

APPENDIX C

PUBLIC PARTICIPATION REPORT (PPP)

PPP to be initiated once the Draft Motivation Report is made available for Public Review and Comments. The Final Report for submission to the DEA will contain all PPP documents compiled and distributed to date.





Application for Part 2 Amendment application of Exemption approval for the proposed continuous ashing at the Ash Disposal Facility, at Tutuka Power Station, Mpumalanga Province.

GCS Ref. No: 19-0217

DEA Ref No: 14/12/16/3/3/3/52 and NEAS Ref. No.: DEA/EIA/0001416/2012

Background

The station applied for, and obtained, an Integrated Environmental Authorisation (IEA), 14/12/16/3/3/3/52 & DEA/EIA/0001416/2012, issued by the Department of Environmental Affairs on 19 October 2015.

Subsequent to this authorisation, the station applied for a 4-year Exemption from installing the required liner (a Class C liner), as a means to allow station ashing operations to continue while the required designs of the Class C liner were being developed, and to allow its installation. As part of the Exemption application process, the equivalent footprint (area) for the 4-year Exemption was estimated to be 54ha and was assessed and motivated by an independent Environmental Consultant. The DEA granted the 4-year Exemption on 5 May 2016, and it had some conditions. The Exemption period lapses on 4 May 2020. Parallel to ashing on the area under the Exemption, developmental work was executed for the Class C liner for the Ash Disposal Facility.

In 2018, Tutuka realised that the 54ha approved under the Exemption would not be fully utilised at the end of the 4-year Exemption period, and a process to determine the most feasible option to manage this usage gap was undertaken, whereby a few alternative strategies were assessed. Through the assessment process a decision was made that the most feasible option was to apply for an extension of the Exemption period, without extending the area under the Exemption. To execute this strategy, Eskom undertook a Part 1 amendment process in November 2018, but the DEA rejected that application (dated 09 January 2019) and required that a Part 2 amendment process be undertaken instead (which is the subject of this application).

Exemption Approval Amendment Application Processes:

In terms of Regulation 31 and 32 of the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 (as amended) and is for an amendment to the Exemption that was issued to Tutuka Power Station. Regulation 31 (Part 2) of the 2014 NEMA EIA Regulations states that:

"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 (a) assessed and included in the initial application for environmental authorisation; or (b) taken into consideration in the initial environmental authorisation; and the change does not, on its own, constitute a listed or specified activity."

GCS Water and Environment (Pty) Ltd (GCS), as independent environmental consultants were appointed by Eskom (Pty) Ltd to undertake the Part 2 Exemption amendment application process to the Exemption issued, in terms of Regulation 31 and 32 of GN 326; prepare the motivation Report and conduct the associated public participation process in terms of Chapter 6 of the EIA Regulations, 2014, as amended.

You are invited to participate in the Public Participation Process as an Interested and Affected Party (I&AP), as well as to provide any comments on the Draft Motivation Report in writing. The Draft Report will be available on the GCS Website (www.gcs-sa.biz) and Eskom website

(http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment_Impact_Assessments.aspx) from 30 July to 29 August 2019. The Draft report (hard copy) will also be made available at the venues below for review and comments during the period from Tuesday, 30 July 2019 to Thursday, 29 August 2019:

Venue	Working Hours	Street Address	Contact No.
Standerton Public Library	08:30 – 16:30	Cnr Beyers Naude and Mbonani Mayisela Street	017 712 9678
Tutuka Power Station Reception Area	07:00 – 16:00	Between Standerton and Bethal Road (after R 38)	017 749 9111

Should you wish comment, please forward your comments to the GCS contact persons: Elizabeth Mosepele/ Fatima Matlou | Tel: 011 803 5726/012 348 1114 | Fax: 011 803 5745/012 348 1180 | E-mail: elizabethm@gcs-sa.biz / fatima@gcs-sa.biz



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Public Participation

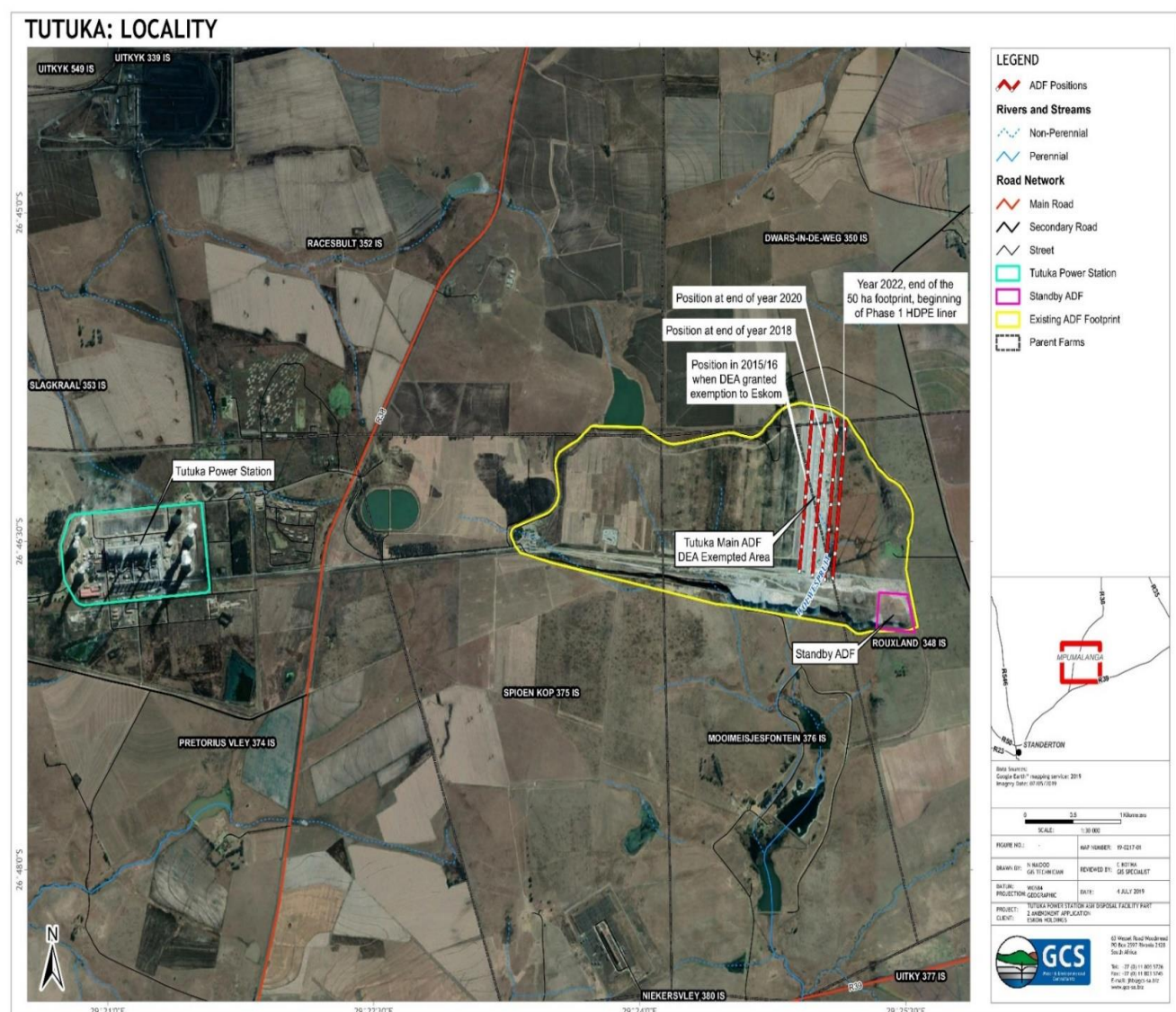
GCS as the appointed EAP invites you to participate in the Public Participation Process as an Interested and Affected Party (I&AP), as well as to provide any comments on the Draft Motivation Report in writing. The Draft Motivation Report will be available on the GCS Website (www.gcs-sa.biz) and Eskom website (http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment_Impact_Assessments.aspx) from 30 July to 29 August 2019.

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Date of publication: 30 July 2019





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Background Information Document
Application for Part 2 Amendment application of Exemption
approval for the proposed continuous ashing at the Ash
Disposal Facility, at Tutuka Power Station, Mpumalanga
province.

Eskom (Pty) Ltd

GCS Project Number: 19-0217

DEA Ref No: 14/12/16/3/3/3/52

and NEAS Ref. No.:

DEA/EIA/0001416/2012

30 July 2019



The purpose of a Background Information Document (BID) is to provide all Interested and Affected Parties (I&APs) with information in respect of the Part 2 Amendment of application of Exemption approval for the proposed continuous ashing at the Ash Disposal Facility. The BID also aims to:

- Introduce and explain the Amendment Application Process;
- Introduce and explain the Public Participation Process (PPP);
- Invite all I&APs to raise any questions and concerns they might have.



ENVIRONMENTAL ASSESSMENT PRACTITIONER: GCS (PTY) LTD

GCS Water and Environment (Pty) Ltd (GCS) is a fully integrated water, environmental, and earth science consulting services company based in the Republic of South Africa. GCS provides a professional consulting service in the fields of environmental, water and earth sciences. GCS has a team of highly trained staff with considerable experience in the fields of environmental and water science.

GCS will act as the Independent Environmental Assessment Practitioner (EAP), as well as the Public Participation Practitioner for this Amendment Application processes and PPP.

ABBREVIATIONS

BID	Background Information Document
CRR	Comments and Response Report
I&AP	Interested and Affected Party
DEA	Department of Environmental Affairs
NEMA	National Environmental Management Act, 1998 (Act No.107 of 1998)
NEMWA	National Environmental Management: Waste Act (Act 59 of 2008)
PPP	Public Participation Process
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment

PUBLIC PARTICIPATION - CONTACT DETAILS

Contact Person(s): Elizabeth Mosepele / Fatima Matlou
Tel: 011 803 5726 / 012 348 1114
Fax: 011 803 5745 / 012 348 1180
Email: elizabethm@gcs-sa.biz / fatima@gcs-sa.biz
Postal Address: PO Box 2597
 Rivonia
 Johannesburg
 2128

LOCALITY

Province: Mpumalanga
District: Gert Sibande District Municipality
Local Municipality: Lekwa Local Municipality
Nearest Town: Standerton

ENVIRONMENTAL AUTHORISATION AMENDMENT PROCESS REQUIREMENTS

This amendment application is considered a substantive amendment and is aligned with an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended, and the Environmental Impact Assessment Regulations 2014.

The substantive amendment is being undertaken in accordance with Regulation 31 and 32 of the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 (as amended) and is for an amendment to the Exemption that was issued to Tutuka Power Station. Regulation 31 (Part 2) of the 2014 NEMA EIA Regulations states that:

“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 (a) assessed and included in the initial application for environmental authorisation; or (b) taken into consideration in the initial environmental authorisation; and the change does not, on its own, constitute a listed or specified activity.”

In line with the above, Tutuka Power Station is now able to submit the substantive amendment application to the National DEA (in accordance with Regulation 31 (Part 2) of the 2014 NEMA EIA Regulations) in order to amend/ extend the Exemption period, without extending the area under the Exemption (dated 05 May 2016).

PROJECT BACKGROUND

Eskom Tutuka Power Station (Tutuka) is located approximately 25 km north-north-east (NNE) of Standerton in the Mpumalanga Province. The power station falls within the Lekwa Local Municipality which falls within the Gert Sibande District Municipality. The station applied for, and obtained, an Integrated Environmental Authorisation (IEA), 14/12/16/3/3/3/52 & DEA/EIA/0001416/2012, issued by the Department of Environmental Affairs on 19 October 2015.

Subsequent to this authorisation, the station applied for a 4-year Exemption from installing the required liner (a Class C liner), as a means to allow station ashing operations to continue while the required designs of the Class C liner were being developed, and to allow its installation. As part of the Exemption application process, the equivalent footprint (area) for the 4-year Exemption was estimated to be 54ha and was assessed and motivated by an independent Environmental Consultant. The DEA granted the 4-year Exemption on 5 May 2016, and it had some conditions. The Exemption period lapses on 4 May 2020. Parallel to ashing on the area under the Exemption, developmental work was executed for the Class C liner for the Ash Disposal Facility.

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To execute this strategy, Eskom undertook a Part 1 amendment process in November 2018, but the DEA rejected that application (dated 09 January 2019) and required that a Part 2 amendment process be undertaken instead (which is the subject of this application).

GCS Water and Environment (Pty) Ltd (GCS), as independent environmental consultants were appointed by Eskom (Pty) Ltd to undertake the Part 2 Exemption amendment application process to the Exemption issued, in terms of Regulation 31 and 32 of GN 326; prepare the motivation Report and conduct the associated public participation process in terms of Chapter 6 of the EIA Regulations, 2014, as amended. In addition, confirmation from specialists is required that the proposed extension will not have any additional impacts to those that have already been identified during the 2014 application.

LOCALITY

Province:	Mpumalanga
District:	Gert Sibande District Municipality
Local Municipality:	Lekwa Local Municipality
Nearest Town:	Standerton

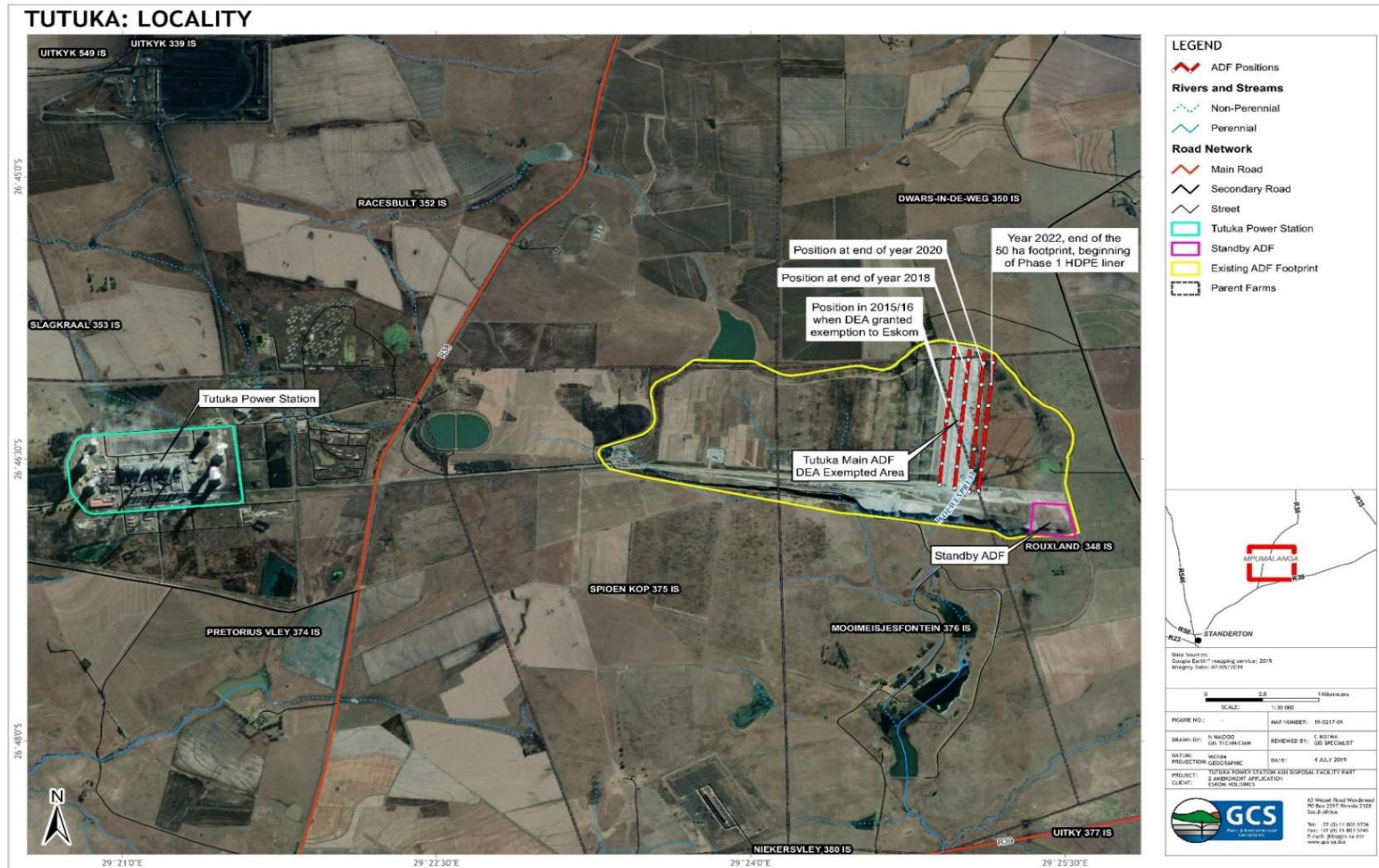


Figure 1: Tutuka Updated Layout Plan

Revision of the Impact Assessment

Wetland Impact Assessment Review

The residual wetlands associated with the Exemption area include parts of a channelled and unchannelled valley bottom system characterised by seasonal and temporary wetness. The wetlands are *Seriously* modified with little residual functionality or conservation significance.

During construction (preparation activity prior to ashing) impacts will largely be isolated to the residual wetlands within the Exemption footprint (approximately 5 ha). Impacts will relate to water quality, hydrology, habitat loss and encroachment of alien and invasive species. During the ashing (operational phase) impacts will relate to a loss in downstream flow augmentation and potential surface water pollution. In all instances the residual significance of impacts have been assessed as 'Low' the implementation of mitigation measures.

An increase in the duration of ashing within the residual Exemption area of 11 ha does not influence the residual significance of any of the anticipated impacts. The affected wetlands drain a portion of the Wolwespruit catchment that is entirely intercepted by the pollution control of the existing facility. Residual functions such as water purification, flood attenuation and erosion control are thus represented within the pollution control system. Conversely, a net loss in downstream flow augmentation and biodiversity functions have already occurred.

The net loss in flow augmentation may be mitigated through the removal of woody alien vegetation around the facility. This will contribute positively to the local water budget. Similarly, the net loss in biodiversity functions may be compensated for by improving functional integrity of degraded wetlands in close proximity to the Ash Facility.

Hydrogeological Assessment Review

The cumulative impacts from the ash disposal facility of all three phases (construction, operation and decommissioning) determined by SLR (2014) were summarised as:

- A rise in water table in the vicinity of the site due to increased recharge from stored water within the ash disposal facility and any associated surface water impoundments.
- Deterioration in groundwater quality.

Although the groundwater impacts determined by SLR (2014) will still remain in terms of groundwater levels and quality, the available data in the previous hydrogeological study conducted by SLR (2014) together with the site information received are not sufficient to enable GCS to quantify the groundwater impacts that may result from the additional time used to ash over the same footprint (54ha) under the exemption approval area. Additional geochemical, hydrogeological, and hydrological work is recommended to be performed before GCS can determine the final changes in potential groundwater impacts due to the additional time used to ash.

PUBLIC PARTICIPATION PROCESS

Public involvement is an essential part of any environmental assessment process. You have been identified as an Interested and Affected Parties (I&AP) who may want to receive information and/or contribute regarding this application. You are being given the opportunity to provide your input into the amendment process and to receive information. All comments will be recorded and presented to the project team and regulatory authorities. You will receive feedback on how your comments have been taken into account and the outcome of the assessment.

I&APs include any person who will be directly or indirectly involved and/or affected by the project. You may communicate via fax, email or telephone to obtain further information or comment on the proposed project. All registered I&APs will be kept informed of the decision taken by the DEA.

Proposed steps in the process are as follows:

Step 1: Notify I&APs and identify issues	<ul style="list-style-type: none"> Notify I&APs of the project proposal; Identify any issues/concerns of I&APs; Provide I&APs with a BID on the project, including a locality map and a Registration and Comment Sheet; and I&APs are required to register their interest in the project to receive further project information, and how the process/project has responded to their interests. 												
Step 2: I&AP review of draft Reports	<ul style="list-style-type: none"> Issues and concerns raised by I&APs are contained in a CRR for inclusion in the Motivation Report; The draft report is released for a 30-day commenting period; and All registered I&APs on the project database are notified in writing of the opportunity to comment. For this project, the draft Report will be made available for public review and comments from 30 July 2019 until 29 August 2019, on the GCS Website (http://www.gcs-sa.biz) and at the Eskom website (http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment_Impact_Assessments.aspx). <p>The Draft Report (hard copy) will also be made available at the venues below for review and comments during the period from Tuesday, 30 July 2019 to Thursday, 29 August 2019:</p> <table border="1" data-bbox="196 1070 1460 1227"> <thead> <tr> <th>Venue</th> <th>Working Hours</th> <th>Street Address</th> <th>Contact No.</th> </tr> </thead> <tbody> <tr> <td>Standerton Public Library</td> <td>08:30 – 16:30</td> <td>Cnr Beyers Naude and Mbonani Mayisela Street</td> <td>017 712 9678</td> </tr> <tr> <td>Tutuka Power Station Reception Area</td> <td>07:00 – 16:00</td> <td>Between Standerton and Bethal Road (after R 38)</td> <td>017 749 9111</td> </tr> </tbody> </table>	Venue	Working Hours	Street Address	Contact No.	Standerton Public Library	08:30 – 16:30	Cnr Beyers Naude and Mbonani Mayisela Street	017 712 9678	Tutuka Power Station Reception Area	07:00 – 16:00	Between Standerton and Bethal Road (after R 38)	017 749 9111
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Copies of the report will be made available on the request from GCS.													
Step 3: Final Report	<ul style="list-style-type: none"> Comments received from I&APs during the review process are considered in the compilation of the Final Report; and The Final Report is submitted to the Competent Authority and will be available on the GCS Website (http://www.gcs-sa.biz) and at the Eskom website: (http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment_Impact_Assessments.aspx). 												
Step 4: EA and Appeal Period	<ul style="list-style-type: none"> All registered I&APs will be notified in writing of the decision by the Competent Authority regarding the authorization, being positive or negative for the project. All I&APs will also be notified of the appeal period, as well as the manner of appeal. 												
Public Notification	<p>A major part of the PPP is to notify members of the public of the proposed activities, particularly those who may be directly or indirectly affected by the proposed project. This will be achieved via the following means:</p> <ul style="list-style-type: none"> The placement of an advertisement in a regional newspaper, as were used for the Exemption application process; Notices, in English will be placed at the site; Distribution of BIDs to landowners and occupiers of land adjacent to the proposed prospecting area and to I&APs on request; and Local authorities will be notified in writing and automatically registered as I&APs. 												
How to comment	<ul style="list-style-type: none"> Should you wish comment, please direct your enquiries or comments to the GCS contact persons: Elizabeth Mosepele/ Fatima Matlou Tel: 011 803 5726/012 348 1114 Fax: 011 803 5745/012 348 1180 E-mail: elizabethm@gcs-sa.biz / fatima@gcs-sa.biz Any further enquiries can be directed to GCS telephonically, or via fax or email. 												
Kindly note that should you require any other party to be contacted, please provide their contact details as well.													

REGULATORY CONTEXT

THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA)

Section 24(1) of NEMA requires that the potential consequences of or impacts on the environment when undertaking listed activities must be considered, investigated, assessed and reported on to the competent authority. Where environmental impact assessment has been identified as the instrument to be utilised, an application for environmental authorisation or Amendment thereof needs to be obtained.

In terms of Regulation 31 and 32 of the NEMA Environmental Impact Assessment (EIA) Regulations, 2014 (as amended) Eskom is applying for an amendment to the Exemption issued.


**Eskom Pty Ltd (Tutuka Power Station)
Part 2 Exemption Amendment Application**

I&AP Comment and Registration Form

GCS Ref No: 19-0217

Name:		Surname:	
Organisation / interest:			
Postal / Residential address			
Area:			Code:
Contact details		Tel:	()
		Fax:	()
		Mobile:	()
		Email:	
Please mark with an X to indicate whether you would like to participate in the process:			
Yes, I would like to participate in this process and receive periodic updates			<input type="checkbox"/>
No, I am not interested in participating and do not wish to receive further information			<input type="checkbox"/>
Preferred method of communication		Email	Post
Date commented		(DD / MM / YYYY)	
Please indicate any issues, comments and concerns with regards to the proposed project			
Please indicate in which aspects you would require more information			
Please indicate the contact details of any other I&APs whom you think should be contacted			
Name:		Surname:	
Tel:	()	Fax:	()
Mobile:	()		
Email:			
<p>In order to be registered as an I&AP for this project, fax, mail, or e-mail the completed registration form to Elizabeth Mosepele at: Tel: 011 803 5726 Fax: 011 803 5745 Email: elizabethm@gcs-sa.biz Post: PO Box 2597, Rivonia, 2128</p>			

