



GAUTENG PROVINCE

AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Reference: Complaint: Non-compliance with conditions of the Waste Management License, Principles of NEMA and Constitution of the Republic of South Africa

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BY ELECTRONIC MAIL: vicechair@primroserpa.co.za

Mr. David Hutch-Barr
The Vice Chair
Primrose Ratepayers' Association

Cell: 061 155 3748

Dear Madam

RESPONSE TO THE ALLEGED NON-COMPLIANCE WITH CONDITIONS OF THE WASTE MANAGEMENT LICENSE, PRINCIPLES OF NEMA AND CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, AT SIMMER AND JACK LANDFILL SITE

1. Your complaint dated, 31 March 2023 to the Department alleging non-compliance with conditions of the Waste Management License, Principles of NEMA and the Constitution of the Republic of South Africa in relation to the operation and management of Simmer and Jack landfill site has reference.
2. This letter serves to inform you that your complaint regarding the above-mentioned complaint was investigated on 4 April 2023, and the Department wishes to inform you as follows:
 - 2.1 During the site inspection, the following were noted:
 - a. Waste was not compacted and covered daily;
 - b. Leachate generated from cells 5 and 6 was not channelled to the designated leachate dam located on-site and was not treated to reduce unpleasant odour;
 - c. Uncontrolled access to the landfill site was enabled through broken sections of the perimeter fence which were not repaired;
 - d. There was elevated odour emanating from uncovered waste at the landfill site which has a potential to cause nuisance to surrounding community;
 - e. Landfill slope exceeds the standard inclination ratio of 3:1, thereby making it a safety hazard as it has a potential to collapse upon waste reclaimers; and
 - f. Only general waste is being accepted and landfilled.

3. Subsequent to the site inspection conducted by Departmental EMIs, the Department also engaged with the City of Ekurhuleni and the following information was received from the site manager which highlighted the following actions taken by the City of Ekurhuleni Metropolitan Municipality:

4.1. The City of Ekurhuleni Metropolitan Municipality has deployed additional equipment/plant (i.e., bulldozer, ADT and excavator) at Simmer and Jack landfill site to fast track the correcting and covering of exposed waste on slopes 5 and 6 as well as uncovered waste on the disposal area.

4.2. The City has recently re-opened Rooikraal Landfill Site resources on 11 March 2023 in order to reduce waste volumes of waste entering Simmer and Jack landfill site. Only waste from mini sites and transfer stations will therefore be accepted at Simmer and Jack Landfill Site.

4.3. Odour cure (a chemical used to mask odour) is being applied to mitigate odour emission. However, the effectiveness of the odour cure is hampered by large volumes of waste received by the landfill site and the fact that the waste is neither covered nor compacted daily.

5. In view of the above the Department has decided to issue the City of Ekurhuleni with a Directive in terms of section 28(4) of the NEMA.

The Department will closely monitor the landfill site to ensure that the Directive is complied with.

Should you require clarification regarding contents of this letter, please contact Kainos Hove on 011 240 2780 or Kainos.Hove@gauteng.gov.za

Yours faithfully

Ms Matilda Gasela

HOD: Department of Agriculture, Rural Development and Environment.

Date:

28 APRIL 2023

Acknowledgement of Receipt:

Received by Mr/Ms _____

On behalf of the company _____

On this _____ **day of** _____ **2023, at** _____

Signature _____