

S30A DIRECTIVE



environment, forestry
& fisheries

Department: Environment, Forestry
and Fisheries
REPUBLIC OF SOUTH AFRICA



ANNEXURE A

DIRECTIVE ISSUED IN TERMS OF SECTION 30 A(1) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO 107 OF 1998) ("NEMA") IN RESPECT OF PROPOSED KARPOWERSHIP FOR GAS TO POWER PROJECT AT PORTS OF NGQURA, RICHARDS BAY, SALDANAH BAY AND DURBAN IN RESPONSE TO COVID 19 PANDEMIC SITUATION FACING THE COUNTRY (REFERENCE NUMBER: 14/7/6/2/4/6/48)

CONDITIONS

1. This Directive main activity is the generation of power in excess of 50MW within the **Ports of Ngqura, Richards Bay, Saldanah Bay and Durban by Karpowership South Africa (Pty) Ltd, (KPSSA).**
2. The proposed work will include:
 - a. Generation of power in excess of 20MW within the **Ports of Ngqura Richards Bay, Saldanah Bay and Durban:**
 - b. Construction 100 m²n of infrastructure within 32 m of a watercourse;
 - c. Removal and infilling of sand, soil, grit etc. from a water course in excess of 10 m³;
 - d. Removal and infilling of sand, soil, grit etc. from seashore or literal active zone or distance; within 100m of the high water mark in excess of 5 m³ ;
 - e. Installation of 132 KV double circuit lattice steel tower; and
 - f. Installing of infrastructure (gas pipeline) along the seed bed.
 - g. The scope of work for the 132 kV overhead line connection solution comprises:
 - Extension of the 132 kV busbar at Dedisa substation;
 - Establishing 2 x 132 kV feeder bays at Dedisa; and
 - Constructing 2 x 7.5 km (15 km) of single circuit Twin Tern 132 kV lines from the Powership plant to Dedisa substation.
2. The sites are **Ports of Ngqura, Richards Bay, Saldanah Bay and Durban** and their co-ordinates are as follows:

Latitude

Longitude

JP

33°48'0.36"S
33°47'52.80"S
33°47'50.80"S

25°41'51.69"E.
25°41'40.63"E
25°41'41.69"E

3. The holder of the directive shall be responsible for ensuring compliance with the conditions contained in this Directive. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the directive.
4. The activities authorised may only be carried out at the sites as described above.
5. Any changes to, or deviation from, the project description set out in this directive must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the directive to apply for further directive in terms of the regulations.
6. The holder of the directive must notify persons, parties and stakeholders who may be affected by this project immediately after receipt of the Directive.
7. A telephonic or written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activities will commence, as well as a reference number.
8. This activity must commence immediately upon receipt of the verbal directive and other authorizations from relevant authorities.
9. Liaison with landowner's and/managers is to be done prior to construction/repairs work who may be affected by this activity/project.
10. Method statements for the site must be submitted with the application on and must be approved.
11. The holder of a Directive must notify the competent authority of any alienation, transfer and change of ownership rights in the property on which the activity is to take place.

12. The Environmental Management Programmes (EMPrs) must be prepared for implementation and a copy be submitted to this Department before commencement. EMPr is considered as an extension of this Directive.
13. Necessary approval must be obtained from Department of Water and Sanitation (DWS) for working within the water resource or river banks where applicable. No activities will be allowed to encroach into a water resource without Water Use License Authorisation (WULA) from the Department of Water and Sanitation.
14. Other relevant permits or authorisations must be obtained from other spheres of government such as Department of Mineral Resources (DMR) and Department of Energy (DoE) prior to commencement with the development or generation of power. Copies of the permits/Authorisations must be sent to the Director Compliance in the Department of Environment, Forestry and Fisheries (DEFF).
15. The holder of the directive must obtain Air Emission License as per requirement of National Environmental Management Air Quality Act (NEM: AQA) prior to commencement to generation of power using natural gas. A copy of the permit must be made sent to the Director Compliance in the Department of Environment, Forest and Fisheries (DEFF).
16. The holder of the directive must obtain a Coastal Water Discharge Permit from Ocean and Coast of this Department prior to commencement with the generation of the power. A copy of the permit must be made sent to the Director Compliance in the Department of Environment, Forest and Fisheries (DEFF).
17. The holder of the directive must maintain and implement an emergency preparedness plan and review it annually when conducting an audit, after each emergency incident and major incident. The plan must include measures to address:
 - a. Power failure
 - b. Equipment malfunctioning
 - c. Site fire
 - d. Spillages
 - e. Industrial action and

f. National disaster such as flooding

18. The plan must include contact details of the nearest police station, ambulance services and the emergency centre.
19. The holder of the directive must, within 24 hours, notify the Director of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance condition or water pollution.
20. Internal audits must be conducted by the ECO on a monthly basis by the license holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audit, which must be made available to the external auditor specified.
21. The holder of the directive must appoint an experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the EMPr.
22. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of GN R.982.
23. The environmental audit report must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the Directive conditions.
24. All documentation e.g. audit/monitoring/compliance reports and notifications, are required to be submitted to the Department in terms of this directive, must be submitted to the *Director: Compliance Monitoring* at the Department.
25. Records relating to monitoring and auditing must be made available for inspection to any relevant and competent authority in respect of this development.
26. The commencement of the activity should occur within the disaster declaration period. If commencement of the activity does not occur within that period, the directive lapses and a new

- application for a normal EIA process for authorisation must be made in order for the activity to be undertaken.
27. Transgressions of any condition of this license could result in the licence being withdrawn by the Department.
 28. A permit must be obtained from a relevant nature conservation agency for removal or destruction of indigenous protected and endangered plant and animal species.
 29. Copies of all permits required must be submitted to the Department for record keeping.
 30. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
 31. The applicant is required to inform the relevant provincial authority and this Department should the removal of protected species, medicinal plants and "data deficient" plant species be required.
 32. Vegetation clearing must be kept to an absolute minimum. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species.
 33. Construction must include appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not impede natural surface and subsurface flows. Drainage measures must promote dissipation of storm water run-off.
 34. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill licensed in terms of section 20 (b) of the National Environmental Management Waste Act, 200 (Act 59 of 2008).
 35. The holder of the directive must ensure that the mitigation/rehabilitation measures are implemented and to ensure compliance with the provisions of the Directive during the repairs works.
 36. The holder of the directive must submit a final environmental audit report to the department within 30 days of completion of the construction and rehabilitation activities.

37. Should the activity ever cease or become redundant, the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at a time.
38. A copy of this Directive must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the directive who works or undertakes work at property.
39. The holder of the directive must notify the Department: Director: Compliance Monitoring at the Department, in writing and within 48 (forty eight) hours, if any condition of this directive cannot be or is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
40. A telephonic or written notice must be given to the department that the activity's operational phases will commence.
41. National government, provincial government, local authorities or committees appointed in terms of the conditions of this directive or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of directive as set out in this document or any other subsequent document emanating from these conditions of directive.

Acknowledgement of Receipt:

Signed by A. J. Pramp

On behalf of the company KARPOVOESHIP SA. Pty LTD

On this 16 day of July 2020, at BANUTO

Signature [Signature]