



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

BETTER TOGETHER.

**DIRECTORATE: WASTE MANAGEMENT
THORSTEN AAB**
Thorsten.Aab@westerncape.gov.za

REFERENCE: 19/2/5/7/A5/31/WL0072/21

Members of the Close Corporation

Clay Industry CC

PO Box 2292

DURBANVILLE

7551

Cell: 082 696 4914

E-mail: NickV@clayi.co.za

Attention: Mr Nicolaas van Wyk

**WASTE MANAGEMENT LICENCE FOR THE CLAY INDUSTRY CC ON FARM COROBRICK NO.
1385, FISANTEKRAAL, CITY OF CAPE TOWN**

WASTE MANAGEMENT LICENCE

A. DECISION

I, Eddie Hanekom, in my capacity as the Director: Waste Management of the Department of Environmental Affairs and Development Planning (hereafter "this Department"), in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), as amended (NEM:WA), hereby in terms of the provisions of section 54 (a) and (d) of the NEM:WA, as amended, issue this Waste Management Licence (hereafter "the Licence") with effect from the date of expiry of the appeal period set out, or the finalisation of an appeal, as provided for in the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) National Appeal Regulations, published as Government Notice (GN) No. R. 993 of 8 December 2014, to the above-mentioned Licence Holder, for the co-processing and treatment of waste at the Clay Industry CC on the Farm Corobrick No. 1385, Fisantekraal, City of Cape Town (hereafter "the Facility").

B. DESCRIPTION OF THE ACTIVITY

The activities for this waste recovery (co-processing) and treatment of waste in the manufacturing of clay bricks facility as per the following NEM:WA, List of Waste Management Activities that have, or are likely to have, a detrimental effect on the environment, 2013 published in Government Notice (GN) 921 on 29 November 2013 and amended:

Category A

- (5) *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. and*
- (6) *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.*

Should the waste volumes exceed the thresholds in term of the “National Norms and Standards for the Storage of Waste Disposal of Waste, 2013” Government Notice No. 926 (GN 926) published on 29 November 2013, the registration and/or provisions therein may be applicable to the activities at this facility.

The following activities are undertaken:

- (a) Storage of waste material;
- (b) The mixing of waste material with clay and wastewater;
- (c) Managing stormwater and run-off water;
- (d) Conduct internal and external audits;
- (e) Monitoring slope stability and preventing erosion; and
- (f) The co-processing of the waste material in the clay brick making process by thermal treatment.

The granting of this Waste Management Licence is subject to compliance with the conditions set out in Section C.

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, "Director: RPW" means the Director: Resource Protection and Waste of the National Department of Water and Sanitation: Western Cape Provincial Operations, who may be contacted at the address below:

Director: Resource Protection and Waste

Department of Water and Sanitation

Private Bag X16

SANLAMHOF

7532

C. LICENCE CONDITIONS

LICENCE NUMBER: 19/2/5/7/A5/31/WL0072/21
WASTE APPLICATION: CO-PROCESSING AND TREATMENT OF WASTE MATERIAL
LOCATION: FARM COROBRICK NO. 1385, FISANTEKRAAL, CITY OF CAPE TOWN
LICENCE HOLDER: CLAY INDUSTRY CC
CONTACT PERSON: MR NICOLAAS VAN WYK
ADDRESS: P.O. BOX 2292, DURBANVILLE, 7551

1. LOCATION

- 1.1 This Licence authorises the co-processing and treatment of waste material at the Clay Industry CC clay brick manufacturing facility on Farm Corobrick No 1385, Fisantekraal, City of Cape Town (hereinafter referred to as "the Facility"), according to the following documentation:
- 1.1.1 *Waste Management Licence Application*, dated August 2021 by Resource Management Services CC (RMS) and
- 1.1.2 *Final Basic Assessment Report for the proposed increase of brick production and the inclusion of additional process waste products in the manufacturing of clay bricks at the Clay Industry CC brick manufacturing facility located on Farm Corobrick No. 1385, Fisantekraal, Western Cape*, dated August 2021, by RMS respectively (both hereinafter referred to as "the Report"), submitted by the Licence Holder.
- 1.2 The location of the entrance of the Facility shall be according to the co-ordinate which is defined as follows:

Table 1: Location of the entrance of the Facility:

Latitude (S)	Longitude (E)
33°47'36.40"	18° 41'39.94"

- 1.3 The boundaries of the Facility must be according to co-ordinates which are defined as follows:

Table 2: Boundaries of the Facility:

Corners	Latitude (S)	Longitude (E)
1	33°47'36.40"	18° 41'39.94"
2	33°47'34.03"	18° 41'30.13"
3	33°47'18.36"	18° 41'12.13
4	33°47'26.75"	18° 40'55.15"
5	33°47'39.66"	18° 41'15.02"
6	33°47'33.07"	18° 41'31.08"
7	33°47'39.27"	18° 41'36.96"

- 1.4 The footprint of the Facility may not extend outside of the area between the corner co-ordinates specified in condition 1.3.
- 1.5 The Surveyor General 21 Digit Code of the Facility is as follows: C0160000000138500000.

2. PERMISSIBLE WASTE

- 2.1 Any portion of the Facility, as demarcated in condition 1.3, may be used for the storage, co-processing and treatment of waste materials described in the Report as: boiler ash, paper pulp, foundry (green moulding) sand and liquid effluent (from Fine Chemicals Corporation (Pty) Ltd. Only waste that is classified as general waste, according to the NEM:WA or any current and future Norms and Standards developed by the Department of Environmental Affairs, is authorized.
- 2.2 If more than 80m³ of hazardous waste and/or 100m³ of general waste is going to be stored at the Facility, the NEM:WA "*National Norms and Standards for the Storage of Waste*", as contained in GN No. 926 (GN 926) of 29 November 2013, must be adhered to.
- 2.3 The Licence Holder shall take all reasonable steps to ensure that the acceptance of any waste not authorised at the Facility is prevented.

3. APPOINTMENT OF A WASTE MANAGEMENT CONTROL OFFICER / ENVIRONMENTAL CONTROL OFFICER

- 3.1 The waste management activities that are authorised by this Licence, must be managed by fit and proper persons who are competent in respect of the responsibilities to be undertaken by them.
- 3.2 A Waste Management Control Officer (WMCO) or 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. The WMCO/ ECO must:
 - 3.2.1 report any non-compliance with any Licence conditions or requirements or provisions of NEM:WA to the Director through means reasonably available; and
 - 3.2.2 monitor any future construction activities and ensure that the construction plans are in accordance with the approved engineering design.

4. CONSTRUCTION

- 4.1 Any development which occurs within the 1:100 (one in one hundred) year flood line and/or within 500 (five hundred) metres 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) (NWA).
- 4.2 All areas where waste is temporarily stored and handled, excluding the co-processing or treatment area, must be designed and managed such that there is no escape of contaminants into the environment. All runoff, if any, must be prevented from entering local watercourses.
- 4.3 Should any archaeological artefacts be exposed during excavation, the construction in the vicinity of the finding must be stopped. Under no circumstances shall any artefacts be destroyed. Such an archaeological site must be marked and fenced off, and the South African Heritage Resource Agency must be contacted within 48 (forty eight) hours.
- 4.4 The Licence Holder shall assess an acceptable buffer zone within six (6) months from the issuing of this Licence.

- 4.5 Works shall be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the operational and storage areas of the Facility in a legal manner, all stormwater arising on land adjacent to the Facility, 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 1:50 (once in fifty) years (hereinafter referred to as the "estimated maximum precipitation"). Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.6 Works shall be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the waste storage areas of the Facility, all runoff water which could be expected as a result of the estimated maximum precipitation. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.7 Runoff water referred to in condition 4.6 shall be either co-processed in the brick manufacturing process or if released into the environment, must comply with the quality requirements prescribed by the Director and Director: RPW, which may be determined from time to time and shall be drained from the Facility in a legal manner.
- 4.8 Runoff water referred to in condition 4.6 which is not co-processed in the brick manufacturing process and does not comply with the quality requirements applicable in terms of condition 4.7 shall, by means of works which shall be constructed and maintained on a continuous basis by the Licence Holder:
- 4.8.1 be discharged into any convenient sewer if accepted by the Authority in control of that sewer,
- 4.8.2 be treated to comply with the aforementioned standard and discharged in a legal manner; and/or,
- 4.8.3 with the written approval of the Director be evaporated in ponds and/or be evaporated by spraying over portions of the Facility.
- 4.9 Works constructed in compliance with condition 4.8 shall be of such a capacity as to accommodate all runoff which could be expected as a result of the estimated maximum precipitation. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.10 The Licence Holder shall make provision for adequate sanitation facilities at the Facility.

5. FACILITY SECURITY AND ACCESS CONTROL

- 5.1 The Facility shall be fenced to a minimum height of 1.8 (one point eight) metres, with gates of the same height at all entrances, to reasonably prevent unauthorised entry.
- 5.2 The Licence Holder shall ensure effective access control.
- 5.3 The Licence Holder shall ensure that the main entrance is manned during the hours of operation and locked outside the hours of operation.
- 5.4 The Licence Holder shall take all reasonable steps to maintain service roads in a condition which ensures unimpeded access to the Facility for vehicles transporting waste and to keep the roads free of waste.

6. OPERATIONAL

- 6.1 The storage of waste shall be according to the (GN 926).
- 6.2 The Licence Holder shall take all reasonable steps to ensure the Facility is operated in a manner which shall prevent the creation of nuisance conditions or health hazards, such as:
 - 6.2.1 vectors (flies and vermin);
 - 6.2.2 dust;
 - 6.2.3 obnoxious odours; and
 - 6.2.4 excessive noise, over and above acceptable operating levels and duration as referred to in section 6.7.
- 6.3 The Licence Holder must notify the Director and the Director: RPW immediately of any events or incidents that may cause significant environmental damage or breach the requirements of the Licence.
- 6.4 Any complaint 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 Director and record it in terms of condition 8.
- 6.5 The Licence Holder must ensure that the provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) are met to ensure the health and safety of all staff and visitors.
- 6.6 The Licence Holder shall remain responsible for the Facility, and/or any of the impacts arising from the operations on the environment.
- 6.7 The Facility must comply with the Noise Control Regulations P.N. 200/2013, as promulgated under the Environment Conservation Act, 1989 (Act No. 73 of 1989).
- 6.8 An Emergency Response Plan (ERP) must be developed, and all staff must be trained in the implementation thereof. The ERP should be regularly updated and must include fire evacuations, injury on duty, accidents, and procedures to be followed should unexpected hazardous waste enter the Facility.
- 6.9 A copy of this Licence must be kept at or near the Facility where the activities will be undertaken. The Licence 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.
- 6.10 Easy access to spill kits which include hydrocarbon absorbent material must be quickly available and staff must be trained to use these spill kits.

7. AUDITING

- 7.1 *Internal audits*
 - 7.1.1 Internal audits must be conducted bi-annually (two times per year) by the Licence Holder and on each audit occasion an official report, as prescribed by the Director, 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 7.2.1 and the Director within 30 (thirty) days of the date the audit was conducted, if requested.

7.2 External audits

- 7.2.1 The Licence Holder must appoint an independent external auditor to audit the Facility biennially (once every two years) and this auditor must compile an audit report in the format as prescribed by the Director, documenting the findings of the audit, which must be submitted by the Licence Holder to the Director.
- 7.2.2 The audit report must:
 - 7.2.2.1 specifically state whether the conditions of this Licence are being adhered to;
 - 7.2.2.2 include an interpretation of all available data and test results regarding the operation of the Facility and all its impacts on the environment;
 - 7.2.2.3 specify target dates for the implementation of the recommendations to achieve compliance; and
 - 7.2.2.4 specify whether the corrective action taken after the previous audits was adequate.
- 7.2.3 Each external audit must be submitted to the Director within 30 (thirty) days, from the date on which the external auditor finalised the report.

7.3 Departmental audits and inspections

- 7.3.1 The Director and the Director: RPW reserves the right to audit or inspect the Facility without prior notification at any time and any frequency as may be determined by the Director and Director: RPW.
- 7.3.2 The Licence Holder must make any records or documentation available to the Director and the Director: RPW upon request, as well as any other information the Director and Director: RPW may require.
- 7.3.3 The findings of these audits or inspections shall be made available to the Licence Holder within 60 (sixty) days of the end of the audit or inspection and shall not be treated as confidential.

8. RECORD KEEPING

- 8.1 The Licence Holder must keep records of all nuisances and complaints at the Facility.
- 8.2 Accurate records of waste volumes or masses received and co-processed must be kept at the Facility and reported to the Department as per condition 8.4.
- 8.3 All records required or resulting from activities required by this Licence must:
 - 8.3.1 be legible;
 - 8.3.2 be made available and should form part of any audit report;
 - 8.3.3 if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
 - 8.3.4 be retained in accordance with documented procedures which are approved by the Director; and
 - 8.3.5 be made available upon the request of the Director and/or the Director: RPW.
- 8.4 The Licence Holder must register and report all waste volumes or masses received, stored and co-processed to the Department's Integrated Pollutant and Waste Information System (IPWIS), which can be accessed on the URL: <http://ipwis.pgwc.gov.za/ipwis3/public>, as required by the Department.

9. REPORTING

9.1 Reporting of Incidents

- 9.1.1 The Licence Holder must, within 24 (twenty-four) hours, notify the Director of the occurrence or detection of any incident at the Facility, which has the potential to cause disruption in the normal operation of the Facility, or has caused water pollution, pollution of the environment, health risks or nuisance conditions.
- 9.1.2 The Licence Holder must, within 14 (fourteen) days, or a shorter period of time, if specified by the Director, from the occurrence or detection of any incident referred to in condition 9.1.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Director of measures taken to:
 - 9.1.2.1 correct the impact resulting from the incident;
 - 9.1.2.2 prevent the incident from causing any further impact; and
 - 9.1.2.3 prevent a recurrence of a similar incident.
- 9.1.3 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 9.1.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.
- 9.1.4 The Licence Holder or duly appointed person must keep an incident report and complaints register, which must be made available to both external and Departmental auditors for the purpose of their audits.

10. REHABILITATION AND CLOSURE OF THE FACILITY

- 10.1 In accordance with The List of Waste Management Activities that have, or are likely to have, a detrimental effect on the environment, 2013, as published in Government Notice No. 921 on 29 November 2013 (GN No. 921) or any amendment thereto, a waste management licence is required for the decommissioning of the Facility.
- 10.2 The Licence Holder must therefore submit a waste management licence application to the Director, prior to the intended decommissioning of the Facility. Once the Director has granted such a waste management licence, the decommissioning of the Facility may be undertaken.
- 10.3 The Licence Holder shall remain responsible for the site and the impacts on the environment, even after the operations have ceased and after the decommissioning of the Facility.

11. LEASING AND ALIENATION OF THE FACILITY

- 11.1 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.

12. TRANSFER OF LICENCE

- 12.1 Should the Licence Holder want to transfer holdership of this Licence, he/she must apply in terms of section 52 of the NEM:WA.
- 12.2 Any subsequent Licence Holder shall be bound by the conditions of this Licence.

13. GENERAL

- 13.1 The Licence Holder shall remain responsible for the Facility, and/or any of the impacts arising from the operations on the environment.
- 13.2 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of the Health Act, 2003 (Act No. 61 of 2003), the NWA, or any applicable act, ordinance, regulation or by-law.
- 13.3 Transgression of any condition of this Licence could result in the suspension of the Licence by this Director.
- 13.4 This Licence is valid for a period of 10 (ten) years from the date of issue of this Licence.
- 13.5 This Licence may be reviewed 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, this Licence can be amended or withdrawn, or the validity thereof be extended.
- 13.6 Non-compliance with a condition of this Licence may result in criminal prosecution or other actions provided for in section 67(1) of the NEM:WA.
- 13.7 In terms of sections 28 and 30 of the NEMA, and sections 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 understand 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.

D. APPEAL OF LICENCE

1. Appeals must comply with the provisions contained in the National Appeal Regulations, 2014 (GN No. 993 of 2014), as amended.
2. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the holder by the Competent Authority:
 - 2.1. submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014 (as amended) to the Appeal Administrator; and
 - 2.2. submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e., the Competent Authority that issued the decision.
3. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date that the notification of the decision was sent to the registered I&APs by the holder:
 - 3.1. submit an appeal in accordance with Regulation 4 of the National Appeal Regulations, 2014, as amended to the Appeal Administrator; and
 - 3.2. submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organ of State with interest in the matter and the decision-maker i.e., the Competent Authority that issued the decision.
4. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organ of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
5. This appeal and responding statement must be submitted to the address listed below:

By post: Western Cape Ministry of Local Government, Environmental Affairs and
Development Planning
Private Bag X9186
CAPE TOWN
8000

By facsimile: (021) 483 4174

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

By email: DEADP.Appeals@westerncape.gov.za

Note: For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to DEADP.Appeals@westerncape.gov.za

A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail: DEADP.Appeals@westerncape.gov.za. or URL <http://www.westerncape.gov.za/eadp>.

E. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of the Licence shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

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

Yours faithfully

DIRECTOR: WASTE MANAGEMENT

ANNEXURE I

REASONS FOR THE DECISION

1. 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.
2. All the following information that was available to the Department was considered in this Department's decision on the application: -
 - 2.1 The information contained in the Waste Management Licence Application, signed 18 August 2021;
 - 2.2 The Final Basic Assessment Report, compiled by Resource Management Services CC (RMS), dated 18 August 2021;
 - 2.3 Previous authorisations:
 - 2.3.1 Atmospheric Emissions Licence, issued to Clay Industry CC, in terms of section 47(1) of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) by the City of Cape Town on 03 August 2020.
 - 2.3.2 An Environmental Authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) issued to Nampak Tissues (Pty) Ltd for the storage and use of paper pulp in the manufacturing of clay bricks at the Clay Industry CC facility on Farm Corobrick No 1385, Fisantekraal on the 13 October 2008.
 - 2.4 The laboratory analysis and waste classification reports of the various additional waste streams i.e. the boiler or coal ash, the foundry or green moulding sand and the effluent water from Fine Chemicals Corporation (Pty) Ltd.
 - 2.5 Public Participation Process and comments raised by Interested and Affected Parties (I&AP's) throughout the Public Participation Process and the applicant and the Environmental Assessment Practitioner's responses thereto.
 - 2.6 The maximum waste quantities that will be co-processed per day.
 - 2.7 The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the NEMA.
3. A summary of the issues, which, in the Department's view were of the most significance, are set out below.
 - 3.1 Environment
 - 3.1.1 Clay Industry CC were already issued with an Atmospheric Emissions Licence (AEL) in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). The Basic Assessment Report (BAR) predicted that the brick manufacturing process is done at such high temperatures that no significant additional hazardous atmospheric emissions from the added waste material would be expected. As the volumes of fuel will increase with the increase in brick production, an amendment of the AEL is required in parallel to a Waste Management Licence (WML). Although an Environmental Authorisation (EA) was issued to a paper processing company to bring,

store and co-process paper pulp as part of the brick manufacturing process at the Clay Industry facility, this Department considered the application of co-processing or treating other waste materials as part of the brick manufacturing process at the Clay Industry facility, which would trigger the need for a WML application by Clay Industry CC. This would increase the brick production, while saving on clay resources and divert waste from disposal. The waste would form an integral and inert part of the brick and would thus no longer pose a risk to the environment. This co-processing or treatment of waste would form part of an industrial process, which is not open to the public and would therefore not pose risks to public health and safety. No disposal will be undertaken. Although some of the waste materials may contain elements or compounds that could be hazardous above specific concentrations, the leachability of these substances was too low to categorise the waste as hazardous. This beneficial use of waste is supported by this Department as part of the waste minimisation strategy.

3.1.2 In addition to the Waste Management Licence conditions, the “*National Norms and Standards for the Storage of Waste Disposal of Waste*” Government Notice No. 926 (GN 926) published on 29 November 2013 must be complied with to further regulate the proposed waste management activities.

3.1.3 As the volumes of waste that were proposed to be co-processed or treated will be below 100 tons per day, only a Basic Assessment Report (BAR) was required, as opposed to a Scoping Report and Environmental Impact Assessment (EIA). This Department was satisfied that the BAR had identified any major potential environmental risk and had proposed mitigating measures that would reduce those risks to acceptable levels.

3.2 Alternatives

3.2.1 No alternative properties or locations were considered reasonable as the Clay Industry CC was only proposing to increase its current brick manufacturing at its existing facility and infrastructure.

3.2.2 Alternatives of co-processing combinations of the four waste streams were considered. The co-processing of all four waste streams was the preferred option and this Department had no reason to disagree with this preferred alternative.

3.3 Deviation

No deviation was applied for.

3.4 Public Participation Process (PPP)

3.4.1 The PPP comprised of the following: -

3.4.1.1 Interested and Affected Persons/Parties (I&AP's) were identified and invited to comment on the Draft BAR;

3.4.1.2 Advertisements were placed in two local newspapers: Die Burger on 15 June 2021 and The Tygerburger on 16 June 2021;

3.4.1.3 Fixing of a notice was put up at the Facility entrance;

3.4.1.4 Notification sent to registered I&AP's and copies of the various documents were made available; and

3.4.2 Submission of the final BAR, dated 18 August 2021 to this Department was received on the 23 August 2021.

3.5 Authorities Consultation:

The authorities consulted include the following: -

3.5.1 Western Cape Government Department of Environmental Affairs and Development Planning (DEADP);

3.5.1.1 DEADP: Development Management;

3.5.1.2 DEADP: Pollution and Chemical Management;

3.5.1.3 DEADP: Air Quality Management;

3.5.1.4 DEADP: Waste Management;

3.5.2 City of Cape Town (CCT);

3.5.2.1 CCT: Air Quality Management;

3.5.2.2 CCT: Resource Management Department;

3.5.3 Western Cape Government Department of Health; and

3.5.4 All surrounding business and land owners.

4. It was the opinion of the Environmental Assessment Practitioner (EAP) that the Clay Industry CC should be granted authorisation for the co-processing of waste materials in their brick manufacturing.

_____END_____