

## **Eskom Caught In Crosshairs Of Its Own Inaction To Protect Environment**

**20 September 2013** – Eskom’s response, in a statement released on Wednesday, to groundWork [1] and Earthlife Africa Jhb’s [2] concerns on the company’s application for exemption from Minimum Emission Standards (MES) [3] and postponement of the MES timeframes for a number of their power stations, including Medupi, is best described as contradictory and confused.

We note Eskom’s response to our concerns on the World Bank abandoning the people of the Waterberg by not taking strong action against Eskom’s application for exemption of MES at the World Bank funded plant of Medupi, in the Waterberg [4].

The World Bank’s Inspection Panel found that the National Environmental Management Principles were not adequately considered, and the Panel, together with Eskom’s own air quality study on Medupi, accepted that there were health implications in relation to the pollution from the coal-fired power stations, including Medupi. The Panel confirmed that Medupi:

“...represents four major challenges with respect to potential project-induced harm: significant water consumption raising issues of both scarcity and pollution in the local area; emission of gases and particulates causing increased health problems in the local area; added burden on the limited institutional and financial capacity of local authorities that have to cope with rapid industrialization of the area, especially as related to public and social infrastructure and environmental management; and emissions of [GHGs] by the Medupi Power Plant [5].”

Furthermore, Medupi is situated in a government designated Air Quality Priority Area because of concerns of future air pollution challenges that will be posed by Medupi and other associated developments.

As a state-owned enterprise, Eskom has no cause to exempt itself from legislation; the state cannot decide to disregard the laws it has implemented. Air quality regulations and emissions standards were set after a long and public legislative process, in which Eskom participated. We now have legislation in place to protect people and the environment – Eskom must comply and not seek to undermine the democratic and legislative processes.

Air quality regulations and emissions standards have been legislated in order to prevent unnecessary deaths and illnesses, and Eskom’s inability to plan for and implement the necessary changes condemn people in the Highveld and Waterberg Priority Areas to endure the known and poisonous effects of pollution from coal-fired power stations. At the same time, Eskom has been receiving year on year tariff increases. The legislation has provided more than adequate time for Eskom to adjust the operations of its plants to comply.

Moreover, Eskom’s application for exemption sets a dangerous precedent for air quality in South Africa. It was learned on Wednesday that Sasol (2011/12 profit R24.2bn) is seeking similar exemptions for its Secunda and Sasolburg plants. Our weak air quality standards are about to be entirely undermined.

Nevertheless, Eskom indicates that their plan to retrofit the Medupi Power Station with a Flue Gas Desulphurisation (FGD) mechanism six years after commissioning is still unchanged. The original permission given by the Department of Environmental Affairs (DEA) to the

building of Medupi did not include FGD, it stated that this was not needed because of the 'relative lack of pollution' in the Waterberg compared to Witbank. Only after pressure from the civil society on the World Bank and Eskom was FGD included.

Considering the severe lack of water across South Africa, it is unlikely that they will get to putting in FGD. According to Bobby Peek, Director of environmental justice NGO groundWork:

"They should install the FGD upfront with the building of Medupi, but they know that this will never happen; thus the current delay will likely be a permanent rolling delay as Eskom will wish to avoid the expense and effort of securing water supplies."

Eskom assured the World Bank and Inspection Panel that supply would be met by the Mokolo-Crocodile (West) Water Augmentation Projects, but there is no explanation as to why these are no longer available. The risk of FGDs not being put in was warned by the Inspection Panel in their findings:

"Without FGD, according to the EIR... health risks would be 'high' to 'medium high' in this area. The FGD technology chosen for Medupi requires water to operate. Should there be a delay in supply of the necessary water to the power plant... the operation of FGD would similarly be delayed, with protracted harm to health."

Eskom indicates that there is little water available. Tristen Taylor, Project Coordinator of Earthlife Africa Jhb explains why the organisations agree with this:

"Coal-fired power stations threaten our scarce water reserves. This is why we opposed the Medupi power station, as we foresaw this problem. However, we must reiterate that FGD is a necessary measure for all coal-fired power stations. To pollute human habitats and ecosystems knowingly when viable pollution abatement mechanism exists and has been promised is callous and cruel. Eskom must implement FGD from the start of Medupi's first unit."

Eskom indicates that their "highest emitting stations will first have to be retrofitted with emission reduction technology." But this is in contradiction to their MES, which indicates that they will not spend money on the old plants which are about to be decommissioned for it does not make financial sense. This is the crux of the matter, a contradiction in their argument.

We believe this approach leads to Eskom stalling and the result will be that they are going to do as little as possible over the longest time possible. Furthermore, Eskom's concerns about energy security have more to do with its inability to manage the contracting and labour issues of Medupi's construction than FGD or air emissions standards.

It must also be noted that the first renewable energy project came online 10 days ago, three months ahead of schedule. If South Africa needs increased energy supply, clean and quick-to-construct wind and solar projects are preferable to dumping coal pollutants unnecessarily on communities and the environment.

## **FOOTNOTES**

[1] groundWork is an environmental justice organisation working with community people from around South Africa, and increasingly Southern Africa, on environmental justice and human rights issues focusing on Air Quality, Climate and Energy Justice, Waste and Environmental Health. groundWork is the South African member of Friends of the Earth International [www.groundwork.org.za](http://www.groundwork.org.za) <<http://www.groundwork.org.za/>>

[2] Earthlife Africa Johannesburg seeks a better life for all people without exploiting other people or degrading their environment. We want to encourage and support individuals, businesses and industries to reduce pollution, minimise waste and protect our natural resources <http://www.earthlife.org.za/>

[3] The Centre for Environmental Rights comments on the MES on behalf of groundWork, Earthlife Africa Johannesburg and the following community groups: Middelburg Environmental Justice Network; Greater Middelburg Residents' Association; Guqa Community Service Centre; Southern Africa Green Revolutionary Council; Greater Delmas Civic Movement; and Schoongesicht Community Movement, can be found at: [http://www.earthlife.org.za/?page\\_id=2552](http://www.earthlife.org.za/?page_id=2552)

[4] Press release: The World Bank abandons the people of the Waterberg District – 16 September 2013 – Earthlife Africa Jhb and groundWork: <http://www.earthlife.org.za/?p=2763>

[5] The World Bank Inspection Panel findings: <http://www.groundwork.org.za/Publications/Investigation%20Report%20-%20Overview%20and%20Key%20Findings.pdf>