

## **Review of the Final Environmental Impact Assessment Reports and Climate Change Impact Assessment for the Nuclear-1 Project: Record of Stakeholder Meeting**

**Held: Microsoft Teams, 15 August 2023 at 16:00 – 17:30**

<b>Attendance:</b>	Sharon Jones (SJ)	SRK Consulting (South Africa) (Pty) Ltd (SRK)
	Kate Steyn (KS)	SRK
	Murad Esau	SRK
	Deon Jeannes	Eskom SOC Ltd (Eskom)
	Mervin Theron	Eskom
	Deidre Herbst	Eskom
	Angelique Pieterse	Eskom
	Lewis Phidza	Eskom
	Keith Featherston	Eskom
	Mpho Muswubi	Eskom
	Ahmed Hansa	Eskom
	Joshua Weiss	Promethium Carbon (Promethium)
	Robbie Louw (RL)	Promethium
	Darryl Hunt	Dynamic Energy
	Ina Mbiza	Pinault Group Pty. Ltd
	Annelise De Bruin	City of Cape Town: Spatial Planning
	Maia Nangle	Southern African Faith Communities' Environment Institute (SAFCEI)
	Francesca de Gasparis	SAFCEI
	Herman Steyn	John Thompson
	George Bennet	GNB Communications
	Lydia Peterson	
	Adrian Pole	Adrian Pole Attorneys, on behalf of SAFCEI, Earthlife Africa – Johannesburg (ELA-JB) and Greenpeace Africa
	Des Muller	NuEnergy Developments

## Minutes of the Meeting

### 1 Welcome

SJ welcomed the attendees and introduced the SRK, Promethium and Eskom teams.

SJ outlined that the purpose of the meeting is to provide a forum for stakeholders to discuss the findings of the Environmental Impact Assessment (EIA) Review Report compiled by SRK and the Climate Change Impact Assessment (CCIA) undertaken by Promethium.

SJ stated that all comments raised and responses provided will be recorded, however the submission of written comments is encouraged.

SJ stated that SRK, Promethium and Eskom will answer questions to the best of their ability, however, SJ requested that questions remain relevant to the EIA Review Report and the CCIA. SJ stated that if attendees had questions of clarity that the team is unable to answer during the online stakeholder engagement meeting, but the stakeholder requires a response in order to submit written comments during the public participation process, SRK will provide additional response by 18 August 2023.

SJ presented the ground rules and agenda of the meeting (see attached presentation).

### 2 EIA and Specialist Study Reviews

KS provided the background to the project and the Scope of Work (SoW) undertaken by SRK and Promethium. KS noted that the original EIA for the proposed construction, operation and decommissioning of the proposed Nuclear-1 Power Station and associated infrastructure was undertaken by GIBB.

KS noted that three alternative sites (Thyspunt, Duynefontein and Bantamsklip) were assessed in the EIA and that the Department of Forestry, Fisheries and the Environment (DFFE) granted Environmental Authorisation (EA) for the proposed Nuclear-1 plant at Duynefontein in 2017.

KS explained that the EA was appealed. DFFE adjourned the adjudication of the appeals and expected Eskom to commission two additional studies:

- An independent review of the EIA process; and
- A CCIA.

KS explained that the key purpose of the current work is to inform the Minister's decision on the appeal process by reviewing the documents pertaining to the EIA and compiling a Review Report on the findings, compiling a CCIA and subjecting these reports to a public participation process in terms of the EIA Regulations of 2014 as amended.

KS emphasised that this public participation process is intended to solicit comments pertaining to the EIA Review Report and the CCIA, rather than matters pertaining to the original EIA, the appeal process, project motivation or aspects of the existing Koeberg Power Station or the ongoing National Nuclear Regulator licencing process for the New Build at Koeberg.

### 3 EIA and specialist study reviews

KS stated that the original EIA was undertaken under the EIA Regulations of 2006, promulgated in terms of the National Environmental Management Act 107 of 1998 (NEMA). Subsequent to the commencement of the EIA process, the 2006 EIA Regulations were replaced by the EIA Regulations of 2010 and 2014. KS noted that a number of other regulatory requirements, including specialist study regulations, specialist reporting protocols and other standards have also come into effect subsequent to the 2006 regulations. However, KS noted that the 2014 EIA Regulations include transitional arrangements such that any application lodged in terms of the 2006 EIA Regulations must continue to be governed by those regulations.

KS presented the scope of the EIA Review (refer to the attached presentation) and explained that the review is not a technical review but rather a process review / gap analysis to establish if the original EIA remains fit-for-purpose.

KS described the review approach and methodology and presented a list of specialist impact assessment studies and technical assessments that were reviewed as well as their respective reviewers (see attached presentation).

KS stated that while all the reviewers noted that the reports were fit for decision-making in their current state, three recommendations were noted:

- The Minister must consider the Integrated Resource Plan published by the Department of Energy in 2019;
- The Nuclear-1 design must comply with separate Site Safety Reports (SSRs); and
- The Grid Integration Study must be updated.

KS presented the findings of the EIA Review Report (see attached presentation for full list of findings) which confirmed that the original EIA remains valid and meets the requirements in terms of the EIA Regulations, 2014.

KS presented the following recommendations made to Eskom in addition to those stated by the specialist report reviewers:

- Eskom must acquire all relevant permits and licences; and
- Eskom must ensure that the Environmental Management Programme (EMPr) is updated.

KS stated that SRK recommends the following with respect to the appeals process:

- Eskom must implement SRK's recommendations above;
- The Minister must consider the Section 34(1) determination issued in accordance with the Electricity Regulation Act of 2006 for 2500MW new nuclear when adjudicating the appeals; and
- The Minister should consider the Integrated Resource Plan (2019) when adjudicating the appeals.

## **4 Climate Change Impact Assessment**

RL provided background to the CCIA (see attached presentation).

RL briefly described the social, environmental and current climatic conditions in the region around the proposed Nuclear-1 site and explained that these conditions informed the CCIA.

RL presented the Scope and Approach undertaken in the CCIA (see attached presentation).

RL presented the methodology (see attached presentation) used to undertake the CCIA and stated that all climate-related impacts and vulnerabilities relevant to the proposed Nuclear-1 project and surrounding areas are considered through the CCIA in terms of:

- The proposed project's expected impact on climate change (CC) during construction and the life time of the proposed power station as well as a prediction of the project's direct and indirect emissions (see attached presentation).
- The proposed project's vulnerability to CC, including predicted changes in temperature, precipitation, rainfall, drought, flood risk, storm risk, sea level rise and sea surface temperature (see attached presentation).

RL stated that the proposed project will have a low impact on CC over the project life time.

RL presented non-binding mitigation measures to reduce CC impacts on the project and the vulnerability of the project to CC (see attached presentation).

RL concluded that the project will contribute to South Africa's Greenhouse Gas mitigation efforts and stated that the project should not be refused EA based on CC-related issues.

## **5 Way forward**

KS stated the locations where the EIA Review Report and CCIA are available and requested that all comments be submitted in writing by 23 August 2023. All issues and comments will be presented in an Issues and Response Summary appended to the final EIA Review Report and CCIA, which will reflect any adjustments required based on public feedback.

KS stated that the final EIA Review Report and the CCIA will be made available for information purposes and will be submitted to the DFFE for decision-making purposes as the adjudication of the appeal is concluded.

## **6 Discussion**

Key issues and concerns raised during the meeting are recorded in Table 1.

**Table 1: Issues raised during the meeting and responses provided.**

#	Issue / Concern (Verbatim, from meeting chat and transcript of meeting recording)	Stakeholder	Feedback
1.	Please could a copy of the presentation be shared to attendees after the meeting	SAFCEI	SJ noted that the presentation will be shared with the attendees after the meeting.
2.	Can the COCT get access to the reassessment of the specialist reports? Especially extracts of how the previous concerns raised has been recorded, re-assessed and evidence of how the reassessment has confirmed that the original specialist reports were accurate and sufficient. The COCT raised specific concerns about the Town Planning perspective.	City of Cape Town (COCT)	<p>KS noted that the Social Impact Assessment and the Town Planning Assessment used future projections of populations and development in the project area in their impact assessments and the reviewers concluded that these projections remain valid. None of the developments and/or growth in population exceeded the expected projections.</p> <p>The findings of the specialist reviews are presented in the EIA Review Report, which includes a section dealing with each of the specialist studies individually. The review report has been made available to the COCT.</p> <p>SRK is not undertaking detailed technical reviews or assessing how comments raised in the previous EIA were addressed.</p>
3.	Have there been any meetings with between SRK/Eskom and DFFE/Appeal Authority subsequent to the 8 August 2022 directive from the Minister? If so, where can the Minutes relating to these meetings be accessed?	Adrian Pole	<p>SRK has not met with the Minister or the Appeals Office since the directive was issued.</p> <p>However, Eskom has engaged the Appeals Office to confirm the proposed approach to the review and stakeholder engagement. No minutes were taken during these discussions.</p>
4.	<p>Dear Colleagues, hope you are well. For the proposed project who are the approved partners that assisted in completing the environmental and climate assessment report, is there a summary available to utilized for public discussion.</p> <p>2)-There where two sites Identified the one based in Cape Town (Duynefontein) what are the prescribed impact on the environment that currently is home to flora and fauna and is classified as conservation areas, and how will the current status of the approved land be re classified.</p> <p>3) On the Urban renewal opportunities identified what are they and who will assist in ensuring that they are implemented. Urban Reneal (sic) opportunities relates to, deforesting, labor intensive activities.</p>	George Bennet	<p>SRK and external specialists undertook the review of the EIR, EMPr and many of the specialist studies. Promethium undertook the CCIA. Executive summaries of both reports were issued to registered stakeholders and are available on the SRK website.</p> <p>SRK noted that the EIA assessed the impact on fauna and flora at both sites (including Duynefontein). Deon Jeannes (Eskom) noted that if the EA is upheld, the land will be rezoned (it is currently a protected area). An application will be made to the relevant authorities, including COCT and CapeNature.</p> <p>Recommendations related to Urban Renewal were not in the scope of the current review process.</p>
5.	COCT appealed the final decision taken at the time. Main arguments are in the documents submitted to the DFFE with regards to the Town Planning Report. When the project was considered, it was located in the fastest growing corridor in the city. There has been an influx in unauthorised land use in the region of the project. The COCT did not receive a response from DFFE regarding the appeal. COCT is unsure of how concerns of issues raised in the EIA is dealt with by the review consultants. Is there a quicker way to engage with the town planning consultant to understand how they considered the city's previous questions and how they have come up with this position that the original specialist report is still adequate	COCT	<p>SRK's scope of work did not include a review and analysis of previous comments/issues raised in original EIA.</p> <p>The Minister is considering the COCT's appeal. SRK assumes that this comment is the basis of the appeal, which the Minister would use in her review to understand and adjudicate the EA.</p>

#	Issue / Concern (Verbatim, from meeting chat and transcript of meeting recording)	Stakeholder	Feedback
	We need to get the EIA, our current internal information and the new traffic evacuation model and the specialists that you have now appointed for reassessment of the old things to be on the same page. There has never been a chance for these three parties to meet and to just compare notes so that we are all on the same page.		The Town Planning review report is included in the main Review Report which has been made available to stakeholders. SRK can send COCT the Town Planning review report separately if required. The baseline was found to remain valid – future projections that were used are consistent with the current baseline.  Eskom is happy to proceed with further discussion in this regard if required.
6.	Further to the correction provided to my query above, were there discussions or was what was agreed with the Appeal Authority recorded/confirmed in emails (or otherwise)? Where can these emails be accessed?  There is a difference between what was in the directive of 08 Aug 2022 [calling for a revised EIA Report] and the EIA Review Report?	Adrian Pole	Eskom clarified verbally what their understanding was and there was no written communication other than the original letter sent to the DFFE.  A gap analysis was needed to identify if any studies (including the EIA itself) requires updating, which SRK undertook. The gap analysis presented in the Review Report found no need for the EIR and associated studies to be updated.
7.	Thank you, colleagues for the brilliant responses as it pertains to waist (sic) management is there consideration in the assessment for nuclear waist management protocols.	George Bennet	Nuclear waste management protocols were assessed in the EIR.
8.	Are the underlying specialist reports (by SRK specialist reviewers) available on the SRK website?	Adrian Pole	An integrated report (the EIA Review Report) is available on the SRK website. Stand alone specialist review reports were not published.


## 7 Close

SJ thanked the attendees for attending the meeting and reminded them that written responses should be submitted by the 23 August 2023.

Minutes taken by: Murad Esau

Signed by:

SRK Consulting - Certified Electronic Signature

  
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Date: 21 August 2023

Chairman