

3 EIA PROCESS AND METHODOLOGY

3.1 Introduction

The Environmental Impact Assessment (EIA) and Waste Licence Application process for the proposed Tutuka continuous ashing project is comprised of two main phases, namely the Scoping phase and Impact Assessment phase (which will include the Waste License Report and the Conceptual Designs). This report documents the tasks which have been undertaken as part of the Scoping phase of the EIA. These tasks include the public participation process and the documentation of the issues which have been identified as a result of these activities.

The Scoping Phase of an EIA serves to define the scope of the detailed assessment of the potential impacts of a proposed project. The Environmental Scoping phase has been undertaken in accordance with the requirements of sections 24 and 24D of the National Environmental Management Act (NEMA) (Act 107 of 1998), as read with Government Notices R 543 (Regulations 26-30), 544, 545 and 546 of the NEMA. The objectives of the Scoping Phase are to:

- Ensure that the process is open and transparent and involves the Authorities, proponent and stakeholders (see **Chapter 2 and 6**);
- Ensure that feasible and reasonable alternatives are identified and selected for further assessment (see **Chapter 4**);
- Ensure compliance with the relevant legislation (see **Chapter 5**).
- Identify the important characteristics of the affected environment (see **Chapter 7 and 8**);
- Assess and determine possible impacts of the proposed project on the biophysical and socio-economic environment and associated mitigation measures (see **Chapter 8**); and

3.2 Authority Consultation

3.2.1 Consultation with Authorities

The relevant authorities required to review the proposed Project and provide an Environmental Authorisation were consulted from the outset of this study, and have been engaged throughout the project process. The competent authority for this project is DEA. The DWA and MDEDET are noted as key commenting authorities.

Authority consultation included the following activities:

- Submission of an integrated application for authorisation in terms of NEMA (Act 107 of 1998) and NEMWA (Act No. 59 of 2008) on **20 August 2012** (Included in **Appendix A**).

Following the submission of the integrated application for authorisation DEA acknowledged receipt thereof in the form of an Acknowledgement of Receipt letter (dated **5 September 2012**, see **Appendix B**) and issued an EIA reference number for the proposed project (**14/12/16/3/3/3/52**) as well as a NEAS Reference number (**DEA/EIA/0001416/2012**).

3.2.2 Consultation with other Relevant Authorities

Background information regarding the proposed Project was provided to other relevant authorities, together with a registration and comment form formally requesting their input into the EIA process. The authorities include *inter alia*:

- Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET);
- Department of Water Affairs (DWA);
- Department of Agriculture, Forestry and Fisheries (DAFF)
- Gert Sibande District Municipality;
- Lekwa Local Municipality;
- South African Heritage Resources Agency (SAHRA) – head office and provincial office;
- Please refer to **Appendix D** for stakeholder list

3.3 Environmental Scoping Study

3.3.1 Overview of the Public Participation Process

A comprehensive Public Participation Process (PPP) was implemented as part of the Scoping Phase of the EIA. The PPP aims to:

- Ensure all relevant stakeholders and I&APs have been identified and invited to engage in the scoping process;
- Raise awareness, educate and increase understanding of stakeholders and I&APs about the proposed Project, the affected environment and the environmental process being undertaken;
- Create open channels of communication between stakeholders and the project team;
- Provide opportunities for stakeholders to identify issues or concerns and suggestions for enhancing potential benefits and to prevent or mitigate impacts;
- Accurately document all opinions, concerns and queries raised regarding the Project; and
- Ensure the identification of the significant alternatives and issues related to the Project.

(a) Identification of stakeholders or I&APs

The identification and registration of I&APs is an ongoing activity during the course of the EIA. Please note however that only a registered I&AP is entitled to comment, in writing, on all written submissions made to the competent authority by the applicant or the EAP managing an application, and to bring to the attention of the competent authority any issues which that party believes may be of significance to the consideration of the application, provided that comments are submitted within the timeframes that have been approved or set by the competent authority or any extension of a timeframe agreed to by the applicant or Environmental Assessment Practitioner (EAP). Lidwala EPS will develop, maintain and constantly update an electronic I&AP database for the Project (see **Appendix D**). The I&APs for this Project have been identified using the following:

- Existing I&APs databases from other EIA projects in the area;
- I&APs identified through networking by the project team;
- Responses to the EIA process newspaper advertisements placed in the Cosmos News/Kosmos Nuus and the Highveld Tribune. The advertisements were placed during the week of 17 September 2012;
- Placement of site notices at the proposed site locations (proof of placements below – **Figures 3.1 – 3.4**);
- Distribution of Background Information Documents (BIDs);
- Discussions with community leaders and relevant ward councillors;
- Completed registration and comments sheets; and
- Attendance registers at meetings.

All comments and issues submitted by I&APs to date have been recorded in a Comment and Response Report (C&RR) (**Appendix E**)

(b) Notification and Advertisements

In accordance with the requirements of the NEMA EIA Regulations, a Site Notice was erected at Tutuka Power Station (**Appendix F**) and was advertised in local community newspapers, announcing the commencement of the EIA process for the proposed project.

The purpose of the advertisement was to notify the public about the proposed project and to invite them to register as I&APs (see **Appendix G**). The relevant advertisement dates are listed in **Table 3.1** below.

Table 3.1 Date on which the adverts were published

Newspaper	Publication Date	Language
Highveld Tribune	Tuesday 18 September	English, Afrikaans and Zulu
Cosmos News/Kosmos Nuus	Wednesday 19 September	English and Afrikaans

The proposed project, the environmental assessment and the waste license application process was widely announced with an invitation to the general public to register as I&APs and to actively participate in the PPP. This will be achieved by using:

- Print media advertisements in English, Afrikaans, and Zulu that were placed in the Highveld Tribune and Cosmos News/Kosmos Nuus newspapers;
- Key Stakeholders were contacted telephonically and informed of the project and the EIA process;
- A Background Information Document (BID) and comment sheet were produced in English, Afrikaans and Zulu detailing the proposed Project and explaining the EIA process. The BID was emailed and posted to I&APs and uploaded on the website and will also be distributed at meetings to be held;
- Copies of the BID were made available to I&APs as and when requested. Public documents were also made available in public libraries and other local public venues.

Additional to the required Site Notice, EIA process notices were erected at the following public places:

- Tutuka Power Station: Reception (**Figure 3.1**)
- Tutuka Power Station Ash Disposal – Entrance (**Figure 3.2**)
- Standerton Public Library (**Figure 3.3**)
- Die Plaas Slaghuis (**Figure 3.4**)



Figure 3.1: Tutuka Power Station



Figure 3.2: Tutuka Power Station Ash Disposal Site (Entrance)



Figure 3.3: Standerton Public Library



Figure 3.4: Die Plaas Slaguis

A second round of advertisements will be published in order to notify the public about the availability of the Draft Scoping Report as well as inviting the public to attend the Public Meeting (**Appendix G**).

(c) *Background Information Document*

The Background Information Document (BID) that briefly describes the proposed project was compiled in English, Afrikaans, and Zulu and was distributed to all identified I&APs. The BID introduces the proposed Project and contains background information on the project, the proponent, consultants and EIA and public participation process to be followed. It also includes a registration and comment sheet inviting I&APs to submit details of any issues, concerns or inputs they might have with regards to the proposed project. The BID has been distributed via e-mail and post to the I&APs identified through networking and will also be distributed to the attendees at the various meetings to be held during the public review period of the DSR. A copy of the BID is included in **Appendix H**.

(d) *Meetings*

A Public Meeting and a number of Focus Group Meetings will be held during the review period of the DSR. Focus Group Meetings (FGMs) and One-on-one interactions will also be held as required. The purpose of these meetings is to present the I&APs with information pertaining to the proposed project and the process being followed, to obtain local knowledge, and to document and discuss any issues which the public wish to raise.

As mentioned in (c) above, invitations to the Public Meeting will be extended in advertisements, letters, telephone and public notices at numerous relevant public places. **Table 3.2** provides the date and venue where the Public Meeting will be held.

The purpose of the Public Meeting is to provide an appropriate platform to enable I&APs to raise issues and have the opportunity to interact one-on-one with the applicant and the EIA Project Team, either in English, Afrikaans or Zulu.

Table 3.2: Public Meeting

Province	Area	Venue	Date and Time
Mpumalanga	Standerton	Standerton Town Hall Cnr Beyers Naude and Mbonani Mayisela Streets	22 November 2012 18:00 – 20:00

Focus Group Meetings and One-on-one interactions will be held with individuals and representatives of relevant sectors as and when required. These interactions will be particularly useful in identifying key issues and other relevant stakeholders.

Minutes of meetings held with I&APs will be taken and will be forwarded to the attendees for verification of their issues. The minutes of the consultation will be included within the

Final Scoping Report. The comments raised during the meetings, will be recorded in the updated C&RR and included in Final Scoping Report.

(e) Ongoing Consultation and Engagement

In addition to the public documents distributed to I&APs, there will be ongoing communication between the applicant, the EIA team and I&APs throughout the EIA process. These interactions include the following:

- In addition to the project announcement letters, a letter will be sent out to all registered I&APs providing them with an update of the Project once the Scoping report has been accepted and the Plan of Study for EIA has been approved;
- Interactions with I&APs will take place in English, Afrikaans and Zulu where required;
- Feedback to stakeholders, individually and collectively;
- Written responses (email, faxes and letters) will be provided to I&APs acknowledging issues and providing information requested (dependent on availability);
- As per the NEMA EIA regulations, particular attention will be paid to landowners, and neighbouring communities, specifically where literacy levels and language barriers may be an issue.

The consultation with all stakeholders and I&APs will continue into the Impact Assessment and EMP phase. Consultation will continue and will include:

- Distribution of all project information and findings to I&APs;
- EIA feedback at meetings; and
- Information in the media and press.

(f) Comment and Responses Report

In terms of the EIA Regulations, No 57(1) all comments, concerns and issues raised by I&APs, including stakeholders, must be recorded. All comments, concerns and issues received during the scoping phase of this proposed Project has been captured in a C&RR and is included under **Appendix E**.

3.3.2 Public Review of the Draft Environmental Scoping Report

The draft Environmental Scoping Report (DSR) will be made available for review for a period of **30 calendar days** from **Thursday 8 November 2012** to **Friday 7 December 2012** at the following public places within the study area, which are readily accessible to I&APs:

- Standerton Library
- Tutuka Power Station reception
- Lidwala Website (www.lidwala.com)

The availability of the DSR will be advertised in the following newspaper **14 days prior to the Public Meeting date:**

Table 3.3 Public Meeting and DSR availability adverts to be placed

Newspaper	Language
Highveld Tribune	English, Afrikaans and Zulu
Cosmos News/ Kosmos Nuus	English and Afrikaans

All registered I&APs will be notified of the availability of the DSR in writing. A 30 day comment period will be provided for public review and comments. Comments received during the review period will be included in the C&RR which will be included in the Final Scoping Report.

3.3.3 Final Environmental Scoping Report

The final stage in the Environmental Scoping Study process entails the capturing of responses and comments from I&APs on the draft Scoping Report in order to refine the Environmental Scoping Report, and ensure that all issues of significance are addressed. The final Environmental Scoping Report will be submitted to DEA for review and decision-making.

3.4 Conclusion

This chapter discussed the various tasks that have been undertaken as part of the scoping phase of the EIA process. The main component includes the Public Participation Process that has been undertaken as part of the scoping phase. The Environmental Scoping Phase has been undertaken in accordance with the requirements of sections 24 and 24D of the National Environmental Management Act (Act 108 of 1998), as read with Government Notices R 543 of the NEMA.