



REFERENCE: 19/2/5/4/E4/4/WL0126/21

The Municipal Manager
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For attention: Hegans Marthinus

VARIATION WASTE MANAGEMENT LICENCE FOR THE DECOMMISSIONING OF THE BOTRIVER WASTE DISPOSAL FACILITY, ON ERF 2052, BOTRIVER, THEEWATERSKLOOF MUNICIPALITY.

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 (hereinafter referred to as 'the Department'), in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM:WA), as amended, hereby vary and replace the Waste Management Licence (Licence No. 19/2/5/1/E4/4/WL0032/14) of the Theewaterskloof Municipality (hereinafter referred to as 'the Municipality') for the decommissioning of the Botriver Waste Disposal Facility (WDF) (hereinafter referred to as 'the Facility') on Erf 2052, Botriver, Theewaterskloof, with the current variation waste management licence (Licence No. 19/2/5/4/E4/4/WL0126/21).

B. DESCRIPTION OF THE ACTIVITY:

The activities for closure and decommissioning of the Facility as per the "Minimum Requirements for Waste Disposal by Landfill of the Department of Water Affairs" (DWA), Second Edition 1998 ('Minimum Requirements') will entail but not be limited to; the following:

- (a) The determination of the total airspace at the waste disposal facility within 6 months after this Licence is issued;
- (b) Remedial design to address identified problem areas;
- (c) Final shaping, landscaping and re-vegetation;
- (d) Final landfill cover or capping design;
- (e) Permanent stormwater diversion measures, run-off control and anti-erosion measures; and
- (f) Any infrastructure relating to the End-use plan.

The following activity listed in the NEM: WA, '*List of waste management activities that have, or are likely to have, a detrimental effect on the environment*', GN No. 921 of 29 November 2013 (GN No. 921), as amended, 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.

In the event of constructing and operating alternative waste management facilities on the above-mentioned facility, the following waste management activities in Category C may be triggered if the volumes are exceeded.

Category C

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 these volumes be exceeded then it would be required for the applicant to comply with the NEM: WA, "*the National Norms and Standards for Storage of Waste*", Government Notice No. 926 of 29 November 2013 (GN No. 926).

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

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

C. LICENCE CONDITIONS

LICENCE NUMBER: 19/2/5/4/E4/4/WL0126/21

WASTE APPLICATION: DECOMMISSIONING OF THE BOTRIVIER WASTE DISPOSAL FACILITY

LOCATION: ERF 2052, BOTRIVIER, THEEWATERSKLOOF LOCAL MUNICIPALITY; WESTERN CAPE PROVINCE

LICENCE HOLDER: THEEWATERSKLOOF LOCAL MUNICIPALITY

CONTACT PERSON: MUNICIPAL MANAGER OR DESIGNATED WASTE MANAGER/OFFICER

ADDRESS: P.O. BOX 24, CALEDON, 7230

1. LOCATION

- 1.1. This Licence authorises the Theewaterskloof Local Municipality to decommission the Facility on Erf 2052, Botrivier, Theewaterskloof Local Municipality.
- 1.2. The location of the Facility must be according to co-ordinates indicated on the Waste Management Licence Application Form dated 14 January 2014 and Waste Management Licence Application Additional Information Annexure submitted by the Licence Holder, which is defined as follows:

Footprint of the Facility		
Number of corners	Latitude	Longitude
A	34°13'9.91" S	19°11'35.21" E
B	34°13'21.78" S	19°11'29.83" E
C	34°13'17.15" S	19°11'43.39" E

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

Latitude	Longitude
34°13'16.09" S	19°11'36.07" E

- 1.4. The footprint of the Facility and its associated infrastructure is 53 331m².
- 1.5. The SG 21 Digit code of the Facility is: C01300030000205200000

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 draft Environmental Management Programme (EMP) dated March 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 approved engineering designs.

3. MANAGEMENT

General Management

- 3.1. The draft EMP for the decommissioning of the Facility mentioned in Condition 2.1, submitted as part of the Final Basic Assessment Report, is hereby approved and must be implemented together with all the conditions of this Licence.
- 3.2. An application for the amendment to the EMP must be submitted to the Director if any amendments are to be made to it and this may only be implemented once the final EMP has been authorised by the Licensing Authority.
- 3.3. The decommissioning 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.
- 3.4. 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.
- 3.5. 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.
- 3.6. 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. The Licence Holder must submit a Closure Report which includes the Closure Design, Closure Requirements and End Use Plan to the Licence Authority for approval 90(ninety) days prior to construction for decommissioning of the Facility.
- 4.2. The Facility must be decommissioned in accordance with the final BAR, EMP and in accordance with the conditions of this Licence.
- 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 No. 114 of 1990).
- 4.4. The waste body must be capped with an appropriate infiltration control cap comprising of 200mm layer of topsoil, 450 mm of compacted clay (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 Compacted Clay Liner (CCL) of specified performance clay is acceptable in which the 450mm CCL is replaced with 450mm random soil compacted fill over a Geosynthetic Clay Liner (GCL).
- 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 Facility, or any portion thereof must be covered and the Facility must be maintained in such a way that:-
 - 4.6.1. the formation of pools due to rain is prevented;
 - 4.6.2. free surface runoff of rain-water is ensured;
 - 4.6.3. contamination of stormwater is prevented;
 - 4.6.4. no objects or material which may hamper the rehabilitation of the Facility are present; and
 - 4.6.5. little or no erosion occurs.

- 4.7. 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).
- 4.8. The slope of the sides of the Facility must be constructed and maintained in such a manner that the occurrence of erosion is prevented.
- 4.9. No building of any structures may take place on the footprint of the closed WDF.

5. IMPACT MANAGEMENT

Facility Security and Access Control

- 5.1. The Licence Holder must prevent unauthorised access to the Facility, by having the Facility enclosed with a fence of 1.8m high and a gate with the same height.
- 5.2. Weatherproof, durable and legible notices must be displayed at each entrance to the Facility in at least 3 (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.
- 5.3. The Licence Holder must ensure that there is no illegal access to the closed and rehabilitated portion of the Facility and that no illegal dumping occurs on this portion of 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. 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.
- 8.1.2. 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.

8.2. **Leachate Management**

- 8.2.1. Leachate from the Facility must be managed by means of works and/or liners constructed and maintained on a continuous basis by the Licence Holder as approved by the Director, to prevent the pollution of groundwater, must:-
- (a) Be evaporated in lined dams as approved by the Director; and/or
 - (b) Be discharged into any convenient sewer if accepted by the authority responsible for that sewer.

9. **MONITORING**

9.1. **Water Quality Monitoring**

- 9.1.1. The Licence Holder must establish and maintain a ground water monitoring borehole network for the Facility, at least one upstream and one downstream of the Facility, must be established and maintained by the Licence Holder so that unobstructed sampling, as required in terms of this Licence, can be undertaken. A plan must be submitted to the Director for approval.
- 9.1.2. Monitoring boreholes must be equipped with lockable caps. The Department and Department of Water and Sanitation reserve the right to take water samples at any reasonable time and to analyse these samples or have them analysed.

9.2. **Detection monitoring**

- 9.2.1. Monitoring for groundwater and surface water shall be conducted:-
- 9.2.1.1. Bi-annually (twice a year) for the water quality variables listed in Annexure II;
 - 9.2.1.2. Annually (once a year) for the quality variables listed in Annexure III; or
 - 9.2.1.3. Such frequency as may be determined by the Licencing Authority.

9.3. **Investigative monitoring**

- 9.3.1. 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.

10. **METHODES OF ANALYSIS**

Monitoring Methods and Parameters

- 10.1. The Licence Holder must carry out all tests required in terms of this Licence 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).
- 10.2. The Licence Holder may only use another method of analysis if written proof is submitted to and accepted by the Licencing 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 (four times per year) 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 in the format indicated by the Director, which must be made available to the external auditor and Director.

11.2. External audits

- 11.2.1. The Licence Holder must appoint an independent external auditor to audit the site annually (once a year) and this auditor must compile an audit report documenting the findings of the audit in the format indicated by the Director and must be submitted by the Licence Holder to the Director.

- 11.2.2. The audit report must:-

- (a) Specifically state whether conditions of this licence are adhered to;
- (b) Include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
- (c) Specify target dates for the implementation of the recommendations to achieve compliance; and
- (d) 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:-
- (a) be legible;
 - (b) be made available and should form part of the external audit report;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
 - (d) be retained in accordance with documented procedures which are approved by the Department; and
 - (e) 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 14.1, 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 14.1, 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. LEASING AND ALIENATION OF THE FACILITY

- 15.1. 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.

16. TRANSFER OF LICENCE

- 16.1. Should the Licence Holder want to transfer ownership of this Licence, he/she must apply in terms of Section 52 of the NEM: WA, 2008.
- 16.2. Any subsequent Licence Holder shall be bound by the conditions of this Licence.
- 16.3. 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:-

- 16.3.1. 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.
- 16.3.2. 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.

17. COMMENCEMENT

- 17.1. The construction and rehabilitation activities of the licensed activity may not commence within 20 (twenty) days of the date of signature of the Licence.
- 17.2. 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
- 17.3. 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.
- 17.4. This decommissioning phase must commence before 20 February 2025. If commencement of the activity does not occur before then, the validity of this Licence lapses and a new application for Licence must be made for the activity to be undertaken.
- 17.5. If the proponent anticipates that commencement of the activity would not occur before **20 February 2025**, he/ she must apply and show good cause for an extension of the commencement date 6 (six) months prior to the expiry date.

18. GENERAL

- 18.1. This Licence shall not be transferable unless such transfer is subject to Condition 17 above.
- 18.2. 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.
- 18.3. Transgression of any condition of this Licence could result in the suspension of the Licence by this Department.
- 18.4. This Licence is valid for a period until 20 February 2030. 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.
- 18.5. Should the Licence Holder want to conduct the waste management activity beyond 20 February 2030, the Licence Holder must apply for a review 1 (one) year before the expiry date.
- 18.6. 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.

- 18.7. In terms of section 28 and 30 of the National Environmental Management Act (Act No. 107 of 1998) (NEMA), and section 19 and 20 of the National Water Act (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 environmental acceptable manner.
- 18.8. The Licence Holder must submit an Organic Waste Diversion Plan to the Director within 90 days of the date of this Licence and annually thereafter.
- 18.9. The information within the Organic Waste Diversion Plan must:
 - 18.9.1. provide a status quo of current organic waste sources and volumes disposed at municipal WDFs, and current rates and procedures of organic waste diversion from WDFs; and
 - 18.9.2. set annual targets and identify procedures from 2018 that will be implemented to meet these targets for the diversion of organic waste from municipal WDFs, in order to reach a 50% diversion by the year 2022 and 100% diversion by the year 2027.

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. The appeal and the 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; or

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: A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 3721, E-mail Marius.Venter@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 (APPEALABLE)

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:

1. The subsequent non-substantive amendment was conducted to extend the commencement date for decommissioning of this Facility. This licence repeals the previous licence (Ref: 19/2/5/1/E4/4/WL0032/14).
2. In accordance with the Licence condition 17.5, the Department has subsequently reviewed and updated the Licence by extending the commencement date for the closure of this Facility to 20 February 2025.
3. The original WML dated 20 February 2015 required commencement within 5 (five) years (by 20 February 2020). The information provided by the Licence Holder indicating the projected financial commitment and set timeframe, the relocation of the informal settlement between the 1st of December 2021 and mid-March 2022 and the commencement with decommissioning of the Facility by mid-April 2022, were considered to vary this Waste Management Licence.

REASONS FOR VARIATION OF THE DECISION (NOT APPEALABLE)

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 Waste Management Licence Application form dated 14 January 2014,
- (b) The Waste Management Licence Application Additional Information Annexure compiled by SRK consulting,
- (c) The Record of Decision by the Department of Water Affairs dated 14 August 2014 were taken into account in the Department's consideration of the application.
- (d) Comments raised by I&AP throughout the Public Participation Process, were taken into account.
- (e) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the NEMA, 1998 (Act No. 107 of 1998) have also been considered in this decision.
- (f) A summary of the issues which, in the Department's view, were of the most significance is set out below.

ENVIRONMENT

The Facility has been closed for nearly 10 years. The Facility was never formally classified but has been assigned a possible classification of G: C: B-.

The Facility is located on a single property (Erf 2052) on the northern extent of the town Botrivier, north of the Main Road (gravel) and to the east of the railway line (Cape Town to Caledon). The Facility was covered by unknown material and is currently the location of the New France informal settlement. No exposed waste is evident on the Facility but there is littering from the informal settlement.

ALTERNATIVES

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 of an existing waste disposal facility. The Design and Closure plan must still be submitted by the applicant.

Operational Alternatives

Operational alternatives are not applicable as this project entails the closure of an existing landfill facility.

The No-Go Option

The no-go alternative would result in the continued operation of an unlicensed landfill facility in its current state.

PUBLIC PARTICIPATION

The PPP comprised of the following:

- (a) 40-day I&AP Registration and public review and comment period on draft BAR (26 March 2014 to 12 May 2014);
- (b) Advertisements were placed in the Theewaterskloof Gazette on 1 April 2014 and "Die Burger" on 27 March 2014;
- (c) Fixing of notice board at the Botrivier Waste Disposal Facility on 23 March 2014;
- (d) Notification sent to registered I&AP's via sms and email on 28 March 2014 and copy made available at the Hermanus public library on 26 March 2014 for public review;
- (e) 21 days review and comment period on the final BAR from 1 April 2014;
- (f) Submission of the final BAR to the Department on 15 May 2014.

Authorities Consultation:

The authorities consulted include the following:

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

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 these authorities 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.Alk)

Ammonia (NH₃-N)

Chemical Oxygen Demand (COD)

Chlorides (Cl)

Electrical Conductivity (EC)

Nitrate (NO₃-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