GENERAL NOTICE

NOTICE 198 OF 2010

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

DRAFT INTEGRATED INDUSTRY WASTE TYRE MANAGEMENT PLAN FOR THE SOUTH AFRICAN TYRE RYCYCLING PROCESS (SATRP) COMPANY IN TERMS OF SECTION 32(6) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008) RELATING TO WASTE TYRE REGULATIONS, 2009

I, Buyelwa Patience Sonjica, Minister of Water and Environmental Affairs, intend gazetting the Integrated Industry Waste Tyre Management Plan (IIWTMP) from the South African Tyre Recycling Process (SATRP) Company for public comment, as stated under section 32(6) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008).

Interested and affected parties are invited to submit written comments within (30) days of publication of this notice to the Director-General, Department of Environmental Affairs, Private Bag X447, Pretoria 0001 Fedsure Forum Building, 315 Pretorius Street, Pretoria, 0002

Attention: Mr Tsebo Mohapi, email: TMohapi@deat.gov.za or fax: (012) 320 0024 or tel: (012) 310 3861.

Comments received after the closing date will not be considered.

BUYEL/WA SONJICA

MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

INTEGRATED INDUSTRY WASTE TYRE MANAGEMENT PLAN

PROPOSAL BY SATRP COMPANY

SUBMITTED IN TERMS OF THE

WASTE TYRE REGULATIONS, 2009

4 DECEMBER 2009

TABLE OF CONTENTS

PART 1 - INTRODUCTION

- 1. Preamble
- 2. Objectives

PART 2 - DEFINITIONS

Definitions

PART 3 - SUBSCRIBERS

- 4. Registration
- 5. Declarations

PART 4 - TRANSPORT CONTRACTORS

- 6. Appointment
- 7. Contractual obligations
- 8. Declarations
- Payment for service
- 10. Diagram of transport contractor waste tyre activities

PART 5 - WASTE TYRE PROCESSORS

- 11. Tender process
- 12. Appointment
- 13. Declarations
- 14. Payment for processing of waste tyres

PART 6 - TYRE DEALERS

- 15. Registration
- 16. Release of waste tyres

PART 7 - EXTERNAL AUDITORS

- 17. Appointment
- 18. Responsibilities
- 19. Non-compliance of contracted parties
- 20. Reporting
- 21. Confidentiality

PART 8 - EXTERNAL ACCOUNTANTS

- Appointment
- 23. Responsibilities
- 24. Non-compliance by subscribers
- 25. Reporting
- 26. Confidentiality

PART 9 - CATEGORIES OF TYRES

- 27. Identification of tyre categories and sub-categories
- 28. Phasing in of categories of tyres into the collection process

PART 10 - FUNDING

- 29. Green fee
- Invoicing of green fee to consumer 30.
- 31. Collection fee
- 32. Estimation of cost per annum

PART 11 - LEGACY WASTE TYRE STOCKPILES

- 33. Legacy waste tyre stockpiles with an identified owner
- 34. Abatement of legacy waste tyre stockpiles with an identified owner
- 35. Abatement of legacy waste tyre stockpiles in townships
- 36. Effective date of abatement of legacy waste tyre stockpiles

PART 12 - GENERAL

- 37. Job creation
- 38. Training and development
- 39. General waste
- 40. Annual reporting to DEA
- 41. Industry standards
- Disclaimer 42.
- 43. Effective date

PART 1 INTRODUCTION

1. PREAMBLE

- 1.1. In response to the Waste Tyre Regulation, 2009 the SATRP Company has prepared this Integrated Industry Waste Tyre Industry Management Plan.
- 1.2. Expressions defined in the Regulations shall bear the same meaning in this plan.

2. OBJECTIVES

- 2.1. The primary objective of the SATRP Company is to operate, on behalf of its subscribers, an organisation that will administrate the sustainable collection of the annual arising of waste tyres in the Republic of South Africa and to make them available to waste tyre processors authorised in terms of relevant South African legislation.
- 2.2. The secondary objective is to promote the creation of a healthy waste tyre processing industry with subsequent job creation

PART 2 DEFINITIONS

3. DEFINITIONS

In this Integrated Industry Waste Tyre Management Plan, unless the context indicates otherwise;

"arising" means the number or mass of waste tyres generated in a given period in South Africa;

"collection fee" means the fee that will be raised by the SATRP Company for the management process of any waste tyres on which no green fee has been raised;

"DEA" means the Department of Environmental Affairs

"events" means one-day collection events arranged by the SATRP Company at which identified consumers can drop off waste tyres at pre-arranged locations for collection by waste tyre transporters. Events may range in frequency from one to several events, often in different locations within a province;

"green fee" means the non-commercial recovery of the costs of environmental compliance that will be collected by the SATRP Company from the subscribing tyre producers, the proceeds of which will be utilised to fund the costs of operating the SATRP Company;

"general waste" means waste, not being waste tyres, generated by any person or institution;

"management process" means the course of action adopted for a category or sub-category of waste tyres for the:

- collection of waste tyres from designated venues;
- their transport to and temporary storage at transfer sites;
- their sorting and preparation for delivery;
- their delivery to waste tyre processors or landfill sites;
- method of funding the above activities: and
- the audit of the above activities

- "Minister" means the Minister of Water & Environmental Affairs:
- "recovery" means the controlled extraction of a material or the retrieval of energy from waste tyres;
- "recycle" means the separation and processing of materials from waste tyres for further use as new products or resources;
- "re-use" means the utilisation of waste tyres, in whole or in part, without changing the composition of the waste tyre;
- "SATRP Industry Plan" means the Integrated Industry Waste Tyre Management Plan submitted by the SATRP Company and approved by the Minister;
- "subscriber" means any tyre producer that registers with the SATRP Company Integrated Industry Waste Tyre Management Plan;
- "transfer site" means a site established by a transport contractor for the storage and preparation for onward delivery of waste tyres collected from tyre dealers or from legacy waste tyre stockpiles;
- "transport contractor" means any person or institution engaged in the commercial transport, storage and preparation of waste tyres for onward delivery on behalf of the SATRP Company;
- "transport sub-contractor" means any person or institution engaged in the commercial transport and storage of waste tyres on behalf of a SATRP Company appointed transport contractor;
- "tyre" means a continuous pneumatic covering made of natural rubber or synthetic rubber or a combination of natural and synthetic rubber encircling a wheel, whether new, used or retreaded;
- "tyre category" means the categories of pneumatic tyres as defined in the current editions of the European Tyre and Rim Technical Organisation (ETRTO) manuals, excluding cycle tyres, plus an eighth category to cater for tyres not referred to in the ETRTO manuals.;
 - 1. Passenger car tyres;
 - 2. Commercial vehicle tyres:
 - 3. Agricultural equipment tyres;
 - 4. Motorcycle tyres;
 - 5. Industrial and lift truck tyres;
 - 6. Earthmoving equipment tyres;
 - 7. Aircraft tyres;
 - 8. Other pneumatic tyres;
- "tyre sub-category" means any sub-category of tyres within a tyre category;
- "tyre dealer" means any person or entity that distributes, or otherwise deals commercially in tyres;
- "tyre producer" means a person or institution engaged in the commercial manufacture or import of tyres and retreadable casings, and the import of vehicles fitted with tyres for distribution in South Africa;
- "tyre sales" means the number of tyres sold, donated, replaced under warrantee, provided as part of a promotional campaign, rejected as having a factory fault, or otherwise distributed in South Africa by a tyre producer;