



South African Photovoltaic Industry Association

SAPVIA- Environmental WG Meeting

Date: 24 June 2025

Time: 12:00-13:30

Chairperson: Patricia Schröder

Declaration of Interest and Prevention of Anti-Competitive Behaviour

Participants of all SAPVIA meetings agree not to engage in or discuss the following topics:

- **Price-Fixing** - current or future prices, pricing strategies, or price changes.
- **Market Division** - allocation of customers, suppliers, territories, or market shares, dividing markets by geographic areas or product lines.
- **Collusive Tendering** - bid-rigging, including agreements on who will submit bids or the terms of bids, information about tender processes or strategies.
- **Production and Supply Control** - agreements to limit or control production, supply, or distribution of products or services, capacity, production quotas, or inventory levels.
- **Boycotts** - agreements to boycott or refuse to deal with specific customers, suppliers, or competitors, collective actions against any market participant.
- **Information Sharing** - competitively sensitive information, including sales volumes, market shares, costs, marketing strategies, future business plans, research and development projects, or investment strategies.
- **Exclusionary Practices** - strategies to exclude competitors from the market or to create barriers to entry, exclusive dealing, tying arrangements, or predatory pricing.
- **Anti-Competitive Agreements** - discussions that could lead to anti-competitive agreements, whether formal or informal, conversations that could be interpreted as attempts to coordinate competitive behaviour.

Facilitator	Patricia Schröder (PS)	Attendees:
Note taker	Thabang Molai (TM)	Andrea Siebritz (AS) Elana Mostert (EM) Eloise Costandius (EC) Kakale Munamati (KM) Siphumelele Mqadi (SM) Monique Daniels (MD) Alecia Pienaar (AP) Steffen Schröder (SS) Zeenath Khan (ZK) Kim Jooste (KJ) Serina Pillay (SP) Fakazile Thusi (FT) Juan Swanepoel (JS) Pamela Gama (PG) Sinethemba Mnguni (SM)

1.	Opening	Chairperson
	<p>Welcome and Introduction The chairperson welcomed everyone to the working group meeting and acknowledged attendees for making time to attend.</p> <p>Apologies Espee Hattingh - Steffen Schröder (Proxy)</p> <p>Minutes The minutes of the previous meeting were accepted as a true reflection of the meeting proceedings.</p> <p>Agenda The agenda was adopted with no amendments.</p>	

2.	Focus Areas	
	<p>2.1 Permitting</p> <p>2.1.1 Environmental permitting and licenses</p> <ul style="list-style-type: none"> • AS: • Provided a comprehensive update on the status of environmental permitting. • A meeting was held with SAPVIA board members where it was agreed that a roadshow will be arranged specifically for the Environmental Working Group. • The roadshow will aim to engage with all relevant government departments responsible for permits required to take a project to Financial Close (FC). • Implementation of this roadshow is planned for the next term. • Requested that working group members share any relevant departmental contacts who could be approached for meetings. • In a prior meeting, industry and working group members were asked to submit questions or concerns on the environmental norms for discussion with DFFE. • No responses were received from the group, hence the approach will now be to consult with DFFE on common application mistakes to inform best practices. • The Sandbox Offset Bank has been launched and can be used where applicable in environmental impact assessments. • SS: • Raised a concern based on field experience with waste management and repowering of solar farms. • Closure plans often include allocated funds, but these funds cannot be accessed for non-closure-related environmental management activities (e.g., replacing outdated solar panels). • A solar farm faced difficulty accessing closure funds to manage 100,000 outdated panels during a repowering exercise. • AS noted that closure plans are generally approved by DFFE and that any deviation would be non-compliant. • PS confirmed that closure funds are earmarked strictly for end-of-life decommissioning and not for mid-life operational upgrades. • AP: 	<p>Andrea S- Lead Elana M Pamela G Joanne D Ndileka M Zimbini N Stephan J Kakale M Monique D</p>

	<ul style="list-style-type: none"> Clarified that in the mining sector, financial provisioning includes annual rehabilitation, closure, and post-closure rehabilitation. The National Environmental Management Act (NEMA) has been amended to allow similar regulations for other industries, including renewable energy, but such regulations must still be promulgated by the Minister. Suggested that this matter be raised during the upcoming roadshow discussions with DFFE to emphasize the need for an annual or operational rehabilitation framework for the renewable sector. PS: Provided critical clarification regarding EPR Regulations (2020): The EEE (Electrical and Electronic Equipment) notice covers solar waste, including legacy systems installed prior to the regulation. To benefit from EPR support: Operators/importers must be registered with DFFE. They must pay the EPR fee and work with a Producer Responsibility Organisation (PRO). The PRO manages waste collection and treatment via accredited service providers. If companies fail to register or pay, they cannot access EPR services for waste management. Coverage is not 100% regulations set targets based on a percentage of imported products. However, additional support may be available through discussions with PROs for exceptional cases. Also noted a CSIR-led research project has outlined safe disposal guidelines for different PV technologies based on chemistry and hazard classification. The Waste Act, Labour legislation, and the Occupational Health and Safety Act all apply to the sound environmental management of solar panel waste. There have been instances of illegal and unsafe practices, underlining the importance of regulatory compliance at end-of-life. SS: Stressed the importance of raising awareness among SAPVIA members regarding the varying environmental costs of legacy PV technologies, which may carry significantly higher end-of-life costs than newer models. 	
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	<ul style="list-style-type: none"> Recommended that SAPVIA share budget planning advice with members managing older assets. PG: Reported that a comprehensive list of permits and licenses has been compiled, as discussed in the previous meeting. The list will be shared with members, who can then review and add any missing items. The goal is to ensure project developers are fully aware of compliance requirements. PS recommended Including not just permits and licenses, but also applicable regulations that must be adhered to. Making the final documents downloadable and accessible for the group. <p>2.1.2 South African Defence Force Permits</p> <ul style="list-style-type: none"> AS: Delays have been noted in receiving letters of no objection. A formal meeting request letter has been submitted, which includes a proposed industry-aligned timeline. No response has yet been received. A new contact has been identified and plans to make direct contact for follow-up. 	
	<p>2.1.3 Water Use License Applications (WULA)</p> <ul style="list-style-type: none"> KM: Provided an update on the challenges experienced with WULA applications, particularly delays in obtaining authorisations from provincial or regional departments and further delays when applications are escalated to the national level for comment. A letter was prepared and submitted to the relevant department with support from Andrea. Direct engagement was initiated with the Department of Water and Sanitation (DWS) in Bloemfontein, given their working relationship on projects from the Eastern and Northern Cape. Informal feedback from Bloemfontein officials indicated that while regional offices aim to prioritise renewable energy projects, significant delays originate from the National Department's Water Resource Centres. It was noted that this issue was escalated to the board and incorporated as a key item in the upcoming roadshow. 	<p>Kakale M -Lead Andrea S Fakazile T Elena M</p>

	<ul style="list-style-type: none"> One of the board members recommended leveraging the Minister's spokesperson, with whom there is a direct line, and aligning advocacy efforts with the President's Operation Vulindlela initiative, which targets improved turnaround times in strategic projects. Next steps include continued engagement in the next term and potential escalation to national level leadership. Encouraged to share any similar challenges with their own permit applications to strengthen the collective case to be presented to the department. <p>2.1.4 Mining Permits</p> <ul style="list-style-type: none"> AS: Addressed issues arising under Section 53 of the Mineral and Petroleum Resources Development Act (MPRDA). Industry experience shows that while clean Section 53 approvals are often issued, post-approval disputes arise when existing mining or gas rights holders retroactively deny consent. Additionally, when the Department of Mineral Resources and Energy (DMRE) approves applications with a condition of coexistence, rights holders often do not engage or participate in required consultations. In response, a letter was drafted to DMRE to request a formal engagement to resolve these challenges. Noted the Mineral Resources and Petroleum Development Bill is currently open for public comment. The Bill includes provisions affecting rights holders and public consultation processes. Proposed that the working group should submit consolidated comments on the Bill and invited members to participate in reviewing and drafting input. EC volunteered to assist, noting her previous experience in oil and gas projects. 	
	<p>2.2 Extended Producer Responsibility (EPR) Regulations</p> <p>2.2.1 EPR Regulations Update</p> <ul style="list-style-type: none"> PS: Amendments to the regulations were published for comment and discussed in various engagements with the 	Patricia S- Lead Espee H Dr Dominic V

	<p>Department of Forestry, Fisheries and Environment (DFFE) and other stakeholders.</p> <ul style="list-style-type: none"> • DFFE noted the comments and is currently reviewing them internally. • The updated amendments are still pending publication and are being followed up on due to their significant impact on the regulatory framework. • Once the amendments are published, they will be shared with the group, and feedback will be provided in the next meeting if possible. <p>2.2.2 EPR Landscape Update</p> <ul style="list-style-type: none"> • The EPR regulations are in their 4th year of implementation, and the Department of Forestry, Fisheries and Environment (DFFE) is reviewing the regulatory framework to identify areas for improvement. • Compliance rates vary across sectors, with the electrical and electronic equipment (Triple E) sector having a low compliance rate of around 15-20%, while other sectors such as packaging and lubricant oil have compliance rates of 80-90%. • DFFE has issued hundreds of enforcement letters and is now issuing prosecution letters, with directors of non-compliant companies facing potential prosecution. • The department is working with customs to ensure that imports are not released until compliance is proven. • Some Producer Responsibility Organizations (PROs) have not met targets or regulatory obligations, and the department is investigating and considering setting up an oversight body to ensure PROs operate to the same standards. • Despite initial resistance, companies are starting to realize the benefits of EPR regulations, with increased compliance observed in the solar and wind industries. • SS highlighting the positive impact of the regulations in bringing back more products and utilizing EPR. Noted that the most important aspect is the real positive impact on the environment and society, making it easier to concentrate on renewable energy products. • PS asked Steffen to share the volumes of waste received over the last 12 months as a licensed recycling entity. • SS: 	
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	<ul style="list-style-type: none"> • A sharp increase in volumes, with 600 tons in 2022, 2000 tons in 2023, and 6000 tons in 2024. • Currently sitting at almost 4000 tons already for this year, with an expected total of 10-12,000 tons by the end of the reporting year. • Expected to rise to 25,000 tons in 2026, driven by RE paneling activities. • Breakdown of volumes: Breakages (5-10%), Private households and smaller commercial activities (30-40%), RE paneling activities of farms (50-60%). • Highlighted the challenges of managing waste on farms, including limited budgets and non-compliance issues. • Noted that the volumes are increasing significantly, with a substantial impact on waste management activities. • Mentioned that the panels being discussed had peak power production ratings of 150 watts, typically found in older installations and 200 watts and 300 watts, found in some commercial installations. With 10-20 years' service life. • KM asked PS about potential reprieve for renewable Independent Power Producers (IPPs) in cases where Producer Responsibility Organizations (PROs) fail to meet their regulatory obligations, particularly when requesting upfront payments. • PS responded that she would need to consult with the department to provide a detailed answer and agreed to follow up on this question. This was noted as an action point, with Patricia to provide further information on potential reprieve for renewable IPPs in such instances. • AP asked SS about the dilemma faced by farms/IPPs when PROs are non-compliant. • SS: • Confirmed that IPPs often need to take responsibility for waste management without sufficient funding. This creates a gap in the EPR framework, where IPPs may need to self-fund waste management costs and cannot access closure costs. • Explained that historical IPPs may have underestimated end-of-life costs, assuming landfill disposal at lower costs. However, with changing legislation and hazardous waste classification, these costs have increased significantly. • PS added that identifying the importer of record is crucial in determining the obligated party under EPR regulations, as the OEM and importer can be different companies. This 	
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	complexity highlights the need for accurate tracking and liability assignment.	
3.	<p>Any Other Matters</p> <p>3.1 EPR Challenges and Experiences Pager (snag list)</p> <ul style="list-style-type: none"> • SS proposed each working group member to create a short document (1-2 pages) outlining the experiences and challenges faced by the industry in implementing EPR regulations. • This "snag list" would be shared with the Environmental Working Group and other members to facilitate discussion and improvement. • The purpose of this document would be to: <ul style="list-style-type: none"> • Provide feedback on EPR implementation challenges • Encourage discussion on how to improve EPR processes • Inform decision-making for new developments and repowering projects • Highlight the importance of planning and financial provisions for end-of-life waste management • The group agreed to move forward with this proposal, recognizing the value of planning and financial preparation in addressing EPR-related challenges. 	Elana M - Lead Kakale M
4.	<p>Closure</p> <p>With a vote of thanks, the chairperson formally closed the meeting.</p> <p><i>Next meeting: 23 September 2025</i></p>	

Action Items:

NO:	ACTION	BY WHOM
1.	Share list of permits, licenses, and regulations.	PG
2.	Follow up with SANDF contact and track meeting request	ZB/AS
3.	Draft a letter to request a meeting with the DFFE. (Common Non-Compliance Issues under the Exclusion Norms for Solar PV and BESS)	ZB/PG

4.	Follow-up with EOSS to initiate planning for a joint meeting involving DMRE and PASA.	AS/ZB
5.	<p>-Review the Mineral Resources Development Bill and provide comments or questions to Andrea and Eloise for inclusion.</p> <p>-Lead the development of comments on the Mineral Resources Development Bill on behalf of the working group.</p>	All Members AS/EC
6.	Consult with the DFFE to determine if there is any reprieve for renewable IPPs in cases where PROs fail to meet their regulatory obligations.	PS
7.	<p>- Develop a 1-2 page document outlining the industry's experiences and challenges in implementing EPR regulations.</p> <p>-The document will be shared with the Environmental Working Group and other members to facilitate discussion and improvement.</p>	All Members