



**AGRICULTURE, CONSERVATION
ENVIRONMENT & LAND AFFAIRS**

**GAUTENG WASTE INFORMATION SYSTEM (WIS)
REGULATIONS**

**6 May 2003, Pyramids, 96 Eloff Extension, Village Deep,
Selby, Johannesburg**

**Stakeholder workshop on the Draft Waste Information
System Regulations**

Workshop Proceedings

**HOSTED BY
THE GAUTENG DEPARTMENT OF AGRICULTURE, CONSERVATION, ENVIRONMENT
AND LAND AFFAIRS.**

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GAUTENG WASTE INFORMATION SYSTEM (WIS) REGULATIONS

Stakeholder Workshop on the held on Tuesday 6th May 2003 at Pyramids, Selby,
Johannesburg

EXECUTIVE SUMMARY

The purpose of the workshop was to obtain input from industry and interested and affected parties on the draft Waste Information System (WIS) Regulations, to be promulgated in the Government Gazette of September 2003. DACEL has a mandate to uphold the environmental rights of all South Africans. The Provinces are required by the Constitution to ensure sound environmental planning, including waste management planning. DACEL is also required to generate statistics for the Province and for State of the Environment Reporting.

The draft WIS Regulations have been developed to allow Province to plan for sufficient future waste treatment and disposal capacity, to predict crises and to influence spatial planning and development. The Regulations provide for:

- the establishment of a waste information system
- reporting formats and intervals
- registering of relevant persons
- access to waste reporting to the public
- penalties to be enforced.

The draft Regulations consist of the following paragraphs:

- **Paragraph One - Application:** The Regulations are intended to apply to all persons who generate, handle, treat or store waste in the province of Gauteng.
- **Paragraph Two - Definitions:** The section is intended to ensure a common understanding of the language of the regulations.
- **Paragraph Three - Establishment of a WIS:** The competent authority is required to establish a WIS
- **Paragraph Four - Objectives of the Waste Information System:** Provides specific formats for reporting and reporting intervals.
- **Paragraph Five - Identification:** Identifies persons who are required to register and report.
- **Paragraph Six - Registration:** Sets out the timeframes for registration.
- **Paragraph Seven - Reporting:** Sets out the requirements for any person registered to provide the competent authority with data.
- **Paragraph Eight - Access to Information:** Sets out the need for information to be made public.
- **Paragraph Nine - Penalties:** Identifies that it is an offence not to provide information and sets out penalties.
- **Paragraph Ten - Title and commencement:** Names the Regulations.
- **Schedule 1:** Sets out dates for registration.
- **Schedule 2:** Provides a standardised registration form.
- **Schedule 3:** Identifies who is to register and report for the various waste streams.
- **Schedule 4:** Sets out the frequency of reporting and information required.

Comments and queries received during the workshop included:

- It was suggested that there should be uniformity of colour coding across the waste spectrum. The Regulations deal only with reporting and quantities, not packaging. This issue would need to be addressed by a guideline.
- The frequency of reporting should be reviewed - monthly reporting was felt to be too often. The Regulations will be amended to require quarterly reporting, but data collection must take place on a monthly basis.
- How will the Regulations differentiate between a by-product and waste? Only material being deposited at a disposal site would require reporting on.
- The CEO is the person responsible for reporting and who is liable if penalties are imposed.
- It was suggested that buy-back centres and tyre dealers should also be required to register. DACEL decided that recyclers and reclaimers would not be included in the regulations at this time.



- It was suggested that the idea of striving towards zero waste as in the Polokwane Declaration should be included. It was agreed that reference would be made to this Declaration.
- There was a query on whether auditing should be internal or external. DACEL would be entitled to request an external audit should this be deemed necessary.
- A flow chart on reporting would be included in the Regulations - who should report to whom, within which timeframes.

1. OPENING AND INTRODUCTION

Dr Trish Hanekom welcomed everyone present to the workshop on the draft Waste Information System (WIS) Regulations. The workshop was important as it was an opportunity interested and affected parties from industry to provide input on the draft WIS Regulations. Dr Hanekom asked MEC Mary Metcalfe to say a few introductory words.

MEC Metcalfe added a word of welcome and thanked attendees for taking the time to participate in the process, which would ensure that the final WIS Regulations would be well informed by industry and of a sufficiently good standard before they are promulgated.

Much progress had been made since the negative press around Health Care Risk Waste (HCRW) management at the start of the HCRW project in 2000. The fact that this negative press was no longer in evidence was due largely to this progress. The WIS Regulations are modest but important regulations which will enable the collection of data essential to strategy development and proper planning of the whole waste management system. They are also important for state of the environment reporting. Ambitious targets have been set nationally which will enable performance monitoring in industry.

The Government is committed to reducing the amount of waste generated, responsible treatment and disposal and to moving towards re-use and recycling. It was significant that the new thicker, more environmentally friendly plastic bags would be introduced during the week of the workshop. The introduction of the new plastic bags marked an important move towards increased public consciousness about re-use. In industry more thought is being given to practises and waste streams so that progress towards waste reduction and re-use can be made, saving substantial amounts in disposal costs in the process.

In closing, MEC Metcalfe thanked the DACEL team for their committed approach to the project and the workshop participants in anticipation for the input they would make towards improving the WIS Regulations.

2. INTRODUCTION TO THE GAUTENG DRAFT HEALTH CARE RISK WASTE REGULATIONS

Ms Dee Fischer gave presentation on the Waste Information System Requirements and Regulations.

Background

DACEL has a mandate to uphold the environmental rights of all South Africans. The Constitution requires provinces to ensure sound provincial planning, including waste management planning. The draft white paper on IP&WM requires that provinces:

- Develop and enforce provincial guidelines and standards
- Act on environmental hazards as required
- Ensure that industries have access to waste disposal facilities
- Ensure the quality assurance of the waste information system
- Provide for registration and certification of hazardous waste transporters
- Investigate the feasibility of centralized waste treatment plants.

DACEL must generate statistics for the Province and State of Environment Reporting. Activities under Section 24 of ECA were delegated to provinces, these include among others

- The administration of effective disposal of waste
- The dissemination of information to the public on effective waste disposal
- Mandate to authorize EIA process for listed activities including incineration and landfill permitting

Table 1: National waste management strategy requirements

Integrated waste management planning	2001	2002	2003	2004	2010
First generation waste plans	X				
Final hazardous waste management plans			X		
Plans for industrial waste on-site			X		
Waste information system					
Data collection functions					X
Waste collection and transport					
Enforce HW manifest system	X				
Establishment of SMME HW collection points and guidelines				X	
Waste treatment					
Establish 2 organic HW treatment plants				X	
Waste disposal					
Promulgation of classification system and regulations	X				
Establish permit/audit plans for mining and power station sites		X			
Guidelines for inorganic HW disposal facility	X				
Establishment of an inorganic HW disposal facility				X	
Establishment of new hazardous waste disposal sites		X			
Phasing out of co-disposal					2006

The Hazard Needs Assessment (1999) estimated that there were in excess of 1500 potential sites that could produce hazardous waste in Gauteng.

- It was estimated that >80% of potential hazardous waste generators are industries generating <1 ton of hazardous waste per month.
- It is estimated that in excess of 80% of hazardous waste is generated by 20% of generators.
- The 1997 study estimated that approximately 90% of hazardous waste is disposed of on site.
- There are large numbers of un-permitted landfill sites, both domestic and industrial.
- With industries applying for ISO certification there are increasing numbers of permit requests.
- Requirements for reporting are limited with DWAF requiring annual reporting from landfill sites, although this is not well enforced.
- Although there are definite outputs required from provincial government with respect to Domestic and Hazardous waste management, presently the only legislated entry point to influence waste management in industry is through the Environmental Impact Assessment (EIA) process.



Table 2: Waste Statistics

Sector	Waste tonnage per annum
Mining (DME figures 1997)	103.00 million tons
Chemical industry	0.90 million tons
Manufacturing industry	0.50 million tons
Metallurgical and metal industry	1.66 million tons
Health care risk waste stream	0.14 million tons
Domestic waste	4.80 million tons
TOTAL	110.00 million tons

The following plans of action have been put into place to address need to reduce the amount of waste generated:

- DACEL is in the process of developing a strategy for Health Care Risk Waste (HCRW) – the *Sustainable HCRW Management Strategy for Gauteng*;
- Guidelines for Local Government for the development of Integrated Waste Management Plans have been prepared;
- The development of internal review manuals to assist with the vigorous review of EIA applications;
- Recycling intervention at the World Summit on Sustainable Development;
- Draft Health Care Risk Waste Regulations have been developed;
- Draft Reporting Regulations have been developed;
- A waste information system for general waste has been developed;
- A web based waste information system for Health Care Risk Waste has been developed.

The Waste Reporting Regulations have been developed in response to the following needs:

- In order to ensure that the province can plan for sufficient waste treatment and disposal capacity;
- To predict crises;
- To influence spatial planning and development;
- To provide a tool to determine if the waste management goals and objectives of the department are being met;
- To determine waste increases or reductions;
- To encourage a shift in disposal practices to treatment, recycling and reuse by setting targets;
- To ensure ongoing improvement in Management Systems.

Section 24 of the Environment Conservation Act provides for making regulations with regard to waste management including classification of waste, handling, storage, transport and disposal. This was assigned to provinces in 1996.

The Principles of the Waste Reporting Regulations

- Provides for the establishment of a waste information system;
- Provides for reporting formats and reporting intervals;
- Requires that all identified persons register and report;
- Provides for the further identification of priority waste streams over time;
- Provides for access to waste reporting to the public;
- Provides for penalties to be enforced;
- Reporting is not linked to permitting and environmental performance at this stage;
- The intention is not to address historical waste at this time, but this will be done some in the future.

Paragraph One – Application

The Regulations are intended to apply to all persons who generate or in any way handle, treat or store waste in the province of Gauteng.

Possible areas for strengthening:

- Will apply to persons importing waste into the province
- Will apply to persons exporting waste from the province
- All landfill sites are to register if permitted or not

Paragraph Two – Definitions

The purpose of the section is to ensure that there is a common understanding of language of the regulations.

Possible areas for strengthening

- Additional definitions need to be identified
- Landfill site (within a site permitting for waste disposal, as well as individual sites on industrial properties)
- Waste recycler (must include thresholds, not the intention to register and receive reports from school recycling depots, but is the intention to register commercial buy-back centres and transfer stations)
- Need to decide if composting plants are to be registered within the same timeframe as domestic landfills

Paragraph Three – Establishment of a Waste information system

This paragraph requires the competent authority to establishment a waste information system.

Paragraph Four – Objectives of the Waste information system

- Provides for specific formats for reporting and reporting intervals
- To store and provide data and information to protect the environment
- To provide information to various different stakeholders, including State of Environment reporting

Possible areas for strengthening:

- There is a need to allow for auditing of information

Paragraph five - Identification

Identifies persons who are required to register and report. These persons are to be found in Schedule 1 attached to the regulations.

- Makes provision for the MEC to add persons to Schedule 1
- Prescribes the process for adding to Schedule 1 which is via a notice in the Provincial Gazette

Paragraph six - Registration

Sets out the timeframes for registration (Schedule 1)

- Sets out the format for registering
- Sets out requirements for notification of any material changes to the information provided
- Provides for a renewal for registration

Possible areas for strengthening:

- Should include the duty of the competent authority with regard to registering
- Needs to provide the person with a unique registration number within a certain timeframe

Paragraph seven - Reporting

- Sets out the requirements for any person registered to provide the competent authority with data
- Sets out the requirements for reporting (as per schedule 1)

Possible areas for strengthening:

- Identify the need for undertaking an annual audit and the submission of audit reports (can be internal in this case), or simply notification that there has been an audit and information is correct (should be external in this case)

- The competent authority should identify what aspects are to be audited in a schedule

Paragraph eight – Access to information

- Sets out the need for information to be made public (through standard reports)

Possible area for strengthening:

- A timeframe for when and where the competent authority to provide reports needs to be set (DACEL suggests that this be done annually, on the web-page and in the Government Gazette or State of Environment Report)

Paragraph nine – Penalties

Identifies that it is an offence not to provide information and sets out penalties

Possible areas for strengthening:

- Need to include that the information must be correct and verified to the best of the registered person's knowledge
- The registered person should provide access to a duly authorized official to view files to certify that the information is correct

Paragraph ten – Title and commencement

Names the regulations

- Sets the date of commencement of the regulations

Possible area for strengthening:

- The title Reporting Regulations is preferred to Waste Information Regulations

Schedule 1

- Sets out dates for registering for the Health Care Risk waste stream – 90 days from promulgation
- Sets out dates for registering for Landfill operators, large and medium sites – 90 days from date of promulgation
- Sets out dates for the registration of hazardous landfill sites – 90 days from date of promulgation
- Sets out date for registration of communal and small landfill sites – 180 days from promulgation

Possible areas for strengthening:

- The Regulations are not intended only for permitted sites
- Industrial sites should be included
- Area for review
- Timeframe for registering of hazardous sites, propose registering within 6 months

Schedule 2

- Represents a standard registration form to be filled in for all generators (Health Care Risk Waste has been used as an example)

Possible areas for strengthening:

- Inclusion of an alternate contact person
- Include the designation of the contact person
- Allow for space for office use, to include the unique identification number
- Include a declaration that the information is correct
- Capacity under treatment facility should relate to design capacity

Schedule 3

- Identifies who is to register and report for the various priority waste streams identified, and what they need to report on

Possible areas for strengthening:

- Include a column for verification auditing which would be a requirement for all - however the need for internal/external audits will be indicated



- Include the need to identify separately if the waste is from generators outside of the province
- Area for review
- Repeat of Communal landfill operators

Schedule 4

- This sets out the frequency of reporting and the information required

Possible areas for strengthening:

- In terms of landfills the following headings to be included under waste types: solids, liquids, sludges
- Consider including de-listed waste under general terminology
- To be included under wastes for recycling: tin cans, plastic, mixed paper, cardboard, logs and spent acids
- With respect to recyclers it may be necessary to make allowances to assist recyclers to report in the beginning
- The first reporting date is to be identified in each category of waste, assumed to be one month after registration number has been issued

How Comments will be considered

- A table will be drawn up of comments received and the way in which they have been incorporated will be given
- All documents and the table of comments will be on the DACEL Project web page at www.csir.co.za/ciwm/hcrw

Further Consultation

- The workshop proceedings will capture all comments made during plenary as well as individual groups
- A period of two weeks following the workshop was provided for any additional written comment to be submitted to DACEL. However, no further comments were received during this period
- The final draft will be presented to cabinet (HOD to advise)
- August 2003 - adoption by Legislature
- September 2003 - promulgation in Government Gazette
- October 2003 - begin implementation

Questions for Clarity / Comments after Presentation

- Mr Hamilton from Rietvlei Vleis queried where the meat industry fitted into the regulations? Ms Dee Fischer replied that the meat industry posed a problem, as their waste is not classified as HCRW and is disposed of together with general waste. Dr Hanekom said that a change in policy had meant that animal waste can no longer be fed back to ruminants which lead to significant disposal problems.
- Mr Heiman of Pulp and Paper queried how Waste Information Systems were approached in the USA and Europe? Torben Kristiansen replied that he was not in a position to comment on how things were done in the USA, but that in the EU there had been ongoing harmonization between the recording systems in different countries. It is standard procedure that major waste producers are registered. There is a tax on waste in many EU countries and therefore a reliable measure of quantity is needed. Dr Hanekom pointed out that Gauteng's present level of waste generation is unsustainable. Resources are being used up faster than they can be replaced and South Africa's position with regard to climate change is deteriorating compared to 1st world countries. It is therefore in industry's best interest to achieve best practice and good regulations in the province.

3. WORKSHOP GROUP DISCUSSION

Table 3: Breakaway Group 1

GROUP 1	FACILITATOR: D.RAMA	DACEL'S DECISION ON POSSIBLE INCLUSION OF COMMENTS
ISSUE OR COMMENT	RESPONSE DURING THE WORKSHOP	
<p>General comments</p> <p>1. Why is general waste now being included whereas only HCRW was being looked at before?</p>	<ul style="list-style-type: none"> At present HCRW and general waste are being included in the WIS, but in time the all the waste streams will be included. 	<ul style="list-style-type: none"> The following types of waste will be included from the beginning: i) health care risk waste, ii) domestic waste disposed at landfills, and iii) hazardous waste disposed at hazardous waste landfills (industrial and regional sites). Amending the Schedules at a later stage can include additional types of waste. It is at this stage foreseen that animal bi-product waste could be included in the medium term.
<p>2. Is pharmaceutical waste classified as HCRW or Hazardous Waste?</p>	<ul style="list-style-type: none"> It falls under Hazardous Waste 	<ul style="list-style-type: none"> No changes will be made to the proposed text. Pharmaceutical waste from the health care sources is included in the current definitions
<p>3. What is meant by the term "competent authority" under Paragraph 6(2)?</p>	<ul style="list-style-type: none"> The term needs to be defined 	<ul style="list-style-type: none"> Will be clarified in the revised text. Competent authority is DACEL
<p>4. What is the minimum waste volume for registration?</p>	<ul style="list-style-type: none"> A threshold will be set 	<ul style="list-style-type: none"> Reporting takes primarily place at treatment plants where quantities are assumed to be relative large when adding several minor sources. Hence, no threshold will be set, but there are thresholds in terms of major or minor generators and the requirement to identify the generator identity.
<p>5. Will there be conformity in colour coding systems across the spectrum of waste streams? eg. Hospitals use red bags for HCRW and Boksburg municipality uses red bags for general waste.</p>	<ul style="list-style-type: none"> Compliance with SABC coding with regard to colour and standard operating procedures are needed across the spectrum of waste streams 	<ul style="list-style-type: none"> The regulations only address quantities and reporting and not containerisation. Hence, this issue can be dealt with in other regulations/guidelines or similar
<p>6. Would initial reporting be to the local Metro and then to provincial DACEL?</p>	<ul style="list-style-type: none"> No - reporting would be directly to DACEL by clinics and provincial hospitals. Minor generators would report to the local authority. This is different from other waste streams and a reporting hierarchy is needed. 	<ul style="list-style-type: none"> No changes will be made to the proposed text. Reporting will be to DACEL. DACEL will make information available to relevant authorities etc.
<p>7. Monthly reporting in Schedule 3 was felt to be too often and feasibility was questioned.</p>	<ul style="list-style-type: none"> Reporting frequency would be reviewed. This will be different for different waste streams 	<ul style="list-style-type: none"> Agree. Will amend to require quarterly reporting by all reporters. However, monthly totals shall be reported on. Reporting shall be done at fixed intervals to ensure that data on all waste types is updated simultaneously.
<p>Paragraph 1: Application</p> <p>8. What to some is a waste product will be viewed as a resource to someone else. How will the regulations differentiate between a by-product and waste?</p>	<ul style="list-style-type: none"> A new "catch-all" category for reclaimers/re-users will need to be created. A definition for this category will be needed. A by-product can still be used, whereas a waste product cannot. 	<ul style="list-style-type: none"> The approach of the regulations will be simplified at this stage. Hence, only waste being treated/disposed at a listed treatment plant /landfill shall be reported on. Hence, there will be no requirement for reporting of reclaimed amounts from recyclers at this stage. The Schedules may be amended at a later stage to allow for this on the medium to long-term.
<p>9. Which category would middlemen fall under?</p>	<ul style="list-style-type: none"> They would fall into the "catch-all" reclaimer category. 	<ul style="list-style-type: none"> Cf above. Middlemen will not be included. The intention is that only actual treatment/disposal/recovery plants shall be registered and report. At this stage recovery plants will not be included.

GROUP 1	FACILITATOR: D.RAMA	DACEL'S DECISION ON POSSIBLE INCLUSION OF COMMENTS
ISSUE OR COMMENT	RESPONSE DURING THE WORKSHOP	
10. Buy-back centres and the type of product they recycle will need to be registered e.g. type of wire or plastic	<ul style="list-style-type: none"> A definition is needed. 	<ul style="list-style-type: none"> Cf. above.
11. Will the street reclaimer/recycler need to be registered?	<ul style="list-style-type: none"> No, but a definition should be included and threshold values established. 	<ul style="list-style-type: none"> Cf. above.
12. Will oil recyclers need to register?	<ul style="list-style-type: none"> Threshold values will need to be established, but it would be good if they registered as oil can have very negative environmental consequences. 	<ul style="list-style-type: none"> Cf. above.
13. The concern was expressed that Local Authorities would not have the capacity to regulate generators.	<ul style="list-style-type: none"> DACEL planned to deploy staff in Local Authorities to help with training. 	<ul style="list-style-type: none"> The concern is shared by DACEL and DACEL will develop guidelines and assist local governments in this regard.
14. How will illegal scrap metal/wire/aluminium dealers be targeted?	<ul style="list-style-type: none"> They will be dealt with under the penalties for illegal operators. 	<ul style="list-style-type: none"> Cf above. At this stage they will not be addressed by the proposed regulations.
15. What about radioactive waste from the medical industry?	<ul style="list-style-type: none"> Radioactive waste falls under a different authority. 	<ul style="list-style-type: none"> Reporting is based on the quantities being received by treatment/disposal facilities. At this stage radioactive waste repositories etc. are not required to register or report.
Paragraph 3: Establishment of Waste Information System 16. Who is the competent authority referred to?	<ul style="list-style-type: none"> This is DACEL. 	<ul style="list-style-type: none"> Cv above.
Paragraph 5: Identification 17. Under 1(b), it was suggested that the word "general" be taken out as the focus is wider than this.	<ul style="list-style-type: none"> This would be considered. 	<ul style="list-style-type: none"> Agree, text will be amended to reflect "any waste stream specified in the schedules"
18. Add in reclaimers / recyclers	<ul style="list-style-type: none"> This would be considered. 	<ul style="list-style-type: none"> Cf. above reclaimers/recyclers will not be added this stage, but the text will be amended to ensure that they can be included in the Schedules at a later stage.
Paragraph 6: Registration 19. There was a query about Schedule 1 - was it correct that only HCRW and landfills were included?	<ul style="list-style-type: none"> This is correct. Other waste streams will be added by the MEC over time. 	<ul style="list-style-type: none"> No changes will be made. Schedule 1 can be amended at a later stage to include additional waste streams.
Paragraph 7: Reporting 20. Auditing - done by whom and who would bear the cost?	<ul style="list-style-type: none"> 	<ul style="list-style-type: none"> The reporter must be all costs in reporting and auditing and may be charged a nominal fee for the registration process etc.
Paragraph 8: Access to Information 21. What is meant by a "reasonable charge" for information?	<ul style="list-style-type: none"> This would be a minimal fee to cover printing and copying costs. 	<ul style="list-style-type: none"> The Regulations will not be amended in this regard. The intention is clearly to allow for recovery of actual administration costs.
Paragraph 9: Penalties 22. More clarity is needed on the person responsible for reporting and who is liable in the event of penalties being imposed.	<ul style="list-style-type: none"> Penalties could take the form of environmental service and jail sentences for more serious contraventions i.e. a range of penalties to fit the crime. 	<ul style="list-style-type: none"> The text will be clarified to ensure that the person liable for penalties is the CEO of the relevant organisation and that the reporting requirement rests with the CEO.
Schedule 1 23. The schedule should be extended to include other industries, but this should be done in order of priority	<ul style="list-style-type: none"> Recyclers and reclaimers Meat industry Transporters of Hazardous Waste Metal plating industry Oil industry Producers of acids as a waste product 	<ul style="list-style-type: none"> Cf. above.
24. Time frames	<ul style="list-style-type: none"> 90 days was felt to be acceptable 	<ul style="list-style-type: none"> Noted
25. Does the 10kg threshold for small practitioners include both sharps and HCRW together?	<ul style="list-style-type: none"> This would be clarified. 	<ul style="list-style-type: none"> Yes it does.
Schedule 2 26. A schedule needs to be developed for landfills	<ul style="list-style-type: none"> Align with DWAF Include information about weighbridge, measuring methods, quantities of waste 	<ul style="list-style-type: none"> Agree. This will be developed in line with the current indications of the Regulations.

GROUP 1	FACILITATOR: D.RAMA	DACEL'S DECISION ON POSSIBLE INCLUSION OF COMMENTS
ISSUE OR COMMENT	RESPONSE DURING THE WORKSHOP	
Schedule 3 27. How would correct disposal of the HCRW collected be assured?	<ul style="list-style-type: none"> The manifest system would provide a record of disposal. 	<ul style="list-style-type: none"> The WIS does not allow for verifiable records of proper disposal. However, the registered parties, e.g. transporters, are to submit annual reports and make statements regarding proper disposal, thus, resulting in a punishable offence if that is not the case. The Regulations will not be adjusted in this regard, as the administrative burden of managing the system must be kept at an affordable and relative limited level on the short- to medium term.
28. Wording on Transporters	<ul style="list-style-type: none"> Change the wording to reflect HCRW transported within Gauteng as well 	<ul style="list-style-type: none"> Will consider. Only transporters taking waste for disposal outside Gauteng shall report on quantities.
29. Storing of records	<ul style="list-style-type: none"> The HCRW regulations require record to be kept for 3 years Review the storage time required and reflect this in the regulations 	<ul style="list-style-type: none"> Will maintain 3 years as a minimum.
30. Transfer stations and reclaimers are not reflected	<ul style="list-style-type: none"> Consider the inclusion of these in the schedule. 	<ul style="list-style-type: none"> Cf. above. Only disposal and treatment plants will be required to report at this stage.
31. How will registration be handled if a company carries out more than one activity?	<ul style="list-style-type: none"> Alignment of the regulations for this scenario will be looked at. 	<ul style="list-style-type: none"> Cf. the current text. A separate registrations must be made for each type of activity, also of this is owned by the same company or taking place on the same piece of land of in the vicinity of each other.
32. Reporting must "cradle to grave" i.e. by-products that are re-sold must be reported on as well	<ul style="list-style-type: none"> 	<ul style="list-style-type: none">
33. Who is responsible for by-products that are sold?	<ul style="list-style-type: none"> The generator - this will be verified. 	<ul style="list-style-type: none"> Cf. above regarding not including reclaimers at this stage.
34. Include a category that covers buy-back centres	<ul style="list-style-type: none"> This will be considered 	<ul style="list-style-type: none"> Cf. above
35. Would transport of waste paper from neighbouring countries be covered?	<ul style="list-style-type: none"> This would only be considered at a later stage. 	<ul style="list-style-type: none"> Cf. above
36. Would cover material be considered to be waste and therefore be included in reporting?	<ul style="list-style-type: none"> Cover material would not but building rubble would. 	<ul style="list-style-type: none"> Cf. above
37. A breakdown of the waste stream is needed	<ul style="list-style-type: none"> This will be considered 	<ul style="list-style-type: none"> The text will not be amended at this stage, as this is seen as a possible future refinement of the system once reporting is carried out well and reliably and there is sufficient capacity to carry the additional amount of data.
38. Further discussions are needed before the regulations are finalised	<ul style="list-style-type: none"> A comment period will be allowed. 	<ul style="list-style-type: none"> Agree. A written commenting period will as a minimum be determined before final revision and promulgation.
39. How will illegal dumping be addressed?	<ul style="list-style-type: none"> This issue is not covered in the regulations, but illegally dumped waste will eventually reach a landfill and will then be recorded in the system. 	<ul style="list-style-type: none"> It is not included on the scope of the Regulations.
Schedule 4 40. Would a treatment facility report per generator or per load?	<ul style="list-style-type: none"> Reporting would by mass. If deviation occurred the manifest system would need to be examined. 	<ul style="list-style-type: none"> Reporting per generator or as determined by the schedules. In practise proportionate determination of the mass is acceptable.
41. The geographical region referred to in 2(a) (iv) was ambiguous	<ul style="list-style-type: none"> The term needs clarification 	<ul style="list-style-type: none"> This will be determined by the schedules to the regulation.

Table 4: Breakaway Group 2

GROUP 2	FACILITATOR: D FISCHER	DACEL'S DECISION ON POSSIBLE INCLUSION OF COMMENTS
ISSUE OR COMMENT	RESPONSE GIVEN AND THE WORKSHOP	
General comments 42. The charge for using the WIS information was queried	<ul style="list-style-type: none"> ▪ This would be purely for administrative costs. 	<ul style="list-style-type: none"> ▪ Text will not be amended in this regard.
43. There was a concern that the computer capacity would not be sufficient	<ul style="list-style-type: none"> • Reporting would be web based and on PC would be sufficient 	<ul style="list-style-type: none"> • Text will not be amended in this regard. The Department will be able to management the administrative burden.
44. Tyre dealers should be required to register as a generator of waste	<ul style="list-style-type: none"> • This would be considered. 	<ul style="list-style-type: none"> • Text will not be amended in this regard, but waste tyres will be considered as one of the subsequent priority waste streams to be included in revised schedules.
45. Monthly reporting was felt to be too onerous as it would take up time and staff capacity	<ul style="list-style-type: none"> • Consider 6 monthly reporting initially and phase in monthly reporting 	<ul style="list-style-type: none"> • Agree. Quarterly reporting on monthly figures will be used.
46. Reporting needs to cover all aspects of the disposal process	<ul style="list-style-type: none"> • Consider a short workshop with industry to discuss the concept of reporting 	<ul style="list-style-type: none"> • Will consider this.
47. Definition of Waste Generator	<ul style="list-style-type: none"> • Review the definition and improve it if necessary. 	<ul style="list-style-type: none"> • Will consider this.
48. Will the system allow for collection of information at the site of generation?	<ul style="list-style-type: none"> • This must be considered. 	<ul style="list-style-type: none"> • Text will not be amended in this regard. Reporting is under normal conditions carried out at the treatment plant and in some instances information on generator ID is included.
49. Waste streams that need to be prioritised and included in the regulations	<ul style="list-style-type: none"> • Agricultural waste • Chemical waste • Electroplating industry 	<ul style="list-style-type: none"> • Noted and will be considered on subsequent revisions.
50. At what point is the generator exceeding the capacity of the disposal facility?	<ul style="list-style-type: none"> • Sustainable waste management is the aim and priority streams must be identified (as well as reasons for the choice) 	<ul style="list-style-type: none"> • Text will not be amended in this regard. The regulations are not designed to regulate this. However, authorities will be able to draw reports on totals per treatment/disposal facility for enforcement purposes.
51. What about used oil that is sold to a reprocessor - is reporting necessary	<ul style="list-style-type: none"> • The company is classed as a recycler and only needs to register, not report 	<ul style="list-style-type: none"> • Cf. above. Recycling will not be included at this stage.
Paragraph 1: Application 52. Focus of the regulations is broad now - focus will be needed later	<ul style="list-style-type: none"> • A flow chart to illustrate what needs to be reported was suggested. 	<ul style="list-style-type: none"> • Will not be included at this stage
Paragraph 2: Definitions 53. Gaps	<ul style="list-style-type: none"> • Landfill / disposal facility 	<ul style="list-style-type: none"> • Will review.
54. Waste streams needing prioritisation need to be identified	<ul style="list-style-type: none"> • Tyre re-sale and recovery • Oils 	<ul style="list-style-type: none"> • Noted, but cf. above for later revisions only.
55. Information on illegal dumping is lacking	<ul style="list-style-type: none"> • More strategic planning is needed • Need more of a sense of what is being produced to understand the scale of what is being disposed of • Consider a Generator Number Card to identify the generator throughout the life of the waste until disposal 	<ul style="list-style-type: none"> • Illegal dumping cannot be targeted via these regulations. All major generators as determined in the relevant schedules shall register and in such cases the treatment/disposal plant shall be able to report on generators also.
Paragraph 4: Objectives 56. What about the Polokwane Declaration?	<ul style="list-style-type: none"> • Include the idea that we are working towards zero waste. 	<ul style="list-style-type: none"> • Agree, will be include in the general references in the preamble/introduction.
Paragraph 5: Identification 57. Medical waste transporters are seen as a problem even though they are below the threshold for registration	<ul style="list-style-type: none"> • The purpose of the threshold is to exclude motorbike transporters for example. 	<ul style="list-style-type: none"> • Text will not be amended in this regard.
58. Identification of priority	<ul style="list-style-type: none"> • Suggested for inclusion as point 4 	<ul style="list-style-type: none"> • Cf. above.
59. 5(3) Requirements for already identified persons	<ul style="list-style-type: none"> • Add that the MEC can amend requirements for already identified persons (e.g. additional details to be reported) 	<ul style="list-style-type: none"> • Agree, will include.

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<p>Paragraph 6: Registration</p> <p>60. More clarification is needed about what happens when changes to an organisations registration need to be made due to major changes within the organisation</p>	<ul style="list-style-type: none"> • Changes will be possible on the Web system • Deactivation is allowed for • Include a block for Deregistration 	<ul style="list-style-type: none"> • Agree. De-registering will be included and periodical reconfirmation/adjustment of static data.
61. 6(4) Delisting of inactive / decommissioned reporters	<ul style="list-style-type: none"> • Include a process for de-listing 	<ul style="list-style-type: none"> • Agree. Cf. above
62. Schedules for registration	<ul style="list-style-type: none"> • Schedules for waste streams other than HCRW will be developed • Electronic registration and reporting is the preferred method of input • Information will be accepted even if the organisation is not permitted • DACEL will publish the list of registered generators, transporters, transfer stations and disposal facilities (landfills and treatment plants) on the Web and annually in the Provincial Gazette. 	<ul style="list-style-type: none"> • Agree. Will be amended accordingly.
63. The two-year registration period was queried.	<ul style="list-style-type: none"> • The reason for this is to ensure that information will be updated and that details will be looked at at least every 2 years 	<ul style="list-style-type: none"> • Will keep 2 year
<p>Paragraph 7: Reporting</p> <p>64. No site specific information is included in Schedule 1</p>	<ul style="list-style-type: none"> • For consideration 	<ul style="list-style-type: none"> • Will not amend the text in this regard.
65. 7(1) There is inconsistency in the term "report" as the schedule also includes person who need to register by who should not report	<ul style="list-style-type: none"> • For consideration 	<ul style="list-style-type: none"> • Will not amend.
66. Access to information	<ul style="list-style-type: none"> • The Department shall have the right to access records of reporters to verify the reporting. 	<ul style="list-style-type: none"> • Agree. Existing provisions will be strengthened accordingly.
67. Auditing - internal or external	<ul style="list-style-type: none"> • A suggestion was that the Department institute spot checks rather than internal auditing • Have a check box system - yes/no for simplicity • The responsible person should verify that data is valid • Data must be used for improved management if it is to add value • Someone from the Department should do a "Reality Check" 	<ul style="list-style-type: none"> • Regulations will be amended to be clear that the department can order such independent audits if deemed relevant.
68. Are weighbridges mandatory?	<ul style="list-style-type: none"> • The introduction of weighbridges is required and should be implemented over a period e.g. 2 years for larger disposal facilities and longer for smaller ones. Very small facilities may be exempt from installing a weighbridge. • Weighbridges installed must be calibrated according to manufacturers instructions • A schedule on apparent bulk densities of typical types of waste to be included to guide reporters not having weighbridges in assessing the waste quantities in kilograms 	<ul style="list-style-type: none"> • Weighbridges will remain a mandatory requirement. However the proposed grace periods will be implemented.
<p>Paragraph 9: Penalties</p> <p>69. Responsible person</p>	<ul style="list-style-type: none"> • Make clear that the CEO of company will be penalised 	<ul style="list-style-type: none"> • Cf. above (group 1)
<p>Paragraph 10: Title and commencement</p> <p>70. 10(1) Statement about information in reports</p>	<ul style="list-style-type: none"> • Add that all reports must include a statement that information is correct and has been verified to the best of their ability to ensure that there is a deliberate element of fraud if reported 	<ul style="list-style-type: none"> • Agree. Will implement.

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	data is found to be incorrect.	
Schedule 1 71. Add meat industry waste and Hazardous Waste transporters	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> Will not amend the text in this regards Cf. above.
Schedule 2 72. Add additional forms for other reporters and persons to register - landfills etc	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> Agree. Cf. above.
Schedule 3 73. It is incorrect that the transporter will report on waste imported as this is the responsibility of the Treatment Facility	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> No. Imported waste shall be reported by the disposal/treatment plant. Transporters only to report on exported waste.
74. Reporting frequency - uniform reporting frequencies are preferred	<ul style="list-style-type: none"> Look at per industry Look at reducing to once or twice per year Data will still be required as a monthly total 	<ul style="list-style-type: none"> Will be amended as indicated above.
75. Verification of information - who is responsible?	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> Cf. above the CEO of the relevant organisations is responsible and punishable.
Schedule 4 76. Include additional details on waste codes e.g. solid waste, liquid waste, sludges. Include the water content or viscosity value of such wastes	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> Will consider inclusion at this stage, but may be deferred due to a planned revision of the schedules
77. Reporting of recycling - inconsistencies and risk of double recording of waste	<ul style="list-style-type: none"> This section of the Schedule will be reworked Consider including tyres 	<ul style="list-style-type: none"> Cf above. Will not be included at this stage.
78. Include a flow chart on what to report and by whom.	<ul style="list-style-type: none"> For consideration 	<ul style="list-style-type: none"> Agree. Will be included.

4. WAY FORWARD AND CLOSURE

The workshop was an important milestone in a long process.

- Written comment would be accepted for the two weeks following the workshop.
- The Regulations would be circulated once finalized.
- In October 2003 the implementation process would begin with workshopping to be organized by DACEL.

Ms Joanne Yawich thanked participants for their attendance and valuable input at the workshop.

APPENDIX 1 : LIST OF ATTENDEES

HCRW - DRAFT REGULATIONS WORKSHOP - 6 MAY 2003 - ATTENDANCE LIST

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