

January 30, 2024

ENVIRONMENTAL AUDIT REPORT FOR THE PROPOSED ESKOM HOLDINGS (SOC)  
LIMITED BATTERY ENERGY STORAGE SYSTEM (BESS) ELANDSKOP SUBSTATION



**REPORT Number: 15 for January 30<sup>th</sup> 2024**

DEA REFERENCE NO. 14/12/16/3/3/1/2114/AM2



Prepared for: Eskom Holdings SOC Limited

Contact: Tshililo Nekhalale

Email: [NekhalT@eskom.co.za](mailto:NekhalT@eskom.co.za)

Submitted by:

## I. DETAILS OF THE ENVIRONMENTAL COMPLIANCE OFFICER

SENKOSI ENVIRONMENTAL CONSULTANTS	
NAME OF AUTHOR	Mr. Sipho Zulu
DESIGNATION	Environmental Compliance Officer (ECO)
QUALIFICATIONS	BSc Enviro. Man (UWC); Proj. Man Diploma (UP); Environmental Law (UNW); Business Comms (UNISA)
AFFILIATIONS	EAPASA (2019/1137); ELA (2022/521/GP); (IAIASA- 7032); (PMSA- 17383381)
CONTACT NO.	+(27) 72 145 2514
EMAIL	<a href="mailto:Sipho@senkosi.com">Sipho@senkosi.com</a>

## II. DECLARATION OF THE AUTHOR

I **Sipho Zulu**, on behalf of Senkosi Environmental, as the appointed independent environmental practitioner ("EAP") hereby declare that I:

- act/ed as the independent EAP in this application;
- regard the information contained in this report to be true and correct, and
- do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act;
- have and will not have no vested interest in the proposed activity proceeding;
- have disclosed, to the applicant and competent authority, any material information that have or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the NEMA, the Environmental Impact Assessment Regulations, 2010 and any specific environmental management Act;
- am fully aware of and meet the responsibilities in terms of NEMA, the Environmental Impact Assessment Regulations, 2014 and any specific environmental management Act, and that failure to comply with these requirements may constitute and result in disqualification;
- have ensured that information containing all relevant facts in respect of the application was distributed or made available to interested and affected parties and the public and that participation by interested and affected parties was facilitated in

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such a manner that all interested and affected parties were provided with a reasonable opportunity to participate and to provide comments;

- have ensured that the comments of all interested and affected parties were considered, recorded and submitted to the competent authority in respect of the application;
- have kept a register of all interested and affected parties that participated in the public participation process;
- have provided the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not; and
- I am aware that a false declaration is an offence in terms of the EIA regulations.



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Signature of the Environmental Assessment Practitioner:

Name of company: Senkosi Environmental

Date: 30/01/2024

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## 1. INTRODUCTION

Senkosi Environmental is the appointed independent Environmental Control Officer (ECO) for the proposed Eskom Holdings (Soc) Limited Battery Energy Storage System (BESS) Elandskop Substation. The project is located within Msunduzi and Mpendle Local Municipalities, KwaZulu-Natal province. The 15<sup>th</sup> audit was undertaken on the 30<sup>th</sup> of January 2024. This environmental audit report is prepared in compliance with Section 34 of the EIA regulations 2014 (as amended), promulgated under the National Environmental Management Act, 1998 (Act 107 of 1998). The report presents findings of the 15<sup>th</sup> audit that was undertaken against the Environmental Authorization (EA) issued by the Department of Forestry, Fisheries and Environment (DFFE) as well as the approved Environmental Management Programme (EMPr).

Section 34(2) of the 2014 EIA Regulations (as amended) [L01] requires an environmental audit report, "compiled by an independent person ... to provide verifiable findings, in a structured and systematic manner, on

- a) the level of performance against and compliance of an organisation or project with the provisions of the requisite environmental authorization (EA) and Environmental Management Programme (EMPr) and, where applicable, the closure plan; and
- b) the ability of the measures contained in the EMPr, and where applicable the closure plan, to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity."

### 1.1 Objective and Scope of this Environmental Audit

The EMPr for the facility was revised in April 2019 to comply with condition 23 of **DEA Ref: 14/12/16/3/3/1/2114/AM2** which requires an Environmental Management Plan (EMP) to be compiled, or an existing operational environmental management system to be amended to include the operations of the authorised activity. In accordance with Appendix 7 of 2014 EIA Regulations (as amended) [L01] the purpose of conducting an EMPr audit is to:

- (a) report on-
  - (i) the level of compliance with the conditions of the environmental authorization and the EMPr; and
  - (ii) the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr;
- (b) identify and assess any new impacts and risks as a result of undertaking the activity;
- (c) evaluate the effectiveness of the EMPr;
- (d) identify shortcomings in the EMPr; and

- 
- (e) identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMP.

## **1.2 Credentials of the Independent Environmental Auditors**

Senkosi Environmental is a Level 1 B-BBEE, South African environmental consulting company that has been in existence for over 16 years. We pride ourselves in professional advisory services and product delivery to our clients. The service lines offered by Senkosi Environmental include:

- Environmental Screening Assessments.
- Environmental and Social Impact Authorizations.
- Environmental Auditing and Compliance.
- Monitoring of Air, Water, Waste, Soil and Sediment.
- Sustainability management and reporting.
- Advisory Services.
- Climate Change and Air Quality
- Due Diligence Investigations.
- Products and supplies; and
- Safety Equipment.

## **1.3 Requirements for Environmental Auditors**

The National Environmental Management Act (NEMA) and the 2014 EIA Regulations (as amended) [L01] requires an independent person with the relevant environmental auditing expertise to conduct the assessment and prepare the environmental report. The environmental auditor is required to have the following skills, attributes, and abilities:

### **Independent and Objective**

The environmental auditor should have the ability to unravel the real concerns behind stated issues, have the ability to separate issues from personalities, cultural perspectives and emotions, have empathy towards all viewpoints and prevent vociferous viewpoints from being the only ones that are heard. The environmental auditor is to remain independent and perform work in an objective manner, even if this results in views and findings that are not favourable to the holder of the authorization.

### **Expertise in conducting environmental impact assessments**

The environmental auditor should be knowledgeable of and be able to conduct investigations of the environment likely to be significantly affected by the authorized activity, investigate potential impact consequences for or impacts on the environment and evaluate potential alternatives.

### **Comply with the Act, the Regulations and other applicable legislation**

The environmental auditor should have knowledge of the environmental legislation (Acts, Regulations and guidelines) that have relevance to the authorized activity. All relevant matters to be taken into consideration when preparing the environmental audit report.

### **Communicate and Disclose Information**

The environmental auditor is required to disclose to the holder of the authorization and the competent authority all material information in their possession that reasonably has or may have the potential of influencing any decision to be taken in respect to the authorized activity; or that may influence the objectivity of the environmental audit report. The environmental audit report must provide verifiable findings, in a structured and systematic manner and be made available to interested and affected parties (including organs of state in all spheres of government that may have jurisdiction over any aspect of the activity) as required by the competent authority.

#### **1.4 Environmental Audit Team**

The environmental audit was conducted by the ECO and supported by Admin assistant Ms Mandisi Zulu. The EAP summary expertise are as follows:

**Mr Siphosenkosi Zulu** compiled the audit report as a Registered Environmental Assessment Practitioner (EAPASA), environmental compliance and sustainability practitioner with 20 years of experience. Siphosenkosi specialises in Strategic Environmental, Social, Economic and Sustainable Development projects. Audits conducted in the past include Water license audit at Kusile Power station, Construction of a 114km line in Free State, Virginia and the PDP construction in Northern Cape, Limpopo, KZN and Mpumalanga province. Siphosenkosi has obtained numerous Environmental Authorisations and Water use licenses in his career. For more information, a CV is attached with more details of his capabilities and expertise.

##### **1.4.1 CVs and Declarations of Independence**

Comprehensive CV for the Environmental Compliance Officer is attached in **Annex B**.

#### **1.5 Environmental Audit Methodology**

Senkosi Environmental performed an independent assessment of the Elandskop BESS compliance against the EA and the 2020 EMPr conditions. Preparations of the audit were initiated by communicating with the EO on site. Proposed tentative dates of schedule were adopted to be used as a guide to audit dates throughout the construction phase of the project.

The team was on site and commenced the meeting at 09:30. The template was revised to only focus on the relevant conditions and set those for rehabilitation out of this audit until the next rehabilitation phase. The template will be revised for the rehabilitation phase once it has commenced.

#### **1.6 Issues of discussion prior audit:**

- Rehabilitation and closure of the construction phase
- ✧ The perimeter fence was delivered. The team needs to request for project plan and the schedule for the perimeter fence.
- ✧ The construction of the Communication Tower or Mast is structurally 98%. The wiring is still outstanding.
- ✧ It was reported that Msunduzi Municipality has still not yet responded to the plans for the communication tower that were submitted to them. It was recommended that a screenshot with the sent email to the Municipality be kept as evidence of the submission by the construction team.
- ✧ The rehabilitation session will be held early March and inspection around 19 March 2024. thereafter the report will be concluded on 31 March 2024.
- ✧ It was agreed that a meeting with the site engineer will be held as per the requirement in terms of closure and rehabilitation of the site. This session will be set a side on a different day to eh audit and the rehabilitation day.

The key delivery milestones for the Environmental Audit are presented below:

***Table 1: Schedule and action dates***

<b>Engagement Milestones</b>	<b>Delivery Date</b>
Initiation of Communication for Audit Plan	09 January 2024
Site visit and initial list of audit findings	30 January 2024
Draft Audit Report submitted to client	01 January 2024
Receipt of comments & review of draft report from Client	02 January 2024
Final Audit Report	03 January 2024
Report Close out	04 January 2024



## 2. SITE CONSTRUCTION ACTIVITIES PRIOR AUDIT WEEK

The following activities were carried out on the week of the 22<sup>nd</sup> and 30<sup>th</sup> January 2024:

- Continuation of the Communication Tower installation.
- The perimeter fence installation preparations has commenced. Part of the fence have been delivered at the lay down area.

## 3. SUMMARY OF MAIN FINDINGS

January 2024 audit report number 15 was conducted on the 30<sup>th</sup> January 2023. On the day of the audit, had no material new non-compliance noted on site. It must be noted that the site is generally kept and manged well.

### 3.1. Non-Compliance

The only noticeable issue was the demarcation tape on one site at the lay down area. This was replaced accordingly.

### 3.2. Compliance

The compliance included inter-alia;

- ✓ Construction rubble was disposed off.
- ✓ Topsoil was properly covered;
- ✓ The access control to the tools and equipment was well maintained and locked with key at the supervisor's disposal;
- ✓ The "No go" areas were clearly marked including smoking area well demarcated.
- ✓ The first aid kit was available on site

## 4. COMPLIANCE MONITORING

The compliance monitoring was done in line with the approved EMPr and EA. A summary of performance percentages is given at the end of the report showing compliance status.

**Table 2: Compliance Rating**

Rating	Description	Abbreviation	Colour Code
Compliance	Fully Complying	C	
Opportunity for Improvement (to comply)	Complying with fraction of the conditions	OFI	
Non-Compliance	Not Complying to any of the conditions	NC	
Not Applicable	Conditions that are not applicable at the time of inspection	N/A	

**Table 3: Compliance to the EA Conditions**

COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
Scope of Authorization							
1. The holder of the authorization is responsible for ensuring compliance with the conditions contained in the Environmental Authorization. Including any person acting on the holder’s behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant, or person rendering a service to the holder of the authorization.					An environmental officer has been appointed to monitor and enforce compliance on site on a day-to-day basis	Applicant	January 30, 2024
2. The activities authorized may only be carried out at the property as described on page 4 of the EA.					There was not items installed or stored outside an authorised area.	Applicant	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
3. Any changes to, or deviations from, the project description set out in this authorization must be approved, in writing, by the Department before such changes or deviations may be affected.					There is no deviation from the project description.	Applicant	January 30, 2024
4. The holder of an EA must apply for an amendment of the EA with the Competent Authority (CA) of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.					A letter from DFFE approving the change of name of property ownership for the application was presented. Ms. Tshililo Nekhalale has been appointed the new property representative.	Applicant	22 Nov 2022
5. This activity must commence within a period of five (5) years from the date of issue of this environmental					The activity commenced on 4 November 2022 and the EA was issued on 19 June	Applicant	4 November 2022

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
authorization. If commencement of the activity does not occur within that period, the authorization lapses and a new application for environmental authorization must be made for the activity to be undertaken.					2020. Therefore, the activity commenced within a period of five (5) years from the date of issue of this environmental authorization.		
6. Commencement with one activity listed in terms of this environmental authorisation constitutes commencement of all authorised activities.					The commencement of the activity was on the 4 <sup>th</sup> of November 2022. A letter was sent to DFFE.	Applicant	4 November 2022
7. The holder of the EA must notify interested and affected party (I&AP), in writing and within twelve (14) calendar days of the date of the EA of the decision to authorize the activity. The notification must comply with the said					I&APs were notified about the decision to authorize the activity within 14 days of the issue of the EA. The EA was issued on the 19 <sup>th</sup> of June 2020 and I&APs were	Applicant	24 June 2020

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
conditions.					notified on 24 June 2020.		
<p>8. The notification referred to must-</p> <p>8.1 Specify the date on which the authorisation was issued;</p> <p>8.2 Inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;</p> <p>8.3 Advise the interested and affected party that a copy of the authorisation will be furnished on request and</p> <p>8.4 Give the reasons of the competent authority for the decision.</p>					<p>The letter did not inform the I&amp;AP about the reasons of the decision as stipulated in the National Appeal Regulations 2014</p>	Applicant	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
Commencement of the Activity							
9. The authorised activity must not commence until the period of the submission of appeals has lapsed as per the National Appeal Regulations, 2014. In terms of section 43(7), an appeal under section 43 of the National Environmental Management Act, 1998 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 has been finalised.					No appeal has been lodged. The project has commenced properly.	Applicant	January 30, 2024

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<b>COMPLIANCE TO EA CONDITIONS</b>							
<b>EA Condition</b>	<b>Compliance</b>				<b>Recommendation/ Comments</b>	<b>Responsible Person</b>	<b>Action Date</b>
	<b>C</b>	<b>OFI</b>	<b>NC</b>	<b>N/A</b>			
10. The Environmental Management Programme (EMPr) submitted as part of the Application for EA is hereby approved. This EMPr must be implemented and strictly adhered to.					The EMPr is strictly adhered to.	Applicant	January 30, 2024
<b>Frequency and process of updating the EMPr</b>							
11. The EMPr must be updated where the findings of the environmental audit reports, contemplated in conditions 23 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation of EMPr.					There is no plan to amend the EMPr.	ECO	January 30, 2024

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COMPLIANCE TO EA CONDITIONS

EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
12. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.					The EMPr has not been updated.	ECO	January 30, 2024
13. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulations 34 of GNR 982, The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.					The EMPr has not been updated.	ECO	January 30, 2024
Monitoring							



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COMPLIANCE TO EA CONDITIONS						
EA Condition	Compliance				Recommendation/ Comments	Responsible Person
	C	OFI	NC	N/A		
<p>14. The applicant must appoint an independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.</p> <p>14.1 The ECO must be appointed before commencement for any authorised activities.</p> <p>14.2 Once appointment, the name and contact details of the ECO must be submitted to the Director: Compliance</p>					<p>An ECO was appointed, and the appointment letter was sent to DFFE.</p>	<p>Applicant</p> <p>03 August 2022</p>

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COMPLIANCE TO EA CONDITIONS

EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
<p>monitoring of the Department at Directorcompliance@environment.gov.za</p> <p>14.3 The ECO must keep record of all activities on site, problems identified, transgressions noted and a task scheduled of tasks undertaken by the ECO.</p> <p>14.4 The ECO must remain employed until all rehabilitation, as required for implementation due to construction damage, are completed and the site ready for operation.</p>					<p>The weekly reports are viewed by ECO from the EO for incidents and transgressions.</p> <p>ECO is appointed until Rehabilitation is completed.</p>		
Recording and Reporting to the Department							

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
15. All documentation e.g., audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the Director Monitoring of the Department at Directorcompliance@environment.gov.za.					The ECO submits the reports on monthly basis.	ECO	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
16. The holder of the environmental authorisation must for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the Director: Compliance Monitoring of the Department at Directorcompliance@environment.gov.za					Audit reports are compiled and submitted to the Authority on monthly basis.	Applicant	January 30, 2024
17. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GNR 982.					Monthly reports are submitted to the relevant unit at DFFE.	ECO	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
18. The environmental audit reports must be compiled in accordance with Appendix 7 of the 2014 EIA Regulations, as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as requirements of the approved EMPr.					The audit reports are compiled as per Appendix 7 of the EIA regulations, 2014 (as amended)	ECO	January 30, 2024
19. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.					<p>The reports are kept on site:</p> <ul style="list-style-type: none"> <li>The weekly inspection</li> <li>Environmental legal audit Monthly</li> </ul> <p>These are conducted by Tractionel and audited by Eskom EO. Audit reports by</p>	<p>Tractionel</p> <p>EO</p> <p>Eskom EO</p>	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
					the ECO are placed on site to be accessed by anyone.		
Operation of the Activity							
Site Closure and Decommissioning							
20. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at that time.					The activity has not been rendered redundant.	Applicant	January 30, 2024
Specific EA Conditions							

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
21. The holder of the EA must, prior to commencement of construction, inform this Department on the preferred technology or technology mixture of the BESS.					The department was informed as required.	Applicant	January 30, 2024
22. The holder of the EA must ensure that the volume of dangerous goods on site does not exceed 500m <sup>3</sup>					The diesel bowser storing dangerous fuel has not been used recently, therefore compliant with this condition.	Applicant	January 30, 2024
23. Vegetation clearing must be limited to the required footprint for actual construction works and operational activities. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.					Vegetation clearing was adhered to as required.	Applicant	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
24. No heritage material will be removed or relocated without confirmation from KwaZulu-Natal AMAFA and Research Institute as well as an accredited heritage professional specialist.					No human remains have been identified, thus none were removed.	Applicant/ Contractor	January 30, 2024
25. A horticultural specialist must be appointed to identify and relocate sensitive plant species prior to any site works.					A botanist was appointed; however, the site does not constitute any sensitive plant species and no relocation was undertaken.	Applicant	January 30, 2024
26. An ongoing Alien invasive Management Plan must be compiled and implemented prior to construction activities.					Complied with prior the construction phase.	Applicant	January 30, 2024



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EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
27. A Landscape Plan must be submitted to the Msunduzi Municipality: Environmental Management Unit for comment and approval prior to site works commencing.					Landscape plan was submitted.	Applicant	January 30, 2024
28. A species relocation plan must be compiled and submitted to the Msunduzi Municipality: Environmental Management Unit for comment and approval prior to site works commencing.					The species relocation plan was compiled and submitted.	Applicant	January 30, 2024
29. A storm water management plan must be submitted to Msunduzi Municipality: Environmental Management Unit as well as the Msunduzi Roads and Drainage Management Unit for comment and approval prior to any site works commencing. The Storm Water					A storm water management plan was submitted as required.	Applicant	January 30, 2024

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COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
Management Plan must address the impacts associated with the increase in hardened surface area and must address quantity and quality of the storm water discharged from the site and incorporate on-site storm water attenuation measures to ensure the proposed development is flood neutral. Post development storm water discharge volumes must not exceed pre-development volumes.							
30. Once the final technology alternative is selected, a detailed fire management and protection plan must be compiled and submitted to the relevant Municipality for consideration prior to undertaking any construction					The decided technology was communicated to the Authority.	Applicant	January 30, 2024

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January 30, 2024

COMPLIANCE TO EA CONDITIONS							
EA Condition	Compliance				Recommendation/ Comments	Responsible Person	Action Date
	C	OFI	NC	N/A			
activities.							
GENERAL CONDITIONS							
<p>31. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying:</p> <p>31.1 At the site of the authorised activity.</p> <p>31.2 To anyone on request; and</p> <p>31.3 Where the holder of the environmental authorisation has a website, on such publicly accessible website.</p>					<p>All the copies were in the environmental file and were made available during the audit.</p>	Applicant	January 30, 2024

Table 4: Compliance to the EMPr

COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance				Recommendation/Comments	Responsible Person	Action Date
	C	OF	NC	NA			
		I					
<b>General Construction Activities</b>							
1. Environmental signage must be displayed on site including “no smoking,” “fire hazards,” etc.					Proper signage was available and properly displayed on site.	ECO	January 30, 2024
2. Emergency numbers must be clearly displayed					Emergency numbers are clearly displayed but advice was made for a bigger font and paper to be used.	ECO	January 30, 2024
3. Access fuel and other equipment stores must be strictly controlled					Access fuel and other equipment stores are strictly controlled. Example the stores’ access always locked and the bowser is mostly kept empty on site. It was used during the testing using the generator.	ECO	January 30, 2024

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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance			Recommendation/Comments	Responsible Person	Action Date	
Clearing of the Site							
4. The contractor must ensure that all employees, including sub-contractors and their employees, attend on-site Environmental Awareness Training prior to commencing work on site.				Training was conducted and attendance register made available during the audit.  The last batch of 26 people from all the various contractors were trained for a refresher course on 9 <sup>th</sup> January 2024. Again the 29 <sup>th</sup> of January another 6 were inducted for the construct for the fence. Attendance register was verified.	Contractor	January 30, 2024	
5. Follow-up Environmental Awareness Training must be conducted for new subcontractors or crews prior to commencing work or for specific activities that may potentially impact the environment, or if work is being undertaken in sensitive environments.				Not applicable, no work had a potential impact on environment conducted and there is no sensitive environmental area.	Contractor/ ECO	January 30, 2024	

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**January 30, 2024**

<b>COMPLIANCE TO THE EMPR CONDITIONS</b>							
<b>EMPr Condition</b>	<b>Compliance</b>				<b>Recommendation/Comments</b>	<b>Responsible Person</b>	<b>Action Date</b>
6. The contractor must maintain accurate records of any training undertaken.					Training Awareness records are kept and monitored on site. As was seen on item 4 above.	Contractor	January 30, 2024
7. The appointed Contractor must do an initial alien plant clearance and three follow up clearances.					The condition was complied with.	Contractor/ ECO	January 30, 2024
8. Site clearing must be limited to only the area designated for the specified works.					Site clearance was only undertaken within the designated site area.	Contractor/ ECO	January 30, 2024
9. Training must cover all areas of EMPr and procedures to be followed, the sensitivity of the site and importance of adhering to “no go areas”					Training is done on a weekly basis. Attendance register was provided.	ECO	January 30, 2024
10. The ECO must monitor the contractor’s compliance with the requirement to provide sufficient environmental awareness training to all site staff.					The attendance register of the latest training was evident as the tool box on 13 November 2023. No incidence observed on site, illustrates understanding of the conditions.	ECO	January 30, 2024

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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance			Recommendation/Comments	Responsible Person	Action Date	
11. “No-go” areas prior to earthworks commencing must be demarcated with danger tapes of protection for the duration of the construction phase.				The ‘no-go’ areas are clearly barricaded.	Contractor/ ECO	January 30, 2024	
12. No unauthorized entry, stockpiling, dumping or storage of equipment in “no-go” areas, or outside the site boundary is permitted.				Access to the site is controlled by a security guard at the gate. All activities are kept within the site boundary.	Contractor/ ECO	January 30, 2024	
Earthworks							
12. All construction activities, plant, labour, and materials must be restricted within the site boundary.				All construction activities and materials were kept within the site boundary.	Contractor/ECO	January 30, 2024	
13. Demarcation must remain in place for the duration of the work on site				All areas that require demarcation were demarcated as required.	Contractor/ECO	January 30, 2024	
14. The earthworks operation must be carried out by a suitably qualified contractor.				The qualifications of the Contractor were made available and submitted to the ECO	Contractor/ ECO	January 30, 2024	

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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance			Recommendation/Comments	Responsible Person	Action Date	
				earlier.			
Storage, mixing, and disposal of cement and concrete							
15. No mixing of concrete or cement directly on the ground is permitted. The mixing of concrete must only be done on a mixing tray or on impermeable sheeting.				Concrete is mixed on an impermeable sheet separating cement from direct contact with the ground.	Contractor/ ECO	January 30, 2024	
16. Both used and unused cement bags must be stored in weatherproof containers so as not to be affected by rain or runoff.				The cement bags were stored in a weatherproof container.	Contractor/ ECO	January 30, 2024	
17. Contaminated soil resulting from concrete or cement spills must be removed immediately after the spillage has occurred and placed on the appropriate rubble stockpile.				No spills were recorded on the day of the audit.	Contractor/ ECO	January 30, 2024	
18. Clean storm-water must be kept away from areas where it could be contaminated and must be directed to the storm-water drainage system				Clean storm-water is kept away from areas where it could be contaminated and must be directed to the storm-water drainage	Contractor	January 30, 2024	



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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance			Recommendation/Comments	Responsible Person	Action Date	
				system			
Soil Erosion							
19. Vegetation must not be removed unnecessarily				No vegetation was removed unnecessarily.	Contractor /ECO	January 30, 2024	
20. All stockpiles must be covered with suitable material to prevent loss of sediment via wind/ water.				The topsoil was properly covered and did not comply with the condition.	Contractor/ECO	January 30, 2024	
21. Topsoil (top 300mm layer minimum) must be removed prior to the construction by earth moving equipment. Topsoil must be stored in heaps of not higher than 2m in a way that prevents damming. Stored topsoil must not be compacted.				The topsoil from the communication mast excavations was isolated, heaped and closed as required.	Contractor /ECO	January 30, 2024	
22. Topsoil must not be used as fill material for back-filling of excavations on site.				Topsoil was not used as fill material for back-filling of excavations on site.	Contractor/ECO	January 30, 2024	
Ground water and Surface water pollution							

**ENVIRONMENTAL AUDIT REPORT FOR THE PROPOSED ESKOM HOLDINGS (SOC) LIMITED BATTERY ENERGY STORAGE SYSTEM (BESS) ELANDSKOP SUBSTATION**

**January 30, 2024**

<b>COMPLIANCE TO THE EMPR CONDITIONS</b>							
<b>EMPr Condition</b>	<b>Compliance</b>				<b>Recommendation/Comments</b>	<b>Responsible Person</b>	<b>Action Date</b>
23. An adequate number of chemical toilets for the staff must be provided and serviced regularly. The positioning of the toilets must be authorized by the ECO.					Sufficient toilets were provided, and proof of service was provided.	Contractor	January 30, 2024
24. Spills that result in the contamination of ground and/or surface water must be reported immediately to the ECO.					There was no incidence during December 2023 audit.	Contractor	January 30, 2024
<b>Cleaning on-site</b>							
25. A chemical spill kit must be always present onsite and once used it must be disposed of at a registered hazardous landfill site.					A chemical spill kit was present on site.	Contractor	January 30, 2024
<b>Generation of general and domestic waste</b>							
26. Refuse bins must be provided for domestic waste (lunch litter) and placed in designated eating areas and any other areas were deemed necessary to control littering.					Sufficient waste bins were provided.	Contractor	January 30, 2024
27. Refuse bins must not overflow and must be emptied regularly. No littering is permitted on site.					Refuse bins were well managed and	Contractor	January 30, 2024

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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance			Recommendation/Comments	Responsible Person	Action Date	
				emptied on frequently.			
28. Building rubble must be kept separate from other construction waste.				Construction rubble was kept in a dedicated skip and ultimately disposed off.	Contractor	January 30, 2024	
29. All waste must be disposed of at approved landfill sites, no burning or burying is permitted.				Waste is being disposed off at the New England landfill site.	Contractor	January 30, 2024	
Visual Quality							
30. The site must be well maintained and neat.				The site landscape and garden is well maintained but due to the rain it has regrown again.	Contractor	January 30, 2024	
Public safety and health							
31. First aid kits must be available on site as well as an incident records file				The first aid kit was available on site during the audit session. No incidence records were available on the day of the audit.	Contractor	January 30, 2024	
32. Interaction with objecting parties at the site must be well documented. A complaints register must				There was no record of any stakeholder or	Contractor	January 30, 2024	

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COMPLIANCE TO THE EMPR CONDITIONS							
EMPr Condition	Compliance				Recommendation/Comments	Responsible Person	Action Date
be readily available on site. Interaction with external parties must be courteous.					interested party on site.		

## 5. PHOTOGRAPHIC EVIDENCE OF THE FINDINGS



***Figure 1: Top Soil not fully covered***



***Figure 2: Demarcation Tape secured***





**Figure 3: Communication Tower Foundation material not in lay-down area**



**Figure 4: Ablution Facility properly secured and maintained**



*Figure 5: Unauthorized lay down storing of pipe material*



*Figure 6: Appropriate paving inside the battery yard*





**Figure 7: The precinct landscape is well maintained**



**Figure 8: BESS Communication Tower well secured almost 98%**





*Figure 9: Control Room complete, ceiling boards to be removed*



*Figure 10: Lay-down area showing some rubble to be disposed off*

## 6. RECOMMENDATIONS

- Schedule for work on both the Communication Mast and the Perimeter Fence to be shared with the team.
- On site meeting with the site Engineer to be held to agree on the rehabilitation plan and items of compliance.
- Documents and file verification meeting to be held end February 2024.
- Site team to give indication regarding completion date so to communicate with the DFEE.
- Rehabilitation site inspection and report to be conducted and compiled for submission end of March 2024.

## 7. PERCENTAGE COMPLIANCE STATUS

Percentage compliance status indicates that **compliance** is **95.31%** while **non-compliance** is **4.6%** **not applicable** is **0 %** and **opportunity for improvement** is **0 %** for the month of December 2023.

*Table 5: Rating compliance in percentages.*

Rating	Description	Abbreviation	Number	%
Compliance	Fully Complying	C	61	95.31
Opportunity for Improvement	Complying to some conditions	OFI	0	0
Non-Compliance	Not Complying	NC	3	4.6
Not Applicable	Conditions that are not applicable	N/A	0	0
<b>Total aspects EMPr and EIA conditions</b>			<b>64</b>	<b>100</b>

## 8. CONCLUSION

BESS construction site at Howick, Elandskop was found to be in a satisfactory condition during the day of the audit, 30 January 2024. Both the contractor and the applicant have the responsibility to ensure that the identified non-compliance are rectified before the next audit.

The next audit is expected to be mid February 2024. Completion of construction is anticipated to be end of February latest early March 2024.

## **9. APPENDICES**

- 9 A     Appendix A: Attendance register for the audit team 30<sup>th</sup> January 2024.
- 9 B     9 B     Appendix C: Curriculum Vitae