environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR ENVIRONMENTAL AUTHORISATION

	(For official use only)
File Reference Number:	
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

Construction of the Lethabo Power Station's east cooling water treatment plant, on Farm portion 1814 of Parent Farm Bankfontein in the Metsimaholo Local Municipality of the Fezile Dabi District Municipality, Free State 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:

Payment Enquiries:
Tel: 012 399 9119
Email: eiafee@environment.gov.za

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

Proof of payment must accompany the application form: Indicate reference number below.

Tax exemption status:
Status: Tax exempted

Reference number: .....

2. PROJECT DESCRIPTION

Please provide a detailed description of the project.

The applicant, Eskom, proposes to construct a Cooling Water Treatment Plant (CWTP) on the east side of the Lethabo Power Station, within the footprint of the Power Station, to augment the cooling water treatment facilities for the power station. This will allow maintenance of the existing CWTP on the western side whilst continuing with the treating of cooling water. The plant will remove the salt load equivalent of the maximum make-up to the system, so that the cycles of concentration are maintained at a constant level. The cooling water treatment plant will have minimal waste generation and produce less effluent than the present system.

When Lethabo Power Station was originally built in the 1980s, it was proposed that a CWTP be built on the east side of the station together with the existing CWTP on the west side. However, due to a number of limitations the east plant was never constructed.

The proposed CWTP will not treat mine water; it will remove dissolved and suspended material using reverse osmosis from a fraction of the cooling water to reduce blow down and ensure compliance of the cooling water chemistry with the cooling water standards.

The footprint of CWTP is between 64 00m² and 10 000m². A maximum of 17Ml/day of water shall be extracted for treatment from the cooling water system and existing pipelines will transfer a maximum of 10Ml/day of clarified water which will be sent through to ultrafiltration with the remainder sent to cooling water tower ponds on the eastern side of the power station.

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

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

Table 1

Infrastructure – electricity (generation,)	✓		

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***

3. GENERAL INFORMATION

Applicant name:	***Eskom Holdings 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:	*Eskom, Megawatt Park,* *1 Maxwell Drive,* *Sunninghill, Sandton*		
Postal address:	*P.O. Box 1091, Johannesburg*		
Postal code:	*2000*	Cell:	*083 660 1147*
Telephone:	*011 800 3501*	Fax:	*086 660 6092*
E-mail:	*HerbstDL@eskom.co.za*	BBBEE status	*State Owned Company*

Provincial Authority:	*Department of Agriculture, Environmental Affairs and Rural Development*		
Contact person:	*Grace Mkhosana*		
Postal address:	*Private Bag X20801* *Bloemfontein*		
Postal code:	*9300*	Cell:	
Telephone:	*051 400 4843*	Fax:	*(051) 400 4842*
E-mail:	*mkhosana@dteea.fs.gov.za*		

Local municipality	*Metsimaholo Local Municipality*		
Contact person:	*Ms. Seithati Monyaki*		
Postal address:	*P.O. Box 60* *Sasolburg* *Free State*		
Postal code:	*1947*	Cell:	
Telephone:	*016 973 8328*	Fax:	*016 973 1559*
E-mail:	*seithatim@metstimaholo.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:	*Thomas Conradie (power station manager)*		
Postal address:	*Private Bag X415,* *Vereeniging*		
Postal code:	*1930*	*CELL:*	*082 325 6109*
Telephone:	*016 457 5500*	*FAX:*	*(016) 457 5712*
E-mail:	*thomas.conradie@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:	*The National Department of Environmental Affairs*
Reason(s) in terms of S 24C of NEMA 1998 as amended	*d (iii). A statutory body, excluding any municipality, performing an exclusive competence of the national sphere of Government*

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

EAP:	*Siphosenkosi Nkambule*		
Professional affiliation/registration:	*N/A*		
Contact person (if different from EAP):	*Siphosenkosi Nkambule*		
Company:	*Senkosi Environmental Consulting*		
Physical address:	*45B Annie Botha Avenue, Riviera, Pretoria*		
Postal address:	*BOX 100130, Moreleta Plaza, 0167*		
Postal code:	*0167*	Cell:	*071 297 3830*
Telephone:	*012 329 7569*	Fax:	*086 513 5484*
E-mail:	*info@senkosi.com, jean.beater@gmail.com,*		

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	*Free State Province*
District Municipality	*Fezile Dabi*
Local Municipality	*Metsimaholo Local Municipality*
Ward number(s)	*19*
Nearest town(s)	*Sasolburg, Vereeniging, Vanderbijlpark*
Farm name(s) and number(s)	*Bankfontein*
Portion number(s)	*1814*

SG 21 Digit Code(s)
(If there are more than 4, please attach a list with the rest of the codes as Appendix 5)

F	*0*	*1*	*6*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1*	*8*	*1*	*4*	*0*	*0*	*0*	*0*	*0*
1	2			3				4								5				

Are there any other applications for Environmental Authorisation on the same property?		*No*

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**
GN R.983 Item 16: The development and related operation of facilities for the desalination of water with a design capacity to produce more than 100 cubic metres of treated water per day.	***The proposed desalination plant will transfer a permeate flow of 100 000 cubic metres per day of treated water.***
GN R.983 Item 45: The expansion of infrastructure for the bulk transportation of water or storm water where the existing infrastructure- (i)has an internal diameter of 0,36 metres or more; or (ii)has a peak throughput of 120 litres per second or more	***The project will include expansion of pipelines from the cooling towers to clarifiers. The pipelines will have an internal diameter of 0.4 metres and a peak throughput of 196 litres per second***
GN R.984 Item 25: The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of 15000 cubic metres or more.	***The proposed water treatment plant will treat 17000 cubic metres of water per day***

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.

Public Participation will be undertaken in line with regulation 41 of GN 982 of 4 December 2014.

To date, the Public Participation Process has begun. The following has been executed so far;

SCOPING PHASE

7.1 Database establishment

For this project, the provisional database of I&APs has been generated and will be continuously updated during the EIA process until the end of appeal period. The database consists of the following stakeholders:

- ***Adjacent Landowners***
- ***NGOs***
- ***Local Municipality***
- ***District Municipality***
- ***Provincial Authorities; and***
- ***Government Departments.***

The number of I&APs is expected to increase after public meetings and the advertisement of the proposed project.

7.2 Notification of, and communication with, I&APs

Information relating to the project was sent to all registered I&APs via email on 30 October 2015. The information included a Background Information Document (BID), Comment Sheet, and letter that encouraged stakeholders to participate in the project. It is anticipated that more stakeholders will register as I&APs once the project is advertised and the first round of meetings are held (see Appendix E4 for a copy of documents distributed to I&APs).

Senkosi Consulting telephonically contacted stakeholders to confirm that they had received the information documents package and encouraged them to respond. A request to stakeholders that they must acknowledge receipt of information documents package will was also sent out to stakeholders via emails. All responses received will be adequately addressed in the Comments

and Responses Report.

7.3 Site notices

Several site notices were placed at different strategic locations within the premises of the power station. Members of the surrounding society were notified via newspaper ads in the Citizen, Vereeniging Ster and Sasolburg Ster Newspapers.

7.4 Advertising of availability of Draft Scoping Report

It is required by law (NEMA 2014 EIA Regulations) the project must be advertised in one of the local newspapers. The availability of Draft Scoping Report (DSR) was advertised in the Sasolburg Ster Newspaper and Vereeniging Ster News on the 27th of November 2015 and in the Citizen on the 23rd of November 2015 and I&APs were will be given 30 days to comment.

7.5 Focus group meetings

The new development is to be constructed inside the premises of the power station where access is strictly controlled. The PP Team is of the opinion that the general public is unlikely to be affected by the project and the general public will not easily notice the new development. Hence, stakeholder consultation meetings will take the form of Focus Group meetings and if necessary one-on-one meetings. Minutes of meetings held will be circulated to all attendees for confirmation before including them in the Final Scoping Report (FSR). Comments and issues raised will be captured in the Comments and Response Report and will be included/appended in the FSR.

7.6 Public review of Draft Scoping Report

The public review period for the DSR will be from the 23th of November 2015 to the 12th of January 2016. During the review period there will be focus group meetings to present the findings and to allow the study team to interact with stakeholders.

Newspaper advertisement and emails will be used to notify stakeholders of the opportunity to review the document and to attend meetings. The DSR will be placed at the Evaton Public Library and the Vereeniging Public Library where they will be easily accessed by the public. An electronic version of the DSR will be distributed to I&APs on request.

7.7 Comments and response report

The comments received in response to the announcement via the distribution of the BIDs, placement of site notices and advertisements, as well as comments received at the focus group meeting will be captured in the Comments and Response Report (CRR). It is expected that the EAP and Eskom will address all concerns received before incorporating the CRR into the Final Scoping Report. At the time of issuing the DSR there were no comments and responses to record on the CRR hence there is no CRR at this stage.

The consultation process to be followed in the study will be guided by Chapter 6 of NEMA and the main focus will always be but not limited to the involvement of all I&AP's and key government departments. Based on the consultation process undertaken to date, the public participation team is confident that a robust and transparent initial public consultation process has been followed.

EIA PHASE

7.8 Comment on Environmental Impact Report and Environmental Management Programme

After the Final Scoping Report is accepted by the Competent Authority, the Draft EIR and EMPr will be compiled. The draft EIR and EMPr will be made available for comment to all registered and potential interested and affected parties during the EIA phase of the proposed Lethabo East CWTP

7.9 Notification of potential and registered interested and affected parties

The following methods of notification will be used to notify the registered and potential interested and affected parties of the opportunity to comment on the draft EIR and EMPr during the EIA Phase public participation process for the proposed project:

- *Written notices inviting comments on the draft EIR and EMPr will be sent to all registered interested and affected parties. The written notices will be compiled to comply with the requirements of Regulation 41(3) of the EIA Regulations, 2014.*
- *Notices inviting potential and registered interested and affected parties to comment on the draft EIR and EMPr will be placed in in the Citizen, Vereeniging Ster and Sasolburg Ster Newspapers. The notices will be compiled to comply with the requirements of Regulation 41(3) of the EIA Regulations, 2014.*
- *The draft EIR and EMPr will be submitted to the relevant commenting authorities for*

their comments.

- *A copy of the draft EIR and EMPr is placed at two public libraries (Evaton Public Library and the Vereeniging Public Library). The published newspaper notices will indicate the availability of the draft EIR and EMPr at the above-mentioned places and will invite the public to comment of the draft EIR and EMPr.*

8. OTHER AUTHORISATIONS REQUIRED

LEGISLATION	AUTHORISATION REQUIRED		APPLICATION SUBMITTED	
SEMAs				
National Environmental Management: Air Quality Act		No		No
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	Yes			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		No
Appendix 1	Strategic Infrastructure Projects		N/A
Appendix 2	List of Local Municipalities (with contact details)		N/A, Affected Municipality provided in section 3
Appendix 3	List of land owners (with contact details) and proof of notification of land owners.		No
Appendix 4	List of SGIDs		N/A
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

APPENDIX 2
STRATEGIC INFRASTRUCTURE PROJECTS

Not Applicable as this is not a Strategic Infrastructure Project

APPENDIX 3 (if applicable)
List of local municipalities

Affected Municipality provided in section 3

APPENDIX 4
List of land owners
Proof of notification of land owners

Landowner details provided in section 3

APPENDIX 5 (IF APPLICABLE)
LIST OF SGIDS

SG Code provided in section 4

APPENDIX 6
PROJECT MAP

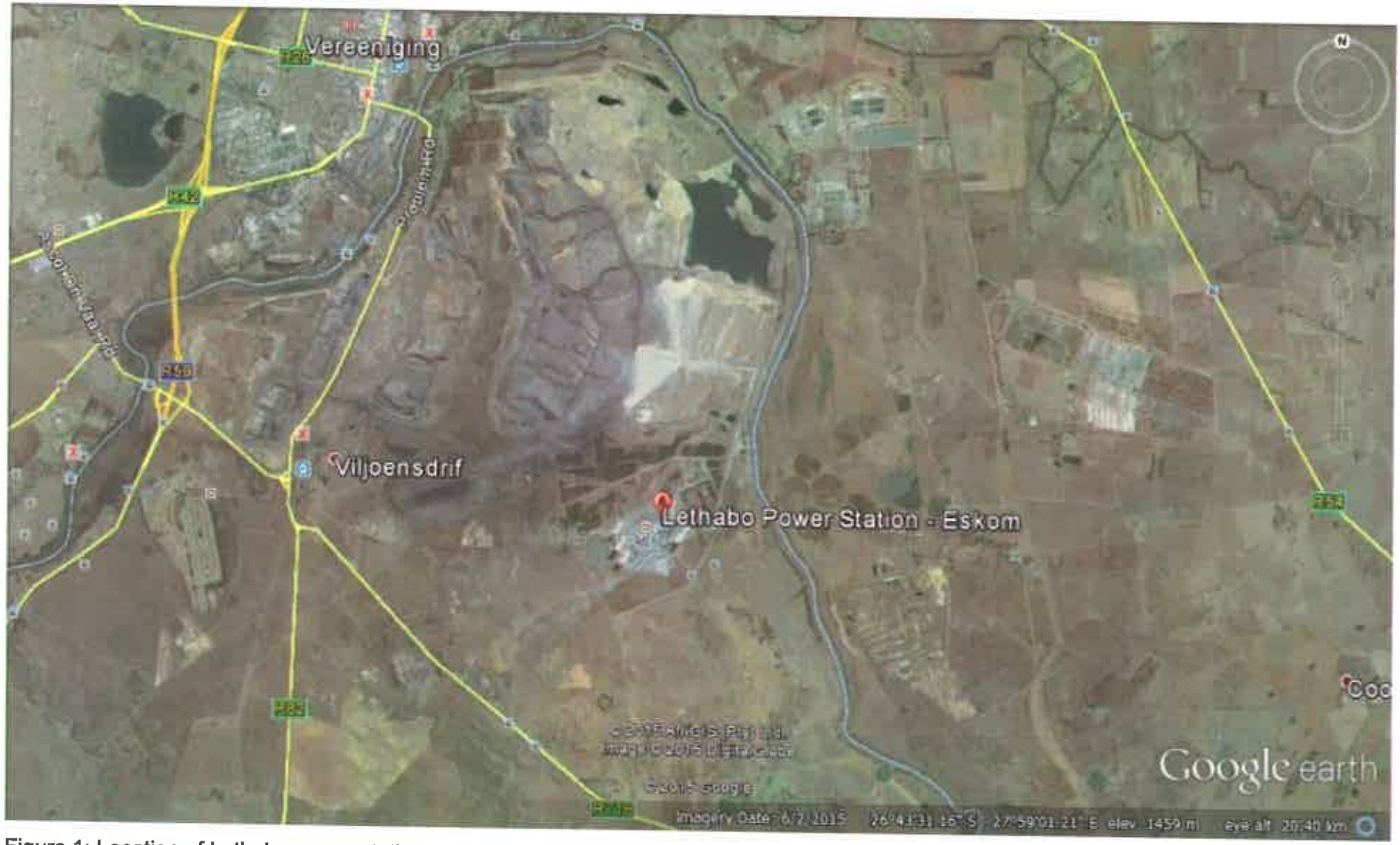

Figure 1: Location of Lethabo power station relative to Vereeniging

APPENDIX 7
PROJECT SCHEDULE

Proposed Lethabo East Cooling Water Treatment Plant Project Schedule

	Activities	Timeframe
Scoping phase	Public review of Draft Scoping Report (newspaper advert on DSR available on the 23rd of November)	23 November 2015 - 19 January 2016
	Close of commenting period for the public	19 January 2016
	Update and finalise Draft Scoping Report	20 January - 22 January 2016
	Comment on the submitted application, DSR and Plan of Study by the Competent Authority	14 December 2015 – 4 March 2016 (44 days)
	Update and finalise DSR into FSR and submit for decision	7 March 2015 - 11 May 2016 (43 days)
	Specialist studies	25 April - 6 May 2016
EIR Phase	Development of DEIR	6 May - 20 May 2016
	Public review of DEIAR and EMPr (advert on availability on 8th of June 2016)	30 May 2016 – 12 July (30 days)
	Update and finalise DEIAR and EMPr	13 July – 15 July 2016
	Submit FEIAR and EMPr to DEA	20 July 2016
Authorisation Phase	DEA review period and decision-making	15 December 2016 (107 days)

SENKOSI
ENVIRONMENTAL CONSULTING

APPENDIX 8

DECLARATION OF THE APPLICANT

I, Deidre Hebert declare that I -

- am, or represent[1], 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 practitioner[2];
- 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.

Signature[3] of the applicant[4]/ Signature on behalf of the applicant:

Eskom Holdings

Name of company (if applicable):

10 December 2015

Date:

PROJECT NAME
Construction of the Lethabo Power Station's east cooling water treatment plant, on Farm portion 1814 of Parent Farm Bankfontein in the Metsimaholo Local Municipality of the Fezile Dabi District Municipality, Free State 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, SIPHO T. NKAMBULE 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:

SENKOSI CONSULTING

Name of company:

11/12/2015

Date:

Eskom

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

Date:
08 December 2015

Enquiries: Deidre Herbst
Tel +27 11 800 3501
HerbstDL@eskom.co.za

Ref No: ENV15-L346

Dear Ms Solomons

MOTIVATION FOR FEE APPLICATION EXCLUSION MADE BY AN ORGAN OF STATE: LETHABO COOLING WATER TREATMENT 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