

TSHIPI É NTLÉ MANGANESE MINING (PTY) LTD**DMR REFERENCE NUMBER: NC/30/5/1/2/2/206/00083 EM****ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NO 107 OF 1998) (AS AMENDED) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: RELATED TO MINING RIGHT AND RELATED INFRASTRUCTURE ACTIVITIES**

Dear Interested and Affected Party

Tshipi é Ntle Manganese Mining (Tshipi) operates the open pit manganese Tshipi Borwa Mine located on the farms Mamatwan 331 (mining right and surface use areas) and Moab 700 (surface use area), in the John Taolo Gaetsewe District Municipality and Joe Morolong Local Municipality in the Northern Cape Province.

Tshipi proposed numerous changes to its approved environmental impact assessment (EIA) and environment management programme report (EMPr) (NC/30/5/1/2/2/0206MR). Changes to Tshipi's approved layout include:

- an increase in the number, position, volume and layout of waste rock dumps;
- a change to the design, capacity and position of the sewage treatment plant;
- a change to the stormwater management system position, including additional storage;
- a change to the potable water storage facilities capacity and position;
- a change to the position of the office, plant, workshop and related infrastructure;
- a change to the number, position, volume and layout (footprint) of the ore stockpiles;
- a change to the design of the railway line and an increase in length;
- the establishment of an additional temporary run-of-mine (ROM) stockpile area;
- the establishment of tyre bays;
- the establishment of additional weighbridges;
- the establishment of an additional topsoil stockpile area (No. 2); and
- a change in position of the secondary crushing and screening plant.

Additional proposed facilities include the expansion of the approved topsoil stockpile area (No.1), expansion of topsoil stockpile No.2, the change in the position of the approved 78MI stormwater dam and establishment of a clean and dirty water separation system. In addition to this, Tshipi is proposing on mining the barrier pillar

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between the Tshipi Borwa Mine and the South 32 (Mamatwan Mine). The proposed project also caters for the crushing and loading of trains at night.

In addition to the above, certain activities at the Tshipi Borwa Mine commenced without environmental authorisation in terms of the National environmental Management Act (No. 107 of 1998) (NEMA). These activities were the establishment of a diesel farm consisting of above ground tanks and underground pipelines, and the widening of a haul road located on the eastern boundary of the surface use area. Under the NEMA, the unlawful commencement of activities may be authorised through an application for rectification made in terms of section 24G of NEMA.

SLR Consulting (Africa) (Pty) Ltd (SLR), an independent firm of environmental consultants was appointed to manage the EIA and EMP amendment and the section 24G rectification processes.

This letter therefore serves to inform you that the Department of Mineral Resources (DMR) has granted Tshipi a positive environmental authorisation for the amendment of the EIA and EMP to cater for the infrastructure changes and additional facilities described above and the section 24G process. The positive environmental authorisation was granted on 31 January 2018 and received on 06 February 2018. A copy of the environmental authorisation is attached in Annexure A. Information regarding the holder of the environmental authorisation is provided in Table 1 below.

Table 1: Environmental authorisation holder information

Name of holder (entity)	Tshipi é Ntle Manganese Mining (Pty) Ltd
Responsible person	Pretorius Bezuidenhout
Postal address	PO Box 2098, Kathu, 8446
Telephone number	053 739 4700
Fax number	086 577 8636

Should you want to appeal against any aspect of the DMR decision; Interested and Affected Parties (IAPs) need to lodge an appeal in terms of the NEMA, National Appeal Regulations R.993 of 2014 with, *inter alia*, the appeal administrator within 20 calendar days from receipt of this notification (i.e. on or before 06 March 2018) by means of the methods outlined in Table 2 below.

Table 2: Appeal method

Appeal to the Department of Environmental Affairs	
Attention:	Directorate Appeals and Legal Review
Email:	appealsdirector@environment.gov.za
By post:	Private Bag X 447, Pretoria, 0001
By hand:	Environmental House, 473 Steve Biko Road, Arcadia, Pretoria, 0083
Copy of the lodged appeal to the DMR	

Attention:	Regional Manager: Northern Cape Region
By Facsimile:	053 807 1700, EXT, 1777
Email:	Pieter.swart@dmr.gov.za
By post:	Private Bag X 6093, Kimberley, 8300
By hand:	Perm Building, 65 Phakamile Mabija Street, Kimberley, 8301

The procedure pertaining to the administration and processing of appeals in terms of Chapter 2 of the NEMA, National Appeal Regulations R.993 of 2014 is outlined in Appendix B. A copy of the official appeal form can be obtained from the Department of Environmental Affairs.

If you have any queries please do not hesitate to contact the undersigned.

Kind regards



Natasha Smyth

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ANNEXURE A: COPY OF ENVIRONMENTAL AUTHORISATION

**APPENDIX B: THE APPEAL PROCEDURE IN TERMS OF THE NATIONAL ENVIRONMENTAL
MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998): NATIONAL APPEAL REGULATIONS 993 OF 2014**

**CHAPTER 2
ADMINISTRATION AND PROCESSING OF APPEALS**

4. Appeal Submission

- (1) An appellant must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party and any organ of state with interest in the matter within 20 days from:
- (a) the date that the notification of the decision for an application for an environmental authorisation or a waste management licence was sent to the registered interested and affected parties by the applicant;
or
 - (b) the date that the notification of the decision was sent to the applicant by the competent authority, issuing authority or licensing authority, in the case of decisions other than those referred to in paragraph (a).
- (2) An appeal submission must be -
- (a) submitted in writing in the form obtainable from the appeal administrator; and
 - (b) accompanied by -
 - (i) a statement setting out the grounds of appeal;
 - (ii) supporting documentation which is referred to in the appeal submission; and a statement, including supporting documentation, by the appellant to confirm compliance with regulation 4(1) of these Regulations.

5. Responding Statement

The applicant, the decision-maker, interested and affected parties and organ of state must submit their responding statement, if any, to the appeal authority and the appellant within 20 days from the date of receipt of the appeal submission.

6. Appeal Panel

- (1) If the appeal authority reasonably believes that expert advice must be sought or that an appeal panel must be appointed, the appeal administrator must source an independent expert or constitute an independent appeal panel, or both, within 10 days from the date of receipt of an instruction from the appeal authority.
- (2) The appeal panel contemplated in subregulation (1) may consist of such number of independent experts and with such expertise as the Appeal Authority may deem necessary under the circumstances;

- (3) The expert or appeal panel must provide advice to the appeal administrator within 10 days from the receipt of an instruction from the appeal administrator.

7. Recommendations and Decisions on Appeals

- (1) The appeal administrator must make a recommendation on the appeal to the appeal authority within 30 days of receipt of the responding statement referred to in regulation 5 of these Regulations, in the event that an independent expert has not been sourced or an independent appeal panel has not been constituted.
- (2) The appeal administrator must make a recommendation on the appeal to the appeal authority within 10 days of receipt of the advice referred to in regulation 6(2) of these Regulations, in the event that an independent expert has been sourced or an independent appeal panel has been constituted.
- (3) The appeal authority must reach a decision on an appeal, and notify the appellant , applicant , and any registered interested and affected party, within 20 days of the recommendation on the appeal by the appeal administrator
- (4) The decision contemplated in subregulation (3) must contain written reasons for the decision.

8. Communication

- (1) A person may deliver documents in terms of these regulations by using one of the delivery methods referred to in section 47D of the Act.
- (2) In order to meet the time periods determined in these regulations, the person referred to in subregulation (1), must also email, fax or hand deliver the document to the recipient, if the document is delivered by ordinary mail or registered mail.