

GN. 1986
GG12703
24 August 1990

**IDENTIFICATION OF MATTER AS WASTE - ENVIRONMENT CONSERVATION ACT,
1989**

[Amended by GN 292, GG 24938 of 28 February 2003]

For the purposes of the definition of “waste” in section 1 of the Environment Conservation Act, 1989 (Act No 73 of 1989), the Minister of Environment Affairs identify as an undesirable or superfluous by-product, emission, residue or remainder of any process or activity, any matter, gaseous, liquid or solid or any combination thereof, originating from any residential, commercial or industrial area, which -

- a) is discarded by any person; or
- b) is accumulated and stored by any person with the purpose of eventually discarding it with or without prior treatment connected with the discarding thereof; or
- (c) building rubble used for filling or levelling purposes;
- (d) is stored by any person with the purpose of recycling, re-using or extracting a usable product from such matter, excluding -
 - (i) water used for industrial purposes or any effluent produced by or resulting from such use which is discharged in compliance with the provisions of section 21 (1) of the Water Act, 1956 (Act No 54 of 1956) or on the authority of an exemption granted under section 21 (4) of the said Act;
 - (ii) any matter discharged into a septic tank or french drain sewerage system and any water or effluent contemplated by section 21 (2) of the Water Act, 1956;
 - (iii) any radio-active substance discarded in compliance with the provisions of the Nuclear Energy Act, 1982 (Act No. 92 of 1982);
 - (iv) any minerals, tailings, waste-rock or slimes produced by or resulting from activities at a mine or works as defined in section 1 of the Mines and Works Act, 1956 (Act No. 27 of 1956); and
 - (v) ash produced by or resulting from activities at an undertaking for the generation of electricity under the provisions of the Electricity Act, 1987 (Act No 41 of 1987).