A fresh perspective to managing waste
Waste Management Review
**Regulatory Framework**

Since the promulgation of the National Environmental Management: Waste Act (NEM: WA) Act No. 59 of 2008, increased attention has been allocated to the responsible management of waste regulated under this Act. NEM: WA aims to reform the law regulating waste management in South Africa in order to protect human health and the environment by providing reasonable measures for the prevention of pollution and ecological degradation. Various waste management options are prescribed by the Act, namely: reduce, re-use, recover/recycle, treatment and/or disposal.

**The current situation**

Cost-effective and efficient waste management is required by all companies in order to: (1) fulfill the requirements of the National Environmental Management: Waste Act (NEM: WA) Act No. 59 of 2008 and associated regulations, standards and norms; and (2) ensure conformity, avoid penalties and damage to reputational risk.

A List of Waste Management Activities that have, or are likely to have a detrimental effect on the environment (the listing notice) was published on 3 July 2009 (See GN 718 in GG 32368). These regulations essentially comprise of a list of waste management activities, which require authorisation in terms of section 20 of the Act. Typical activities deal with the storage, transfer, recycling, recovery, treatment and disposal of waste, and set down certain thresholds depending on the type of waste for which authorisation is required.

Where a mining company engages in any of these activities, it is required to have authorisation. Failure to obtain such authorisation is a criminal offence in terms of section 20 of NEM: WA, read with section 67(1)(a), and section 68(1), which allows for a maximum penalty of R10 million or imprisonment of ten years, or both, on conviction.

The reputational and financial risk could be dire should illegally dumped/disposed of waste be discovered and linked to your company. Consider the instance in 2009 and 2010, where a large waste management company had allegedly dumped medical waste illegally in various locations in the Free State. The company faced irreparable reputational risk and fines of up to R10 million.

The poor management of waste leads to compromised environmental health. Illegally dumped/disposed of waste decays and encourages vectors, rodents, pests and insects - which turn urban areas into unsightly, dirty and unhealthy places to live in.

**What can PwC Sustainability and Integrated Reporting do for you?**

The objective of the Waste Management Review is to assess the design and documentation of the Waste Management Strategy and Operational Procedure(s), and evaluate the documentation for conformity against the intent of the NEM: WA and the relevant best practise guideline published by the Department of Water Affairs; namely, the Minimum Requirements for the Handling, Classification and Disposal of Hazardous Waste (Second Edition, 1998). The review will also assess the implementation of the Operational Waste Management Procedure(s) at operational level by means of a site inspection.

The Waste Management Review will produce findings and recommend possible ways in which the company’s controls could be improved to overcome the identified weaknesses and/or increase operational efficiency.

**For more information please contact:**

Jayne Mammatt  
Associate Director  
+27 (11) 797 4128  
jayne.mammatt@za.pwc.com

Ferdi Linde  
Senior Manager  
+27 (11) 797 5195  
ferdi.linde@za.pwc.com

Andre Goosen  
Senior Manager  
+27 (11) 797 4979  
+ 27 (72) 565 0049  
andre.goosen@za.pwc.com

Alba Brandt  
Senior Manager – Western Cape  
+27 (21) 529 2246  
alba.brandt@za.pwc.com