FACILITY ON PORTION 39 OF FARM NO. 47, BITTERFONTEIN.

1. Your Application Form dated 9 January 2014 and the final Basic Assessment Report, as received by this Department on 1 April 2014, refers.
2. Attached please find the Waste Management Licence issued by the Department of Environmental Affairs and Development Planning in terms of the aforementioned legislation.
3. Please note that the applicant must in writing, within 12 (twelve) calendar days of the date of the decision on the licence application:
 - 3.1. Notify all registered interested and affected parties of the outcome, reasons and date of the decision; and
 - 3.2. Inform all registered interested and affected parties of the appeal procedure provided for in Chapter 7 of Government Notice No. R. 543 of 18 June 2010.
4. Kindly quote the above-mentioned reference number in any future correspondence in respect of the application.

EDDIE HANEKOM

DIRECTOR: WASTE MANAGEMENT

DATE: 28/08/2014

CC: (1) Nicola Liversage(AECOM)

Fax: (086) 297 2147



**SUBMISSION: THE WASTE MANAGEMENT LICENCE ISSUED IN TERMS OF THE NATIONAL
ENVIRONMENTAL MANAGEMENT: WASTE ACT 2008 (ACT NO. 59 OF 2008) FOR THE CLOSURE
OF THE BITTERFONTEIN WASTE DISPOSAL FACILITY ON PORTION 39 OF FARM NO. 47,
BITTERFONTEIN.**

(REFERENCE: 19/2/5/1/F3/2/WL0025/14)

ROUTE FORM

FORWARD	SIGNATURE	DATE
Environmental Officer: Waste Management Licensing Clayton Hendricks		29 / 07 / 2014 Due date:
Peer reviewer: Waste Management Licensing 		30 / 7 / 2014 Due date:
Acting Assistant Director: Waste Management Licensing Tanya Faber		1 / 8 / 2014 Due date:
Deputy Director: Waste Management Licensing Lance McBain-Charles		11 / 8 / 2014 Due date:
Director: Waste Management Eddie Hanekom		28 / 08 / 2014

NOTE: Please return to: **Mr Clayton Hendricks**, 5th floor Property Centre, 3 Dorp Street, Cape Town