

**APPENDIX D: SUMMARY OF ISSUES RAISED BY REGULATORY AUTHORITIES AND IAPs**

ISSUE RAISED	BY WHOM AND WHEN	RESPONSE GIVEN BY PROJECT TEAM (amended where relevant for the scoping report)
<b>Procedural related issues</b>		
If the projects are being combined into a single environmental process and report how will the financial provision be catered for?	Khalid Patel, focused meeting with RBA, 31 July 2012	The financial provision for the projects will be split, as was done in the Impala Consolidation report.
When will the Consolidation report be approved?		SLR has received comments from the DMR, but does not yet have confirmation of when a Record of Decision will be issued. This could be within the next few months.
Will the Pit8C and Shaft 16 waste rock dump (WRD) expansion project therefore be excluded from this Consolidation?		Every new project has its own EIA report, however the EMP remains consolidated.
Will the financial provision then be updated?		The financial provision will be update. Impala will not receive authorisation without doing so.
Was Impala issued a directive from Water Affairs following the identification of the groundwater pollution issue?		This was not done under instruction. This was Impala's own initiative following the monitoring results from their own boreholes.
You mentioned public venues for report review. Some of the members in the communities can't read. I would like to suggest that the Future Forum presents the proposed projects to the communities so that they can understand.	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	This can be arranged. The Future Forum will be provided with a copy of the presentation delivered by SLR.
We would like a copy of the presentation so that we can use this as information sharing with the communities.	Lebogang Sephai (Ward 4), focused meeting with Future Forum, 17 August 2012	Keoikantse Mogatle will ensure that the Future Forum will be provided with a copy of the presentation delivered by SLR. In addition to this, a copy of the meeting minutes will be emailed to all delegates.
I would like to be provided with a provisional list of the activities (as per the NEMA Regs) that you will need to apply for authorisation for.	Khalid Patel, EIMS, comment by email dated 2 August 2012	<p>Application for authorisation for the following NEMA Activities has been submitted to DEDECT.</p> <p>Regulation 544, Listing Notice 1</p> <p>Activity 23: The transformation of undeveloped, vacant or derelict land to-</p> <p>(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area</p>

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		<p>to be transformed is bigger than 1 hectare but less than 20 hectares; -</p> <p>Except where such transformation takes place for linear activities. In this regard, both projects have a footprint of greater than 1 ha but less than 20 ha and are located in part on vacant land.</p> <p>Activity 28: The expansion of existing facilities for any process or activity where such expansion will result in the need for a new, or amendment of, an existing permit or license in terms of the national or provincial legislation governing the release of emissions or pollution, excluding where the facility, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 Of 2008) in which case that Act will apply.</p> <p>In this regard, the waste rock dump expansion will require an amendment of Impala's water license.</p>
Does the Pit8C project require a WULA or an amendment to an existing WULA, or is it covered in a previous WUL for the mining area?		Given the temporary nature of the proposed Pit8C project, Impala is following the same approach as previously for the open pits which is not to apply for any water use licences unless dewatering from the pit becomes an issue – which is not currently expected to be the case.
<b>Technical/project related issues</b>		
Where is the additional rock coming from to necessitate the expansion of the waste rock dump?	Khalid Patel, focused meeting with RBA, 31 July 2012	The waste rock dump expansion is not driven by the addition of waste rock tonnage. It is primarily driven by Impala's initiative to address pollution concerns associated with the current waste rock dump. It follows that the proposed expansion requires a greater footprint because it will be designed with flatter slopes.
<b>Land use issues</b>		
What about the agricultural activities taking place at the Shaft 16 waste rock dump expansion area?	Reotshepile Tlhapane, focused meeting with RBA, 31 July 2012	The proposed site for the shaft 16 waste rock dump expansion is currently comprised of vacant, undisturbed veld and dry-land sunflower cultivation. The RBA and Impala should engage with the relevant farmer with regards to compensation for lost ground.

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		<p>Compensation could either be in the form of financial remuneration for the loss in harvest or the sourcing and preparation of alternative land for cultivation. This is dependent on the timing of the proposed project and could be managed so as not to cause any loss to harvesting season. The RBA would need to identify the relevant farmer so that they can be consulted as early as possible in the process. Following engagement with individual farmers, the relevant farmer's union should be consulted. The RBA should also confirm whether there is a formal lease/landuse agreement with farmers for cattle grazing at the Pit8C site.</p>
<p>Is there a piece of land which Impala has in mind to provide as an alternative for the farmer affected at Shaft 16 waste rock dump expansion site?</p>	<p>Itumeleng Hume, focused meeting with RBA, 31 July 2012</p>	<p>In the past, the RBA has identified the land and Impala has covered the upfront costs of clearing and preparing the land for cultivation. It must also be noted that given that Pit8C will be temporary in nature, the site will be returned to its pre-disturbed landuse capacity. Shaft 16 waste rock dump expansion will be a permanent feature and the agricultural land will not be returned following the closure thereof.</p>
<p>Impala must help us to buy more land. The RBA is in the process of purchasing 5000 ha and need more funds.</p>	<p>Advocate Kenneth Mokate, focused meeting with RBA, 31 July 2012</p>	<p>This will probably require reconsideration of the current surface lease agreement. This idea will be passed on the Impala legal department.</p>
<p>Perhaps the agreement with Impala could be improved. Our agricultural land is comprised of black-turf soils which are fertile and the groundwater used for watering of cattle is subject to pollution. Provided that we are compensated with land which is well grassed and has good water, our farmers would relocate happily. The RBA would then allow Impala to use the existing land fuss-free.</p>		<p>This is something that will be discussed at the next Impala-RBN meeting.</p>
<p><b>Surface water issues</b></p>		
<p>You mention surface water as part of your environmental definition. The dam in Kanana is already polluted and this is affecting the cattle. This is an issue which has been raised</p>	<p>Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012</p>	<p>Impala has been engaging Sobantu and Khunou concerning water issues. Impala welcomes other community members to raise other surface water concerns which may be experienced. Impala recommends that Councillor Makhaula is present at the</p>

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previously. As Impala what are you going to do?		next meeting with Sobantu and Khunou.
<b>Groundwater issues</b>		
Groundwater pollution (in the form of nitrates) is increasing every day. Ten years from now our water will be highly toxic to our people and livestock.	Advocate Kenneth Mokate, focused meeting with RBA, 31 July 2012	If this is the case, it is worth noting that in many cases there are technical solutions to treating water, this includes solutions such as the pump and treat method. Impala is monitoring and modelling the groundwater within its surface use area and will adjust its water management strategy accordingly to include the best mitigation measures if required.
Could you elaborate on the nature and extent of the groundwater pollution/contamination that has necessitated the expansion of the WRD? furthermore could you provide me with a groundwater monitoring report, preferably a consolidated report, indicating parameters exceeded and trending etc.	Khalid Patel, EIMS, comment by email dated 2 August 2012	<p>The existing waste rock dump (WRD) at No 16 shaft was constructed as per the approved EMP. However, groundwater monitoring at the WRD shows that there has been some contamination emanating from the WRD, especially with respect to nitrates and chlorides. The highest contaminant concentration was picked up immediately downstream of the WRD but it improves further away. At a distance of a few hundred meters away it is in a range of 160mg/l of nitrates and 2800mg/l of chloride. The water quality in a borehole drilled on the eastern side of the shaft, between the shaft and the Kanana village does not show contamination, with nitrate and chloride levels of 4.6mg/l and 235mg/l respectively.</p> <p>The existing WRD was constructed as per the Impala Platinum – Rustenburg Operations (Impala) practices. The method of WRD construction did include the compaction of the in-situ clay, but the entire footprint area was prepared at the start of the development of the WRD. Because moisture could not be retained in the compacted clay, the clay liner cracked and it is thought that this is the main cause of the groundwater contamination at the shaft 16 WRD area.</p> <p>In an effort to prevent and minimise pollution from future WRDs, Impala, with assistance from the specialist consultant (Knight Piesold), has developed a new design method which includes the combination of a clay lining system (with runoff collection trenches) and concurrent rehabilitation. This significant</p>

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		<p>improvement in the design of the facility requires that the WRD footprint be progressively developed ahead of deposition i.e. only the area to be used for dumping in one year will be prepared at a time, and a layer of waste rock will be used as cover to prevent the clay liner from drying out and cracking. Another significant change is that the side slopes of the WRD will be rehabilitated concurrently with the operation of the WRD, and this will minimise seepage into the WRD.</p> <p>It is expected that these design improvements and operational changes should play a significant role in preventing and minimising groundwater contamination from the WRD. However, it should be noted that for concurrent rehabilitation to be successful, the side slopes of the WRD must be relatively flat during the operational phase. This is a significant change from the old method of dumping at the angle of repose, and only flattening the sides at the end of the operational phase during site rehabilitation. The flatter sides of the operational WRD will therefore require a significantly larger footprint.</p>
<b>Rehabilitation issues</b>		
How sure are you that rehabilitation of the open pit will be feasible?	Khalid Patel focused meeting with RBA, 31 July 2012	The project team is confident that rehabilitation will be feasible. Impala has a ten year track record of successful rehabilitation and will continue to do so in accordance with their EMP commitments.
<b>Blasting issues</b>		
What is Impala doing about the blasting issues which have been raised in the past?	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	A cracking survey was done in the Kanana community. Impala can arrange to meet with Mrs Mmope to address the concerns which she still has.
<b>Heritage issues</b>		
There are graves at Shaft 16. Are they fenced? What is going to be done about them when Shaft 16 is expanded?	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	The expansion refers only to the existing waste rock dump at Shaft 16. In this regard, the design thereof will be changed and therefore only Basi Ntsimane (dryland sunflower farmer at the proposed site) will be affected. There will be permanent loss of agricultural land and in light of this alternative land/compensation

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		will be provided for him. Impala is engaging with the RBA in this regard. No graves have been identified at this site.