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01 July 2020

Dear Stakeholder/ Interested and Affected Party

NOTIFICATION OF THE REJECTION DECISION FOR THE PROPOSED AMENDMENT OF AN EXEMPTION AUTHORISATION FOR ASH DISPOSAL FACILITY AT KENDAL POWER STATION IN MPUMALANGA, DEA REF NUMBER: 14/12/16/3/3/3/63AM2

You are receiving this letter because you were identified as a relevant stakeholder for the above-mentioned project. Notice is hereby given in terms of Regulations 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended, that the National Department of Environment, Forestry and Fisheries (DEFF) has decided **not to amend** the exemption authorisation dated 05 May 2016, for the Kendal Power Station Ash Disposal Facility. The decision was issued by DEFF on 19 June 2020 and received by Eskom on 29 June 2020. A copy of this decision is attached in **Appendix 1**.

Your attention is drawn to Chapter 2 of National Environmental Management Act (NEMA) Act No 1998, National Appeal Regulations published under GN R993 in Government Gazette No. 38303, dated 8 December 2014, which prescribes the appeal procedure to be followed. A copy of the National Appeal Regulations is attached as **Appendix 2**.

Should you wish to lodge an appeal against this decision, you are advised to submit an appeal to the appeals administrator, and a copy of the appeal to the applicant any Interested and Affected Party (I&AP) and any organ of state with interest in the matter within 20 days from the date that the notification of decision was sent to the registered I&APs by the applicant (30 June 2020); or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable. In addition to the above, as per paragraph 4.4 of June 2020 Directions, the timeline for lodgement of appeals is extended by a further 30 days. Thus I&APs will have 20 days from the date of the decision plus further 30 days to lodge appeals. Therefore, an appeal lodgement date is due until **20 August 2020**.

Appeals must be submitted in writing using the prescribed form to:

The Director: Appeals and Legal Review of DEFF

By email: appeals@environment.gov.za

By hand: Environment House 473 Steve Biko, Arcadia, Pretoria, 0083

By Post: Private Bag X447, Pretoria, 0001



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Prescribed Appeal forms and guidance on the submission of appeals can be downloaded from https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents from appeals@environment.gov.za

Yours sincerely,

Basetsana Motha
For (Green Gold Group)