



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia · PRETORIA

DEA Reference: 14/12/16/3/3/2/1027

Enquiries: Toinette van der Merwe

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Jo-Anne Thomas
Savannah Environmental
PO Box 148
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PER EMAIL / MAIL

Dear Sir/Madam

ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION FOR ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT PROCESS) AND SCOPING REPORT FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT AND ASSOCIATED INFRASTRUCTURE NEAR RICHARDS BAY, KWAZULU-NATAL PROVINCE

The Department confirms having received the Application for Environmental Authorisation and Draft Scoping Report for the abovementioned project on 22 August 2017. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.

Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.

Note that in terms of Regulation 45 of the EIA Regulations, 2014, as amended, this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours, sincerely



Ms Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Toinette van der Merwe

Designation: Environmental Officer: EIA Coordination, Strategic Planning and Support

Date: 23/08/2017

cc:	Ms Deidre Herbst	Eskom Holdings SOC Limited	Email: HerbtDL@eskom.co.za
	Musi Mdamba	KwaZulu-Natal Department of Economic Development, Tourism and Environmental Affairs	Email: mdambam@kznded.gov.za
	Nontsundu Ndonga	City of uMhlatuze Local Municipality	Email: Nontsundu.Ndonga@uMhlatuze.gov.za



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DEA Reference: 14/12/16/3/3/2/1027

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PER E-MAIL / MAIL

Dear Madam

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE CONSTRUCTION OF RICHARDS BAY COMBINED CYCLE POWER PLANT AND ASSOCIATED INFRASTRUCTURE NEAR RICHARDS BAY, KWAZULU NATAL

The draft Scoping Report (SR) dated August 2017 and received by this Department on 22 August 2017 refers

This Department has the following comments on the abovementioned application:

- **Public Participation Process (PPP)**
 - Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (***including this Department's Biodiversity Section and Air Quality Section: Contact person Ms Olga Chauke at 0123999161 ochauke@environment.gov.za or Kent Buchanan at 0123998868 or kbuchanan@environment.gov.za***) in respect of the proposed activity are adequately addressed in the final SR.
 - Proof of correspondence with the various stakeholders must be included in the final SR, should you be unable to obtain comments, and proof should be submitted to the Department of the attempts that were made to obtain comments.
 - The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- **Description of the identified Alternatives**
 - Please provide a description of any identified alternatives for the proposed activity that are **feasible** and reasonable, including the advantages and disadvantages that the proposed activity or

alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2 of GN R.982 of 2014 as amended.

- Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.
- This Department requests the EAP to familiarise themselves with the requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014 as amended and ensure that the final SR submitted to this Department for consideration meets the requirements in terms of identifying, assessing and providing mitigation measures of the impacts on the alternative and preferred sites.

In addition to the above, please ensure that the climate change impact assessment study is undertaken and be incorporated in the final SR.

- **General Comments**

- Please provide three (3) cd copies and one (1) hard copies of the final scoping report.
- You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the amended EIA Regulations, 2014 (as amended).
- Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Ms Olivia Letlalo

Designation: Control Environment Officer: Strategic Infrastructure Developments

Date: 15/09/2017

cc:	Deidre Herbst	ESKOM Holding SOC Ltd	Tel: (011) 800 3501	Email: Deidre.herbst@eskom.co.za
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Telephone Number: (011) 656 6237
Email Address: joanne@savannahsa.com

PER EMAIL / MAIL

Dear Ms Thomas

ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED CONSTRUCTION OF RICHARDS BAY COMBINED CYCLE POWER PLANT (CCPP) AND ASSOCIATED INFRASTRUCTURE NEAR RICHARDS BAY, KWAZULU NATAL PROVINCE.

The Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIA) dated October 2017 and received by this Department on 06 October 2017 refer.

This Department has evaluated the submitted SR and the PoSEIA dated October 2017 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014 as amended. The SR is hereby accepted by the Department in terms of Regulation 22(a) of the EIA Regulations, 2014 as amended.

You may proceed with the EIA process in accordance with the tasks contemplated in the PoSEIA and the requirements of the EIA Regulations, 2014 as amended.

All comments and recommendations made by all stakeholders and Interested and Affected Parties (I&APs) in the draft SR must be taken into consideration when preparing an Environmental Impact Assessment report (EIAR) in respect of the proposed development. The EAP must give registered I&APs access to, and an opportunity to comment on the draft EIA report in writing within 30 days before submitting the final EIAR to the Department.

Please ensure that comments from all relevant stakeholders are submitted to the Department with the final EIAR. This includes but is not limited to the Department of Environmental Affairs Climate Change Directorate, Air Quality Directorate, Biodiversity and Conservation Directorate, KwaZulu Natal Department of Economic Development, Tourism and Environmental Affairs, the Department of Agriculture, Forestry and Fisheries (DAFF), the South African Civil Aviation Authority (SACAA), the Department of Transport, the City of Umhlathuze, the District Municipality, the Department of Water and Sanitation (DWS), the South African National Roads Agency Limited (SANRAL), the South African Heritage Resources Agency (SAHRA), the Endangered Wildlife Trust (EWT), Bird Life SA, the Department of Energy, Department of Mineral Resources, National Energy Regulator of South Africa (NERSA), Richards Bay Industrial Development Zone, South African National Roads Agency

Limited, Trade and Investment KwaZulu Natal, Umhlathuze Water, Wild life and Environment Society of South Africa (WESSA), Richards Bay Clean Air Association, Transnet, QS200 Plus and Amafa.

Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

The following has been noted in the SR:

- The description of the proposed development include the power line to connect to the Richards Bay CCPP, while it has been mentioned on page 30 of the report that the development of a power line does not form part of this EIA process. You are required to ensure that only relevant infrastructure related to this development is addressed in the draft EIAr.
- It has been noted that there will be a construction of a substation (as mentioned on page 40 under construction phase), please clarify the relevancy of this to the proposed development.
- The report pointed out that the EIA applications for the transmission power line and the gas pipeline will be undertaken separately. Therefore, you are required to provide detailed information of the feasibility of the power line and gas pipeline in relation to this proposed development. Further to the above, please provide information of the potential environmental impacts of the above mentioned infrastructure.

In addition, the following additional information is required for the EIAr:

1. It has been noted on page 11 of the comments and responses report that there were environmental challenges identified with regards to the Pulp United EIA that was conducted previously on this site. Therefore you are required to provide the aforesaid environmental challenges and how are they related to this proposed development.
2. The EIAr must provide information addressing in what circumstances diesel will be used as a fuel source.
3. It has been noted on pages 32-33 and figure 3.1 on page 35 of the Final Scoping Report that site 7 is the preferred site, therefore, you are required to provide the findings of the specialists which resulted in this site to be the preferred.
4. The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under point A2 of the EIA information for gas facilities.
5. The EIAr must provide the four corner coordinate points for the proposed development site
6. The following specialist studies have been identified to be conducted as part of the environmental impact assessment report and will be conducted prior to the submission of the draft EIAr for review and comment:
 - a. Air Quality study which must include but not limited to the following
 - Reference to emission concentrations as stipulated in the Minimum Emission Standard.
 - Suitable abatement technology to be used for point source emissions must be considered and detailed in terms of availability and control efficient.
 - A compliance and road map with provincial and national regulations on dust and noise.
 - Recent (2013 to 2016) Air Quality Emission results of the area.
 - b. The assessment of impact on Climate Change must include but not limited to:
 - The GHG emissions associated with the project; focussing on the global and national context of climate change policy and the state of climate change.
 - The methodology to be used must refer to the National Greenhouse Gas Emission Reporting Regulations and the IPCC (Intergovernmental Panel on Climate Change) Guidelines (This should include the use of global warming potentials in the IPCC Third Assessment Report).
 - A comparison of the projected Green House Gas emissions of the power plant to the national GHG emission trajectory.
 - Description of the mitigation measures based on the best information available, that will be implemented and result in deviation from the greenhouse gas emission. You are further required

to indicate the projected emissions reductions that will be achieved, and benchmarking of the emissions intensity of the plant compared to existing facilities locally and globally.

- The risk that climate change has on the project and projects resilience and capacity to cope.

- c. Visual.
- d. Terrestrial Ecology.
- e. Wetland and Aquatic Ecology.
- f. Hydrology & Flood line.
- g. Geo Hydrological.
- h. Soil & Agriculture.
- i. Noise.
- j. Heritage.
- k. Socio-Economic.
- l. Cumulative impact study.
- m. Traffic impact assessment.
- n. Major Hazard Installation Assessment.

7. A copy of the final site layout map and alternatives. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:
 - Positions of the gas turbines, steam turbines, condenser, water treatment plant, diesel offloading and storage station, water tank and pipeline, gas pipeline and conditioning process facility.
 - Access roads
 - Warehouse and buildings
 - Storage facilities,
 - Generators, 132 kV and 400kV switchyards
 - Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);
 - The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;
 - All existing infrastructure on the site;
 - Buffer areas;
 - Buildings, and
 - All "no-go" areas.
8. An environmental sensitivity map indicating environmental sensitive areas and its buffers zones.
9. The report has provided information showing that the site is sensitive (figures 3.2, 5.7 and 5.8) i.e natural wetlands, CBAs and an offset. Therefore, you are required to provide a final layout map overlain by the environmental sensitivity map with a clear legend showing all infrastructures, development footprint and sensitive features.
10. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
11. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
12. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow during construction and operation of the facility. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.

13. The report (page 31) has pointed out the services that will be required by the proposed development. Proof of these agreements must be provided.
14. The EIAr must assess the risks associated with the storage of dangerous goods. The risk of the possibility of pollution to surface (hydrological) and groundwater (hydrogeological) systems and flows must also be assessed.
15. On page 14 of the Hydrology and flood line study, it has been mentioned that the storm water management plan for the site was excluded, however, natural local storm water gullies will be accommodated in a storm water plan. Based on the above, you are required to provide clarity on whether there is an existing storm water plan in the area. If there is no storm water management plan for the proposed development, you are required to provide a storm water management plan to be implemented during the construction and operation of the facility. The plan must include the appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
16. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
17. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
18. A fire management plan to be implemented during the construction and operation of the facility.
19. Emergency preparedness response plan.

Please ensure that the EIAr and EMPr comply with Appendix 3 and Appendix 4 of Regulation 2014 as amended, before submission to the Department. Furthermore, ensure that the **cumulative impact assessment** of the proposed facility and associated infrastructures consider the impact of other facilities in and around the proposed site as well as in the region.

Please ensure that all the relevant Listing Notice activities are applied for, that the Listing Notice activities applied for are specific and that they can be linked to the development activity or infrastructure in the project description.

You are hereby reminded that should the EIAr fail to comply with the requirements of this acceptance letter, the project will be refused in accordance with Regulation 24(1) (b) of the EIA Regulations, 2014 as amended.

You are requested to provide detailed motivation if any of the above requirements (points 10 to 19) is not relevant to the proposed development and not included in the EMPr.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of the EIA Regulation as amended. Should the applicant request for extension, must ensure compliance with the requirements of Regulations 41 to 44 of the EIA Regulation as amended.

Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the provincial department of heritage must be provided in the EIAr.

You are requested to submit two (2) electronic copies (CD) and two (2) hard copies of the EIAr to the Department as per Regulation 23(1) of the EIA Regulations, 2014 as amended.

Please also find attached information that must be used in the preparation of the EIAr. This will enable the Department to speedily review the EIAr and make a decision on the application.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter Signed by: Olivia Letlalo

Designation: Deputy Director: Strategic Infrastructure Developments

Date: 20/11/2017

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	Musi Mdamba	KZN DEDTEA	Tel: 035 780 0313	Email: mdambam@kznded.gov.za
	Nontsundu Ndonga	City of uMhlatuze Local Municipality	Tel: 035 907 5415	Email: Nontsundu.Ndonga@umhlathuze.gov.za

A. EIA INFORMATION REQUIRED FOR GAS POWER FACILITIES

1. General site information

The following general site information is required:

- Descriptions of all affected farm portions
- 21 digit Surveyor General codes of all affected farm portions
- Photos of areas that give a visual perspective of all parts of the site
- Photographs from sensitive visual receptors (tourism routes, tourism facilities, etc.)
- Gas-fired design specifications including:
 - Type of technology
 - Structure height
 - Surface area to be covered (including associated infrastructure such as roads)
 - Structure orientation
 - Laydown area dimensions (construction period and thereafter)
 - Generation capacity
- Generation capacity of the facility as a whole at delivery points

This information must be indicated on the first page of any EIA document.

2. Sample of technical details for the proposed facility

Component	Description / dimensions
Height of stacks	
Area of gas facility	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Length of internal roads	
Width of internal roads	
Length and diameter of gas pipeline	
Size and number of storage vessels for gas and other fuels	
Height of fencing	
Type of fencing	



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PER EMAIL / MAIL

Dear Ms Meyer

REQUEST FOR EXTENSION OF THE TIME PERIOD TO SUBMIT THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT AND ASSOCIATED INFRASTRUCTURE, KWAZULU NATAL PROVINCE

The abovementioned application and your letter dated 31 January 2018 requesting an extension of timeframe to submit the final Environmental Impact Report (EIAr) received by this Department on 31 January 2018 refers.

The Department noted that the request for extension for the submission of the Final EIAr is made in terms regulation 3(7) of the NEMA EIA regulation 2014, as amended. Further, it was noted that the following reasons were put forward for the abovementioned request:

- Specialists are required to undertake additional investigations and assessment of the feasibility of the associated power line and gas pipeline needs to be included in the Combined Cycle Power Plant Environmental Impact Report (CCPP EIAr) and that the power line as well as the gas pipeline has to be assessed as part of the cumulative impacts of the CCPP.

However, the Department is of the opinion that the given reasons for the request of the extension do not meet the requirements of regulation 3(7), which states that an extension may be granted in terms of this regulation if one of these criterion is met:

- In the event where the scope of work must be expanded based on the outcome of an assessment done in accordance with these Regulations, which outcome could not be anticipated prior to the undertaking of the assessment, or
- In the event where exceptional circumstances can be demonstrated, the competent authority may, prior to the lapsing of the relevant prescribed timeframe, in writing, extend the relevant prescribed timeframe and agree with the applicant on the length of such extension.

Therefore, the request for extension of the time frame for the submission of the final EIAr for the proposed Richards Bay combined cycle power plant and associated infrastructure near Richards Bay, KwaZulu Natal Province is hereby refused.

JMS.

Please note that the final Environmental Impact Report must be submitted within 106 days from the date of lodging the application. According to our records, the application was lodged on 22 August 2017, hence; your final EIAr is due on 28 March 2018. In terms of Regulation 45 of the EIA Regulations 2014, as amended; this application will lapse if the applicant fails to submit the final EIAr within the specified timeframe.

If it happens that this application lapses, please be advised that you can follow the process as stipulated in regulation 21(2) (a), subject to regulation 46, if findings of the scoping report is still valid and the environmental context has not changed, the submission of a scoping report as contemplated in sub regulation (1) need not be complied with in cases where a scoping report was accepted as part of a previous application for environmental authorisation.

In terms of regulation 21(2) (b); regulation 21(1) need not to be complied with on condition that regulation 16 is complied with and that such application is accompanied by proof that registered interested and affected parties, who participated in the public participation process conducted as part of the previous application, have been notified of this intended resubmission of the application prior to submission of such application; 21(2) (c) if the application contemplated in paragraph (b) is submitted by the same applicant for the same development, as applied for and lapsed or refused as contemplated in paragraph (a); and in terms of regulation 21(2) (d) if an environmental impact assessment report inclusive of specialist reports and EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority, is submitted within a period of two years from the date of acceptance of the scoping report.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Ms Milicent Solomons

Acting Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Date: 06/03/2018.

cc:	Deidre Herbst	Eskom Holdings SOC Ltd	Email: Deidre.herbst@eskom.co.za
	Musi Mdamba	KwaZulu Natal Department of Economic Development, Tourism and Environmental Affairs	Email: mdambam@kznded.gov.za
	Sharin Govender	City of uMhlatuze Local Municipality	Email: Sharin.Govender@umhlathuze.gov.za



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DEA Reference: 14/12/16/3/3/2/1027

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PER EMAIL / MAIL

Dear Sir/Madam

LAPSING OF APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED RICHARDS BAY COMBINE CYCLE POWER PLANT (CCPP) AND ASSOCIATED INFRASTRUCTURE NEAR RICHARDS BAY, KWAZULU NATAL PROVINCE

Your Application for Environmental Authorisation received by the Department on 22 August 2017 and the acceptance of the final Scoping Report dated 20 November 2017, refer.

In terms of Regulation 45 of GN R982 of 04 December 2014, as amended, an application lapses and a Competent Authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7) of GN R982 of 04 December 2014, as amended.

Please be informed that you have **not** submitted the Environmental Impact Assessment Report and have failed to comply with Regulation 23(1) of the EIA Regulations 2014, as amended, which states:

- 23. (1) *The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority—***
- (a) *an environmental impact assessment report inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority; or***
 - (b) *a notification in writing that the reports, and an EMPr, will be submitted within 156 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports consulted on during the initial public participation process contemplated in subregulation (1)(a), and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.***

As such, this Department hereby advises you that the application: 14/12/16/3/3/2/1027 for Environmental Authorisation for the proposed Richards Bay Combined Cycle Power Plant (CCPP) and associated infrastructure near Richards bay, Kwazulu- Natal Province, lapsed and the file is accordingly closed.

Please note that should you decide to further pursue the application, a new application for authorisation in terms of the EIA Regulations, 2014, as amended, must be submitted to this Department before such activity/(ies) may commence.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Mr Vusi Skosana

Designation: Director: Coordination, Strategic Planning and Support

Date: 10/04/2018

CC:	Deidre Herbst	Eskom Holdings SOC Ltd	Email: Deidre.herbst@eskom.co.za
	Muzi Mdamba	KwaZulu Natal Department of Economic Development, Tourism and Environmental Affairs	Email: mdambam@kznded.gov.za
	Sharin Govender	City of uMhlatuze Local Municipality	Email: Sharin.Govender@umhlatuze.gov.za



environmental affairs

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PER EMAIL / MAIL

Dear Sir/Madam

ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION FOR ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT PROCESS) AND ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT (CCPP) AND ASSOCIATED INFRASTRUCTURE NEAR RICHARDS BAY WITHIN THE KWAZULU NATAL PROVINCE

The Department confirms having received the Application form and draft Environmental Impact Assessment Report for Environmental Authorisation for the abovementioned project on 22 March 2019. We further confirm that you have submitted these documents to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) Environmental Impact Assessment Regulations, 2014 published under Government Notice R982 in Government Gazette No. 38282 dated 04 December 2014, as amended ('the EIA Regulations, 2014').

Please take note of Regulation 40(3) of the EIA Regulations, 2014 which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.

Note that in terms of Regulation 45 of the EIA Regulations, 2014 this application will lapse if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014.

All documentation delivered to the physical address contained in this form must be delivered during the official Departmental Office Hours which is visible on the Departmental gate. EIA related documents (includes application forms, reports or any EIA related submissions) that are faxed; emailed; delivered to Security or placed in the Departmental Tender Box will not be accepted.

You are hereby reminded of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Azrah Essop

Designation: Environmental Officer: EIA Coordination, Strategic Planning and Support

Date: 26/03/2019

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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/1123

Enquiries: Mr Thando Booï

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Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
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PER E-MAIL / MAIL

Dear Ms Thomas

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT AND ASSOCIATED INFRASTRUCTURE IN RICHARDS BAY IN KWAZULU NATAL PROVINCE

The application form and draft Environmental Impact Report (EIR) dated March 2019 as received by this Department on 22 March 2019 refers.

This Department has the following comments on the abovementioned application:

Project description:

- The Department has noted that two components have been added to the project description on page 6 of the application form and page v under the executive summary that were not part of the project description as contained in the project application form that was submitted on 06 October 2017 and final scoping report that was accepted on 20 November 2017 i.e. dirty water retention dam and clean water retention dam as well as waste storage facilities (general and hazardous). The Department submits that the additional components might trigger the NEMWA listed activities which require waste license and were not applied for. On that note, the Department submits that the above mentioned is considered a flaw.
- Taking into consideration the additional information included in the draft EIR, please provide reasons for the inclusion of these two components at this stage of the EIA process. In addition the following with regard to the retention dams and storage facilities (general and hazardous): must be included in the report:
 - Capacity of the dams;
 - The composition of the dirty water;
 - Type of liners to be used
 - The location of the storage facility;
 - The duration of storage of the waste;
 - The design of the storage facility; and
 - Types of waste to be stored.

Project layout

- Please furnish an amended project lay out plan as discussed in the site inspection meeting of the 17 April 2019 and it must consider inputs from all the specialists.
- Please ensure that the amended project lay out plan clearly illustrates all the components and associated infrastructure of the project.

Alternatives

- The Department has noted that Appendix 3, (3) (1) of GN R.982 of 2014, as amended has been complied with however should there be an amendment of the alternative site, then the scope of the assessment and the content of environmental impact report must comply with NEMA EIA regulations of 2014 as amended (Appendix 3).

Other approvals

Please indicate if the process of obtaining an air emission license has been undertaken for this proposed development.

Specialist studies

- The Department has noted that the ecological specialist concluded that the current biodiversity offset area does not offer suitable habitat for wetland species, as a result it is not recommended as an offset option but other sites must be considered for offsetting.
- It has been noted that option 2 has been preferred by the aquatic specialist taking into consideration the development layout submitted with the draft EIR, therefore, the Department submits that inputs by the specialist be included in the final report which considered the amended layout plan.

Heritage impact assessment

Please explain why only 36 ha of the project footprint was assessed for heritage impacts whereas it stated in section 8 on page 159 of the draft EIR "*that the total project footprint that is assessed for this project is 71 ha*".

Public Participation Process

- Please ensure that all issues raised and comments received during the circulation of the EIR from the registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section, Air Quality and Climate Change Directorates) in respect of the proposed activity are adequately addressed in the final EIR.
- Proof of correspondence with the various stakeholders must be included in the final EIR, should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department.
- The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- Please note any new information that was not available at the time of the availability of the draft EIR for comments must be made available to both the interested and affected parties and the competent authority for comment prior to the submission of the final EIR to the competent authority for a decision.

General Comments

You are further reminded that the final EIR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Environment Impact Report in accordance with Appendix 3 and Regulation 23(1) of the amended EIA Regulations, 2014.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Ms Olivia Letlalo

Designation: Control Environmental Officer: Strategic Infrastructure Developments

Date: 23/04/2019

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environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 14/12/16/3/3/2/1123

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WOODLANDS
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PER EMAIL / MAIL

Dear Sir/Madam

ACKNOWLEDGEMENT OF RECEIPT OF THE NOTIFICATION IN TERMS OF REGULATION 23(1)(B) AND REGULATION 23(2) OF THE NEMA EIA REGULATIONS, 2014, AS AMENDED, FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT (CCPP) AND ASSOCIATED INFRASTRUCTURE IN RICHARDS BAY, KWAZULU-NATAL.

The Department confirms having received the notification in terms of Regulation 23(1)(b) in terms of GN R982 of 04 December 2014, as amended, for the abovementioned project on 17 May 2019. We confirm that you have submitted these documents to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) Environmental Impact Assessment Regulations, 2014 published under Government Notice R982 in Government Gazette No. 38282 dated 04 December 2014, as amended ('the EIA Regulations, 2014').

You are hereby reminded of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Yours sincerely

Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Toinette van der Merwe

Designation: Control Environmental Officer: EIA Systems and Tools

Date: 22/5/19

**RICHARDS BAY COMBINED CYCLE POWER PLANT (CCPP) AND ASSOCIATED INFRASTRUCTURE
ON A SITE NEAR RICHARDS BAY, KWAZULU-NATAL PROVINCE
(DEA REF.: 14/12/16/3/3/2/1123)**

DISCUSSION OF THE NEMWA LISTED ACTIVITIES: NOTES FOR THE RECORD

Meeting Date: 24 May 2019

Time: 09:00

Venue: Department of Environmental Affairs, Pretoria

Attendees (Savannah Environmental attendance register attached):

NAME	ORGANISATION
Linda Poll-Jonker	Department of Environmental Affairs
Lucas Mahlangu	Department of Environmental Affairs
Thizwikoni Ramavhona	Department of Environmental Affairs
Hlamarisa Mavodze	Department of Environmental Affairs
Mpho Monyai	Department of Environmental Affairs
Thando Boo	Department of Environmental Affairs
Milicent Solomons	Department of Environmental Affairs
Tobile Bokwe	Eskom
Mpho Muswubi	Eskom
Koogendran Govender	Eskom
Jo-Anne Thomas	Savannah Environmental
Lisa Opperman	Savannah Environmental

Savannah Environmental prepared a presentation to cover the items as listed in the agenda. These points were presented and included:

1. Welcome, introduction and purpose of the meeting
2. Overview of the EIA and WULA process
3. Project overview
4. Plant operations process flow
5. Discussion of the DEA comments received relating to waste
6. Applicability of the NEMWA Listed Activities to the project
7. Discussions and questions
8. Way forward

The presentation and DEA's comments on the EIA Report are attached to the Notes for completeness (**Appendix A**).

Notes:

The purpose of the meeting was to provide feedback to the Department of Environmental Affairs regarding the comments received on the Environmental Impact Assessment (EIA) Report dated 23 April 2019 (**Appendix B**) and for the applicant to obtain clarity on the comments received. The meeting focused on the comments which relate to wastewater issues and the applicability of the waste management listed activities of the National Environmental Management Waste Act, 2008 (NEMWA).

The following was stated and noted for the record:

- » Eskom stated that their power plants operate on a Zero Liquid Effluent Discharge (ZLED) philosophy, which means that all polluted water is contained in a closed water system within the site. Through this philosophy polluted water, which is mainly run-off from the operational footprint, is contained. Thus, for this project, the dirty water to be contained will be rainwater (run-off) which falls within the plant that has hazardous medium, e.g. diesel, so that the water is not released into the environment. Therefore the dirty water being described is rainfall runoff which may have fallen on the power plant and contain contaminants.
- » It was noted, by the DEA, that the existing biodiversity offset area adjacent to the project site was established for another development and not for the proposed development in question. It was clarified by Savannah Environmental that the biodiversity offset area was considered when the Richards Bay Industrial Development Zone was declared. The presence of the offset made the project site, currently under assessment, available for the proposed project because historically the offset was put in place for this site specifically. When the screening assessment was undertaken Savannah considered the fact that an offset had already been established for this site and that the project site is planned to be developed for gas and industrial development as per the IDZ planning.
- » The DEA Waste Directorate advised that they have never been informed about the project and was only notified of the project when this meeting was being arranged. No opportunity for comments on the project had been provided to the Waste Directorate.
- » Savannah Environmental and Eskom clarified that the Waste Directorate was never consulted due to the fact that no NEMWA listed activities had been identified as applicable by the project team during the Scoping Phase. The team indicated that issues related to NEMWA listed activities were raised only during the current EIA phase when the EIA Directorate raised concerns in this regard.
- » The DEA EIA Directorate's main issue was that the dirty and clean water retention dams are only identified now during the EIA phase, and that these could trigger waste listed activities. Therefore, this meeting is to clarify why the dams are only being included during the EIA phase and not at the commencement of the process and whether the inclusion will trigger a waste license.
- » The DEA Waste Directorate stated that, in their opinion, these components of the project will trigger a waste management license.

- » The DEA stated that the inclusion of the retention dams is considered to be a flaw as it is not possible to include new listed activities or waste listed activities during the EIA phase. The Scoping report was approved; however it does not cover the retention dams or the associated waste listed activities.
- » Savannah Environmental advised that no waste listed activities were identified through the process. They further indicated that through previous discussions with the Department of Water and Sanitation (DWS) on the concept of whether stormwater runoff from dirty areas is considered to be wastewater, DWS considered that the runoff will be wastewater and therefore the project in question was required to apply for a Water Use License in terms of section 21(g) of the National Water Act (NWA). The DEA Waste Directorate insisted that these dams will not be licensed only under the National Water Act due to the water containing pollutants but would also require licensing in terms of the NEMWA provisions.
- » Savannah Environmental advised that on a previous project for pollution control dams associated with an ash dam, the listed activity for the storage of hazardous waste in a lagoon was included in the application. However, during the EIA process the legislation was changed to exclude wastewater from the waste listed activities, and the Department did not authorise the activity and stated that the legislation excludes that activity. This provides the basis for Savannah Environmental's interpretation of the legislation.
- » The DEA Waste Directorate advised that they will provide an opinion on whether the dirty water is considered to be wastewater and take the matter further to DWS.
- » Savannah Environmental clarified that the Waste Directorate is licensing the disposal of hazardous waste and not the disposal of the water containing waste. Further, Savannah Environmental clarified that, despite these processes not triggering waste listed activities, the DWS would still require Eskom to obtain a license under section 21(g) of the NWA; which Eskom will apply from DWS.
- » Eskom clarified that the objective of the proposed dirty water retention dam is not to contain treated wastewater but rather polluted run-off water, and this containment is considered to be Duty of Care. Waste from the power plant will not be stored in the retention dam, only run-off water which could have passed through dirty areas of the plant.
- » Eskom requested from the DEA Waste Directorate that the exclusions included under Category B(1) of the waste management activities be clarified. The Waste Directorate stated that the wastewater mentioned in the exclusion is not relevant to the run-off water proposed to be stored as it will be contaminated and considered to be hazardous.
- » The DEA Waste Directorate indicated that wastewater must be defined in order to understand whether the runoff to be stored in the proposed dirty water retention dams can be considered as wastewater or not. Savannah Environmental indicated that in terms of the National Water Act there is an activity under Section 21 for the discharge of water containing waste, which is also containing contaminants and that would require a Water Use License, which this project is also

applying for through the DWS. If Eskom wanted to discharge the runoff water from the power plant into the environment, they would require a water use license.

- » The DEA Waste Directorate indicated that DWS should have been present at this meeting. Eskom indicated that DWS is not required for this discussion as the issue being considered is whether the retention dam triggers a waste activity or not.
- » It was stated, by the DEA Waste Directorate, that the main issue that needs to be clarified is the definition of wastewater and where is it defined.
- » Eskom stated that it must be considered that the water to be contained in the dirty water retention dams have not gone through a treatment process, but rather ended at the project site through rainfall or any other water moving through the general area. Eskom is being risk averse in this regard. The DEA Waste Directorate indicated that the water will still need to be managed.
- » The DEA Waste Directorate stated that they would need to issue a response on the matter being discussed and that the way forward would be to identify whether the waste activity will be triggered or not, and if the activity is triggered the basis for that must be provided.
- » The DEA Waste Directorate expressed concern regarding the prescribed timeframe of the project. Savannah Environmental advised that the EIA Report was submitted to the DEA on day 1 of the 106 days.
- » Savannah Environmental advised that they will provide a legal opinion on the definition of wastewater to the Department for their consideration. This will be sourced from an environmental lawyer and DWS (if available). The DEA Waste Directorate advised that they will also obtain and provide a definition for wastewater.
- » The DEA Waste Directorate stated that should the waste activity be triggered that the process will not be allowed to continue due to the possibility of an appeal. A separate application for the waste activity would need to be submitted and an EIA process conducted.

It was agreed that the notes for the record would be available to all parties and include the presentation that had been prepared and presented at the meeting. The way forward is for both Savannah Environmental and the DEA to source and share legal opinions on the definition of wastewater and for the DEA Waste Directorate to consider the legal opinions and provide a response in terms of whether Category B(1) of the waste management activities will be triggered and advise on the way forward.

Prepared by:

Lisa Opperman

lisa.o@savannahsa.com

**APPENDIX A:
MEETING AGENDA AND PRESENTATION**

MEETING AGENDA

DEA MEETING: NEMWA LISTED ACTIVITIES

RICHARDS BAY COMBINED CYCLE POWER PLANT, RICHARDS BAY

FRIDAY, 24 MAY 2019

Department of Environmental Affairs, 473 Steve Biko Street, Arcadia, Pretoria

Time slot	Agenda Item	Responsible Person
09h00	Emergency Evacuation Procedure	Department of Environmental Affairs
09h05 – 09h10	Welcome, introduction and purpose of the meeting	Mpho Muswubi (Eskom)
09h10 – 09h15	Overview of the EIA and WULA Process	Lisa Opperman (Savannah Environmental)
09h15-09h25	Project Overview	Lisa Opperman (Savannah Environmental)
09h25 -09h35	Plant operations process flow	Koogendran Govender (Eskom)
09h35 – 09h40	Discussion on the DEA comments received relating to waste	Lisa Opperman (Savannah Environmental)
09h40-09h55	Applicability of the NEMWA Listed Activities to the project	Lisa Opperman and Jo-Anne Thomas (Savannah Environmental)
09h55-10h15	Discussions and Questions	Lisa Opperman (Savannah Environmental)
10h15-10h25	Way Forward	Lisa Opperman (Savannah Environmental)
10h30	Meeting closure	Lisa Opperman (Savannah Environmental)

ATTENDANCE REGISTER

Project	Richards Bay Combined Cycle Power Plant, KwaZulu-Natal		Meeting	DEA Meeting – Discussion of the NEMWA Listed Activities	
Date	Friday 24 May 2019	Time	09h00	Venue	Department of Environmental Affairs, Pretoria

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Organisation	Name & Postal Address	Contact Details	Signature
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Designation Director			
46 Savannah Environmental	Lisa Opperman	Tel: 011 656 3237 Fax: Cell: E-mail: lisa.o@savannahsa.com	
Designation EAP			
Savannah Env	Jo-Anne Thomas	Tel: Fax: Cell: E-mail:	
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Designation			

RICHARDS BAY COMBINED CYCLE POWER PLANT (CCPP) PROJECT, KWAZULU-NATAL PROVINCE

DEA Meeting: NEMWA Listed Activities

Friday, 24 May 2019

MEETING AGENDA

1. Emergency Evacuation Procedure
2. Welcome and introduction
3. Purpose of the Meeting
4. Overview of EIA & WULA Process
5. Project Overview
6. Discussion on the DEA comments (waste)
7. Applicability of the NEMWA Listed Activities
8. Discussions and Questions
9. Way forward

SCOPE OF WORKS

- » Assessment of the environmental and social impacts (all infrastructure within project site boundaries)
- » Recommendation of appropriate mitigation measures
- » Environmental Management Programme
- » WUL Application



RICHARDS BAY COMBINED CYCLE POWER
PLANT (CCPP) AND ASSOCIATED
INFRASTRUCTURE NEAR RICHARDS BAY,
KWAZULU-NATAL PROVINCE

ENVIRONMENTAL MANAGEMENT PROGRAMME

March 2019

Prepared for:
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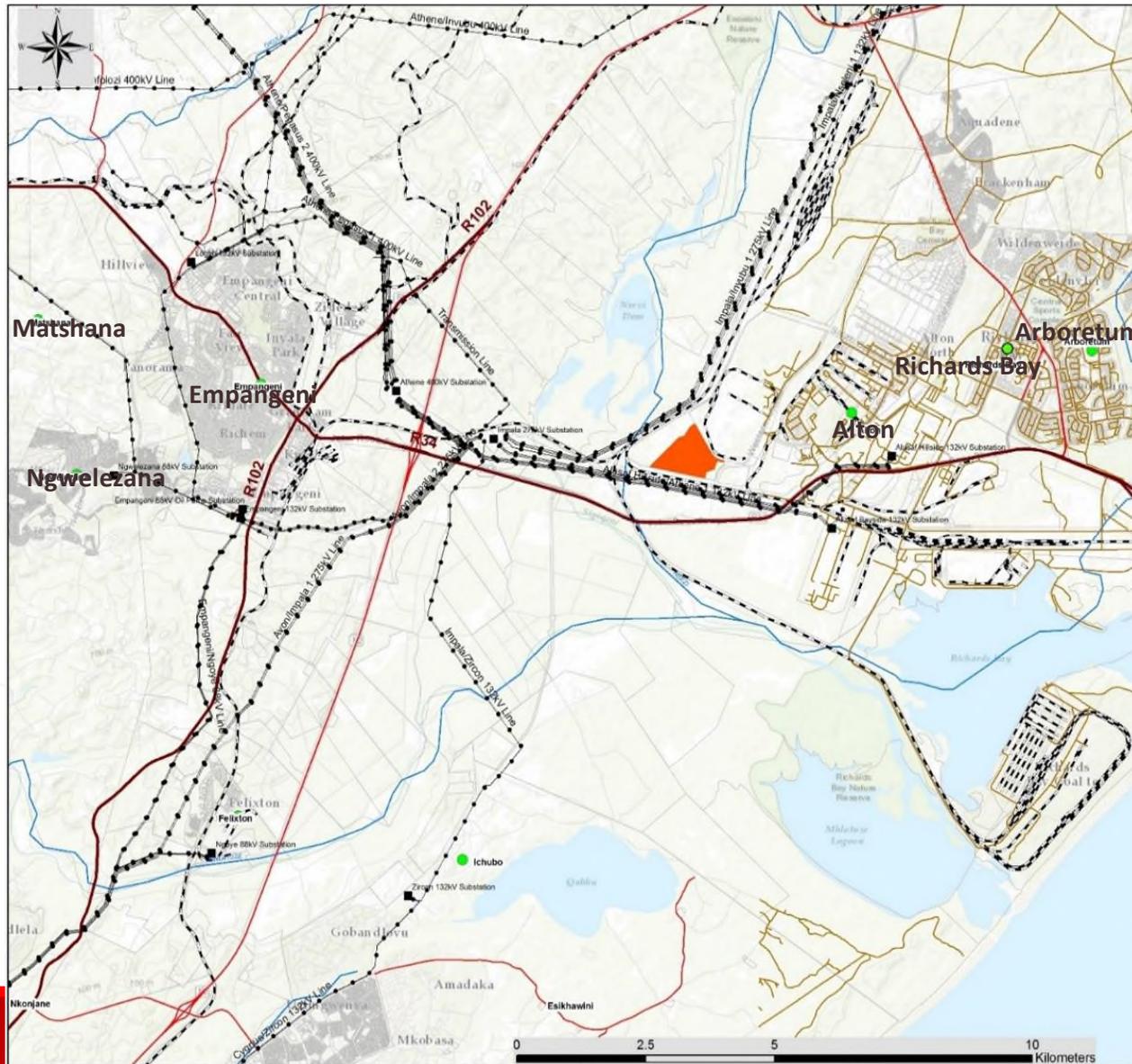
savannah
environmental

savannah
environmental

PROJECT DETAILS

Richards Bay CCPP

Applicant	Eskom Holdings SOC Ltd (Eskom)
Province	KwaZulu-Natal
District Municipality	King Cetshwayo District Municipality
Local Municipality	City of uMhlathuze Local Municipality
Ward Number	26
Nearest towns	Alton, Richards Bay, Arboretum, Empangeni, Ichubo
Farm name(s) and number(s)	Erf 11376
Portion number(s)	» Portion 2 » Portion 4
Current zoning and land use	The properties are zoned for industrial use (Phase 1D of the Richards Bay IDZ), and are currently used for communal grazing



Richards Bay CCGP

Locality Map

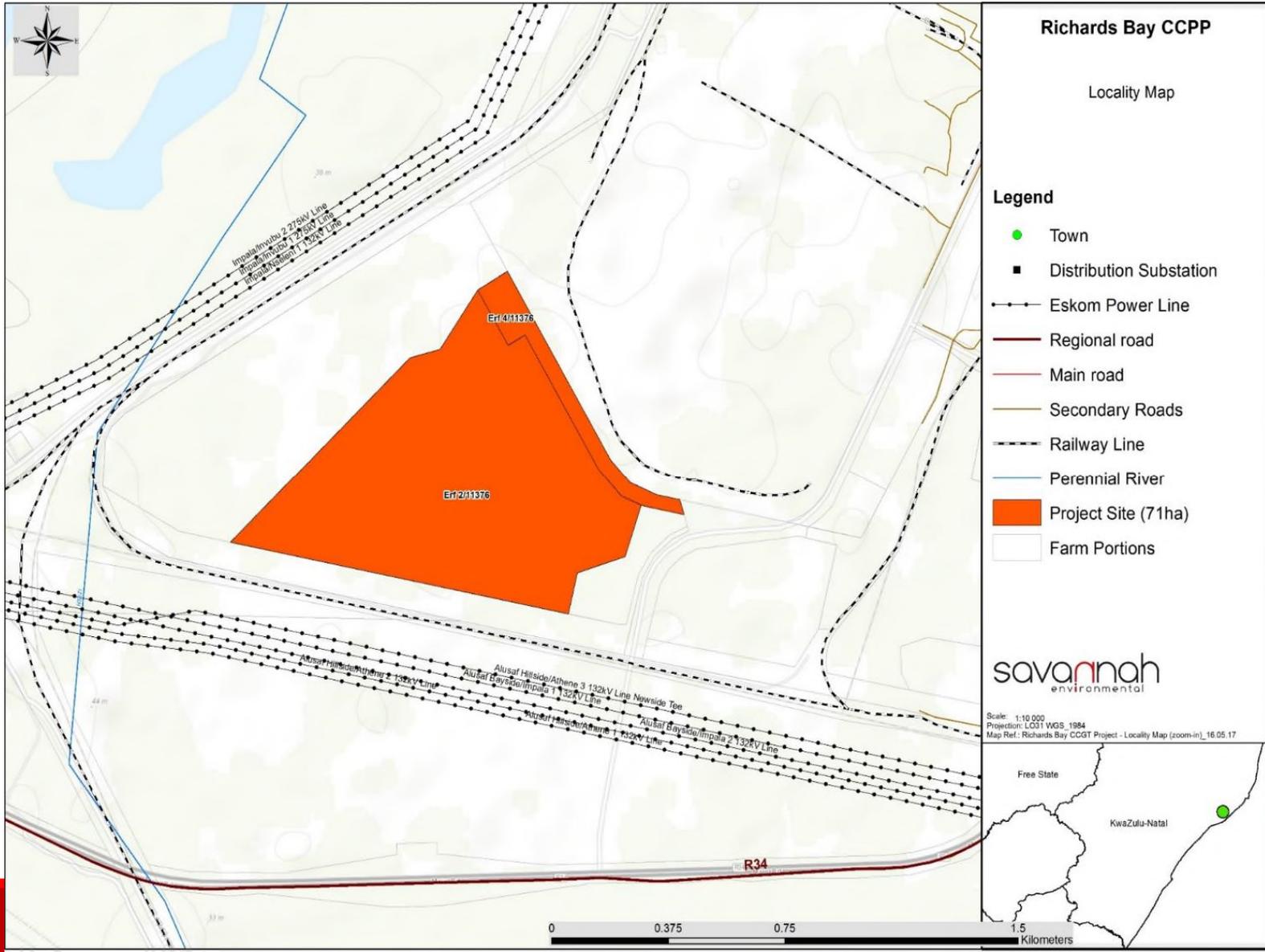
Legend

- Town
- Distribution Substation
- Eskom Power Line
- Regional road
- Main road
- Secondary Roads
- Railway Line
- Perennial River
- Project Site
- Farm Portions

savannah
environmental

Scale: 1:70 000
Projection: LO31 WGS_1984
Map Ref: Richards Bay CCGT Project - Locality Map_15.05.17





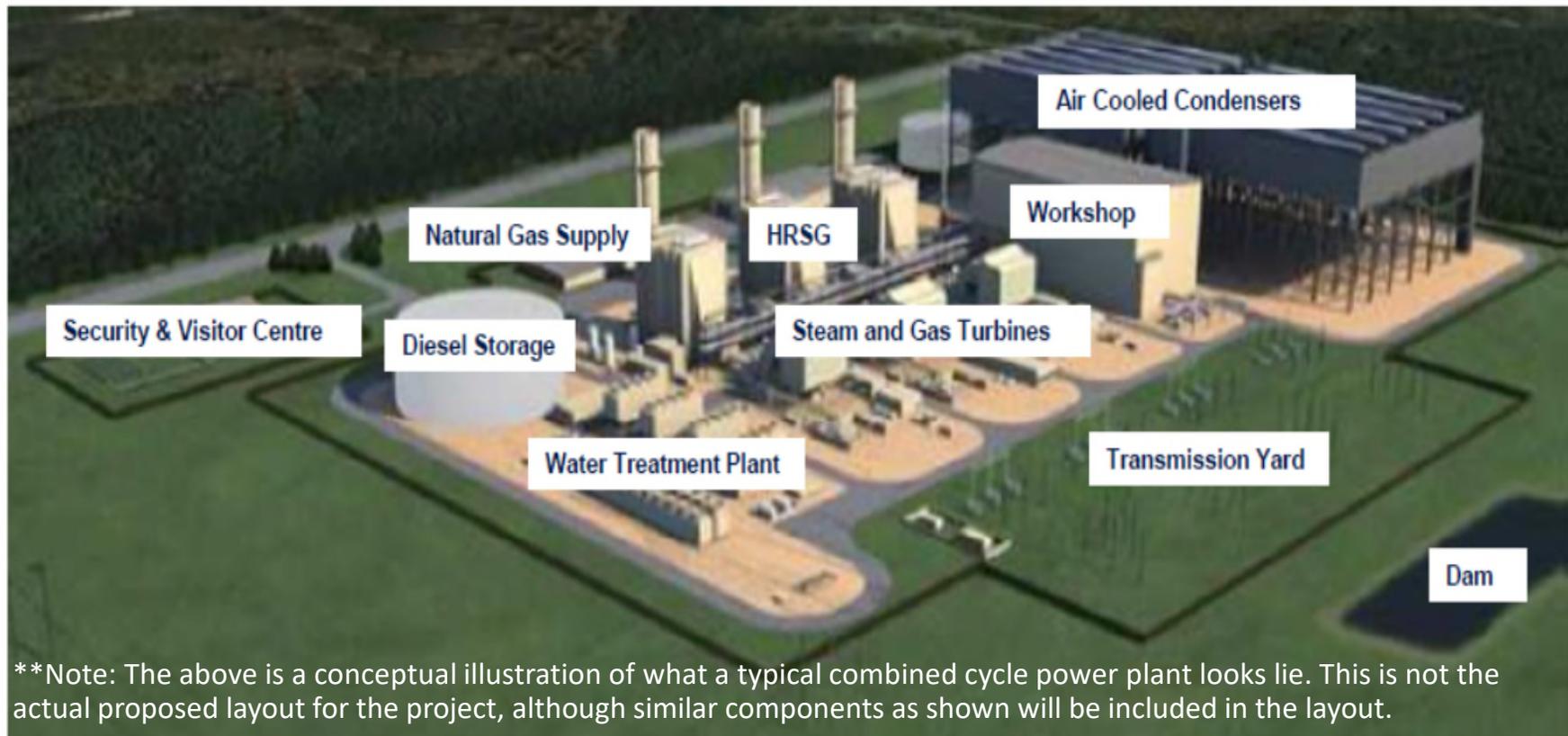
TECHNICAL PROJECT DETAILS

Richards Bay CCPP

Electricity generation capacity	Up to 3000MW (installed)
Proposed technology	Combined Cycle Power Plant (CCPP) with an anticipated configuration of 2:2:1 (Gas Turbine: HRSG: Steam Turbine).
Development footprint	Up to 60ha (CCPP) and up to 11ha (associated infrastructure) - to be developed within the 71ha project site

TYPICAL CCPP

(conceptual schematic presentation)



**Note: The above is a conceptual illustration of what a typical combined cycle power plant looks like. This is not the actual proposed layout for the project, although similar components as shown will be included in the layout.

MAIN INFRASTRUCTURE

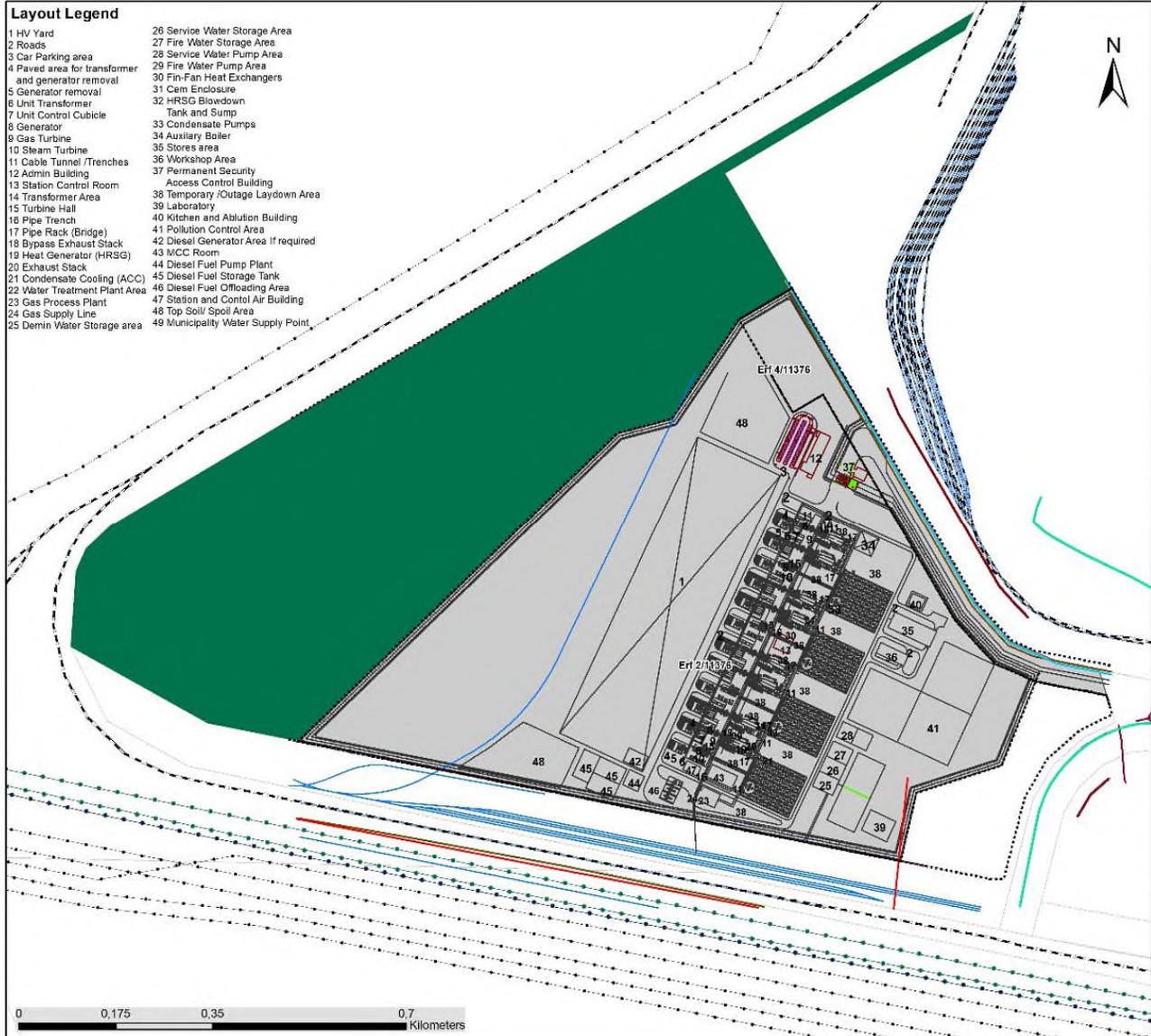
Richards Bay CCPP Main Infrastructure*

» Gas turbines	» Water treatment plant
» Heat Recovery Steam Generator	» Water pipelines and water tanks
» Steam turbines	» Dry-cooled system including air-cooled condenser fans
» Bypass stacks	» Closed Fin-fan coolers
» Dirty Water Retention Dams and Clean Water Dams	» Gas infrastructure (from the boundary fence and within the site boundaries only)
» Storm water channels.	» Diesel off-loading facility and storage tanks
» Waste (general and hazardous) storage facilities	» Ancillary infrastructure - access roads, warehousing, buildings, access control facilities and workshop area, storage facilities, emergency back-up generators, firefighting systems, laydown areas, and 132kV & 400kV power lines and associated switchyards
» Exhaust stacks	» A power line (from the boundary fence and within the site boundaries only)

*Transmission Power Line and Gas Pipe Line outside property boundaries: Separate EIA Processes

Layout Legend

- | | |
|--|---|
| 1 HV Yard | 26 Service Water Storage Area |
| 2 Roads | 27 Fire Water Storage Area |
| 3 Car Parking area | 28 Service Water Pump Area |
| 4 Paved area for transformer and generator removal | 29 Fire Water Pump Area |
| 5 Generator removal | 30 Fin-Fan Heat Exchangers |
| 6 Unit Transformer | 31 Cem Enclosure |
| 7 Unit Control Cubicle | 32 HRSG Blowdown Tank and Sump |
| 8 Generator | 33 Condensate Pumps |
| 9 Gas Turbine | 34 Auxiliary Boiler |
| 10 Steam Turbine | 35 Stores area |
| 11 Cable Tunnel /Trenches | 36 Workshop Area |
| 12 Admin Building | 37 Permanent Security Access Control Building |
| 13 Station Control Room | 38 Temporary Outage Laydown Area |
| 14 Transformer Area | 39 Laboratory |
| 15 Turbine Hall | 40 Kitchen and Ablution Building |
| 16 Pipe Trench | 41 Pollution Control Area |
| 17 Pipe Rack (Bridge) | 42 Diesel Generator Area if required |
| 18 Bypass Exhaust Stack | 43 M/CC Room |
| 19 Heat Generator (HRSG) | 44 Diesel Fuel Pump Plant |
| 20 Exhaust Stack | 45 Diesel Fuel Storage Tank |
| 21 Condensate Cooling (ACC) | 46 Diesel Fuel Offloading Area |
| 22 Water Treatment Plant Area | 47 Station and Control Air Building |
| 23 Gas Process Plant | 48 Top Soil/ Spoil Area |
| 24 Gas Supply Line | 49 Municipality Water Supply Point |
| 25 Demin Water Storage area | |



Richards Bay Combined Cycle Power Plant, KwaZulu Natal Province

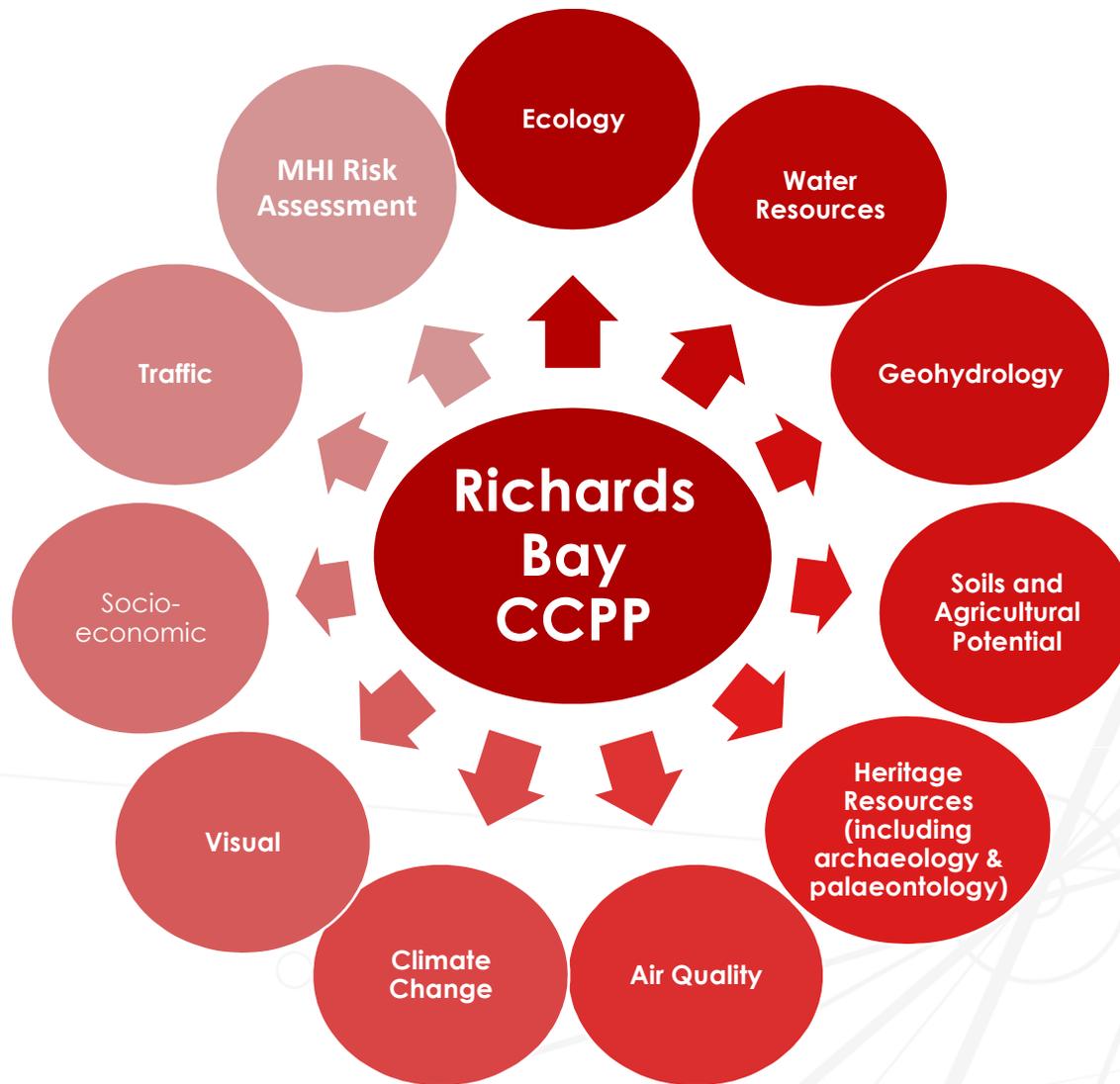
Layout Map

Legend

- 100m Buffer line
- NFEPA Wetlands
- Spoornet existing lines
- Railway Line
- Perimeter-line
- Site 6 Gas Pipeline
- Proposed Gas Pipeline to Sites 1
- MUNIC AOI Water Pipes
- MUNIC AOI Storm Water Pipes
- MUNIC AOI Sewer Pipes
- MUNIC AOI Munic 11 kV OHL line
- MUNIC AOI Munic 132kV OHL line
- Existing Power Line
- FUTURE SIDINGS
- CCGT Layout
- Secondary Roads
- █ Biodiversity Offset Area
- █ Project Site (71ha)

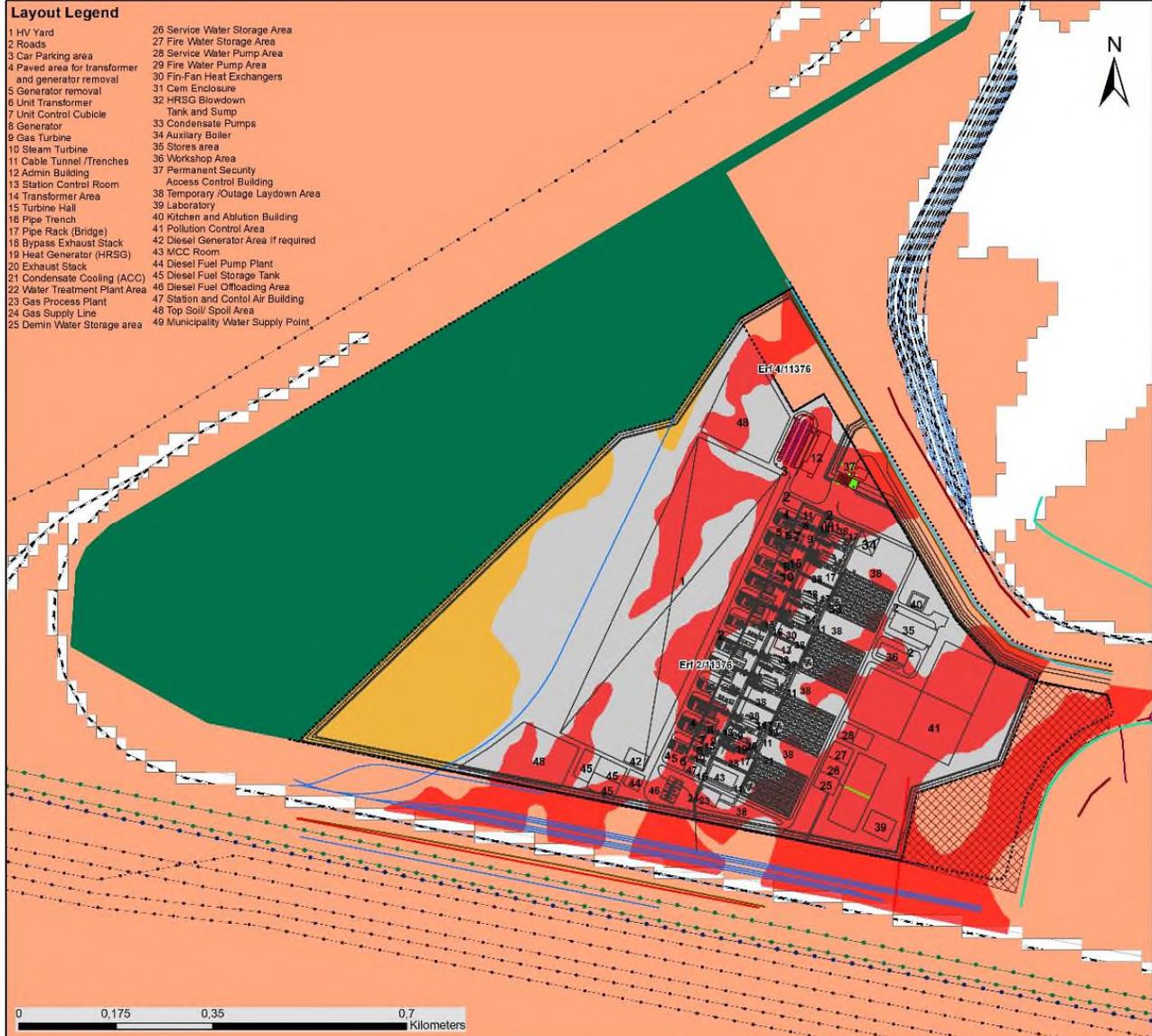
Scale: 1:6 491
 Projection: LQ31 WGS 1984
 Map Ref: Richards Bay CCGT Project - Environmental Sensitivity Map - 30.01.19





Layout Legend

- | | |
|--|---|
| 1 HV Yard | 26 Service Water Storage Area |
| 2 Roads | 27 Fire Water Storage Area |
| 3 Car Parking area | 28 Service Water Pump Area |
| 4 Paved area for transformer and generator removal | 29 Fire Water Pump Area |
| 5 Generator removal | 30 Fin-Fan Heat Exchangers |
| 6 Unit Transformer | 31 Cem Enclosure |
| 7 Unit Control Cubicle | 32 HRSG Blowdown Tank and Sump |
| 8 Generator | 33 Condensate Pumps |
| 9 Gas Turbine | 34 Auxiliary Boiler |
| 10 Steam Turbine | 35 Stores area |
| 11 Cable Tunnel /Trenches | 36 Workshop Area |
| 12 Admin Building | 37 Permanent Security Access Control Building |
| 13 Station Control Room | 38 Temporary Outage Laydown Area |
| 14 Transformer Area | 39 Laboratory |
| 15 Turbine Hall | 40 Kitchen and Ablution Building |
| 16 Pipe Trench | 41 Pollution Control Area |
| 17 Pipe Rack (Bridge) | 42 Diesel Generator Area if required |
| 18 Bypass Exhaust Stack | 43 M/C Room |
| 19 Heat Generator (HRSG) | 44 Diesel Fuel Pump Plant |
| 20 Exhaust Stack | 45 Diesel Fuel Storage Tank |
| 21 Condensate Cooling (ACC) | 46 Diesel Fuel Offloading Area |
| 22 Water Treatment Plant Area | 47 Station and Control Air Building |
| 23 Gas Process Plant | 48 Top Soil/ Spoil Area |
| 24 Gas Supply Line | 49 Municipality Water Supply Point |
| 25 Demin Water Storage area | |



Richards Bay Combined Cycle Power Plant, KwaZulu Natal Province

Environmental Sensitivity Site Layout Map

Legend

- 100m Buffer line
 - NFEPA Wetlands
 - Spoornet existing lines
 - Railway Line
 - Portmole-line
 - Site 6 Gas Pipeline
 - Proposed Gas Pipeline to Sites 1
 - MUNICAOI Water Pipes
 - MUNICAOI Storm Water Pipes
 - MUNICAOI Sewer Pipes
 - MUNICAOI Munko 11 kV OHL line
 - MUNICAOI Munko 132kV OHL line
 - Existing Power Line
 - FUTURE SIDINGS
 - CCGT Layout
 - Secondary Roads
 - Project site
- Environmental Sensitivities (no-go areas)**
- Biodiversity Offset Area
 - Conservation Area
 - CBA
- Wetlands**
- High Ecological and Aquatic Sensitivity
 - Moderate Ecological and Aquatic Sensitivity

Scale: 1:6 491
 Projection: LG31 WGS 1984
 Map Ref: Richards Bay CCGT Project - Environmental Sensitivity Map - 30.01.19



DEA COMMENTS RELATING TO WASTE

- » The Department has noted that two components have been added to the project description on page 6 of the application form and page v under the executive summary that were not part of the project description as contained in the project application form that was submitted on 06 October 2017 and the final scoping report that was accepted on 20 November 2017, i.e. dirty water retention dam and clean water retention dam as well as waste storage facilities (general and hazardous). The Department submits that the additional components might trigger the NEMWA listed activities which require a waste license and were not applied for. On that note the Department submits that the above mentioned is considered a flaw.

DEA COMMENTS RELATING TO WASTE

- » Taking into consideration the additional information included in the draft EIR, please provide reasons for the inclusion of these two components at this stage of the EIA process. In addition, the following with regard to the retention dams and storage facilities (general and hazardous) must be included in the report:
- Capacity of the dams;
 - The composition of the dirty water;
 - Type of liners to be used;
 - The location of the storage facility;
 - The duration of storage of the waste;
 - The design of the storage facility; and
 - Types of waste to be stored

APPLICABILITY OF THE NEMWA LISTED ACTIVITIES

- » Waste management activities in respect of which a waste license is required in accordance with Section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008)
- » Category B – Storage of Hazardous Waste
 - “(1) The storage of hazardous waste in lagoons excluding storage of effluent, wastewater or sewage”
 - The dirty water retention dam and clean water retention dam will not trigger a NEMWA listed activity as per the exclusions included.
 - This will be licensed under the National Water Act (Act No.36 of 1998) as per the section 21 (b), 21 (c), 21(g) and 21(i)
- » Category C – Storage of Waste
 - Excludes the storage of waste and general waste in lagoons
 - Must comply with the Norms and Standards for Storage of Waste, 2013
 - Relevant to the waste storage facilities (general and hazardous) for the project

DISCUSSIONS AND QUESTIONS

WAY FORWARD

- » Comments raised in the DEA comments relating to waste will be responded to in the comments and responses report of the revised EIA Report (to be made available for review)
- » Meeting notes of the meeting will be distributed to all attendees and included as part of the revised EIA Report

Thank you

**APPENDIX B:
DEA COMMENTS ON THE DRAFT EIA REPORT**



environmental affairs

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DEA Reference: 14/12/16/3/3/2/1123

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PER E-MAIL / MAIL

Dear Ms Thomas

COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED RICHARDS BAY COMBINED CYCLE POWER PLANT AND ASSOCIATED INFRASTRUCTURE IN RICHARDS BAY IN KWAZULU NATAL PROVINCE

The application form and draft Environmental Impact Report (EIR) dated March 2019 as received by this Department on 22 March 2019 refers.

This Department has the following comments on the abovementioned application:

Project description:

- The Department has noted that two components have been added to the project description on page 6 of the application form and page v under the executive summary that were not part of the project description as contained in the project application form that was submitted on 06 October 2017 and final scoping report that was accepted on 20 November 2017 i.e. dirty water retention dam and clean water retention dam as well as waste storage facilities (general and hazardous). The Department submits that the additional components might trigger the NEMWA listed activities which require waste license and were not applied for. On that note, the Department submits that the above mentioned is considered a flaw.
- Taking into consideration the additional information included in the draft EIR, please provide reasons for the inclusion of these two components at this stage of the EIA process. In addition the following with regard to the retention dams and storage facilities (general and hazardous): must be included in the report:
 - Capacity of the dams;
 - The composition of the dirty water;
 - Type of liners to be used
 - The location of the storage facility;
 - The duration of storage of the waste;
 - The design of the storage facility; and
 - Types of waste to be stored.

Project layout

- Please furnish an amended project lay out plan as discussed in the site inspection meeting of the 17 April 2019 and it must consider inputs from all the specialists.
- Please ensure that the amended project lay out plan clearly illustrates all the components and associated infrastructure of the project.

Alternatives

- The Department has noted that Appendix 3, (3) (1) of GN R.982 of 2014, as amended has been complied with however should there be an amendment of the alternative site, then the scope of the assessment and the content of environmental impact report must comply with NEMA EIA regulations of 2014 as amended (Appendix 3).

Other approvals

Please indicate if the process of obtaining an air emission license has been undertaken for this proposed development.

Specialist studies

- The Department has noted that the ecological specialist concluded that the current biodiversity offset area does not offer suitable habitat for wetland species, as a result it is not recommended as an offset option but other sites must be considered for offsetting.
- It has been noted that option 2 has been preferred by the aquatic specialist taking into consideration the development layout submitted with the draft EIR, therefore, the Department submits that inputs by the specialist be included in the final report which considered the amended layout plan.

Heritage impact assessment

Please explain why only 36 ha of the project footprint was assessed for heritage impacts whereas it stated in section 8 on page 159 of the draft EIR "*that the total project footprint that is assessed for this project is 71 ha*".

Public Participation Process

- Please ensure that all issues raised and comments received during the circulation of the EIR from the registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section, Air Quality and Climate Change Directorates) in respect of the proposed activity are adequately addressed in the final EIR.
- Proof of correspondence with the various stakeholders must be included in the final EIR, should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department.
- The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- Please note any new information that was not available at the time of the availability of the draft EIR for comments must be made available to both the interested and affected parties and the competent authority for comment prior to the submission of the final EIR to the competent authority for a decision.

General Comments

You are further reminded that the final EIR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Environment Impact Report in accordance with Appendix 3 and Regulation 23(1) of the amended EIA Regulations, 2014.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Ms Olivia Letlalo

Designation: Control Environmental Officer: Strategic Infrastructure Developments

Date: 23/04/2019

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