



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia· PRETORIA  
Tel (+ 27 12) 399 9372 ·

**Reference:** 14/12/16/3/3/2/1060/AM1

**Enquiries:** Ms Bongeka Ngcoliso

**Telephone:** 012-399 9376 **E-mail:** [BNgcoliso@environment.gov.za](mailto:BNgcoliso@environment.gov.za)

Ms Diedre Herbst  
Eskom Holdings SOC Limited  
PO Box 1091  
**JOHANNESBURG**  
2157  
Tel: (011) 800 3501  
Cell: (083) 660 1147  
E-mail: [HerbstDL@eskom.co.za](mailto:HerbstDL@eskom.co.za)

### PER E-MAIL / MAIL

Dear Ms Herbst

### **AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 06 SEPTEMBER 2018 FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION WITHIN LEPHALALE LOCAL MUNICIPALITY, LIMPOPO PROVINCE.**

The Environmental Authorisation (EA) (Reference number 14/12/16/3/3/2/1060) for the above project issued by the Department on 06 September 2018, and your amendment application received by the Department on 13 September 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 as amended Regulation 27 (4) has decided to amend the EA dated 06 September 2018 as follows:

#### **1. The listed notice authorised on page 3-7 of the EA is amended to add the following:**

<b>Listed activities</b>	<b>Activity/Project description</b>
<u><i>GN R.327, Activity 24</i></u> <i>The development of a road-</i> <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres</i>	The road infrastructure is associated with the railway yard, limestone stockpile and gypsum storage facility will be more than 8 m wide and 1km in length when considering the road surface area and shoulder of the road.
<u><i>GN R.327, Activity 34</i></u> <i>The expansion of existing facilities or infrastructure for any process or activity where such expansion will result in the need for a permit or licence or an</i>	Medupi Power Station's existing provisional AEL will require an amendment due to the storage and handling of

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Listed activities	Activity/Project description
<i>amended permit or licence in terms of national or provincial legislation governing the release of emissions, effluent or pollution.</i>	limestone on site and the additional storage of fuel at the railway siding workshops and FGD development footprint. The additional storage of fuel is considered an expansion of the existing fuel storage capacity within the Medupi Power Station footprint.
<p><u>GN R.324, Activity 4</u>  <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres,</i>  <b>(e) Limpopo</b>  <i>(i) Outside urban areas,</i>  <i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The south western extent of the railway yard development area, which provides for the runoff railway line from the main railway line, is located within a critical biodiversity area as identified in Waterberg District Bioregional Plan, which was developed from the Limpopo Conservation Plan (C-Plan) version 2. Some of the service roads within this area will be wider than 4 metres with a reserve less than 13.5 metres.</p>
<p><u>GN R.324, Activity 12</u>  <i>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</i>  <b>(e) Limpopo</b>  <i>ii. Within critical biodiversity areas identified in bioregional plans</i></p>	<p>The south western extent of the railway yard development area, which provides for the runoff railway line from the main railway line, is located within a critical biodiversity area as identified in Waterberg District Bioregional Plan, which was developed from the Limpopo Conservation Plan (C-Plan) version 2. The clearance of vegetation to allow construction of the runoff railway line and associated infrastructure, including a service road, will be more than 300m<sup>2</sup>, while the vegetation is largely intact natural vegetation.</p>
<p><u>GN R.324, Activity 14</u>  <i>The development of-</i>  <i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i>  <i>where such development occurs—</i></p>	<p>The south western extent of the railway yard development area, which provides for the runoff railway line from the main railway line, is located within</p>

Listed activities	Activity/Project description
<p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p><b>(e) Limpopo,</b></p> <p>(i) Outside urban areas:</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p>	<p>a critical biodiversity area as identified in Waterberg District Bioregional Plan, which was developed from the Limpopo Conservation Plan (C-Plan) version 2. The runoff railway line and associated infrastructure, including service road, will cover an area greater than 10m<sup>2</sup> and will be located within 32m of a wetland area as identified by the wetland specialist</p>

## 2. To clarify wording on EAIR receipt date from:

The wording currently reads as follows ***“the Final Environmental Impact Assessment Report (FEIAR) dated 24 May 2018”*** on Page 6 under the table of listed activities, Page 13 under section 1 (a) to (c), Page 14 under section 2 (c) and (d), and Page 14 under section 3 (a) and (d).

### Is hereby amended to:

***“The Final Environmental Impact Assessment Report (FEIAR) dated 23 May 2018”*** on Page 6 under the table of listed activities, Page 13 under section 1 (a) to (c), Page 14 under section 2 (c) and (d), and Page 14 under section 3 (a) and (d).

This proposed amendment letter must be read in conjunction with the EA dated 06 September 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:

Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za);

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

By post: Private Bag X447,  
Pretoria,  
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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](https://www.environment.gov.za/documents/forms#legal_authorisations) or request a copy of the documents at [appealsdirector@environment.gov.za](mailto:appealsdirector@environment.gov.za).

Yours faithfully



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

Date: 11/10/2018

CC:	Dr Mathys Vosloo	Zitholele Consulting Pty Ltd	Tel: 011 270 2079	Email: <a href="mailto:mathysv@zitholele.co.za">mathysv@zitholele.co.za</a>
	Mr Tsholedi Joel Ngoasheng	Limpopo Economic Development, Environment and Tourism	Tel: 015 290 7134	Email: <a href="mailto:NgoashengTJ@ledet.gov.za">NgoashengTJ@ledet.gov.za</a>