

APPLICATION FOR WASTE MANAGEMENT LICENCE

WESTERN CAPE DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND
DEVELOPMENT PLANNING



Application for a Waste Management Licence in terms of section 45
of the National Environmental Management: Waste Act, 2008
(Act 59 of 2008).

AUGUST 2010

(For official use only)

File Reference Number:	
NEAS Reference Number:	
IPWIS Reference Number:	
Date Received:	

(For completion by EAP/Applicant)

Applications for expansion or for decommissioning / closure of an existing facility	
Existing Waste Management Licence / Permit reference number :	
Date of issue of the Waste Management Licence / Permit:	
Date of expiry of the Waste Management Licence/ Permit:	
Please Note: A certified copy of the Waste Management Licence / Permit must be attached to this application.	

PROJECT TITLE

The FSC Klipheuwel Renewable Energy Project

APPLICATION FOR WASTE MANAGEMENT LICENCE

Kindly note that:

1. Please note that while this application is to be submitted in terms of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) ("Waste Act"), the assessment process to be followed is the Environmental Impact Assessment ("EIA") process as specified in the Environmental Impact Assessment regulations, 2010 ("NEMA EIA regulations") issued in terms of Chapter 5 of the National Environmental Management Act, 1998 (Act 107 of 1998):
 - The Basic Assessment Process must be followed for Category A listed waste management activities.
 - The Scoping and EIA Process must be followed for Category B listed waste management activities.
2. This form must be used for applications for Waste Management Licences for new facilities, as well as expansion of existing facilities or decommissioning / closure of existing facilities.
3. A separate application form must be submitted for variation, renewal or transfer of Waste Management Licences. This form is available from the departmental website <http://www.capegateway.gov.za/eadp>.
4. This form is current as of 2 August 2010. It is the responsibility of the Applicant and the Environmental Assessment Practitioner ("EAP") to ascertain whether subsequent versions of the form have been published or produced by the licensing authority.
5. Unless indicated otherwise, two electronic copies (CD/DVD) and three hard copies of this application form and all subsequent reports must be submitted.
6. It is the applicant and EAP's responsibility to determine who the licensing authority will be in terms of section 43 of the Waste Act.
7. Where the national Department of Environmental Affairs ("DEA") is the licensing authority i.e. hazardous waste, the application must be made to DEA on their application form, available from the South African waste information centre website (www.sawic.org.za)
8. Definitions in this form are as per the NEMA, the NEMA EIA Regulations, the Waste Act and the waste management activities list in terms of the Waste Act.
9. An EAP must be appointed for all waste licence applications.
10. The required information must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided.
11. Incomplete applications may be rejected or returned to the applicant for amendment.
12. The use of "not applicable" in the form must be done with circumspection. Where it is used in respect of material information that is required by the licensing authority for assessing the application, this may result in the rejection of the application as provided for in the NEMA EIA Regulations.
13. Unless protected by law all information contained in, and attached to this application, will become public information on receipt by the licensing authority. Upon request, any interested and affected party should be provided with the information contained in and attached to this application. During any stage of the application process, the information contained in and attached to it must be provided by the applicant / EAP. No faxed or e-mailed applications will be accepted.
14. This form must be submitted to the Department at the postal address given below or by delivery thereof to the Registry Office of the Department. Should the application form and attached reports not be submitted to the addresses given below it may be rejected.
15. **The Listed Waste Management Additional Information Annexure must be completed and submitted together with the Basic Assessment Report or Environmental Impact Assessment Report.**

DEPARTMENTAL DETAILS

Department of Environmental Affairs
and Development Planning
Attention: Directorate Waste Management
Private Bag X 9086
Cape Town,
8000

Registry Office
1st Floor Utilitas Building
1 Dorp Street,
Cape Town

Queries should be directed to the Directorate: Waste Management at: Tel: (021) 483-2756 , Fax (021) 483-4425

View the Department's website at <http://www.capegateway.gov.za/eadp> for the latest version of the documents.

APPLICATION FOR WASTE MANAGEMENT LICENCE

1. GENERAL INFORMATION

Project applicant:	Mr CC Louw		
RSA Identity Number/ Passport Number:			
Trading name (if any):	Keibeas Piggery		
Company Registration Number:			
Postal address:	P.O. Box 134,		
	Durbanville	Postal code:	7551
Telephone:	(021) 976-1820	Cell:	
E-mail:	keibeas@worldonline.co.za.	Fax:	(021) 975-2415
Project applicant:	Mr MD Donne		
RSA Identity Number/ Passport Number:			
Trading name (if any):	Zandam Cheese		
Company Registration Number:			
Postal address:	P.O. Box 94,		
	Durbanville	Postal code:	7551
Telephone:	(087) 625 0081	Cell:	082 807 5896
E-mail:	zandam@kingsley.co.za	Fax:	(021) 975 1032
Project Consultant	Farmsecure Carbon (Pty) Ltd		
Contact person:	Michiel Meets		
Postal address:	P.O.Box 4138		
	Tyger Valley	Postal code:	7536
Telephone:	(021) 974 1900	Cell:	
E-mail:	michiel.meets@farmsecure.co.za	Fax:	(021) 974 1972
Environmental Assessment Practitioner (EAP):	WorleyParsons RSA		
Contact person:	Michelle Luttig		
Postal address:	PO Box 398		
	Bellville	Postal code:	7535
Telephone:	(021) 912 3000	Cell:	
E-mail:	michelle.luttig@worleyparsons.com	Fax:	(021) 912 3222
EAP Qualifications	BSc Biology (Hons)		
EAP Registrations/Associations	IAIASA, WISA		
Landowner:	Mr CC Louw and D Osborn		
Contact person:	Mr CC Louw		
Postal address:	P.O. Box 134,		
	Durbanville	Postal code:	7551
Telephone:	(021) 976-1820	Cell:	
E-mail:	keibeas@worldonline.co.za.	Fax:	(021) 975-2415
	Farm Keibeas		
Person in control of land:	Mr CC Louw		
Contact person:	Mr CC Louw		
Postal address:	P.O. Box 134		
	Durbanville	Postal code:	7551
Telephone:	(021) 976-1820	Cell:	
E-mail:	keibeas@worldonline.co.za	Fax:	(021) 975-2415

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Farm Zandam			
Person in control of land:	Mr MD Donne		
Contact person:	Mr MD Donne		
Postal address:	P.O. Box 94		
	Durbanville	Postal code:	7551
Telephone:	(087) 625 0081	Cell:	082 807 5896
E-mail:	zandam@kingsley.co.za	Fax:	(021) 975 1032

Please note: In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this form.

Municipality in whose area of jurisdiction the proposed activity will fall:	City of Cape Town Metropolitan Municipality		
Contact person:	Ms Pat Titmuss		
Postal address:	PO Box 35		
	Milnerton	Postal code:	7435
Telephone	(021) 550 1096	Cell:	083 701 4318
E-mail:	pat.titmuss@capetown.gov.za	Fax:	(021) 550 1003

Please note: In instances where there is more than one Municipality involved, please attach a list of Municipalities with their respective contact details to the form.

Project title:	The FSC Klipheuvel Renewable Energy Project		
Property location(s):	Route R312 Paarl Farms		
Farm/Erf name(s) & number(s) including portion)	Farm 478 Portion 2 Cape Town (Keibeets)		
Property size(s) (m ²)	37.3429 Ha		
Development footprint size(s) (m ²)	1 Ha		
SG21 Digit code(s)	C05500000000047800002		
Coordinates: Latitude (S)	°33°	46'	42.48"
Longitude (E)	°18°	47'	41.82"
Farm/Erf name(s) & number(s) including portion)	Farm 479 Portion 9 Drakenstein (Zandam)		
Property size(s) (m ²)	81.3747 Ha		
Development footprint size(s) (m ²)	1 Ha		
SG21 Digit code(s)	C05500000000047900009		
Coordinates: Latitude (S)	°33°	46'	02.11"
Longitude (E)	°18°	48'	17.20"

Please note: Where numerous properties/sites are involved (e.g. linear activities), attach a list of property descriptions and street addresses to the application form.

Street address:	Route R312 Paarl Farms, Cape Town		
Magisterial District or Town:	City of Cape Town Metropolitan Municipality		
Closest City/Town:	Cape Town	Distance	20km
Zoning of Property:	Agricultural		

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Please note: In instances where there are more than one zoning applicable, please attach a list or map of the properties indicating their respective zoning to the application form.

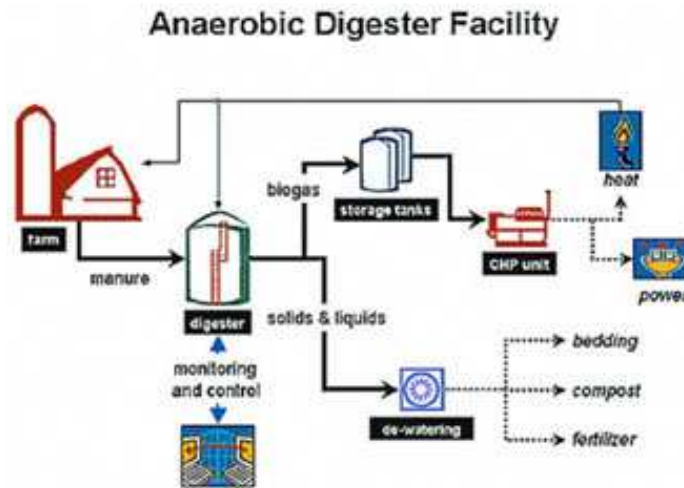
Is a rezoning application required?	YES	NO
Is a consent use application required?	YES	NO
Locality map:	<p>A locality map must be attached to the application form, as an Appendix. The scale of the locality map must be at least 1:50 000. For linear activities of more than 25 kilometres, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map. The map must indicate the following:</p> <ul style="list-style-type: none"> • an accurate indication of the project site position as well as the positions of the alternative sites, if any; • road names or numbers of all the major roads as well as the roads that provide access to the site(s) • a north arrow; • a legend; • the prevailing wind direction; and • GPS co-ordinates (Indicate the position of the proposed activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS-84 spheroid in a national or local projection) 	
Written notice:	<p>A certified copy of the written notice to the landowner(s), manager(s) or person(s) in control of the land on which the activity(ies) is to be undertaken must be attached to the back of this document as an Appendix.</p>	
Project Plan (e.g. Gantt chart – refer to Departmental Information document on Generic TOR for EAPs and project schedules)	<p>A project planning schedule must be submitted as an Appendix to the application form, and must include <i>inter alia</i> milestones for:</p> <ul style="list-style-type: none"> • public participation (dates for advertisements, workshops and other meetings, obtaining comment from organs of state including state departments); • the commencement of parallel application processes required in terms of other statutes and where relevant, the alignment of these application processes with the EIA process; • the submission of the key documents (Basic Assessment Report , Scoping Reports and Plan of Study and EIA reports); • anticipated commencement of the activity. <p>Please Note: (1) All the above dates must consider the statutory timeframes for authority responses as stipulated in the EIA Regulations 2010. (2) Possible appeals may impact on project timeframes/milestones.</p>	

2. PROJECT DESCRIPTION

<u>Highlight the type of project:</u>	Recycling and/or recovery facility	Storage and/or transfer facility	Treatment facility	Disposal facility	Other
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Please provide a general description of the project and associated infrastructure:

Farmsecure Carbon will construct infrastructure to capture the manure from the livestock farming activities and transport it to an anaerobic digester. The biomass will then be converted into a biogas through anaerobic digestion. The biogas created in the process is a gaseous mixture comprising mostly of methane and carbon dioxide, but also contains a small amount hydrogen and trace levels of hydrogen sulphide. The methane in the biogas is burned to produce electricity using a gas engine. The heat that is generated is used to heat buildings. The electricity is sold to external third parties through the national grid and when the grid is down it is used on the farm. Electricity produced by anaerobic digesters is considered to be green. The effluent from the process is clean water and is irrigated on the farm and the resulting solid gestate is used as fertilizer.



2.1 Have waste hierarchy measure have been implemented?

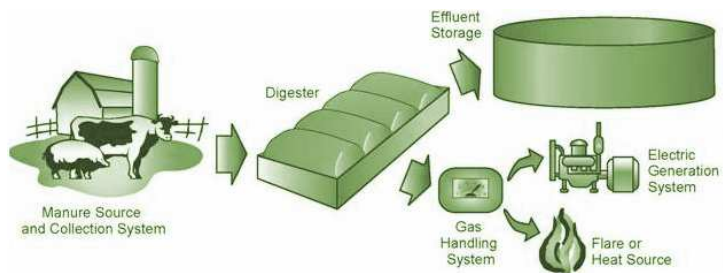
YES	NO
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If Yes, please provide a general description of the waste hierarchy measure implement. If No, motivate why no waste hierarchy measures have been applied..

The waste hierarchy is completed in full as the animals produce the waste; the waste is collected directly and taken to the processing facility on the site where it is treated. The by-products of the waste are used to generate electrical power and heat that are sold on and used to heat buildings respectively. The remaining effluent is recycled to the farm to reduce the overall consumption of water,

thus reducing pressure on water resources.

The remaining solid gestate is worked back into the soil for fertilization thus completing the circle. Although the waste is not strictly reduced, the products of the process are reused and the by-products recycled.



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3. APPLICABLE LISTED ACTIVITIES

3.1 LISTED WASTE MANAGEMENT ACTIVITIES APPLIED FOR

All waste management activities associated with the proposed project that are listed in Government Notice 718 (in terms of the Waste Act) as Category A and those listed as Category B must be indicated below.

Government Notice 718 - Category A Activity No(s):	Describe the relevant <u>Category A</u> waste management activity in writing
10	The processing of waste at biogas installations with a capacity to process in excess of 5 tons per day of biodegradable waste.
17	The storage, treatment or processing of animal manure at a facility with a capacity to process in excess of one ton per day.
18	The construction of facilities for the activities listed in Category A of this Schedule.
Government Notice 718 - Category B Activity No(s):	Describe the relevant <u>Category B</u> waste management activity in writing
N/A	N/A

3.2 EIA LISTED ACTIVITIES APPLICABLE

If applicable, all potential listed activities for Basic Assessment and Scoping & EIR processes (GN No. R. 544, GN No. R.545 and GN No. R. 546 activities in terms of the NEMA EIA Regulations) associated with the proposed project must be indicated below.

Government Notice R544 Activity No(s):	Describe the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 1 (GNR544)	Describe the portion of the development as per the project description that relates to the applicable listed activity
	No activities triggered.	
Government Notice R546 Activity No(s):	Describe the relevant Basic Assessment Activity(ies) in writing as per Listing Notice 3 (GNR546)	Describe the portion of the development as per the project description that relates to the applicable listed activity
	No activities triggered.	
Government Notice R545 Activity No(s):	Describe the relevant Scoping and EIR process Activity(ies) in writing as per Listing Notice 2 (GNR545)	Describe the portion of the development as per the project description that relates to the applicable listed activity
	No activities triggered.	

Please note the following regarding subsection 3.1 and 3.2 above:

- Only those activities for which the applicant applies will be considered for licensing. The onus is on the applicant to ensure that all the applicable listed activities are included in the application. Failure to do so may invalidate the application.
- If any of the EIA listed activities in 3.2 above are triggered then a separate application form for environmental authorisation must be submitted, but a single EIA process for the application for a waste management licence and an environmental authorisation must be undertaken.
- The Basic Assessment Process in terms of the EIA regulations, 2010 must be followed for Category A listed waste management activities.
- The Scoping and EIR Process in terms of the EIA regulations, 2010 must be followed for Category B listed waste management activities.
- A Basic Assessment process must be followed for the expansion or the decommissioning / closure of all listed waste management activities regardless of which Category (i.e. A or B) activities are triggered unless the closure of a facility forms part of a project that triggers a Category B listed waste management activity not for closure in which case a Scoping & EIR process must be followed.

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6. Should the application be for the expansion or the decommissioning / closure of a facility (Activity 20 of Category A) or form part of the application where no Category B listed waste management activities are triggered, but a GN No. R.545 listed activity in terms of the NEMA EIA regulations is triggered then a Scoping & EIR process must be followed in which case an application for permission to subject the application to a Scoping & EIR process instead of a Basic Assessment process must be applied for by completing section 5 in this form.

4. TYPE OF APPLICATION

Is this an application for a waste management licence for the establishment of a new facility or for the expansion of an existing facility or for the decommissioning / closure of an existing facility?	NEW	EXPANSION	CLOSURE
Is this an application to which basic assessment must be applied?		YES	NO
Is this an application to which Scoping and EIR must be applied?		YES	NO
Is exemption from any provisions of the NEM: Waste Act being applied for?		YES	NO
If yes, please complete section 7 below.			

5. APPLICATION FOR PERMISSION TO SWITCH BETWEEN A BASIC ASSESSMENT AND SCOPING AND ENVIRONMENTAL IMPACT REPORTING (“S&EIR”) PROCESS

Please note:

In terms of sub-regulation 20(3) of GN No. R543, if the applicant, on the advice of the EAP managing the application, is for any reason of the view that it is unlikely that the competent authority will be able to reach a decision on the basis of information provided in a basic assessment report, the applicant may apply for permission to apply S&EIR instead of basic assessment to the application, and

In terms of sub-regulation 20(4) of GN No. R543, if the applicant, on the advice of the EAP managing the application, is for any reason of the view that it is likely that the competent authority will be able to reach a decision on the basis of information provided in a basic assessment report, the applicant may apply for permission to apply basic assessment instead of S&EIR to the application, or

Where a proposed project triggers a combination of either the National Environmental Management Act EIA regulations or a waste management licence in terms of the National Environmental Management: Waste Act (“NEM:WA”), 2008 (Act 59 of 2008) and/or an atmospheric emission licence in terms of the National Environmental Management: Air Quality Act (“NEM:AQA”), 2004 (Act 39 of 2004) and the listed activities in terms of the different legislation differ in the EIA process to be followed (i.e. Basic Assessment vs Scoping & EIR process), the more comprehensive Scoping and EIR process should be applied in order for a single Scoping & EIR process to be followed. In this instance, permission to apply Scoping & EIR instead of basic assessment must be applied for to the relevant competent authority for that legislation that requires basic assessment.

Should an applicant wish to exercise either of the above scenarios then the applicant must complete the appropriate sections (5.1 or 5.2), whatever is applicable, below.

5.1 I hereby apply for permission to apply Scoping & EIR instead of basic assessment process as per regulation 20(3) of the NEMA EIA Regulations (GN No. R543)
Please provide motivation as to why S&EIR instead of basic assessment must be applied.
Not applicable.

5.2 I hereby apply for permission to apply basic assessment instead of Scoping & EIR to the application as per regulation 20(4) of the NEMA EIA Regulations (GN No. R543).
Please provide motivation as to why basic assessment instead of Scoping & EIR must be applied
Not applicable

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6 PUBLIC PARTICIPATION

6.1 PUBLIC PARTICIPATION PROCESS TO BE FOLLOWED

The person conducting the public participation process must fulfil the requirements outlined in the EIA regulations and the Waste Act and must also take into account this Department's guideline on Public Participation.

Please highlight the appropriate box below to indicate the public participation process that will be followed to give notice to all potential interested and affected parties of the application:

1 In terms of regulation 54 of the EIA regulations –			
(a) fixing a notice board at a place conspicuous to the public at the boundary or on the fence of -			
(i) the site where the activity to which the application relates is or is to be undertaken; and	YES	DEVIATE	
(ii) any alternative site mentioned in the application	YES	DEVIATE	
(b) giving written notice to –			
(i) the owner or person in control of that land if the applicant is not the owner or person in control of the land;	YES	N/A	
(ii) the occupiers of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATE	
(iii) owners and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;	YES	DEVIATE	
(iv) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;	YES	DEVIATE	
(v) the municipality which has jurisdiction in the area;	YES	DEVIATE	
(vi) any organ of state having jurisdiction in respect of any aspect of the activity; and	YES	DEVIATE	
(vii) any other party as required by the competent authority;	YES	DEVIATE	
(c) placing an advertisement in -			
(i) one local newspaper; or	YES	DEVIATE	
(ii) any official <i>Gazette</i> that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	YES	DEVIATE	N/A
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or local municipality in which it is or will be undertaken.	YES	DEVIATE	N/A
If you have indicated that you wish to "DEVIATE" from any of the above then Section 6.2 below must be completed.			
2. The Waste Act requires that a notice must be placed in at least two news papers:			
Will you be placing an advertisement in at least two news papers?	YES	NO	
If "NO", then an application for exemption from this requirement must be applied for by completing section 7 below.			

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6.2 MOTIVATION FOR DEVIATION FROM PUBLIC PARTICIPATION REQUIREMENTS

Please provide detailed reasons as to why it would be appropriate to deviate from the requirements of regulation 54(2) as indicated above.
The activity will take place on a farm that is in a semi rural area where the advertisement will have very little impact on informing anyone of the activities that are planned.
Exemption (in terms of EIA Regulation 10(2)(d)) from publishing the decision on the application in the newspapers contemplated in regulation 54(2)(c) are hereby requested. Written Notices will be delivered to all registered Interested and affected parties.
Please Note: <ul style="list-style-type: none">• In terms of Regulation 54(5) of the NEMA EIA regulations, where deviation from regulation 54(2) may be appropriate, the person conducting the public participation process may deviate from the requirements of that subregulation to the extent and in the manner as may be agreed to by the competent authority.• You may not deviate from any requirements of regulation 54(2) without the competent authority having agreed to the extent and the manner of such deviation.• Should you not request to deviate from any of the requirements of regulation 54(2) or if the Department has not agreed to any deviation then the applicant or EAP must comply with the full requirements of regulation 54(2)• In terms of notices in newspapers the Waste Act require that the notice must be placed in at least two news papers. Deviation from this requirement is not possible and therefore an exemption application must be applied for by completing section 7 below should the applicant wish to be exempted from this requirement.

6.3 List of State Departments to be consulted

Provide a list of all the state departments that will be consulted
Department of Environmental Affairs and Development Planning
Department of Water Affairs
Department of Agriculture

Please note:

A State department consulted in terms of regulation 56(7) will have 40 days from the date on which the competent authority requests such State department in writing to submit comment. The applicant/EAP is therefore required to inform this Department in writing upon submission of the draft Basic Assessment Report / draft Scoping Report / draft Environmental Impact Report to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA (as amended) inform the relevant State Departments of the commencement date of the 40 day commenting period or in the case of Department of Water Affairs, 60 days for waste management activities as per regulation 56(8).

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7. APPLICATION FOR EXEMPTION

The relevant parts of this section must be completed for any application for exemption from provisions of the Waste Act and any intended application for exemption from provisions of the EIA regulations.

7.1 I hereby apply for exemption in terms of Section 74 of the Waste Act, from the following:

Please provide a description of the exemption being applied for:	Provide the relevant numbering of the Act - e.g. Section 47(3)
Not applicable	Not application
Provide a detailed motivation for the exemption application	
Not applicable	

7.2 Rights and interests of other parties

Was the application for the exemption(s) included in a public participation process? Please explain	YES	NO
Public participation will commence on the receipt of the reference number received from D:EA&DP.		

Will the rights and interests of other parties be adversely affected by the proposed exemption(s)? Please explain	YES	NO
All registered interested and affected parties will be notified, in writing, of the decision made by D:EA&DP.		

7.3 NOTICE OF APPLICATION FOR EXEMPTION FROM A PROVISION OF THE EIA REGULATIONS

Do you intend applying for exemption from any provisions of the NEMA EIA regulations?	YES	NO
If yes, do you intend notifying the land owner or person in control of the land and all potential interested and affected parties, as the case may be, of your intention to apply for exemption in accordance with the same public participation process as highlighted in Section 6 above?	YES	NO
If no to the latter, then please indicate the public participation process to be followed for notifying the land owner or person in control of the land and all potential interested and affected parties, as the case may be, of your intent to apply for exemption below:		
Not applicable.		
Please provide a description including the relevant EIA Regulation number(s) for which exemption is to be applied for:		
Exemption from publishing the decision on the application as contemplated in regulation 54(2)(c) in the regional/local and provincial newspapers within 12 days of the date of decision issued.		
Regulation exempted from: Section 10(2)(d) of the EIA Regulations (GNR No. 543)		
The exemption application is to avoid possible non-compliance by not publishing the decision on the application within 12 days of the date of issue in the prescribed local and provincial newspapers. All Interested and Affects Parties that registered during the public participation process will be notified, in writing, of the decision issued by D:EA&DP.		

Please note:

Regulation 51(3) of the EIA regulations require that the applicant or EAP must communicate his or her intention to apply for exemption by giving notice in the manner prescribed in subregulation 54(2)(a), (b), (c) or (d) or a combination thereof which is appropriate in the circumstances, to the land owner or person in control of the land and all potential interested and affected parties, as the case may be. It also requires that the Department has to agree to the public participation process that needs to be followed for this notification.

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Once confirmation of the agreed to public participation process is received from the Department, the applicant/EAP may then in accordance with the agreed to public participation process notify the land owner or person in control of the land and all potential interested and affected parties, as the case may be of the intended exemption application. Once the land owner or person in control of the land and all potential interested and affected parties, as the case may be has been notified the applicant/EAP may then complete the application form for exemption and submit it to the Department.

If an application for exemption is to be applied for from a provision of the regulations that needs to be met prior to an environmental authorisation being issued then you may not continue with the EIA Process without having received an exemption notice from the Department exempting you from having to meet that legislative requirement.

8. APPLICATIONS IN TERMS OF OTHER LEGISLATION

Are any permissions, licenses or other approvals required in terms of any other legislation?	YES	NO
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If yes, please complete the table below.

Type of approval required. (List the applicable legislation & approval required)	Name of the Competent authority responsible for administering the applicable legislation	Application submitted (Yes / No)	Status of application (e.g. pending / granted / refused)
General Authorisation or Water Use License required in terms of Section 21(e) 21(h) and 21(g) of the National Water Act, Act No. 36 of 1998	Department of Water Affairs	No	

9. COMPETENCE TO UNDERTAKE WASTE MANAGEMENT ACTIVITY

In terms of sections 48(f) and 59 of the Waste Act the licensing authority must take into account whether the holder of the waste licence is a "fit and proper" person. To assess the holder's competence to undertake the activity and operate the facility, please disclose the following:

Legal compliance

Has the applicant ever been found guilty or issued with a non compliance notice in terms of any national environmental management legislation?

Has the applicant's licence in terms of the Waste Act 2008 ever been suspended or revoked?

Has the applicant ever been issued with a non compliance notice or letter in terms of any South African Law?

YES/NO	DETAILS
No	
No	
No	

NB: Details required above include any information that the applicant wants the Department to take into consideration in determining whether they are a "fit and proper person" and this includes reasons why the offence happened and measures in place to prevent recurrence

Technical competence

What technical skills are required to undertake the activity and operate the facility?

How will the applicant ensure and maintain technical competency in the operation of the facility?

The person/s responsible for the construction and construction management of the facility must be suitably qualified contractors and engineers.
Registered professional consulting engineers will be appointed to design the facility and then to produce operating manuals and to train the operators of the facility going forward. The operation and maintenance will also be assessed by external qualified auditors and the reports made available to DEADP in line with the waste management license.

Details of applicant's experience and qualification along with that of relevant employees must be summarised as shown in the table below:

NAME	POSITION	DUTIES AND RESPONSIBILITIES	QUALIFICATIONS AND EXPERIENCE
Eugene Muller	Managing Director	Oversees the project.	The exemption application is to avoid possible non-compliance by not publishing the decision on the application within 12 days of the date of issue in the prescribed local and provincial newspapers. All Interested and Affects Parties that registered during the public participation process will be notified, in writing, of the decision issued by D:EA&DP.
Michiel Meets	Project Manager	Project management and specialist and land owner consultation.	Michiel holds a BSc degree with Botany and Zoology, and BSc Hons and MSc degrees in Plant Ecology. He has experience in varied fields of sustainable farming practices and consulting, research and development of speciality fertilisers and indigenous crop development.

Werner v Wyk	Project Engineer	Design of the facility	Werner holds a BSc degree in Chemical Engineering. He has experience in chemical process design and control applications, including dynamic simulations and design of Distributed Control Architecture for communication between different control layers. Werner's basic engineering design experience includes doing process overviews, mass and energy balances and drafting P&ID's.
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DECLARATIONS

THE APPLICANT

I....., in my personal capacity or duly authorized thereto hereby declare that I:

- regard the information contained in this application form is true and correct, and
- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 ("NEMA") (Act No. 107 of 1998), the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA (Government Notice No. R. 543 refers), and the NEM: Waste Act (Act no 59 of 2008) and that failure to comply with these requirements may constitute an offence in terms of NEMA, the EIA Regulations and the NEM: Waste Act.
- appointed the environmental assessment practitioner as indicated above to act as the independent environmental assessment practitioner for this application;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, and the NEM: Waste Act (Act no 59 of 2008) including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an Waste Management Licence or Environmental Authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of the Environmental Impact Assessment Regulations, 2010, and the NEM: Waste Act (Act no 59 of 2008);
- am responsible for complying with the conditions of any Waste Management Licence or Environmental Authorisation issued by the competent authority;
- hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Environmental Impact Assessment Regulations, 2010, and the NEM: Waste Act (Act no 59 of 2008); and
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to an appeal being decided in terms of the Environmental Impact Assessment Regulations, 2010, and the NEM: Waste Act (Act no 59 of 2008).

Please Note: If acting in a representative capacity, a certified copy of the resolution or power of attorney must be attached.

Signature of the applicant:

Name of company:

Date:

THE INDEPENDENT ENVIRONMENTAL ASSESSMENT PRACTITIONER

I, as the appointed independent environmental practitioner ("EAP") hereby declare that I:

- act as the independent EAP in this application;
- regard the information contained in this application form is true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010 and the NEM: Waste Act (Act no 59 of 2008);
- have and will not have no vested interest in the proposed activity proceeding;
- have no, and will not engage in, conflicting interests in the undertaking of the activity;
- undertake to disclose, to the competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the Environmental Impact Assessment Regulations, 2010, and the NEM: Waste Act (Act no 59 of 2008);
- am fully aware of my responsibilities in terms of the National Environmental Management Act of 1998 ("NEMA") (Act No. 107 of 1998), the Environmental Impact Assessment Regulations ("EIA Regulations") in terms of NEMA (Government Notice No. R. 543 refers) and the NEM: Waste Act (Act no 59 of 2008), and that failure to comply with these requirements may constitute an offence in terms of NEMA and the EIA Regulations and the NEM: Waste Act (Act no 59 of 2008).
- will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- will keep a register of all interested and affected parties that participated in a public participation process; and
- will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.

Note: The terms of reference must be attached.

Signature of the environmental assessment practitioner:

Name of company:

Date: