

Environmental Impact Assessment and Waste Management License Application for the proposed extension for the ash disposal facility at Kusile Power Station

BACKGROUND INFORMATION DOCUMENT

September 2011

This Background Information Document provides Interested and Affected Parties (I&APs) with information on the Environmental Impact Assessment (EIA) and Waste Management License Application (WMLA) being done by Zitholele Consulting for an additional ash disposal facility at Kusile Power Station in Mpumalanga.

This BID also provides I&APs with the opportunity to:

- Register as stakeholders in the public participation process; and
- Comment on the proposed project.

The purpose of an EIA is to identify and evaluate potential impacts, to recommend measures to avoid or reduce negative impacts and to enhance positive impacts. The licensing of waste management activities through a WMLA is the primary means by which these activities are regulated.

The decision-making authority for both the EIA and WMLA is the Department of Environmental Affairs.

You will be included in the stakeholder database and receive further documents for review and comment/s. Your comments will ensure that all issues of concern are incorporated. To raise your concerns complete the enclosed registration sheet, write a letter, call or email the public participation office.

All documents will be available on the internet at www.eskom.co.za and www.zitholele.co.za.

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BACKGROUND

Eskom is the South African utility that generates, transmits and distributes electricity. Eskom supplies about 95% of the country's electricity and about 60% of the total electricity consumed in Africa. Eskom plays a major role in accelerating growth in the South African economy by providing a high-quality supply of electricity.

Kusile Power Station is a coal-fired power station which Eskom is presently constructing between Bronkhorstspuit and Emalahleni in Mpumalanga as part of the expansion of its power generation fleet.

Kusile power station will consist of six 800 megawatt (MW) generating units with a total of 4 800 MW. The first generating unit is scheduled for completion by early 2014, followed by the completion of an additional unit every eight months and Kusile power station will be fully operational by 2017.

PROPOSED PROJECT

The coal that will be used by Kusile power station to generate electricity produces ash which has to be disposed of in an environmentally responsible manner.

Kusile power station currently has environmental authorisation for an ash disposal facility. This facility was authorised as part of the authorisation for the power station itself. However, when considering the power station operations for the next 60 years, a larger ash disposal facility is required for the power station operations.

Zitholele Consulting has been appointed by Eskom to do an Environmental Impact Assessment (EIA) and Waste Management License Application (WMLA) for this proposed additional ash disposal facility and associated infrastructure. The EIA will identify, propose and assess feasible sites for locating the ash dump, different technologies for the managing of ash disposal and various possible designs for disposal facilities.

Potential sites within a 15 km radius of the Kusile power station will be investigated during this study. It is anticipated that the proposed new ash disposal facility will have an estimated footprint of between 1 200 and 1 500 hectares (12 or 15 km²), including associated infrastructure components which may consist of:

- A conveyor belt for the transportation of waste to the ash disposal site;
- Services including electricity and water supply in the form of power lines, pipelines, and associated infrastructure; and
- Access and maintenance roads to the ash disposal facility.

The ash produced over the 60 year lifespan of the power station is estimated at approximately 460 million m³ and the proposed ash disposal facility will be approximately 40 to 60 m high at the end of its lifespan.

The EIA team has thus far investigated all possible options for the use/disposal of the ash. It was found that the most feasible manner in which to manage the waste was to dispose of the ash on an ash disposal facility. Options for an ash disposal facility were investigated within a 15 km radius of the Kusile power station between the N4 and N12 highways. Several sites were identified, screened and rated according to technical, environmental and social criteria. Four alternative sites were deemed potentially feasible and will be investigated in more detail in the EIA process. These alternative sites are indicated on the map included.

LEGAL REQUIREMENTS

The proposed new ash facility is subject to the legal requirements outlined below. The applicable processes will be conducted simultaneously as an integrated process complemented by a combined public participation process. An integrated authorisation process only applies in instances where the Minister is both the:

- a) competent authority for the environmental authorisation applied for in terms of the National Environmental Management Act (NEMA), No 107 of 1998 and the EIA Regulations, 2010; and
- b) the licencing authority for the waste management licence in terms of National Environmental Management Waste Act (NEM: WA), No 59 of 2008.

NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

The proposed additional ash disposal facility and associated infrastructure requires an Environmental Impact Assessment (EIA) in terms of the National Environmental Management Act (NEMA), No 107 of 1998 and the amended EIA regulations (Government Notice R.543 to 546, published in June 2010). The Department of Environmental Affairs (DEA) is the Competent Authority.

As per Government Notice R.543 of June 2010, Chapter 2 the competent authority must consult with every government organ that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorisation when considering an application.

Therefore, the Department of Water Affairs, Mpumalanga Department of Economic Development, Environment and Tourism, City of Tshwane (previously Kungwini Local Municipality), Nkangala District Municipality and Emalahleni Local Municipality (Witbank) are commenting authorities in this process.

This process includes Scoping and Environmental Impact Report (S&EIR) Phases, which are applicable to all projects likely to have significant environmental impacts due to their nature or extent, activities associated with potentially high levels of environmental degradation, or activities for which the impacts cannot be easily predicted.

In terms of Government Notice R.545 of 2010, the following listed activities require that a S&EIR be undertaken and are applicable to this proposed project:

- **Activity 6:** The construction of facilities or infrastructure for the bulk transportation of dangerous goods –
 - (i) in gas form, outside and industrial complex, using pipelines, exceeding 1000 metres in length, with a throughput capacity of more than 700 tons per day;
 - (ii) in liquid form, outside and industrial complex, using pipelines, exceeding 1000 metres in length, with a throughput capacity of more than 50 cubic metres per day;
 - (iii) in solid form, outside and industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day.
- **Activity 15:** Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, industrial or institutional use where the total area to be transformed is 20 hectares or more.

In terms of Government Notice R.544 of 2010, the following listed activities require that a Basic Assessment be

undertaken for the proposed project (these activities having a lesser impact than those of the activities requiring an S&EIR will result in one EIA being undertaken for the proposed project):

- **Activity 12:** The construction of facilities for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of Activity 19 of GNR 545.
- **Activity 22:** The construction of a road outside urban areas:
 - i) With a reserve wider than 13,5 metres;
 - ii) Where no reserve exists where the road is wider than 8 metres, or
 - iii) For which an EA was obtained for the route determination in terms of Activity 5 of GNR 387 of 2006 or Activity 18 of GNR 545 of 2010.
- **Activity 24:** The transformation of land bigger than square 1000 metres in size, to residential, retail commercial, industrial or institutional use, where at the time of coming into effect of this Schedule such land was zoned as open space, conservation or has an equivalent zoning.
- **Activity 29:** The expansion of facilities for the generation of electricity where:
 - i) The electricity output is increased by 10 MW or more, excluding where such expansion takes place on the original development footprint;
 - ii) Regardless the increased output of the facility, the development footprint will be increased by 1 hectare or more.
- **Activity 47:** The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre:
 - i) With a reserve wider than 13,5 metres;
 - ii) Where no reserve exists where the road is wider than 8 metres;
 - iii) Excluding widening or lengthening inside urban areas.

Therefore, for the proposed additional ash disposal facility at the Kusile power station, a S&EIR has to be undertaken.

NATIONAL ENVIRONMENTAL MANAGEMENT WASTE ACT (NEM:WA)

With the proclamation of the National Environmental Management Waste Act (NEM: WA), No 59 of 2008, all waste related activities previously listed under the National Environmental Management Act (NEMA), No 107 of 1998 have been repealed and are now listed under the NEM:WA Government Notice R.718, Section 19 (1) of the NEM:WA highlights the waste management activities that require environmental licensing. The regulations comprise two Categories:

- **Category A**, which identifies activities that require a Basic Assessment process; and
- **Category B**, which identifies activities that require a full scoping and environmental impact report process to be followed.

In terms of Government Notice R.718, Category B the following activities require authorisation:

Activity 2: The re-use and recycling of hazardous waste.

Activity 5: The treatment of hazardous waste using any form of treatment regardless of the size or capacity of such a facility to treat such waste.

Activity 9: The disposal of any quantity of hazardous waste to land.

Activity 11: The construction of facilities for activities listed in Category B of this Schedule.

As described in the Regulations “a person who wishes to commence, undertake or conduct an activity listed under this Category, must conduct an environmental impact assessment process, as stipulated in the environmental impact assessment regulations made under Section 24(5) of the NEMA as part of a waste management license application”.

Therefore the proposed development requires the submission of a waste management license application as well as a Scoping and Environmental Impact Report (S&EIR) to the Department of Environmental Affairs.

ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

An Environmental Impact Assessment (EIA) is a planning and decision-making tool undertaken in terms of the National Environmental Management Act (NEMA), Act No 107 of 1998. An EIA is a management tool that helps to identify and mitigate any potential impacts that a new development might have prior to the construction of the development.

TECHNICAL AND PUBLIC PARTICIPATION PROCESSES

An EIA has two parallel and integrated processes namely, a **technical** and a **public participation** process.

The **technical process** investigates "hard" information: facts based on scientific and technical studies, statistics or technical data. It identifies the potential negative and positive consequences of a proposed project or development at an early stage and recommends ways to enhance positive impacts and to avoid, reduce or mitigate negative impacts.

The EIA regulations require that an Environmental Management Programme (EMProg) be developed. The EMProg provides recommendations on how to operate and implement the project. The provisions of the EMProg are legally binding on the developer and its contractors.

Public participation ensures that the EIA process is fair, open and transparent. It also provides stakeholders with sufficient information and gives them opportunity to contribute by reviewing and commenting on the information.

Arrangements with regards to negotiations with landowners, if necessary, for land and servitudes and compensation will be shared with the stakeholders during the public participation process of the EIA.

However these negotiations will take place in a separate process. The findings of the EIA will assist landowners and Eskom to determine the extent of local impacts in support of any negotiations that might be necessary.

The public participation process is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- Raise issues of concern and make suggestions for alternatives and enhanced benefits;
- Contribute local knowledge;
- Verify that their issues have been captured and considered by the technical investigations;
- Comment on the findings of the EIA.

PHASES IN AN EIA

SCOPING PHASE

The **first phase** of an EIA is the Scoping Phase, which is conducted to gain an understanding of the potential environmental issues that are relevant to the project and to determine where further information is required, in the form of specialist studies/investigations.

The Scoping Report and Plan of Study for the EIA are submitted to the Department of Environmental Affairs (DEA) for review and to approve the proposed approach to the detailed investigation required in the next phase.

Activities involved in the Scoping Phase include:

- Meetings with authorities to agree on process and study requirements;

- Initial public and landowner notification, which includes placing of site notices, the distribution of letters, this Background Information Document and an invitation to contribute to the EIA process to I&APs in the project area and beyond;
- Advertisements in local and regional newspapers to announce opportunities to participate;
- Progress feedback letter to be issued and announcements to be made of the availability of the Draft Scoping Report (DSR) and Issues and Responses Report (IRR);
- Distribution of a DSR, including IRR, for comment;
- Convening a stakeholder meeting in the project area to obtain comment on the DSR;

- Submission of a Final Scoping Report (FSR), capturing all issues raised for the impact assessment, to the DEA;
- Submit the Plan of Study for the EIA to the DEA;
- Distribution of the FSR for comments; and
- Distribution of a progress feedback letter to stakeholders.

ENVIRONMENTAL IMPACT REPORT PHASE

The **second phase** is the Environmental Impact Report (EIR) Phase, which entails undertaking various specialist studies and compiling a Draft EIR.

As part of the assessment, an Environmental Management Programme (EMProg) as well as an Operational Plan will also be submitted to the Department of Environmental Affairs (DEA) for their approval. By following the EMProg, Eskom and its contractors will ensure compliance to environmental regulations during the planning, construction, operation and decommissioning (if applicable) phases.

The list of identified specialist studies required for this EIR (to date) is listed below (all seasonal dependent studies will be undertaken in the wet season):

- Ash Classification;
- Facility Design, Operational Plan and Topographical Survey;
- 3D modelling of the final site design (optional)
- Terrestrial Ecology Assessment (Fauna and Flora);
- Avifauna Assessment;
- Heritage Impact Assessment;
- Social Impact Assessment;
- Surface Water Assessment and Wetland Delineation;
- Ground Water Assessment;
- Geotechnical Assessment;
- Traffic Assessment;
- Air Quality Opinion;
- Noise Assessment;

- Aquatic Ecology Assessment;
- Soils and Land Capability Assessment;
- Visual Impact Assessment; and
- GIS for mapping purposes.

The names of the specialists who will undertake these studies are available from the public participation office.

Specific activities in this phase will include:

- Specialist studies focused on outcomes of the Scoping Phase and issues raised by stakeholders;
- Progress feedback to stakeholders;
- Compilation of a Draft EIR and EMProg indicating the potential positive and negative impacts and measures to enhance positive impacts and to reduce or avoid negative impacts;
- Environmental Impact Statement, highlighting the preferred alternative and reasons thereof;
- Advertise the availability of the Draft EIR and EMProg in local and regional newspapers;
- Distribution of the Draft EIR and EMProg, including Issues and Responses Report, for comment;
- A stakeholder meeting in the project area to present the findings of the EIR for stakeholder comment; and
- Distribution of the Final EIR and EMProg for comment.

The EIR and EMProg will then be finalised and submitted to the DEA for a decision.

DECISION-MAKING (ENVIRONMENTAL AUTHORISATION)

This involves notifying the registered I&APs about the decision from the Competent Authority, the Department of Environmental Affairs (DEA) in this case. The DEA must accept or reject this report within 105 days. Stakeholders will be advised of the DEA's decision if an Environmental Authorisation has been granted or not and of the appeal procedure should they wish to appeal the decision.



The Kusile power station's first unit will be generating electricity in early 2014 and will be fully operational in 2017

Your comments are important.

The purpose of an Environmental Impact Assessment is to provide the decision-making authority with sufficient information on which to base their decision to grant or refuse an Environmental Authorisation and if granted, to define conditions for the development. The contributions made by stakeholders from all sectors of society will ensure informed decision-making.

You are invited to participate freely and to submit any comments or information you feel may be useful to the EIA process. Registered interested and affected parties are entitled to comment, in writing, on all written submissions to the competent authority (Department of Environmental Affairs) and to bring to the attention of the competent authority, any issues which the party believes may be of significance to the consideration of the application.

Omgewingsimpakbepaling en Aansoek vir Afvalbestuurslisensie vir die voorgestelde uitbreiding van die aswegdoenfasiliteit by die Kusile-kragstasie

AGTERGRONDINLICHTINGS-DOKUMENT

September 2011

Hierdie Agtergrondinligtings-dokument (AID) bied aan Belanghebbende en Geaffekteerde Partye (B&GP's) inligting oor die Omgewingsimpakbepaling (OIB) en Aansoek vir Afvalbestuurslisensie (AABL) wat gedoen word vir 'n bykomende aswegdoenfasiliteit by die Kusile-kragstasie in Mpumalanga.

Hierdie AID bied ook aan B&GP's 'n geleentheid om:

- As belanghebbendes in die proses van openbare deelname te registreer; en
- Kommentaar te lewer op die voorgestelde projek.

Die doel van 'n OIB is om potensiële impakte te identifiseer en te evalueer en om maatreëls aan te beveel om negatiewe impakte te verminder en positiewe impakte te vergroot. Die lisensiering van afvalbestuursaktiwiteite deur 'n AABL is die vernaamste manier om hierdie aktiwiteite te reguleer.

Die besluitneemowerheid vir sowel die OIB as die AABL is die Departement van Omgewingsake.

U naam sal in die databasis van belanghebbendes opgeneem word en u sal verdere dokumente vir insae en kommentaar ontvang. U kommentaar sal verseker dat alle kwellings opgeneem word. Om u kwellings te opper, vul die ingeslote registrasieblad in, skryf 'n brief, skakel of stuur 'n e-pos aan die Kantoor vir Openbare Deelname.

Alle dokumente sal ook beskikbaar wees by www.eskom.co.za en www.zitholele.co.za.

Kantoor vir Openbare Deelname

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AGTERGROND

Eskom is die Suid-Afrikaanse nutsmaatskappy wat elektrisiteit opwek en versprei. Eskom voorsien ongeveer 95% van die land se elektrisiteit en nagenoeg 60% van al die elektrisiteit wat in Afrika verbruik word. Eskom speel 'n groot rol om groei in die Suid-Afrikaanse ekonomie te versnel deur hoëgehalte-elektrisiteitsvoorsiening.

Die Kusile-kragstasie is 'n steenkoolkragstasie wat Eskom tans tussen Bronkhorstspuit en Emalaheni in Mpumalanga oprig as deel van die uitbreiding van sy kragopwekkingsvloot.

Die Kusile-kragstasie sal bestaan uit ses 800 megawatt (MW)-opwekeenhede van altesaam 4 800 MW. Die eerste opwekeenheid sal vroeg in 2014 voltooi word, gevolg deur die voltooiing van 'n bykomende eenheid elke agt maande, en die Kusile-kragstasie sal teen 2017 ten volle operasioneel wees.

VOORGESTELDE PROJEEK

Die steenkool wat deur die Kusile-kragstasie gebruik gaan word om elektrisiteit op te wek, lewer as op wat op 'n omgewingskundig verantwoordelike manier weggedoen moet word.

Die Kusile-kragstasie het tans omgewingsmagtiging vir 'n aswegdoenfasiliteit. Hierdie fasiliteit is gemagtig as deel van die magtiging vir die kragstasie self. In die lig van die kragstasie se werksaamhede vir die volgende 60 jaar is 'n groter aswegdoenfasiliteit egter nodig vir die kragstasie se werksaamhede.

Zitholele Consulting is deur Eskom aangestel om 'n Omgewingsimpakbepaling (OIB) en Aansoek vir Afvalbestuurslisensie (AABL) te doen vir hierdie voorgestelde bykomende aswegdoenfasiliteit en gepaardgaande infrastruktuur. Die OIB sal moontlike terreine vir die ligging van die ashoop, verskillende tegnologieë vir die bestuur van aswegdoening en verskeie moontlike ontwerpe vir wegdoenfasiliteite identifiseer, voorstel en evalueer.

Potensiële terreine binne 'n straal van 15 km van die Kusile-kragstasie sal gedurende hierdie studie ondersoek word. Die voorgestelde nuwe aswegdoenfasiliteit sal na verwagting 'n geraamde voetspoor van tussen 1 200 en 1 500 hektaar (12 of 15 km²) hê, insluitende gepaardgaande infrastruktuurkomponente wat kan bestaan uit:

- 'n Vervoerband vir die vervoer van afval na die aswegdoenterrein;
- Dienste, insluitende elektrisiteit- en watervoorsiening in die vorm van kraglyne, pylleidings en gepaardgaande infrastruktuur; en
- Toegangs- en instandhoudingspaaie na die aswegdoenfasiliteit.

Die as wat oor die kragstasie se lewensduur van 60 jaar geproduseer gaan word, sal na raming ongeveer 460 miljoen m³ wees en die voorgestelde aswegdoenfasiliteit sal aan die einde van sy lewensduur ongeveer 40 tot 60 m hoog wees.

Die OIB-span het tot dusver alle moontlike opsies vir die wegdoening van die as ondersoek. Daar is bevind dat 'n aswegdoenfasiliteit die doenlikste manier sal wees om die as weg te doen. Opsies vir 'n aswegdoenfasiliteit binne 'n straal van 15 km van die Kusile-kragstasie tussen die N4- en die N12-deurpad is ondersoek. Verskeie terreine is geïdentifiseer, maar vier alternatiewe terreine sal in die OIB-proses verder ondersoek word. Die vier alternatiewe terreine wat ondersoek sal word om die een geskikste terrein vir aswegdoening te kry, word op bygaande kaart getoon.

WETLIKE VEREISTES

Die voorgestelde nuwe asfasiliteit is onderhewig aan die wetlike vereistes wat hieronder uiteengesit word. Die toepaslike prosesse sal gelyktydig gedoen word as 'n geïntegreerde proses wat aangevul word deur 'n gekombineerde proses van openbare deelname. 'n Geïntegreerde magtigingsproses is van toepassing net in gevalle waar die Minister –

- a) die bevoegde owerheid is vir die omgewingsmagtiging waarvoor aansoek gedoen word ingevolge die Wet op Nasionale Omgewingsbestuur (NEMA), No 107 van 1998, en die OIB-regulasies, 2010; en ook
- b) die lisensie-owerheid is vir die afvalbestuurslisensie ingevolge die National Environmental Management Waste Act (NEM: WA), No 59 van 2008.

WET OP NASIONALE OMGEWINGSBESTUUR (NEMA)

'n Omgewingsimpakbepaling (OIB) word vir die voorgestelde bykomende aswegdoenfasiliteit en gepaardgaande infrastruktuur vereis ingevolge die Wet op Nasionale Omgewingsbestuur (NEMA), No 107 van 1998, en die gewysigde OIB-regulasies (Goewermentskennisgewings R.543 tot 546, wat in Junie 2010 afgekondig is). Die Departement van Omgewingsake (DOS) is die Bevoegde Owerheid.

Ingevolge Goewermentskennisgewing R.543 van Junie 2010, Hoofstuk 2, moet die bevoegde owerheid oorleg pleeg met elke staatsorgaan wat 'n wet administreer betreffende 'n aangeleentheid wat die omgewing raak met betrekking tot daardie aansoek vir 'n omgewingsmagtiging wanneer 'n aansoek oorweeg word.

Die Departement van Waterwese, Mpumalanga se Departement van Ekonomiese Ontwikkeling, Omgewing en Toerisme, die Stad Tshwane (voorheen die Kungwini Plaaslike Munisipaliteit), die Nkangala-distriks-munisipaliteit en die Emalahleni Plaaslike Munisipaliteit (Witbank) is gevolglik kommentaarowerhede in hierdie proses.

Hierdie proses behels Omvangbepalings- en Omgewingsimpakverslag (O&OIV)-fases, wat van toepassing is op alle projekte wat waarskynlik beduidende omgewingsimpakte sal hê as gevolg van die aard of omvang daarvan, aktiwiteite wat gepaardgaan met potensieel hoë vlakke van omgewingsagteruitgang, of aktiwiteite waarvan die impakte nie maklik voorspel kan word nie.

Goewermentskennisgewing R.545 van 2010 vereis dat 'n O&OIV vir die volgende gelyste aktiwiteite gedoen word, en dit is op hierdie voorgestelde projek van toepassing:

- **Aktiwiteit 6:** Die konstruksie van fasiliteite of infrastruktuur vir die grootmaatvervoer van gevaarlike goedere:
 - (i) in gasvorm, buite 'n nywerheidskompleks, deur die gebruik van pypleidings langer as 1 000 meter met 'n deursetkapasiteit van meer as 700 ton per dag;
 - (ii) in vloeistofvorm, buite 'n nywerheidskompleks, deur die gebruik van pypleidings langer as 1 000 meter met 'n deursetkapasiteit van meer as 50 kubieke meter per dag; of
 - (iii) in vaste vorm, buite 'n nywerheidskompleks, deur die gebruik van tandratspore of vervoerbande met 'n deursetkapasiteit van meer as 50 ton per dag.
- **Aktiwiteit 15:** Fisiese verandering van onontwikkelde, leë of verwaarloosde grond vir residensiële, kleinhandels-, kommersiële, ontspannings-, nywerheids- of institusionele gebruik waar die totale gebied wat verander staan te word, 20 hektaar of meer is.

Ingevolge Goewermentskennisgewing R.544 van 2010 moet 'n Basiese Bepaling vir die volgende gelyste aktiwiteite vir die voorgestelde projek gedoen word (hierdie aktiwiteite het 'n ligter impak as dié van die aktiwiteite waarvoor 'n O&OIV nodig is en sal meebring dat een OIB vir die voorgestelde projek gedoen word):

- **Aktiwiteit 12:** Die konstruksie van fasiliteite of infrastruktuur vir die buitestroomopgaring van water, insluitende damme en reservoirs, met 'n gesamentlike kapasiteit van 50 000 kubieke meter of meer, tensy sodanige opgaring binne die bestek van Aktiwiteit 19 van GK R. 545 val.
- **Aktiwiteit 22:** Die bou van 'n pad, buite stedelike gebiede –
 - i) met 'n reserwe breër as 13,5 meter, of
 - ii) waar daar nie 'n reserwe is nie, waar die pad breër as 8 meter is, of
 - iii) waarvoor 'n omgewingsmagtiging verkry is vir die roetebepaling ingevolge Aktiwiteit 5 in GK R. 387 van 2006 of Aktiwiteit 18 in GK R. 545 van 2010.
- **Aktiwiteit 24:** Die transformasie van grond groter as 1 000 vierkante meter tot residensiële, kleinhandels-, kommersiële, nywerheids- of institusionele gebruik, waar sodanige grond ten tyde van die inwerkingtreding van hierdie Bylae as oop ruimte of vir bewaring gesoneer was of 'n gelykwaardige sonering gehad het.
- **Aktiwiteit 29:** Die uitbreiding van fasiliteite vir die opwekking van elektrisiteit, waar:
 - i) die elektrisiteitsuitset met 10 MW of meer verhoog sal word, uitgesonderd waar sodanige uitbreiding op die oorspronklike ontwikkelingsvoetspoor plaasvind; of
 - ii) ongeag die groter uitset van die fasiliteit, die ontwikkelingsvoetspoor met 1 hektaar of meer vergroot sal word.
- **Aktiwiteit 47:** Die verbreding van 'n pad met meer as 6 meter, of die verlenging van 'n pad met meer as 1 kilometer:
 - i. waar die bestaande reserwe breër as 13,5 meter is, of
 - ii. waar daar nie 'n reserwe is nie, waar die pad breër as 8 meter is,
 - iii. uitgesonderd waar die verbreding of verlenging in stedelike gebiede plaasvind.

Gevolglik moet 'n O&OIV vir die voorgestelde bykomende aswegdoenfasiliteit by die Kusile-kragstasie gedoen word.

NATIONAL ENVIRONMENTAL MANAGEMENT WASTE ACT (NEM:WA)

Met die proklamering van die National Environmental Management: Waste Act (NEM:WA), No 59 van 2008, is alle afvalverwante aktiwiteite wat voorheen ingevolge die Wet op Nasionale Omgewingsbestuur (NEMA), No 107 van 1998, gelys is, herroep en word dit nou ingevolge die NEM:WA gelys.

Goewermentskennisgewing R.718 ingevolge artikel 19(1) van die NEM:WA bepaal die afvalbestuursaktiwiteite waarvoor omgewingslisensieë vereis word. Die regulasies behels twee kategorieë:

- **Kategorie A**, wat aktiwiteite identifiseer waarvoor 'n Basiese Bepalingsproses vereis word; en
- **Kategorie B**, wat aktiwiteite identifiseer waarvoor 'n volledige omvangbepalings- en omgewingsimpak-verslagproses vereis word.

Ingevolge Goewermentskennisgewing R.718, Kategorie B, word magtiging vir die volgende aktiwiteite vereis:

Aktiwiteit 2: Die hergebruik en hersiklering van gevaarlike afval.

Aktiwiteit 5: Die behandeling van gevaarlike afval deur middel van enige vorm van behandeling ongeag die grootte of kapasiteit van so 'n fasiliteit om sulke afval te behandel.

Aktiwiteit 9: Die wegdoening van enige hoeveelheid gevaarlike afval op land.

Aktiwiteit 11: Die konstruksie van fasiliteite vir aktiwiteite wat in Kategorie B van hierdie Bylae gelys word.

Soos in die regulasies bepaal word, moet 'n persoon wat 'n aktiwiteit wat onder hierdie Kategorie gelys is, wil begin, onderneem of uitvoer, 'n Omgewingsimpakbepaling (OIB)-proses doen soos bepaal in die OIB-regulasies uitgevaardig kragtens artikel 24(5) van die NEMA, as deel van 'n aansoek vir 'n afvalbestuurlisensie.

Gevolglik moet 'n aansoek vir 'n afvalbestuurlisensie asook 'n Omvangbepalings- en Omgewingsimpakverslag (O&OIV) vir die voorgestelde ontwikkeling aan die Departement van Omgewingsake voorgelê word.

OMGEWINGSIMPAKBEPALING (OIB)

'n Omgewingsimpakbepaling (OIB) is 'n instrument vir beplanning en besluitneming wat ingevolge die Wet op Nasionale Omgewingsbestuur (NEMA), No 107 van 1998, gedoen word. 'n OIB is 'n bestuursinstrument wat help om enige potensiele impakte wat 'n nuwe ontwikkeling kan hê, voor die konstruksie van die ontwikkeling te identifiseer en te versag.

TEGNIËSE PROSES EN PROSES VAN OPENBARE DEELNAME

'n OIB het twee parallelle en geïntegreerde prosesse, naamlik 'n **tegniese proses** en 'n proses van **openbare deelname**.

Die **tegniese proses** ondersoek "harde" inligting: feite gebaseer op wetenskaplike en tegniese studies, statistieke of tegniese data. Dit identifiseer die potensiele negatiewe en positiewe gevolge van 'n voorgestelde projek of ontwikkeling in 'n vroeë stadium en beveel maniere aan om positiewe impakte te vergroot en negatiewe impakte te vermy, te verminder of te versag.

Die OIB-regulasies bepaal dat 'n Omgewingsbestuursprogram (OBProg) ontwikkel moet word. Die OBProg bevat aanbevelings oor hoe om die projek te bedryf en te implementeer. Die bepaling van die OBProg is wetlik bindend vir die ontwikkelaar en sy kontrakteurs.

Openbare deelname verseker dat die OIB-proses billik, oop en deursigtig is. Dit bied ook aan belanghebbendes genoeg inligting en gee hulle 'n geleentheid om by te dra deur die inligting na te gaan en kommentaar daarop te lewer.

Reëlings oor onderhandelinge met grondeienaars, indien nodig, vir grond, serwitute en vergoeding sal gedurende die proses van openbare deelname van die OIB met die belanghebbendes gedeel word.

Hierdie onderhandelinge sal egter in 'n afsonderlike proses plaasvind. Die bevindings van die OIB sal grondeienaars en Eskom help om die omvang van plaaslike impakte te bepaal ter staving van enige nodige onderhandelinge.

Die proses van openbare deelname is bedoel om voldoende en toeganklike inligting op 'n objektiewe wyse aan Belanghebbende en Geaffekteerde Partye (B&GP's) te verskaf om hulle te help om:

- Kwessies te opper en voorstelle vir alternatiewe en groter voordele te maak;
- Plaaslike kennis by te dra;
- Seker te maak dat hulle kwessies opgeneem en oorweeg is deur die tegniese ondersoek; en
- Kommentaar te lewer op die bevindings van die OIB.

FASES IN 'N OIB

OMVANGBEPALINGSFASE

Die **eerste fase** van 'n OIB is die Omvangbepalingsfase, wat gedoen word om 'n begrip te kry van die potensiele omgewingskwessies wat met die projek verband hou en om te bepaal waar verdere inligting nodig is in die vorm van spesialisstudies/ondersoek.

Die Omvangverslag en Studieplan vir die OIB word aan die bevoegde owerheid voorgelê vir oorweging en om die voorgestelde benadering tot die gedetailleerde ondersoek wat in die volgende fase nodig is, goed te keur.

Aktiwiteite in die Omvangbepalingsfase sluit in:

- Vergaderings met owerhede om oor proses- en studievereistes ooreen te kom;

- Aanvanklike kennisgewings aan die publiek en grondeienaars, wat insluit die aanbring van terreinkennisgewings, die uitstuur van briewe, hierdie Agtergrondinligtingsdokument en 'n uitnodiging om tot die OIB-proses by te dra aan B&GP's in die projekgebied en verder;
- Advertensies in plaaslike en streekkoerante om geleentheid vir deelname bekend te maak;
- Vorderingsterugvoerbrief en aankondigings oor die beskikbaarheid van die KonsepOmvangbepalings-verslag (KOV) en die Kwessiesverslag (KV);
- Verspreiding van 'n KOV, insluitende KV, vir kommentaar;

- 'n Vergadering met belanghebbendes in die projekgebied om kommentaar op die KOV te kry;
- Voorlegging van 'n Finale Omvangbepalingsverslag (FOB), met alle kwessies wat vir die impakbepaling geopper is, aan die DOS;
- Voorlegging van die Studieplan vir die OIB aan die DOS;
- Verspreiding van die FOB vir kommentaar; en
- Verspreiding van 'n vorderingsterugvoerbrief aan belanghebbendes.

OMGEWINGSIMPAKVERSLAGFASE

Die **tweede fase** is die Omgewingsimpakverslag (OIV)-fase, wat verskeie spesialisstudies en die samestelling van 'n Konsep-OIV behels.

As deel van die bepaling sal 'n Omgewingsbestuursprogram (OBProg) en 'n Bedryfsplan ook aan die Departement van Omgewingsake voorgelê word vir goedkeuring. Deur die OBProg te volg, sal Eskom en sy kontrakteurs nakoming van omgewingsregulasies verseker tydens beplanning, konstruksie, bedryf en uitdiensstelling (indien van toepassing).

Die geïdentifiseerde spesialisstudies wat vir hierdie OIV vereis word (tot dusver), word hieronder gelys (alle seisoensafhanklike studies sal in die nat seisoen gedoen word):

- Asklassifikasie;
- Fasiliteitontwerp, Bedryfsplan en Topografiese Opname;
- 3D-modellering van die finale terreinontwerp (opsioneel);
- Bepaling van Terrestriële Ekologie (Fauna en Flora);
- Bepaling van Voëlbevolking;
- Bepaling van Erfenisimpak;
- Bepaling van Maatskaplike Impak;
- Bepaling van Oppervlakwater en Afbakening van Vleilande;
- Bepaling van Grondwater;
- Geotegniese Bepaling;
- Verkeersbepaling;
- Mening oor Luggehalte;
- Geraasbepaling;
- Bepaling van Akwatiese Ekologie;

- Bepaling van Grondsoorte en Grondvermoëns;
- Bepaling van Visuele Impak;
- GIS vir karteerdoeleindes.

Die name van die spesialiste wat hierdie studies sal doen, kan van die kantoor vir openbare deelname verkry word.

Spesifieke aktiwiteite in hierdie fase sluit in:

- Spesialisstudies wat fokus op uitkomst van die Omvangbepalingsfase en belanghebbendes se kwessies;
- Vorderingsterugvoer aan belanghebbendes;
- Samestelling van 'n Konsep-OIV en OBProg met aanduiding van die potensiele positiewe en negatiewe impakte en maatreëls om positiewe impakte te vergroot en negatiewe impakte te verminder of te vermy;
- Omgewingsimpakverklaring met aanduiding van voorkeuralternatiewe en redes daarvoor;
- Adverteer die beskikbaarheid van die Konsep-OIV en OBProg in plaaslike en streekkoerante;
- Verspreiding van die Konsep-OIV en OBProg, insluitende Kwessiesverslag, vir kommentaar;
- Vergadering met belanghebbendes in die projekgebied om die bevindings van die OIV voor te hou vir kommentaar; en
- Verspreiding van die Finale OIV en OBProg vir kommentaar.

Die OIV en OBProg sal dan gefinaliseer en aan die DOS voorgelê word vir 'n besluit.

BESLUITNEMING (OMGEWINGSMAGTIGING)

Dit behels kennisgewing aan die geregistreerde B&GP's van die besluit van die Bevoegde Owerheid, die Departement van Omgewingsake (DOS) in hierdie geval. Die Departement van Omgewingsake moet hierdie verslag binne 105 dae aanvaar of verwerp. Belanghebbendes sal van die Departement se besluit in kennis gestel word as Omgewingsmagtiging verleen is of nie en van die appèlprosedure as hulle teen die besluit sou wou appelleer.



Kusile-kragstasie se eerste eenheid sal vroeg in 2014 elektrisiteit genereer en sal ten volle operasioneel wees teen 2017

U kommentaar is belangrik

Die doel van 'n Omgewingsimpakbepaling is om die besluitneemowerheid te voorsien van genoeg inligting as basis vir sy besluit om Omgewingsmagtiging te verleen of te weier, en indien dit verleen word, om voorwaardes vir die ontwikkeling te bepaal. Die bydraes van belanghebbendes uit alle sektore van die samelewing sal ingeligte besluitneming verseker.

U word genooi om vryelik deel te neem en enige kommentaar of inligting wat u reken vir die OIB-proses nuttig sal wees, voor te lê.

Geregistreerde belanghebbende en geaffekteerde partye is daarop geregtig om skriftelik kommentaar te lewer op alle skriftelike voorleggings aan die bevoegde owerheid (Departement van Omgewingsake) en om enige kwessies wat na hulle mening van belang kan wees by die oorweging van die aansoek, onder die aandag van die bevoegde owerheid te bring.

<p>REGISTRATION AND COMMENT SHEET</p> <p>Environmental Impact Assessment and Waste Management License Application for the proposed extension of the ash disposal facility at Kusile Power Station</p> <p>Inserted in the Background Information Document September 2011</p>	<p>EIA Public Participation Office</p> <p>Anelle Lötter/Florence Rambuda Zitholele Consulting (Pty) Ltd P O Box 6002, Halfway House, 1685 Tel: (011) 207 2076/2075 Fax: 086-676-9950 Email: alotter@zitholele.co.za or florencer@zitholele.co.za</p>
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Please complete and return to the EIA Public Participation Office (as above) before 31 October 2011

TITLE		FIRST NAME					
INITIALS		SURNAME					
ORGANISATION / FARM NAME		EMAIL					
POSTAL ADDRESS							
TEL NO		POSTAL CODE					
DATE		FAX NO					
Please formally register me as an interested and affected party (I&AP) so that I may receive further information and notifications during the Environmental Impact Assessment process			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> </table>	YES	NO		
YES	NO						
I would like my notifications by			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">Letter (mail)</td></tr> <tr><td style="text-align: center;">Email</td></tr> <tr><td style="text-align: center;">Fax</td></tr> <tr><td style="text-align: center;">Telephone</td></tr> </table>	Letter (mail)	Email	Fax	Telephone
Letter (mail)							
Email							
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Telephone							
I would like to receive documents for comment as follows			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="text-align: center;">By email</td></tr> <tr><td style="text-align: center;">On CD</td></tr> </table>	By email	On CD		
By email							
On CD							
In terms of Government Notice R.543 - 546 of June 2010 (EIA process regulations) I disclose below any direct business, financial, personal or other interest that I may have in the approval or refusal of the application:							

COMMENTS (please use separate sheets if you wish)

Any comments you may have at this stage:

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Please ask the following of my colleagues/friends/neighbours to register for this project:

.....

.....

REGISTRASIE- EN KOMMENTAARBLAD

Uitbreiding van aswegdoenfasiliteite by die Kusile-kragstasie

Ingevoeg by die Agtergrondinligtingsdokument

September 2011

OIB Kantoor vir Openbare
Deelname
Anelle Lötter/Florence Rambuda
Zitholele Consulting (Pty) Ltd
Posbus 6002, Halfway House, 1685
Tel: (011) 207 2076/2075
Faks: 086-676-9950
Epos: alotter@zitholele.co.za of
florence@zitholele.co.za

Vul asb in en stuur so gou moontlik terug aan die OIB Kantoor vir Openbare Deelname (kyk hierbo)

TITEL		VOORNAAM	
VOORLETTERS		VAN	
ORGANISASIE		E-POS	
POSADRES			
TEL NO		POSKODE	
DATUM		FAKS NO	

Registreer my asb formeel as 'n belanghebbende en geaffekteerde party (B&GP) sodat ek verdere inligting en kennisgewings kan ontvang tydens die Omgewingsimpakbepalingsproses

JA

NEE

Ek ontvang graag my kennisgewings per

Brief (pos)

E-pos

Faks

Telefoon

Ek wil graag dokumente vir kommentaar soos volg ontvang

Papiereksemplare

Per e-pos

Op CD

Ingevolge die regulasies afgekondig in Goewermentskennisgewings R. 543 - 546 in Staatskoerant No. 33306 van 18 Junie 2010 (OIB-prosesregulasies) meld ek hieronder enige regstreekse sake-, finansiële, persoonlike of ander belang wat ek by die goedkeuring of weiering van die aansoek het:

KOMMENTAAR (Gebruik asb afsonderlike velle indien nodig)

Enige kommentaar wat u in hierdie stadium het:

.....

.....

.....

Versoek asb die volgende van my vriende/bure om vir hierdie projek te registreer:

.....

.....

DANKIE VIR U BYDRAE