ENVIRONMENTAL MANAGEMENT PROGRAMME
(Version 2)

In terms of the National Environmental Management: Waste Act
(NEM:WA, Act 59 of 2008) and the
National Environmental Management Act
(NEMA, Act 107 of 1998, as amended)

For
HENQUE WASTE GEORGE

On
Erf 21118, Rand Street, George

Prepared for the Applicant: Henque 3105cc
Prepared By: Cape EAPrac Report Reference: GEO249/07
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ENVIRONMENTAL MANAGEMENT PROGRAMME

Henque Waste
on
Erf 21118, Rand Street, George

Submitted for:
STAKEHOLDER REVIEW & COMMENT

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APPENDICES

Appendix A: Environmental Do’s and Don’ts
Glossary of Terms

DEA
Department of Environmental Affairs – the national authority for sustainable environmental management and integrated development planning.

DEA&DP
Department of Environmental Affairs and Development Planning – the provincial authority for sustainable environmental management and integrated development planning.

CBA
Critical Biodiversity Area – An area designated over sensitive, vulnerable and endangered features or ecosystems, which remain relatively intact and are in need to protection.

ECA
Environment Conservation Act, 1989 - To provide for the effective protection and controlled utilization of the environment and for matters incidental thereto.

EMP
Environmental Management Programme – an environmental management tool used to ensure that undue or reasonably avoidable adverse impacts of the construction and operation, and decommissioning of a project are prevented and that positive benefits of the projects are enhanced.

EMMP
Environmental Maintenance Management Plan / Programme – Plan to guide the implementation of environmental management and monitoring during operation.

ESA
Ecological Support Area – an area designated to support the ecological integrity of Critical Biodiversity Areas and/or sensitive ecosystems.

GN
Government Notice – Notice in terms of the Regulations / Legislation of the NEMA.

HWC
Heritage Western Cape – Western Cape Provincial Heritage Authority responsible for the implementation of the National Heritage Resources Act.

IDP

MRF
Material Recovery Facility – a facility which sorts and bails specific waste items (usually paper and glass) so that they can be recycled via another process.

NEMA
National Environmental Management Act (Act 107 of 1998) – national legislation that provides principles for decision-making on matters that affect the environment.

NEM:BA
National Environmental Management: Biodiversity Act – (Act 10 of 2004) controls the management and conservation of South African biodiversity within the framework of NEMA.

NEM:WA
National Environmental Management: Waste Act – (Act 59 of 2008) makes provision for the identification and assessment of waste management activities, which require authorisation from the relevant authorities based on the findings of an environmental impact assessment.
<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>NSBA</strong></td>
<td><strong>National Spatial Biodiversity Assessment</strong> – (2011) assesses the state of South Africa’s biodiversity, across terrestrial, freshwater, estuarine and marine environments, emphasising spatial (mapped) information for both ecosystems and species.</td>
</tr>
<tr>
<td><strong>NWMS</strong></td>
<td><strong>National Waste Management Strategy</strong> - South African Government’s strategy for integrated waste management for South Africa</td>
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1 INTRODUCTION

Cape Environmental Assessment Practitioners (Cape EAPrac) has been appointed by the Applicant, Henque 3105cc, as the independent Environmental Assessment Practitioner (EAP) to facilitate the legally required Basic Assessment process for the existing recycling facility on Erf 21118, Rand Street, George. Henque Waste has been operating a waste collection facility since 2000 where they collect and bail paper, cardboard, glass and tin which is then provided to a registered recycling facility.

This process is undertaken in terms of the National Environmental Management: Waste Act (NEM:WA, Act 59 of 2008) and the National Environmental Management Act (NEMA, Act 107 of 1998, as amended)¹.

1.1 SITE DESCRIPTION / CONTEXT

Erf 21118 is located on a flat (plateau) area within an established industrial area of George. North of Erf 21118 the landscape slopes downwards towards a tributary of the Skaapkops River (the study site itself does not slope). The property is surrounded by businesses and industrial properties to the east, south and west.

With regards to the specific site, it has to be noted that the facility is within an existing industrial building and all activities take place on a concrete floor under a roof.

![Figure 1: The image illustrates the study site for which a WML is being applied. Also shown is recyclable waste being sorted as well as recyclable waste that has already been baled.](image)

¹ The National Environmental Management Act (Act 107 of 1998) was amended in 2006 and August 2010.
1.2 ACTIVITY

Henque Waste operates a business that collects, sorts and bails recyclable materials within the George Municipal area. The materials collected are glass, plastic, cardboard, paper and tin which are packaged for transport to registered recycling facilities. The business was registered on the 25th May 2000.

Currently the business is located within the George Industria area where they rent Erf 21118 for the operation.

Henque Waste is expanding its current operational area for collection, sorting and baling of recyclable waste to a total area exceeding 1000m².

1.3 ASSOCIATED INFRASTRUCTURE

There are no infrastructure upgrades or construction of new infrastructure associated with the expansion of the Henque Waste’s operational area. Henque Waste makes use of, and will continue to make use of, Municipal electrical and water services. Expansion of the operational area will not result in a significant increase of such services.

2 LEGISLATIVE REQUIREMENTS

The legislation that is relevant to this study is briefly outlined below. These environmental requirements are not intended to be definitive or exhaustive, but serve to highlight key environmental legislation and responsibilities only.

- THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA

The Constitution of the Republic of South Africa (Act 108 of 1996) states that everyone has a right to a non-threatening environment and that reasonable measures are applied to protect the environment. This includes preventing pollution and promoting conservation and environmentally sustainable development, while promoting justifiable social and economic development.

Henque Waste supports this by providing a facility that improves waste management within the George Municipal area.

- NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

The current assessment is being undertaken in terms of the National Environmental Management Act (NEMA, Act 107 of 1998 as amended). This Act makes provision for the identification and assessment of activities that are potentially detrimental to the environment and which require authorisation from the competent authority (in this case, the provincial Department of Environmental Affairs & Development Planning, DEA&DP) based on the findings of an Environmental Assessment.

The proposed scheme entails listed activities in terms of the NEM: Waste Act, which require a Basic Assessment (BA) process, which must be conducted by an independent environmental assessment practitioner (EAP).

- NATIONAL ENVIRONMENTAL MANAGEMENT LAWS AMENDMENT ACT (ACT 25 OF 2014)

The NEM: Laws Amendment Act came into effect on the 2nd June 2014. This Act amends certain provisions, definitions, expressions, provides clarity on issues and information related to both NEMA and NEM:WA.
The applicability of this Act in reference to this application is related to the revised Public Participation requirements. In terms of this Act, stakeholders will be provided with a 30 day comment period on this Draft Basic Assessment Report (BAR).

- **NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT (ACT 59 of 2008)**

The National Environmental Management: Waste Act (NEM:WA, Act 59 of 2008) makes provision for the identification and assessment of activities that are related to management of waste related activities and which require authorisation from the relevant authorities based on the findings of an environmental assessment. NEM:WA is a National Act, which is enforced by the Department of Environmental Affairs (DEA). In the Western Cape Province any activity requiring a Waste Management License (WML) in terms of NEM:WA is enforced by the provincial Department of Environmental Affairs & Development Planning (DEA&DP). The Act aims to protect health and the environment by providing reasonable measures for the prevention of pollution and ecological degradation and for securing ecologically sustainable development.

A WML is required for the operation of the collection and baling activities undertaken by Henque Waste for the recycling initiative. In terms of NEM:WA Section 19(1), authorisation is required for the following Category A (Basic Assessment) listed activities:

**Table 1: NEM:WA 2013 Category A listed activities for Henque Waste**

<table>
<thead>
<tr>
<th>R921</th>
<th>Listed Activity</th>
<th>Activity Description</th>
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<tr>
<td>2</td>
<td>The sorting, shredding, grinding, crushing, screening or bailing of general waste at a facility that has an operational area in excess of 1000m².</td>
<td>The applicant rents an area of 1680m² but is currently using less than 1000m². This is expected to increase with additional contracts that the applicant is applying for.</td>
</tr>
</tbody>
</table>

- **NATIONAL ENVIRONMENTAL MANAGEMENT: BIODIVERSITY (ACT 10 OF 2004)**

NEM:BA is a Special Environmental Management Act (SEMA) and makes provision for the management and conservation of South Africa's biodiversity within the framework of NEMA. The Act further provides for protection of species and ecosystems that warrant national protection, the sustainable use of indigenous biological resources, the fair and equitable sharing of benefits arising from bio-prospecting involving biological resources and the establishment and functions of the South African Biodiversity Institute (SANBI).

SANBI specifies ecosystem status categories that are used in the various Biodiversity Programmes. With respect to the latest Critical Biodiversity Areas (CBA) identified for the Garden Route, it has been confirmed that the property in question, does not fall within a CBA area or any other important biodiversity area. It is located within a highly transformed area that is inside the urban edge of George in an industrial area.

- **NATIONAL HERITAGE RESOURCES ACT**

The protection and management of South Africa's heritage resources are controlled by the National Heritage Resources Act (NHRA)(Act No. 25 of 1999). South African National Heritage Resources Agency (SAHRA) is the enforcing authority in the Northern Cape, and is registered as a Stakeholder for this environmental process.

In terms of Section 38 of the National Heritage Resources Act, provision is made for the assessment of heritage impacts as part of an EIA process.
The National Heritage Resources Act requires relevant authorities to be notified regarding this proposed development, if the following activities are relevant:

- the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300m in length;
- any development or other activity which will change the character of a site exceeding 5 000 m² in extent;
- the re-zoning of a site exceeding 10 000 m² in extent.

No Heritage Impact Assessment is therefore required for this facility.

- NATIONAL WATER ACT, NO 36 OF 1998

Section 21 of the National Water Act (NWA) requires that authorisation be applied for from the Department of Water Affairs (DWA) for any water use / activity in, or on the banks, of any watercourse.

Water on the site is obtained via the existing municipal reticulation for domestic use only, therefore no WULA is required.

- NATIONAL WASTE MANAGEMENT STRATEGY

The National Waste Management Strategy (NWMS) presents the South African government's strategy for integrated waste management for South Africa. The NWMS is a legislative requirement of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), the “Waste Act”. The purpose of the NWMS is to achieve the objects of the Waste Act. Organs of state and affected persons are obliged to give effect to the NWMS.


Henque Waste provides services that contribute to Goals 1, 2, 3, and 5 of the NWMS.

- DEA&DP GUIDELINES

Guideline for Public Participation (March 2013)
Guideline on Alternatives (March 2013)
Guideline on Need & Desirability (March 2013)
National Norms & Standards for the Storage of Waste (November 2013)

3 PRE CONSTRUCTION & OPERATIONAL DESIGN CONSIDERATIONS

There is no construction phase associated with this application for a Waste Management Licence. Design considerations are not applicable.
4 CONSTRUCTION REQUIREMENTS

There is no construction phase associated with this application for a Waste Management Licence.

5 SOCIAL REQUIREMENTS

5.1 USE OF LOCAL LABOUR

It is strongly recommended that Henque Waste make use of local labour (from George and surrounding communities) as far as possible.

Records should be kept of all personnel employed by Henque Waste. Apart from the labour records, financial records should be kept indicating the financial contribution to the local economy.

6 HERITAGE REQUIREMENTS

There are no heritage requirements associated with the proposed expansion of Henque Waste’s operational area as the site is hard surfaced/concreted and located under roof within an existing structure.

7 OPERATIONAL REQUIREMENTS

The operational requirements of this EMP are to be updated to include the recommendations and comments received in response to the Final Basic Assessment Report. Henque Waste will be responsible for the operational management of its sorting and baling of recyclable waste facility – the following must be considered:

- Henque Waste must ensure that the conditions of the Waste Licence are adhered to;
- Energy efficiency measures to reduce energy and water consumption must be implemented as far as possible;
- Suitable signage: information / instruction boards must be in place and maintained at the access gate to inform and guide visitor to the designated off-loading areas.
- Regular monitoring of the facility and its immediate surrounding area to ensure that recyclable material does not spread to these areas due to wind or any other factor.
- Off-loading of recyclable material must take place inside the facility. No material meant for baling are to be off-loaded outdoors where it can spread to neighbouring areas.
- Fire-fighting training for employees (formal and informal) must take place on regular basis, as well as regular servicing of all fire-fighting equipment.
- A receptacle for hazardous waste must be kept at the facility. Should any hazardous waste be inadvertently delivered to the MRF, this waste must be temporarily stored within this receptacle before being transported and disposed of at a suitably registered hazardous waste facility (e.g. Vissershok, Cape Town).
- An Odour Control Programme must be implemented to ensure that working environment and health conditions are maintained at an acceptable status.
- All possible steps must be taken to prevent the occurrence of nuisance or breeding of pests.
- All unsorted and bailed waste material must be stored in such a manner that prevents incidences of fire.
• **Wind-blown waste** that escapes the site must be picked up immediately, so that it does not accumulate in the landscape.

• The appropriate **personal protective equipment** must be available for employees and used as is fit.

## 8 HEALTH AND SAFETY

Henque Waste must ensure **compliance** with the Occupational Health and Safety Act (No. 85 of 1993). Of key importance is the following (Section 8 of the aforesaid Act):

### General duties of employers to their employees

1. Every employer shall provide and maintain, as far as is reasonably practicable, a working environment that is safe and without risk to the health of his employees.

2. Without derogating from the generality of an employer's duties under subsection (1), the matters to which those duties refer include in particular-
   
   a. the provision and maintenance of systems of work, plant and machinery that, as far as is reasonably practicable, are safe and without risks to health;
   
   b. taking such steps as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard to the safety or health of employees, before resorting to personal protective equipment;
   
   c. making arrangements for ensuring, as far as is reasonably practicable, the safety and absence of risks to health in connection with the production, processing, use, handling, storage or transport of articles or substances;
   
   d. establishing, as far as is reasonably practicable, what hazards to the health or safety of persons are attached to any work which is performed, any article or substance which is produced, processed, used, handled, stored or transported and any plant or machinery which is used in his business, and he shall, as far as is reasonably practicable, further establish what precautionary measures should be taken with respect to such work, article, substance, plant or machinery in order to protect the health and safety of persons, and he shall provide the necessary means to apply such precautionary measures;
   
   e. providing such information, instructions, training and supervision as may be necessary to ensure, as far as is reasonably practicable, the health and safety at work of his employees;
   
   f. as far as is reasonably practicable, not permitting any employee to do any work or to produce, process, use, handle, store or transport any article or substance or to operate any plant or machinery, unless the precautionary measures contemplated in paragraphs (b) and (d), or any other precautionary measures which may be prescribed, have been taken;
   
   g. taking all necessary measures to ensure that the requirements of this Act are complied with by every person in his employment or on premises under his control where plant or machinery is used;
   
   h. enforcing such measures as may be necessary in the interest of health and safety;
   
   i. ensuring that work is performed and that plant or machinery is used under the general supervision of a person trained to understand the hazards associated with it and who have the authority to ensure that precautionary measures taken by the employer are implemented; and
   
   j. causing all employees to be informed regarding the scope of their authority as contemplated in section 37 (1) (b).

The Occupational Health and Safety Act aims to provide for the health and safety of persons at work and for the health and safety of persons in connection with the activities of persons at work and to establish an advisory council for occupational health and safety.

Henque Waste must ensure **compliance** with the **Occupational Health and Safety Act**.
8.1 EMERGENCY RESPONSE PLAN

An Emergency Response Plan must be developed for the incidents of fire. This plan should be developed by the Henque Waste and should, as a minimum, include the following:

- Placing of firefighting equipment;
- Training of staff;
- Awareness raising of emergency procedures amongst residents; and
- Monitoring and maintenance program.

The facility must comply with all relevant norms relating to the design, construction, monitoring and maintenance of road, water, sewerage, stormwater and electrical systems, as well as emergency facilities / services, to avoid circumstances which could expose the environment as well as the public to contamination, health or safety risks.

9 RESPONSIBILITIES

Details of the organizational structure are presented in Figure 9. The structure illustrates the reporting procedures for stakeholders in the implementation of this EMP.

![Diagram](image)

**Figure 2:** EMP implementation organizational structure during operation.

It is the responsibility of the Holder of the Authorisation to inform or gain input from the relevant Authority regarding any matters associated with the Waste Management Licence.

10 NON-COMPLIANCE

Any person is liable on conviction of an offence, in terms of sub regulation (1) of the National Environmental Management Act (NEMA), to imprisonment for a period not exceeding two years or to a fine not exceeding an amount prescribed in terms of the Adjustment of Fines Act, 1991 (Act No. 101 of 1991).

It is the responsibility of the Holder of the Authorisation/Waste Management Licence to report any matters of non-compliance to the relevant Authority.
11 MONITORING

It is recommended that the facility be constantly monitored to ensure compliance with the conditions set out in this EMP.
12 REFERENCES


