

# Appendix G.3

## **NEW HAZARDOUS WASTE DISPOSAL FACILITY**





## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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**Reference: 12/9/11/L1051/5**

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**LICENCE NUMBER** : 12/9/11/L1051/5  
**CLASS** : H:H DISPOSAL FACILITY  
**WASTE MANAGEMENT FACILITY** : TUBATSE CHROME STEELPOORT PLANT  
**LOCATION** : FARM GOUDMYN 337 KT, STEELPOORT WITHIN  
GREATER TUBATSE LOCAL MUNICIPALITY, LIMPOPO  
PROVINCE  
**LICENCE HOLDER** : TUBATSE CHROME (PTY) LTD  
**ADDRESS** : PRIVATE BAG X504, STEELPOORT, 1133  
**CONTACT PERSON** : MR DESMOND McMANUS  
**CONTACT DETAILS** : **Tel: 013 230 8331 Fax: 013 230 9401 Email:**  
**[Desmond.McManus@samancorCr.com](mailto:Desmond.McManus@samancorCr.com)**

### **WASTE MANAGEMENT LICENCE IN TERMS OF SECTION 49(1) (a) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)**

In terms of National Environmental Management: Waste Act, 2008 (Act No.59 of 2008) read with the Environmental Impact Assessment Regulations 2010, published in Government Notice No. 543 of 18 June 2010 (the Regulations), the Deputy Director General: Chemicals and Waste Management hereby grants Tubatse Chrome (Pty) Ltd a Waste Management Licence for the following Waste Management Activities as listed in Category A and Category B of Government Notice No 921 dated 29 November 2013:

#### **Category A**

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## Tubatse Chrome (Pty) Ltd Waste Management Licence

### Category A

- (2) *"The sorting, shredding, grinding, crushing, screening or bailing of general waste at a facility that has an operational area in excess of 1000m<sup>2</sup>".*
- (3) *"The recycling of general waste at a facility that has an operational area in excess of 500m<sup>2</sup>, excluding recycling as an integral part of an internal manufacturing process within the same premises".*
- (4) *"The recycling of hazardous waste in excess of 500 kg but less than 1 ton per day calculated as a monthly average, excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises".*
- (12) *"The construction of a facility for a waste management activity listed in Category A of this Schedule (not in isolation to associated waste management activity)".*

### Category B

- (1) *"The storage of hazardous waste in lagoons excluding storage of effluent, wastewater or sewage".*
- (3) *"The recovery of waste including refining, utilisation, or co-processing of waste at a facility that processes in excess of 100 tons of general waste per day or in excess of 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises".*
- (7) *"The disposal of any quantity of hazardous waste to land."*
- (10) *"The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity)."*

In this Licence, "Director" means the Director: Licensing of the National Department of Environmental Affairs (DEA) who may be contacted at the address below:

Director: Licensing

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## **Tubatse Chrome (Pty) Ltd Waste Management Licence**

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Department of Environmental Affairs

Private Bag X447

**PRETORIA**

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In this Licence, "Director: RPW" means the Director: Resource Protection and Waste of the National Department of Water and Sanitation (DWS) who may be contacted at the address below:

Director: Resource Protection and Waste

Department of Water and Sanitation

Private Bag X 313

**PRETORIA**

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### **1. SITE DETAILS**

#### **1.1 LOCATION**

1.1.1 This Licence authorises the construction of an H:H baghouse dust waste disposal facility, the development of two (2) new slag disposal facilities, an existing Residue Recovery Plant, two (2) existing sewage treatment plants, five (5) existing evaporation/ brine ponds and an existing salvage yard at Farm Goudmyn 337 KT, Steelpoort within Greater Tubatse Local Municipality, Limpopo Province (hereafter referred to as "the Site").

1.1.2 The location of the Site must be according to the co-ordinates indicated on the licence application form, which are defined as in (Annexure II hereinafter) submitted by the Licence Holder.

#### **1.2 DOCUMENTS CONSIDERED**

1.2.1 The Waste Management Licence Application Form received by the Department on 07 August 2012;

1.2.2 Amended Waste Management Licence Application Form received by the Department on 01 October 2012

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### **Tubatse Chrome (Pty) Ltd Waste Management Licence**

- 1.2.3 The Final Scoping Report for the proposed construction of facilities for the storage, treatment and disposal of hazardous waste at Tubatse Chrome (Pty) Ltd, compiled by Golder and Associates received by the Department on 07 September 2012;
- 1.2.4 The Final Environmental Impact Assessment Report (EIAR) for various waste management activities at Tubatse Chrome (Pty) Ltd, compiled by Golder and Associates, dated September 2013 and hereinafter referred to as "Report"; and
- 1.2.5 The Record of Decision from Department of Water and Sanitation dated 22 April 2014.

### **LICENCE CONDITIONS**

#### **1.3 SITE SECURITY AND ACCESS CONTROL**

- 1.3.1 The Licence Holder must ensure effective access control of the Waste Management Site to prevent unauthorised entry.
- 1.3.2 Weatherproof, durable and legible signs in at least three official languages applicable in the area must be displayed at each entrance to the Site.
- 1.3.3 The signs must indicate the risks involved in entering the Site, include the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.

## **2. MANAGEMENT**

### **2.1 GENERAL MANAGEMENT**

- 2.1.1 The activities shall be managed and operated:
  - a) In accordance with a documented approved Environmental Management Programme (EMPr), that, *inter alia*, identifies and minimises the risk of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformance as well as those drawn to the attention of the Licence Holder as a result of complaints;
  - b) In accordance with conditions of this Licence and any other written instruction by the Director; and



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c) By an adequate, competent staff complement.

2.1.2 Any persons having duties that are or may be affected by this Licence must have convenient access to a copy thereof, which copy must be kept at or near the place where those duties are carried out.

2.1.3 A copy of this Licence may be published by the Department, in its discretion, on South African Waste Information Centre (SAWIC) or any other media as it deems applicable.

## **2.2 DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER**

2.2.1 A Waste Management Control Officer (WMCO) must be designated in writing to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and standard operation procedures. Proof of designation must be kept by the Licence Holder.

2.2.2 The WMCO must report any non-compliance with any Licence conditions or requirements or provisions of NEM: WA to the licensing authority.

2.2.3 The duties and responsibility of the WMCO should not be seen as exempting the Licence Holder from any other legal obligations in terms of the NEM: WA.

## **2.3 EMERGENCY PREPAREDNESS PLAN**

2.3.1 The Licence Holder must maintain and implement an emergency preparedness plan and review it annually when conducting an audit, after each emergency incident and major accident. The plan must include measures to address:

- a) Power failure;
- b) Equipment malfunction;
- c) Site fires;
- d) Spillage (on Site);
- e) Industrial Action; and
- f) Natural disasters such as floods.



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- 2.3.2 The plan must include contact details of the nearest police station, ambulance services and the emergency centre.

### **3. PERMISSIBLE WASTE**

- 3.1 Any portion of the Site which has been constructed or developed according to the Class A and B containment barrier designs in accordance with Regulation 636, National Norms and Standards for Disposal of Waste to Landfill, dated 23 August 2013 and approved in writing by the Responsible Authority may be used for the disposal of waste classified for Type 1 and Type 2 Waste according to Regulation 634, Waste Classification and Management Regulations, dated 23 August 2013.
- 3.2 The Type 1 and Type 2 waste is limited to the wastes described in the EIAR dated September 2013.
- 3.3 The Licence Holder must take all steps to ensure that:-
- 3.3.1 No organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment, due to its toxic, physical, chemical or persistent characteristics and which corresponds with the UNEP definition of hazardous waste;
- 3.3.2 No medical waste is disposed of on Site, unless it has been incinerated at 950°C for at least a second; and
- 3.3.3 No scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers, are disposed of on the Site.

### **4. CONSTRUCTION OF THE FACILITY**

- 4.1 The Site or any portion thereof may only be used for the disposal of permissible waste if the Site or any such portion has been constructed or developed according to the conditions listed under condition 4 of this Licence. Considering the existing pollution plume on Site, the Licence Holder must ensure that all new proposed sites are constructed outside the footprint of the mapped Cr<sup>6+</sup> plume.
- 4.2 Construction and further development within the proposed waste disposal facilities shall be carried out

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under the supervision of a registered Professional Engineer. Any development on Site must adhere to a Class A and Class B containment barriers design as described in Regulation 636, National Norms and Standards for Disposal of Waste to Landfill, dated 23 August 2013. The design drawings must be approved in writing by the Director before disposal may commence.

- 4.3 After construction of the Site or further development within the Site, the Licence Holder shall notify the Responsible Licensing Authority thereof and the person referred to in condition 4.2 shall submit a certificate or alternatively a letter to the Responsible Authority that the construction of the Site or further development within the Site, as proposed by the Licence Holder and approved by the Responsible Authority, is in accordance with recognised civil engineering practice and the requirements in this Licence, before disposal may commence on the Site. If the Responsible Authority is satisfied with the construction of the Site or any further development within the Site and has given written permission, the Licence Holder may use the Site or any further development within the Site for the disposal of waste.
- 4.4 Works shall be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the Site in a legal manner, all runoff water arising on land adjacent to the Site, which could be expected as a result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty (50) years (hereinafter referred to as the "estimated maximum precipitation"). Such works shall, under the said rainfall event, maintain a freeboard of 800mm.
- 4.5 Works shall be constructed and maintained on a continuous basis by the Licence Holder to divert and drain from the working face of the Site, all runoff water arising on the Site, which could be expected as a result of the estimated maximum precipitation and to prevent such runoff water from coming into contact with leachate from the Site. Such works shall, under the said rainfall event, maintain a freeboard of 800mm and be lined to the satisfaction of the Responsible Authority, to prevent pollution to groundwater.
- 4.6 Runoff water referred to in condition 4.5 shall comply with the quality requirements of the General and Special Standard, as published in Government Notice 991 of 18 May 1984, or with such quality requirements as may from time to time be determined by the Responsible Authority and shall be drained from the Site in a legal manner.
- 4.7 Runoff referred to in condition 4.5 which does not comply with the quality requirements applicable in terms of condition 4.6 and all sporadic leachate from the Site shall, by means of works which shall be constructed and maintained on a continuous basis by the Licence Holder and be lined as approved by

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the Responsible Authority, to prevent pollution to groundwater-:

- 4.7.1 be treated to comply with the aforementioned standard and discharged in a legal manner; and/or
- 4.7.2 with the written approval of the Responsible Authority be evaporated in lined dams as approved by the Responsible Authority; and/or
- 4.7.3 be discharged into any convenient sewer if accepted by the authority in control of that sewer.
- 4.8 The Site shall be constructed in accordance with recognised civil engineering practice to ensure that it remains stable.
- 4.9 The slope of the sides of the Site shall be constructed in such a manner that little or no erosion occurs.
- 4.10 Any development which occurs within 1:100 year flood line and/or within 500m from the boundary of a wetland would require a water use licence in terms of section 21 of the National Water Act, 1998.
- 4.11 The Licence Holder must take all reasonable steps to ensure that the waste storage areas have a firm, waterproof base and drainage system. It must be so designed and managed that there is no escape of contaminants into the environment. All runoff, if any, must be prevented from entering local watercourses.
- 4.12 The Licence Holder must take all reasonable steps to ensure that the integrity of the waterproof base and bund walls are routinely monitored and corrective action taken before containment integrity is breached.

**5. GENERAL IMPACT MANAGEMENT AND OPERATION**

**5.1 IMPACT MANAGEMENT**

- 5.1.1 Waste which is not permissible on Site must be dealt with according to relevant legislation or the Department's policies and practices.
- 5.1.2 The Licence Holder must prevent spillages. Where they happen nonetheless, condition 2.3.1 above shall apply and the Licence Holder must ensure the effective and safe cleaning of such spillages.



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- 5.1.3 The Licence Holder must ensure that contaminated storm water is not discharged to a water source, or to land where it could cause pollution. Contaminated storm water must be contained and disposed of in terms of the relevant legislation.
- 5.1.4 The Licence Holder must prevent the occurrence of nuisance conditions or health hazards.
- 5.1.5 The Licence Holder must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimise the risk involved. Records of training and verification of competence must be kept by the Licence Holder.

**5.2 OPERATION MANAGEMENT**

- 5.2.1 The Licence Holder must take all reasonable steps to ensure that the integrity of the waterproof base of the waste storage, treatment and disposal facilities and associated infrastructure are routinely monitored and corrective action must be taken before containment integrity is breached.
- 5.2.2 The Licence Holder must ensure that wastes that cannot be disposed of on-site are sent to waste management facilities licenced to handle such wastes.
- 5.2.3 The classification, acceptance and disposal criteria as listed in the latest edition of the Waste Classification and Management Regulations, 2013 or its successor must be conformed to.

**5.3 WATER QUALITY MANAGEMENT**

- 5.3.1 All runoff water (storm water) arising as a result of precipitation on land adjacent to the Site must be prevented from coming into contact with any substance, including leachate and must be diverted and drained from the Site, by means of works constructed by the Licence Holder in accordance with condition 4.
- 5.3.2 All runoff (storm water) arising as a result of precipitation on the Site must be prevented from coming into contact with any substance, as enumerated in condition 5.3.1 and must be diverted and drained from the Site and working face of the Site, by means of works constructed by the Licence Holder in accordance with condition 4.
- 5.3.3 Uncontaminated runoff water must under no circumstances be used to dilute leachate emanating from the site but must be diverted to and discharged into the nearest storm water channel.

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**6. MONITORING**

**6.1 METHODS ANALYSIS**

6.1.1 The Licence Holder shall carry out all tests in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standard Act, 2008 (Act 08 of 2008) to analyse the samples taken under the monitoring programmes specified under condition 6.

6.1.2 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.

**6.2 WATER QUALITY MONITORING**

6.2.1 A monitoring borehole network for the Site must be established, upstream and downstream of the Site, and be maintained by the Licence Holder so that unobstructed sampling, as required in terms of this Licence, can be undertaken. The monitoring plan, including which boreholes access the primary aquifer and which boreholes access the secondary aquifer, must be sent to the Responsible Authority within three months from the date of this Licence for approval.

6.2.2 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.

6.2.3 The Licence Holder must ensure that the existing scavenger boreholes are continuously pumped so that the cones of depression of the different scavenger boreholes do not allow groundwater to flow between them towards the Steelpoort River.

6.2.4 The Licence Holder must send a plan to significantly reduce the pollution going into groundwater for approval by the Responsible Authority within six months from the date of this Licence.

**6.3 DETECTION MONITORING**

6.3.1 Groundwater and surface quality monitoring must be conducted:-

(a) for variables listed in Annexure IV - quarterly basis.

(b) For variables listed in annexure V – annually or such frequency as may be determined by the Responsible Authority.

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**6.4 INVESTIGATIVE MONITORING**

- 6.4.1 If, in the opinion of the Responsible Authority, a water quality variable listed under the detection monitoring programme, as referred to in condition 6.3, shows an increasing trend, the Licence Holder shall initiate a monthly monitoring programme.

**6.5 LINER LEAK AND FAILURE DETECTION MONITORING**

- 6.5.1 The leachate detection system must be monitored on a daily basis for possible leakages. Should a leak or failure be suspected or detected during monitoring or at any time, it must be regarded as an incident according to condition 9.1 below and be addressed to the satisfaction of the Responsible Authority.
- 6.5.2 Inspections of liners, where liners are accessible must be performed monthly. Liners must be repaired or replaced when inspection tests show deterioration or leakage and these corrective actions shall be performed to the satisfaction of the Responsible Authority.

**6.6 POST CLOSURE MONITORING**

- 6.6.1 Groundwater monitoring must continue after closure of the Site and must be maintained by the Licence Holder for a period of 30 years or as determined by the Responsible Authority as specified in condition 6.3.1.

**7. INVESTIGATIONS**

- 7.1 If, in the opinion of the Director, environmental pollution, nuisances or health risks may be occurring or are occurring on the Site, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem.
- 7.2 If, in the opinion of the Director and/or Director: RPW, water pollution may be occurring or is occurring, the Licence Holder must conduct and/or appoint specialists to conduct the necessary investigations and implement additional monitoring and rehabilitation measures to the satisfaction of the Director and/or Director: RPW.
- 7.3 Should the investigation carried out as per condition 7.1 and 7.2 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.



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**8. RECORDS**

- 8.1 The Licence Holder must keep records and update all the information referred to in Annexure III and submit this information to the Director on an annual basis.
- 8.2 All records required or resulting from activities required by this Licence must:
- 8.2.1 Be legible;
  - 8.2.2 Be made as soon as reasonably practicable and should form part of the external audit report;
  - 8.2.3 If amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable;
  - 8.2.4 Be retained in accordance with documented procedures.
- 8.3 Records demonstrating compliance with conditions 2.1.1 must be maintained for five (05) years.

**9. REPORTING**

**9.1 REPORTING OF INCIDENTS**

- 9.1.1 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.
- 9.1.2 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 9.1.1, submit an action plan, which shall include a detailed time schedule to the satisfaction of the Responsible Authority of measures taken to:-
- 9.1.2.1 Correct the impact resulting from the incident;
  - 9.1.2.2 Prevent the incident from causing any further impacts; and
  - 9.1.2.3 Prevent a recurrence of a similar incident.
- 9.1.3 In the event that measures have not been implemented within 21 days to address impacts caused by the incident referred to in condition 9.1.1, or measures which have been implemented are inadequate, the Responsible Authority may implement the necessary measures at the cost and risk of the Licence Holder.

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### **9.2 OTHER REPORTS**

- 9.2.1 The information required in terms of Condition 6 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.
- 9.2.2 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.

### **10. AUDITING**

#### **10.1 INTERNAL AUDITS**

- 10.1.1 Internal audits must be conducted biannually by the Licence 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 external auditor specified in condition 10.2.1 below.

#### **10.2 EXTERNAL AUDITS**

- 10.2.1 The Licence Holder must appoint an independent external auditor to audit the site annually and the auditor must compile an audit report documenting the findings of the audit, which must be submitted by the Licence Holder according to condition 10.2.3 below.
- 10.2.2 The audit report must:
- 10.2.2.1 Specifically state whether conditions of this Licence are adhered to;
  - 10.2.2.2 Include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
  - 10.2.2.3 Specify target dates for the implementation of the recommendations by the Licence Holder to achieve compliance;



### **Tubatse Chrome (Pty) Ltd Waste Management Licence**

10.2.2.4 Contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Licence Holder and whether corrective action taken for the previous audit non conformities was adequate; and

10.2.2.5 Show monitoring results graphically and conduct trend analysis.

10.2.3 Each external audit report referred to in condition 10.2.1 above must be submitted to the Director within 30 days from the date on which the external auditor finalised the audit report.

#### **10.3 DEPARTMENTAL AUDITS AND INSPECTIONS**

10.3.1 The Responsible Authority reserves the right to audit and/or inspect the Site at any time and at such frequency as the Responsible Authority may decide, or to have the Site audited or inspected.

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

#### **11. LEASING AND ALIENATION**

11.1 Should the Licence Holder want to alienate or lease the Site, he/she must notify the Director in writing of such an intention at least 120 days prior to the said transaction for approval.

11.2 Should the approval be granted, the subsequent Licence Holder shall remain liable for compliance with all Licence conditions.

#### **12. TRANSFER OF WASTE MANAGEMENT LICENCE**

12.1 Should the Licence Holder want to transfer the Licence, he/she must apply in terms of Section 52 of the NEM: WA, 2008 (Act No. 59 of 2008)

12.2 Any subsequent Licence Holder shall be bound by the conditions of the Licence.



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**13. GENERAL**

- 13.1 The construction of the waste and operation of the waste management facilities may not commence within twenty (20) days from the date of signature of this Licence.
- 13.2 Should the Licence Holder be notified by the Minister in writing of a suspension of the Licence pending any appeals decision, you may not commence with the activities licenced by the Minister.
- 13.3 After the appeal period has expired and no good cause to extend the appeal period has been submitted, the activity may commence provided a notice has been submitted to the Department. The notice must include a date on which it is anticipated that the activity will commence.
- 13.4 The activity 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 Licence lapses and a new application for a Licence must be made in order for the activity to be undertaken.
- 13.5 If the Licence Holder anticipates that commencement of the activity would not occur within two (2) year period, he/she must apply and show good cause for an extension of the Licence six (6) months prior to its expiry date.
- 13.6 This Licence shall not be transferable unless such transfer is subject to condition 12.1.
- 13.7 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of National and Provincial Legislation including Section 40 of the National Water Act, 1998 (Act 36 of 1998), any relevant Ordinances, Regulations, By-laws or relevant National Norms and Standards.
- 13.8 Transgression of any condition of this Licence could result in the Licence being withdrawn by the Department.
- 13.9 Non-compliance with a condition of this Licence may result in criminal prosecution or other actions provided for in Section 67 (1) of the National Environmental Management: Waste Act, 2008.
- 13.10 In terms of section 28 and 30 of the National Environmental Management Act, 1998 and 20 of the



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National Water Act No. 36 of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understands the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about the environmental risks of their work and training them to operate in an environmentally acceptable manner.

- 13.11 This Licence is valid for a period of ten (10) years and shall be reviewed every five (05) years from the date of issue or at any time before or after that date. The Licence Holder must initiate the review within six (06) months prior the due date of the intended review. Based on the results of the review, especially compliance to Licence conditions or recommendations from the audit reports and or changing legislation, the Licence could be amended or withdrawn or the validity thereof extended.

#### **14. APPEAL OF LICENCE**

- 14.1 The Licence Holder must notify every registered interested and affected party, in writing and within twelve (12) days, of receiving the Department's decision.
- 14.2 The notification referred to in 14.1 must –
- 14.2.1 Specify the date on which the Licence was issued;
- 14.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of GN No. R 543 of 18 June 2010 in terms of National Environmental Management Act, 1998, as amended (see Annexure I);



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- 14.2.3 Advise the interested and affected party that a copy of a Licence will be furnished on request; and
- 14.2.4 An appeal against the decision must be lodged in terms of chapter 7 of GN No. R 543 of 18 June 2010 in terms of NEMA 1998, as amended, from the date of this Licence, with:

The Minister: Department of Environmental Affairs

Private Bag X 447

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Email: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

**MR MARK GORDON**

**DEPUTY DIRECTOR-GENERAL: CHEMICALS AND WASTE MANAGEMENT**

DATE: 03/05/2017



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**ANNEXURE I**

**APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF GN NO. R 543 OF 18 JUNE 2010 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF A WASTE MANAGEMENT LICENCE**

**1. LODGING OF AN APPEAL**

1.1 An appellant must submit the appeal submission (the Appeal Questionnaire and Appeal and Response Form) to the appeal administrator, and a copy to the applicant, and registered interested and affected parties within twenty (20) days from:

- the date that the notification of the decision for an application for an environmental authorisation or a waste management licence was sent to the registered interested and affected parties by the applicant; or
- the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licencing authority, in the case of decisions other than those referred to above.

1.2 An appeal submission must be submitted in writing in the form of the appeal questionnaire annexed to this guideline as "Appendix A" and accompanied by:

- a completed Appeal and Response Form setting out the grounds of the appeal,
- supporting documentation that is referred to in the appeal which did not form part of the documentation considered when the original decision was made, and

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**Appendix A**

**APPEAL QUESTIONNAIRE**

An electronic copy of this questionnaire may be obtained from:

Mr Z Hassam at telephone: 012 399 9356 or e-mail:

[AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

Once completed, this document must be forwarded to:

E-mail: [AppealsDirectorate@environment.gov.za](mailto:AppealsDirectorate@environment.gov.za)

Physical Address: Department of Environmental Affairs, 473 Steve Biko Road, Environment House, Arcadia,  
Pretoria, 0002

**Appellant's contact information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Cell: \_\_\_\_\_

Email: \_\_\_\_\_

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**Tubatse Chrome (Pty) Ltd Waste Management Licence**

**Project information:**

Project name: \_\_\_\_\_

Authorisation register number as on environmental authorisation:

\_\_\_\_\_

Authorisation date as on environmental authorisation:

\_\_\_\_\_

**IMPORTANT! Please note:**

- *The decision of the department is reflected in the letter of authorisation or rejection. The conditions of approval are contained in the environmental authorisation document, attached to the authorisation letter.*
- *The appeal must be accompanied by all relevant supporting documents or copies of these that are certified as true by a commissioner of oaths.*
- *The grounds of your appeal and the facts upon which they rest must be set out. You should formulate your objections or concerns as averments and not as questions about the project. Please therefore refrain from material or remarks that do not contribute to the merits of your appeal.*
- *To assist in this regard, the following questions are listed as a guideline only – more space may be used if necessary:*

*Handwritten signature*



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1. Are you lodging this appeal as an individual or on behalf of a community/organisation?

Individual	Community/ organisation
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If on behalf of a community or organisation, please provide proof of mandate to do so.

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2. Is your appeal based on factors associated with the process that was followed by the applicant in obtaining authorisation?

Yes	No
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Please provide reasons:

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3. Is your appeal based on factors associated with environmental impacts not taken into account by the department in refusing or authorising the application?

Yes	No
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Please provide reasons:

*Handwritten signature/initials*



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4. Would you agree to the activity proceeding if your concerns can be addressed by rectifying the process or mitigating or eliminating the impacts of the activity?

Yes	No
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Please provide reasons:

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5. Are you fundamentally opposed to any development activity on the site?

Yes	No
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Please provide reasons:

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6. Do you have an objection in principle against the development?

Yes	No
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Please provide reasons:

*Handwritten signature/initials*



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7. Does your appeal contain any new information that was not submitted to the environmental consultant or department prior to the department's consideration of the application?

Yes	No
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If the answer above is yes, please explain why it should be considered by the Minister and why it was not made available to the environmental consultant or department during the application process.

8. **DECLARATION:**

I declare that the contents of this submission are to the best of my knowledge the truth and I regard this declaration as binding on my conscience.

\_\_\_\_\_  
**APPELLANT**

**DATE:**

*Q. Jeveler*



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**ANNEXURE II**

**COORDINATES OF ACTIVITIES APPLIED FOR AND AUTHORISED IN THIS WASTE MANAGEMENT LICENSE**

**EXISTING SEWAGE TREATMENT PLANT WTP**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 11.66"	30° 11' 17.43"
B	24° 44' 11.46"	30° 11' 19.48"
C	24° 44' 14.05"	30° 11' 21.88"
D	24° 44' 15.16"	30° 11' 20.06"

**EXISTING RESIDENTIAL SEWAGE TREATMENT PLANT**

Number of corners	Latitude (S)	Longitude (E)
A	24° 47' 43.15"	30° 9' 46.66"
B	24° 47' 42.18"	30° 9' 49.93"
C	24° 47' 46.40"	30° 9' 51.29"
D	24° 47' 46.91"	30° 9' 47.92"

**EXISTING 3 BRINE PONDS**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 22.48"	30° 11' 17.64"
B	24° 44' 19.14"	30° 11' 14.44"
C	24° 44' 16.54"	30° 11' 19.56"
D	24° 44' 19.48"	30° 11' 22.24"

**EXISTING 2 BRINE POND**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 40.02"	30° 11' 17.16"
B	24° 44' 35.74"	30° 11' 14.46"
C	24° 44' 33.93"	30° 11' 19.26"

*Handwritten signature/initials*



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D	24° 44' 37.82"	30° 11' 21.89"
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**H:H BAGHOUSE DUST DISPOSAL FACILITY ALTERNATIVE B**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 24.42"	30° 11' 17.13"
B	24° 44' 21.11"	30° 11' 24.55"
C	24° 44' 25.15"	30° 11' 28.02"
D	24° 44' 28.88"	30° 11' 21.06"

**CANDIDATE H:H DISPOSAL SITE 1**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 59.25"	30° 11' 9.25"
B	24° 44' 51.56"	30° 11' 24.14"
C	24° 44' 2.28"	30° 11' 33.66"
D	24° 44' 16.58"	30° 11' 13.56"

**SLAG DUMP D**

Number of corners	Latitude (S)	Longitude (E)
A	24° 45' 2.08"	30° 11' 36.63"
B	24° 44' 51.79"	30° 11' 55.06"
C	24° 44' 59.81"	30° 11' 2.62"
D	24° 44' 06.71"	30° 11' 42.85"

**SLAG DUMP E**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 26.27"	30° 11' 59.58"
B	24° 44' 17.66"	30° 12' 16.22"
C	24° 44' 23.99"	30° 12' 19.91"
D	24° 44' 32.60"	30° 12' 3.76"

**EXISTING RESIDUE RECYCLING PLANT**

Number of corners	Latitude (S)	Longitude (E)
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*Agordon*



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A	24° 44' 37.28"	30° 12' 0.09 "
B	24° 44' 36.70"	30° 12' 1.84"
C	24° 44' 37.80"	30° 12' 3.23"
D	24° 44' 39.84"	30° 12' 1.09"

**EXISTING SALVAGE YARD**

Number of corners	Latitude (S)	Longitude (E)
A	24° 44' 13.74"	30° 11' 40.79"
B	24° 44' 11.46"	30° 11' 45.33"
C	24° 44' 14.75"	30° 11' 47.82"
D	24° 44' 17.27"	30° 11' 42.79"

*Agreement*



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ANNEXURE III

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS (CONDITION 8.1)

*\* = Indicate with an X. Please print legibly*

NAME OF SITE: \_\_\_\_\_ DATE OF REPORT : \_\_\_\_\_ ( y/m/d)

**1. Registered owner(s) of property on which the waste management facility is situated:**

Name	Telephone	
Postal Address	Fax	
	Postal Code	

**2. Operator in control of the waste management facility**

Name	Telephone	
Identity number	Tel. After hours	
Educational Qualifications		
Other Relevant competencies:		

**3. Indicate the type of waste and approximate quantities of waste treated and disposed on Site**

Type of waste (Specify)	Quantity (m <sup>3</sup> annum <sup>-1</sup> )	Source
TOTAL		

**4. Indicate the type of waste and approximate quantities of waste transferred for recycling, treatment and disposal during the year:**

*Handwritten signature/initials*



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Type of waste	Quantity (m <sup>3</sup> annum <sup>-1</sup> )	Reused or Disposed
TOTAL		

I, the

undersigned, declare that the information stated above below is to my knowledge a true reflection of the status at Tubatse Chrome, Steelpoort Plant.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Capacity: \_\_\_\_\_

*[Handwritten signature]*



ANNEXURE IV

WATER QUALITY VARIABLES REQUIRED FOR DETECTION MONITORING

Monitor at quarterly intervals for:

Alkalinity (P.Alk)

Ammonia (NH<sub>3</sub>-N)

Chemical Oxygen Demand

Chlorides (Cl)

Nitrate (NO<sub>3</sub>-N)

pH

Potassium (K)

Total Dissolved Solids (TDS)

Sodium (Na)

Calcium (Ca)

Fluoride (F)

Magnesium (Mg)

Sulphate (SO<sub>4</sub>)

Chromium (hexavalent) (Cr<sup>6+</sup>)

Chromium (Total) (Cr)

*Handwritten signature: P. J. J. J.*



ANNEXURE V

WATER QUALITY VARIABLES REQUIRED FOR DETECTION AND INVESTIGATIVE MONITORING

Monitor at annual intervals for:

Alkalinity (P.Alk)

Boron (B)

Cadmium (Cd)

Fluoride (F)

Chemical Oxygen Demand (COD)

Biological Oxygen Demand (BOD)

Chromium (hexavalent) (Cr<sup>6+</sup>)

Chromium (Total) (Cr)

Chloride (Cl)

Cyanide (CN)

Electrical Conductivity (EC)

Free and Saline ammonia as N (NH<sub>4</sub>-N)

Lead (Pb)

Magnesium (Mg)

Mercury (Hg)

Nitrate (NO<sub>3</sub>-N)

pH

Phenolic Compounds (Phen)

Potassium (K)

Sodium (Na)

Sulphate (SO<sub>4</sub>)

Total Dissolved Solids (TDS)

Total Organic Carbon (TOC)

Total Organic Halogen (TOX)

Volatile Organic Compounds



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*A. Gordon*