



**AUDIT REPORT No.3**  
**For**  
**FREEDOM PARK SUBSTATION AND 160M 88KV LOOP IN-OUT POWERLINE**  
**NEAR RUSTENBURG, NORTH WEST PROVINCE**

**Audit date: 13 April 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 removal of turf/sub soil and bringing G5 material to compact to ground level.

This is report number three (3) 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 13<sup>th</sup> of April 2016 and incorporates activities between 31 March 2016 and 13 April 2016. It must be noted that the DEA Environmental

Management Inspector (EMI) was present and also conducted a full EA and EMPr audit of the substation development. 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 fully underway and the main activity taking place was copper matting for electrical earthing purposes and the excavation and removal of turf/sub soil to lay foundation related G5 material and the compaction thereof by means of a roller. The DEA EMI conducted an audit meeting at the Eskom Rustenburg Offices of which the ECO, Eskom Environmental Officer and Senior Environmental Advisor were in attendance. The aim of this meeting was for the EMI to conduct an EA and EMPr audit of the development in order to determine environmental compliance. Once the meeting was concluded at the Eskom Rustenburg offices, everyone present proceeded to the site location where a sit down meeting was conducted with the Ezindaleni management staff present.

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. Waste Management**

During the meeting the EMI emphasized the importance of sustaining an Integrated Waste Management approach during construction. During the sit down meeting at the site, it was established that an Integrated waste management approach is not followed by means of no particular strategy in place for waste minimisation (reduce, re-use), waste separation (general, hazardous, glass, plastic, etc). However, the ECO noted an effort from the contractor in providing coverage for the two existing bins although it was found that these efforts are not sufficient because these bin covers do not protect them from rain water. The Ezindaleni Site Supervisor (ESS) committed to providing sufficient lids for these bins.

The EMI enquired on the disposal of hazardous waste of which the Eskom Senior Advisor informed that Eskom is still investigating the closest licenced hazardous waste facility, as currently there are none in the North West Province.

During the site walk about the EMI and ECO noted an oil spill at the site camp. The contractor staff immediately proceeded to clean the spill using the dedicated on site oil spill kit. The ECO also noted that a hydrocarbon drum was stored inside the secondary container outside of a drip tray.

On enquiry from the EMI the contractor indicated that the excavated turf soil is being taken to the nearby Impala Mine as the mine uses this turf soil for their tailings dams and other uses. It was agreed that an agreement between Impala mine and Ezindlaneni must be drafted as a form of consent from Impala to receiving the turf soil and general waste from the Ezindlaneni. The ECO however further advised that by taking the excavated material to the mine is a form of re-using/recycling the subsoil, instead of just disposing it at the land fill.

The ECO is yet to be supplied with the agreement with the local municipal landfill with regards to dumping waste. The contractor advised that the reason they don't have load disposal slips is because the landfill computer systems were offline during their load disposals at the landfill, which resulted in the disposal slips being hand written by the municipal landfill. The EMI however advised that the hand written disposal slips are not sufficient forms of proof of legal disposal.

### **3.2. Hazardous Materials store**

The ECO noted that the hazardous materials store has been built in an effort to store the site related hazardous materials. On inspection however, the EMI and ECO found that the store facility is not sufficiently bunded. This means that there is still potential for chemical spillage to reach the ground. The EMI alluded to the fact that the bund facility needs to have capacity to contain 110% of its contents. The ECO would like to emphasize that the hazardous store facility must conform to acceptable standards and a MSDS must be created by the next audit .

### **3.3. Emergency Spill Kit**

The EMI enquired if whether any training on how to operate the oil spill kit has been provided to the work force. The contractor informed that no official training has taken place. The ECO would like to recommend oil spill kit training be provided to the workforce.

### **3.4. Chemical Toilets**

The ESS provided the ECO and EMI with toilet maintenance slips however on counting the number of weeks the contractor has been on site, it was found that a number of slips are not in place. The contractor however is still in the process of obtaining an agreement document from the local municipality indicating that the chemical toilet service provider is safely disposing toilet waste

through the municipality. The EMI proceeded to inform the Eskom representatives and the contractor that this agreement should have been concluded before construction began.

### 3.5. Invasive alien vegetation

The ECO advised the ESS to conduct regular invasive alien vegetation management around the active construction site and site camp. This is to be compliant with Condition 29 of the Environmental Authorisation.

### 3.6. Erosion and storm water control

On inspection the ECO noted that erosion and stormwater measures are still in place to manage both storm water and erosion. The contractor has established erosion berms on certain sections of the site to curb erosion. Also, the ECO noted that the contractor has created cut off trenches and diversion berms on areas susceptible to storm water run-off and accumulation. The ECO advises that these control measures continue and must be flexible to adapt to the situation.

Overall compliance for the audit conducted is **89.3%**

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

<b>Eskom: Freedom Park Substation and power line</b>	Compliances	35
	Partial Compliances	5
	Non compliances	2
	Work in progress	0
	Not Applicable	22
*Total aspects audited (excl. N/A & WIP)		42
*Total aspects audited (incl. N/A& WIP)		64
*Total Score Obtained (compliances + partial compliance)		75
*Total Potential Score (= to sum of all compliances excl. N/A & WIP)		84
Percentage Score %		<b>89.3%</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 newly built hazardous chemical store was found to be unsatisfactory as it is not sufficiently bunded, it is advised that proper impermeable bunding be built.
- The removal of existing inherited alien vegetation must be removed. An alien invasive plan/method statement should be created and implemented.
- The contractor must source a service agreement that the toilet service provider (Sanitec) has with the local municipality as proof of correct disposal of toilet waste.
- Integrated waste management must be satisfactorily practised to encourage the principle of incorporating reduction, recycling, re-use. The current waste bins covers are not appropriate as they let in storm water. Proper lids or new bins altogether must be provided.
- An official hydrocarbon leak detection monitoring system must be created and utilised daily.
- Training of work force on how to use the oil spill kit must take place immediately.
- An agreement the contractor has with Impala mine on using its landfill must be provided on paper and filed.
- The EMPr and the EA must be used as a blue print, to ensure sound environmental management of this development takes place.

#### **5. CONCLUDING REMARKS**

In conclusion, the project scored 89.3% during this audit. The project is satisfactorily compliant to the requirements of the EMPr and EA. The management of waste is a concern for this site. The contractor and developer must ensure that all the required and necessary waste documentation are provided. Care must be taken when handling hydrocarbon materials on site. It is encouraged that better hydrocarbon materials handling on site improve.

**Photo-Plate**

<b>Photo</b>	<b>Description</b>
	Photo 1: Hydrocarbon material kept inside secondary container.
	Photo 2: Empty plastic bottles found lying on the ground.

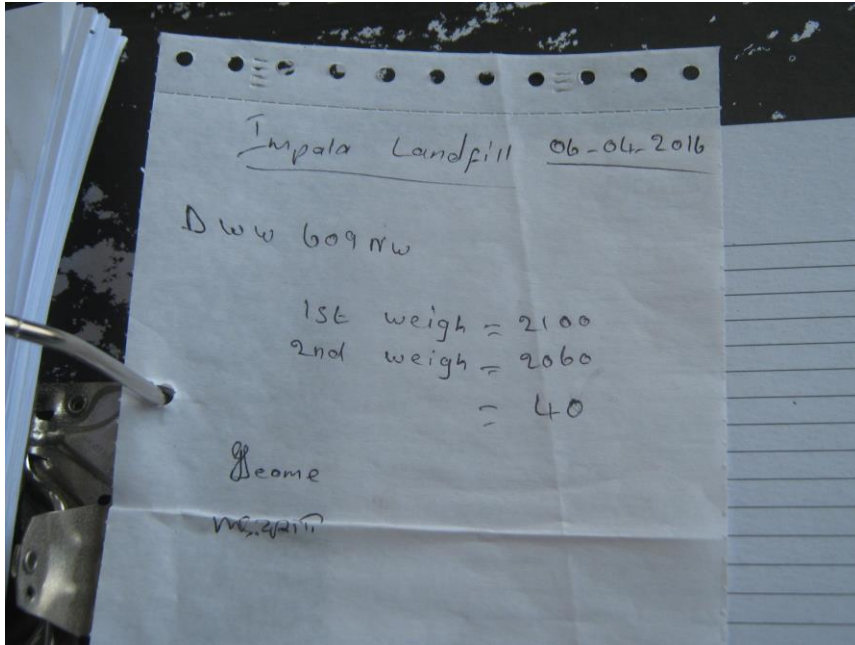


Photo 3: An insufficient handwritten safe disposal slip.



Photo 4: A first aid kit provided for the site.

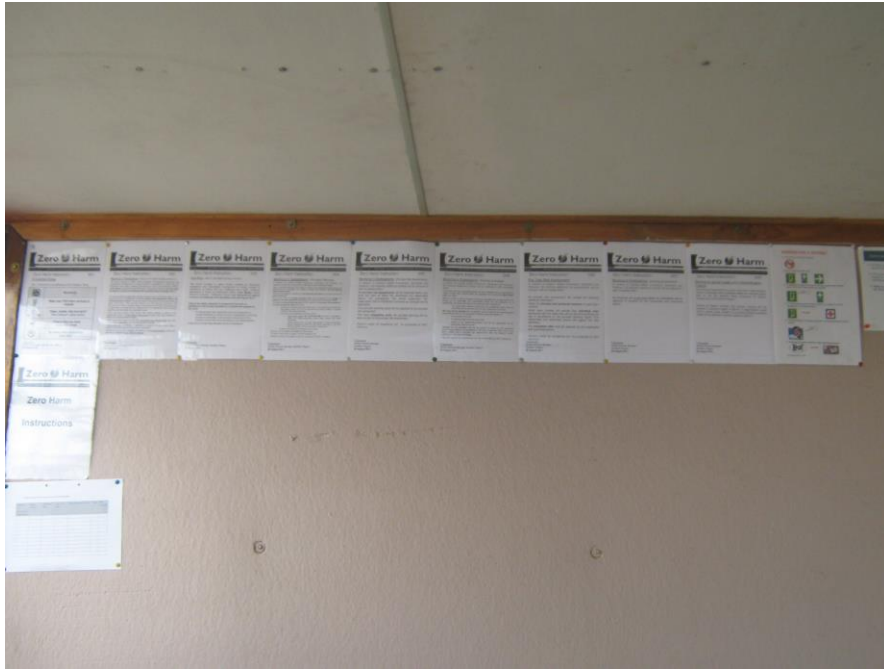


Photo 5: Zero harm safety information displayed in the site office.



Photo 6: Insufficient covers used for the bins on site.



Photo 7: Diesel bowser deemed to have potential for leakage.



Photo 8: Hazardous materials store unsatisfactorily banded.



Photo 9: A flow way created by the contractor to encourage standing storm water to flow away from the site.



Photo 10: The cut-off trench has been upgraded.



Photo 11: An oil spill observed at the site yard.

**Table 2: 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>Findings</b>	<b>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,	In place		Clearing is taking 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,	Partially complaint	The ECO did not notice new alien vegetation propagation however the contractor has not removed the existing inherited alien vegetation to date.	The ECO recommends that an alien invasive method statement be created and implemented by the contractor.	16 May 2016	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,	In place		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,	In place		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,	In place		Dust suppression is continuing. Erosion control measures are visible. Topsoil is preserved for future rehabilitation.		2
<b>EA 35 &amp; EMPr 8.1.17 – Hazardous Content</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	Developer, Contractor, ELO,	Non-Compliant	The ECO noted that the hazardous materials store has been built in an effort to store the site related hazardous materials. On inspection	An official leak detection monitoring system must be created and utilised daily. The hazardous store facility must conform to acceptable standards.	16 May 2016	0

<b>Management</b>	precautionary measures are in place to limit the possibility of oil and other liquids from entering the soil or storm water system.			however, the EMI and ECO found that the store facility is not sufficiently bunded. This means that there is still potential for chemical spillage to reach the ground should it happen. Training of how to use the emergency spill kit has not taken place. An oil spill was noted at the site camp.			
<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,	Non-compliant	There is no evidence of an integrated waste management approach implemented. The waste bins covers are deemed as unsatisfactory.	Appropriate lids must be provided for the bins. Reduction, recycling, re-use principle must be adopted. Good housekeeping practices must take priority.	Immediately	0
<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,	In place		Legally sourced G5 fill material is used for foundations. The excess turf material is transported to the nearby Impala mine who has gave permission to the contractor to dispose.		2
<b>EA 38 – Borrow Materials</b>	Borrow materials must be obtained only from authorized and permitted sites	Developer, Contractor, ELO,	In place		G5 fill material is legally sourced from Wys Seuns Trust (WST) who source it from Impala mine as advised by Ezindaleni who provides slips for every load.		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,	In place		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,	In place		EA and EMPr are kept on site		2
<b>EMPr 8.1.1. Environmental</b>	The Contractor must ensure that all site personnel have a basic level of environmental awareness	Developer, Contractor,	In place		The contractor has conducted		2

<b>I awareness and training</b>	training	ELO,			environmental toolbox talks recently.		
<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,	In place		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. Construction camp</b>	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,	In place		The site camp is located near the substation construction site. The camp site has not expanded in any way.		2
<b>EMPr 8.1.4. Site clearing</b>	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,	In place		Clearing is taking place in a phased manner within the required footprint. Erosion measures are in place.		2
<b>EMPr 8.1.5. Access routes</b>	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,	In place		No further unnecessary access routes are being created.		2
<b>EMPr 8.1.7. Plan Rescue and</b>	Disturbed areas around the construction sites should be re-vegetated using a specified seed mix and/or appropriate indigenous locally occurring	Developer, Contractor, ELO,	N/A		Project still in construction phase		N/A

<b>Protection Plan</b>	grasses, forbs, shrubs or trees. Lists of plant species must be approved by a qualified vegetation ecologist and/or appropriate government authorities.						
<b>EMPr 8.1.8. Restriction to working areas</b>	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,	In place		Works are continuing within the designated construction footprint.		2
<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,	Partially compliant	The contractor must source a service agreement that the toilet service provider (Sanitec) has with the local municipality as proof of correct disposal of toilet waste.	The service agreement is still not in place, thus proof of safe toilet waste disposal is not in place. The toilets are however in an acceptable state.	10 May 2016	1
<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,	In place		Diversion berms and cut-off trenches have been established by the contractor.		2
<b>EMPr 8.1.11. Refuse and waste</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	Developer, Contractor, ELO,	Partially compliant	Waste bins lids/covers are deemed as unsatisfactory.	Turf material is appropriately disposed at the nearby mine. However the mine and he contractor must draft an		1

<b>management</b>	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.				agreement to this effect. The contractor must print out the service agreement with the local municipal landfill.		
<b>EMPr 8.1.13. Air quality</b>	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,	In place		No burning of waste was noted, dust suppression is continuing.		2
<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,	In place		A safety plan was provided by the ESS on 31 March 2016. There is 24hr security at the site.		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,	In place		There are caution signs at the side of the roads. Points personnel are deployed to calm traffic.		2
<b>EMPr 8.1.18.</b>	The contractor should commence rehabilitation of	Developer,	N/A		Project still in the construction phase		N/A

<b>Site rehabilitation Plan</b>	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.	Contractor, ELO,					
<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.  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,	In place		A complaints register has been provided. No complaints received. A CLO has been appointed for the project		2
<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 powerline 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	N/A		Eskom is aware of the binding nature of this EA.		N/A
<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	In place		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	Developer	In place		The activities are carrying out at the		2

	the property as described above.				authorised property		
<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 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	In place		Eskom followed the correct procedure in amending the name of the project development. The amendment was granted.		2
<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	In place		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	In place		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;	Developer	Partially in place	The notification letter did not indicate the reasons for the competent authority decision,	A notification letter was sent out to I&APs .		1

	<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>			did not advise that a copy of the EA can be furnished on request.			
<b>EA 11.</b>	<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	In place		Eskom published a notification in the newspaper of the EA granted.		2
<b>Management of the activity</b>							
<b>EA 12.</b>	<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	N/A		No changes to the EMPr have been submitted.		N/A
<b>EA 13.</b>	The EMPr must be included in all contract	Developer	In place		In place		2



	documentation for the construction phase of the development.						
<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
<b>Monitoring</b>							
<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	In place		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	In place		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	Partially in place	Eskom is yet to supply the EMI with the ECO appointment letter.	Details of ECO were submitted to DEA	16 May 2016	1
<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	In place		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: □ Difficulties encountered with carrying out the EMPr control measures	Developer	N/A		The ECO has not been notified on any of EMPr 7.1		N/A

	<ul style="list-style-type: none"> <li>□ Areas of non-compliance; and</li> <li>□ Amendments that may be required to any of the EMPr conditions.</li> </ul>						
<b>EMPr 7.1.1 – Reporting procedure</b>	<p>Within 24 hours of becoming aware of any environmentally related problems, the ECO should be notified and the following documented:</p> <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>	Developer	N/A		N/A		
<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	In place		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		2
<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	In place		The audit report reflects EA 18 requirements.		2
<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	In place		The monthly audit report is kept on site and was made available to the EMI on request.		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	In place		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 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
<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	In place		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	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.						
<b>General</b>							
<b>EA 40</b>	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	In place		A copy of the approved EMPr is kept on site		2
<b>EA 41</b>	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
<b>EA 42</b>	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

