



MSINGA MUNICIPALITY UMASIPALA WASEMSINGA

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SINVEST	23/04/2013
FAX NUMBER:	
031 566 2371	
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031 581 1500	12 pgs

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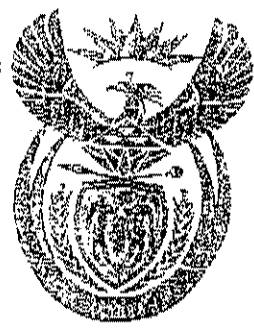
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16/2/7/V602/D1/21

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16/2/7/V602/D1/21

2002-06-07

PERMIT NUMBER: 16/2/7/V602/D1/21/P468

CLASS: G: S: B

WASTE DISPOSAL SITE: POMEROY WASTE DISPOSAL SITE

LOCATION: WITHIN POMEROY TOWN BOUNDARY

PERMIT HOLDER: KWAZULU NATAL TOWNSHIP BOARD

ADDRESS: PRIVATE BAG X 9078 PIETERMARITZBURG, 3200

PERMIT IN TERMS OF SECTION 20 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT 73 OF 1989)

By virtue of the powers delegated to me by the Minister of Water Affairs and Forestry (hereinafter referred to as "the Minister"), I, Jacobus Louis Johannes van der Westhuizen, in my capacity as Acting Chief Director: Water Use and Conservation in the Department of Water Affairs and Forestry (hereinafter referred to as "the Department"), hereby, in terms of section 20(1) of the Environment Conservation Act, 1989 (Act 73 of 1989), authorise the abovementioned Permit Holder to establish, further develop and operate the abovementioned waste disposal site, subject to the conditions specified herein.

PERMIT CONDITIONS

In this Permit, "Regional Director" means the Regional Director: Kwazulu Natal of the Department who may be contacted at the address below:

Regional Director: Kwazulu Natal
Department of Water Affairs and Forestry
P.O. Box 1018
DURBAN
4000

1. LOCATION

1.1 This Permit authorises the establishment, further development and operation of a waste disposal site within Pomeroy Town Boundary, District of Msinga, (hereinafter referred to as "the Site") according to the report job no 4007 by Anderson Vogt and partners (hereinafter referred to as "the Report"), submitted by the Permit Holder.

1.2 The location of the Site shall be according to the co-ordinates indicated on the permit application form, submitted by the Permit Holder.

2. PERMISSIBLE WASTE

2.1 Any portion of the Site which has been constructed or developed according to condition 3 of this Permit, may be used for the disposal of all waste types which are classified according to the latest edition of the "Minimum Requirements" series of documents as published by the Department (hereinafter referred to as the "Minimum Requirements"), as General Waste suitable for disposal at a general disposal facility, excluding those waste types listed in Annexure I.

2.2 The Permit Holder must take all reasonable steps to ensure that-

2.2.1 no organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment, due to its toxic, physical, chemical or persistent characteristics, and which corresponds with the UNEP definition of hazardous waste;

2.2.2 no medical waste; and

2.2.3 no scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers,

are disposed of on the Site.

3. CONSTRUCTION

3.1 The Site or any portion thereof may only be used for the disposal of permissible waste if the Site or any such portion has been constructed or developed according to the conditions listed under condition 3 of this Permit.

3.2 Construction and further development within the Site shall be carried out under the supervision of a suitably qualified person proposed by the Permit Holder and approved by the Regional Director.

3.3 After construction of the Site or further development within the Site, the Permit Holder shall notify the Regional Director thereof and the person referred to in condition 3.2 shall submit a certificate or alternatively a letter to the Regional Director that the construction of the Site or further development within the Site, as proposed by the Permit Holder and approved by the Regional Director, is in accordance with recognised civil engineering practice before disposal may commence on the Site. The completed construction works of the Site shall be inspected by an official of the Department and the person referred to in condition 3.2. If the Regional Director is satisfied with the construction of the Site or any further development within the Site and has given written permission, the Permit Holder may use the Site or any further development within the Site for the disposal of waste.

3.4 Should a portion of the Site be further developed, the Permit Holder shall notify the Regional Director of such a development within the Site and the person referred to in condition 3.2 shall submit a certificate or alternatively a letter to the Regional Director that the construction of that development within the Site, as proposed by the Permit Holder and approved by the Regional Director, is in accordance with recognised civil engineering practice before disposal may commence on that portion within the Site. The completed construction works of the development within the Site shall be inspected by an official of the Department and the person referred to in condition 3.2. If the Regional Director is satisfied with the construction of that further development within the Site and has given written permission, the Permit Holder may use that portion of the Site for the disposal of waste.

3.5 The Permit Holder shall take all reasonable steps, such as suitable zoning and/or written agreements with adjacent landowners, to establish and maintain an unbuilt area or "buffer zone" of 500 metres between the Site and the nearest residential and/or light industrial areas during the operative life of the Site. Heavy industries or industries which may create nuisance conditions may be permitted within the buffer zone in terms of the appropriate legislation.

3.6 Works shall be constructed and maintained on a continuous basis by the Permit Holder to divert and drain from the Site in a legal manner, all runoff water arising on land adjacent to the Site, which could be expected as a result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty years (50) (hereinafter referred to as the "estimated maximum precipitation"). Such works shall, under the said rainfall event, maintain a freeboard of half a metre.

3.7 Works shall be constructed and maintained on a continuous basis by the Permit Holder to divert and drain from the working face of the Site, all runoff water arising on the Site, which could be expected as a result of the estimated maximum precipitation and to prevent such runoff water from coming into contact with leachate from the Site. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.

3.8 Runoff water referred to in condition 3.7 shall comply with the quality requirements of the General Standard, as published in Government Notice 991 of 18 May 1984, or with such quality requirements as may from time to time be determined by the Minister and shall be drained from the Site in a legal manner.

3.9 Runoff water referred to in condition 3.7 which does not comply with the quality requirements applicable in terms of condition 3.8 and all sporadic leachate from the Site shall, by means of works which shall be constructed and maintained on a continuous basis by the Permit Holder -

3.9.1 be discharged into any convenient sewer if accepted by the authority in control of that sewer; and/or,

3.9.2 be treated to comply with the aforementioned standard and discharged in a legal manner; and/or,

3.9.3 with the written approval of the Regional Director be evaporated in dams and/or be evaporated by spraying over those portions of the Site which comply with the requirements set in terms of condition 3.1.

3.10 Works constructed in compliance with condition 3.9 shall be of such a capacity as to accommodate all runoff and leachate 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.

3.11 The Site shall be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.

3.12 The maximum height of the Site above ground level shall not exceed 15 metres.

3.13 The slope of the sides of the Site shall be constructed in such a manner that little or no erosion occurs.

3.14 The Permit Holder shall make provision for adequate sanitation facilities on the Site.

4. ACCESS CONTROL

4.1 Weatherproof durable and legible notices in at least three official languages applicable in the area shall be displayed at each entrance to the Site. These notices shall prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the Permit Holder and the person responsible for the operation of the Site.

4.2 The Site shall be fenced and/or secured to reasonably prevent unauthorised entry.

4.3 The Permit Holder shall take all reasonable steps to maintain service roads in a condition which ensures unimpeded access to the Site for vehicles transporting waste and to keep the roads free of waste.

4.4 The Permit Holder shall ensure that all entrance gates are manned during the hours of operation and locked outside the hours of operation.

4.5 The Permit Holder shall ensure effective access control.

4.6 The Permit Holder shall take all reasonable steps to prevent the disposal of waste on the Site for which the Site has not been approved.

5. OPERATION

5.1 Waste disposal and operation shall be done according to the relevant minimum requirements, the conditions of this Permit and any other written instruction by the Department.

5.2 Waste disposed of on the Site shall be compacted and covered on a daily basis with a minimum of 150 millimetres of soil or other material approved by the Regional Director.

5.3 The Permit Holder shall take all reasonable steps to ensure that the Site is operated in a manner, which shall prevent the creation of nuisance conditions or health hazards.

5.4 The Permit Holder shall make use of moveable fences to control wind-blown waste.

5.5 The Permit Holder shall apply sufficient dust control measures to prevent wind-blown dust from causing nuisance conditions or health hazards.

5.6 Waste disposed of on the Site may not be reclaimed.

6. MONITORING

6.1 Water monitoring

6.1.1 Surface water monitoring shall be performed in all stormwater drains on and adjacent to the Site at locations selected in conjunction with the Regional Director and at such a frequency as determined by the Regional Director.

6.1.2 Further investigations

If, in the opinion of the Regional Director, groundwater, surface water and/or air pollution have occurred or may possibly occur, the Permit Holder shall conduct

the necessary investigations and implement additional monitoring and rehabilitation measures which shall be to the satisfaction of the Regional Director.

7. **AUDITING**

7.1. **Internal audits**

7.1.1 Internal audits must be conducted quarterly by the Permit Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in condition 7.2.1 and the Department, according to conditions 7.3.2 and 10.2.2.

7.2 **External audits**

7.2.1 The Permit Holder must appoint an independent external auditor to audit the Site annually and this auditor must compile an audit report documenting the findings of his audit, which must be submitted by the Permit Holder according to condition 10.2.2.

7.2.2 The audit report must specifically state whether conditions of this Permit are adhered to and must include an interpretation of all available data and test results regarding the operation of the Site and all its impacts on the environment.

7.2.3 The audit report must contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Permit Holder.

7.3 **Departmental audits and inspections**

7.3.1 The Department reserves the right to audit and/or inspect the Site at any time and at such a frequency as the Regional Director may decide, or to have the Site audited or inspected.

7.3.2 The Permit Holder must make any records or documentation available to the Regional Director upon request, as well as any other information the Regional Director may require.

7.3.3 The findings of these audits or inspections shall be made available to the Permit Holder within 60 days of the end of the audit or inspection and shall not be treated as confidential.

8. **METHODS OF ANALYSIS**

9.1 The Permit Holder shall carry out all tests in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS)-referred to in the Standards Act, 1982 (Act 30 of 1982), to analyse the samples taken under the monitoring programmes specified in condition 6.

8.2 The Permit Holder shall only use another method of analysis if written proof that the method is at least equivalent to the SABS method is submitted to the Regional Director.

9 RECORDING

9.1 The Permit Holder shall keep a record of and update all the information referred to in Annexure II on an annual basis.

10. REPORTING

10.1 Reporting of incidents

10.1.1 The Permit Holder must, within 24 hours, notify the Regional Director of the occurrence or detection of any incident on the Site, or incidental to the operation of the Site, which has the potential to cause, or has caused water pollution, pollution of the environment, health risks or nuisance conditions.

10.1.2 The Permit Holder must, within 14 days, or a shorter period of time, if specified by the Regional Director, from the occurrence or detection of any incident referred to in condition 10.1.1, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Regional Director of measures taken to -

10.1.2.1 correct the impact resulting from the incident;

10.1.2.2 prevent the incident from causing any further impact; and

10.1.2.3 prevent a recurrence of a similar incident.

10.1.3 The Permit Holder shall, within 48 hours, notify the Regional Director of any sporadic leachate generated on account of unusual circumstances on the Site.

10.1.4 In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 11.1.1, or measures which have been implemented are inadequate, the Regional Director may implement the necessary measures at the cost and risk of the Permit Holder.

10.1.5 The Permit Holder 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.

10.2 Audit reports

10.2.1 All internal audit reports referred to in condition 7.1.1 must be made available to the external auditor referred to in condition 7.2.1.

10.2.2 Each external audit report referred to in condition 7.2 must be submitted to the Regional Director and the Monitoring Committee within 30 days from the date on which the external auditor finalised the audit.

10.3 Other reports

10.3.1 The information required in terms of condition 9.1 shall be submitted to the Regional Director within a period of one year from the date of issuing of this Permit and annually thereafter.

10.3.2 The information required in terms of condition 6 must be reported to the Regional Director, in the format specified in condition 10.2 where applicable, within a period of 30 days following the analysis of the samples. The information must also be included into a trend report, which must contain a graphical presentation of all results obtained previously at any specific point, as well as an interpretation and discussion of the results of each monitoring occasion.

11. REHABILITATION AND CLOSURE OF THE SITE

11.1 The Permit Holder shall, at least 180 days prior to the intended closure of the Site, notify the Regional Director by registered mail of such closure and submit final rehabilitation plans for his approval.

11.2 Immediately following the cessation of operations with the intention to close the Site or any portion thereof, the surface of the Site shall be covered and the site must be maintained in such a way that -

11.2.1 the formation of pools due to rain is prevented;

11.2.2 free surface runoff of rain-water is ensured; and

11.2.3 no objects or materials which may hamper the rehabilitation of the Site are present.

11.3 The Permit Holder shall rehabilitate the Site in accordance with a rehabilitation plan, which shall be submitted by the Permit Holder and which shall be to the satisfaction of the Regional Director.

12. LEASING AND ALIENATION OF THE SITE

12.1 Should the Permit Holder want to alienate or lease the Site, he shall notify the Regional Director in writing of such an intention at least 120 days prior to the said transaction.

13. GENERAL

13.1 The Permit Holder shall within a period of 60 days from the date of issuing of this Permit apply for the rezoning of the Site for waste disposal purposes. Should the Permit Holder be unsuccessful in rezoning the Site for waste disposal purposes within a period of 2 years from the date of issuing of this Permit, a written motivation shall be provided to the Regional Director defining the reasons why the application for rezoning failed. The Regional Director shall then take an appropriate decision regarding the future of the Site.

[Handwritten signature]

13.2 This Permit is not transferable.

13.3 This Permit shall not be construed as exempting the Permit Holder from compliance with the provisions of the National Environmental Management Act, 1998 (Act 107 of 1998), the Health Act, 1977 (Act 63 of 1977), the National Water Act, 1998 (Act 36 of 1998) or any other applicable act, ordinance, regulation or by-law.

~~ACTING CHIEF DIRECTOR: WATER USE AND CONSERVATION
p.p. MINISTER OF WATER AFFAIRS AND FORESTRY~~

DATE: 7/6/2012

11

ANNEXURE II

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS: CONDITION 9.1

* = Indicate with an X. Please print legibly.

NAME OF SITE: _____	DATE OF REPORT: _____ (y/m/d)
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1. Registered owner(s) of property on which disposal site is situated:

Name	Telephone	
Postal Address	Fax	
	Postal Code	

2. Operator in control of disposal site:

Name				Telephone	
Identity number				After Hours	
Educational Qualifications (*)	std 5 Diploma	std 8 higher diploma	matric degree	Other (specify)	

3. Latest estimated lifetime of the disposal site: _____ yr.

4. Indicate the types of waste and approximate quantities of waste disposed of during the year:

	Household (H)	Garden refuse (G)	Building rubble (B)	Industrial (not hazardous) (I)	TOTAL
Non-hazardous waste:					
Household					
Garden refuse					
Building rubble					
Industrial (not hazardous) - (specify)					
TOTAL					
Hazardous waste:					
Flammable solids					
Flammable liquids					
Oxidising agents					
Toxic wastes					
Corrosive wastes					
Hospital and infectious wastes (specify)					
TOTAL					

5. (a) Indicate the method of disposal of waste (*).

Landfilling	Landfilling	
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(b) Indicate the present dimensions of the site (metre)

Height/depth		
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Length	
Breadth	

6. Indicate the applicable waste types and quantities salvaged during the year (*)

Salvaging undertaken?	Yes	No		
Type	Quantity (m ³)	Type	Quantity (m ³)	
Paper/wood fibre		Rubber		
Plastics		Textiles		
Glass		Iron		
Copper		Aluminium		
Zinc		Lead		
Phospho-gypsum		Fly-ash		
Waste for composting		Food residues		
Flammable gases		Other		
Other		Other		
Other		Other		

7. Indicate the types, sources and approximate quantities of available covering material (*).

Type	Sources	Quantity (m ³)
Soil		
Sand		
Ash		
Gravel		
Clay		
Building rubble		
Other (specify)		

I, the undersigned, declare that the information stated above is to my knowledge a true reflection of the status at the _____ waste disposal site.

Signature: _____
 Name: _____
 Capacity: _____
 Place: _____
 Date: _____