



**PUBLIC PARTICIPATION REPORT FOR PROPOSED
PART 2 AMENDMENT APPLICATION PROCESS FOR
ASH DISPOSAL FACILITY EXEMPTION EXTENSION
AT MAJUBA POWER STATION, MPUMALANGA
PROVINCE**

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DECLARATION OF INDEPENDENCE

I Tankiso Phidza in my capacity and the Environmental Assessment Practitioner at Gemini GIS and Environmental Services declare that I:

- Act as an independent consultant;
- Do not have any financial interest in the undertaking of the activity, other than remuneration for the work performed in terms of the National Environmental Management Act, 1998 (Act 107 of 1998) as amended;
- As a registered member of the SACNASP, IAIA-sa, Water Institute of Southern Africa and Integrated Waste Management of Southern Africa, undertake project activities in accordance with the Code of Conduct of the organizations'; and
- Based on information provided to me by the Eskom Holdings Project Manager, and in addition to information obtained during the course of this study, have presented the results and conclusion within the legal framework to the best of my professional ability.

Tankiso Phidza

Tankiso Phidza

(IAIASa, SACNASP, WISA, IWMSA and SAIOSH)

January 2020

Environmental Assessment and presentation of report was checked and qualified by Dr. P. Sithole, a Professional Natural Scientist (SACNASP) and EAPSA (EAPASA).

TABLE OF CONTENTS

1	INTRODUCTION.....	7
1.1	PROJECT BACKGROUND	7
2	AIM AND OBJECTIVE OF THE STUDY	9
3	LEGAL FRAMEWORK	10
3.1	AMENDMENT PROCESS REQUIREMENTS	10
3.1.1	<i>EIA Regulations of 04 December 2014, as amended Part 1: Section 29 (a)</i>	11
3.1.2	<i>EIA Regulations of 04 December 2014,as amended Part 2: Section 31 of EIA regulations.....</i>	11
3.1.3	<i>EIA Regulations of 04 December 2014, as amended Part 2: Section 32 of EIA regulations.....</i>	11
4	SPECIALIST INPUT/ OPINION.....	12
5	PUBLIC PARTICIPATION PROCESS.....	12
5.1	THE OBJECTIVES OF THE PUBLIC PARTICIPATION PROCESS.....	12
5.2	PART 2-AMENDMENT PUBLIC PARTICIPATION PROCESS.....	14
5.2.1	<i>Notification of Public.....</i>	14
5.2.2	<i>Issues and responses from public consultation process</i>	21
5.2.3	<i>Public participation process comments on the project received by email.</i>	23
5.3	STAKEHOLDER COMPOSITION	XXV
6	CONCLUSION	XXV

LIST OF FIGURES

Figure 1: Locality map for Majuba Ash Disposal Facility

Figure 2: Majuba ADF indicating ashing progress on exempted area

LIST OF TABLES

Table 1: Locations where site notices were placed

Table 2: IAP's issues and responses

Table 3: Summary of concerns the of Authorities and IAP's received by emails

LIST OF APPENDICES

(As per amendment report and additional for PPP)

APPENDIX A: ARC Soils assessment specialist report

APPENDIX B: Ecotone surface and wetland assessment report

APPENDIX C: SLR ground water assessment report

APPENDIX D: PPP Documents

APPENDIX E: ADF Ashed area

APPENDIX F: DEFF Correspondence letter

Acronyms and abbreviations

ADF	Ash Disposal Facility
DEFF	Department of Environment Forestry and Fisheries
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMP	Environmental Management Plan
GGES	Gemini GIS and Environmental Services
Ha	Hectares
IAP's	Interested and Affected Parties
IEA	Integrated Environmental Authorisation
m	metres
PCD	Pollution Control Dams
PS	Power Station
PSP	Professional Service Provider
SOC	State Owned Company
WML	Waste Management License
WUL	Water Use Licence

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DOCUMENT AND SITE DETAILS

Title	Public Participation Report for the proposed part 2 amendment application process for ash disposal facility (ADF) exemption extension at Majuba Power Station, Mpumalanga Province
Status	Final
Revision	1
Site	Majuba Power Station ADF
Coordinates	-27.115756, 29.741202
Farm	Farm 263
Surveyor General Code	T0HS0000000026300000
Quaternary Catchment	C11J

1 INTRODUCTION

Majuba Power Station is a coal-fired power plant situated between Volksrust and Amersfoort in Mpumalanga Province and operated by Eskom Holdings SOC Ltd. The power station has been in operation since the mid 1990's. The ash is disposed at the Ash Disposal Facility (ADF) located within the power station premises and is transported to the ADF by a conveyor belt. The continuous ashing led to the need for application of the extension of the ADF as per original design. The power station has been issued an Integrated Environmental Authorisation (IEA) [DEA14/12/16/3/3/3/53], for the expansion of the ash disposal facility, as well as the exemption authorisation for ashing without a liner for the transitional period for a period of 4 years from 2016 to June 2020. Post this period, ashing has to continue on the lined surface with a specified Class C liner as per National Environmental Management: Waste Act, (Act No. 59 of 2008) (NEMWA) norms and standards for disposal of waste to landfill as published in August 2013.

1.1 Project Background

Majuba Power Station is a coal-fired station and by-product of burning coal is ash. The ash is disposed at the Ash Disposal Facility (ADF) located within the power station premises and transported by means of conveyor belts to the ADF. Ashing is done with Stacker 1 (Main System) and the bottom stacker referred to as Stacker 2 (Stand-by system). The stackers' ash in layers until it reaches 80m height.

Due to the fact that the ADF was not regarded as a listed activity at the inception of the station, the ADF was not lined. In 2012, the EIA for extension of the ADF was lodged, and it had to include the application of a Waste Management Licence (WML). The National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), required that the ADF be lined with a Class C liner as per Section 3 (1) and (2) of NEMWA norms and standards. The area allocated for ashing has been filling up quickly and has therefore required the authorisation of the transition area to be used for ashing while the installation of the liner is being completed. The ashing on the exempted area for the transition period is due to end in June 2020, as stipulated in the current exemption.

Majuba Power Station initiated this project in order to apply for a Part 2 amendment of the exemption extension of the Ash disposal facility for continuous ashing on the exempted area until it reached its design capacity of 80m height. It has to be noted that Department of Environment Forestry and Fisheries (DEFF) approved the detailed designs on 16 October 2017. The amendment will not increase the current surface footprint of the exempted area. Eskom Holdings appointed Gemini GIS and Environmental Services (GGES) to apply for the Part 2 amendment of the exempted extension area.

The status quo is that the transitional (exemption) area was divided into Section 1A and 1B, ashing has commenced on section 1A. Section 1B is under preparation currently for continuous ashing until the cessation of the exemption authorisation for ashing without a liner for the transitional period for a period of 4 years. The preparation of Section 1B also includes the pollution control dam 5 (PCD) which will contain contaminated storm water runoff in the exemption area.

2 AIM AND OBJECTIVE OF THE STUDY

The aim of this study is to request a Part 2 amendment for the exemption authorisation for ashing without a liner for the transitional period for a period of 4 years issued to the Majuba Power Station that is valid until June 2020. The exemption area will not be filled to the approved design height of 80m by June 2020 when the exemption period lapses due to the running of the operations that have the reduction of ash content during outages and maintenance work. Refer to Figure 1 below for the exempted area and future extension of the ADF. The future extension area is to be lined with a Class C liner prior to ashing on the area.

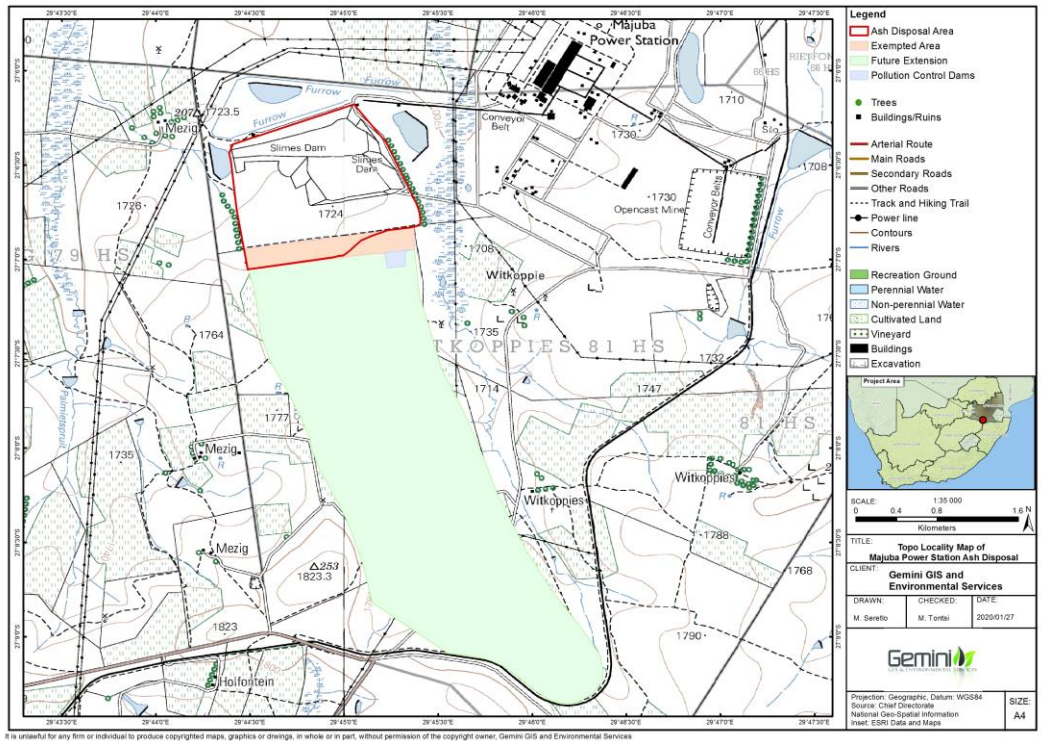


Figure 1: Locality map for Majuba Ash Disposal Facility

Figure 2 below shows the exempted area ashing to date from the date of authorization.

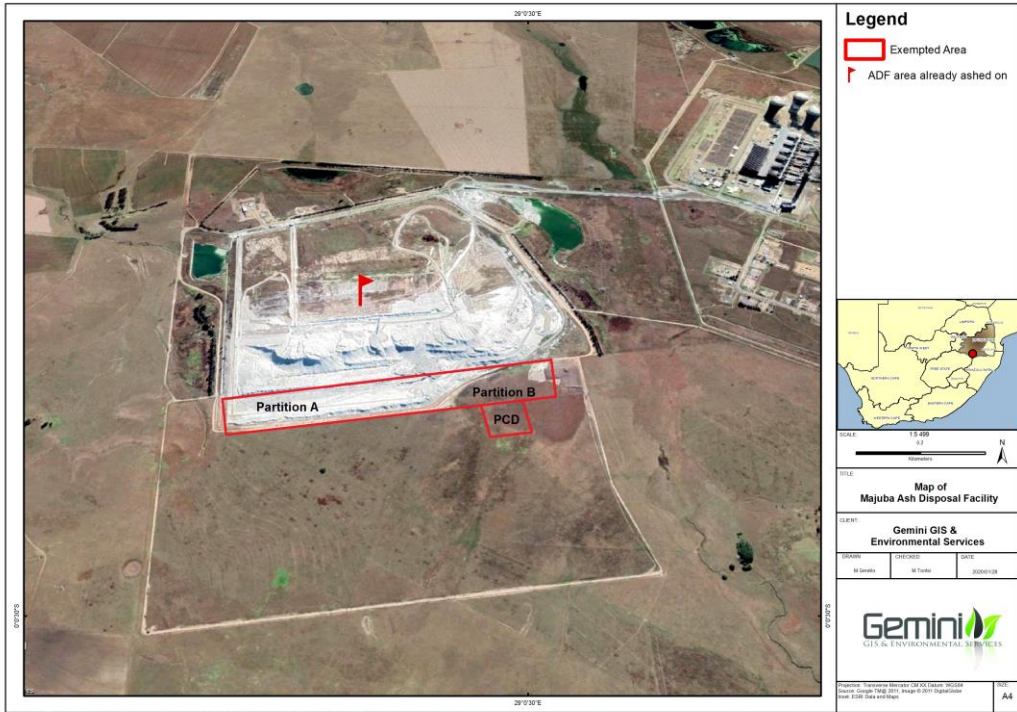


Figure 2: Majuba ADF indicating ashing progress on exempted area

3 LEGAL FRAMEWORK

3.1 Amendment process requirements

In terms of Regulations 29, 31 and 32 of the National Environmental Management Act (NEMA), 1998 as amended and Environmental Impact Assessment (EIA) Regulations of 2014, as amended in 2017; Eskom Holdings SOC Ltd: Majuba Power Station is applying for an amendment of exemption authorization extension of the ash disposal facility (ADF).

3.1.1 EIA Regulations of 04 December 2014, as amended Part 1: Section 29 (a)

The amendment will not change the scope of a valid Environmental Authorisation (EA) nor increase the level of nature of impact, which impact was initially assessed and considered when application was made for an EA.

3.1.2 EIA Regulations of 04 December 2014, as amended Part 2: Section 31 of EIA regulations

Regulation 31 of the 2014 NEMA EIA Regulations, as amended states: “An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or nature of impact where such level or nature of impact was not;

- Assessed and included in the initial application for environmental authorisation; or
- Taken into consideration in the initial environmental authorisation; and the change do not, on its own, constitute a listed or specified activity.”

Amendment of Exemption Authorisation - Ref. No. 14/12/16/3/3/3/53, dated 24 June 2016, for ashing on the exempted area until it reaches design capacity of 80m height.

3.1.3 EIA Regulations of 04 December 2014, as amended Part 2: Section 32 of EIA regulations

Regulation 32 of the EIA Regulations, as amended states: “The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority- (a) report, reflecting-

- (i) an assessment of all impacts related to the proposed change;
- (ii) advantages and disadvantages associated with the proposed change;
- (iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and
- (iv) any changes to the EMP.

Which report-

(aa) had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and

(bb) reflects the incorporation of comments received, including any comments of the competent authority”.

4 SPECIALIST INPUT/ OPINION

Eskom Holdings SOC Ltd recommended the following specialist opinions for determination of the environmental status quo since the last studies were conducted for the application of IEA and the exemption:

- Soil and Agriculture potential assessment;
- Surface water and Wetland assessment; and
- Ground water assessment.

There are no comments sent based on the specialist report. The reports are attached in Appendix A, B and C.

5 PUBLIC PARTICIPATION PROCESS

Public Participation is a process that is designed to enable all Interested and Affected Parties (IAP's) to voice their opinions and/or concerns which enables the practitioner to evaluate all aspects of the proposed development, with the objective of improving the project by maximising its benefits while minimising its adverse effects. IAP's includes all interested stakeholders, landowners, technical specialist and various relevant organs of state who work together to produce better decisions.

5.1 The objectives of the Public Participation Process

The primary aims of the Public Participation Process (PPP) are:

- To inform IAP's and key stakeholders of the proposed application and environmental studies;
- To initiate meaningful and timeous participation of IAP's;
- To identify issues and concerns of key stakeholders and IAP's with regards to the application for the development or project;
- To promote transparency and an understanding of the project and its potential environmental (biophysical and social) impacts, both negative and positive;
- To provide information used for decision making;
- To provide a structure for liaison and communication with IAP's and key stakeholders;
- To ensure inclusivity (the needs, interests and values of IAP's must be considered in the decision-making process);
- To focus on the issues relevant to the project, and issues considered important by the IAP's and key stakeholders; and
- To provide responses to queries.

For the purposes of this project, the PPP is aimed at ensuring that the full range of stakeholders is informed about the proposed project. In order to achieve this, a number of key activities have taken place and is to continue. The following activities are as follows:

- Identification of stakeholders which is a key deliverable at the onset, and is noted that there are different categories of stakeholders that must be engaged, from different levels and government departments to relevant structures in the NGO sector, to communities in the area of development;
- Development of a database that captures the details of stakeholders from all sectors;
- Engagement with public leaders and counselors to whom the public generally turn to for information, keeping them well informed about the project (its process and progress);
- Filling of queries from IAP's and others, and providing appropriate feedback and information;
- Notifying the public via advertising on local newspaper and site notices;
- Preparations of motivation reports based on information gathered from past specialist studies and current specialist opinion reports

5.2 Part 2-amendment public participation process

The initial public consultation process for the amendment for Majuba power station was to review the existing stakeholder list for the project as compile for the part 1 amendment in December 2019. As part of the consultation process, IAP's were notified of the proposed project and the details of the amendment process being undertaken through distribution of a Background Information Document (BID).

The BID provided background information on the Project and provided an explanation of the part 2-amendment process that is currently being undertaken for the project. The BID also invited members of the public to register as IAPs and participate in the amendment process. A response sheet was attached the BID on which IAPs could provide written comments on the proposed project.

The part 2 amendment report was compiled outlining the background of the project. Specialist opinion on soils assessment, surface and wetland assessments and the groundwater assessment reports where also appended on the report.

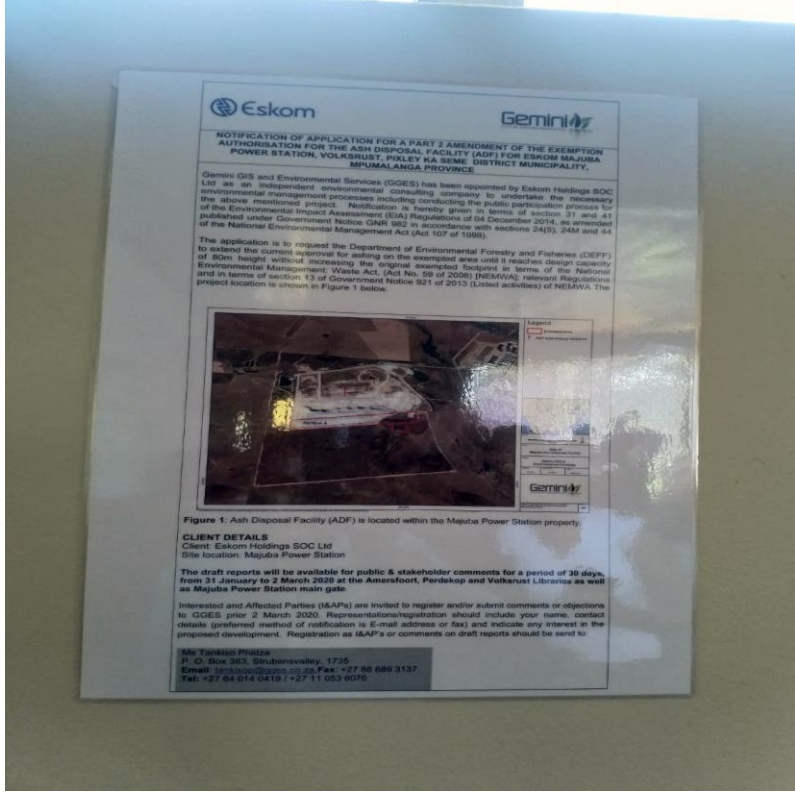

5.2.1 Notification of Public

5.2.1.1 Site notices

The site notices were places as follows (Refer to table 1 below):

Table 1: Locations where site notices were placed

Amersfoort Library:

 <p>Figure 1: Ash Disposal Facility (ADF) is located within the Majuba Power Station property.</p> <p>CLIENT DETAILS Client: Eskom Holdings SOC Ltd Site location: Majuba Power Station</p> <p>The draft reports will be available for public & stakeholder comments for a period of 30 days, from 31 January to 2 March 2020 at the Amersfoort, Perisakop and Vukhanes Libraries as well as Majuba Power Station main gate.</p> <p>Interested and Affected Parties (I&APs) are invited to register and/or submit comments or objections to GCEB prior 2 March 2020. Representational registration should include your name, contact details (preferred method of notification is E-mail address or fax) and indicate any interest in the proposed development. Registration as I&APs or comments on draft reports should be sent to:</p> <p>Site Notice Poster P. O. Box 383, Strubensvalley, 1735 Email: info@gemini.co.za Fax: +27 86 088 3137 Tel: +27 86 014 0418 / +27 11 883 8078</p>	 <p>The site is located on Bree Street in Amersfoort, Mpumalanga Province</p> <p>Coordinates: -27.16167 E 29.62625 S</p>
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Volksrust Library:



The library is located on Louis Trichardt street in Volksrust, Mpumalanga.

Coordinates:
-27.00659 E
29.86952 S

Perdekop Library:



The Library is located on Main Street in Perdekop, Mpumalanga.

Coordinates:
-27.161052 E
29.626616 S

Majuba power station reception area:



The Majuba Power Station coordinates:
-27.100879 E
29.768950 S

5.2.1.2 Newspaper advertisements

The newspaper advertisements were placed in the following newspapers:

- Cosmos (Both English and Zulu), and
- Mirror / Laevelder (English only).

5.2.1.3 Email correspondence

The documents were made accessible on the following link:

<https://drive.google.com/drive/folders/12OS9zR60lbr3XbaxSx2qEUTb5sAX44LQ?usp=sharing>

The notification letter over and above the newspaper advert was sent to I&AP's. Refer to Appendix B1.

5.2.1.4 Notification of authorities

The following Government Departments were notified of the Part 2 amendment of the extension of exemption of the ash disposal (ADF) for Majuba power station on the 31st January 2020, through email.

Follow up was constantly done telephonically to confirm the delivery of the email to the authorities. Some of the offices had no responses, where the telephone will ring with no one to pick up, or I&AP's will out be in office. With constant checking, some Managers had moved to other departments and new members in the office were sent the information again.

The following authorities were notified:

- Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs,
- Department of Water and Sanitation,
- Department of Mineral Resources,
- Mpumalanga Provincial Heritage Resource Authority
- Pixley ka Seme Municipality,
- Gert Nsibande District Municipality,
- Lekwa Municipality

5.2.1.5 Other Commenting organisations

In addition to the authorities listed above, the BID was circulated to the following commenting authorities on 31st January 2020:

- SANBI,
- WESSA,
- Federation for sustainable development,
- Environmental conservation association, etc.

The Part 2 amendment documents were placed at the following areas:

- Amesfoort Library,
- Volksrust Library,
- Perdekop Library, and
- Majuba power station reception area.

The comments books were placed together with the Part 2 amendment documents at each Library and at the reception area of the power station.

IAPs were given a 30-day period to submit comment on the above in accordance with the EIA Regulations. This period commenced on the 31st January 2020 to the 2nd March 2020.

The interested and affected parties for the projects were identified and all were informed of the project through newspapers and letters of notification. Newspapers were also used to advertise the opportunity to register as the interested and affected party and comment on the project. The concerns that are captured are as a result of follow up from the documents placed in the Libraries. Comments received 30 days after placement of documents. Refer to table 2 below:

5.2.2 Issues and responses from public consultation process

The issues that are received from the IAP's are summarized in table 2 here below. Further records are attached in the appendices from the comments books that were collected for the different libraries.

Table 2: IAP's issues and responses

IAP's	Type of communication	Concerns	Responses
Thulani Ngwenya	Written	Continue with your service. They have not experienced any problems in their location.	<ul style="list-style-type: none"> All correspondences to I&AP's will be sent to Mr Ngwenya and the details are included in the stakeholder list.
Gordon Mahabeer	Written	No objection	<ul style="list-style-type: none"> All correspondences to I&AP's will be sent to Mr Mahabeer and the details are included in the stakeholder list.
Nonhlakanipho E. Ngwenya	Written	<p>Eskom must open another plant even though it can be harmful to nearest communities.</p> <p>If Eskom is forced to extend the plant, they should consider the re-use of ash to bricks.</p>	<ul style="list-style-type: none"> Eskom built project is underway in Witbank and Lepahalale. There is no plan to construct a new plant in the Highveld area. The reuse of ash for brick making will be submitted to Eskom's research and development division. The process will involve characterization of ash and fit for purpose test before the consideration of implementation of the project.

IAP's		Type of communication	Concerns	Responses
Xolani Vilakazi	S.	Written	N/A	<ul style="list-style-type: none"> All correspondences to I&AP's will be sent to Mr Vilakazi and the details are included in the stakeholder list.
Lungisani Gumede	N.	Written	Eskom should open job opportunities for youth.	<ul style="list-style-type: none"> The current project that is applied for does not have job opportunities, as it involves the ashing that is done by machinery.
Mbali Mazibuko		Written (Social media)	She thinks that health of the people should be considered even before job opportunities.	<ul style="list-style-type: none"> There are no communities that lives next to the power station, however there are continuous monitoring that is conducted as per legal requirements. This project does not seek to appoint people to work at the ash disposal facility to limit prolonged exposure to ash.

5.2.3 Public participation process comments on the project received by email

Gemini GIS and Environmental Services sent emails to the existing IAP's list for the project. Proof of consultation of I&AP's is contained in Appendix B1.

No meetings were scheduled for the public. This was as a result of the unrest that occurred with the public meeting for part 1 amendment for the same project. Pixley ka Seme Environmental Manager indicated that the Gert Nsibande District Municipality would comment because they are also handling the Atmospheric Emission License (AEL) for the power station, and the concerns regarding this project will be sent through. The email correspondence was not received at the as promised by the end of the commenting period.

Table 3: Summary of concerns the of Authorities and IAP's received by emails

IAP's Authorities /	Type of communication	Concerns	Responses
Gert Nsibande District Municipality	Email – written		

NB: The table is incomplete due to the delayed submission of comments for the Districts Municipality.

5.3 Stakeholder composition

The following stakeholders were considered for the project

- Eskom Holdings SOC Ltd;
- Land owners;
- Municipalities;
- Department of Environment Forestry and Fisheries (DEFF);
- Department of Water Sanitation (DWS);
- Amersfoort, Perdekop and Volksrust residents; and

Checking the previous stakeholder list and making contact through emails, announced the opportunity for stakeholders to participate in the part 2 - amendment projects. The non-responsive as well as changed emails stakeholders were excluded in the stakeholder register. The list is a live document that will be updated as and when IAP's registers and make an input to the project.

The updated stakeholder register that prepared for public participation is attached in Appendix E.

6 CONCLUSION

The process was followed and even advertised in native language. The interest of the communities in Eskom projects is not on the technical outcome that the SOC seek to achieve. Although the public participation guideline / procedure was followed, the participants to the process who took part in the process through their comments were most concerned about job opportunities than anything else