



WASTE MANAGEMENT LICENCE AND EXCLUSION WORKSHOP

EPR IMPLEMENTATION UPDATE

Environment House

26 February 2025



forestry, fisheries
& the environment
Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA



INTRODUCTION AND BACKGROUND



Despite the robust policy instruments, Waste management in SA has traditionally suffered **from pervasive underpricing, resulting in** waste management costs not being fully internalised, and waste disposal is preferred over other options.



This represents a **market failure** in that waste and recyclable materials are undervalued, leading to a dire situation where more waste is filling up our landfill sites.



By apportioning the **right value to waste, more markets and trade** in recyclable goods will be created, resulting in **more jobs** and more **enterprise development**.



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NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

NATIONAL ENVIRONMENTAL MANAGEMENT ACT, Act No. 107, 1998

1(1) (xxiii) “pollution”. means any change in the environment caused by—

- (i) substances;
- (ii) radioactive or other waves; or
- (iii) noise, odours, dust or heat.

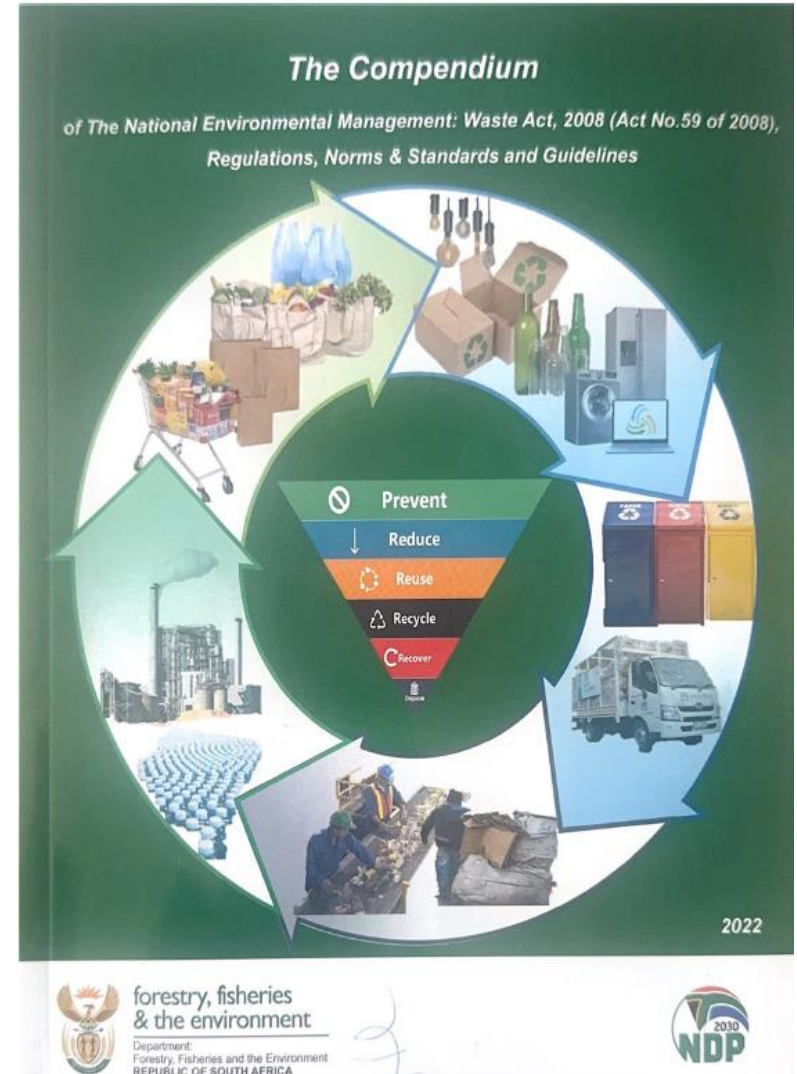
emitted from any activity, including the storage or treatment of waste or substances, construction and the provision of services, whether engaged in by any person or an organ of state, where that change has an adverse effect on human health or well-being or on the composition, resilience and productivity of natural or managed ecosystems, or on materials useful to people, or will have such an effect in the future;



NEMWA, 2008 (ACT 59 OF 2008), AS AMENDED

NEMWA is a framework legislation aimed at reforming waste management laws to protect health and the environment by providing reasonable measures.:

- For the **prevention of pollution and ecological degradation** and for securing ecologically sustainable development
- To provide for institutional arrangements and planning matters
- To provide for **national norms and standards** for regulating the management of waste by all spheres of government
- To provide for **specific waste management** measures
- To provide for the **licensing** of and control of waste management activities
- To provide for the remediation of **contaminated land**
- To provide for the **national information system**
- To provide for **compliance and enforcement**



- The purposes of the NWMS are:

1. **Waste Minimisation:** To reduce the amount of waste generated and promote the circularity of materials through recycling and waste recovery.
2. **Sustainable Waste Service:** To ensure effective and efficient delivery of waste management services.
3. **Compliance, Enforcement and Awareness:** To promote a culture of compliance, reducing the necessity for enforcement and raising awareness among South Africans about the impact of waste on health, well-being, and the environment.

Pillar 1: Waste Minimisation

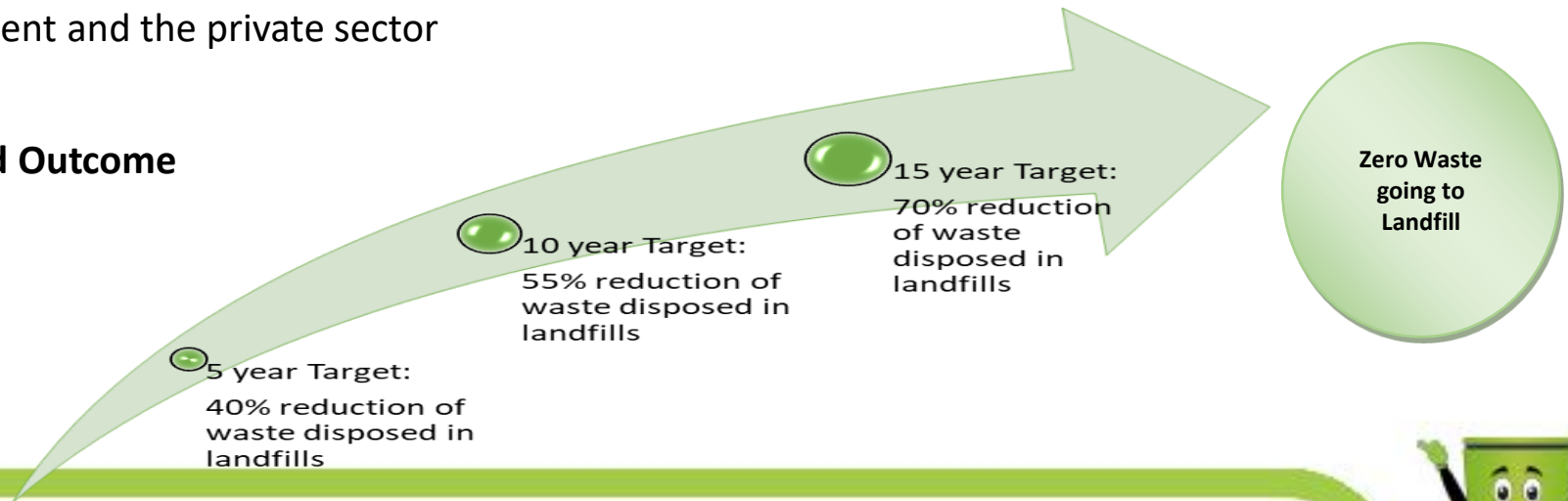
Strategic Thrust

The strategic thrust of this pillar is:

- Minimising the impact of waste and especially plastic packaging in our coasts, rivers, wetlands and our human settlement environments, by amongst others, diverting waste away from landfill;
- Increasing re-use, recycling, recovery and alternative waste treatment; and
- Maximising the role of the waste sector in the circular economy.

A critical enabler of this pillar is the building of long-term collaboration and partnership between government and the private sector

Expected Outcome



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Pillar 2: Effective and Sustainable Waste Services

Strategic Thrust

The strategic thrust of this pillar is:

- Recognising and addressing the very different circumstances and waste management challenges that exist between local government authorities;
- Shifting the focus for municipal services from collection and disposal to separation at source and waste beneficiation;
- Developing and implementing flexible approaches to service delivery that incorporates the informal sector while addressing local needs;
- Guiding public investment and partnerships with the private sector in waste management infrastructure and projects; and
- Ensuring that the delivery of waste services contributes to sustainable development.

A critical enabler of this Pillar is the building of strong co-operative governance relationship between the three spheres of government and specifically local government.

Expected Outcome

All South Africans live in clean communities with waste services that are well managed and financially sustainable.



Pillar 3: Compliance, Enforcement & Awareness

Strategic Thrust

POLLUTER PAYS PRINCIPLE

The strategic thrust of this Pillar is:

- Mitigating and preventing the environmental and social damage caused by waste due to non-compliance;
- Increasing compliance to local, provincial, national and international legislation and standards;
- Mitigating and preventing pollution, littering and illegal dumping of waste; and
- Improving the visibility and awareness of the socio-economic and environmental benefits of compliance, effective waste management and environmentally compliant infrastructure

Expected Outcome

Mainstreaming of waste awareness and a culture of compliance resulting in zero tolerance of pollution, litter and illegal dumping





WASTE MANAGEMENT REGULATORY INSTRUMENTS DEVELOPED : REGULATIONS

- Extended Producer Responsibility Regulations, 2020
- Plastic Carrier Bags and Plastic Flat Bags, 2003
- Waste Tyre Regulations, 2017
- Regulations regarding the exclusion of a waste stream or a portion of a waste stream from the definition of waste, 2018
- Waste Classification and Management, 2013
- Regulations regarding the control of the Import or Export of Waste, 2019
- National Waste Information Regulations, 2012
- Regulations to domesticate the requirements of the Rotterdam Convention on the prior informed consent for hazardous chemicals and pesticides in international trade, 2021





WASTE MANAGEMENT REGULATORY INSTRUMENTS DEVELOPED : N&S

- National Norms and Standards for the assessment of waste for landfill disposal, 2013
- National domestic waste collection standards, 2011
- National Norms and Standards for disposal of waste to Landfill, 2013
- Norms and Standards for the remediation of contaminated land and soil quality, 2014
- National Norms and Standards for the storage of Waste, 2013
- National Norms and Standards for the extraction, flaring or recovery of landfill gas, 2013
- National Standards for the scrapping or recovery of motor vehicles, 2013
- National Norms and Standards for the sorting, shredding, grinding, crushing, screening, chipping or baling of general waste, 2017
- National Norms and Standards for organic waste composting, 2021
- National Norms and Standards for the treatment of organic waste, 2022
- List of waste management activities that have, or are likely to have, a detrimental effect on the environment.



EPR Scheme and Regulations

- **EPR Regulations in South Africa**, are a framework to ensure the **effective and efficient management of the identified end-of-life products**; and
- To **encourage and enable the implementation of chemicals and waste economy and circular economy initiatives**;
- Key measures to be implemented by producers include amongst others, to:
 - **develop and establish secondary markets for recycled content**;
 - **transformation** and
 - **integrate the informal sector into the post consumer waste collection value chain**



EPR Scheme for the
Lighting sector



EPR Scheme for
Paper, Packaging
and some single
use products



EPR Scheme for Electrical
and Electronic Equipment

New notices gazetted in March 2023 for:

Lubricant Oils;
Portable Batteries; and
Pesticides

Under implementation:
Waste Tyres (Section 29
Government Managed Scheme



EPR REGISTRATION

Total number of Producers and PROs Registered on EPR system

Sector	EEE	Lighting	P&P	Portable batteries	Pesticides	Lubricant Oil	Total
PRO	9	6	34	3	1	5	58
Producer	248	77	1294	13	104	36	1772
Total	257	83	1328	16	105	41	1830

Grand Total
Number of
Registrations



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Update on EPR Regulations Amendments published

- 6 November 2024 Minister published Amendments to the EPR Regulations for implementation. The purpose was to remove the 60-day period to obtain concurrence from the Minister responsible for finance as contained in regulation 7(2) and 7A(2) of the EPR Regulations.
- 7 November 2024 Minister further published proposed Amendments to the Regulations regarding EPR and the associated Notices for public comment. (GN 5534 of Government Gazette 51528)
- On 24 December 2024 Minister published a Notice (GN 5735 of Government Gazette 51825 in the Gazette extending the deadline to submit written comments on the proposed EPR Amendment Regulations as published under Government Notice No. R5534, Government Gazette No. 51528 of 07 November 2024.



Update on EPR Regulations Amendments published

- 32 sets of written comments received from a wide range of stakeholders including PROs, producers, industry associations and non-governmental organisations.
- The comments are being considered to take into account the inputs received.
- The Department is also open for engagements with stakeholders on the proposed amendments.



EPR Information and Awareness Campaign – 2024/25 Roadshow

- The 2024/25 EPR Roadshows are planned as follows:

1.	North-West	10 September 2024	Physical
2.	Eastern Cape	27 September 2024	Virtual
3.	North Cape	19 March 2025	Virtual
4.	Mpumalanga	8 November 2024	Physical
5.	Free State	5 March 2025	Virtual
6.	Limpopo	27 February 2025	Physical



EPR Implementation Challenges

- ❖ Non-compliance with the EPR Regulations wrt registrations and reporting.
- ❖ Lack of identification of financial reports for public access results in PAIA requests.
- ❖ The compensation of waste pickers, reclaimers or informal waste collectors.
- ❖ Lack of progress in the Implementation of environmental labels as required by the EPR regulations.
- ❖ Lack of infrastructure investment at municipal level.



Discussion and Way Forward

- **EPR is part of our implementation of the National Waste Management Strategy and more particular, the principle of circular economy.**
- **EPR is key part of a package of policy measures to achieve South Africa's waste reduction and minimisation goals** and facilitate the transition to a circular economy.
- **The Third year of implementation of the EPR for key sectors shows good progress made** towards establishing EPR schemes, promotion of waste collection, reuse and recycling initiatives and establishment of EPR reporting and performance monitoring systems.
- **However, more needs to be done to improve performance of EPR schemes and address implementation challenges.**
- **Government will continue to work closely with the producers, PROs and other stakeholders to build partnerships** and promote collaboration to ensure the smooth implementation of the EPR regulations.



THANK YOU!

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Thank You

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