

## **Appendix F-5: Comments Received**

## **Appendix F-5 A: Scoping Phase**



## environmental affairs

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447 · PRETORIA · 0001 · Fedsure Building · 315 Pretorius Street · PRETORIA  
Tel (+ 27 12) 310 3911 · Fax (+ 2712) 322 2682

**DEA Reference:** 14/12/16/3/3/110

**Enquiries:** Ms Mmatlala Rabothata

**Tel:** 012 395 1768 **Fax:** 012 320 7539 **E-mail:** mrabothata@environment.gov.za

Ms Sharon Meyer  
Zitholele Consulting (Pty) Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1685

**Fax:** 086 674 6121

**Tel:** 011 088 8460

### **PER FACSIMILE / MAIL**

Dear Ms Meyer

### **ACKNOWLEDGEMENT OF RECEIPT AND ACCEPTANCE OF A NEW APPLICATION FOR ENVIRONMENTAL AUTHORISATION (SCOPING/EIA PROCESS) THE PROPOSED MEDUPI POWER STATION FLUE GAS DESULPHURISATION WITHIN LEPHALALE LOCAL MUNICIPALITY IN LIMPOPO PROVINCE**

The Department confirms having received the integrated application form, list of organs of state and applicable authorities, Declaration by the EAP, Declaration by the applicant, locality map and project schedule for environmental authorisation for the abovementioned project submitted by you on 29 April 2014. You have submitted these documents to comply with the Environmental Impact Assessment Regulations, 2010 and Government Notice 718 of 2009. The Application is accepted.

In addition, please consider the following during compilation of reports for this application for environmental authorisation:

- Please be advised that in terms of the EIA Regulations and NEMA the investigation of alternatives is mandatory. Alternatives must therefore be identified, investigated to determine if they are feasible and reasonable. It is also mandatory to investigate and assess the option of not proceeding with the proposed activity (the "no-go" option).
- A detailed and complete EMPr must be submitted with the EIR. This EMPr must not provide recommendations but must indicate actual remediation activities which will be binding on the applicant. Without this EMPr the documents will be regarded as not meeting the requirements and will be returned to the applicant for correction.
- The applicant/EAP is required to inform this Department in writing upon submission of any draft report, of the contact details of the relevant State Departments (that administer laws relating to a matter affecting the environment) to whom copies of the draft report were submitted for comment. Upon receipt of this confirmation, this Department will in

accordance with Section 24O(2) & (3) of the National Environmental Management Act, 1998 (Act 107 of 1998) inform the relevant State Departments of the commencement date of the 40 day commenting period, or 60 days in the case of the Department of Water Affairs for waste management activities which also require a licence in terms of the National Water Act, 1998 (Act 36 of 1998).

- Should it be necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999), please submit the necessary application to SAHRA or the relevant provincial heritage agency and submit proof thereof with the Basic Assessment Report/Environmental Impact Assessment Report. The relevant heritage agency should also be involved during the public participation process and have the opportunity to comment on all the reports to be submitted to this Department.

You are requested to submit two (2) electronic copies (the main report must be separated from the Appendices (each appendix saved separately) (CD/DVD) and two (2) hard copies of both the Draft and Final Report to the Department. The hard copies must be double-sided printed; double-punched and must be bound using a lever arch file (two or four holes).

The EAP must, in order to give effect to regulation 56 (2), before submitting the final EIR to the Department give registered interested and affected parties access to, and an opportunity to comment on the report in writing within 21 days.

In terms of regulation 67 of the EIA Regulations, 2010 this application will lapse if the applicant (or the EAP on behalf of the applicant) fails to comply with a requirement in terms of the Regulations for a period of six months after having submitted the application, unless the reasons for failure have been communicated to and accepted by this Department.

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 sincerely

  
Mr Ishaam Abader

Deputy Director-General: Legal, Authorisations, Compliance and Enforcement  
Department of Environmental Affairs:

Letter signed by: Ms Mmatlala Rabothata

Designation: Environmental Officer: Integrated Environmental Authorisations

Date: 13/05/2014

CC:	David Tunnicliff	Eskom Holdings SOC Limited	Fax: 086 602 9704
	Tsakane Tshuketana	Limpopo Economic Development, Environment and Tourism	Fax: 015 293 8317
	AS Naidoo	Lephalale Local Municipality	Fax: 014 763 5662



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

**Private Bag X 447, PRETORIA, 0001· Fedsure Building, 315 Pretorius Street  
Ref. 14/12/16/3/3/3/110**

**Enquiries: Ms. Zinhle Mbili**

**Tel: (012) 399 9785 Fax: (012) 359 3625 Email: [zmbili@environment.gov.za](mailto:zmbili@environment.gov.za)  
[www.environment.gov.za](http://www.environment.gov.za)**

Zitholele Consulting  
P.O. Box 6002  
**Halfway House**  
1685

**Fax: (086) 674 6121**

Dear Bongani Dhlamini

### **ENQUIRY REGARDING WASTE STREAMS TO BE GENERATED FOR THE PROPOSED RETROFITTING FLUE GAS DESULPHURISATION PROJECT AT ESKOM MEDUPI POWER STATION, LEPHALALE**

Your enquiry raised at a meeting held on 11 November 2014 refers;

Kindly be advised that upon consideration of the information submitted to the Department and upon consulting with the Department of Water and Sanitation, you are hereby informed that co-disposal of waste cannot be permitted at the four year ash disposal facility at Eskom Medupi.

Co-disposal would destroy modified clay liner components, due to the fact that the present four year facility deviated significantly from hazardous waste containment standards of the historic minimum requirements (in that the clay liner thickness was reduce from 600mm in 4 layers to 250mm in 2 layers for the primary liner component, and reduction from 300mm in 2 layers to 125mm in a single layer of the secondary liner.) Furthermore the geomembrane substandard performance was note addressed until today, however it was agreed with DWS that the bentonite modified clay is not compatible with gypsum. The limitations of bentonite modified soils when exposed to cations (such as Ca, Mg, and Al) and exposure to salts (such as brine).

Thus the current facility is not suitable for co-disposal of neither the Type 3 gypsum nor the Type 1 brine.

Yours sincerely

**Mr Mark Gordon**

**Deputy Director-General: Chemicals and Waste Management**

**Department of Environmental Affairs**

**Letter signed by Mr. Bonginkosi Dlamini**

**Designation: Director: Licensing**

**Date: 12/12/2014**



## environmental affairs

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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Tel (+ 27 12) 399 9972

**DEA Reference:** 14/12/16/3/3/110

**Enquiries:** Lunga Dlova

**Tel:** 012 399 8913 **E-mail:** LDlova@environment.gov.za

Ms Sharon Meyer-Douglas  
Zitholele Consulting (Pty) Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1685

**Fax:** 086 674 6121  
**Tel:** 011 207 2060  
**Email:** mail@zitholele.co.za

### **PER FACSIMILE / MAIL**

Dear Ms Meyer-Douglas

### **ACKNOWLEDGEMENT OF RECEIPT OF THE DRAFT SCOPING REPORT FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LIMPOPO PROVINCE**

The Department confirms having received the draft Scoping Report date 28 October 2014 for the above-mentioned project on 31 October 2014.

Please note that the Department will start reviewing once the final Environmental Impact Assessment Report is received.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours sincerely

**Mr Ishaam Abader**  
**Deputy Director – General: LACE**  
**Department of Environmental Affairs**  
**Letter signed by: Mr Herman Alberts**  
**Designation: Environmental Officer: Integrated Environmental Authorisations**  
**Date: 14/11/2014**

## Nicolene Venter

---

**From:** Masina Litsoane <MLitsoane@environment.gov.za>  
**Sent:** 08 July 2015 08:13 AM  
**To:** Nicolene Venter  
**Subject:** RE: 14/12/16/3/3/3/110: EIA for Medupi Flue Gas Desulphurisation

Good morning Nicolene,

I apologise for the late response, I was on leave. This is to confirm that your interpretation is correct, the letter was indeed referring to submission of the FSR.

Regards,  
Masina.

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 24 June 2015 06:51 PM  
**To:** [ldlova@enviornment.gov.za](mailto:ldlova@enviornment.gov.za)  
**Cc:** Herman Alberts; Masina Litsoane; Tania Oosthuizen  
**Subject:** 14/12/16/3/3/3/110: EIA for Medupi Flue Gas Desulphurisation

### **DEA reference number: 14/12/16/3/3/3/110**

Dear Lunga,

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIORNMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT AND WATER USE LICENSE APPLICATIONS) FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE**

Please find attached for the DEA's attention an electronic copy of our letter to the DEA regarding clarification regarding the submission of the Report.

The original letter was delivered to the DEA on Monday, 22 June 2015

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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## Lunga Dlova - 14/12/16/3/3/3/110 Acknowledgment of receipt

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**From:** Lunga Dlova  
**To:** mail@zitholele.co.za  
**Date:** 2014/11/24 03:43 PM  
**Subject:** 14/12/16/3/3/3/110 Acknowledgment of receipt  
**CC:** Eia Admin  
**Attachments:** 110 DRAFT SCOPING REPORT.pdf

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Dear Ms Meyer-Douglas,

Please find the correct attached acknowledgment letter for the above mentioned project.

Regards

*Mr Lunga Dlova*

**Department of Environmental Affairs**  
**Chief Directorate: Integrated Environmental Authorisations**  
473 Steve Biko Road  
Arcadia  
Pretoria

Tel: 012 399 8913  
Mobile: 083 781 2699  
E-mail: [LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)







## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447, PRETORIA, 0001- 473 Steve Biko Road, Arcadia, 0001

Ref. 14/12/16/3/3/3/110

Enquiries: Ms. Zinhle Mbili

Tel: (012) 399 9785 Fax: (012) 359 3625 Email: [zmbili@environment.gov.za](mailto:zmbili@environment.gov.za)  
[www.environment.gov.za](http://www.environment.gov.za)

Zitholele Consulting  
P.O. Box 6002  
Halfway House  
1685

Fax: (086) 674 6121

Dear Bongani Dhlamini

### **ENQUIRY REGARDING WASTE STREAMS TO BE GENERATED FOR THE PROPOSED RETROFITTING FLUE GAS DESULPHURISATION PROJECT AT ESKOM MEDUPI POWER STATION, LEPHALALE**

Your letter dated 15 January 2015 received on 16 January 2015 refers;

This Department has reviewed the aforementioned letter and you are hereby requested to assess the chemical reactions of the Type 1 (sludge and salts) waste streams combined and the chemical reactions for the Type 3 (ash and gypsum) waste streams.

Furthermore to provide an assessment of the effects of the combined waste streams on the liners for the Class A and Class C waste disposal facilities respectively including the effects on the temperature. The assessment should also include the references relating to the proposed waste disposal methods.

Upon receipt of the assessment reports the Department will then be able to make an informed decision.

Yours sincerely

Mr Mark Gordon

Deputy Director-General: Chemicals and Waste Management

Department of Environmental Affairs

Letter signed by Mr. Bonginkosi Dlamini

Designation: Director: Licensing

Date: 27/02/2015



## environmental affairs

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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DEA Reference: 14/12/16/3/3/3/110

Enquiries: Mr Lunga Dlova

Tel: 012 399 8913 E-mail: LDlova@environment.gov.za

Ms Tania Oosthuizen  
Zitholele Consulting (Pty) Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1685

Telephone number: 011 207 2060  
Email : mail@zitholele.co.za

### **PER FACSIMILE / MAIL**

Dear Ms Oosthuizen

### **ACKNOWLEDGEMENT OF RECEIPT OF THE FINAL SCOPING REPORT FOR THE PROPOSED MEDUPI POWER STATION FLUE GAS DESULPHURISATION (FGD) SYSTEM AT, LEPHALALE**

The Department confirms having received the Final Scoping Report for the above-mentioned project on 12 June 2015.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours sincerely

**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs**

**Letter signed by: Ms Mmatlala Rabothata**

**Designation: Environmental Officer: Integrated Environmental Authorisations**

**Date: 26/06/2015**



## **environmental affairs**

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

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Tel (+ 27 12) 399 9372

**DEA Reference:** 14/12/16/3/3/110

**Enquiries:** Ms Bongeka Ngcoliso

**Telephone:** 012-399 9376 **E-mail:** BNgcoliso@environment.gov.za

Ms Sharon Meyer  
Zitholele Consulting (Pty)Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1685

Tel: 078 415 7801  
Email: mail@zitholele.co.za

### **PER FACSIMILE / MAIL**

Dear Ms Meyer

### **ACCEPTANCE OF THE FINAL SCOPING REPORT FOR THE PROPOSED PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE IN THE LIMPOPO PROVINCE**

The Final Scoping Report (FSR) and Plan of Study for Environmental Impact Assessment dated June 2015 and received by the Department on 12 June 2015 refer.

The Department has evaluated the submitted FSR and the Plan of Study for Environmental Impact Assessment dated June 2015 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2010. The FSR is hereby accepted by the Department in terms of regulation 30(1) (a) of the EIA Regulations, 2010.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2010.

Please ensure that comments from all relevant stakeholders are submitted to the Department with the Final Environmental Impact Report (EIR). Proof of correspondence with the various stakeholders must be included in the Final EIR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

You are required to amend the application form to include applicable waste listed activity as per GN R.921 as your application was lodged after GN R. 718 were repealed in terms of National Environmental Management: Waste Act, Act 59 of 2008 and also include these applicable waste listed activities on the final EIR.

The applicant is hereby reminded to comply with the requirements of Regulation 67 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 56 and 57 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 56(3a-3h).

Please ensure that the Final EIR includes at least one A3 regional map of the area and the locality maps included in the final EIR illustrate the different proposed alignments and above ground storage of fuel. The maps must be of acceptable quality and as a minimum, have the following attributes:

- Maps are relatable to one another;
- Cardinal points;
- Co-ordinates;
- Legible legends;
- Indicate alternatives;
- Latest land cover;
- Vegetation types of the study area; and
- A3 size locality map.

Further, 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 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 will be required.

You are requested to submit two (2) copies of the Environmental Impact Report (EIR) to the Department and at least one electronic copy (CD/DVD) of the complete final report with the hard copy documents.

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**  
**Letter signed by: Ms Pumeza Skepe-Mngcita**  
**Designation: Deputy Director: IPS & S24G**

**Date:** 28/07/2015

cc	Mr D Tunncliff	Eskom Holdings SOC Ltd	Tel:011 800 5145	Email:david.tunncliff@eskom.co.za
	Mr/Ms T Tshuketana	LEDET (Limpopo)	Tel:015 293 8300	Email:TshuketanaTL@ledet.gov.za

## Nicolene Venter

---

**From:** Zinhle Mbili <ZMbili@environment.gov.za>  
**Sent:** 25 March 2015 09:39 AM  
**To:** Nicolene Venter  
**Subject:** RE: DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal

Dear Nicolene

I have received the Waste Assessment Reports today and I will arrange for it to be sent to DWS.

Regards

***Ms. Zinhle Mbili***

Department of Environmental Affairs

Directorate: Licensing

Private Bag X447

Pretoria

0001

Tel: 012-399 9785

Fax: 012-359 3625

E-mail: [ZMbili@environment.gov.za](mailto:ZMbili@environment.gov.za)

**"Great minds discuss ideas, average minds discuss events, small minds discuss people"** - Admiral Hyman G.

Rickover

>>> "Nicolene Venter" <nicolenev@zitholele.co.za> 2015/03/20 02:59 PM >>>

Hi Zinle,

Thank you for this.

Kind regards

Nicolene

---

**From:** Zinhle Mbili [mailto:[zmbili@environment.gov.za](mailto:zmbili@environment.gov.za)]  
**Sent:** 20 March 2015 11:32 AM  
**To:** Nicolene Venter  
**Subject:** RE: DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal

Dear Nicolene

As I indicated I will only get to know when I am back in the office on Tuesday.

Regards

***Ms. Zinhle Mbili***

Department of Environmental Affairs

Directorate: Licensing

Private Bag X447

Pretoria

0001

Tel: 012-399 9785

Fax: 012-359 3625

E-mail: [ZMbili@environment.gov.za](mailto:ZMbili@environment.gov.za)

"Great minds discuss ideas, average minds discuss events, small minds discuss people" - Admiral Hyman G. Rickover

>>> "Nicolene Venter" <[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)> 03/20/15 9:09 AM >>>


Hi Zinhle,

Attached please find the electronic copy of the signed Transmittal Slip for the three (3) Waste Reports delivered at DEA's Reception on Tuesday 17 March 2015, signed by Dess Setshape(?) at 13h10.

My concern is DEA's *Received* stamp, you will notice it indicates *FORWARD INVOICE TO SCM*. We sincerely hope that the information we provided on the Transmittal Slip e.g. your Name & Surname and project number will ensure that the envelope is delivered to your office and not that of SCM.

It will be appreciated if you can confirm that you did received the Waste Reports.

Kind Regards,

<p><b>Nicolene Venter</b> [Cert. Public Relations] <b>Senior Public Participation Practitioner</b> Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road &amp; Maxwell Drive, Waterfall City, Midrand, RSA <b>T:</b> +27 11 207 2060 <b>D:</b> +27 11 207 2077 <b>F:</b> +27 86 676 9950 <b>C:</b> +27 83 377 9112 <b>E:</b> <a href="mailto:nicolenev@zitholele.co.za">nicolenev@zitholele.co.za</a> <b>W:</b> <a href="http://www.zitholele.co.za">www.zitholele.co.za</a>  Please consider the environment before printing this e-mail!</p>	
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**From:** Nicolene Venter  
**Sent:** 20 March 2015 08:53 AM  
**To:** 'Zinhle Mbili'; 'Pumeza Skepe'  
**Cc:** Bongani Dhlamini; Sharon Meyer; Tricia Njapha; 'brdlamini@enviornmental.gov.za'  
**Subject:** RE: DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal



Hi Zinhle,

Thank you for responding to my SMS this morning. I want to confirm whether you received the additional three (3) copies of the Waste Report as requested below.

The envelope containing the three (3) Waste Reports was delivered on Tuesday 17 March 2015. I am awaiting the signed proof and once received I will forward it to you for your records.

Looking forward to hear from you.

Kind Regards,

<p><b>Nicolene Venter</b> [Cert. Public Relations] <b>Senior Public Participation Practitioner</b> Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road &amp; Maxwell Drive, Waterfall City, Midrand, RSA <b>T:</b> +27 11 207 2060 <b>D:</b> +27 11 207 2077 <b>F:</b> +27 86 676 9950 <b>C:</b> +27 83 377 9112 <b>E:</b> <a href="mailto:nicolenev@zitholele.co.za">nicolenev@zitholele.co.za</a> <b>W:</b> <a href="http://www.zitholele.co.za">www.zitholele.co.za</a>  Please consider the environment before printing this e-mail!</p>	
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**From:** Nicolene Venter  
**Sent:** 17 March 2015 07:27 AM  
**To:** 'Zinhle Mbili'; Pumeza Skepe  
**Cc:** Bongani Dhlamini; Sharon Meyer; Tricia Njapha; [brdlamini@enviornmental.gov.za](mailto:brdlamini@enviornmental.gov.za)  
**Subject:** RE: DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal

Hi Zinhle,

Not a problem – we will have the additional 3 hard copies of the Waste Assessment Report delivered to the DEA today.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

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---

**From:** Zinhle Mbili [<mailto:ZMbili@environment.gov.za>]

**Sent:** 17 March 2015 07:17 AM

**To:** Nicolene Venter; Pumeza Skepe

**Cc:** Bongani Dhlamini; Sharon Meyer; Tricia Njapha; [brdlamini@enviornmental.gov.za](mailto:brdlamini@enviornmental.gov.za)

**Subject:** RE: DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal

Dear Nicolene

The document has been received, however I would like to request additional 3 copies of the Waste Assessment Report No. JW197/14/e173 - REV 02 because we need to send them to DWS as well.

Regards

**Ms. Zinhle Mbili**

Department of Environmental Affairs

Directorate: Licensing

Private Bag X447

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0001

Tel: 012-399 9785

Fax: 012-359 3625

E-mail: [ZMbili@environment.gov.za](mailto:ZMbili@environment.gov.za)

**"Great minds discuss ideas, average minds discuss events, small minds discuss people"** - Admiral Hyman G.

Rickover

>>> "Nicolene Venter" <[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)> 2015/03/17 05:48 AM >>>

Good Morning Ms Mbili,

With reference to our e-mail below, please find attached our proof of delivery to the DEA on Thursday 12 March 2015.

I will give you a call this morning to confirm whether our response letter and Waste Report was received by you.

Please do not hesitate to contact us should you need any clarification or have a query.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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---

**From:** Nicolene Venter

**Sent:** 12 March 2015 10:39 AM

**To:** [zmbili@environment.gov.za](mailto:zmbili@environment.gov.za); Pumeza Skepe

**Cc:** 'brdlamini@enviornmental.gov.za'; Sharon Meyer ([Sharonm@zitholele.co.za](mailto:Sharonm@zitholele.co.za)); Bongani Dhlamini; Tricia Njapha

**Subject:** DEA Ref.: 14/12/16/3/3/3/100 - Medupi FGD Co-Disposal

Dear Ms Mbili,

Please find attached the following electronic copies:

- Zitholele Consulting's response letter to DEA's letter dated 27 February 2015 with same reference number; and
- The Waste Assessment of Ash and Flue Gas Desulphurisation Waste for the Medupi Power Station Report (Report No.: JW197/14/E173 – Rev 02)

The original letter and copy of the Report will be delivered to the DEA's Offices today.

Please do not hesitate to contact us should you require any clarification or information regarding these documents.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

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**ENVIRONMENTAL IMPACT ASSESSMENT FOR THE  
PROPOSED RETROFITTING OF A FLUE GAS  
DESULPHURISATION (FGD) SYSTEM AT MEDUPI  
POWER STATION, LEPHALALE, LIMPOPO PROVINCE**  
(DEA Ref.: 14/12/16/3/3/110)

**COMMENT SHEET : DEIR**

Available for public review from 19 February 2018 to 05 April 2018.

**EIA Public Participation Office**  
Mathys Vosloo / Lebo Pellane  
Zitholele Consulting (Pty) Ltd  
P O Box 6002, Halfway House, 1685  
Tel: 011 207 2060  
Fax: 086 674 6121  
Email: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)



Please complete by Friday 02 March 2018 and return to the EIA Public Participation Office (as above)

TITLE	MR	FIRST NAME	NDIITWANI	
INITIALS	N.I.J.	SURNAME	TSHIKONELO	
ORGANISATION <small>(Please do not use any acronym)</small>	LIMPOPO DEPARTMENT OF <del>ROADS</del> PUBLIC WORKS, ROADS AND INFRASTRUCTURE			
POSTAL ADDRESS	PIBAG X9490, POLOKWANE		POSTAL CODE	0700
TEL NO	015 284 7447			
FAX NO	015 284 7035			
CELL	071 670 0099			
EMAIL	TshikoneleNI@dpw.limpopo.gov.za			
SIGNATURE			DATE	18/05/2018

**COMMENTS (Please use separate sheets if necessary)**

1. I have the following concern / questions / queries.

THE DEPARTMENT OF PUBLIC WORKS, ROADS AND INFRASTRUCTURE HAS NO OBJECTIONS WHATSOEVER REGARDING THE PROJECT.

2. I would like to receive further communication through the following means of communication.

Email	<input checked="" type="checkbox"/>	Fax	<input type="checkbox"/>	SMS	<input type="checkbox"/>	Mail	<input type="checkbox"/>
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Please note to ensure your contact details for the communication method chosen are correctly captured above.

3. Any other comments you may have:

NONE

**THANK YOU FOR YOUR CONTRIBUTION**



## environmental affairs

Department:  
Environmental Affairs  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA · 0001· Environment House · 473 Steve Biko Road, Arcadia, PRETORIA  
Tel (+ 27 12) 399 9372

**DEA Reference:** 14/12/16/3/3/110

**Enquiries:** Masina Litsoane

**Tel:** 012 399 9375 **E-mail:** [MLitsoane@environment.gov.za](mailto:MLitsoane@environment.gov.za)

Ms Sharon Meyer-Douglas  
Zitholele Consulting (Pty) Ltd  
P.O. Box 6002  
**HALFWAY HOUSE**  
1685

**Fax No:** 086-674-6121  
**Tel No:** 011-207-2060  
**E-Mail:** [sharonm@zitholele.co.za](mailto:sharonm@zitholele.co.za)

### **PER FACSIMILE / MAIL**

Dear Ms Meyer-Douglas

### **ACKNOWLEDGEMENT OF RECEIPT OF EXCLUSION OF LONG TERM WASTE DISPOSAL FACILITIES: PROPOSED RETROFITTING OF FLUE GAS DESULPHURISATION SYSTEM AT MEDUPI POWER STATION AT LEPHALALE, LIMPOPO PROVINCE**

Your letter dated 19 September 2016 has reference. The Department confirms having received the letter for the abovementioned proposed project regarding exclusion of long term waste disposal facilities on 21 September 2016.

Please be advised that the existing EA to be amended can only be amended to include the disposal of gypsum if co-disposal of ash and gypsum was assessed as part of the EIA process for the existing ash disposal facility. Equally important, this Department requests that an amended application form be submitted to the Department to accommodate the exclusion of the listed activities that will no longer be applicable.

The use of original EIA and specialist studies carried out for the power station must not be older than five (5) years old. In the case whereby the studies are older than five (5), new specialist investigations must be conducted.

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. Should you have any queries or wish to discuss the points raised above, please do not hesitate to contact our offices.

Yours faithfully

**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environmental Affairs**  
**Letter signed by: Ms Masina Litsoane**  
**Designation: Assistant Director: CIPS & S24G**  
**Date: 03/11/2016**

**REGISTRATION AND COMMENT SHEET**

**Integrated Environmental Impact Assessment  
and Water Use License Application for a  
proposed Retrofitting Flue Gas Desulphurisation  
(FGD) at Medupi Power Station  
(DEA Ref.No.: 14/12/16/3/3/3/110)**

(inserted in the Background Information Document)

**June 2014**

**EIA Public Participation Office**

Nicolene Venter / Bongani Dhlamini  
Zitholele Consulting (Pty) Ltd  
P O Box 6002, Halfway House, 1685  
Tel: (011) 207 2060  
Fax: 086-676-9950  
Email: [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za)

*Please complete by Monday 07 July 2014 and return to the EIA Public Participation Office (as above)*

<b>TITLE</b>	MR	<b>NAME</b>	JOSEPH
<b>SURNAME</b>	TSHIKONELO		
<b>ORGANISATION or PROPERTY INFORMATION</b>	DEPARTMENT OF ROADS AND TRANSPORT LIMPOPO		
<b>POSTAL ADDRESS</b>	P/BAG X9491		
	POLOKWANE	<b>POSTAL CODE</b>	0700
<b>TEL NO</b>	015 295 1033	<b>FAX NO</b>	015 294 8116
<b>CELL NO</b>	071 670 0099		
<b>E-MAIL ADDRESS</b>	tshikonelon@drt.limpopo.gov.za		

Please <b>formally register me as an interested and/or affected party (I&amp;AP)</b> so that I may receive further information and notifications during the Environmental Impact Assessment process	<b>YES</b>	<b>NO</b>
---	------------	-----------

I would like my notifications by	Letter (mail)
	<input type="checkbox"/> Email
	<input type="checkbox"/> Fax
	<input type="checkbox"/> Telephone

I would like to receive documents for comment as follows:	<input type="checkbox"/> By email
	<input type="checkbox"/> On CD

In terms of Regulations GNR 543 - 546 – Government Gazette No. 33306 of 18 June 2010 (***EIA process regulations***) I disclose below any direct business, financial, personal or other interest that I may have in the approval or refusal of the application:

.....

.....

**COMMENTS** (please use separate sheets if you wish)

I suggest that the following issues of concern be investigated in the Environmental Impact Assessment:

.....

No objection regarding the proposed project. We are hoping that the project will not interfere with our roads. Where such is necessary, Roads Agency Limpopo will grant authorisation with applicable conditions..

.....

.....

**Please register the following colleagues/friends/neighbours on the project database:**

.....

## Tricia Njapha

---

**From:** Ackerman Pieter <AckermanP@dws.gov.za>  
**Sent:** 13 October 2015 08:33 AM  
**To:** Tricia Njapha  
**Subject:** RE: EIA FOR MEDUPI FGD - SCREENING REPORT PUBLIC REVIEW & COMMENT PERIOD ENDING TODAY

Yes you put it right, thanks, looking forward

---

**From:** Tricia Njapha [mailto:trician@zitholele.co.za]  
**Sent:** 12 October 2015 06:00 PM  
**To:** Ackerman Pieter  
**Cc:** Sharon Meyer; Nicolene Venter  
**Subject:** FW: EIA FOR MEDUPI FGD - SCREENING REPORT PUBLIC REVIEW & COMMENT PERIOD ENDING TODAY  
**Importance:** High

Good evening Mr Ackerman,

Thank you for your comment which will be included in the following Comments and Response Report on the Screening Report.

Please could you clarify for me your query on toxic waste.  
Are you asking if there is currently any toxic waste and how much, or are you referring to whether there will be toxic waste generated from the FGD system and how much of it there will be?

A response will be formulated and we will revert soonest.

Thank you again and do keep well.

Kind regards,

**Tricia Njapha**

**Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 088 8454 **F:** +27 86 206 7720/+27 86 676

9950 **C:** +27 83 420 1597 **E:** [trician@zitholele.co.za](mailto:trician@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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---

**From:** Ackerman Pieter [mailto:AckermanP@dws.gov.za]  
**Sent:** 12 October 2015 07:39 AM  
**To:** Tricia Njapha  
**Subject:** RE: EIA FOR MEDUPI FGD - SCREENING REPORT PUBLIC REVIEW & COMMENT PERIOD ENDING TODAY

Hi Tricia

What are the main impacts associated with this project?

Are there any toxic waste?....how much.....

Thanks

Piet

Pieter Ackerman (PrLArch)

Chief Landscape Architect

Department of Water and Sanitation (DWS), South Africa

Sub Directorate Instream Water Use

Tel: 012 336 8217

Cell: 082 807 3512  
Fax: 012 336 6608



Taking a five-minute shower a day instead of a bath, will use a third of the water, saving up to 400 liters of water a week.



**From:** Tricia Njapha [<mailto:trician@zitholele.co.za>]  
**Sent:** 09 October 2015 02:28 PM  
**Cc:** Nicolene Venter; Sharon Meyer  
**Subject:** EIA FOR MEDUPI FGD - SCREENING REPORT PUBLIC REVIEW & COMMENT PERIOD ENDING TODAY  
**Importance:** High

**DEA REF.: 14/12/16/3/3/3/110**

Dear Stakeholder,

**INTEGRATED AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT AND WASTE MANAGEMENT LICENCE APPLICATION) FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

• **Screening Report – Public Review & Comment Period Ended**

This communication serves as a reminder to you that the public review period for Screening Report for the above-mentioned proposed project ends today, **Friday, 9 October 2015** (close of business day).

The report is still available on the Zitholele Consulting website: <http://www.zitholele.co.za/eia-for-medupi-fgd>.

Attached, please find combined with the Final Scoping Report Acceptance Notification, the notification for the availability of the Screening Report (with details on the review period dates) for your perusal, mailed out on **Monday, 7 September 2015**.

**Important note:** If you have comments that you would like to make but have not yet submitted them, kindly do so before the close of business today, **Friday, 9 October 2015**.

Kindly submit your comments on to Zitholele Consulting's Public Participation Office: Nicolene Venter or Tricia Njapha on Tel: (011) 207 2060 or fax us on 086 656 9950 or email us on [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za) or you can post us at P O Box 6002, Halfway House, 1685.

Kind Regards

**Tricia Njapha**

**Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 088 8454 **F:** +27 86 206 7720/+27 86 676

9950 **C:** +27 83 420 1597 **E:** [trician@zitholele.co.za](mailto:trician@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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Block A, Riviera Office Park,  
6 – 10 Riviera Road,  
Killarney, Johannesburg  
PO Box 3209, Houghton,  
South Africa 2041  
Tel: +27 11 544 1000  
Fax: +27 11 544 1006/7  
Website: www.thehda.co.za

Mrs Tania Oosthuizen  
Zitholele Consulting  
P O Box 6002  
**HALFWAY HOUSE**  
1685

Madam

**RE: INTEGRATED ENVIRONMENTAL AUTHORISATION (EIA, WASTE MANAGEMENT AND WATER USE LICENSE APPLICATIONS) FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE – DEA Reference No. 14/12/16/3/3/110)**

Your letter dated 22 June 2015 regarding the above has reference.

It is noted that you require confirmation from the Housing Development Agency that the purchase of the two farms Altoostyd 506 LQ and Eendracht 505 LQ on behalf of the Cooperative Governance, Human Settlement and Traditional Affairs (CoGHSTA) following a verbal notification by the department. The Agency confirm the:

- 1) Acquisition of the farm Altoostyd 506 LQ to develop approximately 5000 human settlements units. Bulk services have been installed.
- 2) HDA considering acquisition of some portions of the farm Paarl 522 for further human settlements development.
- 3) HDA is unable to confirm acquisition of Eendracht farm.

It is therefore our considered view that consultation with the Lephalale Local Municipality is necessary to ascertain future human settlement developments especially private developer initiated developments which may be affected by this initiative.

Hope you find the above in order.

Kind Regards

**Lucien Rakgoale**  
**General Manager: Land and Housing Support Services**



# LIMPOPO

PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

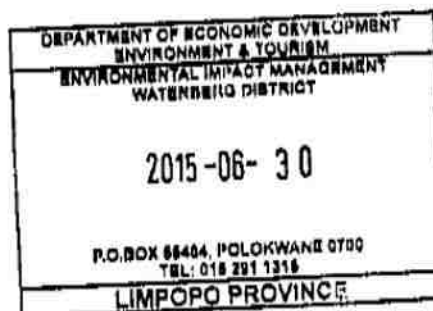
DEPARTMENT OF  
ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM

Enquiries: Masungu Tshuketana Tel: 015 290 7160 Fax: 015 295 5015 E-mail: [tshuketanim@ledet.gov.za](mailto:tshuketanim@ledet.gov.za) Ref: 12/19/E-W906  
DEA Reference Number: 14/12/16/3/3/110

Zitholele Consulting (Pty) Ltd  
Private Bag X 844  
SILVERTON  
0184

Fax: 086 674 6121

Attention: Ms Nicolene Venter



Dear Madam,

**RE: ENVIRONMENTAL IMPACT ASSESSMENT AND WASTE MANAGEMENT LICENCE APPLICATION FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURIZATION SYSTEM AT MEDUPI POWER STATION WITHIN LEPHALALE LOCAL MUNICIPALITY OF WATERBERG DISTRICT**

1. The above matter refers.
2. The final Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (PoSEIR) dated June 2015 compiled and submitted by Zitholele Consulting (Pty) Ltd on 11 June 2015 refers.
3. The Department has reviewed the final SR & PoSEIR for the above-mentioned development and the comments are as follows:
  - 3.1 An Atmospheric Impact Assessment Study relating to NOx dispersion must be conducted and submitted to the National Department of Environmental Affairs for review;
  - 3.2 The area within the proximity of the stacks must be bunded to prevent corrosion owing to low PH water droplets from the stacks;
  - 3.3 The air pollution control device (abatement equipment) maintenance programme must be developed and implemented to ensure that the air pollution control device does not result in substantial emission increase;
  - 3.4 The knowledge of the prevailing wind should be taken into account when positioning the limestone stockpiles and gypsum disposal sites;
  - 3.5 The limestone handling activities should be contained within a confined space and measures should be undertaken to minimize generation of fugitive dust;

Corner Suid & Dorp Street, Polokwane, 0899, Private Bag X 9484, Polokwane, 0700  
(Switchboard) Tel: +2715 290 7000 Website: [www.ledet.gov.za](http://www.ledet.gov.za)

**The heartland of southern Africa - development is about people!**

3.6 Appropriate methods to control fugitive dust from the gypsum disposal site must be applied at all times; and

3.7 All transportation equipment must be covered in such a way that fugitive dust emissions are minimized.

4. Please note that no development must be undertaken prior to the Department of Environmental Affairs granting an environmental authorisation to that effect. Non-compliance with the above will result in the relevant authority issuing a directive to address the non-compliance, including an order to stop the activity as well as instituting criminal and/or civil proceedings to enforce compliance.

Please do not hesitate to contact this Department should you have any queries in this respect.

Yours faithfully,

MANAGER  
ENVIRONMENTAL IMPACT MANAGEMENT

DATE: 30/06/2015

DEPARTMENT OF ECONOMIC DEVELOPMENT ENVIRONMENT & TOURISM ENVIRONMENTAL IMPACT MANAGEMENT WATERBURG DISTRICT
2015-06- 30
P.O. BOX 88484, POLOKWANE 0700 TEL: 014 281 1315
LIMPOPO PROVINCE





Munisipaliteit  
Municipality

12949

# LEPHALALE

TEL: (014) 763-2193  
Faks/Fax: (014) 763 5662  
E-pos/E-mail: munic@lephalale.gov.za  
Webblad/Website: www.lephalale.com

Privaatsak/Private Bag X136  
LEPHALALE  
0555

Ons Verw/Our Ref

U Verw/Your Ref

15/1/9

Navrae/Enquiries

Aandag/Attention

Ms HC Gumane/ Ms HC Mutshavi

Mrs Sharon Meyer-Douglas  
Environmental Assessment Practitioner (FGD)  
Zitholele Consulting (Pty) Ltd  
PO Box 6002  
Halfway House  
1286

05 FEB 2015

Tel/ Fax (086) 676 9950

Sir/Madam

## PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE

The abovementioned application has reference.

We acknowledge your letter dated 05 December 2014 and wish to inform you that the municipality has no objection on the proposed Environmental Impact Assessment, subject to the following:

- That the proposed development for the Flue Gas Desulphurization be in accordance with all relevant legislations and policies attached to its planning and implementation;

Kindly note that this comments does not exempt any person from complying with the provisions of any other act.

Yours faithfully

**N. C. LEKAKA**  
ACTING MUNICIPAL MANAGER



Munisipaliteit  
Municipality

12949

# LEPHALALE

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0555

Ons Verw/Our Ref

15/6/42/7

Navrae/Enquiries

Ms HC Gumane/ Ms HC Mutshavi

U Verw/Your Ref

Aandag/Attention

Mrs Sharon Meyer-Douglas  
Environmental Assessment Practitioner (FGD)  
Zitholele Consulting (Pty) Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1286

06 FEB 2015

Tel/ Fax (086) 676 9950

Sir/Madam

**PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE**

The abovementioned application has reference.

We acknowledge your letters dated 06 January 2015 and 07 January 2015 and wish to inform you that the municipality has no objection on the Environmental Impact Assessment, subject to the following:

- That the proposed development for the Flue Gas Desulphurization be in accordance with all relevant legislations and policies attached to its planning and implementation;

Kindly note that this comments does not exempt any person from complying with the provisions of any other act.

Yours faithfully

**N. C. LEKAKA**  
ACTING MUNICIPAL MANAGER

**Nicolene Venter**

---

From: Sagwata Manyike [<mailto:S.Manyike@sanbi.org.za>]  
Sent: 29 July 2014 08:41 AM  
To: Nicolene Venter  
Cc: Jeffrey Manuel  
Subject: RE: Comments on EIA / BA Reports - SANBI

Hi Nicolene

I will be able to assist you in terms of providing comments on the Basic Assessment & EIA Reports. If its possible, may you please send me BA Report via email? If the documents are too large to be sent via email, you can courier the CD to the following address:

Attention: Sagwata Manyike (Aloe Lodge)  
South African National Biodiversity Institute Pretoria National Botanical Gardens  
2 Cussonia Avenue  
Brummeria  
Pretoria.

Regards,

Sagwata Manyike  
Assistant Director: Biodiversity Planning & Implementation  
Directorate: Biodiversity Policy Advice  
South African National Biodiversity Institute (SANBI) Pretoria National Botanical Gardens  
2 Cussonia Avenue, Brummeria, Pretoria  
P/Bag X101, Silverton, 0184  
Tel: + 27 (0) 12 843 5105  
Cell: + 27 (0) 82 546 7236  
Fax + 27 (0) 12 843 5008  
Email: [S.Manyike@sanbi.org.za](mailto:S.Manyike@sanbi.org.za)  
Web: [www.sanbi.org.za](http://www.sanbi.org.za)

-----Original Message-----

From: Jeffrey Manuel  
Sent: 29 July 2014 06:06 AM  
To: Sagwata Manyike  
Subject: FW: Comments on EIA / BA Reports - SANBI  
Importance: High

---

From: Nicolene Venter [[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)]  
Sent: 28 July 2014 04:37 PM  
To: Jeffrey Manuel  
Cc: Leoni Lubbe  
Subject: Comments on EIA / BA Reports - SANBI

Good Afternoon Jeffrey,

I've been informed by Cecilia Jaffer from SANBI HQ, Pretoria, that you are the SANBI Official who submit written comments on Basic Assessment and Environmental Impact Assessment Reports.

Zitholele Consulting has two Draft Environmental Impact Assessment Reports that needs written comments from SANBI (as an Organ of State):

- Integrated Environmental Authorisation (EIA, Waste Management License and Water Use License Applications) for the proposed Continuous Ash Disposal Facility for Kendal Power Station:
- o DEIR review period: Friday 11 July to Wednesday 20 August 2014

o The Report was courier to:

§ Mr Andre Beetge, Manager: SANBI Mpumalanga, 3 Bandolier Street, Middelburg

§ We were informed by Andre that Environmental Reports must be submitted to SANBI's Head Office

· Integrated Environmental Authorisation (EIA, Waste Management License and Water Use License Applications) for the proposed 60 Year Ash Disposal Facility for Kusile Power Station:

o DEIR review period: Tuesday 29 July 2014 to Monday 08 September 2014

We would like to enquire whether we can courier this Report to you and if so, does SANBI require a hard copy or a CD

We are looking forward to hear from you.

Kind Regards,

Nicolene Venter [Cert. Public Relations] Senior Public Participation Practitioner Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA  
T: +27 11 207 2060 D: +27 11 207 2077 F: +27 86 676 9950 C: +27 83 377 9112

E: [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)<<mailto:nicolenev@zitholele.co.za>> W: [www.zitholele.co.za](http://www.zitholele.co.za)

[[cid:image002.jpg@01CFAA83.31B42140](#)] Please consider the environment before printing this e-mail!

[[cid:image004.jpg@01CFAA83.31B42140](#)]

Please visit our website [www.sanbi.org](http://www.sanbi.org) for more information about the South African National Biodiversity Institute .

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**Nicolene Venter**

---

**From:** Sagwata Manyike [<mailto:S.Manyike@sanbi.org.za>]  
**Sent:** 08 November 2014 09:39 AM  
**To:** Public Participation Process  
**Cc:** Jeffrey Manuel; Dineo Makama  
**Subject:** SANBI's response to various EIAs

Good Day

Please find SANBI's response for the following applications: DEA 12/12/20/2412; DEA 14/12/16/3/3/3/63; DEA 14/12/16/3/3/3/110; GAUT 002/10-11/W0067 AND NEAS FSP/EIA/0000379/2014. Please feel free to contact us at any time if you have any enquires.

Regards,

Sagwata Manyike, Pr.PIn A/1936/2014  
Assistant Director: Biodiversity Planning & Implementation  
Directorate: Biodiversity Policy Advice  
South African National Biodiversity Institute (SANBI)  
Pretoria National Botanical Gardens  
2 Cussonia Avenue, Brummeria, Pretoria  
P/Bag X101, Silverton, 0184  
Tel: + 27 (0) 12 843 5105  
Cell:+ 27 (0) 82 546 7236  
Fax + 27 (0) 12 843 5008  
Email: [S.Manyike@sanbi.org.za](mailto:S.Manyike@sanbi.org.za)  
Web: [www.sanbi.org.za](http://www.sanbi.org.za)



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**10 YEARS** celebrating and championing biodiversity

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Please visit our website [www.sanbi.org](http://www.sanbi.org) for more information about the South African National Biodiversity Institute .

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05 November 2014

Zitholele Consulting (Pty) Ltd  
PO BOX 6002  
Halfway house  
1685

Per email: [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za)

**For Attention:** Nicolene Venter / Bongani Dhlamini

cc: Jeffrey Manuel ([j.manuel@sanbi.org.za](mailto:j.manuel@sanbi.org.za))  
Sagwata Manyike ([s.manyike@sanbi.org.za](mailto:s.manyike@sanbi.org.za))

Thank you for your invitation to the South African National Biodiversity Institute (SANBI) to register as an Interested and Affected Party (I&AP) for the application: DEA REF: 14/12/16/3/3/3/110.

Please note that SANBI only participates in applications for Environmental Authorisation as an I&AP if the application is for a development on a SANBI property or a property adjacent to a SANBI property, or if the application would impact on an area that has been highlighted as a priority implementation area within one of SANBI's Bioregional Programmes.

**SANBI thus kindly declines to participate in this application as an I&AP at this point in time.**

SANBI is a public entity mandated to act in an advisory or consultative capacity on matters relating to biodiversity to the Department of Environmental Affairs (i.e. the 'competent authority'). The Department and its provincial counterparts are welcome to engage SANBI for advice and/or comment on specific matters related to biodiversity information relevant to this application, if such input is required. Such advice or comment is not equivalent, however, to the comment required as per the NEMA regulations from commenting authorities. SANBI restricts its comment to the accuracy and relevance of the biodiversity information that should inform the Environmental Assessment.

**SANBI thus also declines to participate as a commenting authority in this application. For comment on the biodiversity impacts of the development, please consult the relevant provincial conservation agency.**

I also encourage you to visit our web portal <http://biodiversityadvisor.sanbi.org> for free access to spatial biodiversity information relevant for land-use planning and decision-making processes.

Referencing the spatial biodiversity resources found on the Biodiversity Advisor in the **early stages** of project development can support informed planning and decision-making while helping to timeously 'iron out' obstacles that might otherwise result in delays and additional costs to the project proponent.

Such a proactive approach can:

- Show the decision-making authority that potential conflict between biodiversity priorities and other land-uses has been identified and resolved by well-informed project planning;

---

South African National Biodiversity Institute

Private Bag X101, Pretoria, 0001, RSA

2 Cussonia Avenue, Brummeria, Pretoria

Tel (012) 843-5000 • Fax (012) 804-3211 • [www.sanbi.org](http://www.sanbi.org)

- Allow the proponent to take an informed decision about the biodiversity (and administrative and, by implication, financial) risks of proceeding with a particular project; and
- Identify the scope, type and intensity of environmental assessment that is likely to be required if an application were to proceed.

This approach also supports best practice in environmental assessment and planning by:

- Ensuring that a project is consistent with the 'Duty of Care' principle (i.e. that the project proponent has taken reasonable measures to prevent significant degradation of the environment);
- Emphasising the fundamental role of alternatives in selecting the best practicable environmental option;
- Giving effect to the mitigation hierarchy, i.e the sequential avoidance, minimising, mitigating and remedying of impacts that may result in loss of biodiversity or disturbance to ecosystems; and
- Supporting the principle that environmental management must pay specific attention to planning procedures pertaining to sensitive, vulnerable, highly dynamic or stressed ecosystems.

Please feel free to contact me should you require any assistance or have any queries re: using the resources on our <http://biodiversityadvisor.sanbi.org> web portal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Manuel', with a stylized flourish underneath.

Jeff Manuel  
Deputy Director: Biodiversity Planning and Policy Advice  
South African National Biodiversity Institute  
email: [j.manuel@sanbi.org.za](mailto:j.manuel@sanbi.org.za)  
tel: +27 21 799 8804

## Nicolene Venter

---

**From:** Deon Maharaj Transnet Pipelines DBN <Deon.Maharaj@transnet.net>  
**Sent:** 19 May 2015 01:59 PM  
**To:** Nicolene Venter; Jeff Scrooby Transnet Pipelines DBN  
**Cc:** Thami Hadebe Transnet Pipelines DBN  
**Subject:** RE: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Attachments:** TPL Site location map.pdf

Dear Nicolene and Jeff,

Transnet Pipelines services are not affected by proposed operation at the Medupi site, which lies approx. 250km North of our services.

Please see attached GIS map extract indicating the site and our services.

Kind regards,  
Deon



Deon Maharaj  
GIS Support  
Technical  
Transnet Pipelines

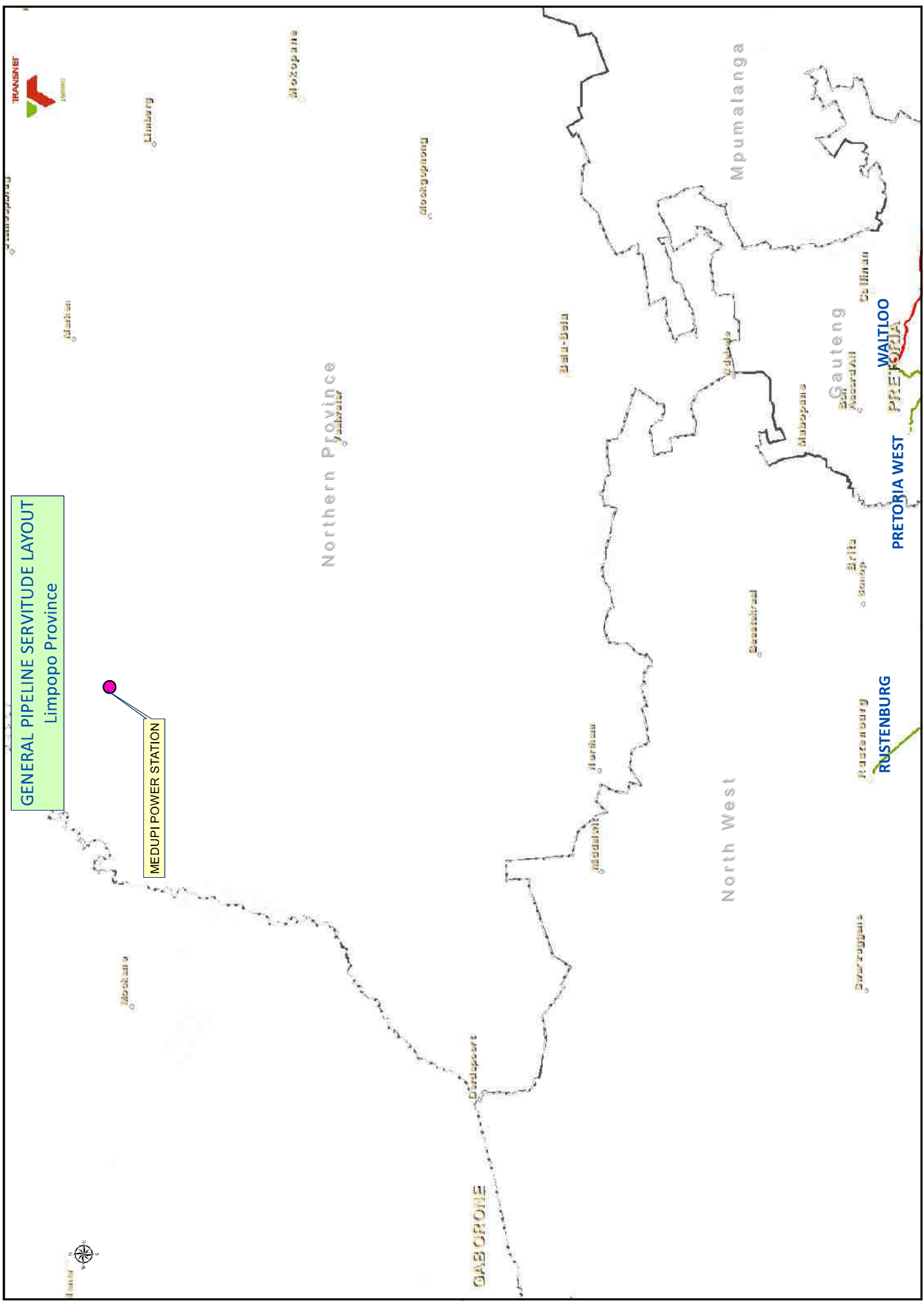
☎ 031 361 1337    ☎ 031 361 1534 (fax)  
☎ 086 621 7198    ✉ [deon.maharaj@transnet.net](mailto:deon.maharaj@transnet.net)  
[www.transnet.net](http://www.transnet.net)

---

**From:** Jeff Scrooby Transnet Pipelines DBN  
**Sent:** 18 May 2015 11:15 AM  
**To:** Deon Maharaj Transnet Pipelines DBN  
**Cc:** Thami Hadebe Transnet Pipelines DBN  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

Hi Deon  
Please assist.  
Thanks  
Jeff





GENERAL PIPELINE SERVITUDE LAYOUT  
Limpopo Province

MEDUPI POWER STATION





Jeff Scrooby  
Servitude Manager  
R711, 202 Anton Lembede Street, Durban  
Transnet Pipelines

☎ 031 361 1343  
☎ 031 361 1534  
[www.transnet.net](http://www.transnet.net)

☎ 083 284 1078  
✉ [jeff.scrooby@transnet.net](mailto:jeff.scrooby@transnet.net)

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 15 May 2015 16:30  
**To:** Neo Mosebo Transnet Freight Rail JHB; Jeff Scrooby Transnet Pipelines DBN  
**Cc:** Tania Oosthuizen; Bongani Dhlamini; Tricia Njapha  
**Subject:** Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

## **DEA REFERENCE NUMBER: 14/12/16/3/3/3/110**

Dear Mrs Mosebo and Mr Scrooby,

As you will recall, Zitholele Consulting (Pty) Ltd has been appointed as independent Environmental Assessment Practitioner by Eskom Holding SOC Limited to undertake the Environmental Impact Assessment (EIA), Water Use License (WUL) and Waste Management License (WML) Applications processes for the proposed Retrofitting of a Flue Gas Desulphurisation (FGD) system to the Medupi Power Station, located near Lephalale, Limpopo Province.

### **Project Overview and Background**

The proposed operation of the FGD at Medupi Power Station will produce gypsum, sludge and salts in addition to the ash already produced by the Power Station. These wastes must be disposed of in an environmentally responsible manner. Retrofitting of FGD technology will help with the removal of sulfur dioxide from the exhaust flue gases of the Medupi Power Station operations. Each of the six (6) 800MW coal fired steam electric generating units will be retrofitted with FGD technology. Medupi Power Station currently has Environmental Authorisation for the construction of the Power Station and identified associated infrastructure. The Power Station is currently in the last phase of construction.

The attached updated Background Information Document provides a concise overview of the proposed project activities as well as the associated Environmental Authorisation Processes. The BID is also intended to provide information relating to the manner in which any Interested and Affected Party or stakeholder can voice any issues and/or comments regarding the proposed project.

### **Request for available spatial data**

We are in the process of gathering information that is required to assess the anticipated impacts which are associated with the site selection process. We would like to ensure that all surface and underground infrastructures (servitudes) are taken into consideration during the site selection process. Bearing this in mind, we would like to

request that you please indicate whether there are any spatial data (shape files, GIS Data) specific to your particular mandate which should be taken into account in the site selection for this EA Process. Furthermore, we would also like to request that in the event where spatial data is available that it be provided to Zitholele Consulting.

To assist you in confirming whether any of your infrastructures may be affected, please find attached the map indicating the 10km buffer zone within with site alternatives will be identified.

Your assistance in this regard will be much appreciated. If you require any clarification regarding the information provided in this e-mail or relating to the project, you are more than welcome to contact our office on the numbers below.

If you require any additional information or clarity regarding the request for spatial data and information provided in this e-mail you are welcome to contact send your request to [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za) or contact us on 011 207 2060.

**Documents attached:**

- Updated Background Information Document
- 10km Buffer Zone

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)

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## Nicolene Venter

---

**From:** Thami Hadebe Transnet Pipelines DBN <Thami.Hadebe@transnet.net>  
**Sent:** 18 May 2015 02:48 PM  
**To:** Nicolene Venter  
**Subject:** RE: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Attachments:** 1629\_001.pdf

Good Afternoon,

Your BID has reference.

Please find the attached comments. We referred your BID to Transnet Freight Rail for their comments.

Yours Sincerely  
Thami

---

**From:** Jeff Scrooby Transnet Pipelines DBN  
**Sent:** 18 May 2015 11:15 AM  
**To:** Deon Maharaj Transnet Pipelines DBN  
**Cc:** Thami Hadebe Transnet Pipelines DBN  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

Hi Deon  
Please assist.  
Thanks  
Jeff



Jeff Scrooby  
Servitude Manager  
R711, 202 Anton Lembede Street, Durban  
Transnet Pipelines

☎ 031 361 1343  
☎ 031 361 1534  
[www.transnet.net](http://www.transnet.net)

☎ 083 284 1078  
✉ [jeff.scrooby@transnet.net](mailto:jeff.scrooby@transnet.net)

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 15 May 2015 16:30  
**To:** Neo Mosebo Transnet Freight Rail JHB; Jeff Scrooby Transnet Pipelines DBN  
**Cc:** Tania Oosthuizen; Bongani Dhlamini; Tricia Njapha  
**Subject:** Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

**DEA REFERENCE NUMBER: 14/12/16/3/3/3/110**

Dear Mrs Mosebo and Mr Scrooby,

As you will recall, Zitholele Consulting (Pty) Ltd has been appointed as independent Environmental Assessment Practitioner by Eskom Holding SOC Limited to undertake the Environmental Impact Assessment (EIA), Water Use License (WUL) and Waste Management License (WML) Applications processes for the proposed Retrofitting of a Flue Gas Desulphurisation (FGD) system to the Medupi Power Station, located near Lephalale, Limpopo Province.

### **Project Overview and Background**

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The attached updated Background Information Document provides a concise overview of the proposed project activities as well as the associated Environmental Authorisation Processes. The BID is also intended to provide information relating to the manner in which any Interested and Affected Party or stakeholder can voice any issues and/or comments regarding the proposed project.

### **Request for available spatial data**

We are in the process of gathering information that is required to assess the anticipated impacts which are associated with the site selection process. We would like to ensure that all surface and underground infrastructures (servitudes) are taken into consideration during the site selection process. Bearing this in mind, we would like to request that you please indicate whether there are any spatial data (shape files, GIS Data) specific to your particular mandate which should be taken into account in the site selection for this EA Process. Furthermore, we would also like to request that in the event where spatial data is available that it be provided to Zitholele Consulting.

To assist you in confirming whether any of your infrastructures may be affected, please find attached the map indicating the 10km buffer zone within which site alternatives will be identified.

Your assistance in this regard will be much appreciated. If you require any clarification regarding the information provided in this e-mail or relating to the project, you are more than welcome to contact our office on the numbers below.

If you require any additional information or clarity regarding the request for spatial data and information provided in this e-mail you are welcome to contact send your request to [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za) or contact us on 011 207 2060.

### **Documents attached:**

- Updated Background Information Document
- 10km Buffer Zone

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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Ref: PYP/W1/07/05/NC/21847

Ms Nicolene Venter  
Public Participation Office  
Zitholele Consulting  
PO Box 6002  
**HALFWAY HOUSE**  
1685

Dear Ms Venter

**ENVIRONMENTAL IMPACT ASSESSMENT AND WASTE MANAGEMENT LICENSE  
APPLICATION FOR THE PROPOSED MEDUPI POWER STATION FLUE GAS  
DESULPHURISATION**

Your Background Information Document with reference DEA 14/12/16/3/3/3/110 dated March 2015 has reference.

Transnet Pipelines (ex-Petronet), a division of Transnet SOC Limited, is not affected by the proposal as indicated on your Limpompo Cadastral Map.

Your awareness of the existence of Transnet's pipeline servitudes and concern for their integrity is appreciated.

Yours Sincerely

**Thami Hadebe (Mr)**  
**Servitude Management**

Date: 18 May 2015

A division of  
**Transnet SOC Ltd**  
Registration Number  
1990/000900/30

202 Anton Lembede (Smith) Street  
Durban  
4001

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**Directors:** LC Mabaso (Chairperson) B Molefe\* (Group Chief Executive) Y Forbes GJ Mahlalela PEB Mathekga N Moola ZA Nagdee VM Nkonyane MR Seleke SD Shane BG Stagman PG Williams A Singh\* (Group Chief Financial Officer)

\*Executive

Group Company Secretary: ANC Ceba

## Nicolene Venter

---

**From:** Nelis Bornman \*Transnet Property PTA <Nelis.Bornman@transnet.net>  
**Sent:** 20 May 2015 07:53 AM  
**To:** Nicolene Venter  
**Cc:** Schalk du\_Plessis \*Transnet Property (GP)  
**Subject:** RE: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Attachments:** C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.dbf; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.prj; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.sbn; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.sbx; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.shp; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.shp.xml; C:\Data\GIS\Madupe\_rail\_siding\Zithole\_consulting\_10km\NEX113\_130\_WG27.shx

Hi Nicolene

Herewith shapefile indicating Transnet's right of way within the 10km buffer.

Regards



Nelis Bornman  
Chief Property Technician  
Geo-Spatial Services; Pretoria

☎ : (012) 315-2570  
☎ : (012) 315-2316 ✉ : [nelis.bornman@transnet.net](mailto:nelis.bornman@transnet.net)  
[www.transnet.net](http://www.transnet.net)

---

**From:** Gerrie Bergh \*Transnet Property PTA  
**Sent:** 19 May 2015 09:55 AM  
**To:** Nelis Bornman \*Transnet Property PTA  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

FYA

---

**From:** Schalk du\_Plessis \*Transnet Property (GP)  
**Sent:** 19 May 2015 09:42 AM  
**To:** Gerrie Bergh \*Transnet Property PTA  
**Cc:** Thami Hadebe Transnet Pipelines DBN; Nsumbulana Mtsenga Transnet Freight Rail JHB  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

Hi Gerrie  
THIS IS IN YOUR REGION  
REGARDS  
SCHALK



---

**From:** Thami Hadebe Transnet Pipelines DBN  
**Sent:** 18 May 2015 01:33 PM  
**To:** Schalk du Plessis \*Transnet Property (GP); Nsumbulana Mtsenga Transnet Freight Rail JHB  
**Cc:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

---



**From:** Jeff Scrooby Transnet Pipelines DBN  
**Sent:** 18 May 2015 11:15 AM  
**To:** Deon Maharaj Transnet Pipelines DBN  
**Cc:** Thami Hadebe Transnet Pipelines DBN  
**Subject:** FW: Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

Hi Deon  
Please assist.  
Thanks  
Jeff



Jeff Scrooby  
Servitude Manager  
R711, 202 Anton Lembede Street, Durban  
Transnet Pipelines

 031 361 1343  
 031 361 1534  
[www.transnet.net](http://www.transnet.net)

 083 284 1078  
 [jeff.scrooby@transnet.net](mailto:jeff.scrooby@transnet.net)

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 15 May 2015 16:30  
**To:** Neo Mosebo Transnet Freight Rail JHB; Jeff Scrooby Transnet Pipelines DBN  
**Cc:** Tania Oosthuizen; Bongani Dhlamini; Tricia Njapha  
**Subject:** Medupi FGD - Request for Spatial Data (Site Selection Process for FGD Waste)  
**Importance:** High

**DEA REFERENCE NUMBER: 14/12/16/3/3/3/110**

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If you require any additional information or clarity regarding the request for spatial data and information provided in this e-mail you are welcome to contact send your request to [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za) or contact us on 011 207 2060.

**Documents attached:**

- Updated Background Information Document
- 10km Buffer Zone

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]  
**Senior Public Participation Practitioner**  
Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA  
**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950 **C:** +27 83 377 9112  
**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



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## Leoni Lubbe

---

**From:** Melita Steele [melita.steele@greenpeace.org]  
**Sent:** 09 January 2015 09:16 PM  
**To:** Leoni Lubbe  
**Cc:** Penny-Jane Cooke  
**Subject:** Re: DSR Comment Period Ending - Proposed Retrofitting FGD at Medupi PS  
**Attachments:** Greenpeace Africa submission on DSR Medupi FGD\_9 January 2015\_final.pdf

To Whom It May Concern

Please find Greenpeace Africa's submission attached to this email. If you require any further information, please do revert back to me.

Thank you.

Kind Regards

Melita

On 9 January 2015 at 08:58, Leoni Lubbe <[Leonil@zitholele.co.za](mailto:Leonil@zitholele.co.za)> wrote:

**DEA REF.: 14/12/16/3/3/3/110**

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENSE AND WATER USE LICENSE APPLICATIONS): PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE**

- **Draft Scoping Report (DSR) review period ending**

Dear Stakeholder

This email serves to remind you that the review period for the Draft Scoping Report (DSR) for the above mentioned project ends today, **Friday, 09 January 2015** (close of business day).

The report (including all Appendices) is still available on the Zitholele website (<http://www.zitholele.co.za/eia-for-medupi-fgd>).

**Important note:** If you have comments that you would like to make but have not yet submitted, please do so before the close of business today, **Friday, 09 January 2015**.

We would like to thank those who have submitted comments on the report.

Kind regards

**Nicolene Venter** [Cert. Public Relations]  
*Senior Public Participation Practitioner*  
Building 1, Maxwell Office Park, Magwa Crescent West, cnr  
Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA  
**T:** +27 11 207 2060 **D:** +27 11 207 2077 **F:** +27 86 676 9950  
**C:** +27 83 377 9112  
**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)  
Please consider the environment before printing this e-mail!

--

Melita Steele  
Senior Climate and Energy Campaign Manager  
Greenpeace Africa

10A and 10B Clamart Road  
Richmond 2092  
Johannesburg, South Africa

Mobile: +27 (0) 725608703  
Tel: +27 (0) 11 482 4696  
skype: melita\_steele  
twitter: @melita\_steele

[www.greenpeace.org/africa/en/](http://www.greenpeace.org/africa/en/)



**Greenpeace Environmental Organization NPC**

**Physical Address:** 10A and 10B, Clamart House, Clamart Road, Richmond, Johannesburg, 2092, South Africa

**Tel:** +27 (0)11 482 4696 - **Fax:** +27 (0)11 482 8157

**E-mail:** info.africa@greenpeace.org - www.greenpeaceafrica.org

**Greenpeace Africa comments on the Draft Scoping Report for the Integrated Environmental Authorisation Process for the Medupi Power Station Flue Gas Desulphurisation (FGD) Retrofit Project**

Greenpeace Africa is a registered Interested and Affected Party in the above matter, DEA REF: 14/12/16/3/3/110. Exposure to sulphur dioxide emitted by coal-fired power stations increases the severity and incidence of respiratory symptoms of those living nearby, particularly children who suffer from asthma. For adults and children who are susceptible, inhaling sulphur dioxide causes inflammation and hyper-responsiveness of the airways, aggravates bronchitis, and decreases lung function. This means that Greenpeace strongly believes that installing Flue Gas Desulphurisation (FGD) technology at Medupi power station is a critical step towards safeguarding the health of the people who live in the area.

**The key points of this submission are:**

- 1. FGD should have been included in the initial EIA, and a retrofit exposes people living in the area to substantial levels of pollutants for a significant period of time.**
- 2. The DSR states that wet FGD is the preferred choice of technology, despite the fact that wet FGD technology requires a significant amount of water for operation, and Lephalale has significant water constraints. If the analysis (which should include an assessment of water availability) is that wet FGD is the preferred option, then it should only be considered with gas cooling, to reduce the water use.**
- 3. The full impact of the development has not been taken into account in terms of water use requirements and the broader impact of the water needs for FGD. This is a major shortcoming in the proposed study.**
- 4. The fact that the WULA process is separate from the EIA process is highly problematic.**

- 1. FGD should have been included in the initial EIA, and a retrofit exposes people living in the area to substantial levels of pollutants for a significant period of time**

The DSR does not make it clear why the FGD technology was not included in the initial design and EIA for Medupi, particularly if it is such an important element to protect human welfare.

The delay in fitting FGD technology exposes the people living in the area to substantial levels of pollutants for a significant period of time. This exposes flaws in the approval process. If there was not enough water to supply the FGD, or the costs were prohibitive, Medupi should never have been approved. Particularly when there are alternatives that are essentially water-free technologies (such as wind) that are readily available.

Greenpeace believes that the situation cannot exist where there is enough water for mega new coal-fired power stations (namely Medupi and Kusile), but there is not enough water for pollution abatement technology, which is required by law to protect people's health and give effect to section 24 of the Constitution.

- 2. The DSR states that wet FGD is the preferred choice of technology**

The DSR states that: "The assessment studies favour Wet FGD technology, assuming no water constraints" (page 29). However, there are clearly significant water constraints in Lephalale, which is a water stressed area. This means that if wet FGD is still considered, it should only be with the installation of a flue gas cooler. The assessment of the preferred technology type should include an assessment of water availability in the area, and how the allocation of water to FGD will impact on water use in the area.

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**Registration no 2008/004883/08 - Vat 4250247263 - NPO 067-126**

**Directors:** C. P. Abasi (United Kingdom); S. Gailine-Haitzma (Zambia); K. O. Lubandi (Uganda); G. T. Mata (DRC); A. H. Pienaar; O. Traore (Mali).



## **Greenpeace Environmental Organization NPC**

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### **3. The full impact of the development has not been taken into account in terms of water use requirements and the broader impact of the water needs for FGD**

The fact that the DSR states that it is anticipated that the approval of the wet FGD retrofit to Medupi Power Station will have a significant impact on water utilization in the area further highlights the poor decision making that took place to select the site for Medupi in the first place.

The FGD technology should have been assessed as part of the initial EIA as it is an essential addition to the development in terms of human health impacts. The full impact of the development has not been taken into account in terms of water use requirements and the broader impact of the water needs for this additional technology.

The proposed specialist studies for the EIA focus on pollution impacts on water resources of the proposed FGD but no specialist studies focusing on water availability and impacts on water supply and water utilisation in the area have been listed. This is a major shortcoming in the proposed EIA and a broader study of the impacts on water availability and supply must be included.

### **4. The fact that the WULA process is separate from the EIA process is highly problematic**

It is hugely problematic that these two processes are considered in isolation. The water use is a fundamental part of the approval process for use of this technology, and it is critical that the water use issue is discussed and assessed in more detail during the EIA.

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**Registration no 2008/004883/08 - Vat 4250247263 - NPO 067-126**

**Directors:** C. P. Abani (United Kingdom); S. Galline-Haitsma (Zambia); K. O. Lubandi (Uganda);  
G. T. Mata (DRC); A. H. Pienaar; O. Traore (Mali).

## Leoni Lubbe

---

**From:** Nakedi Maake [nakedi.maake@gmail.com]  
**Sent:** 07 February 2015 10:21 AM  
**To:** Leoni Lubbe  
**Cc:** Cde Mkhari Thulare  
**Subject:** Re: AVAILABILITY OF KSW DRAFT MINUTES - PROPOSED RETROFITTING OF A FGD SYSTEM AT MEDUPI PS

Dear Leoni

I refer your attention to the two attached documents. My impression was that the purpose of this mail was to address draft minutes of Key Stakeholders Meeting and minutes of public participation meeting held at Mogol Club. Correct me if I am wrong, you have attached the presentation which you have submitted at the occasion of Key stakeholders meeting and not the minutes of discussions which transpired out of our engagements and deliberations.

Clearly the attached documents did not capture and reflect on deliberations and therefore it should be rejected with all contempt it deserves. My understanding was that you were going to address draft minutes and NOT presentation as you did.

I am thus submitting that your presentation which is purported as draft minutes should be declined and be treated as insult to all of us who attended both key stakeholders and public participation meetings. It further contravenes the previous mail which you have addressed to us around the same subject.

Our conclusion and humble request is that you must address draft minutes to us which categorically capture and reflect what was discussed and recommended to Eskom and other stakeholders.

Thank you and kind regards

Nakedi Maake  
C: 073 186 1688  
E: [nakedi.maake@gmail.com](mailto:nakedi.maake@gmail.com)

On Feb 6, 2015 12:25 PM, "Leoni Lubbe" <[Leonil@zitholele.co.za](mailto:Leonil@zitholele.co.za)> wrote:

**DEA Reference Number: 14/12/16/3/3/3/110**

Dear Stakeholder

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENSE AND WATER USE LICENSE APPLICATIONS): PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION IN LEPHALALE**

• **Availability of Draft Minutes: Key Stakeholder Workshop held on Wednesday, 05 November 2014**

Dear Stakeholder

Please find attached the draft minutes of the **Key Stakeholder Workshop (KSW)** that took place on **Wednesday, 05 November 2014** at **Mogol Club, Lephalale**.

Should you wish to submit any comments and/or corrections, you are kindly requested to do so before **Friday, 28 February 2015**.

We are looking forward to receiving your comments.

Kind regards

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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*Please consider the environment before printing this e-mail!*



## Tricia Njapha

---

**From:** Melita Steele <melita.steele@greenpeace.org>  
**Sent:** 06 November 2014 09:49 AM  
**To:** Nicolene Venter  
**Cc:** Penny-Jane Cooke; Sharon Meyer; Tricia Njapha  
**Subject:** Re: Medupi FGD EIA & WML Application: Follow-up on invitation to Key Stakeholder Workshop

Dear Nicolene

Thank you for your email - my apologies for only responding now. I did respond earlier that we'd be unable to attend, though.

Kind Regards

Melita

On 3 November 2014 08:38, Nicolene Venter <[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)> wrote:

Dear Melita,

Following up on my colleague's, Tricia, e-mail below, I would like to enquire whether you or a representative from Green Peace will be attending the Key Stakeholder Workshop this week:

Date: Wednesday 05 November 2014

Time: 14h00 (meeting starts)

Venue: Mogol Club

(details regarding the above is included in Tricia's e-mail sent on the 20<sup>th</sup> October 2014.

Looking forward to hear from you.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

*Senior Public Participation Practitioner*

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**From:** Tricia Njapha  
**Sent:** 20 October 2014 10:04 AM  
**To:** Melita Steele  
**Cc:** Penny-Jane Cooke; Sharon Meyer; Nicolene Venter; Zamokuhle Ngwenya; Leoni Lubbe  
**Subject:** RE: 12949 - EIA & Waste Licence Application for Medupi Power Station

Good morning Melita,

Thank you very much for your email which is well received.

**RE: INTEGRATED AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT AND WASTE MANAGEMENT LICENCE APPLICATION) FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

**(DEA REF.: 14/12/16/3/3/3/110)**

We will add yourself and Ms Penny Jane Cooke onto the database on the aforementioned project as per your request.

For your convenience, please find attached the following documents for your perusal and reply.

- The Project Background Information Document
- A Letter Announcing the Draft Scoping Report and an invitation to the Public Meetings (and the reply sheet thereof)
- An invitation to the Key Stakeholder Workshop (and the Registration form thereof)

It would be excellent to attend the Key Stakeholder Workshop which is a workshop that provides Stakeholders (on strategic / decision making level) an opportunity to hear each other's issues/concerns/comments.

Stakeholders have also been invited to the two Public Meetings and are more than welcome to attend these.

The minutes of these meetings will be included in the Final Scoping Report as well as captured in the Comments and Responses Report. Both of these documents will be available for review once completed.

We thank you for your interest in this project and look forward to meeting with you at the project meeting/s.

Do keep well.

Kind regards,

**Tricia Njapha**

*Public Participation Practitioner*

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**From:** Melita Steele [<mailto:melita.steele@greenpeace.org>]

**Sent:** 17 October 2014 11:47 AM

**To:** Tricia Njapha

**Cc:** Penny-Jane Cooke

**Subject:** 12949 - EIA & Waste Licence Application for Medupi Power Station

Dear Tricia

Please could you register Greenpeace as an I&AP (with both myself and Penny-Jane (cc'ed in this email) as contacts) in this matter: **RE: INTEGRATED AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT AND**

**WASTE MANAGEMENT LICENCE APPLICATION) FOR THE PROPOSED RETROFITTING OF A FLUE GAS  
DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

**(DEA REF.: 14/12/16/3/3/3/110)**

Thank you.

Kind Regards

Melita

--

Melita Steele  
Senior Climate and Energy Campaign Manager  
Greenpeace Africa

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05 November 2014

Zitholele Consulting (Pty) Ltd  
PO BOX 6002  
Halfway house  
1685

Per email: [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za)

**For Attention:** Nicolene Venter / Bongani Dhlamini

cc: Jeffrey Manuel ([j.manuel@sanbi.org.za](mailto:j.manuel@sanbi.org.za))  
Sagwata Manyike ([s.manyike@sanbi.org.za](mailto:s.manyike@sanbi.org.za))

Thank you for your invitation to the South African National Biodiversity Institute (SANBI) to register as an Interested and Affected Party (I&AP) for the application: DEA REF: 14/12/16/3/3/3/110.

Please note that SANBI only participates in applications for Environmental Authorisation as an I&AP if the application is for a development on a SANBI property or a property adjacent to a SANBI property, or if the application would impact on an area that has been highlighted as a priority implementation area within one of SANBI's Bioregional Programmes.

**SANBI thus kindly declines to participate in this application as an I&AP at this point in time.**

SANBI is a public entity mandated to act in an advisory or consultative capacity on matters relating to biodiversity to the Department of Environmental Affairs (i.e. the 'competent authority'). The Department and its provincial counterparts are welcome to engage SANBI for advice and/or comment on specific matters related to biodiversity information relevant to this application, if such input is required. Such advice or comment is not equivalent, however, to the comment required as per the NEMA regulations from commenting authorities. SANBI restricts its comment to the accuracy and relevance of the biodiversity information that should inform the Environmental Assessment.

**SANBI thus also declines to participate as a commenting authority in this application. For comment on the biodiversity impacts of the development, please consult the relevant provincial conservation agency.**

I also encourage you to visit our web portal <http://biodiversityadvisor.sanbi.org> for free access to spatial biodiversity information relevant for land-use planning and decision-making processes.

Referencing the spatial biodiversity resources found on the Biodiversity Advisor in the **early stages** of project development can support informed planning and decision-making while helping to timeously 'iron out' obstacles that might otherwise result in delays and additional costs to the project proponent.

Such a proactive approach can:

- Show the decision-making authority that potential conflict between biodiversity priorities and other land-uses has been identified and resolved by well-informed project planning;

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South African National Biodiversity Institute

Private Bag X101, Pretoria, 0001, RSA

2 Cussonia Avenue, Brummeria, Pretoria

Tel (012) 843-5000 • Fax (012) 804-3211 • [www.sanbi.org](http://www.sanbi.org)


- Allow the proponent to take an informed decision about the biodiversity (and administrative and, by implication, financial) risks of proceeding with a particular project; and
- Identify the scope, type and intensity of environmental assessment that is likely to be required if an application were to proceed.

This approach also supports best practice in environmental assessment and planning by:

- Ensuring that a project is consistent with the 'Duty of Care' principle (i.e. that the project proponent has taken reasonable measures to prevent significant degradation of the environment);
- Emphasising the fundamental role of alternatives in selecting the best practicable environmental option;
- Giving effect to the mitigation hierarchy, i.e the sequential avoidance, minimising, mitigating and remedying of impacts that may result in loss of biodiversity or disturbance to ecosystems; and
- Supporting the principle that environmental management must pay specific attention to planning procedures pertaining to sensitive, vulnerable, highly dynamic or stressed ecosystems.

Please feel free to contact me should you require any assistance or have any queries re: using the resources on our <http://biodiversityadvisor.sanbi.org> web portal.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Jeff Manuel', with a stylized flourish underneath.

Jeff Manuel  
Deputy Director: Biodiversity Planning and Policy Advice  
South African National Biodiversity Institute  
email: [j.manuel@sanbi.org.za](mailto:j.manuel@sanbi.org.za)  
tel: +27 21 799 8804

## MINUTES OF MEETING:

<b>PROJECT:</b>	Groothoek Coal Mining Company Pty (Ltd) (GCMC) Application for a Mining Right and associated Environmental Authorisations for the proposed new coal mine on the farms Eendracht 505 LQ and Groothoek 504 LQ, in Lephalale, Limpopo Province.
<b>DATE:</b>	12-08-2015
<b>LOCATION:</b>	Mogol Club Function Hall, Lephalale.
<b>TIME:</b>	13:00 hrs.
<b>MEETING CLOSED:</b>	15:20 hrs.
<b>MEETING PURPOSE:</b>	Phase I meeting to introduce the proposed project; and to explain the Environmental Process with emphasis on the Scoping phase. Also to afford an opportunity for the public to air their concerns/provide comment and register as Interested and Affected Parties (I&APs).
<b>ATTENDANCE:</b>	<p><b>PANEL:</b></p> <p>Ian Troskie (IT) from Cabanga Concepts Environmental.</p> <p>Ken van Rooyen (KR) from Cabanga Concepts Environmental.</p> <p>Peter Sebake (PS) interpreter for GCMC.</p> <p>Clive Machingaifa (CM) from GCMC.</p> <p>Ian McCutcheon (IM) from GCMC.</p> <p>Names of I&amp;APs present at the meeting can be found in the attached attendance register.</p>
<b>INTRODUCTION:</b>	<p>Ian Troskie (IT) introduced himself, welcomed all attendees and gave an explanation of the purpose of the meeting. He encouraged anyone with difficulties understanding the proceedings of the meeting, or who may not be comfortable raising issues during the meeting to come to him after the meeting for assistance if during the proceedings of the meeting he or she does not feel free to ask for clarification. Added that the meeting would be video recorded for minuting purposes.</p> <p>IT then gave each panel member an opportunity to introduce themselves.</p>
<b>PRESENTATION NOTES:</b>	<p><b>WHAT IS PPP?</b></p> <p>IT explained that Public Participation (PPP) facilitates the involvement of I&amp;APs in the decision for the application. Those who are affected have the right to be involved in the process and it is a two way communication process so that I&amp;APs can help in identifying problems, develop alternatives</p>

and propose new mitigation measures. IT added that people living near the project may be able to assist in identifying additional impacts that may otherwise be overlooked.

**THE IMPORTANCE OF BEING INVOLVED:**

IT explained that it is each and every person's legal right to be involved in the PPP; and that active PPP is more likely to lead to a project that is environmentally sound. By reviewing the various documents and providing comment, IT will also ensure that accurate information is captured in the various reports. It is important to note that all comments received from the I&APs are forwarded to the authority (the Department of Mineral Resources) for consideration along with the application.

**HOW TO PARTICIPATE:**

- Fill in and submit the response sheet in the Background Information Document (BID);
- Attend the public meetings;
- Review and comment on the various reports; and
- Contact us at any stage if you have further questions either via telephone, e-mail, fax or post.

IT added that if you have trouble reading or writing; and you would like to give comments but maybe you don't know how to, or are embarrassed, you are welcome to stay behind after the meeting or to contact us telephonically and we will be happy to help you.

**ENVIRONMENTAL PROCESS:**

IT gave a summary of the environmental process work, so that the I&APs can give meaningful input to the PPP.

IT explained that there are many environmental laws in place with which developers (including mines) must comply with and it is important to note that GCMC will need the relevant authorizations listed prior to commencing with the project. These laws ensure that the applicants consider the potential environmental impacts of the project, and possible mitigation and management measures. This means that the Environmental Impact Assessment (EIA) is a tool used to predict how the environment will potentially change due to the various activities (see list of legal requirements in the presentation attached).

**Steps involved in the Environmental Process:**

1. The applicant must first appoint an independent Environmental Assessment Practitioner (EAP) to compile the EIA report. In this case, that would be Cabanga Concepts.
2. The EAP will determine the level of the impact assessment. Typically there are two levels: (1) a basic assessment; and (2) a full Scoping and EIA report.



A basic assessment is typically for smaller scale developments which are likely to have a lesser impact on the environment and are easy to predict. These are generally activities listed in terms of Listing Notice 1 and 3 of the National Environmental Act (also called NEMA).

A Scoping and EIA process is more detailed, and is applicable to activities listed in Listing Notice 2 of NEMA. These are generally activities that are likely to have a significant impact on the environment.

As this is a mining operation, it will be subjected to a full Scoping and EIA process – so for the purposes of this presentation we will focus on the Scoping and EIA process.

3. The Scoping Report is essentially a roadmap of the EIA process, it looks at the project on a high level and identifies areas that require investigation in the EIA phase of the project. It looks at the baseline environment on a desktop level, identifies issues and potential impacts, details the PPP that will be followed and proposes a plan of study for the EIA / EMP (Environmental Impact Assessment / Environmental Management Plan) including what studies will be undertaken.
4. The draft Scoping Report is then put out for public review and comment for a period of 30 days. This also gets circulated to the various authorities for review and comment at the same time. After the review period, any comments received are incorporated into the final document which gets submitted to the authority for approval. Only once this is approved can we proceed to the EIA / EMP phase of the project. We are currently at the Scoping Phase of the process.
5. Specialist studies are needed where significant impacts are anticipated or where the environment is valued by or important to society, or where there is insufficient information available to determine whether the impacts will be significant.

So for example we know that mines can have a significant impact on groundwater; and we know that the Lephalale area is a water scarce area and that many farmers rely on the groundwater, but we cannot estimate the level of the potential impact without understanding the flow of the groundwater in this particular area. So here is an example on where we would need to conduct a detailed specialist study. These studies confirm the desktop studies and identify additional impacts. It is important to note that some studies are only allowed in summer as per provincial guidelines. It is important that I&APs take note of what studies are proposed as to give feedback on any additional studies that may be required.

6. All the desktop studies and detailed specialist studies feed into the EIA report, which allows for an integrated assessment. A detailed impact assessment table is completed integrating specialist findings

and any impacts identified by I&APs.

7. Once the impacts have been quantified in the EIA, the EMP is compiled. The EMP sets out mitigation measures to either avoid or minimise the impacts of an activity or development. This part of the report also includes details on management and closure objectives; as well as monitoring and auditing measures to ensure that the measures proposed in the EMP are actually efficient.
8. This draft EIA / EMP report; and all the supporting specialist studies are then put out for review and comment for a period of 30 days. Again, all comments received during this period are incorporated into the final document which is then submitted to the authority for approval. Once the authority has made the decision they will issue either a positive or a negative Record of Decision (RoD). The applicant then has to notify all I&APs of the outcome of the application as well as the appeals procedure that can be followed.

**PROJECT INFORMATION:**

Locality: A locality map was presented, and the site orientated in comparison to neighbouring operations; Onverwacht and Marapong etc.

Proposed Infrastructure: IT explained that the mine would be mined via opencast methods. IT added that depending on the various authorizations, construction is expected to commence in the first half of 2017 and last for two years. Opencast mining is then expected to take twenty years (2019–2039). Thereafter, the decommissioning phase will take two years with an additional three years for monitoring. He added that a potential 1400 staff members will be required at full operation, but that this is subject to the various authorisations being approved.

Two independent pits are proposed (namely the East and West pits) and these are expected to be mined simultaneously depending on demand for coal and associated sales agreements. The proposed infrastructure for the operation was then listed; and the initial infrastructure plan was presented (please refer to the presentation for details on these)

Potential Impacts: IT explained that in order to identify impacts we begin by looking at the general environmental aspects of the site whether sensitive or not. This includes looking at aspects such as land use, archaeological site, noise, air quality etc.

IT iterated that it is critical for the I&APs to note what potential impacts have been identified at this stage (Scoping level) so that additional impacts that may have been overlooked can be included in the final Scoping Report as well as the EIA report. A list of potential impacts associated with the proposed operations were then presented (Please refer to the presentation for a copy of these).

	<p>Proposed Specialist Studies: IT listed the various specialist studies that would be undertaken for the project (please refer to the presentation for a list of these). He explained that it is critical for the I&amp;APs to note what studies have been proposed so that feedback on additional studies can be noted.</p> <p>IT explained that some studies have already been completed by GCMC during the conceptual mine-options study however, that these be supplemented where necessary.</p> <p>The EIA / EMP: IT explained that the EIA / EMP is compiled as one report based on the template issued by the Department of Mineral Resources. As each of the specialist studies are completed, the findings of the report are interpreted and included into the EIA / EMP report, to allow for a consolidated impact assessment with comparable significances. Any impacts raised by I&amp;APs are also included and assessed. Each impact identified is then evaluated according to the following methodology (please refer to the presentation for a breakdown of the methodology to be used), based on a rating system of 1 – 5.</p> <p>IT added that the impact assessment table looks at the significance of the proposed project based on two different scenarios. Firstly the project is rated on a “pre-mitigation” basis, which assumes that no environmental management is in place – so this is what the impact would be on the environment if mining proceeded without any environmental measures in place. Then the impact assessment table looks at whether it would be possible to put any measures in place to reduce or avoid the impact on the environment. The significance of the impacts are then re-rated based on a scenario where these management measures have been put into place. A monitoring programme is then proposed for the different phases of the project, which monitors the impacts of pollution, and other impacts, and to see if the proposed mitigation measures are being applied effectively.</p> <p><b>WAY FORWARD:</b></p> <p>IT informed the I&amp;APs that the Scoping Report is currently out for public review. He explained that this report would be available for 30 days, and that any comments received from this meeting as well as during the review period would be included in the final report for submission to the authorities.</p>
<p><b>QUESTIONS AND ANSWERS:</b></p>	<p><b>Claris Dryer:</b> The topographical map in GCMCs Background Information Document (BID) and in the presentation needs to be updated to show the current extent of urban development around the proposed mine site. Onverwacht and Marapong are much closer to the mine than is shown on the topographical map.</p> <p><b>IT response:</b> The Google Earth image in the presentation shows a more updated layout of the Onverwacht and Marapong developments. We will update plans where necessary and include these in the final Scoping Report as well as the EIA / EMP reports.</p>

**Astrid Basson (Democratic Alliance Councillor in Lephale Local Municipality):**

- Have you gone to site to see how close it is to residential areas?
- The map in GCMC's BID is wrong and needs updating.
- We do not want the mine as it is too close to Lephale town.
- Prefer not to talk mitigation measures at all as the mine itself is undesirable.
- The BID talks about "structures on site" and "damages to structures on site" but there are currently no structures on site. There are however many structures and buildings very close to the site.
- The BID quotes 7.4km from town but it is closer than that and the BID does not show how close it is to residential areas. No matter what mitigating measures are implemented we will feel the impact and the closer we are the more we will feel.
- GCMC's BID does not talk about the radius which will be affected by the proposed mine. We need a radius within which GCMC will take responsibility for damage to structures.
- Presented a petition signed by 450 residents of Lephale objecting to the proposed mine development in close proximity to residential areas.

**IT response:** GCMC first visited the site back in 2008 and are well aware of its proximity to the surrounding residential areas. We will make sure the distance comes through clearer in the Final Scoping Report and subsequent reports. A blasting assessment will be done as part of the specialist studies and management and mitigation measures will be assessed as part of the EIA / EMP report, these will be discussed at the next public meeting. The Land Developer, the Municipality and Eskom were engaged by GCMC at the start of the project. The petition will be included in the Final Scoping Report as well as the EIA / EMP Report.

**Pierre Jordan (Exxaro employee):**

- I doubt that the developer was engaged.
- There was only one real estate developer in that area in 2008 when GCMC began prospecting and he owned the land. That developer should have been consulted.
- When the developer was engaged in 2008 there were less than 12 000 people in Lephale now there are 85-90 000 people in Lephale.

**KR response:**

- We will look into which developers were engaged and proof of correspondence will be included in the Final Scoping and EIA / EMP report.
- We need to look at what radius of houses will be satisfactory for

baseline assessment of structures and impact mitigation, we will then propose a radius in the EIA and get feedback from the public on that at the next meeting.

**Stephen Manamela:**

- Marapong is made up of 90% RDP houses and their foundations are weak so this needs to be considered during blasting. What will GCMC do to prevent damage to these houses?
- Marapong extension 4 has no water. How will GCMC get water?

**IT response:** Various specialist studies will be undertaken including blasting and groundwater assessments. The EMP mitigation measures will provide the answers to these questions as highlighted in today's presentation. Feedback on the specialist studies will be highlighted at the EIA / EMP phase public meeting.

**Susan Slabbert (NCC Environmental):** Will the next meeting be held at a more appropriate time to allow those who are currently at work to attend?

**IT response:** We will discuss this with GCMC and look at hosting the meeting at a more suitable time.

**Bernadine Stafford (B's Place):**

- Who will take out insurance cover and responsibility for damage to buildings?
- How long will it take for GCMC to repair potential damaged buildings?
- The main road is already overused and busy. Will GCMC address the increased road use around the mine?

**IT response:**

- Blasting studies will be done as part of the EIA and will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures.
- The impacts in terms of an increase in traffic will be included in the EIA however; no specific specialist study has been identified at this stage due to the proposed siding. The coal will be transported via rail, no coal will be trucked.

**Johann van der Westhuizen (Camelot):** Will GCMC fly employees and contractors in?

**IT response:** No, employees and contractors will come to site via car and / or bus. The concern about the mine's traffic impact has been noted, this will be discussed with GCMC.

**Tienie Loots: (spoke in Afrikaans):**

(interpreted by IM)

- I have 30 years' experience in the Municipality and 4 years' experience working at the mines.
- You are not 7.4 km from the town as stated in the BID, you are 4m from the buildings.
- None of the buildings in the area were built to handle blasting/mining nearby.
- Do you know that there are hospitals, schools, black schools, technical training colleges in the area?
- None of the roads have been built to accommodate mine traffic and trucks. You will block the roads.
- The mine is not in the Lephhalale Municipality's Spatial Development Plan (SDP). You are building a mine in an area that has been planned for a town.
- Water is not available.
- The Sandloop River goes through my property.
- You will do the same to the water as the coal mines have done in Witbank. You will drain the water from the Municipal Boreholes.
- You will not be able to control the dust ("stof"). The dust will go over the town and over the schools.
- The noise from the blasts will impact the town.
- There is a municipal graveyard right next to the site that will be affected.
- I requested to see who the Directors were at the time of exploration. I am still waiting for this information. Who are the Directors of the company?

**IT response:** Noted. There will be specialist studies done which will address all of these issues and these will be included in the various reports. These findings will be presented at the next public meeting. GCMC has been in consultation with the Municipality for many years, they have formed part of the SDP and IDP, so the Municipality is well aware of the mines involvement.

**Isaac Mohaule (SANCO) [Spoke in Setswana]:** Very unhappy with the use of the term "swart skool" by Tienie Loots.

**PS response:** We are here to talk about GCMC's proposed mine so let us refrain from other issues.

**Gideon Van Niekerk:** Why is GCMC mining here and not further to the west of Lephhalale?

**KR response:**

- The Mineral and Petroleum Resources Development Act makes the State the custodian of all minerals in South Africa. Companies must then apply for the right to mine these. You may only apply for a right on areas where this does not overlap someone else's right / application.

- GCMC does not hold any rights further west of Lephalale, but they have applied for the rights to these farms.
- Other companies holding rights to the west of Lephalale are not selling their rights.

**Kantshi Makubelo:**

- Members of the audience need to use English as the BID states that this meeting is to be held in English. This will help everyone to understand the proceedings and participate.
- We need more time to participate in the process. The proposed mine will be close to the community so the community would want to participate in it.
- GCMC must check the impact radius of their blasting activities. It will affect the shacks and RDP houses in Marapong.
- The proposed mine will be in the way of the proposed road linking Lephalale and Marapong which was meant to ease traffic congestion.

**IT response:**

- As indicated in the presentation, there are other opportunities for I&AP's to participate. This is not the end of the stakeholder engagement process.
- Blasting studies will be done as part of the EIA and will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures.
- GCMC has been engaging the Lephalale Municipality about its SDP and discussions are ongoing.
- The mine development is subject to GCMC getting their application approved.

**Andries Mocheko (Waterberg Environmental Justice Forum):** Maybe GCMC can hold two public meetings, one in Marapong and another one in Onverwacht. People in Marapong want to be part of this meeting but cannot make it as they do not have transport.

**IT response:** We will discuss this with GCMC,.

**Annerine van Schalkwyk:** There is no slimes dam on the map in GCMC's BID.

**IT response:** The initial site layout plan in the presentation indicates the proposed position of the slurry dam. However, this may still change.

**Johann van der Westhuizen (Camelot):** You plan to mine strip and roll-over. To what depth is GCMC planning to mine?

**KR response:**

- The proposal in GCMC's BID presents the worst case scenario in

terms of impacts.

- The actual impacts determined by the EIA will in turn determine operational parameters such as depths, buffers, the possible use of compartmentalised mining methods and backfilling.

**Johan van der Westhuizen (Camelot):** After 9 years working on coal mines in Mpumalanga with cowboy miners on mickey mouse mines; there has been a lot of bad pollution and cases in which mining companies lie to the Department of Mineral Resources (DMR) to get away with it. You can't sweet talk the DMR with numbers like 7.4km from the town. How close are you to town? GCMC has left out a lot of important issues such as the hospital and other facilities.

**KR response:**

- The purpose of this meeting is to take note of the issues raised by the public.
- The Scoping Report is a foundational document and the BID is not going to be assessed by the DMR for approval but rather it is for information purposes. The final Scoping Report will note these issues.

**Lucky Hlabiwa Letlhaka (Waterberg Environmental Justice Forum):**

- The Draft Scoping Report was made available for public review on 11 August 2015 but this public meeting is being held on the 12<sup>th</sup> of August. There was not enough time to review it before this meeting. Can GCMC provide relevant documents of its past public consultation activities?
- Paragraph 4 on page 7 of the Draft Scoping Report proposes responsible blasting techniques as a mitigation measure. Can you please explain what those methods are and what GCMC is really committing itself to there?

**IT response:**

- The Act specifies that a Scoping Report must be submitted within 44 days from the submission of an application. Of which this 44 days must include a 30 day public review and comment period. Proof of consultation is included in the draft Scoping Report.
- The blasting report is still being conducted, this will specify the impacts and only then can specific commitments be made. These will be in the EMP. We are currently still in the Scoping phase.

**Koetie Steyn (Grootfontein Holdings):**

- You just wanted to do this public participation process quickly and get it over and done with. There was no invitation to the meeting.
- The timing of the meeting gives the impression that GCMC just wanted to get a few people to come.



- Marapong has a big community that will be affected and a meeting should be done there as well.

**IT response:**

- It is not our intension to get this process over with quickly. Both Cabanga and GCMC are committed to working with the public to ensure this project is done correctly from the start. An extensive public participation process has been conducted to date and will continue throughout the process.
- GCMC placed newspaper adverts in the Times and the Northern News inviting I&APs to attend the public meeting. In addition, numerous notices/posters were placed all over Lephale, Onverwacht and Marapong. And information documents were hand delivered to neighbouring landowners, users as well as ward councillors and various other stakeholders.

**Bernadine Stafford (B's Place):** Why didn't GCMC do a public participation exercise 3 years ago?

**IT response:** GCMC's prospecting right was expiring and so they had to make a decision about whether to apply for a mining right or not. Thus the mining right application process is now underway.

**Lungani Zwane (NCC Environmental):**

- Worried that there was no advert in the Mogol Post. GCMC could have advertised via announcements on Lephale FM or posts on Lephale FM's Facebook page. You should use social media to advertise.
- Not everyone attending can speak English.
- What will the impact of GCMC's sewage plant be on the Mokolo River and on the community?

**IT response:**

- The suggested advertising mediums have been noted and will be considered in the future. A decision was made that the public meeting be held in English to accommodate everyone; however we do have interpreters available should anyone not understand, we will meet with them after the meeting to discuss.
- The EIA will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures, these will then be presented at the next public meeting.

**Lungani Zwane (NCC Environmental):**

- GCMC must do extensive socio-economic impact assessments and weigh the impacts of their proposed mine.
- How will the mine affect the aesthetics of the area?

- You are exploiting the town.
- People come to Lephalale for nature. Lodges and tourism will be affected by the proposed mine as it is closer to Lephalale than the Medupi power station.
- GCMC must also consider the impact of the proposed mine on the health and safety of the community especially the impact of coal dust.
- GCMC must also consider the likelihood of cracked foundations in surrounding residential areas.

**IT response:** Agreed. The concerns have been noted. The EIA will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures. The next meeting will have more information as highlighted in the presentation today.

**Isaac Mohaule [Spoke in Setswana]:**

(Interpreted by PS)

- IT must not chair the next meeting because he is confusing the audience.
- Grootegeluk mine moved people off their land in 1982.
- GCMC is bringing jobs and the community wants jobs.
- GCMC must implement better communication processes and not just use newspaper adverts and communication with the DMR. GCMC must ensure it is communicating with all the right stakeholders.
- You should use the Ward Councillors for communication.
- Attendees must leave now as this meeting was not properly coordinated.

**Andries Mocheko (Waterberg Environmental Justice Forum):**

- A lot of people were not available to attend today's meeting.
- Your co-ordination of the meeting was not good.

**KR response:**

- The purpose of the scoping phase is to identify concerns and this meeting's audience is diverse enough to bring up all the relevant issues around the proposed mine.
- The attendance has been fantastic and the critical issues have been raised by the audience.
- It is therefore unfair to say the meeting has not been coordinated properly as an extensive public participation process was undertaken and based on the attendance it was well advertised.

**Claris Dryer:**

- The BID states that GCMC will use rollover and immediate rehabilitation of mining cuts.

- The overburden is 30 – 50m thick and 50% of run of mine coal will be discards and 50% will be product. The coal must be extracted before it can be back-filled. It will take a few years before you can backfill the discard into the pit. How will you do the backfill?
- There is fine material that cannot be used. There is a vast amount of fines that will be produced. How will these be handled?
- How will these discards be stored when they are prone to SO<sub>x</sub> and NO<sub>x</sub> emissions?
- GCMC must have plant discard dumps to accommodate its discard. But it must also control those dumps to ensure there is no spontaneous combustion. Waterberg coal is prone to Spon-Com. How will you control Spon Com?
- You will not be able to double handle plant discards. We have determined that it is a “no-go”.
- The only way to handle the slimes is with a briquetting plant. This will cost money.
- If one drives along the R2001 Stockpoort road it is easy to see these issues at Grootegeluk.
- In the Waterberg, we cannot seal the fractures. It is difficult to do so.
- Do you have groundwater monitoring as part of your Draft Scoping Report?

**KR response:**

- Comments are noted. It is very important for GCMC to take them into consideration. They however cannot make the decisions until the EIA has been completed. The draft Scoping Report does highlight the need for groundwater monitoring. This will be highlighted in more detail in the EIA / EMP report.

**Makoma Lekalakala (Earthlife Africa):**

- All people must be consulted and this is not happening.
- Only got the BID late yesterday so how can we comment today?
- GCMC must ask the DMR to extend the deadline for the Scoping Report beyond 09 September.
- GCMC must ask people to stock up on asthma pumps, gas masks and bottled water.

**Maroelle Steyn (Grootfontein Holdings):** The Town Council sewage plant is a mess. Who will manage the mine’s sewage treatment plant?

**KR response:** Explained that an extensive PPP was conducted and many I&APs have been consulted. The specialist studies will highlight potential impacts to health and water. These will be included in the EIA / EMP report and will be discussed at the next public meeting. The intention of the Department of Water and Sanitation is that GCMC will manage their own

sewage treatment plant. Currently there are no detailed specifications for the plant.

**George Mofomme (Marapong Community Forum):**

- The proposed mine site is not 7.4 km from Marapong as stated in the BID. That distance was correct in the past but not anymore now that Marapong has grown.
- As stated by President Zuma, South Africa is not a water rich country; in fact Marapong is currently fighting with the Lephalale Local Municipality for cutting water supply so GCMC must consider the health of the elderly, children and miners.

**Ilze-Mari Boucher:** If the slimes dam fails it will leak into Marapong.

**IT response:** Comments noted. The EIA will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures. This will then be discussed at the next public meeting.

**Ilze-Mari Boucher:**

- We did not find GCMC on the internet so how do we know if they are legitimate? We need a company profile with the Directors of the company.

**IT response:** Will discuss this with GCMC. **Filomaine Swanepoel (Exxaro):**

- GCMC must include the Lephalale SDP in its Scoping Report and must show the proposed layout plan overlain on the SDP.
- In 2010 and 2012 the Waterberg District Municipality zoned the proposed mine site for Zone 7 urbanisation.
- Are you aware that Exxaro is selling 12.5 Ha of land around the Groothoek Landfill Site to the Lephalale Local Municipality?

**IT response:** Noted. GCMC will provide Cabanga with the SDP and it will be included in the Final Scoping Report. Yes GCMC is aware of the sale and the expansion of the Municipal dump, this will not be affected by the proposed operations.

**Assis Pontes (Pam Golding):**

- Given that the Municipality's aim is to join Marapong and Onverwacht, a mine in the middle of town is a complete disaster and weird.
- What is going to happen with the Road to Marapong?
- The Waterberg coalfield is huge. Why are you choosing to mine here?
- GCMC has not mentioned the number of residents within a 5km radius of the proposed mine site and these will be the most affected

by the proposed mine.

**IT and KR response:** Noted, GCMC will include the SDP in the Final Scoping Report. The specialist studies will identify the potential impacts to residents in the area. The project is subject to various authorisations as detailed in the presentation. The new road will be included in the assessment and management and mitigation will be discussed in the EIA / EMP report. This will then be presented at the next public meeting.

**Bernadine Stafford (B's place):**

- Why has Groothoek been fenced?
- Medupi power station has delayed the installation of a flue gas desulphurisation plant even though they had previously committed to it. What guarantee do we have that GCMC will not go back on its EMPr commitments?
- Medupi relies on clean air to operate.

**Johann van der Westhuizen (Camelot) response:** Exxaro owns the surface rights on Groothoek and they put up the new fence, not GCMC.

**KR response:** Noted. GCMC and the Medupi power station are not comparable. Exxaro and GCMC are not state owned entities. If they go back on their EMPr commitments they are liable to fines and imprisonment. They are subject to the laws and regulations of the state.

**Leon Roux:** DMR should not grant GCMC a mining right because the proposed mine site is in an urban zone as the coal has already been sterilised.

**Chris Mamabolo (Eskom Matimba Environmental Manager):**

- GCMC must take into account the structural stability of Matimba power station's air cooling fans. The proposed West Pit will affect the ACC fans.
- What will happen to effluent produced by the mine?
- Are you going to pollute the river?

**IT response:** The EIA will note the impacts around the proposed mine and the Environmental Management Programme (EMPr) will propose mitigation measures. GCMC has discussed effluent with the Department of Water and Sanitation and this will be highlighted in the EIA / EMP.

**Koos Roestoff (Eskom):** There is no mention of new substations and power lines for the mine in the BID. Will the mine be self-sufficient in terms of power?

**KR response:** It probably will not be self-sufficient. Sub stations are however easy to relocate if the EIA requires a change in the current conceptual layout. It would not be a major add-on.

	<p><b>Johan van der Westhuizen (Camelot):</b> Suggest you hire microphones for the next meeting.</p> <p><b>KR response:</b> Noted.</p>
<p><b>CONCLUSION:</b></p>	<p>There being no further questions or comments, IT thanked everyone for attending, asked anyone who may have further comments or questions to contact him, and closed the meeting.</p>
<p><b>POST MEETING COMMENTS:</b></p>	<p><b>Herman Mpete:</b></p> <ul style="list-style-type: none"> <li>• There is a community currently settled in an area called Steinop, who have won a land claim some 2 to 3 km north of GCMC’s proposed mine site. They will be returning to settle on their land within the next two years and GCMC must engage them as I&amp;APs.</li> <li>• GCMC must also contact Councillor M.J. Mojela of Lephalele Ward 5 in order to consult the traditional leadership through her as she is the Vice Chairperson of SANCO.</li> </ul> <p><b>CM response:</b> GCMC has noted this. Ward 5 Councillor has already been consulted as part of the process.</p> <p><b>Pierre Jordaan (MD Camelot and Exxaro):</b></p> <ul style="list-style-type: none"> <li>• Camelot Game Reserve is very close to the East Pit. The noise from the running machines will not be welcomed.</li> <li>• The proposed dumps on Groothoek are right on the Mogol Perdery Klub. How will you manage that?</li> <li>• There is only one way to mine the Waterberg “Bar-Code” coal and that is by Open-Cast. You cannot go underground.</li> </ul> <p><b>IT and IM response:</b> Comments noted. The specialist studies will address all of these concerns and they will be highlighted at the next meeting.</p> <p><b>George Mofomme (Marapong Community Forum):</b></p> <ul style="list-style-type: none"> <li>• How is GCMC planning to rehabilitate the mine?</li> </ul> <p><b>IM Response:</b> This will be considered as part of the EIA process.</p> <p><b>Martin Roux:</b> Will the equestrian facility on Groothoek be moved as a result of GCMC’s mine?</p> <p><b>IT response:</b> Spoke to Rudi van Niekerk as well as Exxaro as part of the public consultation process. Exxaro will most likely look after the future of the equestrian facility.</p>

## Nicolene Venter

---

**From:** Sylvia Kamanja <skamanja@cer.org.za>  
**Sent:** 04 November 2014 05:22 PM  
**To:** Nicolene Venter  
**Cc:** Sharon Meyer; Bongani Dhlamini; Robyn Hugo; Ruth Kruger; Teboho Sebogodi  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

**Importance:** High

Dear Nicolene

Thank you for your response below. However, we are instructed to draw your attention to Regulation 54(7) of the 2010 NEMA EIA Regulations which provides that:

“... the person conducting the public participation process must ensure that—

- a) information containing all relevant facts in respect of the application is made available to potential interested and affected parties; and
- b) participation by potential interested and affected parties is facilitated in such a manner that all potential interested and affected parties are provided with a reasonable opportunity to comment on the application.”

In terms of regulation 28(1), the DSR “must contain all the information that is necessary for a proper understanding of the nature of issues identified during scoping”.

The Technology Selection Study Report (conducted by Harris D in 2014) that we have requested, is referred to throughout the Draft Scoping Report (DSR), and is clearly one of the vital documents that was relied upon to decide the suitable FGD technology. Accordingly, it clearly forms part of “information containing all relevant facts in respect of the application” and information that is necessary for a proper understanding of the nature of the issues identified during scoping.” In the circumstances, the Technology Selection Study Report should be made available to all I&APs without the need for a request through the Promotion of Access to Information Act (PAIA) process. It should, in fact, have been made available when the DSR was made available. We also point out that the comment and response report (CRR) clearly states that the Study Report would be attached as an appendix to the scoping report - see pages 5,6 and 11 of the CRR.

Therefore, please note that a failure to provide this Study Report to I&APs is contrary to NEMA’s EIA Regulations, and any decision taken without providing this vital information for comment by I&APs may be subject to review in terms of the Promotion of Access to Justice Act (PAJA).

We also point out that, even if there were a basis to require that the document be requested in terms of PAIA (which is denied), the legislated time period for answering such PAIA request would render such request superfluous for purposes of commenting on the DSR.

In the circumstances, we are again instructed to request that a copy of the Technology Selection Study Report be made available to I&APs on an urgent basis.

We look forward to your urgent response.

Regards  
Sylvia Kamanja  
Attorney

Centre for Environmental Rights NPC

A non-profit company with registration number 2009/020736/08, PBO No. 930032226, NPO No. 075-863, VAT No. 4770260653 and a Law Clinic registered with the Law Society of the Cape of Good Hope

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**From:** Nicolene Venter [mailto:[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)]  
**Sent:** 04 November 2014 12:17 PM  
**To:** Ruth Kruger  
**Cc:** Sharon Meyer; Bongani Dhlamini; Teboho Sebogodi; Sylvia Kamanja  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

Dear Ruth,

Eskom, the Applicant for this proposed project, informed us that any request for information such as the Technology Selection Study Report must please go through the PAJA process as the requested Report contains sensitive information which is not appropriate to public review.

Should the CER want specific information, please inform us and the team will formulate an appropriate response.

I hope that you find above-mentioned in order and please do not hesitate to contact us should you need any additional information.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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**From:** Nicolene Venter  
**Sent:** 31 October 2014 12:13 PM  
**To:** Ruth Kruger  
**Cc:** Sharon Meyer; Bongani Dhlamini; 'tsebogodi@cer.org.za'; Sylvia Kamanja  
**Subject:** EIA: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

Dear Ruth,

Please receive herewith our acknowledgement of your e-mail below and please be informed that we had forwarded the request for Technology Selection Study Report to Eskom.

We will revert back to you as soon as possible.

Kind Regards,



**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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**From:** Ruth Kruger [<mailto:rkruger@cer.org.za>]

**Sent:** 30 October 2014 02:51 PM

**To:** Leoni Lubbe

**Cc:** Robyn Hugo; Sylvia Kamanja; Teboho Sebogodi

**Subject:** RE: DSR Comment Period Commencing - Proposed Retrofitting FGD at Medupi Power Station

Dear Ms Venter,

We would like to submit comments on the DSR for the proposed retrofitting for FGD at Medupi Power Station. So as to ensure that our comments are well-informed, we would like to see the Technology Selection Study Report which is referred to in the DSR's CRR Appendix. However, we have been unable to locate this report amongst the documents that you sent out, or on your website. Please could you send us a copy of the report?

Kind regards,  
Ruth

---

**From:** Leoni Lubbe [<mailto:Leonil@zitholele.co.za>]

**Sent:** 28 October 2014 12:40 PM

**To:** Ruth Kruger

**Subject:** DSR Comment Period Commencing - Proposed Retrofitting FGD at Medupi Power Station

**DEA REF.: 14/12/16/3/3/3/110**

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LIENCE AND WATER USE LICENSE APPLICATIONS): PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE**

- **Notification of the availability of the Draft Scoping Report (DSR) for review and comment**
- **Invitation to the Public Meetings**

Dear Stakeholder

Kindly find attached letter which serves to inform you that the Draft Scoping Report (DSR) is available for public review and comment from **Monday, 27 October 2014** to **Friday, 05 December 2014**.

The attached letter also serves to invite you to attend any one of the two Public Meetings that will be held in November 2014.

The DSR can be downloaded from Zitholele's website (<http://www.zitholele.co.za/eia-for-medupi-fgd>).

Kind regards

---

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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*Please consider the environment before printing this e-mail!*

**Documents attached:**

- DSR notification letter
- DSR Comment Form
- Public Meetings Registration form

## Leoni Lubbe

---

**From:** Ruth Kruger [rkruger@cer.org.za]  
**Sent:** 01 December 2014 10:09 AM  
**To:** Nicolene Venter  
**Cc:** Leoni Lubbe; Robyn Hugo; Sylvia Kamanja  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Dear Nicolene,

In your email below of 18 November 2014, you commit to sending the Technology Selection Report for the Medupi FGD project to the CER by the end of November 2014. We would like to place on record that we have not yet received this report, although your deadline for sending the report to us has passed. Please could you advise as to when we will receive it.

Further, we have not yet received a response to our email of 24 November below, regarding the necessity of making the Technology Selection Report available to all stakeholders, not just the CER. Please could you confirm that the report will be distributed to all stakeholders.

Kind regards,  
Ruth

---

**From:** Ruth Kruger  
**Sent:** 24 November 2014 04:12 PM  
**To:** 'Nicolene Venter'  
**Cc:** Leoni Lubbe (Leonil@zitholele.co.za); Robyn Hugo; Sylvia Kamanja  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Dear Nicolene,

Further to the email below regarding the Technology Selection Report for the Medupi FGD project, we would like to clarify who will be receiving this report. As you state below in your email of 18 November, the CER will receive it by the end of this month (November). However, it will be important for all stakeholders to read this report so as to be able to engage with the Draft Scoping Report and provide constructive comments.

Please could you confirm that the Technology Selection Report will be sent to all stakeholders, not just the CER.

Kind regards,  
Ruth

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 18 November 2014 03:25 AM  
**To:** Robyn Hugo  
**Cc:** Sharon Meyer; Bongani Dhlamini; Ruth Kruger; Teboho Sebogodi; Sylvia Kamanja; Tricia Njapha  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Dear Robyn,

Please receive herewith acknowledgement of the CER's e-mail below.

Zitholele Consulting was informed by Ward 1 (Marapong) Councillor, Mr William Motlokwa, that there are pre-existing issues between the Marapong Community and Eskom (Medupi Power Station) that to date have not been resolved. He advised Zitholele Consulting that Eskom needs to be prepared to provide responses and feedback on the current outstanding issues at a meeting scheduled at Marapong for evening of 6<sup>th</sup> November. Eskom subsequently informed Zitholele that Eskom will not be able to provide responses at the public meeting. There is

however an established forum between Eskom, Community Representatives, Local Authorities, etc attending to these issues.

Due to the nature of this public meeting (presentation of EIA & PP process and technical information relating to the proposed Medupi FGD project only) we were cautious not to entertain these external issues. Based on discussions with Mr Motlokwa the project team (Zitholele and Eskom) took the decision not to proceed with this public meeting as a safety precaution to the community members as well as the project team members.

Additional to above, Medupi Power Station undertook a situation analysis and, based on the results, also advised the team not to proceed with the second public meeting in Marapong.

I can confirm that as soon as the draft minutes of both the Key Stakeholder Workshop and the Public Meeting is drafted, that the CER will receive a copy.

Robyn, the matter regarding the release of the Technology Selection Study Report has been submitted to Eskom again and we have been informed that the Draft Technology Study Report (474-10175 Medupi FGD Technology Study Report - as reference in the Comments and Responses Report – Appendix D8 of the Draft Scoping Report) will be forwarded to the CER by end November 2014.

Robyn, please be informed that the DSR review period will be extended to Friday 09 January 2015. This extension will be communicated to all registered I&APs on the project database shortly.

I hope the above-mentioned address your queries.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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**From:** Robyn Hugo [<mailto:rhugo@cer.org.za>]

**Sent:** 13 November 2014 04:34 PM

**To:** Nicolene Venter

**Cc:** Sharon Meyer; Bongani Dhlamini; Ruth Kruger; Teboho Sebogodi; Sylvia Kamanja

**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Hello Nicolene

The delay in responding to the request is impacting on our ability to respond to the draft scoping report. Please could you respond on an urgent basis.

Thank you.

Yours sincerely

Robyn

---

**From:** Sylvia Kamanja

**Sent:** 12 November 2014 10:00 AM

**To:** Nicolene Venter

**Cc:** Sharon Meyer; Bongani Dhlamini; Robyn Hugo; Ruth Kruger; Teboho Sebogodi

**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Dear Nicolene

Kindly let us know when we can expect a response to our correspondence below.

Regards  
Sylvia

---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]  
**Sent:** 07 November 2014 01:13 PM  
**To:** Sylvia Kamanja  
**Cc:** Sharon Meyer; Bongani Dhlamini; Robyn Hugo; Ruth Kruger; Teboho Sebogodi  
**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Hi Sylvia,

I acknowledge your e-mail below and confirm that a response will be forthcoming shortly.

And, thank you for contacting our offices – we are attending to the minutes *as we speak*.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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**From:** Sylvia Kamanja [<mailto:skamanja@cer.org.za>]

**Sent:** 07 November 2014 12:29 PM

**To:** Nicolene Venter

**Cc:** Sharon Meyer; Bongani Dhlamini; Robyn Hugo; Ruth Kruger; Teboho Sebogodi

**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report

Dear Nicolene

I refer our telephonic conversation a few minutes ago, we look forward to your responses to the correspondence below, as well as to why the meeting in Marapong was cancelled. Kindly also provide us with a copy of the minutes of the meeting held on Wednesday 5 November 2014.

Regards  
Sylvia

---

**From:** Sylvia Kamanja

**Sent:** 04 November 2014 05:22 PM

**To:** 'Nicolene Venter'

**Cc:** Sharon Meyer; Bongani Dhlamini; Robyn Hugo; Ruth Kruger; Teboho Sebogodi

**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

**Importance:** High

Dear Nicolene

Thank you for your response below. However, we are instructed to draw your attention to Regulation 54(7) of the 2010 NEMA EIA Regulations which provides that:

“... the person conducting the public participation process must ensure that—

- a) information containing all relevant facts in respect of the application is made available to potential interested and affected parties; and
- b) participation by potential interested and affected parties is facilitated in such a manner that all potential interested and affected parties are provided with a reasonable opportunity to comment on the application.”

In terms of regulation 28(1), the DSR “must contain all the information that is necessary for a proper understanding of the nature of issues identified during scoping”.

The Technology Selection Study Report (conducted by Harris D in 2014) that we have requested, is referred to throughout the Draft Scoping Report (DSR), and is clearly one of the vital documents that was relied upon to decide the suitable FGD technology. Accordingly, it clearly forms part of “information containing all relevant facts in respect of the application” and information that is necessary for a proper understanding of the nature of the issues identified during scoping.” In the circumstances, the Technology Selection Study Report should be made available to all I&APs without the need for a request through the Promotion of Access to Information Act (PAIA) process. It should, in fact, have been made available when the DSR was made available. We also point out that the comment and response report (CRR) clearly states that the Study Report would be attached as an appendix to the scoping report - see pages 5,6 and 11 of the CRR.

Therefore, please note that a failure to provide this Study Report to I&APs is contrary to NEMA’s EIA Regulations, and any decision taken without providing this vital information for comment by I&APs may be subject to review in terms of the Promotion of Access to Justice Act (PAJA).

We also point out that, even if there were a basis to require that the document be requested in terms of PAIA (which is denied), the legislated time period for answering such PAIA request would render such request superfluous for purposes of commenting on the DSR.

In the circumstances, we are again instructed to request that a copy of the Technology Selection Study Report be made available to I&APs on an urgent basis.

We look forward to your urgent response.

Regards

Sylvia Kamanja

Attorney

Centre for Environmental Rights NPC

A non-profit company with registration number 2009/020736/08, PBO No. 930032226, NPO No. 075-863, VAT No.

4770260653 and a Law Clinic registered with the Law Society of the Cape of Good Hope

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Skype: Sylvia.kamanja

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---

**From:** Nicolene Venter [<mailto:nicolenev@zitholele.co.za>]

**Sent:** 04 November 2014 12:17 PM

**To:** Ruth Kruger

**Cc:** Sharon Meyer; Bongani Dhlamini; Teboho Sebogodi; Sylvia Kamanja

**Subject:** RE: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

Dear Ruth,

Eskom, the Applicant for this proposed project, informed us that any request for information such as the Technology Selection Study Report must please go through the PAJA process as the requested Report contains sensitive information which is not appropriate to public review.

Should the CER want specific information, please inform us and the team will formulate an appropriate response.

I hope that you find above-mentioned in order and please do not hesitate to contact us should you need any additional information.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

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**From:** Nicolene Venter

**Sent:** 31 October 2014 12:13 PM

**To:** Ruth Kruger

**Cc:** Sharon Meyer; Bongani Dhlamini; 'tsebogodi@cer.org.za'; Sylvia Kamanja

**Subject:** EIA: Proposed FGD Project for Medupi Power Station - Technology Selection Study Report - Acknowledgement

Dear Ruth,

Please receive herewith our acknowledgement of your e-mail below and please be informed that we had forwarded the request for Technology Selection Study Report to Eskom.

We will revert back to you as soon as possible.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

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**From:** Ruth Kruger [<mailto:rkruger@cer.org.za>]

**Sent:** 30 October 2014 02:51 PM

**To:** Leoni Lubbe

**Cc:** Robyn Hugo; Sylvia Kamanja; Teboho Sebogodi

**Subject:** RE: DSR Comment Period Commencing - Proposed Retrofitting FGD at Medupi Power Station

Dear Ms Venter,

We would like to submit comments on the DSR for the proposed retrofitting for FGD at Medupi Power Station. So as to ensure that our comments are well-informed, we would like to see the Technology Selection Study Report which is referred to in the DSR's CRR Appendix. However, we have been unable to locate this report amongst the documents that you sent out, or on your website. Please could you send us a copy of the report?

Kind regards,  
Ruth

---

**From:** Leoni Lubbe [<mailto:LeoniL@zitholele.co.za>]  
**Sent:** 28 October 2014 12:40 PM  
**To:** Ruth Kruger  
**Subject:** DSR Comment Period Commencing - Proposed Retrofitting FGD at Medupi Power Station

**DEA REF.: 14/12/16/3/3/3/110**

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LIENCE AND WATER USE LICENSE APPLICATIONS): PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE**

- **Notification of the availability of the Draft Scoping Report (DSR) for review and comment**
- **Invitation to the Public Meetings**

Dear Stakeholder

Kindly find attached letter which serves to inform you that the Draft Scoping Report (DSR) is available for public review and comment from **Monday, 27 October 2014** to **Friday, 05 December 2014**.

The attached letter also serves to invite you to attend any one of the two Public Meetings that will be held in November 2014.

The DSR can be downloaded from Zitholele's website (<http://www.zitholele.co.za/eia-for-medupi-fgd>).

Kind regards

**Nicolene Venter** [Cert. Public Relations]  
**Senior Public Participation Practitioner**  
Building 1, Maxwell Office Park, Magwa Crescent West, cnr  
Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA  
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**Documents attached:**

- DSR notification letter
- DSR Comment Form
- Public Meetings Registration form





# Centre for Environmental Rights

Advancing Environmental Rights in South Africa

Ishaam Abader  
Deputy Director-General: Legal Authorisations  
Compliance & Enforcement  
Department of Environmental Affairs  
By email: [iabader@environment.gov.za](mailto:iabader@environment.gov.za)

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Ms Chantal Portia Masedi  
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Environment & Tourism (Limpopo)  
By email: [masedicp@ledet.gov.za](mailto:masedicp@ledet.gov.za)

Copied to:

Ms Tricia Njapha / Mr Bongani Dhlamini  
Zitholele Consulting  
By email: [publicprocess@zitholele.co.za](mailto:publicprocess@zitholele.co.za)

DEA Reference 14/12/16/3/3/3/110  
Our ref: CER 12.5/RH/SK  
13 July 2015

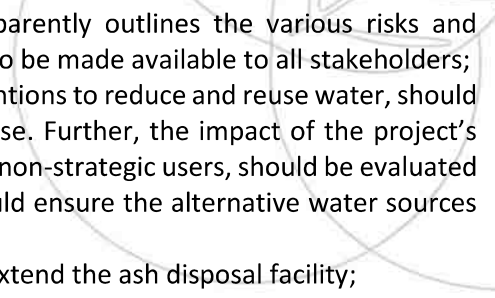
Dear Mr Abader

## COMMENTS ON THE FINAL SCOPING REPORT FOR THE PROPOSED MEDUPI POWER STATION FLUE GAS DESULPHURISATION PROJECT

### Overview

1. We act for groundWork and Earthlife Africa Johannesburg (ELA). Our clients are interested and affected parties (I&APs) in Eskom's integrated environmental authorisation process for the Medupi Power Station Flue Gas Desulphurisation (FGD) Retrofit Project ("the Project"). Our clients also submitted comments on the Draft Scoping Report (DSR) and the Background Information Document (BID) in 2014.
2. In these submissions, we make representations for the expansion of the final scoping report (FSR) to include the areas of concern discussed below. In summary, our clients submit that:
  - 2.1. the FSR fails to meet the prescribed requirements for a scoping report;
  - 2.2. a Project Schedule Study should be included as a specialist study to investigate opportunities to expedite the FGD project schedule and the potential to co-commission the last few units with FGD;

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- 
- 2.3. the FGD schedule, together with the risk register (which apparently outlines the various risks and mitigation measures associated with the FGD project) should also be made available to all stakeholders;
  - 2.4. an independent water minimisation study, to investigate interventions to reduce and reuse water, should be included as a specialist study in the impact assessment phase. Further, the impact of the project's water use on other water users within the catchment, especially non-strategic users, should be evaluated and addressed in the Impact Assessment Phase. The study should ensure the alternative water sources are investigated as a contingency;
  - 2.5. Eskom should conduct an additional study if there are plans to extend the ash disposal facility;
  - 2.6. specialist studies on transport impacts should be included in the Plan of Study for the EIA to the extent that the previous study conducted does not address the concerns set out in these submissions;
  - 2.7. surface and ground water specialists should be appointed since these are identified as important in the terms of reference (ToR) for specialist studies and water is a core concern in the area;
  - 2.8. if Eskom will be installing wet FGD for Medupi, it would be unacceptable to proceed without including the flue-gas cooler in the design;
  - 2.9. gypsum disposal should be considered a last resort and market opportunities for the sale of the large quantities of gypsum to be produced should be sought;
  - 2.10. the new gypsum disposal facility proposed as a feasible disposal alternative in the DSR should be included for evaluation in the impact assessment phase and the disposal of the gypsum in its own compartment in the future ash disposal facility (ADF) should also be evaluated;
  - 2.11. for the waste comparative study, the FSR should provide a clear outline of the intended methodology for the study;
  - 2.12. Eskom should provide explicit ToR for all specialist studies relevant to the Project, including those that only need updating; and
  - 2.13. for the impact assessment methodology, the FSR should include a Plan of Study for EIA which must consider the extent to which an impact could lead to irreplaceable loss.

### **Failure to comply with the prescribed requirements of a scoping report**

3. The FSR fails to meet the requirements of a scoping report in that it does not clearly communicate the scope and type of specialist studies, or the impacting activities that must be investigated. Regulation 28 (1)(n)(i) of the 2010 EIA Regulations<sup>1</sup> provides that:

*“A scoping report must contain all the information that is necessary for a proper understanding of the nature of issues identified during scoping, and must include-*

*...a plan of study for environmental impact assessment which sets out the proposed approach to the environmental impact assessment of the application, which must include-*

- (i) a description of the tasks that will be undertaken as part of the environmental impact assessment process, including any specialist reports or specialised processes, and the manner in which such tasks will be undertaken”*

4. The purpose of a scoping report is to identify key issues and concerns, alternatives that must be assessed, and to provide explicit ToR for specialist studies to evaluate potential impacts and their significance.

5. The FSR notes that:

*“For instances whether the quantities and economics do not justify use of rail, trucking will be used as an alternative to transport. Trucking will also be used as a contingency for the conveyors, or where there may be unforeseeable problems with rail transport. The trucking on site will be minimal. However, depending on the disposal option taken forward, wastes may need to be trucked to the appropriate disposal facility/ies off-site. In addition, the lime and*

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<sup>1</sup> GG 33306 GN R543

*soda ash (for water treatment) will be delivered to the power station via truck. Applicable dust suppression mechanisms will be employed as required.”<sup>2</sup>*

6. The extent to which trucking could be used, and/ or the traffic implications of that option, particularly given the poor state of roads in the area, are not clear. Should there be negative impacts on roads as a consequence, there would be implications in terms of the need to remedy such harm, in line with the ‘polluter pays’ principle.
7. The FSR states that transport alternatives will be discussed and potential methods will be rationalised during the Impact Assessment Phase.<sup>3</sup> The Plan of Study for the EIA refers to “traffic impact studies”, stating that the original study for the Medupi Power Station will be utilised.<sup>4</sup> The FSR also states that many of the original studies need updating for the FGD project,<sup>5</sup> but fails to indicate which studies will be updated or how. If the Medupi traffic impact study to which the FSR refers does not adequately address the concerns our clients raise in paragraph 6 above, these should be addressed through specialist studies.
8. According to the FSR, materials such as limestone are to be brought in by means of rail-to-rail siding, and if saleable quantities of gypsum are produced, they would be transported by rail too.<sup>6</sup> It is not clear whether this railway line is an existing one, or a new one. The FSR addresses only the rail siding. This should be clarified.
9. Our clients noted that comments made in the 12 December 2014 comments on the DSR were not taken into account. Our clients had stated that a specialist study should be included in the EIA process to investigate the feasibility of co-commissioning as many units as possible with FGD. It appears that Eskom dismissed the specialist study request, stating that they had already undertaken such an investigation. They went on to state that “*it was found not to be feasible to commission any of the units with FGD.*”<sup>7</sup> No evidence was provided in support of this statement, which our clients find unacceptable.
10. The FSR notes that many specialist studies will need to be updated with specific reference to the FGD retrofit, and in particular with regard to the disposal of the additional waste generated by the FGD process.<sup>8</sup> Neither section 5.3 - specialist studies, nor section 9.2<sup>9</sup> - ToR for specialist studies, makes mention of either surface water or groundwater specialists being required. This is an important oversight as impacts on water resources are a core concern. It must be addressed.
11. However, section 5.3 also states that, if alternative waste disposal sites are required outside of the existing Medupi Power Station footprint, specialist studies will need to be carried out, at the minimum, for groundwater, geotechnology, ecological assessment and surface water.<sup>10</sup> Clarity is needed, and the explicit scale and scope of specialist studies in both site selection and comparative assessment must be accurately conveyed. ToR for such studies must be included in the Plan of Study for EIA.
12. In considering the option of using the ADF to accommodate both type 3 wastes as well as of type 1 wastes, it is clear that this facility’s footprint would need to be increased. Additional studies would be required if expansion is needed.

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<sup>2</sup> FSR para 4.43 p42

<sup>3</sup> FSR para 4.4.4 p43

<sup>4</sup> FSR p68

<sup>5</sup> FSR p44

<sup>6</sup> FSR para 4.4.2 p42

<sup>7</sup> CRR Appendix F7 section 1.2.7 comment 5

<sup>8</sup> FSR para 5.3 p44

<sup>9</sup> FSR p68

<sup>10</sup> FSR para 5.3 p45

## FGD Project Retrofitting Schedule

13. Eskom intends to retrofit the FGD plant during the first mini general overhaul (MGO) of the respective generating units, which will happen six years after the commercial operation (CO) of each respective unit.<sup>11</sup> Our clients disagree with this retrofit schedule and argue that as many units as possible should be commissioned with FGD from the start, as this would considerably reduce the SO<sub>2</sub> emissions of the plant over its lifetime - which is of critical importance to the regional air quality.
14. Medupi Power Station is located in the Waterberg Bojanala Priority Area (WBPA), which was declared in accordance with s18 of the National Environmental Management: Air Quality Act (AQA). It is located roughly 7km from the existing Matimba Power Station, which emits approximately 302,000 tons of SO<sub>2</sub> per year.<sup>12</sup> The daily SO<sub>2</sub> concentrations measured at Marapong and at Grootstryd exceed the World Health Organisation SO<sub>2</sub> guideline value of 20 µg/m<sup>3</sup>. Therefore air quality in the vicinity of Medupi is already compromised and will be exacerbated as and when each Medupi power generation unit comes online. Under the scenario where both power stations are operating at maximum emission levels and Medupi is operating without FGD, ambient air quality concentrations are predicted to exceed the hourly and 24-hourly average National AAQS for SO<sub>2</sub> by up to 60%.<sup>13</sup> Although Medupi is intended to operate with FGD in the long term, under the proposed retrofit schedule each unit is planned to operate for six years with unabated SO<sub>2</sub> emissions, increasing the probability of AAQS exceedances during this time.
15. Eskom intends to retrofit each FGD unit during its respective MGO. Co-commissioning the remaining units with FGD would considerably reduce both peak SO<sub>2</sub> emissions and total SO<sub>2</sub> emissions of the plant over its lifetime, thereby decreasing the probability and extent of AAQS exceedances. It would also bring forward the date of compliance with respect to the Minimum Emission Standards (MES) in terms of AQA. Although Medupi's Provisional Atmospheric Emission Licence (AEL) makes provision for five year postponement of compliance with the 2020 standards to 2025, the current retrofit schedule indicates that the FGD system will not be fully installed by this date.
16. As set out above, Eskom appears not to have given proper consideration to our clients' request for a co-commissioning study.<sup>14</sup> It dismissed the specialist study request, stating that they had already undertaken such an investigation. Without providing any evidence of this, it went on to state that *"it was found not to be feasible to commission any of the units with FGD."*<sup>15</sup>
17. Changes made to the EIA schedule suggest there is a risk that Eskom might not be ready to retrofit the first unit (Unit 6) at the time of its MGO. In response to previous stakeholder requests for the FGD project to be implemented earlier, Eskom has stated that 'according to the current project schedule, the first unit at Medupi can only be retrofitted from the start of 2021'.<sup>16</sup> The project schedule presented in the most recent progress

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<sup>11</sup> Eskom World Bank and African Development Bank Project Progress Report 4: Medupi Power Station Flue Gas Desulphurisation Plant dated January 2015 p6

<sup>12</sup> Atmospheric Impact Report (AIR) in support of Eskom's application for postponement of the Minimum Emission Standards compliance timeframes for the Matimba Power Station. February 2014, available at: [http://www.iliso.com/emes1/Atmospheric%20Impact%20Reports\\_PDFs/Matimba\\_AIR\\_FINAL\\_2014%2002%2021.pdf](http://www.iliso.com/emes1/Atmospheric%20Impact%20Reports_PDFs/Matimba_AIR_FINAL_2014%2002%2021.pdf), p 13

<sup>13</sup> AIR in support of Eskom's application for postponement of the Minimum Emission Standards compliance timeframes for the Medupi Power Station. February 2014, available at [http://www.iliso.com/emes1/Atmospheric%20Impact%20Reports\\_PDFs/Medupi\\_Final\\_AIR\\_2014%2002%2024.pdf](http://www.iliso.com/emes1/Atmospheric%20Impact%20Reports_PDFs/Medupi_Final_AIR_2014%2002%2024.pdf), p 37-39.

<sup>14</sup> Eskom's response to Comment 2.4.1 in Section 1.2.8 of the FSR Appendix F7 (CRR) suggests that they had not read Annexure I of our comments on the DSR

<sup>15</sup> CRR Appendix F7 section 1.2.7 comment 5

<sup>16</sup> Responding Statement (Annexure 2 to BID comments) at paragraph 8.7

report to the World Bank indicates that the FGD retrofit of Unit 6 will be completed by December 2021,<sup>17</sup> which aligns with the unit's six-year MGO that year.<sup>18</sup> However, this schedule does not take into account the changes made to the EIA timeframes in the FSR. Environmental authorisation is now expected in January 2018, two years later than was previously indicated in the DSR. Therefore the two-year extension to the EIA process presents the risk that Eskom might not be ready to retrofit the first unit (Unit 6) at the time of its MGO. Depending on its commissioning date, this risk may also apply to Unit 5.

18. It is imperative that this risk be mitigated, as regional air quality and human health will be further compromised if Unit 6 operates with unabated emissions for more than six years.

19. The World Bank loan agreement dated 16 April 2010 requires that Medupi install FGD and provides that:

"2. The Borrower shall:

*(a) not later than June 30, 2013, develop, adopt and thereafter implement a program, satisfactory to the Bank, to install FGD equipment in each of the six power generation units of the Medupi Power Plant, taking into account technical, environmental and financial criteria in accordance with terms of reference to be discussed with the Bank, such program to be designed such that the installation of the FGD equipment for the first power generation unit shall commence on the later of (i) the sixth anniversary of the Commissioning Date or (ii) March 31, 2018 or such later date as the Bank may establish following consultations with the Borrower), and, thereafter, continue the installation of the FGD equipment sequentially, in each case thereafter at the time each of the remaining five power generation units is taken out of service for the first major planned outage, it being understood and agreed that all the FGD equipment for the six power generation units shall be installed and fully operational not later than December 31, 2021, or such later date as the Bank may establish following the said consultations with the Borrower; and*

*(b) afford the Bank a reasonable opportunity to exchange views with the Borrower on such FGD installation program at each of its preparation and implementation phases."*<sup>19</sup>

20. It is also a condition in the Provisional AEL<sup>20</sup> which provides that:

7.1.4. The License Holder shall, continuously operate, and maintain a flue gas desulphurization (FGD) plant for control of SO<sub>2</sub> on all six units. The Flue Gas Desulphurisation plant shall be retrofitted in each unit within Six (06) years after the first commissioning of each unit and during the General Overhaul outages.

21. Therefore the following should be included in the EIA process:

21.1. FGD Project Schedule Specialist Study: There are a number of potential opportunities to expedite the FGD project schedule, including running the Public Finance Management Act (PFMA) approval process and the tender bidding and evaluation periods in parallel to the EIA process. These opportunities must be investigated in order to minimise the risk of delays to the retrofit of Unit 6, and to increase the feasibility of the last few units being co-commissioning with FGD. As this investigation is of direct relevance to air quality and human health within the WBPA, it should be included as a specialist study within this EIA process. In addition to identifying opportunities to expedite the schedule, the study should also investigate the potential to co-commission the last few units with FGD.

21.2. Project schedule: The current Medupi FGD project schedule should be made available to stakeholders throughout the EIA process. Despite being of material importance to the EIA, it was omitted from both the DSR and the FSR.

<sup>17</sup> Eskom World Bank and African Development Bank Project Progress Report 4: Medupi Power Station Flue Gas Desulphurisation Plant dated January 2015 p21

<sup>18</sup> As Medupi's Unit 6 was synchronised to the grid in March 2015 and full commercial operation is expected mid-2015, its six-year MGO will likely be scheduled for 2021

<sup>19</sup> Medupi Power Station World Bank Loan Agreement dated 16 April 2010 Schedule 2, Part C.2(a)

<sup>20</sup> Medupi Provisional Atmospheric Emission Licence No: 12/4/12L-W2/A3 date April 2015 condition 7.1.4.

21.3. **Risk register:** The risk register, which apparently outlines the various risks and mitigation measures associated with the FGD project, should be made available to stakeholders.

22. With regards to the EIA process, our clients submit that the process can be managed more efficiently to avoid unnecessary delays. The process has already been extended by two years since the DSR, largely due to delays to date, and to the extension of the specialist study period. The process, which is still in the scoping phase, is already eight months behind schedule. Unnecessary delays have been noted, such as the extension to the DSR comment period by five weeks due to the omission of a key appendix from the DSR.<sup>21</sup> The FSR inaccurately stated that this extension was included due to the fact that very few comments were obtained from the public and from key stakeholders, such as the local and district municipalities, during the original commenting period.<sup>22</sup>
23. As delays to the FGD project have direct consequences for human health within the WBPA, our clients request that Zitholele Consulting and Eskom make every effort to reduce further unnecessary delays to the EIA process.

### **Water-related specialist studies**

24. The proposed project, which is located in the water-scarce Lephalale Municipal area, requires more water than is currently available in the catchment. The Mokolo and Crocodile Water Augmentation Project (MCWAP) is being developed to supply additional water to the region. Although Phase 1 is almost complete, Phase 2, which involves importing water from the Crocodile River catchment, is six years behind schedule<sup>23</sup> and the EIA process has not yet commenced. Although the MCWAP scheme has taken into account the existing and projected water needs of the region, periods of water shortages are anticipated, with scenarios suggesting shortages of up to 16 million m<sup>3</sup> per year<sup>24</sup> spanning a period of up to 19 years.<sup>25</sup> These water shortages are likely to disproportionately affect the communities and other non-strategic water users within the catchment. Therefore, water-use is one of the most significant environmental and social impacts of the proposed FGD retrofit. Although the FSR does acknowledge this, the Plan of Study and specialist studies fail to adequately address water-related impacts.
25. In the DSR comments, our clients asserted that a water minimisation study should be included as a specialist study in the Integrated Environmental Authorisation process. This request was dismissed by Eskom in the FSR, stating, as part of the basic design process Eskom considered all of the water minimisation options as part of the life cycle assessment.<sup>26</sup> However, no evidence in support of this statement was provided. Moreover, our clients question Eskom's commitment to water minimisation when the flue gas cooler (a design feature that reduces the FGD water consumption by 30% - without increasing costs or posing technical challenges)<sup>27</sup> has not been incorporated into the basic design. An independent water minimisation study, to investigate interventions to reduce and reuse water, should therefore be included as a specialist study in the impact assessment phase. The study should also take into account new technologies, such as condensing heat exchangers, membranes and liquid desiccant systems, which are currently being developed to capture and reuse water in the flue gas.<sup>28</sup>

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<sup>21</sup> FSR Appendix F8 p50

<sup>22</sup> FSR p50

<sup>23</sup> Department of Water Affairs, South Africa, 2008. Mokolo and Crocodile River (West) Water Augmentation Project (MCWAP) Feasibility Study, Main Report Feasibility Stage (Summary Report). Prepared by Africon in association with Kwezi V3 Engineers, Vela VKE, WRP Consulting Engineers and specialists, pxiv

<sup>24</sup> To put this in perspective, this is approximately the annual water consumption for the entire Medupi power plant with FGD fully installed

<sup>25</sup> Department of Water Affairs and Forestry (2012); *Crocodile West River Reconciliation Strategy*, 2012, p.15 (FSR Appendix I6)

<sup>26</sup> Appendix F7 CRR section 1.1.2 comment 2

<sup>27</sup> Appendix D Eskom *Medupi FGD Retrofit Technology Selection Study Report* Report number: 474-10175, May 2014

<sup>28</sup> Carpenter, A (2012); *Low water FGD technologies*; CCC/210, ISBN 978-92-9029-530-3; available at: <http://www.iea-coal.org.uk/site/2010/publications-section/newsletter-information/current-newsletter-3/low-water-fgd-technologies>;

Daal, L. et al (2012), Evaluation of different water vapor capture technologies and energy modelling results for membrane technology, Combined paper ID: 186 & 192; available at: [www.watercapture.eu/downloads/paper-powergen-europe.pdf](http://www.watercapture.eu/downloads/paper-powergen-europe.pdf)

26. In addition, the integrated environmental authorisation process approach to water use appears to have changed materially between the DSR and the FSR. Although the DSR did not include provision for a water minimisation specialist study, it did state that:

*“The Wet FGD technology water utilisation requires that the Impact Assessment Phase investigate how the FGD retrofit at Medupi Power Station will:*

- *Reduce water utilisation as far as practical;*
- *Reuse water in a responsible manner;*
- *Impact on other water users within the catchment;*
- *Source water for the project; and*
- *Investigate alternative water sources as a contingency.”<sup>29</sup>*

27. However, the FSR now reads (changes underlined):

*“Eskom endeavours [sic] to continually investigate the following issues with regards to Wet FGD technology water utilisation:*

- *Reduce water utilisation as far as practical and financially feasible;*
- *Reuse water in a responsible manner;*
- *Impact on other water users within the catchment;*
- *Source water for the project; and*
- *Investigate alternative water sources as a contingency.”<sup>30</sup>*

28. The FSR is therefore now less committed (than appears from the DSR) to addressing water-related impacts and seems to take the approach that the application for the Water Use Licence (WUL) would address all water supply and allocation issues, as well as water impacts, associated with FGD. This approach is questionable:

28.1. These issues and associated impacts are predominant throughout the FSR; for example –  
*“It is anticipated that water utilisation by the Medupi FGD technology retrofit will be an issue of contention and needs to be addressed more rigorously within the Impact Assessment Phase.”<sup>31</sup>*

*“water allocation and usage will be further investigated during the EIA Phase.”<sup>32</sup>*

*“it is anticipated that the approval of the Wet FGD retrofit to Medupi Power Station will have a significant impact on water utilisation in the area.”<sup>33</sup>*

29. There is no indication that these issues and impacts are to be ‘further investigated’ during the EIA phase, based on the Plan of Study for EIA and the report is weak on a critical success factor for FGD installation and functioning, namely water supply.

30. Despite it being evident that water-use is one of the main stakeholder concerns,<sup>34</sup> the above suggests that the Plan of Study and specialist studies fail to adequately address water-related impacts. Our clients submit that this is unacceptable and the following should be incorporated into the Scoping Report:

30.1. An independent water minimisation study, to investigate interventions to reduce and reuse water, should be included as a specialist study in the Impact Assessment Phase.

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<sup>29</sup> DSR p46

<sup>30</sup> FSR p56

<sup>31</sup> Medupi FGD FSR June 2015 para 7.7 p64.

<sup>32</sup> FSR at piii

<sup>33</sup> FSR para 8.3 p66

<sup>34</sup> CRR Appendix F7

- 30.2. The impact of the project's water use on other water users within the catchment, especially non-strategic users, should be evaluated and addressed in the Impact Assessment Phase. Although not explicitly stated in the FSR itself, Appendix F8 states that:  
“...[t]he use of water from MCWAP Phase 1 and 2 by the Medupi Power Station for energy production and for the FGD operation will be investigated as a key issue of significance and this will be assessed through the socio-economic assessment that is being commissioned.”<sup>35</sup>
- 30.3. Our clients agree that this should be investigated in the socio-economic assessment and expect this to be the case.
- 30.4. There is a substantial risk that Phase 2 of the MCWAP will be further delayed or put on hold. Even if it is completed on time, water shortages are anticipated for extended periods.<sup>36</sup> Insufficient water poses a serious threat to the FGD system, which relies on water to operate, as well as a threat to other water users in the catchment. It is therefore important that alternative water sources are investigated as a contingency, and this should be included in the specialist study that our clients recommended above.
31. These studies are required in terms of section 24 of NEMA, which provides, *inter alia*, that procedures for the investigation, assessment and communication of the potential consequences or impacts of activities on the environment must include, with respect to every application for an environmental authorisation, the investigation of mitigation measures to keep adverse consequences or impacts to a minimum.<sup>37</sup>

#### Flue gas cooler

32. In the DSR comments, our clients asserted that the flue gas cooler should be included in the FGD basic design instead of being presented as an alternative in the EIA process.<sup>38</sup> It was argued that the cooler will significantly reduce water consumption without increasing costs or posing technical challenges, and should therefore be integrated into the design. The response to this comment was the following:  
*“Zitholele Consulting, on behalf of the applicant, would like substantiation and reference provided by CER regarding the comment that: “The cooler, which will reduce the plant’s water consumption by around 30%, does not affect the project’s costs or pose any technical challenges.”*  
*This information is required from CER prior to Zitholele Consulting or the applicant responding to this comment.”<sup>39</sup>*
33. This response is unacceptable because the DSR, a report written by Zitholele Consulting, clearly states:  
*“The technology selection report (2014) recommended that the client implement wet FGD technology. The technology with or without cooling were considered equal on an overall technical and economic basis.”<sup>40</sup>*
34. The above statement by the EAP was not repeated in the FSR. In the Technology Selection Study Report,<sup>41</sup> an appendix to the FSR (but which was not attached to the DSR), Eskom provides detailed financial and technical information in support of our DSR comment.<sup>42</sup> Zitholele’s response is therefore unacceptable as it fails to address our DSR comment, despite stating itself in the DSR that the technology were equivalent on an overall technical

<sup>35</sup> FSR, Appendix F8 p8

<sup>36</sup> Department of Water Affairs and Forestry (2012); Crocodile West River Reconciliation Strategy, 2012, p.15 (Appendix I6 FSR)

<sup>37</sup> S24(4)(b)(ii)

<sup>38</sup> CRR Appendix F7 section 1.2.2 comment 3

<sup>39</sup> CRR Appendix F7 section 1.2.2 comment 3

<sup>40</sup> DSR p31

<sup>41</sup> Eskom Medupi FGD Retrofit Technology Selection Study Report number: 474-10175 dated May 2014

<sup>42</sup> Eskom Medupi FGD Retrofit Technology Selection Study Report number: 474-10175 dated May 2014 see para 3.3 on cost comparison



and economic basis and despite it being in possession of the evidence to support this statement – from a report it relied upon itself.

35. In addition, it appears from the FSR that the cooler has now been withdrawn altogether as an alternative for consideration in the EIA process. The DSR addressed technology alternatives (e.g. wet and semi-dry FGD technologies) separately from design alternatives (i.e. the cooler) and put forward the cooler as a design alternative for evaluation in the impact assessment phase. However, instead of discussing design alternatives separately, the FSR includes the cooler as a technology alternative and, on the basis that the technology selection was undertaken prior to the EIA, concludes that:

*“technology alternatives are therefore not addressed in detail, nor assessed in the impact rating for purposes of decision-making for this application.”<sup>43</sup>*

36. The FSR also now states that the cooler *“may be considered for a future retrofitment [sic] based on an acceptable cost-benefit analysis.”<sup>44</sup>*

37. This implies that the cooler is no longer considered a design alternative to be investigated in the EIA process, nor has it been incorporated into the basic design. Instead, the FSR suggests that it has been left to Eskom’s discretion to determine if and when the cooler should be installed. Our clients find this unacceptable for several reasons:

37.1. Water-use is one of the most significant impacts relating to the proposed project, and interventions that minimise water consumption and reliance on the MCWAP scheme (such as the cooler), are therefore of material importance to this integrated environmental authorisation process.

37.2. Under the 2010 NEMA EIA Regulations, applicants are obliged to identify and investigate reasonable and feasible alternatives to be comparatively assessed in the EIA process. The cooler is both reasonable and feasible, and should therefore be included, at the very minimum, as a design alternative. However, due to its obvious environmental benefits, the cooler should ideally be integrated into the basic design.

37.3. It is evident from the comments on the DSR that water is one of the most significant stakeholder concerns. Therefore the decision to withdraw the water-saving cooler as a design alternative (without incorporating it into the basic design) is in direct contradiction to stakeholders’ concerns.

37.4. Eskom’s water policy states that it *“will ensure all its new water containing infrastructure are designed, maintained and operated in a manner that water will be utilized effectively and efficiently and to ensure environmental duty of care.”<sup>45</sup>* Eskom is also a signatory of the UN CEO Water Mandate, which aims to positively address the global water crisis.<sup>46</sup> Eskom’s refusal to incorporate the cooler into the Basic Design (or even propose it as a design alternative) is in direct contradiction to its own policies and commitments.

37.5. The cooler is used by Eskom to justify the pre-selection of the water-intensive wet FGD technology over semi-dry FGD technology.<sup>47</sup> It would therefore be unacceptable for Eskom to proceed with wet FGD without including the cooler in the design, or as a design alternative.

38. The cooler is not expected to add to the project’s lifetime costs.<sup>48</sup> However, even if it were the case that it increased the costs, the cooler plays such a critical role in addressing water-related impacts that it should be incorporated into the Basic Design or, at the very minimum, be considered as a design alternative for assessment in this environmental authorisation process.

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<sup>43</sup> FSR p37

<sup>44</sup> FSR p36

<sup>45</sup> Eskom Water Management Policy April 2013 p7

<sup>46</sup> Eskom Water Management Policy April 2013 p7

<sup>47</sup> FSR p36-37; CRR Appendix F7 section 1.2.6 comment 3.6.1; CRR, Appendix F7 section 1.2.2 comment 13; World Bank and African Development Bank Project Progress Report 4: Medupi Power Station FGD of January 2015 p9; Technology Selection Study Report May 2014 p19; Technology Selection Study Report p20

<sup>48</sup> Technology Selection Study Report number: 474-10175 May 2014 p20

## Bypass

39. The FSR indicates that a bypass will be included in the FGD system installation by retaining the existing ductwork to the stacks. Our clients find this unacceptable, as it will enable the plant to operate with unabated SO<sub>2</sub> emissions, thereby further comprising the regional air quality. Instead, the FGD systems should be operated and maintained as an integral and essential part of each power generation unit.

## Gypsum Market Assessment

40. Gypsum is one of the by-products of the FGD process and is a commercial product. The sale of gypsum will bring about significant environmental and economic benefits compared to its disposal, including the minimisation of emissions and energy consumption associated with its landfill, the avoidance of impacts associated with the mining of natural gypsum and increased revenue streams against which to offset capital and operating costs of disposal. Therefore disposal should be considered a last resort and every effort should be taken by Eskom to identify potential markets.
41. The FSR indicates that Medupi is expected to produce around 1.7 million tons of gypsum each year. Eskom anticipates that it will be unable to sell most of this material because Kusile's gypsum will flood the market.<sup>49</sup> However, the Gypsum Market Research Study, appended to the FSR, estimates that by 2038 the total national demand for this resource will be approximately 2.1 million tons per year,<sup>50</sup> which is around 1 million tons per year more than Kusile is expected to produce.<sup>51</sup> Hence there is a potential for Medupi to sell, rather than discard, a significant portion of its gypsum. In addition, the quantities of gypsum produced can be reduced if high quality limestone (i.e. limestone that contains more than 94% reactive CaCO<sub>3</sub>)<sup>52</sup> is used in the FGD process. This will also serve to ensure that the gypsum is of a sufficient quality for the plasterboard market. As the limestone supplier for Medupi has not yet been determined, Eskom should ensure that high quality limestone is sourced wherever possible.
42. Aside from the environmental benefits, FGD gypsum can probably sell for between R50 - R120 per ton (depending on quality and excluding delivery),<sup>53</sup> which represents a sizeable source of income for the utility. Market opportunities should therefore be aggressively pursued.
43. The Gypsum Market Research Study, which focused on existing markets, also acknowledged that the mining market has the largest potential for growth over the next 30 years and needed to be researched further.<sup>54</sup> There are several possible applications for gypsum in the mining industry, including the prevention of acid mine drainage (AMD), which has the potential to be generated in the Waterberg Coalfield.<sup>55</sup> One possible application is the thermochemical conversion of FGD gypsum and pyrite (an AMD-producing mineral) from coal mining wastes into marketable products, such a lime, sulphur and direct reduced iron.<sup>56</sup> While the mining market for gypsum is still being developed, Eskom should take into consideration the future opportunities in this sector, if more traditional

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<sup>49</sup> CRR Appendix F7 section 1.2.4 comment 11

<sup>50</sup> Over The Moon, *Gypsum Market Research Study*, April 2009 p52

<sup>51</sup> Draft Issues and Response Report, Environmental Impact Assessment, Kusile Railway Project: Proposed construction of a railway line (and associated infrastructure) from the existing Pretoria-Witbank railway (parallel to the N4) to the Kusile Power Station, Zitholele Consulting, Version 2 p4

<sup>52</sup> <http://www.power-eng.com/articles/2007/02/production-of-commercial-grade-gypsum.html>

<sup>53</sup> Over The Moon, *Gypsum Market Research Study*, April 2009 p52

<sup>54</sup> Over The Moon, *Gypsum Market Research Study*, April 2009 p52

<sup>55</sup> Bester and Vermeulen, (2010), *Investigation of Potential Water Quality and Quantity Impacts Associated with Mining of the Shallow Waterberg Coal Reserves, West of the Daarby Fault, Limpopo Province, South Africa*, Water SA, Vol 36, No 5 (2010), available at: <http://www.ajol.info/index.php/wsa/article/view/61987>

<sup>56</sup> Center for Applied Energy Research, University of Kentucky, *An Innovative integrated approach to minimising gypsum and pyrite wastes by conversion to marketable products*, Submitted to U.S. Department of Energy, National Energy Technology Laboratory, June 2000.

markets prove unsuccessful. However, our clients only support such a market if clear environmental benefits can be demonstrated.

## Waste Disposal Alternatives

### *Gypsum*

44. In the comments on the DSR, our clients asserted that (when disposal is necessary) the gypsum should be disposed of separately from the other wastes, thereby minimising contamination. This allows for its future recovery, which would reduce the environmental impacts associated with its disposal, as well as the impacts related to the mining of virgin gypsum. The Department of Mineral Resources describes the co-disposal of gypsum as “a wasteful practice as the gypsum may be a usable resource; if not now, then in the future.”<sup>57</sup>
45. As most of the waste disposal alternatives presented in the DSR involve the co-disposal of gypsum, it was proposed in the DSR comments that the list of alternatives be revised, taking into account the importance of separate gypsum disposal.<sup>58</sup> Eskom’s response to the revised list of disposal alternatives is as follows: “As part of the basic design process Eskom considered all of the water minimisation options as part of the life cycle assessment. This assessment is inherent in the design process.”<sup>59</sup>
46. The response is not relevant to the comment and therefore fails to address our clients’ concerns. It is submitted that this and a number of other instances where inadequate or inappropriate responses have been given,<sup>60</sup> serve to undermine the public participation process, indicating that the prescribed process in the EIA Regulations was not followed and amounting to a contravention of the Promotion of Administrative Justice Act.
47. Furthermore, the option to dispose of the gypsum in its own new waste facility has been withdrawn altogether from the FSR. The DSR included this option (Option 5.2), but the FSR has removed it, stating “the gypsum will be disposed of with the ash at the future ADF [ash disposal facility]”<sup>61</sup>. Therefore no gypsum disposal alternatives have been put forward, not even the option of disposing the gypsum in a separate compartment within the ADF. Our clients find this unacceptable as it undermines the purpose of the EIA process, where all reasonable and feasible alternatives should be assessed. The following gypsum disposal options should therefore be included as feasible alternatives for evaluation in the impact assessment phase:
- *A new gypsum disposal facility*: This option was proposed as a feasible disposal alternative in the DSR, but was not included in the FSR.
  - *Disposal of the gypsum in its own “compartment” in the future ADF*: The FSR confirms this is feasible as it proposes the same disposal method for the salts and sludge in disposal option 2.

### *Salts and Sludge*

48. With respect to the salts and sludge, our clients request confirmation as to why there is no longer considered to be sufficient space within the Medupi Power Station footprint to accommodate a new salts and sludge disposal facility. The DSR proposed this as an option (Option 5.1), stating that “about 140ha will be required for the disposal of salts and sludge within lagoons to a depth of 5m.”<sup>62</sup> However, despite there being no changes to the volumes of waste generated, the FSR now indicates that there is insufficient space on site for such a facility.<sup>63</sup> Clarity on

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<sup>57</sup> Department of Mineral Resources (2009), *Gypsum in South Africa*, Report R82/2009, p.16, available at <http://www.dmr.gov.za/publications/summary/123-reports/297-r82-gypsum-is-sa-2009.html>

<sup>58</sup> CRR Appendix F7 section 1.2.3 comments 7-11

<sup>59</sup> CRR Appendix F7 section 1.2.3 comments 7-11

<sup>60</sup> For example: CRR Appendix F7 section 1.2.2 comment 3; section 1.2.3 comment 2; section 1.2.6 comments 3 & 6.1; Section 1.2.8 comment 2.4.1

<sup>61</sup> FSR p38

<sup>62</sup> DSR p33

<sup>63</sup> FSR p41

this matter is required, and if there is sufficient space, an on-site salts and sludge disposal facility should be included as an alternative in the EIA process.

### **Waste Disposal Comparison**

49. According to regulation 28 (1)(n)(i) of the 2010 NEMA EIA Regulations, the Plan of Study must include: *“a description of the tasks that will be undertaken as part of the environmental impact assessment process, including any specialist reports or specialised processes, and the manner in which such tasks will be undertaken.”*

50. The FSR fails to meet this requirement with respect to the waste disposal options. Instead of putting forward disposal alternatives for investigation in the impact assessment phase, the FSR presents disposal options and indicates that a comparative analysis will be carried out to eliminate those alternatives which may be impractical or fatally flawed.

*“Following this analysis, the remaining alternatives will be carried through to the Impact Rating to identify the preferred alternative and to provide a rating table indicating potential impacts associated with each alternative.”*<sup>64</sup>

51. This elimination of unreasonable and unfeasible alternatives should have been undertaken during the scoping phase so that the ToR for specialist studies could be outlined explicitly in the scoping report. However, the elimination process has been deferred to the EIA phase and the FSR indicates that the specialist studies will only be confirmed when waste disposal alternatives are confirmed.<sup>65</sup>

52. Moreover, no information was provided on the methodology of the comparative assessment. The lack of transparency is not only in violation of the NEMA EIA Regulations, but also raises concerns that feasible, environmentally preferable disposal options may be improperly rejected based on capital cost estimates.

53. Our clients therefore submit that the FSR should provide a clear outline of the intended methodology for the comparative study, as well as explicit ToR for all specialist studies relevant to the Project. The FSR should also clearly indicate which original specialist studies will be updated (as per Section 5.3 of the FSR) and provide ToR for these updates.

### **Impact Assessment Methodology**

54. According to the proposed impact assessment methodology, any impact to human health (regardless of scale or severity) is considered ‘high’ in terms of ‘potential intensity’, as is ‘loss of species’. However, neither ‘loss of livelihood’, nor the inability to meet national conservation targets for ecosystems, appear to be considered ‘high’ with respect to ‘potential intensity’.<sup>66</sup> It is crucial that ratings relate to limits of acceptable change or thresholds, standards (including legal and health) or targets, rather than to arbitrary or vague indicators.

55. The FSR asserts that “cumulative impacts are reflected in the in the [sic] potential intensity of the rating system.”<sup>67</sup> Cumulative impacts are not the same as ‘intensity’ of impact and therefore need to be addressed separately, as required in terms of the NEMA EIA Regulations. In this case, cumulative impacts on water resources - both in terms of availability and quality - are critical and of particular concern to the FGD project. It is inadequate and incorrect to state that existing studies will still be valid in terms of the cumulative impacts of the power station.<sup>68</sup> The approach set out for assessing impacts in the FSR does not make explicit and focused provision for considering the extent to which an impact could lead to irreplaceable loss. The NEMA EIA regulations require that the Scoping Report include a Plan of Study for EIA and, as part of that, must specify the proposed assessment approach which

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<sup>64</sup> FSR p39

<sup>65</sup> FSR p45

<sup>66</sup> FSR pp74-75

<sup>67</sup> FSR p76

<sup>68</sup> FSR p44

should consider this factor.<sup>69</sup> The EIA phase and all specialist inputs must address these specific points as part of the required scope of their work.

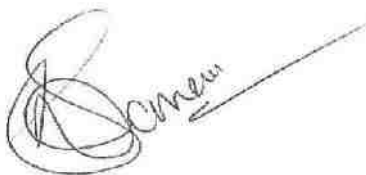
**Conclusion**

- 56. Based on the above submissions, our clients submit that the FSR does not contain material information required in terms of the NEMA EIA Regulations and has left out fundamental components that need to be taken into account in the consideration of the FGD Project.
- 57. Therefore, our clients are of the opinion that the FSR Eskom should be required to make amendments to the FSR (in terms of regulation 30(1)(b)) to ensure that the flaws set out above are addressed on an urgent basis.
- 58. Should you require more information regarding any aspect of these submissions, please let us know.
- 59. Kindly keep us updated regarding the status of the Project.

Yours faithfully

**CENTRE FOR ENVIRONMENTAL RIGHTS**

per:

A handwritten signature in black ink, appearing to read 'S Kamanja', with a long horizontal line extending to the right.

**Sylvia Kamanja**  
**Attorney**

Direct email: [skamanja@cer.org.za](mailto:skamanja@cer.org.za)

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<sup>69</sup> 2010 NEMA EIA Regulation 28(1)(n)(iii)

## **Appendix F-5 B: EIR Phase**

## ***Authorities***



## environmental affairs

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### **PER FACSIMILE / MAIL**

Dear Ms Oosthuizen

### **ACKNOWLEDGEMENT OF RECEIPT OF THE FINAL SCOPING REPORT FOR THE PROPOSED MEDUPI POWER STATION FLUE GAS DESULPHURISATION (FGD) SYSTEM AT, LEPHALALE**

The Department confirms having received the Final Scoping Report for the above-mentioned project on 12 June 2015.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours sincerely

**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations  
Department of Environmental Affairs**

**Letter signed by: Ms Mmatlala Rabothata**

**Designation: Environmental Officer: Integrated Environmental Authorisations**

**Date: 26/06/2015**





## **environmental affairs**

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**DEA Reference:** 14/12/16/3/3/110

**Enquiries:** Ms Bongeka Ngcoliso

**Telephone:** 012-399 9376 **E-mail:** BNgcoliso@environment.gov.za

Ms Sharon Meyer  
Zitholele Consulting (Pty)Ltd  
PO Box 6002  
**HALFWAY HOUSE**  
1685

Tel: 078 415 7801  
Email: mail@zitholele.co.za

### **PER FACSIMILE / MAIL**

Dear Ms Meyer

### **ACCEPTANCE OF THE FINAL SCOPING REPORT FOR THE PROPOSED PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE IN THE LIMPOPO PROVINCE**

The Final Scoping Report (FSR) and Plan of Study for Environmental Impact Assessment dated June 2015 and received by the Department on 12 June 2015 refer.

The Department has evaluated the submitted FSR and the Plan of Study for Environmental Impact Assessment dated June 2015 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2010. The FSR is hereby accepted by the Department in terms of regulation 30(1) (a) of the EIA Regulations, 2010.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2010.

Please ensure that comments from all relevant stakeholders are submitted to the Department with the Final Environmental Impact Report (EIR). Proof of correspondence with the various stakeholders must be included in the Final EIR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.

You are required to amend the application form to include applicable waste listed activity as per GN R.921 as your application was lodged after GN R. 718 were repealed in terms of National Environmental Management: Waste Act, Act 59 of 2008 and also include these applicable waste listed activities on the final EIR.

The applicant is hereby reminded to comply with the requirements of Regulation 67 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 56 and 57 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 56(3a-3h).

Please ensure that the Final EIR includes at least one A3 regional map of the area and the locality maps included in the final EIR illustrate the different proposed alignments and above ground storage of fuel. The maps must be of acceptable quality and as a minimum, have the following attributes:

- Maps are relatable to one another;
- Cardinal points;
- Co-ordinates;
- Legible legends;
- Indicate alternatives;
- Latest land cover;
- Vegetation types of the study area; and
- A3 size locality map.

Further, 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 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 will be required.

You are requested to submit two (2) copies of the Environmental Impact Report (EIR) to the Department and at least one electronic copy (CD/DVD) of the complete final report with the hard copy documents.

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**  
**Letter signed by: Ms Pumeza Skepe-Mngcita**  
**Designation: Deputy Director: IPS & S24G**  
**Date: 28/07/2015**

cc	Mr D Tunncliff	Eskom Holdings SOC Ltd	Tel:011 800 5145	Email:david.tunncliff@eskom.co.za
	Mr/Ms T Tshuketana	LEDET (Limpopo)	Tel:015 293 8300	Email:TshuketanaTL@ledet.gov.za



## **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: 14/12/16/3/3/2/1060**

**Enquiries: Ms Salome Mambane**

**Tel: 012 399 9385 E-mail: [SMambane@environment.gov.za](mailto:SMambane@environment.gov.za)**

Dr Mathys Vosloo  
Zitholele Consulting  
PO Box 6002  
**HALFWAY HOUSE**  
1685

**Tel: 011 207 2060**

**Email: [mail@zitholele.co.za](mailto:mail@zitholele.co.za)**

**PER EMAIL / MAIL**

Dear Sir/Madam

### **ACKNOWLEDGEMENT OF RECEIPT OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

The Department confirms having received the Draft Environmental Impact Assessment Report for the above mentioned project on 09 April 2018. You have submitted these documents to comply with the Environmental Impact Assessment Regulations (EIA), 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.

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

**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Environmental Affairs**

**Letter signed by: Ms Azrah Essop**

**Designation: Environmental Officer Specialized Production: EIA Coordination, Strategic Planning and Support**

**Date: 13 April 2018**



## environmental affairs

Department:  
Environmental Affairs  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road · PRETORIA  
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/2/1060

Enquiries: Ms Bongeka Ngcoliso

Telephone: (012) 399 9376 E-mail: [BNgcoliso@environment.gov.za](mailto:BNgcoliso@environment.gov.za)

Dr Mathys Vosloo  
Zitholele Consulting Pty Ltd  
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**HALFWAY HOUSE**  
1685

Telephone Number: (011) 270 2079  
Cell Number: 084 748 3018  
Email Address: [mathysv@zitholele.co.za](mailto:mathysv@zitholele.co.za)

### PER E-MAIL / MAIL

Dear Dr Vosloo

### COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT (EIAR) FOR THE FOR THE PROPOSED MEDUPI POWER STATION FLUE GAS DESULPHURISATION PROJECT NEAR LEPHALALE IN THE LIMPOPO PROVINCE

The Draft Environmental Impact Assessment Report (DEIAR) dated 19 February 2018, received by this Department on 21 February 2018 and acknowledged on 07 March 2018, the amended application form and the revised DEIAR received by the Department on 09 April 2018 and acknowledged on 13 April 2018 refers.

This Department has the following comments on the abovementioned application:

- i. Please note that the reference for the abovementioned project has changed from **14/12/16/3/3/3/110** to **14/12/16/3/3/2/1060** since the application is no longer an Integrated application, You are therefore required to use the new allocated reference number for the abovementioned project.
- ii. The site layout map presented on appendix D1 the DEIAR is invisible, therefore a topographic site layout map that will demonstrate all the proposed activity must be incorporated in the FEIAR.
- iii. You are required to submit a proof of the authorised waste disposal facility that is going to be used to dispose the hazardous waste.
- iv. Description of activity 18 of GN R 544 on Appendix A of the DEAIR states that, "*It is likely that infilling or excavation of more than 10m<sup>3</sup> within a watercourse may occur during construction of the rail yard and associated infrastructure*". You are therefore advised to refrain from using the word "may" and use "will" instead.

Further 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 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 Pumeza Skepe-Mngcita**

**Designation: Deputy Director: Co-ordination, Strategic Planning and Support**

**Date: 03/05/2018**

cc:	Ms D Herbst	Eskom Holdings SOC Limited	Tel: 011 800 3501	<a href="mailto:HerbstDL@eskom.co.za">Email:HerbstDL@eskom.co.za</a>
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## **environmental affairs**

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**Halfway House**  
**9310**

Telephone Number: 011 207 2060  
Email Address: [fgd@zithole.co.za](mailto:fgd@zithole.co.za)

### **PER E-MAIL**

Dear Sir/Madam

### **COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT (DEIR) FOR THE PROPOSED MEDUPI FLUE GAS DESULPHURISATION RETROIT PROJECT, LEPHALALE, LIMPOPO PROVINCE**

The Department has received and evaluated the DEIR for the proposed Medupi Flue Gas Desulphurisation Retrofit Project within Lephalale, Limpopo Province.

After the evaluation of the DEIR and the specialist reports submitted for the proposed development, it was noted that the site falls within the Limpopo Water Management Area (WMA) 1 and it is situated in the Mokoko River Catchment. The proposed area also falls within the Limpopo Sweet Bushveld vegetation type, classified as Least Threatened. With important plant and birds species identified within the vegetation type. The Directorate: Biodiversity Conservation recommends that the following be included in the Environmental Authorisation as specific conditions (EA):

- All wetlands areas must be avoided by development activities, including a suitable buffer zone to avoid impacts on these water courses;
- Harvest of hill wash material must be prohibited within 100m of the delineated edge of all identified depressions and semi-arid ephemeral wash wetlands and within 500m radial buffer of the identified bullfrog breeding site;

- A pre- and post-construction alien and invasive control, monitoring and eradication programme must be implemented along with an on-going programme to ensure persistence of indigenous species;
- Rehabilitation work must be done during low rainfall seasons and soil compaction should be prevented as far as possible;
- Alien invasive plant species in and around the road reserve must be removed in terms of Conservation of Agricultural Resources Act (CARA), and follow up-actions for at least five years need to take place; and
- All re-vegetation must be done with local indigenous plant species as specified by the Provincial Co-ordinator and/or Wetland Ecologist.

The overall biodiversity objective is to minimise loss to biodiversity as possible. Therefore, in order to achieve this objective the above mentioned recommendations must be adhered to.

Yours faithfully



**Ms Wilma Lutsch**

**Director: Biodiversity Conservation**

**Department of Environmental Affairs**

**Letter Signed by: Mr Stanley Tshitwamulomoni**

**Designation: Control Biodiversity Officer Grade B**

**Date: 12/03/2018**



# LIMPOPO

PROVINCIAL GOVERNMENT  
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF  
**ECONOMIC DEVELOPMENT, ENVIRONMENT & TOURISM**

Eng: Ms Gulwako NN Tel: 015 290 7162 Fax: 015 295 5015 E-mail: [gulwakonn@ledet.gov.za](mailto:gulwakonn@ledet.gov.za) Ref: 12/1/9/CR-W88

Zitholele Consulting  
P O Box 6002  
HALFWAY HOUSE  
1685

Attention: Dr Mathys Vosloo

Fax: 086 674 6121

**RE: COMMENTS IN RESPECT OF CONSULTATION FOR THE APPROVAL OF THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION SYSTEM AT MEDUPI POWER STATION WITHIN LEPHALALE LOCAL MUNICIPALITY OF WATERBERG DISTRICT**

1. The above matter refers.
2. The Department acknowledges receipt of the request for comments on the Environmental Impact Assessment Report (EIAR) for the above mentioned proposed development dated 19 February 2018 and received by the Department on 22 February 2018.
3. The Department has reviewed the contents of EIAR and has no comments in that regard.
4. Please note that in terms of section 24F(1) of the NEMA and notwithstanding the provisions of any other Act; "no person may commence an activity listed in terms of section 24(2) (a) or (b) unless the competent authority has granted an EA for the activity, and no person may continue an existing activity listed in terms of section 24(2) (d) if an application for an EA is refused".

Please do not hesitate to contact this Department should you have further queries in this regard.

Yours faithfully,

  
CONTROL ENVIRONMENTAL OFFICER: GRADE B  
ENVIRONMENTAL IMPACT MANAGEMENT  
DATE: 12 / 03 / 2018

DEPARTMENT OF ECONOMIC DEVELOPMENT ENVIRONMENT & TOURISM ENVIRONMENTAL IMPACT MANAGEMENT WATERBERG DISTRICT
2018 -03- 12
P.O. BOX 55464, POLOKWANE 0700 TEL: 015 291 1315
LIMPOPO PROVINCE

**HEAD OFFICE**

20 Hans van Rensburg Street/ 19 Biccard Street, POLOKWANE, 0699, Private Bag X 9484, POLOKWANE, 0700  
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**The heartland of southern Africa - development is about people!**



**ENVIRONMENTAL IMPACT ASSESSMENT FOR THE  
PROPOSED RETROFITTING OF A FLUE GAS  
DESULPHURISATION (FGD) SYSTEM AT MEDUPI  
POWER STATION, LEPHALALE, LIMPOPO PROVINCE**  
(DEA Ref.: 14/12/16/3/3/110)

**COMMENT SHEET : DEIR**

Available for public review from 19 February 2018 to 05 April 2018.

**EIA Public Participation Office**  
Mathys Vosloo / Lebo Pellane  
Zitholele Consulting (Pty) Ltd  
P O Box 6002, Halfway House, 1685  
Tel: 011 207 2060  
Fax: 086 674 6121  
Email: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)



Please complete by Friday 02 March 2018 and return to the EIA Public Participation Office (as above)

TITLE	MR	FIRST NAME	NDIITWANI	
INITIALS	N.I.J.	SURNAME	TSHIKONELO	
ORGANISATION (Please do not use any acronym)	LIMPOPO DEPARTMENT OF <del>ROADS</del> PUBLIC WORKS, ROADS AND INFRASTRUCTURE			
POSTAL ADDRESS	PIBAG X9490, POLOKWANE		POSTAL CODE	0700
TEL NO	015 284 7447			
FAX NO	015 284 7035			
CELL	071 670 0099			
EMAIL	TshikoneleN@dpuw.limpopo.gov.za			
SIGNATURE			DATE	18/05/2018

**COMMENTS (Please use separate sheets if necessary)**

1. I have the following concern / questions / queries.

THE DEPARTMENT OF PUBLIC WORKS, ROADS AND INFRASTRUCTURE HAS NO OBJECTIONS WHATSOEVER REGARDING THE PROJECT.

2. I would like to receive further communication through the following means of communication.

Email	<input checked="" type="checkbox"/>	Fax	<input type="checkbox"/>	SMS	<input type="checkbox"/>	Mail	<input type="checkbox"/>
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Please note to ensure your contact details for the communication method chosen are correctly captured above.

3. Any other comments you may have:

NONE

**THANK YOU FOR YOUR CONTRIBUTION**

**Eskom Holdings SOC Limited**  
**12949 - MEDUPI POWER STATION FLUE GAS**  
**DESULPHURISATION (FGD) RETROFIT PROJECT**  
**ASH DISPOSAL FACILITY WULA, WML AMENDMENT & EIA**  
**DEPARTMENT OF WATER AND SANITATION SECTION 21(C) AND (I) MEETING**  
**Project No : 12949**

**ACTION**

**1. Present**

Please refer to the Attendance Register included in Appendix 1. -

**2. Apologies**

No apologies were tendered. -

**3. Opening and Welcome**

**3.1 Mathys Vosloo (MV)** opened the meeting and asked that everyone present introduce themselves and states their role in the project / capacity. MV also asked that everyone complete and sign the attendance register. -

**3.2 MV** explained the meeting objective is centred on presenting the findings of the updated wetland assessment study to the Department of Water and Sanitation. -

**4. Discussion**

**4.1 Pieter Ackerman (PA)** enquired whether a letter of review on the project at hand was received from the Department of Water and Sanitation (DWS). -

**4.2 Felicia Sono (FS)** responded and explained that a previous meeting was held with the DWS, but at that point the project had only progressed to site selection for a new Ash Disposal Facility (ADF). The aforesaid prior meeting was centred on discussion of site alternatives namely Site 12, Site 2 and Site 13. -

**FS** explained that at the meeting the DWS indicated that the Department was not in favour of site 12. This is owing to the fact that the footprint of the site alternative extended across a tributary of the Sandloopspruit. Since the initial meeting with the DWS, a decision was taken by Eskom to continue ashing on the existing Ash Disposal

**ACTION**

- Facility (ADF) including disposal of gypsum on the existing ADF.
- 4.3** **MV** noted that a separate Application for Environmental Authorisation (EA) process will be done for a new ADF. -
- MV** provided an overview of the Flue Gas Desulphurisation (FGD) System. He laid emphasis on the following aspects of the FGD System:
- Limestone will be transported via rail to the siding;
  - The limestone is then taken to a limestone preparation and handling area, prior to entering the FGD system;
  - After the FGD treatment process, the treated flue gas with a reduced SO<sub>2</sub> concentration is released; and
- 4.4** -
- Gypsum is a by-product of the FGD process. Provision will be made for the temporary storage of gypsum.
- An application to amend the existing Waste Management License to allow the disposal of gypsum on the existing ADF will be submitted to the licensing authority. Wastewater that is generated from the FGD process is treated at the wastewater treatment plant within the existing Medupi Power Station. The treated water is then re-used in the FGD Process.
- 4.5** **PA** enquired about the size of the area required for the FGD System. -
- MV** responded by explaining that the both the ADF and FGD System fall within the existing footprint of the Medupi Power Station.
- MV** provided an overview of the layout of the Medupi Power Station in relation to the existing ADF. **MV** also explained that the existing rail is located to the south of the Medupi Power Station and pointed out the location of the siding and position of the limestone storage and handling area.
- 4.6** **MV** described that a conveyor will transport the gypsum from the FGD system to the ADF. Once off-takers have been secured the gypsum will be diverted from the FGD plant to a temporary storage area. The salts and sludge that are produced by the FGD process will also be stored until such time it is disposed of at an appropriate licensed facility. -
- 4.7** **MV** presented the most recent shape of the ADF, and noted that the extent of the ADF had been reduced to reduce impact on the identified wetlands. He also explained that three PCDs are planned and will be located alongside / adjacent to the ADF.
- 4.8** **PA** enquired whether the existing Environmental Management Programme (EMPr) will be amended to make provision for the additional areas.
- MV** responded that a separate EMPr will be developed for the planned FGD. The aforesaid EMPr will however integrate the management and mitigation measures of the existing EMPr to avoid

**ACTION**

contradictions between the two documents.

**Tyron Clark (TC)** explained that in 2006 and 2008 an Integrated Water Use License Application (IWULA) and Environmental Impact Assessment (EIA) Processes were carried out. During the IWULA and EIA Processes the wetland systems were overlooked largely due to the cryptic nature of ephemeral systems which are associated with the development site.

- 4.9 In 2009 Eskom was granted an EA and IWUL for the ADF, but the authorisations did not Section 21(c) and (i) as a Water Use. However in 2015 a wetland assessment which was done for the ADF found a number of depressions and semi-arid ephemeral washes. The identified wetland systems provided a challenge with regards to protecting the watercourses at such a late stage in the project development process.

The Sandloopspruit is a Freshwater Ecosystem Priority Area (FEPA) and is considered to be in a largely natural state. This FEPA is of particular importance because it is regarded as a good reference site. The wetland systems are situated on a watershed and most of the wetlands drains in a southerly direction. The Sandloopspruit catchment covers an area which exceeds 4000 hectares.

A number of wetlands were identified on site and they were grouped into four hydrogeomorphic (HGM) units, namely Semi-arid ephemeral wash 1, 2, 3 and 4. In terms of current health the wetland systems, the depressions are in a largely natural state.

- 4.10 **TC** explained that high concentrations of chromium and nickel were picked up in the sediment of the pans and is associated with industrial activities. However no adequate reference prior to the coal mining (Grootegeluk Mine) commencing in the area is available. The high concentrations of chromium and nickel were picked up in the sediment of the pans are toxic to aquatic organisms at the concentrations observed. The hatching of critters in the sediment is poor (hatch rate) and this is attributed to heavy metal concentrations.

With regards to the Wetland Ecosystem Services essentially the systems are important for phosphate removal and sediment trapping.

- 4.11 African Bull frogs were identified near the ADF site. Impact on wetlands will be the main impact if the entire site ADF site is cleared. **TC** stated that part of the existing WUL, the harvesting of hillwash slope material was granted, with mitigation and management measures.
- 4.12 **TC** explained that a number of alternatives for protection of the wetlands were considered. The alternative included the following:

- Alternative 1: No activities may take place within 1km of the

**ACTION**

Sandloopspruit buffer. This is largely due to a 1km buffer being advised for systems where activities which relate to mining are planned. The production and storage of ash is covered by legislation as activity associated with mining.

- Alternative 2: No activities may take place within the 500m buffer of the wetlands;
- Alternative 3: The 1km buffer does not apply to disturbed areas;
- Alternative 4: No measures are put in place to remain outside of wetland areas;
- Alternative 5: A 1km buffer for the FEPA will apply.

**Kishaylin Chetty (KC)** asked what is meant with mitigation measures in relation to hectare loss.

- 4.13 TC** responded to **KC** and stated that without mitigation refers to the absence of any management measures to reduce impact significance. The mitigation measures refers to Stormwater Management and lining of the ADF. Without this mitigation a broader extent would be impacted.

- 4.14 TC** stated that although the strategy is to minimise the loss of catchment and encroachment on the FEPA wetland, Alternative 5 will be feasible and practical, even though it is sub-optimal. It is also proposed to capture and relocate bullfrogs which are found at the pans and implement wetland rehabilitation and an Wetland Offset Plan. The wetland offset ratio will be high by default because it is a protected system.

**PA** asked how the wetlands will be protected in the event where the ADF needs to be extended.

- 4.15 FS** responded that although the initial master plan included the south of the ADF (Site 12) as a potential site for a future ADF, this site has since been abandoned.

**PA** stated that provision will need to be made for a new ADF.

- 4.16 MV** responded that a separate EA process will be followed for the new ADF.

- 4.15 PA** asked how many pans will be lost.

**TC** responded that an estimated 14% of the pans will be lost.

**PA** asked that the infrastructure in relation to wetlands be provided on a map.

- 4.16 MV** enquired whether the wetland offset requirements will be incorporated in the WUL conditions.

**PA** responded that it will have to be discussed with the panel, before a decision can be made.

- 4.17 PA** enquired whether the pans can be recreated elsewhere.

**ACTION**

- TC** responded that it can be done and shallow scraping to catch rainwater and runoff will be required.  
**PA** stated that the recreated pans should be as close as possible to a natural system.
- PA** stated that the Master Plan must show the new ADF.
- 4.18 FS** responded that it would not be possible at this stage to show the new ADF as site selection still have to be undertaken. -
- PA** indicated the buffer in relation to the ADF should be shown on a map.
- 4.19 TC** explained that large portion of the infrastructure encroaches on 1km buffer and that provision has been made to optimise for enough storage space for gypsum and ash. The final designs will only be done after authorisation is granted. -
- FS** explained that FGD must be retrofitted in accordance with the Air Emissions License conditions and World Bank loan agreement. The SO<sub>2</sub> abatement technology must therefore be installed six (6) years at the latest after each unit is commissioned.
- 4.20 PA** stated that before offsets are implemented, it needs to be approved. -
- TC** stated that a search and rescue plan for the bullfrogs will be implemented.
- 4.21 PA** responded that the best option for the bullfrogs is to recreate pans to recreate their habitat. -
- FS** indicated that the WULA will be submitted to DWS during the first quarter of 2018.
- 4.22**
- PA** noted that there is a small time gap to relocate bullfrogs in order to allow adequate time for them to survive the rainy season. A programme for relocation must be included in the submission. NSS
- 4.23**
- 5. Close**
- 5.1** No further items were discussed and **MV** closed the meeting at 11am. -

**DATE: 06 December 2017**

**SIGNATURE:**



**ZITHOLELE CONSULTING**

***Centre for Environmental Rights***



# Centre for Environmental Rights

## Advancing Environmental Rights in South Africa

Dr. Mathys Vosloo  
Zitholele Consulting  
By email: [mathysv@zitholele.co.za](mailto:mathysv@zitholele.co.za)

Copies to:

Lebo Petlane  
Zitholele Consulting  
By email: [Lebop@zitholele.co.za](mailto:Lebop@zitholele.co.za)

Your refs: 2949-83-Let-003-DEIR Notification  
12949-83-Let-006-WML Variation Notification  
Our ref: CER12.5/RH/MK

Date: 19 April 2018

Dear Sirs

### **COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT AND WASTE MANAGEMENT LICENCE VARIATION APPLICATION FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

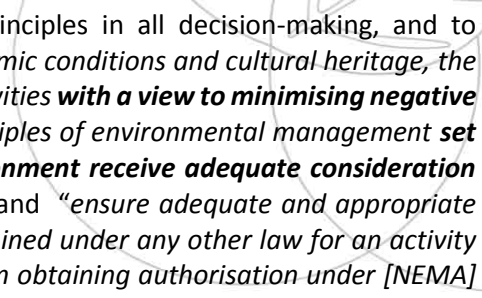
1. We act for groundWork and Earthlife Africa (ELA) (“our clients”). Our clients are interested and affected parties (I&APs) in Eskom’s integrated environmental authorisation process for the Medupi Power Station Flue Gas Desulphurisation (FGD) Retrofit Project (“the FGD Retrofit Project”).
2. In this document, our clients submit their comments on the Draft Environmental Impact Report (DEIR) as well as on the Application for Variation on the Waste Management Licence (“the WML Variation Application”) for the proposed retrofit project. As per the stakeholder notification letter issued on 19 February 2018, the deadline for public comment was Thursday 5 April 2018. On behalf of our clients, CER submitted a formal request for an extension on 4 April 2018, with reasons. In response, Zitholele Consulting (Pty) Ltd. granted the extension to 19 April 2018, in an email dated 5 April 2018.
3. Our clients have submitted comments in several earlier phases of this consultation process, including:
  - 3.1. comments on the Draft Scoping Report (DSR), dated 12 December 2014;
  - 3.2. comments on the Final Scoping Report (FSR), dated 13 July 2015; and
  - 3.3. comments on the first Medupi FGD Retrofit Environmental Impact Assessment (EIA) Bridging Document Report, dated 31 October 2016.
4. As you are no doubt aware, environmental authorisations have to give effect to the general objectives of the environmental management objectives.<sup>1</sup> These general objectives include, among others: the integration of

---

<sup>1</sup> Section 24 (1) of NEMA

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Johannesburg: 9th Floor, Southpoint CNR, 87 De Korte Street, Braamfontein, 2001, South Africa  
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National Environmental Management Act, 1998 (NEMA) section 2 principles in all decision-making, and to **“identify actual and potential impacts on the environment, socio-economic conditions and cultural heritage, the risks and consequences and alternatives and options for mitigation of activities with a view to minimising negative impacts, maximising benefits and promoting compliance with the principles of environmental management set out in section 2”**; **“to ensure that the effects of activities on the environment receive adequate consideration before actions are taken in connection with them”** (emphasis added); and **“ensure adequate and appropriate opportunity for public participation”**.<sup>2</sup> Furthermore **“authorisations obtained under any other law for an activity listed or specified in terms of this Act does not absolve the applicant from obtaining authorisation under [NEMA] unless authorisation has been granted in the manner contemplated in section 24L”** (section 24L deals with integrated environmental authorisations).<sup>3</sup>

5. In other words, the applicant cannot defer important considerations relevant to the EIA in a piecemeal fashion, irrespective of whether other legal provisions apply. The applicant is still bound, by the provisions of NEMA, to consider all effects of activities before actions are taken. Instead, the applicant proposes, through the bridging documents, to exclude the most important aspects of FGD project from the EIA process, until a later stage.
6. Despite certain challenges with FGD, it is currently the most effective abatement technology available for sulphur dioxide (SO<sub>2</sub>), and the positive impacts of FGD far outweigh its challenges. In any event, it is essential for Eskom to retrofit FGD in order to meet the new plant sulphur dioxide (SO<sub>2</sub>) minimum emission standards (MES), and to comply with the terms of its loan agreement with the World Bank. However, Eskom has continually resisted retrofitting FGD on any of its plants – except Medupi - through applications to postpone compliance with the MES. Numerous such applications apparently to follow, as Eskom attempts never to comply with the new plant SO<sub>2</sub> MES set in terms of the section 21 of the National Environmental Management: Air Quality Act, 2004 (AQA), apart from at Medupi (eventually) and at Kusile.<sup>4</sup>
7. Some of the primary concerns associated with FGD in general are: the availability of water and limestone necessary for the project; using the least resource-intensive technologies; the minimisation of waste streams and by-products, such as gypsum, coal ash/ash disposal facility (ADF), salts and sludge; and the transport associated with the aforementioned products, amongst others. Since these concerns were outlined in the initial DSR many years ago, adequate measures should have been identified and taken by the applicant to address these issues.
8. Throughout the process, however, the applicant has not produced the necessary documentation to address these primary concerns, and now seeks to address most of these issues through other channels<sup>5</sup> at a later stage, such as through Water Use Licence Applications (WULAs), Waste Management Licence (WML) Applications, under “gaps in knowledge”, through a registration process in terms of Norms and Standards for the Storage of Waste, or other means. For instance, currently: limestone, and, in particular, high purity limestone, is not secured;<sup>6</sup> water for the full project is yet to be secured; the market availability of gypsum has not been established; the ADF site is now in a 1/100 year floodline area;<sup>7</sup> and, in the event, that various waste need to be disposed of, the disposal is only catered for 5 years in respect of Salt and Sludge waste;<sup>8</sup> and 20 years in respect of the ADF. This is despite the fact that the lifespan of the project is 50 years. Management of wastewater and effluent runoff from Pollution Control Dams (PCD) will apparently be further dealt with in WULA.<sup>9</sup> As indicated above, the purpose of EIA is for the decision-maker to be able to consider the full implication of the project **before actions are taken. This piecemeal approach to the EIA process is contrary to the requirements of our legislation.**

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<sup>2</sup> Section 2, section 23(2)(a), (b), (c) and (e) of NEMA.

<sup>3</sup> Section 24(8)(a)

<sup>4</sup> Kusile has FGD integrated into its design, as we have, on numerous occasions, recommended be done for as many Medupi units as possible.

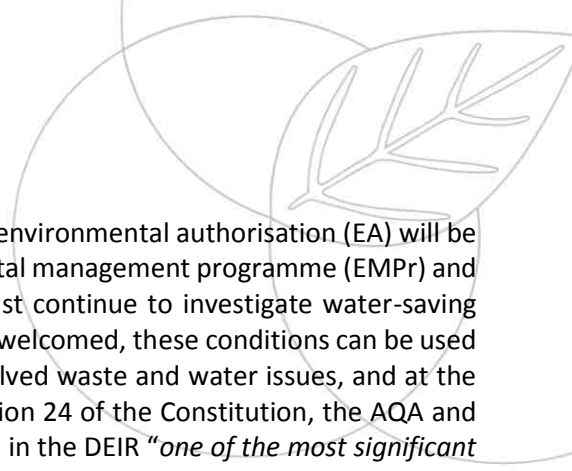
<sup>5</sup> DEIR, pgs 17-21.

<sup>6</sup> DEIR, pg 57.

<sup>7</sup> DEIR, pg 140

<sup>8</sup> DEIR, pg 66.

<sup>9</sup> DEIR pgs 19-20.

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9. The environmental assessment practitioner (EAP) recommends that this environmental authorisation (EA) will be subject to the implementation of mitigation measures in the environmental management programme (EMPr) and DEIR, that construction must commence within 5 years, and Eskom must continue to investigate water-saving measures and waste reduction relating to ash and gypsum. Whilst this is welcomed, these conditions can be used to further delay implementation of the FGD project, delay or defer unsolved waste and water issues, and at the same time allow for unabated SO<sub>2</sub> to continue, which is contrary to section 24 of the Constitution, the AQA and the MES, and NEMA (including the section 2 NEMA Principles). As stated in the DEIR *“one of the most significant air quality impacts of coal fired electricity generation is the emission of SO<sub>2</sub> to the atmosphere. SO<sub>2</sub> reacts with other compounds in the environment to form particles that are a risk to human health. These small particles penetrate the tissue of the lungs and can cause emphysema and bronchitis and can aggravate existing heart disease. Evidence has been documented of a connection between short term SO<sub>2</sub> exposure and adverse respiratory symptoms including bronchoconstriction and aggravated asthma.”*<sup>10</sup> *“SO<sub>2</sub> contributes to the formation of acid rain which damages the forests, crops buildings, fences and acidifies lakes, streams and rivers, making them unsuitable for aquatic life.”*<sup>11</sup>
10. The FGD retrofit project has already been significantly delayed, and the impact of this delay is that Medupi continues to operate with unabated SO<sub>2</sub> emissions to the detriment of air quality in the area and to the continued detriment to the health of the impacted communities. In the circumstances, **until such time as a complete assessment of its impacts is undertaken, and the FGD project is finalised and ready to commence, Eskom should halt the construction of the last 3 units.**
11. The following comments address specific aspects of the FGD Retrofit Project. However, at the outset, we emphasise the following comments, which remain unaddressed by Eskom, despite being raised before:
- 11.1. Our clients maintain that the FGD Retrofit Project is mandatory for the operation of Medupi. It is required for compliance with the new plant MES for SO<sub>2</sub>, and for ensuring an environment that is not harmful to residents’ health and well-being in terms of section 24 of the Constitution. In addition, Eskom is likely to apply again for postponement of the 2020 SO<sub>2</sub> MES since according to the DEIR, Eskom can only comply with the new plant standards in 2030. Furthermore, Eskom has re-applied for the previously-rejected postponement of the 2015 MES; which we, as members of the Life After Coal Campaign,<sup>12</sup> have wholly and unequivocally objected to.<sup>13</sup>
- 11.2. The EA process for the FGD Retrofit Project has been substantially delayed, as evidenced by the Bridging Reports, and the current plans are for Medupi only to be fully fitted with FGD by 2026 (with each unit retrofitted 6 years after it becomes operational). It furthermore aims to comply with the 2020 MES standards only by 2030. **As we have consistently maintained, FGD should have been included in Medupi’s initial design plan and at least, once construction started, integrated into as many units as possible (rather than retrofitting it 6 years after each becomes operational).** We also highlight that the FGD Retrofit Project for Medupi was a financing condition from Eskom’s loan agreement with the World Bank. This agreement envisaged that **all FGD units would be installed and fully operational by 31 December 2021.**
- 11.3. The following documentation or information must be required in the EIA process to adequately address the FGD primary concerns, including: co-commissioning (integrating FGD into the design of the 3 remaining units) study; FGD Commissioning Schedule Study; Water Minimisation Study; Gypsum Market Investigation

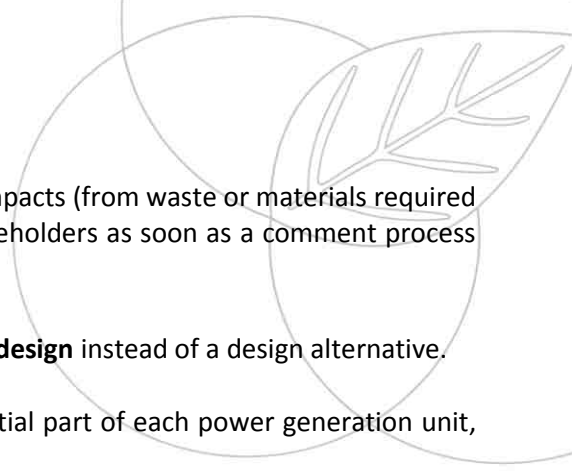
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<sup>10</sup> DEIR, pg 11.

<sup>11</sup> DEIR, pg 6.

<sup>12</sup> Life After Coal (LAC) is a joint campaign that aims to discourage investment in new coal-fired power stations and mines, to accelerate the retirement of South Africa’s existing coal infrastructure, and to encourage and enable a just transition to renewable energy systems for the people.

<sup>13</sup> See the submissions on the Background Information Document at <https://cer.org.za/wp-content/uploads/2016/07/170224-Life-After-Coal-Campaign-submissions.pdf>



and Ash Market Investigation to minimise waste; and transport impacts (from waste or materials required for FGD). Such documentation should be made available to stakeholders as soon as a comment process begins in any part of EIA process.

11.4. A **flue gas cooler should be incorporated into the base case FGD design** instead of a design alternative.

11.5. The FGD system should be operated and maintained as an essential part of each power generation unit, and a **bypass should not be included**.

11.6. Waste streams should be separated at the outset with separate on-site facilities for each waste stream. Socially-responsible market availability investigations (including level of toxicity of each waste stream) should be conducted for each waste stream, before any decisions in relation to waste management and use can be made. Co-disposal of ash, gypsum, salts and sludge in the ADF, as well as transportation of waste for disposal should be avoided.

12. Whilst the abovementioned comments were already included at the DSR stage in 2014, most of these recommendations were disregarded without an adequate justification or explanation, and for this reason the same comments are reiterated in relation to the DEIR.

13. In light of the above introductory statements, we address the following specific issues in this submission:

- 13.1. FGD technology selection and use of a flue gas cooler in the wet FGD process
- 13.2. Water supply for operation of the FGD Retrofit Project
- 13.3. Waste Management and resale of by-products
- 13.4. Impact of the plant's operation on the surrounding water systems
- 13.5. Delay in implementation of the FGD and the need for co-commissioning of FGD
- 13.6. Objection to a separate WML variation process

#### **FGD technology selection and use of a flue gas cooler in the wet FGD process**

14. The Medupi FGD Technology Selection Study Report referenced in the DSR and submitted with the FSR, dated 14 May 2014 ("the 2014 TSSR"), recommended that "*Eskom construct WFGD [wet FGD] systems.*"<sup>14</sup> This study also evaluated two methods for installing an inlet gas cooler to reduce water consumption in the absorber, by up to 29%, namely a "regenerative heat exchanger" and "*a single pass cooler for the flue gas [which] will limit the pressure drop to within the capability of the existing plant ID fan.*", the latter being the preferable option.

15. It was noted in the 2014 TSSR that this method of achieving inlet gas cooling would, for the six units at Medupi, achieve a "**total reduction in the process water to the FGD is approximately 29 percent of the water required by the WFGD system without a cooler**"<sup>15</sup> (our emphasis).

16. In addition to the total reduction of 29% water consumption, the TSSR report indicated that "*the inclusion of a flue gas cooler results in very minor FGD process changes and no significant change in the size or type of FGD process equipment required*"<sup>16</sup> (our emphasis).

17. The 2014 TSSR also estimated the capital, operating, and total levelised annual cost for three options – WFGD (Option 1), WFGD+Gas Cooler (Option 2), and Dry FGD (Option 3)<sup>17</sup> - and found that "**the additional capital cost**

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<sup>14</sup> TSSR 2014, pg 19.

<sup>15</sup> TSSR 2014, pg 10.

<sup>16</sup> TSSR 2014, pg 11.

<sup>17</sup> TSSR 2014, Tables 2 and 4.

**for the WFGD with Inlet Gas Cooling option is generally offset by the reduced operating cost associated with the lower water consumption rate, such that there is no significant difference in total life-cycle costs. These two alternatives are considered equal on an overall technical and economic basis**<sup>18</sup> (our emphasis).

18. Whilst the report did not specifically recommend the inclusion of the inlet gas cooler, the 2014 TSSR noted that *“the reduced water consumption provides significant savings in this critical resource and is the reason for inclusion of this modification in this phase of the technology assessment.”*<sup>19</sup>
19. The EIA Clean Coal Centre Report concluded that the use of a cooler at the inlet to the wet scrubber is common practice in Europe and Japan, and mentioned that *“the evaporative water losses can be reduced by some 40–50% when the flue gas is cooled before it enters the wet scrubber, a common practice in Europe and Japan.”*<sup>20</sup>
20. It should be borne in mind that, there were various “process area arrangement drawings”, and datasheets attached to the 2014 TSSR report, to which the public had no access. This is unacceptable - these should be made available immediately for comment. In any event, having considered these process area arrangement drawings, as well as other considerations outlined above, the 2014 TSSR does not report any **impediments or caveats in regard to achieving the estimated operating and maintenance costs of the WFGD + cooler option - i.e. using the water cooled inlet gas cooler - and gives no indication that there is limited space on the premises for the inlet gas cooler equipment, its operation, or maintenance.**
21. In the previous DSR and FSR submissions, therefore, our clients have strongly argued that **given the approximately 30% decrease in water consumption, as well as the added advantage of relative cost neutrality, that the flue gas cooler must be included.** However, Eskom has stated in the DEIR and the accompanying 2018 TSSR, that such cooler is not feasible, without providing adequate and rational reasons for this decision.
22. In terms of the assessment of technology alternatives, the DEIR states the following:

*“The Scoping Report concluded that the selection of the wet FGD technology was undertaken prior to this EIA and technology alternatives and is therefore the preferred SO2 reduction technology.*

*Although water from the MCWAP scheme has been allocated to the Medupi FGD project, Eskom proposed to investigate further water savings, most notably the edition of inlet gas cooler Technology. The use of inlet gas cooler Technology is dependent on whether it will be feasible for implementation based on an acceptable cost-benefit analysis. Eskom commissioned a cost benefit analysis of the Wet FGD, Dry FGD – Circulating Fluidized Bed (CFB) technology, and Wet FGD with flue gas cooling technology. This report was finalised on 9 January 2018 and is included as Appendix C-1 to this DEIR.”*<sup>21</sup>
23. Specifically related to the inlet gas cooler technology, the DEIR appears, on the basis of the 2018 TSSR, to reject the inlet gas cooler for a number of reasons. However, in looking at the DEIR, together with the updated 2018 Technology Selection Study Report (“the 2018 TSSR”), it appears that the concerns outlined therein appear to contradict the 2014 TSSR, and/or the findings are unsubstantiated. Even if they were substantiated, this cannot and should not give rise to the conclusion that “For these reasons the WFGD with flue gas cooling is therefore not considered to be a feasible option at Medupi”.<sup>22</sup> The claimed concerns related to the inlet gas cooler technology, as well as the reason for rejecting each of the concerns will be discussed:

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<sup>18</sup> TSSR 2014, pgs 19-20.

<sup>19</sup> TSSR, pg 10.

<sup>20</sup> Carpenter, AM, 2012, Low Water FGD Technologies. EIA Clean Coal Centre

[https://www.usea.org/sites/default/files/112012\\_Low%20water%20FGD%20technologies\\_ccc210.pdf](https://www.usea.org/sites/default/files/112012_Low%20water%20FGD%20technologies_ccc210.pdf).

<sup>21</sup> DEIR, pgs 70-71.

<sup>22</sup> DEIR, pg 73

### Claims as to lack of feasibility in the implementation

- 23.1. Eskom reportedly visited five power plants overseas using a gas cooler (three in Europe and two in China) as part of the process of evaluating the inlet gas cooler technology.<sup>23</sup> Apparently, *“all three power stations in Europe experienced significant challenges with operation and maintenance of the gas cooler infrastructure, to the extent that all three power stations from Europe visited by Eskom during a benchmarking exercise advised against the installation of the system due to the problematic operation that it provides. WFGD with flue gas cooling is therefore not considered as a feasible option for Medupi.”*
- 23.2. This visit report gives some specific details of the operational and maintenance experience of three European plants which are fitted with inlet absorber coolers, located downstream (after) the particulate filters, as well as two Chinese plants - which are apparently both relatively-recent installations with coolers installed upstream (before) the particulate filter. These visits have, it is indicated, given rise to the conclusion that the inlet gas cooler technology should be discarded.
- 23.3. Whilst some details were provided for the three European plants, virtually no details were provided for the Chinese plants. Further, vital details pertaining to: how these plants were chosen, their respective commissioning dates, their sizes (unit capacities), how the problems were resolved, including a comparison of the inlet cooler gas technologies in comparison to the Medupi proposed technology, among others, is not detailed. More specific details pertaining to the photographs should be given, such as: whether the photographs are from the same plant; and whether they reflect current experience or an historical record. I&APs should also be advised whether the European plants recommend that Eskom does not install the inlet gas cooler, and explanations should be provided as to why the European plants have not abandoned (bypassed) their systems on the basis of their operational and maintenance experiences. In respect of the Chinese plants, given that these account for two of the five plants included in the benchmarking assessment, particularly, the more recent installations, this appears to be a critical omission in the comparative assessment. On behalf of our clients, we request a copy of the full site visit reports and outcomes for the China-based plants, for consideration. At the very least, stakeholders should be provided with the same level of detail that is presented on the three plants located in Europe i.e. visuals and “advice” received from operators in China.<sup>24</sup>
- 23.4. In the circumstances, the full site visit report from the respective plants (particularly in relation to the Chinese plants) should be provided to verify the information provided in the DEIR and 2018 TSSR. This should contain sufficient details such as: methodologies for the selection of the five plants; the respective commissioning dates; the full specification of each of the plants; dates, and nature of the problem experienced, as well as how it was resolved, amongst others, should be made available. Independent data from the 5 respective plants should also be provided to support these assertions.

### Claims as to lack of space on the premises for inlet gas cooler

- 23.5. Eskom appears to argue that there is a lack of space for the proper maintenance of an inlet gas cooler.<sup>25</sup>
- 23.6. However, the argument of a lack of space appears to be somewhat speculative. *“Although the real estate may be found to install the cooler itself, **space is conceptually not available** to install all the maintenance provisions that is required to service the plant appropriately”<sup>26</sup>* (emphasis added). It would appear that Eskom has not done a detailed engineering study of the design and layout of the inlet gas cooler to establish whether or not a layout with adequate maintenance provisions is possible. We recommend that such a detailed study be done to provide a properly-informed basis for evaluating the inlet gas cooler option.

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<sup>23</sup> DEIR, pg 72.

<sup>24</sup> See page 20 of the DEIR – *“All three power stations in Europe advised against the installation of the system due to the problematic operation that it provides.”*

<sup>25</sup> DEIR, pg72.

<sup>26</sup> TSSR 2018, pg25.

23.7. The availability of space was also not listed as an impediment in the 2014 TSSR, having considered the same process area arrangement drawings as the 2018 TSSR. No explanation is given for this.

Claims as to increased cost and construction difficulties due to the material selection and weight of the cooler:

23.8. The 2018 TSSR states that “elements such as the cooler’s weight contributes to the overall cost and considerations such as deep piling for founding conditions which may require blasting at Medupi on an already generating unit.”<sup>27</sup> Again, positing possible construction difficulties such as the need for blasting on an “already generating unit” is speculative. The nature and extent of possible construction difficulties should be established through a detailed engineering study. In any case, we point out that, if Eskom had co-constructed the FGD together with the main boiler units, no such construction difficulties would have arisen. It is reasonable to assume that the additional cost of the cooler has been included in the TSSR cost estimate.

23.9. As mentioned previously, in the 2014 TSSR, when calculating the overall costs between the WFGD and WFGD with inlet gas cooler, the Levelised Annual Costs (LAC), which account for capital, operational and financing costs, were found to be relatively equal. Based on the 2018 TSSR comparative cost estimates, the capital cost of the installed cooler is marginally higher (by R440 000 or 2.5%) than that of the WFGD without the cooler, but the recurring annual operating costs are lower (by R42 000 or 3.5%).<sup>28</sup> On this basis, the LACs for the two options (FGD with and without the cooler) may similarly be expected to be negligible. The possible need for additional engineering work has been identified, but this has yet to be confirmed. In either case, whether additional engineering work is required or not, our clients submit that this cannot be used, in isolation, as the basis for rejecting the cooler option.

Claims as to increased CO<sub>2</sub> emissions:

23.10. The DEIR and 2018 TSSR states that “installation of the flue gas cooler will also reduce the power output of the unit due to increased pressure drop and pumping for water recirculation. This will increase the relative CO<sub>2</sub> per megawatt sent out from the generating unit, which is contradicting to the objective of the FGD plant.”<sup>29</sup> Whilst this is true, the need for abating SO<sub>2</sub> still remains. If Eskom is desirous of reducing both the SO<sub>2</sub> and CO<sub>2</sub>, it should **consider not finalising construction of the last 3 units, as CO<sub>2</sub> emissions will be reduced at least for the last 3 units. This would then reduce both SO<sub>2</sub> and CO<sub>2</sub> emissions.**

Claims as to increased downtime due to maintenance:

23.11. Eskom indicates that the downtime of the Medupi plant may increase due to the need to periodically clean the flue gas cooler, decreasing overall plant availability, which is counter to the objective of the plant.<sup>30</sup>

23.12. The indicated downtime of about five days every two years to clean the tubes, should be seen in the context of Eskom’s target planned average maintenance downtime 10%,<sup>31</sup> equivalent to 36 days per year. Even if Medupi initially operates with lower planned maintenance downtime, a tube cleaning schedule requiring 5 days every two years could be accommodated within these planned downtime periods, with no additional loss of production.

24. As indicated above, the claimed impediments to the inlet gas cooler were not mentioned in the 2014 TSSR. Those mentioned in the 2018 TSSR should be verified through independent information as discussed above. Even if

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<sup>27</sup> TSSR 2018, pg25.

<sup>28</sup> 2018 TSSR, Tables 5 and 8.

<sup>29</sup> DEIR, pg 73.

<sup>30</sup> TSSR 2018, pg 25.

<sup>31</sup> “Our 80:10:10 strategy strives for 80% plant availability by 2019/20, requiring unplanned maintenance to be limited to 10% on average, while performing an average of 10% planned maintenance.”- Eskom IR 2017, pg 45.

these impediments are verified, they are not insurmountable and themselves are not a bar against the technology, and therefore Eskom's conclusion to reject this technology is not accepted.

25. Specifically related to the space and/or weight issue which, it is claimed, would hinder construction and maintenance, if Eskom insists that space or weight issues are a bar to the technology, it should conduct detailed engineering studies (by an appropriately skilled and experienced person) to assess the layout and maintenance access problem. In this regard, we point out that Black and Veatch are Eskom's engineering consultants on this project and appear to have signed off site arrangement drawings (and other associated drawings) from 15 April 2013 to 22 August 2014, and issued their 2014 TSSR in May 2014, which indicated no such impediments. In fact, the 2014 TSSR report indicated that ***“the inclusion of a flue gas cooler results in very minor FGD process changes and no significant change in the size or type of FGD process equipment required”***<sup>32</sup> (our emphasis). Eskom should explain what has changed in the interim. Should the reason be based on the 2018 TSSR report, the full report and findings of both the European and Chinese plants as well as independently verified data from the plants should be provided. If Eskom continues to insist that space/weight is an issue, they should provide detailed evaluation or studies, including feasible options for overcoming any difficulties. Resolving potential layout and construction problems has long-term benefits and should not be used as a basis for rejection of the scrubber inlet cooler option.
26. Throughout the DSR and FSR process, our clients submitted that water use is one of the most significant impacts relating to the project, and as such, water minimisation intervention to reduce reliance on the Moloko and Crocodile Water Augmentation Project (MCWAP) scheme by about 30% should be fully supported. Whilst this was not included in the DEIR, the 2018 TSSR seem to indicate<sup>33</sup> that further water savings are achievable through operating the plant at 90 °C. **It appears that water savings of 36% are achievable at 90°C, compared with 28% when operating at 100 °C. The inlet gas cooler operating at 90 °C would save as much as 2.4 cubic metres of water per annum (Mm<sup>3</sup>/a) compared to WFGD, compared with a saving of 1.86Mm<sup>3</sup>/a when operating at 100°C - a difference of 0.5Mm<sup>3</sup>/a.**<sup>34</sup> It is not clear why this was not stated in the DEIR itself, and should be further investigated and the DEIR should be amended accordingly. As indicated in the previous submission, the 2010 EIA Regulations require the applicants to identify and investigate reasonable and feasible alternatives and the cooler is reasonable, feasible and necessary. It should furthermore be considered as integrated into the basic design.
27. As stated in the FSR comments, rejecting the gas cooler, which would save 30% (and potentially up to 40%), would be in direct contravention of Eskom's water policy, which states that it *“will ensure all its new water containing infrastructure are designed, maintained and operated in a manner that water will be utilised effectively and efficiently and to ensure environmental duty of care”*.<sup>35</sup> It would also be contrary to the duty of care under section 28 of NEMA.
28. The water impacts will now be discussed in detail below.

### **Water supply for operation of the FGD Retrofit Project**

29. The first 3 units of the Medupi FGD Retrofit Project rely on the availability of water from the phase 1 of MCWAP (MCWAP1). The last three units would be dependent on MCWAP phase 2 (MCWAP2), which is now approximately 9 years behind schedule.<sup>36</sup> Securing water through MCWAP2 will be conducted separately through Eskom's application for the bulk water use licence application for Medupi and Matimba, expected to be submitted to the Department of Water and Sanitation (DWS) before the end of April 2018.<sup>37</sup>

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<sup>32</sup> TSSR 2014, pg 11

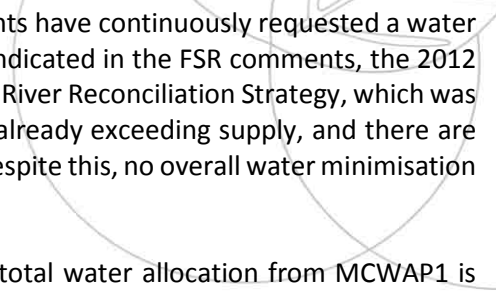
<sup>33</sup> TSSR 2018, Table 10.

<sup>34</sup> TSSR 2018, Table 10.

<sup>35</sup> FSR comment, pg 9; Eskom Water Management Policy April 2013, pg7.

<sup>36</sup> DEIR, pg13.

<sup>37</sup> DEIR, pg 18.

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30. Water security for this project is a critical aspect, and as a result, our clients have continuously requested a water minimisation study, to identify how to decrease the need for water. As indicated in the FSR comments, the 2012 Department of Water Affairs and Forestry's Report on the Crocodile West River Reconciliation Strategy, which was submitted as an annexure to the FSR, has indicated that the demand is already exceeding supply, and there are likely to be shortages of up to 16 million m<sup>3</sup> of water per year by 2025.<sup>38</sup> Despite this, no overall water minimisation study has been conducted to date.
31. Medupi requires 15.4 Mm<sup>3</sup>/a, which includes the 6 FGD units, and the total water allocation from MCWAP1 is 10.9Mm<sup>3</sup>/a. The difference of 4.5Mm<sup>3</sup>/a will be derived from MCWAP 2. *“Currently the power station has a total water allocation of 10.9 Mm<sup>3</sup>/a, which is sourced from Mokolo Dam via Phase1 of the MCWAP. This allocation of 10.9 Mm<sup>3</sup>/a will be enough to operate the MPS [Medupi Power Station] as well as 3 (three) x FGD units. The water shortfall of 4.5 million m<sup>3</sup>/a will be sourced via Phase 2A of the MCWAP once implemented by DWS, and will cater for, amongst other requirements, for (sic) the remaining 3 (three) x FGD units.”*<sup>39</sup> As stated above, although not indicated in the DEIR, it was indicated in the 2018 TSSR that, if the Medupi is equipped with WFGD with an inlet gas cooler, and is operated at 90°C, there would be 36% water requirement.<sup>40</sup> If this is the case, **FGD will not be dependent on MCWAP 2, and such technological option should not be dismissed.**
32. The DSR in respect of MCWAP 2 was distributed for comment on 1 March 2018, and our clients submitted comment on 11 April 2018.<sup>41</sup> The report indicates that the DWS proposes spending R13 billion to transfer 75Mm<sup>3</sup>/a water from the Crocodile West catchment to the Mokolo catchment. The bulk of the water will be utilised for proposed coal mines and coal-fired power plants. On 11 April 2018, our clients submitted comments on the MCWAP 2 scoping report, indicating that this project is not required, as the energy demand forecast on which MCWAP was based is outdated and significantly inflated. Most recent studies<sup>42</sup> indicate that no new coal is required. The report also indicated that MCWAP 2 had not conducted a Climate Change Impact Assessment (CCIA), and current research indicates that due to climate change, there will be an increase in evaporation rates and uncertainty with regard to water supply - which includes the Limpopo basin. A report by B Udall<sup>43</sup> indicates that *“South African water and infrastructure planners and government should prepare for significant Mokolo and Crocodile (West) River flow reductions and refrain from action that will increase the risks of undesired outcomes. Maladaptive actions would include increasing the demands on these already over-allocated water systems, and contributing to additional warming by increasing emission of greenhouse cases through the construction of long-lasting, new coal fired power plants.”*<sup>44</sup>
33. In light of the uncertainty of water availability from MCWAP2 and possible climate change impacts on the water resource, it is vital that the water minimisation study be conducted, and future water needs be settled as part of the EIA process. The best-case scenario would be not to construct the last 3 units, which are not needed and projected not to be required in the future. Any FGD technology would also need to be the least water-intensive option, as future water security is likely to be heavily impacted by climate change.
34. Our clients do not understand why Eskom refuses to conduct a water minimisation study, and reiterates that this should be investigated and undertaken.

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<sup>38</sup> FSR comment, pg6; Department of Water Affairs and Forestry's Report, 2012, Crocodile West River Reconciliation Strategy, pgs 4-5

<sup>39</sup> DEIR, pg 66

<sup>40</sup> Table 6 & 10 of 2018 TSSR

<sup>41</sup> <https://cer.org.za/wp-content/uploads/2018/04/MCWAP-2-SCOPING-REPORT-COMMENTS-11-4-18.pdf>

<sup>42</sup> <http://meridianeconomics.co.za/documents/>.

<sup>43</sup> <https://cer.org.za/wp-content/uploads/2018/03/Udall-Mokolo-Crocodile-Rivers-Analysis-Notarized-.pdf>

<sup>44</sup> Comments on MCWAP 2, pg13-15.



## Waste Management and resale of by-products

35. Our clients have submitted upfront in comments on the DFR and FSR that it would be important to conduct and finalise updated assessments of large-scale commercial uptake and resale of gypsum and ash. Whilst the 2009 Gypsum Market report was included in the FSR, the same Gypsum Market Report is not included in the DEIR, and nor is the report updated. This should be rectified. However, after three years, (and almost 9 years after the 2009 Gypsum Market Report was published) this has still not been adequately assessed, and one can only presume that Eskom plans to dispose of gypsum and ash together. This our clients have submitted, and continue to submit, is unacceptable and negligent behaviour, contrary to NEMA and the section 2 principles.

36. In addition to NEMA (particularly the section 2 principles, section 28 duty of care principles, sections 23 and 24 set out above), section 16 of the National Environmental Management Waste Act, 2008 (NEMWA) also provides for the following general duty in respect of waste management:

*“(1) A holder of waste must, within the holder’s power, take all reasonable measures to-*

*(a) **avoid the generation of waste and where such generation cannot be avoided, to minimise the toxicity and amounts of waste that are generated;***

*(b) **reduce, re-use, recycle and recover waste;***

*(c) where waste must be disposed of, ensure that the waste is treated and disposed of in an environmentally sound manner;*

*(d) manage the waste in such a manner that it does not endanger health or the environment or cause a nuisance through noise, odour or visual impacts;*

*(e) prevent any employee or any person under his or her supervision from contravening this Act; and*

*(f) prevent the waste from being used for any unauthorised purpose” (our emphasis).*

37. In other words, waste generation should be prevented as a first measure, and if it cannot be avoided, should be minimised. Disposal is the last measure.

38. The DEIR describes an important change in the scope of the EIA application, namely that whilst “*the handling, treatment and conveyance of gypsum and effluent from the gypsum dewatering plant*” is included in the scope, the disposal of the gypsum on the existing ADF is now not included in the EIA, but will be addressed in the ADF WML amendment application. The DEIR further anticipates that “*gypsum storage facility will accommodate 100% of the total gypsum production for three days, but it is anticipated that only 20% of the Gypsum will be required from commercial sales. Eskom is currently investigating markets for gypsum resale. This will have a significant impact on the amount of gypsum that will require disposal...There will be no facilities for gypsum recovery from the storage building to be loaded onto trucks. Use of gypsum will be subjected to quality assessments, which will be done at the storage facility. If the quality is not usable, the gypsum will be taken for disposal. In the event that no large-scale commercial offtake of gypsum is secured, gypsum...will be mixed with ash and will be disposed together on the footprint of the existing authorised ADF.*”<sup>45</sup>

39. Our clients have maintained, in the earlier comments on the DSR and FSR, that gypsum should not be mixed and ‘co-disposed’ with the ash. A market research feasibility for gypsum and coal ash was previously recommended.

40. As indicated previously in the DSR and FSR comments, the potential benefits of gypsum could be: the potential revenue/ income to Eskom; the avoidance of the costs and impacts associated with gypsum disposal in the landfill; the avoidance of the need to mine new gypsum; and that the potential for the very significant expansion and stimulation of the SA market for the products that use gypsum as a raw material, particularly in the building and construction sectors, has potentially very significant economic and social benefits. The potential social benefits of low-cost high quality gypsum may include the retrofitting of plasterboard ceilings in ‘RDP’ housing to improve their

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<sup>45</sup> DEIR, pg 64.

energy efficiency. This is supported by Eskom's Gypsum Market Study of 2009 submitted with the FSR,<sup>46</sup> which stated that:

- 40.1. *“environmental and economic best practice tends to steer that implementation towards producing commercially viable gypsum instead of opting for long term disposal. Gypsum waste dumps form significant ecological risk factors and the global trend by synthetic gypsum producers, is towards dump avoidance”*;<sup>47</sup>
  - 40.2. *“gypsum is currently utilised in three main sectors in South Africa: Construction, building related applications and agriculture. Most of the technical difficulties in producing commercially viable FGD gypsum have been addressed internationally and the operating changes required to utilise the material in commercial applications are quite well established”*;<sup>48</sup>
  - 40.3. *“the FGD technology employed by Eskom and the quality of the gypsum produced are critical to the effective growth of the gypsum market in Southern Africa, particularly the existing plasterboard sector of the market which shows the most potential for sustained growth. The introduction of FGD gypsum, of the correct quality, into this growing sector would facilitate further optimisation of FGD gypsum usage and increase the potential for sustainable FGD gypsum market growth in South Africa. In addition, the potential for a new gypsum utilisation sector to be developed in the mining field, exists”*;<sup>49</sup> and
  - 40.4. per capita consumption of gypsum in SA is low at 3.3 kg, by comparison with the USA (45.9 kg) and the United Kingdom (22.4 kg), and the study identified several new potential applications for gypsum in SA. As mentioned, the main market sectors for wet FGD gypsum are plasterboard (for ceilings and dry-walling), plasters, cement manufacture, agriculture and mining. The 2007 market for gypsum was approximately 1.2 million tons (Figure 3, sum of all sectors).<sup>50</sup>
41. The potential for a large increase in the market exists, depending on the availability of the product gypsum. The Medupi FGD plant would produce up to 1.7 Mt per year once all FGD units are operational.<sup>51</sup> Whilst Eskom is of the view that it will be unable to sell the gypsum, since Kusile's gypsum would flood the market, the Gypsum Market Research Study estimates that the **demand will exceed what Kusile plant would produce by 1 million tons per annum**.<sup>52</sup>
42. As mentioned above, Eskom states that the use of gypsum will be dependent on quality assessments, and should the quality not be usable, the gypsum will be taken for disposal. To maximise the value and market for FGD gypsum, it should be of consistent quality and above 95% purity (for the plasterboard sector). This implies that the limestone used in the FGD process should have a purity of greater than 93-95%.<sup>53</sup> The gypsum processing and handling systems, including temporary and longer-term storage facilities, should also preserve the quality of the gypsum for future sales. Importantly, Eskom should secure limestone of the requisite quality, with purity greater than 95% if possible, to maximise the gypsum sales potential. However, not all identified markets require high quality gypsum. The cement and agricultural sectors would accept gypsum of lower purity. Eskom should therefore clarify what methodology it uses to conduct quality assessments, and what quality gypsum would be deemed not for sale and disposable.

<sup>46</sup> FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report.

<sup>47</sup> FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, pg 3.

<sup>48</sup> FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, pg 3.

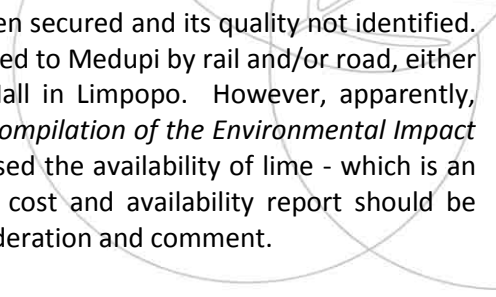
<sup>49</sup> FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, pg 3.

<sup>50</sup> FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, figure 3.

<sup>51</sup> TSSR, table 3.

<sup>52</sup> FSR comment page 10; FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, pg 52.

<sup>53</sup> FSR comment page 10; FSR, Appendix J, Over the Moon, 3 April 2009, PED Marketability Study Report, pg 22.

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43. It is also concerning to note, however, that the limestone has not yet been secured and its quality not identified. The DEIR indicates that limestone will be purchased offsite and transported to Medupi by rail and/or road, either from Lime Acres in the Northern Cape, or Pienaarsrivier or Marble Hall in Limpopo. However, apparently, *“confirmation of the Limestone source was not available at the time of compilation of the Environmental Impact report”*. It is unacceptable that Eskom has not yet considered or finalised the availability of lime - which is an essential ingredient for the FGD. In this regard, a limestone quality, cost and availability report should be produced, be made available to interested and affected parties for consideration and comment.
44. In spite of our repeated earlier representations and the positive gypsum market assessment, Eskom has not included the construction of facilities for the temporary storage of gypsum or of facilities for the rail dispatch of gypsum in the scope of the project. Furthermore, we previously commented in the DSR and FSR that the impact of traffic on the air quality will need to be addressed, as the proposed transport method for limestone and waste (salts and sludge) will be undertaken by trucks. It was estimated that for the plant, approximately 13 trips will be made for waste and 69 trips for limestone per day.<sup>54</sup> These impacts have not adequately been addressed.
45. Eskom has not developed, updated or presented a plan for the marketing and sale of gypsum, nor assessed the availability. They also have not secured the high quality lime which would ensure high quality gypsum, nor considered the transport impacts associated therewith. The statement in the DEIR, that *“given demand and off-take potential from commercial off-takers, infrastructure to convey gypsum from the gypsum transfer house 1 to the gypsum storage building and rail way yard for transport of large volumes of gypsum via rail will be constructed at a future date,”*<sup>55</sup> confirms that the scope does not include facilities for the dispatch of gypsum.
46. The DEIR appears to still be based on Eskom’s preferred option that envisages the co-disposal of gypsum with the ash, which would immediately render the gypsum unrecoverable and of no sales value, destroying a potentially valuable resource. *“In the event that no large-scale commercial offtake of gypsum is secured, gypsum from transfer house 1 will be conveyed to the existing overland ash conveyor. In this conveyor system, the gypsum will be mixed with ash and will be disposed together on the footprint of the existing authorised ADF.”*<sup>56</sup>
47. The licensing of the gypsum storage facility has now been deferred to the “ADF WML amendment application”, rather than the submission of a new WML for the separate storage of gypsum that is surplus to immediate sales requirements. The amendment proposes to co-dispose gypsum and ash, rather than design a separate gypsum storage facility. Eskom appears to have made provision in the plant layout for future facilities for exporting gypsum directly from the processing facility,<sup>57</sup> but the construction of these facilities is apparently not included in the scope of the project, implying that the *de facto* preferred option is the 100% co-disposal of all gypsum on the ADF.<sup>58</sup> Eskom should confirm that that the gypsum facilities required for the sale of gypsum are included in the scope of the project.
48. The other major concern is that there is no provision in the design and construction for separating the gypsum from the ash so that it can be reclaimed and sold as a by-product. It would appear that this has been done only to the extent of handling, treating, and including separate conveyance equipment from the gypsum processing facility to “the existing ADF”. But of greater concern is that all gypsum surplus to sales will be stored together with the ash, rendering it unrecoverable for future sales if and when the market for gypsum develops.
49. Our clients reiterate that Eskom should again be asked to include in the project scope facilities to store the gypsum separately from the ash, to enable recovery of stored gypsum for future sales. It appears that a full gypsum market analysis and an analysis of the potential to increase demand for the product and expand the off-take has not yet

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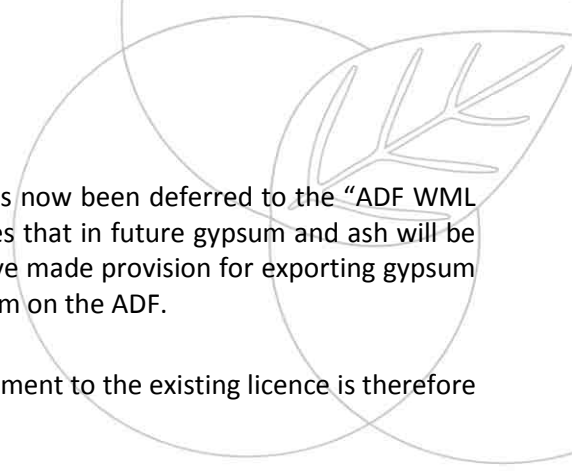
<sup>54</sup> DEIR, pg 110.

<sup>55</sup> DEIR, pg 64.

<sup>56</sup> DEIR, pg 64.

<sup>57</sup> DEIR Figures 6-7, 6.8, 6.16.

<sup>58</sup> DEIR, pg 41.



been done. As noted above, the detail of the gypsum storage facility has now been deferred to the “ADF WML amendment application” and reference to a single storage facility implies that in future gypsum and ash will be stored together, rather than on separate facilities. Eskom appears to have made provision for exporting gypsum directly from the processing facility, but for disposing of all surplus gypsum on the ADF.

50. Our clients submit that the licensing of the gypsum disposal as an amendment to the existing licence is therefore not acceptable, as the two are interlinked.

### Impact of the FGD plant’s operation on the surrounding water systems

51. The main report indicates that the floodline study established that 1:100 year floodline encroaches on the ADF footprint; however, that this will not be considered in the EIA and will be addressed in the WML amendment.<sup>59</sup> Further, *“if sound engineering flood control and prevention measures are not put in place, the contents of the ADF are likely to be washed away into the receiving environment in the event of a 1:100 flood.”*<sup>60</sup> Some of the major constituents of concern (not mentioned in the DEIR) which would emanate from the ADF according to the specialist report, would be fly ash trace concentrations of metals and other substances that are known to be detrimental to health in sufficient quantities. Potentially toxic trace elements in coal include: arsenic, beryllium, cadmium, barium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, uranium, vanadium, and zinc.<sup>61</sup> The proposed mitigation measure is to reduce the footprint and increase the height of ADF, and implement a stormwater management plan. It is not clear if these will be sufficient measures to mitigate pollution due to flooding. In fact, it is uncertain if the impact assessment was adequately conducted since the ADF footprint will be excluded from the EIA, and instead, addressed in the separate WML application for variation. It is unclear how the specialist report reached its conclusion, given that the final footprint and impact of the ADF is unknown, and is excluded from the EIA process. It is therefore important that this is fully investigated in the EIA and not separated considered in the WML process.
52. In respect of the potential flooding, it appears that the gypsum offtake structure may be a problem after high rainfall events, and the specialist report suggests concrete bunding and central depression to prevent spillage.
53. The Surface Water Assessment specialist report seem to contain rainfall data only from 1903-2000. Since the report was compiled in 2018, rainfall data from 2000-2018 should also be included. The raw data used to compile the report should also be made available.
54. It is concerning to note that the Surface Water Specialist report indicates that *“the recommendations from the report are that based on the re-designation of the catchments areas from clean to dirty (see Figure 14 and Figure 15), 20% of the total dirty water catchment areas will now be added to the dirty water system. It is therefore anticipated that the existing Dirty Water Dam (102 00 m3 capacity) will have insufficient capacity to store the new dirty water runoff volumes (Figure 16). Additional dirty water storage will be required. This was not been sized as it was not part of the scope”*<sup>62</sup> (our emphasis).
55. The specialist report, as well as the DEIR, indicate that the Medupi site and the ADF site would decrease the Sandloop River tributary catchment area by almost 50%, from approximately 44.km2 to mere 18.7km2. The impacts would include the total runoff from Sandloop into the Mokolo system. Further, the mitigation measures regarding the catchment loss is “limited”. The DEIR reports that *“the mitigation with regards to catchment loss is limited and the residual impact risk remains High. Efforts should be centred on minimising catchment loss by minimizing the PCD, coal stockpile and other associated infrastructure to as small an area as possible.”*<sup>63</sup>

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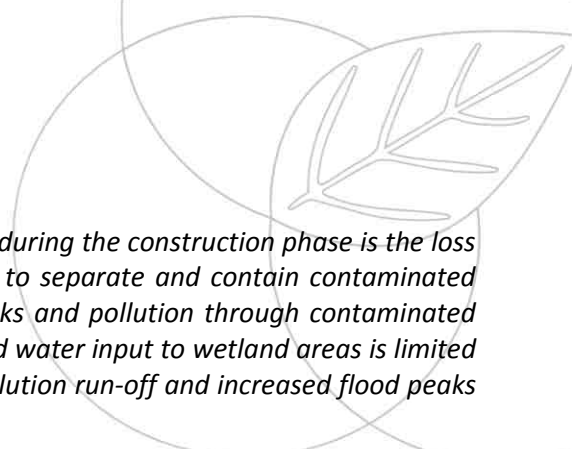
<sup>59</sup> DEIR, pg 40.

<sup>60</sup> DEIR, pg174.

<sup>61</sup> DEIR: Annexure G4 - Surface Water Impact Assessment Report, pg 20.

<sup>62</sup> DEIR: Annexure G4 - Surface Water Impact Assessment Report, pg 27.

<sup>63</sup> DEIR, pg 173.

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56. The DEIR reports that *“the prominent impact feature that was identified during the construction phase is the loss of catchment area contributing to storm water runoff due to the need to separate and contain contaminated “dirty” water. Associated with this is an expected increase in flood peaks and pollution through contaminated runoff. Mitigation measures for the loss of catchment area and decreased water input to wetland areas is limited resulting in an impact significance rating of HIGH. Impacts related to pollution run-off and increased flood peaks can be mitigated to MODERATE to LOW impact significance levels “.*<sup>64</sup>
57. If not mitigated, it is reported in the DEIR that the potential surface water quality impacts will affect the downstream water users. However health impacts as a result of the contamination are not considered, and impacts to the surface water are largely claimed to be “low”. This is due to the fact that an existing impact is already occurring on site, a Storm Water Management System (SWMS) has been implemented on the development site, and the surface water specialist concluding that the SWMS appears to be well operated and maintained, therefore the existing impact is rated as “low”.
58. The loss of wetlands and watercourses on site at Medupi and the ADF location will remain a very high impact; however the impact could apparently be reduced through mitigation. It is not clear, however, how these residual negative impacts will be remedied.
59. Waste management issues pertaining to disposal of ash and gypsum appear in various specialist reports pertaining to water. As such, these issues are interrelated, these should be fully investigated in the current EIA process and should not be dealt with in a piecemeal fashion.

#### **Inadequacy of DEIR due to missing documents and/or information**

60. We have previously indicated in comments on the FSR and DSR that the public participation process and access to documents has been less than desirable during this EIA process. As mentioned in paragraph 4.3 above, the following information was previously requested to be included in the assessment: co-commissioning (integrating FGD into the design of the 3 remaining units) study; FGD Commissioning Schedule Study; Water Minimisation Study; an updated Gypsum Market Investigation and Ash Market Investigation to minimise waste; and transport impacts (from waste or materials required for FGD). Such documentation should be made available to stakeholders as soon as a comment process begins in any part of EIA process. These are still not available, and therefore the information available for comment and decision-making is incomplete. As discussed above, in addition to these reports, investigation related to lime quality and sourcing should also be assessed and finalised.
61. In addition to the above, the following information is missing from the DEIR, and should be made available:
- 61.1. Pages 36-37 of the DEIR refers to various design reports which were reported to be considered. However, there were not attached to the DEIR.
  - 61.2. Appendices D1-12, which refer to various designs and drawing, were not attached to the DEIR, as well as appendix F2.
  - 61.3. The figures and drawings mentioned in the report should be provided as separate documents to enable enlargement of the figures and drawings.
62. With regard to air pollution, whilst the specialist report briefly considers the health impacts, this is insufficient for the present purposes. It is recommended that a full health impact study be undertaken, which includes health impacts for operation of the plant without the FGD for 6 years after commissioning each unit. In addition,

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<sup>64</sup> DEIR, pg 171.

Annexure B attached to the Specialist Atmospheric Impact Report should be considered in the main report, as well as the DEIR.

### **Delay in implementation of the FGD and the need for co-commissioning of FGD**

63. As previously indicated, it is not clear why the rest of Medupi construction should not be abandoned, given that the electricity is no longer required. Alternatively, it is unclear why Eskom repeatedly refuses to consider the co-commissioning of the FGD retrofit. To date, this issue has not been adequately addressed.
64. In addition to the above, Eskom seeks to delay and/or avoid the most pertinent issues pertaining to the FGD retrofit; such as Waste Management and Minimisation, Water Minimisation, and conducting Ash and Gypsum Market feasibility study, Health Impact Assessment among others. The fact that these may be guided by different legislation does not mean that these should still not be considered in the EIA. In fact, a failure to consider these would defeat the whole purpose of the EIA. These pertinent issues would include:
- 64.1. production, storage and disposal (through sales or otherwise) of gypsum, ash, salt, and sludge;
  - 64.2. securing water – water apparently has only been secured for the first 3 FGD units, and securing water MCWAP 2 is not definite. Furthermore, the most suitable technology which would minimise water by 30-40% (the gas cooler) is not being considered as viable;
  - 64.3. management and disposal of polluted water - all the components have been deferred to other processes;
  - 64.4. salt and sludge waste is only catered for the first 5 years;
  - 64.5. high quality lime required for high quality gypsum production has not been secured;
  - 64.6. ash disposal is only possible for the next 20 years and also situated within the 1: 100 year floodline;
  - 64.7. in relation to the FGD structure, there is a claim of “no space”, but no specialist engineering attached; and
  - 64.8. the timeline for the FGD retrofit is vague and unenforceable, and merely states that FGD has to begin construction in 5 years, and that Medupi will comply with SO<sub>2</sub> MES for new plants by 2030; and<sup>65</sup>
  - 64.9. the impacts on health.

### **Objection to a separate WML variation process**

65. As indicated above, according to NEMA, the applicant cannot defer important considerations relevant to the EIA in a piecemeal fashion, irrespective of whether other legal provisions apply. The applicant is still bound, by the provisions of NEMA, to consider all effects of activities before actions are taken. Our clients have therefore stated above that the most significant considerations resulting from FGD installation should not be deferred at a later stage outside of the EIA, as it is contrary to NEMA.
66. With regard to minimising and handling waste, our clients - in the DSR and FSR comments - repeatedly stated that:
- 66.1. Co-disposal of gypsum should be considered as a last resort;
  - 66.2. gypsum should be stored separately from other wastes, thereby minimising contamination, allowing for possible future recovery;
  - 66.3. salt and sludge co-disposal with other waste streams should be avoided. They should be stored separately and managed appropriately in accordance with the law;
  - 66.4. disposal of FGD by-products to Holfontein Landfill Facility should be avoided due to distance costs and environmental impacts; and
  - 66.5. only three possible disposals should be considered, namely: separate onsite facilities for each waste (preferred); disposal of ash, gypsum, salts and sludge in the ADF, each with its own compartment for future respective recoveries, if appropriate and permissible; disposal of ash, gypsum salts sludge in the ADF with ash and gypsum each in their own compartment, and salt and sludge combined into a third compartment.

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<sup>65</sup> DEIR, pg 67-68.

67. These comments, however, seem largely to have been ignored and/or inadequate or inappropriate responses have been provided.

68. In the WML Variation Application, the applicant states that the *“power station will incorporate wet limestone FGD technology which will be retrofitted after 6 years of each Unit’s commissioning, to manage SOx emissions. The FGD plant will produce gypsum, salts and sludge as by-products, which need to be disposed of in an environmentally sustainable manner.”*<sup>66</sup> Instead of conducting the waste minimisation study, including market studies, and particularly for the largest waste streams, gypsum and ash, to eradicate need for the increase in waste disposal facilities, the application provides as follows:

68.1. for the co-disposal of ash and gypsum on a Class C barrier, which *“will be implemented at the facility from the 4 year area onwards. It is proposed that, in the first years of FGD operation, the gypsum from the FGD plant will also be disposed on the Ash Disposal Facility (ADF). With the disposal of ash and the gypsum, the ADF will be referred to as the Waste Disposal Facility (WDF). In terms of the same legislation, salts and sludge classified as Type 1 wastes and would be disposed on a Class A barrier system;”*<sup>67</sup>

68.2. to co-dispose gypsum and ash on the ADF;<sup>68</sup>

68.3. to increase the height of ADF to 60-72m to minimise the ADF footprint, which encroaches on wetlands;<sup>69</sup>

68.4. to construct associated infrastructure for conveyance and disposal of gypsum, one of which would include a temporary gypsum loading area and storage area for saleable gypsum;<sup>70</sup>

68.5. to construct, *“depending on the offtake potential from commercial off-takers, infrastructure to convey gypsum from the gypsum transfer house 1 to the gypsum storage building and railway yard for transport of large volumes of gypsum via rail will be constructed at a future date;”*<sup>71</sup> and

68.6. *“The gypsum storage facility will accommodate 100% of the total gypsum production for three days, but it is anticipated that only 20% of the gypsum may be required for commercial sales. This will have a significant impact on the amount of gypsum that will require disposal...In the event that there are no large sale commercial offtake of gypsum is secured, gypsum from transfer will be...mixed with ash and disposed together.”*<sup>72</sup>

69. The motivation provided in the Variation Application is that, on 23 August 2013, DEA promulgated the National Norms and Standards for the Assessment of Waste for Landfill Disposal and National Norms and Standards for Disposal of Waste to Landfill, by which the applicant determined ***“through conservative theoretical waste assessment”***<sup>73</sup> that gypsum and ash would be classified as Type 3 waste. This was despite the fact that FGD waste has not yet been generated by Medupi.

70. However, according to the Bridging Document,<sup>74</sup> the reasoning is as follows:

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<sup>66</sup> WML Variation Application for ADF, pg1.

<sup>67</sup> WML Variation Application for ADF, pg1.

<sup>68</sup> WML Variation Application for ADF, pg1.

<sup>69</sup> WML Variation Application for ADF, pg1-2.

<sup>70</sup> WML Variation Application for ADF, pg2.

<sup>71</sup> WML Variation Application for ADF, pg3.

<sup>72</sup> WML Variation Application for ADF, pg5.

<sup>73</sup> WML Variation Application for ADF, pg4.

<sup>74</sup> Medupi FGD retrofit EIA Bridging Document, 30 September 2016.

- 70.1. *“During the project initiation and clarification of the scope of the project, it was indicated that the ADF would only have capacity to accommodate wastes for the first 20 years of power station operation. Therefore, the following activity was identified as additional scope for inclusion in the integrated authorisation application: · New disposal facilities for the disposal of gypsum, ash, salts and sludge for year 21 to year 50 post commissioning.”<sup>75</sup>*
- 70.2. *“Since the current ADF was deemed to only have capacity to accommodate the disposal of ash for the first 20 years of the Medupi Power Station operation, a second facility would need to be established. Eskom had earmarked an area to the south of the existing authorised ADF. The proposed new facilities would be greenfield areas with a footprint of about 600 hectares to accommodate the disposal of ash, gypsum, salts and sludge.”<sup>76</sup>*
- 70.3. *“At this stage it was agreed that the Site Screening process would need to be revisited. This rework would constitute a delay in the EIA process of at least 12 months. A decision needed to be made regarding the rework of the Site Screening and this was workshopped between the client and Zitholele Consulting in order to find the most effective solution. The decision took the project schedule into account as well as commitments of the power station to other authorisation and license conditions. A decision was reached in July 2016 to review the scope of the current EIA in order to fast track the application for authorisation and licensing of the FGD retrofit.”<sup>77</sup>*
- 70.4. *“The installation of the appropriate FGD technology is time critical, and the application for an integrated authorisation must be accelerated in order for the power station to remain compliant to the AEL conditions. Should the EIA scope remain unchanged, there is a significant risk of a delay to the overall project development process, due to the site screening for disposal sites, which needs to be reinitiated. For this reason, the decision has been made to split the current EIA into two (2) separate environmental authorisation processes.”<sup>78</sup>*

71. In other words, it would appear from the Bridging Report that, in order for Eskom to meet “time sensitive” deadlines (meeting the MES by 2025 was cited; however, Eskom also has World Bank contractual deadlines), it attempts to defer and delay the consideration of the waste impacts in relation to the FGD - which should be considered in the initial EIA - to another platform, in order to “fast track” the EIA. Furthermore, it seems to be paying lip service to minimising waste, since the Variation Application, the Bridging Report, and various designs in the DEIR seem to indicate that Eskom is in favour of co-disposing of ash, salts, and gypsum, and finding an alternative site or expanding the original waste disposal site to accommodate this. This is contrary to NEMA, NEMWA, and the Constitution. If Eskom wished to expedite the process, it could easily have conducted and finalised the waste minimisation study and market study for the various waste streams, as well as finalised investigation for sourcing the high quality lime. Eskom, to date, appears to have dragged its feet and not considered the minimisation of waste as a serious option, since marketability and uptake studies for gypsum and ash have not been completed for over 4 years since the initial DSR. High quality lime also has not yet been secured. Furthermore, their Gypsum Market Study of 2009 was not included in the DEIR.

72. As mentioned previously, in order to significantly minimise its impacts, the last 3 units of Medupi - which are no longer required - should be abandoned. Three units already built should have FGD fitted as soon as possible, before 6 years of operation. However, our clients vehemently object to this “fast tracking process”, which undermines the EIA process by approaching the EIA in a piecemeal fashion. Such processes are contrary to legislation. Furthermore, the WML Variation Application is deficient in that it appears that the applicant unilaterally determined the classification of certain waste times ***through a conservative theoretical waste assessment***. The accuracy of this (scientific and legal) should be investigated.

<sup>75</sup> Medupi FGD retrofit EIA Bridging Document, 30 September 2016, pg 2.

<sup>76</sup> Medupi FGD retrofit EIA Bridging Document, 30 September 2016, pg 2.

<sup>77</sup> Medupi FGD retrofit EIA Bridging Document, 30 September 2016, pg 3.

<sup>78</sup> Medupi FGD retrofit EIA Bridging Document, 30 September 2016, pg3.



73. Furthermore, and more importantly, all efforts should be directed to minimise the waste instead of expanding the capacity for the current waste disposal sites.

### **Conclusion**

74. As stated at the outset, there is no doubt that FGD Retrofit Project is mandatory for the operation of Medupi, so that it will comply with the 2020 MES for SO<sub>2</sub>, and so that it does not impact on human health and wellbeing, contrary to section 24 of the Constitution. This should be done with the minimisation of the need for water in mind, with the least impact on surrounding ground and surface water, and should minimise waste as much as possible.

75. For the reasons set out above, the DEIR does not contain all material information required in terms of NEMA and the EIA Regulations. Furthermore, the EIA has inappropriately deferred a number of considerations as outside the scope of the EIA, when they clearly need to be considered in the EIA. Even though other legislations might apply, NEMA makes clear that these factors and impacts must also be considered in the EIA. Our clients furthermore strongly object to the WML Variation Application being separated from the EIA process, as it is an integral part. These fundamental deficiencies should be addressed, prior to the FEIR being made available for comment.

Yours faithfully

### **CENTRE FOR ENVIRONMENTAL RIGHTS**

per:



**Michelle Koyama**  
**Attorney**

Direct email: [mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)

## Mathys Vosloo

---

**From:** Mathys Vosloo  
**Sent:** Thursday, 19 April 2018 9:56 PM  
**To:** 'Michelle Koyama'; Lebo Petlane  
**Cc:** Tebogo Mapinga; Robyn Hugo; Timothy Lloyd; Nicole Loser  
**Subject:** RE: MEDUPI DEIR & WML comments

Hi Michelle

Thank you for submitting comments on CER's behalf. We acknowledge receipt of the comments.

Kind regards,

**Dr. MATHYS VOSLOO** [Pr.Sci.Nat.]  
**Senior Environmental Scientist**



Building 1, Maxwell Office Park, Magwa Crescent West, Waterfall City, Midrand, RSA  
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---

**From:** Michelle Koyama [mailto:[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)]  
**Sent:** Thursday, 19 April 2018 5:58 PM  
**To:** Mathys Vosloo; Lebo Petlane  
**Cc:** Tebogo Mapinga; Robyn Hugo; Timothy Lloyd; Nicole Loser  
**Subject:** MEDUPI DEIR & WML comments

Dear Mathys

Kindly find attached our comments in respect of the Medupi FGD DEIR and WML Variation application.

Please acknowledge receipt.

Kind regards

Michelle Koyama  
Attorney

Centre for Environmental Rights NPC

A non-profit company with registration number 2009/020736/08

PBO No. 930032226, NPO No. 075-863, VAT No. 4770260653

and a Law Clinic registered with the Law Society of the Cape of Good Hope and the Law Society of the Northern Provinces  
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Report violations of environmental rights to the 24-hour Environmental Crimes & Incidents Hotline on **0800 205 005**. More reports of environmental violations assist in justifying more investment in more inspectors, and more enforcement of environmental laws. Numbers matter! Take the time to report violations, even if you have done so elsewhere. For more information about this CER campaign, visit <http://cer.org.za/news/numbers-matter-join-us-in-reporting-violations-of-environmental-rights>.

---

**From:** Mathys Vosloo [<mailto:mathysv@zitholele.co.za>]

**Sent:** 05 April 2018 11:52 AM

**To:** Michelle Koyama <[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)>

**Cc:** Tebogo Mapinga <[tebogom@zitholele.co.za](mailto:tebogom@zitholele.co.za)>; Robyn Hugo <[rhugo@cer.org.za](mailto:rhugo@cer.org.za)>; Timothy Lloyd <[tlloyd@cer.org.za](mailto:tlloyd@cer.org.za)>

**Subject:** RE: 12949 Medupi FGD Extension of review period

Hi Michelle,

Yes, the extension has been granted until 19 April 2018.  
We look forward to receive your comments on the reports.

Kind regards,

**Dr. MATHYS VOSLOO** [*Pr.Sci.Nat.*]

**Senior Environmental Scientist**



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---

**From:** Michelle Koyama [<mailto:mkoyama@cer.org.za>]

**Sent:** Thursday, 05 April 2018 9:32 AM

**To:** Mathys Vosloo

**Cc:** Tebogo Mapinga; Robyn Hugo; Timothy Lloyd

**Subject:** RE: 12949 Medupi FGD Extension of review period

Good morning Mathys

You mentioned previously that Eskom has indicated that they will grant the extension but that a written request should be submitted.

We have submitted a written request and presume that extension has been granted until the 19 April?

Kind regards

Michelle

---

**From:** Mathys Vosloo [<mailto:mathysv@zitholele.co.za>]  
**Sent:** 04 April 2018 10:21 AM  
**To:** Michelle Koyama <[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)>  
**Cc:** Tebogo Mapinga <[tebogom@zitholele.co.za](mailto:tebogom@zitholele.co.za)>; Robyn Hugo <[rhugo@cer.org.za](mailto:rhugo@cer.org.za)>; Timothy Lloyd <[tlloyd@cer.org.za](mailto:tlloyd@cer.org.za)>  
**Subject:** RE: 12949 Medupi FGD Extension of review period

Thank you Michelle,

I will get back to you soon.

Kind regards,

**Dr. MATHYS VOSLOO** [*Pr.Sci.Nat.*]  
**Senior Environmental Scientist**



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---

**From:** Michelle Koyama [<mailto:mkoyama@cer.org.za>]  
**Sent:** Wednesday, 04 April 2018 9:57 AM  
**To:** Mathys Vosloo  
**Cc:** Tebogo Mapinga; Robyn Hugo; Timothy Lloyd  
**Subject:** RE: 12949 Medupi FGD Extension of review period  
**Importance:** High

Dear Mathys

We refer to our telephone conversation yesterday, in respect of the submission of the following Environmental Impact Assessment (EIA) for comment under the 2010 EIA Regulations:

1. Medupi FGD DEIR circulated for comment on 19 February 2018 and due for comment on 5 April 2018; and
2. Medupi WML circulated for comment on 5 March and due for comment by 9 April 2018

The purpose of this communication is to record our request for a short extension of time to comment on these documents by 19 April 2018.

We and our client, Earthlife Africa, have registered as interested and affected parties (I&APs), and wish to exercise our right to comment on and raise issues relevant to the applications, as we have done throughout the process. As you know, the Medupi DEIR and the WML are voluminous and technical; for instance, the DEIR is comprised of over 200 pages, with 23 appendices, most of which in themselves are lengthy technical reports.

As non-profit organisations, we have limited access to resources and technical expertise, and we and our client require adequate time to peruse and consider the voluminous DEIR, WML, and the respective appended technical reports to provide proper comments. This has been made more difficult by the public holidays.

Although you initially agreed to an extension of the time for comment until 16 April, you indicated subsequently that you had to consult with Eskom in this regard. As the independent EAP, you are in a position to decide whether or not to grant an extension.

Regulation 56(1) of the EIA Regulations, 2010, states that comments are to be submitted within the timeframe set or within *“any extension of timeframe agreed to by the applicant or the EAP”*. Relevant authorities, however, are given 40 days to comment on the draft environmental impact assessment report, and 60 days for a waste management activities, which excludes public holidays.

We make this request also with respect to the requirements for procedurally fair and rational administrative action in terms of Promotion on Administrative Justice Act, 2000, and in terms of the National Environmental Management Act, 1998, as well as the EIA Regulation, which promote fair administrative decision making and public participation which provides a reasonable and adequate opportunity for comment in the environmental impact assessment processes.

In light of the above, we propose that an extension until 19 April 2018 to submit the comments is not unreasonable, and await your decision as an EAP in this regard.

We look forward to your response.

Kind regards

Michelle Koyama

Attorney

Centre for Environmental Rights NPC

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environmental laws. Numbers matter! Take the time to report violations, even if you have done so elsewhere. For more information about this CER campaign, visit <http://cer.org.za/news/numbers-matter-join-us-in-reporting-violations-of-environmental-rights>.

---

**From:** Mathys Vosloo [<mailto:mathysv@zitholele.co.za>]  
**Sent:** 04 April 2018 09:29 AM  
**To:** Michelle Koyama <[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)>  
**Cc:** Tebogo Mapinga <[tebogom@zitholele.co.za](mailto:tebogom@zitholele.co.za)>; Robyn Hugo <[rhugo@cer.org.za](mailto:rhugo@cer.org.za)>; Timothy Lloyd <[tlloyd@cer.org.za](mailto:tlloyd@cer.org.za)>  
**Subject:** RE: 12949 Medupi FGD Extension of review period  
**Importance:** High

Hi Michelle,

Can you please request the extension to the review timeframes per email. Eskom has indicated that they will grant the extension, but I need to forward them the written request.

Thanks

Kind regards,

**Dr. MATHYS VOSLOO** [*Pr.Sci.Nat.*]  
**Senior Environmental Scientist**



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---

**From:** Michelle Koyama [<mailto:mkoyama@cer.org.za>]  
**Sent:** Tuesday, 03 April 2018 3:15 PM  
**To:** Mathys Vosloo  
**Cc:** Tebogo Mapinga; Robyn Hugo; Timothy Lloyd  
**Subject:** RE: 12949 Medupi FGD Extension of review period

Hi Mathys

Thanks for your email - and for your recommendation.

I look forward to receiving your feedback after your chat with Eskom.

Kind regards

Michelle

---

**From:** Mathys Vosloo [<mailto:mathysv@zitholele.co.za>]  
**Sent:** 03 April 2018 03:05 PM  
**To:** Michelle Koyama <[mkoyama@cer.org.za](mailto:mkoyama@cer.org.za)>  
**Cc:** Tebogo Mapinga <[tebogom@zitholele.co.za](mailto:tebogom@zitholele.co.za)>  
**Subject:** 12949 Medupi FGD Extension of review period

Hi Michelle

We spoke a few minutes ago about the possible extension of the comment period for the Medupi FGD EIA and WML Variation application to 16 April 2018.

I would like to clear it with Eskom first please. Eskom is driving this Medupi FGD project internally very strictly in terms of timeframes so unfortunately I cannot make that decision in isolation.

I will however recommend to Eskom that we grant CER the extension on the timeframes as requested.

I will get back to you as soon as I have discussed with Eskom.

Kind regards,

**Dr. MATHYS VOSLOO** [Pr.Sci.Nat.]  
**Senior Environmental Scientist**



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***Stakeholder and I&APs***



## Mathys Vosloo

---

**From:** 12949 - Medupi FGD  
**Sent:** Monday, 07 May 2018 11:22 PM  
**To:** 'Thami Hadebe Transnet Pipelines DBN'  
**Subject:** RE: 12949-010-Medupi FGD Public Review Period closing soon

**Importance:** High

Dear Tami,

Thank you for your response. We acknowledge your indication that Transnet pipeline servitudes are not affected by the proposed work/installations.

Kind regards,

**Dr. MATHYS VOSLOO** [Pr.Sci.Nat.]  
**Senior Environmental Scientist**



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**From:** Thami Hadebe Transnet Pipelines DBN [mailto:Thami.Hadebe@transnet.net]

**Sent:** Thursday, 19 April 2018 10:16 AM

**To:** 12949 - Medupi FGD

**Subject:** RE: 12949-010-Medupi FGD Public Review Period closing soon

Transnet pipeline servitudes are not affected by the proposed work/installations.

---

**From:** 12949 - Medupi FGD [mailto:fgd@zitholele.co.za]

**Sent:** 19 April 2018 10:15 AM

**To:** 'a3bc@kingsley.co.za'; 'Aaron.Kharivhe@dmr.gov.za'; Ackerman Pieter (AckermanP@dws.gov.za); adri@masshire.co.za; 'agit.singh@angloamerican.com'; 'agrilcephalale@vodamail.co.za'; agrilephalale@vodamail.com; 'alie2lare@gmail.com'; 'amalherbe@pilotfreight.co.za'; andretta.tsebe@dpe.gov.za; 'andriesmochekeo.am@gmail.com'; 'ankia@mostert.co.za'; 'anthony.dikgale@exxaro.com'; 'april.shiko@lephalale.gov.za'; 'Avhasei.Ramuhulu@dpe.gov.za'; 'avishkar.ramandh@sasol.com'; 'Azwihangwisi.Mulaudzi@dmr.gov.za'; 'bafedile.masasa@gmail.com'; 'Muhammad Bagus (BagusM@eskom.co.za)'; 'bdonza@gmail.com'; 'benjamin.mokoka@angloamerican.com'; Theuns Blom (BlomTF@eskom.co.za); bmabunda@environment.gov.za; bmatemotja@worldbank.org; bobby@groundwork.org.za; bohalentsu@gmail.com; bokabal@dwa.gov.za; Tobile Bokwe; Bongani Dhlamini; booydsn@eskom.co.za; Mumsy Boshomane (BoshomVM@eskom.co.za); 'bububush@lantic.com'; 'Calvyn.sihwili@thehda.co.za';

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**Cc:** Mathys Vosloo; Mary Ntolwane

**Subject:** 12949-010-Medupi FGD Public Review Period closing soon

**Importance:** High

Dear Stakeholder

**ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENSE VARIATION AND WATER USE LICENCE FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

1. **FINAL REMINDER TO SUBMIT COMMENTS AND CONCLUSION OF PUBLIC REVIEW PERIOD**
2. **DEA REFERENCE NUMBER ISSUED FOR EIA APPLICATION**
3. **DEA REFERENCE NUMBER ISSUED FOR WML VARIATION APPLICATION**
4. **AVAILABILITY OF THE DEIR AND WML VARIATION APPLICATION**

The attached notification letter serves to remind all stakeholders that the public review period for review and comment on the Environmental Impact Assessment (EIA) Application and Waste Management Licence (WML) Variation Application is drawing to a close.

The attached notification letter further informs all stakeholders that reference numbers for the submitted EIA Application, i.e. **14/12/16/3/3/2/1060**, and WML Variation Application, i.e. **12/9/11/L184515344/5/V**, has been issued by the Department of Environmental Affairs (DEA). All stakeholders are urged to kindly quote these reference numbers on any future communications pertaining to the specific applications.

All stakeholders are urged to submit any comments to the Public Participation Office for this Medupi FGD Retrofit Project **before end of Thursday 19 April 2018** at the contact details below:

**EIA Public Participation Office:**

Mathys Vosloo / Lebo Petlane  
Zitholele Consulting (Pty) Ltd  
P O Box 6002, Halfway House, 1685  
Tel: 011 207 2060  
Fax: 086 674 6121  
Email: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

The EIA team and Public Participation Office thanks all stakeholders who have participated in this project thus far.

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**



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## Mathys Vosloo

---

**From:** 12949 - Medupi FGD  
**Sent:** Thursday, 19 April 2018 10:26 AM  
**To:** 'Ezekiel Monyamane Transnet Freight Rail JHB'; 12949 - Medupi FGD  
**Subject:** RE: 2949-003-Medupi FGD

Dear Mr. Monyamane

You have been registered on the project database and will receive all future communication relating to the Medupi FGD Retrofit Project.

Kind regards

Dr. Mathys Vosloo  
12949 Medupi FGD Retrofit Project: Public Participation Office  
Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)  
**FOR Zitholele Consulting (Pty) Ltd**

---

**From:** Ezekiel Monyamane Transnet Freight Rail JHB [<mailto:Ezekiel.Monyamane@transnet.net>]  
**Sent:** Friday, 06 April 2018 3:01 AM  
**To:** 12949 - Medupi FGD  
**Subject:** 2949-003-Medupi FGD

Dear Dr

Would you kindly add my name on your register for I&AP for the above mentioned project.

My contact details are in my below signature.

Thank you.

Kindest regards,



**Mr. Ezekiel Monyamane**  
Senior Manager  
Environment and Sustainability  
Risk  
Management Department  
T: 011 584 0547  
C: 081 048 0856  
E: [ezekiel.monyamane@transnet.net](mailto:ezekiel.monyamane@transnet.net)

[www.transnet.net](http://www.transnet.net)

"Environmental Management Makes  
Business Sense"



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## Mathys Vosloo

---

**From:** 12949 - Medupi FGD  
**Sent:** Thursday, 19 April 2018 10:27 AM  
**To:** Ezekiel Monyamane Transnet Freight Rail JHB  
(Ezekiel.Monyamane@transnet.net)  
**Subject:** FW: 12949-010-Medupi FGD Public Review Period closing soon  
**Attachments:** 12949-83-Let-004-PPRevFinRemCS-Rev0.pdf  
  
**Importance:** High

Dear Stakeholder

### **ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENSE VARIATION AND WATER USE LICENCE FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

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All stakeholders are urged to submit any comments to the Public Participation Office for this Medupi FGD Retrofit Project **before end of Thursday 19 April 2018** at the contact details below:

#### **EIA Public Participation Office:**

Mathys Vosloo / Lebo Petlane  
Zitholele Consulting (Pty) Ltd  
P O Box 6002, Halfway House, 1685  
Tel: 011 207 2060  
Fax: 086 674 6121  
Email: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

The EIA team and Public Participation Office thanks all stakeholders who have participated in this project thus far.

Kind regards

Dr. Mathys Vosloo  
12949 Medupi FGD Retrofit Project: Public Participation Office  
Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)  
**FOR Zitholele Consulting (Pty) Ltd**

## Mathys Vosloo

---

**From:** 12949 - Medupi FGD  
**Sent:** Monday, 07 May 2018 1:14 PM  
**To:** 'pretoriuskloof'  
**Subject:** RE: 12949-010-Medupi FGD Public Review Period closing soon

**Importance:** High

Goeie dag Mev. Barnard

Ek vertrou dit gaan goed met U.

Ek het probeer opvolg met U na aalnyding van die epos hieronder. Kon nie deurkom op enige van die telefoon nommers nie.

Ek wil net verstaan of U enige kwellinge het oor die projek. Ongelukkig kan ons nie op die stadium U besoek op die plaas nie, maar sal graag enige kwellinge oor die telefoon bespreek indien nodig.

U kan vir my gerus enige kwellinge aanstuur per epos, ek sal U weer later probeer bel.

Groete

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**

---

**From:** pretoriuskloof [mailto:pretoriuskloof@gmail.com]  
**Sent:** Thursday, 19 April 2018 11:09 AM  
**To:** 12949 - Medupi FGD  
**Subject:** Re: 12949-010-Medupi FGD Public Review Period closing soon

Dr Mathys Visloo

Kan u asseblief n afrikaanse vertaling vir ons stuur/of alternatiewelik ons op ons plaas besoek.

Ons plaas gelee te KUIPERSBULTPAD ,VANAF DIE MEDUPI/AFGUNSPAD.

VERBY SOUTPANPAD

VERBY ESCOM CONSERVATION GRONDE

AAN LINKER EN REGTERKANT.....

LET DAN OP VIR NAAMBORD AAN REGTERKANT

STARLINGH ,PRETORIUSKLOOF,JOHAN EN LYNETTE BARNARD

TEL 0810232392

LANFLYN 0147633387

0781447747

BAIE DANKIE.

LYNETTE BARNARD



----- Original message -----

From: 12949 - Medupi FGD <fgd@zitholele.co.za>

Date: 2018/04/19 10:14 (GMT+02:00)

To: "a3bc@kingsley.co.za" <a3bc@kingsley.co.za>, "Aaron.Kharivhe@dmr.gov.za" <Aaron.Kharivhe@dmr.gov.za>, "Ackerman Pieter (AckermanP@dws.gov.za)" <AckermanP@dws.gov.za>, adri@masshire.co.za, "agit.singh@angloamerican.com" <agit.singh@angloamerican.com>, "agrilephalale@vodamail.co.za" <agrilephalale@vodamail.co.za>, agrilephalale@vodamail.com, "alie2lare@gmail.com" <alie2lare@gmail.com>, "amalherbe@pilotfreight.co.za" <amalherbe@pilotfreight.co.za>, andretta.tsebe@dpe.gov.za, "andriesmocheko.am@gmail.com" <andriesmocheko.am@gmail.com>, "ankia@mostert.co.za" <ankia@mostert.co.za>, "anthony.dikgale@exxaro.com" <anthony.dikgale@exxaro.com>, "april.shiko@lephalale.gov.za" <april.shiko@lephalale.gov.za>, "Avhasei.Ramuhulu@dpe.gov.za" <Avhasei.Ramuhulu@dpe.gov.za>, "avishkar.ramandh@sasol.com" <avishkar.ramandh@sasol.com>, "Azwihangwisi.Mulaudzi@dmr.gov.za" <Azwihangwisi.Mulaudzi@dmr.gov.za>, "bafedile.masasa@gmail.com" <bafedile.masasa@gmail.com>, "Muhammad Bagus (BagusM@eskom.co.za)" <BagusM@eskom.co.za>, "bdonza@gmail.com" <bdonza@gmail.com>, "benjamin.mokoka@angloamerican.com" <benjamin.mokoka@angloamerican.com>, "Theuns Blom (BlomTF@eskom.co.za)" <BlomTF@eskom.co.za>, bmabunda@environment.gov.za, bmatemotja@worldbank.org, bobby@groundwork.org.za, bohalentsu@gmail.com, bokabal@dwa.gov.za, Tobile Bokwe <bokwett@eskom.co.za>, Bongani Dhlamini <bonganid@zitholele.co.za>, booydsn@eskom.co.za, "Mumsy Boshomane (BoshomVM@eskom.co.za)" <BoshomVM@eskom.co.za>, "bububush@lantic.com" <bububush@lantic.com>, "Calvyn.sihwili@thehda.co.za" <Calvyn.sihwili@thehda.co.za>, "chantelle.mistri@implats.co.za" <chantelle.mistri@implats.co.za>, "chevana.maharaj@angloamerican.com" <chevana.maharaj@angloamerican.com>, "chrisb@palmpark.co.za" <chrisb@palmpark.co.za>, christianam@ncc-group.co.za, "chrizelda50@gmail.com" <chrizelda50@gmail.com>, "cmahlangu@worldbank.org" <cmahlangu@worldbank.org>, "coengouws@gmail.com" <coengouws@gmail.com>, colinB@aaas.co.za, concitlep@gmail.com, conniegouws@gmail.com, constanth@ewt.org.za, "dionnemarais@gmail.com" <dionnemarais@gmail.com>, ditlhoriso134@gmail.com, "donald.dm@gmail.com" <donald.dm@gmail.com>, Donald.Nkadimeng@dpe.gov.za, "dries.basson@gmail.com" <dries.basson@gmail.com>, "edward.Munyai@lephalale.gov.za" <edward.Munyai@lephalale.gov.za>, Ester.Sibiya@dpe.gov.za, "ettiene@erossouw.co.za" <ettiene@erossouw.co.za>, "eurika.vanheerden@necsa.co.za" <eurika.vanheerden@necsa.co.za>, "Filomaine.swanepoel@exxaro.com" <Filomaine.swanepoel@exxaro.com>, fmagwai197@gmail.com, "francina.sethole@lephalale.gov.za" <francina.sethole@lephalale.gov.za>, "francinaemilynkosi@gmail.com" <francinaemilynkosi@gmail.com>, "freddy.nong@eskom.co.za" <freddy.nong@eskom.co.za>, "funie.nana@gmail.com" <funie.nana@gmail.com>, "gavincronk1@gmail.com" <gavincronk1@gmail.com>, "gert.beetge@gmail.com" <gert.beetge@gmail.com>, "gilbert@ship-online.co.za" <gilbert@ship-online.co.za>, goosens@goosens.co.za, gubuzan@eskom.co.za, "hanneslamprechtfr@gmail.com" <hanneslamprechtfr@gmail.com>, hardus@elitemail.co.za, "hazel.mashaba@lephalale.gov.za" <hazel.mashaba@lephalale.gov.za>, hendrik@roadlab.co.za, "heransie@lantic.net" <heransie@lantic.net>, "heukelman@mtnloaded.co.za" <heukelman@mtnloaded.co.za>, "hills@absamail.co.za" <hills@absamail.co.za>, "hlabiwa@gmail.com" <hlabiwa@gmail.com>, "hlekanel@dwa.gov.za" <hlekanel@dwa.gov.za>, "hmarodze@environment.gov.za" <hmarodze@environment.gov.za>, "info@mppmce.co.za" <info@mppmce.co.za>, "info@rayten.co.za" <info@rayten.co.za>, "info@waterbergbiosphere.org" <info@waterbergbiosphere.org>, "ispretorius@xsinet.co.za" <ispretorius@xsinet.co.za>, "j.ecaat@afdb.org" <j.ecaat@afdb.org>, "jacquess@macgroup.co.za" <jacquess@macgroup.co.za>, "jan.potgieter@envirogaka.co.za" <jan.potgieter@envirogaka.co.za>, "jan@mokoloclaybricks.co.za" <jan@mokoloclaybricks.co.za>, jane@cabangaenvironmental.co.za, jeannetpelotona@ymail.com, "jenniferstafford25@gmail.com" <jenniferstafford25@gmail.com>, jjesterhuizen@yahoo.com, "jmay@telkomsa.net" <jmay@telkomsa.net>, johan.vrooyen@exxaro.com, johan@palmpark.co.za, johan@speedydry.co.za, johanna.ndoweni@lephalale.gov.za, "john.maake@lephalale.gov.za" <john.maake@lephalale.gov.za>, "johnmakhanya@ymail.com"

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Cc: Mathys Vosloo <mathysv@zitholele.co.za>, Mary Ntolwane <maryn@zitholele.co.za>  
Subject: 12949-010-Medupi FGD Public Review Period closing soon

Dear Stakeholder

**ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENSE VARIATION AND WATER USE LICENCE FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE**

1. **FINAL REMINDER TO SUBMIT COMMENTS AND CONCLUSION OF PUBLIC REVIEW PERIOD**
2. **DEA REFERENCE NUMBER ISSUED FOR EIA APPLICATION**
3. **DEA REFERENCE NUMBER ISSUED FOR WML VARIATION APPLICATION**
4. **AVAILABILITY OF THE DEIR AND WML VARIATION APPLICATION**

The attached notification letter serves to remind all stakeholders that the public review period for review and comment on the Environmental Impact Assessment (EIA) Application and Waste Management Licence (WML) Variation Application is drawing to a close.

The attached notification letter further informs all stakeholders that reference numbers for the submitted EIA Application, i.e. **14/12/16/3/3/2/1060**, and WML Variation Application, i.e. **12/9/11/L184515344/5/V**, has been issued by the Department of Environmental Affairs (DEA). All stakeholders are urged to kindly quote these reference numbers on any future communications pertaining to the specific applications.

All stakeholders are urged to submit any comments to the Public Participation Office for this Medupi FGD Retrofit Project **before end of Thursday 19 April 2018** at the contact details below:

**EIA Public Participation Office:**

Mathys Vosloo / Lebo Petlane

Zitholele Consulting (Pty) Ltd

P O Box 6002, Halfway House, 1685

Tel: 011 207 2060

Fax: 086 674 6121

Email: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

The EIA team and Public Participation Office thanks all stakeholders who have participated in this project thus far.

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**

## Mathys Vosloo

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**From:** 12949 - Medupi FGD  
**Sent:** Monday, 12 March 2018 10:00 PM  
**To:** 'Deidre Booys'  
**Cc:** 'Lebo Petlane'; 'Bongani Dhlamini'  
**Subject:** RE: 12949-004-Medupi FGD: EMC Notification DEIR & WML Variation  
**Attachments:** 12949-83-Let-003-EMC-Rev0.pdf

**Importance:** High

Hi Deidre,

Please find attached the letter as requested.

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**

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**From:** Deidre Booys [mailto:BooysDN@eskom.co.za]  
**Sent:** Monday, 12 March 2018 7:32 AM  
**To:** 12949 - Medupi FGD  
**Subject:** RE: 12949-004-Medupi FGD: EMC Notification DEIR & WML Variation

Good Day

Can you please send the letter referred to in the email below.

Regards,

Deidre van Rooy  
Environmental Officer  
Group Capital Division  
Medupi Power Station Project, Cabin 37  
T: +27 (0)14 762 2382  
M: +27 (0)82 383 8382  
E-mail: [BooysDN@eskom.co.za](mailto:BooysDN@eskom.co.za)



**From:** 12949 - Medupi FGD [<mailto:fgd@zitholele.co.za>]

**Sent:** 09 March 2018 10:36 AM

**To:** [martin.reinecke@lephalale.gov.za](mailto:martin.reinecke@lephalale.gov.za); [a3bc@kingsley.co.za](mailto:a3bc@kingsley.co.za); [bokabal@dwa.gov.za](mailto:bokabal@dwa.gov.za); Deidre Booy; Mumsy Boshomane; [mlchauke@environment.gov.za](mailto:mlchauke@environment.gov.za); [ronduplessis@xpress.co.za](mailto:ronduplessis@xpress.co.za); [rduncan1@worldbank.org](mailto:rduncan1@worldbank.org); [j\\_eaat@afdb.org](mailto:j_eaat@afdb.org); [jorrieellis@mntloaded.co.za](mailto:jorrieellis@mntloaded.co.za); [adri@masshire.co.za](mailto:adri@masshire.co.za); [goosens@goosens.co.za](mailto:goosens@goosens.co.za); [conniegouws@gmail.com](mailto:conniegouws@gmail.com); [migovender@environment.gov.za](mailto:migovender@environment.gov.za); [bububush@lantic.com](mailto:bububush@lantic.com); [joshua.hlapa@lephalale.gov.za](mailto:joshua.hlapa@lephalale.gov.za); [constanth@ewt.org.za](mailto:constanth@ewt.org.za); [bdonza@gmail.com](mailto:bdonza@gmail.com); [semmakube@gmail.com](mailto:semmakube@gmail.com); Lizi Koekemoer; [trudie@telkom.net](mailto:trudie@telkom.net); [n.kulemeka@afdb.org](mailto:n.kulemeka@afdb.org); [lebogangkatelegodi@gmail.com](mailto:lebogangkatelegodi@gmail.com); [makoma@earthlife.org.za](mailto:makoma@earthlife.org.za); [hlabiwa@gmail.com](mailto:hlabiwa@gmail.com); [litholek@sac.limpopo.gov.za](mailto:litholek@sac.limpopo.gov.za); Dave Lucas; [nakedi.maake@gmail.com](mailto:nakedi.maake@gmail.com); [kuniesefako@gmail.com](mailto:kuniesefako@gmail.com); [cmahlangu@worldbank.org](mailto:cmahlangu@worldbank.org); [mahlatjim@dwa.gov.za](mailto:mahlatjim@dwa.gov.za); [p\\_makado@za.mhps.com](mailto:p_makado@za.mhps.com); [makgokatp@ledet.gov.za](mailto:makgokatp@ledet.gov.za); [johnmakhanya@gmail.com](mailto:johnmakhanya@gmail.com); [makhuradi@ledet.gov.za](mailto:makhuradi@ledet.gov.za); Khutso Malatji; [malunganitp@ledet.gov.za](mailto:malunganitp@ledet.gov.za); Sakutanya Mamabolo; [mandavem@eskom.co.za](mailto:mandavem@eskom.co.za); [mankoec@dwa.gov.za](mailto:mankoec@dwa.gov.za); Emile Marell; [thabisomaropola@gmail.com](mailto:thabisomaropola@gmail.com); [bafedile.masasa@gmail.com](mailto:bafedile.masasa@gmail.com); [maselelat@ledet.gov.za](mailto:maselelat@ledet.gov.za); [mashilom@dwa.gov.za](mailto:mashilom@dwa.gov.za); [bmatemotja@worldbank.org](mailto:bmatemotja@worldbank.org); [matlab@ledet.gov.za](mailto:matlab@ledet.gov.za); [makalanematlala@yahoo.com](mailto:makalanematlala@yahoo.com); [sidneymathare@webmail.co.za](mailto:sidneymathare@webmail.co.za); [joseph.matlou@gmail.com](mailto:joseph.matlou@gmail.com); [tmbatha@live.co.za](mailto:tmbatha@live.co.za); [andriesmocheko.am@gmail.com](mailto:andriesmocheko.am@gmail.com); [lalane.mojela@yahoo.com](mailto:lalane.mojela@yahoo.com); [lawenna@yahoo.co.uk](mailto:lawenna@yahoo.co.uk); [nmolteno@environment.gov.za](mailto:nmolteno@environment.gov.za); [mmona@environment.gov.za](mailto:mmona@environment.gov.za); [kwenas86@gmail.com](mailto:kwenas86@gmail.com); [moroaswits@ledet.gov.za](mailto:moroaswits@ledet.gov.za); Dovhani Mudzielwana; [edward.munyani@lephalale.gov.za](mailto:edward.munyani@lephalale.gov.za); Lorraine Ndala; [funie.nana@gmail.com](mailto:funie.nana@gmail.com); Ndivhuho Nengobela; Nkhangweleni Nengwenani; [nevondom2@dws.gov.za](mailto:nevondom2@dws.gov.za); [ngoashengtj@ledet.gov.za](mailto:ngoashengtj@ledet.gov.za); [sybilmaud@gmail.com](mailto:sybilmaud@gmail.com); [bobby@groundwork.org.za](mailto:bobby@groundwork.org.za); [tshepo.peele@greenpeace.org](mailto:tshepo.peele@greenpeace.org); [jeannettpelotona@gmail.com](mailto:jeannettpelotona@gmail.com); [pila.joel@yahoo.com](mailto:pila.joel@yahoo.com); [ispretorius@xsinet.co.za](mailto:ispretorius@xsinet.co.za); Florence Radebe; Rosetta Rammutla; [RamolobengP@dwa.gov.za](mailto:RamolobengP@dwa.gov.za); Lebogang Ramono; [ramphagoj@dwa.gov.za](mailto:ramphagoj@dwa.gov.za); [zratshitanga@worldbank.org](mailto:zratshitanga@worldbank.org); [wrikhotso@environment.gov.za](mailto:wrikhotso@environment.gov.za); 'riaan@bathusi.org'; [seanegom@dwa.gov.za](mailto:seanegom@dwa.gov.za); [mseleka@oldmutualpfa.com](mailto:mseleka@oldmutualpfa.com); Patrick Seloba; [maselelamd@gmail.com](mailto:maselelamd@gmail.com); [senganib@dwa.gov.za](mailto:senganib@dwa.gov.za); [mseoposengwe@worldbank.org](mailto:mseoposengwe@worldbank.org); [shibambor@dwa.gov.za](mailto:shibambor@dwa.gov.za); [tsimango@environment.gov.za](mailto:tsimango@environment.gov.za); [jacquess@macgroup.co.za](mailto:jacquess@macgroup.co.za); [msteele@greenpeace.org](mailto:msteele@greenpeace.org); [pgsteen@vodamail.co.za](mailto:pgsteen@vodamail.co.za); [shoan@mweb.co.za](mailto:shoan@mweb.co.za); [tristen@earthlife.org.za](mailto:tristen@earthlife.org.za); [telemn@ledet.gov.za](mailto:telemn@ledet.gov.za); Lufuno Tshidzumba; [vandenbergo@dwa.gov.za](mailto:vandenbergo@dwa.gov.za); [agrilalephalale@vodamail.com](mailto:agrilalephalale@vodamail.com); [hardus@elitemail.co.za](mailto:hardus@elitemail.co.za); [paulv@xsinet.co.za](mailto:paulv@xsinet.co.za); [tanya@counsel.co.za](mailto:tanya@counsel.co.za)

**Cc:** Lebo Petlane; Bongani Dhlamini; Mathys Vosloo

**Subject:** 12949-004-Medupi FGD: EMC Notification DEIR & WML Variation

**Importance:** High

Dear Medupi EMC Stakeholder

## ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LICENCE VARIATION AND WATER USE LICENSE APPLICATION FOR THE PROPOSED RETROFITTING OF A FLUE GAS DESULPHURISATION (FGD) SYSTEM AT MEDUPI POWER STATION, LEPHALALE, LIMPOPO PROVINCE

### • NOTIFICATION OF AVAILABILITY OF DEIR, WML VARIATION APPLICATION AND PUBLIC MEETINGS

This letter serves as notification that the Draft Environmental Impact Report (DEIR) and Waste Management Licence (WML) Variation Application is available for public review and comment as follow:

- DEIR: Monday, 19 February 2018 to Thursday, 05 April 2018
- WML Variation Application: Monday, 05 March 2018 to Monday, 09 April 2018.

Hard copies of the DEIR and WML Variation Application are available at the following public places:

VENUE	CONTACT DETAILS
<b>Printed Copies</b>	
Lephalale Public Library, Civic Center Onverwacht, Cnr Joe Slovo and Douwater Road, Lephalale	Tel.: 014 762 1484 / 1453 / 1518
Marapong Community Library, 916 Phukubye Street, Marapong	Tel.: 073 210 8954
Lesedi Tshukudu Thusong Centre, Steenbokpan	Tel.: 082 927 2399
Agri SA, NTK Building, 1 Jan Louis Botha Avenue, Lephalale	Tel.: 014 763 1888

The DEIR and WML Variation Application are available for download from Zitholele's website ([www.zitholele.co.za/environmental/](http://www.zitholele.co.za/environmental/)) under heading "EIA for Medupi FGD", and is also available on CD on request via email from Zitholele Consulting. The reports are also available on the Eskom website

([http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment\\_Impact\\_Assessments.aspx](http://www.eskom.co.za/OurCompany/SustainableDevelopment/EnvironmentalImpactAssessments/Pages/Environment_Impact_Assessments.aspx)) under the heading “Medupi FGD”.

**Public Meetings** are scheduled to be held as follows:

DATE	TIME	VENUE
Monday, 12 March 2018	11:00 – 13:00 (Registration from 10:30)	Community Hall, Lesedi Tshukudu Thusong Centre, Steenbokpan. Enquiries Cllr Pienaar: 082 927 2399
Monday, 12 March 2018	15:00 – 17:00 (Registration from 14:30)	Ditheku Primary School, 1601 Ramahlody Street, Marapong Ext 2
Tuesday, 13 March 2018	18:00 – 20:00 (Registration from 17h30)	Mogol Golf Club, George Wells St., Onverwacht, Lephalale. Tel: 014 763 2427

Please see the attached notification letter for more details.

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**

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## Mathys Vosloo

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**From:** 12949 - Medupi FGD  
**Sent:** Monday, 07 May 2018 1:06 PM  
**To:** 'matome nare'  
**Subject:** RE: I don't agree with you for our comments

**Importance:** High

Dear Mr. Seanego,

Thank you for your comments as per your email below.

We would just like to point out that a public meeting was scheduled at the Ditheku Primary School in Marapong on Monday, 12 March 2018 from 3pm – 5pm. We were at the venue ready to undertake the presentation, but only 1 stakeholder came to the public meeting. The person requested that the meeting be postponed, however due to the fact that the public meeting was widely advertised through sms and email notifications, informing the councillors in Marapong, putting up notices of the meetings at various locations in Marapong, Steenbokpan and Lephalale, the request could not be granted.

We therefore confirm that the applicant and EIA team was at the venue to present the project. Your email address is captured on our database as representative of the South African National Civic Organisation, therefore we can only assume that you have received the invitation to the public meetings as well as numerous reminders to about the date, time and venue of the public meetings, but refrained from attending the meeting. The Draft Environmental Impact Report (DEIR) has been available for public review and comment at 4 public venues, including the Marapong Community Library from 19 February to 19 April 2018.

Many thanks for your interest in this project.

Kind regards

Dr. Mathys Vosloo

12949 Medupi FGD Retrofit Project: Public Participation Office

Tel: 011 207 2060, Fax: 086 674 6121, E-mail: [fgd@zitholele.co.za](mailto:fgd@zitholele.co.za)

**FOR Zitholele Consulting (Pty) Ltd**

**From:** matome nare [<mailto:matomenare4@gmail.com>]

**Sent:** Thursday, 29 March 2018 4:44 PM

**To:** 12949 - Medupi FGD

**Subject:** I don't agree with you for our comments

Dear sir

We don't understand why we have to waste our time to comment on this Environmental impact assessment waste management, because u have never do your presentation in marapong. we can't comment on this fgd

Kind regards

Mr seanego

Call no: 0762877346

Email : [matomenare4@gmail.com](mailto:matomenare4@gmail.com)



## Nicolene Venter

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**From:** Richard Gardiner <rjgardiner1892@gmail.com>  
**Sent:** 11 November 2014 06:30 AM  
**To:** Nicolene Venter  
**Subject:** Re: Proposed Retrofitting FGD at Medupi Power Station: Owners of

The major investor here is Harry Gardiner. That email address I gave u is his secretary.

On Tue, Nov 11, 2014 at 3:03 AM, Nicolene Venter <[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)> wrote:

Hi Richard,

No problems – can you please provide us with a name / names of the other owners.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

*Senior Public Participation Practitioner*

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** [+27 11 207 2060](tel:+27112072060) **D:** [+27 11 207 2077](tel:+27112072077) **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



*Please consider the environment before printing this e-mail!*



**From:** Richard Gardiner [mailto:[rjgardiner1892@gmail.com](mailto:rjgardiner1892@gmail.com)]  
**Sent:** 10 November 2014 05:13 PM  
**To:** Nicolene Venter  
**Subject:** Re: DSR Comment Period Ending - Proposed Retrofitting FGD at Medupi PS Station

Please can u email all further noticements to the other owners in Johannesburg on the following e-mail. [sales@nordbak.co.za](mailto:sales@nordbak.co.za). Many Thanks

On Mon, Nov 10, 2014 at 4:23 PM, Nicolene Venter <[nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za)> wrote:

Dear Mr Gardiner,

The e-mail notifying registered interested and/or affected parties (I&APs) on the project database was released too early as the notification is to inform I&APs that the review period is ending.

We will be sending the following two e-mail notifications for the Draft Scoping Report (DSR) as follows:

- Friday 28 November 2014
  - Informing I&APs that the DSR review period will be ending soon
- Friday 05 December 2014
  - Informing I&APs that the DSR review period is ending end of business day.

Hope the above-mentioned clarifies the matter.

Kind Regards,

**Nicolene Venter** [Cert. Public Relations]

**Senior Public Participation Practitioner**

Building 1, Maxwell Office Park, Magwa Crescent West, cnr Allandale Road & Maxwell Drive, Waterfall City, Midrand, RSA

**T:** [+27 11 207 2060](tel:+27112072060) **D:** [+27 11 207 2077](tel:+27112072077) **F:** +27 86 676 9950 **C:** +27 83 377 9112

**E:** [nicolenev@zitholele.co.za](mailto:nicolenev@zitholele.co.za) **W:** [www.zitholele.co.za](http://www.zitholele.co.za)



*Please consider the environment before printing this e-mail!*



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**From:** Leoni Lubbe  
**Sent:** 10 November 2014 12:14 PM

To: Nicolene Venter

Subject: FW: DSR Comment Period Ending - Proposed Retrofitting FGD at Medupi PS Station

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From: Richard Gardiner [<mailto:rjgardiner1892@gmail.com>]

Sent: 07 November 2014 02:08 PM

To: Leoni Lubbe

Subject: Re: DSR Comment Period Ending - Proposed Retrofitting FGD at Medupi PS Station

So then when is it supposed to be then if its not 5 Dec....????

On Fri, Nov 7, 2014 at 12:37 PM, Leoni Lubbe <[Leonil@zitholele.co.za](mailto:Leonil@zitholele.co.za)> wrote:

**DEA REF.: 14/12/16/3/3/3/110**

**INTEGRATED ENVIRONMENTAL AUTHORISATION (ENVIRONMENTAL IMPACT ASSESSMENT, WASTE MANAGEMENT LIENCE AND WATER USE LICENSE APPLICATIONS): PROPOSED RETROFITTING OF THE FLUE GAS DESULPHURISATION (FGD) FACILITY AT MEDUPI POWER STATION IN LEPHALALE**

- **Draft Scoping Report (DSR) review period ending**

Dear Stakeholder

Please be informed that the email sent earlier this morning informing you that the review period for the Draft Scoping Report (DSR) is ending Friday, 05 December 2014 was incorrect. We experienced a technical problem with our Database Management programme.

Please accept our apologies for any inconvenience caused by this.

Kind regards

**Nicolene Venter** [Cert. Public Relations]

*Senior Public Participation Practitioner*

Building 1, Maxwell Office Park, Magwa Crescent West, cnr