

S24G APPLICATION

AUTHORITY CONSULTATION AND S24G RECTIFICATION APPLICATION

Eskom applied for the rectification of the commencement of unlawful activities which was reviewed and submitted to the Department of Environmental Affairs (DEA) by Sebata Institute in 2011. In response to this application, the DEA requested that an Environmental Assessment (EA) be conducted, taking into account all the applicable Departmental Guidelines throughout the application process.

PUBLIC PARTICIPATION PROCESS

PUBLIC PARTICIPATION

The public participation process will be conducted by Sebata Institute in accordance with Chapter 6 of the EIA Regulations 543, 2010. The process will include On-Site Notices; Advertisements in local or regional papers and Notification letters which will be sent to all registered stakeholders.

In order to ensure that your concerns are considered during this process you are invited to register as an I&AP by completing the attached registration form and submitting it to Sebata Institute (contact details below) within **14 days** of receipt of this Background Information Document (BID). You are welcome to contact Sebata Institute to ask questions, raise issues and request information. All issues and comments received during public participation process will be captured in an Issues and Responses Report that will be updated as the project commences and will form an Appendix to the EA Report and submitted to the DEA. A copy of the Issues and Responses Report will also be sent to stakeholders that submit comments in the public comment period for the draft reports in order for them to confirm that their issues have been accurately captured and understood.

ENVIRONMENTAL ASSESSMENT PHASE

All specialist studies required were undertaken in a manner that fulfils the requirements of the EIA Regulations. A Draft Environmental Assessment Report (EAR) that incorporates the outcome of the specialist studies/impact assessment and the Environmental Management Programme (EMP) to address the impacts will be compiled and made available at public places for a 40-day public review and comment period, as required by the regulations. Interested and Affected Parties (I&APs) registered on the project database will be notified of the availability of these reports. Comments from the I&APs will be obtained and integrated into the documents that will then be submitted to the authorities for approval.

AUTHORISATION PHASE

A letter will be distributed to all the stakeholders informing them of the decision, and any associated condition that the DEA makes regarding the application.

APPEAL PHASE

Once the DEA has made a decision, notification letters will be sent to all the registered I&APs informing them of the decision. All I&APs will be provided with an opportunity to appeal the decision.

If you wish to register as an I&AP please complete the attached registration form and send it to Sebata Institute before 12 October 2012:

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Nadine Duncan
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Tel: 012 685 0900
Fax: 012 665 1886



NOTICE OF S24G RECTIFICATION APPLICATION FOR THE UNLAWFUL COMMENCEMENT OF THE CONSTRUCTION AND OPERATION OF FACILITIES AND INFRASTRUCTURE FOR THE RETURN TO SERVICE OF KOMATI POWER STATION. MPUMALANGA PROVINCE

DEA REFERENCE NUMBER:

14/12/16/3/2/40

WASTE DIRECTORATE REFERENCE NUMBER:

12/9/11/L995/6/24G



BACKGROUND INFORMATION DOCUMENT (BID)

28 SEPTEMBER 2012



PROJECT BACKGROUND

PURPOSE OF THIS DOCUMENT

The aim of this document is to inform you that Eskom Holdings is applying for a Section 24G rectification for the unlawful commencement of listed activities in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended and the unlawful commencement of a listed activity in terms of Section 19 of the National Environmental Management: Waste Act, 2008 (Act 59 of 2008) for the construction and operation of facilities and infrastructure for the return to service of Komati Power Station.

Thus the aim of this document is to provide you with:

- An opportunity to register as an Interested and Affected Party (I&AP);
- The necessary background information regarding the proposed project;
- Background to the S24G Application;
- An opportunity to raise issues and concerns regarding the project and to request information.

Eskom submitted an Application for the rectification of unlawful activities for the return to service of Komati Power Station located along the R35 between Middelburg to the north (40km) and Bethal to the south (40km) in the Middelburg area, on approximately 2 100 ha of land on the Farm Komati Power Station 56 IS (See **Figure 1**).

The return to service of Komati Power Station after mothballing in 1990 notably involved the upgrading and extension of certain facilities and infrastructure, as well as the installation of new facilities in order to bring the station into compliance with Eskom's Zero Liquid Effluent Discharge (ZLED Policy). Some of these activities were not duly authorised and are therefore the subject of rectification application, which allows for retrospective authorisation of unlawful activities.

Eskom obtained a Record of Decision (RoD) Exemption (from EIA process) for the Return to Service of the Komati Power Station on the 13th of December 2005. This RoD was issued for the return to service of the Komati power station "as is". It should be noted that a condition that, should any other activity be triggered, a separate application be submitted.

The following activities in terms of the National Environmental Management Act (Act 107 of 1998) are concerned:

- **Upgrading and extension of the haul road - Commenced on 16 April 2007.** The haul road enables coal trucks to access the coal stockyard. The existing access road to the power station (approximately 640 m) was upgraded in order to handle the traffic (estimated at 556 trucks per day, with a load capacity of 27 ton each), and extended by approximately 1 110 m to the coal stockpile yard. Construction of the haul road was completed on 7 August 2007. (GN R386 Activity 1(m) and 15).
- **Upgrading of coal stockpile yard - Commenced in May 2007.** Komati Power Station Coal Stockyard is situated within the power station boundaries and covers an area of about 5.36 ha. The coal stockyard is used as bulk storage and is a live stockpile. Coal at Komati Power Station is transported on trucks from coal mines in the region to the coal stockyard which is designed to hold 116 000 tons of coal. The coal is dumped and stacked at the stockyard by means of front loader and bull dozer then later fed to the unit bunkers through the conveyor system via the buffalo feeder. About 5,7% of coal per day is trucked to the stockyard and 5.3% of coal is fed to the units. Expansion of the coal stockpile yard was completed in February 2008.(GN R386 Activity 1(m) and 1(k)).
- **Construction and Operation of the desalination plant - Commenced on 8 August 2008.** The desalination plant is designed to treat 15.8 MI/day of cooling water and can produce up to 5.7 MI/day of demineralised water. It forms part of Komati's overall effluent management system. The plant is currently fully operational. (GN R387 Activity 1(p)).
- **Construction of the third recovery dam (120 000m³, 27 744 m²) - Commenced on 26 March 2007.** The dam was built outside the terrace area to contain polluted storm water pumped from Lake Finn and Lake Stoffel. It is designed to accommodate the total 1:50 year storm event run-off volume (minus storage at lake Stoffel). The dam is designed to have no underground seepage. Construction on the dam was completed on 20 June 2008.(GN R386 Activity 1(n)).

The following activity in terms of the National Environmental Management: Waste Act (Act 58 of 2008) is concerned:

- **Construction and Operation of the portable reverse osmosis (RO) plant - Commenced on 4 June 2010.**

The portable RO plant is designed to produce 2 MI/day of permeate of potable quality (feed of approximately 2.7 MI/day). Permeate produced by the portable RO plant is recovered as feed to the desalination plant, or as circulating cooling water for the condensers. The plant forms part of Komati's overall effluent management system and is currently fully



Portable RO plant



Haul road to the East of the cooling towers



Coal Stockpile yard



Desalination plant: View of the plant facing east (the L shaped building to the left of the left foreground cooling tower is the main building housing the membranes for the desalination plant, the pumps are in the open to the western side.)



3rd recovery dam opposite high voltage yard and power station terrace to the East

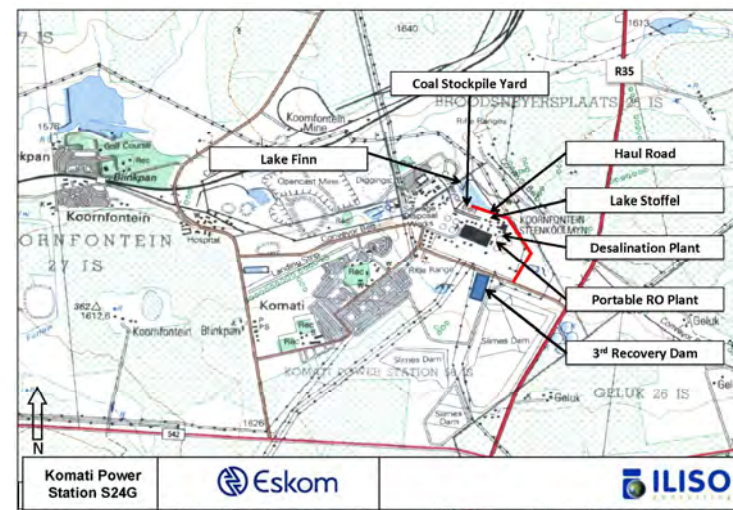


Figure 1: Locality Plan