

DEVELOPMENT OF A WASTE RECOVERY PLANT AT HIGHVELD STEEL NEAR eMALAHLINI, MPUMALANGA PROVINCE (DFFE Ref. no.: 14/12/16/3/3/3/401)

COMMENTS AND RESPONSES REPORT

TABLE OF CONTENT

	PAGE
1. COMMENTS RECEIVED DURING THE EIAR 30-DAY REVIEW PERIOD	1
1.1. Organs of State	1
1.2. Key Stakeholders and Interested & Affected Parties	12
2. COMMENTS RECEIVED ON ACCEPTANCE OF SCOPING	14
1.3. Organs of State	14
3. COMMENTS RECEIVED DURING THE SCOPING REPORT 30-DAY REVIEW PERIOD	22
2.1. Organs of State	22

The EIA process for the Zero Waste Recovery Plant and Associated Infrastructure was announced on Thursday, **12 November 2020**. The Background Information Document, distributed on Thursday, 12 November 2020, served to provide Interested and Affected Parties (I&APs) with information on the project. The notification letter distributed together with the BID invited I&APs to register their interest in the project and to submit any comments/queries regarding the proposed project.

The availability of the Scoping Report for review and comment was included in the announcement letter distributed on Thursday, **12 November 2020** and the Scoping Report was made available for a 30-day review and comment period from **Friday, 13 November 2020** until **Monday, 14 December 2020**. All written comments received to date have been included in this Comments and Responses Report (C&RR), which is included as **Appendix C8** of the Environmental Impact Assessment (EIA) Report.

Comments received during the 30-day review and comment period of the draft EIAR, from **Friday, 16 April 2021** until **Tuesday, 18 May 2021**, have been captured in this C&RR and included in **Appendix C6** of the final EIAR.

All comments captured in this C&RR are verbatim and have not been summarised.

NOTE:

In terms of Regulation 44(1) of the EIA Regulations 2014, as amended, please note that the comments raised and responses provided at the various Focus Group Meetings held during the 30-day review period of the Scoping Report are included in the EIAR as **Appendix C7**. Comments raised and responses that will be provided at the various Focus Group meetings to be held during the 30-day review period of the EIAR will be included as **Appendix C7** of the final EIAR.

LIST OF ABBREVIATIONS / ACRONYMS

C&R	Comments and Response	EIAR	Environmental Impact Assessment Report
C&RR	Comments and Responses Report	I&APs	Interested and Affected Parties
COGTA	Co-Operative Governance and Traditional Affairs	NEMA	National Environmental Management Act
DFFE	Department of Environment, Forestry and Fisheries	SAHRA	South African Heritage Resources Agency
DPWR&T	Department of Public Works, Roads & Transport	SAHRIS	South African Heritage Resources Information System
DWS	Department of Water and Sanitation	SANRAL	South African National Roads Agency Limited
EIA	Environmental Impact Assessment		

1. COMMENTS RECEIVED DURING THE EIAr 30-DAY REVIEW PERIOD

1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>Your wayleave application with DFFE reference number 14/12/16/3/3/2/401 dated 14 April 2021 has reference.</p> <p>Transnet pipeline servitudes are not affected by the proposed work/installations/excavations/connections/construction/road upgrade/development/etc as depicted on your Locality and/or Project/Site Layout Plans. This wayleave authorisation is valid for thirty-six (36) months from today's date – 15 April 2021.</p>	<p>Thami Hadebe TRANSNET</p> <p>E-mail: 15 April 2021</p>	<p>Transnet's comment that the Transnet pipeline servitudes are not affected by the proposed development, and that the wayleave authorisation with DFFE reference number 14/12/16/3/3/2/401 is valid for thirty-six months (36) from 15 April 2021 is duly noted. No further action is required.</p>
2.	<p>Due to limit working hours, working from home & limited internet access, electronic copies of applications will no longer be accepted.</p> <p>Can you please hand deliver the documentation (CD) via Courier to 38 Ida street, Menlo Park, Pretoria, 0081, or post to SANRAL's offices?</p>	<p>Ria Barkhuizen SANRAL</p> <p>E-mail: 20 April 2021</p>	<p>Hard copies of the EIAr and Appendices, as requested by the Stakeholder, were sent via courier to the Stakeholder on 29 April 2021 (refer to Appendix C4 of the final EIAr).</p>
3.	<p>We are at this stage unable to give comprehensive comments as we do not know as yet what the final route of the above will be.</p> <p>We shall be able to give our comments after or towards the finalization of your E.I.A., which will be on all affected Provincial Roads under the jurisdiction of Mpumalanga Department of Public Works, Roads and Transport.</p>	<p>MJ Mojapelo Case Officer Mpumalanga Public Works, Roads & Transport</p> <p>Letter: 03 May 2021</p>	<p>The Mpumalanga Department of Public Works, Roads and Transport's comments are noted by the EAP. It should be noted that the proposed project entails the development of a zero waste recovery plant and associated infrastructure, which is not a form of linear infrastructure. Information regarding the road that will be utilised to access the site has been included under Chapter 2, Table 2.1 of the EIAr.</p>
4.	<p>1. Sanitation: it is mentioned on page 28 that sanitation waste generated in septic tanks system will be emptied as required by a licensed service provider for disposal.</p>	<p>BN Mnguni Case Officer DHSWS</p>	<p>Mitigation measures for handling and managing waste (including sanitation waste) have been included in the EMPr under Objective 8 of the construction management programme. No surface water resources occur within the proposed development area/footprint.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>In light of the above, the applicant shall take reasonable measures to prevent the potential pollution of the ground and surface water resources due to the proposed onsite sanitation facilities.</p>	<p>Letter: 11 May 2021</p>	
<p>2. Waste: It is mentioned on page 28 that service agreement for waste has been entered into with Highveld Steel in terms of the lease agreement. The applicant shall ensure that the general and hazardous waste generated on site is separated and disposed in such a manner as not to cause any nuisance conditions or secondary pollution.</p> <p>The applicant shall ensure that no stock piling of any material shall take place within 100 m from the watercourse owing to high sedimentation.</p>	<p>Mitigation measures for handling and managing waste (including sanitation waste) have been included in the EMPr under Objective 8 of the construction management programme. No surface water resources occur within the proposed development area/footprint, and therefore, the development area is not located within 100m from any watercourse.</p>		
<p>3. Stormwater Management: Stormwater management plan must be implemented to prevent pollution on run-off. The applicant must ensure that stormwater is diverted away from all the working areas and the stormwater leaving the construction areas must not be contaminated by any substance, whether that substance is a solid, liquid, vapour or any combination thereof. The soil must be stabilised in order to prevent the resulting wash downs into any water resource and where possible rehabilitation of the disturbed areas must be done concurrently with the construction activity</p>	<p>A mitigation action recommending that the appointed contractor compile a comprehensive stormwater management plan, in conjunction with Highveld Industrial Park, for implementation during the construction and operation of the zero waste recovery plant has been included in the EMPr (refer to Objective 1 under the planning and design management programme). Once developed, this plan will address the exact stormwater practices on site, including considering contaminated substances and soil stabilisation.</p>		
<p>4. Page 28, it is mentioned that all storage areas for dangerous goods will be bunded.</p> <p>In light of the above, the applicant shall ensure that the storage areas for these dangerous goods shall be bunded with cement and in such a manner that any spillages can</p>	<p>Mitigation measures relating to the storage of dangerous goods have been included in the EMPr (refer to Objective 7 under the construction management programme and Objective 4 under the operation and maintenance management programme). The mitigation measures state the storage areas for hazardous substances must be appropriately sealed and bunded. The applicant is aware that it is their responsibility to ensure that</p>		

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	<p>be contained and reclaimed without causing any pollution to the ground and surface water resources.</p> <p>5. The Department has noted that on page 69, it is mentioned that no section 21 water uses in terms of the National Water Act, 1998 (Act No. 36 of 1998) have been triggered by the proposed project. Should any 21 water uses be triggered, the project proponent would need to apply for a Water Use Licence or register for a General Authorisation with the Department of Water and Sanitation. Furthermore, on page 28, it is mentioned that service agreement for water has been entered into with Highveld Steel in terms of the lease agreement.</p> <p>6. The Applicant is referred to Section 19(1) of the National Water Act, 1998 (Act No. 36 of 1998), and to report any pollution incidents originating from the proposed project to the Regional Office of the Department of Water and Sanitation within 24 hours.</p>		<p>storage areas are bunded as per the mitigation actions provided in the EMPr.</p> <p>The EAP acknowledges the comment from the DHSWS. No further action is required.</p> <p>The applicant is aware that It is their responsibility to report any pollution incidents originating from the proposed project to the Regional Office of the Department of Water and Sanitation. The EMPr also states that the applicant must establish an incident reporting system.</p>
5.	<p>The Application for Environmental Authorisation and Draft Environmental Impact Assessment Report (EIAR) received by the Department on 20 November 2020 and 16 April 2021, respectively refer.</p> <p>This letter serves to inform you that the following information must be included in the final EIAR:</p> <p>a) Listed Activities</p> <ul style="list-style-type: none"> • Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed. • If the activities applied for in the application form differ from those mentioned in the final EIAR, an amended application form must be submitted. Please note that 	<p>Lunga Dlova Case Officer DFFE</p> <p>Letter: 18 May 2021</p>	<p>All relevant listed activities have been applied for (refer to Chapter 5, Table 5.5.1 of the EIAR). The listed activities mentioned in the final EIAR are the same as those applied for in the application form.</p>

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	<p>the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms</p> <ul style="list-style-type: none"> It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. 		<p>No activities under Listing Notice 3 (GN R.985) are triggered by the proposed development. The project site falls within the Mpumalanga Province. The relevant provincial authorities (eMalahleni Local Municipality, Nkangala District Municipality and the Mpumalanga Department of Agriculture, Rural Development and Land Reform) were continuously involved throughout the environmental impact assessment process and were notified of the process and project details through:</p> <ul style="list-style-type: none"> » Distribution of EIA process notification letters (during the Scoping and EIA Phases) and background information documents; » Virtual meetings through the use of virtual platforms (during the Scoping and EIA Phases); and » On-going consulting (i.e. telephone liaison and email communication). <p>A locality map of the proposed development site has been included as Appendix G of the final EIAR.</p>
	<p>b) Air Quality</p> <ul style="list-style-type: none"> The project area is located within the footprint demarcated as the Highveld Priority Area (HPA), therefore the applicant will have to comply with all requirements, such as emission reduction strategies and intervention programmes to improve air quality in HPA. 		<p>The EAP acknowledges the comment from the DFFE. The applicant is aware that it is their responsibility to comply with requirements such as emission reduction strategies and intervention programmes during the operational phase of the plant, to improve air quality in the Highveld Priority Area. An Atmospheric Emissions Licence (AEL) application process will be initiated following issuance of the Environmental Authorisation (EA) for the project towards licencing of the project under the NEM:AQA, which will inter alia, include consideration of the HPA conditions and requirements.</p>
	<ul style="list-style-type: none"> The incremental and cumulative potential impact associated with the operation phase of the Zero-Waste Recovery plant must apply all mitigation measures as indicated in Table 25 of the Air Impact Report (AIR). 		<p>In response to the DFFE's comment, the Air Quality Impact Assessment Report has been revised to reflect that the incremental and cumulative potential impact associated with the operation of the Zero-Waste Recovery plant must apply all mitigation measures as indicated on Table 25 of the Air</p>

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	<ul style="list-style-type: none"> • And incremental and cumulative potential impact associated with the construction and decommissioning of the Zero-Waste Recovery plant to apply all mitigation measures as indicated in Table 27 & 28 of the AIR. • It is required that after the issuance of the Environmental Authorisation, the facility must apply for and be in possession of a Provisional Atmospheric Emission Licence (PAEL) issued by the Minister for Forestry, Fisheries & the Environment for all proposed activities that are listed in terms of Section 21 of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004) before operation. • The PAEL application must be submitted on the online application system, the South African Atmospheric Emission Licencing & Inventory Portal (SAELIP). • It is therefore recommended the best available technologies be employed to mitigate point source and fugitive particulate emissions. • A Revised Specialist Air Quality Impact Assessment Report (or AIR) that addresses the issues raised above must be submitted in support of the PAEL application 		<p>Quality Impact Assessment Report submitted as part of the draft EIA submission.</p> <p>In response to the DFFE's comment, the Air Quality Impact Assessment Report has been revised to reflect that the incremental and cumulative potential impact associated with the construction and decommissioning of the Zero-Waste Recovery plant must apply all mitigation measures as indicated on Table 27 and 28 of the Air Quality Impact Assessment Report submitted as part of the draft EIA submission.</p> <p>The Atmospheric Emission Licence (AEL) application process will be initiated following issuance of the Environmental Authorisation (EA). The Atmospheric Impact Report (AIR) to accompany the AEL application submission was subjected to a 30-day review and comment period from 16 April 2021 to 18 May 2021 as part of the EIA Report. Once issued, the EA, together with the AIR, will be submitted to the Nkangala District Municipality in support of the PAEL application.</p> <p>The PAEL application will be submitted on the online application system, the South African Atmospheric Emission Licencing & Inventory Portal (SAELIP).</p> <p>The following emission control technologies are proposed for the plant:</p> <ul style="list-style-type: none"> » Baghouse system for dust extraction at hoppers, silos and bulk material transfer points; » Off-gas scrubber mainly for the kiln process; and » General Scrubbers for other smaller amounts of gasses from selected processes like calcining. <p>Where additional measures are required these will be stipulated by the PAEL (should one be issued for the project) and made binding on the proponent and contractors.</p> <p>The Air Quality Impact Assessment Report submitted as part of the draft EIA submission (compiled in accordance with the reporting requirements for an AIR) has been revised to address the issues raised in this correspondence</p>

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	<ul style="list-style-type: none"> • It is recommended that the above inputs be taken into account during the final phase of the EIA process, or during finalisation of the application. <p>Should these issues not be addressed during EIA process, the applicant will be expected to address these issues fully during the PAEL application process.</p> <ul style="list-style-type: none"> • Approval of EIA process with air quality issues addressed shouldn't be misconstrued as automatic satisfaction of PAEL process. The Department also reserves the right to make more findings in the PAEL application and attachment thereof. <p>c) Licensing</p> <ul style="list-style-type: none"> • The applicant had applied for activities in terms of the National Environmental Management: Waste Act, 2008 and the Environmental Impact Regulations, 2014 for Government Notice 921, Category B3, B4 and B10. • The applicant may continue with the process of drafting and following the Environmental Impact Regulations (EIR). <p>d) Public Participation Process</p> <ul style="list-style-type: none"> • The following information must be submitted with the final EIAr: <ul style="list-style-type: none"> a) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended; b) Copies of all comments received during the draft EIAr comment period; and 		<p>(refer to Appendix D of the EIAr for the revised report) and will be submitted in support of the PAEL application.</p> <p>The inputs provided by the Department in this correspondence were considered in finalising the EIAr and associated appendices.</p> <p>The Department's comment that approval of the EIA process, with air quality issues addressed, should not be misconstrued as automatic satisfaction of the PAEL process is duly noted. No further action is required.</p> <p>The Department's comment that the applicant may continue with the process of drafting and following the Environmental Impact Regulations is noted.</p> <p>Appendix C1 contains a list of the registered I&APs, which is in compliance with Regulation 42 of the NEMA EIA Regulations, 2014, as amended.</p> <p>Written comments received on the draft EIAr that was made available for the legislated 30-day review and comment period are included in Appendix C6 of the final EIAr and have been responded to as appropriate within the C&RR.</p>

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	<p>c) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft EIAr. Please note that comments received from this Department must also form part of the comment and response report.</p> <ul style="list-style-type: none"> • Please ensure that all issues raised and comments received during the circulation of the draft EIAr from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section (including the following Department's Directorate; Air Quality Management, Waste Licensing and/or Biodiversity) in respect of the proposed activity are adequately addressed in the final EIAr. • Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended. 		<p>Confirmation of telephonic comments submitted have been captured in this C&RR and have been responded to via email (refer to point 1.2).</p> <p>A C&RR, which contains comments received and responses provided to all comments and issues raised during the public participation process for the draft EIAr has been prepared and appended to the final EIAr as Appendix C8.</p> <p>Comments received have been captured verbatim and have not been summarised. Appropriate responses have been provided for all comments.</p> <p>The team received confirmation from the DFFE: Directorate Biodiversity Conservation that no written comments will be submitted as a biodiversity study was not conducted for this application as the development site is located within a broader industrialised site which is already disturbed (refer to Appendix C6 of the final EIAr).</p> <p>No comments were received from the DFFE Directorates Air Quality Management and Waste Licensing.</p> <p>Proof of correspondence with the various Organs of State, key stakeholders and I&APs on the project database is included in Appendices C4 and C5 of the final EIAr. Proof of attempts to obtain comments from these stakeholders are included in Appendices C4 and C5 of the final EIAr.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C9).</p> <p>Scoping Phase</p>

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			<p>I&APs and Organs of State were notified of the commencement of the EIA process and the availability of the Scoping Report as follows:</p> <ul style="list-style-type: none"> » The commencement of the EIA process was announced via email to those I&APs identified and the relevant Organs of State on 12 November 2020 (refer to Appendices C4 & C5 of the EIAr); » I&APs and Organs of State were notified of the availability of the Scoping Report in the EIA process announcement letter dated 12 November 2020; and » An advertisement was placed in the Witbank News newspaper on 13 November 2020 (tearsheet included in Appendix C2 of the EIAr). <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 13 November 2020 until Monday, 14 December 2020. A virtual Focus Group Meeting was held during the 30-day review and comment period on 11 December 2020 to which various Organs of State and key stakeholders were invited. Notes of the meeting are included in Appendix C7 of EIAr.</p> <p>The Scoping Report was made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the EIAr.</p> <p><u>Impact Phase</u></p> <p>The EIAr has been made available for a 30-day review and comment period from Friday, 16 April 2021 until Tuesday, 18 May 2021 and I&APs and Organs of State on the project database (refer to Appendix C1 of the EIAr) were notified of the availability of the EIAr as follows:</p> <ul style="list-style-type: none"> • Notification letter sent on 14 April 2021;

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			<ul style="list-style-type: none"> • An advertisement was placed in the Witbank News newspaper on 16 April 2021 (tearsheet (proof of advert) included in Appendix C2 of the final EIAr); • Two radio announcements were done on <u>Moutse Community Radio</u> on 19 April 2021 in which the review period was announced and on 10 May 2021 reminding community members that the 30-day review and comment period of the draft EIAr is ending soon (refer to Appendix C2 of the final EIAr for the signed log sheets received from the broadcasting company). • The EIAr has been made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request. <p>Virtual Focus Group Meetings have been held with various authorities and key stakeholders during the 30-day review and comment period of the EIAr and minutes of these meetings are included in Appendix C7 of the final EIAr.</p>
	<p>e) Environmental Management Programme</p> <ul style="list-style-type: none"> • The EMPr must also include the following: <ul style="list-style-type: none"> ○ All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted. 		<p>The Environmental Management Programme (EMPr) includes all recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.</p>
	<ul style="list-style-type: none"> ○ An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. 		<p>A map indicating the final preferred layout overlain by the environmental sensitivities for the project site has been included as Figure 2.1 in the EMPr.</p>
	<ul style="list-style-type: none"> ○ Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants. 		<p>No hydrological features occur within the 4ha development area to be cleared for the establishment of the zero waste recovery plant and associated infrastructure as indicated on the environmental sensitivity map included as Figure 2.1 in the EMPr. Measures to protect hydrological features have been included under Objective 7 of the EMPr, under the Construction management programme.</p>
	<ul style="list-style-type: none"> • In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations, 2014, as amended. 		<p>The EMPr has been compiled in accordance with Appendix 4 of the EIA Regulations, 2014 (as amended).</p>

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	<p>f) General The EIA must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.</p> <p>Please also ensure that the final EIA includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.</p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p> <p>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.</p>		<p>Technical details for the proposed project, as well as their description and/or dimensions have been included within Chapter 2 of the EIA (refer to Table 2.1)</p> <p>The period for which the EA is required to remain valid is 10 years from the date of authorisation, with a period of 5 years for the design, planning, construction and commissioning of the activity. The period for which the EA is required, and the date on which the activity will be concluded are provided under Section 8.5 of the EIA.</p> <p>The Department's comment that failure to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, will result in lapsing of the application is noted. The final EIA is being submitted within the legislated timeframe as per Regulation 23.</p> <p>The applicant is aware that no activity may commence prior to an EA being granted by the Department.</p>
6.	<p><u>Footnote 1:</u> A sale process is underway to transfer the property to Highveld Industrial Park (Pty) Ltd</p> <p><u>Footnote 2:</u> A property subdivision and consolidation process is underway and almost finalised. Once finalised, a sale process will transfer the property to Highveld Industrial Park (Pty) Ltd. This is expected to take place within the 2 quarter of 2021.</p> <p><u>Table 1.1:</u> I have had a discussion with Andrea on this again. Although the process of subdivision and consolidation is underway and almost finalised, the HIP property description is not yet on the Windeed search tool. This may make it a bit difficult for the authorities to locate the property names. I wonder if it would</p>	<p>Thia Oberholzer Manager: SHEQ Highveld Industrial Park</p> <p>E-mail: 19 May 2021</p>	<p>These comments have been considered and incorporated into the final EIA and EMP.</p>

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	<p>not be a good idea to include the current Windeed property description - Portion 48 of the farm Elandsfontein 309 JS - and associated SG code - T0JS0000000030900048 - as reference.</p> <p><u>Footnote 4:</u> Same as note for Table 1.1.</p> <p><u>Table 2.1:</u> Same as note for Table 1.1.</p> <p><u>Footnotes 9, 11, 14:</u> I have had a discussion with Andrea on this again. Although the process of subdivision and consolidation is underway and almost finalised, the HIP property description is not yet on the Windeed search tool. this may make it a bit difficult for the authorities to locate the property names. I wonder if it would not be a good idea to include the current Windeed property description - Portion 48 of the farm Elandsfontein 309 JS - and associated SG code - T0JS0000000030900048 - as reference.</p> <p><u>Footnote 13:</u> Portion of portion 48 of the farm Elandsfontein 309 JS, currently included in a consolidation process to be consolidated to.</p> <p><i>I have had a discussion with Andrea on this again. Although the process of subdivision and consolidation is underway and almost finalised, the HIP property description is not yet on the Windeed search tool. this may make it a bit difficult for the authorities to locate the property names. I wonder if it would not be a good idea to include the current Windeed property description - Portion 48 of the farm Elandsfontein 309 JS - and associated SG code - T0JS0000000030900048 - as reference.</i></p> <p>Comments submitted as 'comments' in EIAR</p>		
	<p>Another thing I was thinking of this morning is the possible need for a stormwater management plan on the area. I did not pick</p>	<p>E-mail: 20 May 2021</p>	<p>The EMPr has been updated to include mitigation action for stormwater management (refer to Objective 1 of the EMPr, under the planning and</p>

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	much up about the stormwater management on the planned area in the EIA. Highveld does have authorised S21g water uses which currently take on our stormwater from the site. I believe the integration into the system, considering the paving and hardstanding requirements of the development, should be considered in as surface water management plan for the area. Would like to get your thoughts on this as well.		design management programme). This action requires the development of a stormwater management plan prior to construction, in conjunction with the lessee of the site, to ensure integration of stormwater management during construction and operation.

1.2. Key Stakeholders and Interested & Affected Parties

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1.	Can you please make all documentation available for review over dropbox.	Jurie Snyman Brokker (Pty) Ltd E-mail: 15 April 2021	The Report and appendices were sent via WeTransfer on 16 April 2021, but was not downloaded by the IA&P (refer to Appendix CXX of the final EIAR).
2.	Which slag is being used (i.e. what source)? Is the alchemy site being used? What is the process utilised?	Cezanne Jevon Financial Manager Brokker (Pty) Ltd Telephone Discussion: 19 April 2021	The developer currently envisages using the existing slag stockpiles (specifically Elkem) within the Highveld steel complex, with potential for future import of slag via railway siding from other areas of slag production. Commercial sensitivities exist around the intellectual property of the exact chemical process, however, please see below the description of the general process as detailed in the EIA. The technology developed includes the following approximate process: <ul style="list-style-type: none"> » Crushing and milling of titanium dioxide (TiO₂) slag to the appropriate size for further treatment. » Magnetic separation of entrained metallic iron from the crushed slag, which is used to separate ferroalloy production process. » Alkali roasting of the remaining feedstock using a gas fired kiln. Off-gases from the kiln is a combination of mainly carbon monoxide (CO), and carbon dioxide and, a very small concentration of sulphur dioxide. These

NO.	COMMENT	RAISED BY	RESPONSE
			<p>off gases are passed through the off-gas scrubber to remove SO₂ and the remaining CO₂ and CO is reused in the kiln to supply part of the required heat.</p> <ul style="list-style-type: none"> » The material produced during alkali roasting from the kiln is then leached in water to dissolve vanadium and alumina. » A further process produces vanadium pentoxide and recovers aluminium oxide from the leached products in the steps above. » The remaining solid or residue after extracting vanadium is treated via leaching and curing sulphuric acid. The SO₂ gases or fumes given out during leaching or roasting are scrubbed off. » Iron, magnesium and TiO₂ are recovered from solution via precipitation steps. » Precipitated TiO₂ is heated to remove water. » The leach solution is neutralised with lime to form calcium sulphate and respective sulphates. The mixture of sulphates is heated in the furnace to produce sulphuric acid which is then used in the leaching step. The solid material after heating in the furnace is mainly calcium silicate which is used for cement production and construction. » The remaining material after leaching of titanium, magnesium, aluminium oxide etc is mainly silica sand which is also used for construction. Metals may also be produced from the precipitation processes above, intended for third party resale. <p>This process therefore recovers vanadium and titanium oxide from slag materials, with water, carbon monoxide and carbon dioxide, gypsum, various metals and synthetic rutile produced at the various stages. These materials are all useful in other processes and are planned to be collected and sold to third parties. The process itself therefore results in no further waste production, while simultaneously utilising a common waste type – i.e. slag.</p>
	<p>What type of slag is being utilised?</p>		<p>Titanium dioxide (TiO₂) slag.</p>
	<p>Gypsum is a by-product of your process, who is this being sold to? There are business synergies to be had so would like to get</p>		<p>Contact details of Anette Pocock, who is the primary contact on the proponent's side. Were provided. Any potential sale of materials from the</p>

NO.	COMMENT	RAISED BY	RESPONSE
	in touch with the proponent for a discussion around the sale of this.		process can be discussed with her, as this request would not be related to the EIA process.\

2. COMMENTS RECEIVED ON ACCEPTANCE OF SCOPING

1.3. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
3.	<p>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, 2014, as amended.</p> <p><u>In addition, the following amendments and additional information are required for the EIAR:</u></p> <p>a) Air Quality</p> <p>i. Atmospheric Emission License —</p> <p>» According to the information provided the Atmospheric Emission License will be a new licence for the facility, which must comply with new plant Minimum Emission Standards (MESs) as per AQA for facilities operating in Air Priority Areas.</p> <p>» Kindly note that these are the preliminary findings, based on the information provided. Therefore, the facility will have an opportunity to make representations on the AEL type during processing of the AEL application.</p> <p>ii. Air Quality Dispersion Modelling -</p> <p>» Air dispersion modelling exercise must be done in accordance with the Regulations regarding Air</p>	<p>Lunga Dlova Case Officer DFFE</p> <p>Letter: 18 February 2021</p>	<p>The EAP acknowledges the comment from the DFFE. The Zero Waste Recovery Plant will be designed to comply with Subcategory 4.20 Minimum Emission Standards.</p> <p>Air dispersion modelling has been conducted and is included in the Atmospheric Impact Report (refer to Appendix D of the EIAR). The Regulations regarding Air Quality Dispersion Modelling (Gazette No 37804 published 11 July 2014) (DEA, 2014) was referenced for the dispersion model selection.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>Dispersion Modelling — Regulations No.533 of 11 July 2014, issued in terms of the NEM: AQA,</p> <ul style="list-style-type: none"> » The dispersion modelling can provide reliable information, if for example, the 1st case considers baseline for all current emitters in the surrounding environment (excluding proposed development); the 2nd case considers the proposed development in isolation of the current emitters; and the 3rd case to combine the baseline plus proposed development (cumulative). The study should have more noticeable impacts. 		<p>Three levels of assessments are defined in the Regulations regarding Air Dispersion Modelling, namely, Level 1, Level 2 and Level 3. A Level 2 assessment was considered to be suitable for the Fodere Titanium Zero Waste Recovery Solution Project. For this study, the AERMOD model was selected on the basis that this Gaussian plume model is well suited to simulate dispersion where transport distances are likely to be less than 50km.</p> <p>As per this requirement, the dispersion modelling considered baseline air quality monitoring data measured at the SAWS managed eMalahleni station (located approximately 12.3 km northeast of the proposed project location). The dispersion modelling also considered the proposed development in isolation of the current emitters as expected routine emissions from the Zero Waste Recovery Plant were simulated. The baseline pollutant concentrations, together with the simulated concentrations, were used to assess the cumulative impacts from the Zero Waste Recovery Plant.</p>
	<p>iii. Emission Control Technology -</p> <ul style="list-style-type: none"> » Detailed information on air pollution abatement equipment to be used in order to comply, including its performance, efficiency, availability and the expected emission concentration in mg/Nm³ (under normal condition of 273K, 101.3kPa, dry gas) for pollutants such as NO_x, PM, SO₂, and some metals, depending on reactions in terms of Section 21 of NEM: AQA (Act 39 of 2004) listed activities. 		<p>The following emission control technologies are proposed for the plant:</p> <ul style="list-style-type: none"> » Baghouse system for dust extraction at hoppers, silos and bulk material transfer points; » Off-gas scrubber mainly for the kiln process; and » General Scrubbers for other smaller amounts of gasses from selected processes like calcining.
	<p>iv. Health Impact Assessment (Sensitive Receptor focussed) -</p> <ul style="list-style-type: none"> » The Health Impact Assessment must be conducted and amongst others must provide of the details: <ul style="list-style-type: none"> o Methodology; o Exposure assessment, and o Dose exposure assessment. 		<p>The Atmospheric Impact Report (Appendix D of the EIAR) includes a section on the analysis of the emissions' impact on human health (Section 7.1 of the Air Quality Impact Assessment). As per this requirement, the health impact assessment provides details of the methodology used, an exposure assessment and a dose exposure assessment.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>v. Compliance –</p> <ul style="list-style-type: none"> » Dust emission is anticipated from both the liner and area source, as such the facility should commit to control of dust in terms of section 32(1); (b) and (c) of the National Environmental Management: Air Quality Act, 2004 (Act No.39 of 2004) and the National Dust Control Regulations of 2013. 		<p>Mitigation measures to control dust during the construction and operational phases are included in the Atmospheric Impact Report (Appendix D of the EIAR) and the EMPr (Appendix K of the EIAR).</p>
	<ul style="list-style-type: none"> » It is recommended that a Fugitive Emission Management Plan for the anticipated fugitive emissions that might occur onsite must be developed. 		<p>A Fugitive Emission Management Plan will be developed for the plant, as recommended in the Atmospheric Impact Report (Appendix D of the EIAR). As recommended, the plan must include, <i>inter alia</i>, the following mitigation measures:</p> <ul style="list-style-type: none"> » Paving of all on-site roads. While the surface moisture content of unpaved roads can be increased with water bowsers, it is much easier to control the silt loading on paved roads; » Regular sweeping of on-site paved roads to reduce silt loading on the road surface, higher silt loading results in higher vehicle entrainment emissions; » Clean-up of all spillages to avoid re-entrainment by vehicles; » Implementation of strict on site speed limits; » Mitigation of crushing plant emissions. The design of the plant includes dust extraction and abatement with a bag house; and » Control of dust emissions from stockpiles during periods of high wind speeds, either by increasing moisture content of material with water sprays, or by decreasing wind speeds using enclosures or bund walls.
	<p>Public Participation</p> <ul style="list-style-type: none"> » Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the provincial Department of Agriculture, SANRAL, eMalahleni Local Municipality, the Nkangala District Municipality, the Department of Water 		<p>Comments received to date have been included in Appendix C6 of the EIAR, captured in this C&RR, and have been responded to as far as possible.</p> <p>The C&RR will be updated with comments received during the EIAR 30-day review and comment period from all stakeholders, including those listed by the DFFE, and responded to as applicable.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Mineral Resources, the Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs, the Department of Rural Development and Land Reform, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation should be submitted via E-mail: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.</p>		
»	<p>Public participation process should be carried out in compliance with section 57 (1) (2) (3) (4) of the act.</p>		<p>Section 57 of the National Environment Management: Air Quality Act 39 of 2004 is applicable to the MEC's exercising powers and not to application processes. The AEL application process has not been initiated. However, as per Section 38(3) of the Act, relevant organs of state, interested and affected parties and the public have been notified of the applicant's intent to apply for an AEL. The public participation process for this project is being undertaken in accordance with Chapter 6 of the NEMA 2014 EIA Regulations, as amended and Section 38 (3) of NEM: AQA.</p>
»	<p>It is also advised that the complaints register at the local authority be perused for any air quality related complaints in the vicinity of the proposed project.</p>		<p>The complaints register at the local authority will be perused for air quality related complaints in the vicinity of the proposed project. The Atmospheric Emissions Licence process will be followed and the local air quality official at the local authority will be contacted as part of the pre-application process for the AEL once the process commences.</p>
»	<p>The public participation process documents related to Air Quality for review and queries should be submitted to the Directorate: Climate Change & Air Quality Management, Email: Mltqobob@environment.gov.za for attention of Mr Mthobisi Ngcobo.</p>		<p>The DFEE's Directorate: Climate Change & Air Quality is a stakeholder on the project database and will be requested, in writing, to comment on the EIAR and the AIR which is included as Appendix D of the EIAR.</p>
»	<p>Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAR. Proof of correspondence with</p>		<p>All comments received during the circulation of the draft SR have been captured and addressed in this C&RR. All comments received from the various stakeholders on the draft EIAR will be included in Appendix C6 of the final EIAR, and will be addressed as required.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p>		<p>Proof of informing the various stakeholders on the project database is included in Appendices C4 and C5 of the EIAR and proof of attempts to obtain comments from these stakeholders will be included in Appendices C4 and C5 of the final EIAR.</p>
»	<p>A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.</p>		<p>The C&RR, with comments received to date on the project, is appended to the EIAR as Appendix C8 and will be updated with all written comments received from stakeholders and I&APs during the 30-day review and comment period of the draft EIAR, and submitted with the final EIAR.</p> <p>Comments received to date have been captured verbatim and have not been summarised. Appropriate responses have been provided for all comments.</p>
»	<p>Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually</p>		<p>Comments received from I&APs to date have not been split and arranged in categories, and comments from each submission have been responded to individually, and not collectively.</p>
»	<p>The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.</p>		<p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C9).</p> <p>Scoping Phase</p> <p>I&APs and Organs of State were notified of the commencement of the EIA process and the availability of the Scoping Report as follows:</p> <ul style="list-style-type: none"> » The commencement of the EIA process was announced via email to those I&APs identified and the relevant Organs of State on 12 November 2020 (refer to Appendices C4 & C5 of the EIAR); » I&APs and Organs of State were notified of the availability of the Scoping Report in the EIA process announcement letter dated 12 November 2020; and

NO.	COMMENT	RAISED BY	RESPONSE
			<p>» An advertisement was placed in the Witbank News newspaper on 13 November 2020 (tearsheet included in Appendix C2 of the EIAr).</p> <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 13 November 2020 until Monday, 14 December 2020. A virtual Focus Group Meeting was held during the 30-day review and comment period on 11 December 2020 to which various Organs of State and key stakeholders were invited. Notes of the meeting are included in Appendix C7 of EIAr.</p> <p>The Scoping Report was made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the EIAr.</p> <p><u>Impact Phase</u></p> <p>The EIAr has been made available for a 30-day review and comment period from Friday, 16 April 2021 until Tuesday, 18 May 2021 and I&APs and Organs of State on the project database (refer to Appendix C1 of the EIAr) were notified of the availability of the EIAr as follows:</p> <ul style="list-style-type: none"> • Notification letter sent on 14 April 2021; • An advertisement was placed in the Witbank News newspaper on 16 April 2021 (tearsheet to be included in the final EIAr); • A radio announcement will be done to announce the availability of the EIAr for review and comment and a second liveread will be done reminding I&APs of the review period ending soon. • The EIAR has been made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request The EIAr

NO.	COMMENT	RAISED BY	RESPONSE
			Virtual Focus Group Meeting will be held with authorities, key stakeholders and interest groups during the 30-day review and comment period of the EIAr.
	» The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.		The Department will be contacted to secure a suitable date and time for a site inspection prior to the submission of the final EIAr.
	<p>General</p> <p>i. The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under Annexure 2 below.</p>		The minimum information required as listed in Annexure 2 of the Scoping Acceptance dated 18 February 2021 is applicable to a solar PV project. The proposed project is a zero waste recovery plant. The technical details for the proposed facility, as well as their description and/or dimensions are provided in table format under Chapter 2 of the EIAr, Table 2.1 .
	ii. Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.		As detailed in Section 9 of the Environmental Management Programme (Appendix K of the EIAr) the lifespan of the proposed facility will depend on the availability of the slag resource, which is currently envisaged to be approximately 25 years and potentially longer. Equipment associated with this facility would only be decommissioned once it has reached the end of its economic life or if it is no longer required. An assessment will be undertaken prior to the end of the lifecycle of the plant to determine whether the plant should be decommissioned or whether the operation of the plant should continue.
	iii. Should a Water Use License be required, proof of application for a license needs to be submitted.		No Section 21 water uses have been triggered by the proposed project, and therefore, a Water Use License is not required.
	iv. The EAP must provide landowner consent for all farm portions affected by the proposed project, whether the project component is linear or not, i.e. all farm portions where the Zero Waste Recovery Plant and associated infrastructure is to be located.		Landowner consent for the farm portion affected by the proposed project (Remaining Extent of the Farm Highveld Industrial Park No. 1230 JS) has been included as Appendix L to the EIAr.
	v. A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAr.		A construction and operational phase EMP that includes mitigation and monitoring measures has been included as Appendix K to the EIAr. The EMP will be updated following the 30-day draft EIAr comment and review period (if necessary), and submitted with the final EIAr.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.</p> <p>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.</p>		<p>The EAP acknowledges the comment from the DFFE. Acceptance of the scoping report by the competent authority was received on 18 February 2021. The EIA is being submitted within the prescribed timeframe (106 days) in terms of Regulation 23 of the NEMA EIA 2014 Regulations, as amended.</p> <p>The applicant is aware that it is the responsibility of the EA holder to ensure that none of the activities commence prior to issuing of the integrated EA.</p>

3. COMMENTS RECEIVED DURING THE SCOPING REPORT 30-DAY REVIEW PERIOD

2.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
4.	Thank you for notifying SAHRA of the proposed development, SAHRA does not accepted mailed or emailed applications for comment or decision making since 2013. In order to receive comments from SAHRA, please create a case on our online platform called SAHRIS: https://sahris.sahra.org.za/ . Here, you can then submit all relevant documentation related to an EA application (for comments in terms of section 38(8)) or for decision in terms of section 38(1) application.	Nokuhanya Khumalo Case Officer SAHRA E-mail: 17 November 2020	The Scoping Report and appendices were uploaded onto SAHRIS (CaseID 15808) on 18 November 2020.
5.	This email is an acknowledgement of receipt for your enquiry. Please note that your enquiry will be evaluated and a response provided within 30 days, in line with requirements of Section 29 of the Spatial Planning and Land Use management Act (Act No.16 of 2013) read with Section 3 of the Promotion of Administrative Justice Act (Act No.3 of 2000). Should you not receive any response within 30 days, kindly follow up on the enquiry by responding to Jan Oliver who will be dealing with it and will convert back to you. He can be contacted on (012) 426-6200 / 426-6242.	Ria Barkhuizen SANRAL E-mail: 19 November 2020	The comment is noted, no further action is required.
6.	SANRAL has no objection to the development of a waste recovery plant at Evraz Highveld Steel.	Tumeka Mbulawa Statutory Control Officer: Northern Region SANRAL	

NO.	COMMENT	RAISED BY	RESPONSE
		Letter: 09 December 2020	
7.	SANRAL has no objection to the development of a waste recovery plant at Evraz Highveld Steel and Vanadium as no national roads will be affected by such development.	Jan Oliver Statutory Control Officer: Northern Region SANRAL Letter: 07 January 2021	
8.	We are at this stage, unable to give comprehensive comments as we do not know as yet what the final route to the above will be. We will be able to give our comments after or towards the finalization of your EIA.	MJ Mojapelo Commenting Official Mpumalanga DPWR&T Transport Infrastructure Letter: 20 November 2020	The Department's comments are noted. Further consultation will be undertaken during the EIA phase of the project.
9.	This letter serves to inform you that the following information must be included to the final Scoping Report: <u>Undertaking under Oath or Affirmation</u> 1. The Department has noted that the undertaking under oath or affirmation from the specialist - Wouter Fourie (from PGS Heritage Pty Limited) is not administered by a Commissioner of Oaths as per Regulation 16(1)(b)(iv) and Appendix 2(2)(1)(i) and (j) of the NEMA EIA Regulations, 2014, as amended. 2. You are required to submit the above with the final Scoping Report and also note that the Department's <i>undertaking under oath</i> form can be downloaded from the following link: https://www.environment.gov.za/documents/forms	Lunga Dlova Case Officer DFFE Letter: 05 December 2020	Please refer to Appendix J for a commissioned undertaking under oath from the specialist - Wouter Fourie (from PGS Heritage Pty Limited)

NO.	COMMENT	RAISED BY	RESPONSE
	<p>Public Participation Process</p> <p>3. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and as specified in the approved Public Participation Plan.</p>		<p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C9).</p> <p>I&APs and Organs of State were notified of the commencement of the EIA process as follows:</p> <ul style="list-style-type: none"> » The commencement of the EIA process was announced via email to those I&APs identified and the relevant Organs of State on 12 November 2020 (refer to Appendices C4 & C5 of the final Scoping Report) » I&APs and Organs of State were notified in of the availability of the Scoping Report in the EIA process announcement letter dated 12 November 2020. » An advertisement was placed in the Witbank News newspaper on 13 November 2020 (tearsheet included in Appendix C2 of the final Scoping Report) <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 13 November 2020 until Monday, 14 December 2020 and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> » The details of the availability of the report were included in the advertisement placed in the Witbank News newspaper on 14 November 2020 (tearsheet included in Appendix C2 of the final Scoping Report). » A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final Scoping Report) informing them of the availability of the Scoping Report for review and comment and the details of where the report could be accessed for review. » A virtual Focus Group Meeting was held on 11 December 2020 to which various Organs of State and key stakeholder were invited. Notes of the meeting are included in Appendix C7 of the final Scoping Report.

NO.	COMMENT	RAISED BY	RESPONSE
			<p>The Scoping Report was made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the final Scoping Report.</p>
	<p>4. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed and included in the final SR.</p>		<p>All comments received to date have been included within this C&RR and have been responded to as far as possible.</p>
	<p>5. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final SR.</p>		<p>Copies of all written comments received from registered I&APs and Organs of State are included in Appendix C6 of the final Scoping Report.</p>
	<p>6. Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. In terms of Regulation 41 (2) (b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the SR for comment.</p>		<p>Proof of correspondence with the various stakeholders and proof of attempts to obtain comments from the stakeholders on the project database are included in Appendix C5 of the final Scoping Report.</p> <p>Proof of correspondence with Organs of State and proof of attempts to obtain comments are included in Appendix C4 of the final Scoping Report.</p>
	<p>7. All issues raised and comments received during the circulation of the draft SR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).</p>		<p>All written comments received during the commencement of the EIA process and the 30-day review and comment period of the Scoping Report from I&APs and organs of state are captured in this C&RR which is included as a separate report to the final Scoping Report (Appendix C8).</p> <p>The written comments received from the DEFF are included in Appendix C6 and captured in this C&RR.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	8. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to an I&AP's comments.		Comments submitted have been captured verbatim, as received, and have not been summarised. Appropriate responses have been included for all comments.
	9. The attendance register and minutes of any (virtual) meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final SR.		The attendance register and minutes of the virtual meeting held during the scoping phase are included in Appendix C7 of the final Scoping Report.
	10. Please submit a legible copy of the newspaper advert(s).		The advertisement text and the tearsheet (legible copy) is included in Appendix C2 of the final Scoping Report.
	<p><u>Coordinates</u></p> <p>11. You are required to provide coordinate points for the corners of the proposed Zero Waste Recovery Plant and associated infrastructure and must be in degrees minutes and seconds.</p>		Please refer to Table 2.1, Chapter 2, for the corner coordinates of the development area.
	<p><u>General</u></p> <p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:</p> <p><i>"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</i></p>		All timeframes as per regulations Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, will be adhered to.
	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping		The final Scoping Report submitted is in accordance with the scope and content requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

NO.	COMMENT	RAISED BY	RESPONSE
	reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.		
	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 these Regulations, unless an extension has been granted in terms of Regulation 3(7).		All timeframes as per regulations Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, will be adhered to.
	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.		The comment is noted, no further action is required.
10.	Please kindly attach the complete report for comments.	Mandlazi Nompumelelo DWS E-mail: 08 December 2020	Due to the size of the Scoping Report and Appendices, these were sent via WeTransfer on 08 December 2020. The stakeholder was also informed, in the response e-mail dated 08 December 2020, that the Scoping Report and Appendices can be downloaded from Savannah Environmental's website and the link and release code was provided in the response e-mail.
11.	This letter serves to confirm that the Department supports the application for development of a waste recovery plant at the Highveld Steel for extracting both vanadium and titanium oxide from slag materials on Portions 48 Elandsfontein 309 JS, subject to:	Ntombifutsi Mathebula Town & Regional Planner COGTA Mpumalanga: Land Use Management	
	1. Consent from the Municipality in terms of Spluma By-law be obtained.	Letter: 10 December 2020	The proponent has been informed of the need to engage with the municipality and obtain Spluma consent for the project.
	2. All other building regulations and streets sizes will be in accordance with the current Land Use Scheme of the Local Municipality.		The proponent has been informed of this requirement and requested to engage with the municipality to obtain clarity and process guidance on the restrictions listed.
	3. The stipulations of the National Environmental Management Act, 1998 (Act 107 of 1998) must be complied with.		The current process for Environmental Authorisation is being conducted to ensure the stipulations of the National Environmental Management Act, 1998

NO.	COMMENT	RAISED BY	RESPONSE
	<p>4. The stipulations of the Environment Hygiene Act, 1992 (Act 121 of 1992) must be complied with.</p> <p>5. Negative impact at constructing of the waste recovery plant for vanadium and titanium oxides from slag materials on existing high potential agricultural soils must be mitigated.</p> <p>6. The municipality has a newly approved Land Use Scheme, the rights if granted must after consultation with the applicant be aligned with the appropriate zoning in the new LUS.</p> <p>7. The proposed farm portion should continue to also be used for "Industrial Plant" and may not be used for any other land use activity unless the local municipality has granted a land use change.</p> <p>8. The Municipality to make sure that these adequate services (water, electricity, sanitation, access) are available to the proposed development and uses.</p> <p>9. No building/structure may be built within the 1:100 year floodline.</p>		<p>(Act 107 of 1998) have been complied with. No activity will commence without the requisite environmental authorisation having been issued for the plant.</p> <p>The proponent will comply with all applicable environmental regulations relevant to the proposed activity.</p> <p>Please note: Act 121 of 1992 refers to the "Abattoir Hygiene Act No. 121 of 1992", which is not applicable to the construction and operation of a waste recovery plant, as is proposed.</p> <p>Mitigation measures and controls for all negative impacts identified for the waste recovery plant will be provided in the final Environmental Impact Assessment Report and Environmental Management Programme produced for the project. These measures will become binding on the contractors and proponent should an Environmental Authorisation be issued. As the site is within an existing industrial complex, no impacts on high potential agricultural soils will occur.</p> <p>The proponent has been informed of this requirement and requested to engage the municipality on the process and requirements towards appropriate zoning prior to commencing with the project.</p> <p>The development area is a smaller subsection of the farm portion relevant to this applicant. The entirety of the property is owned, maintained and operated by the Highveld Steel Industrial Complex, which currently leases out space to tenants for various industrial activities as per their business rescue plan. The farm portion will therefore remain in industrial use.</p> <p>The proponent has been informed of the requirement to obtain confirmation of adequate available servicing (water, electricity, sanitation, access) and will engage with the municipality to obtain such confirmation, to be provided at submission of the final EIA report for authority decision making.</p> <p>The site is located outside of any delineated 1:100 year floodline.</p>
12.	The Directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report.	Aulicia Maifo & Portia Makitla	This comment is noted and no further action is required.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>According to the Draft Scoping Report, the proposed development site is located within an existing industrialised area surrounded by several heavy industries and mining operations. It is a brownfields site that has already undergone extensive transformation, no natural vegetation remains on the site and the site is currently not protected.</p> <p>It is the Directorates view that the proposed development will not have adverse environmental impacts on biodiversity that will prevent the project from going ahead to the final EIA stage.</p>	<p>Case Officers DEFF: Biodiversity Conservation Directorate</p> <p>Letter: 11 December 2020</p>	
	<p>The Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr. Seoka Lekota.</p>		<p>It is confirmed that the project database includes the e-mail address as per the request and future correspondences will be submitted to the e-mail address provided.</p>
13.	<p>Interim Comment: The South African Heritage Resources Agency (SAHRA) notes and supports the recommendations in the Heritage Scoping report and will comment on this project further once the HIA and PIA reports are submitted to the case for commenting in the EIA phase. The PIA report must be undertaken and compiled by a suitably qualified Palaeontologist and it must adhere to the 2012 PIA minimum standards.</p>	<p>Ms Nokukhanya Khumalo</p> <p>SAHRA Case Officer</p> <p>Letter: 04 January 2021</p>	<p>This comment is noted. The HIA and PIA will be submitted to the case on SAHRIS for comment in the EIA phase as per the legislated requirements.</p>