

MEETING WITH DEPARTMENT OF ENVIRONMENTAL AFFAIRS (DEA)

DATE	3 August 2012
TIME	10H00 – 12H00
VENUE	DEA Offices, Pretoria
CHAIR	Mr Deon Esterhuizen
MINUTES	Ms Ndomupei Dhemba (Sebata Institute)

Item																			
1	<p>Welcome</p> <p>Deon Esterhuizen welcomed everyone to the meeting and thanked Mrs Tebogo Mapinga and Mr Danie Smit for hosting the meeting.</p>																		
2	<p>Attendance</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Danie Smit</td> <td>DEA (Authority)</td> </tr> <tr> <td>Tebogo Mapinga</td> <td>DEA (Authority)</td> </tr> <tr> <td>Florence Radebe</td> <td>Eskom (Applicant)</td> </tr> <tr> <td>Mohil Singh</td> <td>Eskom (Applicant)</td> </tr> <tr> <td>Kevin Perry</td> <td>Eskom (Applicant)</td> </tr> <tr> <td>Petrus de Klerk</td> <td>Eskom (Applicant)</td> </tr> <tr> <td>Deon Esterhuizen</td> <td>Sebata Institute (EAP)</td> </tr> <tr> <td>Ndomupei Dhemba</td> <td>Sebata Institute (EAP)</td> </tr> <tr> <td>Deborah O' Connor</td> <td>Sebata Institute (EAP)</td> </tr> </table>	Danie Smit	DEA (Authority)	Tebogo Mapinga	DEA (Authority)	Florence Radebe	Eskom (Applicant)	Mohil Singh	Eskom (Applicant)	Kevin Perry	Eskom (Applicant)	Petrus de Klerk	Eskom (Applicant)	Deon Esterhuizen	Sebata Institute (EAP)	Ndomupei Dhemba	Sebata Institute (EAP)	Deborah O' Connor	Sebata Institute (EAP)
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3	<p>Purpose of the meeting</p> <p>Mr Esterhuizen indicated that the purpose of the meeting was to present a summary of the Kusile Ash Dump amendment application and provide a total picture of what happened previously on the project, what is happening now and what Eskom is planning for the project.</p>																		
4	<p>Presentation of Amendment Application and Exemption Application</p> <p>The presentation was structured as follows:</p> <ul style="list-style-type: none"> • Background of the Project • Reasons for Amendment Application • Application for exemption from conducting further public participation process and additional specialist studies • Conclusion 																		

<p>5</p> <p>6</p> <p>7</p>	<p>The full presentation is attached as Appendix A of these minutes.</p> <p>Discussion</p> <p>DEA acknowledged that a lot of work had gone into the applications that Eskom has conducted to date including public participation process and specialist studies as part of the previous applications.</p> <p>DEA advised Eskom that they should conduct a Basic Impact Assessment since the RoD had already been issued and signed. An amendment application would have been more appropriate had the RoD not yet been issued.</p> <p>The DEA informed Eskom that the Department will not be exempting Eskom from conducting specialist studies, but that the Department will accept the studies that have been conducted. The Specialists that drafted the reports will have to confirm that the information contained in the specialist reports is still relevant and valid. The specialists will also need to confirm in writing that the site has not undergone any drastic changes that will require new studies to be undertaken for the activities triggered and that the proposed activities will not cause any significant impact on the receiving environment.</p> <p>DEA also stated that the Department will not be exempting Eskom from conducting public participation process, but that Eskom may be exempted from certain sections of the PPP. The Department advised Eskom to conduct what is legally required of a PPP in terms of Chapter 6 of the EIA Regulations, 2010 which includes:</p> <ul style="list-style-type: none"> • Newspaper advertisements; • On-site notices; • Notification letters; and • A 40-day public comment period. <p>DEA indicated that once the application has been submitted, DEA would be able to issue a response within 30 days. However, Eskom could request in writing that the review of the application be expedited.</p> <p>The way forward</p> <ul style="list-style-type: none"> • Eskom will apply for environmental authorisation from the DEA for the GNR544 activities 11 and 18 and will conduct a Basic Impact Assessment (BA). • A public participation process in terms of Chapter 6 of the NEMA will be conducted to inform the I&APs of the BA via newspaper advertisements, on-site notices and notification letters. The I&APs will be allowed a 40-day comment period to review the BAR. • Eskom will request the DEA to expedite the review process and DEA will review the application in less than the normal 30 days. <p>Closure</p> <p>The meeting was adjourned at 12H00.</p>
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