



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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Ref. 12/9/11/L201117164309/3/N

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www.environment.gov.za

LICENCE NUMBER : 12/9/11/L201117164309/3/N
SECTOR : RECYCLING, RECOVERY AND TREATMENT FACILITY
WASTE MANAGEMENT FACILITY : DESCO ELECTRONIC RECYCLERS Cc
LOCATION : CORNER WEST STREET AND ELGIN ROAD,
POMONA EXTENSION 159, POMONA ESTATES,
KEMPTON PARK, GAUTENG PROVINCE
LICENCE HOLDER : DESCO ELECTRONIC RECYCLERS CC
ADDRESS : P O BOX 10648, BRENTWOOD PARK, 1505
CONTACT PERSON : CONSTANTINO AIRAGA
CONTACT DETAILS : TEL: 011 979 3017 EMAIL:
costa@desco.co.za

WASTE MANAGEMENT LICENCE IN TERMS OF SECTION 49(1) (A) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008).

In terms of National Environmental Management: Waste Act, 2008 (Act No.59 of 2008) read with the Environmental Impact Assessment Regulations, 2014 (as amended), published in Government Notice No. R. 982 of 04 December 2014 (the Regulations), the Chief Director: Hazardous Waste Management and Licensing, hereby grants Desco Electronic Recyclers Cc a Waste Management Licence for the following waste management activity as listed in Category A of Government Notice No. 921 of 29 November 2013 (as amended):



Batho pele- putting people first

Page 1 of 20

12/9/11/L201117164309/3/N

WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

(13) "The expansion of a waste management activity listed in Category A or B of this Schedule which does not trigger an additional waste management activity in terms of this Schedule"

In this Licence, "Director" means the Director: Licensing of the National Department of Forestry, Fisheries and the Environment who may be contacted at the address below:

Director: Licensing
Department of Forestry, Fisheries and the Environment
Private Bag X447
PRETORIA
0001

1. SITE DETAILS

LOCATION

1.1.1 This Licence authorises the expansion of an E-Waste recycling or reuse and treatment facility for Desco Electronic Recyclers located at corner Elgin Street and West Road, Pomona Extension 159, Pomona Estates, Kempton Park within the Ekurhuleni Metropolitan Municipality, Gauteng Province (hereafter referred to as "the Site")

1.1.2 The location of the Site must be according to the co-ordinates indicated on the licence application form, which is defined as follows:

Number of Corners	Latitude	Longitude
A.	26° 05' 52.0" S	28° 16' 38.2" E
B.	26° 05' 57.6" S	28° 16' 29.5"E
C.	26° 06' 00.7" S	28° 16' 31.9"E

WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

D.	26° 05' 59.3" S	28° 16' 34.4" E
E	26° 06' 01.6" S	28° 16' 36.2" E

1.2 DOCUMENTS CONSIDERED

1.2.1 Waste Management Licence, ref: 12/9/11/L190218092707/3/R, dated, 10 April 2019;

1.2.2 Application form received by the Department on 22 July 2020;

1.2.3 Air Quality Impact Assessment for the proposed Copper Refinery Plant, compiled by Rayten Environmental Solutions, dated January 2020; and

1.2.4 The Final Basic Assessment Report for the proposed precious metal and base metal recovery facility, compiled by Hughes Environmental (Pty) Ltd hereinafter referred to as the "report" dated February 2021.

2. LICENCE CONDITIONS

2.1 SITE SECURITY AND ACCESS CONTROL

2.1.1 The Licence Holder must ensure effective access control of the Waste Management Site to prevent unauthorised entry.

2.1.2 Weatherproof, durable and legible signs in at least three official languages applicable in the area must be displayed at each entrance to the Site.

2.1.3 The signs must indicate the risks involved in entering the Site, the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

2.2 GENERAL MANAGEMENT

2.2.1 The activities shall be managed and operated:

- a) In accordance with a documented approved Environmental Management Programme (EMPr) that *inter alia*, identifies and minimises the risk of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformance as well as those drawn to the attention of the Licence Holder as a result of complaints;
- b) In accordance with the site operational and maintenance plan;
- c) In accordance with conditions of this licence and any other written instruction by the Director; and
- d) By an adequate, competent staff complement

2.2.2 Any persons having duties that are or may be affected by this licence must have convenient access to a copy thereof, which copy must be kept at or near the place where those duties are carried out.

2.2.3 A copy of this licence may be published by the Department, in its discretion, on the South African Waste Information Centre (SAWIC) or any website or other media as it deems applicable.

2.3 DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER

2.3.1 A Waste Management Control Officer (WMCO) must be designated in writing to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the licence and Environmental Management Programme. Proof of designation must be kept by the Licence Holder.

2.3.2 The WMCO must report any non-compliance with any licence conditions or requirements or provisions of NEM: WA to the licensing authority.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

2.3.3 The duties and responsibility of the WMCO should not be seen as exempting the Licence Holder from any other legal obligations in terms of NEM: WA.

2.4 EMERGENCY PREPAREDNESS PLAN

2.4.1 The Licence Holder must maintain and implement an emergency preparedness plan and review it after each emergency incident and major accident. The plan must include measures to address:

- a) Power failure;
- b) Equipment malfunction;
- c) Site fires;
- d) Spillage (on Site);
- e) Industrial Action; and
- f) Natural disasters such as floods.

2.4.2 The plan must include contact details of the nearest police station, ambulance services and the emergency centre as well as the contact details of the on-site emergency response person/s.

3 PERMISSIBLE WASTE

3.1 Any portion of the Site which has been constructed or developed according to condition 4 below may be used for the recycling, reuse, treatment and recovery of precious metal and base metal from electronic waste materials.

3.2 The Licence Holder must prevent the reuse, recycling, recovery and treatment of any waste that is not authorised at the Site.

3.3 The classification, acceptance and disposal criteria as listed in the Waste Classification and Management Regulations, 2013, published in Government Notice No. R634 of 23 August 2013,



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

(the Regulations) (hereinafter referred as the "WC&MR") must be conformed to.

4 CONSTRUCTION AND FURTHER DEVELOPMENT OF THE FACILITY

- 4.1 Construction and further development of the Site must be according to the engineering drawing (site plan) that is approved by a registered professional engineer as compliant with recognised civil engineering standards.
- 4.2 The approved site plan must only be changed under the supervision of a registered professional engineer.
- 4.3 The working areas used for the reuse, recycling, treatment and recovery of waste must have firm and impermeable bases to prevent contamination of soil and ground water.
- 4.4 The Licence Holder must maintain on a continuous basis, drainage and containment system capable of collecting all contaminated runoff water arising from the site.

5 GENERAL IMPACT MANAGEMENT AND OPERATION

5.1 IMPACT MANAGEMENT

- 5.1.1 Waste which is not permissible on Site must be dealt with according to relevant legislation or the Department's policies and practices.
- 5.1.2 The Licence Holder must prevent spillages on site; where they happen nonetheless the Licence Holder must ensure the effective and safe cleaning of such spillages in accordance with the emergency preparedness plan.
- 5.1.3 The Licence Holder must ensure that waste that cannot be accepted on Site is transferred to waste



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

management facilities licensed to accept such waste.

- 5.1.4 The Licence Holder must ensure that a system is in place to record and investigate complaints and incidents concerning the waste management activities on Site.
- 5.1.5 The Licence Holder must ensure that contaminated storm water is not discharged to a water source, or to a land where it could cause pollution. Contaminated storm water must be contained and disposed of in terms of relevant legislation.
- 5.1.6 The waste management facility must not impact on a water resource or on any other person's water use, property or land and must not be detrimental to the health and safety of the public in the vicinity of the activity.
- 5.1.7 The Licence Holder must prevent the occurrence of nuisance conditions or health hazards.
- 5.1.8 The Licence Holder must ensure that all personnel who work with hazardous waste are trained to deal with the potential hazardous situations so as to minimise the risks involved. Records of training and verification of competence must be kept by the Licence Holder.

5.2 OPERATION

- 5.2.1 The Licence Holder must ensure that the reuse, recycling, recovery and treatment of waste takes place within its design parameters at all times.
- 5.2.2 The Licence Holder must take all reasonable steps to ensure that the integrity of the waterproof base and infrastructure are routinely monitored and corrective action must be taken before containment integrity is breached.
- 5.2.3 The Licence Holder must ensure that the waste that is generated during the processes undertaken onsite and cannot be managed onsite must be sent to waste management facilities authorised to accept and handle such waste.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

6 INVESTIGATIONS

- 6.1 If, in the opinion of the Director, environmental pollution, nuisances or health risks may be occurring or are occurring on the Site, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem.
- 6.2 Should the investigation carried out as per condition 6.1 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.

7 RECORDS

- 7.1 All records required or resulting from activities required by this licence must:
- (a) Be legible;
 - (b) Be made as soon as reasonably practicable and should form part of the external audit report;
 - (c) If amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable; and
 - (d) Be retained in accordance with documented procedures.
- 7.2 Records demonstrating compliance with this licence must be maintained for five (5) years.

8 REPORTING

- 8.1 The Licence Holder must, within 24 hours, notify the Director of the occurrence or detection of any incident on the Site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 8.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the Director, from



WML Expansion for Desco Electronic Recyclers Cc: Recovery and Treatment Facility

the occurrence or detection of any incident referred to in condition 8.1, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Director of measures taken to: –

- a) Correct the impact resulting from the incident;
- b) Prevent the incident from causing any further impacts; and
- c) Prevent a recurrence of a similar incident.

8.3 In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 8.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.

8.4 The Licence Holder must keep an incident report and complaints register, which must be attached to the external audit report and be made available to the Department for the purpose of audit.

8.5 The Department must be notified without delay in the case of the following:

- a) Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
- b) The breach of this licence; and
- c) Any significant adverse environmental and health effects caused by the activities associated with the waste management activities at the Site.

8.6 The Department must be notified within 14 days of the following changes:

- a) Licence Holder's trading name, registered name or registered office address;
- b) Particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary) and;
- c) Steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy,

Batho pele- putting people first


Page 9 of 20

12/9/11/L201117164309/3/N



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

entering into composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

- 8.7 The Licence Holder must register on the Gauteng Waste Information System (GWIS) and report on the volumes of waste recovered in terms of the Gauteng Waste Information Regulations, 2012.

9 AUDITING

9.1 INTERNAL AUDITS

- 9.1.1 Internal audits must be conducted biannually by the Licence Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in condition 9.2.1 below.

9.2 EXTERNAL AUDITS

- 9.2.1 The Licence Holder must appoint an independent external auditor to audit the site annually and the auditor must compile an audit report documenting the findings of the audit, which must be submitted by the Licence Holder according to condition 9.2.4 below.
- 9.2.2 The audit report must:
- a) Specifically state whether conditions of this licence are adhered to;
 - b) Include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
 - c) Specify target dates for the implementation of the recommendations by the Licence Holder to achieve compliance;
 - d) Contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Licence Holder and whether corrective action taken for the previous audit non conformities was adequate; and



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

e) Show monitoring results graphically and conduct trend analysis.

9.2.3 Each external audit report must be finalised within 30 days of the date of the audit.

9.2.4 Each external audit report referred to in condition 9.2.1 must be submitted to the Director within 30 days from the date on which the external auditor finalised the audit report.

9.3 DEPARTMENTAL AUDITS AND INSPECTIONS

9.3.1 The Department reserves the right to audit and/or inspect the Site without prior notification at any time and at such frequency as may be determined by the Director.

9.3.2 The Licence Holder must make any records or documentation available to the Director upon request, as well as any other information he/she may require.

10 LEASING AND ALIENATION OF THE SITE

10.1 Should the Licence Holder want to alienate or lease the Site, he/she must notify the Director in writing of such an intention at least 120 days prior to the said transaction for approval.

10.2 Should the approval be granted, the subsequent Licence Holder shall remain liable for compliance with all licence conditions.

11 TRANSFER OF WASTE MANAGEMENT LICENCE

11.1 Should the Licence Holder want to transfer the Licence, he/she must apply in terms of Section 52 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).

11.2 Any subsequent Licence Holder shall be bound by conditions of the licence.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

12 GENERAL

- 12.1 The waste management activities may not commence within twenty (20) days from the date of signature of this licence.
- 12.2 Should the Licence Holder be notified by the Minister in writing of a suspension of the licence pending any appeals decision, you may not commence with the activities licensed by the Minister.
- 12.3 After the appeal period has expired and no good cause to extend the appeal period has been submitted, the activity may commence provided a notice has been submitted to the Department. The notice must include a date on which it is anticipated that the activity will commence.
- 12.4 The activity must commence within a period of two (2) years from the date of issue. If commencement of the activity does not occur within that period, the licence lapses and a new application for a licence must be made in order for the activity to be undertaken.
- 12.5 If the Licence Holder anticipates that commencement of the activity would not occur within two (2) year period, he/she must apply and show good cause for an extension of the licence six (6) months prior to its expiry date.
- 12.6 This licence shall not be transferable unless such transfer is subject to condition 11.1.
- 12.7 This licence shall not be construed as exempting the Licence Holder from compliance with the provisions of National and Provincial Legislation and any relevant Ordinances, Regulations, By-laws or relevant National Norms and Standards.
- 12.8 Transgression of any condition of this licence could result in the licence being withdrawn by the Department.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

- 12.9 Non-compliance with a condition of this licence may result in criminal prosecution or other actions provided for in Section 67 (1) of the National Environmental Management: Waste Act, 2008.
- 12.10 In terms of section 28 and 30 of the National Environmental Management Act of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understands the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about the environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 12.11 This licence is valid for a period of 10 years and shall be reviewed every 5 years from the date of issue or at any time before or after that date. Based on the results of the review, especially compliance to licence conditions or recommendations from the audit reports and/or changing legislation, the licence could be amended or withdrawn or the validity thereof extended.

13 APPEAL OF LICENCE

- 13.1 The Licence Holder must notify every registered interested and affected party, in writing and within 12 days, of receiving the Department's decision.
- 13.2 An appeal against the decision must be lodged in terms of chapter 2 of GN No. R993 of 08 December 2014 in terms of the National Environmental Management Act, 1998, as amended.
- 13.3 The notification referred to in 13.1 must -
- 13.3.1 Specify the date on which the licence was issued;
- 13.3.2 Inform the registered interested and affected party of the appeal procedure provided for in



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

Chapter 2 of GN No. R 993 of 08 December 2014 in terms of National Environmental Management Act, 1998, as amended (see Annexure I); and

13.3.3 Advise the interested and affected party that a copy of a licence will be furnished on request.

13.4 Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

13.5 Appeals must be submitted in writing in the prescribed form to: The Director: Appeals and Legal Review of this Department at the below mentioned addresses:

By email: appeals@environment.gov.za

By Hand: Environment House, 473 Steve Biko Road, Arcadia, Pretoria, 0083 or

By post: Department of Environment, Forestry and Fisheries, Private Bag X 447, PRETORIA, 0001.

13.6 Please note that in terms of section 43 (7) of the National Environmental Act, 107 of 1998, as amended, the lodging of an appeal will suspend the waste management licence or any provision or condition attached thereto. In the instance where the appeal is lodged, you may not commence with the activity until such time that appeal is finalised.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

- 13.7 To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at: https://www.environment.gov.za/documents/forms/legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

MS MISHELLE GOVENDER

CHIEF DIRECTOR: HAZARDOUS WASTE MANAGEMENT AND LICENSING

DATE: 28/05/2021

WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

ANNEXURE I

APPEALS PROCEDURE IN TERMS OF THE NATIONAL APPEAL REGULATIONS GN 993 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF A WASTE MANAGEMENT LICENCE

1. LODGING OF AN APPEAL

1.1 An appellant must submit the appeal submission (the Appeal Questionnaire and Appeal and Response Form) to the appeal administrator, and a copy to the applicant, and registered interested and affected parties within twenty (20) days from:

- the date that the notification of the decision for an application for an environmental authorisation or a waste management licence was sent to the registered interested and affected parties by the applicant; or
- the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licencing authority, in the case of decisions other than those referred to above.

1.2 An appeal submission must be submitted in writing in the form of the appeal questionnaire annexed to this guideline as "Appendix A" and accompanied by:

- a completed Appeal and Response Form setting out the grounds of the appeal, and
- Accompanied by:-
 - i. A statement setting out the grounds of appeal
 - ii. Supporting documentation which is referred to in the appeal submission;
 - iii. A statement including supporting documentation, by the appellant to confirm compliance with regulation 4(1) of these regulations.



WML Expansion for Desco Electronic Recyclers Cc: Recovery and Treatment Facility

Appendix A

APPEAL QUESTIONNAIRE

An electronic copy of this questionnaire may be obtained from:

The Director: Appeals at telephone: 012 399 9356 or e-mail:

Appeals@environment.gov.za

Once completed, this document must be forwarded to:

E-mail: Appeals@environment.gov.za

Physical Address: Department of Forestry, Fisheries and Environment, 473 Steve Biko Road,
Environment House, Arcadia, Pretoria, 0002

Appelants contact information:

Name: _____

Address: _____

Phone: _____

Cell: _____

Email: _____



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

Project information:

Project name: _____

Authorisation register number as on environmental authorisation:

Authorisation date as on environmental authorisation:

IMPORTANT! Please note:

- *The decision of the department is reflected in the letter of authorisation or rejection. The conditions of approval are contained in the environmental authorisation document, attached to the authorisation letter.*
- *The appeal must be accompanied by all relevant supporting documents or copies of these that are certified as true by a commissioner of oaths.*
- *The grounds of your appeal and the facts upon which they rest must be set out. You should formulate your objections or concerns as averments and not as questions about the project. Please therefore refrain from material or remarks that do not contribute to the merits of your appeal.*
- *To assist in this regard, the following questions are listed as a guideline only – more space may be used if necessary:*

1. Are you lodging this appeal as an individual or on behalf of a community/organisation?

Individual	Community/ organisation
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If on behalf of a community or organisation, please provide proof of mandate to do so.



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

2. Is your appeal based on factors associated with the process that was followed by the applicant in obtaining authorisation?

Yes	No
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Please provide reasons:

3. Is your appeal based on factors associated with environmental impacts not taken into account by the department in refusing or authorising the application?

Yes	No
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Please provide reasons:

4. Would you agree to the activity proceeding if your concerns can be addressed by rectifying the process or mitigating or eliminating the impacts of the activity?

Yes	No
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Please provide reasons:

5. Are you fundamentally opposed to any development activity on the site?

Yes	No
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Please provide reasons:



WML Expansion for Desco Eletronic Recyclers Cc: Recovery and Treatment Facility

6. Do you have an objection in principle against the development?

Yes	No
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Please provide reasons:

7. Does your appeal contain any new information that was not submitted to the environmental consultant or department prior to the department's consideration of the application?

Yes	No
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If the answer above is yes, please explain why it should be considered by the Minister and why it was not made available to the environmental consultant or department during the application process.

8. **DECLARATION:**

I declare that the contents of this submission are to the best of my knowledge the truth and I regard this declaration as binding on my conscience.

**APPELLANT
DATE:**