

From: Mike Rothenburg [mikean@imaginet.co.za]
Sent: Saturday, May 24, 2008 6:30 PM
To: 'Sharon Jones'; lyndonm@npa.co.za; faithf@saldanhabay.co.za; helene.miessenheiner@media24.com; Dimokolo@pgwc.gov.za; gerhard.naude@petrosa.co.za; SewardP@dwaf.gov.za; ypeterson@deat.gov.za; nschlettwein@namakwa.co.za; yntze@telkomsa.net; cschreuder@safivegroup.co.za; bseptemb@pgwc.gov.za; wsilbern@pgwc.gov.za; msimelelos@saportops.co.za; JanS@elsenburg.com; waltersm@spoonet.co.za; cwcsa@intekom.co.za
Cc: 'Monique Sham'
Subject: RE: Proposed Reverse Osmosis Plant: Release of Final BA Report

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Yellow Category, Purple Category

I'm very disappointed that after all the discussions the plan to discharge the brine into the bay remains unchanged.

I would once again register my objection to this.

While the impact of pumping the brine into the bay is considered to be low by your experts it none the less represents an additional load on an already stressed environment.

You will recall at the meeting we held in the port building Roy conceded that no absolute guarantee could be given that the impact of the brine would not affect the bay.

Unless Transnet changes their stance on this I will continue to object and will appeal against any decision by DEAT unless this requires brine to be pumped into the open sea.

Mike Rothenburg

This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to its sender. Thank you for your cooperation and assistance.

From: Sharon Jones [mailto:sjones@srk.co.za]
Sent: 22 May 2008 11:07 AM
To: lyndonm@npa.co.za; faithf@saldanhabay.co.za; helene.miessenheiner@media24.com; Dimokolo@pgwc.gov.za; gerhard.naude@petrosa.co.za; SewardP@dwaf.gov.za; ypeterson@deat.gov.za; mikean@imaginet.co.za; nschlettwein@namakwa.co.za; yntze@telkomsa.net; cschreuder@safivegroup.co.za; bseptemb@pgwc.gov.za; wsilbern@pgwc.gov.za; msimelelos@saportops.co.za; JanS@elsenburg.com; waltersm@spoonet.co.za; cwcsa@intekom.co.za
Cc: 'Monique Sham'
Subject: Proposed Reverse Osmosis Plant: Release of Final BA Report

Dear Stakeholder

**EXECUTIVE SUMMARY OF THE FINAL BASIC ASSESSMENT REPORT FOR THE PROPOSED
 REVERSE OSMOSIS PLANT, IRON ORE HANDLING FACILITY
 PORT OF SALDANHA**

SRK Consulting and P.D. Naidoo & Associates (Pty) Ltd have been appointed jointly (as the PDNA/SRK JV) to undertake the Basic Assessment (BA) process for the proposed Reverse Osmosis (RO) Plant at the Iron Ore Handling Facility, Port of Saldanha.

Enclosed please find a copy of the **Executive Summary** of the Final BA Report for the proposed Reverse Osmosis Plant, which is currently available for a 30 day public comment period. The Final BA Report has considered comments made on the Draft BA Report. Copies of the full report (including specialist studies) are available at the following venues:

- Saldanha Public Library;
- Diazville Public Library;
- Langebaan Public Library;

- The Blue Bay Lodge in Blouwaterbaai; and
- The offices of SRK Consulting, Rondebosch.

The Final BA Report can also be accessed electronically on SRK's website www.srk.co.za (via the 'public documents' link) or on the Transnet website www.transnet.net (click on *Business with us – Transnet Capital Projects – Environmental Public Documents*).

The public is invited to review the Final BA documents and forward any comments to **Sharon Jones** of **SRK Consulting** at Postnet Suite #206, Private Bag X18, Rondebosch, 7701; Fax: (021) 685 7105, Tel: (021) 659 3060 or sjones@srk.co.za by **23 June 2008**.

Please note that Monique Sham will be leaving SRK on 30 May 2008, and ALL future correspondence in this regard must thus be addressed to the undersigned.

Yours sincerely

Sharon Jones
Project Manager
PDNA/SRK JV

From: Christo [metsal@imaginet.co.za]
Sent: Monday, May 26, 2008 3:28 PM
To: 'Sharon Jones'
Subject: RE: Proposed Reverse Osmosis Plant: Release of Final BA Report

Follow Up Flag: Follow up
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Categories: Yellow Category, Purple Category

Good Afternoon Sharon,

Could you please forward me the minutes of the meeting we had at the port were Roy van Ballegooyen were present regarding the alternative points of discharge.

Regarding that meeting and the statement that I made about a meeting with Mittal Steel, please note that their was no formal zero effluent policy, what was said in that specific meeting was that MCM, and DWAF conceded, is not in favor of a effluent discharge into Saldanha Bay and that Mittal should review and investigate disposal options outside of Saldanha Bay. By implication this meant that MCM is not happy with an effluent pipe into Saldanha Bay because the system was on that stage already under stress.

My comments on the final scooping document will follow soon. I would however like to have the information on the alternative disposal site that where investigated and on what basis they were eliminated. The scooping document only indicated that an option of disposal outside the bay where looked at.

I will appreciate your assistance in supplying me with the documentation that indicates the elimination process of these sites. Only then I would be able to give informed comments on your (not so final) final scooping document.

Regards,

Christo

From: Sharon Jones [mailto:sjones@srk.co.za]

Sent: 22 May 2008 11:08

To: wtheron@deat.gov.za; thys.els@veoliawater.com; lancetiedt@telkomsa.net; wilfredt@saldanhabay.co.za; mariculture@mweb.co.za; ryballeg@csir.co.za; pieter@deat.gov.za; metsal@imaginet.co.za; plattnerg@mweb.co.za; hilltopcottage@telkomsa.net; plattnerg@mweb.co.za; Tony.Williams@uct.co.za; awinde@wcpp.gov.za

Subject: Proposed Reverse Osmosis Plant: Release of Final BA Report

Dear Stakeholder

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Yours sincerely

Sharon Jones
Project Manager
PDNA/SRK JV

From: Cape Sports Center-Ant [cwcsa@intekom.co.za]
Sent: Monday, May 26, 2008 10:17 AM
To: 'Mike Rothenburg'; 'Sharon Jones'; lyndonm@npa.co.za;
 faithf@saldanhabay.co.za; helene.miessenheiner@media24.com;
 Dimokolo@pgwc.gov.za; gerhard.naude@petrosa.co.za; SewardP@dwaf.gov.za;
 ypeterson@deat.gov.za; nschlettwein@namakwa.co.za; yntze@telkomsa.net;
 cschreuder@safivegroup.co.za; bseptemb@pgwc.gov.za; wsilbern@pgwc.gov.za;
 msimelelos@saportops.co.za; JanS@elsenburg.com; waltersm@spoonet.co.za
Cc: 'Monique Sham'
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I will definitely support Mike Rothenburgs' thinking on pumping the brine out to sea rather than discharging into the lagoon. We would then also have to watch that the discharge pipe is not placed near the lagoon / bay mouth.

Antony Teale
 Langebaan
 Tel. 022 - 772.1114

From: Mike Rothenburg [mailto:mikean@imaginet.co.za]
Sent: 24 May 2008 06:30 PM
To: 'Sharon Jones'; lyndonm@npa.co.za; faithf@saldanhabay.co.za; helene.miessenheiner@media24.com;
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Yours sincerely

Sharon Jones
Project Manager
PDNA/SRK JV

Jones, Sharon

From: Christo [metsal@imaginet.co.za]
Sent: Thursday, June 19, 2008 11:25 AM
To: 'Sharon Jones'; 'Monique Sham'
Cc: Wilna Kloppers (Wilna Kloppers); Paul Hardcastle; jhg@sun.ac.za; leptieshaam Bekko; Saasa Pheeha; xolam@sanparks.org; Noel Williams; Leon Broom SAPO SLD; 'Mark Duckitt'; 'Mike Rothenburg'; J Kotze (E-mail)
Subject: 'RE: RO Plant: SBWQFT Comments on Basic Assessment Document Final draft
Attachments: 2008 Formal complaint EIA process - selecting alternatives.doc

Morning Sharon, Monique,

Attached please find the formal comments of the Saldanha Bay Water Quality Forum Trust on the final Basic Assessment Document regarding the Proposed RO plant in Saldanha Bay.

This is not my personal comments but has been approved by the trustees of the Saldanha Bay Water Quality Forum Trust at a trust meeting earlier this month. The SBWQFT is representative of major industry and civil society around the Bay.

I did forward this letter to DWAF and DEAT (the legislation authorities) due to the importance of this issue to the SBWQFT and the Bay environment in general. I feel it my responsibility to forward our comments also to the SBWQFT's members and colleagues as well to keep them informed about developments in our area and the trust's involvement and role in these new developments.

I hope we will resolve this matter soon and that our concerns will be addressed by government or perhaps yourselves and Transnet.

Regards,

Christo van Wyk
Chairman
SBWQFT



SALDANHA BAY WATER QUALITY TRUST

DIE VOORSITTER : THE CHAIRMAN
POSBUS : 446 P.O. BOX
7357 LANGEBAAN

FAX MESSAGE / FAKSBOODSKAP
TEL (082) 376 8529
FAX (022) 714 1099

TO : SRK
ATTENTION : Me. Sharon Jones
FAX NO.: 021 – 686 5606
DATE: 19 June 2008
Number of pages, including this one : 4

**RE: EIA: REVERSE OSMOSIS PLANT, PORT OF SALDANHA
FORMALLY LODGING CONCERN REGARDING APPROACH TAKEN BY
TRANSNET/SRK IN SELECTING AND SCREENING OUT VARIOUS
ALTERNATIVE OPTIONS FOR DISCHARGE POINTS OF BRINE**

The Saldanha Bay Water Quality Forum Trust (SBWQFT) would like to lodge a formal complaint or concern about the approach taken by Transnet and their appointed Environmental Assessment Practitioner (SRK) in selecting and screening out the various alternative options for potential sites to be investigated where RO plant final effluent should be discharged back into the environment.

The SBWQFT would like to draw your attention to the following EIA Guideline. The DEA&DP NEMA EIA Regulation Guidelines for Assessment of Alternatives (document attached) requires that the Environmental Assessment Practitioner (i.e. SRK) do the following:

- Consider feasible and reasonable alternatives;
- Afford opportunities for interested and affected parties to provide input into the identification and evaluation of alternatives;
- Disclose all information relevant to the identification and evaluation of alternatives to the applicant and competent authority;
- Document the process of identification and selection of alternatives (providing the criteria used to select certain alternatives and how the level of investigation applied to each alternative was established).
- Provide a comprehensive consideration of the impacts of each of the alternatives; and
- Document the process of evaluation of alternatives.

The above guidelines were not followed.

- *The SBWQFT object to the point that Transnet did the determination and first pier assessment of alternative disposal sites themselves, an environmental practitioner was not appointed in the selection process of alternative disposal sites. Mr. Rodney Goosen of Transnet compiled the Transnet document: "RO Plant Engineering Considerations", this document has been finalized and approved on 12 May 2008. The compilation of this document has been done after the Marine Specialist Studies were completed as an after thought, after I&AP's raised their concerns about this issue during the March 2008 meeting.*

The Terms of Reference document, section 3.5, the first point, issued by the environmental practitioner (SRK) for the marine specialist studies gives further proof that the three disposal sites were selected by Transnet and given to the specialists for further investigation. The TOR clearly indicates that the specialist needs to visit the three "predetermined" disposal sites on the terrain for further investigation.

The CSIR were not involved in the determination and selection of alternative disposal sites. The TOR for the marine specialist study is in contradiction to the NEMA guideline and did not allow the specialist to "consider feasible and reasonable alternatives". CSIR were tasked only to investigate 3 given alternatives.

- Consider feasible and reasonable alternatives: *The SBWQFT do not believe that Transnet/SRK have considered all "feasible" and "reasonable" alternatives to the extent required by the law (screening out all options for disposal of effluent outside of the Bay on the basis of a relatively small incremental cost prior to any consideration of the environmental impacts of disposal in the Bay hardly constitutes "comprehensive consideration").*
- Afford opportunities for interested and affected parties to provide input into the identification and evaluation of alternatives: *The SBWQFT believe that Transnet excluded interested and affected parties from giving input into the identification and evaluation of alternatives. I&AP's were only approached for comment after alternative disposal sites had been decided upon.*
- Provide a comprehensive consideration of the impacts of each of the alternatives: *The SBWQFT also believe that the costs of the options for disposal outside of the Bay have been artificially inflated through selection of disposal sites at a greater distance than is absolutely necessary from the site of the stock piles (i.e. cost of laying an online pipeline to North Bay or Tabakbaai would be much less than all the way to Jacobsbaai or Velddrif). The elimination of a pipeline to discharge outside the breakwater due to potential damage by ship anchorage in an area where ships are not allowed to lay at anchor is a gross manipulation of the EIA system and not comprehensive consideration of impacts.*

These considerations and eliminations of alternatives has been done by the impactor himself, it is totally against NEMA principles and guidelines.

Furthermore the SBWQFT would like to comment on the final scoping report and the minutes of the meeting held with I&AP's during March 2008 that has reference to alternative disposal options:

It was minuted that the appointed marine scientist of the CSIR, Mr. Roy van Ballengooyen, raised a concern that no specific comments or complaints has been tabled regarding the marine specialist study.

The SBWQFT is of the opinion that myself as chairman and other board members are not adequately qualified to review the marine specialist report as it falls outside our area of expertise.

It was also minuted that the marine specialist study did not allow for any new proposed civil structures, planned for by Transnet for the proposed future Port upgrade (see Port Master Plan), in the modeling exercise done to determine the effluent plume movement in the Bay. No comment has been made or answers given to this observation. It is the opinion of the chairman (he is not a marine scientist) that such structures could influence the outcome of the modeling results (wave and current movement will be influenced by new quays, etc.) - clarity should be given on this point.

Due to the highly sensitive environment to be impacted upon by this proposed project, the SBWQFT would like to see the specialist studies, especially the marine specialist study be peer reviewed by an independent specialist peer reviewer. It has been confirmed by the environmental practitioner (SRK) that no peer review had been done on any of the specialist studies for this project.

The request for a peer review is based on the following excerpt from the document "Guidelines for Review of EIA Specialists studies" published by DEADP (Dept Env. Affairs & Dev Planning WC): "The appointment of an independent specialist peer reviewer may be triggered where any or all of the following apply:

- *Project proposed for location in a highly sensitive environment and/or it may impact on vulnerable communities.*
- *Complex and controversial projects.*
- *There are no precedents to draw on (e.g. project entails application of new technologies).*
- *Incomplete or potentially inaccurate information is used.*

- *High levels of uncertainty and risk and low levels of confidence in the findings provided by the specialist.*
- *Where conclusions drawn are inconsistent with the information provided by the specialist.*
- *Specialist input contains internally contradictory formation/findings provided by different specialists on the EIA project team.*
- *Where the independence, credibility, competence and ethics of the specialist have been called into question.*

The SBWQFT is of the opinion that the first 4 points are relevant to this particular study and therefore justify the request for a peer review of the marine specialist study done by the CSIR.

Taking the DEA&DP NEMA EIA Regulation Guidelines for Assessment and the "Guidelines for Review of EIA Specialists studies" published by DEADP (Dept Env. Affairs & Dev Planning WC) into consideration the SBWQFT is of the opinion that we have significant grounds for challenging the process followed by Transnet and their appointed EIA practitioner (SRK), mainly due to their approach in screening out options for disposal of brine outside of Saldanha Bay and the apparent lack of an external review of this component of the project (which should have identified the former issue as a point of concern).

The SBWQFT is hugely concerned about what the potential impact of the proposed effluent disposal inside the bay may have in the long run on the Saldanha-Langebaan ecosystem. A second expert opinion needs to give clarity on the impact of this project on the Saldanha - Langebaan Marine ecosystem.

The SBWQFT trust that the relevant authorities (DEAT and DWAF) will consider and respond to this written concern in a responsible manner and that the best interest of this world renown RAMSAR site will be put first.

Christo van Wyk
Chairman SBWQT

PP Wilna Kloppers (DWAF) - 021 - 946 3666
Yazeed Pietersen (MCM) - 021 - 402 3009
Peter (DEAT)

Verwysing
Reference
Isalathiso

E12/2/3/5-F4/16-WJ029/08



Navrae
Enquiries
Imibuzo

Alvan Gabriel

Datum
Date
Umhla

Of issue
25 JUN 2008

Departement van Omgewingsake en Ontwikkelingsbeplanning
Department of Environmental Affairs and Development Planning
IsSebe leMicimbi yeNdalo esiNgqongileyo noCwangeiso loPhuhliso

The Director
Department of Environmental Affairs and Tourism
Parastatals: Environment and Impact Evaluation
Private Bag X 447
PRETORIA
0001

Attention: Ms. L. Grobbelaar

Tel: (012) 310 3491
Fax: (012) 320 7539

Dear Madam

COMMENTS: FINAL BASIC ASSESSMENT REPORT FOR THE PROPOSED CONSTRUCTION OF THE REVERSE OSMOSIS DESALINATION PLANT AT THE TRANSNET IRON ORE HANDLING FACILITY, PORT OF SALDANHA, SALDANHA.

The Final Basic Assessment Report received by the Department on 29 May 2008 refers.

The Department has the following comments:

1. The Department notes the selection of the preferred location alternative (3d) incorrectly referred to as '3b' in the Department's comments (dated 31 March 2008) on the Draft Basic Assessment Report;
2. It is herewith affirmed that alternative 3d is supported (with discharge into Big Bay) as well as the preferred reservoir alternative (provided that the reservoirs are situated as far away from the dunes as possible);
3. An Environmental Management Plan ("EMP") pertaining to all phases of the proposed development (i.e. construction, operation, decommissioning) must be submitted to this Department for commenting purposes and approval prior to the commencement of any construction activities;
4. This EMP may form part of the ports Environmental Management System;
5. The EMP must stipulate *inter alia* the monitoring programmes and strategies to be implemented for effluent and water quality monitoring, on site storage of

*Department of Environmental Affairs & Development Planning
Directorate: Integrated Environmental Management (Region B)*

chemicals, storm-water management, construction activities in the coastal zone, and waste management on site;

6. The EMP must stipulate who is responsible for specific tasks and the schedule that will be followed to achieve these tasks; and
7. You are requested to supply this Department with a copy of the decision taken on the application at the same time that this is issued to the applicant.

This Department reserves the right to revise or withdraw comments or request further information from you based on any additional information that might be received.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



HEAD OF DEPARTMENT

Copies to: Ms. S. Jones (PDNA/SRK Joint Venture)
Mr. D. Visser (Saldanha Bay Municipality)
Ms. M. Sham (PDNA/SRK Joint Venture)
Mr. A. Swanepoel (Transnet Limited)

Fax: (021) 418 6440
Fax: (022) 715 1518
Fax: (021) 685 7105
Fax: (022) 713 5468