

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF FORESTRY, FISHERIES AND ENVIRONMENT

NO. 7461

12 May 2026

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

PROPOSED AMENDMENTS TO THE LIST OF WASTE MANAGEMENT ACTIVITIES THAT HAVE, OR ARE LIKELY TO HAVE, A DETRIMENTAL EFFECT ON THE ENVIRONMENT

I, Willem Abraham Stephanus Aucamp, Minister of Forestry, Fisheries and the Environment, hereby, under section 19(2), read with sections 72 and 73 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) (NEM: WA), give notice of my intention to amend, by repeal and replacement, the list of waste management activities that have, or are likely to have, a detrimental effect on the environment, published under Government Notice R.921 of Government Gazette No. 37083 on 29 November 2013, inclusive of all the amendments thereof, as set out in the Schedule hereto.

Members of the public are invited to submit, within 60 days from the date of publication of this notice in the Government Gazette or in the newspaper, whichever is the later date, written representations or objections to any of the following addresses:

By post to: The Director General
Attention: Mr Jeremia Sibande
The Department of Forestry, Fisheries, and the Environment
Private Bag X447
PRETORIA
0001

By hand at: Ground Floor (Reception), Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0001.

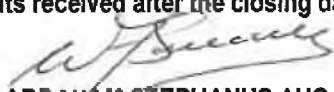
By email to: jsibande@dffe.gov.za.

Any enquiries in connection with this notice can be directed to Mr Jeremia Sibande on (012) 399 9832/067 417 3844, or via email: jsibande@dffe.gov.za.

The Government Notice can be accessed at <http://sawic.dffe.gov.za/>, under "Draft documents for comment".

The Department of Forestry, Fisheries and the Environment comply with the Protection of Personal Information Act, 2013 (Act No. 4 of 2013). Comments received and responses thereto are collated into a comments and response 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.

Comments received after the closing date may not be considered.


WILLEM ABRAHAM STEPHANUS AUCAMP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

SCHEDULE

DEFINITIONS

1. In this Schedule any word or expression to which a meaning has been assigned in the Act, will bear that same meaning, and unless the context indicates otherwise —

"construction" means the building, erection or establishment of a facility, structure or infrastructure that is necessary for the undertaking of a waste management activity, but excludes any modification, expansion, alteration or upgrading of such facility, structure or infrastructure that does not result in a change to the nature of the activity being undertaken or an increase in the range of outputs for the facility;

"co-processing" means the utilisation of alternative fuels and/or raw material processes for the purposes of energy and/or resource recovery and resultant reduction in the use of the conventional fuels and/ or raw material through substitution;

"expansion" means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which a waste management activity takes place, in such a manner that the capacity of the facility or the volume of waste recycled, used, treated, processed or disposed of, is increased;

"facility" means a place, infrastructure, structure or containment of any kind including associated structures or infrastructure, wherein, upon or at which, a waste management activity takes place and includes a waste transfer facility, a waste storage facility, container yard, waste disposal facility, incinerators, lagoons, recycling, co-processing or composting facilities;

"lagoon" means the containment of waste in excavations and includes evaporation dams, earth cells, and sludge farms;

"operational area" an area where waste is handled or processed including waste transfer, storage, treatment, recovery, reuse and waste disposal areas;

"temporary storage" means a once-off storage of waste for a period not exceeding 90 days;

"the Act" means the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008); and

"wastewater" means water containing waste or water that has been in contact with waste material.

GENERAL

2. No person may commence, undertake or conduct a waste management activity listed in this Schedule, unless a waste management licence is issued in respect of that waste management activity.

LISTED ACTIVITIES**3. Category A and B**

(1) A person who wishes to commence, undertake or conduct a waste management activity listed under **Categories A and B of this Schedule**, must conduct a basic assessment process set out in the Environmental Impact Assessment Regulations made under section 24(5) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as part of the waste management licence application contemplated in section 45 read with section 20(b) of the Act.

4. Category A**Storage of waste**

(1) The storage of general waste in lagoons.

Recycling or recovery of waste

(2) The recycling of general waste in excess of **10 tons**, excluding recycling that takes place as an integral part of an internal manufacturing process within the same premises.

(3) The recovery of waste including the refining, utilisation, or co-processing of waste in excess of 10 tons of general waste per day excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.

Treatment of waste

(4) The treatment of general waste using any form of treatment at a facility that has the capacity to process in excess of 10 tons per day, excluding the treatment of organic waste using composting and any other organic waste treatment.

Disposal of waste

(5) The disposal of inert waste to land in excess of 25 tons, excluding the disposal of such waste for the purposes of levelling and building which has been authorised by or under other legislation.

(6) The disposal of general waste to land covering an area of more than 50m² but less than 200m² and with a total capacity not exceeding 25 000 tons.

(7) The disposal of domestic waste generated on premises in areas not serviced by the municipal service where the waste disposed exceeds 0.5 tons per month.

Construction, expansion or decommissioning of facilities and associated structures and infrastructure

(8) 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).

(9) The expansion of a waste management activity listed in Category A of this Schedule which does not trigger an additional waste management activity in terms of this Schedule.

(10) The decommissioning of a facility for a waste management activity listed in Category A of this Schedule.

5. Category B

Storage of hazardous waste

(1) The storage of hazardous waste in lagoons excluding storage of effluent, wastewater or sewage.

Reuse, recycling or recovery of waste

(2) The reuse or recycling of hazardous waste in excess of 0.5 tons per day, excluding reuse or recycling that takes place as an integral part of an internal manufacturing process within the same premises.

(3) The recovery of waste including the refining, utilisation, or co-processing of the waste at a facility that processes in excess of 0.5 tons of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises.

Treatment of waste

(4) The treatment of hazardous waste using any form of treatment at a facility that processes in excess of 0.5 tons per day calculated as a monthly average, excluding the treatment of effluent, wastewater, sewage or organic waste using composting or any other organic waste treatment.

(5) The treatment of hazardous waste in lagoons, excluding the treatment of effluent, wastewater or sewage.

Disposal of waste on land

(6) The disposal of any quantity of hazardous waste to land.

Construction, expansion or decommissioning of facilities and associated structures and infrastructure

(7) 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).

(8) The expansion of a waste management activity listed in Category B of this Schedule which does not trigger an additional waste management activity in terms of this Schedule.

(9) The decommissioning of a facility for a waste management activity listed in Category B of this Schedule.

6. Category C

A person who wishes to commence, undertake or conduct a waste management activity listed under this Category, must comply with the relevant requirements or standards determined by the Minister listed below —

Storage of waste

- (1) Norms and Standards for Storage of Waste, published under Government Notice R.926 of Government Gazette 37088 on 29 November 2013.
- (2) The storage of general waste at a facility that has the capacity to store in excess of 100 m² of general waste at any one time, excluding the storage of waste in lagoons or temporary storage of such waste.
- (3) The storage of hazardous waste at a facility that has the capacity to store in excess of 80 m³ of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons or temporary storage of such waste.
- (4) The storage of waste tyres in a storage area exceeding 500 m².
- (5) Standards for Extraction, Flaring or Recovery of Landfill Gas, published under Government Notice R.924 of Government Gazette 37086 on 29 November 2012.
- (6) Norms and Standards for the Sorting, Shredding, Crushing, Screening or Bailing of General Waste, published under Government Notice R.1094 in Government Gazette 41175 of 11 October 2017.

Treatment, Recycling, or Recovery of waste

- (7) National Norms and Standards for organic waste composting published under Government Notice R.561 of Government Gazette 44762 on 25 June 2021.

- (8) National Norms and Standards for the Treatment of Organic Waste published under Government Notice R.1984 of Government Gazette 46169 on 01 April 2022.
- (9) The scrapping or recovery of motor vehicles at a facility that has an operational area in excess of 500 m².

TRANSITIONAL PROVISIONS

Definition

- 7. In this paragraph —

"Previous Waste Management Activities List Notice" contemplated in these transitional arrangements, means the previous notice published in terms of section 19(1) of the Act, under Government Notice R.921 of Government Gazette 37083 on 29 November 2013.

(1) A person who lawfully conducts a waste management activity listed in this Schedule on the date of the coming into effect of this Notice, may continue with the waste management activity until such time that the Minister by notice in a Gazette, calls upon such a person to apply for a waste management licence in terms of section 80(4) of the Act.

(2) An application for a waste management activity which was listed under the previous Waste Management Activities List Notice, and which is no longer listed in terms of this Schedule, and a decision on such an application is still pending on the date of coming into effect of this Notice, will be considered withdrawn.

(3) If a situation arises where waste management activities, listed under the previous Waste Management Activities List Notice, are listed differently under the current list of waste management activities, and a decision on such an application is still pending, such an application will still be processed by the licensing authority in accordance with this Notice,

(4) A person who submitted an application for a waste management licence for a waste management activity which is no longer listed in Category A or B, but listed in Category C of this Schedule on the date of coming into effect of this Notice, must consider such an application for that activity withdrawn, and must comply with the requirements or standards for that waste management activity.

(5) A person who lawfully conducted a waste management activity that is no longer listed in Category A or B, but listed in Category C of this Schedule, on the date of coming into effect of this

Notice, may continue with the waste management activity for the duration stipulated in the permit or waste management licence, until the expiry date of the permit or waste management licence whereafter such a person must comply with the requirements or standards for that waste management activity.

(6) An application submitted for a Waste Management Licence in terms of the previous Waste Management Activities List Notice, will be considered, assessed and decided by the licensing authority in terms of this Act.

REPEAL OF LAWS

8. The Notice on the List of waste management activities that have or are likely to have a detrimental effect on the environment, published in Government Notice R.921 of Government Gazette 37083 on 29 November 2013, inclusive of all the amendments thereof, is hereby repealed.