



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko, Arcadia · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 12/12/20/2412/AM1

Enquiries: Ms Samkelisiwe Dlamini

Telephone: (012) 399 9379 **E-mail:** SDlamini@environment.gov.za

Mr Leon Stapelberg
Eskom Holdings Limited
Suite 46 Postnet Highveld Mall
Emalahleni
1035

Telephone Number: (013) 699 7997
Email Address: StapelL@eskom.co.za

PER EMAIL / MAIL

Dear Mr Stapelberg

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 17 JULY 2015 FOR THE PROPOSED CONSTRUCTION OF A 60 YEAR ASH DISPOSAL FACILITY AT THE KUSILE POWER STATION IN EMALAHLENI, MPUMALANGA PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 17 July 2015 and your application for amendment to the EA received by this Department on 25 August 2015 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated, 17 July 2015 as follows:

1. Title of the environmental authorisation which reads:

Construction of a 60yr ash disposal facility and associated infrastructure for Kusile Power Station

Is hereby amended to:

The construction and operation of a 60 year Ash Disposal Facility and associated infrastructure for the Kusile Power Station, Mpumalanga Province

2. The heading of the table showing co-ordinates of the facility which reads:

as described in the Environmental Impact Assessment Report (EIR) dated October 2014 at:

J.K.

Is hereby amended to:

as described in Table 8-2 of section 8.3 of the Environmental Impact Assessment Report (EIR) dated October 2014 at:

3. Condition 17.3.3 which reads:

The construction within the site must be in accordance with the approved engineering designs, the ash co-disposal facility must have a liner system from top to the bottom, a waste body, 300mm drainage layer of selected, blended with G5 material (-63mm sand moisture conditioned to $\pm 2\%$ OMC and compacted to 95% Mod AASHTO) provided with a herring-bone leachates collection/drainage system comprising of 90mm diameter perforated drainage pipes with stones/sand surround, A8 geotextile, 2mm HDPE double textured geomembrane, Geosynthetic clay liner, 100mm river sand (screened to minus 3mm) leakage detection layer where the ground slope steepens at 35mm or 50mm high perforated textured geocell retaining web shall be imbedded in the sand layer to prevent migration of the sand down the slope. A8 geotextile, 2mm double textured HDPE geomembrane. Prepared foundation provided with a herring-bone groundwater collection/drainage system-foundation-strip & clear topsoil, rip & harrow insitu soils to a depth of 150mm, moisture condition to $0+2\%$ OMC then compact to 95% Mod AASHTO as approved by the Chief Director: IEA as indicated in the "Record of Decision: Kusile Power Station Project – Waste Facilities Liner sign-off" from Eskom dated 14 November 2013.

Is hereby amended to:

The construction within the site must be in accordance with approved engineering designs and the liner system for 60 year ash disposal facility must be submitted to the Responsible Authority for approval before construction may commence.

4. Condition 17.3.4 which reads:

The 15% already constructed ash disposal facility liner system design should, have from top to the bottom, a waste body, 300mm drainage layer of selected blended G5 material (-63mm sand moisture conditioned to $\pm 2\%$ OMC and to 95% Mod AASHTO) provided with a herring-bone leachates collection/drainage system comprising of 90mm diameter perforated drainage pipes

with stones/sand surround, A8 geotextile, 2mm HDPE double textured geomembrane, geosynthetic clay liner on the existing liner.

Is hereby amended to:

Condition 17.3.4 is removed

5. Condition 17.6.6 which reads:

The holder of environmental authorisation must carry out all tests required in terms of this authorisation in accordance with published laboratory analysis methods or those prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 8 of 2008). Another method of analysis may be used only if approved by the Department.

Is hereby amended to:

The holder of the environmental authorisation must ensure that analysis test are carried out in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 8 of 2008), to analyse the samples taken under the monitoring programmes specified in condition 17.6.

6. Condition 17.6.8 which reads:

Monitoring of groundwater must be conducted at locations KABH44, KABH96, KABH93, KABH62, KABH94, KABH18, KABH66, KABH73, KABH78, KABH10, KABH8, KABH22, KABH63, KABH63, KABH56, KABH67 and KABH42 as indicated in the Kusile Power Station: Geohydrological Report Table 10, compiled by Aqua Earth (Pty) Ltd dated February 2014, or as indicated in the latest, approved by the Chief Director: IEA, monitoring protocol.

Is hereby amended to:

Ground water monitoring must be conducted at all locations specified in Kusile Power Station (Pty) Ltd Ground Water Assessment (Report Number AEC0180/05/03-2014) compiled by Aqua Earth (Pty) Ltd dated February 2014 and where changes are made to the latter report, updated monitoring must be submitted to the Responsible Authority for approval.

7. Condition 17.6.11 which reads:

Monitoring for surface water, shall be conducted at locations CSW01-CSW14, Spring 4, Spring 6, SW1-SW17 and KSA01-KSA09 as indicated in the Kusile Power Station, Surface Water Report: Report Number 13615231-12222-3 compiled by Golder Associates dated July 2013 or with the monitoring protocol as approved by the Chief Director: IEA.

Is hereby amended to:

Surface water monitoring must be conducted at spring 4 and spring 6 as indicated in Kusile Power station, Surface Water Report Number 13615231-1222-3 compiled by Golder Associates dated July 2013 or at any locations that may from time to time be specified by the Responsible Authority.

The Department notes and accept the clarifications submitted by the applicant relating to management of the activity (condition 5.9 to 5.13); the appointment of an independent environmental control officer (condition 6.1) and the waste management control officer (condition 7.1).

This letter must be read in conjunction with the EA dated 17 July 2015.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the Department's decision in respect of the amendment made as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of Government Notice No. R.993, which prescribes the appeal procedure to be followed.

An appellant must submit an appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the applicant by the competent authority.

By post: Private Bag X447,
Pretoria, 0001; or
By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria, 0083

Appeals must be submitted in writing to:

Mr Z Hassam, Director: Appeals and Legal Review, of this Department at the above mentioned addresses. Mr Hassam can also be contacted at:

Tel: (012) 399 9356

Email: Appealsdirector@environment.gov.za

Please note that in terms of section 43(7) of the National Environmental Management Act, 1998, an appeal under section 43 of that Act will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

For guidance on appeals submitted to the Minister in terms of NEMA and the SEMAs, please find a copy of the guideline on the administration of appeals on the Department's website:

(https://www.environment.gov.za/documents/forms#legal_authorisations).

Kindly include a copy of this document with the letter of notification to interested and affected parties.

Yours faithfully



Ms Khashiwe Masinga

Chief Director (Acting): Integrated Environmental Authorisations

Department of Environmental Affairs

Date: 24 June 2016

CC	Dr Mathys Vosloo	Zitholele Consulting (Pty) Ltd	Email:mathysv@zitholele.co.za
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Private Bag X 447 · PRETORIA · 0001 · Environment House · Cnr Soutpansberg & Steve Biko Roads · Pretoria Tel (+27 12) 399 9000

Enquiries: Ishaam Abader

Tel: 012 399 9330

Email: labader@environment.gov.za

Ms. Khashiwe Masinga
Director: Coordination, Strategic Planning and Support

Dear Ms Masinga

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD OF 22 – 30 JUNE 2016

I hereby inform you that I have decided to appoint you as Acting Chief Director: Integrated Environmental Authorisations, for the period 22 – 30 June 2016, whilst Mr Sabelo Malaza is on annual leave.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorisations, must be signed under the Acting Chief Director: Integrated Environmental Authorisations during the above period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours Sincerely

Mr. Ishaam Abader
Deputy Director-General: LACE
Date: 22/06/2016

ACKNOWLEDGEMENT

I ~~ACCEPT~~ / DO NOT ACCEPT
appointment as Acting Chief Director:
Integrated Environmental Authorisations

Signed:

Date: 22/06/2016