

21 September 2026

ESK-DUV-23-11-01

EA no: 14/12/16/3/3/1/3206

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NOTIFICATION OF ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED REINSTATEMENT OF THE LOW-LEVEL DAM SPILLWAY AND CONSTRUCTION OF WEIR STRUCTURE AT DUVHA POWER STATION, NEAR WITBANK TOWN, WITHIN EMALAHLENI LOCAL MUNICIPALITY IN THE MPUMALANGA PROVINCE.

Dear registered Interested and Affected Party (I&AP)

Notice is hereby given in terms of Regulation 4(2) of the National Environmental Management Act ("NEMA") (Act 107 of 1998), Environmental Impact Assessment ("EIA") Regulations (2014 as amended) that the Department of Forestry, Fisheries and the Environment ("DFFE") has granted an Environmental Authorisation to Eskom Holdings SOC Ltd. on 16 September 2026 with EA ref no: 14/12/16/3/3/1/3206 for the proposed reinstatement of the low-level dam spillway and construction of weir structure at Duvha Power Station, near Witbank town, within Emalahleni Local Municipality in the Mpumalanga province. The reasons for the decision are included in this letter under Annexure A.

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of the Department of Forestry, Fisheries and the Environment ("DFFE"), **within 20 days from the date of this notification**, and such appeal must be lodged as prescribed in by Chapter 2 of the National Appeal Regulations of 2025, by means of the methods as per prescribed below:

Attention:	Directorate Appeals and Legal Review
Email:	appeals@dffe.gov.za
By post:	Private Bag X 447 Pretoria, 0001
By hand:	Environmental House, 473 Steve Biko Road Corner Steve Biko and Soutpansberg Street,

	Arcadia, Pretoria 0083
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Should you decide to appeal, you must comply with the National Appeal Regulations, 2025 in relation to notification of all registered interested and affected parties and the Applicant (ChaukeTL@eskom.co.za) Eskom Holdings SOC Ltd., and a courtesy copy can be sent to the EAP (Johannah@shangoni.co.za / renate@shangoni.co.za). A copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and the Environment website or requested at appeals@dffe.gov.za.

A copy of the Environmental Authorisation and the National Appeal Regulations can be furnished upon request. Should you require more information, please do not hesitate to contact us.



Renate Steffens
EAPASA (#2020/1557)

ANNEXURE A

REASON FOR THE DECISION

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- a) The listed activities as applied for in the application form received on 19 September 2025, the amended application form submitted with the final BAR dated 05 June 2026, and the email confirming the status of the final BAR received on 08 September 2026.
- b) The information contained in the final BAR dated 05 June 2026.
- c) The comments received from all interested and affected parties as included in the final BAR dated 05 June 2026.
- d) Mitigation measures as proposed in the EMPr for the proposed project as included in the final BAR dated 05 June 2026.
- e) The information contained in the specialist studies included within the appendices of the final BAR.

2. Key factors considered in making the decision

All information presented to the Department was considered in the Department's consideration of the application. A summary of the issues which, in the Departments view, were of the most significance is set out below:

- a) The findings of all specialist studies conducted and their recommended mitigation measures.
- b) The proposed reinstatement seeks to restore the spillway capacity by reinstating the of the spillway width of the spillway to 62 m.
- c) The final BAR dated 05 June 2026 identified the legislation and guidelines that have been considered in the preparation of the Basic Assessment Report.
- d) The methodology applied in assessing the potential environmental impacts, identified in the final BAR dated 05 June 2026 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the National Environmental Management Act (NEMA) EIA Regulations, 2014, as amended for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) The identification and assessment of impacts are detailed in the final BAR dated 05 June 2026, and a sufficient assessment of the key identified issues and impacts has been completed.
- b) The procedure followed for the impact assessment is adequate for the purposes of informed decision-making process.
- c) The proposed mitigation measures identified and assessed adequately curtails the identified impacts.

- d) The Environmental Management Programme (EMPr) measures for the pre-construction, construction, and rehabilitation phases were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The Environmental Authorisation is accordingly granted.