



**DEPARTMENT: ENVIRONMENTAL AFFAIRS AND TOURISM
REPUBLIC OF SOUTH AFRICA**

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Ref: A24/16/3/190/3

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Mr Stuart Dunsmore
P D Naidoo & Associates
PO Box 7707
JOHANNESBURG
2000

Dear Mr Dunsmore

**ESKOM'S CAPE STRENGTHENING PROGRAMME: UPGRADE OF VICTORIA CAPACITOR
STATION**

Your application for authorization, in terms of section 22 of the Environment Conservation Act, 1989 (Act No. 73 of 1989) in respect of an activity identified in terms of section 21 of the said Act refers.

This department has evaluated the scoping report to verify whether this development will have a significant negative impact on the environment. The conclusion is that should the conditions as stipulated in the Record of Decision be implemented by the applicant, the impact will be minimal.

By virtue of the power delegated to me in terms of section 33(1) of the Environment Conservation Act, 1989 (Act No. 73 of 1989) I hereby, in terms of Section 22(3) of the Act, authorize the:

Upgrading of Victoria Capacitor Station

Enclosed please find the record of decision and the conditions under which your application is authorized.

Formal appeals can be directed to the Minister of Environmental Affairs and Tourism. Such appeals must be lodged within 30 (thirty) days from the date of this authorization.

A handwritten signature in black ink, appearing to be 'S. Matabane'.

DIRECTOR-GENERAL

DATE: 8-08-01

RECORD OF DECISION IN TERMS OF SECTION 22 (3) OF THE ENVIRONMENT CONSERVATION ACT, 1989 WITH REGARD TO THE UNDERTAKING OF THE ACTIVITY DESCRIBED BELOW AS REQUIRED BY GN R. 1183 OF 5 SEPTEMBER 1997.

REFERENCE NUMBER: A24/16/3/190/3

BRIEF DESCRIPTION OF ACTIVITY:

The upgrade entails the doubling up in size of the Victoria capacitor station and the replacement of the existing 20 year old PCB capacitor banks with non-PCBs containing capacitor banks. A new piece of land, which is not under Eskom's ownership, will be required for the capacitor station extension.

LOCALITY:

Province: Border of Western Cape and Northern Cape
Magisterial District: Victoria West
Farm Name: Uit Vlig Fontein/ Schrietskull
Nearest Town: Victoria West

APPLICANT:

ESKOM- Transmission Group
P.O Box 582
Megawatt Park
SANDTON
0001

Contact person: Mr John Geerlingh
Tel: (011) 8002465
Fax: (011) 8003917

CONSULTANT:

P D Naidoo & Associates
P.O Box 7707
JOHANNESBURG
2000

Contact Person: Mr Stuart Dunsmore
Tel (011) 482 2132
Fax (011) 482 4717

DECISION:

Authorization is granted in terms of Section 22 (3) of the Environment Conservation Act, 1989 (Act No 73 of 1989). This authorization is granted subject to the conditions outlined below.

1. STANDARD CONDITIONS:

- 1.1 This authorization refers only to the activity as specified and described above. Any other development associated with this project and listed under section 21 of the Environment Conservation Act, 1989 (Act No 73 of 1989) is not covered by this authorization, and must therefore comply with the requirements of the Act and Government Notice R 1183.
- 1.2 Authorization is granted in terms of section 22 of the Environment Conservation Act, 1989 (Act No.73 of 1989). This Authorization does not exempt the holder from compliance with any other applicable legislation.
- 1.3 In the event of non-compliance by any contractor implicated in this activity, Eskom will be held liable.
- 1.4 Eskom must in the event of non-compliance with any condition of this authorization inform the Department within 48 hours.
- 1.5 A performance-based requirement must be included in all contracts related to any activity of this authorization.
- 1.6 In the event of non-compliance by the contractor, Eskom must institute a penalty.
- 1.7 Eskom must before construction notify all interested and affected parties of this record of decision and associated conditions within five (5) working days from the date of receiving this authorization.
- 1.8 Construction must not commence until 45 days have elapsed since the date of this authorization.
- 1.9 Any complaint from the public during the construction of this project must be attended to as soon as possible to the satisfaction of the parties concerned. A complaint register must be kept up to date and shall be produced upon request by the authorities or any member of the public.
- 1.10 Compliance/non-compliance records must be kept in good order and shall be made available on request by the authorities.

2. SPECIFIC CONDITIONS

- 2.1 This project is authorized on condition that the environmental management plan (EMP) is compiled and submitted to this department as well as to the relevant provincial department for authorization. The EMP must form part of the contract documentation for contractors appointed for the construction and operation phases. The EMP must mitigate impact of both the construction and operation phase.
- 2.2 A separate EMP must be compiled for the construction camp as construction workers might have a significant impact on the environment.

- 2.3 Eskom must appoint and designate an official with environmental knowledge, to ensure that the EMPs as in 2.1 and 2.2 are implemented. The name of such an official shall be provided to the authorities for communication purposes.
- 2.4 Drivers trained specifically in the transportation of the hazardous substances must be used in the transportation of PCBs.
- 2.5 Due to the hazardous nature of PCBs in the capacitor tanks, only personnel who have been specifically trained to handle such hazardous substances must be used.
- 2.6 An effective monitoring system must be put in place to ensure safety and detect any leakages or spill of PCBs from capacitor banks during transportation and storage.
- 2.7 In case of spill and / leakages as a result of equipment failure, the affected area must be fenced off and rehabilitated immediately.
- 2.8 Hierarchical approach to integrated waste management with the preferred option being reduction; reuse and recycling followed by treatment and disposal must be adopted.
- 2.9 Eskom and its contractors must comply with the provisions of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993).
- 2.10 The transportation and handling of hazardous substances must comply with all the provisions of the Hazardous Substances Act, 1973 (Act No. 15 of 1973), associated regulations as well as SABS 0228 and SABS 0229.
- 2.11 Eskom must comply with the provisions of section 30 of the National Environmental Management Act, 1989 (Act No. 108 of 1989).
- 2.12 Should the new capacitor station be painted or coloured, an appropriate colouring is to be used to ensure that the structure blend in with the surrounding environment.
- 2.13 The continued application of the "Best Practicable Environmental Option" (BPEO) to the technologies must be promoted and adopted.
- 2.14 All mitigation measures as stipulated in Chapter 7 of the scoping report becomes part of this record of decision. Non-compliance with any of those mitigation measures constitutes non-compliance with this record of decision.

3. KEY FACTORS FOR DECISION

- 3.1 The project is intended to replace the old PCB capacitor banks with new PCB free banks.
- 3.2 The scoping report submitted satisfies the requirements of the Environment Conservation Act, 1989 (Act No. 73 of 1989).

- 3.3 Issues and concerns raised by interested and affected parties have been adequately addressed in the scoping report.
- 3.4 The public participation process undertaken has been extensive and is considered adequate.
- 3.5 The mitigation measures proposed in the scoping report are appropriate and practical for implementation.
- 3.6 The necessary specialist studies have been undertaken.

4. SITE VISIT

A site visit was attended on 25-30 January 2001 by the following:

Ms Vanessa Marais	-	National DEAT
Ms Viktoria Jansen	-	P D Naidoo and Associates
Janice Tooley	-	Acer Africa
Doug Jeffrey	-	Specialist consultant
Menno Klapwijk	-	Specialist consultant

5. DURATION AND DATE OF EXPIRY:

Should construction not commence within a period of 2 years, this authorisation will be nullified and should the applicant intend to invoke the project, the application procedure as detailed in GN. R 1183 must be followed. This permit is valid for 2(two) years.

6. APPEAL:

Formal appeal can be directed to the Minister of Environmental Affairs and Tourism at the address indicated below. Such an appeal must be lodged within 30 (thirty) days from the date of this authorization.

The Minister of Environmental Affairs and Tourism
Private Bag X447
PRETORIA
0001
Tel: (012) 310-3611
Fax: (012) 322-0082