



Ref. 12/9/11/L198/5
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LICENCE NUMBER

12/9/11/L198/5

CLASS:

G:M:B - WASTE DISPOSAL SITE, H:H WASTE DISPOSAL CELL
AND H:H WASTE STORAGE AREA

WASTE FACILITY:

ESKOM MATIMBA GENERAL LANDFILL WITH A LOW
HAZARDOUS WASTE CELL AND HIGH HAZARDOUS WASTE
STORAGE FACILITY

LOCATION:

FARM GROOTESTRYD, 465 LG, WITHIN LEPHALALE LOCAL
MUNICIPALITY IN LIMPOPO

LICENCE HOLDER:

ESKOM HOLDINGS LIMITED

ADDRESS:

P. O BOX 1091, SUNNINGHILL, JOHANNESBURG, 2157

CONTACT

DEIDRE HERBST, Tel. (011) 8003501, FAX (011) 8005140,
Email: Deidre.herbst@eskom.co.za

LICENCE IN TERMS OF SECTION 49 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 2008
(ACT NO. 59 OF 2008)

In terms of National Environmental Management: Waste Act, 2008 (Act 59 of 2008) read with the Environmental Impact Assessment Regulations, 2006, published in Government Notice No.R.385 of 21 April 2006, the Deputy Director General: Environmental Quality and Protection, Acting under delegation, hereby grants Eskom Holdings Limited a waste management licence for storage including temporary storage of waste, the disposal of waste at designated areas as entailed in this licence.



Eskom Matimba G:M:B- & H:h Waste Disposal Facilities and H:H Waste Storage Facility

DEFINITIONS APPLICABLE TO THIS LICENCE ONLY:

! "Director" means: The Director: Authorisations and Waste Disposal of the National Department: of Environmental Affairs who may be contacted at the address below:
 The Director: Authorisations and Waste Disposal Management
 Department of Environmental Affairs
 Private Bag X447
 PRETORIA
 0001

!! "Chief Director" means the Chief Director: Water Use of the National Department of Water Affairs (DWA) who may be contacted at the address below:
 Chief Director: Water Use
 Department of Water Affairs
 Private Bag X 313
 PRETORIA
 0001

- !!! "The Waste Act" means the National Environmental Management: Waste Act, 2008 (Act 59 of 2008)
- IV. "The EIA Regulations" means the Environmental Impact Assessment Regulations, 2006, published in Government Notice No.R.385 of 21 April 2006,
- V. "The Facility" means one or more of the areas indicated through geographic coordinates in condition 1.1.2, 1.1.3 and 1.1.4. below
- VI. "The Department" – The National Department of Environmental Affairs

1. SITE DETAILS

1.1 LOCATION

1.1.1 This Licence authorises the temporary storage of all categories of waste legislated under the Waste Act and produced as the day to day operations of the Eskom electricity generating plant; the disposal of general and low hazardous waste and storage of high hazardous waste to land at the areas indicated in condition 1.1.2, 1.1.3 and 1.1.4 below and situated on Farm Grootestryd, 465 LQ within Lephalele Local Municipality in Limpopo Province (hereinafter referred to as "the Site") according to Eskom's application form, Environmental Impact Assessment Report for the proposed construction of Eskom's General Landfill, a Low Hazardous Waste Cell (H:h) and A Hazardous Waste Storage facility (H:H), Compiled by EnviroLution Consulting, dated July 2009 referred to as "the Report", submitted by the licence holder.

1.1.2 The location of the General waste disposal site must be according to the co-ordinates indicated below:



1.1.3

The location of the Low Hazardous waste Disposal cell must be according to the co-ordinates indicated below:

Corner No.	Latitude (E)	Longitude (S)
Corner 1	27° 35' 56"	-23° 39' 57"
Corner 2	27° 35' 57"	-23° 40' 00"
Corner 3	27° 35' 51"	-23° 40' 02"
Corner 4	27° 35' 49"	-23° 40' 10"
Corner 5	27° 35' 47"	-23° 40' 2.0"
Corner 6	27° 35' 46"	-23° 40' 2.3"
Corner 7	27° 35' 45"	-23° 39' 00.3"
Corner 8	27° 35' 52"	-23° 35' 57"

1.1.4

The location of the temporary waste storage area must be as per coordinates below:

Number of corner	Latitude(E)	Longitude(S)
Corner 1	27° 35' 58"	-23° 40' 1.4"
Corner 2	27° 35' 59"	-23° 40' 5.4"
Corner 3	27° 35' 59"	-23° 40' 7.5"
Corner 4	27° 35' 59"	-23° 40' 9.6"
Corner 5	27° 35' 59"	-23° 40' 13"
Corner 6	27° 35' 53"	-23° 40' 12"
Corner 7	27° 35' 54"	-23° 40' 8.1"
Corner 8	27° 35' 54"	-23° 40' 5.0"
Corner 9	27° 35' 53"	-23° 40' 3.7"
Corner 10	27° 35' 52"	-23° 40' 3.3"

1.2

DOCUMENTS CONSIDERED

1.2.1

Environmental Assessment Report, compiled by EnviroLution, dated July 2009;

1.2.2

Application form, dated 09 November 2009;

1.2.3

Record of decision issued by the Department of Water Affairs and Forestry, dated 12 April 2010



Eskom Matimba G:M:B & H:h Waste Disposal Facilities and H:H Waste Storage Facility

1.2.4 Environmental Authorisation for Associated Activities Listed under GN R 386 and GN R. 387 for the proposed Construction of Eskom General Landfill and a Hazardous Waste Storage Facility in Lephalale Local Municipality in Limpopo Province, issued by DEA (Ref. No. 12/12/20/1399), dated 22 February 2010

1.3 LICENCE CONDITIONS

1.3.1 SITE SECURITY AND ACCESS CONTROL

1.3.1.1 The licence holder must ensure effective access control and that the facility is located within a fenced area with a minimum height of 1.8 metres, with gates of the same height at all entrances, to reasonably prevent unauthorised entry and curtail the spreading of wind-blown waste.

1.3.1.2 The licence holder must prevent the acceptance of waste not authorised at the site as per condition 3.1 below.

1.3.1.3 Weatherproof, durable and legible notices in at least three official languages applicable in the area, must be displayed at each entrance to the site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the licence holder and the person responsible for the operation of the site.

2. MANAGEMENT

2.1 GENERAL MANAGEMENT

2.1.1 The site must be managed and operated:

(a) in accordance with a documented management system that inter alia identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances and those drawn to the attention of the licence holder as a result of complaints;

(b) in accordance with an updated site operational plan;

(c) in accordance with conditions of this licence and any other written instruction by the Director; and

(d) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities.

2.1.2 Any persons having duties that are or may be affected by the matters set out in this Licence must have convenient access to a copy of it, kept at or near the place where those duties are carried out. The copy of this licence shall be published on www.sawic.org.za website as it is a public document.



2.2	APPOINTMENT OF WASTE MANAGEMENT CONTROL OFFICER
2.2.1	A Waste Management Control Officer (WMCO) must be appointed to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and Operational and Maintenance Plan. The WMCO must:
	(a) Develop a plan to implement the waste management hierarchy.
	(b) Report any non-compliance with any licence conditions or requirements or provisions of NEM:WA to the licensing authority through the means reasonable available;
2.3	EMERGENCY PREPAREDNESS PLAN
2.3.1	The licence holder must maintain and implement an emergency preparedness plan and review it annually when conducting audits and after each emergency and/or incident. The plan must among others include fire, critical equipment malfunction, slope failure, natural disasters etc.
3.	PERMISSIBLE WASTE
3.1	All categories of waste legislated under the Waste Act and produced as the day to day operations of the electricity generating plant can be stored in the area indicated in condition 1.1.4 below.
3.2	All dry waste classified as general waste as per the current waste classification system adopted by the Department and only for disposal at areas indicated in condition 1.1.2
3.3	All waste classified as low hazardous as per the current waste classification system adopted by the Department and only for disposal at areas indicated in condition 1.1.3
3.4	There must be no mixing of general and hazardous waste during storage.
3.5	The licence holder must ensure that no general waste is disposed of at the low hazardous cells to preserve H:h airspace capacity.
4.	COMMISSIONING AND CONSTRUCTION OF THE SITE
4.1	Construction and further development within the site must be carried out under the supervision of a registered professional engineer appointed by the licence holder and according to the conditions listed in the drawings of the project number 080874 DRG NUMBER 001 crafted by PD Naidoo and Associates (Pty) Ltd.
4.2	Works must be constructed and maintained on a continuous basis by the licence holder to divert and drain from the site all runoff water arising from land adjacent to the site, which could be expected as a result of the estimated maximum precipitation during a period of 24 hours with an average frequency of once in fifty years (50) (hereinafter referred to as the "estimated maximum precipitation"). Such works must, under the said rainfall event, maintain a freeboard of half a metre.

- 4.3 Works shall be constructed and maintained on a continuous basis by the licence holder to divert and drain from the working face of the site, all runoff water arising from the site, which could be expected as a result of the estimated maximum precipitation and to prevent such runoff water from coming into contact with leachate from the site. Such works shall, under the said rainfall event, maintain a freeboard of half a metre.
- 4.4 Should any archaeological artefacts be exposed during excavation, the construction in the vicinity of the finding must be stopped. Under no circumstances shall any artefacts be destroyed. Such an archaeological site must be marked and fenced off, and South African Heritage Resource Agency must be contacted within 48 hours.
- 4.5 The disposal site must be constructed in accordance with recognised civil engineering practice to ensure that it remains stable (slope of 1:3).
- 4.6 Construction and further development within the site which are not shown in the drawings of project number 080874 DRG number 0001 may only be undertaken by the Licence Holder after specified engineering plans have been submitted to and approved in writing by the Director
- 5. GENERAL IMPACT MANAGEMENT AND OPERATION**
- 5.1 IMPACT MANAGEMENT
- 5.1.1 Licence Holder must prevent wind-blown waste and litter.
- 5.1.2 Licence Holder must ensure that all liquid wastes, whose emission to water or land could cause pollution, are provided with secondary containment and/or diverted to sewer only after receiving written approval from the relevant municipality.
- 5.1.3 Licence Holder must ensure that emissions from the site are free from odour at levels likely to cause annoyance outside the site, as perceived by an authorised officer of the Department
- 5.1.4 Licence Holder must ensure that emissions from the site are free from noise at levels likely to cause nuisance or harm to neighbours
- 5.1.5 Licence Holder must ensure that scavenging animals, scavenging birds and other pests do not cause pollution.
- 5.1.6 Controlled waste reclamation by the licence holder may occur at the storage and general waste disposal facilities.
- 5.1.7 Waste deposited on the site must not be allowed to burn and suitable measures must be implemented to prevent fires on the site or extinguish fires which may occur.
- 5.1.8 Under no circumstance must the leachate or runoff from the site be used for dust suppression on unlined areas.



5.1.9	Suitable fencing and indigenous vegetation must be established and maintained around the site to effectively screen the site from nearby roads and residential areas paying attention to blending with the natural environs of the area.
5.1.10	The Storage areas must have a roof, bund walls, firm chemically resistant and impermeable water proof base (including concrete joints) with effective drainage systems
5.2	OPERATION
5.2.1	Waste that is not permissible under condition 3.1 above must be dealt with according to relevant legislation or the Department's policies and practices.
5.2.2	All liquid waste must be stored in leak proof containers that are that have air-tight lids, to prevent escaping of volatile gases.
5.2.3	Waste water resulting from cleaning of floors and machinery including storm water from the site must only be discharged into the natural environment after testing that it conforms to the national government water quality guidelines for discharge into the natural environment and discharge into municipal sewer must only be done once a written authorisation has been granted by the relevant local municipality
5.2.4	Licence holder must ensure that the hazardous waste storage area is surrounded by interception systems for intercepting and recovering potential spills.
5.2.5	Leachate or contaminated storm water if any, must be collected and contained for treatment.
5.2.6	Licence holder must ensure proper waste segregation on site and each container must be properly labelled indicating the waste stream contained.
5.2.7	Waste disposed off on the site must be compacted and covered at a frequency recommended by the landfill operator based on the type of waste disposed, weather and other parameters to ensure proper sloping of the disposal sites and prevention of nuisance including aesthetic impacts.
5.2.8	Licence Holder must ensure that the site is operated in such a manner that nuisance conditions, health hazards, the potential creation of nuisance conditions or health hazards are prevented.
5.2.9	Material Safety Data Sheets (MSDSs) must be available on site for all chemicals and hazardous substances stored or used on-site, including information on their ecological impacts and how to minimize the impacts in case of leakage.
6.	MONITORING
6.1	MONITORING METRODIRECTORS AND PARAMETERS
6.1.1	The licence holder must carry out all tests required in terms of this licence in accordance with standards prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 8 of 2008).





6.1.2

The licence holder must put in place a monitoring and measurement plan that must amongst others include:

- (a) Tonnage received, stored, reclaimed, disposed on or off site;
- (b) Surface and Ground water quality monitoring;
- (c) Compaction ratio, air space and stability monitoring.

6.2

WATER MONITORING

6.2.1

The licence Holder must maintain monitoring boreholes network for the site accordingly and to the satisfaction of the Director and the Chief Director, so that unobstructed sampling, as required in terms of this licence, can be undertaken. In the case the borehole collapse, both the upstream and downstream boreholes must monitor same aquifer and must be hydro-logically linked through pumping test results. The monitoring boreholes network for the site are geographically located as follows:

Borehole Code (M)	Depth (M)	Latitude (S)	Longitude (E)	Aquifer Type	Up or Downstream
MBH1	40	23°39' 58.0"	27°35' 57.1"	Shallow	Upstream
MBH2	40	23°40' 18.2"	27°35' 53.6"	Shallow	Downstream
MBH3	40	23°40' 14.4"	27°35' 59.8"	Shallow	Downstream
MBH4	40	23°40' 05.9"	27°35' 37.5"	Shallow	Upstream
P4	60	23°40' 09.4"	27°52' 50.18"	Shallow	Middle of Site
P5	60	23°40' 56.9"	27°35' 42.0"	Shallow	Upstream
P26	60	23°40' 04.5"	27°36' 00.0"	Shallow	Upstream
P283	60	23°40' 11.8"	27°35' 54.0"	Shallow	Downstream

6.2.2

One extra borehole must be drilled on the south of the new waste site, between the new and old waste site to the depth of 40 m

6.2.3

Monitoring boreholes must be equipped with lockable caps. The Department and the DWA reserves the right to take water samples at any time and to analyse these samples or have them analysed.

6.2.4

Surface water monitoring must be performed within the first hour of rain in all storm water drains outlets that discharges to the natural environment.

6.3

BACKGROUND MONITORING

6.3.1

Samples from the borehole as required in condition 6.2.1 above, where the groundwater in the borehole is at an expected higher hydraulic pressure level as the hydraulic pressure level of the groundwater under the site, must be considered as background monitoring and tested bi-annually for the water quality variables listed in Annexure III (once off) and Annexure IV.

8.2.1	The licence holder must appoint an independent external auditor to audit the site bi-annually and this auditor must compile an audit report documenting the findings of his audit, which must be submitted by the licence holder according to condition 10.9, below. The audit report must:
8.2	EXTERNAL AUDITS
8.1.1	Internal audits must be conducted quarterly by the licence holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in condition 8.2.1.
8.1	INTERNAL AUDITS
8.	AUDITING
7.5	Any complaint from the public must be attended to by the Licence Holder and feedback regarding the root cause and preventative action given in 14 days to the complainant.
7.4	Should the investigation carried out as per conditions 7.1 and 7.2 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.
7.3	Investigations carried out in terms of conditions 7.1 and 7.2 above must include the monitoring of the relevant environmental pollution, nuisance and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Director.
7.2	If, in the opinion of the Chief Director, water pollution may be or is occurring the licence holder must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by Chief Director.
7.1	If, in the opinion of the Director, environmental pollution, nuisances or health risks may be or is occurring on the site, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem.
7.	INVESTIGATIONS
6.5.1	If, in the opinion of the Director, a water quality variable listed under the detection monitoring programme, as referred to in condition 6.4, shows an increasing trend, the licence holder must initiate a monthly monitoring programme for the water quality variables listed in Annexure III.
6.5	INVESTIGATIVE MONITORING
6.4.1	Monitoring must be conducted in January and July of each year for water quality variables listed in paragraph (a) of Annexure IV and Annually in July for the variables listed in paragraph (b) of Annexure IV.
6.4	DETECTION MONITORING





(a) specifically state compliance with regard to each licence condition;
 (b) include an interpretation of all available data and test results regarding the operation of the site and all its impacts on the environment;
 (c) specify target dates for the implementation of the recommendations by the licence holder to achieve compliance;
 (d) contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the licence holder and whether corrective action taken for the previous audit non conformities was adequate; and
 (e) show monitoring results graphically and conduct trend analysis.

8.3 DEPARTMENTAL AUDITS AND INSPECTIONS

8.3.1 The Department reserves the right to audit and/or inspect the site at any time and at such frequency as the Director may decide, or to have the site audited or inspected.
 8.3.2 The licence holder must make any records or documentation available to the Chief Director: Water Use upon request, as well as any other information the Director may require.
 8.3.3 The findings of these audits or inspections must be made available to the licence holder within 30 days of the end of the audit or inspection. Information from the audits must be treated in accordance with the Promotion of Access to Information Act, 2000 (Act 2 of 2000).

9. RECORDING

9.1 The licence holder must keep records and update all the information referred to in Annexure V and submit this information to the Director on an annual basis.
 9.2 Keep records of all safe disposal certificates for all H:H waste disposed post storage
 9.3 Licence Holder must ensure that records in terms of volume/weight, source and nature of all wastes received; reclaimed and landfilled are maintained and reported as per Annexure V hereafter on annual basis
 9.4 All records required or resulting from site required by this licence must:

- (a) be legible;
- (b) be made as soon as reasonably practicable and should form part of the external audit report;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable and,
- (d) be retained in accordance with documented procedures which are approved by the Department.

9.3 The licence holder must record all borehole data and chemical analyses in the form attached as Annexure V.
 9.4 Records demonstrating compliance with condition 2.1.1 must be maintained.

9.5	All complaints must be recorded for submission to the Director together with the external audit report.
10.	REPORTING
10.1	The licence holder must, within 24 hours notify the Director and the Chief Director of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
10.2	The licence holder must, within 14 days, or a shorter period of time, if specified by the Director and/or the Chief Director, from the occurrence or detection of any incident referred to in condition 10.1, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Director and/or the Chief Director of measures taken to –
10.3	(a) correct the impact resulting from the incident; (b) prevent the incident from causing any further impact; and (c) prevent a recurrence of a similar incident.
10.3	In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 10.1, or measures which have been implemented are inadequate, the Director and/or the Chief Director may implement the necessary measures at the cost and risk of the Licence Holder.
10.4	The licence holder must keep an incident report and complainants register, which must be made available to external auditor, Departmental and DWA auditors for the purpose of audit.
10.5	The Department must be notified without delay in the case of the following: (a) any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution; (b) the breach of this licence; and (c) any significant adverse environmental and health effects.
10.6	Prior written notification must be given to the Director of the following events and in the specified timescales.
10.7	(a) as soon as practicable prior to the permanent cessation of any operational activities (b) full or partial cessation of the operational activities for a period likely to exceed 3 months (c) full or partial resumption of the operation of all or part of the activities after a cessation notified under (b) above (d) the professional engineer appointed by the licence holder in line with condition 4.2 must make a signed declaration that condition 4.2, above have been adhered to. The Department must be notified within 7 days of any changes to the management of the site including the name of the incoming person together with evidence that such person has the





- required technical competence.
- 10.8 The Department must be notified within 14 days of the following changes:
- (a) Licence holder's trading name, registered name or registered office address;
- (b) Particulars of the licence holder's ultimate holding company (including details of an ultimate holding where a licence holder has become a subsidiary;
- (c) steps taken with a view to the licence holder, or any one of them, going into bankruptcy, entering into composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- 10.9 Each external audit report referred to in condition 8.2 must be submitted to the DIRECTOR within 30 days from the date on which the external auditor finalised the audit.
11. **DECOMMISSION AND REHABILITATION OF THE SITE**
- 11.1 One year prior to decommissioning, the licence holder must apply for authorisations to rehabilitate the facility in line with current norms and standards for rehabilitation compiled by the department.
- 11.2 The licence holder shall remain responsible for the site, or any of its impacts on the environment, after operations have ceased.
- 11.3 Groundwater monitoring by the licence holder, in accordance with condition 6.3 or 6.4, must continue beyond decommissioning and be maintained for a period of 30 years, or such lesser period as deemed adequate by the Director
12. **LEASING AND ALIENATION OF THE ACTIVITY**
- 12.1 Should the licence holder want to alienate or lease the site, he/she must notify the Director in writing of such an intention at least 120 days prior to the said transaction. Should the approval be granted, the subsequent licence holder shall remain liable to compliance with all licence conditions.
13. **TRANSFER OF WASTE MANAGEMENT LICENCE**
- 13.1 Should the licence holder want to transfer holder-ship of this, he/she must apply in terms of Section 52 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).
14. **GENERAL**
- 14.1 The construction (existing or new) of the licensed activity may not commence within thirty (30) days of the date of signature of this licence.
- 14.2 Should you be notified by the Minister of a suspension of the licence pending any appeals decision, you may not operate with the activities licensed by the Minister in writing.

- 14.3 After an appeal period has expired and no good cause to extend the appeal period has been submitted, the activity may operate provided a notice has been submitted to the Department. The notice must include a date on which it is anticipated that the activity will operate.
- 14.4 Transgression of any condition of this licence could result in the validity of the licence being terminated by the Department.
- 14.5 Non-compliance with a condition of this licence may result in criminal prosecution or other actions provided for in Section 67(1) of the National Environmental Management: Waste Act, 2008.
- 14.6 Any committees appointed in terms of the application or any other public authority or organization shall not be held responsible for any damages or losses suffered by the Licence Holder or his/her successor in title in any instance where construction or operation are to be temporarily or permanently stopped for reasons of non-compliance
- 14.7 In terms of section 28 and 30 of the National Environmental Management Act No. 107 of 1998, and section 19 and 20 of the National Water Act No. 36 of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understand the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmental acceptable manner.
- 14.8 This licence is valid for a period of five years from the date of issue, based on compliance to licence conditions the licence could be amended or withdrawn or validity thereof extended.
- 15 APPEAL OF LICENCE**
- 15.1 The licence holder must notify every registered interested and affected party, in writing and within ten (10) days, of receiving the Department's decision.
- 15.2 The notification referred to in 15.1. must –
- 15.2.1 Specify the date on which the licence was issued;
- 15.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of the GN No. R 385 of 21 April 2006 in terms of National Environmental Management Act, 1998, as amended (see Annexure 1).
- 15.2.3 Advise the interested and affected party that a copy of a licence and reasons for the decision will be furnished on request.





environmental affairs
 Department:
 Environmental Affairs
 REPUBLIC OF SOUTH AFRICA

Eskom Matimba G:M:B- & H:h Waste Disposal Facilities and H:H Waste Storage Facility

15.2.4 An appeal against the decision must be lodged in terms of chapter 7 of the GN No. R 385 of 21 April 2006 in terms of NEMA 1998, as amended, from the date of this license, with:

The Minister
 Department of Environmental Affairs
 Private Bag X 447
 PRETORIA
 0001
 Tel No.: (012) 310 3705
 Fax No.: (012) 320 7561

Ms Lize McCourt
ACTING DEPUTY DIRECTOR-GENERAL
 DATE: 08 June 2010



ANNEXURE I

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 385 OF 2006 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF A WASTE MANAGEMENT LICENCE

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive a notification of a Waste Management Licence from the relevant Competent Authority	1. Receive a notification of a Waste Management Licence from Applicant/Consultant
2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal
3. Notification served by the Applicant must include: 3.1. A copy of the notice of intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs	3. Applicant must serve on the Applicant 3.1. A copy of the notice of intention to appeal and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by the applicant
4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal
5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date the appeal submission was made available for inspection by the appellant	5. An Applicant that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date the appeal submission was made available for inspection by the appellant

NOTES:

1. An appeal against a decision must be lodged with:-

- a) the Minister of Water and Environmental Affairs if the decision was issued by the DIRECTOR-General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) the MEC if the decision was issued by the Director (or another official) acting in his/ her capacity as the delegated Competent Authority;
- c) the delegated organ of state where relevant.

2. An appeal lodged with:-

- a) the Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs by means of one of the following methods:

By facsimile: (012) 320 7561
 Private Bag X447, Pretoria, 0001; or
 By post:



By hand: 2nd Floor, Fedsure Forum Building, North Tower, cnr. Pretorius and van der Walt Streets, Pretoria.

- b) the MEC must be submitted to the provincial department responsible for environmental affairs;
- c) the delegated organ of state, where relevant, must be submitted to the delegated organ of state.

3. An appeal must be:-

- a) on an official form obtainable or published by the relevant department;
- b) accompanied by:
 - a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal and is not available to the relevant Competent Authority;
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62;
 - the prescribed appeal fee, if any.

4. A copy of the official appeal form can be obtained from:

Mr PKM Retief, Appeals Administrator, Tel: 012 310 3705, pretief@deat.gov.za; or
Mr H Grové, Appeals Administrator, Tel: 012 310 3070, hgrove@deat.gov.za, at the Department.



ANNEXURE II

**WATER QUALITY VARIABLES REQUIRED FOR BACKGROUND MONITORING
AND INVESTIGATIVE MONITORING: CONDITIONS 6.3.1 and 6.5.1**

Alkalinity (P,Alk)	Free & saline ammonia as N (NH ₄ -N)
Arsenic (As)	Barium
Beryllium	Calcium (Ca)
Boron (B)	Magnesium (Mg)
Chromium (hexavalent) (Cr ⁶⁺)	Cadmium (Cd)
Chromium (Total) (Cr)	Chloride (Cl)
Chemical oxygen demand (COD)	Fluoride (F)
Cyanide (CN)	pH
Mercury (Hg)	Sodium (Na)
Lead (Pb)	Electrical conductivity (EC)
Nitrate (as N) (NO ₃ -N)	Sulphate (SO ₄)
Phenolic compounds (Phen)	Poly Aromatic Hydrocarbon (PAH)
Potassium (K)	Poly Chlorinated Hydrocarbons (PCH)
Thallium	Volatile Organic Hydrocarbons
Selenium	
Molybdenum	
Mercury	
Copper	
Radium	
Thorium	
Uranium	
Vanadium	
Zinc	
Total dissolved solids (TDS)	



ANNEXURE III

WATER QUALITY VARIABLES REQUIRED FOR BACKGROUND MONITORING AND DETECTION MONITORING: CONDITIONS 6.3.1 AND 6.4.1

(a) Bi-annually for:
 Alkalinity (P.Aik)
 Chemical oxygen demand (COD)
 pH
 Total dissolved solids (TDS)
 Chlorides (Cl)
 Nitrate (NO₃-N)
 Potassium (K)

(b) Annually for:
 Electrical conductivity (EC)
 Calcium (Ca)
 Magnesium (Mg)
 Sodium (Na)
 Sulphate (SO₄)
 Fluoride (F)
 Arsenic (As)
 Barium (Ba)
 Beryllium(Be)
 Boron (B)
 Cadmium (Cd)
 Chromium (Total Cr)
 Copper (Cu)
 Lead (Pb)
 Mercury (Hg)
 Thallium (Tl)
 Thorium (Th)
 Selenium (Se)
 Radium (Ra)
 Uranium (U)
 Vanadium (V)
 Zinc (Zn)
 Poly Aromatic Hydro Carbon (PAH)
 Poly Chlorinated HydroCarbon (PCH)
 Volatile Organic Hydro Carbon (VOH)



ANNEXURE IV

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS: CONDITION 5.2.1 & 9.1

NAME OF ACTIVITY: _____
 DATE OF REPORT: _____ (yy/mm/dd)

1. Registered owner(s) of property on which disposal Activity is situated:

Name	Telephone	
Postal Address	Fax	
	Postal Code	

2. Operator in control of Facility:

Name	Telephone	
Identity number	After hours	
Educational Qualifications (*)		

3. Latest estimated lifetime of the disposal Activity (both G:M:B- and H:h separately): _____ yr.

4. Indicate the type of waste and approximate quantities of waste disposed of during the year:

Type of waste	Quantity (m ³ annum ⁻¹)
General waste	
Specify..	
H:h Waste	
Specify....	
TOTAL	

5. Indicate the applicable waste types and quantities reused, recycled, recovered, treated during the year (*)

Salvaging undertaken?	Yes
Type	(Collector's Name & final destination of Waste)
Quantity (m ³)	
Paper/wood fibre	
Plastics	
Glass	
Rubber	
Textiles	
Iron	
Other (Specify)	
Other (Specify)	



environmental affairs
Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Eskom Matimba G:M:B- & H:h Waste Disposal Facilities and H:H Waste Storage Facility

6. Attach Emergency preparedness & business Continuity plan for the current year.

I, the undersigned, declare that the information stated above and the risk assessment below is to my knowledge a true reflection of the status at the _____ waste disposal ACTIVITY.

Signature:
Name:
Capacity:
Place:

Date _____



ANNEXURE V

FORM TO BE USED FOR CHEMICAL INFORMATION:
 CONDITION 9.3

Name of Activity		Borehole/observation - point name/number	
Sampling date (y-m-d):	MetDirector:	Ball	
Sampling Time	Pump		
Time after start of pump:	h	min	
Date of analysis (y-m-d)	Laboratory		

General chemistry

Constituent	Unit	Required standard	Value	Constituent	Unit	Required standard	Value
pH	(-log[H ⁺])			As (III)	(mg/l)		
EC	(mS/m)			B	(mg/l)		
TDS	(mg/l)			Cd	(mg/l)		
Ca	(mg/l)			Free CN	(mg/l)		
Mg	(mg/l)			Cr (Total)	(mg/l)		
Na	(mg/l)			Cr (VI)	(mg/l)		
K	(mg/l)			Cu	(mg/l)		
Alkalinity	(mg CaCO ₃ /l)			Mn	(mg/l)		
Cl	(mg/l)			Pb	(mg/l)		
SO ₄	(mg/l)			Hg	(mg/l)		
NO ₃ -N	(mg/l)			S-	(mg/l)		
F	(mg/l)						
COD	(mg/l)						
NH ₄ -N	(mg/l)						
Phenol	(mg/l)						
PO ₄	(mg/l)						
TOX	(ug/l)						
TOC	(mg/l)						
Ba	(mg/l)						



ANNEXURE VII

KEY FACTORS CONSIDERED IN MAKING THE DECISION

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

Environmental issues identified and mitigation measures of environmental impacts as contained in the Scoping Environmental Assessment Report for the Proposed new waste general landfill (G:M:B-), a low hazardous waste cell (H:h) and hazardous waste storage facility (H:H) at Eskom Medupi Coal Fired Power Station in Lephalale, compiled by EnviroLution, dated July 2009,

The physical, socio-economic and cultural impacts of the development project on the receiving environment.

The legal and procedural requirements have been complied with and the information contained in the documents is to the satisfaction of this Department.

FINDINGS

After consideration of the information and factors listed above, the Department made the following findings:

a) Specific specialists' studies were commissioned as part of the environmental impact assessment process and it was found that the impact of this new activity / development is acceptable.

b) It is envisaged that, should the conditions stipulated in this Licence be complied with, the negative environmental impacts of this activity will be minimized.

c) Based on the above, this Department's conclusion is that this activity will not lead to substantial detrimental impact on the environment, that potential detrimental impacts resulting from this activity can be mitigated to acceptable levels and that the principles of section 2 of NEMA can be upheld.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Licence, the Licensed activity will not conflict with the general objectives of Integrated Environmental Management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activity can be mitigated to acceptable levels.