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Department:
Economic Development, Environment,
Conservation and Tourism
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



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ENVIRONMENTAL QUALITY MANAGEMENT

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Ref: NWP/WM/BP5/2023/01

Attention: Mr Carsten H. Laugesen

EBF Gas (Pty) Ltd
11 St Pauls Road
HOUGHTON
2198

Tel No.: 082 550 8553
Cell No.: 082 594 3797
Email: Carsten@hlaugesen.com

Dear Sir

WASTE MANAGEMENT LICENCE FOR THE ESTABLISHMENT AND OPERATION OF THE MUSHLENDOW BIO-COMPRESSED NATURAL GAS FACILITY ON PORTION OF PORTION 37 OF THE FARM RHENOSTERFONTEIN 494 JP, KGETLENGRIVIER LOCAL, NORTH WEST PROVINCE.

Your application for Waste Management Licence, in terms of Section 45 (1) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended in respect of Government Notice No.921 of 29 November 2013 for:

1. *The recycling of general waste at a facility that has an operational area in excess of 500m², excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises. [Category A Listed activity 3]*
2. *The recovery of waste including the refining, utilisation, or co-processing of waste in excess of 10 tons but less than 100 tons of general waste per day or in excess of 500kg but less than 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises. [Category A Listed activity 5]*
3. *The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons but less than 100 tons. [Category A Listed activity 6]*
4. *The construction of a facility for a waste management activity listed in Category A of this Schedule (not in isolation to associated waste management activity). [Category A Listed activity 12]*



Together we move North West forward.



ENCLOSED FIND THE WASTE MANAGEMENT LICENCE IN TERMS OF SECTION 49(1) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008) AS AMENDED AND THE CONDITIONS UNDER WHICH YOUR APPLICATION IS GRANTED

I, **Portia Krisjan**, in my capacity as Director: Environmental Quality Management of the Department of Economic Development, Environment, Conservation and Tourism (hereinafter referred to as "the Department"), in terms of Section 49(1) (a) of the National Environmental Management: Waste Act, 2008 (Act, No. 59 of 2008) as amended, hereby grant the licence to the abovementioned Licence Holder to commence with the construction and operation of Bio-Compressed Natural Gas (Bio-CNG) facility on area of 10 Hectares, subject to the conditions specified herein.

Director: Environmental Quality Management of the Department of Economic Development, Environment, Conservation and Tourism, may be contacted at the address below:

Director: Environmental Quality Management
Department of Economic Development, Environment, Conservation and Tourism
Private Bag X15
MMABATHO
2735

The activities will entail the following:

- Cow dung stockpile area (2,400m²)
- Intake mixing tank (680 m³)
- Bio-digester tanks (6 x 1, 493 m³)
- Gas treatment system
- Bio-CNG Compressor
- Organic liquid fertilizer pond (1,500 m³)
- Cylinder loading area

In this Waste Management Licence, "Relevant Competent Authority" means:

- (a) Department of Economic, Development, Environment, Conservation and Tourism; and/or
- (b) Department of Water and Sanitation.

Formal appeals regarding the Waste Management Licence can be directed to the Appeal Administrator for the Department of Economic Development, Environment, Conservation and Tourism, North West Province. Such an appeal must be lodged in terms of the National Appeal Regulations of 8 December 2014.

Yours Faithfully



Ms. Portia Krisjan
Director: Environmental Quality Management
Department of Economic, Development, Environment, Conservation and Tourism

Date: 22/03/2024

Cc: Green Gold Group (Pty) Ltd
Contact Person: Mr Tsepo Lepono
Cell No.: (083) 339 9103
Email: eias@greengoldgroup.co.za



WASTE MANAGEMENT LICENCE CONDITIONS

WASTE MANAGEMENT LICENCE NUMBER: NWP/WM/BP5/2023/01

HOLDER OF WASTE MANAGEMENT LICENCE: EBF GAS (PTY) LTD

LOCATION OF THE ACTIVITY: PORTION OF PORTION 37 OF THE FARM
RHENOSTERFONTEIN 494 JP, KGETLENGRIVIER LOCAL
MUNICIPALITY, NORTH WEST PROVINCE

1. Location

- 1.1 The proposed development is located on Portion of Portion 37 of the Farm Rhenosterfontein 494 JP, within the jurisdiction of KgetlengRivier Local Municipality, North West Province, hereafter referred to as "the property".
- 1.2 The location of the facility is in accordance to the co-ordinates indicated on the waste application form, submitted by the applicant which is defined as follows:

Corner	Latitude	Longitude
1.	25°58' 21.36"	26°53' 26.82"
2.	25°58' 27.45"	26°53' 38.28"
3.	25°58' 33.99"	26°53' 30.82"
4.	25°58' 29.23"	26°53' 22.59"

- 1.3 The boundary of the facility and its associated infrastructure is 10 hectares in extent.

2. Information considered in making the decision

- 2.1 Amended Waste Management Licence Application Form compiled by Green Gold Group (Pty) Ltd, received by the Department on 20 February 2024.
- 2.2 Basic Assessment Report (BAR) compiled by Green Gold Group (Pty) Ltd, dated 14 February 2024, received by the Department on 20 February 2024.
- 2.3 The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as amended.
- 2.4 Comments on the Ecological Fauna and Flora Habitat study from DEDECT Biodiversity Management Section, dated 09 September 2022.
- 2.5 The findings of site visit undertaken by the Department officials Ms Mokaba Pholohana and Ms Basadi Moselakgomo with Mr Tsepo Lepono and Ms Lebogang Moiloa of Green Gold Group (Pty) Ltd on 08 December 2023.

3. Permissible waste

- 3.1 Maximum of 80 tonnes of cow dung only will be processed on daily basis as a feedstock for the production of Bio-CNG and liquid fertilizer as per BAR, dated 14 February 2024.

- 3.2 The Licence Holder must prevent the acceptance of any other waste not authorised at the facility.

4. Management of site and activities

4.1 General management

4.1.1 The activity must be managed and operated in accordance with:

- a) Conditions of this waste management licence.
- b) Any other written instruction by the Department.
- c) National Heritage Resource Act, 1999 (Act No. 25 of 1999).
- d) National Water Act, 1998 (Act No. 36 of 1998) as amended.
- e) National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004) as amended.
- f) National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended.
- g) National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).
- h) Hazardous Substance Act, 1973 (Act No. 15 of 1973).
- i) Petroleum Products Act, 1977 (Act No. 120 of 1977) as amended.
- j) Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013).
- k) National Dust Control Regulations, GNR 827 of 2013.
- l) Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- m) National Norms and Standard for the Storage of Waste, GNR 926 of 29 November 2013.
- n) National Norms and Standards for Organic Waste Composting, GNR 561 of 25 June 2021.
- o) National Norms and Standards for the Treatment of Organic Waste, GNR 1984 of 01 April 2022.
- p) National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening and Baling of General Waste, GNR 1093 of 11 October 2017.
- q) National Norms and Standards for Waste Classification and Management Regulations, GN 634 of 23 August 2013.
- r) Fertilisers, Farms Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), including any other amended version/s thereof.
- s) The municipal by-laws where applicable, and
- t) By fit and proper persons who are competent in respect of the responsibilities to be undertaken by them.



- 4.1.2 This approval shall not be construed as exempting the facility owner from compliance with the provisions of the National, Provincial and Local Legislation or any other relevant Ordinance, Regulation, By-Laws and relevant National Norms and Standards.
- 4.1.3 Archaeological remains, artificial features and structures older than 60 Years are protected. Should any archaeological artefacts be exposed during excavation for the purpose of construction, construction in the vicinity of the finding must be stopped immediately and the North West Provincial Heritage Resources Authority must be informed about the findings.
- 4.1.4 The holder of the waste management licence has the responsibility to apply for waste management licence variation to the competent authority when any alienation, or deviation from project description / ownership occurs.
- 4.1.5 Proof of zoning must be obtained from relevant municipality prior commencement of the activity and must be kept on site.
- 4.1.6 Pollution of the biological and physical environments (including habitats for animal and plant species, water resources, land, soil and air) as a result of operations within the facility must at all times be prevented.
- 4.1.7 A safety datasheet for each of the chemical's products utilised at the facility must be kept on site and in an easily accessible location for employees.
- 4.1.8 An incident and complaint register must be kept at the facility during construction and operational phases; as well as details regarding the manner in which the complaints and incidents are being addressed.
- 4.1.9 All incidents which fall within the ambit of Section 30 of the National Environmental Management Act, 1998 (Act No.107 of 1998) must be dealt with in accordance with that section and must be reported to the relevant competent authority.
- 4.1.10 Provision for ablution facilities at the facility must be established in such that they do not cause water or other pollution and conform to regulatory hygiene measures and the Occupational Health and Safety legislation.
- 4.1.11 The proof for safe disposal of sewage from the facility must be kept on site and provided to Relevant Competent Authority upon request.
- 4.1.12 Unsurfaced and unpaved areas which give rise to dust, must be regularly watered or other effective dust control measures implemented, to restrict dust levels which t pose threat to human health or the environment. Speed reducing measures such as speed humps and speed limit signage must be introduced.
- 4.1.13 The holder of the waste management licence must ensure that emissions from the activities are free from odour at levels likely to cause annoyance outside the facility, as perceived by an authorised officer of the Department and interested and affected parties.
- 4.1.14 All existing invasive alien plants should be eradicated in accordance with Alien and Invasive Species Regulations, 2014 in terms of Chapter 3 of the National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004).
- 4.1.15 Indigenous vegetation should be established around the facility to effectively screen the facility from nearby roads and properties.



- 4.1.16 Activities that require water use licence in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998) as amended, must be authorised by the Department of Water and Sanitation.
- 4.1.17 The Licence Holder must obtain Atmospheric Emissions Licence in terms of Section 21, Category 10 (Animal Matter Processing) of the National Environmental Management: Air Quality Act, 2004 (Act 39 of 2004), as amended from Bojanala Platinum District Municipality as the facility will process more than 1 ton of animal matter per day, prior to commencement,

5. Site security and access control

- 5.1 Weatherproof, durable and legible notice in at least two official languages applicable in the area, must be displayed at the entrance to the facility. This notice must prohibit unauthorised entry, state hours of operation, include the type of waste permissible, inform the public that flammable substances are not permitted at the facility, the name, address and telephone number of the holder of waste management licence.
- 5.2 The facility must be fenced off and secured in a manner that will prevent unauthorised entry to the areas of the site used for receiving, storing and processing of cow dung.
- 5.3 Incoming raw material must be inspected before entering the facility and the BIO-CNG system.
- 5.4 Upon inspection, non-conforming waste must be diverted to a relevant licensed waste management facility.
- 5.5 The approach road to the facility must have a hard surface for heavy vehicles to prevent muddy areas during wet season.

6. Emergency preparedness plan

- 6.1 The holder of waste management licence must develop, maintain and implement an emergency preparedness plan and review it after each emergency and/or major incident and annually when conducting an audit. The plan must among others include:
- a) Facility fires, accidents, spills, explosions etc.
 - b) Machinery fires and detection of machinery faults.
 - c) Impact of natural disasters such as floods.
 - d) Contamination of the soil, surface and ground water.
 - e) High risk events and activities.
 - f) Uncontrolled biogas production and emissions.
- 6.2 Waste at the facility must not be allowed to burn and suitable measures must be implemented to prevent fires on site or extinguish fires which may accidentally occur.
- 6.3 An Emergency Fire Certificate must be made available to the Relevant Competent Authority upon request.

7. Construction

- 7.1 Building Plans must be approved by the Relevant Municipality and proof must be submitted to this Department 14 days prior to commencement of the activity.



- 7.2 The construction of the liquid fertilizer pond must be authorised by Department of Water and Sanitation in terms of the National Water Act (Act No. 36 of 1998), as amended prior to commencement of the activity.
- 7.3 The construction and operational times, as well as noise levels must comply with relevant applicable legislation, including municipal by-laws in order to minimise the impact of noise to the surrounding properties.
- 7.4 The proposed development facility must be suitably demarcated and construction must be restricted to the demarcated area to minimize damage to the vegetation and exposure of the ground to erosion.
- 7.5 The design of the facility must include diverting storm water from rainfall events, away from the working or storage area.
- 7.6 Any development which occurs within 1:100 (one in one hundred) year flood line and/or within 500 (five hundred) m from the boundary of a wetland would require a water use licence in terms of Section 40 of the National Water Act, 1998 (Act 36 of 1998), as amended.
- 7.7 Construction of the proposed facility must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South Africa Act, 2000 (Act 46 of 2000).
- 7.8 Provision of the ablution facilities must be established on site during construction phase, such that they do not cause water or other pollution and conform to the regulatory hygiene measures and Occupational Health and Safety legislation.

8. Management of operational activities

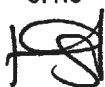
8.1 Fire and methane gas management

8.1.1 A fire management plan or strategy must be in place and at least contain the following:

- a) Sufficient fire-fighting equipment that is kept in good working conditions and appropriate personnel protective equipment for fire safety must be available at the facility all the times;
- b) Include clear signage indicating where the fire-fighting equipment is in relation to heaps of cow dung and the equipment must be within a 10m distance;
- c) Identify sources of fires that may result at the facility and appropriate operational procedures to be undertaken to bring the fire under control;
- d) A firebreak with a predetermined width as per the relevant legislation, Local Authority by-laws or barrier constructed around perimeter of the facility to avoid the spread of fires.

8.1.2 The design and operation of the facility must take into consideration best practices measures to ensure that the generation of methane is managed, minimised and monitored in an acceptable manner.

8.1.3 The design and operational procedures must ensure that heap heights are monitored for excessive high temperatures to prevent spontaneous combustion.



8.2 Storm water management

- 8.2.1 A stormwater management and design plan must be compiled and submitted to the Department of Water and Sanitation for approval prior commencement of the activity. A copy of the stormwater management plan approved by Department of Water and Sanitation must be submitted to this Department fourteen (14) days prior commencement of the activity.
- 8.2.2 The stormwater berms must be constructed and maintained on a continuous basis to divert and drain water from working face.
- 8.2.3 The stormwater management system must be designed in such a manner that the stormwater flow is undisturbed and no blockages occur.
- 8.2.4 The stormwater management system must be able to sufficiently and effectively handle run-off water from the site.
- 8.2.5 The stormwater system and channel must be monitored on daily basis for windblown litter and any contaminating substances.
- 8.2.6 The water quality in the stormwater channels must be monitored and the results must be kept on site and be made available to Relevant Competent Authority **within 14 days** upon request.

8.3 Management of waste at the site

- 8.3.1 Infrastructure for the storage of cow dung feedstock on site must comply with the National Norms and Standard for the Storage of Waste, GNR 926 of 29 November 2013 and any future amendments of these norms and standards.
- 8.3.2 Infrastructure for the sorting, screening and crushing of organic waste on site must comply with the National Norms and Standards for the Sorting, Shredding, Grinding, Crushing, Screening and Baling of General Waste, GNR 1093 of 11 October 2017 and any future amendments of this norms and standard.
- 8.3.3 The cow dung must be stored on impermeable surface in order to prevent soil, surface and ground water pollution.
- 8.3.4 Recyclable waste must be recovered for recycling purpose. Proof of waste recycled and safe disposal certificates including waste manifests must be always kept on site.
- 8.3.5 No temporary dumping of waste is allowed on site. General waste must be collected and disposed of at a licensed landfill site on a weekly basis and safe disposal certificates must be always kept on site.
- 8.3.6 Waste that is spilled or carried by wind during handling or storage must be contained.

8.4 Minimisation of airborne emissions

- 8.4.1 The Licence Holder must ensure that employees are protected against high levels of exposure to airborne particulate matter by providing the suitable personnel protective equipment and ensure that the personal protective equipment is always worn by employees.
- 8.4.2 Fly baits and traps must be provided in order to minimise the vector nuisance.
- 8.4.3 Pests and vermin must be controlled using an approved pest-control methods or trained personnel.

- 8.4.4 The applicant must ensure that any outlet gases from the activities are free from any bad odour.
- 8.4.5 Operational measures must be put in place to ensure that the storage times for cow dung are controlled to minimise emissions of offensive odours.

9. Notification on the commencement of the activity.

- 9.1 After construction of the facility, the Licence Holder shall notify the Relevant Competent Authority thereof and the person referred to in condition 7.7 shall submit a certificate or alternatively a letter to the Relevant Competent Authority that the construction of the facility, as proposed by the Licence Holder and approved by the Relevant Competent Authority, is in accordance with recognised civil engineering practice and the requirements in this Licence.
- 9.2 Prior processing of cow dung may commence, the Relevant Competent Authority has to give a written permission that the Licence Holder may use the facility for the processing of cow dung.

10. Validity Period of the activities licensed

- 10.1 These activities must commence within a period of **five years** from the date of issue. If the commencement of activity does not occur within that period, the waste management license lapses and **a new application for waste management license must be made in order for the activity to be undertaken.**
- 10.2 If the holder of the waste management license anticipates that the construction of the activity would not occur within a **5 year period**, he/she **must six month prior to the lapse of 5 years**, apply for variation of the waste management license and show good cause and give reasons why an extension of the waste management license should be granted.

11. Monitoring

- 11.1 The Environmental Management Programme (EMPr) dated 13 February 2024 which is as part of the Basic Assessment Report (BAR) submitted to this Department on 20 February 2024, for the proposed development is hereby approved.
- 11.2 The holder of waste management license has the responsibility to ensure that the mitigation, rehabilitation measures and recommendations referred to in the Basic Assessment Report are implemented, and to ensure compliance with the provisions of the EMPr.
- 11.3 EMPr must be updated and submitted to Department's Environmental Compliance and Enforcement Section: CNieuwoudt@nwpg.gov.za and LNonkomo@nwpg.gov.za within one (1) year of operation of the facility, the updated EMPr must identify the risks of pollution including those rising from operations, maintenance, accidents, incidents and those drawn to the attention of facility owner as a results of complaints.
- 11.4 It is the responsibility of the holder of this waste management license to ensure that an ongoing management and monitoring of the impacts of the activities on the environment throughout the life cycle of the project is put into practice.



- 11.5 A qualified, suitable experienced and independent Environmental Control Officer (ECO) must be appointed to monitor, and report to the relevant competent authority on compliance with the waste management license and the EMPr for the duration of the construction phase.
- 11.6 The ECO must be appointed prior to commencement of the construction phase and ECO details must be submitted to the Department's Environmental Compliance and Enforcement Section: CNieuwoudt@nwpg.gov.za and LNonkomo@nwpg.gov.za. Upon completion ECO must submit a declaration to the Department that all possible mitigation measures have been put in place and highlight likely deficiencies.
- 11.7 The ECO must keep record of all activities on site, environmental incidents as well as corrective and preventative actions taken.
- 11.8 If, in the opinion of the Relevant Competent Authority, environmental pollution, nuisances or health risks may be or are occurring on site, the holder of the waste management license must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Relevant Competent Authority. Should the investigation reveal any unacceptable levels of pollution, the holder of the waste management license, must submit mitigatory measures to the satisfaction of the Relevant Competent Authority.

12. Auditing

12.1 Departmental Audits and inspections


- 12.1.1 The Responsible Authority reserves the right to audit or inspect the Site without prior notification at any time and frequency as may be determined by the Responsible Competent Authority.
- 12.1.2 The audit or inspection reports compiled by the Responsible Competent Authority must be made available to the owner of the facility within (60) days 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).
- 12.1.3 The facility owner must make any information records or documentation available to the Responsible Competent Authority, as well as any other information the Responsible Competent Authority may require.

12.2 Internal Audits

- 12.2.1 The internal audits detailing performance of the facility must be conducted quarterly by the facility owner and official report must be compiled to report the findings of the audit, which must be made available to the external auditor specified in Condition 12.3 and all authorities upon request.

12.3 External Audits

- 12.3.1 The facility owner must appoint an independent external auditor to audit the site annually. The auditor must compile an audit report document the findings of the audit, which must be submitted by the holder of this waste management license to the Department.

-  12.3.2 The audit report must:
a) specifically state whether conditions of this waste management licence are being adhered to;



- b) contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the licence Holder and whether corrective action taken for the previous audits non-conformities/compliances was adequate.
- c) include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
- d) specify target dates for the implementation of the recommendations by the facility owner to achieve compliance;
- e) show the monitoring results graphically and conduct trend analysis.

12.3.3 The first audit report must be submitted to this Department 12 (twelve) months from the commencement date of the activity, the audit report must be submitted together with the updated EMPr on Condition 11.3.

13. Records

13.1 All records required by this Licence must:

- 13.1.1 be legible;
- 13.1.2 be made as soon as reasonably practicable 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; and
- 13.1.4 be retained, unless otherwise agreed by the Relevant Competent Authority for at **least 5 years** from the date when the records were made, or in the case of the following records until Licence surrender:
 - a. off-site environmental and health effects; and
 - b. the condition of land and ground water.

13.2 Records of cow dung entering the facility obtained at the gate or weighbridge must be kept.

13.3 Records demonstrating compliance with conditions of this Licence must be maintained and made available to the Relevant Competent Authority **within one (1) year** from the date of this Licence.


13.4 Any records required to be made by this Licence shall be supplied to the Relevant Competent Authority **within 14 days**, where the records have been requested in writing by the Relevant Competent Authority.

13.5 Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant competent authority in respect of this development.

13.6 Records in terms of cow dung tonnages received and utilised, storage duration, source of cow dung, air quality monitoring, quantities of liquid fertilizer stored and collected and quantities of compressed gas sold must be maintained and kept at the facility or company office for a period minimum of five years and made available to relevant competent authority upon request.

14. Reporting

14.1 All incidents of major hazardous substances spill must be reported to this Department Environmental Compliance and Enforcement Section and Department of Water and Sanitation within **48 hours**, and action taken to remedy the situation must be outlined.

 14.2 The Licence Holder must, **within 24 hours**, notify the relevant competent authority of the occurrence or detection of any incident on the facility which has the potential to cause, or has caused water pollution.



14.3 The Licence Holder must, **within 14 days**, or a shorter period of time, if specified by the relevant competent authority, from the occurrence or detection of any incident referred to in **condition 14.2** submit an action plan, which shall include a detailed time schedule, to the satisfaction of the Relevant Competent Authority of measures taken to:

- a. correct the impact resulting from the incident;
- b. prevent the incident from causing any further impacts; and
- c. prevent a recurrence of a similar incident.

14.4 In the event that measures have not been implemented **within 21 days** to address impacts caused by the incident referred to in **condition 14.2** or measures which have been implemented are inadequate, the Relevant Competent Authority may implement the necessary measures at the cost and risk of the Licence Holder.

14.5 The Licence Holder must keep an incident report and complaints register, which must be made available to both external and the Relevant Competent Authority auditors for the purpose of their audits.

14.6 The facility must register, record and report waste data on Waste Information System in accordance with National Waste Information System Regulations, 2012 published under Government Notice No.R.625 Government Gazette No.35583 of 13 August 2012.

15. Site closure and decommissioning of the activity

15.1 Should the activity ever cease or become redundant, the applicant must undertake the required actions as prescribed by applicable legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.

15.2 The disturbed areas must be rehabilitated to almost a natural state, and landscaping of the disturbed areas must make extensive use of locally appropriate indigenous vegetation.

15.3 The facility owner must rehabilitate the site or any portion thereof, in accordance with a closure report and rehabilitation plan, which must be submitted to the Department for approval at least one year prior to the intended closure of the site or any portion thereof.

15.4 The holder of waste management license shall remain responsible for the site, and/or any of its impact on the environment, after operations on site have ceased.

16. Leasing and alienation of the site

16.1 Should the holder of waste management license want to alienate or lease the Site, he/she must notify the Relevant Competent Authority in writing of such an intention at least 180 days prior to the said transaction. Should the approval be granted, the subsequent holder of the waste management license shall remain liable to compliance with all authorization conditions.

17. Transfer of waste management licence

17.1 Should the Licence holder want to transfer holder-ship of this Licence, he/she must apply in terms of Section 52 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008), as amended.

- 17.2 Section 59 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008), as amended, Criteria for fit and proper persons must be considered before an application for the transfer of waste licence is lodged.

18. General

- 18.1 The holder of the waste management license must notify the Department, in writing and within **48 hours**, if any condition of this waste management license cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 18.2 Non-compliance with a condition of this License may result in criminal prosecution or other actions provided for in Section 67(1) of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) as amended.
- 18.3 The Responsible Competent Authority may take legal steps against the License Holder if any condition of this License is transgressed.
- 18.4 This License may be reviewed at any time after commencement of this activity. Based on the results of the review, especially compliance to License, conditions or recommendations from audit reports and or changing legislation, the License can be amended.
- 18.5 Liquid fertilizer intended for use as fertilisers must be registered in terms of Regulations Regarding Fertilizers, published in Government Notice No.R732 in Government Gazette No. 35666 of 10 September 2012 issued in terms of the Fertilizers, Farm Feeds, agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), including any amendment.
- 18.6 A copy of this waste management license must be kept at the property where the activity will be undertaken. The waste management license must be produced to any authorized official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the license who works or undertakes work at the property.
- 18.7 National government, provincial government, local authorities or committees appointed in terms of the conditions of this waste management license or any other public authority shall not be held responsible for any damages or losses suffered by the applicant 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 applicant with the conditions of this waste management license as set out in this document or any other subsequent document emanating from these conditions of this waste management license.
- 18.8 In terms of Section 28 and 30 of the National Environmental Management Act No. 107 of 1998 as amended, and Section 19 and 20 of the National Water 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 License Holder reads through and understand the legislative requirements pertaining to the project. It is the License 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 environmental acceptable manner.
- 18.9 No surface or groundwater must be polluted due to any activities on the property or site. General housekeeping at the site must be kept at a high standard.

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18.10 The contractor must ensure that drip trays are always available to collect any fluid that may result from accidental spillage, overflow and/or servicing. All equipment's that leak must be repaired immediately and/or removed from the site when necessary.

18.11 The overall EMPr is based on the premise of sound environmental management and cost-effective measures that will ensure wherever possible solution to the remediation of the impacts caused by the construction, operation activities.

18.12 Employees must be trained for the work they will perform and on the potential impacts that this activity will have on the environment.

19. Appeal of Integrated Environmental Authorisation

19.1 The holder of the waste management license must notify every **registered** interested and affected parties, in writing and within **fourteen (14) days**, of receiving waste management license from the Department.

19.2 The notification referred to in 19.1 must –

19.2.1 Inform interested and affected parties of the decision, reason for decision and where the decision can be accessed.

19.2.2 Advise the interested and affected parties that a copy of the waste management license and reasons for the decision will be furnished on request.

19.2.3 Specify the date on which the waste management license was issued.

19.2.4 Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 2 of the National Appeal Regulations (see Annexure 1).

19.2.5 An appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations with:

The Appeal Administrator: Ms. Carene Nieuwoudt
Department of Economic Development, Environment, Conservation and Tourism
Room E30, Agricentre Building
Cnr Dr. James Moroka & Stadium Road
MMABATHO
Tel No: (018) 389 5986
Cell No: (083) 385 9486
Fax No: (086) 581 7858
E-mail: CNieuwoudt@nwpg.gov.za

19.2.6 An appeal must be lodged in writing by completing Appeal Form obtainable from the Appeal Administrator.

19.2.7 An appeal made against this waste management license will result in it being suspended; therefore, the activity must not commence pending the lapse of **20 days** after all Interested and Affected parties have been informed of this decision.



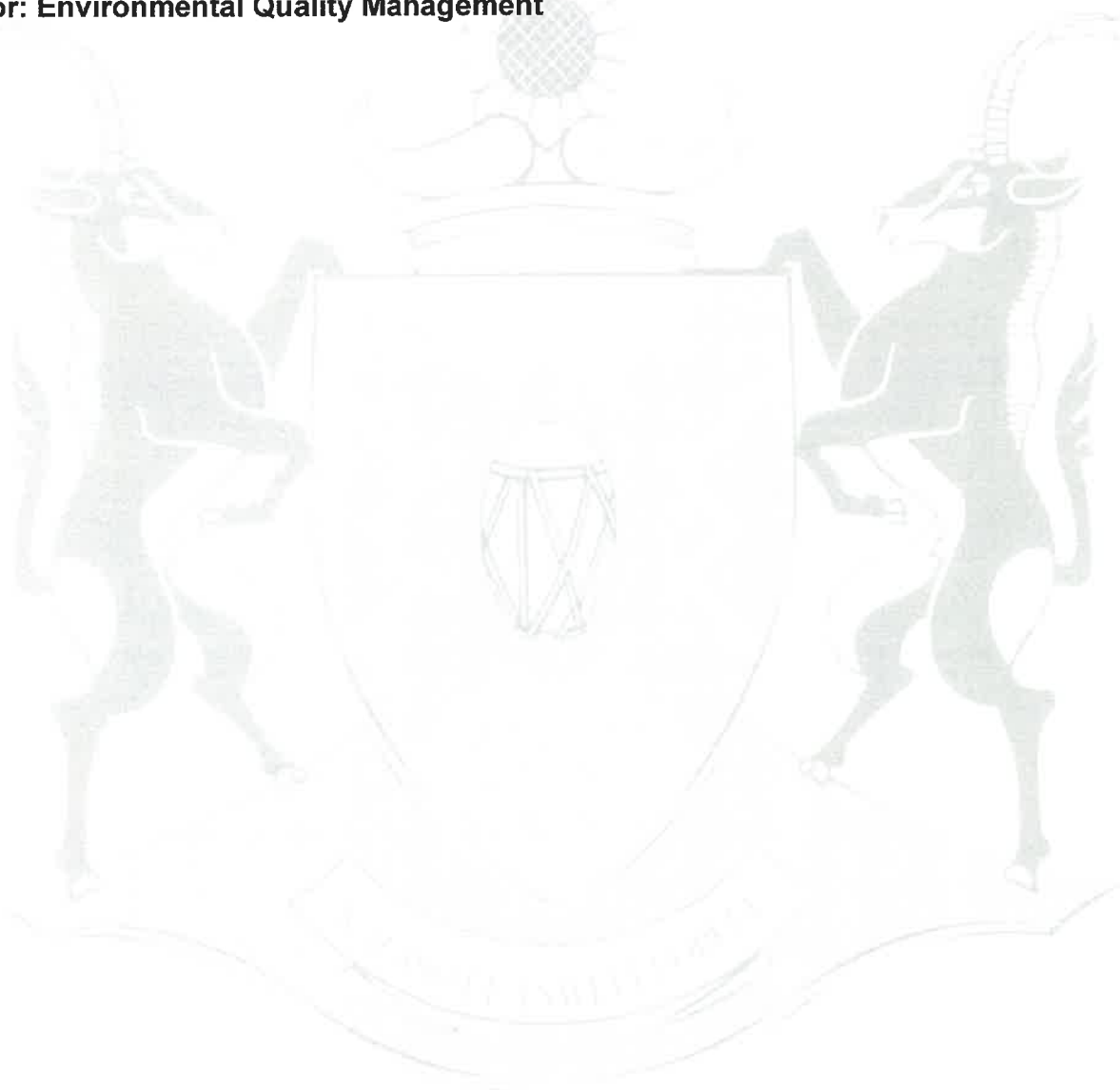
19.2.8 Should an appeal be lodged within **20 days** after notification to all Interested and Affected parties of this decision, the activity may only commence once the decision by the MEC, as Appeal Authority, have been made.

Signed on this22.....day ofMarch.....2024, atMahikeng.....



Ms Portia Krisjan

Director: Environmental Quality Management



ANNEXURE 1: ADMINISTRATION AND PROCESSING OF APPEALS

ADMINISTRATION AND PROCESSING OF APPEALS IN TERMS OF CHAPTER 2 OF THE NATIONAL APPEAL REGULATIONS, 2014 TO BE FOLLOWED BY THE APPLICANT, AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF AN ENVIRONMENTAL AUTHORISATION

Appeal submission

4. (1) An appellant must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter **within 20 days** from:
- (a) the date that the notification of the decision for an application for an environmental authorisation was sent to the registered interested and affected parties by the applicant; or
 - (b) the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred to in paragraph (a).
- (2) An appeal submission must be-
- (a) submitted in writing in the form obtainable from the appeal administrator; and
 - (b) accompanied by-
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal submission; and a statement, including supporting documentation, by the appellant to confirm compliance with regulation 4(1) of these Regulations.

Responding statement

5. The applicant, the decision-maker, interested and affected parties and organ of state must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.

Appeal panel

6. (1) If the appeal authority reasonably believes that expert advice must be sought or that an appeal panel must be appointed, the appeal administrator must source an independent expert or constitute an independent appeal panel, or both, within 10 days from the date of receipt of an instruction from the appeal authority,
- (2) The appeal panel contemplated in subregulation (1) may consist of such number of independent experts and with such expertise as the Appeal Authority may deem necessary under the circumstances;
- (3) The expert or appeal panel must provide advice to the appeal administrator within 10 days from the receipt of an instruction from the appeal administrator.





Recommendations and decisions on appeals

7. (1) The appeal administrator must make a recommendation on the appeal to the appeal authority within 30 days of receipt of the responding statement referred to in regulation 5 of these Regulations, in the event that an independent expert has not been sourced or an independent appeal panel has not been constituted.
- (2) The appeal administrator must make a recommendation on the appeal to the appeal authority within 10 days of receipt of the advice referred to in regulation 6(2) of these Regulations, in the event that an independent expert has been sourced or an independent appeal panel has been constituted.
- (3) The appeal authority must reach a decision on an appeal, and notify the appellant, applicant, and any registered interested and affected party, within 20 days of the recommendation on the appeal by the appeal administrator.
- (4) The decision contemplated in subregulation (3) must contain written reasons for the decision.

Communication

8. (1) A person may deliver documents in terms of these regulations by using one of the delivery methods referred to in section 47D of the Act, which are:
 - (i) by faxing a copy of the notice or other document to the person, if the person has a fax number;
 - (ii) by e-mailing a copy of the notice or other document to the person if the person has an e-mail address; or
 - (iii) by posting a copy of the notice or other document to the person by ordinary mail, if the person has a postal address;
- (2) In order to meet the time periods determined in these regulations, the person referred to in subregulation (1) must also email, fax or hand deliver the document to the recipient, if the document is delivered by ordinary mail or registered mail.

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