



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

	(For official use only)
File Reference Number:	12/12/20/ or 12/9/11/L
NEAS Reference Number:	DEAT/
Date Received:	

Application for integrated environmental authorisation and waste management licence in terms of the-

- (1) National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010; and
- (2) National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and Government Notice 718 of 2009.

PROJECT TITLE

Proposed extension of ashing facilities for Kusile Power Station

PART A: INFORMATION AND APPLICATION PROCESS

1. DEFINITIONS

Definitions in this form are as per the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the Environmental Impact Assessment ("EIA") Regulations, 2010, the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEMWA") and the Schedule contained in Government Notice 718, published on 3 July 2009 in terms of section 19 of NEMWA.

2. APPLICABILITY OF INTEGRATED ENVIRONMENTAL AUTHORISATION PROCESS

The integrated environmental authorisation process only apply in instances where the **Minister** is both the-

- (a) competent authority for the environmental authorisation applied for in terms of NEMA and the EIA Regulations, 2010; and
- (b) the licencing authority for the waste management licence in terms of NEMWA.

Kindly refer to paragraph 3.2 of this part of the application to determine in which instances the Minister would be the competent authority in terms of NEMA and the licencing authority in terms of NEMWA.

3. APPLICATION PROCESS EXPLAINED:

3.1 Integrated environmental authorisation process:

3.1.1 The environmental authorisation process prescribed for listed activities under Listing Notices 1, 2 and 3 published in Government Gazette Numbers R544, R545 and R546 respectively and the waste licensing process for listed activities contained in the Schedule in Government Notice 718, 2009 published in terms of section 19 of NEMWA are as defined in the Environmental Impact Assessment (EIA) Regulations made under section 24(5) of the National Environmental Management Act, 2008 (Act No. 107 of 1998) ("NEMA").

3.1.2 This integrated application form is the official form in terms of regulation 12(2)(a) of the EIA Regulations, 2010 and must accompany every integrated environmental authorization application pertaining to-

- listed activities in terms of NEMA; and
- waste activities in terms of NEMWA.

3.2 Competent Authority (Where to submit applications)

3.2.1 The Minister of Water and Environmental Affairs is the-

- competent authority in respect of the activities listed in Listing Notices 1, 2 and 3, published in Government Gazette numbers R544, R545, and R546 respectively, in terms of NEMA if the activity-
 - (a) has implications for international environmental commitments or relations;
 - (b) will take place within an area protected by means of an international environmental instrument, other than-
 - (i) any area falling within the sea-shore or within 150 meters seawards from the high-water mark, whichever is the greater;
 - (ii) a conservancy;
 - (iii) a protected natural environment;
 - (iv) a proclaimed private nature reserve;
 - (v) a natural heritage site; and
 - (vi) the buffer zone or transitional area of a world heritage site;
 - (c) has a development footprint that falls within the boundaries of more than one province or traverses international boundaries;
 - (d) is undertaken, or is to be undertaken by-
 - (i) A national department;
 - (ii) A provincial department responsible for environmental affairs or any other organ of state performing a regulatory function and reporting to the MEC; or
 - (iii) A statutory body, excluding any municipality, performing an exclusive competence of the national sphere of government; or
 - (e) Will take place within a national proclaimed protected area or other conservation area under control of a national authority.
- licencing authority in respect of all activities listed in both categories of the Schedule contained in Government Notice 718, 2009 published in terms of section 19 of NEMWA where –
 - (a) Unless otherwise indicated by the Minister by notice in the *Gazette*, the waste management activity involves the establishment, operation, cessation or

- decommissioning of a facility at which hazardous waste has been or is to be stored, treated or disposed of;
- (b) The waste management activity involves obligations in terms of an international obligation, including the importation or exportation of hazardous waste;
 - (c) The waste management activity is to be undertaken by-
 - (i) A national department;
 - (ii) A provincial department responsible for environmental affairs; or
 - (iii) A statutory body, excluding any municipality, performing an exclusive competence of the national sphere of government;
 - (d) The waste management activity will affect more than one province or traverse international boundaries; or
 - (e) Two or more waste management activities are to be undertaken at the same facility and the Minister is the licencing authority for any of those activities.

However, despite the above-mentioned legislative provisions, the Minister and an MEC may agree that an application for a waste management activity or an environmental authorisation in respect of the above-mentioned activities, where the Minister is the competent/licencing authority, may be dealt with by the relevant MEC within whose province the activity(ies) will take place. Similarly the Minister and the MEC may agree that an application for an environmental authorisation or a waste management activity where the MEC has been identified as the competent/licencing authority, may be dealt with by the Minister. [Section 24C(3) of NEMA and section 43(3) of NEMWA]

The integrated application for environmental authorisation must be submitted by lodging an application with the National Department of Environmental Affairs. The application must be marked for the attention of:

The Director: Environmental Impact Evaluation
Private Bag X447
Pretoria 0001
Tel: 012 310 3230

3.3 Making an Application

- 3.3.1 This application form is current as of 1 September 2010. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority. It is the applicant's responsibility to download the current version of the application form from the website of the Department at <http://www.deat.gov.za>.
- 3.3.2 The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
- 3.3.3 The applicant must clearly mark confidential sections of the information submitted in the application form and supporting documents. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.
- 3.3.4 The applicant must fill in all relevant sections of this form. Incomplete applications will not be processed. The applicant will be notified of the missing information in the acknowledgement letter that will be sent within 14 days of receipt of the application.
- 3.3.5 Incomplete applications may be returned to the applicant for revision.
- 3.3.6 Sections in the form that do not apply to the applicant must be marked "not applicable". However, the use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.
- 3.3.7 Where applicable **black out** the boxes that are not applicable in the form.
- 3.3.8 This application form (together with four hard copies of this application form), must be handed in at the offices of the relevant competent authority as determined by the relevant Acts and Regulations and as indicated in this application form. All application forms must be signed as stipulated in the form. Applications that are not signed or completed accordingly will not be considered.
- 3.3.9 No faxed or e-mailed applications will be accepted.
- 3.3.10 There is currently no prescribed fee.

3.4 Appointment of an EAP

- The applicant must appoint an EAP in terms of EIA Regulations, 2010;
- The EAP must comply with general requirements as given in EIA regulations, 2010; and
- The EAP may be disqualified in terms of EIA Regulations, 2010.

3.5 Criteria for determining whether basic assessment or scoping is to be applied to applications

3.5.1 NEMA activities

- (a) Basic assessment must be applied to an application if the authorisation applied for is in respect of an activity listed in Listing Notices 1 and/or 3 published in Government Gazette Numbers R544 and R546, 2010 respectively and which must follow the process described in sections 21-25 of the EIA Regulations, 2010; and
- (b) Scoping and Environmental Impact Reporting Process ("S&EIR") must be applied to an application if the authorisation applied for is in respect of an activity listed in Listing Notice 2 published in Government Gazette Number R545, 2010 and which must follow the process described in sections 26-35 of the EIA Regulations, 2010.

3.5.2 NEMWA activities

- (a) Basic assessment, in terms of sections 21-25 of the EIA Regulations, 2010, must be applied to an application if the authorisation applied for is in respect of an activity listed in Category A of the Schedule contained in Government Notice 718, published on 3 July 2009, in terms of section 19 of NEMWA; and
- (b) S&EIR, in terms of sections 26-35 of the EIA Regulations, 2010, must be applied to an application if the authorisation applied for is in respect of an activity Category B of the Schedule contained in Government Notice 718, published on 3 July 2009, in terms of section 19 of NEMWA.

3.5.3 Combination of NEMA and NEMWA activities

Should any of the NEMA or NEMWA activities applied for require the application of the S&EIR process, the S&EIR process will be applied to this application for integrated environmental authorisation.

Queries must be addressed to the contact hereunder:

Departmental Details

Postal address:
Department of Environmental Affairs
Attention: Director: Environmental Impact Evaluation
Private Bag X447
Pretoria
0001

Physical address:
Department of Environmental Affairs
Fedure Forum Building (corner of Pretorius and Van der Walt Streets)
2nd Floor North Tower
315 Pretorius Street
Pretoria
0002

Queries should be directed to the Directorate: Environmental Impact Evaluation at:

Tel: 012-310-3290
Fax: 012-320-7539

PART B: GENERAL

1. DESCRIPTION OF PROJECT

The entire project will entail the following (full detail of the project can also be appended):

Kusile Power Station (5400 MW) is a coal fired power station which Eskom is presently constructing that will be operating as part of its power generation fleet. The power station will employ dry ashing for the disposal of its ash. To this end, an ash dump site was approved as part of the station's Environmental Authorisation. Recent studies have revealed that the current ash disposal facility will not be able to accommodate all the ash to be generated by the station during its operational life. In order for the station to continue with ashing in an environmentally responsible manner, a new site has to be identified, designed and licensed for the construction of a new ashing facility, which will be able to accommodate the life of station's ashing. To ensure that the facility operates for the remaining operational life of Kusile Power Station, it is anticipated that an ash facility with a ground footprint of 1500 ha will be required.

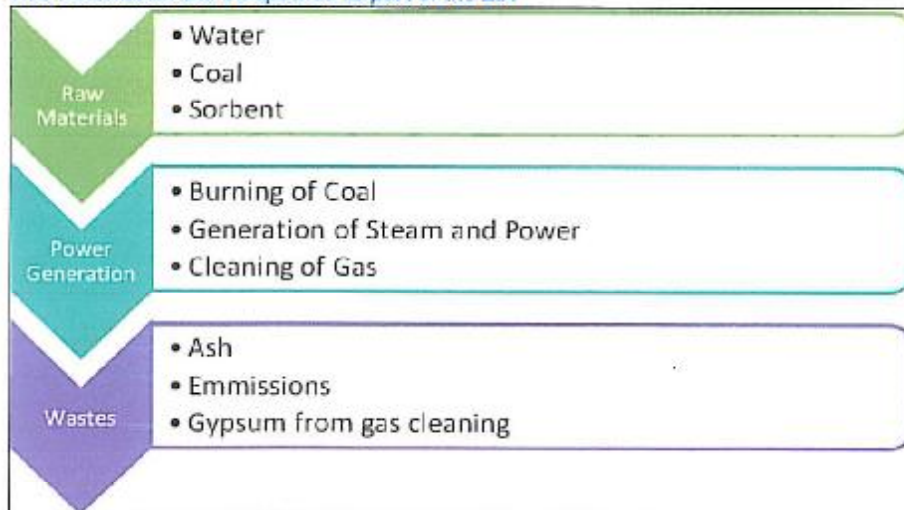
Purpose of application:

The purpose of this application is to obtain environmental authorisation (licencing) for an extension of the ash disposal facilities for Kusile Power Station in order for the station to dispose of the ash in a sustainable and environmentally responsible manner.

2. FLOW CHART OF OPERATIONS

Please provide a brief description of the activities and operations at the site. Provide a flow chart of the operation showing all inputs and outputs of the process. Give particulars of the source, location, nature, composition and quantity of emission to the atmosphere, surface water, sewer, and ground-water including noise emissions. Solid waste must be in tons and specify units for liquids and gases.

This information will be updated as part of the EIA



3. BACKGROUND INFORMATION

Project applicant:	TBC	
Trading name (if any):	Eskom SOC Holdings Ltd	
Contact person:		
Physical address:	Kusile Power Station	
Postal address:		
Postal code:	Cell:	
Telephone:	Fax:	
E-mail:		

Landowner:	Kusile Power Station and new land will be purchased. This detail will be provided at close of site selection/ screening phase	
Contact person:		
Postal address:		
Postal code:	Cell:	
Telephone:	Fax:	
E-mail:		

In instances where there is more than one landowner, please attach a list of landowners with their contact details to this application.

Ownership of the property (mark only one with an X)

Property owned by applicant (100% Share value)	<input type="checkbox"/>	Property leased by applicant	<input type="checkbox"/>
Property owned by applicant (Share value less than 100%)	<input checked="" type="checkbox"/>	The property is communal land	<input type="checkbox"/>

*At present the properties are not all owned by Eskom, but they will be acquired as soon as the EIA is approved. Please refer to the list of properties.

Local authority in whose jurisdiction the proposed activity will fall:	Emalahleni / City of Tshwane / Kungwini Local Municipalities	
	Please refer to attached list for the contact details	
Nearest town or districts:		
Contact person:		
Postal address:		
Postal code:	Cell:	
Telephone:	Fax:	
E-mail:		

In instances where there is more than one local authority involved, please attach a list of local authorities with their contact details to this application.

Please refer to attached list.

Please note that a complete list of all organs or state and or any other applicable authority with their contact details must be appended to this application.

Property description/physical address:

At present the area under investigation is any open area of approximately 1500 ha within 15 km of the Kusile Power Station. Once the site selection process is completed more specific details of the properties will be provided.

(Farm name, portion etc.) Where a large number of properties are involved (e.g. linear activities), please attach a full list to this application.

Please refer to attached list of properties that are within a 15 km radius of the site.

Once site selection has been completed this list will be updated

In instances where there is more than one town or district involved, please attach a list of towns or districts to this application.

Current land-use where the site is situated:

Industrial	x	Recreation	
Agriculture	x	Commercial	
Residential		Mining & quarrying	x
Forestry		Wilderness areas	
Wetlands	x	Nature area	
Open spaces	x		

Other current land-use.....

Current land-use zoning:

Agricultural / Industrial

In instances where there is more than one current land-use zoning, please attach a list of current land use zonings that also indicate which portions each use pertains to, to this application.

Is a change of land-use or a consent use application required?
Must a building plan be submitted to the local authority?

	NO
	NO

PART C: LISTED ACTIVITIES APPLIED FOR IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 AND THE ENVIRONMENTAL IMPACT REGULATIONS, 2010

1. ACTIVITIES APPLIED FOR TO BE AUTHORISED

For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice:	Activity No (s) (to the relevant or notice) :	Describe each listed activity as per the detailed project description (and not as per wording of the relevant Government Notice):
GN R. 545 of 2010	Activity 6	The construction of facilities or infrastructure for the bulk transportation of dangerous goods – i) in gas form, outside and industrial complex, using pipelines, exceeding 1000 metres in length, with a throughput capacity of more than 700 tons per day; ii) in liquid form, outside and industrial complex, using pipelines, exceeding 1000 metres in length, with a throughput capacity of more than 50 cubic metres per day; iii) in solid form, outside and industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day;
GN R. 545 of 2010	Activity 15	Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, industrial or institutional use where the total area to be transformed is 20 hectares or more;
GN R. 544 of 2010	Activity 12	The construction of facilities for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of Activity 19 of GNR 545
GN R. 544 of 2010	Activity 22	The construction of a road outside urban areas i) With a reserve wider than 13,5 metres; ii) Where no reserve exists where the road is wider than 8 metres, or iii) For which an EA was obtained for the route determination in terms of Activity 5 of GN 387 of 2006 or Activity 18 of GN 545 of 2010.
GN R. 544 of 2010	Activity 24	The transformation of land bigger than square 1000 metres in size, to residential, retail commercial, industrial or institutional use,

		where at the time of coming into effect of this Schedule such land was zoned as open space, conservation or has an equivalent zoning.
GN R. 544 of 2010	Activity 29	The expansion of facilities for the generation of electricity where: i) The electricity output is increased by 10 MW or more, excluding where such expansion takes place on the original development footprint; ii) <i>Regardless the increased output of the facility, the development footprint will be increased by 1 hectare or more.</i>
GN R. 544 of 2010	Activity 47	The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre i) With a reserve wider than 13,5 metres; ii) Where no reserve exists where the road is wider than 8 metres, Excluding widening or lengthening inside urban areas.

Please note that any authorisation that may result from this application will only cover activities specifically applied for.

2. TYPE OF APPLICATION REQUIRED FOR ABOVE-MENTIONED ACTIVITIES

2.1 Application for Basic Assessment

Is this an application for conducting a basic assessment (as defined in the Regulations)?

	NO

Please indicate when the basic assessment report will be submitted:

N/A

2.2 Application for Scoping and Environmental Impact Reporting (S&EIR) assessment

Is this an application for S&EIR (as defined in the Regulations)?

YES	

Please indicate when the S&EIR Report (including the Plan of Study for EIA) will be submitted:

The Scoping Report should be submitted by January 2012 and the EIR by August 2012

The S&EIR report will be submitted after consultation with the competent authority:

YES	

PART D: ACTIVITIES APPLIED FOR IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 AND THE ENVIRONMENTAL IMPACT REGULATIONS, 2010

SECTION 1: TYPE OF APPLICATION AND FACILITY:

1.1 Indicate the type of facility/operation and fill in the required sections only

TYPE OF ACTIVITY	MARK	SECTIONS OF THE FORM TO BE FILLED IN
Recycling and/or recovery Facility		All except Section 5
Storage and or transfer Facility		All except Section 5
Treatment facility		All except Section 5
Disposal facility	X	All

1.2 Activities applied for:

An application may be made for more than one listed or specified activity that, together, make up one development proposal. All the listed activities that make up this application must be listed.

INDICATE THE NO. & DATE OF THE RELEVANT NOTICE:	ACTIVITY NUMBERS (AS LISTED IN THE WASTE MANAGEMENT ACTIVITY LIST) :	DESCRIBE EACH LISTED ACTIVITY (and not as per the wording of the relevant Government Notice):
GN 718 Category B, 2009	9	The disposal of any quantities of hazardous waste to land.
	11	The construction of facilities for the activities listed in Category B of this Schedule.

NB: Authorisation issued will only cover activities applied for and listed above. Activities added in the middle or after the processing of this authorisation may mean a totally new application.

1.3 TYPE OF APPLICATION REQUIRED FOR ABOVE-MENTIONED ACTIVITIES

1.3.1 Application for Basic Assessment

Is this an application for conducting a basic assessment (as defined in the Regulations)?

	NO

Please indicate when the basic assessment report will be submitted:

N/A

1.3.2 Application for Scoping and Environmental Impact Reporting (S&EIR) assessment

Is this an application for S&EIR (as defined in the EIA Regulations, 2010) reporting?

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

Please indicate when the S&EIR Report (including the Plan of Study for EIA) will be submitted:

The Scoping Report should be submitted by January 2012 and the EIR by August 2012

The scoping report will be submitted after consultation with the competent authority:

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>

1.4 Size of Site and Classification

Size of facility for a waste management activity	~1500 ha in footprint including supporting structures
Area where the waste management activity takes place	~1500 ha in footprint (inside a 15 km radius from power station)
Classification of facility in terms of climatic water balance	To be submitted with EIR
Classification of Facility in terms of the type and the quantity of waste received	To be submitted with EIR

1.5 Operational times

PERIOD	FROM	UNTIL
Weekdays	12:00 AM	12:00 AM
Saturdays	12:00 AM	12:00 AM
Sunday	12:00 AM	12:00 AM
Public holidays	12:00 AM	12:00 AM

SECTION 2: WASTE QUANTITIES

2.1 Indicate or specify types of waste and list the estimated quantities expected to be managed daily (should you need more columns, you are advised to add more)

Hazardous waste	Non hazardous waste	Total waste handled (tonnes per day)
Ash – classification to be determined as part of the EIA		Tonnages and volumes to be confirmed in the EIR

Source of information supplied in the table above Mark with an "X"

- Determined from volumes
- Determined with weighbridge/scale
- Estimated

<input type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

2.2 Recovery, Reuse, Recycling, treatment and disposal quantities:

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL
		TONS/MONTH	M ³ /MONTH	method & location	method location and contractor details	
Ash	Kusile Power Station	No recovery, reuse or recycling anticipated at this stage but this information will be confirmed in the EIR				

SECTION 3: GENERAL

3.1 Prevailing wind direction (e.g. NWW)

November – April
May - October

N - NW
NW - WNW

3.2 The size of population to be served by the facility

	Mark with "X"	Comment
0-499	n/a	The facility will serve the Kusile Power Station
500-9,999		
10,000-199,999		
200,000 upwards		

3.3 The geological formations underlying the site:

Granite
Shale
Sandstone

X
X

Quartzite
Dolomite
Dolerite

Other: _____

SECTION 4: COMPETENCE TO OPERATE SITE

It is imperative that the holder of the waste management licence is a fit person in terms of section 59 of the NEMWA (59 of 2008). To assess the holder's competence to operate the site, please disclose the following:

4.1 Legal compliance

Has the applicant ever been found guilty or issued with a non compliance notice in terms of any national environmental management legislation?

Has the applicant's licence in terms of the Waste Act 2008 ever been revoked?

Has the applicant ever been issued with a non compliance notice or letter in terms of any South African Law?

YES/NO	DETAILS
No	
No	
No	

NB: Details required above include any information that the applicant wants the Department to take into consideration in determining whether they are a "fit person" and this includes reasons why the offence happened and measures in place to prevent recurrence

4.2 Technical competence

What technical skills are required to operate the site?

Eskom currently has operators on site operating the same kind of plant however should additional staff be required the following will apply:

- *Eskom shall ensure that all key positions are advertised in the newspaper and filled by competent and suitably qualified people.*
- *Eskom shall ensure that all personnel on site undergo specific waste management training e.g. in the courses highlighted above as well as other waste management courses to ensure continuous professional development (CPD).*
- *Eskom shall ensure that personnel on site are inducted through the operations manual and through specific training prior to commencement of work on the site.*
- *Eskom shall ensure that all staff are properly trained and qualified to operate the plant*

How will the applicant ensure and maintain technical competency in the operation of the site?

Eskom will follow its standard operating and training procedures as those currently implemented at the power station, to ensure that the staff remains appropriately qualified.

4.3 Details of applicant's experience and qualification along with that of relevant employees must be summarised as shown in the table below:

NAME	POSITION	DUTIES AND RESPONSIBILITIES	QUALIFICATIONS AND EXPERIENCE
<i>Information to be submitted with the EIR</i>			

4.4 Financial Provisions

Provide a plan of estimated expenditure for the following:

	ATTACHED/NOT ATTACHED	SECTION OF THE REPORT WHERE IT IS ATTACHED
Environmental Monitoring		<i>Information to be submitted with the EIR</i>
Provision and replacement of infrastructure		<i>Information to be submitted with the EIR</i>
Restoration and aftercare		<i>Information to be submitted with the EIR</i>

SECTION 5: LANDFILL PARAMETERS

5.1 The method of disposal of waste:

Land-bulking Land-filling Both

The dimensions of the disposal site in metres

	At commencement	After rehabilitation
Height/Depth	<i>Information to be submitted with the EIR and Design Report</i>	
Length		
Breadth		

5.2 The total volume available for the disposal of waste on the site:

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		<i>Information to be submitted with the EIR</i>
100-34 999		
35 000- 3,5 million		
>3,5 million		

5.3 The total volume already used for waste disposal:

- (a) Will the waste body be covered daily
 (b) Is sufficient cover material available
 (c) Will waste be compacted daily

YES	NO
Unknown	To be addressed in the operating plan
Unknown	

If the answers (a) and/or (b) are No, what measures will be employed to prevent the problems of burning or smouldering of waste and the generation of nuisance?

Ash from the power station is an inert waste that cannot burn or smoulder. Nuisance dust from the facility can be prevented by installing dust suppression systems to prevent windblown dust. This will be addressed in detail in the operating plan for the facility.

5.4 The Salvage method

Mark with an "X" the method to be used.

At source	X
Recycling installation	
Formal salvaging	
Contractor	
No salvaging planned	

5.5 Fatal Flaws for the site:

Indicate which of the following apply to the facility for a waste management activity:
Information to be submitted with the EIR

Within a 3000m radius of the end of an airport landing strip	YES	NO
Within the 1 in 50 year flood line of any watercourse	YES	NO
Within an unstable area (fault zone, seismic zone, dolomitic area, sinkholes)	YES	NO
Within the drainage area or within 5 km of water source	YES	NO
Within an area with shallow and/or visible water table	YES	NO
Within an area adjacent to or above an aquifer	YES	NO
Within an area with shallow bedrock and limited available cover material	YES	NO
Within 100 m of the source of surface water	YES	NO
Within 1km from the wetland	YES	NO
Indicate the distance to the boundary of the nearest residential area	_____ metres	
Indicate the distance to the boundary of the industrial area	_____ metres	

5.6 Wettest six months of the year

November-April	x
May-October	

5.7 For the wettest six month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total A-pan evaporation for 6 months	Climatic water balance
For the 1 st wettest year	<i>Information to be submitted with the EIR</i>		
For the 2 nd wettest year			
For the 3 rd wettest year			
For the 4 th wettest year			
For the 5 th wettest year			

PART E: DECLARATION BY THE APPLICANT

1. The Applicant

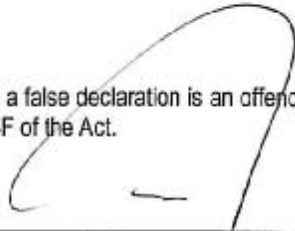
I, C.S. Prinsloo, declare that I -

- am, or represent¹, the applicant in this application;
- have appointed an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application²;
- will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;
- will be responsible for the costs incurred in complying with the Environmental Impact Assessment Regulations, 2010, including but not limited to –
 - costs incurred in connection with the appointment of the environmental assessment practitioner or any person contracted by the environmental assessment practitioner;
 - costs incurred in respect of the undertaking of any process required in terms of the Regulations;
 - costs in respect of any fee prescribed by the Minister or MEC in respect of the Regulations;
 - costs in respect of specialist reviews, if the competent authority decides to recover costs; and
 - the provision of security to ensure compliance with conditions attached to an environmental authorisation, should it be required by the competent authority;
- will ensure that the environmental assessment practitioner is competent to comply with the requirements of these Regulations and will take reasonable steps to verify whether the EAP complies with the Regulations;
- will inform all registered interested and affected parties of any suspension of the application as well as of any decisions taken by the competent authority in this regard;
- am responsible for complying with the conditions of any environmental authorisation issued by the competent authority;
- hereby indemnify the Government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action which the applicant or environmental assessment practitioner is responsible for in terms of these Regulations;
- will not hold the competent authority responsible for any costs that may be incurred by the applicant in proceeding with an activity prior to obtaining an environmental authorisation or prior to an appeal being decided in terms of these Regulations;
- will perform all other obligations as expected from an applicant in terms of the Regulations;
- all the particulars furnished by me in this form are true and correct; and

¹ If this is signed on behalf of the applicant, proof of such authority from the applicant must be attached.

² If exemption is obtained from appointing an EAP, the responsibilities of an EAP will automatically apply to the person conducting the environmental impact assessment in terms of the Regulations.

- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.



Signature of the applicant³/ Signature on behalf of the applicant:

ESKOM - KUSILE Power Station

Name of company (if applicable):

29/02/2011

Date:

³ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

DETAILS OF EAP AND DECLARATION OF INTEREST

	(For official use only)
File Reference Number:	12/12/20/
NEAS Reference Number:	DEAT/
Date Received:	

Application for integrated environmental authorisation and waste management licence in terms of the-

- (1) National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010; and
- (2) National Environmental Management Act: Waste Act, 1998 (Act No. 59 of 2008) and Government Notice 718, 2009

PROJECT TITLE

Proposed ash facility for the Kusile Power Station

Environmental Assessment Practitioner (EAP):	Zitholele Consulting (Pty) Ltd – Konrad Kruger		
Contact person:	Konrad Kruger		
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Professional affiliation(s) (if any)	IAIA Botanical Society of South Africa		

Project Consultant:	Same as above		
Contact person:			
Postal address:			
Postal code:		Cell:	
Telephone:		Fax:	
E-mail:			

4.2 The Environmental Assessment Practitioner

I, Konrad Krüger , declare that –

General declaration:

- I act as the independent environmental practitioner in this application;
- I will perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the applicant;
- I declare that there are no circumstances that may compromise my objectivity in performing such work;
- I have expertise in conducting environmental impact assessments, including knowledge of the Act, regulations and any guidelines that have relevance to the proposed activity;
- I will comply with the Act, Regulations and all other applicable legislation;
- I will take into account, to the extent possible, the matters listed in regulation 8 of the Regulations when preparing the application and any report relating to the application;
- I have no, and will not engage in, conflicting interests in the undertaking of the activity;
- I undertake to disclose to the applicant and the competent authority all material information in my possession that reasonably has or may have the potential of influencing - any decision to be taken with respect to the application by the competent authority; and - the objectivity of any report, plan or document to be prepared by myself for submission to the competent authority;
- I will ensure that information containing all relevant facts in respect of the application is distributed or made available to interested and affected parties and the public and that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced to support the application;
- I will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- I will keep a register of all interested and affected parties that participated in a public participation process;
- I will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not;
- all the particulars furnished by me in this form are true and correct;
- will perform all other obligations as expected from an environmental assessment practitioner in terms of the Regulations; and
- I realise that a false declaration is an offence in terms of regulation 71 and is punishable in terms of section 24F of the Act.

Disclosure of Vested Interest (delete whichever is not applicable)

- I do not have and will not have any vested interest (either business, financial, personal or other) in the proposed activity proceeding other than remuneration for work performed in terms of the Environmental Impact Assessment Regulations, 2010;
- ~~I have a vested interest in the proposed activity proceeding, such vested interest being:~~

Signature of the environmental assessment practitioner:

Name of company:

Date:



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Reference: 12/12/20/2412

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PER FACSIMILE / MAIL

Dear Sir/Madam

**ACKNOWLEDGEMENT OF RECEIPT AND ACCEPTANCE OF NEW APPLICATION FOR
INTEGRATED ENVIRONMENTAL AUTHORISATION AND WASTE MANAGEMENT LICENCE
(SCOPING/EIA PROCESS) FOR THE PROPOSED EXTENSION OF ASH FACILITY FOR THE
KUSILE POWER STATION**

The Department confirms having received the following documents for integrated environmental authorisation and waste management licence for the abovementioned project from you: Integrated Application Form and EAP Declaration of Interest (on 2 September 2011) and the original signed Integrated Application Form with the contact details of Applicant, contact details of land owners and contact details of all local authorities and the required proof in terms of regulation 12 (2) (b) (i) of the EIA Regulations, 2010 for the other land to be purchased (on 4 October 2011). You have submitted this document to comply with the Environmental Impact Assessment Regulations, 2010 and Government Notice 718 of 2009. The Application is accepted.

Please include both reference numbers (NEAS Reference and DEA Reference), as listed above, on all documents and correspondence submitted to the Department.

Please note that one hard copy and one electronic copy (saved on CD/DVD) of draft reports, and five hard copies and one electronic copy of final reports must be submitted to the Department.

In addition, please consider the following during compilation of reports for this application for environmental authorisation:

- All applicable Departmental Guidelines must be considered throughout the application process. These can be downloaded from the Department's website: www.environment.gov.za, Environmental Impact Management button, listed under "EIA Administration": Integrated Environmental Management Information Series link. These include, but are not limited to, the following topics: Scoping, Environmental Impact Reporting, Stakeholder Engagement, Specialist Studies, Impact Significance, Cumulative Effects Assessments, Alternatives in EIA and Environmental Management Plans.
- Please be advised that in terms of the EIA Regulations and NEMA the investigation of alternatives is mandatory. Alternatives must therefore be identified, investigated to determine if they are feasible and reasonable. It is also mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option).
- Should water, solid waste removal, effluent discharge, stormwater management and electricity services be provided by the municipality, you are requested to provide this office with written proof that the municipality has sufficient capacity to provide the necessary services to the proposed development. Confirmation of the availability of services from the service providers must be provided together with the reports to be submitted.
- In the reports to be submitted it must clearly be demonstrated in which way the proposed development will meet the requirements of sustainable development. You must also consider energy efficient technologies and water saving devices and technologies for the proposed development. This could include measures such as the recycling of waste, the use of low voltage or compact fluorescent lights instead of incandescent globes, maximising the use of solar heating, the use of dual flush toilets and low-flow shower heads and taps, the management of storm water, the capture and use of rainwater from gutters and roofs, the use of locally indigenous vegetation during landscaping and the training of staff to implement good housekeeping techniques.
- The applicant/EAP is required to inform this Department in writing upon submission of any draft report, of the contact details of the relevant State Departments (that administer laws

relating to a matter affecting the environment) to whom copies of the draft report were submitted for comment. Upon receipt of this confirmation, this Department will in accordance with Section 24O(2) & (3) of the National Environmental Management Act, 1998 (Act 107 of 1998) inform the relevant State Departments of the commencement date of the 40 day commenting period, or 60 days in the case of the Department of Water Affairs for waste management activities which also require a licence in terms of the National Water Act, 1998 (Act 36 of 1998).

- Should it be necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999), please submit the necessary application to SAHRA or the relevant provincial heritage agency and submit proof thereof with the Basic Assessment Report/Environmental Impact Assessment Report. The relevant heritage agency should also be involved during the public participation process and have the opportunity to comment on all the reports to be submitted to this Department.

In terms of regulation 67 of the EIA Regulations, 2010 this application will lapse if the applicant (or the EAP on behalf of the applicant) fails to comply with a requirement in terms of the Regulations for a period of six months after having submitted the application, unless the reasons for failure have been communicated to and accepted by this Department.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours sincerely



Mr Ishaam Abader

**Deputy Director-General: Environmental Quality and Protection
Department of Environmental Affairs**

Letter signed by: Ms Nyiko Ngoveni

Designation: Environmental Officer: Environmental Impact Evaluation

Date: 19/10/2011