

ENVIRONMENTAL AUTHORISATION AND COMPLIANCE

1. Environmental Scope of Work for Rand Water Contractors – Compliance Monitoring

The National Environmental Management Act 107 of 1998, National Water Act 38 of 1998 and National Heritage Resources Act, 1999 (Act No. 25 of 1999), requires authorisation as per relevant listed activities. These activities pertain to certain infrastructure development projects being implemented within the Republic of South Africa. Furthermore, the regulations requires that independent Environmental Assessment Practitioners (EAP) be appointed to undertake environmental authorisation and conduct scheduled legislative compliance monitoring which includes auditing.

The proposed construction of Sebokeng wastewater treatment works: module 7 and the integration of modules 3,4,5, & 6 – civil works triggers an environmental authorisation, water use licence as well as a heritage permit. In terms of records the waste management license was issued in 2012, and is valid for 20 years (2032), There is no Water Use License in place in terms of the National Water Act, 36 of 1998 and the contractor will have to acquire it if it is required. However the contractor need to acquire a heritage permit in terms of Heritage Resources Act, 25 of 1999.

Should the contractor deviate from the approved Scope of work, an EAP should be appointed to undertake the obtaining of the necessary environmental authorisation/license and permits.

2. The scope of work for the Environmental Assessment Practitioners (EAP) shall include but not limited to the following:

- Conducting environmental impact assessment process through the completion of project meetings for the duration of the project, and a comprehensive program plus inception meeting with authorities.
- Compilation of background information report to Rand Water: including desktop and field assessment results and confirmation of the legislative requirements.
- Conducting full public participation process as per the NEMA guidelines (inclusive of site notices, newspaper advert, Background Information Documents (BID), Interested and Parties (IAP's) notification letters, Compilation of AIP database, circulation of reports to IAPs, Public meetings etc.)
- Convening focus group meetings for public participation (Inclusive of venue and notifications).

- Development of an Environmental Management Programme (EMPr) in line with the legislative requirements and inclusion of specialist recommendations.
- Compilation and submission of the EIA Application forms to the relevant competent authorities.
- Compilation and submission of the draft EIA and final EIA to the relevant competent authorities.
- Follow up with the authorities until all documents applied for are received.
- Environmental Authorisation newspaper advert and notifications to all I&AP's.

3. Specialist Studies

- Ecological impact assessment, mitigation measures and recommendations (fauna & flora report).
- Phase one heritage impact assessment, mitigation measures and recommendations.
- Phase two heritage impact assessment, mitigation measures and recommendations (if required).
- Paleontological study (if required by the authorities).
- Humans remain relocated i.e., graves (including permit application for relocation).
- Visual Impact assessment report (if required).
- Ridge impact Assessment report (if required).
- Agricultural potential report (if required).
- Wetland delineation study.
- Aviation impact assessment (if required).

4. Full Water Use License (EAP is expected to provide all documents as required by the EWULA system)

- Compilation of Section 27 motivation.
- Compilation of a detailed rehabilitation plan for each water use.
- Compilation of Master plans for each water use as per DWA's requirements.
- Compilation of Storm water management plan covering the whole route, including water courses.
- 1:50 and 1:100-year floodlines.
- Modification of method statement supplied by Rand Water.
- Compilation of WULA forms.
- Additional studies (only if required by the department).
- EMP for watercourses
- Geohydrological studies (if required)
- Submission of Geotech report to CGS for review and comments (if required)

5. Pre-construction and construction Activities - Contractor

- The contractor to submit an environmental file for approval by the Rand Water ECO 14 days before commencement of construction activities (based on RW's environmental file approval checklist).
- The contractor must appoint a fulltime Site Environmental Officer (SEO) for the duration of the project with a recognised environmental science/management qualification (Diploma/Degree) and experience (3-4 years) in managing environmental compliance on a construction projects.
- The contractor must identify fauna specialists (e.g. bees, snakes, birds etc.) for the project to be on standby to assist with rescuing should any fauna be identified during implementation of the project. The identified specialist's contact information to form part of the site emergency contact list.

- The contractor must identify the possible site camp area which will be assessed by the Rand Water ECO for approval before site establishment.
- The contractor must identify a landfill site for disposal of waste (general) for the duration of the project.
- The contractor must identify a registered service provider for collection of hazardous waste.
- The contractor must identify a source of drinking water, water for dust suppression and electricity for the duration of the project.
- The contractor must identify a registered service provider for the providing and servicing of ablution facilities for the site.

6. Environmental Officer responsibilities

- Site Environmental Officer (SEO) must continuously induct the newly appointed construction staff and conduct weekly environmental awareness on site.
- The appointed Site Environmental Officer to ensure enforcement of the EA, WUL and EMPr conditions daily on site through site inspections.
- Site Environmental Officer (SEO) must report weekly on progress of closing the environmental findings as reported by the Rand Water ECO.
- The appointed Site Environmental Officer must report and investigate on all environmental incidents on site and ensure that corrective measures are implemented as required.
- The appointed Site Environmental Officer must ensure continuous update of the environmental file on site.
- The Site Environmental Officer must ensure that all environmental incidents are reported to the Rand Water ECO within 24 hours.
- Site Environmental Officer must generate records of all properties to be affected by the project by taking before pictures using an App/camera that captures property details (e.g. date, time, address etc.).

7. Reinstatement Phase- Contractor

- Contractor must ensure that all excessive materials (e.g. soil) and construction waste (e.g. boulders) are removed from site for proper disposal at a registered landfill site.
- The contractor shall ensure that all affected properties are reinstated back to the original state (unless there are formal arrangements with the property owner). This includes roads, walls, gardens (only on new servitudes), fencing etc.

- The contractor shall ensure that topsoil is reinstated in all areas that were affected by construction and the harden surfaces are loosened (ripped) across the slope) to prepare the site for rehabilitation.
- The contractor must ensure compliance to the project authorization (s), specific EMP, and search and rescue of flora, fauna and heritage procedure, through effective implementation of the documents referenced below.

8. Site Closure- Contractor

- The appointed Site Environmental Officer to ensure that the updated environmental file is scanned into a USB and submitted to Rand Water (both the hard (1) and soft (1) copies).
- The contractor shall ensure that all the “happy letters”/sign off letters (including deviation arrangements communications) from the affected property owners are scanned and send to Rand Water on email.

9. On site inspection and audits

The Rand Water ECO will be on site at random times. The ECO must be accompanied by a site environmental officer for site inspection and or audits. Rand Water ECO's roles and responsibilities include, but are not limited to the following:

- Review of the Environmental Authorisation, Environmental Management Plan and Water Use License prior to commencement with compliance monitoring/audits.
- Monitor and verify compliance with conditions set out in the environmental authorisation, Environmental Management Plan and water use license issued for the project under implementation.
- Monitor and verify compliance with all conditions and mitigation measures of the approved Environmental Management Plan (EMP).
- Reporting to the authorities on the frequency stipulated on the EMP or authorisations.
- Advising the applicant and the site supervisor about the interpretation, implementation, and enforcement of the EMP.

10. Implementation of Penalties

- Non-conformance not addressed as per the agreed time frames will result in the issuance of a penalty.
- The environmental penalties will be administered as stipulated within the project EMP and the tender contract.

- The Rand Water ECO will recommend penalties on non-conformances that are not addressed as per the agreed time frames which will be approved by the Project Manager and send to the contractor for acknowledgement. The Project Manager will then implement the penalty by deducting the penalty funds from the contractor's payment certificate.
- The values for penalties may differ according to the EMPr and the tender contract.

The contractor must ensure compliance to the project authorization (s) and specific EMPr and incase where the project is not authorized the contractor must use the below referenced mentioned Rand Water document that outlines the specific Environmental requirements on the project.

References:

- *SAM EAC 00001 Ge (Generic Environmental Management Programme for Construction)*
- *SAM EAC 00003 PR (Search and Rescue of Fauna, Flora And Heritage Resources procedure)*
- *Relevant Environmental permits/authorisations/licences*