

TRANSNET LIMITED

(Registration no. 1990/000900/30)

**SAFETY ARRANGEMENTS AND PROCEDURAL COMPLIANCE
WITH THE OCCUPATIONAL HEALTH AND SAFETY ACT
(ACT 85 OF 1993) AND APPLICABLE REGULATIONS****1. General**

- 1.1 The Contractor and Transnet Limited (hereinafter referred to as "Transnet") are individual employers, each in its own right, with their respective duties and obligations set out in the Occupational Health and Safety Act, Act 85 of 1993 (the Act) and applicable Regulations.
- 1.2 The Contractor accepts, in terms of the General Conditions of Contract and in terms of the Act, his obligations as an employer in respect of all persons in his employ, other persons on the premises or the Site or place of work or on the work to be executed by him, and under his control. He shall, before commencement with the execution of the contract work, comply with the provisions set out in the Act, and shall implement and maintain a Health and Safety Plan as described in the Construction Regulations, 2003 and as approved by Transnet, on the Site and place of work for the duration of the Contract.
- 1.3 The Contractor accepts his obligation to complying fully with the Act and applicable Regulations notwithstanding the omission of some of the provisions of the Act and the Regulations from this document.
- 1.4 Transnet accepts, in terms of the Act, its obligations as an employer of its own employees working on or associated with the site or place of work, and the Contractor and Technical Officer or his deputy shall at all times, co-operate in respect of the health and safety management of the site, and shall agree on the practical arrangements and procedures to be implemented and maintained during execution of the Works.
- 1.5 In the event of any discrepancies between any legislation and this specification, the applicable legislation will take precedence.

2. Definitions

- 2.1 In this Specification any word or expression to which a meaning has been assigned in the Construction Regulations, shall have the meaning so assigned to it, unless the context otherwise indicates: -
- 2.2 The work included in this Contract shall for the purposes of compliance with the Act be deemed to be "**Construction Work**", which, in terms of the Construction Regulations, 2003 means any work in connection with: -
 - (a) the erection, maintenance, alteration, renovation, repair, demolition or dismantling of or addition to a building or any similar structure;

- (b) the installation, erection, dismantling or maintenance of fixed plant where such work includes the risk of a person falling;
 - (c) the construction, maintenance, demolition or dismantling of any bridge, dam, canal, road, railway, runway, sewer or water reticulation system or any similar civil engineering structure; or
 - (d) the moving of earth, clearing of land, the making of an excavation, piling, or any similar type of work;
- 2.3 **“competent person”** in relation to construction work, means any person having the knowledge, training and experience specific to the work or task being performed: Provided that where appropriate qualifications and training are registered as per the South African Qualifications Authority Act, 1995 these qualifications and training shall be deemed to be the required qualifications and training;
- 2.4 **“contractor”** means principal contractor and **“subcontractor”** means contractor as defined by the Construction Regulations, 2003.
- 2.5 **“fall protection plan”** means a documented plan, of all risks relating to working from an elevated position, considering the nature of work undertaken, and setting out the procedures and methods applied to eliminate the risk;
- 2.6 **“health and safety file”** means a file, or other record in permanent form, containing the information required to be kept on site in accordance with the Act and applicable Regulations;
- 2.7 **“Health and Safety Plan ”** means a documented plan which addresses the hazards identified and include safe work procedures to mitigate, reduce or control the hazards identified;
- 2.8 **“Risk Assessment”** means a programme to determine any risk associated with any hazard at a construction site, in order to identify the steps needed to be taken to remove, reduce or control such hazard;
- 2.9 **“the Act”** means the Occupational Health and Safety Act No. 85 of 1993.

3. **Procedural Compliance**

3.1 The Contractor who intends to carry out any construction work shall, before carrying out such work, notify the Provincial Director in writing if the construction work:-

- (a) includes the demolition of a structure exceeding a height of 3 metres; or
- (b) includes the use of explosives to perform construction work; or
- (c) includes the dismantling of fixed plant at a height greater than 3m,

and shall also notify the Provincial Director in writing when the construction work exceeds 30 days or will involve more than 300 person days of construction work and if the construction work:-

- (a) includes excavation work deeper than 1m; or

- (b) includes working at a height greater than 3 metres above ground or a landing.
- 3.2 The notification to the Provincial Director shall be on a form similar to Annexure A of the Construction Regulations, 2003, also shown in Annexure 1 of this Specification. The Contractor shall ensure that a copy of the completed notification form is kept on site for inspection by an inspector, Technical Officer or employee.
- 3.3 The Contractor shall, in accordance with the Act and applicable Regulations, make all the necessary appointments of competent persons in writing on a form similar to Annexure 2 of this Specification and deliver copies thereof to the Technical Officer. Copies should also be retained on the health and safety file.
- 3.4 Subcontractors shall also make the above written appointments and the Contractor shall deliver copies thereof to the Technical Officer.
- 3.5 In the case of a self-employed Contractor or any subcontractor who has the appropriate competencies and supervises the work himself, the appointment of a construction supervisor in terms of regulation 6.1 of the Construction Regulations, 2003 will not be necessary. The Contractor shall in such a case execute and sign a declaration, as in Annexure 3, by which he personally undertakes the duties and obligations of the "Chief Executive Officer" in terms of section 16(1) of the Act.
- 3.6 The Contractor shall, before commencing any work, obtain from the Technical Officer an access certificate as in Annexure 4 executed and signed by him, permitting and limiting access to the designated site or place of work by the Contractor and any subcontractors under his control.
- 3.7 Procedural compliance with Act and Regulations, as above, shall also apply to any subcontractors as employers in their own right. The Contractor shall furnish the Technical Officer with full particulars of such subcontractors and shall ensure that they comply with the Act and Regulations and Protekon's safety requirements and procedures.

4. **Special Permits**

Where special permits are required before work may be carried out such as for hotwork, isolation permits, work permits and occupations, the Contractor shall apply to the Technical Officer or the relevant authority for such permits to be issued. The Contractor shall strictly comply with the conditions and requirements pertaining to the issue of such permits.

5. **Health and Safety Programme**

- 5.1 The Tenderer shall, with his tender, submit a Health and Safety Programme setting out the practical arrangements and procedures to be implemented by him to ensure compliance by him with the Act and Regulations and particularly in respect of: -
- (i) The provision, as far as is reasonably practical, of a working environment that is safe and without risk to the health of his employees and subcontractors in terms of section 8 of the Act;

- (ii) the execution of the contract work in such a manner as to ensure in terms of section 9 of the Act that persons other than those in the Contractor's employment, who may be directly affected by the contract work are not thereby exposed to hazards to their health and safety;
 - (iii) ensuring, as far as is reasonably practical, in terms of section 37 of the Act that no employee or subcontractor of the Contractor does or omits to do any act which would be an offence for the Contractor to do or omit to do.
- 5.2 The Contractor's Health and Safety Programme shall be based on a risk assessment in respect of the hazards to health and safety of his employees and other persons under his control that are associated with or directly affected by the Contractor's activities in performing the contract work and shall establish precautionary measures as are reasonable and practical in protecting the safety and health of such employees and persons.
- 5.3 The Contractor shall cause a risk assessment contemplated in clause 5.2 above to be performed by a competent person, appointed in writing, before commencement of any Construction Work and reviewed during construction. The Risk Assessments shall form part of the Health and Safety programme to be applied on the site and shall include at least the following:
- (a) The identification of the risks and hazards that persons may be exposed to;
 - (b) the analysis and evaluation of the hazards identified;
 - (c) a documented Health and Safety Plan, including safe work procedures to mitigate, reduce or control the risks identified;
 - (d) a monitoring and review plan.
- 5.4 The Health and Safety Plan shall include full particulars in respect of: -
- (a) The safety management structure to be instituted on site or place of work and the names of the Contractor's health and safety representatives and members of safety committees where applicable;
 - (b) the safe working methods and procedures to be implemented to ensure the work is performed in compliance with the Act and Regulations;
 - (c) the safety equipment, devices and clothing to be made available by the Contractor to his employees;
 - (d) the site access control measures pertaining to health and safety to be implemented;
 - (e) the arrangements in respect of communication of health and safety related matters and incidents between the Contractor, his employees, subcontractors and the Technical Officer with particular reference to the reporting of incidents in compliance with Section 24 and General Administrative Regulation 8 of the Act and with the pertinent clause of the General Conditions of Contract forming part of the Contract and

- (f) the introduction of control measures for ensuring that the Safety Plan is maintained and monitored for the duration of the Contract.
- 5.4 The Health and Safety programme shall be subject to the Technical Officer's approval and he may, in consultation with the Contractor, order that additional and/or supplementary practical arrangements and procedures be implemented and maintained by the Contractor or that different working methods or safety equipment be used or safety clothes be issued which, in the Technical Officer's opinion, are necessary to ensure full compliance by the Contractor with his obligations as an employer in terms of the Act and Regulations. The Technical Officer or his deputy shall be allowed to attend meetings of the Contractor's safety committee as an observer.
- 5.5 The Contractor shall take reasonable steps to ensure that each subcontractor's Health and Safety Plan is implemented and maintained on the construction site: Provided that the steps taken, shall include periodic audits at intervals mutually agreed to between the them, but at least once every month.
- 5.6 The Contractor shall stop any subcontractor from executing any construction work, which is not in accordance with the Contractor's, and/or subcontractor's Health and Safety Plan for the site or which poses a threat to the health and safety of persons.
- 5.7 The Contractor shall ensure that a copy of the Health and Safety Plan is available on site for inspection by an inspector, Technical Officer, agent, subcontractor, employee, registered employee organisation, health and safety representative or any member of the health and safety committee.
- 5.8 The Contractor shall consult with the health and safety committee or, if no health and safety committee exists, with a representative group of employees, on the development, monitoring and review of the Risk Assessment.
- 5.9 The Contractor shall ensure that all employees under his control are informed, instructed and trained by a competent person regarding any hazard and the related work procedures before any work commences, and thereafter at such times as may be determined in the Risk Assessment.
- 5.10 The Contractor shall ensure that all subcontractors are informed regarding any hazard as stipulated in the Risk Assessment before any work commences, and thereafter at such times as may be determined in the Risk Assessment.
- 5.11 The Contractor shall ensure that all visitors to a construction site undergoes health and safety induction pertaining to the hazards prevalent on the site and shall be provided with the necessary personal protective equipment.

6. **Fall Protection Plan**

- 6.1 In the event of the risk and hazard identification, as required in terms of clause 5.3 of this Specification, revealing risks relating to working from an elevated position the contractor shall cause the designation of a competent person, responsible for the preparation of a fall protection plan;

- 6.2 The Contractor shall implement, maintain and monitor the fall protection plan for the duration of Contract. The Contractor shall also take such steps to ensure the continued adherence to the fall protection plan.
- 6.3 The fall protection plan shall include:-
- (a) A Risk Assessment of all work carried out from an elevated position;
 - (b) the procedures and methods to address all the identified risks per location;
 - (c) the evaluation of the employees physical and psychological fitness necessary to work at elevated positions;
 - (d) the training of employees working from elevated positions; and
 - (e) the procedure addressing the inspection, testing and maintenance of all fall protection equipment.

7. Hazards and Potential Hazardous Situations

The Contractor and the Technical Officer shall immediately notify one another of any hazardous or potentially hazardous situations which may arise during performance of the Contract by the Contractor or any subcontractor and, in particular, of such hazards as may be caused by the design, execution and/or location and any other aspect pertaining to the contract work.

8. Health and Safety File

- 8.1 The Contractor shall ensure that a health and safety file is opened and kept on site and shall include all documentation required as per the Act and applicable regulations, and made available to an inspector, the Technical Officer, or subcontractor upon request.
- 8.2 The Contractor shall ensure that a copy of the both his Health and Safety Plan as well as any subcontractor's Health and Safety Plan is available on request to an employee, inspector, contractor or the Technical Officer.
- 8.3 The Contractor shall hand over a consolidated health and safety file to the Technical Officer upon completion of the Construction Work and shall in addition to documentation mentioned in the Act and applicable Regulations include a record of all drawings, designs, materials used and other similar information concerning the completed structure.

ANNEXURE 1**OCCUPATIONAL HEALTH AND SAFETY ACT, 1993****Regulation 3(1) of the Construction Regulations****NOTIFICATION OF CONSTRUCTION WORK**

-
-
- 1(a) Name and postal address of principal contractor:

- (b) Name and tel. no of principal contractor's contact person:

2. Principal contractor's compensation registration number: _____
- 3.(a) Name and postal address of client:

- (b) Name and tel no of client's contact person or agent:

- 4.(a) Name and postal address of designer(s) for the project:

- (b) Name and tel. no of designer(s) contact person:

5. Name and telephone number of principal contractor's construction supervisor on site appointed in terms of regulation 6(1).

6. Name/s of principal contractor's construction sub-ordinate supervisors on site appointed in terms of regulation 6(2).

7. Exact physical address of the construction site or site office:

8. Nature of the construction work:

9. Expected commencement date: _____
10. Expected completion date: _____

11. Estimated maximum number of persons on the construction site: _____

12. Planned number of contractors on the construction site accountable to the principle contractor:

13. Name(s) of contractors already chosen.

Principal Contractor

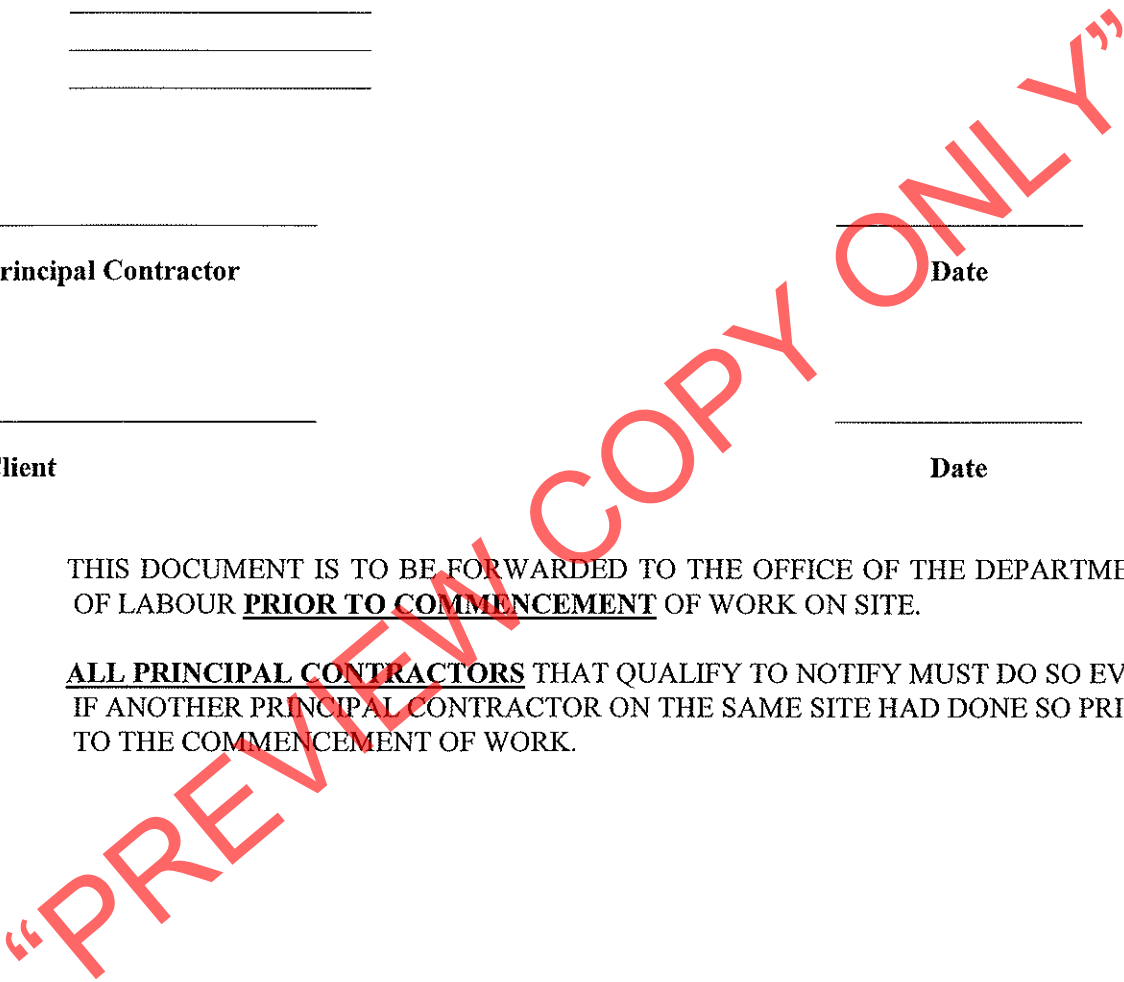
Date

Client

Date

* THIS DOCUMENT IS TO BE FORWARDED TO THE OFFICE OF THE DEPARTMENT OF LABOUR **PRIOR TO COMMENCEMENT** OF WORK ON SITE.

* **ALL PRINCIPAL CONTRACTORS** THAT QUALIFY TO NOTIFY MUST DO SO EVEN IF ANOTHER PRINCIPAL CONTRACTOR ON THE SAME SITE HAD DONE SO PRIOR TO THE COMMENCEMENT OF WORK.



ANNEXURE 2**(COMPANY LETTER HEAD)****OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993) :****SECTION/REGULATION:** _____**REQUIRED COMPETENCY:** _____

In terms of _____ I, _____

representing the Employer) do hereby appoint _____

As the Competent Person on the premises at _____

(physical address) to assist in compliance with the Act and the applicable Regulations.

Your designated area/s is/are as follows :-

_____*Date :* _____*Signature :-* _____*Designation :-* _____**ACCEPTANCE OF DESIGNATION***I, _____ do hereby accept this Designation and acknowledge that I understand the requirements of this appointment.**Date :* _____*Signature :-* _____*Designation :-* _____

ANNEXURE 3**(COMPANY LETTER HEAD)****OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT 85 OF 1993) :****DECLARATION**

In terms of the above Act I, _____ am personally assuming the duties and obligations as Chief Executive Officer, defined in Section 1 of the Act and in terms of Section 16(1). I will, as far as is reasonably practicable, ensure that the duties and obligations of the Employer as contemplated in the above Act are properly discharged.

Signature :- _____

Date : _____

“PREVIEW COPY ONLY”

ANNEXURE 4

(LETTER HEAD OF BUSINESS DIVISION OR UNIT OF TRANSNET LIMITED)

SITE ACCESS CERTIFICATE

Access to : _____ (Area)
Name of Contractor/Builder :- _____
Contract/Order No.: _____

The contract works site/area described above are made available to you for the carrying out of associated works

In terms of your contract/order with
(company) _____

Kindly note that you are at all times responsible for the control and safety of the Works Site, and for persons under your control having access to the site.

As from the date hereof you will be responsible for compliance with the requirements of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) as amended, and all conditions of the Contract pertaining to the site of the works as defined and demarcated in the contract documents including the plans of the site or work areas forming part thereof.

Signed : _____ Date : _____
TECHNICAL OFFICER

ACKNOWLEDGEMENT OF RECEIPT

Name of Contractor/Builder :- _____ I,
_____ do hereby acknowledge and accept the duties
and obligations in respect of the Safety of the site/area of Work in terms of the Occupational Health and
Safety Act; Act 85 of 1993.

Name : _____ Designation : _____

Signature : _____ Date : _____

POLICY ON THE HANDLING AND DISPOSAL OF ASBESTOS AND ASBESTOS CONTAINING WASTE IN TERMS OF SECTION 20 OF THE ENVIRONMENT CONSERVATION ACT, 1989 (ACT 73 OF 1989)

1. Purpose of Policy

The purpose of this policy is to provide clarity regarding the handling and disposal of asbestos containing waste (ACW), both when disposing in a mono-disposal site, i.e. a site specifically design for asbestos, or a co-disposal site.

2. Introduction

Asbestos is an indigenous fibrous mineral that has been mined in a number of sites in Southern Africa and, because of its excellent resistance to heat, has been used for the manufacture of various products since the 1900's (see section 4). Many studies have described a link between occupational exposure to various types of asbestos and lung cancer and associated diseases and has therefore been designated as a *known human carcinogen*. This carcinogenic activity is directly linked to the air pathway and ingestion of the fibres when swallowed in water does not carry any associated cancer risks. Asbestos shows a slight solubility in water and the natural fibres tend to become blunted on a molecular scale thus greatly reducing the associated cancer risk. Water therefore serves as a natural route for the removal of fibres from the air and as a mechanism to suppress the emission of fibres into the air environment.

3. Legislative Framework

The disposal of asbestos is controlled under section 20 of the Environmental Conservation Act, 1989. This section states that waste may only be disposed on a site that is permitted by the Department of Water Affairs and Forestry. Other applicable legislation includes the:

- * Occupational Health and Safety Act (OHSA) (Act 85 of 1993)
- * The Asbestos Regulations (R773 of 10 April 1987) promulgated under the OHSA
- * Mine Health and Safety Act (Act of 1993)
- * National Environmental Management Act (Act 107 of 1998)

The Department of Water Affairs and Forestry (DWAF) is committed to the principles of co-operative governance, therefore the handling and disposal of asbestos must take into account other applicable legislative requirements.

4. Sources and Classification of Asbestos Containing Waste

Asbestos containing waste (ACW) is divided into four hazard classes, A to D, table 1. The major types and are given in table 1:

Table 1: Classes of ACW and examples of waste falling each class:

ACW Hazard Call	Examples of ACW
<p>Class A: Any friable ACW</p>	<p>Raw asbestos (e.g. asbestos damaged in transit or no longer required).</p> <p>Bags previously used to transport raw asbestos (that have not been melted into a solid mass).</p> <p>Asbestos insulation, limpet spray of pipe lagging removed from power stations, buildings, boilers or pipe works.</p> <p>Pure asbestos rope or textiles</p>
<p>Class B: Any non-friable ACW that has become crumbled, pulverised or reduced to powder during manufacturing, installation, renovation or demolition operations, such that it is likely to release fibres into the air.</p>	<p>Dry swarf or cutting dust from the asbestos cement or friction material production process.</p> <p>Used filter bags from dust extraction units at the workplace.</p> <p>Asbestos cement that has unavoidably been crumbled, pulverised, or reduced to powder during demolition operations.</p> <p>Disposal equipment and clothing contaminated with asbestos.</p>
<p>Class C: Any Class B ACW that has been adequately wetted or otherwise encapsulated such that it will not release fibres into the air</p>	<p>Wet swarf or cutting dust from the asbestos-cement or friction material production process.</p> <p>Sludge, slurry or wet waste from the production process.</p> <p>Bags previously used to transport asbestos that have been melted into a solid mass in an autoclave.</p>
<p>Class D: Any non-friable ACW that is essentially in the same condition as when manufactured and is unlikely to release respirable fibres after being declared a waste product.</p>	<p>Asbestos cement sheets or pipes.</p> <p>Off cuts of asbestos-cement sheets or pipes.</p> <p>Disused friction products such as gaskets, brake pads or clutch plates</p>

In table 1, the potential hazard or risk associated with the release of fibres, see section 5, is highest in class A and decreases to class D, where the risk posed by the waste is extremely small.

A similar approach is used by the US EPA which has published a document in terms of their National Emissions Standards for Hazardous Air Pollutants (NESHAP) [1], in which they define a number of important terms and conditions for asbestos products, i.e.

Friable Asbestos Material: is any material containing more than 1 % asbestos as determined using Polarised Light Microscopy (PLM), that when dry, can be crumbled, pulverised, or reduced to powder by hand pressure.

Asbestos Containing Waste Material: includes mill tailings or any waste that contains commercial asbestos. The term includes filters from control devices, friable asbestos waste material, and bags or other similar packaging contaminated with commercial

asbestos.

Non-friable asbestos Containing Material: is any material containing more than 1 % asbestos as determined by Polarised Light Microscopy (PLM), that when dry, cannot be crumbled, pulverised, or reduced to powder by hand pressure.

Note that in the US EPA definition a material must contain more than 1 % asbestos before it falls into the hazard category, which is similar to the proposed class A, ACW. However, due to the problems associated with this analysis, it is proposed that waste is even suspected of containing asbestos that is friable, be considered for class A.

5. Toxicity and Hazard Rating

Asbestos is classified as HGI, an extreme hazard, in terms of the Minimum Requirements for the Classification, Handling and Disposal of Hazardous Waste because it is a Group A carcinogen, i.e. it has definitely been shown to cause cancer in humans [2-3]. The fibres, which may not be present in all forms of asbestos, can cause lung and other forms of cancer. Six groups of asbestos fibres are recognised and these are further divided into two main groups, i.e. amphibole-asbestos and serpentine-asbestos. The latter, which is commonly known as white asbestos, is chrysotile, whereas the blue or amphibole asbestos group includes crocidolite, amosite, tremolite, actinolite and anthophyllite. Blue asbestos is classified as class 9(II) in terms of SABS 0228 and white asbestos as class 9(III) [3].

All forms of asbestos are assumed, in terms of the precautionary principle, to be extremely hazardous, HGI, i.e. to be a class A ACW, until proven otherwise. However, in the Minimum Requirements [2], it is a fundamental principle that a waste can be downgraded or “delisted”, if it can be shown that the concentration or availability of the hazardous component is below an acceptable risk limit. Provided the ACE is probably hazardous only because of its potential to release fibres and there are no other hazardous components, e.g. leachable heavy metals, then if no fibres are released above the accepted action level, it can be considered non-hazardous and delisted.

The accepted action level for determining whether an ACW is hazardous is that defined in the Occupational Health and Safety Act (Act 85 of 1993) as the ability to release “0.5 regulated asbestos fibres per millilitre”. A regulated asbestos fibre means “a particle of asbestos with a length to diameter ratio greater than 3 to 1, a length greater than five micrometers (μm) and a diameter less than 3 μm .” The four classes of ACW are further defined below.

A Class A, ACW is that which has been shown to or because of its origin or form (table 1) is suspected to give off regulated fibres above 0.5 per millilitre and is classified as extremely hazardous, HGI.

A Class B, ACE is one that because of its origin may be not hazardous due to the release of regulated fibres but tests for fibres have not been conducted. Therefore, it is classified as an extreme hazard, HGI in terms of the precautionary principle.

A Class C, ACW is one that, because of its origin or form (table 1), or because of treatment, e.g. by cementation, by containment in sealed drums or bags and/or is adequately wetted (section 6.2.1) cannot give off regulated fibres or the numbers of regulated fibres have been shown to be below the legal action level of 0.5 per millilitre. A Class C, ACW is not hazardous due to the production of regulated fibres and therefore delists in terms of the

Minimum Requirements [2].

A *Class D, ACW* is one that, because of its origin or form (table 1), i.e. one that is manufactured and has been adequately demonstrated to not give off regulated fibres above 0.5 fibres/ millilitre. As a precaution, treatment, e.g. by wetting prior to disposal, must be done. A Class D, ACW is not hazardous due to the production of regulated fibres and therefore delists in terms of the Minimum Requirements [2].

Asbestos is normally inert to the leaching of heavy metals and other hazardous species, but a TCLP or Acid Rain leaching test must be done, if contamination with other hazardous species is suspected due to its prior use or subsequent contamination.

6. Approved Treatment and Disposal Methods

All operational procedures must be in accordance with the Asbestos Regulations

6.1 Waste Minimisation

In accordance with the National Environmental Act (Act 107 of 1998), the Department of Water Affairs and Forestry will encourage any procedures that result in the avoidance and/or recycling of asbestos waste. Recycling of waste produced within the production process is preferred and only unavoidable waste should be disposed. The utilisation and destruction of asbestos, when used as part of the feedstock into cement kilns or incineration processes, may be acceptable, but application for a permit must be made to the Department of Water Affairs and Forestry and the Department of Environmental Affairs and Tourism.

6.2 Treatment Technologies

6.2.1 Wetting

The major technology used to minimise the formation of asbestos fibres is to wet it normally with water. The US EPA has defined the term "Adequately Wetted", when water is used to control the emissions of particulate asbestos [1] and this terminology has been accepted for use in South Africa.

"Adequately wetted means to sufficiently mix or penetrate the ACW with liquid to prevent the release of airborne fibres. Suitable liquids include a wetting agent, amended water (water to which surfactant chemicals have been added, such as a 50:50 mixture of polyoxyethylene ester and polyoxyethylene ether in a 0,16 % solution of water) or plain water."

The ACW should be visibly wet and, if bagged, droplets of moisture should be evident. Control procedures, see section 6.3, must be in place to ensure that the ACW is adequately wetted and does not dry out during handling, transport or disposal.

6.2.2 Solidification

Solidification of asbestos wastes can be accomplished utilising cement and

other fixation agents such as water based silicates. Cementation by the addition of Ordinary Portland Cement or other Department of Water Affairs and Forestry approved poliozanic material can be cost effective, particularly Class A and B ACW. Note that cementation into a massive form would result in a Class D ACW. Any procedure must be approved by the Department and include test data on the final product showing that the fibre levels have been reduced to the accepted level.

6.3 Landfilling

Application must be made to the Department of Water Affairs and Forestry for permission to dispose asbestos at any site. Information required for full permitting include:

- The design plan for the proposed disposal area;
- A operational plan approved by the Department of Labour that the proposed operating procedures comply with the Asbestos Regulations;
- A rehabilitation plan; and
- Proof of Land Zoning

Asbestos can be disposed to a mono-disposal site or a co-disposal site.

6.3.1 Mono-disposal Sites

A mono-disposal site is one *solely for the purpose of accepting asbestos* and, because asbestos does not pose a pollution risk to water resources, the normal lining requirements for waste disposal facilities, as outlined in the Minimum Requirements for the Disposal of Waste to Landfill [4] do not apply. The liner must be an impregnable layer of at least 500mm, consisting of material such as cement or solidified ash. A mono-disposal site for asbestos must be closed by covering with a 500mm layer of ash followed by an ashcrete or concrete dome. An ashcrete dome must consist of at least 10 % by mass of cementitious material, be compacted to ~2 % above optimum moisture content and must be 1 metre wider and longer than the trench width and length.

6.3.2 Co-disposal Sites

The Department requires all waste to be treated in order to minimise the risk to human health and the environment. All classes of ACW can be so treated before disposal.

Because Class A, ACW is a known human carcinogen with a hazard rating of 1, and Class B, ACW are potentially hazardous, the Department requires direct disposal of these categories to HH co-disposal sites.

However, all classes of wastes, A to D can be treated before disposal, section 3.2, and

Hh or G Landfills can apply for a permit amendment to accept other forms of asbestos provided that the correct treatment and control procedures are in place or/and the practice of disposal does not constitute a hazard and is fully compatible with the Minimum Requirements.

All sites must be specifically permitted for the acceptance of ACW and application must be made to the Department for an amendment.

The requirements should be discussed with the Regional office of the Department, but permission will not be granted where informal recycling is taking place or where there is any potential for risk to the public or workers. Note that a demarcated area and surveyed area must be set aside for asbestos disposal (see section 6.3.3).

6.3.3 Landfilling Practice. The following practices must be observed:

- All fibrous material falling into classes A to C (see table 1) must be double bagged in plastic bags with a minimum thickness of 75 microns before the waste is brought to the landfill. Transparent bags are referred, since they allow inspection of the waste to see if it is “adequately filled” without having to undo the bag. This avoids having the operator, auditor or inspector potentially exposed to fibres. Droplets of moisture should be visible on the inside of the bag.
- Class D wastes (see table 1) that includes larger items such as pipes and boards should be kept wet as a precautionary measure at all times before disposal at the site. Class D wastes should be transported in vehicles or stored should be covered with a tarpaulin and wetted immediately prior to disposal.
- All asbestos waste (classes A to D) that has been treated and packaged as required in these regulations, must be deposited into trenches and immediately covered. Options include:

On a mono-disposal site, the waste must be deposited in a trench ash and immediately covered with, at least, a metre of ash.

On a co-disposal site, the waste must be immediately covered with domestic waste and carefully compacted. Otherwise it can be deposited in a deep trench, the waste must be completely covered with layer of ash, at least 25cm in depth. This will provide sufficient protection to the waste before a second layer is deposited on top. The trench should be closed, by adding a final layer of ash and/or general waste of at least 50cm in depth and compacting.

- During disposal, care must be taken to minimise the potential breaking of bags.
- *Only essential personnel* should be allowed to be close to the waste and should, as far as is possible, stand up wind, while the waste is being disposed. Personal protective equipment required in terms of the Occupational Health and Safety Act and the Asbestos Regulations must be worn at all times.
- No scavenging or other reclamation activities are allowed on or near the ACW disposal area within a waste disposal site, although the general

presence of scavengers does not automatically disqualify a site.

- ❑ On a co-disposal site, a surveyed area with the coordinates must be designated as the ACW disposal area. Other waste can be disposed in this area, but records must be maintained in order to prevent trenching or other operations taking place that could lead to the release of asbestos fibres.
- ❑ The ACW disposal area must be demarcated with hazard tape and signs erected to indicate that it is an asbestos area in terms of the asbestos regulations and that the appropriate protective clothing and equipment must be worn.
- ❑ No further trenching will be allowed on top of an area previously used for ACW unless it is covered with a layer of compacted waste that is at least 3 metres in depth.
- ❑ A monitoring programme for staff required by the Occupational Health and Safety Act should be implemented. This requires an initial analysis followed by regular monitoring at intervals of between 6 months and 2 years depending on the initial level.
- ❑ The procedures for disposal of ACW must be maintained at all times and must be specifically included in the internal auditing programme and annual external auditing programmes.

7. Permit Requirements for Landfilling

The Department requires any site that wishes to dispose of ACW to apply for an amendment to its permit. The requirements are those listed in these regulations but before formal application, it is recommended that the applicant discuss the requirements with the Regional office of the Department.

8. References

- [1] US EPA: Asbestos NESHAP Adequately Wet Guidance; EPA340/1-90-019, December 1990
- [2] Department of Water Affairs and Forestry, "Minimum Requirements for the Classification, Handling and Disposal of Hazardous Waste". 2nd edition, Pretoria, 1998
- [3] SABS, "Code of Practice for the Identification and Classification of Dangerous Substances and Goods, 0228 – 1990, Pretoria, 1990
- [4] Department of Water Affairs and Forestry, "Minimum Requirements for Waste Disposal by Landfill", 2nd edition, Pretoria, 1998



Transnet Supplier Declaration/Application

The Financial Director or Company Secretary

Transnet Vendor Management has received a request to load your company on to the Transnet vendor database. Please furnish us with the following to enable us to process this request:

1. Complete the "Supplier Declaration Form" (SDF) on page 2 of this letter
2. **Original** cancelled cheque **OR** letter from the bank verifying banking details (**with bank stamp**)
3. **Certified** copy of Identity document of Shareholders/Directors/Members (where applicable)
4. **Certified** copy of certificate of incorporation, CM29 / CM9 (name change)
5. **Certified** copy of share Certificates of Shareholders, CK1 / CK2 (if CC)
6. A letter with the company's letterhead confirming physical and postal addresses
7. **Original** or **certified** copy of SARS Tax Clearance certificate and Vat registration certificate
8. A signed letter from the Auditor / Accountant confirming most recent annual turnover and percentage black ownership in the company **AND/OR** BBBEE certificate and detailed scorecard from an accredited rating agency (SANAS member).

NB: **• Failure to submit the above documentation will delay the vendor creation process.**
• Where applicable, the respective Transnet business unit processing your application may request further information from you. E.g. proof of an existence of a Service/Business contract between your business and the respective Transnet business unit etc.

IMPORTANT NOTES:

- a) **If your annual turnover is less than R5 million**, then in terms of the DTI codes, you are classified as an Exempted Micro Enterprise (EME). If your company is classified as an EME, please include in your submission, a signed letter from your Auditor / Accountant confirming your company's most recent annual turnover is less than R5 million and percentage of black ownership and black female ownership in the company **AND/OR** BBBEE certificate and detailed scorecard from an accredited rating agency (e.g. permanent SANAS Member), should you feel you will be able to attain a better BBBEE score.
- b) **If your annual turnover is between R5 million and R35million**, then in terms of the DTI codes, you are classified as a Qualifying Small Enterprise (QSE) and you claim a specific BBBEE level based on any 4 of the 7 elements of the BBBEE score-card, please include your BEE certificate in your submission as confirmation of your status.
NB: BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (e.g. permanent SANAS Member).
- c) **If your annual turnover is in excess of R35million**, then in terms of the DTI codes, you are classified as a Large Enterprise and you claim a specific BEE level based on all seven elements of the BBBEE generic score-card. Please include your BEE certificate in your submission as confirmation of your status.
NB: BBBEE certificate and detailed scorecard should be obtained from an accredited rating agency (permanent SANAS Member).
- d) **To avoid PAYE tax being automatically deducted from any invoices received from you**, you must also contact the Transnet person who lodged this request on your behalf, so as to be correctly classified in terms of Tax legislation.
- e) Unfortunately, **No payments can be made to a vendor** until the vendor has been registered, and no vendor can be registered until the vendor application form, together with its supporting documentation, has been received and processed.
- f) Please return the completed Supplier Declaration Form (SDF) together with the required supporting documents mentioned above to the Transnet Official who is intending to procure your company's services/products in order that he/she should complete and Internal Transnet Departmental Questionnaire before referring the matter to the appropriate Transnet Vendor Master Office.

Regards,

Transnet Vendor/Supplier Management .Contact person Carol tell: 021 940-3846 fax 021 940-3883.



Supplier Declaration Form

Company Trading Name						
Company Registered Name						
Company Registration Number Or ID Number If A Sole Proprietor						
Form of entity	CC	Trust	Pty Ltd	Limited	Partnership	Sole Proprietor
VAT number (if registered)						
Company Telephone Number						
Company Fax Number						
Company E-Mail Address						
Company Website Address						
Bank Name			Bank Account Number			
Postal Address					Code	
Physical Address					Code	
Contact Person						
Designation						
Telephone						
Email						
Annual Turnover Range (Last Financial Year)		< R5 Million	R5-35 million	> R35 million		
Does Your Company Provide		Products	Services	Both		
Area Of Delivery		National	Provincial	Local		
Is Your Company A Public Or Private Entity			Public	Private		
Does Your Company Have A Tax Directive Or IRP30 Certificate			Yes	No		
Main Product Or Service Supplied (E.G.: Stationery/Consulting)						

BEE Ownership Details

% Black Ownership	% Black women ownership	% Disabled person/s ownership	
Does your company have a BEE certificate	Yes	No	
What is your broad based BEE status (Level 1 to 9 / Unknown)			
How many personnel does the firm employ		Permanent	Part time

Transnet Contact Person	
Contact number	
Transnet operating division	

Duly Authorised To Sign For And On Behalf Of Firm / Organisation

Name	Designation
Signature	Date

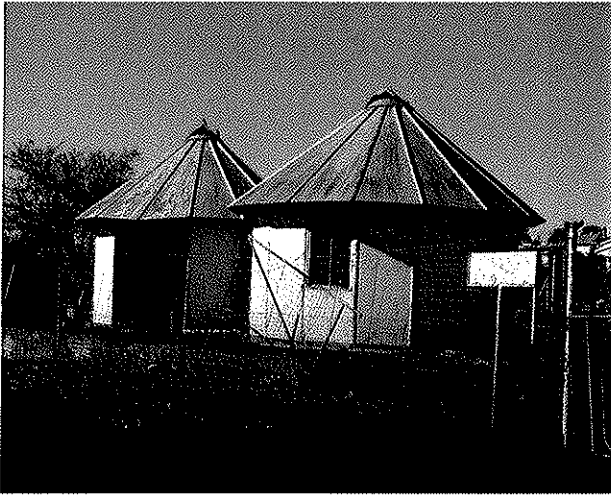
Stamp And Signature Of Commissioner Of Oath

Name	Date
Signature	Telephone No.

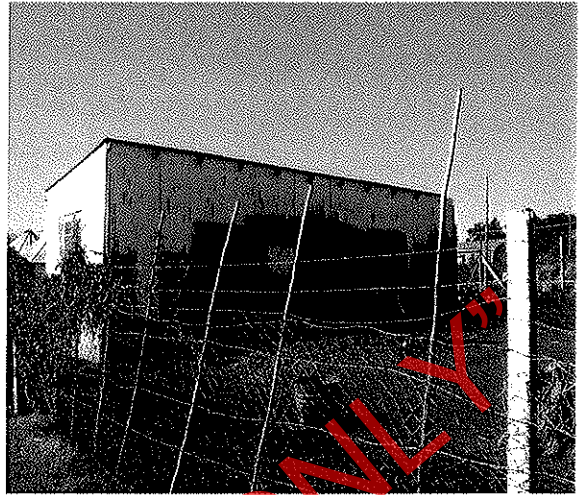
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Transnet Vendor/Supplier Management .Contact person Carol tell: 021 940-3846 fax 021 940-3883

Annexure
Tender BLE/ 52037
Assets to Demolish at Swellendam Goods Yard Area



Hut Rest Rooms Asset 02PFR24C



Corr. Iron Store Asset 02PFT07C



Toilet at Rest Room Asset 02HFT10C



Rest Room Asset 02HFT12C



Rubbish Bin Asset 05ZFT13C