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# MONTHLY ECO COMPLIANCE REPORT – MAY 2022

ESKOM WOESTALEEN 132KV LILO POWERLINE





#### DOCUMENT DETAILS

**EIMS REFERENCE:** 1457  
**DOCUMENT TITLE:** MONTHLY ECO COMPLIANCE REPORT – MAY 2022

#### DOCUMENT CONTROL

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#### REVISION AND AMENDMENTS

REVISION DATE:	REV #	DESCRIPTION
2022/05/27	ORIGINAL DOCUMENT	MONTHLY ECO COMPLIANCE REPORT FOR MAY 2022
2022/06/15	REV 1	FINAL MONTHLY ECO COMPLIANCE REPORT FOR MAY 2022



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## List of Abbreviations

Abbreviation	Item
<b>EA</b>	Environmental Authorisation
<b>EIMS</b>	Environmental Impact Management Services (Pty) Ltd
<b>EMPr</b>	Environmental Management Programme
<b>ECO</b>	Environmental Control Officer
<b>GA</b>	General Authorisation
<b>GC</b>	Good Compliance
<b>LILO</b>	Loop in-Loop out
<b>NC</b>	Non-Compliance
<b>NCR</b>	Non-Compliance Report
<b>PPE</b>	Personal Protective Equipment
<b>WIP</b>	Work in Progress



## Definitions

Term	Definition
<b>Non-compliance Report (NCR)</b>	Non-Compliance Reports (NCRs) are issued to the project or relevant contractor if the recorded NCs are not addressed in the agreed timeframes.
<b>Non-compliance (NC)</b>	<p>Instances where a provision of environmental legislation (national, provincial, or local) and/or condition of an environmental approval (for example, environmental authorisation, water use licence, waste licence, licence in terms of the National Forests Act) or any other legal document issued in terms of environmental legislation is contravened.</p> <p>Note 1: Environmental legislation refers to legislation or legal requirements that has/have, or potentially has/have, an impact on activities interacting with the physical environment as defined in NEMA, including, but not limited to, events that result in either air pollution, sterilising the soil, or destroying rare, endangered, or protected fauna or flora (as set out in the NEMA: Biodiversity Act or provincial environmental ordinances) or result in making any water resource unfit for its original purpose, such as domestic, agricultural, or industrial use, or reduce the water quality to such a state that human intervention is required to restore it to its original quality.</p>
<b>Major Non-compliance</b>	Any non-compliance that has the potential to result in a greater consequence than recorded and would include serious/disabling injury, fatality (s), catastrophic failure, major environmental impact/discharge.
<b>Minor Non-compliance</b>	A non-compliance that resulted in its greatest consequence or would require additional factors, that are unlikely, to achieve a more serious outcome.
<b>Incident</b>	Any unplanned event that could, or does, result in harm, damage, and/or environmental pollution or degradation or gives rise to an accident or has the potential to lead to an accident.
<b>Incident management</b>	Incident management is an integral function of risk management and is aimed at reducing the impact of incidents, enabling corrective action to be taken and changed practice to be introduced. It also allows for learning from the incidents that have occurred to prevent similar incidents from happening or to mitigate their impact. This includes the effective communicating, reporting, measurement, recording and investigation of incidents.
<b>NEMA section 30 incident</b>	“Incident” means an unexpected, sudden and uncontrolled release of a hazardous substance, including from a major emission, fire or explosion, that causes, has caused or may cause significant harm to the environment, human life or property.



## 1 INTRODUCTION

Eskom Holdings SOC Ltd. (Eskom) was granted an Environmental Authorisation (EA) (DEA Ref. no: 14/12/16/3/3/1/1876) for the proposed Woestaleen 132kV Chikadee loop in-loop out (LILo) powerline between the existing Bothashoek/speculate 132kV powerline and the Woestaleen substation within the Steve Tshwete Local Municipality, Mpumalanga Province on the 25<sup>th</sup> April 2018. Environmental Impact Management Services (EIMS) (Pty) Ltd was appointed by Eskom to fulfil the role of the ECO for the Woestaleen 132kV LILo powerline.

A subsidiary of Eskom has been appointed as the principal contractor to carry out construction works, with Rejcon appointed to undertake bush clearing. Rejcon has completed the bush clearing work. The principal contractor had not occupied site during the time of this audit. It is among the conditions of the EA and Environmental Management Programme (EMPr) that an Independent Environmental Control Officer (ECO) is appointed to monitor the project compliance with conditions of the environmental legislation. The ECO is required to conduct monthly monitoring inspections /audits and compile a monthly report based on the findings of the inspections /audit.

This report provides feedback on the observations made by the ECO on the site inspection conducted on the 26<sup>th</sup> of May 2022. The project has officially entered the construction phase with the handover meeting undertaken on the 25<sup>th</sup> of March 2022. Introductions and environmental inductions were undertaken on site during the handover site meeting and subsequently during the bush clearing contractor's mobilisation.

## 2 DETAILS OF THE ECO

The ECO audit was undertaken by Qaphela Magaqa from EIMS on the 26<sup>th</sup> of May 2022. Mr Magaqa's details are described in the section below.

### 2.1 EXPERTISE OF THE ECO

Mr. Magaqa holds a BSc. Honours degree in Geographic Information Systems and a BSc degree in Geology and Geography from the Nelson Mandela University. He is an Environmental Consultant with 2 years' experience and 2 years' experience in GIS. His expertise lies mainly in environmental management, waste management, GIS, auditing and reporting. Mr. Magaqa has been involved in the Stutterheim landfill restoration project, where he conducted internal compliance audits. He has also been involved in projects in the waste sector.

### 2.2 DECLARATION OF INDEPENDENCE

*I, Qaphela Magaqa, declare that –*

- I act as the independent Environmental Control Officer;*
- I will perform the work relating to the ECO audits in an objective manner, even if this results in views and findings that are not favourable to the Client;*
- I declare that there are no circumstances that may compromise my objectivity in performing such work;*
- I have expertise in conducting environmental audits, including knowledge of the environmental Acts, regulations and any guidelines that have relevance to the audited operations;*
- I will comply with the relevant Acts, regulations and all other applicable legislation;*
- I have no, and will not engage in, conflicting interests in the audit process; and*
- I realise that a false declaration is an offence in terms of regulation 48 and is punishable in terms of section 24F of the NEMA.*

*I do not have and will not have any vested interest (either business, financial, personal or other) in the audit other than remuneration for work performed.*



### 3 LICENCES AND PERMITS

To date the following Licences and Permits have been issued for the project:

- Environmental Authorisation - DEA Ref. no: 14/12/16/3/3/1/1876 approved by DEA on 25<sup>th</sup> of April 2018; and
- EMPr for Eskom Woestaleen 132kV Chikadee Powerline Project, Mpumalanga Province – March 2018.

### 4 SCOPE, PURPOSE AND OBJECTIVE OF THE AUDIT

The scope of the audit is to assess compliance with the conditions of the Eskom Woestaleen 132kV Chikadee Powerline project EA and EMPr, situated approximately 22km south-east of the town of Middelburg within the Steve Tshwete Local Municipality. The purpose of the audit is to ensure compliance with the requirement of the EA and EMPr which requires monthly compliance monitoring during the construction period. The objective of the audit is to determine and monitor the level of compliance of the License Holder with the provisions of the requisite EA and EMPr.

### 5 AUDIT METHODOLOGY

#### 5.1 PROCEDURE FOR THE AUDIT

A checklist was prepared based on the requirements of the EA and EMPr for the pre-construction, construction, operational and closure phases. Following the initial checklist preparation and documentation review, a site visit was undertaken on the 26<sup>th</sup> of May 2022 to determine compliance with the EA and EMPr. Compliance with the requirements was evaluated using the pre-determined scoring criteria as described in Section 5.2 and the results of the audit are described in Section 6 of this report.

Various documentation and records were required during the audit to confirm compliance with the requirements. Where possible, documentation and records were made available electronically for review prior to the site visit. The rest of the information required for verification of compliance was provided during the site inspection.

#### 5.2 EVALUATION CRITERIA USED DURING THE AUDIT

The evaluation criteria for compliance scoring was based on a pre-determined scoring system. Each condition of the EA and EMPr was weighted equally in order to determine a compliance score. The scoring criteria used during the audit are as follows:

- **Full-Compliance:** Indicating that the condition was fully complied with and provided with a compliance score of 4.
- **Partial-Compliance:** Indicating that the condition has not been fully complied with and that additional measures are required to obtain full compliance. Partial compliances were provided with a compliance score of 2.
- **Non-Compliance:** Indicating that the condition has not been complied with and provided with a compliance score of 0.
- **Not Applicable (N/A):** Indicating that the condition is not currently applicable. Not applicable conditions were removed from the total number of conditions from which the compliance score was calculated during this reporting period.

### 6 RESULTS OF THE AUDIT

The results of the monthly ECO Audit are provided in this section of the report. The compliance summary, areas of good compliance, areas of concern and areas of non-compliance are provided in sections 8.1, 8.2 and 8.3 respectively.



## 6.1 COMPLIANCE SUMMARY

A total of 71 conditions were identified in the EA that were evaluated. 41 of these conditions were considered not applicable to the current audit. Of the applicable conditions a total of 21 were noted to be fully compliant, and 9 were non-compliant.

A total of 235 commitments were identified in the EMPr that were evaluated. 162 of these conditions were considered not applicable to the current audit. Of the applicable conditions a total of 56 commitments were noted to be fully compliant, 5 were partially compliant, and 12 were non-compliant.

The level of compliance for each commitment/condition was calculated according to the methodology described in section 5.2. Utilising this scoring system, **a total straight compliance score of 70.00% was obtained for the EA, and 76.71% for the EMPr.** A summary of compliance for the EA and EMPr are presented Figures 1 and 2 respectively below.

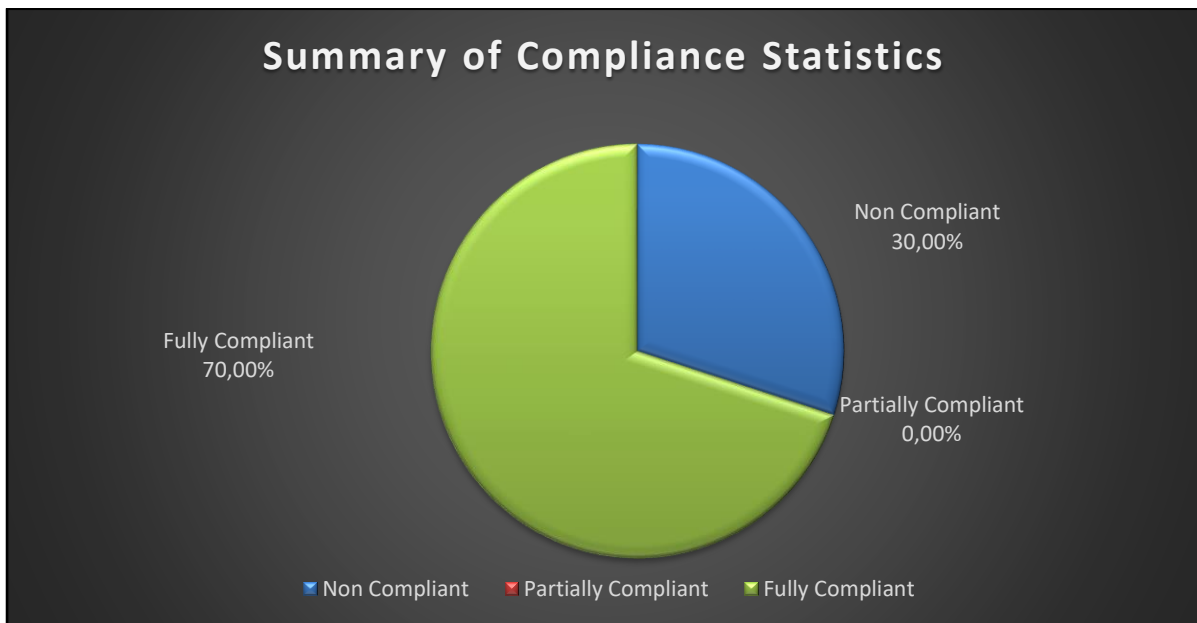


Figure 1: Summary of compliance with the requirements of the EA

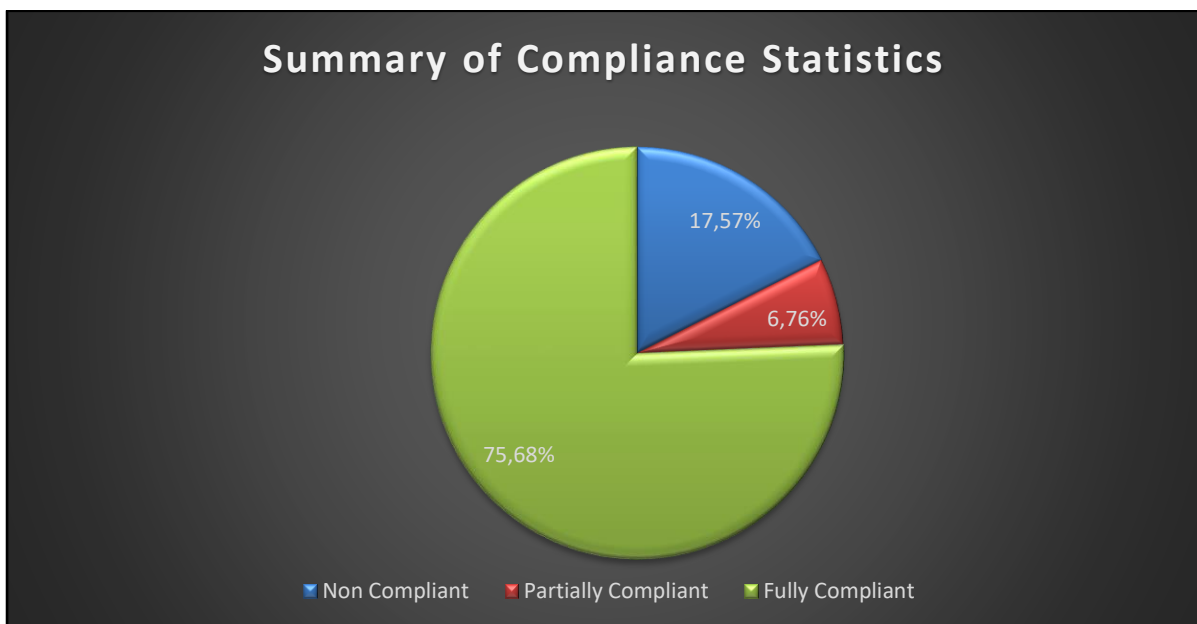


Figure 2: Summary of compliance with the requirements of the EMPr.





## 7 EXTENT OF ACTIVITIES

A site visit / inspection was undertaken by the ECO on the 26<sup>th</sup> of May 2022. This report represents the 2<sup>nd</sup> ECO Audit Report for the project. At the time of the site visit, the subcontractor to the Eskom subsidiary, Rejcon had completed bush clearing activities, and the approved powerline route was pegged by the Eskom surveyor. At the time of the audit, there was no contractor on site. Security/guard post and chemical toilets are in place as part of the substation construction activities where a feeder bay is being constructed, these facilities are to be utilised for the powerline construction. The photographic record below depicts activities/condition of site during the monthly site inspection.



Figure 3: Material storage next to the substation.



Figure 4: Material stacking in cleared construction area next to the substation.





Figure 5: View of completed vegetation clearing area.



Figure 6: View of site demarcation/pegging.

## 8 OBSERVATIONS

Below is the list of observations that were noted during the current reporting period:



## 8.1 GOOD COMPLIANCES

Table 1: List of Good Compliances recorded during this reporting period.

Location	Category	Responsible Party	Description	Photo Reference
Site camp	Site access	Contractor	Reinforcement of site access roads/routes prone to erosion.	
Site camp	Crime, Safety and Security	Contractor	Controlled access to site by security.	



## 8.2 AREAS OF CONCERN

No areas of concern were noted during this reporting period.

## 8.3 NON-COMPLIANCES

Three (3) non-compliances were recorded during the reporting period however it should be noted that the areas of concern raised in section 8.2 could potentially become non-compliances if the required corrective actions are not undertaken timeously.

Table 2: Non-Compliance noted during this reporting period.

NC No.	Resp. Party	Ref:#	Requirement	Description	Recommendation	Photo Reference
003	Contractor/ Applicant	EMPr 23	Within 21 days of the Commencement Date, the Site Contractor shall prepare and submit to the Project Manager for approval in consultation with the ECO an Environmental Protection Plan. The Plan shall cover all environmental protection works and shall also include descriptions of environmental safeguards and emergency procedures.	The 21 day period of commencement of site activity has lapsed and no Environmental Protection Plan has been submitted.	The bush clearing contractor was on site for a short period of time. It was reported by the applicant that the main contractor will develop an Environmental Protection Plan upon occupying site.	N/A
004	Contractor	EMPr 238	The security fence around the development site must be completed before construction commences internally.	No fencing of the construction area to prevent unauthorised site access.	The applicant reported that it is not feasible to fence the entire construction site as it not standard practice. They further indicated that the site is under	





NC No.	Resp. Party	Ref:#	Requirement	Description	Recommendation	Photo Reference
					24-hour surveillance by a security guard.	

#### 8.4 STATUS OF NON-COMPLIANCES REPORTED DURING PREVIOUS REPORTING PERIODS


This section provides the status of the non-compliances that were raised during the previous ECO Audit. The applicant / contractor should provide action plans to update the status of these and non-submission will be regarded as open / uncorrected.

Status Description		Colour Scale
Closed-Out/ Corrected		
Work in Progress (WIP)		
Open/ Uncorrected		

Concern #:	EA & EMPr Ref.	Requirement	Description	Recommendation	Status	Photographic Record
<b>20220526</b>						
NC 001	EA 10 & 11	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.	Proof of notification of authorisation and right to appeal sent to I&APs has not been provided to the ECO.	Proof of notification must be located, submitted to the ECO and a copy kept in the site environmental file	Closed. The applicant provided proof of notification of the EA and EA amendment.	N/A



Concern #:	EA & EMPr Ref.	Requirement	Description	Recommendation	Status	Photographic Record
NC 002	EA 12	The holder of the authorisation must publish a notice-  informing interested and affected parties where the decision can be accessed; and drawing the attention of interested and affected parties where the decision can be accessed; and 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.	Proof that a notice was published informing I&APs of the EA decision was not made available to the ECO during this audit period.	Proof of notification must be located, submitted to the ECO and a copy kept in the site environmental file		N/A
C 001			No signage for proper site identification, travel restrictions and speed limit on site.	It is recommended that main contractor posts signage for site identification, indication of speed limits, and travel restrictions along construction road be posted on site when the occupy site.		



Concern #:	EA & EMPr Ref.	Requirement	Description	Recommendation	Status	Photographic Record
C 002		N/A	No alien invasives monitoring programme	Establish an on-going monitoring programme to detect and quantify any alien species that may become established and identify the problem species as per the EMPr condition.		N/A



## 8.5 NON-COMPLIANCE REPORTS

Non-Compliance Reports (NCRs) are issued to the project or relevant contractor if the recorded NCs are not addressed in the agreed timeframes. Zero (0) NCRs were issued during the current reporting period.

## 8.6 INCIDENTS

Zero (0) incidents were noted and reported to the ECO during the reporting period. It should be noted that all incidents should be reported to the ECO as soon as they occur.

## 8.7 COMPLAINTS

No complaints were reported to the ECO during the reporting period. It should be noted that all complaints should be recorded in the site complaints register and reported to the ECO as soon as they occur.

## 9 CONCLUSION

This is the second ECO environmental compliance audit for the project and focused on the requirements of the EA and EMPr. At the time of the compliance monitoring there was no contractor on site, however, the bush clearing had been completed and site peggings were in place. Utilising this scoring system, a total compliance score of **70.00% was obtained for the EA, and 76.71% for the EMPr**. A summary of the number of observations noted is provided in Table 3 below.

Table 3: Summary of observations noted during the reporting period.

Description	Number Raised during Reporting Period	Total Number Raised	Total Number Open/ Uncorrected
Areas of Good Compliance	5	2	N/A
Areas of Concern	0	2	2
Non-compliances	2	4	2
Non-compliance Reports	0	0	0
Incidents	0	0	0
Complaints	0	0	0





## 10 ASSUMPTIONS AND LIMITATIONS

The following assumptions and limitations apply to this report:

- The information contained in this report was sourced from information and data supplied by third parties that is assumed to be complete, valid, and true.
- This report is based on information available at the time. The information, data, observations, and evidence this report is based on is beyond the control of EIMS and may change without notice. EIMS will not be liable for any loss or damage which may arise directly or indirectly as a result of such changes.
- This audit does not specifically assess compliance with any other permits, licences, or authorisations not included here that may be applicable to the operations.
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- Where reference is made to legislation or other statutory provisions in this report the original legislation or other statutory provisions will always take precedence and the reader is directed to revert to the original legislation.