



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/217/AM1

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PER EMAIL / MAIL

Dear Ms Herbst

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 30 MARCH 2018 FOR THE PROPOSED EXPANSION OF THE ASH DISPOSAL FACILITY AT KRIEL POWER STATION, MPUMALANGA PROVINCE

The Environmental Authorisation (EA) issued for the above application by this Department on 30 March 2018 and your application for amendment to the EA received by this Department on 30 July 2018 refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated, 30 March 2018 as follows:

1.1. Project description of the location on page 1 currently reads as follows:

On Portion 0 of Kriel Farm, Portions 03,15, 19, 30 of Driefontein Farm, and Portions 09, 11/RE, 23 of Onverwacht Farm within eMalahleni Local Municipality

Is hereby amended to:

ID	Major region	Parcel No.	Portion	Parent farm name
TOIS00000000006500000	IS	65	0	Kriel Power Station
TOIS00000000006900015	IS	69	15	Driefontein
TOIS00000000006900030	IS	69	30	Driefontein
TOIS00000000006900003	IS	69	03	Driefontein
TOIS00000000006900019	IS	69	19	Driefontein
TOIS00000000007000009	IS	70	9	Onverwacht
TOIS00000000007000011	IS	70	11/RE	Onverwacht
TOIS00000000007000023	IS	70	23	Onverwacht

- 1.2. **The listed activity (GN R. 327, Item 12) description on page 3 of the EA currently reads as follows:**
A silt trap and transfer dam is proposed to be constructed in a depression, which could be classified as a watercourse and would thus trigger the activity being infrastructure within a watercourse. There would also be clean and dirty water containment systems, which would constitute canals, channels and retention dams.
- Is hereby amended to:**
A silt trap and transfer dam is proposed to be constructed in a depression, which could be classified as a watercourse and would thus trigger the activity being infrastructure within a watercourse. There would also be clean and dirty water containment systems, which would constitute canals, channels and retention dams. ***"Other delivery and return infrastructure included conveyor belts and / or pipelines, transfer houses, pump stations"***.
- 1.3. **The listed activity (GN R. 327, Item 34) description on page 4 of the EA currently reads as follows:**
The expansion of the ash disposal facility will require the amendment of the Air Emissions Licence and Water Use Licence for the facility.
- Is hereby amended to:**
The expansion of the ash disposal facility will require the amendment of the Air Emissions Licence and Water Use Licence for the facility, ***and may result in amendments of the permits.***
- 1.4. **The listed activity (GN R. 327, Item 48) description on page 5 of the EA currently reads as follows:**
The silt trap no.2, transfer dam and permanent effluent trench (channel) is proposed to be constructed in a depression, which could be classified as a watercourse and would thus trigger the activity.
- Is hereby amended to:**
The silt trap no.2, transfer dam and permanent effluent trench (channel) is proposed to be constructed in a depression, which could be classified as a watercourse and would thus trigger the activity. ***Furthermore, the proposed expansion would include channels and canals to support the closed water system serving ADF. Other delivery and return infrastructure include conveyor belts and / or pipelines, transfer houses, pump stations.***
- 1.5. **The listed activity (GN R. 325, Item 16) description on page 6 of the EA currently reads as follows:**
The new starter dam walls are proposed to have a height of 11m (Ash Disposal Dam 4.1) and 11m (Ash Disposal Dam 4.2) respectively. The Ash Water Return dam will have an outer wall height of 17.2m.
- Is hereby amended to:**
The new starter dam walls are proposed to have a height of 11m (Ash Disposal Dam 4.1) and 11m (Ash Disposal Dam 4.2) respectively. The Ash Water Return dam will have an outer wall height of 17.2m. ***Furthermore, the combined footprint for AD4.1 and AD4.2 would be approximately 172ha.***
- 1.6. **The listed activity (GN R. 921, Category B item 10) description on page 7 of the EA currently reads as follows:**
Activity 1 and 7.

Is hereby amended to:

Construction of ash disposal facilities (ash dams) and AWR dams, as provided for in Activity 1 and 7.

1.7. To replace the project description on page 7 from:

The proposed project will entail:

- An additional ash disposal facility that will have sufficient capacity to store ash volumes produced up to 2045 (new);
- An Ash Water Return dam from where decant and drained water will be pumped back to the power station for re-use (new);
- An Ash Water Return Transfer Dam (new);
- Delivery and return infrastructure, including conveyor belts and/ or pipelines, transfer houses, pump stations (existing);
- Clean and dirty water channels (new and existing);
- Power lines (new and existing); and
- Access roads (new and existing).

Is hereby amended to:

Component	Existing	New
An additional ash disposal facility (consisting of AD 4.1 and AD 4.2 that will form part of a larger ash disposal complex consisting of AD 4.1, AD 4.2, and AD 4.3) that will have sufficient capacity to store ash volumes produced up to 2039 with an additional six years contingency until 2045. (Note that AD 4.3 does not form part of this Integrated Environmental Authorisation.		X
An ash water return dam from where decant and drained water will be pumped back to the power station for re-use.		X
An ash water return transfer dam.		X
Delivery and return infrastructure, including conveyor belts and / or pipelines, transfer houses and pump stations.	X	X
Clean and dirty water channels.	X	X
Powerlines.	X	X
Access roads.	X	X

1.8. To change condition of the EA:

Condition 16.2 currently read as follows, "Should the investigation carried out as per conditions 16.1 above reveal any acceptable levels of pollution, the holder of the environmental authorisation must submit mitigation measures to the satisfaction of the relevant Department".

Is hereby amended to:

Condition 16.2, "Should the investigation carried out as per conditions 16.1 above reveal any acceptable levels of pollution, the holder of the environmental authorisation must submit mitigation measures to the satisfaction of the relevant Department (s) identified as relevant during the investigations".

1.9. To remove condition 17.1.1 of the EA:

The holder of the environmental authorisation must ensure effective access control to the centralised sewage treatment plant to prevent unauthorised entry. Weather-proof, durable and legible signs in at least three official languages applicable in the area must be displayed at each entrance to the site. The signs must indicate the risks involved in entering the site, must include the person responsible for the operation of the site.

Is hereby amended to:

Condition 17.1.1 is hereby removed from the EA.

1.10. To change condition 17.3.4. of the EA from:

After construction of the Site or further development within the Site, the environmental authorisation must notify the Responsible Authority thereof and the person referred to in condition 17.3.6 shall submit a certificate or alternatively a letter to the Responsible Authority that the construction of the Site or further development within the Site, as proposed by the holder of the environmental authorisation.

Is hereby amended to:

After construction of the Site or further development within the Site, the environmental authorisation must notify the Department of Environmental Affairs thereof and the person referred to in condition 17.3.6 (i.e. the Department of Water and Sanitation) shall submit a certificate or alternatively a letter to the Responsible Authority that the construction of the Site or further development within the Site, as proposed by the holder of the environmental authorisation.

1.11. To change condition 17.5.1(v) of the EA from:

In the event that the groundwater and downstream users are affected by migration of pollution from the ash dam facility, the holder of environmental authorisation should compensate the user with potable water.

Is hereby amended to:

In the event that the groundwater and downstream users are affected by migration of pollution from the ash dam facility, the holder of environmental authorisation should compensate the user with water that is fit for their purpose.

1.12. To change the condition 18.4 of the EA from:

The holder of environmental authorisation must ensure that the recovery facility is operated within its design parameters at all times.

Is hereby amended to:

The holder of environmental authorisation must ensure that the ash water dam is operated within its design parameters at all times.

1.13. To remove condition 18.7 from the EA:

The holder of environmental authorisation must ensure that the ash and slag is disposed at a registered hazardous waste landfill site.

Is hereby amended to:

Condition 18.7 is hereby removed from the EA.

1.14. To remove condition 18.8 from the EA:

The holder of environmental authorisation must retain records of appropriate safety disposal certificates associated with hazardous waste removal, transportation and disposal.

Is hereby amended to:

Condition 18.8 is hereby removed from the EA.

This letter must be read in conjunction with the EA dated 30 March 2018.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014 (the Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's decision in respect of your application as well as the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, and the provisions regarding the submission of appeals as contained in the Regulations.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

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

Mr Z Hassam, Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appealsdirector@environment.gov.za;

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

By post: Private Bag X447,
Pretoria,
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, 1998, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

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

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs

Date: 04/03/2018

CC:	Ms. Franci Gresse	Aurecon	Tel: 021 526 9400	Email: capetown@arecongroup.com
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