

05 August 2015

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

The Chairman: Rodney Anderson  
Save Bantamsklip

Email: [info@savebantamsklip.org](mailto:info@savebantamsklip.org)

Dear Mr Anderson and Save Bantamsklip



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

**Comment 1:**

Dear Ms Ball

On behalf of the Save Bantamsklip Campaign, an NPO 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 comment is noted.

An article under the heading “*Thyspunt saga heats up*” that appeared in The Herald’s edition of 5 August 2011 (see attached) (6 August was a Saturday and the Herald does not appear on a Saturday) quotes a member of the Thyspunt Alliance, Mr Hilton Thorpe. The quote from Mr Thorpe is as follows:

*“Thorpe said the alliance had been disturbed by the statement by one senior Eskom official at the St Francis meeting to the effect that ‘the development is going ahead no matter what’. ‘He stood up and said they would be going ahead with Thyspunt next year and thereafter every two years they would be building the rest of the nuclear plants that they need’.*

This is Mr Thorpe’s interpretation of what was said at a meeting but is not Eskom’s policy on Nuclear-1. No such statement by an Eskom official is apparent in any of the minutes of the public and focus group meetings for the Nuclear-1 EIA held in St. Francis and surrounding areas. The inference that Eskom would start construction in 2012 and that it would continue to build a nuclear reactor every two years is Mr Thorpe’s interpretation.

Eskom did say that they intend to develop additional nuclear power stations after Nuclear-1. The intended time frame for the start of construction of Nuclear-1 was also discussed, but it was made clear in these meetings that construction was subject to the environmental authorisation process, as well as a range of other authorisations, and that the environmental authorisation was only the first authorisation that Eskom needed to obtain.

Minutes of these meetings are available on the Eskom and GIBB websites.

**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.

**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 comment is noted. Should you believe that there is proof of specific instances of non-conformance with the quoted legislation; GIBB would welcome the opportunity to consider this.

**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 comment is noted.

**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.

**Response 5:**

Your comment is noted.

**Comment 6:**

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

A handwritten signature in black ink, consisting of a large, stylized 'G' followed by a horizontal line and a small flourish.

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The Nuclear-1 EIA Team