

Date:
19 June 2020

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Our Ref No: ENV20-L128
DEA Ref No: 14/12/16/3/3/3/63/AM2

Attention: Interested and Affected Party; and Stakeholder

NOTIFICATION OF THE REJECTION DECISION FOR THE SOURCE PATHWAY RECEPTOR (SPR) AMENDMENT APPLICATION RELATED TO THE INTEGRATED ENVIRONMENTAL AUTHORISATION (IEA) ISSUED ON 28 JULY 2015 FOR THE CONTINUOUS ASH DISPOSAL FACILITY AT THE KENDAL POWER STATION, MPUMALANGA

Notice is hereby given that the Department of Environmental Affairs (DEA) has decided to refuse the proposed amendment application, dated 8 June 2020, for the SPR study related to the IEA amendment issued on 28 July 2015 for the continuous ash disposal facility at the Kendal Power Station in the Mpumalanga Province. The rejection notification was received on 15 June 2020.

In terms of Regulation 4(2) of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, the applicant is required to inform all registered Interested and Affected Parties (I&APs), in writing and within 14 days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the EIA Regulations.

A copy of this rejection decision is attached to this letter as **Appendix 1**.

Should you wish to lodge an appeal against this decision, your attention is drawn to Chapter 2 of National Environmental Management Act (NEMA) Act No 1998, National Appeal Regulations published under GN R993 in Government Gazette No. 38303, dated 8 December 2014, which prescribes the appeal procedure to be followed. A copy of the National Appeal Regulations is attached to this letter as **Appendix 2**.

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Should anyone wish to lodge an appeal against this decision, he/she must submit an appeal to the appeals administrator, and a copy of the appeal to the applicant, any Interested and Affected Party (I&AP) and any organ of state with interest in the matter within 20 days from the date that the notification of decision was sent to the registered I&APs by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable as follows.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of DEA at the below mentioned addresses.

By email: appeals@environment.gov.za

By hand: Environment House, 473 Steve Biko, Arcadia, Pretoria, 0083

By post: Private Bag X447, Pretoria, 0001

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website https://environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Please feel free to contact this office should you have any further queries.

Kind regards,



Deidre Herbst

ESKOM ENVIRONMENTAL MANAGER

Date: 22 June 2020