

THYSPUNT ALLIANCE

NUCLEAR 1

REVISED ENVIRONMENTAL IMPACT REPORT

APP. H

PEER REVIEW

Response compiled by H.Thorpe and submitted on behalf of the St Francis Bay Residents' Association, the St Francis Kromme Trust and the Thyspunt Alliance

On the whole, this is a balanced and well-researched review, within the limitations outlined at the outset. A strong point is made regarding the national priority of provision of power both to South Africa and to the Eastern Cape, and the relevance of this in assessing the pros and cons of the Thyspunt site. This is not disputed. However, the use of national interest as a ground for overlooking environmental and regulatory requirements would be setting a dangerous precedent.

There are a number of comments which are relevant to the position adopted by the Thyspunt Alliance and by the specialist's review.

These are the following:

1. Limitations in the review

It is acknowledged in the opening paragraph, under "Terms of Reference", that this is "principally a process review, and is not intended as a means of verifying the scientific accuracy or completeness of the special studies that were prepared for the investigation. Specialist reviews have been undertaken for that purpose." It has been confirmed verbally in private conversation with the EAP that peer review of specialist reports is not conducted by the Peer review specialist. This leaves the way open for abuse.

One of our objections to the EIA process as conducted is the number of weak specialist reports, notably the Transportation, Noise and Social Impact reports. There has been minimal change to the reports mentioned between the first and revised reports, despite their blatant shortcomings.

2. Fragmentation of the process

There is no discussion of the legality or appropriateness of excluding the NNR from the EIA process, or indeed of the fragmentation of the process into two separate EIAs, one for the plant itself and the other for the transmission lines. All of these are integral to the overall Record of Decision, and the cumulative effect of all three is not addressed. We view this as a shortcoming in the peer review.

3. Viability of the Thyspunt site

A key issue in the process should have been the question of the viability of the site in terms of internationally recognized requirements for emergency planning. This is a matter for the NNR, who have been completely excluded because no licence application has yet been made. It would be reasonable to expect that this omission would be mentioned by the reviewer, since it is such a fundamental issue in the context of a Record of Decision on the suitability of Thyspunt as a nuclear site at all. This has not been forthcoming.

4. Generation 111 & EURs

Relevant in this context is the total dependence of this EIA on the use of Generation 111 technology, which is still in the developmental stage, and, arising from that, the proposal to reduce emergency planning zones in terms of so-called "EUR"s. Eskom is skating on very thin ice here, since both Eskom and the EAP have acknowledged that, if Generation 111 is not used, the entire EIA will be null and void, and will have to start from scratch. Government announced some time ago that Generation 111 was not affordable. There is no discussion as to whether this decision has been reviewed, or whether EURs can be regarded as suitable regulatory requirements.

The EURs are a product of the European Nuclear industry, to suit its own agenda, and has not been recognized, either by the IAEA or by any national nuclear regulator anywhere in the world. Were South Africa to adopt these "requirements", which are not even guidelines, let alone regulations, it would be the first country in the world to do so.

Surely this should have been included in the EIA process, and in this review. It should have been resolved before such an expensive process was ever entered into. This EIA has therefore been undertaken at risk. It is issues such as this which cause us to question the legality of proceeding with an EIA when the fundamental issue of the specific technology has not been resolved. In view of the extreme significance of these two considerations, it would be reasonable to expect some discussion of this in terms of the process being followed. There is no mention of it.

5. The Nuclear Siting Investigation Programme (NSIP)

According to the reviewer, the EAP did review the NSIP. It would seem to us that she did so in a very selective manner. Our comment is based on Revision 1, ref ACC 1166714, dated December, 1994. In this there are several key points which seem to have been overlooked. These are:

- The incomplete nature of the NSIP. The only criteria which were explored in any detail were the seismic, geology and demographic aspects, which led to the favourable report on Thyspunt. No attention was paid to infra-structural requirements, environmental impacts, emergency planning, costs, etc. These are only being investigated in any depth now in the EIA process.
- There is reference on p. 3 of the NSIP to the 50km demographic requirements from Port Elizabeth, and the 100km requirement from the Ciskei. This is repeated in Box 1 on p. 11 of the peer review, which refers to a 200km requirement from the (then) Ciskei. Whichever is correct, it reflects the security concerns of the then apartheid government. This fell away completely with the constitutional changes which occurred in the mid-nineties. There is a reference in the NSIP to a possible site closer to the Ciskei which, if suitable, could have placed the NPS between Port Elizabeth and East London. The failure by Eskom to investigate this further is inexplicable, and has contributed to the sense of urgency which is now so apparent throughout this EIA process. It would be reasonable to expect some reference to this in the peer review, but it is not mentioned.
- The implication of these limitations is that Eskom has, in fact, no confirmed sites for any NPS. They are all provisional, and based on an incomplete process. Eskom is proceeding as if all five sites have been confirmed as suitable, and are available for development. This is incorrect, and should have been acknowledged in the review.
- Item 3.2.2, p.11 states that “the eastern part of the Oyster Bay area is unsuited to development because of the proximity of several holiday centres”. This led to the recommendation in 3.3.3, p.12, that “the small holiday resorts along the coast be left unaffected”.

It is difficult to see how using the R330 as a main access road for heavy traffic is consistent with this recommendation. Yet this is not discussed in the peer review

6. Pressure on decision-making authority

The point is well made in section 2.3.3, p. 16 of the report, that the possibility of conflict in RODs between the site EIA and the Transmission-line EIA, could force the authorities to approve the transmission lines by virtue of the approval of the power station. This would be a problem if the authorities are forced to approve the transmission lines in the face of a potentially intolerable impact.

The same argument should be applied to the NNR's process. The NNR will only become involved once a licence application is submitted by Eskom. Should Eskom apply for, and obtain a favourable ROD prior to the licencing application, and prior to a decision on viability and other radiological issues by the NNR, this could place the NNR in the same sort of predicament as is mooted for transmission lines. It is unfortunate that these issues are not addressed at all in the peer review.

Our request would be that no ROD be given until such time as the NNR has decided on a licence application.

7. Final Plan of Study issues (Issue 8, p.7)

The argument that it is reasonable to begin study prior to the release of the Final Plan of Study is accepted. What is not acceptable is that several of the specialist studies were completed and dated prior to release of the POS. This meant that the POS and its requirements were not consulted before submission. This cannot be correct.