



environment
& tourism

Department:
Environment Affairs and Tourism
REPUBLIC OF SOUTH AFRICA

NEM: WASTE ACT IMPLEMENTATION PLAN

21 May 2009

UEMP Annual Conference

Khashiwe Masinga



Outline

- Purpose
- Roles and responsibilities
- DEAT: Requirements, Activities and Timelines
- Other useful tools
- Provinces
- Municipalities
- Delayed sections

Current status

- Waste Act coming into effect on **1 July 2009**
- Notice issued on 30 April 2009, **No: 32189**
- Delayed section (s);
 - 28 (7)(a), 35-41 and 46

Purpose

- ❑ To provide short, medium and long term plan for the implementation of the Waste Act by National, Provincial and Municipalities

Roles and Responsibilities

- **National:** Provide legislation, policies, strategies and norms and standards for coordinated, integrated and cohesive waste management
- **Provinces:** Develop provincial regulations and norms and standards for coordinated, integrated and cohesive waste management
- **Municipalities:** Provide waste services, set local standards and By-Laws

National DEAT: Core prerequisites of the Act

- **Section 6 (1)** Establish the National Waste Management Strategy (NWMS) within 2 years: 2011
- **Section 7 (1)** Set national norms and standards for the:
 - a. Classification of waste- **Hazardous waste:2010**
 - b. Planning and provision of waste management service- **Domestic Waste Collection Standards: 2010**
 - c. Storage, treatment and disposal of waste including the planning and operation of waste treatment and waste disposal facilities: **2011**
- **Section 9 (4)** Support and strengthen the municipality's ability or right to perform waste management activities:



National DEAT: Core prerequisites of the Act...

- **Section 10 (1)** Designate an officer in the Department as the National Waste Management Officer: **2009**
- **Section 11 (1)** Prepare Integrated Waste Management Plan(IWMP): **2011**
- **Section 41 (1)** Keep a national contaminated land register of investigation areas: **2011**
- **Section 43 (1)** Licensing authority for hazardous waste activities: **Ongoing**
- **Section 60 (1)** Establish a National Waste Information System: **2009**

National DEAT: Non obligatory requirements

- **Section 7 (2)** Set national norms and standards for the :
 - a. minimisation, reuse, recycling and recovery of waste: **2011**
 - b. extended producer responsibility: **2011**
 - c. the regionalisation of waste management services: **2011**
 - d. the remediation of contaminated land and soil quality: **2010**
- **Section 7 (3)** Set national standards in respect of tariffs for waste services provided by Municipalities (with the concurrence of the Minister of Finance): **2011**
- **Section 14 (1)** Declare a waste to be a priority waste: **2011**

National DEAT: Non obligatory requirements

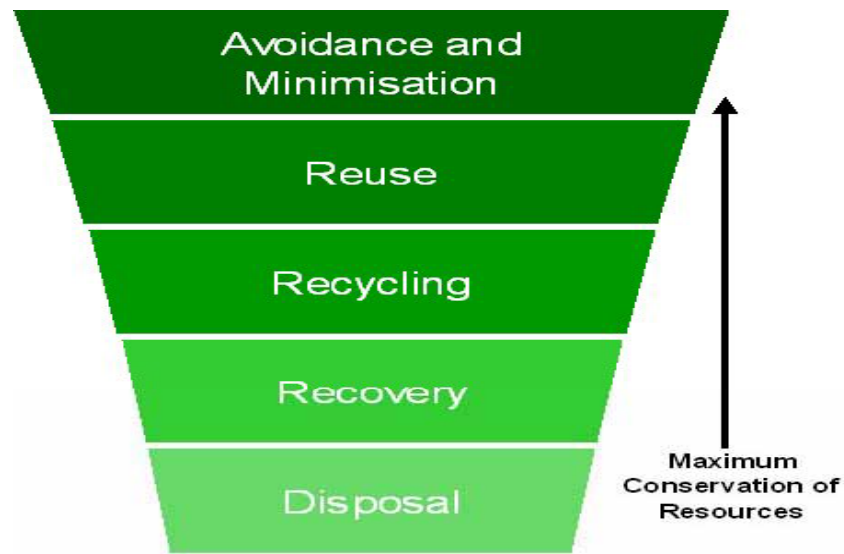
- Section 19 (11) Publish a list of waste management activities: 2009

NB: List published for public comment on 30 April 2009, (30 days), Notice no: 32188

- Section 25 (1) Require any person or category of persons who transport waste for gain to register with the Department: 2011
- Section 36 (1) Identification and notification of investigation areas of contaminated land in the gazette: 2011
- Section 69 (1) Make Regulations under this Act

Prioritised Regulations

- Health Care Risk Waste Regulations and Policy: **2010**
- Waste Information Regulations: **2009**
- **NB: Draft Waste Information Regulations published for public comment on 08 May 2009, Notice No: 32220 (60 days)**



DEAT- Other Tools



Other tools

- Simplified version of the Waste Act: **2009**
- Templates and forms for decision making (incl. licensing forms): **2010**
- Guidelines for Integrated Waste Management Plans: **2009**
- Guidelines for Industry IWMP: **2009**
- Compliance and Enforcement strategy for the Act including specialized training for EMIs: **2010**
- Develop implementation protocols for the implementation, operation, reporting and management of the Waste Information System: **2009**





Provinces



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Provinces: Core prerequisites of the Act

- **Section 8 (1)** Ensure the implementation of the NWMS and national norms and standards
- **Section 9 (4)** Support and strengthen the municipalities
- **Section 10 (2)** Designate WMOs
- **Section 11 (1)** Prepare IWMPs
- **Section 43 (2)** Licensing Authority for non-hazardous waste management activities



Provinces: Non obligatory requirements

- **Section 8 (2)** Set provincial norms and standards that are not in conflict with national norms and standards.
- **Section 14 (2)** Declare a waste to be a priority waste
- **Section 19 (5)** Publish a list of waste management activities
- **Section 36 (1)** Identify investigation areas
- **Section 62 (1)** Establish a provincial waste information system
- **Section 70 (1)** Make Regulations for the Province (with concurrence of the Minister)



Municipalities



Municipalities: Core prerequisites of the Act

- **Section 9 (1)** To deliver waste management services including waste removal, waste storage and waste disposal services in a manner that does not conflict with national/ provincial norms and standards and national waste management strategy)
- **Section 10 (3)** Designate WMOs
- **Section 11 (4)** Develop **IWMP** and include it in the Integrated Development Plan (IDP)
- **Section 23 (2)** Every municipality must subject to this Act, and as reasonably possible, provide **containers** or receptacles for the collection of **recyclable waste** that are accessible to the public.

Municipalities: Non obligatory requirements

- **Section 9 (3)** Set local standards in respect of the separation, compacting and storage of solid waste collected as part of the municipal service and for management solid waste disposed at a waste disposal facility and control of litter
- **Section 25 (1)** Develop register for transporters of waste

Delayed sections

1. Preparation of industry waste management plans by certain persons

- **Section 28 (7) (a)** A person, category of persons or industry contemplated in subsection (1) or (2) may elect to prepare an industry waste management plan for approval in terms of this Part without being required to do so by the Minister or MEC.
- **Guidelines must be developed on how the Industry Waste Management Plans must be developed.**

Sections to be delayed cont...

2. Appointment of persons to manage waste management licence applications

- **Section 46.** (1) The licensing authority may by written notice to an applicant require that applicant, or by notice in the *Gazette* require applicants, at own cost, to appoint an **independent and suitably qualified person to manage an application.**
- **Regulations must be developed to clarify who is a “suitably qualified person” (Section 69 (1) (w)** the manner in which an application for a waste management license must be made, including the persons who may manage such applications

Sections to be delayed cont...

3. Part 8: Contaminated land

- Section 35 to section 41
- DEAT to develop norms and standards for remediation of contaminated land and soil quality

REVIEW OF THE PLAN: EVERY 3 YEARS

Thank you

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