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02 July 2010

Interested and Affected Party

Number of pages: 2 (including this one)

DEAT Reference Number: 12/12/20/1399
DEA Reference Number: 12/9/11/L198/5

Dear Sir or Madam,

LICENCE AUTHORISATION FOR THE CONSTRUCTION OF AN ESKOM MATIMBA GENERAL LANDFILL, A LOW HAZARDOUS WASTE CELL; AND A TEMPORARY HAZARDOUS WASTE STORAGE FACILITY IN LEPHALALE, LIMPOPO PROVINCE

Please be informed that, in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) the Environmental Impact Assessment Regulations, 2006 and National Environmental Management Act: Waste Act, 2008 (Act 59 of 2008) the Department of Environmental Affairs has granted **Eskom Holdings Limited** the Licence Authorisation to construct an Eskom General Landfill, a low hazardous waste cell; and temporary hazardous waste storage facility on the Farm Grootestryd, 465 LQ within Lephalale Local Municipality, Limpopo Province. Farm Grootestryd is located within the boundaries of Eskom Matimba Power Station in Lephalale.

The Licence authorisation for the project was granted on **Friday, 28 June 2010**.

The notification of interested and affected parties (I&APs) will commence within 10 calendar days from **Friday, 02 July 2010**. This will ensure that Envirolution complies with clause 1.7 of the authorisation, which stipulates that the holder of the authorisation must notify every registered interested and affected party, in writing and within 10 (Ten) calendar days, of receiving notice of the Department's decision to authorise the activity.

Interested and Affected Parties wishing to formally appeal must follow the following procedure, in accordance with Chapter 7 of the EIA Regulations:

Notice of intention to appeal

62. (1) A person affected by a decision, who wishes to appeal against the decision, must lodge a notice intention to appeal with the Minister, MEC, or delegated organ of state, as the case may be, within 10 days after notification has been received.

(3) If the appellant is a person other than an applicant, the appellant must serve on the applicant –

- (a) a copy of the notice referred to in sub regulation (1), and
- (b) a notice indicating where and for what period the appeal submission will be available for the applicant.

Submission of appeals

63. (1) An appeal lodged with – (please see relevant contact details below)
(a) the Minister must be submitted to the Department of Environmental Affairs and Tourism;
(b) the MEC must be submitted to the provincial department responsible for environmental affairs in the relevant province or

(c) the delegated organ of state, where relevant, must be submitted to that delegated organ of state.

(2) An appeal must be-

- (a) on an official document published by or obtainable from the relevant department, and
(b) accompanied by –
(i) a statement setting out the grounds of appeal;
(ii) supporting documentation which is referred to in the appeal and which is not in the possession of the Minister, MEC or delegated organ of state;(iii) a statement by the appellant that Regulation 62(3) has been complied with, together with copies of the notices referred to in that regulation; and
(iv) the prescribed fee, if any.
- (3) When submitting an appeal, the appellant must take into account any guidelines applicable to appeals.

Time within which appeals must be lodged

64. (1) An appeal must be submitted to the relevant department within 30 days of the lodging of the notice of intention to appeal, referred to in regulation 62(1).
- (2) The Minister, MEC or delegated organ of state, as the case may be, may, in writing, on good cause extend the period within which an appeal must be submitted.

Should you wish to appeal, please forward the notice of intent to appeal as well as the appeal, in accordance with the above regulations, to:

Department of Environmental Affairs (DEA)

Attention: MEC

By Post: Private Bag X447, Pretoria 0001
By Hand: 2nd Floor Fedsure Forum Building, North Tower
Cnr of Pretorius and van der Walt Streets, Pretoria

By Fax: 012 320 7561

Copies of the abovementioned documents should also be submitted to **Envirolution Consulting (Pty) Ltd**, Attention: Gesan Govender, Fax: 086 162 6222, E-mail:gesan@envirolution.co.za.

The Notice of intention to appeal must be lodged by no later than **Monday, 12 July 2010**. The appeal must be lodged by no later than **30 days (Wednesday, 11 August 2010)** after the Notice of Intent has been lodged.

Yours sincerely

Electronically signed

Gesan Govender
For Envirolution Consulting (Pty) Ltd