

THE ESTABLISHMENT OF AN APPROVED LIST FOR THE PROVISION OF REMEDIATION AND REHABILITATION OF ENVIRONMENTAL INCIDENTS/ SPILLAGES SERVICES AT TRANSNET PIPELINES FACILITIES (DEPOTS AND PUMP STATIONS) AND THE PIPELINE NETWORK, ON AN AS AND WHEN REQUIRED BASIS FOR A PERIOD OF THREE YEARS

SCOPE OF WORK

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1 GENERAL DESCRIPTION OF THE SERVICES

1.1 EMPLOYER'S OBJECTIVES

The Employer's objective is to enter into a Framework Agreement (FA) to form a panel of remediation & remediation contractors who would be called upon to tender for the Remediation and Rehabilitation activities associated with contaminated land.

The Employer's specific/ main objective is to Remediate and Rehabilitate sites along the pipeline route and at the TPL Operational Facilities that have been contaminated during an incident in order to return the site to as close as possible to its pre-contaminated condition. Therefore, Transnet Pipelines desires to develop a Framework of Contractors who are experienced and competent in the field of Remediation and Rehabilitation of contaminated land .

The Contractors may be required to work together with a TPL appointed Contaminated Land Remediation Specialist who has undertaken a Risk Assessment of the site and developed the Remediation Action Plan, Remedial Objectives and associated criteria to remediate and rehabilitate the site/s.

1.2 BACKGROUND

Transnet Pipelines, a division of Transnet SOC Limited, owns, operates and maintains approximately 3 586km of underground liquid and gas pipelines traversing Kwa-Zulu Natal, Gauteng, Free State, Mpumalanga and North West Provinces. The pipelines contain various petroleum products such as Crude Oil, Aviation Turbine Fuel (Avtur), Petrol, Diesel and other partially refined products as well as Methane Rich Gas. Refer to Figure 1.

TPL has a number of operational facilities (Depots, Pump Stations and Workshops) located along the pipeline route. These sites are named as follows: Airport, Alrode, Alrode Workshop, Amanzimtoti, Bethlehem, Coalbrook, Durban, Duzi, Fort Mistake, Hillcrest, Hilltop, Howick, Island View Terminal, Jameson Park Terminal and Pump Station, Kendal, Klerksdorp, Kroonstad, Ladysmith, Langlaagte, Magdala, Mooi River, Quagga, Rustenburg, Sasolburg, Secunda, Tarlton, Twini, Villiers, Warden, Waltloo, Wilge and Witbank.

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Transnet Pipelines is currently experiencing a spate of fuel theft from its pipeline network that in some instances result in contamination and a potential risk to human health and the environment.. TPL is responsible to contain, recover, remediate and rehabilitate the impacted areas to as close as is reasonably practicable to its original state.

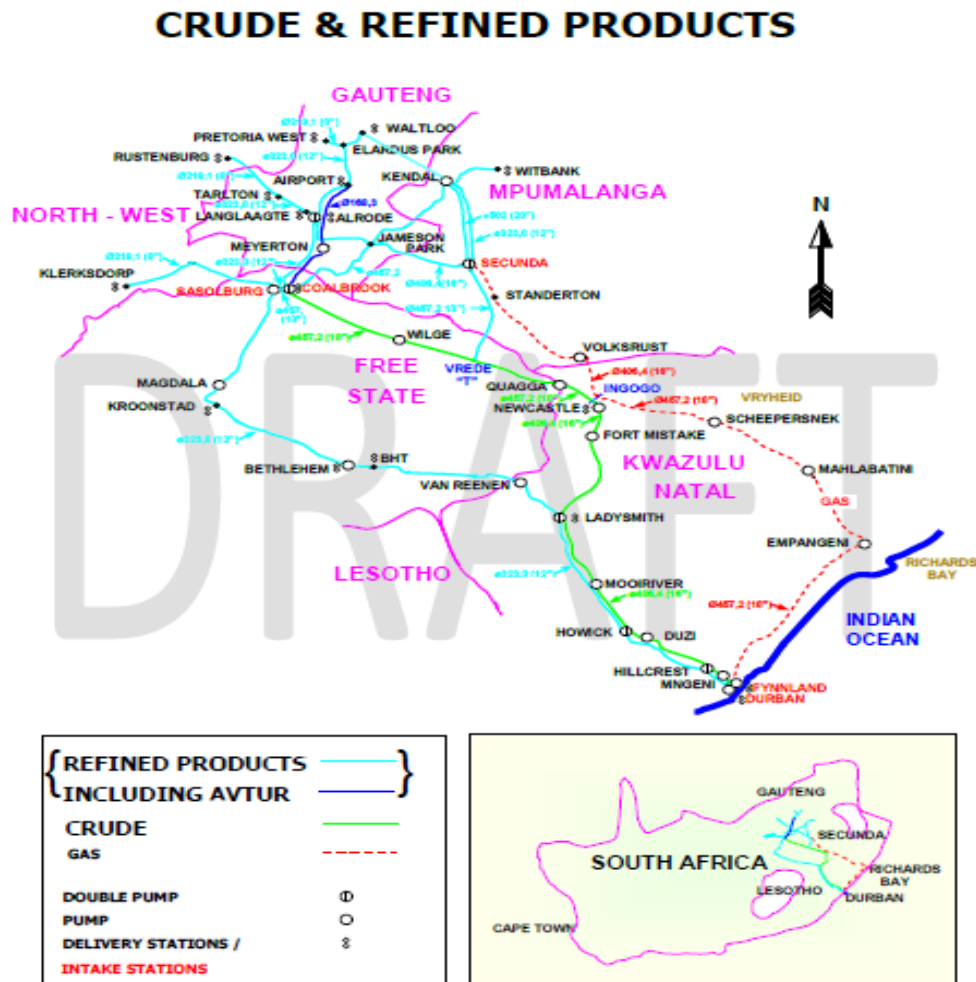


Figure 1. Transnet Pipeline Network

1.3 PURPOSE

The purpose of this document is to outline the general Scope of Work that may be required to be conducted by the Remediation Contractor for the Remediation and Rehabilitation to be undertaken to restore the impacted site to as close as is reasonably practicable to its pre-contamination condition in a cost effective and sustainable manner.

The intention of the *Employer* is to create a framework of approved contractors that, on a site by site basis, will be called upon to tender on a site specific scope of work as defined by the *Employer*.

Transnet acknowledges its responsibility in terms of the Constitution of the Republic 1996, the National Environmental Management Act, 1998 (Act No. 107 of 1998), the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and the National Water Act, 1998 (Act No. 36 of 1998) which amongst others require integrated environmental management and promotion of public consultation and participation.

TPL is committed to ensuring that the Remediation and Rehabilitation of the contaminated sites is undertaken in a sustainably responsible manner and that all significant environmental and human health risks are sufficiently mitigated and managed to reduce the risk to an acceptable level.

To this end, the *Employer* seeks to appoint a Remediation and Rehabilitation Contractor with relevant knowledge, competence and experience to provide specialist services that will ultimately:

- a) Remediate the site in accordance with the Remediation Action Plan developed by the TPL appointed Contaminated Land Remediation Specialist
- b) Provide detailed documented procedures to achieve the remediation objective/s developed by the TPL appointed Contaminated Land Remediation Specialist.
- c) Validate and reinstate the property to its previous use prior to the contamination
- d) Minimise disruption and impacts to surrounding landowners, communities and the environment

2. ABBREVIATIONS

The following abbreviations are used in this document:

Abbreviation	Meaning given to the abbreviation
BAT	Best Available Technology
DEFF	Department of Environment, Forestry and Fisheries
ECC	Engineering and Construction Contract
EMP	Environmental Management Plan
GPS	Global Positioning System
HSE	Health, Safety, and the Environment
HSMP	Health & Safety Management Plan
KPI	Key Performance Indicator
NEC	New Engineering Contract
NEMA	National Environmental Management Act, 1998 (Act No. 107 of 1998)
NEM:WA	National Environmental Management Waste Act, 2008 (No. 59 of 2008)
NWA	National Water Act, 1998 (Act No. 36 of 1998)
OHSA	Occupational Health and Safety Act, 1993 (Act No. 85 of 1993)
PPE	Personal Protective Equipment
RAP	Remediation Action Plan
SABS	South African Bureau of Standards
SANS	South African National Standard
TPL	Transnet Pipelines

3. DEFINITIONS

3.1 REMEDIATION

Remediation is defined in the DEFF Framework for the Management of Contaminated Land (2010) as the management of a contaminated site, to prevent minimise or mitigate damage to human health or the environment. Remediation may include both direct physical actions (e.g. removal, destruction and containment of contaminants) and institutional controls.

3.2 REHABILITATION

Land rehabilitation is a process of restoration to bring an area of land back to its natural state after it has been damaged or degraded, making it safe for wildlife and flora as well as humans. Land rehabilitation is often carried out in response to a man-made (i.e. agricultural or industrial) degradation of land (<https://www.investopedia.com/terms/l/landrehabilitation.asp>. Accessed 2 October 2020)

4. DESCRIPTION OF SERVICES

The *Employer* is committed to ensuring that the Remediation and Rehabilitation is undertaken sustainably; in a responsible manner; and that all environmental and human health risks are identified and sufficiently managed to avoid and/or minimise the impacts associated with a contamination incident.

A need therefore exists to Remediate and Rehabilitate all contaminated sites in order to reduce the risk to human health and the environment and to restore the site as close to its original state as practicable.

The site-specific scope of works required under this Master Service Agreement will be detailed in the Remedial Action Plan which will be provided by the TPL appointed Contaminated Land Remediation Specialist through the *Employer*.

4.1 SCOPE OF WORK REQUIRED

The scope of work shall typically include, but not be limited to, the following:

- Remediate and rehabilitate sites contaminated by hydrocarbon material using the approach/methodology which is environmentally and economically sustainable.
- Perform and fulfil the role of Principal Contractor as defined by the OHS Act 1993;
- Prepare and submit a Site Specific Health & Safety Management Plan for endorsement by the *Employer* prior to the commencement of work;
- Prepare and submit a Site Specific Environmental Management Plan (EMP) for endorsement by the *Employer* prior to commencement of work;
- Prepare a Quality Assurance and Control monitoring plan that will ensure compliance to the Remediation Plan.
- Prepare and submit a Remediation and Audit Plan to detail the remediation methodology for endorsement prior to commencement of works;
- Complete underground service searches for buried infrastructure and manage the services throughout the works;
- Establish all required equipment and amenities on site to undertake the work;
- Undertake remediation, audit and reinstatement works in accordance with the Remediation and Audit Plan;
- Prepare an Audit Report that concludes that the site has been remediated to a standard suitable for current and future use.
- Preparation of required reports, plans and procedures.

- Supervision of all site activities by the Contractor's team and appointed sub-contractors on site
- Ensure that all relevant legislation is taken into consideration, and that plans and procedures are aligned with these where required.
- The Contractor shall be responsible for overall project management to ensure that activities are undertaken within the required timeframes and cost for completion, that services and reports are of good quality and that all deliverables as set out are met.
- Project management shall include as a minimum the following where relevant:
 - ✓ Project planning and management of all project tasks and deliverables;
 - ✓ Hold project planning and coordination meetings;
 - ✓ Submit project progress reports to the *Employer* at monthly intervals to be agreed with the *Employer*;
 - ✓ Attend and take minutes of the Contractor's formal project progress meetings with the *Employer*;
 - ✓ Draw up and revise the project programmes, when necessary, for submission and approval by the *Employer*;
 - ✓ Provide all required Reports;
 - ✓ Liaise with *Employer*.
 - ✓ Undertake all necessary work to Remediate the site with the required technology and methodology;
 - ✓ Remediate and Rehabilitate the site within acceptable levels of quality, timelines and cost to the *Employer's* satisfaction;
 - ✓ Remediate and Rehabilitate the site including all necessary work to meet the required Remediation Objectives and Criteria as stipulated by the TPL appointed Contaminated Land Remediation Specialist;
- Provide the required remediation technology to meet the Remediation Objectives/Criteria, Targets and Key Performance Indicators that ensure the site will be suitable for its current or future land-use that will pose acceptable risk to human health or the environment either on-site or off-site.
- The remediation and rehabilitation works must allow for a Site Audit Report that declares the property suitable for its intended use
- Provide the required safeguards and contingency for safe implementation of all remedial activities.
- Comply with the Quality Assurance and Control monitoring plan that will ensure compliance to the Remediation Plan.

- Identify and obtain all relevant approvals, permits and/or licenses required by the regulatory authorities to undertake the remediation and rehabilitation activities;.
- Strict adherence to the Environmental Management Plan (EMP) developed by the TPL appointed Contaminated Land Remediation Specialist for the Remediation and Rehabilitation work.
- Provide all the required resources (equipment, tools, and workforce) to Remediate and Rehabilitate the site.

4.2 MONTHLY REPORTS

The Contractor shall submit a Monthly Progress Report for the duration of the project detailing the following:

- Progress against Schedule
- Risks associated with the project, risk mitigation plans and progress on the implementation of the mitigation plans
- Explanation of project delays and methods to catch up

4.3 CONTRACTORS REMEDIATION & REHABILITATION CLOSE OUT REPORT

The Project Close-Out must be sufficiently detailed to ensure that it can be presented to the Authorities for acceptance and approval of the Close-Out application. This report will be compiled by the Contractor, with the requisite support and input from the *Employer*.

The Project Close-Out Report must contain the following:

- Executive Summary
- Introduction
- Description of the Risks associated with the Remediation
- Remediation Action Plan
- Remediation Objectives, Targets and Key Performance Indicators
- Permits, Licenses and Authorisations such as waste disposal sites and waste treatment facilities.
- Environmental Management Plan
- Audit Reports
- Conclusions
- Recommendations



5. STAKEHOLDER ENGAGEMENT

The Contractor shall be required to engage/involve and obtain input from all relevant stakeholders when:

- Undertaking Risk and other Assessments specified above
- Obtaining access to property, infrastructure and so forth

Key Stakeholders to be consulted include but are not limited to:

- Department of Environment, Forestry and Fisheries (DEFF);
- The Community
- Landowners
- Authorities

6. REMEDIATION AND REHABILITATION CONTRACTOR TEAM REQUIREMENTS

The Contractor's team requirements are as follows:

- The key personnel (i.e. Project Manager, Site Agent/Foreman, SHE Officer) of the Contractor should have at least five (5) years relevant experience in undertaking such works as detailed in 4.1 above.
- Any sub-consultants or specialists contracted by the appointed Contractor to undertake work on their behalf should have at least five (5) years' relevant experience in their respective fields of specialisation as well as the relevant recognised certification.

The tender submission should, as a minimum:

- Clearly demonstrate experience in undertaking similar work (remediation of land contaminated with hazardous chemical substances) and should at have at least completed 5 projects within the past 7 years' period. The contractor should provide the following information for each project that was undertaken (i.e. Client name, nature of contamination, extent of contamination, methodology used to remediate the site). Include a list of References with contact details of sites that have been Remediated and/or Rehabilitated by the Contractor.
- Provide a detailed team profile (CV's which provide information on their specific functions, project which they were involved in previously and Qualifications), including a table stipulating the resources that could fulfil the role of *Project Manager*, Site Agent/Foreman and SHE Officer indicating roles and responsibilities.
- SHEQ Plan
- Quality Policy
- Environmental Policy
- Health & Safety Policy

7. TECHNICAL REQUIREMENTS

The Contractor in the provision of services shall observe all relevant statutes, by-laws and associated regulations, applicable standards published by the South African Bureau of Standards, the International Organization for Standardisation or learned societies and standards of professional conduct, and “best practice”, as laid down, or recommended, by their respective professional associations, if any.



8. OWNERSHIP OF DATA, DESIGNS AND DOCUMENTS

The Parties shall agree that copyright in the data, design and documents shall, after payments by the *Employer* of the services to the Remediation Contractor, lie with the Employer subject to the *Employer's* indemnification against any claim from any party that may arise as a result of the *Employer's* use of such a document due to the Contractors infringement of copyright.