



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

File Reference Number:	(For official use only)
NEAS Reference Number:	DEA/EIA/
Date Received:	

Application for authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), (the Act) and the Environmental Impact Assessment Regulations, 2014 the Regulations)

PROJECT TITLE

PROPOSED RETROFITTING OF THE EXISTING ELECTROSTATIC PRECIPITATORS WITH FABRIC FILTER PLANTS AND UPGRADING OF DUST HANDLING PLANT AT KRIEL POWER STATION IN THE EMALAHLENI LOCAL MUNICIPALITY, NKANGALA DISTRICT, MPUMALANGA PROVINCE

Kindly note that:

1. This application form is current as of 08 December 2014. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority.
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. Where applicable **black out** the boxes that are not applicable in the form.
4. 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.
5. This application must be handed in at the offices of the relevant competent authority as determined by the Act and Regulations.
6. No faxed or e-mailed applications will be accepted. An electronic copy of the signed application form must be submitted together with two hardcopies (one of which must contain the original signatures).
7. Unless protected by law, all information filled in on this application form will become public information on receipt by the competent authority. Any interested and affected party should and shall be provided with the information contained in this application on request, during any stage of the application process.
8. Should a specialist report or report on a specialised process be submitted at any stage for any part of this application, the terms of reference for such report and declaration of interest of the specialist must also be submitted.

9. Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for the Fee Regulations (Fees for consideration and processing of applications for environmental authorisations and amendments thereto Government Notice No.141, published on 28 February 2014) is applicable AND such information in section 1 of this application form has been confirmed by this Department.

Departmental Details

The application must be addressed to the Chief Directorate: Integrated Environmental Authorisations at:

Postal address:

Department of Environmental Affairs
Attention: Director: Integrated Environmental Authorisations
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Attention: Director: Integrated Environmental Authorisations
Environment House
473 Steve Biko Road
Arcadia
Pretoria

Queries must be addressed to the contact below:

Tel: 012 399 9372
E-mail: EIAAdmin@environment.gov.za

Please note that this form must be copied to the relevant provincial environmental department/s.

View the Department's website at <http://www.environment.gov.za/> for the latest version of the documents.

1. **PROOF OF PAYMENT**

Applicants are required to tick the appropriate box below to indicate that either proof of payment is attached or that, in the applicant's view, an exclusion applies. Proof and a motivation for exclusions must be attached to this application form in **Appendix 1**.

Proof of payment attached as **Appendix 1**

Exclusion applies

An applicant is excluded from paying fees if:

The activity is a community based project funded by a government grant; or
The applicant is an organ of state.

TYPE OF EXCLUSION	Tick where applicable. Proper motivation must be attached to the application
The activity is a community based project funded by a government Grant	
The applicant is an organ of state	√

FEE AMOUNT	Fee
Application for an environmental authorisation for which basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000
Application for an environmental authorisation, for which S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000

Department of Environmental Affairs' details for the payment of application fees:

<p>Payment Enquiries: Tel: 012 399 9119 Email: eiafee@environment.gov.za</p> <p>Banking details: ABSA Bank Branch code: 632005 Account number: 1044 2400 72 Current account Reference number : Reference number to be provided in the specific format indicating centre point coordinates of site in decimal degrees to 5 or 6 decimal places: latitude/longitude eg. -33.918861/18.423300</p> <p>Proof of payment must accompany the application form: Indicate reference number below.</p> <p>Tax exemption status: Status: Tax exempted</p> <p>Reference number:</p>
--

2. PROJECT DESCRIPTION

Please provide a **detailed** description of the project.

Escom (Kriel Power Station) proposes to retrofit the existing Electrostatic Precipitators (ESP's) with more effective particulate emission abatement Technology, Fabric Filter Plants (FFP's) and upgrade of Dust Handling Plant (DHP) at Kriel Power Station's units 1, 2, 3, 4, 5 and 6. This will allow Kriel Power Station to meet the new particulate emission limits as set out in the stations Atmospheric Emission Licence in terms of Section 40(1) Read with Section 47(1) of the National Environmental Management : Air Quality Act, 2004, (Act No. 39 of 2004)

Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011?		NO
--	--	----

If YES, please indicate which SIPs are applicable in **Appendix 2**. You are also required to provide confirmation of SIP applications from the relevant sector representative which must be attached in **Appendix 2**

Please indicate which sector the project falls under by crossing out the relevant block in the table below:

Table 1

Green economy + "Green" and energy-saving industries	Greenfield transformation to urban or industrial form (including mining)	
Infrastructure – electricity (generation, transmission & distribution)	Biodiversity or sensitive area related activities	
Oil and gas	Mining value chain	
Biofuels	Potential of metal fabrication capital & transport equipment – arising from large public investments	
Nuclear	Boat building	
Basic services (local government) – electricity and electrification	Manufacturing – automotive products and components, and medium and heavy commercial vehicles	
Basic services (local government) – area lighting	Manufacturing – plastics, pharmaceuticals and chemicals	
Infrastructure – transport (ports, rail and road)	Manufacturing – clothing textiles, footwear and leather	
Basic services (local government access roads)	Forestry, paper, pulp and furniture	
Basic services (local government) – public transport	Business process servicing	
Infrastructure – water (bulk and reticulation)	Advanced materials	
Basic services (local government) – sanitation	Aerospace	
Basic services (local government) – waste management	Basic services (local government) – education	
Basic services (local government) water	Basic services (local government) – health	
Agricultural value chain + agro-processing (linked to food security and food pricing imperatives)	Basic services (local government) - housing	
Infrastructure – information and communication technology	Basic services (local government) security of tenure	

Tourism + strengthening linkages between cultural industries and tourism		Other	
Basic services (local government) – public open spaces and recreational facilities			

Table 2

Does the listed activity/ies applied for form part of a larger project which is not a listed activity itself e.g. a road that is a listed activity that is needed to access a drilling site where the drilling does not constitute a listed activity.		NO
If indicated yes above, please provide a brief description on how the activity/ies relate to the larger project that forms part there of:		
N/A		

3. GENERAL INFORMATION

Applicant name:	Eskom Holding SOC Ltd		
Registration number (if applicant is a company)	2002/015527/30		
Trading name (if any)	Eskom		
Responsible person name (If the applicant is a company):	Deidre Herbst		
Applicant/ Responsible person ID number:	6603060573081		
Responsible position, e.g. Director, CEO, etc.:	Eskom Environmental Manager		
Physical address:	1 Maxwell Drive, Sunninghill, Johannesburg		
Postal address:	PO Box 1091		
Postal code:	2000	Cell:	083 660 1147
Telephone:	011 800 3501	Fax:	086 660 6092
E-mail:	Deidre.herbst@eskom.co.za	BBBEE status	State Owned Company (SOC)

Provincial Authority:	DARDLEA		
Contact person:	Dineo Tswai		
Postal address:	P.O. BOX 383, Witbank		
Postal code:	1035	Cell:	N/A
Telephone:	013 690 259543	Fax:	013 690 3704
E-mail:	dtswai@wit.mpu.gov.za		

Local municipality	Emalahleni Local Municipality		
Contact person:	John Nkabinde		
Postal address:	PO BOX 3, Emalahleni		
Postal code:	1035	Cell:	072 596 4904
Telephone:	013 690 6350	Fax:	086 698 7468
E-mail:	nkbindeej@emalahleni.gov.za		

In instances where there is more than one local authority involved, please attach a list of those local authorities with their contact details as **Appendix 3**.

Landowner:	Eskom Holdings SOC Ltd
Contact person:	Jabulane Mavimbela

Postal address:	Private Bag X5009, Kriel		
Postal code:	2271	Cell:	082 040 0677
Telephone:	017 615 2300	Fax:	086 572 3500
E-mail:	jabulane.mavimbela@eskom.co.za		

In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **Appendix 4**. If the applicant is not the owner or person in control of the land, proof of notice to the landowner or person in control of the land on which the activity is to be undertaken must be submitted in **Appendix 4**.

Identified Competent Authority to consider the application:	Department of Environmental Affairs
Reason(s) in terms of S 24C of NEMA 1998 as amended	The applicant, Eskom Holdings SOC Ltd is a State Owned Entity and as such applications for Environmental Authorisation should be directed to DEA.

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

EAP:	Wandima Environmental Services		
Professional affiliation/registration:	SACNAPS		
Contact person (if different from EAP):	Manqoba Dlamini		
Company:	Wandima Environmental Services		
Physical address:	Suite 603 B, Pinnacle Building, 1 Parkein Street, Nelspruit 1200		
Postal address:	P O Box 1072, Nelspruit		
Postal code:	1200	Cell:	082 516 4108
Telephone:	013 752 5452	Fax:	013 752 6877
E-mail:	manqoba@wandima.co.za		

If an EAP has not been appointed please ensure that an independent EAP is appointed as stipulated by Regulation 12 of GN R.982, dated December 2014, prior to the commencement of the process. The declaration of independence and the Curriculum Vitae (indicating the experience with environmental impact assessment and the relevant application processes) of the EAP must also be submitted to the Department.

5. SITE DESCRIPTION

Provide a detailed description of the site involved in the application.

Province	Mpumalanga
District Municipality	Nkangala
Local Municipality	Emalahleni
Ward number(s)	N/A
Nearest town(s)	Kriel
Farm name(s) and number(s)	Kriel Power Station 65-IS
Portion number(s)	N/A

SG 21 Digit Code(s)

(If there are more than 4, please attach a list with the rest of the codes as **Appendix 5**)

T	0	I	S	0	0	0	0	0	0	0	0	0	0	6	5	0	0	0	0

1	2	3	4	5																

Are there any other applications for Environmental Authorisation on the same property?	<input type="checkbox"/>	NO
If YES, please indicate the following:		
Competent Authority		
Reference Number		
Project Name		
Please provide details of the steps taken to ascertain this information:		

6. ACTIVITIES TO BE AUTHORISED

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

Detailed description of listed activities associated with the project	
Listed activity as described in GN R 983, 984 and 985	Description of project activity that triggers listed activity
<p>e.g. GN R.983 Item XX(x): The development of bridge exceeding 100 square metres in size within a watercourse</p> <p>GN R.983 Activity 34</p> <p>The expansion or changes to existing facilities for any process or activity where such expansion or changes will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions or pollution, excluding-</p> <ul style="list-style-type: none"> (i) where the facility, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or (ii) the expansion of or changes to existing facilities for the treatment of effluent, wastewater or sewage where the capacity will be increased by less than 15 000 cubic metres per day. 	<p>e.g. A bridge measuring 110 square metres will be constructed within the watercourse</p> <p>Retrofitting of the existing Electrostatic Precipitators (ESP's) with more effective particulate emission abatement Technology, Fabric Filter Plants (FFP's) and upgrade of Dust Handling Plant (DHP) at Kriel Power Station's units 1, 2, 3, 4, 5 and 6. This will allow Kriel Power Station to meet the new particulate emission limits.</p>

Please note that any authorisation that may result from this application will only cover activities specifically applied for. Co-ordinate points indicating the location of each listed activity must be provided with the relevant report (i.e. either BAR or EIR).

Please provide a project map indicating any sensitive areas (e.g. critical biodiversity area, World Heritage Site, etc.) overlaid by the study area in **Appendix 6**.

A project schedule, indicating the different phases and timelines of the project, must be attached as **Appendix 7**.

7. PUBLIC PARTICIPATION

Provide details of the public participation process proposed for the application as required by Regulation 41(2) of GN R .982, dated December 2014.

The process is detailed below:

According to Regulation 41(2) of GN R. 982, dated June 2014, the applicant considered all guidelines related to the public participation process and notified all interested and affected parties of the application, subjected to the public participation exercise.

- The EAP was appointed and an inception meeting and site visit took place on site.
- Alternatives were determined and adjacent landowners were consulted.
- Interested and Affected Parties (I&APs) and stakeholders were identified.
- BID's were distributed, site notices were fixed on various points of the power station and newspaper advertisements were placed on the local newspaper informing all I&APs to register to participate on the application.
- An open public meeting will be conducted during the draft BAR review phase.
- A draft BAR will be advertised and distributed for public review and comments.
- After the public review, all comments will be considered and incorporated in the final BAR
- The final BAR will be submitted to DEA for consideration.
- I&APs will be notified of the decision made by DEA and will be given time to appeal the decision if need be.

8. OTHER AUTHORISATIONS REQUIRED

LEGISLATION	AUTHORISATION REQUIRED	APPLICATION SUBMITTED
SEMA's		
National Environmental Management: Air Quality Act	YES	YES
National Environmental Management: Biodiversity Act	NO	NO
National Environmental Management: Integrated Coastal Management Act	NO	NO
National Environmental Management: Protected Areas Act	NO	NO
National Environmental Management: Waste Act	NO	NO
National legislation		
Mineral Petroleum Development Resources Act	NO	NO
National Water Act	NO	NO
National Heritage Resources Act	NO	NO
Others: Please specify	NO	NO

If authorisation is necessary in terms of the National Environmental Management: Waste Act, please contact the Department for guidance on the **Integrated Permitting System**.

9. LIST OF APPENDICES

		SUBMITTED	
Appendix 1	Proof of Payment		N/A
Appendix 1	Strategic Infrastructure Projects		N/A
Appendix 2	List of Local Municipalities (with contact details)		N/A
Appendix 3	List of land owners (with contact details) and proof of notification of land owners.	YES	
Appendix 4	List of SGIDs	YES	
Appendix 5	Project map	YES	
Appendix 6	Project schedule	YES	
Appendix 7	Declaration of Applicant	YES	
Appendix 9	Declaration of EAP	YES	

APPENDIX 1
PROOF OF PAYMENT/ MOTIVATION FOR EXCLUSION

Motivation is attached

Ms M. Solomons
Director: Integrated Environmental Authorization
Department of Environmental Affairs
Private Bag X447
PRETORIA
0001

Date:
06 June 2016

Enquiries: Tobile Bokwe
Tel +27 11 800 2303
tobile.bokwe@eskom.co.za

Ref No: ENV16-L217

Dear Ms Solomons

MOTIVATION FOR FEE APPLICATION EXCLUSION MADE BY AN ORGAN OF STATE: KRIEL POWER STATION FABRIC FILTER PLANT AND DUST HANDLING PLANT.

Eskom hereby confirms that it is a State Owned Company and the company is excluded from paying the application fees for the Environmental Authorization and Amendments in terms of regulation 3 of "National Environmental Management Act, 1998 (Act no. 107 of 1998) Fees for consideration and processing of applications for Environmental Authorisations and Amendments thereto" which were published on 28 February 2014 in the Government Gazette No.37383.

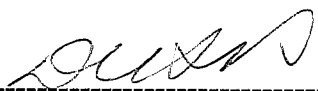
Eskom was established in South Africa in 1923 as the Electricity Supply Commission. In July 2002, it was converted into a public, limited liability company, wholly owned by government. The constitutional definition of 'organ of state' makes it clear that other institutions and functionaries are organs of state on the basis of what they are and others by virtue of the functions they are engaged in.

Eskom is one of the top 20 utilities in the world by generation capacity (net maximum self-generated capacity: 41 194MW). Eskom generates approximately 95% of the electricity used in South Africa and approximately 45% of the electricity used in Africa. Eskom

directly provides electricity to about 45% of all end-users in South Africa. The other 55% is resold by redistributors (including municipalities).

Eskom applies for exclusion from payment of the fees applicable to this amendment application, since it is a State Owned Company.

Yours Sincerely



Deidre Herbst
ESKOM ENVIRONMENTAL MANAGER

**APPENDIX 2
STRATEGIC INFRASTRUCTURE PROJECTS**

<p>SIP 1: Unlocking the northern mineral belt with Waterberg as the catalyst</p> <ul style="list-style-type: none"> • Unlock mineral resources • Rail, water pipelines, energy generation and transmission infrastructure • Thousands of direct jobs across the areas unlocked • Urban development in Waterberg - first major post-apartheid new urban centre will be a “green” development project • Rail capacity to Mpumalanga and Richards Bay • Shift from road to rail in Mpumalanga • Logistics corridor to connect Mpumalanga and Gauteng. 	
<p>SIP 2: Durban-Free State-Gauteng logistics and industrial corridor</p> <ul style="list-style-type: none"> • Strengthen the logistics and transport corridor between SA's main industrial hubs • Improve access to Durban's export and import facilities • Integrate Free State Industrial Strategy activities into the corridor • New port in Durban • Aerotropolis around OR Tambo International Airport. 	
<p>SIP 3: South-Eastern node & corridor development</p> <ul style="list-style-type: none"> • New dam at Mzimvubu with irrigation systems • N2-Wild Coast Highway which improves access into KwaZulu-Natal and national supply chains • Strengthen economic development in Port Elizabeth through a manganese rail capacity from Northern Cape • A manganese sinter (Northern Cape) and smelter (Eastern Cape) • Possible Mthombo refinery (Coega) and transshipment hub at Ngqura and port and rail upgrades to improve industrial capacity and performance of the automotive sector. 	
<p>SIP 4: Unlocking the economic opportunities in North West Province</p> <ul style="list-style-type: none"> • Acceleration of investments in road, rail, bulk water, water treatment and transmission infrastructure • Enabling reliable supply and basic service delivery • Facilitate development of mining, agricultural activities and tourism opportunities • Open up beneficiation opportunities in North West Province. 	
<p>SIP 5: Saldanha-Northern Cape development corridor</p> <ul style="list-style-type: none"> • Integrated rail and port expansion • Back-of-port industrial capacity (including an IDZ) • Strengthening maritime support capacity for oil and gas along African West Coast • Expansion of iron ore mining production and beneficiation. 	
<p>SIP 6: Integrated municipal infrastructure project</p> <p>Develop national capacity to assist the 23 least resourced districts (19 million people) to address all the maintenance backlogs and upgrades required in water, electricity and sanitation bulk infrastructure. The road maintenance programme will enhance service delivery capacity thereby impacting positively on the population.</p>	
<p>SIP 7: Integrated urban space and public transport programme</p> <p>Coordinate planning and implementation of public transport, human settlement, economic and social infrastructure and location decisions into sustainable urban settlements connected by densified transport corridors. This will focus on the 12 largest urban centres of the country, including all the metros in South Africa. Significant work is underway on urban transport integration.</p>	

<p>SIP 8: Green energy in support of the South African economy Support sustainable green energy initiatives on a national scale through a diverse range of clean energy options as envisaged in the Integrated Resource Plan (IRP2010) and support bio-fuel production facilities.</p> <p><i>Indicate capacity in MW:</i></p>	
<p>SIP 9: Electricity generation to support socioeconomic development Accelerate the construction of new electricity generation capacity in accordance with the IRP2010 to meet the needs of the economy and address historical imbalances. Monitor implementation of major projects such as new power stations: Medupi, Kusile and Ingula.</p> <p><i>Indicate capacity in MW:</i></p>	√
<p>SIP 10: Electricity transmission and distribution for all Expand the transmission and distribution network to address historical imbalances, provide access to electricity for all and support economic development. Align the 10-year transmission plan, the services backlog, the national broadband roll-out and the freight rail line development to leverage off regulatory approvals, supply chain and project development capacity.</p>	
<p>SIP 11: Agri-logistics and rural infrastructure Improve investment in agricultural and rural infrastructure that supports expansion of production and employment, small-scale farming and rural development, including facilities for storage (silos, fresh-produce facilities, packing houses); transport links to main networks (rural roads, branch train-line, ports), fencing of farms, irrigation schemes to poor areas, improved R&D on rural issues (including expansion of agricultural colleges), processing facilities (abattoirs, dairy infrastructure), aquaculture incubation schemes and rural tourism infrastructure.</p>	
<p>SIP 12: Revitalisation of public hospitals and other health facilities Build and refurbish hospitals, other public health facilities and revamp 122 nursing colleges. Extensive capital expenditure to prepare the public healthcare system to meet the requirements of the National Health Insurance (NHI) system. The SIP contains major builds for 6 hospitals.</p>	
<p>SIP 13: National school build programme A national school build programme driven by uniformity in planning, procurement, contract management and provision of basic services. Replace inappropriate school structures and address basic service backlog and provision of basic services under the Accelerated School Infrastructure Delivery Initiative (ASIDI). In addition, address national backlogs in classrooms, libraries, computer labs and admin buildings. Improving the learning environment will strengthen outcomes especially in rural schools, as well as reduce overcrowding.</p>	
<p>SIP 14: Higher education infrastructure Infrastructure development for higher education, focusing on lecture rooms, student accommodation, libraries and laboratories, as well as ICT connectivity. Development of university towns with a combination of facilities from residence, retail to recreation and transport. Potential to ensure shared infrastructure such as libraries by universities, FETs and other educational institutions. Two new universities will be built - in Northern Cape and Mpumalanga.</p>	
<p>SIP 15: Expanding access to communication technology Provide for broadband coverage to all households by 2020 by establishing core Points of Presence (POPs) in district municipalities, extend new Infracore fibre networks across provinces linking districts, establish POPs and fibre connectivity at local level, and further penetrate the network into deep rural areas. While the private sector will invest in ICT infrastructure for urban and corporate networks, government will co-invest for township and rural access, as well as for e-government, school and health connectivity.</p>	

<p>The school roll-out focus is initially on the 125 Dinaledi (science and maths-focussed) schools and 1525 district schools. Part of digital access to all South Africans includes TV migration nationally from analogue to digital broadcasting.</p>	
<p>SIP 16: SKA & Meerkat SKA is a global mega-science project, building an advanced radio-telescope facility linked to research infrastructure and high-speed ICT capacity and provides an opportunity for Africa and South Africa to contribute towards global advanced science projects.</p>	
<p>SIP 17: Regional integration for African cooperation and development Participate in mutually beneficial infrastructure projects to unlock long-term socio-economic benefits by partnering with fast growing African economies with projected growth ranging between 3% and 10%. The projects involving transport, water and energy also provide competitively-priced, diversified, short and medium to long-term options for the South African economy where, for example, electricity transmission in Mozambique (Cesul) could assist in providing cheap, clean power in the short-term whilst Grand Inga in the DRC is long-term. All these projects complement the Free Trade Area (FTA) discussions to create a market of 600 million people in South, Central and East Africa.</p>	
<p>SIP 18: Water and sanitation infrastructure A 10-year plan to address the estimated backlog of adequate water to supply 1.4m households and 2.1m households to basic sanitation. The project will involve provision of sustainable supply of water to meet social needs and support economic growth. Projects will provide for new infrastructure, rehabilitation and upgrading of existing infrastructure, as well as improve management of water infrastructure.</p>	

**APPENDIX 3 (IF APPLICABLE)
LIST OF LOCAL MUNICIPALITIES**

N/A

**APPENDIX 4
LIST OF LAND OWNERS
PROOF OF NOTIFICATION OF LAND OWNERS**

N/A

APPENDIX 5 (IF APPLICABLE)
LIST OF SGIDS

N/A

APPENDIX 6
PROJECT MAP

APPENDIX 7
PROJECT SCHEDULE

**APPENDIX 8
DECLARATION OF THE APPLICANT**

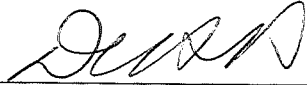
I, Deidre Hebat declare that I -

- am, or represent¹, the applicant in this application;
- have appointed / will appoint (delete that which is not applicable) an environmental assessment practitioner to act as the independent environmental assessment practitioner for this application / will obtain exemption from the requirement to obtain an environmental assessment practitioner²;
- 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 Regulations, 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 the Regulations and will take reasonable steps to verify that the EAP
 - know the Act and the regulations, and how they apply to the proposed development
 - know any applicable guidelines
 - perform the work objectively, even if the findings do not favour the applicant
 - disclose all information which is important to the application and the proposed development
 - have expertise in conducting environmental impact assessments
 - 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
- I realise that a false declaration is an offence in terms of regulation 48 and is punishable in terms of section 24F of the Act.



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.



Signature³ of the applicant⁴/ Signature on behalf of the applicant:

Escom Holdings Soc Ltd

Name of company (if applicable):

07 June 2016

Date:

PROPOSED RETROFITTING OF THE EXISTING ELECTROSTATIC PRECIPITATORS WITH FABRIC FILTER PLANTS AND UPGRADING OF DUST HANDLING PLANT AT KRIEL POWER STATION IN THE EMALAHLENI LOCAL MUNICIPALITY, NKANGALA DISTRICT, MPUMALANGA PROVINCE.

³ Only original signatures will be accepted. No scanned, copied or faxed signatures will be accepted.

⁴ If the applicant is a juristic person, a signature on behalf of the applicant is required as well as proof of such authority. An EAP may not sign on behalf of an applicant.

APPENDIX 9

DECLARATION OF THE EAP


I, MANQOBA DLAMINI 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; and
- 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 48 of the Regulations 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 Regulations;



Signature of the environmental assessment practitioner:

WANDIMA ENVIRONMENTAL SERVICES

Name of company:

07/06/2016

Date: