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Vol. 650

**16 August
Augustus 2019**

No. 42645

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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM

NO. 1077

16 AUGUST 2019

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)**CONSULTATION ON APPLICATIONS RECEIVED FOR THE EXCLUSION OF WASTE STREAMS OR A PORTION OF SUCH WASTE STREAMS FROM THE DEFINITION OF WASTE FOR THE PURPOSES OF BENEFICIAL USE**

I, Barbara Dallas Creecy, Minister of Environment, Forestry and Fisheries, hereby withdraw the previous notice published under Government Notice No. 535 in the *Government Gazette* No. 42376 of 3 April 2019.

Under regulation 6(3) of the Waste Exclusion Regulations, 2018 (published under Government Notice No. 715 in *Government Gazette* No. 41777 of 18 July 2018), read with sections 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), I am required to consult on my intention to take a decision on applications received in terms of regulation 5 of the Waste Exclusion Regulations, 2018. This regulation regulates the application process for the exclusion of certain waste streams or a portion of such waste streams from the definition of waste for the purposes of beneficial use as indicated in the Schedule hereto.

The criteria for exclusion of a waste stream or portion of a waste stream from the definition of waste can be found in regulations 7 and 8 of the Waste Exclusion Regulations, 2018. The exclusion of these waste streams/portion of waste streams, if positively considered, will only apply to the facilities for which they have been applied for. Where a waste stream or a portion of a waste stream has been excluded from the definition of waste in terms of the Regulations, such a waste stream or a portion of a waste stream must be managed in terms of a risk management plan

The risk assessments and risk management plans, submitted by the applicants as required by regulation 7(b) of the Regulations, demonstrate that the intended beneficial use of the waste intended to be excluded can be managed in such a manner so as to ensure that it will not result in significant adverse impacts on the environment. The risk assessments and risk management plans can be found at: https://www.environment.gov.za/legislation/gazetted_notices/intentiontoexclude_wastestreaorportion_forbeneficialuse

Members of the public are invited to submit to the Minister, within 30 days from the date of the publication of the notice in the *Gazette*. Written representations or objections can be sent to the following addresses:

By post to: The Director-General
 Attention: Mr Anben Pillay
 Department of Environmental Affairs
 Private Bag X447
 PRETORIA
 0001

By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia,
PRETORIA, 0083

By email: apillay@environment.gov.za

Any enquiries in connection with the notice may be directed to Ms Tanya Faber at 012 399 9110 or Mr Anben Pillay at (012) 399 9827.

A copy of the Government Notice and the Register of all the applications lodged with the Minister can also be accessed at:

https://www.environment.gov.za/legislation/gazetted_notices/intentiontoexclude_wastestreaorportion_forbeneficialuse

Please note that comments received after the closing date may be disregarded.



BARBARA DALLAS CREECY
MINISTER OF ENVIRONMENT, FORESTRY AND FISHERIES

DATE: 12/8/2019

SCHEDULE

APPLICATIONS RECEIVED FOR THE EXCLUSION OF WASTE STREAMS OR A PORTION OF SUCH WASTE STREAMS FROM THE DEFINITION OF WASTE FOR THE PURPOSES OF BENEFICIAL USE

No:	Date received	Facility name	Reference	Waste stream/ portion of waste stream	Beneficial use
1.	16/08/2018	Samancor Chrome Limited - TC Smelters	12/9/11/L18091315401 3/7/Exclusion Application	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement
2.	24/08/208	Samancor Chrome Limited – Ferrometals	12/9/11/L18091314501 2/6/N/Exclusion Application	Slag	<ul style="list-style-type: none"> • Aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilization material

					<ul style="list-style-type: none"> • Construction of drainage systems • Hydroponic filling material • Production of cement
3.	24/08/2018	Samancor Chrome Limited - Middleburg Ferrochrome	12/9/11/L18091311524 36/6/Exclusion Application	Slag	<ul style="list-style-type: none"> • Aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilization material • Construction of drainage systems • Hydroponic filling material • Production of cement
4.	24/08/2018	Samancor Chrome Limited - Tubatse Alloys	12/9/11/L18091131518 0/5/N/Exclusion Application	Slag	<ul style="list-style-type: none"> • Aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilization material • Construction of drainage systems

					<ul style="list-style-type: none"> • Hydroponic filling material • Production of cement
5.	06/09/2018	Sappi Southern Africa Ltd-Saiccor Mill	12/9/11/L18092017355 1/4/Exclusion Application for Sappi Saiccor Biomass	Biomass	<ul style="list-style-type: none"> • Biofuels • Composting
6.	06/09/2018	Sappi Southern Africa Ltd-Saiccor Mill	12/9/11/L18092017415 7/4/Exclusion Application for Sappi Saiccor Ash	Ash	<ul style="list-style-type: none"> • Road surfacing • Block making • Brick making • Cement production
7.	06/09/2018	Sappi Southern Africa Ltd-Saiccor Mill	12/9/11/L18092111521 48/4/ Exclusion Application for Sappi Saiccor Mill Ash	Gypsum	<ul style="list-style-type: none"> • Fertiliser • Cement production
8.	06/09/2018	Sappi Southern Africa Ltd-Ngodwana Mill	12/9/11/L18092017016 /6/N/Exclusion Application for Sappi Ngodwana Ash	Ash	<ul style="list-style-type: none"> • Road construction material • Brick making • Block making • Cement production • Soil amelioration • Landfill capping
9.	06/09/2018	Sappi Southern Africa Ltd-Ngodwana Mill	12/9/11/L18092016545 4/6/N/Exclusion Application for Sappi Ngodwana Biomass	Biomass	<ul style="list-style-type: none"> • Biofuels • Composting
10.	06/09/2018	Sappi Southern Africa Ltd-Lomati Mill	12/9/11/L18092016492 6/6/N/Exclusion Application for Sappi Southern Ltd-Lomati Mill	Biomass	<ul style="list-style-type: none"> • Compost • Animal bedding • Particle board manufacture
11.	06/09/2018	Sappi Southern Africa – Lomati Mill	12/9/11/L19021915085 9/6/N/ Exclusion Application for Sappi Southern Ltd- Lomati	Ash	<ul style="list-style-type: none"> • Brick Making • Block Making
12.	06/09/2018	Sappi Southern Africa Ltd-Tugela Mill	12/9/11/L18092115294 2/4/N/Exclusion Application for Sappi Tugela Mill Biomass	Biomass	<ul style="list-style-type: none"> • Fertiliser • Fuel rods
13.	06/09/2018	Sappi Southern Africa Ltd-Tugela Mill	12/9/11/L18092115251 8/4/N/Exclusion Application for Sappi Tugela Mill Ash	Ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Cover material • Cement production • Paving manufacture

14.	06/09/2018	Sappi Southern Africa Ltd-Stanger Mill	12/9/11/L18092115115 0/4/N/Exclusion Application for Sappi Stanger Mill Ash	Ash	<ul style="list-style-type: none"> • Brickmaking • Block making
15.	06/09/2018	Sappi Southern Africa Ltd-Stanger Mill	12/9/11/L18092115023 9/4/N/Exclusion Application for Sappi Stanger Mill Biomass	Biomass	<ul style="list-style-type: none"> • Soil ameliorant
16.	04/09/2018	Mondi Ltd Merebank	12/9/11/L18092116033 4/4/N/Exclusion Application for Mondi Merebank Ash	Ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Landfill capping
17.	04/09/2018	Mondi Ltd Merebank	12/9/11/L18092115590 8/4/N/Exclusion Application for Mondi Merebank Gypsum	Gypsum	<ul style="list-style-type: none"> • Soil conditioner • Inert products
18.	04/09/2018	Mondi Ltd	12/9/11/L18092116084 7/4/N/Exclusion Application for Mondi Richards Bay Ash	Ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Landfill capping •
19.	04/09/2018	Mondi Ltd	12/9/11/L18092116140 6/4/N/Exclusion Application for Mondi Richards Bay Biomass	Biomass	<ul style="list-style-type: none"> • Composting • Soil conditioner in forests or agricultural plantations • Animal bedding
20.	27/08/2018	Merafe Ferrochrome & Mining (Pty) Ltd Boshhoek Smelter	12/9/11/L18092016253 7/7/N/Exclusion Application for Merafe Ferrochrome & Mining (Pty) Ltd Boshhoek Smelter	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems

					<ul style="list-style-type: none"> • Hydroponic filling material • Production of cement
21.	18/09/2018	Tubatse Ferrochrome	12/9/11/L18092015493 7/5/N/Exclusion Application for Tubatse Ferrochrome	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement
22.	28/08/2018	Hemic Ferrochrome	12/9/11/L18091311552 02/7/N/Exclusion Application	Slag	<ul style="list-style-type: none"> • Aggregates • Concrete aggregates • Road base and covering and road stabilization • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilization material • Construction of drainage systems • Hydroponic filling material

					<ul style="list-style-type: none"> • Production of cement
23.	17/09/2018	Kimberly Clark South Africa (Pty) Ltd	12/9/11/L18092015563 7/3/N/Exclusion Application for Kimberly Clark Springs	Boiler Ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Road Construction • Cement Production
24.	17/09/2018	Kimberly Clark South Africa (Pty) Ltd	12/9/11/L18092015563 7/3/N/Exclusion Application for Kimberly Clark Springs	Biomass	<ul style="list-style-type: none"> • Landfill cover material • Raw material for biogas plant • Brick making • Composting • Particle board manufacture
25.	22/08/2018	Anglo American Platinum – Rustenburg Platinum Mines Limited (Waterval Smelter)	12/9/11/L19040417105 9/7/N	Slag	<ul style="list-style-type: none"> • Dust suppression on unsurfaced areas • Abrasive for pneumatic air blasting • Mining materials • Rock support • Insulation • Thin skin liners • Building material • Bricks • Roofing • Walling • Castable insulation slabs • Castable/ machinable profiles • Aggregate in standard building products • Light building products • Cement foam for thermal or acoustic insulation • Thermal insulation • Road aggregate, surfacing and underburden • Construction fill • Backfill • Mineral fibres • Rock wool
26.	22/08/2018	Anglo American Platinum – Rustenburg Platinum Mines Limited	12/9/11/L18092115423 3/5/N	Slag	<ul style="list-style-type: none"> • Dust suppression on unsurfaced areas • Abrasive for pneumatic air blasting • Mining materials • Rock support • Insulation

		(Polokwane Metallurgical Complex)			<ul style="list-style-type: none"> • Thin skin liners • Building material • Bricks • Roofing • Walling • Castable insulation slabs • Castable/ machinable profiles • Aggregate in standard building products • Light building products • Cement foam for thermal or acoustic insulation • Thermal insulation • Road aggregate, surfacing and underburden • Construction fill • Backfill • Mineral fibres • Rock wool
27.	22/08/2018	Anglo American Platinum – Rustenburg Platinum Mines Limited (Mortimer Smelter)	12/9/11/L18092153644 /7/N	Slag	<ul style="list-style-type: none"> • Dust suppression on unsurfaced areas • Abrasive for pneumatic air blasting • Mining materials • Rock support • Insulation • Thin skin liners • Building material • Bricks • Roofing • Walling • Castable insulation slabs • Castable/ machinable profiles • Aggregate in standard building products • Light building products • Cement foam for thermal or acoustic insulation • Thermal insulation • Road aggregate, surfacing and underburden • Construction fill • Backfill • Mineral fibres

					<ul style="list-style-type: none"> • Rock wool
28.	13/09/2018	Mpact Operations (Pty) Ltd Paper Springs Mill	12/9/11/L18092609530 9/3/N/Exclusion Application for Mpact Operations (Pty) Ltd Paper Springs Mill	Boiler Ash	<ul style="list-style-type: none"> • Brick manufacture
29.	04/09/2018	Mpact Operations (Pty) Ltd Felixton Mill	12/9/11/L18092115490 8/4/N/Exclusion Application for Mpact Operation Felixton Boiler Ash	Boiler ash	<ul style="list-style-type: none"> • Landfill cover material • Block making
30.	06/09/2018	Mpact Operations (Pty) Ltd Corrugated, Epping	12/9/11/L18092016412 1/9/Exclusion Application for Mpact Operation Epping	Ash	<ul style="list-style-type: none"> • Landfill cover material
31.	20/09/2018	Mpact Piet Retief	12/9/11/L18101518160 5/6/N	Ash	<ul style="list-style-type: none"> • Landfill cover material • Brick making
32.	18/09/2018	Sasol South Africa (Ltd)	12/9/11/L18092016032 0/6/N/Exclusion Application for Sasol Secunda	Fresh and weathered fine Ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Road construction • Foundations • Backfill in mine workings • Landfill capping • Inorganic fertilizer • Soil ameliorant and conditioner • Bulking agent for composting • Aggregate production
33.	18/09/2018	Sasol South Africa (Ltd)	12/9/11/L18092016032 0/6/N/Exclusion Application for Sasol Secunda	Fresh and weathered coarse ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Road construction • Foundations • Backfill in mine workings • Landfill capping • Inorganic fertilizer • Soil ameliorant and conditioner • Bulking agent for composting • Aggregate production

34.	18/09/2018	Sasol South Africa (Ltd)	12/9/11/181015180501 /2/N/Exclusion Application for Sasol Sasolburg Operations Ash	Weathered coarse ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Road construction • Foundations • Backfill in mine workings • Landfill capping • Inorganic fertilizer • Soil ameliorant and conditioner • Bulking agent for composting
35.	26/09/2018	Sasol South Africa	12/9/11/181015180501 /2/N/Exclusion Application for Sasol Sasolburg Operations Ash	Fresh and weathered fine ash	<ul style="list-style-type: none"> • Brickmaking • Block making • Production of cement • Road construction • Foundations • Backfill in mine workings • Landfill capping • Inorganic fertilizer • Soil ameliorant and conditioner • Bulking agent for composting
36.	27/08/2018	Glencore Operation South Africa (Pty) Ltd	12/9/11/L18092016181 2/7/N/Exclusion Application for Glencore Wonderkop Smelter	slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilisation • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement

37.	27/08/2018	Glencore Operation South Africa (Pty) Ltd	12/9/11/L18092016103 8/7/N/Exclusion Application for Glencore Rustenburg Smelter	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilisation • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement
38.	27/08/2018	Glencore Operation South Africa (Pty) Ltd	12/9/11/L19041805101 /5 /Exclusion Application for Glencore Lion Smelter	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilisation • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement

39.	27/08/2018	Glencore Operation South Africa (Pty) Ltd	12/9/11/L19041810471 4/6/ Exclusion Application for Glencore Lydenburg Smelter	Slag	<ul style="list-style-type: none"> • Use as aggregates • Concrete aggregates • Road base and covering and road stabilisation • Asphaltic concrete and other bituminous mixtures • Construction fill • Concrete products • Plaster and granite sands • Railroad ballast • Roofing granules • Filtration media • Pipe filling material • Backfilling • Dam construction and stabilisation material • Construction of drainage systems • Hydroponic filling material • Production of cement
40.	08/10/2018	Eskom 17 Sites <ul style="list-style-type: none"> • Arnot PS • Camden PS • Duvha PS • Grootvlei PS • Hendrina PS • Kendal PS • Komati PS • Kriel PS • Lethabo PS • Majuba PS • Matla PS • Tutuka PS • Medupi PS • Kusile PS 	12/9/11/L18110719295 2/3/Exclusion Application for ESKOM HOLDINGS SOC LTD (17 Sites)	Weathered ash (Pulverised fly ash, coarse ash/bottom ash, clinker ash and run of station ash)	<ul style="list-style-type: none"> • Cement, bricks and block making • Geopolymers • Filler applications • Zeolites Production • Metal and mineral extraction • Mineral fibre production • Road Construction • Mine backfilling • Treatment of acid mine drainage • Soil amelioration

		<ul style="list-style-type: none"> • Matimba PS • Kimberly BVV Clinker Dump • Witbank Clinker Dump 			
41.	08/10/2018	<p>Eskom 17 Sites</p> <ul style="list-style-type: none"> • Arnot PS • Camden PS • Duvha PS • Grootvlei PS • Hendrina PS • Kendal PS • Komati PS • Kriel PS • Lethabo PS • Majuba PS • Matla PS • Tutuka PS • Medupi PS • Kusile PS • Matimba PS • Kimberly BVV Clinker Dump • Witbank Clinker Dump 	12/9/11/L18110719295 2/3/Exclusion Application for ESKOM HOLDINGS SOC LTD (17 Sites)	Fresh and weathered ash (Pulverised fly ash, coarse ash/bottom ash, Run of station ash)	<ul style="list-style-type: none"> • Mine Backfilling and treatment of mine drainage
42.	08/10/2018	<p>Eskom 17 Sites</p> <ul style="list-style-type: none"> • Arnot PS • Camden PS • Duvha PS 	12/9/11/L18110719295 2/3/Exclusion Application for ESKOM HOLDINGS SOC LTD (17 Sites)	Fresh (Non weathered) ash (Pulverised fly ash, Coarse ash/bottom	<ul style="list-style-type: none"> • Soil ameliorant • Road construction

		<ul style="list-style-type: none"> • Grootvlei PS • Hendrina PS • Kendal PS • Komati PS • Kriel PS • Lethabo PS • Majuba PS • Matla PS • Tutuka PS • Medupi PS • Kusile PS • Matimba PS • Kimberly BVV Clinker Dump • Witbank Clinker Dump 		ash, run of station ash)	
43.	08/10/2018	<p>Eskom 17 Sites</p> <ul style="list-style-type: none"> • Arnot PS • Camden PS • Duvha PS • Grootvlei PS • Hendrina PS • Kendal PS • Komati PS • Kriel PS • Lethabo PS • Majuba PS • Matla PS 	12/9/11/L18110719295 2/3/Exclusion Application for ESKOM HOLDINGS SOC LTD (17 Sites)	Flue gas Desulphurisation on gypsum, Run of station ash	<ul style="list-style-type: none"> • Manufacture of wallboards • Cement • Plaster of paris • Soil conditioning • Hardening retarder in Portland cement

		<ul style="list-style-type: none"> • Tutuka PS • Medupi PS • Kusile PS • Matimba PS • Kimberly BVV Clinker Dump • Witbank Clinker Dump 			
44.	08/10/2018	<p>Eskom 17 Sites</p> <ul style="list-style-type: none"> • Amot PS • Camden PS • Duvha PS • Grootvlei PS • Hendrina PS • Kendal PS • Komati PS • Kriel PS • Lethabo PS • Majuba PS • Matla PS • Tutuka PS • Medupi PS • Kusile PS • Matimba PS • Kimberly BVV Clinker Dump • Witbank Clinker Dump 	12/9/11/L18110719295 2/3/Exclusion Application for ESKOM HOLDINGS SOC LTD (17 Sites)	Fresh (non-weathered) ash (Pulverised fly ash, Course ash/ bottom ash, Clinker ash, Run of station ash, Cenospheres)	<ul style="list-style-type: none"> • Cement, brick and block making • Geopolymers • Filler Applications • Zeolites production • Metal and Mineral extraction • Mineral fibre production

45.	08/10/2018	Silicon Smelters (Pty) Ltd-Rand Carbide	12/9/11/L18110718393 0/6/Exclusion Application for Silicon Smelters (Pty) Ltd-Rand Carbide	Silica Aggregates'	<ul style="list-style-type: none"> • Construction of berm • Construction of soccer field for school • Material will be sold as aggregate of different sizes to the building industries
46.	12/02/2019	Phalaborwa copper refinery boilers	12/9/11/L19022208392 1/5/N	Coal ash	<ul style="list-style-type: none"> • Brick making • Road filling • Intermediate landfill capping
47.	12/02/2019	Phalaborwa copper dolerite rock	12/9/11/L19022208475 3/5/N	Dolerite rock	<ul style="list-style-type: none"> • Concrete batching • Road building • Crush stone/aggregate
48.	07/03/2019	Assmang Cato Ridge	12/9/11/L19022214472 7/4/N	Slag	<ul style="list-style-type: none"> • Brick making • Production of concrete and blocks • Aggregate in block making
49.	12/11/2018	Transalloys	12/9/11/L18112915013 7/6	Slag	<ul style="list-style-type: none"> • Concrete aggregates • Brick making • Dust suppression on unsurfaced areas • Erosion control and rehabilitation • Aggregate for build environment • Use in cement production and extensions • Filling material • Road construction