

APPENDIX C9
COMMENTS AND RESPONSES REPORT



Proof to be included in
final Environmental Impact Assessment Report

SCOPING PHASE

**PHAKWE RICHARDS BAY GAS-TO-POWER 3 2000MW COMBINED CYCLE POWER PLANT, KWAZULU
NATAL PROVINCE
DFFE Ref. No.: 14/12/16/3/3/2/2117
COMMENTS AND RESPONSES REPORT**

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The Environmental Impact Assessment process for the Phakwe Richards Bay Gas-to-Power 3 2000MW Combined cycle Power Plant was announced on Friday, 12 November 2021. The Background Information Document (BID) was distributed together with a notification letter which served to invite Interested and Affected Parties (I&APs) to register their interest in the project and submit any comments / queries they may have on any aspect of the proposed development. The notification of the availability of the Scoping Report for review and comment was included in the notification of the EIA process.

The Scoping Report was made available for a 30-day review and comment period from **Friday, 12 November 2021** until **Monday, 13 December 2021**. All written comments received to date have been included in the table below and in **Appendix C8** of the final Scoping Report. The Comments and Responses Report (C&RR) is included as a separate document to the final Scoping Report as **Appendix C9**.

NOTE:

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

Notes for the record for all meetings held during the 30-day review and comment period of the Scoping Report are included as **Appendix C7** of the final Scoping Report and do not form part of this C&RR.

LIST OF ABBREVIATIONS / ACRONYMS

BID	Background Information Document	IPCC	Intergovernmental Panel on Climate Change
C&RR	Comments and Responses Report	KSW	Key Stakeholder Workshop
CCIA	Climate Change Impact Assessment	KZN	KwaZulu-Natal
CCPP	Combined Cycle Power Plant	LM	Local Municipality
COGTA	National Department of Co-operative Governance and Traditional Affairs	LNG	Liquefied Natural Gas
DEDTEA	Department of Economic Development, Tourism and Environmental Affairs	MHI	Major Hazardous Installation
DFFE	Department of Forestry, Fisheries and the Environment	I&APs	Interested and Affected Parties
DM	District Municipality	IRP	Integrated Resources Plan
DMRE	Department of Mineral Resources and Energy	OoS	Organs of State
DWS	Department of Water and Sanitation	PRBGP3	Phakwe Richard's Bay Gas-to-Power3
EA	Environmental Authorisation	RB IDZ	Richards Bay Industrial Development Zone
EIA	Environmental Impact Assessment	SACNASP	South African Council for Natural Scientific Professions
ERC	Environmental Review Committee	SDCEA	South Durban Community Environmental Alliance
FGM	Focus Group Meeting	SHEQ	Safety, Health, Environment and Quality
G2P	Gas-to-Power	SIA	Social Impact Assessment
HFO	Heavy Fuel Oil	SR	Scoping Report
HRSG	Heat Recovery Steam Generators	SRU	Storage Regasification Units
IDP	Industrial Development Plan	TIA	Traffic Impact Assessment
ILO	International Labour Organisation	VOC	Volatile Organic Compounds

1. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW & COMMENT PERIOD

1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	Please send me KMZ files of the development area and proposed grid connection. Please find attached Eskom general requirements for works at or near Eskom infrastructure and servitudes.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division E-mail: 12 November 2021	The .KMZ file for the power plant development was e-mailed to the stakeholder on 16 November 2021. It needs to be noted that the electrical facilities including the Eskom 275kV or 400kV GIS interface Substation, Underground 275kV or 400kV power cabling connecting Power Plant GIS substation and Eskom GIS Interface substation and an overhead 275kV or 400kV power line connecting the Eskom interface substation to the selected Eskom grid connection point will be subjected to a separate environmental authorisation application. The requirements as set out by Eskom Holdings SOC Ltd have been submitted to the applicant for attention.
	<ol style="list-style-type: none"> 1. Eskom's rights and services must be acknowledged and respected at all times. 2. Eskom shall at all times retain unobstructed access to and egress from its servitudes. 3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals. 4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer. 5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand. 6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of 		

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	<p>blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.</p> <p>7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.</p> <p>8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.</p> <p>9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager. Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.</p> <p>10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.</p>		

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	<p>11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.</p> <p>12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).</p> <p>13. Equipment shall be regarded electrically live and therefore dangerous at all times.</p> <p>14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.</p> <p>15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.</p> <p>16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.</p> <p>17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.</p>		
2.	<p>General:</p> <p>(i) It is noted from the documentation submitted, and based on comments made during the FGM that the infrastructure for the supply of gas as well as the evacuation infrastructure is not part</p>	Brenda Strachan City of uMhlatuze	Separate EA applications will be submitted for the gas supply pipeline and the evacuation of the electricity generated by the Phakwe RB G2P 3 power plant.

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	<p>of this process and will be subject to another process. Also, no gas will be supplied via trucks to the site.</p>	<p>Letter: 09 December 2021</p>	<p>It is confirmed that gas would not be trucked to the development site.</p>
	<p>(ii) Whereas the socio-economic benefits of the proposed development are well understood. It is understood that semi-skilled locals will benefit from employment opportunities during the construction phase. An indication is needed of benefits to semi-skilled locals during the operational phase as well. Furthermore, care must be taken to mitigate detrimental impacts on the existing developments, the environment and ensure no adverse impacts on the health of communities residing in the vicinity of the proposed development.</p>		<p>It is estimated that during the construction period the construction staff complement will be ~600 people, with peaks of staff higher, with employment opportunities being provided for the local community as far as possible. The labour required includes 90% low skilled and semi-skilled and a 10% of skilled and highly skilled workforce. Employees will not reside on the project site and will be accommodated in the Richards Bay area.</p> <p>An indication of benefits to semi-skilled locals during the operational phase will be addressed in the EIA phase.</p> <p>The majority of the environmental impacts are expected to occur during the construction phase with developments of this nature and mitigation measures to ensure negative impacts on health, including those associated with noise, are kept to the lowest / minimum possible. These impacts will be assessed and addressed in the EIA phase.</p>
	<p>(iii) A number of similar applications have been submitted in recent months within a 10km radius of Richards Bay. The complexity of these proposed developments warrants an integrated and cumulative assessment and engagements are needed with relevant government stakeholders. Impacts identified should not be site specific; surrounding land use and environmental conditions needs to be considered and include climate change as gas to power projects are associated with methane gas emissions. As such, the Municipality reserves the right to amend our comments on the application in the event of being presented with further information.</p>		<p>Similar applications within the study area will be considered and assessed as part of the cumulative impact assessment to be undertaken within the EIA Phase of the process. The EIA Report, including the cumulative impact assessment, will be provided to stakeholders for review and comment once all studies have been completed.</p>

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	(iv) It is noted that various specialist investigations are preliminary and in some instances, based on desktop assessments, and that will require more detailed investigations during subsequent phases.		As the project is currently in the scoping phase, the specialists' investigations are desk-top based and/or preliminary assessments. Detailed assessments, including recommendations for mitigation measures, will be undertaken during the impact phase of the EIA process.
	<p>More sectoral specific comments are provided herewith:</p> <p>Air Quality:</p> <p>(i) During the construction phase, there may be direct impact of elevated PM₁₀ which may result in a non-compliance with NAAQS daily PM₁₀ concentration. It should be noted that according to 2020 State of Air Report, PM is still the greatest national cause for concern in terms of air quality due to numerous pollution sources and climatic conditions being also a major factor.</p> <p>(ii) It is noted that nuisance dustfall may also be elevated during construction phase. The project construction phase also has the potential to elevate ambient gaseous concentration that are detrimental to human health.</p> <p>(iii) It is recommended that mitigation measures are outlined and included in the process going forward to address the above.</p> <p>(iv) Ambient air pollutant concentrations could be elevated during the operation phase that has a detrimental effect to the human health. It is also recommended that mitigation measures are outlined and included in the process going forward to address the above.</p> <p>(v) Furthermore, there are at least three schools located in close proximity (1,8 km South East) of the proposed development, i.e. Little Junior, Batesda Primary School and Batesda High School.</p>		<p>Impacts related to elevated PM₁₀ will be assessed in the Air Quality Impact Assessment during the EIA phase.</p> <p>Recommendations and mitigations related to nuisance dustfall and ambient gaseous concentrations during construction will be included in the Air Quality Impact Assessment during the EIA phase.</p> <p>An assessment of potential human health impacts, based on the outcome of the Air Quality Impact Assessment, as well as recommendations and mitigations will be included as part of the EIA.</p> <p>The schools which are approximately 2km and 3km (as the crow flies) from the proposed development sites will be included in the consultation process during the impact assessment phase of the EIA process. The locality and information of these schools has also been shared with the SIA and Air Quality specialists to inform the assessment</p>

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			of the possible impacts of the project during the impact phase of the EIA process.
	(vi) During the EIA process going forward, due attention should be given to cumulative impacts and the other industries, not just the 11 referenced in the Scoping Report, should be considered. The King Cetshwayo District AEL (Atmospheric Emission License) team should be consulted for assistance with a comprehensive list of industries around Richards Bay.		Similar applications within the study area for which data is available will be considered and assessed as part of the cumulative impact assessment to be undertaken within the EIA Phase of the process. The King Cetshwayo District Municipality AEL (Atmospheric Emission License) team will be consulted for assistance with a comprehensive list of industries around Richards Bay.
	Waste and Disaster Management: (i) It has to be clear which streams of waste are expected from this operation and the management thereof to curb water contamination, littering and illegal dumping has to be outlined.		Waste management streams and management measures will form part of the EIA Report and Environmental Management Programme to be developed in the EIA Phase of the process.
	(ii) The proposed development can be classified as an MHI (Major Hazardous Installation). More details are needed, specifically with regard to management thereof, disaster response preparedness etc. More information/control measures on the potential health risks associated with the operating of similar facilities elsewhere in the world to mitigate such potential health risks is requested.		A MHI Risk Assessment will be undertaken during the EIA Phase (refer to Chapter Measures for Emergency Preparedness will be further of the FSR) investigated during the EIA phase. An assessment of potential human health impacts, based on the outcome of the Air Quality Impact Assessment, will be included as part of the EIA.
	Transport: (i) The Traffic Impact Assessment (TIA) only considered the construction stage and not the normal operations phase and details are needed on traffic generation when the plant is operational. It also has to be confirmed conclusively how gas will be transported to the proposed development in the TIA.		A traffic impact assessment will be undertaken as part of the EIA Phase of the process and will consider all relevant phases of the project. Fuel will be supplied to the facility via dedicated gas pipeline (subject to a separate EA process). Therefore, no transportation of fuel will be undertaken for the operation of the facility.
	(ii) The load on the roads must be limited to standard axle loads. A trolley with additional axles must be used to distribute the load evenly to allowable axle loads.		Comment on axle loads is noted. This requirement has been provided to the traffic impact specialist for inclusion in the EIA Report.
	(iii) Any damages to infrastructure must be repaired by the developer. Before and after inspections must be arranged with the Municipality on the transport route to be taken		Comment on infrastructure damages is noted. This requirement has been provided to the traffic impact specialist for inclusion in the EIA Report.

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	(iv) It has to be confirmed whether the developer will provide in the local power needs of the City as a priority and then feed into the national grid (Eskom).		Grid connection infrastructure and evacuation of electricity is subject to a separate EA process. It is however expected that the electricity generated by the PRBGP3 facility will feed into the national grid and not to the municipal grid.
	(v) Two routes to be used for the development are preferred, i.e. the R34 / Alumina Allee and R619 / Alumina Allee. The route options through the Richards Bay CBD/town are not supported.		Comment on preferred routes is noted. This requirement has been provided to the traffic impact specialist for inclusion in the EIA Report.
	(vi) Transportation of Abnormal Loads must not be done during peak times.		This requirement has been provided to the traffic impact specialist for inclusion in the EIA Report
	(vii) Authorization of route clearance must be obtained from Municipal Traffic Section, Roads Section and Traffic Signal Section.		This requirement has been provided to the traffic impact specialist for inclusion in the EIA Report
	(viii) It has to be confirmed whether the trip generation during normal operations will be in line with the original TIA estimations. If not, the influence on intersections with mitigating factors must be indicated.		Comment noted for inclusion in the TIA during the EIA phase.
	<u>Biodiversity: Freshwater and Terrestrial:</u>		
	(i) Whereas freshwater and terrestrial scoping studies were undertaken it is noted that these were completed at a desk top level and that more functional/detailed assessments are to be undertaken.		Detailed Freshwater and Terrestrial Ecology Impact Assessment will be undertaken during the EIA phase of the process.
	(ii) It is also noted that a wetland offset strategy is proposed to identify and quantify the wetland offset target. The environmental authority has to be engaged on this matter in context of the Environmental Authorization obtained during September 2016 for the installation of bulk infrastructure at Richards Bay IDP Phase 1F.		The wetlands that fell within the proposed development site have been infilled by the IDZ to release land for development. The wetland offset is to be implemented by the IDZ as per the requirements of their EA for the IDZ Phase 1F. Confirmation of the status of the wetland offset targets will be investigated during the EIA phase.
	<u>Land Use Management:</u>		
	(i) The property is zoned as Noxious Industry and the proposed land use is permissible as free entry (primary right). Compliance with all relevant legislation and policy frame-		The comment has been noted and has been submitted to the applicant for consideration.

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	<p>work is required, amongst others, the submission of building plans in line with National Building Regulations, Building Control Bylaw and uMhlathuze Green Building Guide-lines.</p>		
	<p>(ii) By definition, "Industry-Noxious" means the use of any building, land or other premises to conduct an activity/ies that is/are deemed to be noxious, offensive or harmful or injurious to public health, safety or physical well-being including the production and bulk storage of gaseous and liquid fuels, as well as petrochemicals from crude oil, coal, gas or biomass and other trade in connection with the processing of by-products or petroleum refining. It is important to note that the above definition is reliant on outcomes of relevant legislation and frameworks such as the Occupational Health and Safety Act No.85 of 1993, as amended, the National Environmental Management Air Quality Act No.39 of 2004 as amended, the Explosives Act 2003, No. 15 of 2003, as amended etc.</p>		<p>The comment has been noted as part of the process. No further action required.</p>
	<p>Electrical: The submission of technical design drawings for consideration by the City Electrical Department are noted.</p>		<p>The information included in the Scoping Report is preliminary. Detailed design of the facility will be included in the EIA phase.</p>
	<p>Water Quality: (i) Discharge of effluent from Water Treatment Plant: Water quality status of the effluent will have to be shared with Water Quality Management Section of the Municipality in order to establish if there is a need for a discharge permit and the possibility of discharging into the Council sewer system. The comment is, amongst others, motivated by the presence of brine in the effluent and the adverse impacts the receiving environment will be prone to.</p>		<p>It is proposed that use be mad of the existing IDZ infrastructure for any discharge of effluent. Confirmation from the IDZ to discharge brine into the IDZ stormwater system will be included in the EIA phase. Where necessary, the Water Quality Management Section of the Municipality will be consulted with to determine is a discharge permit is required.</p>
	<p>(ii) It is noted that brine discharge has an elevated water temperature with higher salinity': than oceanic wa-ter. Troublesome chemicals associated with brine discharge are copper and chlorine with the potential for chronic toxicity to</p>		<p>No discharge of water with elevated temperatures is proposed. The gas turbines are air-cooled, and the steam circuit is a closed-circuit. Effluent from the demineralization plant will be at ambient temperature.</p>

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	<p>aquatic biota for several km's around discharge points. Dirty water may not be permit-<u>ted</u> for release into the environment.</p> <p>(iii) As such, the requirement and need for water quality monitoring and discharge into a closed system (Council sewer system) is emphasized.</p>		<p>Brine will be discharged into the existing IDZ stormwater system.</p>
3.	<p>This letter serves to inform you that the following information must be included to the Final Scoping Report:</p> <p>a) Listed Activities</p> <p>i) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed. When including activities in the application form and Scoping Report, take note of the word OR in between the activities (sub-activities). Furthermore, kindly ensure that the latest listed activities, as amended in 2021, are applied for.</p> <p>ii) The project description must be expanded to include thresholds, footprints and capacities of the associated infrastructure, particularly those that trigger a listed activity.</p> <p>iii) It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property falls within geographically designated areas in terms of Listing Notice 3 Activities. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p>	<p>Mathodi Mogorosi Case Officer DFFE</p> <p>Letter: 10 December 2021</p>	<p>All relevant activities applied for in the application for an EA and included in the Scoping Report are relevant to the Phakwe RB G2P3 2000MW CCPP project as described in the project description.</p> <p>An amended application form is submitted with the final Scoping Report.</p> <p>Footprints and capacities are included in Section 4.2 and Table 4.1, as well as in the Table 7.2 pertaining to the tiggred listed activity.</p> <p>It can be confirmed that the latest version of the application form, dated April 2021, as available from the DFFE's website, has been used for this project.</p> <p>Proof of correspondence with the various stakeholders are is included as Appendix C5 of the final Scoping Report, including attempts to obtain comments during the 30-day review and comment period of the Scoping Report.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>iv) If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that 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>		
	<p>b) <u>Layout & Sensitivity Maps</u></p> <p>i) Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> ➤ Positions of the proposed facility as well as all associated infrastructure; ➤ Permanent and temporary laydown area footprints; ➤ All supporting onsite infrastructure e.g. roads (existing and proposed); and ➤ All existing infrastructure on the site. <p>ii) The above map must be overlain with a sensitivity map which indicates the following:</p> <ul style="list-style-type: none"> ➤ The location of sensitive environmental features on site e.g. CBAs, NPEAS focus areas, heritage sites, wetlands, drainage lines etc. that will be affected; ➤ Buffer areas; and, ➤ All "no-go" areas. <p>iii) Provide a map of the Richards Bay Gas Power 3 CCPP facility in relation to the existing electrical grid and gas pipeline infrastructure (the potential connection points and distances), to support the feasibility of the facility.</p> <p>iv) A cumulative map showing the development in relation to similar neighbouring industrial/energy developments and air pollutant emitters must also be provided.</p> <p>v) Google maps will not be accepted.</p>		<p>Locality, preliminary sensitivity, existing infrastructure, and cumulative maps are included in Appendix L of the Scoping Report. No Google maps have been used.</p> <p>A detailed layout map will be provided in the EIA phase based on the detailed design to be provided by the applicant. This will be overlain onto the environmental sensitivity map for the site. In addition, updated maps showing the Richards Bay Gas Power 3 CCPP facility in relation to the existing electrical grid and gas pipeline infrastructure as well as an updated cumulative map showing all similar developments will be provided in the EIA Report. Google maps will not be used.</p>
	<p>c) <u>Alternatives</u></p> <p>i) Design and layout alternatives must also be considered under the alternatives section of the SR.</p>		<p>A layout will be developed by the Project Proponent taking all identified environmental sensitivities into consideration. This will be</p>

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			included within the EIA Report. No design and layout alternatives have been identified at this stage.
	d) Public Participation Process		
	i) Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the Final SR.		All issues raised and comments received during the 30-day review and comment period of the Scoping Report, including those OoS which have jurisdiction in respect of the proposed activity have been included and adequately addressed in this C&RR. This C&RR is included as Appendix C9 of the final Scoping Report.
	ii) Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.		Proof of correspondence with the various stakeholders is included as Appendix C5 and C6 of the final Scoping Report. Attempts to obtain comments during the 30-day review and comment period of the Scoping Report has also been included in these appendices.
	iii) The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development and SR, particularly, this Department's Climate Change; Air Quality, Biodiversity Conservation; and Protected Areas Directorates, the KwaZulu- Natal Department of Economic Development, Tourism and Environmental Affairs, the relevant Atmospheric Emissions Licence (AEL) Authority, the Department of Agriculture, Rural Development and Land Reform; Department of Water and Sanitation, Ezemvelo KZN Wildlife, AMAFA, SAHRA, SANRAL and the District and Local Municipalities.		All relevant competent authorities have been given an opportunity to comment on the proposed development, including the OoS as listed (refer to Appendix C2) of the final Scoping Report. Proof of correspondence with the various stakeholders is included as Appendix C5 and C6 of the final Scoping Report.
	iv) The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.		The Public Participation Process has been conducted in terms of Regulations 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 C1) as follows: <ul style="list-style-type: none"> • Project database: A register of I&APs has been compiled and will be updated throughout the EIA process (Appendix C2).

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> • EIA & Public Participation process announcements: <ul style="list-style-type: none"> ○ The BID, accompanied by a cover letter inviting I&APs to register on the project database, was distributed via email to identified I&APs and relevant OoS on 12 November 2021 (refer to Appendices C4, C5 & C6 of the final Scoping Report). ○ An advertisement was placed in the Zululand Observer on Friday, 12 November 2021 (refer to Appendix C3 of the final Scoping Report). ○ Site Notices announcing the EIA process were placed at visible points at the proposed development site in accordance with the requirements of the EIA Regulations on 10 November 2021 (refer to Appendix C3 of the final Scoping Report). ○ Process Notices were placed at various public places in Richards Bay (refer to Appendix C3 of the final Scoping Report). • Scoping Report available for review and comment: <ul style="list-style-type: none"> ○ Registered I&APs were notified of the availability of the Scoping Report for a 30-day review and comment period via e-mail on 12 November 2021 (refer to Appendix C6 of the final Scoping Report). ○ Commenting authorities, municipal councillors and local and district municipalities which have jurisdiction in the area were requested to submit written comments on the Scoping Report via e-mail on 12 November 2021 (refer to Appendix C5 of the final Scoping Report). ○ An advertisement was placed in the Zululand Observer on Friday, 12 November 2021 (refer to Appendix C3 of the final Scoping Report). ○ The Scoping Report and Appendices were uploaded onto Savannah Environmental's website allowing I&APs and OoS

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			<p>to download the Scoping Report and Appendices. I&APs wanting to access the project information via this portal were required to register and receive a unique code (via an automated system) to access the report of interest. This step and the online portal support the EAP in maintaining a complete and accurate record and database of all parties who have interest in the project (and who choose to access the report via the online portal), in line with the requirements of the Regulations.</p> <ul style="list-style-type: none"> • Attempt to obtain comments on the Scoping Report: An e-mail to all registered I&APs and OoS as a reminder of the availability of the Scoping Report for review and comment was sent on 06 December 2021 (refer to Appendices C5 & C6 of the final Scoping Report). • Various Meetings were held during the 30-day review and comment period of the Scoping Report (refer to Appendix C7 of the final Scoping Report for the meeting notes): <ul style="list-style-type: none"> ○ A virtual FGM was held with Officials from King Chetshwayo DM & City of uMhlathuze LM on 25 November 2021 ○ A virtual FGM was held with Officials from KZN DEDTEA & Ezemvelo KZN on 25 November 2021 ○ Virtual Public Participation Process Meetings were scheduled for 30 November 2021 at 14h00 and 18h00. No attendees registered their attendance. ○ A virtual FGM was held with the RB IDZ Environmental Review Committee Members on 08 December 2021. ○ A virtual KSW was held on 09 December 2021 to which all OoS Officials and key stakeholder representatives were invited. • Consultation: Proof of consultation with I&APs and OoS throughout the EIA process to date is included in Appendices C5 & C6 of the final Scoping Report.

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> • Comments & Responses Report: All comments received to date have been captured in this C&RR which is attached to the final Scoping Report as Appendix C9.
	v) Proof of the newspaper advertisement must be included in the final SR.		The tearsheet of the advertisement placed is included in Appendix C3 of the final Scoping Report.
	vi) A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all comments received (pre and post submission of draft SR) 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 which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.		<p>All comments received to date have been captured in this C&RR which is attached as a separate document to the final Scoping Report (Appendix C9).</p> <p>Comments received have not been summarised for inclusion in the C&RR and have been captured verbatim. All comments have been responded to as applicable. No comment received has been responded to as "Noted".</p>
	<p>e) Specialist Assessments</p> <p>i) Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations.</p>		All specialist studies submitted as part of the final scoping report are final. Specialist reports to be included in the EIA Report will provide a detailed description of their methodology, as well as indicate the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations. Detailed/practical mitigation measures for implementation will be provided in the EIA phase reports.
	ii) The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.		All specialist studies provide a detailed description of limitations to their studies. More details will be provided where required in the EIA Phase reports.
	iii) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated		No go areas identified in the Scoping Report are areas where no development of any infrastructure is allowed.

NO.	COMMENT	RAISED BY	RESPONSE
	infrastructure including access roads is allowed in the 'no-go' areas.		
	iv) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.		The specialist's definition of 'no-go' area does not differ from the Department's.
	v) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.		The specialist studies included as part of the Scoping phase are final and include recommendations for further investigation in the EIA phase.
	vi) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.		No contradicting recommendations were made by any of the specialists.
	vii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols. Please indicate whether the protocols were applied.		The requirements of GN 320 of March 2020 have been noted in the Scoping Report (refer to Section 7.6 of the Scoping Report). Specialist studies will be undertaken in accordance with the required protocols throughout the EIA process.
	viii) Please note that the protocols require certain specialists to be SACNASP registered. As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.		Specialist Declarations with scientific organisation registration/member number, where applicable, are included in Appendix O of the Scoping Report.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>ix) Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Not all of the studies identified by the screening tool have been included in Table 7.4 of the final SR (e.g., the Geotechnical Assessment, Hydrological Assessment, Air Quality Impact Assessment and Ambient Air Quality Impact Assessment).</p>		<p>The summary of the results from the Department's screening tool has been included in Section 7.6. A column has been added to indicate if the identified studies are being conducted. Where studies are not being undertaken a motivation has been included.</p> <p>A detailed description of the specialist studies which will be undertaken during the EIA phase is provided in the Plan of study (Chapter 10) of the Scoping Report.</p>
	<p>x) Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, inclusive of the necessary site sensitivity verification reports and specialist compliance statements.</p>		<p>The summary of the results from the Department's screening tool has been included in Section 7.6. A column has been added to indicate if the identified studies are being conducted. Where studies are not being undertaken a motivation has been included.</p>
	<p>xi) The terms of reference for the Climate Change Impact Assessment must assess the impacts of the development on climate change and vice versa, and accordingly must consider both mitigation and adaptation measures to climate change.</p>		<p>A Climate Change Impact Assessment will be undertaken in the EIA Phase of the process, as detailed in the Plan of Study in Chapter 10 of the scoping report.</p>
	<p>xii) It is noted that a number of sensitive receptors occur within 3km of the proposed gas power plant. As such, please ensure that the major hazard risks of the facility are also assessed.</p>		<p>MHI Risk Assessment will be undertaken as part of the EIA Phase (refer to Chapter 10 of the FSR)</p>
	<p>f) Cumulative Assessment</p> <p>i) Should there be any other similar Gas to Power plants proposed within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:</p> <ul style="list-style-type: none"> ➤ Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land. 		<p>The need for assessment of cumulative Impacts was identified in Chapter 8 of the Scoping report. The assessment of cumulative impact for the EIA phase will consider projects within a 30km radius of the proposed development site. Identified cumulative impacts will be clearly defined, described and assessed in the Cumulative Impacts chapter of the EIA Report. Where possible, the extent of the identified impacts will be quantified and indicated. The cumulative impacts significance rating will inform the need and desirability of the proposed development. A cumulative impact environmental</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> ➤ Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. ➤ The cumulative impacts significance rating must also inform the need and desirability of the proposed development. ➤ A cumulative impact environmental statement on whether the proposed development must proceed. 		<p>statement on whether the proposed development can proceed will be included in the EIA Report.</p>
	<p>g) Specific comments</p> <p>i) The EAP must provide details of what the proposed facility will entail, including the associated infrastructure.</p>		<p>A detailed description of the proposed project and associated infrastructure is included Section 4.2 of the Scoping Report.</p>
	<p>ii) The EAP must provide details of the specific locations in the final SR, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the final SR and its associated layout plans.</p>		<p>Detailed descriptions of the the project location is provided in Table 1.1 of the Scoping Report. A preliminary layout map, including all infrastucture is included in Appendix L.</p>
	<p>iii) Please provide evidence that the application for an air emissions licence has been submitted to the relevant AEL authority and that consultation with that authority has taken place, since the AEL process is to be run parallel to the EIA process. The AEL authority must have been given the opportunity to comment on the SR, including the terms of reference for the Air Quality Impact Assessment.</p>		<p>The AEL authority has been given an opportunity to comment on the Scoping Report. The AEL application will be submitted once the Atmospheric Impact Report has been compiled within the EIA Phase of the process.</p>
	<p>iv) Please provide an indication of what activities have already been authorised on the proposed Richards Bay Gas Power 3 CCPP site in terms of the Environmental Authorisation (EA) for the IDZ Phase 1F dated 27 September 2016 (DFFE Ref No.: 14/12/16/3/3/2/665), versus those being applied for in this application. Please confirm that the EA is still valid.</p>		<p>The listed acitivites applicable to the IDZ Phase 1F and the proposed project are included in Table 7.1 and Table 7.2 of the final Scoping Report respectively.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	v) Please ensure that landowner consent is provided with the final SR.		Landowner consent has been included as part of the amended application submitted with the FSR.
	vi) Ensure that the final SR includes confirmation of the availability of services from the relevant authorities.		Confirmation of availability of services is not available at this stage. This will be included in the EIA Report for the project.
	vii) Under the legislation and policy section of the SR, which discusses the National Environmental Management: Waste Act No 59 of 2008, please indicate whether the proposed development will require a Waste Management Licence.		A detailed review of legislative requirements, including the NEM:WA, applicable to the Phakwe Richards Bay Gas Power 3 CCPP will be included in the EIA phase. Based on the nature of the project, no waste management activities are expected to be associated with the project and no Water Management License is expected to be required.
	viii) It is noted that the electrical grid infrastructure and gas pipeline for the facility are to be applied for separately. These components should ideally be assessed holistically together with the gas power plant. The gas power plant, if approved, would therefore not be allowed to commence, without these other authorisations also being in place. The applicant is advised to take this into consideration in the planning and timing of the project.		<p>A separate process in terms of providing natural gas to the Richards Bay area is underway by Transnet. In addition, a number of factors regarding the DMRE procurement / specification process for gas-to-power facilities are currently not known. It is therefore not possible at this stage to consider the gas pipeline infrastructure outside of the project site.</p> <p>In terms of the electrical grid infrastructure, discussions were held with Eskom who have indicated that they require clarity as to which projects receive EAs prior to determining feasible grid connection points for these projects. Phakwe will therefore approach Eskom to initiate the process for the grid connection when a more defined route and grid connection point would be known.</p>
	<p>General 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</i></p>		<p>The process undertaken for this project complies with Regulation 21(1) of the NEMA EIA Regulations 2014.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><i>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> <p>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 reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p> <p>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).</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 final Scoping Report complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended</p> <p>The final Scoping report will be submitted within the prescribed timeframe of the EIA Regulations.</p> <p>The applicant is aware of this requirement that no activity may commence prior to receipt of an Environmental Authorisation being granted by the Department.</p>
4.	<p>The Directorate: Biodiversity Conservation has reviewed and evaluated the report and does not have any objections to the Draft Scoping Report & Plan of Study provided that all relevant National and Provincial biodiversity guidelines will be considered in the final report.</p> <p>NB: 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>Aulicia Maifo & Portia Makitla Case Officer DFFE Biodiversity Conservation</p> <p>Letter: 10 December 2021</p>	<p>It is noted that DFFE: Biodiversity Conservation has no objection on the Draft Scoping Report and Plan of Study.</p> <p>Public Participation Process documents will be submitted as required DFFE: Biodiversity Conservation.</p>
5.	<p>1. GENERAL</p> <p>1.1. The Provincial Department of Agriculture and Rural Development: Agricultural Resource Management, Land Use</p>	<p>SB Thabede</p>	<p>The Department's general observation of the application is correct and noted and no further response / action is required.</p>


NO.	COMMENT	RAISED BY	RESPONSE
	<p>Regulatory Unit acknowledges the receipt of the above mentioned application.</p> <p>1.2. The main objective of the application is to request Provincial Department of Agriculture and Rural Development to recommend, provide valuable inputs and comments on the proposed establishment of Richards Bay Gas Power 3, Combined Cycle Power Plant.</p>	<p>Acting Scientific Manager: Land Use Regulatory Unit KZN Dept of Agriculture and Rural Development</p>	
	<p>2. BACKGROUND</p> <p>2.1. Phakwe Richards Bay Gas Power 3 (Pty) Ltd (PRBGP3) proposes the development of a combined cycle power plant with a capacity of up-to 2 000MW on various erven within the Richards Bay IDZ Phase 1F, Richards Bay.</p> <p>2.2. The properties that will be affected by this proposed development are ERF 16820, ERF 16819, ERF 1/16674 and Subdivision of ERF 17442. The land where CCPP is proposed is currently zoned industrial and it is vacant.</p> <p>2.3. The submitted report is trying to unpack the potential environmental impacts of their activities, early in the development process. Hence a comprehensive environmental specialist studies will be required and are in accordance with EIA Regulations as to provide competent authority with sufficient information in order to make an informed decision.</p> <p>2.4. The proposed CCPP and associated infrastructure is in response to the provision for gas-to-power technology as part of the energy mix within the integrated Resources Plan (IRP), 2019 and is planned to be bid into future requirement processes to be initiated by the Department of Mineral Resources and Energy (DMRE).</p> <p>2.5. It has been identified that the proposed project will have a potential impact on the environment so an Environmental Impact Assessment is required to be completed in support of an</p>	<p>Letter: 15 December 2021</p>	<p>The Department's summary of the background to the proposed development is correct and noted and no further response / action is required.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>application for Environmental Authorisation prior to construction and operation of the project.</p> <p>2.6. This is deemed important because South Africa needs to grow its energy supply to support economic expansion and in so doing, alleviate supply bottlenecks and supply- demand deficit.</p> <p>2.7. The power plant will operate at mid-merit to baseload duty and will include the following main infrastructure;</p> <p>2.7.1. Gas turbines for the generation of electricity through the use of natural gas or diesel.</p> <p>2.7.2. HRSG to capture heat from high temperature exhaust gases to produce high temperature and high pressure dry steam to be utilised in the steam turbines.</p> <p>2.7.3. Steam turbines for the generation of additional electricity through the use of dry steam generated by the HRSG.</p> <p>2.7.4. Bypass stacks associated with each gas turbine.</p> <p>2.7.5. Dirty water Retention dams and Clean water dams</p> <p>2.7.6. Stormwater channels.</p> <p>2.7.7. Waste Storage facility (general and hazardous).</p> <p>2.7.8. Exhaust stacks for the discharge of combustion gases into the atmosphere.</p> <p>2.7.9. A water treatment plant of potable water and the production of demineralised water (for steam generation).</p> <p>2.7.10. Water pipelines and water tanks to transport and store water of both industrial quality and portable quality</p> <p>2.7.11. Dry-cooled system consisting of air cooled condenser fans situated in fan banks.</p> <p>2.7.12. Closed fi-fan coolers to cool lubrication oil for the gas and steam turbines.</p> <p>2.7.13. A gas pipeline and a gas pipeline supply conditioning process facility for the conditioning and measuring of</p>		

NO.	COMMENT	RAISED BY	RESPONSE
	<p>the natural gas prior being supplied to the gas and steam turbines. It must be noted however that the environmental permitting process for the gas pipeline construction and operation will be undertaken under a separate EIA process.</p> <p>2.7.14. Diesel off-loading facility and storage tanks.</p> <p>2.7.15. Ancillary infrastructure including</p> <ul style="list-style-type: none"> • Roads (Access and internal) • Warehousing and buildings • Workshop building • Fire water pump building • Administration and control building • Ablution facilities • Storage facilities • Guard House • Fencing • Maintenance and cleaning area • Operational and maintenance control centre <p>2.7.16. Electrical facilities including</p> <ul style="list-style-type: none"> • Power evacuation including GCBs, GSU transformers, MV busbar, HV cabling and 1*275 kV or 400kV GIS Power Plant Substation • Generators and auxiliaries <p>2.7.17. Service infrastructure including</p> <ul style="list-style-type: none"> • Stormwater channels • Water pipelines • Temporary work areas during construction phase. <p>2.8. As per submitted application no generation of gas inside power plant however it will be outsourced from overseas.</p>		
	<p>3. COMMENTS ON PROPOSAL</p>		<p>A Soils and Agricultural Assessment as well as an Air Quality Impact Assessment will be undertaken in the EIA phase to assess potential impact significance.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	3.1. The proposed project will not directly affect agricultural lands but its impact might be huge in agricultural production in relation to expected emissions.		
	3.2. As this is a new project over a vacant land; Land Use Regulatory Unit assume that there will be clearance of Natural vegetation.		Comment from KZN DA&RD acknowledged. No response required.
	3.3. It is clear that the proposed development is under Local Town Planning Scheme that is Zone 1F of the Richards Bay Industrial Development Zone but as per KZN Land Potential Categories the land is classed as Secondary agricultural land therefore every effort should be put in place to take care of it as per CARA regulations.		Comment from KZN DA&RD acknowledged. The requirements in terms of CARA will be detailed within the EIA Report and EMPr.
	3.4. It is recommended that the excavated furrows be back-filled and levelled proper in order to alleviate soil erosion.		Comment from KZN DA&RD acknowledged. This requirement will be included within the project EMPr.
	3.5. Vegetation clearing must be kept at minimum during site preparation and re-vegetation of disturbed areas after construction is highly recommended.		Management measures for clearance of vegetation and rehabilitation after construction will be included as part of the EMPr in the EIA phase.
	3.6. Proper mitigation measures should be put in place, mitigation measures must highlight how the project will avoid disturbance and pollution of agricultural natural resources.		Mitigation measures for the management of any significant impacts identified will be provided in the Soils and Agricultural Assessment in the EIA phase.
	<p>4. CONCLUSION</p> <p>Please be advised that the Provincial Department of Agriculture and Rural Development: Land Use Regulatory Component has no objection to the activity in principle. No objection is subject to</p> <ul style="list-style-type: none"> • Assurance that possible carbon emission is going to be eliminated. • Submission of air quality report • The applicant has a draft plan for mitigation measures pertaining demineralised water 		Comment from KZN DA&RD acknowledged. No response is required.

1.2. Interested and Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>I noted the notice below in yesterday's Zululand Observer. Will this application replace the existing EIA approval for RGTP 2 (400 MW)? If not, is the plan to integrate the two power plants? See map below.</p> 	<p>Percy Langa SHEQ Manager RB IDZ</p> <p>E-mail: 12 November 2021</p>	<p>The PRBGP3 CCPP is a separate facility to the RGTP 2 (400 MW) project.</p>
2.	<p>We note that the document for public participation is password protected. This is not in line with public participation process, where documents should be widely accessible and examined by the public without any hinderance.</p> <p>Please remove the password protection so that the public can have access to the documents.</p>	<p>Michelle Koyama Attorney Centre for Environmental Rights</p> <p>Email: 06 December 2021</p>	<p>The registration of Interested and Affected Parties (I&APs) was undertaken according to the Public Participation Plan dated November 2021 as approved by the Department of Forestry, Fisheries and the Environment (DFFE) dated 11 November 2021. The approved plan is included in the Scoping Report, Appendix C1.</p> <p>The requirement for a person to register is in line with Regulation 43 of the EIA Regulations which refers to the right of registered parties to comment on the reports submitted as part of the application process. The need for parties to register is such that he/she discloses any direct</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>business, financial, personal or other interest which that party may have in the approval or refusal of the application in accordance with Regulation 43(1).</p> <p>The Scoping Report and Appendices were uploaded onto Savannah Environmental's website allowing I&APs and OoS to download the Scoping Report and Appendices. Access to the reports was unrestricted. I&APs wanting to access the project information via this portal were required to register and receive a unique code (via an automated system) to access the report of interest. This step and the online portal support the EAP in maintaining a complete and accurate record and database of all parties who have interest in the project (and who choose to access the report via the online portal), in line with the requirements of the Regulations. Where parties were unable to access the documents online, these were made available via other appropriate means such as CD, Dropbox or WeTransfer.</p>
3.	<p>Background The SDCEA (South Durban Community Environmental Alliance) is an environmental justice organisation based in south Durban. It is made up of 19 affiliate organisations, and has been active since its formation in 1996. It is considered successful for many reasons. One of which is that it is a vocal and vigilant grouping in terms of lobbying, reporting and researching industrial incidents and accidents in this area. It contributes to the struggle against Environmental Racism for Environmental Justice and Environmental Health. The SDCEA hosts activities such as awareness campaigns, workshops, protests and meetings; to discuss any facets of environmental justice, including community health, unsustainable development, industrial pollution and disproportionate governmental representations.</p> <p>Documents</p>	<p>Desmond Mathew D'Sa SDCEA Coordinator</p> <p>Letter: 13 December 2021</p>	<p>The background information provided by the SDCEA is herewith acknowledged. No further response or action is required.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>The documents provided online are only in English. The documents need to be available in isiZulu, so that the majority of communities in and around the area can understand and provide sound comment on the proposed project. The isiZulu documents need to be entirely accessible to the public, therefore hard copies will have to be distributed. Many community members do not have access to the internet therefore they cannot download the documents off the internet to make meaningful comment as data costs money which rural communities do not have given the current economic situation prevalent in the country at the moment. It is the responsibility of the paid independent consultants to ensure that all communities have access to the documents and COVID should not be used as an excuse to not have any hard copies distributed.</p>		<p>The need to have these technical documents translated into isiZulu is not a feasible request as various environmental and technical terminology is not available in isiZulu. Should a formal request for an Executive Summary of the Scoping Report in isiZulu have been received from the community or the relevant Ward Councillor or community representatives, Savannah Environmental would have made such a copy available on our website and depending on the size, it would have been sent via WhatsApp to the I&APs and/or made available in hard copy. No such request was received. The predominant language in the area where the project is being proposed appears to be English.</p> <p>Throughout the process Savannah Environmental has made the relevant project information available to those I&APs who indicated their interest in the project. Where hard copies of a report were requested, Savannah Environmental provided these. Compliance with COVID-19 Regulations was ensured by the placement of sanitised printed documents into sealed envelopes prior to sending via courier.</p>
	<p>Meetings</p> <p>Engagement in the public participation process is also an obstacle as it is taking place online and the majority of interested and affected parties do not have access to data, computers or smartphones to engage meaningfully. Again, COVID cannot be used as a reason to not have any options for engagement with those who cannot be online.</p>		<p>The approved Public Participation Plan for the project makes provision for virtual meetings as well as for face-to-face meetings on request. No request for face-to-face meetings has been received to date. In addition, reports and other project documentation are available on the Savannah Environmental website and in hard copy on request. Where requested, hard copies have been made available.</p> <p>Further, all notifications and adverts include reference to the Savannah Environmental dedicated public participation mobile phone, and also to the "please call me" facility which allows any community member, I&AP or stakeholder to contact the public</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>participation office and have their call returned should they not have any airtime or data available to make the call.</p>
	<p>Terms of Reference The terms of reference for the appointment of the specialists need to be made available to the public. It is crucial for us to know if these specialists and consultants are people of repute and credibility. We need to understand what process was in place in procurement to appoint these experts and consultants. How was this advertised! How many groups tendered for this project and short listed as communities are concerned with biasness and unfairness when no one follows due process and desk top studies are given as facts?</p>		<p>Details of the appointed specialist are included in the Scoping Report (refer to Chapter 1 and Appendix A of the Scoping Report). Specialist declarations signed by the specialist acknowledging their independence is included in Appendix O of the Scoping Report.</p> <p>Details of the terms of reference for the EIA phase studies are included in Chapter 10: Plan of Study for EIA, as well as in the specialist scoping reports contained in Appendix D to K. All this information was available as part of the Scoping Report provided for public review and comment.</p>
	<p>Research The research done as part of the socio-economic study is inadequate. We want to see evidence that this development will actually create jobs pass the construction phase and will benefit the community long term. Will training be provided to the community to upskill them to be employed? What level of real investment in the community is going to actually take place?</p>		<p>The aim of the scoping level studies was to identify potential issues associated with the project and detail the studies to be undertaken in the EIA Phase of the process. As detailed in the Plan of Study for EIA, a Socio-Economic Impact Assessment will be undertaken as part of the EIA Phase of the process. The Socio-economic assessment will include details of unskilled and skilled labour during the construction and operational phase and will assess the impacts and benefit associated therewith.</p>
	<p>Accidents, explosions, gas leaks and disaster management plans Richards Bay is already a development chemical cocktail. With the addition of this development the current risk increases exponentially. Where there are gas plants of any nature there is always great risk of accidents, and explosions. Several large pipeline failures in the past few years, leading to massive damage and even loss of life, have highlighted this risk. Pipelines can break open and leak. When this happens, the liquid or gas which leaks out can explode and cause fires. Or it could poison water, crops, land and air. When a person is near a leak from a pipeline, he or she may feel tiredness, dizziness, headaches, nausea and/or</p>		<p>A Risk Assessment will be undertaken during the EIA phase (refer to Chapter 10 of the FSR). Measures for Emergency Preparedness will be further investigated during the EIA phase.</p> <p>An assessment of potential human health impacts, based on the outcome of the Air Quality Impact Assessment, will be included as part of the EIA.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	vomiting and difficult breathing. A person may lose consciousness, and could even die. Gas from leaking pipelines may over a long time even cause diseases like cancer and leukaemia. We demand that a proper health study be conducted, there also needs to be a risk assessment done and a proper and adequate disaster management plan which must include a contingency plan.		
	<p>Conclusion</p> <p>Gas power plants are not the energy infrastructure that South Africa needs if it wants to build a clean energy future. Gas plants and gas pipelines will simply add to climate change and commit the country to several more decades of destructive dependence on the oil and gas industry. The concept that natural gas offers a bridge to a low-carbon future is false. If South Africa wants to incorporate a Just Transition, then we need to move away completely from fossil fuels, because according to The International Panel on Climate Change, “there is only a dozen years for global warming to be kept to a maximum of 1.5C, beyond which even half a degree will significantly worsen the risks of drought, floods, extreme heat and poverty for hundreds of millions of people (2018). The recommendation is that there must be a transition to renewable energy which South Africa has a vast potential for. And although this development claims to be a move towards a just transition, as it starts off as an energy mix, that ‘MAY’ eventually reach zero emissions, there is no guarantee that it will reach 100% on green hydrogen as stated, and until then the effects of gas on the environment are far more detrimental than coal.</p>		<p>Just Energy Transition, as defined by SA Government and Eskom, considers a combination of renewable energy and gas to replace coal plants and help in the transition to lower (to zero) emissions. In this regard, gas power complements renewable plants in the future energy mix of South Africa, as such technology can provide energy to the grid at short notice when energy from renewable sources is not available. In addition, gas forms part of the energy technology mix included within the IRP 2019, and is also included within the Draft of National Infrastructure Plan for 2050 and of the CSIR extension of the IRP view to 2050 (mentioned in the NIP 2050).</p>
	SDCEA is at the coal-face of the largest oil refinery complex in Africa. We have witnessed countless explosions, leaks and other pipeline accidents. For the sake of local air, water and land quality, and for future generations whose lives are threatened by the		Comment noted, no further action required.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>climate emergency, the developers and authorities owe South Africa far higher levels of consciousness about the risks of massive gas developments in this, the most unequal society on earth.</p> <p>Please note: We reserve the right to submit additional comments within 48 hours.</p>		<p>No additional comments were received. As the project is currently in the scoping phase, any further comments received will be included in the impact assessment phase of the EIA and responded to at that time.</p>
4.	<p>1. groundWork submits these comments on the Scoping Report (the "SR") of the proposed gas Power Combined Cycle Power Plant (the "project") located at the Richards Bay (KwaZulu Natal) Industrial Development Zone (the "IDZ").</p> <p>2. groundWork has a particular interest and expertise in environmental justice issues, and a long- standing history of working with, and representing, the interests of historically disadvantaged communities within South Africa</p> <p>3. Our concerns related to the Scoping Report (hereinafter the 'SR') and Specialist Reports fall into the following categories:</p> <ul style="list-style-type: none"> 4. Need and consideration of alternatives 5. Costs 6. Climate change impacts 7. Air quality impacts 8. Marine impacts 9. Noise impacts 10. Socioeconomic impacts 11. Participation and landowner consent 12. Severe hazard risks 13. Risks of failure <p>4. Need and consideration of alternatives</p> <p>4.1. A 2000MW gas plant is not needed. All our energy requirements can be met with a fast build out of new renewables, connected to the existing grid infrastructure,</p>	<p>Avena Jacklin Climate and Energy Justice Campaign Manager groundWork</p> <p>Letter: 13 December 2021</p>	<p>Comment noted, no further action required.</p> <p>The IRP 2019 includes gas as part of the technology mix and is also included within the Draft of National Infrastructure Plan for 2050 and of the CSIR extension of the IRP view to 2050 (mentioned in the NIP 2050). Renewable Energy also comprises a significant part of the</p>

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	<p>while building storage capacity and more grid infrastructure, according to Meridian Economics' final report <i>Accelerating renewable energy industrialisation in South Africa, 2020</i>. This is not only the least cost pathway, but a cleaner, safer pathway that can create more and better jobs. What is glaringly lacking is the political commitment to renewable energy in South Africa.</p>		<p>energy mix proposed for the country up to 2030. Just Energy Transition, as defined by SA Government and Eskom, considers a combination of renewable energy and gas to replace coal plants and help in the transition to lower (to zero) emissions. In this regard, gas power complements renewable plants in the future energy mix of South Africa, as such technology can provide energy to the grid at short notice when energy from renewable sources is not available.</p>
	<p>4.2. Gas is resource heavy and suitable cleaner alternatives were not considered in the SR. Infinite resources such as the sun's radiation, wind and wave action are sustainable. South Africa averages more than 2500 hours of sunshine per year with average solar radiation levels of 4.5 to 6.5kW hours per square metre per day. The global solar radiation average is much higher compared with parts of the USA and Europe, making South Africa one of the most favourable countries for solar energy production in the world. The feedstock resource for gas and is finite and, worst of all, dependent on extremely high quantities of clean water throughout its lifecycle from extraction to production to combustion. This strain on water resources intensifies vulnerabilities such as displacement of communities, community livelihoods and works against water conservation and ecosystem strategies required to build climate resilience.</p>		<p>Alternatives to gas were considered by the DMRE in the compilation of the IRP2019 and by Government in compiling the NIP 2050. These studies and government documents have analysed the alternatives and defined which part of the energy mix every resource has to play and have determined that gas should form part of the technology mix. The proposed PRBGP3 project is aiming to fulfil part of the allocation provided for gas in the IRP2019. Renewable projects proposed by other IPPs are proposed in response to the allocation for wind and solar also defined in the IRP2019. The combined effort of all projects will produce the energy mix designed by government.</p> <p>In relation to use of water in the combustion of gas, the technology of gas turbines proposed for this project is Dry-combustion (resulting in a lower use of water), Air-cooled, (i.e. no water is used for cooling down turbines) and the Steam turbines are using a closed-circuit of water (steam is cooled down by air and not released to atmosphere). All of these technology aspects are proposed to reduce the use of water as much as possible.</p> <p>The applicant also considers that the Natural Gas is a commodity in the market. The project will purchase such a commodity and will not include NG extraction to production. Therefore, the potential water usage in these activities is not in the scope of the project and cannot be accountable to it.</p>

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	<p>4.3. The proposed project is not essential to the Just Transition. Gas is expensive, hazardous, destructive to people and ecosystems and a climate change accelerator. Gas infrastructure plans do not fit into the goal of a just transition to a low carbon economy and it is not needed. There are better pathways to achieve a just transition. With the prioritisation of community driven and owned renewable energy systems, the energy trilemma of addressing energy sustainability, energy security and energy equality can be met, ensuring that we are well on our way to a fair and equitable just transition for all.</p>		<p>Response by Jordi Fernandez, PRBGP3</p> <p>Just Energy Transition, as defined by SA Government and Eskom considers a combination of renewable and gas (one not exclusive of the other) to replace coal plants and help in the transition to lower (to zero) emissions.</p> <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>4.4. It is a legal requirement that alternatives must be considered as a part of the Scoping process. In terms of alternatives, the Environmental Impact Assessment Regulations, 2014 require that it must address not only the location alternatives, but that it must consider alternatives in terms of the type, design, layout and technology of the activity, and different means of meeting the general purpose, including not implementing the activity.¹ Despite this there are only consideration of alternative sites, and there are no details of alternative technologies having been considered in terms of the alternatives to gas (type and technology). As will be indicated below, gas and the pipelines associated with it poses significant risk not only in terms of health, environment and climate change, but significant financial risk, as this project is proposed as a long-term gas project. Moreover, there are alternative renewables which are cost efficient with lower risk in terms of long-term energy procurement.</p>		<p>Alternatives considered for the projects are detailed in Chapter 4 of the Scoping Report. Where no alternatives exist, motivation in this regard has been provided as required in terms of the EIA Regulations.</p>

¹ EIA Regulations, 2014

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	<p>4.5. The no-go option: The SR fails to consider the possibility that renewable alternative energy technologies with far fewer social and environmental impacts could be used to respond to this rising energy demand. It also fails to consider the cost savings that these alternatives would provide in comparison with the project option over ten to twenty years.</p>		<p>Alternatives considered for the projects are detailed in Chapter 4 of the Scoping Report. Where no alternatives exist, motivation in this regard has been provided as required in terms of the EIA Regulations. The no-go alternative will be assessed in detail in the EIA Phase of the process.</p>
	<p>4.6. The country's energy 'emergency' has been created through poor decision-making skewed towards fossil fuels development. Attempts to resolve the 'emergency' through additional fossil fuel investments, dependent on the whims of global energy markets, will dig a yet deeper hole and put a just transition to a low carbon economy further out of reach. Procuring gas power and building gas infrastructure is effectively locking in gas for a longer period than is required, crowding out space for ever cheaper and more reliable clean energy, and exacerbating the climate crisis.</p>		<p>Comments noted. No response is required on the political views and opinions of groundworks.</p>
	<p>4.7. According to the IRP, gas is not meant be considered as the main source of energy, but only compliment other sources. This will result in the hardwiring of expensive power at higher rates. Gas generators are expected to burn LNG for much longer periods of time which equates to huge throughput of gas in comparison to peaker plants, which run at less than 5% of the time to supplement the energy deficit. Other analyses, such as work published by Meridian Economics in 2020, reiterate the lack of need and desirability of gas-powered energy such as this 2000MW gas plant in terms of both cost and</p>		<p>Alternatives to gas were considered by the DMRE in the compilation of the IRP2019 and by Government in compiling the NIP 2050. These studies and government documents have analysed the alternatives and defined which part of the energy mix every resource has to play and have determined that gas should form part of the technology mix. The proposed PRBGP3 project is aiming to fulfil part of the allocation provided for gas in the IRP2019. Renewable projects proposed by other IPPs are proposed in response to the allocation for wind and solar also defined in the IRP2019. The combined effort of all projects will produce the energy mix designed by government.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>climate impacts, particularly in the time frames and with the contractual obligations of these projects.²</p>		
	<p>4.8. The proposed project is not needed to provide 'baseload' to the South African grid. The rest of the world is moving into a different paradigm that makes this concept of baseload altogether obsolete. Utilities are increasingly abandoning this terminology and requirements for this kind of energy – requirements that, in today's world of ever-cheaper renewables and storage, were driving electricity prices unnecessarily upward for customers. Renewable energy projects, which include wind, solar and battery storage, will meet baseline criteria within shorter timeframes. Moreover, having a series of such projects would offer more reliable and resilient power to the grid.</p>		<p>This is not correct. Currently wind, solar and batteries cannot cover the baseline energy supply criteria. Currently, it is not economically viable to extend power supply with batteries the solar/wind production to cover 24 hours. Most renewables and battery projects worldwide consider batteries for only a period of 4 hours, to be economically viable.</p> <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>4.9. The energy production of the project for the grid is not clear. Given the supposed criticality of this electricity for the grid, it would be important to clarify the actual energy production capacity of this plant.</p>		<p>The energy production capacity of the plant is as follows: With a nominal capacity of 2000MW, it is able to produce 2 000MWh for every hour of dispatch.</p> <p>The dispatch regime will be determined by the DRME procurement process.</p> <p>The plant is considered for a mid-merit (12-16 hours) to Baseload (24 hours) regime, and therefore daily energy production would be between 24 000-48 000 MWh.</p> <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>4.10. The green hydrogen pathway proposed in the SR is vague and does not contain specified timelines, or consideration of technologies to be used, including</p>		<ul style="list-style-type: none"> According to the proposed OEM for the project, the turbines currently existing, and to be installed in the plant, are already able to function with a 20-30% mix of Hydrogen.

² A Roff et al., A Vital Ambition: Determining the cost of additional CO2 Emission Mitigation in the South African Electricity System, Meridian Economics with CSIR Energy Centre, (2020), <https://meridianeconomics.co.za/wp-content/uploads/2020/07/Ambition.pdf>.

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	<p>conversion requirements from gas to hydrogen or cost implications indicating that it is in fact any kind of viable option. It is largely unproven and untested technology requiring a large build out of renewable energy to support it green hydrogen production in any case, as well as a large water resource input. The socio-economic impacts including high local content job creation over highly specialized jobs is not considered. It is not a solution to the South African energy problem as it does not assess the affordability of this technology to all South Africans, nor their access to energy using this technology, nor its ability to create local, safe, clean and sustainable jobs and livelihoods. To build a gas plant with the 'vision' to include to green hydrogen technologies without a concrete plan is nothing but an empty promise and should not mislead the public into thinking that this will in fact happen.</p>		<ul style="list-style-type: none"> • These turbines will be able to be adapted to upgrades in the technology, allowing a higher % of H2, until arriving eventually at 100%, with minimum changes in the turbines itself and minimum cost impact. • As the plant will be designed from start to be able to operate using Hydrogen, no extra costs of adaptation during the operation phase will be required. • Production of Green Hydrogen in South Africa is considered a strategic initiative to move to a lower-carbon emissions economy, creating large number of employment (including high specialised ones) (70 000 jobs in 2030 and 370 000 in 2050 (IHS Markit)) and creating a large income for the country (0,2% yearly GDP increase, 3,6% by 2050 (IHS Markit)³). • The aim of the production of green hydrogen in South Africa is to be able to produce it at a price that will be competitive to any other gas (including Natural Gas), (estimated \$1,5/kg on 2030 and \$1/kg in 2050 (HIS Market)) with the additional saving in cost of reducing the carbon tax cost. • Water used in production of hydrogen will be mostly produced by desalination of sea water, thus not affecting potable water sources. The water estimated to produce H2 to supply for 1 year 26GW of generation capacity is 30% of the water used by Eskom (potable, not desalinated sea water in the coal power plants (Boston Group). • Being a national level program, the project cannot control or determine the timing of the availability of green hydrogen in large volumes and at a competitive price. The plan indicates, however, 1-1,5 Mtons of hydrogen of production for 2030 and 6 Mtons of hydrogen production in 2050 (Boston Consulting)⁴.

³ IHS Markit. Hydrogen and Renewable Gas Forum

⁴ The Green Tech Opportunity in Hydrogen (2021) <https://www.bcg.com/publications/2021/capturing-value-in-the-low-carbon-hydrogen-market>

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			<ul style="list-style-type: none"> The project may contribute to the success of the Green Hydrogen plan by increasing the demand for that product. Mass production is the principal driver to reduce cost of production of Hydrogen. <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>5. Costs</p> <p>5.1. The proposed gas plant is not a least cost option. They are designed to be a short-term resource to fill a narrow gap in case of true emergencies, such as large amounts of critical power being knocked offline by a storm. The application of this technology for a long-term contract is quite distinct, and this lock-in will result in higher tariffs and less affordable and accessible energy – quite the opposite of what is intended for the social goals of these procurement processes.</p>		<p>The proposed gas plant is a component of the least cost option determined by Government in the IRP2019 for the mix of energy technologies up to 2030. The least cost option for the country cannot be achieved by an energy mix based purely on renewables only.</p> <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>5.2. A far more cost-effective solution would be for the system operator to balance the system to bring on least-cost solar and wind during their production times and complement these in renewable trough production hours with flexible resources such as pumped storage and utility scale batteries. Gas leads to much higher electricity prices for all by favoring more expensive and volatile power systems, and therefore to less reliable power as customers, utilities, and governments cannot pay these high costs.⁵</p>		
	<p>5.3. Inadequate cost analysis of the project compared with other renewable energy options over the proposed operation period, including revenue and tax</p>		<p>The local content of the PRBGP3 project will be similar to or higher than renewable energy projects currently procured through the REIPPPP. In addition, the size of the installation, and its complexity will require a</p>

⁵ See, for example, S. Nicholas, *Ghana: Reliance on LNG means increased fuel price risk and further unaffordable generation contracts*. IEEFA (March 30 2021), Available at: <https://ieefa.org/ieefa-ghana-reliance-on-lng-means-increased-fuel-price-risk-and-further-unaffordable-generation-contracts/>

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	<p>implications.⁶ The cost of renewable energy generation will provide local content, as well as reduce the cost of energy over time.</p>		<p>higher level of local employment during construction and operations than renewable energy projects.</p>
	<p>6. Climate change 6.1. The 2017 judgment in the case of Earthlife Africa Johannesburg v the Minister & Others ("the Thabametsi case") confirmed that a Climate Change Impact Assessment (CCIA) is a necessary component of an EIA for projects with climate impacts. In this case, the court acknowledged the need for a CCIA much broader than a mere assessment of anticipated emissions. It confirmed the need for a comprehensive assessment, which assesses, inter alia, the impacts of climate change on the project and the ways in which the project might aggravate the impacts of climate change in the area.⁷ The Pretoria High Court concluded that "[w]ithout a full assessment of the climate change impact of the project, there was no rational basis for the Chief Director to endorse these baseless assertions" (emphasis added).⁸</p>		<p>Response by Jordi Fernandez. PRBGP3 A Climate Change Impact Assessment will be undertaken in the EIA Phase of the process, as detailed in the Plan of Study in Chapter 10 of the scoping report.</p>
	<p>6.2. A CCIA must analyse the following:</p> <ul style="list-style-type: none"> • the indirect and full life-cycle emissions, these being the GHG emissions arising from extraction of gas; transportation of gas; construction of the plant, operation, and decommissioning; • cumulative emissions (the additive contribution of the project to pre-existing GHG emissions for South Africa); and 		<p>The Climate Change Impact Assessment will be undertaken in the EIA Phase of the process, as detailed in the Plan of Study in Chapter 10 of the scoping report. This assessment will consider the full life-cycle of the gas to power facility, including the extraction and transportation of gas. These will be determined using a an international standard which includes an estimation of the contribution of this in order to calculate the climate change contribution of the project. In addition, the Climate Change Impact Assessment will include an assessment of</p>

⁶ A Vital Ambition

⁷ See para 44, Thabametsi judgment.

⁸ Para 101, Thabametsi judgment. The "baseless assertions" to which reference is made are the statements in Thabametsi's EIR - on which the Chief Director relied exclusively - that the climate change impacts of the project were relatively small and low.

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> • the environmental and social cost of the GHG emissions, that is, the contribution of the project's GHG emissions to South Africa's climate costs and impacts; • the ways in which the project area will be impacted by climate change and the extent to which the project would aggravate these impacts. In other words, the project's impacts on the area's climate resilience and ability to adapt to a changed climate. Given that this is a long-term and large-scale project, consideration must be given to the ways in which climate change will impact on the area and communities where the project will be based, and how the project's own impacts will affect the area's resilience or vulnerability to the effects of climate change as they intensify; and • the ways in which the effects of climate change will impact on the project itself, and its ability to operate optimally and efficiently for its full anticipated lifespan. 		<p>cumulative impacts the environmental and social cost of the GHG emissions, the ways in which the project area will be impacted by climate change and the extent to which the project would aggravate these impacts and the ways in which the effects of climate change will impact on the project itself.</p>
	<p>6.3. The SR fails to adequately address these impacts. Of particular concern are the following gaps:</p> <p>6.3.1. Emissions from gas production, gathering, processing, initial transport, and LNG liquification are not considered in the emissions assessment. Given that a range of studies have shown that these upstream emissions, a result of methane leaks and venting, as well as the energy needed to transport and liquefy gas, make gas equivalent to or worse than coal for the climate, this omission is highly problematic.⁹</p>		<p>Upstream impacts will be considered within the Climate Change Impact Assessment during the EIA phase.</p>

⁹ S. Roman-White et al., Life cycle greenhouse gas perspective on exporting liquefied natural gas from the United States: 2019 update 54 (2019).

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	<p>6.3.2. The current primary exporters of LNG – Qatar, Australia, the United States, and Malaysia, are all over 10,000 km long distance from South Africa. There are not only many emissions generated by the ship to travel this distance, but large quantities of LNG boil off over this distance. Many LNG carriers vent much of this boiled off methane to the atmosphere to control pressure in the ship tanks.</p>		<p>Mozambique will become a major exporter of Natural Gas, and therefore distances will be reduced (1 000-2 000km). In addition, local sources of Natural gas may be used when confirmed and available.</p> <p>Response by Jordi Fernandez, PRBGP3</p>
	<p>6.3.3. At minimum, the climate change assessments should compare emissions from the gas-to-power plant to both coal and renewables alternatives.</p>		<p>The Climate Change Impact Assessment will assess the impacts of the gas to power project, and will also include consideration of how this compares with the impacts associated with emissions from renewable energy projects and coal-fired power stations.</p>
	<p>6.3.4. The latest IPCC report concludes that methane has between 28 and 36 times the global warming potential of CO₂ over a 100-year time scale. Given that this has been established since 2013 the study should rely on the 2007 IPCC Assessment Report's figures.¹⁰ Moreover, there is good reason to use the 20-year global warming potential for methane, given the short-lived gas's contribution to warming that could unlock major climate tipping points in the next twenty years.¹¹</p>		<p>The Climate Change Impact Assessment will use an internationally accepted approach to the study and will include consideration of the latest information available regarding potential impacts associated with the proposed project.</p>
	<p>6.3.5. Mitigation measures need to be proposed for the significant greenhouse gas impacts of these plants. Carbon offsets are notoriously inadequate at successfully offsetting fossil fuel emissions, with problems of faulty baselines, lack of additionality,</p>		<p>Pollution controls and mitigation measures for potentially significant impacts will be addressed during EIA phase.</p>

¹⁰ Intergovernmental Panel on Climate Change, Working Group 1, Chapter 8 - Anthropogenic and Natural Radiative Forcing, in Climate Change 2013 - The Physical Science Basis, Fifth Assessment Report of the IPCC 659-740 (5th ed. 2014), [/core/books/climate-change-2013-the-physical-science-basis/anthropogenic-and-natural-radiative-forcing/63EB1057C36890FEAA4269F771336D4D](https://www.ipcc.ch/core/books/climate-change-2013-the-physical-science-basis/anthropogenic-and-natural-radiative-forcing/63EB1057C36890FEAA4269F771336D4D).

¹¹ T. M. Lenton *et al.*, *Climate tipping points - too risky to bet against*, 575 Nature 592-595 (2019), <http://www.nature.com/articles/d41586-019-03595-0> (last visited Apr 24,2020).

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	impermanence, and leakage plaguing almost all forms of carbon offset projects. ¹²		
	6.3.6. The increasing frequency of powerful coastal storms and their likely impact on these facilities ¹³ is not covered in the SR. The "protection" supposedly afforded by the bays is clearly insufficient in the face of a cyclone, for example. ¹⁴		The Climate Change Impact Assessment will include an assessment of the impacts of climate change on the project itself.
	7. Air quality 7.1. The SR lacks adequate pollution controls.		Pollution controls and mitigation measures will be addressed during EIA phase.
	7.2. The location of the plant means that communities living closeby will be exposed to the emissions from the plant at all times that the predominant onshore wind is blowing, which is typically during the day and therefore exactly when these plants will be generating power.		Potential air quality impacts on identified sensitive receptors will be assessed in the Air Quality Impact Assessment to be undertaken in the EIA Phase of the process.
	7.3. While it is often assumed that the coastal location of these facilities will reduce their degradation of local air quality because of more breeze along the coast, these areas are also subject to strong inversion layers, particularly during June and July. ¹⁵ These inversions trap air pollutants so that they cannot disperse, severely degrading local air quality.		Prevailing climatic conditions and the associated inversion layer will be considered in the Air quality Impact Assessment to be undertaken in the EIA Phas of the process.
	7.4. In this context, the Atmospheric Impact Report has several glaring flaws:		The proposed project is currently in the Scoping phase and only a scoping-level report has been provided at this stage. The purpose of

¹² C.f. M. Cames *et al.*, *How additional is the Clean Development Mechanism?* Oko-Institute (2016), https://www.infras.ch/media/filer_public/11/0f/110fae5f-d1ff-4e8f-9f97-f83a34c86dd1/clean_dev_mechanism_en.pdf

¹³ E.L. Molua *et al.*, *Economic vulnerability to tropical storms on the southeastern coast of Africa*, 12 Jamba (2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7669996/>.

¹⁴ J. Fitchett, *Southern Africa must brace itself for more tropical cyclones in future*, The Conversation, 2018, <http://theconversation.com/southern-africa-must-brace-itself-for-more-tropical-cyclones-in-future-103641>.

¹⁵ H. Tularam *et al.*, *Harbor and Intra-City Drivers of Air Pollution: Findings from a Land Use Regression Model, Durban, South Africa*, 17 Int J Environ Res Public Health (2020), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7432936/>.

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	<p>7.4.1. Air toxics emitted by natural gas combustion in the plants, including carcinogenic formaldehyde and acetaldehyde¹⁶, are not evaluated or quantified in the Report.</p> <p>7.4.2. Toxic volatile organic compounds (VOCs) emitted by natural gas leaks, likely to occur in one or multiple parts of the chain of gas connections between the plants and the mainland, also go unmentioned in the Report.</p> <p>7.4.3. Hazardous secondary pollutant formation as a result of NO_x, SO₂, and VOC emissions from the plant, particularly ground-level ozone, is also not evaluated in the report.</p> <p>7.4.4. The CALPUFF models used do not include emissions from other proposed facilities within the Richard's Bay port and surrounding area, but rather add the plant's emissions only to current air quality monitoring data, thereby leaving out critical cumulative impacts of emissions from other industrial activity in the future (e.g. Mondi, other gas plants and fuel storage tanks)</p> <p>7.4.5. The report therefore fails to assess the worst-case scenario adequately, in which these cumulative emissions are emitted on a day when a temperature inversion prevents dispersion of these hazardous pollutants.</p>		<p>the scoping phase and report is to identify and describe potential sensitivities, issues, potential fatal flaws and to determine the Plan of Study intended for the EIA phase. A comprehensive Air Quality Impact Assessment will be undertaken in the EIA Phase of the process, as detailed in the Plan of Study in Chapter 10 of the scoping report. This study will establish an emissions inventory by referring to NMES and emission factors for combustion processes and fugitive dust (construction). Atmospheric dispersion simulations for the baseline, incremental, and cumulative scenarios using the CALPUFF atmospheric dispersion model will be done taking a worst-case scenario approach.</p>
	<p>7.5. The risks of an explosion resulting from the plant in busy and economically important port areas are not to be taken lightly, nor are the air quality impacts that would</p>		<p>A MHI Risk Assessment will be undertaken during the EIA Phase (refer to Chapter Measures for Emergency Preparedness will be further of the FSR) investigated during the EIA phase.</p>

¹⁶ A.R.B. Pereira *et al.* *Experimental evaluation of CO, NO_x, formaldehyde and acetaldehyde emission rates in a combustion chamber with OEC under acoustic excitation*, Energy Reports (2019), <https://www.sciencedirect.com/science/article/pii/S2352484719301556>

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	follow such an explosion. Nonetheless, these scenarios are not considered in the air quality assessment reports.		
	7.6. While the SR makes reference to the decision not to use Heavy Fuel Oil (HFO) in these dual- fuel engines, it also references impacts of HFO use, leaving doubt about the claim that HFO will not be used such as in the event that LNG is not available. Air quality and climate impacts would be even greater in the case of the use of HFO.		The proposed plant will be operated on natural gas or a mixture of natural gas and hydrogen. HFO will not be utilised. There is no reference to HFO as a fuel source in the Scoping Report.
	7.7. These engines require constant rotating maintenance. Without this, they will run much less efficiently and emit more pollutants per MW of power. Direct, continuous emissions monitoring both on stacks and at the border (typically called "fenceline monitoring") of the plant should be required, both to assess standard emissions levels, and to detect any anomalies in emissions.		Proper preventive and regular maintenance is planned for the plant to secure the optimal and efficient running of the plant. Response by Jordi Fernandez, PRBGP3
	8. Marine Ecology Impacts 8.1. There is no information on the source and discharge points of water, quantities of water required and permissions required for the usage of water within the IDZ.		No water will be abstracted for the project. Water is to be provided by the IDZ from their already approved allocation (Confirmation of services is to be provided in the EIA phase). Effluent from the plant will be discharged into the IDZ stormwater system and not into the marine environment.
	8.2. There is no information on the temperature of the water to be discharged into the receiving environment, both from the plant and storage facility, and the LNG carrier supplying the plant.		LNG carriers are not part of the scope of this Scoping Report. No discharge of water with elevated temperatures is proposed. The gas turbines are air-cooled and the steam circuit is a closed-circuit. Effluent from the demineralisation plant will be at ambient temperature and will be discharged into the IDZ stormwater system and not to the environment. Response by Jordi Fernandez, PRBGP3
	8.3. The impacts of waste and discharge of water from the generators and cooling of the generators has not been adequately assessed and only modelling was used to determine the effects of discharge of heated water on		LNG carriers are not part of the scope of this Scoping Report. No discharge of water with elevated temperatures is proposed. The gas turbines are air-cooled and the steam circuit is a closed-circuit. Effluent from the demineralisation plant will be at ambient

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	the receiving environment. Nor how it will be monitored and reported during operations in South African ports.		temperature and will be discharged into the IDZ stormwater system and not to the environment. Response by Jordi Fernandez, PRBGP3
	8.4. The Marine Ecology Impact Assessments screen out a series of important impacts that a regularly visiting LNG carrier, is likely to have on the local marine environment in the port over the duration of the project.		An LNG carrier within the marine environment is not applicable to the proposed project. No Marine Ecology Impact Assessment is therefore required.
	8.5. Dredging activities, piling and impacts on water flow for the installation of pipelines, transmission lines and storage facilities are not adequately described or addressed.		Dredging activities, piling and the installation of pipelines, transmission lines and storage facilities is not applicable to the proposed project.
	8.6. Plant and vessel management practices, oil spill contingency plans and other relevant considerations for operating within the port and IDZ are not adequately addressed		Vessel management and operation within the port is not applicable to the proposed project. Measures for Emergency Preparedness applicable to the proposed project will be further investigated during the EIA phase
	8.7. The risk of an LNG or gas spill to local marine life is not addressed. Research suggests that methane not only dissipates into the atmosphere, but can also dissolve in water, changing the chemistry and affecting marine life ¹⁷ .		The proposed project is not located in the marine environment. The project is situated in the IDZ Phase 1F.
	9. Noise 9.1. There is no information provided on actual noise levels of similar operations in South Africa or other parts of the world, including the CCPP and servicing LNG vessel. No mitigation options are considered for the benefit of workers. And cumulative noise impacts of the IDZ are not considered		The process is currently in the scoping phase and only scoping-level studies aimed at identifying potential issues and impacts are presented in the Scoping Report. A Noise Impact Assessment will be undertaken as part of the EIA phase of the process and will consider the Sound Power Emission details of a selected generator, assess the potential impacts including cumulative impacts, and provide potential mitigation measures (if required). As an LNG vessel is not part of the project, no assessment of impacts associated with servicing of LNG vessels will be undertaken

¹⁷ S. B. Joye et al., *Magnitude and oxidation potential of hydrocarbon gases released from the BP oil well blowout*, 4 Nature Geoscience 160-164 (2011), <https://www.nature.com/articles/ngeo.1067>.

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	<p>9.2. Underwater noise studies are not suggested in the noise assessments for the inland and marine environments, despite the significant impacts that this noise has on many species, and marine mammals in particular.</p>		<p>The proposed project is not located in the marine environment. The project is situated in the IDZ Phase 1F. Underwater noise studies are not relevant to the project. Noise impacts on identified sensitive receptors in the vicinity of the site will be in the Noise Impact Assessment in the EIA phase.</p>
	<p>10. Socio-economic impacts 10.1. The costs of this energy relative to renewable sources over the operating time-frame is not considered in the Socio-Economic study.</p>		<p>Comment noted. The comment has been provided to the specialist for consideration in the Socio-Economic Impact Assessment as part of the EIA phase.</p>
	<p>10.2. Half of the jobs associated with the project are expected to be short term site establishment construction jobs, while the long-term production ones are high-skilled positions likely to be filled by foreigners. The precise job numbers in the socio-economic impact assessments are not provided. The renewable energy sector with local content creates, not just more jobs, but decent jobs. The International Labour Organisation (ILO) in a recent brief 'Green jobs and renewable energy: low carbon, high employment' stated that renewable energy has a demonstrated job creation effect. And that energy created through solar photovoltaic cells, for example, have a higher number of jobs created per unit of energy than energy produced through fossil fuels. The positive job creation effect of renewable energy is the result of longer and more diverse supply chains, higher labour intensity, and increased net profit margins, while providing the benefit of less hazardous working conditions.</p>		<p>The process is currently in the scoping phase and only scoping-level studies aimed at identifying potential issues and impacts are presented in the Scoping Report. An assessment of the impacts and benefits of the project, including those associated with job creation will be provided in the EIA phase of the process. At this stage, it is expected that employment opportunities to local community members will be available during the construction phase of the project. It is estimated that during the construction period the construction staff complement will be ~600 people, with peaks of staff higher, with employment opportunities being provided for the local community as far as possible. The labour required includes 90% low skilled and semi-skilled and a 10% of skilled and highly skilled workforce. During operation the proposed facility will create approximately 60 permanent employment positions that will be retained for the 20-year life of the project. The permanent employment positions will include highly skilled, skilled and semi-skilled positions.</p>
	<p>10.3. Gas on the other hand requires a limited number of highly specialised jobs throughout its lifecycle, subject to market volatility</p>		<p>The operation of the plant will include opportunities for unskilled, low skilled and highly skilled labour. The proportion of high skilled labour will be high as most of the operation functions of the plant and a lot</p>

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			<p>of the maintenance functions require specialisation and skills. More details in this regard will be provided in the EIA phase of the process.</p>
	<p>10.4. There are also several communities that can be potentially harmed from the power plant, including fishing and farming communities. Land use changes to gas operations will impact on subsistence fishers, recreational fishers, and fishers that depend on fishing for their livelihoods. The socio-economic impacts assessment must comprehensively assess the potential risks and costs of the power plant to these and other local communities that subsist on natural resources nearby to the project site.</p>		<p>The proposed project is located within the Richards Bay IDZ Phase 1F, and is not within the marine environment or in areas used for farming. The Socio-Economic Impacts Assessment will include an assessment of the potential risks and costs of the power plant to affected other local communities and sensitive receptors. Affected communities and stakeholders will be further consulted in the EIA phase of the study through both the Socio-Economic Impacts Assessment and the public participation process.</p>
	<p>11. Public participation 11.1. Online Scoping Report documentation was password protected, preventing people from accessing and assessing the documentation. This issue was raised with Savannah Environmental on previous occasions and they chose to dismiss our concerns and continue to password protect documentation that is meant to be in the public domain and with impacts to the public.</p>		<p>The registration of Interested and Affected Parties (I&APs) was undertaken according to the Public Participation Plan dated November 2021 as approved by the Department of Forestry, Fisheries and the Environment (DFFE) dated 11 November 2021. The approved plan is included in the Scoping Report, Appendix C1.</p> <p>The requirement for a person to register is in line with Regulation 43 of the EIA Regulations which refers to the right of registered parties to comment on the reports submitted as part of the application process. The need for parties to register is such that he/she discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application in accordance with Regulation 43(1).</p> <p>The Scoping Report and Appendices were uploaded onto Savannah Environmental's website allowing I&APs and OoS to download the Scoping Report and Appendices. Access to the reports was unrestricted. I&APs wanting to access the project information via this portal were required to register and receive a unique code (via an automated system) to access the report of interest. This step and the</p>

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			<p>online portal support the EAP in maintaining a complete and accurate record and database of all parties who have interest in the project (and who choose to access the report via the online portal), in line with the requirements of the Regulations. Where parties were unable to access the documents online, these were made available via other appropriate means such as CD, Dropbox or WeTransfer.</p>
	<p>11.2. Public participation has not been sufficient, and information related to the project has not been easily accessible to affected communities. The tribal authorities and communities of Dube and Mkhwanazi near the Richard's Bay port were not identified as potentially impacted communities and were not notified or included in the public participation processes.</p>		<p>The project is not located within the Richard's Bay port. It is located within the RBIDZ Phase 1F. The communities Dube and Mkhwanazi are located approximately 20km+ from the proposed development and would therefore not have an impact on the residents residing in these communities.</p> <p>Tribal authorities have been notified through the OoS consultation process e.g. KZN COGTA.</p> <p>At the time the Scoping Report was released, the information and contact details of the newly elected Ward Councillor (Ward 2) was not yet available to be shared. Consultation was however undertaken with the relevant environmental committee within municipality. Consultation with the Ward Councillor and the Ward Committee Members, which include the suburbs of Wild en Weide will be held during the impact assessment phase of the EIA process.</p>
	<p>11.3. Informal settlements and land users that include market gardeners in the affected areas have not been notified or included in the list of potentially affected parties. The market gardeners that work their gardens along the canal in Richard's Bay for example have not been notified and included in the decision-making process.</p>		<p>The site is located in the industrial area of Phase 1F of the RBIDZ. The areas surrounding the site are also zones for industrial purposes. No informal farmers / gardeners have been identified during the scoping phase of the EIA. Any occupiers or land users identified through the ongoing consultation process in the impact assessment phase of the process will however be provided with the relevant project details and an opportunity to comment on the project.</p>
	<p>11.4. Fisher communities, and especially subsistence fishers that are dependent on the oceans for their livelihoods</p>		<p>The project site is located in-land and would not have any impact on ocean-based activities or communities resident along the coastal line.</p>

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	and food security were not notified and made aware of the proposed development.		
	11.5. Adequate notice must be given to reach out to people in the affected areas. Public participation is a two-way process and should allow for engagement and understanding of the impacts of the proposed developments. The pandemic should not be used to fast track development while excluding and restricting people's ability to participate. It is violating people's right as public trustees to the environment and their role in maintaining a healthy and vibrant democracy.		To date, the project has been advertised in the local press and on site, and interested parties have been invited to register and comment on the proposed project. Communities are consulted through the relevant ward Councillor and community representatives
	11.6. Many communities were also excluded from any online and digital consultation as they are unable to afford the technology and data to access this information.		<p>The approved Public Participation Plan for the project makes provision for virtual meetings as well as for face-to-face meetings on request. No requests for face-to-face meetings have been received to date. In addition, reports and other project documentation are available on the Savannah Environmental website and in hard copy on request. Where requested, hard copies have been made available.</p> <p>Further, all notifications and adverts include reference to the Savannah Environmental dedicated public participation mobile phone, and also to the "please call me" facility which allows any community member, I&AP or stakeholder to contact the public participation office and have their call returned should they not have any airtime or data available to make the call.</p>
	11.7. The landowner consent documentation for sites were missing and we seek confirmation of the plant's compliance in relation to conducting the environmental impact assessments with the correct authorising bodies and their representatives.		Th landowner consent has been submitted to the DFFE together with the final Scoping Report.
12.	Explosion Risks 12.1. LNG carriers and Storage Regasification Units (SRUs) are essentially hazardous bombs, composed of huge		The infrastructure of the proposed Phakwe Richards Bay Gas Power 3 does not include LNG carriers and Storage Regasification Units. This is therefore not applicable to this project.

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	<p>quantities of latent energy. The dangers of having these directly beside an active port and IDZ that contains many other fuel sources, chemicals storage and stores fertilizers, are significant, and cannot be underestimated. These risks come from:</p> <p>12.1.1. Accidents</p> <p>12.1.2. Severe storms, which are also poised to become more common with climate change</p> <p>12.1.3. Terrorism</p> <p>12.2. There is very little consideration of these possibilities within the SR, however, or assessment of what such an explosion would mean for workers or communities.</p>		
	<p>13. Risks of failure:</p> <p>13.1. The company does not have a track record of running for long periods and it is largely unproven technology. Attempting to shore up a national grid on the back of technology that has not been proven for the purpose for which it is intended, and which is dependent on global gas markets over that period questions the consistent provision of this power.</p> <p>13.2. An LNG fuel disruption during the operational period may result in ships being either inoperable or granted "emergency" exemptions that enable Heavy Fuel Oil (HFO). There is no indication of how will fuel usage be monitored, reported and regulated.</p> <p>13.3. Risk of one line being affected</p> <p>13.4. Risk of plant failure – no track record</p>		<p>CCPP technology is proven technology internationally. South Africa has several operating gas facilities. Although these are operated as Open Cycle systems, the technology proposed is not significantly different. There are no ships associated with the project. Therefore, issues relating to these are not applicable.</p> <p>Phakwe Group, the applicant for the PRBGP3 project, is a 100% black-owned South Africa group of companies. The company has been an important player in the Energy Sector in South Africa for several years, and intends to diversify the energy mix of its portfolio, including Gas-to-Power plants. The current portfolio of energy assets of Phakwe Group includes 1 Wind Farm and 8 Solar PV plants.</p>
	<p>In conclusion, the proposed 2000MW gas plant does not fit into the presidential commitment to a just transition towards a low carbon, inclusive, climate change resilient economy and society. It is not the best technology available, but rather, it is expensive, dangerous, exclusionary and will lock South Africa into gas which</p>		<p>The Integrated Resource Plan (IRP) 2019 includes the requirements for gas to form part of the energy mix to support the introduction of renewable energy into the technology mix. Just Energy Transition, as defined by SA Government and Eskom, considers a combination of renewable energy and gas to replace coal plants and help in the</p>

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	<p>will increase our carbon and greenhouse gas emissions and fast track the effects of climate change. The gas plant is not needed. There are better alternatives that will meet our electricity demand are cleaner, safer, cost effective, inclusive and will improve our climate resilience in the just transition. These alternatives were not considered in the Scoping Report.</p>		<p>transition to lower (to zero) emissions. In this regard, gas power complements renewable plants in the future energy mix of South Africa, as such technology can provide energy to the grid at short notice when energy from renewable sources is not available.</p> <p>The Need and Desirability of the project will be addressed further in the EIA phase.</p>