



LIMPOPO

PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Ref: 12/4/10/8 – B/8/W5

Enquiries: Mabotha P J

Tel: (015) 290 7182 Fax: (015) 295 4836 Cell: 079 529 5339 Email: MabothaPJ@ledet.gov.za

www.ledet.gov.za

LICENSE NUMBER: 12/4/10/8 – B/8/W5

CLASS: B

WASTE DISPOSAL SITE: NORTHAM WASTE DISPOSAL SITE

LOCATION: REMAINING EXTENT OF FARM KOEDOESDOORNS 414 KQ

LICENSE HOLDER: THABAZIMBI LOCAL MUNICIPALITY

ADDRESS: P.O BOX 90, THABAZIMBI, 0380

CONTACT: NKOANA J M, Tel: 014 777 1525,
Email: NkoanaJM@thabazimbi.gov.za

WASTE MANAGEMENT LICENSE IN TERMS OF SECTION 49 (1)(a) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008) AS AMENDED

I, Trevor Mogalatjane Mphahlele in my capacity as the Director: Integrated Pollution and Waste Management in the Department of Economic Development, Environment and Tourism (hereinafter referred to as "the Department"), in terms of section 49 (1)(a) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) as amended, hereby grant Thabazimbi Local Municipality a waste management license for the following waste management activity as listed in Category A or B of Government Notice No 921, dated 29 November 2013:

(14) the decommissioning of a facility for a waste management activity listed in Category A or B.

DEFINITIONS APPLICABLE TO THIS LICENSE ONLY

- i. "HOD" means the Head of Department: Department of Economic Development, Environment and Tourism, who may be contacted at the address below:

HOD:

Department of Economic Development, Environment and Tourism
Private Bag X 9484

POLOKWANE

0700

- ii. "Regional Director" means the Regional Director of the Department of Water & Sanitation (DWS): Limpopo Region who may be contacted at the address below:

North West Provincial Government
Department of Water and Sanitation
Private Bag X 5

MMABATHO

2735

- iii. "The Waste Act" means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) as amended
- iv. "The EIA regulations" means the Environmental Impact Assessment Regulations, 2014, published in Government Notice No.R.993 of 08 December 2014.
- v. "The facility" means one or more of the areas indicated through geographic coordinates in condition 1.1.2 below
- vi. "The Department" – The Department of Economic Development, Environment and Tourism
- vii. "Responsible Authority" means Department of Water & Sanitation, the Department and/or any other government Department having authority on the matter



1. SITE DETAILS

1.1 LOCATION

1.1.1 This License authorises the decommissioning and rehabilitation of the site to its natural state at the areas indicated at 1.1.2 below situated at Waterberg Portion 19 of the Farm 414 within the Thabazimbi Local Municipality in Limpopo Province (hereinafter referred to as "the Site") according to the application form and Final Basic Assessment Report compiled by Tailor-Made & Madifahlo Trading dated 21 April 2016 (herein referred to as "the Report") submitted by the License Holder.

1.1.2 The location of the waste disposal Site to be decommissioned is according to the co-ordinates indicated below:

Number of corner	Latitude	Longitude
A	-24° 57' 47"	27° 16' 31"
B	-24° 57' 19"	27° 16' 11"
C	-24° 57' 39 "	27° 16' 30"
D	-24° 57' 37"	27° 16' 27"
E	-24° 57' 40"	27° 16' 26"
F	-24° 57' 43"	27° 16' 25"
G	-24° 57' 44"	27° 16' 27"

1.2 DOCUMENTS CONSIDERED

1.1.3 Waste Management License Application form

1.1.4 The Final Basic Assessment Report compiled by Tailor-Made & Madifahlo Trading dated 21 April 2016 and

1.1.5 A Record of Decision (RoD) issued by the Department of Water and Sanitation, dated 23 June 2016.

2. LICENSE CONDITIONS

2.1 SITE SECURITY AND ACCESS CONTROL

2.1.1 The License Holder must ensure effective access control on the Site to prevent unauthorised entry. Weatherproof, durable and legible signs in at least three official languages applicable in the area must be displayed at the Site. The signs must indicate the risk involved in entering the site and must include the name, address and telephone number of the License Holder and the person responsible for the rehabilitation of the Site.

2.1.2 The License Holder must ensure that access to the Site is closed after rehabilitation is completed. The fence and gate to the Site must be maintained or upgraded and the Site must be locked to prohibit public access. The signs placed at the Site should notify the public that the facility is closed, should provide information on alternative disposal, and should specify appropriate provision or penalties against trespassing or dumping.

2.2 MANAGEMENT OF THE SITE

2.2.1 The activities must be managed:

2.2.1.1 in accordance with an updated Environmental Management System(EMS), that *inter alia* identifies and minimises risks of pollution, including those arising from rehabilitation, maintenance, accidents, incidents and non-compliance and those drawn to the attention of the License Holder as a result of complaints;

2.2.1.2 in accordance with conditions of this license and with any other written instruction by the HOD and /or Regional Director;

2.2.1.3 by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the management of the activities.

2.2.2 All mitigation measures and recommendations contained in the Final Basic Assessment Report (BAR) and the (Environmental Management Plan (EMP), dated April 2016 are binding and must be implemented, unless stated differently in this license.

2.2.3 Any persons having duties that are or may be affected by the matters set out in this license must have convenient access to a copy of it, kept at or near the place where those duties are carried out.

2.2.4 A copy of this license may be published on any website deemed fit by the Department.

2.2.5 Any changes to, or deviation from the project description set out in this license must be approved in writing by the HOD and /or Regional Director before such changes or deviation may be affected. In assessing whether to grant such approval or not, the HOD and /or Regional Director may request such information as he/she deems necessary to evaluate the significance and impact of such changes or deviation.

2.2.6 Any complaint from the public must be attended to by the License Holder as soon as possible to the practicable satisfaction of the complainant, the Department and /or DWS.

2.3. DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER

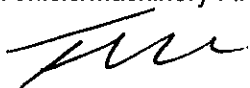
2.3.1. A Waste Management Control Officer (WMCO) must be designated to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the License and Operation and Maintenance Plan. The WMCO must:

(a) Report any non-compliance with any license conditions or requirements or provisions of NEM: WA to licensing authority through the means reasonable available.

2.4. EMERGENCY PREPAREDNESS PLAN

2.4.1 The License Holder must maintain and implement an emergency preparedness plan and review it biennially when conducting audit and after each emergency and or major accident. The plan must among others include:

(a) Vehicle/Machinery Fire & Malfunction



- (b) Site fires
- (c) Collapse of rehabilitated area
- (d) Natural disaster such as floods
- (e) Contact details of police, ambulance and any emergency centre closer to the Site.
- (f) Soil erosion

2.5. CONSTRUCTION

- 2.5.1. The capping component of closure shall comprise of a single composite liner (comprising of a 1,5mm thick High Density Polyethylene (HDPE) geomembrane plus a 300mm thick Compacted Clay Liner (CCL) or Geosynthetic Clay Liner (GCL) equivalent over a reshaped and compacted waste with a receiving foundation layer, and an overlying ballast and growth medium layer.
- 2.5.2. The liner should be covered by ballast layer made up of at least a drainage layer and ballast soil with upper 200mm topsoil layer, to the extent that this above geomembrane layer works has a total thickness of 600mm to provide ballast for intimate contact between the components of the composite liner.
- 2.5.3. Limitations on the slope shall be minimum of 2 % (1v: 50h) and a maximum slope of 25% (1v: 4h).
- 2.5.4. Designs should be signed off by a registered Professional Engineer (Civil) to certify materials available at the specific Site result in a design having an acceptable Factor of Safety against failure of thin veneer system with particular emphasis on interface shear.
- 2.5.5. **The design drawing reports for capping must be approved in writing by the Responsible Authority before any construction for decommissioning and closure may commence.**
- 2.5.6. Construction and further development within the Site must be carried out under the supervision of a Professional Civil Engineer, registered under the Engineering Profession of South African Act, 2000 (Act 46 of 2000).
- 2.5.7. The Site, or any portion thereof must be covered and maintained in such a way that-
 - 2.5.7.1. The formation of pools, and or damming due to rain is prevented;
 - 2.5.7.2. Free surface runoff of rain-water is ensured;
 - 2.5.7.3. Contamination of storm water is prevented;
 - 2.5.7.4. No objects or material which may hamper the rehabilitation of the Site are present; and
 - 2.5.7.5. Minimal or no erosion occurs.
- 2.5.8. The closure of the Site must be constructed in accordance with recognised civil engineering practice, with special consideration to stability as per approved designs.
- 2.5.9. The capping of the Site must be performed during dry period to avoid creating a recharge zone on the surface of the facility in an effort to minimize contaminants seeping into the groundwater system.



- 2.5.10. Any development which occurs within 1:100 year flood line and/or within the horizontal distance of 500m from the boundary of a wetland would require a Water Use Licence in terms of section 40 of the National Water Act,1998 (Act 36 of 1998).
- 2.5.11. No extension of the site footprint is permitted prior to a base liner design report and drawing demonstrating compliance with Regulation 636, National Norms and Standards for Disposal of Waste to Landfill dated 23 August 2013 Class B barrier system and associated conditions is approved by Responsible Authority.
- 2.5.12. The slope of the Site must be constructed and maintained in such a manner that the occurrence of erosion is prevented.
- 2.5.13. The Licence Holder must ensure that the gas venting below the cap shall be provided in accordance with the environment assessment practitioners authorised findings.
- 2.5.14. The current ongoing pollution effects of the Site in operation shall be minimised and remediated continuously until capping closure is implemented.

2.6. WATER QUALITY MANAGEMENT

2.6.1. Stormwater Management

- 2.6.1.1 All runoff water (stormwater) arising as a result of precipitation on land adjacent to the Site must be prevented from entering the Site, diverted and drained from the Site.
- 2.6.1.1. Uncontaminated runoff water must under no circumstances be used to dilute leachate emanating from the Site.
- 2.6.1.2. Stormwater channels must not be lined with a concrete and be made as natural as possible.
- 2.6.1.3. The energy dissipaters, litter traps and sediment traps must be installed in the stormwater channels to reduce velocity of the stormwater.

2.6.2. Leachate management

- 2.6.2.1. Leachate from Site, including contaminated runoff water must be treated to comply with the quality requirements as prescribed by the Responsible Authority which may be determined from time to time and shall be drained from the facilities in a legal manner.
- 2.6.2.2. Leachate detection system must be monitored on a daily basis for possible leakages. Should a leak or failure be detected during monitoring, it must be reported as an incident according to condition 2.10.1 below and be addressed to the satisfaction of the Responsible Authority.

2.7. MONITORING

2.7.1. Water Monitoring

- 2.7.1.1. The Licence Holder must ensure that surface and groundwater quality monitoring plan, upgradient and downgradient of the Site is established and maintained to the satisfaction of the Responsible Authority.
- 2.7.1.2. Monitoring boreholes must be equipped with lockable caps. The Responsible Authority reserves the right to take water samples at any time and to analyse these samples or have them analysed.



2.7.2. Detection monitoring

2.7.2.1. Monitoring for surface and groundwater quality must be conducted for variables listed in Annexure I bi-annually or such a frequency as may be determined by the Responsible Authority.

2.7.3. Investigative monitoring

2.7.3.1. If, in the opinion of the Responsible Authority, a water quality variable listed under the detection monitoring programme, as referred to in condition 2.7.2.1, shows an increasing trend, the Licence Holder shall initiate a monthly monitoring programme until such time that variables of concern are within the limit.

2.7.4. Post-closure water monitoring

2.7.4.1. Groundwater monitoring must continue after closure of the Site and must be maintained for a period of 30 years, or for such period and/or frequency as may be determined by the Responsible Authority-

(a) For variables listed in annexure I bi-annually.

2.8. METHODS OF ANALYSIS

2.8.1 The Licence holder shall carry out all tests in accordance with method prescribed by and obtained from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 08 of 2008), to analyse the samples taken under the monitoring programmes specified in condition 2.7.3.

2.8.2 The Licence 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 Responsible Authority.

2.9 RECORDING

2.9.1 Records of all tests and inspection conducted in accordance with condition 2.7 must be kept at all times.

2.10 REPORTING

2.10.1 Reporting of incidents

2.10.1.1 The Licence Holder must, within 24 hours, notify the Responsible Authority of the occurrence or detection of any incident on the Site which has the potential to cause, or has caused water pollution.

2.10.1.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the Responsible Authority, from the occurrence or detection of any incident referred to in condition 2.10.1.1, submit an action plan, which shall include a detailed time schedule, to the satisfaction of the responsible Authority of measures taken to-

2.10.1.2.1 correct the impact resulting from the incident;

2.10.1.2.2 prevent the incident from causing any further impacts; and

2.10.1.2.3 prevent a recurrence of a similar incident.



- 2.10.1.3 In the event that measures have not been implemented within 21 days to address impacts caused by the incident referred to in condition 2.10.1.1, or measures which have been implementing are inadequate, the Responsible Authority may implement the necessary measures at the cost and risk of the Licence Holder.
- 2.10.1.4 The License Holder must keep an incident and complaints register, which must be made available to both external, the Department and DWS auditor's for the purpose of the audit.
- 2.10.1.5 The Department must be notified within 7 days of any changes to the management of the site including the name of the incoming person together with evidence that such person has the required technical competence.
- 2.10.1.6 Each external audit report referred to in condition 2.13 must be submitted to the Regional Director and HOD within thirty days from the date on which the external auditor finalised the audit.

2.11. OTHER REPORTS


- 2.11.1 The information required in terms of condition 2.7 must be reported to the Responsible Authority in a yearly report. 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.
- 2.11.2 The Licence Holder must submit a written report to the responsible Authority regarding any deviations from plans described in this Licence and must obtain written permission from the Responsible Authority before such deviations may be implemented.

2.12 INTERNAL AUDITING

- 2.12.1 Internal audits must be conducted bi-annually by the License 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 Department of Water and Sanitation (DWS) and the Department within 30 days of the audit and/ or according to conditions 2.14.2.

2.13 EXTERNAL AUDITS

- 2.13.1 The License Holder must appoint an independent external auditor to audit the site upon completion of the closure of the Site and the auditor must compile a closure report documenting the findings of both internal and external audit, which must be submitted by the License Holder according to condition 2.10.1.6, above.
- 2.13.2 The audit report must:
 - (a) specifically state compliance with regard to each License condition;
 - (b) include an interpretation of all available data and test results regarding the closure and rehabilitation of the site and all its impacts on the environment;
 - (c) specify target dates for the implementation of the recommendations by the License Holder to achieve compliance;
 - (d) contain recommendations regarding non-compliance or potential non-compliance and must specify target for the implementation of the recommendations by the License Holder and whether corrective action taken for the previous audit non conformities was adequate; and



(e) show monitoring results graphically and conduct trend analysis.

2.14 DEPARTMENTAL AUDITS AND INSPECTION

2.14.1 The Department reserves the right to audit and/or inspect the Site without prior notification at anytime and at such frequency as may be determined by the HOD.

2.14.2 The License Holder must make any records or documentation available to the HOD or Director upon request, as well as any other information he/she may require.

2.15 FINAL CLOSURE REPORT AFTER REHABILITATION OR CLOSURE OF THE DISPOSAL SITE IS COMPLETED

2.15.1 The License Holder must submit the closure report to the HOD or Director within 30 days of the completion of the rehabilitation for approval by the Authorities.

2.15.2 The closure report must include the following:

(a) Evidence to determine that the Site does not pose any significant harm to the environment and/or human health either immediate or delayed; and

(b) Any other information relevant to the completion of the closure work.

2.15.3 Such report must be compiled by independent person (i.e. external auditor) appointed by License Holder.

2.16 TRANSFER OF WASTE MANAGEMENT LICENSE

2.16.1 Should the License Holder wish to transfer the License, he/she must apply in terms Section 52 of the National Environmental Management; Waste Act, 2008 (Act 59 of 2008) as amended.

2.16.2 Any subsequent License Holder shall be bound by condition of the License.

2.17 TRANSFER OF THE SITE

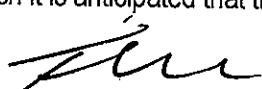
2.17.1 Should the License Holder wish to transfer the Site, he/she must inform the person to whom the land is to be transferred about the status of the Site.

2.17.2 The License Holder must notify the HOD in writing 30 days prior to the transfer of the site for approval.

2.18 GENERAL

2.18.1 Should the License Holder be notified by the MEC in writing of a suspension of the License pending an appeal decision, the License Holder may not commence with the closure or rehabilitation of the Site.

2.18.2 After an appeal period has expired and no good cause to extend the appeal period has been submitted (Regulation 62), a twenty (20) day-written notices must be given to the Department that the activity will commence. Commencement for the purpose of this condition includes site preparation. The notice must include a date on which it is anticipated that the remediation activity will commence.



- 2.18.3 The rehabilitation/closure of the site must commence within a period of two (2) years from the date of issue, if commencement of the activity does not occur within that period, the License lapses and a new application for a License must be made in order for the activity to be undertaken.
- 2.18.4 If the License Holder anticipate that commencement of the rehabilitation/closure activity would not occur within two (2) year period, he/she **must apply and show good cause** for an extension of the License six (6) months prior its expiry date.
- 2.18.5 The License must not be transferable unless such transfer is subject to condition 2.16.
- 2.18.6 This License shall not be construed as exempting the License Holder from compliance with the provision of other National and Provincial Legislation and any relevant Ordinance, Regulation, By-laws or relevant National Norms and Standards.
- 2.18.7 Transgression of any condition of this License could result in the License being withdrawn by the Department.
- 2.18.8 Non-compliance with conditions of this License may result in criminal prosecution or other action provided for in Section 67(1) of the National Environmental Management: Waste Act, 2008 as amended.
- 2.18.9 In terms of section 28 and 30 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), and section 19 and 20 of the National Water Act, 1998 (Act No.36 of 1998), any costs incurred to remedy the environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the License Holder reads through and understand the legislative requirements pertaining to the project. It is the applicants' responsibility to take reasonable measure which includes informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 2.18.10. The issuance of this Licence does not exempt the Licence Holder from compliance with any other legislation including section 40 of the National Water Act, 1998 (Act 36 of 1998).

2.19 APPEAL OF LICENSE

- 2.19.1 The License Holder must notify every registered interested and affected party, in writing and within ten (10) days, of receiving the Department's decision.
- 2.19.2 The notification referred to in 2.19.1, must –
- 2.19.2.1 Specify the date on which the License was issued;
- 2.19.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 2 of GN No. R 993 of 08 December 2014 in terms of National Environmental Act, 1998, as amended.
- 2.19.2.3 Advice the interested and affected party that a copy of the license will be furnished on request; and



2.19.3 An appeal against the decision must be lodged in terms of chapter 2 of GN No. R993 of 08 December 2014 in terms of NEMA 1998, as amended, from the date of this License, with:

The Member of the Executive Council (MEC)
Department of Economic Development, Environment and Tourism
Private Bag X9484
POLOKWANE
0700
Tel 015 293 8300.



MPHAHLELE TM

DIRECTOR: INTEGRATED POLLUTION AND WASTE MANAGEMENT

DATE: 10/08/2016

ANNEXURE I

WATER QUALITY VARIABLES REQUIRED FOR DETECTION MONITORING

Monitor at bi-annual intervals for:

Arsenic (As)
Cadmium (Cd)
Calcium (Ca)
Chemical Oxygen Demand (COD)
Chlorides (Cl)
Electrical conductivity (EC0
Flouride (F)
Iron (Fe)
Magnesium (Mg)
Manganese (Mn)
Nitrate (NO3-N)
pH
Potassium (K)
Sodium (Na)
Sulphate (SO4)
Total dissolved solids (TDS)