



AUDIT REPORT No.6
For
FREEDOM PARK SUBSTATION AND 160M 88KV LOOP IN-OUT POWERLINE
NEAR RUSTENBURG, NORTH WEST PROVINCE

Audit date: 27 July 2016

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Acronyms

EMPr	Environmental Management Programme
DEA	Department of Environmental Affairs
DWS	Department of Water Affairs and Sanitation
ECO	Environmental Control Officer
EO	Environmental Officer
ELO	Environmental Liaison Officer
MC	Main Contractor
OHSA	Occupational Health & Safety Act
PPE	Personal Protective Equipment
EA	Environmental Authorisation

1. Introduction

Envirolution Consulting (Pty) Ltd, as independent environmental consultants, was appointed by Eskom Distribution to undertake a monthly Environmental Management Programme (EMPr) and Environmental Authorisation (EA) compliance audit on the construction work of Freedom Park Substation and Power line which involves the construction of one substation and an approximately 160 m loop in loop out 88kV overhead power line.

The aim of this independent compliance audit is to review existing processes, document the potential areas of non-compliance, and determine potential improvements that can be made to ensure compliance with the EMPr compiled for the project and also avoid, where possible, negative impacts on project-affected ecosystems and communities. Where impacts are unavoidable, they should be reduced, mitigated, and/or compensated for appropriately as per the EMPr specifications compiled for the project.

In order to address the requirements of both Eskom and the Competent Authority, a Checklist has been prepared to discuss the findings on each of the specific areas within the construction site servitude of the Freedom Park Substation and power line. Environmental specifications included in the audit checklist were based on the Environmental Management Programme (EMPr), Environmental Authorisation and Eskom's Environmental Specifications applicable to the project.

The checklist consists of a rating column and a compliance status report, which will indicate or reflect the level of compliance of the project to the EMPr and EA. The rating column is ranked from **0 - 2**, where:

- **0** will imply that the Contractor is not complying with the requirements of the EMPr at all, and is not making any efforts/no evidence to remediate the situation.
- **1** will be applicable in areas where the Contractor has partially complied and are aware but has not fully complied with the EMPr, and is effectively making efforts to remediate the situation;
- **2** mean that the Contractor has fully complied with all EMPr requirements (and specifications and to the satisfaction of the ECO)

The compliance status reports will generally show the number of compliances and non-compliances per audit. The status report will also indicate the number of conformances versus non-conformances of the audit for the site. Please note that the audit process will classify activities/sections as **N/A** if the activity has not commenced or could not be determined by the auditors at the time this audit was undertaken.

The audit will also rate and consider some specifications as Work in progress (WIP). WIP will in this audit refer to an activity that has been started as an attempt by the Contractor to effectively curb, mitigate or address a particular environmental issue but had not fully completed by the time of the audit. All WIP's will not be scored/rated for the purposes of this audit.

This report intends to provide information demonstrating the EMPr compliance of the project; the report contains the narrative on the status quo of the health, safety and environmental compliance on site during the inspection.

For the purposes of this audit, the description of the scoring methodology in terms of the overall compliance is briefly explained as follows:

Description	Percentage Rating
Non compliant	<50%
Satisfactory	>50% - <90%
Well compliant	>90%
Fully compliant	100%

This EMPr and EA Compliance Audit Report was compiled by:

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2. SCOPE OF THE AUDIT

The scope of this audit was limited to the **construction stage** compliance against the conditions and requirements of the EA and EMPr as construction is fully underway. The current main activity taking place is manual excavation in and around the substation footprint.

This is report number six (6) of the audit reports that will be produced following monthly site visits for the construction phase until project completion. The environmental compliance audit represented in this report was performed on the 27th of June 2016 and incorporates activities

between 24 June 2016 and 27 July 2016. The following activities were undertaken during the audit

- » Document Review;
- » Site camp inspection and;
- » Active construction site inspection

This audit report will include relevant supporting information such as photographs of the site. The photographs are included in a photoplate. A full photograph plate of the site visits can be produced on request.

3. SUMMARY OF FINDINGS AND DISCUSSIONS

At the time of the audit, construction was continuing and the main activity taking place was manual excavation activities.

It is important to note that the contractor that will be responsible for the power line development is currently not yet commissioned as the power line development phase of this project has not yet been reached. The ECO will have to conduct an Environmental Awareness Training presentation to the power line contractor's entire team before they can commence with their activities once they have been commissioned. It must be noted that at this stage of the development that Ezindaleni is contracted to construct the substation only.

3.1. Environmental Awareness Training

The SHE officer advised that Environmental Awareness Training was conducted by the Eskom Environmental Officer (EEO) on the latest staff arrival on site; however, proof of this training is not present on the environmental file. The SHE advised he will request the EEO to provide the proof of training for record purposes.

3.2. Sewer effluent on adjacent property

The SHE officer advised the ECO that they upgraded the current berm to divert sewer contaminated water away from reaching the substation site. The SHE officer further stated that the municipality did not do sufficient sewer pipe repairs as the effluent is still being released.

3.3. Waste Management

On inspection the ECO noticed an improvement in the contractors Integrated Waste Management approach. The contractor has provided a sufficient lid cover for the general waste bin and a wheel bin has been provided for hazardous waste. Also, the SHE advised that a third bin for plastic

wastes is present. The site supervisor advised that no major waste was disposed only about half of a refuse bag of waste has been produced. The ECO recommends that a label be provided for the plastic waste bin. The SHE also advised that local women come every Monday to collect plastic waste for their own recycling activities.

The site supervisor advised the ECO that Drizit has collected the previous hazardous waste for disposal at Holefontein in Johannesburg registered hazardous waste facility on 10 June 2016. The contractor is therefore still awaiting a safe disposal certificate and that their head office is following up daily on the safe disposal slip.

3.4. Hazardous Materials store

The ECO noted that the hazardous materials store has been lined with impermeable plastic liner material around the base. The ECO noted the lining material would also be able to contain a potential spill in the hazardous materials should it take place. The ECO however, would like to bring Eskom's attention to point 3.1 of the DEA EMI report and make sure compliance to this point is adhered to.

3.5. Hydrocarbon leak detection system

The ECO noted an improvement in the handling of hydrocarbon containers as none were observed to be stored on direct ground.

3.6. Environmental toolbox talks

The ECO was provided with recent proof of environmental toolbox talks on request; topics covered included fire management, waste management, and general safety. The SHE advises that these toolbox talks take place weekly.

3.7. Erosion and storm water control

As mentioned above on inspection the ECO noted that berms are in place to control both storm water sewer contaminated water. The contractor has upgraded erosion berms on certain sections of the site to curb erosion and storm water infiltration. The ECO noted that these control measures are flexible and adapt to the prevailing situation.

3.8. Water tanker source of water

The ECO is still to receive proof of consent from Impala Mine or proof of legal source of water although the contractor still maintains that there is an agreement in place between Impala and

FFC. The SHE officer assured that the delivery of this agreement will take place soon and the letter will subsequently be filed.

3.9. Mud prevalence at entrance due to storm water

The ECO observed that the recent rainfall has resulted in excessive mud prevalence in and around the site camp entrance area. In result it makes it burdensome to enter and exit the site camp with a vehicle as there is a high potential of the vehicle being stranded on entry or exit. Also, on areas inside the site camp near the entrance walking on foot is challenging as the clayey mud is also prevalent in these areas. The ECO recommends that crusher stone be applied on areas prone to mud creation for accessibility and safety reasons.

3.10. Alien plant management

An improvement was noted, however there were some evidence of alien growth in some areas of the substation footprint. The SHE advised that some manual alien removal has taken place.

Overall compliance for the audit conducted is **90.6%**

Table 1: A Compliance Status Report for the construction phase

Eskom: Freedom Park Substation and power line	Compliances	37
	Partial Compliances	4
	Non compliances	1
	Work in progress	0
	Not Applicable	21
	Could not be Determined	0
	*Total aspects audited (excl. N/A, CND & WIP)	43
*Total aspects audited (incl. N/A, CND & WIP)	64	
*Total Score Obtained (compliances + partial compliance)	78	
*Total Potential Score (= to sum of all compliances excl. N/A, CND & WIP)	86	
Percentage Score %	90.6%	

* **Total aspects** are the sum of all the environmental aspects (compliances, non compliances, WIP and N/A) that are listed in the checklist

* **Total Score obtained** would include the sum of compliances, partial and non-compliances that were audited during the time of the audit

***Total Potential Score** is the sum of the total possible score excluding the N/A

4. RECOMMENDATIONS

The ECO has noted on 23 June 2016 that the site camp and active construction site need some improvement in daily management.

Table 2: Areas of concerns and recommendations

AREAS OF CONCERN			
Environmental aspect	Observation / discussion	Recommendations	Comment
Environmental Awareness Training	Although the SHE advises that EA training has taken place, there is no proof of this in the environmental file.	All EA Training on new recruits must be filed	The SHE advised he will request the EEO to provide the proof of training for record purposes.
Water tanker source of water	The ECO is still to receive proof of consent from Impala Mine or proof of legal source of water although the contractor still maintains that there is an agreement in place between Impala and FFC.	All sources of water must come from legal sources.	The SHE officer assured that the delivery of this agreement will take place soon and the letter will subsequently be filed.
Mud prevalence due to storm water	Recent rainfall has resulted in excessive mud prevalence in and around the site camp entrance area.	The ECO recommends that crusher stone be applied on areas prone to mud creation for accessibility and safety reasons.	It makes it burdensome to enter and exit the site camp with a vehicle as there is a high potential of the vehicle being stranded on entry or exit.

5. CONCLUDING REMARKS

In conclusion, the project scored 90.6% during this audit. The project is satisfactorily compliant to the requirements of the EMPr and EA. The source of the water tank water must be supplied soon and the occurrence of excessive mud build up near the entrance must be looked in to.

Photo-Plate

Photo	Description
 A photograph showing a green hazardous waste bin positioned next to a metal fence. The fence has a sign that reads "NO PPE NO GO" and features several safety icons. The ground is dark and appears to be a construction or industrial site. In the background, there are some buildings and a clear blue sky.	Photo 1: A new hazardous waste bin provided
 A photograph showing a gravel berm established to divert storm water. The berm is made of dark gravel and runs along a path. In the background, there are residential houses with red roofs and a clear blue sky.	Photo 2: Berms established to divert storm water within substation site.



Photo 3: Storm water diversion berm diverting storm water away from substation site



Photo 4: Manual excavation taking place.



Photo 5:
Excessive mud
near entrance
due to recent
rains



Photo 6:
Standing water
near the
material delivery
entrance.

Table 3: Summary of the audit Findings

Rating Scale	<p>2 – Fully compliant;</p> <p>1 – Partially compliant;</p> <p>WIP - Work in progress</p> <p>0 – Non compliant;</p> <p>N/A - Could not Be determined</p>						
Freedom Park Substation and Power line							
Construction Phase							
Activity/issue	Action required	Responsibility	Compliance Status	Findings	Comments	Deadline Date to comply	Rating
Specific Conditions and EMPr							
EA 26 - Vegetation Clearing	Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce risk of erosion and the invasion of alien species.	Developer, Contractor, ELO,	Compliant		Clearing took place in a phased manner within the required footprint		2
EA 27 - Reclamation	All areas of disturbed soil must be reclaimed using only indigenous grass and shrubs. Reclamation activities should be undertaken as early as possible.	Developer, Contractor, ELO,	N/A		Project still in the construction phase.		N/A

EA 28 – Exotic plants	No exotic plants may be used for rehabilitation purposes; only indigenous plants in the area may be utilised.	Developer, Contractor, ELO,	N/A		Project still in the construction phase		N/A
EA 29 & EMPr 8.1.6. – Invasive species	Removal of alien species or other vegetation and follow up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (43 of 1983)	Developer, Contractor, ELO,	Partial compliance	An improvement was noted, however there were some evidence of alien growth in some areas of the substation footprint.	The SHE advised that some manual alien removal has taken place.	Immediately	1
EA 30 & EMPr 8.1.14 – Noise Pollution	The applicant must ensure that the National Noise Control Regulations and SANS10103:2008 are adhered to and reasonable measures to limit noise from the work site are implemented.	Developer, Contractor, ELO,	Compliant		No unreasonable noise levels were noted.		2
EA 31 – Protective Ear Equipment	The applicant must ensure that the construction staff working in areas where the 8-hour ambient noise levels exceed 7Dba must wear protective equipment.	Developer	N/A		No exceptional loud activities are taking place.		N/A
EA 32 – Public Notification	The applicant must provide prior warning to the community when a noisy activity e.g Blasting is to take place	Developer, Contractor, ELO,	N/A		No exceptional loud activities are taking place.		N/A
EA 33 – Working hours	All noisy construction operations should only occur during daylight hours if possible.	Developer, Contractor, ELO,	Compliant		All works are taking place during daylight hours.		2
EA 34 – Visual Impacts	Reduce visual impacts during construction by minimising areas of surface disturbance, controlling of erosion, using dust suppression techniques and restoring exposed soil as closely as possible to their original contour and vegetation.	Developer, Contractor, ELO,	Compliant		Erosion control measures are visible and are continuing. Topsoil is preserved for future rehabilitation.		2
EA 35 & EMPr 8.1.17 – Hazardous Content Management	An effective monitoring system must be put in place during the construction phase of the development to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. The applicant must ensure that precautionary measures are in place to limit the	Developer, Contractor, ELO,	Compliant		The ECO noted an improvement in the handling of hydrocarbon containers as none were observed to be stored on direct ground		2

	possibility of oil and other liquids from entering the soil or storm water system.						
EA 36 – Waste Management	An integrated waste management system must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed at landfill licenced in terms of section 20(b) of NEMWA (Act 59 of 2008)	Developer, Contractor, ELO,	Partial compliance	The ECO recommends that a label be provided for this bin	On inspection the ECO noticed an improvement in the contractors Integrated Waste Management approach. The contractor has provided a sufficient lid cover for the general waste bin and a wheel bin has been provided for hazardous waste.	Immediately	1
EA 37 – Excavations	Foundations and trenches must be backfilled with originally excavated materials as much as possible. Excess excavation materials must be disposed of only in approved areas or, if suitable, stockpiled for use in reclamation activities.	Developer, Contractor, ELO,	Compliant		No evidence to suggest otherwise.		2
EA 38 – Borrow Materials	Burrow materials must be obtained only from authorized and permitted sites	Developer, Contractor, ELO,	Compliant		Legally sourced G5 fill material is used for foundations.		2
EA 39 & EMPr 8.1.12 – Heritage Resources	The discovery of previously undetected subterranean heritage remains on the terrain must be reported to SAHRA or an archaeologist.	Developer, Contractor, ELO,	Compliant		No underground heritage features have been uncovered to date.		2
EA 40 – General	A copy of the EA and approved EMPr must be kept at the property where the activity will be undertaken.	Developer, Contractor, ELO,	Compliant		EA and EMPr are kept on site		2
EMPr 8.1.1. Environmental awareness and training	The Contractor must ensure that all site personnel have a basic level of environmental awareness training	Developer, Contractor, ELO,	Non-compliant	The SHE officer advised that Environmental Awareness Training was conducted by the Eskom Environmental Officer (EEO) on the latest staff arrival on site, however, proof of this training is not present on the environmental file	The SHE advised he will request the EEO to provide the proof of training for record purposes. The ECO will regard this as no training has taken place as there is no proof in the file.		0
EMPr 8.1.2. Emergency	A site specific emergency preparedness plan must be undertaken for by the Contractor/Applicant. The	Developer, Contractor,	Compliant		The ESS provided an emergency preparedness plan on 31 March 2016.		2

preparedness	Contractor shall ensure that a copy of the site specific emergency preparedness plan is easily accessible to all relevant staff and the CLO or a suitable community representative.	ELO,			Emergency numbers are displayed outside the site camp office.	
EMPr 8.1.3. Construction camp	The contractor shall establish his construction camps, offices, workshops and any other infrastructure in a manner that does not adversely affect the environment. Site establishment shall take place in an orderly manner and all required amenities shall be installed at camp sites before the main workforce move onto site. The construction camp shall have the necessary facilities required for the day to day running of the site.	Developer, Contractor, ELO,	Compliant		The site camp is located near the substation construction site. The camp site has not expanded in any way.	2
EMPr 8.1.4. Site clearing	Site clearing must take place in phased manner, as and when required. Areas which are not to be affected by construction within two months of time must not be cleared, in order to reduce erosion risks. The area to be cleared must be clearly demarcated and this footprint strictly maintained. Spoil that is removed from the site must be removed to an approved spoil site or municipal licensed landfill site. Erosion control measures must be implemented in areas where these risks are more prevalent such as wetlands and steep areas.	Developer, Contractor, ELO,	Compliant		Clearing took place in a phased manner within the required footprint. Erosion measures are in place.	2
EMPr 8.1.5. Access routes	Existing access routes are to be utilized during construction, that is the tarred secondary road and the gravel road leading to the mine dump.	Developer, Contractor, ELO,	Compliant		No further unnecessary access routes are being created.	2
EMPr 8.1.7. Plan Rescue and Protection Plan	Disturbed areas around the construction sites should be re-vegetated using a specified seed mix and/or appropriate indigenous locally occurring grasses, forbs, shrubs or trees. Lists of plant species must be approved by a qualified vegetation ecologist and/or appropriate government authorities.	Developer, Contractor, ELO,	N/A		Project still in construction phase	N/A

EMPr 8.1.8. Restriction to working areas	Working areas are defined as those areas required by the contractor to undertake construction. It is important that activities are conducted within a limited area to facilitate control and to minimize impacts on the natural environment. For this reason, no-go areas and working areas must be identified. This must be done to ensure minimal disturbance to the surrounding environment.	Developer, Contractor, ELO,	Compliant		No evidence to suggest otherwise		2
EMPr 8.1.9. Ablution facilities	The Contractor shall make provision of chemical toilets on the site. Staff shall be sensitized to the fact that they should use these facilities at all times. No indiscriminate sanitary activities on site shall be allowed. Ablution facilities shall be within 100m from workplaces but not closer than 100m from any natural water bodies or boreholes. There should be enough toilets (1 per 15 people) available to accommodate the workforce. Male and females must be accommodated separately where possible. Alternatively ablution facilities may be located in a place approved by the ECO. Toilets shall be serviced regularly and the ECO shall inspect toilets regularly.	Developer, Contractor, ELO,	Compliant		Chemical toilets are maintained to acceptable order.		2
EMPr 8.1.10. Soils disturbances and erosion	Special care needs to be taken during the construction phase to prevent surface storm water rich in sediments and other pollutants from entering the natural drainage systems. In order to prevent erosion, mechanisms are required for dissipating water energy.	Developer, Contractor, ELO,	Partially Compliant	Recent rainfall has resulted in excessive mud prevalence in and around the site camp entrance area. In result it makes it burdensome to enter and exit the site camp with a vehicle as there is a high potential of the vehicle being stranded on entry or exit.	The ECO recommends that crusher stone be applied on areas prone to mud creation for accessibility and safety reasons	19 Aug 2016	1
EMPr 8.1.11. Refuse and waste management	The Contractor shall supply waste collection bins where such is not available and all solid waste collected shall be disposed of at a municipal registered landfill. A certificate of disposal shall be obtained by the contractor and kept on file. Where a	Developer, Contractor, ELO,	Compliant		On inspection the ECO noticed an improvement in the contractors Integrated Waste Management approach. The contractor has provided a sufficient lid cover for the general		2

	registered waste site is not available close to the construction site, the contractor shall provide a method statement with regard to waste management. The disposal of waste shall be in accordance with all relevant legislation. Under no circumstances may solid waste be burnt on site.				waste bin and a wheel bin has been provided for hazardous waste. Also, the SHE advised that a third bin for plastic wastes is present. The site supervisor advised that no major waste was disposed only about half of a refuse bag of waste has been produced.	
EMPr 8.1.13. Air quality	No burning of waste or any other material from any clearing operations will be allowed. Dust suppression measures must be implemented in areas susceptible to wind erosion. Construction vehicle must travel at maximum speed of 40km/h allowed within the area so as to generate less dust in exposed areas. All construction vehicles and machinery must be well maintained and kept in good order so as not to release excessive emissions.	Developer, Contractor, ELO,	Compliant		No burning of waste or excessive emissions was noted.	2
EMPr 8.1.15. Safety and security	A health and safety plan should be developed in respect of construction worker safety. Community safety concerns should be addressed by the Contractor, such that the construction team must stay in the designated area without venturing into private community property without authority. A Health and Safety Officer must be employed to monitor project activities for any potential problems. He or she must be always at site throughout the construction phase.	Developer, Contractor, ELO,	Compliant		A safety plan was provided by the ESS on 31 March 2016. There is 24hr security at the site. Workers are staying within designated areas.	2
EMPr 8.1.16. Traffic Management Plan	The roads leading and leaving the construction must be sign posted with construction ahead sign. Construction vehicles must keep left and travel at a maximum speed of 40km per hour within the construction area. Delivery of material must be at off peak hours to reduce congestion on the road.	Developer, Contractor, ELO,	Compliant		There are speed limit signs observed	2
EMPr 8.1.18. Site	The contractor should commence rehabilitation of exposed soil surfaces such as pylon hole and	Developer, Contractor,	N/A		Project still in the construction phase	N/A

rehabilitation Plan	substation excavations as soon as practical after completion of earthworks. Rehabilitation also include re-vegetation with local indigenous tree species.	ELO,					
8.1.19. Socio-economic impacts	A complaints register should be kept on site. Details of complaints should be incorporated into the audits as part of the monitoring process. This register is to be tabled during monthly site meetings. Damage to existing infrastructure shall not be tolerated and any damage shall be rectified immediately by the Contractor to the satisfaction of the land owner. A record of all damage and remedial actions shall be kept on site. Construction traffic should only make use of approved routes.	Developer, Contractor, ELO,	Compliant		A complaints register has been provided. No complaints received. A CLO has been appointed for the project		2
Scope of authorisation							
EA 1.	The preferred site (Option 2) for the construction of a new 80x60m 2x20MVA 88/22kV Freedom Park Substation and associated Loop-in Loop-out power line corridor with coordinates indicated above is approved.	Developer	N/A		N/A		N/A
EA 2.	Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.	Developer	Compliant		Eskom is aware of the binding nature of this EA.		2
EA 3.	The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this environmental authorisation. This includes 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 authorisation.	Developer	Compliant		Eskom is taking active responsibility to strive to comply with the EA		2
EA 4.	The activities authorised may only be carried out at the property as described above.	Developer	Compliant		The activities are carrying out at the authorised property ie Portion 6 of		2

					Wildebeestfontein 274 JQ (Freedom Park ERF 256)		
EA 5.	Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.	Developer	Compliant		Eskom followed the correct procedure in amending the environmental authorisation in regards to the substation location. Approval granted by DEA, notification of Stakeholders (30 days) in place		2
EA 6.	This activity must commence within a period of five (5) years from the date of issue of this authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.	Developer	Compliant		The activity has commenced within 5 years of authorisation.		2
EA 7.	Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.	Developer	N/A		N/A		N/A
EA 8.	The holder of an environmental authorisation must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.	Developer	N/A		N/A		N/A
EA 9.	The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (twelve) calendar days of the date of this environmental authorisation, of the decision to authorise the activity.	Developer	Compliant		Eskom has notified interested and affected parties within 12 days of the authorisation.		2
EA 10.	The notification referred to must — 10.1. specify the date on which the	Developer	Partially compliant	The notification letter did not indicate the reasons for the	A notification letter was sent out to I&APs .	N/A	1

	<p>authorisation was issued;</p> <p>10.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010;</p> <p>10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and</p> <p>10.4. give the reasons of the competent authority for the decision.</p>			competent authority decision, did not advise that a copy of the EA can be furnished on request.		
EA 11.	<p>The holder of the authorisation must publish a notice —</p> <p>11.1. informing interested and affected parties of the decision;</p> <p>11.2. informing interested and affected parties where the decision can be accessed; and</p> <p>11.3. drawing the attention of interested and affected parties to the fact that an appeal may be lodged against this decision in the newspaper(s) contemplated and used in terms of regulation 54(2) (c) and (d) and which newspaper was used for the placing of advertisements as part of the public participation process.</p>	Developer	Compliant		Eskom published a notification in the newspaper of the EA granted.	2
Management of the activity						
EA 12.	<p>The Environmental Management Programme (EMPr) submitted as part of the application for environmental authorisation is hereby approved and must be implemented during the construction, operation and rehabilitation phases of the activity. The EMPr will be seen as a dynamic document. However, any changes to the EMPr must be submitted to the authorities for approval before implementation.</p>	Developer	Compliant		The EMPr is viewed as a guiding document by Eskom	2

EA 13.	The EMPr must be included in all contract documentation for the construction phase of the development.	Developer	Compliant		In place		2
EA 14.	The provisions of the EMPr are an extension to the conditions of the environmental authorisation and therefore non-compliance with the EMPr shall constitute non-compliance with the environmental authorisation.	Developer	N/A		Eskom is aware that compliance of the EA and EMPr are important.		N/A
Monitoring							
EA 15 - Monitoring	The applicant must appoint a suitably experienced 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 authorisation are implemented and to ensure compliance with the provisions of the EMPr,	Developer	Compliant		An independent ECO from Envirolution Consulting (Pty) Ltd has been appointed to audit the project's compliance to the EA and EMP.		2
EA 15.1	The ECO must be appointed before commencement of any authorised activity lies.	Developer	Compliant		The ECO was appointed before construction began.		2
EA 15.2	Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.	Developer	Compliant		Details of ECO were submitted to DEA		2
EA 15.3	The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.	ECO	N/A		N/A		N/A
EA 15.4	The ECO must remain employed until all rehabilitation, measures, as required for implementation due to construction damage, are completed and the site is ready for operation.	Developer	Compliant		The appointment of the ECO is for 12 months		2
EMPr 7.1 - Non-compliance	The Developer (Eskom Contractor) will within 48 hours, report to the ECO on the following: □ Difficulties encountered with carrying out the EMPr	Developer	N/A		The ECO has not been notified on any of EMPr 7.1		N/A

	control measures <input type="checkbox"/> Areas of non-compliance; and <input type="checkbox"/> Amendments that may be required to any of the EMPr conditions.						
EMPr 7.1.1 – Reporting procedure	Within 24 hours of becoming aware of any environmentally related problems, the ECO should be notified and the following documented: <input type="checkbox"/> Nature and cause of the problem; <input type="checkbox"/> Parties responsible for causing the problem; and <input type="checkbox"/> Immediate actions taken to stop/reduce/contain the causes of the problem.	Developer	N/A		N/A		
Recording and reporting to the Department							
EA 16	All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this authorisation, must be submitted to the Director: Compliance Monitoring at the Department.	Developer, ECO	Compliant		All requested documents are sent to DEA		2
EA 17	The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.	Developer,	N/A		Project still in construction phase		N/A
EA 18	The environmental audit report 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 the requirements of the EMPr.	ECO	N/A		The audit report reflects EA 18 requirements.		N/A
EA 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.	Developer, Contractor	Compliant		Compliant		2

Commencement of activity							
EA 20	The authorised activity shall not commence within twenty (20) days of the date of signature of the authorisation.	Developer	Compliant		The development did not commence within 20 days of authorisation.		2
EA 21	An appeal under section 43 of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended), does not suspend an environmental authorisation or exemption, or any provisions or conditions attached thereto, or any directive, unless the Minister, MEC or delegated organ of state directs otherwise.	Developer	N/A		N/A		N/A
EA 22	Should you be notified by the Minister of a suspension of the authorisation pending appeal procedures, you may not commence with the activity until such time that the Minister allows you to commence with such an activity in writing.	Developer	N/A		N/A		N/A
Notification to authorities							
EA 23	Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number. This notification period may coincide with the notice of intent to appeal period.	Developer	Compliant		Notification was given to the Department by Eskom.		2
EA 24	Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.	Developer	N/A		Project still in construction phase		N/A
Site Closure and Decommissioning							
EA 25	Should the activity ever cease or become redundant, the applicant shall undertake the	Developer	N/A		Project still in construction phase		N/A

	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.						
General							
EA 40	A copy of this authorisation and the approved EMPr must be kept at the property where the activity will be undertaken. The authorisation and approved EMPr must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property	Developer, Contractor	Compliant		A copy of the approved EMPr is kept on site		2
EA 41	The holder of the authorisation must notify both the Director: Integrated Environmental Authorisations and the Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this authorisation cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.	Developer	N/A		Eskom commits that all conditions can be met.		N/A
EA 42	National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.	N/A	N/A		N/A		N/A

