

MPUMALANGA PROVINCIAL GOVERNMENT

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Department of Economic Development, Environment and Tourism

Litiko Letekutfutukiswa
Kwetemnofo, Simondzwo netekuVakasha

Umngango WezokuThuthukiswa
KoMnotho, iBhoduluko nezamaVakatjho

Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Enquiries: Okwethu-kuhle Fakude
Telephone: 013 692 6300
Reference no. : 17/2/3N-315
NEAS ref no. : MPP/EIA/0000725/2013

Hannes Reyneke
Makoya Supply Chain Holdings (Pty) Ltd
P.O. Box 60176
Pierre van Ryneveld,
Pretoria
0045

Fax : 086 512 2120
Email : hannes@makoyagroup.com

Dear Sir,

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED ESTABLISHMENT OF THE BLINKPAN RAILWAY SIDING ON THE REMAINING EXTENT OF PORTION 12 AS WELL AS ON PORTIONS 13, 27, 29, 30 AND 31 OF THE FARM KOORNFONTEIN 27 IS, STEVE TSHWETE LOCAL MUNICIPALITY, MPUMALANGA PROVINCE

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulations 10(2)(a)-(d) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of the date of this letter, by means of one of the following methods:

By facsimile: (013) 766 4614

By post: Private Bag x 11215
Nelspruit
1200

By hand: Building 4, No. 7 Government Boulevard,





RiversidePark Extension
Nelspruit
1200

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours sincerely,



MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 11.11.2014

cc: Ms. Monica Niehof
Environmental Assurance (Pty) Ltd.
Fax no: 012 460 3071
Email: monica@envass.co.za



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Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Environmental Authorisation

Application number: 17/2/3N-315

Holder of Authorisation: MAKOYA SUPPLY CHAIN HOLDINGS (PTY) LTD

NEAS reference number: MPP/EIA/0000725/2013

Location of activity: ON THE REMAINING EXTENT OF PORTION 12 AS WELL AS ON PORTIONS 13, 27, 29, 30 AND 31 OF THE FARM KOORNFONTEIN 27 IS, STEVE TSHWETE LOCAL MUNICIPALITY. 



1. Decision

The Department is satisfied on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Department hereby authorises:

Makoya Supply Chain Holding (Pty) Ltd
P.O. Box 60176
Pierre van Ryneveld, Pretoria
0045

Attention: Mr. Hannes Reyneke
Fax no: 086 512 2120
Tel no: 079 496 8833
Email: hannes@makoyagroup.com

To undertake the following activities (hereafter referred to as "the activity"): The proposed establishment of the Blinkpan Railway Siding on the remaining extent of Portion 12 as well as on Portions 13, 27, 29, 30 and 31 of the farm Koorfontein 27 IS within Steve Tshwete Local Municipality, Mpumalanga Province at the co-ordinates 26° 06'.01.47'S and 29° 24' 19.48'E
Activity 2 of Government Notice R544 of 18 June 2010.

The granting of this environmental authorisation is subject to the conditions set out below.

3. Conditions of Authorisation

Scope of authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.
- 3.2 The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.3 The activity which is authorised may only be carried out at the property indicated above.
- 3.4 Any changes to, or deviations from, the project description set out in this authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.



- 3.5 In the event that the impacts exceed the significance as predicted in the environmental impact report, authorisation may be suspended after proper procedures have been followed.
- 3.6 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.7 The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.8 This activity must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.
- 3.9 The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.10 This authorisation does not negate the holder of the authorization, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Appeal of authorisation

- 3.11 The holder of the authorisation must notify every registered interested and affected party, in writing and within twelve (12) days of the date of this decision, of the outcome of the application.
- 3.12 The notification referred to above, must –
- a) Specify the date on which the authorisation was issued;
 - b) Inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations; and
 - c) Advise the interested and affected party to the manner in which the decision can be accessed;
 - d) Be published in the newspaper contemplated in Regulation 54(2) (c) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management and monitoring of the activity

- 3.13 The Environmental Management Programme (EMPr) dated 09th September 2014 and submitted as part of the Basic Assessment Report is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14 The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
- 3.14.1 The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
- 3.14.2 The ECO must oversee and monitor the success of all rehabilitation activities.
- 3.14.3 During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented.



All reports must reflect the Department's reference number of the project on the cover page.

3.14.4 The ECO must maintain the following on site:

- A site diary
- Copies of all reports submitted to the Department
- A complaints' register of all environmental complaints regarding the proposed project and the remedies applied to such complaints

3.14.5 The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.

- 3.15 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must be compiled by an independent environmental auditor and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the conditions of this authorisation as well as the requirements of the EMPr.
- 3.16 The Department retains the right to monitor and/ or inspect the proposed development during both construction and operational phases.

Commissioning and operation of the activity

- 3.17 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, and must include the name and contact details of the appointed ECO.
- 3.18 The EMP, EA, complaints and accident registers must be readily accessible on site at all times.
- 3.19 The project manager is responsible for overseeing that environmental compliance and monitoring is performed, and must undertake all correspondence with the relevant authorities.
- 3.20 Traffic control procedures must be implemented to prevent tie-ups in the operation of the project and allow general public to move as efficiently as possible.
- 3.21 Contractors and staff involved in any aspect of the project implementation must be properly trained in all environmental aspects relevant to their role in the project's implementation.
- 3.22 All surface water run-off beneath the conveyor need to be diverted and contained within the existing dirty water control systems of the site.
- 3.23 The pooling/ponding of water over the proposed area must not be allowed, and all surface water must be drain freely from the proposed area into the site's storm water control facility.
- 3.24 Any waste that cannot be feasibly reclaimed for further re-use or recovery must be disposed of to an appropriately licensed waste disposal facility.
- 3.25 The site must maintain a waste manifest system to record and track all waste removed from the site, irrespective of the end use thereof.
- 3.26 In cases of fire prevention, the Applicant must ensure that the basic fire-fighting equipment is readily available on site.
- 3.27 The personnel must be on the lookout for spontaneous combustion or self-heating of stockpiles.
- 3.28 No activities must be undertaken in sensitive areas identified in the various specialist assessments.
- 3.29 Exposed surfaces must be kept to a minimum to minimize the volume of dirty run-off generated.




- 3.30 Any accidental hydrocarbon (oil, grease, etc) spillages resulting from the implementation of the project must immediately be removed from site.
- 3.31 Vehicles must not be washed on site.
- 3.32 All stormwater infrastructures on the site must be maintained and kept clean throughout the operational period.
- 3.33 The coal stockpile area must be engineered with measures to contain seepage and minimize ingress to the ground water system.
- 3.34 Pollution control dams must be monitored on a regular basis to determine whether the structures provided are sufficient.
- 3.35 Wild animals encountered on the site must not be trapped, captured, disturbed, injured or killed.
- 3.36 Dust suppressions by spraying of water to exposed surfaces must be carried out.
- 3.37 Air pollution sources must be controlled during the operational phase in order to limit cumulative impacts on the ambient air quality of the region.

General

- 3.38 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.39 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.40 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:



MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 11. 11. 2014



Annexure 1: Reasons for the Decision

1. Background

The applicant, Makoya Supply Chain Holdings (Pty) Ltd, applied for authorisation to carry out the following activities (hereafter referred to as "the activity")

The establishment of the Blinkpan Railway Siding on the remaining extent of Portion 12 as well as on Portions 13, 27, 29, 30 and 31 of the farm Koornfontein 27 IS within Steve Tshwete Local Municipality, Mpumalanga Province at the following co-ordinates 26° 06'.01.47'S and 29° 24' 19.48'E

Activity 2 of Government Notice R544 of 18 June 2010.

1.2 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

Environmental Assurance (Pty) Ltd.
394 Tram Street
New Muckleneuk
0181

Contact person: Ms. Monica Niehof
Tel: 012 460 9768
Fax: 012 460 3071

Email: monica@envass.co.za

2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the Basic Assessment Report and the EMPr.
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- c) The findings of the site visit undertaken by Okwethu-kuhle Fakude on 22nd July 2014.

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below:

- a) Any waste that cannot be feasibly reclaimed for further re-use or recovery will be disposed of to an appropriately licensed waste disposal facility.
- b) Employment and work related wage benefits for construction workers and their associated communities will be uplifted.
- c) The siding receives final product for distribution to Majuba and Camdem Power Stations.

4. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) Blinkpan Railway Siding is owned and operated by Makoya Supply Chain Holdings (Pty) Ltd.



- b) The site serves as a transfer station for final coal product and no mining activities are undertaken on that site.
- c) There were no signs of culturally or historically significant elements including archaeological or paleontological sites observed during the site visit.
- d) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the Basic Assessment report and conditions of this environmental authorisation be implemented and adhered to.
- e) No protected plant species were observed during the site visit.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorization is accordingly granted. 