



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

APPLICATION FORM FOR INTEGRATED ENVIRONMENTAL AUTHORISATION AND WASTE MANAGEMENT LICENCE

	(For official use only)
File Reference Number:	
NEAS Reference Number:	
Date Received:	

Application for integrated environmental authorisation and waste management licence in terms of the-

- (1) National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended and the Environmental Impact Assessment Regulations, 2010; and
- (2) National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and Government Notice 921 of 2013.

PROJECT TITLE

Proposed Kendal Power Station Continuous Ash Disposal Facility Project

PART A: INFORMATION AND APPLICATION PROCESS

1. DEFINITIONS

Definitions in this form are as per the National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA), the Environmental Impact Assessment ("EIA") Regulations, 2010, the National Environmental Management: Waste Act, 1998 (Act No. 59 of 2008) ("NEMWA") and the Schedule contained in Government Notice 921, published on 29 November 2013 in terms of section 19 of NEMWA.

2. APPLICABILITY OF INTEGRATED ENVIRONMENTAL AUTHORISATION PROCESS

The integrated environmental authorisation process will only apply in instances where the Minister is both the-

- (a) Competent authority for the environmental authorisation applied for in terms of NEMA and the EIA Regulations, 2010; and
- (b) The licensing authority for the waste management licence in terms of NEMWA.

Kindly refer to paragraph 3.2 of this part of the application to determine in which instances the Minister would be the competent authority in terms of NEMA and the licencing authority in terms of NEMWA.

3. APPLICATION PROCESS EXPLAINED:

3.1 Integrated environmental authorisation process:

3.1.1 The environmental authorisation process prescribed for listed activities under Listing Notices 1, 2 and 3 published in *Government Gazette* Numbers R544, R545 and R546 respectively and the waste licensing process for listed activities contained in the Schedule in Government Notice 921, 2013 published in terms of section 19 of NEMWA are as defined in the Environmental Impact Assessment (EIA) Regulations made under section 24(5) of the National Environmental Management Act, 2008 (Act No. 107 of 1998) ("NEMA").

3.1.2 This integrated application form is the official form in terms of regulation 12(2)(a) of the EIA Regulations, 2010 and must accompany every integrated environmental authorization application pertaining to-

- listed activities in terms of NEMA; and
- waste activities in terms of NEMWA.

3.2 Competent Authority (Where to submit applications)

3.2.1 The Minister of Water and Environmental Affairs is the-competent authority in respect of the activities listed in Listing Notices 1, 2 and 3, published in *Government Gazette* numbers R544, R545, and R546 respectively, in terms of NEMA if the activity-

- (a) has implications for international environmental commitments or relations;
- (b) will take place within an area protected by means of an international environmental instrument, other than-
 - (i) any area falling within the sea-shore or within 150 meters seawards from the high-water mark, whichever is the greater;
 - (ii) a conservancy;
 - (iii) a protected natural environment;
 - (iv) a proclaimed private nature reserve; (v) a natural heritage site; and
 - (vi) the buffer zone or transitional area of a world heritage site;
- (c) has a development footprint that falls within the boundaries of more than one province or traverses international boundaries;
- (d) Is undertaken, or is to be undertaken by-
 - (i) A national department;
 - (ii) A provincial department responsible for environmental affairs or any other organ of state performing a regulatory function and reporting to the MEC; or
 - (iii) A statutory body, excluding any municipality, performing an exclusive competence of the national sphere of government; or
- (e) Will take place within a national proclaimed protected area or other conservation area under control of a national authority.

3.2.2 The Minister of Water and Environmental Affairs is the licensing authority in respect of all activities listed in both Category A and Category B of the Schedule contained in Government Notice 921, 2013 published in terms of section 19 of NEMWA where –

- (a) Unless otherwise indicated by the Minister by notice in the *Gazette*, the waste management activity involves the establishment, operation, cessation or decommissioning of a facility at which hazardous waste has been or is to be stored, treated or disposed of;
- (b) The waste management activity involves obligations in terms of an international obligation, including the importation or exportation of hazardous waste;
- (c) The waste management activity is to be undertaken by-
 - (i) A national department;
 - (ii) A provincial department responsible for environmental affairs; or
 - (iii) A statutory body, excluding any municipality, performing an exclusive competence of the national sphere of government;
- (d) The waste management activity will affect more than one province or traverse international boundaries; or
- (e) Two or more waste management activities are to be undertaken at the same facility and the Minister is the licencing authority for any of those activities.

3.2.3 However, despite the above-mentioned legislative provisions, the Minister and an MEC may agree that an application for a waste management activity or an environmental authorisation in respect of the above-mentioned activities, where the Minister is the competent/licencing authority, may be dealt with by the relevant MEC within whose province the activity(ies) will take place. Similarly the Minister and the MEC may agree that an application for an environmental authorisation or a waste management activity where the MEC has been identified as the competent/licencing authority, may be dealt with by the Minister. [Section 24C(3) of NEMA and section 43(3) of NEMWA]

3.2.4 The integrated application for environmental authorisation must be addressed to
The Chief Directorate: Integrated Environmental Authorisations at:

Postal address:

Department of Environmental Affairs
Attention: Director: Integrated Environmental Authorisations
Private Bag X447
Pretoria
0001

Physical address:

Department of Environmental Affairs
Environment House
473 Steve Biko Road
Arcadia
Pretoria

Queries must be addressed to the contact below:

Tel: 012 399 9372

E-mail: EIAAdmin@environment.gov.za

Please note that this form must be copied to the relevant provincial environmental department/s.

View the Department's website at <http://www.environment.gov.za/> for the latest version of the documents.

3.3 Making an Application

- 3.3.1 This application form is current as of 1 August 2014. It is the responsibility of the applicant to ascertain whether subsequent versions of the form have been published or produced by the competent authority. It is the applicant's responsibility to download the current version of the application form from the website of the Department at <http://www.environment.gov.za>.
- 3.3.2 The application must be typed within the spaces provided in the form. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. Spaces are provided in tabular format and will extend automatically when each space is filled with typing.
- 3.3.3 The applicant must clearly mark confidential sections of the information submitted in the application form and supporting documents. Unless protected by law, all information filled in on this application will become public information on receipt by the competent authority. Any interested and affected party should be provided with the information contained in this application on request, during any stage of the application process.
- 3.3.4 The applicant must fill in all relevant sections of this form. Incomplete applications will not be processed. The applicant will be notified of the missing information in the acknowledgement letter that will be sent within 14 days of receipt of the application.
- 3.3.5 Incomplete applications may be returned to the applicant for revision.
- 3.3.6 Sections in the form that do not apply to the applicant must be marked "not applicable". However, the use of the phrase "not applicable" in the form must be done with circumspection. Should it be done in respect of material information required by the competent authority for assessing the application, it may result in the rejection of the application as provided for in the Regulations.
- 3.3.7 Where applicable **black out** the boxes that are not applicable in the form.
- 3.3.8 This application form, must be handed in at the offices of the relevant competent authority as determined by the relevant Acts and Regulations and as indicated in this application form. All application forms must be signed as stipulated in the form. Applications that are not signed or completed accordingly will not be considered.
- 3.3.9 No faxed or e-mailed applications will be accepted. An electronic copy of the signed application form must be submitted together with two hardcopies (one of which must contain the original signatures).
- 3.3.10 Proof of payment must accompany this application. The application will not be processed without proof of payment unless one of the exclusions provided for the Fee Regulations (Fees for consideration and processing of applications for environmental authorisations and amendments thereto Government Notice No.141, published on 28 February 2014) is applicable AND such information in section 1 of this application form has been confirmed by this Department.

3.4 Appointment of an EAP

The applicant must appoint an EAP in terms of EIA Regulations, 2010;
The EAP must comply with general requirements as given in EIA regulations, 2010;
and
The EAP may be disqualified in terms of EIA Regulations, 2010.

3.5 Criteria for determining whether basic assessment or scoping is to be applied to applications

3.5.1 NEMA activities

- (a) Basic assessment must be applied to an application if the authorisation applied for is in respect of an activity listed in Listing Notices 1 and/or 3 published in *Government Gazette* Numbers R544 and R546, 2010 respectively and which must follow the process described in sections 21-25 of the EIA Regulations, 2010; and
- (b) Scoping and Environmental Impact Reporting Process ("S&EIR") must be applied to an application if the authorisation applied for is in respect of an activity listed in Listing Notice 2 published in *Government Gazette* Number R545, 2010 and which must follow the process described in sections 26-35 of the EIA Regulations, 2010.

3.5.2 NEMWA activities

- (a) Basic assessment, in terms of sections 21-25 of the EIA Regulations, 2010, must be applied to an application if the authorisation applied for is in respect of an activity listed in Category A of the Schedule contained in Government Notice 921, published on 29 November 2013, in terms of section 19 of NEMWA; and
- (b) S&EIR, in terms of sections 26-35 of the EIA Regulations, 2010, must be applied to an application if the authorisation applied for is in respect of an activity Category B of the Schedule contained in Government Notice 921, published on 29 November 2013, in terms of section 19 of NEMWA.

3.5.3 Combination of NEMA and NEMWA activities

Should any of the NEMA or NEMWA activities applied for require the application of the S&EIR process, the S&EIR process will be applied to this application for integrated environmental authorisation.

PART B: PROOF OF PAYMENT

Applicants are required to tick the appropriate box below to indicate that either proof of payment is attached or that, in the applicant's view, an exclusion applies. Proof and a motivation for exclusions must be attached to this application form in **Appendix 1**.

Proof of payment attached as **Appendix 1**

Exclusion applies

Note: This application serves as an update of the previously submitted and acknowledged Application for EA form (refer to Appendix 1). Eskom is a State Owned Company (SOC), see attached motivation included in Appendix 1 of this form. According to regulations, SOCs are exempted from the application fees.

An applicant is excluded from paying fees if:

The activity is a community based project funded by a government grant; or
The applicant is an organ of state.

TYPE OF EXCLUSION	Tick where applicable. Proper motivation must be attached to the application
The activity is a community based project funded by a government grant	
The applicant is an organ of state	✓

FEE AMOUNT	Fee
Applications for an environmental authorisation for which basic assessment is required in terms of the Environmental Impact Assessment Regulations	R2 000
Application for an environmental authorisation, for which S&EIR is required in terms of the Environmental Impact Assessment Regulations	R10 000

Department of Environmental Affairs' details for the payment of application fees:

Payment Enquiries:
Tel: 399 9119
Email: eiafee@environment.gov.za

Banking details:
ABSA Bank
Branch code: 632005
Account number: 1044 2400 72
Current account

Reference number : Reference number to be provided in the specific format indicating centre point coordinates of site in decimal degrees to 5 or 6 decimal places: latitude/longitude
eg. -33.918861/18.423300

Proof of payment must accompany the application form: Indicate reference number below.

Tax exemption status:
Status: Tax exempted
Reference number:

PART C: GENERAL

1. DESCRIPTION OF PROJECT

The entire project will entail the following (full detail of the project can also be appended):

a) Project Background

The KPS was designed to have an operating life of 40 years. In line with the planned operating life of the Power Station, the initial Ash Disposal Facility (ADF) site for the Power Station was designed to have sufficient capacity to dispose the ash that is generated during the 40 year period, with an eight (8) year contingency period. Subsequent to the completion of the design and construction of the Continuous ADF, the operating life of the KPS was extended to 60 years, plus a 5 year contingency period, up to 2058. As a result of the extended operating life of the KPS, the storage capacity of the initial ADF would no longer suffice to accommodate the volume of ash that will be generated over the 60 years as well as during the 5 year contingency period. To ensure that the KPS ADF has adequate storage capacity for the full operating life of the Power Station, two primary actions have been identified as possible resolutions. These actions include:

- Continuing the existing ADF over the short term to accommodate ash disposal while the establishment of a new ADF site takes place (**this Application**); and
- Securing an additional ADF Site and the development thereof to accommodate the volume of ash that will be generated over the remainder of the 60 year and 5 year contingency period of the Power Station's lifespan.

b) Project Description

The continuation of the existing ADF will necessitate the construction of supporting infrastructure. In addition to the construction of the supporting infrastructure required for the operation of the proposed Continuous ADF, the proposed project activities also include increasing the capacity of the existing Emergency-Dump. The proposed Kendal Power Station Continuous ADF Project comprises of the following principal project activities:

- Continuation of the existing ADF in a north westerly direction;
- Increase the storage capacity of the existing Emergency-Dump;
- Construction of Pollution Control Dams, Clean Water Dams and Storm Water Management infrastructure;
- Diversion of a natural stream to accommodate the Continuous ADF footprint; and
- Remedial works to an existing in-stream farm dam within Eskom's property boundary, to address the mixing of flow from the final voids of the adjacent mining operations. The dam does not form part of Eskom's Water Management System.

A comprehensive project description for each of the project activities which fall within the ambit of the National Environmental Management Act (107 of 1998) and which require Environmental Authorisation before proceeding is provided in **Appendix 10**.

Purpose of application:

The purpose of this application is to obtain an Integrated Environmental Authorisation for the continuation of the existing Ash Disposal Facility and associated infrastructure for the Kendal Power Station in order for the power station to continue to generate electricity and dispose of their ash in a sustainable and environmentally responsible manner.

Does the project form part of any of the Strategic Infrastructure Projects (SIPs) as described in the National Development Plan, 2011?	YES ✓	NO
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If YES, please indicate which SIPs are applicable in **Appendix 2**.

Please note that you may be requested to provide confirmation of SIP applications from the relevant sector representative.

Please indicate which sector the project falls under by crossing out the relevant block in the table below:

Table 1

Green economy + "Green" and energy-saving industries		Greenfield transformation to urban or industrial form (including mining)	
Infrastructure – electricity (generation, transmission & distribution)	✓	Biodiversity or sensitive area related activities	
Oil and gas		Mining value chain	
Biofuels		Potential of metal fabrication capital & transport equipment – arising from large public investments	
Nuclear		Boat building	
Basic services (local government) – electricity and electrification		Manufacturing – automotive products and components, and medium and heavy commercial vehicles	
Basic services (local government) – area lighting		Manufacturing – plastics, pharmaceuticals and chemicals	
Infrastructure – transport (ports, rail and road)		Manufacturing – clothing textiles, footwear and leather	
Basic services (local government access roads)		Forestry, paper, pulp and furniture	
Basic services (local government) – public transport		Business process servicing	
Infrastructure – water (bulk and reticulation)		Advanced materials	
Basic services (local government) – sanitation		Aerospace	
Basic services (local government) – waste management		Basic services (local government) - education	
Basic services (local government) water		Basic services (local government) - health	
Agricultural value chain + agro-processing (linked to food security and food pricing imperatives)		Basic services (local government) - housing	
Infrastructure – information and communication technology		Basic services (local government) security of tenure	
Tourism + strengthening linkages between cultural industries and tourism		Other	
Basic services (local government) – public open spaces and recreational facilities			

2. FLOW CHART OF OPERATIONS

Please provide a brief description of the activities and operations at the site. Provide a flow chart of the operation showing all inputs and outputs of the process. Give particulars of the source, location, nature, composition and quantity of emission to the atmosphere, surface water, sewer, and ground-water including noise emissions. Solid waste must be in tons and specify units for liquids and gases.

The Kendal Power Station is expected to be decommissioned at the end of 2053. Emanating from the extended operating life of the KPS, the storage capacity of the existing Ash Disposal Facility (ADF) will not suffice to accommodate the volume of ash that will be generated over the 60 years as well as during the 5 year contingency period, up to 2058. The Conceptual Engineering Designs show that ash may be accommodated at the proposed Continuous ADF up to 2030. Thereafter an alternative / supplementary site will be required for the disposal of ash for the remaining period up to the end of 2053. The proposed continuous ADF shall have an overall capacity of 98.0 million m³ for an operational period of 15 years starting from January 2015. The aforementioned alternative / supplementary ADF does not form part of this Application. A separate Environmental Authorisation Process will be initiated for the supplementary ADF (Kendal 30 year ADF application).

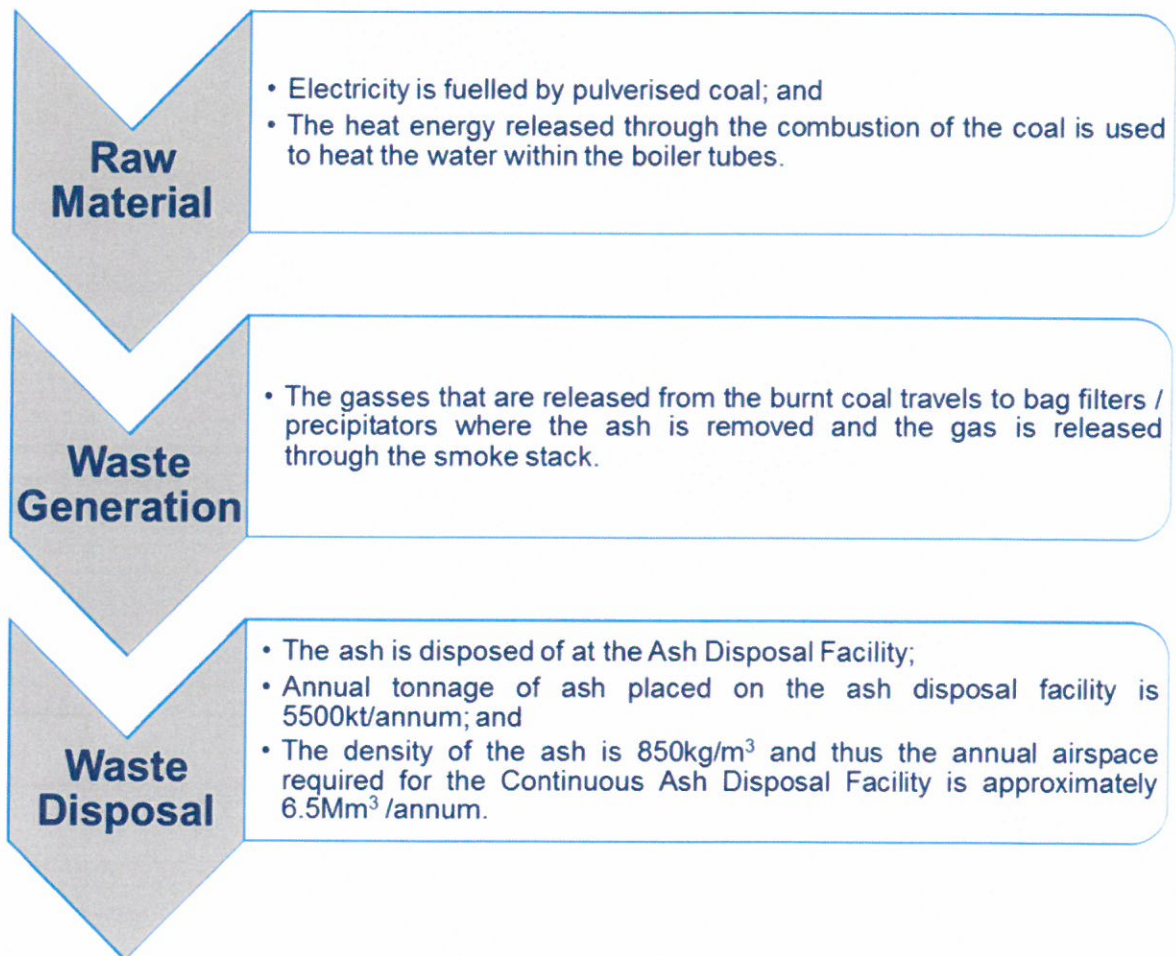


Figure 1: Flowchart of Operations

The Water Balance, which provides a diagrammatic representation of the daily time-step water balance model over a 50 year period for run-off determination and PCD sizing, as well as sizing of clean and dirty water conveyance, is included in Appendix 11 of this Application for Environmental Authorisation Form.

3. BACKGROUND INFORMATION

Company Trading name (if any):	Eskom Holdings SOC Ltd		
Company Registration no (if any):	2002/015527/30		
Responsible person:	Ms. Deidre Herbst		
Responsible person ID number:	6603060573081		
Responsible position, e.g. Director, CEO, etc.:	Eskom Environmental Manager		

Contact person (if different to responsible person):	Not Applicable		
Physical address:	Megawatt Park, 1 Maxwell Drive, Sunninghill, Sandton,2157		
Postal address:	PO Box 1091, Johannesburg		
Postal code:	2000	Cell:	083 660 1147
Telephone:	011 800 3501 / 3725	Fax:	086 660 6092
E-mail:	HerbstDL@eskom.co.za	BBBEE status	State Owned Company

Provincial Authority:	Mpumalanga Department of Economic Development, Environment and Tourism		
Contact person:	Ms. Dineo Tswai		
Postal address:	P.O. BOX 383 eMalahleni		
Postal code:	1035	Cell:	-
Telephone:	013 392 6300	Fax:	013 690 2595
E-mail:	dtswai@mpg.gov.za		

Local municipality:	eMalahleni Local Municipality		
Contact person:	Mrs. Prisca Fenyane		
Postal address:	PO Box 17987 eMalahleni		
Postal code:	1035	Cell:	083 320 7428
Telephone:	013 690 6318	Fax:	086 585 9665
E-mail:	health2@webmail.co.za		

In instances where there is more than one landowner, please attach a list of those landowners with their contact details as **Appendix 3**. If the applicant is not the owner or person in control of the land, proof of notice to the landowner or person in control of the land on which the activity is to be undertaken must be submitted in **Appendix 3**.

Ownership of the property (mark only one with an X)

Property owned by applicant (100% Share value)		Property leased by applicant	
Property owned by applicant (Share value less than 100%)	✓	The property is communal land	

Please note that a complete list of all organs or state and or any other applicable authority with their contact details must be appended to this application as Appendix 4.

Identified Competent Authority to consider the application:
Reason(s) in terms of S 24C of NEMA and S 19 of NEMWA

The Minister of Environmental Affairs has been identified as the Competent Authority (CA).

Eskom Holdings SOC Limited is wholly owned by the government and as such is regarded as a parastatal. Furthermore Eskom Holdings SOC Limited is also a statutory body. Therefore as stipulated in Section 24C(2)(d)(ii) of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended the Minister is identified as the CA if the activity is undertaken by a statutory body.

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) INFORMATION

EAP:	Sharon Meyer Douglas		
Professional affiliation/registration:	Professional Member of the South African Council for Natural Scientific Professions (Registration Number: 400293/05)		
Contact person (if different from EAP):	Not Applicable		
Company:	Zitholele Consulting (Pty) Ltd		
Physical address:	Building 1, Maxwell Office Park, Magwa Crescent West, Corner of Allandale Road and Maxwell Drive, Waterfall City, Midrand		
Postal address:	PO Box 6002, Halfway House		
Postal code:	1685	Cell:	076 993 2242
Telephone:	011 207 2073	Fax:	086 676 9950
E-mail:	sharonm@zitholele.co.za		

If an EAP has not been appointed please ensure that an independent EAP is appointed as stipulated by Regulation 16 of GN R.543, dated June 2010, prior to the commencement of the process.

The declaration of independence and the Curriculum Vitae (indicating the experience with environmental impact assessment and the relevant application processes) of the EAP must also be submitted to the Department.

5.-SITE DESCRIPTION

Provide a detailed description of the site involved in the application.

Province	Mpumalanga Province
District Municipality	Nkangala District Municipality
Local Municipality	Emalahleni Local Municipality
Ward number(s)	28
Nearest town(s)	Emalahleni
Farm name(s) and number(s)	<ul style="list-style-type: none"> • Portion 36 of the Farm Leeuwfontein 219IR • Portion 17 of the Farm Leeuwfontein 219IR • Portion 5 of the Farm Leeuwfontein 219IR • Portion 21 of the Farm Schoongezicht 218IR • Portion 44 of the Farm Schoongezicht 218IR • Portion 43 of the Farm Schoongezicht 218IR • Portion 25 of the Farm Schoongezicht 218IR • Portion 27 of the Farm Schoongezicht 218IR • Portion 38 of the Farm Schoongezicht 218IR • Portion 39 of the Farm Schoongezicht 218IR • Portion 24 of the Farm Schoongezicht 218IR • Portion 79 of the Farm Heuvelfontein 79IR
Portion number(s)	

Current land use where the site is situated:

Industrial	<input checked="" type="checkbox"/>	Recreation	<input type="checkbox"/>
Agriculture	<input checked="" type="checkbox"/>	Commercial	<input type="checkbox"/>
Residential	<input type="checkbox"/>	Mining & quarrying	<input type="checkbox"/>
Forestry	<input type="checkbox"/>	Wilderness areas	<input type="checkbox"/>
Wetlands	<input checked="" type="checkbox"/>	Nature area	<input type="checkbox"/>
Open spaces	<input type="checkbox"/>		<input type="checkbox"/>

Other current land useNot Applicable.....

Current land-use zoning:

Agriculture

In instances where there is more than one current land-use zoning, please attach a list of current land use zonings that also indicate which portions each use pertains to, to this application.

Is a change of land-use or a consent use application required?

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
<input type="checkbox"/>	NO <input checked="" type="checkbox"/>

Must a building plan be submitted to the local authority?

Locality map: An A3 locality map must be attached to this document, as **Appendix 5**. The scale of the locality map must be relevant to the size of the development (at least 1:50 000. For linear activities of more than 25 kilometers, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map.) The map must indicate the following:

- an accurate indication of the project site position as well as the positions of the alternative sites, if any;
- road access from all major roads in the area;
- road names or numbers of all major roads as well as the roads that provide access to the site(s);
- all roads within a 1km radius of the site or alternative sites; and a north arrow;
- a legend; and
- locality GPS co-ordinates (Indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates should be in degrees and decimal minutes. The minutes should have at least three decimals to ensure adequate accuracy. The projection that must be used in all cases is the WGS84 spheroid in a national or local projection).

6. SITE IDENTIFICATION AND LINKAGE, LOCATION AND LANDUSE

6.1 Please indicate all the Surveyor-general 21 digit site (erf/farm/portion) reference numbers for all sites (including portions of sites) that are part of the application.

T	O	I	R	0	0	0	0	0	0	0	0	2	1	9	0	0	0	3	6
T	O	I	R	0	0	0	0	0	0	0	0	2	1	9	0	0	0	0	5
T	O	I	R	0	0	0	0	0	0	0	0	2	1	8	0	0	0	2	1
T	O	I	R	0	0	0	0	0	0	0	0	2	1	8	0	0	0	4	4
T	O	I	R	0	0	0	0	0	0	0	0	2	1	8	0	0	0	4	3
T	O	I	R	0	0	0	0	0	0	0	0	2	1	9	0	0	0	1	7
1	2			3			4					5							

Note: Please refer to **Appendix 6** for the Surveyor-General 21 digit site reference numbers of the remaining properties that are associated with the proposed project.

LEGEND:

- 1. Refers to the Surveyor's-General Office
 - 2. Major Code (Registration Division)
 - 3. Minor code
 - 4. Property No (i.e. Farm No./Erf No./Holding Area No./Sheme No.)
 - 5. Portion Number
- (if there are more that 6, please attach a list with the rest of the numbers as **Appendix 6**)
 (These numbers will be used to link various different applications, authorisations, permits etc. that may be connected to a specific site)

6.2 If the property type is not surveyed, complete the following:

Full name of leader of village, community or tribal authority	Not Applicable
Local Authority	Not Applicable
Magisterial District	Not Applicable
Tribal Authority/Council	Not Applicable

Are there any other applications for Environmental Authorisation on the same property?	YES	<input checked="" type="checkbox"/>
If YES, please indicate the following:		
Competent Authority	National Department of Water and Sanitation	
Reference Number	None issued to date.	
Project Name	Water Use License Application for the proposed Kendal Power Station Continuous Ash Disposal Facility Project	
Please provide details of the steps taken to ascertain this information: The Water Use License Application for the proposed Kendal Power Station Continuous Ash Disposal Facility Project is running concurrently with the EIA Phase of the proposed project. Zitholele Consulting (Pty) Ltd is carrying out the WULA Process on behalf of the proponent (i.e. Eskom SOC Limited).		

PART C: LISTED ACTIVITIES APPLIED FOR IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 AND THE ENVIRONMENTAL IMPACT REGULATIONS, 2010

1. ACTIVITIES APPLIED FOR TO BE AUTHORISED

For an application for authorisation that involves more than one listed or specified activity that, together, make up one development proposal, all the listed activities pertaining to this application must be indicated.

Indicate the number and date of the relevant notice:	Activity No.(s) (in terms of the relevant or notice):	Describe each listed activity as per the detailed project description (and not as per wording of the relevant Government Notice):
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	18	<p>Stream Diversion: The nature of the construction activities required for the stream diversion will inherently entail excavations within, and the removal / moving soil from the stream. The volume of soil that will be removed by the excavations may exceed 5 cubic meters.</p> <p>Lowering the Farm Dam Wall: The nature of the construction activities associated with lowering the dam wall will inherently entail excavations within, and the removal / moving soil from the watercourse. The volume of soil that will be removed by the excavations may exceed 5 cubic meters.</p>
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	11(ii)	The stream forming the eastern border of the continued Ash Disposal Facility will be diverted in a northerly direction. The construction of the stream diversion channel will require work / activities to be undertaken within the stream.
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	11(xi)	<p>The existing dry Ash Disposal Facility will be expanded to into the north westerly direction. The expansion of the dry ash dump is required to provide sufficient capacity for the remaining life of the KPS.</p> <p>Although the stream forming the eastern border of the extended Ash Disposal Facility will be diverted, specific points along the border of the ADF may still fall within 32 meters from the stream.</p>

Indicate the number and date of the relevant notice:	Activity No.(s) (in terms of the relevant or notice):	Describe each listed activity as per the detailed project description (and not as per wording of the relevant Government Notice):
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	11(iv)	<p>The following works are proposed for the farm dam:</p> <ul style="list-style-type: none"> • Existing dam wall to be removed. • New earth dam wall to be built to prevent overflow into mining voids and vice-versa, lowering the dam wall to below final void decant level. • Upstream approach channel and outlet channel to dam to be lined using reno-mattress. <p>The works proposed for the farm dam will take place in-stream and therefore also within a watercourse.</p>
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	11(iv) & 11(xi)	A Pollution Control Dam (PCD) will be constructed to catch and store run-off from the open-ash area. The PCD may extend over an area greater than 50 square meters may be located within 32 meters from a watercourse.
Listing Notice 1 of 2010, Government Notice R544, 18 June 2010	11(iv) & 11(xi)	A PCD will be constructed to catch and store run-off from the rehabilitated area. In addition dust suppression and irrigation water will be stored in the PCD. The PCD may extend over an area greater than 50 square meters may be located within 32 meters from a watercourse.
Listing Notice 2 of 2010, Government Notice R545, 18 June 2010	22	A road linking the N12 to the R545 will be constructed. The width of the proposed road will exceed 8 meters. No reserve for the proposed road exists.
Listing Notice 2 of 2010, Government Notice R545, 18 June 2010	15	Three Clean Water Dams are proposed for clean water containment. Run-off from various areas within the development footprint will be stored in the PCDs. The existing ADF will also be expanded to provide sufficient storage capacity for the remaining life of the Power Station. The proposed PCDs, ADF and Clean Water Dams will cover an area exceeding 20 hectares.

Indicate the number and date of the relevant notice:	Activity No.(s) (in terms of the relevant or notice):	Describe each listed activity as per the detailed project description (and not as per wording of the relevant Government Notice):
Listing Notice 2 of 2010, Government Notice R545, 18 June 2010	5	The proposed PCDs are classified as dams which poses a safety risk. The applicable provisions included Government Notice 704 ¹ promulgated in terms of the National Water Act, 1998 (Act 36 of 1998) must therefore also been adhered to. Furthermore the proposed PCDs also triggers Water Uses defined in Section 21 of the National Water Act, 1998 (Act No. 36 of 1998). Prior to onset of the construction and operation of the PCDs a Water Use License must be issued by the Department of Water Affairs.
Listing Notice 2 of 2010, Government Notice R545, 18 June 2010	6	The dry ash generated by the combustion of coal in the electricity generation process will be disposed of at the extended Ash Disposal Facility, transported through a conveyor belt.

Please note that any authorisation that may result from this application will only cover activities specifically applied for.

2. TYPE OF APPLICATION REQUIRED FOR ABOVE-MENTIONED ACTIVITIES

2.1 Application for Basic Assessment

Is this an application for conducting a basic assessment (as defined in the Regulations)?

YES	NO
	✓

Please indicate when the basic assessment report will be submitted:

2.2 Application for Scoping and Environmental Impact Reporting (S&EIR) assessment

Is this an application for S&EIR (as defined in the Regulations)?

YES	NO
✓	

Please indicate when the S&EIR Report (including the Plan of Study for EIA) will be submitted:

The S&EIR Process up to the submission of the final Environmental Impact Report has been completed. The Final Environmental Impact Report will be submitted to the DEA on 12 September 2014. Receipt of the final Environmental Impact Report was acknowledged by the Department of Environmental Affairs on 01 October 2014.

The S&EIR report will be submitted after consultation with the competent authority:

YES	NO
	✓

¹ Government Notice 704: Government Notice 704 Regulations on use of water for mining and related activities aimed at the protection of water resources, published in Government Gazette, 4 June 1999 (Vol. 408, No. 20119)

PART D: ACTIVITIES APPLIED FOR IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 AND THE ENVIRONMENTAL IMPACT REGULATIONS, 2010

SECTION 1: TYPE OF APPLICATION AND FACILITY:

1.1 Indicate the type of facility/operation and fill in the required sections only

TYPE OF ACTIVITY	MARK	SECTIONS OF THE FORM TO BE FILLED IN
Recycling and/or recovery Facility		All except Section 5
Storage and or transfer Facility		All except Section 5
Treatment facility		All except Section 5
Disposal facility	✓	All

1.2 Activities applied for:

An application may be made for more than one listed or specified activity that, together, make up one development proposal. All the listed activities that make up this application must be listed.

INDICATE THE NO. & DATE OF THE RELEVANT NOTICE:	ACTIVITY NUMBERS (AS LISTED IN THE WASTE MANAGEMENT ACTIVITY LIST):	DESCRIBE EACH LISTED ACTIVITY (and not as per the wording of the relevant Government Notice):
Government Notice 921, 29 November 2013	Activity 7, Category B	The dry ash generated by the combustion of coal in the electricity generation process will be disposed of at the Continuous Ash Disposal Facility. Owing to the nature and composition of the ash that is generated by the combustion of coal, it is considered to be hazardous waste.
Government Notice 921, 29 November 2013	Activity 10, Category B	The existing ADF will be expanded to into the north westerly direction. The expansion of the dry ash dump is required to provide sufficient capacity for the remaining life of the KPS.

NB: Authorisation issued will only cover activities applied for and listed above. Activities added in the middle or after the processing of this authorisation may mean a totally new application.

1.3 TYPE OF APPLICATION REQUIRED FOR ABOVE-MENTIONED ACTIVITIES

1.3.1 Application for Basic Assessment

Is this an application for conducting a basic assessment (as defined in the Regulations)?

YES	NO
	✓

Please indicate when the basic assessment report will be submitted:

[REDACTED]

1.3.2 Application for Scoping and Environmental Impact Reporting (S&EIR) assessment

Is this an application for S&EIR (as defined in the EIA Regulations, 2010) reporting?

YES	NO
✓	

Please indicate when the S&EIR Report (including the Plan of Study for EIA) will be submitted:

The S&EIR Process up to the submission of the final Environmental Impact Report has been completed. The Final Environmental Impact Report will be submitted to the DEA on 12 September 2014. Receipt of the final Environmental Impact Report was acknowledged by the Department of Environmental Affairs on 01 October 2014.

The scoping report will be submitted after consultation with the competent authority:

YES	NO
	✓

1.4 Size of Site and Classification

Size of facility for a waste management activity

± 397.15 hectares

Area where the waste management activity takes place

353.86 hectares

Classification of facility in terms of climatic water balance

Negative, the Mean Annual Precipitation is less than the Mean Annual Evaporation.

Classification of Facility in terms of the type and the quantity of waste received

Classification of facility

A waste classification was carried out on the ash and it was classified as a Type 3 waste – low hazard waste which requires disposal on a landfill with a Class C barrier system.

Volume of Waste

The proposed continuous ADF shall have an overall capacity of 98.0 million m³ for an operational period of 15 years starting from January 2015.

1.5 Operational times

PERIOD	FROM	UNTIL
Weekdays	12:00 AM	12:00 AM
Saturdays	12:00 AM	12:00 AM
Sundays	12:00 AM	12:00 AM
Public holidays	12:00 AM	12:00 AM

SECTION 2: WASTE QUANTITIES

2.1 Indicate or specify types of waste and list the estimated quantities expected to be managed daily (should you need more columns, you are advised to add more)

Hazardous Waste	Non hazardous waste	Total waste handled (tonnes)
Ash (Type 3, Low Hazard Waste)		± 5500 kt/annum

Source of information supplied in the table above Mark with an "X"

Determined from volumes

Determined with weighbridge / scale

Estimate

✓

2.2 Recovery, Reuse, Recycling, treatment and disposal quantities:

Indicate the applicable waste types and quantities expected to be disposed of and salvaged annually:

TYPES OF WASTE	MAIN SOURCE (NAME OF COMPANY)	QUANTITIES		ON-SITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE RECOVERY REUSE RECYCLING TREATMENT OR DISPOSAL	OFFSITE DISPOSAL	
		TONS/MONTH	M ³ /MONTH	method & location	method location and contractor details		
Ash	Kendal Power Station	No recovery, reuse or recycling of waste is anticipated.					

SECTION 3: GENERAL

3.1 Prevailing wind direction (e.g. NWW)

November – April	North West
May - October	North West

3.2 The size of population to be served by the facility

	Mark with "X"	Comment
0-499		
500-9,999		
10,000-199,999		
200,000 upwards	X	Eskom is a critical and strategic contributor to the South African government's goal of ensuring security of electricity supply in the country as well as economic growth and prosperity. The provision of electricity can be regarded as a national priority. Ensuring the optimal function of all energy generating infrastructure is therefore essential in ensuring continued electricity supply. Eskom relies greatly on coal fired power stations (including the Kendal Power Station) to produce approximately 90% of its electricity.

3.3 The geological formations underlying the site:

Granite	<input checked="" type="checkbox"/>	Quartzite	<input type="checkbox"/>
Shale	<input checked="" type="checkbox"/>	Dolomite	<input type="checkbox"/>
Sandstone	<input type="checkbox"/>	Dolerite	<input type="checkbox"/>

Other: Not Applicable

SECTION 4: COMPETENCE TO OPERATE SITE

It is imperative that the holder of the waste management licence is a fit person in terms of section 59 of the NEMWA (59 of 2008). To assess the holder's competence to operate the site, please disclose the following:

4.1 Legal compliance

Has the applicant ever been found guilty or issued with a non compliance notice in terms of any national environmental management legislation?

Has the applicant's licence in terms of the Waste Act 2008 ever been revoked?

Has the applicant ever been issued with a non compliance notice or letter in terms of any South African Law?

YES/NO	DETAILS
No	
No	
No	

NB: Details required above include any information that the applicant wants the Department to take into consideration in determining whether they are a “fit person” and this includes reasons why the offence happened and measures in place to prevent recurrence

4.2 Technical competence

What technical skills are required to operate the site?

The operations manager of the ADF must have a National Diploma or higher, in the technical field. The civil engineer must have a BSc or higher.

How will the applicant ensure and maintain technical competency in the operation of the site

Maintain Technical Competency: both the aforementioned positions (i.e. Operations Manager of ADF and Civil Engineer) are on the manpower structure and there are minimum educational requirements stipulated for the positions.

4.3 Details of applicant’s experience and qualification along with that of relevant employees must be summarised as shown in the table below:

NAME	POSITION	DUTIES AND RESPONSIBILITIES	QUALIFICATIONS AND EXPERIENCE
Gugu Ntshangase	Coal Manager / Operations Manager	Management of ash disposal facility operations and construction.	<ul style="list-style-type: none"> • N Diploma: Operations Management; • N Diploma: Electrical Engineering; and • Two years’ experience in ash disposal facility.
Lenny Govender	Site Construction Manager	Projects and refurbishment management.	<ul style="list-style-type: none"> • Degree: Chemical Engineering; • Degree: Master of Business Administration; • N Diploma: Project; and • Twenty three years’ experience.

4.4 Financial Provisions

Provide a plan of estimated expenditure for the following:

ATTCHED/NOT ATTACHED	SECTION OF THE REPORT WHERE IT IS ATTACHED
Environmental Monitoring Not Attached	Eskom Holdings SOC Limited do not have a fixed budget for the ADF environmental monitoring. The Eskom Holdings SOC Limited Environmental department which comprises the manager and four environmental practitioners will assume responsibility of environmental monitoring for the ADF.

	ATTCHED/NOT ATTACHED	SECTION OF THE REPORT WHERE IT IS ATTACHED
Provision and replacement of infrastructure	Not Attached	Provision and replacement of infrastructure is replaced when necessary and is based on plant performance and life of plant operational strategies. Major replacement is done under the capital budget and evaluated on a yearly basis. There is no fixed capital budget. Every project is motivated on economic, safety and environmental merits.
Restoration and aftercare	Not Attached	There is no planned budget for restoration and aftercare. Eskom will normally carry out an Environmental Impact Assessment Process for the closure and comply with the Environmental Authorisation Conditions.

SECTION 5: LANDFILL PARAMETERS

5.1 The method of disposal of waste:

Land-building Land-filling Both

The dimensions of the disposal site in metres

	At commencement	After rehabilitation
Height/Depth	60 meters	60 meters
Length	±2457 meters	±4092 meters
Breadth	± 1800 meters	±1832 meters

5.2 The total volume available for the disposal of waste on the site:

Volume Available	Mark with "X"	Source of information (Determined by surveyor/ Estimated)
Up to 99		
100-34 999		
35 000- 3,5 million		
>3,5 million	X	98 000 000 M ³

5.3 The total volume already used for waste disposal:

(a) Will the waste body be covered daily

(b) Is sufficient cover material available

(c) Will waste be compacted daily

YES
YES ✓
YES

NO ✓
NO
NO ✓

5.7 For the wettest six month period indicated above, indicate the following for the preceding 30 years

	Total rainfall for 6 months	Total A-pan evaporation for 6 months	Climatic water balance
For the 1 st wettest year	1066	820	246
For the 2 nd wettest year	1030	948	82
For the 3 rd wettest year	830	988	-158
For the 4 th wettest year	813	928	-115
For the 5 th wettest year	768	1017	-249
For the 6 th wettest year	744	999	-489
For the 7 th wettest year	726	1013	-287
For the 8 th wettest year	717	879	-162
For the 9 th wettest year	715	925	-210
For the 10 th wettest year	646	976	-330

5.8 Location and depth of ground water monitoring boreholes:

Codes of Boreholes	Borehole Locality	Depth (m)	Latitude	Longitude
MBH-1	Kendal Power Station	40 meters	-26.11415	28.95445
MBH-2	Kendal Power Station	40 meters	-26.11353	28.94342
MBH-3	Kendal Power Station	40 meters	-26.10478	28.93518
MBH-4	Kendal Power Station	40 meters	-26.09666	28.93368
MBH-5	Kendal Power Station	40 meters	-26.09105	28.92951
MBH-6	Kendal Power Station	40 meters	-26.08146	28.93767
MBH-7	Kendal Power Station	40 meters	-26.09333	28.94793

5.9 Location and depth of landfill gas monitoring test pit: **Not Applicable**

Codes of Boreholes	Borehole	Latitude		Longitude			
	Locality						
.....						
.....						
.....						
.....						
.....						
.....						
.....						
.....						

SECTION 6: OTHER AUTHORISATIONS REQUIRED

LEGISLATION	AUTHORISATION REQUIRED		APPLICATION SUBMITTED	
	YES	NO	YES	NO
SEMAS				
National Environmental Management: Air Quality Act	YES ✓	NO	YES	NO ✓
National Environmental Management: Biodiversity Act	YES	NO ✓	YES	NO
National Environmental Management: Integrated Coastal Management Act	YES	NO ✓	YES	NO
National Environmental Management: Protected Areas Act	YES	NO ✓	YES	NO
National legislation				
Mineral Petroleum Development Resources Act	YES	NO ✓	YES	NO
National Water Act	YES ✓	NO	YES ✓	NO
National Heritage Resources Act	YES	NO ✓	YES	NO
Others: Please specify	YES	NO ✓	YES	NO

PART E: LIST OF APPENDICES

		SUBMITTED	
Appendix 1	Proof of Payment	YES ✓	NO ✓
Appendix 2	Strategic Infrastructure Projects	YES ✓	N/A
Appendix 3	List of land owners (with contact details) and proof of notification of land owners.	YES ✓	NO
Appendix 4	List of Organs of State and applicable authorities (with contact details)	YES ✓	NO ✓
Appendix 5	Project map	YES ✓	N/A
Appendix 6	List of SGIDs	YES ✓	NO ✓
Appendix 7	Project schedule	YES ✓	N/A ✓
Appendix 8	Declaration of Applicant	YES ✓	NO
Appendix 9	Declaration of EAP	YES ✓	NO

APPENDIX 1: PROOF OF PAYMENT/MOTIVATION FOR EXCLUSION

Ms M. Solomons
Director: Integrated Environmental Authorization
Department of Environmental Affairs
Private Bag X447
Pretoria
0001

Date:
09 January 2015

Enquiries: Emmy Molepo
Tel +27 11 800 4211

DEA Ref No: 14/12/16/3/3/3/63
Our Ref No: ENV15 – L002

Dear Ms. Solomons

MOTIVATION FOR FEES APPLICATION EXCLUSION MADE BY AN ORGAN OF STATE: KENDAL POWER STATION CONTINUOUS ASH DISPOSAL FACILITY ENVIRONMENTAL AUTHORISATION APPLICATION

Eskom hereby confirms that it is a State Owned Company and the company is excluded from paying the application fees in terms of regulation 3 of National Environmental Management Act, 1998 (Act no. 107 of 1998) fees for consideration and processing of applications for Environmental Authorisations and Amendments which were published on 28 February 2014 in the Government Gazette No.37383.

Eskom was established in South Africa in 1923 as the Electricity Supply Commission. In July 2002, it was converted into a public, limited liability company, wholly owned by government. The constitutional definition of 'organ of state' makes it clear that other institutions and functionaries are organs of state on the basis of what they are and others by virtue of the functions they are engaged in.

Eskom is one of the top 20 utilities in the world by generation capacity (net maximum self-generated capacity: 41 194MW). Eskom generates approximately 95% of the electricity used in South Africa and approximately 45% of the electricity used in Africa. Eskom directly provides electricity to about 45% of all end-users in South Africa. The other 55% is resold by redistributors (including municipalities).

Eskom applies for exclusion from payment of the fees applicable to this Environmental Authorisation application, since it is a State Owned Company.

Yours sincerely,



Deidre Herbst

ESKOM ENVIRONMENTAL MANAGER

SUSTAINABILITY DIVISION: ENVIRONMENTAL MANAGEMENT



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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NEAS Reference: DEA/EIA/0001508/2012

Reference: 14/12/16/3/3/63

Enquiries: Mmatlala Rabothata/Pumeza Skepe

Tel: 012 395 1768/3061 **Fax:** 012 320 7539

E-mail: mrabothata@environment.gov.za/pskepe@environment.gov.za

Mr Warren Kok
Zitholele Consulting (Pty) Ltd
PO Box 6002
HALFWAY HOUSE
1685

Fax: 086 674 6121

Tel: 011 207 2073

PER FACSIMILE / MAIL

Dear Mr Kok

ACKNOWLEDGEMENT OF RECEIPT AND ACCEPTANCE OF NEW APPLICATION FOR ENVIRONMENTAL AUTHORISATION (SCOPING/EIA PROCESS) FOR THE CONTINUATION OF ASH DISPOSAL ACTIVITIES AT KENDAL POWER STATION, MPUMALANGA PROVINCE

The Department confirms having received the Integrated Application Form and the details of EAP and Declaration of Interest; and project schedule on 8 October 2012 for environmental authorisation for the abovementioned project. You have submitted these documents to comply with the Environmental Impact Assessment Regulations, 2010 and Government Notice 718 of 2009. The Application is accepted.

Please include both reference numbers (NEAS Reference and DEA Reference), as listed above, on all documents and correspondence submitted to the Department.

In addition, please consider the following during compilation of reports for this application for environmental authorisation:

- All applicable Departmental Guidelines must be considered throughout the application process. These can be downloaded from the Department's website: www.environment.gov.za, Environmental Impact Management button, listed under "EIA Administration": Integrated Environmental Management Information Series link. These include, but are not limited to, the following topics: Scoping, Environmental Impact Reporting, Stakeholder Engagement, Specialist Studies, Impact Significance, Cumulative Effects Assessments, Alternatives in EIA and Environmental Management Plans.
- Please be advised that in terms of the EIA Regulations and NEMA the investigation of alternatives is mandatory. Alternatives must therefore be identified, investigated to

- determine if they are feasible and reasonable. It is also mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option).
- Should water, solid waste removal, effluent discharge, stormwater management and electricity services be provided by the municipality, you are requested to provide this office with written proof that the municipality has sufficient capacity to provide the necessary services to the proposed development. Confirmation of the availability of services from the service providers must be provided together with the reports to be submitted.
 - In the reports to be submitted it must clearly be demonstrated in which way the proposed development will meet the requirements of sustainable development. You must also consider energy efficient technologies and water saving devices and technologies for the proposed development. This could include measures such as the recycling of waste, the use of low voltage or compact fluorescent lights instead of incandescent globes, maximising the use of solar heating, the use of dual flush toilets and low-flow shower heads and taps, the management of storm water, the capture and use of rainwater from gutters and roofs, the use of locally indigenous vegetation during landscaping and the training of staff to implement good housekeeping techniques.
 - A detailed and complete EMPr must be submitted with the EIR. This EMPr must not provide recommendations but must indicate actual remediation activities which will be binding on the applicant. Without this EMPr the documents will be regarded as not meeting the requirements and will be returned to the applicant for correction.
 - The applicant/EAP is required to inform this Department in writing upon submission of any draft report, of the contact details of the relevant State Departments (that administer laws relating to a matter affecting the environment) to whom copies of the draft report were submitted for comment. Upon receipt of this confirmation, this Department will in accordance with Section 24O(2) & (3) of the National Environmental Management Act, 1998 (Act 107 of 1998) inform the relevant State Departments of the commencement date of the 40 day commenting period, or 60 days in the case of the Department of Water Affairs for waste management activities which also require a licence in terms of the National Water Act, 1998 (Act 36 of 1998).
 - Should it be necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999), please submit the necessary application to SAHRA or the relevant provincial heritage agency and submit proof thereof with the Basic Assessment Report/Environmental Impact Assessment Report. The relevant heritage agency should also be involved during the public participation process and have the opportunity to comment on all the reports to be submitted to this Department.

You are required to submit the final site layout plan together with the Final EIR to the Department. All available biodiversity information must be used in the finalisation of the layout plan.

The Environmental Management Programme (EMPr) submitted as part of the application for environmental authorisation must include the following:

- All recommendations and mitigation measures to be recorded in the Final EIR.
- A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site in consultation with the ECO and be implemented prior to commencement of the construction phase.
- An open space management plan to be implemented during the construction and operation of the facility.

- A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility including timeframes for restoration which must indicate rehabilitation within the shortest possible time after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
- A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
- An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.
- A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
- An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.
- Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.

You are requested to submit two (2) electronic copies (the main report must be separated from the Appendices (each appendix saved separately) (CD/DVD) and two (2) hard copies of both the Draft and Final Report to the Department. The hard copies must be double-sided printed; double-punched and must be bound using a lever arch file (two or four holes).

The EAP must, in order to give effect to regulation 56 (2), before submitting the final EIR to the Department give registered interested and affected parties access to, and an opportunity to comment on the report in writing within 21 days.

In terms of regulation 67 of the EIA Regulations, 2010 this application will lapse if the applicant (or the EAP on behalf of the applicant) fails to comply with a requirement in terms of the Regulations for a period of six months after having submitted the application, unless the reasons for failure have been communicated to and accepted by this Department.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely


Mr Mark Gordon

Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Letter signed by: Ms Mmatlala Rabothata

Designation: Environmental Officer: Integrated Environmental Authorisations

Date: 22/10/12

CC:	Ms Deidre Herbst	Eskom Kendal Power Station	Tel: 011 800 3501	Fax: 086 660 6092
	Erald Nkabinde	Emalahleni Local Municipality	Tel: 013 690 6353	Fax: N/A