

# **groundWork's Comments on the: 'Summary of key strategic issues to inform the NWMS'**

**October 2009**

groundWork welcomes the opportunity to make input to the 'Summary of key strategic issues to inform the NWMS'. While it is a positive step forward, we need to be cautious of its unintended consequences of making the National Environmental Management: Waste Act (the Waste Act) ineffectual.

It is noted that there are a series of processes that are occurring in parallel to the development of the Strategy. Can we be undated on these at the next meeting with the main aim of understanding how as stakeholders we can make meaningful input to these parallel processes if we so choose.

Some issues that emerge or do not emerge in this document:

1. Is the lack of discussion on the review of the failure of the last NWMS of 1999, and to draw lessons from this;
2. The status of Government's enforcement and compliance capacity (at local, provincial and national levels) and to the recommendations of creative ideas on how to bolster this; and
3. The alarming approach of self-regulation and voluntarism in the governance approach, as a result of government's inability to take enforcement and compliance seriously.

## **Information**

Could the drafters please provide groundWork with a list of all documents and inputs considered when drawing up the document 'Summary of key strategic issues to inform the NWMS'.

## **Participation**

groundWork has invited the Department of Environmental Affairs (DEA) on two occasions to address the communities we work with on the National Waste Management Strategy process. On both these occasions, in July and September, the DWEA ignored our requests. We are aware that the DWEA has met with the industrial stakeholders, according to Ms Laurainne Lotter of BUSA and CAIA. Considering the above we are reviewing the usefulness of our role to meaningfully inform the Strategy process.

## **2. Setting the context**

The introductory paragraph on Section 2 should reflect on the nature of our energy provision and the environmental effects of this, both in waste material as well as mining of coal, and air pollution. Thus the proposal is to amend the relevant section to insert the underlined:

*'South Africa has a specific socio-economic and demographic make-up, characterised by rapid development and urbanisation spurred on by a unique period of continued economic growth dependent on energy from coal in recent years.'*

## **2.1 Socio-economic and demographic context**

The Strategy must acknowledge and reflect both the formal and informal nature of 'waste collections and the recycling industry.

Waste service provision is 65% while in the draft Free Basic Refuse Removal document is recoded as 50%.

### Environmental Justice and the Constitution

The NWMS should aim to integrate the objectives and principles of NEMA. This includes environmental justice. In other words, together with sustainability, the strategy should be guided by environmental justice, which is about 'improved public health outcomes, economic development, poverty alleviation and improved equitable access for all'.

It is important to revisit the NEMA principle:

'Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons.'

## **2.2 Constitutional and Legal Framework**

This section must include the full reference to the constitutional section on 'health and well-being'. The underlined section has been omitted.

The document must include the reality that the onus to deliver on the NEMA principle of environmental justice must be specific to both government and industry.

## **2.3 International Obligations**

DEA must update this in relation to the recent discussions on all international environmental agreements including acknowledging the forthcoming intergovernmental negotiating committee (INC) to prepare a global legal binding instrument on mercury. This treaty will aim to address the following issues concerning the Waste Act:

- a) To reduce the supply of mercury and enhance the capacity for its environmentally sound storage;
- b) To reduce atmospheric emissions of mercury; (including from landfill sites)
- c) To address mercury-containing waste and remediation of contaminated sites;
- d) To increase knowledge through awareness-raising and scientific information exchange;
- e) To address compliance."

The DEA must make commitments to deliverables and time-frames (in the form of targets) associated with developing domestic responses to international instruments dealing with waste management. This is urgent in light of the recent scandal on the importation of e-waste from the United States.

## 2.4 Waste flows and strategic challenges

groundWork supports the acknowledgement that: 'Reliable data quantifying the different waste streams is not readily available, which severely limits government and industry's ability to devise responsive measures to waste management challenges. This highlights the importance of establishing a functioning waste information system to which all stakeholders have access.' We support the urgent development of an information system which will give South Africa an improved understanding of the waste that is produced. Specifically the DEA has only just initiated a project to develop a revised hazardous waste classification system in order to properly manage waste streams.

In consideration of the above we thus urgently request that the Strategy process review the DWEA's hastily-arrived at decision to allow for cement kilns to burn waste despite this serious gap in knowledge.

Table 1.1 presents us with a few challenges which would be critical to address before this document is accepted as a basis for establishing a NWMS.

- PCB waste is a critical challenge for South Africa and yet it is not mentioned in relation to the energy industry. PCB (and other POP's) waste is also imported into South Africa from most SADC countries that do not have the capacity to deal with this locally.
- groundWork disagrees with the use of ash which is classified as hazardous waste as aggregate for brick-making. This is a clear example of how the principle of environmental justice needs to be enacted. These bricks – or rather blocks – will be used for low income housing and therefore poor people will be exposed to the potential toxics exposure from these materials.<sup>1</sup>
- There is currently uncertainty in the EU over the status of incinerator bottom ash and incinerator operators in the EU might now have to treat bottom ash as hazardous waste because of these doubts over its ecotoxicity. This could substantially increase the costs of incineration. The UK Environment Agency has admitted it does not "have 100% confidence" in its classification of incinerator bottom ash (IBA) as non-hazardous waste<sup>2</sup>.
- groundWork also disagrees that waste from power stations should be burnt in cement kilns.
- It is clear that the intent of government is to allow for the incineration of tyres, rather than placing the principles of the waste hierarchy in place in relation to tyres. This is reflected in the drafters' recognition for the need for waste tyres to be regulated via a process of air emission standards. Again this is a pre-emptive decision based on the assumption that the waste tyres will be incinerated instead of being recycled and reused through non-burn processes.
- Under the section on e-waste and batteries it is critical to consider the reality that our borders are porous which allows for this waste to be imported into South

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<sup>1</sup> There are two kinds of ash generated by an incinerator: the bottom ash which falls through the grate system in the furnace (about 90% of the ash), and the fly ash, which is the very fine material which is collected in the boilers, the heat exchangers and the air pollution control devices. As far as toxic metals are concerned, it is a chemical truism to state that the better the air pollution control the more toxic the fly ash becomes

<sup>2</sup> ENDS Report 410, March 2009, pp 23-24. © 2009 Haymarket Business Media

Africa easily. While we do not have evidence of used or refurbished batteries being imported, groundWork has made the DWEA aware of e-waste imports which the DWEA claims they cannot return to sender.

- This table must reflect all the waste imported into South Africa for either research, treatment or final disposal.
- What documents were used to construct this table?
- The table is a good start, but needs intensive work if it is to correctly inform the NWMS.

### **3.1 Overall goals, approach and regulatory model**

groundWork requires that this entire section be rewritten after debate at the next PSC meeting, and that there should be a further engagement on this before it is finalised.

This section for groundWork is the most critical section of this document. It departs from the general approach which the public has been calling for getting both the Air Quality and Waste Act developed. These acts were developed to respond to the growing need for regulation in a 'lawless' state. However, the NWMS seeks to undermine this by adopting an approach that is in opposition to this. It seeks, as in the past, to put the 'fox in charge of the henhouse' through self regulation and voluntary initiatives. If the Waste Act would necessitate the issuing of more than 5000 licences then government must develop the capacity to make this meaningfully happen, rather than abdicate its responsibility to exemptions.

It is recognised that there exists a variety of approaches to regulation. Critically, for regulation to work, government must develop the means to ensure that whatever path it chooses it can convincingly ensure compliance and enforce the said path. It is clear to date that enforcement capacity is limited and even non-existent in many parts of South Africa. Similarly compliance assessment is central to policy development and implementation and without in built compliance assessment mechanisms policy will not be effectively implemented.

South Africa faces a strange challenge, for despite the past regulatory system always being referred to as one of 'command and control' it has never achieved this. There existed and continues to exist a lack of proper regulation, enforcement, political will, corporate and industrial willingness to undertake change accompanied by poor consumer awareness. There are numerous examples of companies and government departments – who operate landfill sites – that have never been brought to book in spite of evidence of systemic malpractice and widespread environmental pollution and degradation. Government has often said, in various forums, that they would rather have a poorly operating landfill site rather than enforce the law by closing a company/landfill for fear that waste will be illegally dumped. The waste industry over the last two decades, together with government, has often engineered crisis's in the waste industry in order that they could extend the lifespan of toxic industries or landfill sites. The current health care waste industry is a case in point. Government has known that the health care waste industry is not managing to dispose of its waste in a safe and secure manner and yet they have allow problematic incinerators to operate further endangering peoples health and environment. In KwaZulu Natal there has been a series of waste crises in the 1990s which is still felt today, in light of the Bul Bul hazardous landfill site still operating without an alternative being found despite the fact that this site is situated in the middle of a black neighbourhood and uses the residential roads to transport

hazardous waste. This facility should have closed by now, but the company is continuing to extend its lifespan.

groundWork believes that this section sets in place the principle of voluntary and self-regulation as the key departure for governance. This is presented as the 'tiered and consensual' model. groundWork categorically objects to such a model.

groundWork believes that, as in the Environmental Management Cooperative Agreement (EMCA) debate in the early part of the 2000s, where the petrochemical industries - with the cooperation of the Department of Environmental Affairs and Tourism and the Department of Trade and Industry - called for EMCAs to be used as a governing tool rather than for the development of enforceable air quality standards, the NWMS is using the same approach. groundWork will not endorse this process!

It must be noted that section 69 of the Waste Act has a list of regulations that the Minister may adopt. The intent is there for government to regulate. However, the present strategy is in conflict with this provision within the Act and attempts to negate this with the focus being on industry self-regulation and voluntarism.

In the realm of Industry Waste Management Plans, self regulation is glaringly evident. While IWMPs are part of the regulatory system, government should be careful about abdicating its responsibility as it attempted to do with the petrochemical sector in the early 2000s. There must be minimum standards developed for IWMP as per section 30 of the Waste Act. It is clear that there is an intent that government requires IWMP as per section 28 of the Waste Act. Part Seven of the Waste Act must be read in conjunction with Section 69 that enables the necessary legislation to be developed.

Please explain this sentence: *'Only in instances where industry response proves insufficient for dealing with market failure will more aggressive regulatory tools be utilised.'* (pg 10) For groundWork it reads that only once an industry has gone bankrupt, and possibly thereby already has damaged the environment and harmed people's health and well-being then action will be taken.

groundWork disagrees with the following statement: *'It is envisaged that industries that proactively adopt waste management plans and effectively self regulate their sectors will be able to motivate for exemptions from licensing of their activities.'* (pg 10) This talks about industry as 'sectors' rather than individual players. In this regard, government is effectively handing over governance to entities such as the Chemical Allied Industrial Association, the Refinery Managers Environmental Forum and the Institute of Waste Management. It is the norm that there will be industries within these fraternities that will not comply, and there will be no effective sanction. More critically there are always those industries that fall outside these fraternities. How does one govern them if governance is left in the hands of industrial sectors. If government has to govern those industries outside the sectors, it is the logical conclusion that they should develop the regulatory mechanisms for all sectors and industry. groundWork cannot agree to the exemption of licences for waste activities if government has not managed to develop an enforcement mechanism that is functional, credible and enduring.

The interventionist regulatory measures proposal is seen as a last option. This proposal deals with key issues that should form the basis of the regulatory system rather than coming at the 'end of the pipe', metaphorically speaking. Extended producer

responsibility is critical in the final determination of how South Africa deals with its waste and how the global role-players deal with their waste so that South Africa does not become a dumping ground. The well-documented Thor Chemicals case and the increasing levels of mercury found in the environmental systems in KwaZulu Natal, should give government enough cause to act on treating mercurial waste as a priority waste. This will also ensure that government sets in place mechanisms that allow control over the influx (illegal import?) of such waste into the country. The recent scandal on e-waste is a critical example. It has been evident for some time now that the global South is being targeted as the dumping ground for e-waste. Despite this the SA government failed to act and prevent this situation happening in South Africa. Furthermore if government is only going to take action on 'persistent non-compliance' one needs a good regulatory system to define the benchmarks for compliance and the enforcement mechanisms to understand when compliance is not being met. Therefore self-regulation and voluntary processes can only work after the afore-mentioned has been achieved. Of concern is that even with our very weak waste regulatory system we find government failing to act on waste companies or government entities, such as the Msunduzi Municipality, that have been regularly flouting their permit conditions. Thermopower, a hazardous waste contractor on the East Rand has been investigated by the 'green scorpions' over the last 2 years. Yet to date there is not public information available for the public to understand if action has been taken against the company. More alarmingly the company is involved despite the investigation in various process to tender for hazardous and medical waste disposal contracts.

A comparison of the flawed logic at play here is that it is common knowledge that in terms of the waste hierarchy most expenditure and governance should be going into avoiding, then reducing and recycling, and finally disposing of waste. However, the converse is true. A similar flawed logic appears in the approach suggested in the strategy. The interventionist approach should be high up on our agenda together with the development of national standards and norms, followed by listing and licensing to make it happen, and then the IWMPs to understand if the approach is delivering on its intent. One cannot develop IWMPs without understanding what your targets are, as defined by democratic governance processes; not by the polluting industries.

### **3.2 Waste Avoidance and Reduction**

groundWork believes that it is government's intent to call for IWMPs to better understand and encourage the avoidance and reduction of waste. The necessary regulatory mechanisms to ensure that these plans happen must therefore be time bound.

Waste reduction also occurs due to fiscal challenges companies face if they continue polluting, such as pollution taxes, meaningful fines for non compliance etc.

groundWork believes that government must develop norms and standards for waste minimisation. By introducing the phrase 'consider the feasibility of norms and standards' the Strategy will open up a space for contesting whether norms and standards are needed. If this is the situation then it could render the Waste Act ineffectual.

In this section a bullet point needs to be added stating: 'Encourage increased enforcement'.

### **3.3 Recovery, Re-use and Recycling**

How does one govern and better understand voluntary industry led initiatives. A standardised framework for understanding the success of these must be inclusively developed, and action must be considered if these initiatives do not work.

'The Waste Act allows the Minister, after consultation with the Minister of Trade and Industry, to require the recovery, reuse and recycling of products or components, and to determine a percentage of recycled material in products. These provisions will be used to reinforce industry waste management plans, and to address market failures. Guidelines for the application of these provisions need to be developed.' It is understood that these guidelines will be discussed with all role-players before it goes to the respective ministries for it would be a waste of time if there is a political or legal challenge to this when it is at a ministerial level.

In response to the bullet point on Separation at-source, groundWork believes that this statement needs to be written in the positive rather than the negative. We do not believe that separation at source will have a negative impact on employment within the informal sector. Rather it would increase the resources available to the informal sector and more importantly lessen the risk for health implications due to sorting unsorted and potentially dangerous goods.

Also critically on this bullet point we need to consider the eThekweni's: 'Introduction of Domestic Refuse Removal Charges and Discontinuation of Refuse Removal Property Rates with Effect of 1 July 2009'. There is a sliding scale of what the consumers pay. For example, a house valued at R 1 000 000,00 pays R100,32 a month. In principle groundWork is in support of this process for it is built upon the assumption that the more expensive the house, the more affluent the family and therefore the more waste it produces.

However, what needs to be asked of the eThekweni Municipality is how is this money being spent? Ideally the money should be ring-fenced and spent on developing a IWMP for the municipality with targets for households, employ waste officers to roll out the programme, and on enforcement capacity to monitor and then to re-assess cost based upon actual waste rather than value of property.

On education and awareness there should be beneficial initiatives among all three parties: government, industry and society at large.

### **3.4 Storage, collection and transportation of waste**

No mention is made of health care waste and hazardous waste.

Waste service tariffs must be ring-fenced, rather than go into the general fiscus. Tariffs must work towards being based on sorted and non-sorted waste.

Full cost accounting must be carefully used so that it does not impact negatively on the poor. Please explain: 'artificially influencing pricing to support recycling objectives'.

groundWork believes that there is good scope for community based waste service models that are not dependent on 'privatising' waste services in municipalities.

groundWork works with waste pickers in various parts of the country where there processes that have already delivered 'waste picker collectives'. Here people own their means of production rather than being mere labourers.

See <http://www.groundwork.org.za/Publications/Reclaiming%20Livelihoods.pdf> for more information on this.

### **3.5 Treatment, Processing and Disposal**

In the following concerns:

- Challenges associated with the effective management and regulation of landfills
- Challenges associated with the appropriate handling of hazardous waste
- Opening up new disposal technologies to facilitate waste to energy conversion.

It is noted that it is limited. An additional challenge will be the ineffectiveness of government and industry to manage a future strategy for waste disposal, especially hazardous waste disposal. The result of this, as indicated before, hazardous waste management is achieved by crisis management and leading to increasing profits for waste companies.

For years groundWork has warned about the present health care waste crisis, but government has ignored our concerns. It is safe to say government has engineered this crisis.

groundWork does not believe that waste to energy conversion is a viable practice. The Waste Act makes it clear that it is a process of last resort after the waste hierarchy has been effectively considered. Already there are government entities such as the eThekweni Municipality who are courting this idea.

Norms and standards for the treatment and disposal of waste must also consider other legislation such as the National Environmental Management: Air Quality Act and the Health Act.

It is noted that: 'Guidelines are required to determine how waste is classified as well as measures to be taken to treat, process or dispose waste. Such guidelines are currently being developed by DEA.' groundWork is not aware of this important process and would want this process to be opened up for public comment and for it to be part of the Strategy.

'A shortage of hazardous waste disposal facilities is a serious problem for disposal of hazardous waste. The underlying causes resulting in the shortage of hazardous waste disposal facilities needs to be explored to inform the formulation of measures in this regard.' As discussed before, the industry and government managers by crisis rather than forward planning. If the waste hierarchy is put into practise, surely there should be a lesser need for disposal facilities.

IWMP must also include not only 'proper disposal' but also reduction of the production of waste.

Please explain further the following statement: '*The NWMS should set out a conducive regulatory environment for waste to energy initiatives.*' groundWork will oppose any

public funding being used for the promotion of incineration or for less stringent environmental standards being proposed to allow for incineration to become 'economically' viable in South Africa.

groundWork does not believe in the principle of CDMs. If CDM had to be adopted that means a number of livelihoods will be lost because the landfill sites would need more waste to ensure longevity of the process. Waste reclaimers will lose their employment. Landfills in South Africa are normally located close to poor communities and these communities suffer the ills from these landfills, therefore it would make sense if CDM do happen, that this electricity is provided to the poor.

### **3.6 Remediation**

Please explain why there has to be a registry of contaminated lands 'before investigation of suspected contaminated lands can take place'? If the ownership of the land is not clear, it does not stop the DWEA from understanding the situation and then taking action if needed to protect people's health and well-being and after ownership is determined costing can be awarded.

Please provide further explanation for the following statement: 'An evaluation of the available airspace for the disposal of contaminated land needs to be conducted, noting that this is limited.'

Remediation must not only be 'risk-based' but it must also look at health conditions of surrounding populations where exposure is possible.

groundWork does not agree with the last bullet point dealing with exemptions from liability. If creditors are going to act to protect their financial interest they will have to be liable for the contaminated land. If they intervene to stop the contamination once they become aware of the land they are holding for security then exemption from liability can be considered. But if they are wanting to protect their financial interest surely they will have to 'decontaminate' the land to make it viable for sale again, so they will have to be liable. They cannot pass it off to a third party who would not have the financial means to decontaminate the land. Creditors need to be cautious what they loan money on and they must undertake due diligence, and in the case of company acquisitions.

### **4.1 Norms and standards**

In the development of norms and standards, health must be viewed as a criteria.

### **4.2 Categorisation and classification**

This section on Categorisation and Classification must incorporate the principles of NEMA/Waste Act which speak about minimization and substitution of hazardous materials etc.

Substantive issues that need to be addressed include

- Addressing the quality of uneven data
- Industry has independent data that needs to be verified
- Mining data has to be extrapolated and incorporated into hazardous waste classification

### **4.3 Waste Information System**

The issue of the Waste Information Systems is very serious because the strategy will not be developed in an informed manner if the waste information system is incomplete. One cannot plan for something that cannot be quantified nor classified.

We note the recording of concern as of the lack of reliable data on the waste sector.

Please explain what are 'fields' in the following context: 'On a practical level, the NWMS will develop a comprehensive set of fields required for national planning for inclusion in the provincial WISs.'

On when data from generators will be considered: 'Data on waste generators is only anticipated to be included in SAWIS in phase 4'. groundWork believes that this should be an urgent first step rather than left to phase 4.

### **4.4 Industry Waste Management Plans**

This section needs to be read in conjunction with comments on section 3.1.

Any voluntary actions by industry must be public. These actions must also consider input from the public and cannot be left to being an agreement between the industry and DEA.

It is noted: 'The DEA is in the process of finalizing draft guidelines to assist industry in the development of industry waste management plans, and to assist DEA in the review and approval of industry waste management plans.' The public must have an opportunity to comment on development and finalisation of these guidelines.

It is groundWork contention that industry will use the 'voluntary' process to avoid getting their activities listed as reflected. However, there is a strong possibility that this will be a green washing exercise to avoid strong governance rather than a meaningful attempt to ensure compliance based upon a sound set of norms and standards.

It is groundWork contention that the industry waste management plans per sector will not work in all the industrial possibilities as already alluded to in 3.1.

groundWork is in agreement that the strategy needs to develop the criteria in the Waste Act further.

groundWork is concerned about the implications of the following statement: 'The use of special regulatory measures outside of a consensual approach will be invoked only in instances of non-cooperation or market failure.' A few things to consider:

- It implies that a consensual regulatory approach will be used in the development and implementation of the Industry Waste Management Plans;
- If there are instances of non-cooperation then regulatory tools will be applied; and
- That this process is linked to market failure.

It must be noted that governance is presently on a consensual basis and it does not work. We continue seeing non-compliance across various sectors. Non-compliance is even considered legal in certain air quality permits, i.e. industry is allowed exceedances or to by-pass their pollution abatement equipment. This approach places the governance regime in the realm of industry and government is a mere respondent, rather than a proactive institutions.

What does market failure imply in this instance? Please elaborate clearly.

#### **4.5 Listing and licensing of waste management activities**

groundWork believes that there is enough evidence to consider mercurial waste and PCB as priority wastes. Ideally the POPs should all be priority waste. Government can hereby give meaning to the various international conventions.

groundWork does not endorse this proposal: 'Industries that proactively adopt waste management plans and effectively self regulate their sectors will be primary candidates for exemptions from licensing requirements.' Self regulation has not worked in South Africa. For it to work one needs political commitment, industrial commitment, strong and enforceable regulations, enforcement capacity and consumer awareness. Unless all the above is achieved self regulation cannot work.

#### **4.6 Special Measures**

Section 17, referenced in the last paragraph of this section is incorrect.

#### **4.9 Economic Instruments**

Under this section, the flaw of self regulation and voluntarism in isolation of good and proven governance is mirrored in the following statement:

'It should be noted that application of these economic instruments are not seen as an alternative to regulatory measures, but rather as further mechanisms to support "command and control" regulation. A specific area of concern for the application of economic instruments is a precondition for a well functioning market and governance institutions with sufficient capacity to ensure implementation.' And further:

'Within the context of the NWMS, economic instruments are seen as part of a multi-pronged strategy to achieve the objectives of waste reduction, re-use and recycling. It is envisaged that once enforcement capacity of current laws and regulations is improved, the use of economic instruments will be phased in gradually, starting with simpler mechanisms and moving towards more complex ones as the institutional capacity grows over time.'

As this is required in developing economic instruments so it should be in developing other instruments, such as self regulation and voluntarism.

It is groundWork belief that state economic intervention is required to ensure that the recycling market is secure, considering that vulnerable populations are exposed to economic vagaries. Thus we cannot fully endorse the following statement: 'The NWMS should steer away from artificially influencing pricing to support recycling and other objectives.'

It must be noted that there is a risk for industry to illegally dispose of their waste if disposal costs increase. It is not only illegal dumping by communities. The strategy however must investigate this possibility through a well defined research process.

Local authorities rely on the Municipal Systems Act 2000, which commands them to do waste collection and disposal. Importantly mind sets needs to be shifted for it is not only about collection and disposal but other requirements such as reduce, re-use and recycle. Waste could play a very important role in creating jobs at a local level and contribute to the informal economy of the country.

#### **4.10 Fiscal mechanisms for Waste Management**

While it could be considered that the sector is heading towards a financial crunch, especially municipalities who have to deliver services, it is groundWork belief that the waste industry is a viable profit making entity that has been successful in accruing vast profits over the years due to lack regulations and enforcement. Thus the statement on a 'fiscal crunch' does not necessarily apply to them.

groundWork would like to warn government that when 'private financing' is sought it must not be accompanied by the exchange of dirty technology such as incineration.

groundWork does not endorse the following statement: 'Generating revenue sales and carbon credits from energy generation from waste incineration and incentivising waste to energy schemes by municipalities.'

#### **5.2 System of Waste Management Officers**

WMO should not be in the unenviable position of having to 'seek to enforce' the law on their own sphere of government. Does it not make sense for provincial WMO to have responsibility for municipal activities?

#### **5.3 Integrated Waste Management Planning**

The manner in which IWMP are developed must be in consultation with not only the public but specifically the waste pickers.

#### **5.8.4 DEA-DTI co-ordination**

It is suggested here that civil society be linked up in the process, so that the plans are not developed in the arena and then placed forward as near final when presented to the public.