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DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT

NO. 4361 **9 February 2024**

NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

INTENTION TO AMEND THE LIST OF WASTE MANAGEMENT ACTIVITIES THAT HAVE, OR MAY HAVE, A DETRIMENTAL EFFECT ON THE ENVIRONMENT

I, Barbara Dallas Creecy, Minister of Forestry, Fisheries and the Environment, hereby publish my intention to–

(a) amend, in terms of section 19(2)(b) and 19(3)(c) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), the List of Waste Management Activities that have, or are likely to have, a detrimental effect on the environment, as published in Government Notice No. 921 in Government *Gazette* No. 37083 of 29 November 2013, as amended from time to time;

(b) provide for transitional arrangements as contemplated in section 19(3)(c) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and

(c) deem the Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015, to have been made under the National Environmental Management Act, 1998 (Act No. 107 of 1998);

as set out in the Schedule hereto.

The amendment of the List of Waste Management Activities that have, or are likely to have, a detrimental effect on the environment, through the removal of certain activities, is necessary as the affected activities are intended to be managed in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998).

Members of the public are invited to submit written comments or inputs, within 30 days after the publication of this Notice in the *Gazette,* to the following address:

By post to: The Director-General
Department of Forestry, Fisheries and the Environment
Attention: Dr D Fischer
Private Bag X447
PRETORIA
0001

By hand at: Environment House
473 Steve Biko Road
ARCADIA
0083

By e-mail: dfischer@dffe.gov.za

Any inquiries in connection with the notice can be directed to Dr D Fischer at dfischer@dffe.gov.za or (012) 399 8843. Comments or inputs received after the closing date may not be considered.

The Department of Forestry, Fisheries and the Environment complies with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto are collated into a comments and responses report which will be made available to the public as part of the consultation process. If a commenting party has any objection to his or her name, or the name of the represented company/organisation, being made publicly available in the comments and responses report, such objection should be highlighted in bold as part of the comments submitted in response to this government notice.

BARBARA DALLAS CREECY
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

Definitions

1.

(a) **"Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015,"** means the Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015, published under Government Notice No. R.632 in Government *Gazette* No. 39020 of 24 July 2015, as amended from time to time; and

(b) **"Waste Management Activities List"** means the List of Waste Management Activities that have or are likely to have a detrimental effect on the environment, published under Government Notice No. 921 in Government *Gazette* No. 37083 of 29 November 2013, as amended from time to time.

Amendment of Waste Management Activities List

2. The Waste Management Activities List is hereby amended–
   (a) by the deletion, in Category A, of activity (15); and
   (b) by the deletion, in Category B, of activity (11).

Transitional arrangements

3. Any approval granted or waste management licence issued in relation to residue deposits and residue stockpiles, prior to the coming into effect of this Notice, remains valid until it lapses or is replaced under the provisions of the National Environmental Management Act, 1998 (Act No. 107 of 1998).
4. An application for a waste management licence for the activities contemplated in paragraph 2 of this Notice, which application is pending on the date of coming into effect of this Notice, must be finalised in accordance with the procedures prescribed in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) or may be withdrawn.
5. The Regulations regarding the Planning and Management of Residue Stockpiles and Residue Deposits, 2015, remain operational and shall be deemed to have been made under the National Environmental Management Act, 1998 (Act No. 107 of 1998).

Commencement of these amendments

6. These amendments commence on a date to be published in the Government *Gazette*.

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