

# PORTFOLIO COMMITTEE

## STATUS OF WASTE LANDFILLS SITES IN SOUTH AFRICA

2016



Chemicals and Waste Management



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# PART A

## WASTE DISPOSAL SITES IN SA



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## PART A

- ROLES AND RESPONSIBILITIES (MANDATE)
- STATUS OF WASTE DISPOSAL FACILITIES IN SA
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## ROLES AND RESPONSIBILITIES

- Constitutional mandate of all environmental laws emanate from Sec24 of the Constitution.
- S43 of NEMWA sets out the mandate for the licensing of waste management of waste activities as follows:
  - National Department (Minister)- responsible for Hazardous Waste Management;
  - Provincial Departments of Environment (MEC)- responsible for General Waste Management; and
  - Local Government- responsible for setting up Municipal By-Laws to control the following:-
    - Littering



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## ROLES AND RESPONSIBILITIES Cont.

- Burning of Waste;
  - Illegal dumping; and
  - Uncontrolled salvaging of waste from landfill sites
- However, compliance and monitoring of landfills is a joint national and Provincial's competency which target mostly municipal unlawful landfill sites



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## STATUS OF LANDFILL SITES IN SOUTH AFRICA

- There are 826 landfill sites in South Africa.
  - 667 are licensed (operating legally);
  - 69 are not licensed (operating illegally)
  - 90 are privately owned and are decommissioned
- The status of landfill sites is categorized as follows:-
  - Landfill sites defined as legal are those operating with WML`s
  - Landfill sites defined as illegal are those operating without WML`s
  - Landfill sites operating without WML`s because they existed before any environmental legislations
- 55 out of the 69 unlicensed sites are being licensed under the licensing project for 2014/15 continued into 2016.
- Unlicensed sites are those operating without licenses, some have reached a decommissioning stage without licenses



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## LICENSING PROCESS FOR ALL LANDFILL SITES

- All licenses are required to follow an Environmental Impact Assessment process as per the EIA regulations, 2014
- EIA regulations has stipulated legislated time-frames to be followed
- Applications can now be submitted together with the BAR
- Some sites follows EIA and others follows BAR process depending on the sensitivity of the site location



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## LICENSING PROCESS OF ALL LANDFILL SITES Cont.

- **Public participation is compulsory and its part of an EIA process ( about 30 to 60 days depending on type of the process followed)**
- **Once the EIA report is submitted, Competent Authority has 30 or 45 days to review, accept or reject**
- **If the EIA Report is accepted, Competent Authority submit a report to DWS (Water Affairs). DWS has 60 issue to issue Record of Decision (RoD)**



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# Historical Context

- Municipalities were struggling with the management of landfill sites.
- This related to access control to the site, keeping records of the volumes and types of waste coming onto the site, fencing of the site and day to day operations at the site.
- Municipalities lacked the funding to be able to bring their sites into compliance with the relevant legislation. Further, they could not access funding as their sites did not have the appropriate authorisations and funding organisations refused to consider funding illegal sites.



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# Historical Context...

- The Department of Environmental Affairs through direction from our Minister sought to assist these Municipalities by funding the authorisation of sites across the country in order to make these Municipalities eligible for grants/funding to provide the infrastructure needed for better management of their sites.
- The actual licensing of the sites is a Provincial competence but the Department has assisted with the funding in this regard.
- The Department has spent approximately **R32 million** from 2013 to 2016 on this project.



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**PART B:**

**PROGRESS ON LICENSING OF UNLICENSED WASTE  
DISPOSAL SITE'S PROJECT 2013/14 - 2014/15  
CONT...**



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## HISTORICAL BACKGROUND OF THE LICENSING PROJECT (2013/14)

- The Department Environmental Affairs commissioned a study in 2007 aimed at identifying and determining the number of waste disposal facilities were not licenced throughout the country (Consultant: Jeffares & Green)
- The study further assisted in the development of a strategy on how to assess negative environmental impacts that may be caused by these facilities and to ensure that they are authorised for continued operation or closure.
- After the study was commissioned and 341 sites identified, an action plan was developed and presented to the DEA (Table. 1)

### SUMMARY OF PERFORMANCE LICENSING PROJECT

Province	Total # Sites	# of applications received (Province)	# of Reports submitted - decision making	# Reports - outstanding information	DWA RoD received	# WML issued
EC	31	31	31	0	31	31
FS	23	23	23	0	23	23
KZN	12	12	12	0	12	12
LP	06	06	06	0	06	06
MP	26	26	26	0	26	26
NC	14	14	14	0	14	14
NW	15	15	15	0	15	15
WC	75	75	75	0	75	75
<b>Total</b>	<b>202</b>	<b>202</b>	<b>202</b>	<b>0</b>	<b>202</b>	<b>202</b>

### CHALLENGES

- Insufficient information contained in reports which resulted in the delayed issuance of RoDs and Waste Licenses
- Replacement of sites by Municipalities during project's implementation
- Land ownership - in mining areas
- Appointment of EAP's for similar sites by municipalities
- Determination of sites requiring specialist studies during project's implementation which results to additional funding - for example:
  1. Geotechnical
  2. Wetland studies



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# Background

- A backlog study was undertaken in **2007** and **581** unlicensed waste management facilities were identified. These facilities included disposal facilities and transfer stations which were owned by municipalities. However some waste disposal facilities were owned by the private sector.
- During 2008/9 fiscal year **88 non- disposal facilities (transfer stations)** were licenced through the assistance from this Department.
- After eliminating the waste disposal facilities that are privately owned the number of unlicensed waste disposal facilities reduced to **341**.



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# Background

- In 2012/13 the Department initiated the licensing process on behalf of the facilities and as such **56** facilities were licensed.
- During 2013/14 fiscal year the Cabinet Lekgotla held in August 2013 took a decision to licence the remaining waste disposal facilities.
- But from the lessons learnt when the 56 facilities were licensed verification and consultation of the affected municipalities needed to be conducted to ascertain if there are any facilities which have been licensed since 2007.
- Upon consultation and verification the number of unlicensed facilities reduced from **285** (341-56) to **202**, and these facilities were all licensed .



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# Background

- **83** facilities were removed from the list of unlicensed facilities because of the following reasons:
  - Municipalities licensed some facilities
  - Some were privately owned
  - Some were just dumping sites so they were cleaned up.
  - Some never existed.



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# Status of the 2013/14 Licensed WDS (341)

- A total of 258 facilities licensed by DEA.
- 41 facilities licensed by municipalities
- 42 facilities removed from the list because they were privately owned and some were cleaned up.
- **The 258 facilities that are licensed have no infrastructure.**



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# Strategic Context

- During 2014 the Department still received licensing requests from municipalities for facilities that did not form part of the Backlog study and these facilities (58) were to be licensed during 2015/16 fiscal year but due to some constraints, the licensing process is still underway.
- Out of the 58, 3 sites were removed from the list as these were either licensed or being dealt with by Provincial authorities.



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# Strategic context

- Of the **55** sites going through the licensing process, 6 have been licensed and **18 completed applications** are with Provincial authorities for decision-making.
- Out of the remaining **32**, **4** application forms were not signed by Municipalities (NC & NW), **3** applications require further specialist studies (GP, FS) and **24** applications still require DWS ROD's before they can be processed.



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## STATUS OF PROGRESS RELATING TO THE 55 SITES

- In 2014, Provinces indicated that there were 58 sites that were still not licensed. After verification, this was reduced to 55.

### SUMMARY OF PERFORMANCE LICENSING PROJECT

Province	Total # Sites	# of applications received (Province)	# of Reports submitted - decision making	# Reports - outstanding information	DWA RoD received	# WML issued
EC	1	1	0	0	0	0
FS	4	3	3	1	3	0
KZN	6	6	4	0	4	4
LP	5	4	1	1	1	0
MP	6	6	6	0	6	0
NC	25	22	7	3	7	2
NW	6	4	3	2	3	0
GP	2	0	0	2	0	0
<b>Total</b>	<b>55</b>	<b>46</b>	<b>24</b>	<b>9</b>	<b>24</b>	<b>6</b>

### CHALLENGES

- Delay in obtaining DWS ROD's.
- Replacement of sites by Municipalities during project's implementation
- Land ownership – in traditional areas
- Appointment of EAP's for similar sites by municipalities
- Determination of sites requiring specialist studies during project's implementation which results in additional funding
  - for example:
    1. Geotechnical
    2. Wetland studies



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# Conclusion/Intervention

- Municipal landfill sites do have many issues relating to management thereof.
- The burning of landfills sites, the illegal disposal of waste all over this country leads to the dignity of our people being affected. By trying to license and better manage sites, we hope to prevent indiscriminate dumping of waste.
- An integrated approach to solving these issues is warranted especially with regard to ensuring that these sites do get infrastructure and through the co-operation of COGTA, SALGA, MISA, National Treasury and the Department of Environmental Affairs, we believe that we can help Municipalities overcome their constraints and provide a better service to our people.



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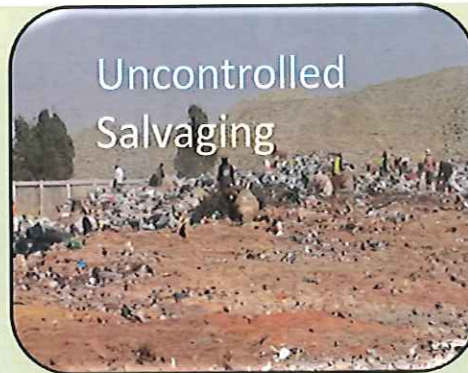


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## Photos of a poor Managed Landfill Site

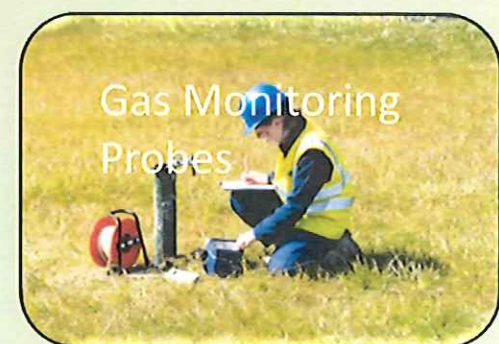
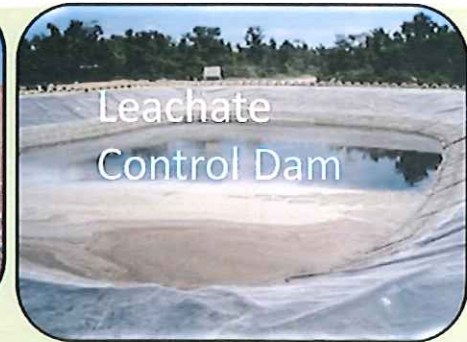
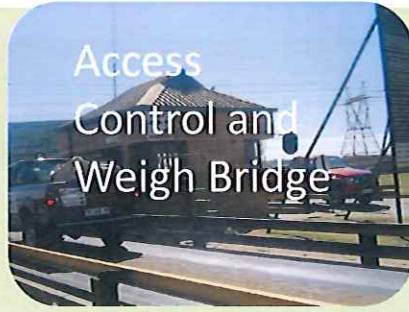


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# Photos of a Well Managed Landfill Site



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# Way Forward

- .Institutional governance
- .Integrated planning and Development \* *challenge*
- Appropriate Funding Models – Budgetary constraints
- Management and Operations
- Capacity building and awareness
- Compliance and Enforcement
- Regulatory and Legislative Issues



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