	Procedure	Medupi Power Station Project
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Title: Environmental Legal and Other Requirements Procedure

Document Identifier:

PPZ 200-73977

Alternative Reference Number:

Area of Applicability:

Medupi Power Station Project

Functional Area:

Environmental Management

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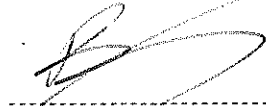
QA, Interface & Governance Review

Functional Responsibility

Authorized by



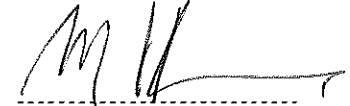
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Date: 20/05/2019

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## 1. Introduction

The environmental legal and other requirements, to which Medupi Power Station Project Site must comply, provide the baseline criteria for sound environmental management practices.

### 1.1 Supporting Clauses

### 1.2 Purpose

The purpose of the procedure is to describe the procedure to be followed in order to identify, have access to, and determine the applicability of legal and other requirements that are relevant to the environmental aspects and impacts of Medupi Power Station Project Site's activities, products or services.

### 1.3 Applicability

This document shall apply throughout Medupi Power Station Construction activities, excluding activities handed over to the client, Generation.

### 1.4 Effective date

Authorisation date will be the effective date

## 2. Normative/Informative References

### 2.1 Normative

Document Title	Document Number
Execution Plan	200 5919
Project Quality Plan	200 1679
Development and Change of Medupi QMS Documents	PPZ 200 5665
Document Management Procedure	PPZ 200 1680
Legal and other requirements and evaluation of compliance	39-53
Handling of Environmental Non-conformities and Corrective and Preventative Action	200-38426
List of License, Permits, Certificates and Servitudes	200-90642
Environmental External Communication Register	200-206879

### 2.2 Informative

- ISO 9001:2015
- ISO 14001:2015
- ISO 18001:2007

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## 2.3 Definitions

Term	Definition
Activity	An action either planned, actual (existing) or historical, that occurs or is performed by employees on behalf of the company.
Contractor	An employer who performs construction work and includes principal contractors. Contracted companies are specifically viewed as employers in their own right, as per the OHSAct.
Discipline	A functional responsibility allocated to an Environmental officer based on plant area and responsible contractors.
Environment	The surrounding in which humans exist that is made up of: the earth's land, water and atmosphere, micro-organisms, plant and animal life, any part or combination of (i) and (ii) and the interrelationship among and between them and the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well being
Employee	An individual in the full-time or part-time / occasional employ of Medupi Power Station Project Team
Environmental aspect	An element of an organisation's activity, product and service that can have a beneficial or adverse impact on the environment.
Environmental impact	The degree of change in the environment resulting from the effect of an activity on the environment, whether desirable or undesirable.
Legal requirements	Laws which include National Acts, Provincial (i.e. Limpopo) Ordinances, District/Regional (Waterberg District Municipality) and Local (Lephalale Municipality) Municipal By-laws, as well as all relevant associated regulations, permits licences and written notifications, to which the Site must comply.
Other requirements	Obligations which are not legislated, to which the Site must comply. They include standards and management systems, forum/association agreements, relevant Corporate policies and procedures, relevant Site specific policies and procedures, as well as any relevant guidelines and manuals to which the Site subscribes.
Service provider	Any private to public company that provides services or goods to Eskom for a fee(e.g. supplier, contractors, consultants etc.)

## 2.4 Abbreviations

Abbreviation or Acronym	Description
Doc. Man. Team	Medupi Project's Documentation Management Team
HSE	Health, Safety and Environment
EMS	Environmental Management System
EMP	Environmental Management Plan or Programme
TM	Team Medupi
OHSAct	Occupational Health and Safety Act, No. 85 of 19
ECO	Environmental Control Officer

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WMCO	Waste Management Control Officer
PCAR	Preventative and Corrective Action Request

## 2.5 Roles and Responsibilities

Eskom head office is responsible for:

- Identifying and maintaining a register(Electronic database) of all legal and other requirements at an international, national, provincial and local level;
- Periodically reviewing the Eskom Legal Database which contains legal and other requirements information, to ensure that it is up to date.

Medupi Power Station Project Site Environmental Department will be responsible for:

- Maintaining a permits and authorisation register;
- Ensuring access is maintained to the legal database and other requirements register;
- Assessing legal and other requirements information/updates for relevancy to the Project's environmental aspects by liaising with Head Office legal expertise or engaging legal consultant services, when required;
- Ensuring that relevant legal and other requirements are communicated to those to whom it is applicable;
- Facilitating, in conjunction with Head Office, a periodic (not longer than five years apart) legal and other requirements compliance evaluation of the Project's Legal and Other Requirements Register.

## 2.6 Related/Supporting Documents

The following quality records are utilised to record necessary process data required to verify process conformity:

- Eskom (head office) electronic legal and other requirements database
- Medupi Construction Project's Legal and Other Requirements Evaluation Reports
- Self-Assessment Records

The revision status of Medupi project Quality Record templates is defined in the Medupi QMS Index LRD 200 – 47329 maintained by Medupi Quality Dept.

Retention and storage of records generated as a result of this document shall follow the process defined in the Procedure 200-1680 "Document & Records Management".

## 3. Procedure

- The Project's Legal Register is compiled and updated by an external service provider and consists of all relevant environmental Legislation.
- Other Requirements (e.g. SANS Standards and corporate procedures) to which the Project subscribes are found on the Eskom Intranet Database.
- This legal register is updated as and when required.
- Should any employee or contractor on Medupi Power Station Project Site require access to specific legal or other requirements, they should contact the TM Environmental Department
- The Project's Legal Register and Other Requirements Information is available with each Environmental Practitioner as well as the Environmental Manager.

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- The Eskom Legal and Other Requirements Register/Database can be accessed thorough Eskom website and service provider's website.
- Actual site specific environmental legal and other requirements (e.g. Environmental Authorisations and/or EMP's) can also be found on Medupi's electronic documentation system (e.g. Hyperwave). Due to the changing nature of the site, availability at points of use is limited to the Medupi Environmental Department or Contractor specific Environmental Personnel.

### 3.1 Evaluation of compliance

- A legal compliance evaluation is conducted at least every five years to ensure the organisations compliance with legal and other requirements that may be applicable.
- Escalations of overdue findings are handled according to the Group Capital Division SHE Audit Management Procedure, 39-33.
- The Medupi Record of Decision (RoD) (Ref: 12/12/20/695) section 3.2.4 and various subsequent ROD's require the Medupi Environmental Monitoring Committee (EMC), in conjunction with the developer, to appoint a suitably qualified Environmental Control Officer (ECO) who would on behalf of the EMC, on a daily basis monitor the project compliance with conditions of the Record of Decision, environmental legislation and recommendations of the Environmental Management Plan (EMP). The ECO will monitor compliance by conducting regular inspections and audits onsite.
- Any other compliance may also be assessed through site inspections and routine sampling.
- Non-compliances are reported and managed in accordance with Handling of Environmental non-conformities and Corrective and Preventative Action (200-38426).
- Non-compliance with legal and other requirements may be discussed and/or addressed at the relevant site meetings/forums.
- Medupi legal and other requirements assessment results and trends are tabled at the relevant site meetings/forums.

## 4. Records

The following quality records are utilised to record necessary process data required to verify process conformity:

- Eskom (head office) electronic legal and other requirements database
- Medupi Construction Project's Legal and Other Requirements Evaluation Reports

The revision status of Medupi project Quality Record templates is defined in the Medupi QMS Index LRD 200 – 47329 maintained by Medupi Quality Dept.

Retention and storage of records generated as a result of this document shall follow the process defined in the Procedure 200-1681 "Control of Records".

## 5. Process for Monitoring

### 5.1 Key Performance Areas and Indicators

The following Key Performance Areas / Indicators (KPA's / KPIs) shall be measured, analysed and reported. The Process Owner shall be accountable, and assign the responsibility at the frequency as indicated below, documented as part of the QMS measurement, analysis and improvement initiative.

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Table 1: KPAs/KPIs

Key Performance Area	Key Performance Indicator	Measure Frequency	Responsibility	Records
Legal register	Current/Updated Legal Register available	As required	Emile Marell	Updated Legal Register
Legal compliance	Legal Compliance Assessment Report	Atleast Five yearly	Emile Marell	Final Legal Compliance Report
Document Control	Retain and store documents in accordance with Procedure 200-1681 "Control of Records".	As records are generated	Mumsy Boshomane	All documented records generated as a result of this document
Revision of document	Revision requirements in line with Medupi Procedures PPZ 200 5665 "Development and Change of Medupi QMS Documents" and PPZ 200 1680 "Document Control"	Three yearly or as required	Emile Marell	New revised document

## 5.2 Document Review and Self-Assessment

### 5.2.1 Document Self-Assessment

The "Process Owner" identified on the front page of this document along with departmental personnel and the project QMS Engineer shall undertake a "self-check" review of the process defined in this document at six monthly intervals, commencing from the effective date of this document, to check:

- the process / procedure operational integrity
- process efficiency
- the level of stakeholder knowledge and implementation.

Participants and results of the "self-check" review shall be documented by the Process Owner in the "Self-Assessment Checklist" (*QMS Template No. QMS PTZ 200 - 75592*) included as an Appendix to this procedure which shall be issued to [medupiga@eskom.co.za](mailto:medupiga@eskom.co.za) by the Process Owner once completed.

Process Owner shall proceed with any revision requirements in line with Medupi Procedures

PPZ 200 5665 "Development and Change of Medupi QMS Documents" and PPZ 200 1680 "Document and Record Management"

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### 5.2.2 Revision Period

All QMS documents shall undergo a compulsory three yearly revision.

### 5.3 Training Requirements

- Use of Legal Register for Environmental Personnel

### 5.4 Acceptance

This document has been seen and accepted by:

Name	Designation
E Marell	Environmental Manager
B Mgidlana	Quality Manager
B Janse Van Rensburg	Senior Construction Manager
P Dukashe	General Manager Group Capital-Medupi

### 6. Revisions

Date	Rev.	Compiler	Remarks
2019/05/13	06	M. Boshomane	Annual review for continual improvement
2018/02/10	05	M Boshomane	Annual Review including new ISO 14001:2015 changes and Assurance audit findings
2015/10/25	04	L Ramono	Revision following ISO 14001 External audit
2014/04/22	03	N Nengobela	Annual Review

### 7. Development Team

The following people were involved in the development of this document:

- M Boshomane
- M Sebonego
- E Marell

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## Appendix A – Process Self-Assessment Checklist

Discipline: Environmental Management		Applicable Document No.: PPZ 200 – 73977 Rev 05		Self Assessment Date: / /		
Item No	Ref Section	Self-Assessment Question	Compliant		Comment	
			Yes	Part	No	
1	5.2	Do all Environmental Practitioners have access to the Legal database?				
2	5.2	Is the legal register updated at least every 18 months?				
3	5.2	Is the access to the Eskom intranet database known by the relevant people?				
4	5.3	Has a legal compliance evaluation been conducted every 3 years?				
5	5.3	Has the necessary corrective action been taken for any non-conformance (200-38426)?				
6	5.3	Have internal and external compliance evaluations been undertaken as per 39-33?				
8	5.3	Have the Medupi legal and other requirements assessment results and trends been tabled at the relevant site meetings/forums?				
9	5.3	Does the ECO monitor compliance by conducting regular inspections and audits onsite?				
Comments						

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Environmental Legal and Other Requirements Procedure

Unique Identifier: 200-73977

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Self-Assessment by:	Name:	Position:	Revision Required? (Yes / No)	Planned Revision Date:
Attendees:				

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