DEPARTMENT of
ENVIRONMENTAL AFFAIRS
& DEVELOPMENT PLANNING
Provincial Government of the Western Cape

ENVIRONMENTAL IMPACT ASSESSMENT GUIDELINE INFORMATION DOCUMENT SERIES

GENERIC TORS FOR EAPS AND PROJECT SCHEDULES:

ANNEXURE: GENERIC PROJECT SCHEDULES FOR BASIC ASSESSMENT AND SCOPING-EIR

AUGUST 2010

Appended to every Application Form for Environmental Authorisation (as well as an application for a Waste Management Licence and application for an Atmospheric Emissions Licence) must be a proposed project schedule that must include, *inter alia,* details of target dates for: public participation (dates for advertisements, workshops and public meetings; obtaining comment from organs of State incl. State departments); the commencement of parallel application processes required in terms of other statutes and where relevant, the alignment of these application processes with the EIA process; the submission of key documents (e.g. Basic Assessment Report or Scoping Reports and Plan of Study, and EIA Report); and planned commencement of the activity if Environmental Authorisation were to be obtained.

All of the above dates must consider the statutory timeframes for authority review and responses as stipulated in the EIA regulations. The authority might also decide that an appeal suspends an Environmental Authorisation, and as such the time necessary to decide an appeal must also be considered. Find attached herewith generic project schedules for Basic Assessment (Sheet 2); Scoping-EIA (Sheet 3); Basic Assessment where a Waste Management and/or Atmospheric Emissions Licence is also required (Sheet 4); Scoping-EIR where a Waste Management and/or Atmospheric Emissions Licence is also required (Sheet 5); & Appeals (Sheet 6).

Project Schedule for Scoping-EIR

Tasks to be performed	Number of days	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Month 8				Month 9				Month 10				Month 11				Month 12				Month 13				Month 14			
		Week				Week				Week				Week				Week				Week				Week				Week				Week				Week				Week				Week				Week				Week			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
EAP to complete Application Form and submit to Department.	7																																																								
If in order, the Department to acknowledge the application.	14																																																								
EAP to compile the draft Scoping Report (SR) (incl. the Plan of Study for EIA).	21																																																								
EAP to notify I&APs (incl. the State departments) (incl. placing notice(s) in the media) of the application as well as the availability of the draft SR.	7																																																								
Department to request comments from the State departments.	7																																																								
Commenting period of 40 days for I&APs and State departments to comment.	40																																																								
EAP to consider the comments received and complete the final SR.	14																																																								
EAP to make the final SR available to the registered I&APs for a 21-day commenting period.	21																																																								
Following the commenting period the EAP to submit the final SR together with any comments received on the final SR to the Department.	14																																																								
Department to acknowledge SR & Plan of Study for EIA.	14																																																								
If in order, the Department to accept the SR & Plan of Study for EIA.	30																																																								
EAP to undertake the EIA and compile the draft EIA Report ("EIAR") (including the draft EMP)	40																																																								
EAP to notify registered I&APs (incl. the State departments) of the availability of the draft EIAR for comment.	7																																																								
Department to request comments from the State Departments.	7																																																								
Commenting period of 40 days for I&APs and State departments.	40																																																								
EAP to consider the comments received and complete the final EIAR.	14																																																								
EAP to make the final EIAR available to the registered I&APs for a 21-day commenting period.	21																																																								
Following the commenting period the EAP to submit the final EIR together with any comments received on the final EIR to the Department.	14																																																								
Department to acknowledge EIR.	14																																																								
If in order, the Department to accept the EIR.	60																																																								
After having accepted the EIR, the Department to decide whether or not to grant or refuse Environmental Authorisation.	45																																																								
The Department to inform the applicant of its decision.	2																																																								
Applicant/EAP to notify I&APs of outcome and if authorised may only commence 20 days after the date of the authorisation.	20																																																								

Project Schedule for Basic Assessment

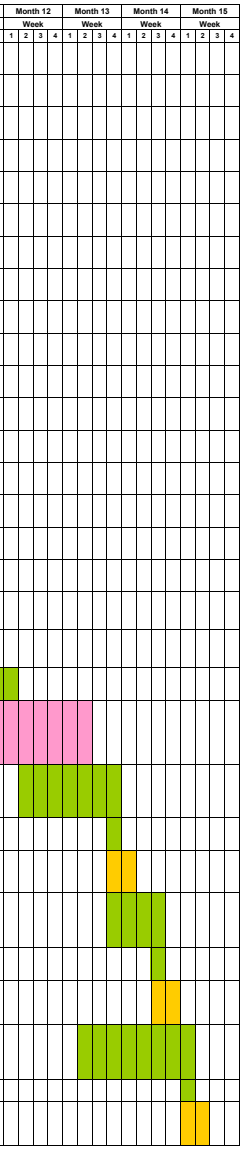
Tasks to be performed	Number of days	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7			
		Week				Week				Week				Week				Week				Week				Week			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
EAP to complete Application Form and submit to Department.	7																												
If in order, the Department to acknowledge the application.	14																												
EAP to compile the draft Basic Assessment Report (BAR) (including a draft EMP).	30																												
EAP to notify I&APs (incl. the State departments) (incl. placing notice(s) in the media) of the application as well as the availability of the draft BAR & EMP for comments.	7																												
Department to request comments from the relevant State departments.	7																												
Commenting period of 40 days for I&APs and State departments.	40																												
EAP to consider the comments received and complete the final BAR (including the final draft of the EMP).	14																												
EAP to make the final BAR (including the final draft of the EMP) available to the registered I&APs for a 21-day commenting period.	21																												
Following the commenting period the EAP to submit the BAR together with any comments received on the final BAR to the Department.	14																												
The Department to acknowledge receipt of the BAR.	14																												
If in order, the Department to accept the BAR	30																												
After having accepted the BAR, Department to decide whether or not to grant or refuse Environmental Authorisation.	30																												
The Department to inform the applicant of its decision.	2																												
Applicant/EAP to notify I&APs of outcome and if authorised may only commence 20 days after the date of the authorisation.	20																												

Project Schedule for Basic Assessment where a waste management/atmospheric emission licence is also required

Tasks to be performed	Number of days	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7				Month 8			
		Week				Week				Week				Week				Week				Week				Week				Week			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
EAP to complete Application Forms and submit to Department and Licensing Authority.	7																																
If in order, the Authorities to acknowledge the application.	14																																
EAP to compile the draft Basic Assessment Report (BAR) (including a draft EMP).	30																																
EAP to notify I&APs (incl. the State departments) (incl. placing notice(s) in the media) of the application as well as the availability of the draft BAR & EMP for comments.	7																																
Authorities to request comments from the relevant State departments.	7																																
Commenting period of 40 days for I&APs and State departments.	40																																
EAP to consider the comments received and complete the final BAR (including the final draft of the EMP).	14																																
EAP to make the final BAR (including the final draft of the EMP) available to the registered I&APs for a 21-day commenting period.	21																																
Following the commenting period the EAP to submit the BAR together with any comments received on the final BAR to the Authorities.	14																																
The Authorities to acknowledge receipt of the BAR.	14																																
If in order, the Authorities to accept the BAR	30																																
If the application is for a waste disposal facility and licence is also required in terms of the National Water Act, the Department of Water Affairs must submit a copy of the licence to the Department and Licensing Authority.	60																																
After having accepted the BAR, and after having received a copy of Water Affairs licence, the Department to decide whether or not to grant or refuse Environmental Authorisation.	30																																
The Department to inform the applicant and the licensing authority of its decision.	2																																
Applicant/EAP to notify I&APs of outcome of the authorisation application and if authorised may commence once the required licence also issued.	20																																
If a waste mangement licence must also be decided, after having accepted the BAR and having received a copy of the Water Affairs licence, and considering the decision issued by the Department, the licensing authority to decide whether or not to grant or refuse the waste management licence.	30 (waste)																																
The licensing authority to inform the applicant and the Department of its decision in terms of the waste management licence.	2																																
Applicant/EAP to notify I&APs of outcome of the licence application and if authorised and licence issued may only commence 20 days after the date of the licence.	20																																
If an atmospheric emission licence must also be decided, after having accepted the BAR and having received a copy of the Water Affairs licence, and considering the decision issued by the Department and the waste management licence, the licensing authority to decide whether or not to grant or refuse the atmospheric emission licence.	60 (air)																																
The licensing authority to inform the applicant and the Department of its decision in terms of the atmosheric emission licence.	2																																
Applicant/EAP to notify I&APs of outcome of the licence application and if authorised and licence issued may only commence 20 days after the date of the licence.	20																																

Project Schedule for Scoping-EIR, where a waste management/atmospheric emission licence is also required.

Tasks to be performed	Number of days
EAP to complete Application Forms and submit to Department and Licensing Authority.	7
If in order, the Authorities to acknowledge the application.	14
EAP to compile the draft Scoping Report (SR) (incl. the Plan of Study for EIA).	21
EAP to notify I&APs (incl. the State departments) (incl. placing notice(s) in the media) of the application as well as the availability of the draft SR.	7
Authorities to request comments from the State departments.	7
Commenting period of 40 days for I&APs and State departments to comment.	40
EAP to consider the comments received and complete the final SR.	14
EAP to make the final SR available to the registered I&APs for a 21-day commenting period.	21
Following the commenting period the EAP to submit the final SR together with any comments received on the final SR to the Authorities.	14
Department to acknowledge SR & Plan of Study for EIA.	14
If in order, the Authorities to accept the SR & Plan of Study for EIA.	30
EAP to undertake the EIA and compile the draft EIA Report ("EIAR") (including the draft EMP)	40
EAP to notify registered I&APs (incl. the State departments) of the availability of the draft EIAR for comment.	7
Authorities to request comments from the State Departments.	7
Commenting period of 40 days for I&APs and State departments.	40
EAP to consider the comments received and complete the final EIAR.	14
EAP to make the final EIAR available to the registered I&APs for a 21-day commenting period.	21
Following the commenting period the EAP to submit the final EIR together with any comments received on the final EIR to the Authorities.	14
Department to acknowledge EIR.	14
If in order, the Authorities to accept the EIR.	60
If the application is for a waste disposal facility and licence is also required in terms of the National Water Act, the Department of Water Affairs must submit a copy of the licence to the Department and Licensing Authority.	60
After having accepted the EIR, and after having received a copy of Water Affairs licence, the Department to decide whether or not to grant or refuse Environmental Authorisation.	45
The Department to inform the applicant of its decision.	2
Applicant/EAP to notify I&APs of outcome authorisation application and if authorised may only commence 20 days after the date the required licence is issued.	12
If a waste mangement licence must also be decided, after having accepted the EIR, and considering the decision issued by the Department the licensing authority to decide whether or not to grant or refuse the licence.	30 (waste)
The licensing authority to inform the applicant and the Department of its decision in terms of the waste management licence.	2
Applicant/EAP to notify I&APs of outcome of the licence application and if authorised and licence issued may only commence 20 days after the date of the licence.	20
If an atmospheric emission licence must also be decided, after having accepted the EIR, and considering the decision issued by the Department the licensing authority to decide whether or not to grant or refuse the licence.	60 (air)
The licensing authority to inform the applicant and the Department of its decision.	2
Applicant/EAP to notify I&APs of outcome of the licence application and if authorised and licence issued may only commence 20 days after the date of the licence.	20



Project Schedule for Appeals

Tasks to be performed	Number of days	Month 1				Month 2				Month 3				Month 4				Month 5				Month 6				Month 7			
		Week				Week				Week				Week				Week				Week				Week			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
The applicant must within 12 days of the date of the Department's decision notify the registered I&APs of the decision, the reasons and their right to appeal.	12																												
Appellants (whether the applicant or I&APs) must lodge their Notice of Intent to Appeal within 20 days of the date of the Department's decision and copy the other parties (I&APs must copy the applicant, and the applicant must copy the I&APs within 10 days of having lodged the notice). The copy of the Notice of Intent to Appeal must also be accompanied by a notice indicating that the appeal submission will be made available from the date of lodging with the Minister.	20																												
Appeal submissions must be submitted within 30 days after the lapsing of the 20 days during which the Notice of Intent to Appeal had to be submitted.	30																												
The appeal authority will acknowledge receipt of the appeal within 10 days of receipt.	10																												
A Responding Statement to the appeal may be submitted by the other parties (if the applicant is the appellant by the I&APs, if an I&AP is the appellant by the applicant) to the Minister (and copied to the appellant within 10 days) within 30 days from the date the appeal submission was lodged with the Minister.	30																												
The appeal authority will acknowledge receipt of the statement within 10 days of receipt.	10																												
If the Responding Statement deals with matters not raised in the appeal, then the other parties may submit to the Minister (and copy the appellant within 10 days) an Answering Statement to the Responding Statement within 30 days of receipt of the copy of the Responding Statement.	30																												
The appeal authority will acknowledge receipt of the statement within 10 days of receipt.	10																												
Once the Appeals, Responding Statement(s) and Answering Statement have been received the Minister can consider and decide on the appeals and inform the appellant of the outcome.	90																												