



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Directorate: Mineral Regulation: North West Region,
Private Bag A1, Klerksdorp, 2570 Cnr Margaretha Prinsloo & Voortrekker Streets
Vaal University of Technology Building, Klerksdorp, 2571

Enquiries: Mr. Christopher Tshisevhe **Tel:** (018) 487 4300 **Fax:** (018) 487 4350
E-Mail: chris.tshisevhe@dmr.gov.za **Ref No.:** NW 30/5/1/2/3/2/1/ (236, 260 & 479) EM

BY HAND

The General Manager
Samancor Chrome Limited
P.O. Box 245
MOOINOOI
0325

Tel No: (014) 574 6057
Fax No: (014) 574 3538

WASTE MANAGEMENT LICENCE IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) AS AMENDED (HEREINAFTER REFERRED TO AS NEMA) AND NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT No. 59 OF 2008) AS AMENDED (HEREINAFTER REFERRED TO AS NEM:WA) AS READ TOGETHER WITH THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR THE PROPOSED CONSTRUCTION AND OPERATION OF A CRUSHING AND SCREENING PLANT, BATCHING PLANT AND A LOADER FOR THE CRUSHING OF STONE IN DIFFERENT SIZES TO PRODUCE READY MIX CONCRETE, PRE-BAGGED PRODUCTS STOPE SUPPORT SYSTEM FOR THE MINING INDUSTRY, PRECAST WALLING, KERBS AND EDGING BY SAMANCOR CHROME LIMITED, SITUATED IN THE MAGISTERIAL DISTRICT OF RUSTENBURG, NORTH WEST REGION.

With reference to the above-mentioned application, please be advised that the Department has decided to **issue** A Waste Management Licence in terms of provision of National Environmental Management Act, 1998, National Environmental Management: Waste Act as in read together with Chapter 5 regulation 27 of the Environmental Impact Assessment Regulations, 2014. The Waste Management Licence and reasons for the decision are attached herewith.

In terms of regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing within 14 (Fourteen) calendar days, from the date of the Department's decision in respect of your application and the relevant provisions regarding the lodgement of appeal must be provided for in terms of the National Appeal Regulations of 2014.

Should you wish to appeal any aspect of this decision, you must submit the appeal to the Minister of the Department of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (North West Regional Office) within 20 days from the date of notification and such appeal must be lodged as prescribed in terms of Chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

Appeal to the Department of Environmental Affairs

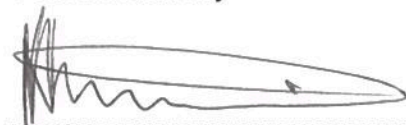
Attention : Directorate Appeals and Legal Review
Email : appealsdirector@environment.gov.za
By post : Private Bag X 447, **PRETORIA**, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, **PRETORIA**, 0083

Copy of the lodged appeal to the Department of Mineral Resources

Attention : Regional Manager: North West Region
By facsimile : (018) 487 4350
E-mail : phumudzo.nethwadzi@dmr.gov.za
By post : Private Bag A1, Klerksdorp, 2570
By hand : Vaal University of Technology Building, Cnr Margareth Prinsloo & Voortrekker Street, Klerksdorp, 2570

Should you decide to appeal, you must comply with the National Appeal Regulations of 2014 in relation to notification of all registered interested and affected, and a copy of the official appeal form can be obtained from the Department of Environmental Affairs.

Yours Faithfully



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REGIONAL MANAGER: MINERAL REGULATION
NORTH WEST REGIONAL OFFICE

DATE..16/05/2019.....



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

Private Bag A1, Klerksdorp, 2570 Cnr Margaretha Prinsloo & Voortrekker Streets
Vaal University of Technology Building, Klerksdorp, 2571
Tel: (018) 487 4300 Fax: (018) 487 4350

WASTE MANAGEMENT LICENCE

Reference number: NW 30/5/1/2/3/2/1/ (236, 260 & 479) EM
Last amended: First issue
Holder of Authorisation: Samancor Chrome Limited
Location of activity: Waterkloof 305 JQ.

DECISION

ACRONYMS

NEMA : National Environmental Management Act, 1998 (Act 107 of 1998) as amended
NEM: WA : National Environmental Management: Waste Act, (Act 59 of 2008) as amended
MPRDA : Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
EIA REGULATIONS: Environmental Impact Assessment Regulations, 2014
DEPARTMENT : Department of Mineral Resources
WML : Waste Management Licence
BAR : Basic Assessment Report
EMPr : Environmental Management Programme
I&AP : Interested and Affected Parties
ECO : Environmental Control Officer
SAHRA : South African Heritage Resources Agency
EIA : Environmental Impact Assessment
EAP : Environmental Assessment Practitioner
PPP : Public Participation Process

The Department is satisfied on the basis of information available to it and subject to compliance with the conditions of this Waste Management Licence, which the applicant should be authorised to undertake NEM: WA listed activity specified below. Details regarding the basis on which the Department reached this granting decision are set out in **Annexure "1"** of this Waste Management Licence.

ACTIVITIES APPLIED FOR

By virtue of the powers conferred on it by NEMA: EIA Regulations, 2014 and NEM: WA, the Department hereby grant an application for a Waste Management Licence submitted by **Samancor Chrome Limited** with the following contact details –

Samancor Chrome Limited

P.O. Box 245

MOOINOOI

0325

Tel No: (014) 574 6057

Fax No: (014) 574 3538

To undertake the following activities as specified in the NEM: WA and NEMA: EIA Regulations.

Construction and operation of a crushing and screening plant, batching plant and a loader for the crushing of stone in different sizes to produce ready mix concrete, pre-bagged products stope support system for the mining industry, precast walling, kerbs and edging.

The granting of this WML is subject to the conditions set out below (site specific) and in Annexure 2 (Departmental standard conditions). The Environmental Management Programme (EMPr) attached as part of reports for the above development submitted as part of the application for a WML is hereby approved and must be adhered to throughout the life cycle of the operation.

WML SITE SPECIFIC CONDITIONS

1. A clean and dirty water separation system must be developed on site.
2. All areas affected by the proposed development must remain as small as possible and must not encroach onto the surrounding sensitive areas and the associated buffer zones.
3. A noise monitoring programme must be developed and implemented to monitor the level of noise generated by the proposed activities and mitigation measure must be effected should the set limits exceeded.
4. Ground water sampling should be carried out quarterly whilst groundwater levels should be measured monthly.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Samancor Chrome Limited submitted an application for an environmental authorisation for a Waste Management Licence for *the construction and operation of a crushing and screening plant, batching plant and a loader for the crushing of stone in different sizes to produce ready mix concrete, pre-bagged products, stope support system for the mining industry, precast walling, kerbs and edging* as prescribed in terms of section 24 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) as read together with section 45 of the National Environmental Management Waste Act, 2008 (Act No. 59 of 2008).

Samancor Chrome Limited appointed Environmental Assurance (Pty) Ltd to undertake the Basic Assessment Report and Environmental Impact Assessment process as prescribed by Regulation 12 of the NEMA: EIA Regulations, 2014.

2. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration-

- a) The information contained in the application form received by the Department on 09th October 2018;
- b) The information contained in the BAR received by the Department on 12th February 2019;
- c) The objectives and requirements of the applicable and relevant legislations, policies and guidelines and the EIA Regulations, 2014;
- d) Public Participation Process (PPP) attached as Appendix 5 of the BAR;
- e) Phase 1 Archaeological Impact Assessment attached to the BAR as Appendix 7;
- f) Ecological and Biodiversity Report attached to the BAR as Appendix 7;
- g) Visual Baseline Report attached to the BAR as Appendix 7;
- h) Air Quality Baseline Report attached to the EIAR as Appendix 7;
- i) The Noise Baseline Report attached to the BAR as Appendix 7;
- j) Geohydrological Report attached to the EIAR as Appendix 7;
- k) A pre-approval inspection report undertaken by this office on the 18th April 2019.

3. Key factors considered in making the decision

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

- a) The environmental impacts associated with the proposed activities will be addressed by the proposed mitigation measures outlined in the EMPr compiled by Environmental Assurance (Pty) Ltd;
- b) As required in terms of section 24 P of NEMA as read together with Regulation 4 of the regulations pertaining to the financial provision for prospecting, exploration, mining or production operations, the applicant has supported their application with the requested financial provision in a form of financial guarantee to the amount of **R399 814.63 (Three Hundred and Ninety Nine Thousand, Eight Hundred Fourteen Rand and Sixty Three Cents Only) (Guarantee Number: GR/G/20856/0319/0607)** issued by Guardrisk Insurance Company Limited (**see folio 24 on the file refers**).
- c) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in Chapter 6 Regulation 41 of the EIA Regulations, 2014;
- d) Phase 1 Archaeological Impact Assessment Report dated August 2015 compiled Tobias Coetzee of Environmental Assurance (Pty) Ltd indicated that the development may proceed on the demarcated portion of portion 410 of the farm Waterkloof 305 JQ, subject to condition outline on the report and the recommendations and approval by the South African Heritage Resource Agency.
- e) Ecological and Biodiversity Report dated August 2015 compiled by Hannes Badenhost of Environmental Assurance (Pty) Ltd is in support of development as the proposed activity's impacts will be addressed by the proposed mitigation measures outlined in the report;
- f) The Visual Impact Assessment dated July 2015 by Johan P. Nortje of Environmental Assurance (Pty) Ltd indicated that the visual impacts will occur due the proposed expansion of the TSF and waste rock dump and can be seen as having Medium impact on the surrounding environment before mitigation measure are implemented. After mitigation has taken place, the visual impact can be seen as low. Therefore the development is supported provided that the applicant comply with the proposed mitigation measure as outlined on the report;
- g) The Air Quality Baseline Report dated July 2015 compiled by Johan P. Nortje of Environmental Assurance (Pty) Ltd is in support of development due to the fact that the impact on the surrounding environment will not be significant;
- h) The Noise Baseline Report dated July 2015 by Carl Schoeman of Environmental Assurance (Pty) Ltd is in support of the proposed development provided that the applicant complies with mitigation measure outlined on the report;

- i) The Geohydrological Report dated July 2015 compiled by Andrew Mavurayi from Water & Environmental Consultancy is in support of the proposed development as activities will result in minimal negative impact on ground water resource at the site mainly due to sound engineering designs of the proposed facilities;
- j) A pre-approval inspection undertaken by this office on the 18th April 2019;
- k) Comments from SAHRA and
- l) Comments from Rustenburg Local Municipality.

4. Findings

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

- a) The potential impacts on the proposed site were clearly investigated and mitigation measures outlined.
- b) Public Participation Process comply with Chapter 6 Regulation 41 of the EIA Regulations, 2014. The PPP included, *inter-alia*, the following:
 - Site notice board notifying stakeholders and I&APs of the proposed activities were placed at conspicuous places in the project area.
 - A newspaper advertisement was placed in the local newspaper “Rustenburg Herald” on the 09 November 2018;
 - Site notice board notifying stakeholders and I&APs of the proposed activities were placed at conspicuous places in the project area.
 - The project announcement/ notification was done on the 14 November 2018 in writing and it was accompanied by BID, registration and comment sheet by e-mail and post;
 - I&APs were notified of the public meeting via e-mails, notices and mailed letters.
 - Public meeting was also held on the 22 November 2018, the comments, response, attendance register and the minutes of the meeting were submitted to this office.

ANNEXURE 2

DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the WML shall be responsible for ensuring compliance with the conditions contained in the WML. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of this WML.
- 1.2 Any changes to, or deviation from the project description set out in this WML must be approved in writing by this Department before such changes or deviation 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 deviation and it may be necessary for the holder of the WML to apply for further authorisation in terms of the EIA Regulations.
- 1.3 The activities, which are authorised, may only be carried out at the properties indicated in the WML and or on the approved EMPr.
- 1.4 Where any of the contact details changes including name of the responsible person, physical or postal address/ or telephonic details, the holder of the WML must notify the Department as soon as the new details become known to the holder of the WML.
- 1.5 The WML does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activities.
- 1.6 The holder of the WML must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.

2 APPEAL OF AUTHORISATION

- 2.1 The holder of the WML must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with regulation 4 (2) of the EIA Regulations, 2014 must do the following:
- 2.2 Notify all registered I&APs of –
 - 2.2.1 The outcome of the application;
 - 2.2.2 The date of the decision;
 - 2.2.3 The date of issue of the decision and;
 - 2.2.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.

- 2.3 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations,
- 2.4 Draw the attention of all registered I&APs to the manner in which they may access the decision.
- 2.5 Provide the registered I&APs with:
 - 2.5.1 Name of the holder (entity) of this WML
 - 2.5.2 Name of the responsible person for this WML
 - 2.5.3 Postal address of the holder;
 - 2.5.4 Telephone and fax details of the holder and
 - 2.5.5 E-mail address of the holder if any.

3 COMMENCEMENT OF THE ACTIVITIES

- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- 3.2 This WML must be provided to the site operator and the requirements thereof must be made fully known to him or her.
- 3.3 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signaling must be posted to that effect. Furthermore, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line.
- 3.4 Appropriate notification sign must be erected at the construction site, warning the public (residents, visitors etc.) about the hazard around the construction site and presence of heavy vehicles and machinery.
- 3.5 Construction must include design measures that allow surface and subsurface movement of water along the drainage lines so as not to impede natural surface and subsurface water flow, and drainage measures must promote the dissipation of storm water runoff.
- 3.6 Vegetation clearance must be limited to areas where the individual activities will occur and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.7 The holder of the WML must note that in terms of the National Forest Act, 1998 (Act No. 84 of 1998) protected plant species, must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the relevant Competent Authority.