



**AUDIT REPORT No.7**  
**For**  
**FREEDOM PARK SUBSTATION AND 160M 88KV LOOP IN-OUT POWERLINE**  
**NEAR RUSTENBURG, NORTH WEST PROVINCE**

**Audit date: 25 August 2016**

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## **Acronyms**

<b>EMPr</b>	Environmental Management Programme
<b>DEA</b>	Department of Environmental Affairs
<b>DWS</b>	Department of Water Affairs and Sanitation
<b>ECO</b>	Environmental Control Officer
<b>EO</b>	Environmental Officer
<b>ELO</b>	Environmental Liaison Officer
<b>MC</b>	Main Contractor
<b>OHSA</b>	Occupational Health & Safety Act
<b>PPE</b>	Personal Protective Equipment
<b>EA</b>	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 the braising of copper, excavation activities and building of the control room.

This is report number seven (7) 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 25<sup>th</sup> of August 2016 and incorporates activities

between 28 July 2016 and 25 August 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 braising of copper, excavation activities and building of the control room.

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 ECO was provided with proof of Environmental Awareness training of the latest staff arrivals by the Eskom Environmental Officer (EEO). The ECO was provided with recent proof of environmental toolbox talks on request proving that environmental toolbox talks are on-going. Topics covered included fire management, waste management, and general safety. The SHE advises that these toolbox talks take place weekly.

#### **3.2. Reporting back to Department of Environmental Affairs**

Eskom has reported back to the Department of Environmental Affairs Compliance division on the findings of the Environmental Management Inspector (EMI) who conducted a compliance audit on 13 April 2016. The Eskom report back letter/report complied with the timeframe indicated in the EMI Report/Letter. Eskom has specified corrective measures taken as per the recommendations of the EMI report.

#### **3.3. Sewer effluent on adjacent property**

The EEO advised that he has been in contact with the Rustenburg Local Municipality to come and repair the problematic sewer pipes near the construction area. In the meantime, the diversion berms continue to be in place to divert sewer contaminated water away from the active construction site.

### **3.4. Waste Management**

The ECO was provided with a safe disposal slip, proving the safe disposal of the oil spillage that took place in April. On inspection the ECO noticed that sufficient bins are in place for general, hazardous and plastic waste. The SHE officer advised that plastic waste is sorted and is collected by the local recyclers. The ECO recommended that records be kept on how many bags are collected by the recyclers for record purposes. The ECO noted that sufficient cigarette bud reciprocals are provided on site. The SHE officer further advised that the waste signage he installed were disturbed by the local grazing cattle. The site yard was observed to be in a neat and acceptable condition.

### **3.5. 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.

### **3.6. 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.

### **3.7. Mud prevalence at entrance due to storm water**

The ECO observed that crusher stones have been placed on the areas that were highly susceptible to mud prevalence, especially near the entrance area. This action should assist mitigating mud creation at the site camp and result in easier access of vehicles during rainfall days. The recent rainfall had resulted in excessive mud prevalence in and around the site camp entrance area. In result it made 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.

### 3.8. Water tanker source of water

The ECO is yet to be provided with proof of legal source of water of the water tanker. The SHE officer advises that the water is being sourced from the nearby Impala mine. The ECO however would like to recommend that the agreement between the contractor and Impala Mine be filed as proof of legal sourcing of water.

Overall compliance for the audit conducted is **96.5%**

**Table 1: A Compliance Status Report for the construction phase**

<b>Eskom: Freedom Park Substation and power line</b>	Compliances	40
	Partial Compliances	3
	Non compliances	0
	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)		83
*Total Potential Score (= to sum of all compliances excl. N/A, CND & WIP)		86
Percentage Score %		<b>96.5%</b>

\* **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 noticed an improvement in the waste management of the site and encourages this to continue. The source of water tanker water needs to be resolved. Attention is needed on a few section of the site with regards to weed growth.



**Table 2: Areas of concerns and recommendations**

AREAS OF CONCERN				
Environmental aspect	Observation / discussion	Recommendations	Comment	Status
Environmental Awareness Training	The ECO was provided with proof of Environmental Awareness training of the latest staff arrivals by the Eskom Environmental Officer (EEO).	N/A	N/A	<b>Resolved</b>
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.	It is imperative that the agreement between Impala and the contractor is in place.	<b>Unresolved</b>
Weed growth	The ECO noted some evidence of weed growth on certain sections of the site.	Frequent manual removal of weeds is encouraged.		<b>Needs attention</b>
Mud prevalence due to storm water	The ECO observed that crusher stones have been placed on the areas that were highly susceptible to mud prevalence, especially near the entrance area.	N/A	N/A	<b>Resolved</b>

## 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, it is imperative that all sources of water must come from legal sources.

### **Photo-Plate**

<b>Photo</b>	<b>Description</b>
	Photo 1: Crusher stone has been applied by the contractor to mitigate mud creation during rain events.



Photo 2: Chemical toilets are kept in a clean working state.



Photo 3: One of the cigarette bud reciprocals provided at the site camp.





Photo 4: First aid kit and fire extinguisher provided on site.



Photo 5: Berms remain in place



Photo 6:  
Cement mixing  
taking place on  
mixing trays.

**Table 3: Summary of the audit Findings**

<b>Rating Scale</b>	<p><b>2 – Fully compliant;</b></p> <p><b>1 – Partially compliant;</b></p> <p><b>WIP - Work in progress</b></p> <p><b>0 – Non compliant;</b></p> <p><b>N/A - Could not Be determined</b></p>						
<b>Freedom Park Substation and Power line</b>							
<b>Construction Phase</b>							
<b>Activity/issue</b>	<b>Action required</b>	<b>Responsibility</b>	<b>Compliance Status</b>	<b>Audit Findings</b>	<b>ECO Comments</b>	<b>Deadline Date to comply</b>	<b>Rating</b>
<b>Specific Conditions and EMPr</b>							
<b>EA 26 - Vegetation Clearing</b>	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
<b>EA 27 - Reclamation</b>	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

<b>EA 28 – Exotic plants</b>	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
<b>EA 29 &amp; EMPr 8.1.6. – Invasive species</b>	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	The ECO noted some evidence of weed growth on certain sections of the site.	Frequent manual removal of weeds is encouraged.		1
<b>EA 30 &amp; EMPr 8.1.14 – Noise Pollution</b>	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
<b>EA 31 – Protective Ear Equipment</b>	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
<b>EA 32 – Public Notification</b>	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
<b>EA 33 – Working hours</b>	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
<b>EA 34 – Visual Impacts</b>	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. No excessive dust fall out is present.		2
<b>EA 35 &amp; EMPr 8.1.17 – Hazardous Content Management</b>	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 possibility of oil and other liquids from entering the	Developer, Contractor, ELO,	Compliant		Hazardous content management is in place.		2

	soil or storm water system.						
<b>EA 36 – Waste Management</b>	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,	Compliant		On inspection the ECO noticed an on-going improvement in the contractors Integrated Waste Management approach. There are dedicated bins for different types of wastes. The hazardous waste disposal slip was provided.		2
<b>EA 37 – Excavations</b>	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
<b>EA 38 – Borrow Materials</b>	Borrow materials must be obtained only from authorized and permitted sites	Developer, Contractor, ELO,	Compliant		Legally sourced G5 fill material is used for foundations.		2
<b>EA 39 &amp; EMPr 8.1.12 – Heritage Resources</b>	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
<b>EA 40 – General</b>	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
<b>EMPr 8.1.1. Environmental awareness and training</b>	The Contractor must ensure that all site personnel have a basic level of environmental awareness training	Developer, Contractor, ELO,	Compliant		The ECO was provided with proof of Environmental Awareness training of the latest staff arrivals by the Eskom Environmental Officer (EEO).		2
<b>EMPr 8.1.2. Emergency preparedness</b>	A site specific emergency preparedness plan must be undertaken for by the Contractor/Applicant. The 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.	Developer, Contractor, ELO,	Compliant		The ESS provided an emergency preparedness plan on 31 March 2016. Emergency numbers are displayed outside the site camp office.		2
<b>EMPr 8.1.3.</b>	The contractor shall establish his construction	Developer,	Compliant		The site camp is located near the		2



<b>Construction camp</b>	<p>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.</p>	<p>Contractor, ELO,</p>			<p>substation construction site. The camp site has not expanded in any way.</p>	
<b>EMPr 8.1.4. Site clearing</b>	<p>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.</p>	<p>Developer, Contractor, ELO,</p>	<p>Compliant</p>		<p>Clearing took place in a phased manner within the required footprint. Erosion measures are in place.</p>	<p>2</p>
<b>EMPr 8.1.5. Access routes</b>	<p>Existing access routes are to be utilized during construction, that is the tarred secondary road and the gravel road leading to the mine dump.</p>	<p>Developer, Contractor, ELO,</p>	<p>Compliant</p>		<p>No further unnecessary access routes are being created.</p>	<p>2</p>
<b>EMPr 8.1.7. Plan Rescue and Protection Plan</b>	<p>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.</p>	<p>Developer, Contractor, ELO,</p>	<p>N/A</p>		<p>Project still in construction phase</p>	<p>N/A</p>
<b>EMPr 8.1.8. Restriction to working areas</b>	<p>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</p>	<p>Developer, Contractor, ELO,</p>	<p>Compliant</p>		<p>No evidence to suggest otherwise</p>	<p>2</p>

	reason, no-go areas and working areas must be identified. This must be done to ensure minimal disturbance to the surrounding environment.						
<b>EMPr 8.1.9. Ablution facilities</b>	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
<b>EMPr 8.1.10. Soils disturbances and erosion</b>	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,	Compliant		The ECO observed that crusher stones have been placed on the areas that were highly susceptible to mud prevalence, especially near the entrance area.		2
<b>EMPr 8.1.11. Refuse and waste management</b>	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 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.	Developer, Contractor, ELO,	Partial Compliance	There is no official record of the quantity of the plastic containers collected by the local recyclers.	The ECO recommends that records be kept of plastic wastes collected by the recyclers.		1
<b>EMPr 8.1.13.</b>	No burning of waste or any other material from any	Developer,	Compliant				2

<b>Air quality</b>	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.	Contractor, ELO,				
<b>EMPr 8.1.15. Safety and security</b>	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
<b>EMPr 8.1.16. Traffic Management Plan</b>	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
<b>EMPr 8.1.18. Site rehabilitation Plan</b>	The contractor should commence rehabilitation of exposed soil surfaces such as pylon hole and substation excavations as soon as practical after completion of earthworks. Rehabilitation also include re-vegetation with local indigenous tree species.	Developer, Contractor, ELO,	N/A		Project still in the construction phase	N/A
<b>8.1.19. Socio-economic impacts</b>	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.	Developer, Contractor, ELO,	Compliant		A complaints register has been provided. No complaints received. A CLO has been appointed for the project	2

	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.						
<b>Scope of authorisation</b>							
<b>EA 1.</b>	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
<b>EA 2.</b>	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
<b>EA 3.</b>	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
<b>EA 4.</b>	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 Wildebeestfontein 274 JQ (Freedom Park ERF 256)		2
<b>EA 5.</b>	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	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

	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.						
<b>EA 6.</b>	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
<b>EA 7.</b>	Commencement with one activity listed in terms of this authorisation constitutes commencement of all authorised activities.	Developer	N/A		N/A		N/A
<b>EA 8.</b>	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
<b>EA 9.</b>	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
<b>EA 10.</b>	The notification referred to must — 10.1. specify the date on which the authorisation was issued; 10.2. inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Environmental Impact Assessment Regulations, 2010; 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and	Developer	Partially compliant	Technically Eskom's notification letter did not indicate the reasons for the competent authority decision and did not advise that a copy of the EA can be furnished on request.	Although technically Eskom's notification letter did not advise that a copy of the EA can be furnished on request. The objective was met by attaching a copy of the EA with the notification letter thus providing a copy of the EA.	N/A	1

	10.4. give the reasons of the competent authority for the decision.						
<b>EA 11.</b>	The holder of the authorisation must publish a notice — 11.1. informing interested and affected parties of the decision; 11.2. informing interested and affected parties where the decision can be accessed; and 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.	Developer	Compliant		Eskom published a notification in the newspaper of the EA granted.		2
<b>Management of the activity</b>							
<b>EA 12.</b>	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.	Developer	Compliant		The EMPr is viewed as a guiding document by Eskom		2
<b>EA 13.</b>	The EMPr must be included in all contract documentation for the construction phase of the development.	Developer	Compliant		In place		2
<b>EA 14.</b>	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							
<b>EA 15 - Monitoring</b>	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
<b>EA 15.1</b>	The ECO must be appointed before commencement of any authorised activity lies.	Developer	Compliant		The ECO was appointed before construction began.		2
<b>EA 15.2</b>	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
<b>EA 15.3</b>	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
<b>EA 15.4</b>	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
<b>EMPr 7.1 - Non-compliance</b>	The Developer (Eskom Contractor) will within 48 hours, report to the ECO on the following: <ul style="list-style-type: none"> <li>□ Difficulties encountered with carrying out the EMPr control measures</li> <li>□ Areas of non-compliance; and</li> <li>□ Amendments that may be required to any of the EMPr conditions.</li> </ul>	Developer	N/A		The ECO has not been notified on any of EMPr 7.1		N/A
<b>EMPr 7.1.1 - Reporting procedure</b>	Within 24 hours of becoming aware of any environmentally related problems, the ECO should be notified and the following documented:	Developer	N/A		N/A		

	<ul style="list-style-type: none"> <li>□ Nature and cause of the problem;</li> <li>□ Parties responsible for causing the problem; and</li> <li>□ Immediate actions taken to stop/reduce/contain the causes of the problem.</li> </ul>						
<b>Recording and reporting to the Department</b>							
<b>EA 16</b>	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 et the Department.	Developer, ECO	Compliant		All requested documents are sent to DEA		2
<b>EA 17</b>	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
<b>EA 18</b>	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
<b>EA 19</b>	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
<b>Commencement of activity</b>							
<b>EA 20</b>	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
<b>EA 21</b>	An appeal under section 43 of the National Environmental Management. Act (NEMA), Act 107	Developer	N/A		N/A		N/A



	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.						
<b>EA 22</b>	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
<b>Notification to authorities</b>							
<b>EA 23</b>	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
<b>EA 24</b>	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
<b>Site Closure and Decommissioning</b>							
<b>EA 25</b>	Should the activity ever cease or become redundant, the applicant shall 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.	Developer	N/A		Project still in construction phase		N/A
<b>General</b>							

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