

05 August 2015

Our Ref: J27035
Your Ref: Email received 07 August 2011

The Chairman: Rodney Anderson
Save Bantamsklip

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Dear Mr Anderson and Save Bantamsklip

RE: ESKOM EIA CONCERNS FOR THE PROPOSED NUCLEAR POWER STATION AND ASSOCIATED INFRASTRUCTURE (DEA Ref. No: 12/12/20/944)

Comment 1:

On behalf of the Save Bantamsklip Campaign, a Non-Profit Organisation representing a range of communities and groupings, we would like to register our final and undiluted opposition to the proposed nuclear power station at Thyspunt, (and/or either of the two alternative sites – Bantamsklip and Duynefontein).

We understand from an article published on page 2 of “The Herald” in Port Elizabeth on Hiroshima Day, 6 August 2011 that an Eskom spokesperson is on record as having said that the Thyspunt Nuclear Power Station will go ahead, regardless of public opinion and recorded opposition. Eskom further stated on the record that “construction would start at Thyspunt next year” (i.e. in 2012) and that there would be two reactors built every two years for another four years.

Statements like these are not only indicative of bad faith in terms of the ongoing process, but also the “roll out” timing suggested is highly unlikely. The choice of date to make such statements was also insensitive.

Response 1:

Your comments and concerns are noted. Although Thyspunt has been identified as the preferred site for the Nuclear-1 Power Station, through the EIA process, GIBB confirms that the final decision in terms of the Environmental Authorisation lies with the Competent Authority; the Department of Environmental Affairs. GIBB as the independent Environmental Impact Assessment Practitioner therefore distances itself from any statements made in the press or otherwise as is referred to above.

Comment 2:

We place on record that the Environmental Impact Assessment (“EIA”) process has been flawed, in a multiplicity of ways. There is also a clear lack of bona fides on the part of both Eskom and Arcus Gibb.

Response 2:

Your comment is noted however it is not clearly understood what is meant by “*There is also a clear lack of bona fides on the part of both Eskom and Arcus Gibb*” and we request that Save Bantamsklip clarify this statement.

Comment 3:

We also place on record that there has been a failure to comply with the necessary legislation, including the National Environmental Management Act, the EIA Regulations published there under, the Promotion of Administrative Justice Act, as well as the Constitution.

Response 3:

Your comments are noted. The Nuclear- EIA report has been peer reviewed by technical and legal specialist in the field of Environmental Impact Assessment in terms of the compliance to legislation and the content of the report. GIBB therefore requests that Save Bantamsklip provide GIBB with a detailed report listing all instances in the Revised Draft EIR (version 1) where there is a failure to meet the requirements of the legislation as suggested above, so that GIBB can review and address if required.

Comment 4:

We therefore heartily endorse the current submissions of our constituent members and those of our colleagues and associates in civil society, namely the Hermanus Ratepayers Association, The Overstrand Conservation Foundation t/a Whale Coast Conservation, The Dyer Island Conservation Trust, The Strandveld Conservation and Tourism Association and the Buffeljags Community, to name a few.

Response 4:

Your endorsement of submissions by the Hermanus Ratepayers Association, The Overstrand Conservation Foundation t/a Whale Coast Conservation, The Dyer Island Conservation Trust, The Strandveld Conservation and Tourism Association and the Buffeljags Community amongst others are noted. Responses to these submissions have been provided.

Comment 5:

We trust that the Minister, the Honourable Ms Edna Molewa, MP, in applying her mind to these and many other submissions from around the country, will reject the EIA report and issue a negative ROD.

Given the circumstances set out above, we hereby reserve our right to take such legal action as we may be advised.

Response 6:

Your comment is noted.

Yours faithfully
for GIBB (Pty) Ltd



Nuclear-1 EIA Team