



forestry, fisheries & the environment

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

Private Bag X447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, 0002 Tel: +27 12 399 9000, Fax: +27 86 625 1042

File Reference: 12/9/11/L220919085032/3/N

Enquiries: Mr Matjelele Phaladi

Tel: 012 399 9852 **Email:** mphaladi@dffe.gov.za

www.dffe.gov.za

LICENCE NUMBER : 12/9/11/L220919085032/3/N

SECTOR : REUSE AND RECYCLING, RECOVERY AND
TREATMENT OF HAZARDOUS WASTE FACILITY

WASTE MANAGEMENT FACILITY : ECO ENERGY TRADING (PTY) LTD

LOCATION : ERF 1642, PORTION 6 AND ERF 3300, PORTION 0,
CORNER RAILROAD AND CANON CRESCENT AND
SMITH ROAD, ROODEKOP,
GERMISTON IN EKURHULENI METROPOLITAN
MUNICIPALITY, GAUTENG PROVINCE.

LICENCE HOLDER : ECO ENERGY TRADING (PTY) LTD.

ADDRESS : P.O BOX 10320,
THE FALLS, BENONI
1522

CONTACT PERSON : MR. RORY VAN DEVENTER

CONTACT DETAILS : TELL: 011 900 8005, CELL: 082 655 8812
EMAIL: RORY@ECOENERGY.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 section 49(1) (a) of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008) (NEM: WA) 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



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The processing of personal information by the Department of Forestry, Fisheries and the Environment is done lawfully and not excessive to the purpose of processing in compliance with the POPI Act, any codes of conduct issued by the Information Regulator in terms of the POPI Act and / or relevant legislation providing appropriate security safeguards for the processing of personal information of others.

Page 1 of 20

12/9/11/L220919085032/3/N



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

Management and Licensing, acting under delegation, hereby Eco Energy Trading (Pty) Ltd a Waste Management Licence for the following waste management activities as listed in Category B of the Government Notice No. 921 of 29 November 2013 as amended.

Category B:

- (2) *"The reuse or recycling of hazardous waste in excess of 1 ton 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, utilization, or co-processing of the waste at a facility that process in excess of 100 tons of general waste per day or excess of 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises".*
- (4) *"The treatment of hazardous waste using any form of treatment at a facility that processes in excess of 1 ton per day calculated as a monthly average, excluding the treatment of effluent, wastewater, sewage or organic waste using composting or any other organic treatment."*
- (10) *"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)."*

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 X 447
PRETORIA
0001

1. SITE DETAILS

1.1 LOCATION

1.1.1 This Licence authorises the reuse and recycling, recovery and treatment of hazardous waste located at Erf 1642, Portion 6 and Erf 3300, Portion 0, Corner Railroad and Canon Crescent and Smith Road, Roodekop, Germiston in 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

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Page 2 of 20



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

form, which is defined as follows:

Number of corners	Latitude	Longitude
1	26° 18' 18.85"	28° 11' 38.68"
2	26° 18' 19.88"	28° 11' 40.14"
3	26° 18' 16.33"	28° 11' 42.99"
4	26° 18' 12.90"	28° 11' 38.05"
5	26° 18' 14.31"	28° 11' 36.82"
6	26° 18' 16.76"	28° 11' 40.29"

1.2 DOCUMENTS CONSIDERED

- 1.2.1 The Waste Management Licence Application Form dated 22 August 2022; and
- 1.2.2 The Final Environmental Impact Assessment Report for the reuse and recycling, recovery, and treatment of hazardous waste for Eco Energy Trading (Pty) Ltd compiled by Zantow Environmental Consulting Services dated 27 March 2023, hereinafter referred to as "Report".

GENERAL LICENCE CONDITIONS

1.3 SITE SECURITY AND ACCESS CONTROL

- 1.3.1 The Licence Holder must ensure effective access control of the Waste Management Site to prevent unauthorised entry.
- 1.3.2 Weatherproof, durable and legible signs must be clearly displayed and easily visible at each entrance to the site.
- 1.3.3 These signs shall be drafted in the minimum of three official languages applicable in the area and must be displayed to the geographical location where the licence is utilised.
- 1.3.4 The Licence holder must prevent treatment of waste that is not authorised on Site.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

2. MANAGEMENT

2.1 GENERAL MANAGEMENT

2.1.1 The activities shall be managed and operated:

- a) In accordance with a documented Environmental Management Programme (EMPr), that, "inter alia", identifies and minimises the risk of pollution, including but not limited to those arising from 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 conditions of this Licence and any other written instruction by the Director; and
- c) By an adequate, competent staff complement.

2.1.2 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.

2.1.3 A copy of this Licence may be published by the Department, in its discretion, on any website or other media.

2.2 DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER

2.2.1 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 standard operation procedures. The WMCO must:

- (a) Report any non-compliance with any Licence conditions or requirements or provisions of NEM:WA to the licensing authority.

2.2.2 The Licence Holder shall not be exempted from any other legal obligations in terms of the NEM:WA by virtue of the duties and responsibilities of the WMCO.

2.3 EMERGENCY PREPAREDNESS PLAN

2.3.1 The Licence Holder must draft, maintain and implement an emergency preparation plan that shall be reviewed annually during the conducting of audits, after emergencies as well as after any minor or major incident and or accident.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

2.3.2 Such plan shall include measures to address:

- a) Power failure;
- b) Technology and operational malfunction;
- c) Efficacy testing failure;
- d) Cold room or refrigeration unit failure;
- e) Site fires;
- f) Spillage (on Site); and
- g) Natural disasters such as floods;

2.3.3 The plan must include contact details of the nearest police station, ambulance services and the emergency centre.

3. PERMISSIBLE WASTE

3.1 Any portion of the Site, which has been developed according to condition 4 below, may be used for recovery and treatment of ilmenite and waste (Lubricant waste oils, automotive waste oils, marine waste oils, and similar liquid hydrocarbon waste).

3.2 The classification, acceptance and disposal criteria as listed in the Waste Classification and Management Regulations, 2013, GR634 (hereinafter referred to as "the WC&MR") must be conformed to.

4. CONSTRUCTION OF THE FACILITY

4.1 Construction of the site must be carried out under the supervision of a registered professional civil engineer and proof of such is required to be kept with records of the facility.

4.2 The site plan must only be changed under the supervision of a registered professional engineer.

4.3 The treatment area must have a firm and impermeable base to prevent contamination of ground water.

4.4 The Licence Holder must construct and maintain on a continuous basis, a drainage and containment system capable of collecting and storing all contaminated runoff water arising from the site in the event of a 1:100-year rainfall event. The system must under the said rainfall event, maintain a freeboard of one metre.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

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. Where they happen nonetheless, condition 2.3.1 above shall apply and the Licence Holder must ensure the effective and safe cleaning of such spillages.
- 5.1.3 The treatment 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.
- 5.1.4 The Licence Holder must ensure that emissions from the activities shall be free from odour at levels likely to cause annoyance.
- 5.1.5 The Licence Holder must prevent the occurrence of nuisance conditions or health hazards.
- 5.1.6 The Licence Holder must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations to minimise the risks involved. Records of training and verification of competence must be kept by the Licence Holder.
- 5.1.7 The Licence holder must ensure that general and hazardous waste do not mix, especially treated general waste which is bound for animal feed. In this regard evidence must be kept and made available to the Department upon request of how the treatment facility is cleaned out between batches of general and hazardous waste being treated.

5.2 OPERATION MANAGEMENT

- 5.2.1 The Licence Holder must ensure that the site always operates within its design parameters.
- 5.2.2 The Licence Holder must ensure that any other waste generated during recovery process are disposed of at a waste management facility licenced to accept such wastes or if such recovered object or material has economic value, such material should be handled in such way that it would negatively impact on the environment.
- 5.2.3 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

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Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

containment integrity is breached.

- 5.2.4 No effluent may be discharged into any stormwater drain or furrow, unless written approval has been obtained from the local authority.

6. MONITORING

6.1 MONITORING METHODS AND PARAMETERS

- 6.1.1 The Licence Holder must carry out all test required in terms of this Licence in accordance with methods prescribed by and obtainable from the South African National Accreditation System (SANAS).
- 6.1.2 The Licence Holder may only use another method of analysis if approved by the Department.

7. INVESTIGATIONS

- 7.1 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.
- 7.2 Should the investigation carried out as per conditions 7.1 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.

8. RECORDS

- 8.1 The Licence Holder must keep records and update all the information referred to in Annexure I and submit this information to the Director on an annual basis.
- 8.2 All records required or resulting from activities required by this Licence must:
- (a) Be legible;
 - (b) Be compiled 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.
- 8.3 Records demonstrating compliance with this Licence must be maintained for 5 years.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

9. REPORTING

- 9.1 The Licence Holder must submit, to the Director, the information listed in Annexure I on an annual basis.
- 9.2 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.
- 9.3 The Licence Holder must, within 14 days, or a shorter period, if specified by the Director, from the occurrence or detection of any incident referred to in condition 9.2, 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 and/or the Director: CM of measures taken to:
- Correct the impact resulting from the incident;
 - Prevent the incident from causing any further impact; and
 - Prevent a recurrence of a similar incident.
- 9.4 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 9.2, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.
- 9.5 The Licence Holder must keep an incident and complaints register, which must be attached to the external audit report, as well as the Department for audit purposes.
- 9.6 The Department must be notified without delay in the case of the following:
- Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - The breach of this Licence; and
 - Any significant adverse environmental and health effects.
- 9.7 The Department must be notified within 14 days of the following changes:
- Licence Holder's trading name, registered name or registered office address;
 - Particulars of the licence Holder's ultimate holding company (including details of an ultimate holding where a licence holder has become a subsidiary; and
 - Steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into arrangements with creditors, or, in the case of them being in a partnership, dissolving the partnership.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

9.8 The Audit report must be finalized within 60 days of the finalization of the external audit. Each external audit report referred to in condition 10.2 below must be submitted on the South African Waste Information System (SAWIS) within 30 days from the date on which the external auditor finalized the audit.

10. AUDITING

10.1 INTERNAL AUDITS

10.1.1 Internal audits must be conducted quarterly 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 10.2.

10.2 EXTERNAL AUDITS

10.2.1 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 9.9 above.

10.2.2 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
- e) Show monitoring results graphically and conduct trend analysis.

10.2.3 The Licence Holder must submit an action plan together with the external audit report providing details and targets dates of corrective actions to be taken to address any non-compliance identified in the external audit report.

10.3. DEPARTMENTAL AUDITS AND INSPECTIONS

10.3.1 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.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

10.3.2 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.

11. LEASING AND ALIENATION OF THE SITE

11.1 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.

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

12. TRANSFER OF WASTE MANAGEMENT LICENCE

12.1 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).

12.2 Any subsequent Licence Holder shall be bound by conditions of this Licence.

13. GENERAL

13.1 The authorised activities of the facility may not commence within twenty (20) days of the date of signature of this Licence.

13.2 Should the Licence Holder be notified by the Minister in writing of a suspension of the Licence pending any appeals decision, the licence holder may not commence with the activities licensed by the Minister.

13.3 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.

13.4 The activities 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 for the activity to be undertaken.

13.5 If the Licence Holder anticipates that commencement of the activities 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.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

- 13.6 This Licence shall not be transferable unless such transfer is subject to condition 12.1
- 13.7 Transgression of any condition of this Licence could result in the Licence being withdrawn by the Department.
- 13.8 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.
- 13.9 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of National and Provincial Legislation and any relevant Ordinance, Regulation, By-law or relevant National Norms and Standards.
- 13.10 In terms of section 28 and 30 of the NEMA and section 19 and 20 of the National Water Act No.36 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.
- 13.11 This Licence is valid for a period of ten (10) years and shall be reviewed every five (05) years from the date of issue. 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.

14. APPEAL OF LICENCE

- 14.1 The licence holder must notify every registered interested and affected party, in writing and within twelve (12) days of receiving the Department's decision.
- 14.2 The notification referred to in 14.1. must –
- 14.3 Specify the date on which the Licence was issued;
- 14.3.1 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 2 of GN No. R 993 of 04 December 2014 in terms of National Environmental Management Act, 1998, as amended (see Annexure II).



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

- 14.3.2 Advise the interested and affected party that a copy of a Licence will be furnished on request; and
- 14.4 An appeal against the decision must be lodged in terms of chapter 2 of GN No. R 993 of 04 December 2014 in terms of NEMA 1998, as amended, from the date of this license, with: The Minister, Department of Environmental Affairs, Private Bag X 447, PRETORIA, 0001, Tel No. 012 399 9356, Email: AppealsDirectorate@dfre.gov.za

MS MISHELLE GOVENDER

CHIEF DIRECTOR: HAZARDOUS WASTE MANAGEMENT AND LICENSING

DATE:

12/07/2023.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

ANNEXURE I

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS

* = Indicate with an X. Please print legibly.

NAME OF SITE: _____	DATE OF REPORT: _____ (y/m/d)
LICENCE REF NO: _____	

1. Registered owner(s) of property on which waste management facility is situated:

Name	Telephone	
Postal Address	Fax	
	Postal Code	

2. Operator in control of waste recycling, recovering and treatment on site:

Name	Telephone	
Identity number	Tel. After hours	
Educational Qualifications		
Other Relevant competencies:		

3. Indicate the type of waste and approximate quantities of waste recovered and treated, during the year:

Type of waste (Specify)	Quantity (Tons)	Source
TOTAL		

4. Indicate the type of waste and approximate quantities of waste recycled during the year:

Type of waste	Quantity (Tons)	Recycled.
TOTAL		

I, the undersigned, declare that the information stated above is to my knowledge a true reflection of the status
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Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

at Nyanza Light Metals (Pty) Ltd facility.

Signature: _____
Name: _____
Capacity: _____
Place: _____
Date _____



ANNEXURE II

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,
 - Supporting documentation that is referred to in the appeal which did not form part of the documentation considered when the original decision was made.



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

Appendix A

APPEAL QUESTIONNAIRE

An electronic copy of this questionnaire may be obtained from:

Telephone: 012 399 9356 or e-mail:

AppealsDirectorate@dfpe.gov.za

Once completed, this document must be forwarded to:

E-mail: AppealsDirectorate@dfpe.gov.za

Physical Address: Department of Environmental Affairs, 473 Steve Biko Road, Environment House,
Arcadia, Pretoria, 0002

Appellant's contact information:

Name: _____

Address: _____

Phone: _____

Cell: _____

Email: _____



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

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
------------	----------------------------

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



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

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
-----	----

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
-----	----

Please provide reasons:



Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

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

Yes	No
-----	----

Please provide reasons:

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

Yes	No
-----	----

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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Eco Energy Trading (Pty) Ltd- Reuse, Recycling, Recovery and Treatment of hazardous waste

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: