



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Fedura Building · 315 Pretorius Street · PRETORIA
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

Reference: 12/12/20/710

Enquiries: Reggy Nkosi

Telephone: 012-310-3036 Fax: 012-320-7539 E-mail: Rnkosi@environment.gov.za

Ms Deidre Herbst
ESKOM
Kusile Power Station
P. O. Box 1091
Johannesburg
2000

Fax no: (011) 800 3631

PER FACSIMILE / MAIL

Dear Ms Herbst

RE: MERCURY REMOVAL AT KUSILE POWER STATION.

With reference to the abovementioned application, please be advised that the Department in terms of the powers vested in it by regulation 43 of Environmental Impact Assessment Regulations, 2006, has decided to grant approval for the deferment of condition 3.7.6. contained in the RoD issued on 17 March 2008 for six months after the start of operation of Kusile Power Station.

This amendment must be read in conjunction with the authorisation issued on 17 March 2008.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within 7 (seven) calendar days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the submission of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Attached please find a simplified copy of the appeals procedure to be followed. Kindly include a copy of this procedure with the letter of notification to interested and affected parties.

A copy of the official appeal form can be obtained from:

Mr. TH Zwane Senior Appeals Administrator Tel: 012 310 3929 tzwane@environment.gov.za
Ms. MM Serite Appeals Administrator Tel: 012 310 3788 mserite@environment.gov.za
at the Department.

Should any party, including you, wish to appeal any aspect of the decision, they/you must, *inter alia*, lodge a notice of intention to appeal with the Minister, within 10 days of receiving notice of the decision, by means of one of the following methods:

By facsimile: 012-320-7561;

By post: Private Bag X447, Pretoria, 0001; or

By hand: 2nd Floor, Fedsure Building, North Tower, cnr. Van der Walt and Pretorius Streets,
Pretoria.

You (applicant) must also serve a copy of the notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection, should you intend to appeal.

Please include the Department in the list of interested and affected parties, notified through your notification letter to interested and affected parties, for record purposes.

The authorised activity/ies shall not commence within thirty (30) days of the date of signature of the authorisation. Further, please note that the minister may, on receipt of appeals against the authorisation or conditions thereof suspend the authorisation pending the outcome of the appeals procedure.

Yours faithfully



Ms Lize McCourt
CHIEF DIRECTOR: ENVIRONMENTAL IMPACT MANAGEMENT
Department of Environmental Affairs

Date 25 August 2010