



the dme

Department:
Minerals and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X6093, Kimberley, 8300, Tel: (053) 8300 800, Fax: (053) 8325 631
First Floor, Liberty Corner, 29-31 Currey Street, Kimberley 8301

From: Directorate Mineral Regulation: Northern Cape
Enquiries: Mr. N.B Matodzi **E-mail:** Bethuel.Matodzi@dme.gov.za

Sub Directorate: Mine Environmental Management **Ref:** (NC) 30/5/1/2/3/2/1/070EM

REGISTERED MAIL

The Manager
Assmang Limited
P.O BOX Mancorp Mine
Postmansburg
8423

Dear Sir/Madam

APPROVAL OF ENVIRONMENTAL MANAGEMENT PROGRAMME IN TERMS OF SECTION 39 (4) (A) (I – III) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) IN RESPECT OF THE MINING RIGHT ON REMAINDER AND PORTION 1 OF KING NO. 561, RE OF MOKANING, PORTION 1 (PRO RATA OF MOKANING NO. 580), PTN 2 (MOKANING B) OF MOKANING NO. 580, PTN 3 (MOKANING C) OF MOKANING NO. 580, PTN 4 (PORTION OF MOKANING B) OF MOKANING NO. 580, AND PTN 5 OF MOKANING NO. 580 AND REMAINDER AND PTN 5 OF BRUCE NO. 544, SITUATED IN THE MAGISTERIAL DISTRICT OF KURUMAN BY ASSMANG LIMITED.

Please find an approved EMProgramme for your operation. Kindly note that the EMProgramme stipulates Environmental Management and has been approved under the following conditions:

1. This approval doesn't purport to absolve **Assmang Limited** from its common law obligations towards the owner (s) of the surface of land affected.
2. This approval provides no relief from the provisions of any other relevant statutory or contractual obligations.
3. All available topsoil must be stripped and stockpiled separately prior to any surface disturbance.
4. Environmental management must conform to the Environmental Management Programme as approved.

5. Mining activities must conform to all legislation and such other conditions as may be imposed by the Regional Manager or any other official of this office, duly authorized thereto.
6. The Department of Public Works, Roads and Transport is responsible for all surface disturbances on the mining area, which includes all historical surface disturbances.
7. The financial provision provided in terms of section 41 and Regulation 53 of the Act must be periodically reviewed and adjusted {Regulation 54 (2) refers} to conform to the above-mentioned mining activities.
8. Any alteration or deviation from the Plan must be reported to the Regional Manager for his approval or consideration.
9. The approved Environmental Management Programme that is attached is for implementation and compliance to the conditions stipulated therein.
10. Note that a copy of the approved Environmental Management Programme must always be available on the mining premises for inspection by duly authorized officers.
11. The plan must be updated on a regular basis with regard to the actual progress of the establishment of surface infrastructure, mining operations and rehabilitation
12. No mining activities and infrastructure are allowed within the 1:50 year flood line or 100m from the edge of the river whatever is the greatest, without the necessary authorization from DWAF.
13. No mining waste will be allowed to be deposited in a natural drainage lines, erosion gullies and or dongas, unless agreed thereto in writing with the Regional Manager.
14. Monitoring must be conducted on a continuous basis.
15. Performance assessment report as contemplated in regulation 55(1)(c) must be submitted annually (from the date on which the right was granted) to the Regional Manager: Mineral Regulation.


.....
M.J MNDAWENI
REGIONAL MANAGER
NORTHERN CAPE REGION

DATE:.....



the dme

Department:
Minerals and Energy
REPUBLIC OF SOUTH AFRICA

By Hand

From: Directorate Mineral Development: Northern Cape
Private Bag X 6093, Kimberley, 8300, Tel: 053 – 8300 800, Fax: 053 – 832 5631
Liberty Life Building, 29 –31 Currey Street, Kimberley, 8301

Enquiries: Mr. N.A. Tshivhandekano: aubrey.tshivhandekano@dme.gov.za

Sub Directorate: Mine Environmental Management Ref: (NC) 30/5/1/2/3/2/1/070EM

REGISTERED MAIL

The Manager
Assmang Ltd
PO Box Mancorp Mine
Postmansburg
8423

Dear Sir/Madam


APPROVAL OF ENVIRONMENTAL MANAGEMENT PROGRAMME IN TERMS OF SECTION 39 (4) (A) (I – III) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) IN RESPECT OF THE MINING RIGHT FOR IRON ORE ON REMAINDER AND PORTIONS 1 OF KING NO.561, RE OF MOKANING, PORTION 1 (PRORATA OF MOKANING NO.580), PORTION 2 (MOKANING B) OF MOKANING NO.580, PORTION 3 (MOKANING C) OF MOKANING NO.580, PORTION 4 (PORTION OF MOKANING B) OF MOKANING NO.580, AND PORTION 5 OF MOKANING NO.580 AND REMAINDER AND PORTION 5 OF BRUCE NO. 544 SITUATED IN THE MAGISTERIAL DISTRICT OF KURUMAN BY ASSMANG LTD.

Please find an approved Environmental Management Programme (EMP) for your operation. Kindly note that the EMP stipulates Environmental Management and has been approved under the following **conditions**:

1. This approval doesn't purport to absolve **Assmang Ltd** from its common law obligations towards the owner (s) of the surface of land affected.
2. This approval provides no relief from the provisions of any other relevant statutory or contractual obligations.
3. All available topsoil must be stripped and stockpiled separately prior to any surface disturbance.
4. Environmental management must conform to the Environmental Management Programme as approved.

5. Mining activities must conform to all legislation and such other conditions as may be imposed by the Regional Manager or any other official of this office, duly authorized thereto.
6. The company is responsible for all surface disturbances on the Mining area, which includes all historical surface disturbances.
7. The financial provision provided in terms of section 41 and Regulation 53 of the Act must be periodically reviewed and adjusted {Regulation 54 (2) refers} to conform to the above-mentioned mining activities.
8. Any alteration or deviation from the Environmental Management Programme must be reported to the Regional Manager for his approval or consideration.
9. The approved Environmental Management Programme that is attached is for implementation and compliance to the conditions stipulated therein.
10. Note that a copy of the approved Environmental Management Programme must always be available on the mine premises for inspection by duly authorized officers.
11. The Environmental Management Programme must be updated on a regular basis with regard to the actual progress of the establishment of surface infrastructure, mining operations and rehabilitation
12. No Mine waste will be allowed to be deposited in a natural drainage lines, erosion gullies and or dongas, unless agreed thereto in writing with the Regional Manager.
13. Monitoring must be conducted on a continuous basis in line with regulation 55.
14. Performance assessment report as contemplated in regulation 55(1)(c) must be submitted annually (from the date on which the right was granted) to the Regional Manager: Mineral Development

Approved as an amendment to the EMP by


J. M. MINDAWENI
REGIONAL MANAGER
NORTHERN CAPE REGION

DATE: 25/01/2007



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X6093, Kimberley, 8300,
Tel: (053) 807 1700, Fax: (053) 8325 631
First Floor, Liberty Corner, 29-31 Currey Street, Kimberley
8301

From: Directorate Mineral Regulation: Northern Cape
Enquiries: Ms Linah Tshikororo **E-Mail:** Tshisikhawe.Tshikororo@dmr.gov.za
Sub Directorate: Mine Environmental Management **Ref:** NC 30/5/1/2/3/2/1/070 EM

REGISTERED MAIL

The Director
Assmang Limited
P.O Box 782058
Sandton
2146

Dear Sir

APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PROGRAMME AMENDMENT IN TERMS OF SECTION 102 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) FOR RAILWAY DIVERSION AND ESTABLISHMENT OF A LOCAL RAILWAY SIDING IN RESPECT OF REMAINDER AND PORTION 1 OF KING NO. 561, REMAINDER OF MOKANING, PORTION 1 (PRO RATA OF MOKANING NO. 580), PORTION 2 (MOKANING B) OF MOKANING NO. 580, PORTION 3 (MOKANING C) OF MOKANING NO.580, PORTION 4 (PORTION OF MOKANING B) OF MOKANING NO. 580, AND PORTION 5 OF MOKANING NO. 580, AND REMAINDER AND PORTION 5 OF BRUCE NO. 544 SITUATED IN THE MAGISTERIAL DISTRICT OF KURUMAN NORTHERN CAPE PROVINCE BY ASSMANG LIMITED.

Please find your approved Environmental Management Plan for your attention and appropriate action. Kindly note that the Environmental Management Plan stipulates Environmental Management and has been approved under the following conditions:

1. This approval doesn't purport to absolve **Assmang Limited** from its common law obligations towards the owner(s) of the surface of land affected.
2. Mining activities must conform to all legislation and such other conditions as may be imposed by the Regional Manager or any other official of this office, duly authorized thereto.
3. The company is responsible for all surface disturbances on the mining area, which includes all historical surface disturbances.

4. The financial provision provided in terms of section 41 and Regulation 53 of the Act must be annually reviewed and adjusted (Regulation 54 (2) refers) to conform to the above-mentioned mining activities.
5. Note that a copy of the approved Environmental Management Plan must always be available on the mining site for inspection by duly authorized officers.
6. No mining waste will be allowed to be deposited in a natural drainage lines, erosion gullies and or dongas, unless agreed thereto in writing with the Regional Manager.
7. Performance assessment report as contemplated in regulation 55 (1) (c) must be submitted every 2 (two) years (from the date on which the right was granted) to the Regional Manager: Mineral Regulation.

Regards,

.....
P SWART

REGIONAL MANAGER

NORTHERN CAPE REGION

DATE:

17/2/2011

ANNEXURE "A"



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Mineral Regulation: Northern Cape Region
Mine Environmental Management
Ref: (NC) 30/5/1/2/3/2/1/070 EM

Below is specific additional requirements that have been set for your operation by the Regional Manager: Mineral Regulation, Northern Cape Region

1. Before any drilling, prospecting, mining or trenching takes place a Heritage Impact Assessment (HIA) must be done to determine if there are any archaeological and/ or palaeontological sites that may be impacted upon by the proposed prospecting activities (Act 25 of 1999).
2. In terms of section 21 of the National Water Act, 1998 (Act 36 of 1998), all water uses must be licensed and all mining related sections of Water Act must still be met and strictly adhered to including the commitments stipulated in the above mentioned Environmental Management plan, any deviations must be communicated to this office.
3. The regulations on the use of water for mining and related activities aimed at the protection of the water resources as published in the Government Notice No.704, and Government Gazette No.20119 must be complied with.
4. No mining activities are allowed within the 1:100 year flood line of a water resource.
5. No mining may be carried out or within a horizontal distance of 100m from the following structures: servitude, buildings, roads, railways and reserves. If a person prospects or mine within a horizontal distance of 100m, a risk assessment must be conducted and approved by the Principal Inspector of Mines.

I, A.A. Mostert..... the undersigned and duly authorised thereto by ASSMANTH. Khumani..... hereby duly undertake to adhere to the requirements set above.

Signed at Kimberley this 29.....day of February.....2011

Signature..... Designation

Approved in terms of Section 39(4) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)

Signed at Kimberley.....this 17th.....day of February.....2011

REGIONAL MANAGER
NORTHERN CAPE REGION

UNDERTAKING

I, A.A. Mostert....., the undersigned and duly authorised thereto by ASSMANG-Khumani....., hereby declare that the contents of this document is true and correct. I undertake to implement the measures as described herein. I understand that this undertaking is legally binding and failure to give the effect hereto will render me liable for prosecution in terms of Section 98 (b) and 99 (1)(g) of the Mineral and Petroleum Resources Development Act, (Act 28 of 2002). I am also aware that the Regional Manager may, at any time, make such changes to this plan as he/she may deem necessary.

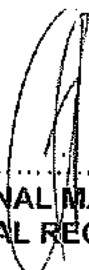
Signed at Kimberley..... on this 24 day of February 2011


.....
Signature of applicant

APPROVED / NOT APPROVED

I, Pieter Swart....., the undersigned and duly authorised thereto by the Department of Minerals and Energy, have studied and approved the contents of this document.

Signed at Kimberley..... On this 17th day of February 2011


.....
REGIONAL MANAGER
MINERAL REGULATION: NORTHERN CAPE REGION



DEPARTMENT OF TOURISM,
ENVIRONMENT AND CONSERVATION

ISEBE LEZOKHENKETHO, INDALO
NOLONDOLOZO

LEFAPHA LA BOJANALA, TIKOLOGO
LE TSHOMARELO

DEPARTEMENT VAN TOERISME,
OMGEWING EN BEWARING

224 Du Toitspan Road
Private Bag X6102
KIMBERLEY
8300

224 Du Toitspan Road
Kgetsanaposi X6102
KIMBERLEY
8300

224 Du Toitspan Road
Inxowa yeposi X6102
KIMBERLEY
8300

Du Toitspanweg 224
Privaatsak X6102
KIMBERLEY
8300

Tel. (053) 807-4800

Fax (053) 831-3530

Enquiries :
Dipatlisiso :
Imibuzo : S.Mbanjwa
Navrae :
Reference :
Tshupelo : NNO 25/19
Isalathiso : NC/SIY/ASS3/41/08
Verwysings :

Date :
Letlha :
Umhla : 29th July 2009
Datum :

Mr. Pierre Becker
Khumani Iron ore Mine
Private Bag X503
Kathu
8446

Fax: 053 311 4310

Dear Sir/ Madam

APPLICATION FOR AUTHOURISATION: THE PROPOSED EXPANSION OF CAPACITY, RAILWAY DIVERSION AND ESTABLISHMENT OF A LOCAL RAILWAY SIDING AT KHUMANI IRON ORE MINE SIYANDA DISTRICT MUNICIPALITY, NORTHREN CAPE PROVINCE.

By virtue of the powers conferred to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Regulations, 2006, the Department hereby grants authorisation to/for ***APPLICATION FOR AUTHOURISATION: THE PROPOSED EXPANSION OF CAPACITY, RAILWAY DIVERSION AND ESTABLISHMENT OF A LOCAL RAILWAY SIDING AT KHUMANI IRON ORE MINE SIYANDA DISTRICT MUNICIPALITY, NORTHREN CAPE PROVINCE.*** A detailed description of the activity is given in the **Scoping Report dated January 2009**, subject to the conditions listed in the environmental authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2006, you are instructed to notify all registered interested and affected parties, in writing and within seven (7) calendar days of receiving of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Permit No 47/2009



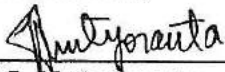
A DESTINATION IN HARMONY WITH NATURE

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you / any person affected by this decision wish to appeal any aspect of the decision, you or a person affected by this decision must, *inter alia*, lodge a notice of intention to appeal, as prescribed in regulation 62 of Environmental Impact Assessment Regulations, 2006, with the Member of the Executive Council, Ministry of Tourism, Environment and Conservation within 10 days of receiving this letter, by means of one of the following methods:

By facsimile: (053) 832 1026;
By post: Private Bag x 6102, Kimberley, 8300 or
By hand: T-Floor, Metlife Towers, Kimberley, 8300.

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 faithfully



Mr J.J. Mutyorauta

DIRECTOR: ENVIRONMENTAL MANAGEMENT

DATE OF DECISIONS: 29th July 2009

Cc: Ivuzi
(011) 803 5726



ENVIRONMENTAL AUTHORISATION

in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the
Environmental Impact Assessment Regulations, 2006

Authorisation Register Number:	Permit 47/2009
Reference Number:	NC/SIY/ASS3/41/08
Last Amended:	N/A
Holder of Authorisation:	ASSMANG LIMITED
Location of activity:	Khumani Iron Ore, Tsatsabane/Gamagara Local Municipality, Siyanda/John Taolo Gaetsewe District Municipality respectively

DEFINITIONS

- **Activity** – means an activity identified in Government Notice No. R.386 and No. R387 of 2006 as a listed activity.
- **Applicant** – means a person who has submitted or intends to submit an application.
- **Application** – means an application for an environmental authorisation in terms of Chapter 3 of the Environmental Impact Assessment Regulations of 2006
- **Basic Assessment** – means a process contemplated in regulation 22 of the Environmental Impact Assessment Regulations of 2006.
- **Basic Assessment Report** – means a report contemplated in regulation 23 of the Environmental Impact Assessment Regulations of 2006.
- **EAP** – means an environmental assessment practitioner as identified in the Environmental Impact Assessment Regulations of 2006
- **EIA** – Environmental Impact Assessment means an environmental plan in relation to identified or specified activities envisaged in chapter 5 of the Act and described in regulation 34 of the Environmental Impact Assessment Regulation of 2006.
- **Interested and Affected party** – means any group of persons or organisation interested or affected by an activity and any organ of state that may have jurisdiction over any aspect of the activity.
- **Public Participation Process** – means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to specific matters.
- **The Act** – means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises –

ASSMANG Limited

With the following contact details –

Mr. Pierre Becker

Private Bag X503

Kathu

8446

Tel 053 311 6600

to undertake the following activity (hereafter referred to as "the activity")

the expansion of the capacity, railway diversion and the establishment of a local railway siding as listed Government Notice 387, 1c and 1s in portion 1,2,3,5 & remainder of the farm Mokaning 560

RD, Portion 1, 2, 3 & remainder of the farm king 561, Portion 2, 6, & Remainder of the farm parson 564 RD and Remainder of the farm Bruce 544RD situated in both Gamagara and Tsatsabane in the districts of John Taolo Gaetsewe and Siyanda District Municipality respectively, Northern Cape, hereafter referred to as the "property".

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

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
2. The holder of the authorisation shall be responsible for ensuring compliance with the 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. The activity(s) which is authorised may only be carried out at the property indicated above.
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.
5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

General conditions:

6. 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.
7. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
8. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. 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.

10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.
11. The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Environmental Affairs & Tourism, National Department of Agriculture, Department of Housing & Local Government, Department of Water Affairs & Forestry, Department of Minerals and Energy, Department of Transport, Roads & Public Works, Department Arts, Sports & Culture, South African Heritage Resources Agency, South African Civil Aviation Authority).
12. The activity, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
13. One week's written notice must be given to the Department before commencement with the activity.
 - a. Such notice shall make clear reference to the site location details and the reference number given above.
14. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
15. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.
16. Records relating to the compliance/non-compliance with the conditions of the authorization and contracts must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records.
17. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.
18. Officials in the employ of the Department shall be given access to the property as described above (see detailed description of the activity) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Record of Decision. Where the activity is located on a third party's property the applicant shall be responsible to arrange access for departmental officials.
19. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's environmental scoping report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
20. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
21. This Department and any national department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.

22. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
23. The applicant must apply the principle of best practicable environmental option for all technologies used/ implemented during construction.

Appeal of authorisation:

24. The holder of the authorisation must notify every registered interested and affected party, in writing and within 7 (SEVEN) calendar days, of receiving notice of the Department's decision to authorise the activity.
25. The notification referred to in 23 must –
 - specify the date on which the authorisation was issued;
 - inform the interested and affected party of the appeal procedure provided for in Chapter 8 of the regulations; and
 - Advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.
26. If the applicant should appeal against this record of decision, he/she must inform all interested and affected persons that such an appeal is being lodged with the MEC and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

Management of activity:

27. An Environmental Management Plan ("EMP") attached to the Environmental Impact Assessment Report should be adhered to.

Monitoring

28. The applicant must appoint an Environmental Control Officer (ECO) that will have the responsibility of implementing the approved EMP.

Recording and Reporting to the Department:

29. The holder of the authorization must submit an environmental audit report to the Department on request and it must be compiled by an independent Auditor to avoid biasness.

Commissioning of the activity

30. Seven (7) 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.
31. Any waste generated during construction and operation phases must be disposed off at a waste disposal site licensed for such waste.
32. All hazardous waste (oils, effluent from corrosion protection activities) must be disposed off at the registered site.

33. It is recommended that no threatened or protected species should be destroyed. Fauna and flora (including protected or endemic species) relocation or destruction should only be done if there is authorization by Department of Water affairs and forestry and directorate of the Department of Tourism Environment and conservation.
34. Should protected trees and other vegetation be destructed, relocated and/or disturbed, permits must be obtained from Department of Water Affairs and Forestry (DWAF) and Department of Tourism, Environment and Conservation (DTEC).
35. Should any archaeological artifacts, graves or protected and endangered biota be found on site, the operation must be suspended and construction should only continue after consultation with South African Heritage Resource Agency (SAHRA).
36. Toilet facilities must be provided for workers.
37. Relevant Occupational Health and Safety Standards should be observed at all times.
38. The safety of the participants must be ensured by:
 - 38.1 Involving qualified engineer in the design and erection and installation of railway diversion and the local railway siding.
 - 38.2 Having regular safety inspections and ensuring participants are equipped with necessary safety equipment.
39. The construction process must ensure that the necessary safety signage and personal protective clothing is in place. The regulations pertaining to the Occupational Health and Safety Act must be adhered to at all times.
40. Access roads to the construction site must be watered regularly to mitigate the dust impacts.
41. Disturbed areas must be rehabilitated progressively to minimize total open area.
42. Noise generation during construction must be mitigated by ensuring that all regulations relating to noise generation are observed and by restricting work to normal working hours.
43. All machines must be equipped with appropriate noise reduction equipment and all vehicles must be roadworthy.
44. Proper road signage must be strategically placed in the area of the construction site.
45. No vehicle or construction machinery may be extensively repaired on-site.
46. Mixing of concrete in areas where excess material could enter drainage systems must be avoided.

Operation of the activity:

47. The railway diversion and the local railway siding must well be maintained and kept in good order at all times.
48. All proposed mitigations for the Operational Phase as outlined on the EIR must be implemented.
49. General waste must be transported and disposed off at the registered waste disposal site.
50. All hazardous substances spillages must reported to the Department of Water Affairs and Forestry within 48 hrs of the incident.
51. Effluents containing oil, grease or other industrial substances must be collected in a suitable receptacle and removed from site to an approved waste disposal site licensed for such waste.
52. Spills must be cleaned up and managed effectively to ensure that groundwater does not become contaminated.
53. There must be procedures in place for the regular inspection and maintenance of the railway diversion and the local railway siding.
54. To ensure that environmental degradation is prevented possible measures should be put in place so that impacts arising from operation are mitigated

Site Closure and Decommissioning

55. Should the activity ever cease or become redundant the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at the time.
56. No alien or invasive species must be introduced during rehabilitation.
57. All decommissioning phase mitigations outlined in the EMP should be implemented.

DURATION AND PERIOD OF VALIDITY

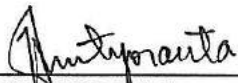
This activity(s) must commence within a period of three (3) years from the date of issue. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

APPEAL

In terms of Chapter 7 of Environmental Impact Assessment Regulations, 2006, if the applicant or a person affected by this Decision wishes to appeal this decision, a notice of intention to appeal must be lodged within ten (10) days of being notified of the decision, and an appeal must **be lodged within thirty (30) days** of lodging of the notice to appeal to:

The Member of the Executive Council
Ministry of Tourism, Environment & Conservation
Private Bag X6102
Kimberley
8300
Fax: (053) 8321032

Appeals must comply with the provisions of Chapter 7 of Environmental Impact Assessment Regulations, 2006 Government Notice No. R. 385 of 21 April 2006.



MR. JJ MUTYORAUTA
DIRECTOR: ENVIRONMENTAL MANGEMENT
Department of Tourism, Environment & Conservation

Date Of Environmental Authorisation: 29th July 2009

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant, ASSMANG LIMITED applied for authorization to carry on the following activity:

the expansion of the capacity, railway diversion and the establishment of a local railway siding as listed Government Notice 387, 1c and 1s in portion 1,2,3,5 & remainder of the farm Mokaneing 560 RD, Portion 1, 2, 3 & remainder of the farm king 561, Portion 2, 6, & Remainder of the farm parson 564 RD and Remainder of the farm Bruce 544RD situated in both Gamagara and Tsatsabane in the districts of John Taolo Gaetsewe and Siyanda District Municipality respectively, Northern Cape

The applicant appointed IVUZI Consultants in water, Environmental and applied earth Sciences to undertake an Environmental impact assessment process.

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 Scoping Report dated January 2009.
- b) The comments received from interested and affected parties as included in the Relevant information contained in the Departmental information base including –
 - Public Participation Guideline
 - EIA Regulations, 2006
- c) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998)
- d) The findings of the site visit undertaken by Ndindani HH on 25 February 2009.

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) The legal and procedural requirements have been complied with and the information contained in the Scoping Report dated January 2009 and Appendices is to the satisfaction of this Department.
- b) The Environmental Impact Report's findings, given the nature of the project and the selected site there are no significant environmental impact for the following project.

4. Findings

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

- a) All legal and procedural requirements have been met.
- b) The proposed development is compatible with the proposed site for the development.
- c) Adequate assessment of the main identified issues and impact have been done.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorization, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.



DEPARTMENT OF TOURISM,
ENVIRONMENT AND CONSERVATION

ISEBE LEZOKHENKETHO, INDALO
NOLONDOLOZO

LEFAPHA LA BOJANALA, TIKOLOGO
LE TSHOMARELO

DEPARTEMENT VAN TOERISME,
OMGEWING EN BEWARING

224 Du Toitspan Road
Private Bag X6102
KIMBERLEY
8300

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Kgatsenapora X6102
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Du Toitspanweg 224
Privaatsek X6102
KIMBERLEY
8300

Tel. (053) 807-4800

Fax (053) 831-3530

Enquiries :
Dipetisalo : S.G Mbanjwa
Imbuzo :
Navree :

Reference :
Tshupelo : NNO 25/19
Iselathiso : NC/SIY1/04
Vorwysinge :

Date :
Letihla :
Umhla : 12 June 2006
Datum :

Assmang Ltd
P.O.Box Mancorp Mine
Postmasburg
8420

ATTENTION: Mr Alex Mostert
Fax 053-3114642

Dear: Mr. A. Mostert

APPLICATION FOR AUTHORIZATION: THE DEVELOPMENT OF IRON ORE OPENCAST MINE WITH ALL ASSOCIATED INFRASTRUCTURE.

By virtue of the powers delegated to me in terms of Section 33(1) of the Environment Conservation Act, 1989 (Act No. 73 of 1989), I hereby in terms of Section 22(3) of the Act authorize: **Application for Authorization: THE DEVELOPMENT OF IRON ORE OPENCAST MINE WITH ALL ASSOCIATED INFRASTRUCTURE** Schedule 1/2 of Government Notice No. R. 1182: activity1 (a), activity1(c), activity1 (d), activity1 (i), activity1 (k), activity1 (n), activity1 (o), activity2(c), activity 8: a detailed description of the activities is given in the final **scoping report** dated (December 2005), subject to the conditions listed in the record of decision.

The record of decision including the conditions under which the application is authorized is attached. This authorization is valid for a period of (5) years from the date of issue and if the activity is not undertaken within this period the authorization will be invalidated.

An appeal against this authorization or conditions of authorization may be lodged in writing with: The Member of the Executive Council, Ministry of Tourism, Environment & Conservation, Private Bag X6102, Kimberley 8300, Fax. (053) 8321026, within 30 calendar days from the date issue of this authorization, setting the grounds of appeal and including all relevant documentation as required by Section 35 of the Environment Conservation Act, 1989 (Act No. 73 of 1989).

Yours Faithfully

Mrs. P.M. N. Mokhali
HOD: DEPARTMENT OF TOURISM, ENVIRONMENT AND CONSERVATION
Date: 06.06.13

Permit No 432006



Northern Cape Province
DEPARTMENT OF TOURISM,
ENVIRONMENT &
CONSERVATION



Porofensi Ya Kapa Bokone
LEFAPHA LA BOJANALA,
TIKOLOGO LE
SHOMARELO

RECORD OF DECISION

In terms of Section 22(3) of the Environment Conservation Act, 1989 (Act No 73 of 1989) with regard to the undertaking of the activity described below as required by Government Notice No R. 1183 of 5 September 1997

Reference number: NC/SIY1/2004

Permit number: 43/2006

Project title:	Proposed Khumani Iron Ore Mine (BKM) project, Assmang Limited	
Brief description of project:	Assmang limited owns substantial high grade iron ore deposit North of the Beeshoek Mine on the farms Bruce, King, Mokaning, adjacent to Sishen Mine. Assmang Intend to increase its iron ore sales by utilizing the available iron ore reserves on the farms Bruce, King and Mokaning and utilize the farm Parson for the establishment of surface infrastructure.	
Project location:	The BKM project falls within two Local and Districts Municipalities in the Northern Cape province. The farm Mokaning falls within the Tsantsabane Local Municipality (NC085), which forms part of Siyanda District Municipality. The farms Parson, King and Bruce are situated within Gamagara Local Municipality (NC01B1), which forms part of the Kgalagadi District Municipality. The BKM project is situated in the D41 catchments of the Gamagara River, the quaternary catchments being D41J	
Co-ordinates showing location of activities authorized:	Latitude	Longitude
The storage for diesel and oil close to the plant site	27° 51'43"	22° 58'26"
Railways	27° 50'57"	22° 57'18"
	27° 51'22"	22° 59'22"
	27° 50'24"	22° 59'50"
	27° 54'13"	23° 01'00"
Conveyors	27° 51'41"	22° 57'39"
	27° 51'13"	22° 57'45"
	27° 51'06"	22° 59'14"
	27° 48'59"	23° 01'01"
Portable water dam	27° 51'13"	22° 58'52"
Sewage treatment plant at Bruce opencast	27° 47'10"	23° 01'00"

Sewage treatment plant at King/Mokaning	27° 51'36"	23° 01'12"
Sewage treatment plant at Beneficiation Plant	27° 51'13"	22° 58'53"
Explosives Magazine to store explosives	27° 50'18"	22° 57'43"
Bruce Overburden and Low grade ROM stockpile	27° 46'12"	23° 01'42"
King Overburden and Low grade ROM stockpile	27° 51'47"	23° 01'12"
Paste Disposal facility	27° 50'17"	23° 01'10"
Discard Stockpile	27° 52'08"	22° 57'24"
District Municipality:	Kgalagadi and Siyanda District Municipalities	
Local authority/municipality:	Gamagara and Tsantsabane Local Municipalities	
Name of Properties:	Bruce, King and Mokaning Farms	
Farm/Erven Names and Numbers:	Bruce No. 544, King No. 561, Mokaning No. 580 and Parson No. 564	
Size of Property:		
Closest City/Town:	Kathu	Distance (In km) 10
Project Applicant:	Assmang Limited	
Business Reg. No./ID No.:	1935/4007343/06	
Contact person:	Alex Mostert	
Postal Address:	P. O. Box Mancrop Mine, Postmasburg	
Telephone:	(053) 3116666	Cell: N/A
Email:	alexm@assmang.co.za	Fax: (011) 8035745
Environmental Consultant(s):	Ivuzi (Pty) Ltd	
Contact person:	Tanja Thorius	
Postal Address:	P. O. Box 2597, Woodmead, Rivonia, 2128	
Telephone:	(011) 8035725	Cell:
Email:	tanja@ivuzi.co.za	Fax: (011) 8035745
Site visit	Yes	<input checked="" type="checkbox"/> No
Persons present: M.R. Moseki (EO) and Freddie Human (Project Manager)		

DECISION

After due consideration of the facts presented to the Northern Cape Department of Tourism, Environment & Conservation (hereafter referred to as the Department), authorization is hereby granted in terms of Section 22(3) of the Environment Conservation Act, 1989 (Act No 73 of 1989) for the **BKM Mine and associated infrastructure**. Schedule 1 of Government Notice No R.1182:

Activity 1(a): the construction or upgrading of facility for commercial electricity generation and supply;

Activity 1(c): the construction or upgrading of transportation routes and structures, and manufacturing, storage, handling or processing facilities for any substance which is considered as dangerous or hazardous and is controlled by national legislation;

Activity 1(d): the construction or upgrading of roads, railways, airfields and associated infrastructures and activities outside the borders of town planning schemes;

Activity 1(i): the construction or upgrading of canals and channels, including diversions of the normal flow of water in a river bed and water transfer schemes between water catchments and impoundments;

Activity 1(k): the construction or upgrading of reservoirs for public water supply;

Activity 1(n): the construction or upgrading of sewerage treatment plans and associated infrastructure;

Activity 1(o): the construction or upgrading of building structures for industrial and storage of explosives or ammunitions or for testing or disposal of such explosives or ammunition;

Activity 2(c): the change of land use from agriculture or undetermined land use to any other land use;

Activity 8: the disposal of waste as required in terms of section 20 of the Environment Conservation Act, 1989

The authorization is granted subject to the following conditions:

CONDITIONS

General conditions:

1. This authorization is granted only in terms of Section 22(3) of the Environment Conservation Act, 1989 (Act No 73 of 1989) and does not exempt the holder thereof from compliance with any other legislation.
2. This authorization refers only to the project as specified and described in the scoping report dated February 2006. Any other activity listed under Section 21 of the Environment Conservation Act, 1989 (Act No 73 of 1989) which is not specified above, is not covered by this authorization and a separate application will have to be launched and must therefore comply with the requirements of the Environment Conservation Act, 1989 (Act No 73 of 1989) and Government Notice No. R. 1183 of 5 September 1997 and its amendments.
3. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those authorities.
4. No development may take place on the area of concern without the necessary permits/approvals and/or service agreements, where it is relevant, from or between the following authorities, including:
 - National Department of Environmental Affairs & Tourism
 - National Department of Agriculture
 - Department of Housing & Local Government
 - Department of Water Affairs & Forestry.
 - Department of Minerals & Energy
 - Department of Transport, Roads & Public Works
 - McGregor Museum
 - South African Heritage Resources Agency
 - Civil Aviation Authority, and
 - Any other relevant authority whether national, provincial or local

5. The applicant shall within 5 (five) days of receipt of this authorization, provide all interested and affected parties identified during the public consultation process, with copies of this authorization, including all the conditions attached thereto.
6. One week written notice must be given to the Department before commencement with construction activities.
 - 6.1 Such notice shall make clear reference to the site location details and the reference number given above.
 - 6.2 The notice must include proof of compliance with the following conditions described herein: i.e. conditions: 5 & 14
7. An Environmental Control Officer (ECO) must be appointed to oversee the implementation of the EMP, and to ensure the implementation of mitigation measures. The ECO or his representative must visit the site at least once a week for the duration of the construction phase.
8. Environmental Control Officer must ensure that changes in the project resulting in significant environmental impacts and that differ from what was authorized by the Department, must be submitted to this Department for approval prior to such changes being effected.
9. The applicant must notify this Department, in writing, within 24 hours thereof if conditions of the authorization are not complied with.
10. The Department must be notified of any change of address of the applicant.
11. The Environmental Management Plan (EMP) for construction and management of activities relating to the protection of the natural environment during the construction phase and must be adhered to at all times unless stated differently in this ROD.
12. The conditions of the authorization should be brought to the attention of all persons (employees, sub-consultants, etc) associated with the undertaking of this activity and the applicant should take such measures necessary to bind such persons to these conditions.
13. A copy of the authorization shall be available on site during construction. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract.
14. The applicant must apply the principle of best practicable environmental option for all technologies used/ implemented during construction.
15. No plants must be removed other than required for the layout of the site. However, if the affected plant(s) is endangered or protected, permission must be sought from Northern Cape Department of Tourism, Environment & Conservation for the removal thereof.
16. All forms of pollution must be prevented, or where it cannot, should be minimized or remedied.
17. Records relating to the compliance/non-compliance with the conditions of the authorization must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records and also included in the Environmental Audit report.
18. Any complaints regarding the said development must be brought to the attention of the Department within 24 working hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.
19. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's environmental scoping report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
20. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
21. The Department must be notified, within 30 days thereof, of any change of ownership and/or project developer. Conditions imposed in this ROD must be made known to the new owner and/ or developer and are binding on the new owner and/or developer.
22. In the event of sharing the Conditions imposed in this ROD must be made known to the sharing party. All conditions in this ROD are binding on the sharing party. The applicant is responsible to ensure that all these conditions are complied with.

23. If the applicant is not the landowner, the Department must be supplied with an approval from the landowner giving consent for the applicant to proceed with the project, before construction/upgrading takes place.
24. The applicant must take reasonable measures to suppress dust.

Special conditions:

1. All mitigation measures and recommendations as laid down in the Environmental Impact Assessment and Environmental Management Plan submitted in terms of Mineral and Petroleum Resources Development Act No. 28 of 2002(DME Ref No. NC30/5/1/2/3/2/1/070) and Scoping Report by Ms Tanja Thorius (IVUZI) dated December 2005 (including proposed amendments) are binding and must be implemented, unless stated differently in this ROD.
2. No activity must take place within 50m of the pans and other sensitive areas.
3. An environmental management plan and environmental impact assessment must be amended to incorporate specialist studies on fauna, flora and archaeological investigations, and identify impact and develop mitigation measures before the end of July 2006. An environmental management plan for the offset area shall be compiled in consultation with SANPARKS, WESSA, and other interested and affected parties and shall be completed before the end of November 2006, and must be approved by this Department.
4. Informal settlement must be strictly prohibited.
5. Fuel and other petrochemicals must be stored in receptacles that comply with SANS100-1:2003 (SABS 089-1:2003) standards.
6. Contaminated soil must be removed for bioremediation or disposed of at licensed facility for the substance concerned. And the disturbed land must be rehabilitated and seeded with vegetation naturally occurring on the site.
7. Specific area must be demarcated for fueling and workshop services. And such area must be bunded to reduce possibility of soil and water contamination.
8. Storm water drainage must be designed in a way that clean water does not mix with dirty water.
9. Chemical toilets must be made available for workers on site during construction phase, and sewerage waste must be disposed the Municipal sewerage plant on a weekly basis.
10. Employees must be supplied with earplugs to reduce the impact of noise.
11. General waste must be collected in containers, and disposed of weekly at a licensed landfill site, and recyclable waste may be recovered for recycling purposes. No temporary dumping is allowed on site.
12. Should any archeological artifacts, graves or protected and endangered biota be found on site, the operation must be suspended and construction should only continue after consultation with South African Heritage Resources Agency (SAHRA) and the necessary procedure are followed as prescribed by SAHRA.
13. Untreated sewage water must not be discharged directly into the natural environment.
14. Movement of construction vehicles must be avoided on sensitive areas.
15. It recommended that local people must be employed.
16. Employees must not be housed on site during both construction and operation phases.
17. Relevant Occupational Health and Safety Standards shall be observed at all times.
18. The contractor shall leave the construction site free from erosion, silting, pollution and / or unwanted material.
19. In the event of an accidental spill, the total spillage must be cleaned and the area must be rehabilitated to the satisfaction of the Department of Tourism, Environment and Conservation, and the Department of Water Affairs and Forestry.
20. The applicant must include ground water monitoring programme as part of the environmental management plan.
21. All mitigation measures and recommendations as laid down by the Department of Water Affairs and Forestry on the comments dated 20 April 2006 must be adhered to at all times.
22. Lighting technology that provide sufficient light where required while preventing light spillage elsewhere must be made available, and must be installed in the lighting entrances, roads and

- squares where required. Spotlight and lighting of areas outside the mining boundaries must be avoided.
23. Surface water runoff re-directors along major wash off zones must be constructed.
 24. The stockpiling of the installation materials should, as far as possible, be confined to a dedicated site and the excess materials thereof must be limited to the disturbed areas
 25. Open fire is strictly prohibited on site. Firebreaks should be established in terms of the requirements and conditions of the National Veld and Forest Fires Act, 1998 (Act No. 101 of 1998) to prevent uncontrolled burning and destruction of habitats, and special attention must be paid to the offset and mining areas.
 26. Erosion must be controlled as specified in the Conservation of Agricultural Resources Act 1983 (Act No. 43 of 1983) and be mitigated accordance to the approved EMP.
 27. The applicant must ensure that contractors, mine employees, and any other personnel involved in this project understand and comply with the conditions of this record of decision, and the environmental management plan. It is the applicant's responsibility to ensure that the employees, contractors and subcontractors receive the necessary environmental training to deal with fire emergency issues and comply with this record of decision effectively from the date of Issue of this ROD.
 28. All powerlines, telephone lines and farm reservoir shall be made raptor-friendly by the 23 June 2006. New overhead line shall be equipped with bird diverters at the time of construction, and the existing overhead lone before the end of June 2006.
 29. The offset area of similar size, habitat and biodiversity to the area to be disturbed by the proposed Khumani Iron Ore Mine must be established, and must be used for the relocation of fauna and flora (threatened or endemic species). An offset area, in consultation with this Department, Wildlife and Environment Society of SA (WESSA), I&APs and NGOs, must be established before the end of November 2006, and decision regarding such site must be started before the end of June 2006.
 30. It is recommended that threatened or protected species should not be destroyed even if there is need for their removal, and it must be relocated to an appropriate site or offset area of similar biodiversity. Fauna and flora (including protected or endemic species) relocation or destruction must only be done if there is the authorization by Department of Water Affairs and Forestry and the nature conservation directorate of the Department of Tourism, Environment and Conservation. Ongoing sweeps shall be taken of areas where relocation has been undertaken prior to construction.
 31. Invader species must be controlled, and such control should be linked on categorization of the invader species immediately and throughout the life of the mine.
 32. The applicant must ensure that sterilization or culling of domestic cats is undertaken to prevent interbreeding with wild cats on ongoing basis.
 33. On closure of the mine, grass or other plant species for rehabilitation must consist of endemic seed mix or endemic grass or plant species, and investigation of the Impact of the final pit lakes on the groundwater levels shall be undertaken and potential impact on final post-closure hydrogeological regime should be quantified, and the result should be forwarded to this Department.
 34. Commitments made through Ivuzi (Pty) Ltd and approved by WESSA on letter dated 9 June 2006 must be complied with and are binding (Ivuzi Reference: 1V.04.05.044).
 35. There is the statutory 30 days appeal period in which no activities, including site preparation, may commence.
 36. Should the appeal against this Decision be received, this record of decision is automatically suspended until the decision on the appeal process is made by the Member of Executive Council of this Department.

NON-COMPLIANCE

1. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
2. It is the applicant's responsibility to ensure that contractors, subcontractors and employees comply with duty of care as provided in section 28 of NEMA.

3. Non-compliance with, or any deviation from, the conditions set out in this authorization constitutes a failure in compliance with the authorization. Such failure in compliance is regarded as an offence and will be dealt with in terms of Sections 29, 30 and 31 of the Environment Conservation Act, 1989 (Act No. 73 of 1989), as well as any other appropriate legal mechanisms.
4. If any condition imposed in terms of this authorization is not being complied with, the authorization may be withdrawn after 30 days written notice to the applicant in terms of Section 22 (4).
5. National government, provincial government, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.

KEY FACTORS AFFECTING THE DECISION

- ♦ The Department's authorization is based upon a review of the Environmental Impact Assessment and Environmental Management Plan submitted in terms of Mineral and Petroleum Resources Development Act No. 28 of 2002 (DME Ref No. NC30/5/1/2/3/2/1/070) and Scoping Report submitted in terms of Environment Conservation Act No. 73 of 1989 (Ref. No. NC/SIY1/2004) by Ms Tanja Thorius (IVUZI) dated December 2005 and appendices;
- ♦ The Environmental Impact Report and Scoping Report findings, given the nature of the projects and the selected sites and study area, concludes that the potential impacts associated with the proposed development are of a nature and extent that can be reduced, limited and eliminated by the introduction of appropriate mitigation measures;
- ♦ Comments from the Department of Water Affairs and Forestry;
- ♦ Comments letter from Wildlife and Environment Society of SA on a letter dated 23 May 2006;
- ♦ Letter (dated 9 June 2006) written by Ivuzi (Pty) Ltd (acting on behalf of Assmang) and signed and approved by WESSA responding to issues raised by WESSA on a letter dated 23 May 2006;
- ♦ Letter of support from the Gamagara Municipality dated 9 June 2006;
- ♦ The legal and procedural requirements have been complied with and the information contained in the Scoping Report and appendices is to the satisfaction of the Department;
- ♦ The Legal and procedural requirements have been complied with and the information contained in the Scoping Report and appendices to the satisfaction of this Department;
- ♦ The Constitution of South Africa Act No. 108 of 1996 and Section 2 of the National Environmental Management Act No. 107 of 1998 were considered; and
- ♦ The project may have a positive socio-economic impact such as improvement of neighbourhood amenities.

PERIOD OF VALIDITY AND RENEWAL OF AUTHORIZATION

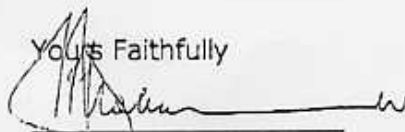
The construction phase of this authorization is valid for 5 (five) years from the date of issue and must be renewed 6 (six) months prior to the expiry date. The Department reserves the right to review and amend the conditions of the authorization at any given time.

APPEAL

The applicant must, within 5 calendar days of receipt of this record of decision (ROD) inform all interested and affected parties registered during the EIA process of at least the following:

1. That an authorization has been issued to the applicant to proceed with the construction and operation of the facilities.
2. That any appeal in terms of the Section 10 (1) of regulation 11 of the environmental assessment regulations (Government Notice No R. 1183 of 5 September 1997) against the issuing of the authorization must be lodged with the MEC for Tourism, Environment & Conservation within 30 (thirty) days from the date on which the ROD has been issued to the applicant and at the address stipulated in the authorization.
3. Include the date on which the ROD was issued to the applicant in terms of regulation 10 (1) and the date by which the appeals must reach the MEC.
4. Indicate where copies of the authorization and ROD can be viewed / obtained.

Yours Faithfully



06.06.13

Mrs. P.M.N. Mokhali

HOD: DEPARTMENT OF TOURISM, ENVIRONMENT AND CONSERVATION



**DEPARTMENT OF MINERAL RESOURCES
REPUBLIC OF SOUTH AFRICA**

Tel: 053 807 7100

Fax: 053 832 5631

FAX COVER SHEET

DATE:

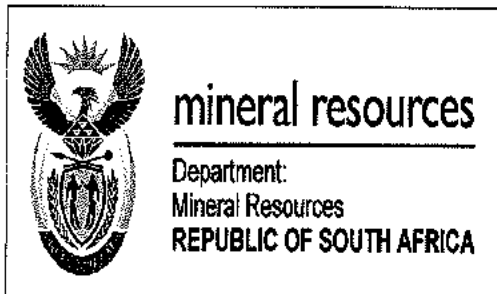
14 September 2012

TO:	The Manager	
ORGANISATION:	Assmang Limited	
FAX:	053 311 6668 / 011 803 - 5745	
FROM:	Mmboneni Kevin Mutheiwana	
TEL:	053 807 1700.	Office number 133/ Permanent Building
FAX:	053 832 5631	
E-Mail:	mmboneni.mutheiwana@dmr.gov.za	
NO PAGES:	02 including cover page	
SUBJECT:		

Please find the attached letter

Regards

M.K Mutheiwana



29-31 Currey Street Private Bag X6093
Kimberley Kimberley
8301 8300

Tel: (053) 807 1700
Fax: (053) 832 5631
Email: mmboneal.mutheiwana@dmr.gov.za

Enquiries: **M.K Mutheiwana**
Tel No: (053) 807 1700
Fax No: (053) 832 5631
Ref. No: (NC)30/5/1/2/2/070 MR

Assmang Limited
PO Mancorp Mine
Postmasburg
8420

Fax No: 053 311 6666

Dear Sir

APPLICATION FOR CONSENT IN TERMS OF SECTION 102 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) (HEREINAFTER REFERRED TO AS "the Act"): TO AMEND THE ENVIRONMENTAL MANAGEMENT PROGRAMME (EMP) IN RESPECT OF THE MINING RIGHT.

This serves to inform you that after careful consideration of your application in terms of section 102 to amend your EMP in respect of your mining right has been granted. The Regional office will contact you for execution of the relevant Deed of Amendment.


.....
DEPUTY DIRECTOR-GENERAL:
MINERAL REGULATION
DATE: 14/05/2012

AMENDMENT: EMP NC 70 MR

Compiled by M.K Mutheiwana



the denc

Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Private Bag X6102, Kimberley, 8300, Metlife Towers, T-Floor, Tel: 053 807 7300, Fax: 053 807 7328

Equiries :
Dipatlisilo : Mr. S. G. Mbanjwa
Navrae :
Imibuzo :
Reference :
Tshupelo : NC/EIA/JTG/JOE/KAT1/2013
Verwysing : NCP/EIA/0000174/2012
Isalathiso :

Date :
Letiha :
Datum : 27th November 2013
Umhla :

Alex Mostert
Assmang Limited
Private Bag x 503
Kathu
8446

Fax: 053 311 4642
Email: alexm@assmang.co.za

Dear Sir/Madam

**THE GRANTING OF THE ENVIRONMENTAL AUTHORISATION FOR:
LISTED ACTIVITIES: GNR 545: ACTIVITY 15: KHUMANI INRON ORE: OFF
GRADE 2 PLANT PROJECT, KATHU, JOE MOROLONG LOCAL
MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY,
NORTHERN CAPE PROVINCE.**

By virtue of the powers delegated to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Regulations, 2010, **THE DEPARTMENT HEREBY GRANT THE ENVIRONMENTAL AUTHORISATION FOR: LISTED ACTIVITIES: GNR 545: ACTIVITY 15: KHUMANI INRON ORE: OFF GRADE 2 PLANT PROJECT, KATHU, JOE MOROLONG LOCAL MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.** A detailed description of the activity is given in the **Environmental Impact Assessment Report dated September 2013** subject to the conditions listed in the environmental authorization and reasons for the decision are attached herewith.

Permit 56/2013

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 seven (7) calendar days of receiving of this letter, of the Departments decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you / any person affected by this decision wish to appeal any aspect of the decision, you or a person affected by this decision must, *inter alia*, lodge a notice of intention to appeal, as prescribed in regulation 62 of Environmental Impact Assessment Regulations, 2010, with the Member of the Executive Council, Ministry of Environment and Nature Conservation within 10 days of receiving this letter, by means of one of the following methods:

By facsimile: (053) 832 1026;
By post: Private Bag x 6102, Kimberley, 8300 or
By hand: T-Floor, Metlife Towers, Kimberley, 8300.

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 faithfully



Mr. S. Mbanjwa

ACTING DIRECTOR: ENVIRONMENTAL QUALITY MANAGEMENT

DATE OF DECISIONS: 10/12/2013

CC : Estie Retief – GCS (Pty) Ltd
Fax : 011 803 5745
Email : estie@gcs-sa.biz

Permit 56/2013



ENVIRONMENTAL AUTHORISATION
in terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010

Authorisation Register Number:	Permit 56/2013
Reference Number:	NC/EIA/JTG/JOE/KAT1/2012
Last Amended:	N/A
Holder of Authorisation:	Assmang Limited
Location of activity:	Khumani mining area, remainder of Parson 564 RD and portion 2 of Parson 564 RD, Gamagara Local Municipality, John Taolo Gaetsewe Northern Cape Province

DEFINITIONS

Activity means an activity identified in Government Notice No. R. 544 and No. R. 545 of 2010 as a listed activity.

Applicant means a person who has submitted an application.

Application means an application for an environmental authorization in terms of chapter 3 of the Environmental Impact Assessment Regulations of 2010.

Basic assessment report means a report contemplated in regulation 22.

Environmental Impact Report means a report contemplated in regulation 31 of the Environmental Impact Assessment Regulations of 2010.

EAP means an environmental assessment practitioner as defined in section 1 of the Act.

Interested and affected party means a interested and affected party contemplated in section 24(4)(d) of the Act, and which in terms of that section includes:

- ◆ Any person, group of persons or organisation interested in or affected by an activity, and
- ◆ Any organ of state that may have jurisdiction over any aspect of the activity.

Public participation process means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

The Act means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

Assmang Limited

with the following contact details –

Alex Mostert
Private Bag X 503
Kathu
Northern Cape

Tel: 053 311 6666
Fax: 053 311 4642

to undertake the following activity (hereafter referred to as "the activity")

Activity No. 15 of GN. R.545 of 18 June 2010:

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

The development of a off-grade plant at Khumani Mine, Gamagara local Municipality, John Taolo Gaetsewe District Municipality, Northern Cape Province, with the coordinates Latitude (27° 51' 45.13")S and Longitude (22° 58" 56.3")E, will hereafter be referred to as "the property".

The granting of this Environmental Authorisation is subject to the conditions set out below.

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
2. The holder of the authorisation shall be responsible for ensuring compliance with the 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. The activity(s) which is authorised may only be carried out at the property indicated above.
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.
5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

General conditions:

6. 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.

7. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
8. The holder of the authorisation must notify the Department, in writing and within 24 (TWENTY FOUR) hours, if condition 16 of this authorisation cannot be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 (SEVEN) if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. 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.
10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.
11. The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Environmental Affairs, National Department of Agriculture, Forestry and Fisheries, Department of Housing & Local Government, Department of Water Affairs & Forestry, Department of Minerals Resources, Department of Transport, Roads & Public Works, Department Arts, Sports & Culture, South African Heritage Resources Agency, South African Civil Aviation Authority).
12. The activity, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
 - a. One week's written notice must be given to the Administration clerk (Impact Management Unit) before commencement with the activity.
 - b. Such notice shall make clear reference to the site location details and the reference number given above.
 - c. The said notice must also include proof of compliance with the following conditions described herein:
 - i. Conditions: 11 and 23
13. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
14. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.

15. Records relating to the compliance/non-compliance with the conditions of the authorization and contracts must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records.
16. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department
17. Officials in the employ of the Department shall be given access to the property as described above (see detailed description of the activity) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Environmental Authorisation. Where the activity is located on a third party's property the applicant shall be responsible to arrange access for departmental officials
18. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's Basic assessment Report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
19. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
20. This Department and any national Department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.
21. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
22. The applicant must apply the principle of best practicable environmental option for all technologies used/ implemented

Appeal of authorisation:

23. The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 (TWELVE) calendar days, of receiving notice of the Department's decision to authorise the activity.
24. The notification referred in 23 must –
 - specify the date on which the authorisation was issued;
 - inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and

- advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.

25. If the applicant should appeal against this Environmental Authorisation, he/she must inform all interested and affected persons that such an appeal is being lodged with the MEC and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

Management of activity:

26. The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation must be implemented.
27. All areas disturbed during the commissioning of the activity must be rehabilitated.
28. Best practice of waste avoidance, minimisation and disposal of waste at an appropriate facility must be implemented.

Monitoring

29. The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this authorisation are implemented.
30. The monitoring monitoring of the constructors, compliance with conditions of this Environmental Authorization is essential and must be done on a weekly basis. Any deviances from the conditions of this Environmental Authorization must be rectified immediately.
31. The ECO shall be appointed before commencement of any land clearing or construction activities.
32. The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
33. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
34. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Recording and Reporting to the Department:

35. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
36. In all other cases, the holder of the authorisation must notify the Department, in

writing, within 7 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by the reason for non-compliance.

37. Records relating to the compliance/non-compliance with the conditions of the authorisation and contracts must be kept in good order. Such records must be made available to the Department within 7 days of receipt of a written request by the Department for such records.
38. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.

Commissioning of the activity:

39. 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.
40. The authorised activity shall not commence within thirty (30) days of the date of signature of the authorisation.
41. Should you be notified by the minister of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised by the minister in writing.
42. All hazardous waste (oil, effluent from corrosion protective activities) must be disposed off at the registered site.
43. General waste must be collected in containers disposed of regularly at a permitted landfill site. Recyclable waste must be recovered for recycling purpose. NB: No temporary dumping of waste is allowed on site. Precautionary measures should be taken to prevent refuse from spreading from or on the site.
44. It is recommended that no threatened or protected species should be destroyed. Fauna and flora (including protected or endemic species) relocated or destroyed should only be done if there is authorised by Department of Agriculture, Forestry and Fisheries (DAFF) and Department of Environment and Nature Conservation.
45. The Northern Cape Nature Conservation Act. (No.9 of 2009) must be taken into consideration, as any listed species in this Act. which requires removal, will need the necessary permits form Department of Environment and Nature Conservation.
46. Should any archaeological artefacts, graves or protected and endangered biota be found on site, the operation must be suspended and construction should only continue after consultation with South African Heritage Resources Agency (SAHRA).
47. The safety of the participants must be ensured by:
 - involving qualified engineers in the design and construction of the proposed Structure and associated infrastructure.
 - Having regular safety inspections and ensuring participants are equipped with necessary safety equipment.

48. The construction process must ensure that the necessary safety signage and personal protective clothing is in place. The regulations pertaining Occupational Health and Safety Act must be adhered to at all times.
49. Any stockpiled soils should have storm water management measures implemented.
50. Topsoil removed during excavations must be kept separate from other material. Topsoil must be placed above other material during backfilling.
51. No vehicle or construction machinery may be extensively repaired on-site.
52. The holder of this Environmental Authorization must conduct the environmental awareness with the contractors.
53. Any complaint from the public during the construction and operation of this project must be attended to by the holder of this authorisation as soon as possible to the satisfaction of parties concerned.
54. Spillage of petroleum products (fuel and lubricants) must be avoided. Temporary storage of petrochemical products and servicing of machinery and vehicles on site will be allowed except at a site specifically designed for that purpose. In terms of accidental spillage, contaminated soil must be removed for bioremediation or disposed of at a recognized facility for the substance concerned. Disturbed land must be rehabilitated and seeded with vegetation seed naturally occurring on the site.
55. The applicant must be made aware of roles and responsibility in terms of the National Veld and Forest Fire Act, Act 101 of 1998 (NVFFAA), due to the location of the development site located on an international boundary, note must be taken of section 14 of NVFFA
56. Chemical toilets must be available for workers on site during construction phase only, i.e. sewage waste must be disposed off at the Municipal sewage plant on a regular basis. No "long drop" toilets will be allowed. No open space or surrounding bush shall be used as toilet facility under any circumstances.
57. It is the holder of this authorization's responsibility to ensure that an ongoing management and monitoring of the impacts of the activity on the Environment throughout the life cycle of the activity is put into practice.
58. All the areas (e.g. stockpiling of material, machines, workshop. etc) in the construction site must be clearly defined.
59. It is the contractor's responsibility that all staff/employees are familiar with all the emergency procedures. The contractor must also ensure that emergency numbers are visible and available and always updated.
60. The contractor must take all the necessary precautionary measures to ensure that no fires are caused as a result of construction activities.
61. The central waste collection point must be specific -where it will be situated to ensure that no soil or underground water contamination takes place, this should be done at least on weekly basis.

Operation of the activity:

62. The detailed mitigation as outlined in the EMP should be implemented.
63. General waste must be collected in drums containers disposed of weekly at a permitted Municipal landfill site. Recyclable waste must be recovered for recycling purpose. No temporary dumping of waste is allowed on site. Precautionary measure should be taken to prevent refuse from spreading from or on the site.
64. All hazardous substances spillages must be reported to the Department of Environmental Affairs within 48 hrs of the incident.
65. There must be procedures in place for the regular inspection and maintenance of the structure and associated infrastructure to ensure that environmental degradation is prevented and possible measures are put in place so that impacts arising from operation are mitigated.

Site closure and decommissioning:

66. All temporary facilities used in the construction phase must be decommissioned in a responsible manner and the place be rehabilitated.
67. The applicant must undertake simultaneous rehabilitation of the area to ensure that the remaining area is kept in a good and stable condition.
68. Soil that has become compacted through the activities of the development must be loosened to an appropriate depth to allow seed germination.
69. Should the activity ever cease or become redundant the applicant shall undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and competent authority at the time.
70. All construction and storage sites and all areas disturbed by the project must be rehabilitated to their former or better condition. Those sites and areas must be re-vegetated with indigenous plants upon completion of the proposed development and must take place where necessary.
71. Should the project be abandoned or decommissioned, a Closure Management Plan must be compiled and the holder of the Environmental Authorization must rehabilitate the site to the satisfaction of this Department.

Non-compliance:

72. In the event of non-compliance by employees and contractors during the construction, operation and decommissioning phases of the project the applicant will be held liable.
73. The applicant shall be responsible for all the costs necessary to comply with the above conditions unless otherwise stated.
74. Provincial Government, Local Authority or committees appointed in terms of the application or any other public authority or organization shall not be held responsible for any damages or losses suffered by the developer or his/her successor in title in

any instance where construction or operation subsequent to construction are to be temporarily or permanently stopped for reasons of non-compliance by the developer with conditions of approval as set out in the document or any other subsequent document emanating from this approval.

DURATION AND PERIOD OF VALIDITY

This activity(s) must commence within a period of three (3) years from the date of issue. If commencement does not occur within that period and the intention is to extend the validity period of the authorisation, an application for amendment to extend the validity period must be launched at least six months before the validity period lapses. 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.

APPEAL

In terms of Chapter 7 of Environmental Impact Assessment Regulations, 2010, if the applicant or a person affected by this Decision wishes to appeal this decision, a notice of intention to appeal must be lodged within Twenty (20) days after date of the decision, and an appeal must **be lodged within thirty (30) days after lapsing of 20 days contemplated in regulation 60 (1)** of lodging of the notice to appeal to:

The Member of the Executive Council
Ministry of Environment & Nature Conservation
Private Bag X6102
Kimberley
8300
Fax: (053) 8321032

Appeals must comply with the provisions of Chapter 7 of Environmental Impact Assessment Regulations, 2010 Government Notice No. R. 543 of 18 June 2010.



MR S. MBANJWA
ACTING DIRECTOR ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF ENVIRONMENT & NATURE CONSERVATION

DATE OF ENVIRONMENTAL AUTHORISATION: 10/12/2013

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant, **Assmang Limited**, applied for authorisation to carry on the following activity –

The development of a off grade plant, Gamagara local Municipality, John Taolo Gaetsewe District Municipality, Northern Cape Province

Activity No. 15 of GN. R.545 of 18 June 2010:

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

A Full EIA Process was followed.

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 for Environmental Authorisation.
- b) The information contained in the Scoping and Final EIA report
- c) The Biodiversity: faunal and floral specialist studies and action plan by Stephen van Staden and Natasha van de Haar Dated February 2012.
- d) Biodiversity monitoring and rehabilitation action plans dated February 2012.
- e) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and
- f) The findings of the site visit undertaken by Mr. M.H. Mathews and Tanja Bekker on 08 October 2013

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) The legal and procedural requirements have been complied with the information contained in the scoping, EIA report and Appendices are to the satisfaction of the Department.
- b) Comments by interested and affected parties and other stakeholders.

4. Findings

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

- a) The process was satisfactory in terms of the Regulation 36 of the EIA 2010 regulations.
- b) Minimum requirements for Public Participation Process has been met.
- c) The legal and procedural requirements have been complied with and the information contained in the Environmental Assessment Report and Appendices is to the satisfaction of this Department.

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 laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.



the denc

Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Private Bag X6102, Kimberley, 8300, SASKO Building, Tel: 053-807 7430, Fax: 053-831 3530

Enquiries :
Dipatisilo :
Navrae : Ms T Wessels
Imibuzo :

Date :
Letlha :
Datum: 05 December 2013
Umhla :

Reference :
Tshupelo :
Verwysing : S2.4
Isalathiso

Mr SG Mbanjwa
Department of Environment and Nature Conservation
Private Bag X6102
KIMBERLEY
8300

Dear Sir

ACTING DIRECTOR: ENVIRONMENTAL QUALITY MANAGEMENT ON THE 09TH UNTIL THE 31ST DECEMBER 2013

You are hereby appointed as Acting Director: Environmental Quality Management (EQM) for the said period.

Your authority as Acting Director: EQM will be as follows:

1. Approval of motivations of single spending authorizations of only up to R30 000 each;
2. Signing of Environmental Authorizations, Waste Management and Air Quality Management Licences.

We wish to express our sincere appreciation for your willingness to take up the extra responsibilities.

Yours sincerely

MR D VAN HEERDEN
HEAD OF DEPARTMENT
DEPARTMENT OF ENVIRONMENT AND NATURE CONSERVATION

Accepted / ~~Not Accepted~~

MR S MBANJWA
DEPUTY DIRECTOR: IMPACT MANAGEMENT

6/12/2013
DATE



the denc

Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Enquiries :
Dipatlisilo : T.S Tsimakwane
Navrae :
Imibuzo :

Date : 04th March 2016
Letlha:
Datum :
Umhla:

Reference :
Tshupelo :
Verwysing: 25/4/2 (02/03/13)
Isalathiso :

The Senior General Manager
Assmang Khumani Mine Pty Ltd
Private Bag X503
Khathu
8446

Per Email: david.selemo@assmang.co.za

Attention: Mr David Selemo

Dear Sir

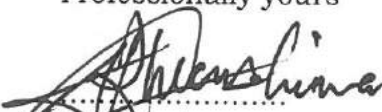
**WITHDRAWAL LETTER OF THE AMENDMENT APPLICATION FOR THE
CONSTRUCTION OF THE STORAGE WATER DAM: ASSMANG IRON ORE KHUMANI
IN THE JOHN TAOLO DISTRICT.**

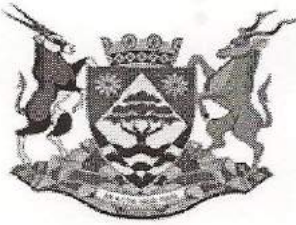
Your email correspondence dated 29 February 2016 refers.

The Compliance and Enforcement Unit has had discussions with the Impact Management Section on how best to resolve your case. Kindly note, that this letter is in response to the construction of the storage water dam at the mine. Should there be any alterations to the approved layout plan you are urged to liaise with the Department of Mineral Resources.

The Department hereby withdraws your amendment application. Kindly quote the above-mentioned reference number in any future correspondence in respect of this withdrawal letter.

Professionally yours


T. Tsimakwane
Assistant Director: Compliance and Monitoring
Grade 2 Environmental Management Inspector (EMI)



the denc

Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Private Bag X6102, Kimberley, 8300, Metlife Towers, T-Floor, Tel: 053 807 7300, Fax: 053 807 7328

Enquiries
Dipatlisilo
Navrae :
Imibuzo :

T.S Tsimakwane

Date : 28 March 2014
Letlha :
Datum :
Umhla :

Reference :
Tshupelo :
Verwysing :
Isalathiso :

25/4/2 (02/03/13)

The Senior General Manager
Assmang Khumani Mine Pty Ltd
Private Bag X503
Khathu
8446

Per Email:

Attention: Mr David Selemo

Dear Sir

RESPONSE TO ASSMANG IRON ORE KHUMANI MINE'S REQUEST FOR THE CONTINUATION OF THE PROCESS WATER STORAGE DAM IN THE JOHN TAOLO DISTRICT.

Assmang Khumani Mine's request to utilise the process water storage dam dated 16-10-2013 refers.

The Department wish to apologise on the delay of not responding to your request timeously. The Department also appreciates the measures you undertook to ensure that the principles of the National Environmental Management Act 107 of 1998 are applied in your mining operations.

The delay from the Department was brought upon the fact that Khumani Mine's decision to go ahead with an illegal activity was viewed at the time as deliberate and the Department had to apply its mind before making any decision.

In response to the above-mentioned you indicated that Khumani Mine has no access to ground water resources due to the underlying aquifer has been dewatered by surrounding mining operations, as such the mine is reliant on the water purchased from the Sedibeng Water Board.

You also indicated the new location within the Parson's farm for the process water storage dam was chosen as it was deemed suitable because the area has already been disturbed also because the location of the process dams will contain runoff from the proposed Off grade 2 Plant.

After considering your request the Department hereby grants you permission to continue with the construction of the process water dam with immediate effect.

The reasons for the decision is that the site is already disturbed, and also that the sitting of the dams is in close proximity to the plant which will ensure that the associated infrastructure are aligned to the dams. The positioning of the dams are also of a shorter distance making maneuvering within the plant much easier.

Furthermore, your activities have an environmental authorisation issued by the competent authority which renders your intended activities of constructing the process water dam lawful.

You are advised to liaise with the Impact Management Directorate to can finalise your amendment application.

Professionally yours

A handwritten signature in black ink, appearing to read 'O.T. Gaoraelwe', is written over a horizontal dotted line.

O.T Gaoraelwe

Acting Director: Compliance and Enforcement

Grade 1 Environmental Management Inspector (EMI)



Department of Environment and Nature Conservation

Lefapha La , Tikologo
Le Tshomarelo

Departement van Omgewing en Natuur Bewaring

Isobe Indalo Nolondolozo

Metlfe Towers
T-Floor
Private Bag X6102
KIMBERLEY
8300
Isakhiwo se Metlfe
T-Floor
Inqoxowa yeposi X6102
KIMBERLEY
8300

Moago wa Metlfe
T-Floor
Kgetsanaposo X6102
KIMBERLEY
8300
Metlfe Towers
T-Vloer
Privaatsak X6102
KIMBERLEY
8300

Tel: (053) 807 -7430

Fax: (053) 831 3530

Enquiries :
Dipatisiso : Mr S.G Mbanjwa
Imibuzo :
Navrae :

Date : 23rd July 2012
Leshupelo :
Umhla :
Datum :

Reference :
Tshupalo : NC/EIA/JTG/GAM/KAT01/2010
Isalathiso : NCP/EIA/0000158/2012
Verwysings

Mr. Alex Mostert
Assmang Limited
Private Bag X503
Kathu
8446

Fax: 053 311 4642

Dear Sir/Madam

**THE GRANTING OF THE ENVIRONMENTAL AUTHORISATION FOR:
LISTED ACTIVITIES GNR 544: ACTIVITIES: 3, 15, 19, 20, 13, 11, 12 AND 22:
THE EXPANSION OF DIESEL STORAGE AND A SILO FOR EXPLOSIVES, THE
CONSTRUCTION OF A TAR ROAD ADDITIONAL REFEULING STATION
STROMWATER DAMS AND STORAGE TANKS, KGALAGADI DISTRICT
MUNICIPALITY, SIYANDA DISTRICT MUNICIPALITY, NORTHERN CAPE
PROVINCE**

By virtue of the powers delegated to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Regulations, 2010, **THE DEPARTMENT HEREBY GRANT THE ENVIRONMENTAL AUTHORISATION FOR: LISTED ACTIVITIES GNR 544: ACTIVITIES: 3, 15, 19, 20, 13, 11, 12 AND 22: THE EXPANSION OF DIESEL STORAGE AND A SILO FOR EXPLOSIVES, THE CONSTRUCTION OF A TAR ROAD ADDITIONAL REFEULING STATION STROMWATER DAMS AND STORAGE TANKS, KGALAGADI DISTRICT MUNICIPALITY, SIYANDA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.** A detailed description of the activity is given in the **Final Scoping Report dated November 2011**, subject to the conditions listed in the environmental authorization and reasons for the decision are attached herewith.

Permit 37/2012

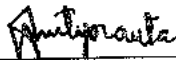
In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within seven (7) calendar days of receiving of this letter, of the Departments decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations which regulates appeal procedures. Should you / any person affected by this decision wish to appeal any aspect of the decision, you or a person affected by this decision must, *inter alia*, lodge a notice of intention to appeal, as prescribed in regulation 62 of Environmental Impact Assessment Regulations, 2010, with the Member of the Executive Council, Ministry of Environment and Nature Conservation within 10 days of receiving this letter, by means of one of the following methods:

- By facsimile: (08) 832 1026;
- By post: Private Bag x 6102, Kimberley, 8300 or
- By hand: 1st floor, Metlife Towers, Kimberley, 8300.

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 faithfully



Mr J.J. Mutyorauta
DIRECTOR: ENVIRONMENTAL QUALITY MANAGEMENT

DATE OF DECISIONS: 23rd July 2012

CC : Pieter Snyders – GCS (Pty) Ltd
Fax : 011 803 5745

Northern Cape Province
DEPARTMENT OF
ENVIRONMENT & NATURE
CONSERVATION



Porofensi Ya Kapa Bokone
LEFAPHA LA TIKOLOGO LE
TSHOMARELO YA THLAGO

ENVIRONMENTAL AUTHORISATION
In terms of National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010

Authorisation Register
Number:

Permit 37/2012

Reference Number:

NC/EIA/JTG/GAM/JTG/GAM/KAT1/2010

Last Amended:

N/A

Holder of Authorisation:

Assmang Limited

Location of activity:

Portion 1,4,5 and the remainder of the farm Mokaneing, 560 Rd; Portion 1,2,3 and the remainder of the farm King 561 Rd; Portion 2,6 and the remainder of the farm portion 564 Rd; Portion 3,4,5 and the remainder of the Bruce 544 Rd

DEFINITIONS

"Activity" means an activity identified in Government Notice No. R. 544 and No. R. 545 of 2010 as a listed activity.

"Applicant" means a person who has submitted an application.

"Application" means an application for an environmental authorization in terms of chapter 3 of the Environmental Impact Assessment Regulations of 2010.

"EAP" means an environmental assessment practitioner as defined in section 1 of the Act.

"Environmental Impact Assessment" relates to an application to which scoping must be applied, means the process of collecting, organising, analysing, interpreting and communicating information that is relevant to the consideration of that application.

"Environmental Impact Report" means a report contemplated in regulation 31 of the Environmental Impact Assessment Regulations of 2010.

"Environmental Management Plan" means an environmental management plan in relation to identified or specified activities envisaged in chapter 5 of the Act and described in regulation 33 of Government Notice No. 33306

"Interested and affected party" means a interested and affected party contemplated in section 24(4)(d) of the Act, and which in terms of that section includes:

- Any person, group of persons or organisation interested in or affected by an activity, and
- Any organ of state that may have jurisdiction over any aspect of the activity.

"Public participation process" means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

"Scoping" means a process contemplated in regulation 28(e)

"Scoping report" means a report contemplated in regulation 29

"The Act" means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

Assmang Limited

with the following contact details –

Mr Alex Mostert
Private Bag X 503
8446
E-mail: alexm@assmang.co.za.

Tel: 053 311 6666
Fax: 053 311 4642

to undertake the following activity (hereafter referred to as "the activity")

The expansion of diesel storage and silo for explosion, the construction of a tar road, additional refuelling station, storm water dams and storage tanks. The establishment and expansion of borrow pits and the establishment of two waste rock dumps at Khumani Iron Ore mine.

Portion 1,4,5 and the remainder of the farm Mokaning,560Rd, Portion 1,2,3 and the remainder of the a farm King 561 Rd, Portion 2,6 and the remainder of the farm portion 564 RD, Portion 3,4,5 and the remainder of the Bruce 544Rd, the site is located 15Km from Kathu, 70 km from Postmasburg and is situated in the jurisdiction of both Tsantsabane and the Gamagara Local Municipalities, with the following co-ordinates (Longitude (E) 23° 04' 03.27", Latitude (S) 28° 19' 04.20") hereafter referred to as "the property".

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.

2. The holder of the authorisation shall be responsible for ensuring compliance with the 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. The activity(s) which is authorised may only be carried out at the property indicated above.
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.
5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

General conditions:

6. 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.
7. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
8. The holder of the authorisation must notify the Department, in writing and within 24 (TWENTY FOUR) hours, if condition 16 of this authorisation cannot be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 (SEVEN) days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. 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.
10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.

11. The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Water and Environmental Affairs, National Department of Agriculture, Forestry and Fisheries, Department of Cooperative Governance and Human settlement, Department of Water Affairs, Department of Minerals and Resources, Department of Energy Department of Roads & Public Works, Department of Transport, Department Arts & Culture, Department of Sports and Recreation, South African Heritage Resources Agency, South African Civil Aviation Authority).
12. The activity, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
 - a. One week's written notice must be given to the Administration clerk (Impact Management Unit) before commencement with the activity.
 - b. Such notice shall make clear reference to the site location details and the reference number given above.
 - c. The said notice must also include proof of compliance with the following conditions described herein:
 - i. Conditions: 11 and 23
13. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
14. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.
15. Records relating to the compliance/non-compliance with the conditions of the authorization and contracts must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records.
16. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.
17. Officials in the employ of the Department shall be given access to the property as described above (see detailed description of the activity) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Record of Decision. Where the activity is located on a third

party's property the applicant shall be responsible to arrange access for departmental officials.

18. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's environmental scoping report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.
19. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
20. This Department and any national department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.
21. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
22. The applicant must apply the principle of best practicable environmental option for all technologies used/ implement.
23. The integrity of the Gamagara River and associated tributaries must be protected, by the prevention of any pollutant, leachate and siltation from reaching the river.
24. The applicant must establish a borehole and watercourse monitoring program as prescribed in the EMP, and the provision of water quality data to the Department of Water Affairs.

Appeal of authorisation:

25. The holder of the authorisation must notify every registered interested and affected party, in writing and within 7 (SEVEN) calendar days, of receiving notice of the Department's decision to authorise the activity.
26. The notification referred must –
 - specify the date on which the authorisation was issued;
 - inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and

- Advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.
27. If the applicant should appeal against this Environmental Authorisation, he/she must inform all interested and affected persons that such an appeal is being lodged with the MEC and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

Monitoring:

26. The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this authorisation are implemented.
27. The ECO shall be appointed before commencement of any land clearing or construction activities.
28. The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
29. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
30. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Recording and Reporting to the Department:

31. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
32. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by the reason for non-compliance.
33. Records relating to the compliance/non-compliance with the conditions of the authorisation and contracts must be kept in good order. Such records must be made available to the Department within 7 days of receipt of a written request by the Department for such records.
34. Any complaints regarding the said development must be brought to the attention of the Department within 24 hours after receiving the complaint. A

complaints register must be kept up to date for inspection by the Department.

Commissioning of the activity:

35. 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.
36. The authorised activity shall not commence within thirty (30) days of the date of signature of the authorisation.
37. Should you be notified by the minister of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised by the minister in writing.
38. Permits must first be obtained from the Department of Agriculture, Forestry and Fisheries for the cutting, damaging and removal of any protected flora
39. Any permits required for the removal of fauna must be obtained from the Department of Environment and Nature Conservation before removal.

Operation of the activity:

40. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.
41. During operational phase of the development storm-water drainage must be monitored. Possible ground water contamination must also be monitored over time.
42. The construction area must be demarcated, no construction activities should be allowed outside proposed footprint.

DURATION AND PERIOD OF VALIDITY

This activity(s) 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.

APPEAL

In terms of Chapter 7 of Environmental Impact Assessment Regulations, 2010, if the applicant or a person affected by this Decision wishes to appeal this decision, a notice of intention to appeal must be lodged within Twenty (20) days after date of the decision, and an appeal must **be lodged within thirty (30) days after lapsing of 20 days contemplated in regulation 60 (1)** of lodging of the notice to appeal to:

The Member of the Executive Council
Ministry of Environment & Nature Conservation
Private Bag X6102
Kimberley
8300
Fax: (053) 8321032

Appeals must comply with the provisions of Chapter 7 of Environmental Impact Assessment Regulations, 2010 Government Notice No. R. 543 of 18 June 2010.

J. Mutyora

MR J.J MUTYORAUTA
DIRECTOR ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF ENVIRONMENT & NATURE CONSERVATION

DATE OF ENVIRONMENTAL AUTHORISATION: 23rd July 2012

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant, **Assmang Limited**, applied for authorisation to carry on the following activity –

The expansion of diesel storage and silo for explosion, the construction of a tar road, additional refuelling station, storm water dams and storage tanks. The establishment and expansion of borrow pits and the establishment of two waste rock dumps at Khumani Iron Ore mine.

Activity No. 11 of GN. R.544 of 18 June 2010:

The construction of:

- (i) canals;
- (ii) channels;
- (iii) bridges;

- (iv) dams;
- (v) weirs;
- (vi) bulk storm water outlet structures;
- (vii) marinas;
- (viii) jetties exceeding 50 square metres in size;
- (ix) slipways exceeding 50 square metres in size;
- (x) buildings exceeding 50 square metres in size; or
- (xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

Activity No. 12 of GN. R.544 of 18 June 2010:

The construction of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010;

Activity No. 13 of GN. R.544 of 18 June 2010:

The construction of facilities or infrastructure for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 but not exceeding 500 cubic metres;

Activity No. 15 of GN. R.545 of 18 June 2010:

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more;

except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

Activity No. 20 of GN. R.545 of 18 June 2010:

Any activity requiring a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) or renewal thereof.

Activity No. 22 of GN. R.545 of 18 June 2010:

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.

The applicant appointed **GCS (Pty) Ltd** to undertake an environmental impact assessment process.

A Full Environmental Impact Assessment process was followed.

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 Scoping and the EIR.
- b) The objectives 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 Mr. Marvin Mathews on 14 May 2012.

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) The application process.
- b) The Scoping Report and Environmental Management Report.
- c) The legal and procedural requirements have been complied with and the information contained in the Environmental Management Report and Appendices is to the satisfaction of this Department.
- d) Stormwater hydrological study by Justin Porteous dated March 2009.
- e) The soil/pedological, land capacity and land use assessment study compiled by Ian Jones and Lynn Fitchen dated January 2005.
- f) The flora and fauna report by GCS dated 2004.
- g) Surface water study compiled by DJ Grant Stuart of Knight Piesold (Pty) Limited Dated February 2005.
- h) Geohydrological study compiled by Gerhard Steenekamp of Clean Stream Groundwater Services dated December 2004.
- i) Air quality report compiled by H Liebenberg-Enslin, G Petzer, T Resane, RM Watson of Airshed Planning Professionals (Pty) Ltd dated February 2005.
- j) Noise impact study compiled F le R Malherbe dated March 2005.
- k) Archaeological assessment report by David Morris dated February 2005.

4. Findings

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

- a) The application process was satisfactory in terms of the Regulation 36 of the EIA 2010 regulations.
- b) Adequate Public Participation Process took place.
- c) The legal and procedural requirements have been complied with and the information contained in the Basic Assessment Report and Appendices is to the satisfaction of this Department.

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 laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application is accordingly granted.



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref. 12/9/11/L812/8

Enquiries: Mr Mpho Tshitangoni

Tel: (012) 310-3380 Fax: (012) 310-3753 Email: mtshitangoni@environment.gov.za
www.environment.gov.za

LICENCE NUMBER: 12/9/11/L812/8

CLASS: H:H & G:C:B (HAZARDOUS WASTE STORAGE AND
GENERAL WASTE DISPOSAL FACILITIES)

WASTE MANAGEMENT FACILITY: KHUMANI IRON ORE MINE WASTE MANAGEMENT
FACILITIES

LOCATION: REMAINDER OF THE FARM PARSON 564 RD, KHATHU
SIYANDA DISTRICT MUNICIPALITY, NORTHERN CAPE
PROVINCE

LICENCE HOLDER: ASSMANG LIMITED

ADDRESS: PRIVATE BAG X 503, KHATU, 8446

CONTACT PERSON: MR PIERRE BECKER

CONTACT DETAILS: TEL: 053 311 6600, FAX: 053 311 4310

LICENCE IN TERMS OF SECTION 49 (1)(a) OF THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 (ACT NO. 59 OF 2008)

In terms of National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) read with the Environmental Impact Assessment Regulations, 2006, published in Government Notice No.R.385 of 21 April 2006 (the Regulations), the Deputy Director General: Environmental Quality and Protection, acting under delegation, hereby grants Assmang Limited a Waste Management Licence for the following waste management activities as listed in Category A of Government Notice No 718 dated 03 July 2009:



- (2) The storage including the temporary storage of hazardous waste at a facility that has the capacity to store in excess of 35m³ of hazardous waste at any one time, excluding the storage of hazardous waste in lagoons.
- (15) The disposal of general waste to a land covering an area of more than 50m² but less than 200m² and with a total capacity not exceeding 25 000 tons.
- (18) The construction of activities listed under Category A of this Schedule.

In this Licence, "Director" means the Director: Authorisations and Waste Disposal Management of the National Department of Environmental Affairs, who may be contacted at the address below:

Director: Authorisations and Waste Disposal Management
Department of Environmental Affairs
Private Bag X 447
PRETORIA
0001

In this Licence, "Director: RPW" means the Director: Resource Protection and Waste: Department of Water Affairs (DWA) who may be contacted at the address below:

Director: Resource Protection and Waste
Department of Water Affairs
Private Bag X 313
PRETORIA
0001

1 SITE DETAILS

1.1 LOCATION

1.1.1 This Licence authorises the construction and operation of hazardous waste storage and general waste disposal facilities on the Remainder of the Farm Parson 564 RD in Khathu within the jurisdiction of Siyanda District Municipality in Northern Cape Province (hereinafter referred to as "the Site").

1.1.2 The location of the site must be according to co-ordinates indicated on the Licence application form, which is defined as follows:

A) General Waste Disposal Site

Number of corner	Latitude	Longitude
1a	22.98178	27.84902
1b	22.9846	27.85241
1c	22.98096	27.85363
1d	22.97975	27.85456
1e	22.97779	27.85287



B) Hazardous Waste Storage Facility

Number of corner	Latitude	Longitude
2a	22.9787	27.85304
2b	22.97915	27.85304
2c	22.97915	27.85349
2d	22.9787	27.85349

1.2 DOCUMENTS CONSIDERED

- 1.2.1 The Basic Assessment Report For Khumani Iron Ore Mine compiled by GCS, hereinafter referred to as the "Report"; and
- 1.2.2 The Waste Management Licence Application Form, dated 29 April 2009.

LICENCE CONDITIONS

1.3 SITE SECURITY AND ACCESS CONTROL

- 1.3.1 The Licence Holder must ensure effective access control of the Waste Management Site to prevent unauthorised entry. Weatherproof, durable and legible signs in at least three official languages applicable in the area must be displayed at each entrance to the Site. The signs must indicate the risks involved in entering the Site, state the hours of operation and the name, address and telephone number of the Licence Holder and the person responsible for the operation of the Site.
- 1.3.2 The Licence Holder must prevent the storage and disposal of waste that is not authorised at the Site as per condition 3.1 below.

2 MANAGEMENT

2.1 GENERAL MANAGEMENT

- 2.1.1 The activities must be managed and operated:
 - (a) In accordance with a documented Environmental Management System (EMS), that inter alia, identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents and non-conformances as well as those drawn to the attention of the Licence Holder as a result of complaints;
 - (b) In accordance with conditions of this Licence and any other written instruction by the Director; and
 - (c) By an adequate, competent staff complement.
- 2.1.2 Any persons having duties that are or may be affected by this Licence must have convenient access to a copy thereof, which copy must be kept at or near the place where those duties are carried out.



2.1.3 A copy of this Licence may be published on any website deemed fit by the Department, in its discretion, on any website or other media.

2.2 DESIGNATION OF WASTE MANAGEMENT CONTROL OFFICER

2.2.1 A Waste Management Control Officer (WMCO) must be designated to monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Licence and standard operation procedures. The WMCO must:

a) Report any non-compliance with any Licence conditions or requirements or provisions of NEM: WA to the licensing authority.

2.2.2 The duties and responsibility of the WMCO should not be seen as exempting the Licence Holder from the legal obligations in terms of the NEM:WA.

2.3 EMERGENCY PREPAREDNESS PLAN

2.3.1 The Licence Holder must maintain and implement emergency preparedness plan and review it annually when conducting an audit, after each emergency incident and major accident. The plan must, amongst others, include measures to address:

a) Power failure;

b) Equipment malfunction;

c) Site fire;

d) Spillage (en route and on sites);

e) Natural disasters such as floods; and

f) The plan must include contact details of the nearest police station, ambulance service and emergency centre.

3 PERMISSIBLE WASTE

3.1 Any portion of the Site which has been constructed or developed according to condition 4 below may be used for the storage of hazardous waste and disposal of general waste. See Annexure III for waste streams prohibited for disposal unless they form less than 3 per cent of the waste stream from residential areas.

3.2 The classification, acceptance and disposal criteria as listed in the latest edition of the document "Minimum Requirements for Handling, Classification and Disposal of Hazardous Waste, Waste Management Series, Department of Water Affairs and Forestry or its successor must be conformed to.

4 CONSTRUCTION OF THE FACILITY

4.1 The site plan must only be changed under the supervision of a registered professional engineer and upon approval by the Director.

4.2 The construction and further development of the Site must be carried out under the supervision of a registered professional engineer. The waste disposal site liner design must adhere liner requirements in the Minimum Requirements.



- 4.3 After construction of the Site or further development within the Site, the Licence Holder must notify the Director and the registered professional engineer must submit a certificate or alternatively a letter to the Director that the construction of the Site and further development within the Site is in accordance with recognised civil engineering practice before disposal may commence on the site.
- 4.4 The waste storage areas must have firm and impermeable floors to prevent contamination of ground water.
- 4.5 All liquid waste containers that are not stored under a roofed area must be coated and sealed to prevent sunlight and rain water from getting in contact with the waste.
- 4.6 The waste disposal Site must be constructed in accordance with recognised civil engineering practice to ensure that the Site remains stable.
- 4.7 The slopes of the sides of the Site must be constructed such that little or no erosion occurs from the Site.
- 4.8 The Licence Holder must construct and maintain on a continuous basis, drainage and containment system capable of collecting and storing all contaminated runoff water arising from the site in the event of 1:50 year rain event. The system must under the said rainfall event, maintain a freeboard of half a metre.
- 4.9 The runoff water from the Site shall comply with the quality requirements of the General Standard, as published in Government Notice 991 of 18 May 1984, or with such quality requirements as may be determined from time to time by the Minister and shall be drained from the site in a legal manner.

5. GENERAL IMPACT MANAGEMENT AND OPERATION

5.1 IMPACT MANAGEMENT

- 5.1.1 Waste, which is not permissible under condition 3, must be dealt with according to relevant legislation or the Department's policies and practices.
- 5.1.2 The Licence Holder must prevent spillages; where they happen nonetheless, condition 2.3.1 above shall apply and the Licence Holder must ensure the effective and safe cleaning of such spillages.
- 5.1.3 The Licence Holder must prevent the occurrence of nuisance conditions or health hazards.
- 5.1.4 The Licence Holder must ensure that all wastes collected are sent to waste management facilities licenced to handle such wastes.
- 5.1.5 The Licence Holder must ensure that emissions from the activities shall be free from odour at levels likely to cause annoyance.



- 5.1.6 Waste deposited on site must not be allowed to burn and suitable measures must be implemented to prevent fires on the site or extinguish fires which may occur.
- 5.1.7 Waste disposed on the site may be reclaimed under roofed area provided the reclamation activity does not add any negative impact on the environment and that safety precautions are adhered to.
- 5.1.8 The Licence Holder must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimise the risks involved. Records of training and verification of competence must be kept by Licence Holder.

5.2 OPERATION

- 5.2.1 Licence Holder must ensure that records in terms of volume/weight, source and nature of all wastes received; reclaimed and landfilled are maintained and reported as per Annexure II hereafter on annual basis.
- 5.2.2 Waste disposed of on the site must be compacted and covered as and when necessary with a minimum of 150 millimetres of soil or other material approved by the Director.
- 5.2.3 Licence Holder must ensure that scavenging animals, scavenging birds and other pests does not cause pollution.
- 5.2.4 Licence Holder must ensure that litter and mud arising from the activities must be cleared from affected areas outside the site as soon as practicable and wind-blown waste and litter must be picked up and removed from fences and vegetation on a daily basis.
- 5.2.5 The Licence Holder must ensure that the liquid waste storage facility is surrounded by an interception trench with a sump or outlet valve for intercepting and recovering potential spills.
- 5.2.6 All liquid wastes must be stored in leak resistant containers and must be routinely inspected for leaks.
- 5.2.7 The Licence Holder must ensure that the integrity of the waterproof base and infrastructure are routinely monitored and corrective measures are taken before containment integrity is breached.

6 MONITORING

6.1 MONITORING METHODS AND PARAMETERS

- 6.1.1 The Licence holder must carry out all tests required in terms of this Licence in accordance with published laboratory analysis methods or those prescribed by and obtainable from the South African Bureau of Standards (SABS), referred to in the Standards Act, 2008 (Act 08 of 2008).



6.1.2 The Licence Holder may only use another method of analysis if approved by the Department.

6.2 WATER QUALITY MONITORING

6.2.1 Surface water monitoring shall be performed in all storm water drains on and adjacent to the Site at the locations selected in conjunction with the Department of Water Affairs and at such a frequency as determined by the responsible authority.

6.3 INVESTIGATIVE MONITORING

6.3.1 If, in the opinion of the Director or Director: RPW, a water quality variable at any monitoring point referred to in condition 6.2.1 above shows an increasing trend, the Licence Holder shall report in terms of condition 9 below.

7 INVESTIGATIONS

7.1 If, in the opinion of the Director, environmental pollution, nuisances or health risks may be or are occurring on the Site, the Licence Holder must initiate an investigation into the cause of the problem or suspected problem.

7.2 If, in the opinion of the Director and/or Director: RPW, water pollution may be or is occurring the Licence Holder must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by the Director: RPW.

7.3 Should the investigation carried out as per conditions 7.1 and 7.2 above reveal any unacceptable levels of pollution, the Licence Holder must submit mitigation measures to the satisfaction of the Director.

8 RECORDS

8.1 The Licence Holder must keep records and update all the information referred to in Annexure II and submit this information to the Director on an annual basis.

8.2 All records required or resulting from activities required by this Licence must:

- a) Be legible;
- b) Be made as soon as reasonably practicable and should form part of the external audit report;
- c) If amended, be amended in such a way that the original and any subsequent amendments remain legible and are easily retrievable; and
- d) Be retained in accordance with documented procedures.

8.3 Records demonstrating compliance with condition 2.1.1 must be maintained for five years.



9 REPORTING

- 9.1 The Licence Holder must, within 24 hours, notify the Director of the occurrence or detection of any incident on the Site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 9.2 The Licence Holder must, within 14 days, or a shorter period of time, if specified by the Director from the occurrence or detection of any incident referred to in condition 9.1, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Director and/or the Director: RPW of measures taken to –
- Correct the impact resulting from the incident;
 - Prevent the incident from causing any further impact; and
 - Prevent a recurrence of a similar incident.
- 9.3 In the event that measures have not been implemented within 21 days of the incident to address impacts caused by the incident referred to in condition 9.1, or measures which have been implemented are inadequate, the Director may implement the necessary measures at the cost and risk of the Licence Holder.
- 9.4 The Licence Holder must keep an incident report and complaints register, which must be attached available to the external audit report, and made available to the Departmental auditors.
- 9.5 The Department must be notified without delay in the case of the following:
- Any malfunction, breakdown or failure of equipment or techniques, accident or fugitive emission which has caused, is causing or may cause significant pollution;
 - The breach of this Licence; and
 - Any significant adverse environmental and health effects.
- 9.6 The Department must be notified within 14 days of the following changes:
- Licence Holder's trading name, registered name or registered office address;
 - Particulars of the Licence Holder's ultimate holding company (including details of an ultimate holding where a Licence Holder has become a subsidiary; and
 - Steps taken with a view to the Licence Holder, or any one of them, going into bankruptcy, entering into arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- 9.7 Each external audit report referred to in condition 10.2 below must be submitted to the Director within 30 days from the date on which the external auditor finalised the audit.



10 AUDITING

10.1 INTERNAL AUDITS

10.1.1. Internal audits must be conducted annually by the Licence Holder and on each audit occasion an official report must be compiled by the relevant auditor to report the findings of the audits, which must be made available to the external auditor specified in condition 10.2.1.

10.2 EXTERNAL AUDITS

10.2.1 The Licence Holder must appoint an independent external auditor to audit the site biennially and this auditor must compile an audit report documenting the findings of the audit, which must be submitted by the Licence Holder according to condition 9.7, above.

10.2.2 The audit report must:

- a) Specifically state whether conditions of this licence are adhered to;
- b) Include an interpretation of all available data and test results regarding the operation of the site and all the impacts on the environment;
- c) Specify target dates for the implementation of the recommendations by the Licence Holder to achieve compliance;
- d) Contain recommendations regarding non-compliance or potential non-compliance and must specify target dates for the implementation of the recommendations by the Licence Holder and whether corrective action taken for the previous audit non conformities was adequate; and
- e) Show monitoring results graphically and conduct trend analysis.

10.3 DEPARTMENTAL AUDITS AND INSPECTIONS

10.3.1 The Department reserves the right to audit and/or inspect the Site without prior notification at any time and at such frequency as may be determined by the Director.

10.3.2 The Licence Holder must make any records or documentation available to the Director upon request, as well as any other information he/she may require.

11 LEASING AND ALIENATION OF THE SITE

11.1 Should the Licence Holder want to alienate or lease the site, he/she shall notify the Director in writing of such an intention at least 120 days prior to the said transaction for approval.

11.2 Should the approval be granted, the subsequent Licence Holder shall remain liable for compliance with all Licence conditions.



12 TRANSFER OF A WASTE MANAGEMENT LICENCE

- 12.1 Should the Licence Holder want to transfer the Licence, he/she must apply in terms of Section 52 of the National Environmental Management: Waste Act, 2008 (Act No 59 of 2008).
- 12.2 Any subsequent Licence Holder shall be bound by conditions of this Licence.

13. GENERAL

- 13.1 The construction of the licenced activity may not commence within twenty (20) days of the date of signature of this Licence.
- 13.2 Should the Licence Holder be notified by the Minister in writing of a suspension of the licence pending any appeals decision, you may not commence with the activities licenced by the Minister.
- 13.3 After an appeal period has expired and no good cause to extend the appeal period has been submitted, the activity may commence provided a notice has been submitted to the Department. The notice must include a date on which it is anticipated that the activity will commence.
- 13.4 The activity must commence within a period of two (2) years from the date of issue if commencement of the activity does not occur within that period, the Licence lapses and new application for Licence must be made in order for the activity to be undertaken.
- 13.5 If Licence Holder anticipates that commencement of the activity would not occur within two (2) year period, he/she must apply and show good cause for an extension of the licence six (6) months prior to its expiry date.
- 13.6 This Licence shall not be transferable unless such transfer is subject to condition 12.1
- 13.7 This Licence shall not be construed as exempting the Licence Holder from compliance with the provisions of the National and Provincial Legislation and any relevant Ordinance, Regulation, By-laws and relevant National Norms and Standards.
- 13.8 Transgression of any condition of this Licence could result in the Licence being withdrawn by the Department.
- 13.9 Non-compliance with a condition of this license may result in criminal prosecution or other actions provided for in Section 67(1) of the National Environmental Management: Waste Act, 2008.



13.10 In terms of section 28 and 30 of the National Environmental Management Act No. 107 of 1998, and section 19 and 20 of the National Water Act No. 36 of 1998, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the Licence Holder reads through and understands the legislative requirements pertaining to the project. It is the Applicant's responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmental acceptable manner.

13.11 This Licence is valid for a period of twenty (20) years and shall be reviewed every ten (10) years from the date of issue at any time before or after that date. Based on the results of the review, especially compliance to Licence conditions or recommendations from audit reports and or changing legislation, the Licence could be amended or withdrawn or validity thereof extended.

14 APPEAL OF LICENCE

14.1 The licence holder must notify every registered interested and affected party, in writing and within ten (10) days, of receiving the Department's decision.

14.2 The notification referred to in 14.1 must –

14.2.1 Specify the date on which the Licence was issued;

14.2.2 Inform the registered interested and affected party of the appeal procedure provided for in Chapter 7 of GN No. R 385 of 21 April 2006 in terms of National Environmental Management Act, 1998, as amended (see Annexure 1);

14.2.3 Advise the interested and affected party that a copy of a Licence will be furnished on request; and

14.2.4 An appeal against the decision must be lodged in terms of chapter 7 of GN No. R 385 of 21 April 2006 in terms of NEMA 1998, as amended; from the date of this license, with: The Minister, Department of Environmental Affairs, Private Bag X 447, PRETORIA, 0001, Tel No.: (012) 310 3705, Fax No.: (012) 320 7561

Mr. Sonnyboy Bapela

ACTING DEPUTY DIRECTOR-GENERAL: ENVIRONMENTAL QUALITY AND PROTECTION

DATE: 27-03-2018



ANNEXURE I

APPEALS PROCEDURE IN TERMS OF CHAPTER 7 OF R. 385 OF 2006 TO BE FOLLOWED BY THE APPLICANT AND INTERESTED AND AFFECTED PARTIES UPON RECEIPT OF NOTIFICATION OF A WASTE MANAGEMENT LICENCE

APPLICANT	INTERESTED AND AFFECTED PARTIES (IAPs)
1. Receive a notification of a Waste Management Licence from the relevant Competent Authority	1. Receive a notification of a Waste Management Licence from Applicant/Consultant
2. Within 10 days of receipt of notification, notify the relevant Competent Authority and all IAPs of intention to appeal	2. Within 10 days of receipt of notification, notify the relevant Competent Authority of intention to appeal
3. Notification served by the Applicant must include: 3.1. A copy of the notice of intention to appeal; and 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by all IAPs	3. Appellant must serve on the Applicant 3.1. A copy of the notice of intention to appeal 3.2. A notice indicating where and for what period the appeal submission will be available for inspection by the applicant
4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal	4. The appeal must be submitted to the relevant Competent Authority or delegated organ of State within 30 days of lodging of the notice of intention to appeal
5. A person or organ of state that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of state within 30 days from the date that the appeal submission was made available for inspection by the appellant	5. An Applicant that receives notice of an appeal may submit a responding statement to the relevant Competent Authority or delegated organ of State within 30 days from the date the appeal submission was made available for inspection by the appellant

NOTES:

1. An appeal against a decision must be lodged with:-

- a) The Minister of Water and Environmental Affairs if the decision was issued by the Director- General of the Department of Environmental Affairs (or another official) acting in his/ her capacity as the delegated Competent Authority;
- b) The delegated organ of state where relevant.

2. An appeal lodged with:-

- a) The Minister of Water and Environmental Affairs must be submitted to the Department of Environmental Affairs by means of one of the following methods:
By facsimile: (012) 320 7561
By post Private Bag X 447, Pretoria, 0001; or
By hand: 2nd Floor, Fedsure Forum Building, North Tower, cnr. Pretorius and van der Walt Streets, Pretoria.



- b) The delegated organ of state, where relevant, must be submitted to the delegated organ of state.

3. An appeal must be:-

- a) On an official form obtainable or published by the relevant department;
b) Accompanied by:
- a statement setting out the grounds of appeal;
 - supporting documentation which is referred to in the appeal and is not available to the relevant Competent Authority;
 - a statement that the appellant has complied with regulation 62 (2) or (3) together with copies of the notices referred to in regulation 62;
 - The prescribed appeal fee, if any.

4. A copy of the official appeal form can be obtained from:

Mr TH Zwane
Senior Legal Administration (Appeals)
Tel: 012 310 3929
tzwane@environment.gov.za ; or

Mr TR Rambuda
Legal Administration Officer (Appeals)
Tel: 012 310 1758
trambuda@environment.gov.za



ANNEXURE II

INFORMATION WHICH SHALL BE SUBMITTED ON AN ANNUAL BASIS CONDITION 8.1

* = Indicate with an X. Please print legibly.

NAME OF SITE: _____	DATE OF REPORT: _____ (y/m/d)
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1. Registered owner(s) of property on which the waste management facility is situated:

Name	Telephone	
Postal Address	Fax	
	Postal Code	

2. Operator in control of waste management facility:

Name	Telephone	
Identity number	Tel. After hours	
Educational Qualifications		
Other Relevant competencies:		

3. Indicate the type of waste and approximate quantities of waste stored and transferred for recycling, treatment, recovery or disposal during the year:

Type of waste (Specify)	Quantity (m ³ annum ⁻¹)	Source
TOTAL		

4. Indicate the type and approximate quantities of waste disposed on site during the year:

Type of waste	Quantity (m ³ annum ⁻¹)	Stored, sorted, or recycled
TOTAL		

I, the undersigned, declare that the information stated above below is to my knowledge a true reflection of the status at the _____ waste management facility.

Signature: _____

Name: _____

Capacity: _____

Place: _____

Date _____



ANNEXURE III

WASTE WHICH MAY NOT BE ACCEPTED ON THE SITE: Condition 3.1

1. Waste where specific control has been established in terms of the Nuclear Energy Act, 1999 (Act 46 of 1999).
2. Waste types controlled in terms of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and the Electricity Act, 1987 (Act 41 of 1987), Nuclear Energy Act, 1999 (Act 46 of 1999), unless written permission has been obtained from the Director.
3. Waste which is defined, according to the Minimum Requirements, as an extreme hazard or Hazard Group 1 (HG1); high hazard or Hazard Group 2 (HG2); moderate hazard or Hazard Group 3 (HG3) and low hazard or Hazard Group 4 (HG4), unless an application for delisting has been successfully submitted to the Manager: Waste Discharge and Disposal through the Regional Director and written approval was obtained from the Manager: Waste Discharge and Disposal for the disposal of this waste on the Site.
4. Flammable wastes, with a closed cup flash point less than 61°C.
5. Corrosive substances, as defined and described in the Minimum Requirements as Class 8 (1998 edition: page 6-8, Diagram III).
6. Oxidising substances and organic peroxides, as defined and described in the Minimum Requirements as Class 5 (1998 edition: page 6-8, Diagram III).
7. Any waste with a substance which is a Group A and/or Group B carcinogen/mutagen. Group A carcinogens/mutagens have been proven in humans, both clinical and epidemiological. Group B carcinogens/mutagens have been proven without doubt in laboratory animals.
8. Any waste with a substance at a concentration greater than 1% where the substance is a Group C and/or Group D carcinogen/mutagen. Group C carcinogens/mutagens have shown limited evidence in animals. Group D carcinogen/mutagen - the available data is inadequate and doubtful.
9. Any infectious waste which is generated during the diagnosis, treatment or immunisation of humans or animals; in the research pertaining to this; in the manufacturing or testing of biological agents including blood, blood products and contaminated blood products, cultures, pathological wastes, sharps, human and animal anatomical wastes and isolation wastes that contain infectious substances.
10. All materials which fall in Class 1 (explosives), Class 2 (compressed gases) and Class 7 (radioactive materials), as defined and described in the Minimum Requirements.
11. Any waste with a pH less than 6 or greater than 12.
12. Any waste which is difficult to analyse and classify.



13. Any complexes of heavy metal cations, paint and paint sludges, or laboratory chemicals.
14. Organic or inorganic element or compound which may have a definite acute or chronic negative effect on human health and/or the environment, due to its toxic, physical, chemical or persistent characteristics;
15. Health Care Risk waste; and
16. Scheduled pharmaceutical products registered in terms of the Medicines and Related Substances Control Act, 1965 (Act 101 of 1965) or associated containers, are disposed of on the Site.



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Department:
Environment & Nature Conservation
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Private Bag X6102, Kimberley, 8300, Metlife Towers, T-Floor, Tel: 053 807 7300, Fax: 053 807 7328

Equiries :
Dipatlisilo : Mr. O Riba
Navrae :
Imibuzo :
Reference :
Tshupelo : NC/EIA/11/JTG/GAM/KAT2/2014
Verwysing :
Isalathiso :

Date :
Letlha : 27th June 2016
Datum :
Umhla :

Assmang Limited – Khumani Ore Mine

Marius Burger
Khumani Iron Ore Mine, Mancorp Mine
Postmasburg
Private Bag X503
Kathu
8423

dirk.coetzee@assmang.co.za
083 459 7580

Dear Sir/Madam

THE GRANTING OF THE ENVIRONMENTAL AUTHORISATION FOR GN.R 544: ACTIVITY: 11(xi), 22, 28 & GN. R545: ACTIVITY 5, 15 & GN. R5456: ACTIVITIES: 14: THE PROPOSED KHUMANI, PARSONS AND KING INFRASTRUCTURE EXPANSION PROJECT, PARSONS (PORTION 2, 6 AND REMAINDER OF PARSONS 564), KING (PORTIONS 1, 2, 3 AND THE REMAINDER OF KING NO.561), BRUCE (PORTIONS 3, 4, 5 AND REMAINDER OF BRUCE NO. 544) AND MOKANING (PORTIONS 1, 2, 3, 4, 5 AND REMAINDER OF MOKANING NO. 560) KATHU, GAMAGARA LOCAL MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.

By virtue of the powers conferred to me by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Regulations, 2010, **THE DEPARTMENT HEREBY GRANTS THE ENVIRONMENTAL AUTHORISATION FOR: GN.R 544: ACTIVITY: 11(xi), 22, 28 & GN. R545: ACTIVITY 5, 15 & GN. R5456: ACTIVITIES: 14: THE PROPOSED KHUMANI, PARSONS AND KING INFRASTRUCTURE EXPANSION PROJECT, PARSONS (PORTION 2, 6 AND REMAINDER OF PARSONS 564), KING (PORTIONS 1, 2, 3 AND THE REMAINDER OF KING NO.561), BRUCE (PORTIONS 3, 4, 5 AND REMAINDER OF BRUCE NO. 544) AND MOKANING (PORTIONS 1, 2, 3, 4, 5 AND REMAINDER OF MOKANING NO. 560) KATHU, GAMAGARA LOCAL MUNICIPALITY, JOHN TAOLO GAETSEWE DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.** A detailed description of the activity is given in the Environmental Impact Assessment Report dated November 2015 subject to the conditions listed in the environmental authorisation and reasons for the decision are attached herewith. In terms of regulation 4(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) days of receiving of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Permit 21/2016

Your attention is drawn to Chapter 2 of the National Appeal Regulations which regulates appeal procedures. Should you / any person affected by this decision wish to appeal any aspect of the decision, you or a person affected by this decision must, *inter alia*, lodge an appeal, as prescribed in regulation 4 of the National Appeal Regulations, 2010, with the Member of the Executive Council, Ministry of Environment and Nature Conservation within 20 days of receiving this letter, by means of one of the following methods:

By facsimile: (053) 832 1026;
By post: Private Bag x 6102, Kimberley, 8300 or
By hand: T-Floor, Metlife Towers, Kimberley, 8300.

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 faithfully



**MR. B FISHER – DIRECTOR
ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF ENVIRONMENT AND NATURE CONSERVATION**

DATE OF DECISION: _____

06 July 2016

Cc: GCS Water & Environmental (Pty) Ltd
janem@gcs-sa.biz
jaco@gcs-sa.biz
011 – 803 5745

Northern Cape Province
DEPARTMENT OF
ENVIRONMENT & NATURE
CONSERVATION



Porofensi Ya Kapa Bokone
LEFAPHA LA TIKOLOGO LE
TSHOMARELO YA THLAGO

ENVIRONMENTAL AUTHORISATION
in terms of National Environmental Management Act, 1998 (Act No. 107 of
1998) and the Environmental Impact Assessment Regulations, 2010

AUTHORISATION REGISTER NUMBER:	PERMIT 21/2016
REFERENCE NUMBER:	NC/EIA/17/JTG/GAM/KAT2/2014
LAST AMENDED:	N/A
HOLDER OF AUTHORISATION:	ASSMANG LIMITED-KHUMANI ORE MINE
LOCATION OF ACTIVITY:	PARSON 564, KING 561, BRUCE 544 AND MOKANING 560

DEFINITIONS

Activity means an activity identified in Government Notice No. R. 544 and No. R. 545 of 2010 as a listed activity.

Applicant means a person who has submitted an application.

Application means an application for an environmental authorization in terms of chapter 3 of the Environmental Impact Assessment Regulations of 2010.

Basic assessment report means a report contemplated in regulation 22.

Environmental Impact Report means a report contemplated in regulation 31 of the Environmental Impact Assessment Regulations of 2010.

EAP means an environmental assessment practitioner as defined in section 1 of the Act.

Interested and affected party means an interested and affected party contemplated in section 24(4) (d) of the Act, and which in terms of that section includes:

- ◆ Any person, group of persons or organisation interested in or affected by an activity, and
- ◆ Any organ of state that may have jurisdiction over any aspect of the activity.

Public participation process means a process in which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to, specific matters.

The Act means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

ACTIVITIES AUTHORISED

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Environmental Impact Assessment Regulations, 2010 the Department hereby authorises –

Assmang Limited- Khumani Ore Mine

with the following contact details –

Director Technical Services

Marius Burger

Khumani Iron Ore Mine, Mancorp Mine Postmasburg, 8423

Private Bag X503

Kathu

8446

Tel: (053) 723 8090

Fax: (053) 723 8599

Cell: 083 459 7580

E-Mail: Dirk.coetzee@assmang.co.za

to undertake the following activities (hereafter referred to as “the activity”)

Proposed Khumani, Parsons, and King Infrastructure Expansion Project.

Activity No. 11 (xi) of GN. R.544 of 18 June 2010

The construction of:

(xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

Activity No. 22 of GN. R.544 of 18 June 2010

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.

Activity No. 28 of GN. R.544 of 18 June 2010

The expansion of or changes to existing facilities for any process or activity where such expansion or changes to will result in the need for a permit or license in terms of 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.

Activity No. 5 of GN. R.545 of 18 June 2010

The construction of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent and which is not identified in Notice No. 544 of 2010 or 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.

Activity No. 15 of GN. R.545 of 18 June 2010

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

Activity No. 14 of GN. R.546 of 18 June 2010

The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

(1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;

Phased activities for all activities listed in this schedule, which commenced on or after the effective date of this schedule, where any one phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed the specified threshold.

From Parson (Portions 2, 6 and the Remainder of Parson No. 564),
King (Portions 1, 2, 3 and the Remainder of King No. 561),
Bruce (Portions 3, 4, 5 and the Remainder of Bruce No. 544)
Mokaning (Portions 1, 2, 3, 4, 5 and the Remainder of Mokaning No. 560)

(Latitude (S) 27° 51' 48.844" Longitude (E) 22° 57' 2.451")
(Latitude (S) 27° 52' 16.977" Longitude (E) 22° 58' 4.276")
(Latitude (S) 27° 51' 30.393" Longitude (E) 23° 0.' 12.603")

hereafter referred to as "the property".

The granting of this Environmental Authorisation is subject to the conditions set out below.

CONDITIONS

Scope of authorisation:

1. Authorisation of the activity is subject to the conditions contained in this authorisation, which conditions form part of the environmental authorisation and are binding on the holder of the authorisation.
2. The holder of the authorisation shall be responsible for ensuring compliance with the 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. The activity(s) which is authorised must only be carried out at the property indicated above.
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.

5. This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

General conditions:

6. 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.
7. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
8. The holder of the authorisation must notify the Department, in writing and within 24 (TWENTY FOUR) hours, if condition 16 of this authorisation cannot be or is not adhered to. In all other cases, the holder of the authorisation must notify the Department, in writing, within 7 (SEVEN) days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
9. 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.
10. This authorization is subject to the approval by the relevant local authorities i.e. in terms of any relevant legislation administered by those local authorities.
11. The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local (these include but are not limited to National Department of Environmental Affairs, National Department of Agriculture, Forestry and Fisheries, Department of Housing & Local Government, Department of Water and Sanitation, Department of Mineral Resources, Department of Transport,

Department of Roads & Public Works, Department Arts, Sports & Culture, South African Heritage Resources Agency, South African Civil Aviation Authority).

12. The activity, including site preparation, may not commence before the thirty (30) day appeal period expires or until such time as the Department has considered any appeals that have been lodged.
 - a. One week's written notice must be given to the Administration clerk (Impact Management Unit) before commencement with the activity.
 - b. Such notice shall make clear reference to the site location details and the reference number given above.
 - c. The said notice must also include proof of compliance with the following conditions described herein:
 - i. Conditions: 11 and 23.
13. The applicable conditions of this authorization must form part of all contractors' and sub-contractors' conditions of contract. A performance-based requirement with regard to environmental impact management must be included in all contracts related to any aspect of this authorization.
14. The applicant must carry out regular environmental audits to establish compliance with the conditions of this authorization and contracts.
15. Records relating to the compliance/non-compliance with the conditions of the authorization and contracts must be kept in good order. Such records must be made available to the Department within 7 (seven) days of receipt of a written request by the Department for such records.
16. Any complaints regarding the said development must be brought to the attention of the Department within 24 (twenty four) hours after receiving the complaint. A complaints register must be kept up to date for inspection by the Department.
17. Officials in the employ of the Department shall be given access to the property as described above (see detailed description of the activity) for the purposes of assessing and/or monitoring compliance with the conditions contained in this Environmental Authorization. Where the activity is located on a third party's property the applicant shall be responsible to arrange access for departmental officials.
18. This Department may add to, change and/or amend any of the conditions in this authorization if, in the opinion of the Department, the addition, change of amendment is environmentally justified. In event that such impacts exceed its significance as predicted in the independent consultant's environmental scoping

report and supporting documentation, the authorization may be withdrawn after proper procedures were followed.

19. In the event of any dispute concerning the significance of a particular impact, the opinion of this department in respect of its significance will prevail.
20. This Department and any national department, provincial department, local authorities or committees appointed in terms of the conditions of this application or any other public authority or organization shall not be held responsible for any damage 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 approval as set out in this document or any other subsequent document emanating from these conditions of approval.
21. The applicant shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
22. The applicant must apply the principle of best practicable environmental option for all technologies used/ implemented.

Appeal of authorisation:

23. The holder of the authorisation must notify every registered interested and affected party, in writing and within 7 (SEVEN) calendar days, of receiving notice of the Department's decision to authorise the activity.
24. The notification referred in 23 must –
 - specify the date on which the authorisation was issued;
 - inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the regulations; and
 - advise the interested and affected party that a copy of the authorisation and reasons for the decision will be furnished on request.
25. If the applicant should appeal against this Environmental Authorisation, he/she must inform all interested and affected persons that such an appeal is being lodged with the MEC and if requested, the applicant/appellant must provide those persons with reasonable access to a full copy of the appeal within a reasonable time before expiry of the thirty day appeal period.

Management of activity:

26. The Environmental Management Programme ("EMPr") submitted as part of the application for environmental authorisation must be implemented.
27. The Environmental Management Programmes is a living document and must be updated as determined or required.
28. The disturbance of the environment must be restricted to the absolute minimum.

Monitoring and Recording

26. A site monitoring must be instituted to the satisfaction of this Department, access routes must be monitored during routine site maintenance visits.
27. This Department retains the right to inspect or monitor the proposed project during both construction and operation, to ensure that it complies with the legislation and the conditions stipulated in this Environmental Authorisation.
28. The holder of the authorisation must submit an environmental audit report to the Department upon the completion of the construction and rehabilitation of the activities. The environmental audit report must-
 - Indicate the date of the audit, the name of the auditor and the outcome of the audit.
 - Records relating to the monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.
29. The applicant must appoint a suitably experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this authorisation are implemented.
30. The ECO shall be appointed before commencement of any land clearing or construction activities.
31. The ECO shall keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.

32. The ECO shall remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.
33. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Commissioning of the activity:

34. 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.
35. The authorised activity shall not commence within thirty (30) days of the date of signature of the authorisation.
36. Should you be notified by the minister of a suspension of the authorisation pending appeal procedures, you shall not commence with the activity unless authorised by the minister in writing.

Operation of the activity:

37. Fourteen (14) days written notice must be given to the Department that the activity operational phase will commence.
38. Clearing of vegetation must be kept to a minimum and all areas that are used as laydown or construction camps must be rehabilitated.
39. The removal of natural vegetation must be limited to the footprint of the proposed activity.
40. Any waste generated during construction and operation phase must be disposed of at a waste disposal site licensed for such waste.
41. No on-site burning or burying of solid waste is permitted.
42. No development must occur within 32 metres of any drainage lines.
43. The applicant must ensure that good environmental management practices are followed to ensure that the construction phase of the activity does not negatively affect drainage lines.

44. The individual of all plant species protected by any legislation must not be disturbed. Alternatively a permit for the removal of any protected species must be applied for and granted by the relevant authority.
45. The intentional and accidental killing of fauna must be avoided at all times. No poaching is permitted.
46. Habitat fragmentation must be avoided were possible.
47. The necessary flora permits must applied for and granted by the Northern Cape Department of Environment and Nature Conservation for all plant species protected under the Northern Cape Nature Conservation Act (Act No. 9 of 2009) should they be found existing on site.
48. The applicant must ensure use of existing access roads as far as possible.
49. Storm water control works must be constructed and maintained in a sustainable manner throughout the project.
50. The expansion projects must be according to the illustrations in the final Environmental Impact Assessment Report dated 12 February 2016, submitted to the department in respect of this application.
51. The applicant must ensure that during the construction phase soil erosion management controls are followed to reduce soil erosion.
52. In the event were the holder of this Environmental Authorisation considers to implement any other deviations to the expansion projects (other than the alternatives illustrated in the final Environmental Impact Assessment report, dated 12 February) this department must be notified immediately prior to the implementation of such deviations.
53. Any spillages of diesel and oil must be reported and cleared up immediately. In the event of oil or diesel spills, the contaminated soil must be placed in a waste skip and disposed-off at a licensed land fill site for such material.
54. Dust control measures must be implemented during clearing phase and must comply with the dust regulations promulgated under the Air Quality Act, 2004 (Act 39 of 2004).

55. All construction activities must operate within the normal working (day hours). In the event were construction extends beyond working hours, the neighbouring land occupants must be notified of the intention to work after hours.
56. The holder of this authorisation must appoint health and safety officers to enhance health and safety on site. The health and safety induction must be conducted to ensure the safety of all workers on site.
57. If any new evidence of archaeological sites or artefacts, paleontological fossils, graves or other heritage resources is found during development or construction, SAHRA and an archaeologist and/or palaeontologist, depending on the nature of the resources found, must be alerted immediately.
58. The spreading of declared weedy and alien invasive plant species must be controlled and monitored at all times.
59. All mitigation measures detailed in the Environmental Management Programme report must be implemented.

Site closure and decommissioning:

60. In case of decommissioning of the project, the holder of the Environmental Authorisation must properly rehabilitate the site to the satisfaction of the Directorate: Environmental Quality Management.
61. The ecosystem integrity must be promoted at all times.

DURATION AND PERIOD OF VALIDITY

This activity(s) must commence within a period of three (3) years from the date of issue. If commencement does not occur within that period and the intention is to extend the validity period of the authorisation, an application for amendment to extend the validity period must be launched at least six months before the validity period lapses. 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.

APPEAL

In terms of Chapter 7 of Environmental Impact Assessment Regulations, 2010, if the applicant or a person affected by this Decision wishes to appeal this decision, a notice of intention to appeal must be lodged within Twenty (20) days after date of the decision, and an appeal must **be lodged within thirty (30) days after lapsing of 20 days contemplated in regulation 60 (1)** of lodging of the notice to appeal to:

The Member of the Executive Council
Ministry of Environment & Nature Conservation
Private Bag X6102
Kimberley
8300
Fax: (053) 832 1026

Appeals must comply with the provisions of Chapter 7 of Environmental Impact Assessment Regulations, 2010 Government Notice No. R. 543 of 18 June 2010.



MR B. FISHER
DIRECTOR ENVIRONMENTAL QUALITY MANAGEMENT
DEPARTMENT OF ENVIRONMENT & NATURE CONSERVATION

DATE OF ENVIRONMENTAL AUTHORISATION: _____

06 July 2016

ANNEXURE 1: REASONS FOR DECISION

1. Background

The applicant, **Assmang Limited -Khumani Ore Mine**, applied for authorization to carry on the following activity –

Proposed Khumani, Parsons, and King Infrastructure Expansion Project.

Activity No. 11 (xi) of GN. R.544 of 18 June 2010

The construction of:

(xi) infrastructure or structures covering 50 square metres or more where such construction occurs within a watercourse or within 32 metres of a watercourse, measured from the edge of a watercourse, excluding where such construction will occur behind the development setback line.

Activity No. 22 of GN. R.544 of 18 June 2010

The construction of a road, outside urban areas,

- (i) with a reserve wider than 13,5 meters or,
- (ii) where no reserve exists where the road is wider than 8 metres, or
- (iii) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Notice 545 of 2010.

Activity No. 28 of GN. R.544 of 18 June 2010

The expansion of or changes to existing facilities for any process or activity where such expansion or changes to will result in the need for a permit or license in terms of 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.

Activity No. 5 of GN. R.545 of 18 June 2010

The construction of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent and which is not identified in Notice No. 544 of 2010 or 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.

Activity No. 15 of GN. R.545 of 18 June 2010

Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more; except where such physical alteration takes place for:

- (i) linear development activities; or
- (ii) agriculture or afforestation where activity 16 in this Schedule will apply.

Activity No. 14 of GN. R.546 of 18 June 2010

The clearance of an area of 5 hectares or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation, except where such removal of vegetation is required for:

- (1) purposes of agriculture or afforestation inside areas identified in spatial instruments adopted by the competent authority for agriculture or afforestation purposes;

Phased activities for all activities listed in this schedule, which commenced on or after the effective date of this schedule, where any one phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed the specified threshold.

From Parson (Portions 2, 6 and the Remainder of Parson No. 564),
King (Portions 1, 2, 3 and the Remainder of King No. 561),
Bruce (Portions 3, 4, 5 and the Remainder of Bruce No. 544)
Mokaning (Portions 1, 2, 3, 4, 5 and the Remainder of Mokaning No. 560)

(Latitude (S) 27° 51' 48.844" Longitude (E) 22° 57' 2.451")
(Latitude (S) 27° 52' 16.977" Longitude (E) 22° 58' 4.276")
(Latitude (S) 27° 51' 30.393" Longitude (E) 23° 0.' 12.603")

hereafter referred to as "the property".

The granting of this Environmental Authorisation is subject to the conditions set out below.

The applicant appointed **GCS** Water & Environmental Consultants to undertake an environmental impact assessment process.

Scoping & full Environmental Impact Assessment was followed.

2. Information considered in making the decision

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

-

- a) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).
- b) The relevant information contained in the Departmental informational base including-
 - Public Participation Guideline 2010.
 - Environmental Impact Management Assessment Regulations promulgated in terms of the new Environmental Management Act (No. 107 of 1998).
- c) The findings of the specialist reports (ecological report and heritage report) conducted and the recommended mitigation measures.
- d) The methodology used in assessing the potential impacts in the Scoping & full Environmental Impact Assessment Report (S & EIR) and the specialist study has been adequately indicated.

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) The legal and procedural requirements have been complied and the information contained in the Scoping & full Environmental Impact Assessment report is to the satisfaction of the Department.
- b) The Scoping & full Environmental Impact Assessment report findings given the nature of the project, concludes that the potential impact associated with the proposed development area of a nature and extent that can be reduced to an acceptable level.
- c) The public participation process was adequately done in accordance with regulation 54 of GNR 543 of 18 June 2010.

4. Findings

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

- a) The environmental impacts associated with the proposed project can be reduced to acceptable levels if properly managed.

- b) Adequate Public Participation Process took place.
- c) The legal and procedural requirements have been complied with and the information contained in the Scoping & full Environmental Impact Assessment Report and Appendices is to the satisfaction of the Department.

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 laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The application accordingly granted.a



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X 6093, Kimberley, 8301, No.65 Phakamile Mabija Street, 1st Floor, Permanent Building, Kimberley, 8300

Enquiries: H.D. Mashau: Ref No: NC 30/5/1/2/3/2/1/ (070) EM

E-mail address: humbulani.mashau@dmr.gov.za

Mine Environmental Management

The Directors

Assmang (Pty) Ltd

P.O Box 22014

Helderkrui

1733

FOR ATTENTION: The Manager

Tel: (082)412 1799

E-mail: tanja@envirologistics.co.za

Dear Sir/Madam

APPLICATION FOR THE AMENDMENT OF ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 of 1998) AS AMENDED, THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS 2017, NATIONAL ENVIRONMENTAL MANAGEMENT: ACTIVITIES RELATED TO LOW GRADE ROM SORTER PLANT AND SILO RELOCATION ON THE REMAINING EXTENT OF THE FARM KING 561, PORTION OF REMAINDER OF FARM MOKANING 260, PORTION 1 OF FARM PARSON 564, PORTION OF REMAINDER OF PARSON 564, PORTION 9 OF FARM BRICE 544, SITUATED IN THE MAGISTERIAL DISTRICT OF KURUMAN: NORTHERN CAPE REGION.

Your application in the above regard refers.

DECISION ON ENVIRONMENTAL AUTHORISATION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment Regulations, 2017, ("EIA Regulations") the competent authority herewith **grants** environmental authorisation to the applicant to undertake the list of activities specified in Section B below and as described in the EMP dated 12th June 2017.

The granting of this environmental authorisation is subject to compliance with the conditions set out in Section E below.

A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Directors
Assmang (Pty) Ltd
Private Bag x503
Kathu
Northern Cape
8446

Tel: (053) 723 8090

Fax: (053) 723 8599

E-mail: dirk.coetzee@assmang.co.za

The abovementioned company is the holder of this environmental authorisation and is hereinafter referred to as "the applicant".

B. LIST OF ACTIVITIES AUTHORISED

1. Listing Notice GNR 327,

Activity 34: "The expansion or changes to existing facilities for any process or activity where such expansion or changes will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions or pollution".

Activity 24: "The development of a road-with a reserve wider than 13, 5 meter or where no reserve exists where the road is wider than 8 meters"

Activity 56: "The widening of a road by more than 6 meters or the lengthening of a road by more than 1 kilometre-(ii) where no reserve exists, where the

existing road is wider than 8 metre; excluding where widening or lengthening occur inside urban areas”.

Activity 27: The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation”.

Activity 14: “ The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling of dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres”.

Activity 13: "The decommissioning of existing facilities, structures or infrastructure for-(v) any activity regardless the time the activity was commenced with, where such activity; a) is similarly listed to an activity in (i) or (ii) or (iii) above and b) is still in operation or development is still in progress”.

The applicant is herein authorised to undertake the following alternative related to the listed activity/ies:

Description of the activities to be undertaken:

Proposed activities at the King silo, Parson and Bruce will entail the following:

- Clearing of vegetation of 1.7ha.
- Silos relocation.
- The widening of the existing road and the development of the road.
- Expansion or changes to the existing facilities for any process.
- Development of storage and handling of a dangerous goods.
- Decommissioning of existing facilities, structure or infrastructure.

C. PROPERTY DESCRIPTION AND LOCATION

The listed activities will take place on the Farm King 561, Portion of remainder of Farm Mokaning 260, Portion 1 of Farm Parson 564, Portion of Remainder of Parson 564, and Portion 9 of Farm Brice 544, situated in the Magisterial district of Kuruman.

The 21 digit surveyor general code for each farm portion are

King 561, Portion RE

C04100000000056100000

Mokaning 260, Portion 1

C04100000000056000001

Parson 564, Portion RE

C04100000000056400000

Parson 564, Portion 9

C04100000000056400009

Bruce 544, Portion RE

C04100060000054400000

D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

EnviroGistics (Pty) Ltd

Ms Tanja Bekker

P.O Box 22014

Helderkrui

1733

Tel: (082) 412 1799

Fax: (086) 551 5233

E. CONDITIONS OF AUTHORISATION

1. This environmental authorisation is conditional upon the implementation of the Environmental Management Programme identified and signed by the Regional Manager on today's date being implemented in full.
2. This environmental authorisation does not absolve the holder of its obligation to comply with the requirements of the National Water Act, Specific Environmental Management Acts and any other applicable legislation.
3. The environmental authorisation for the listed activities must commence within 10 years.
4. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered Interested and Affected Parties ("I&APs"). In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.
5. The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4(2)

5.1 Notify all registered and affected parties of –

- the outcome of the application;
- the reasons for the decision as included in Annexure 1;
- the date of the decision; and
- the date of issue of the decision;

- 5.2 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 Regulation, 2014 detailed in Section F below; and
- 5.3 draw the attention of all registered I&APs to the manner in which they may access the decision.
- 5.4 Provide the registered Interested and Affected Parties with:
- name of the holder (entity) of this Environmental Authorisation;
 - name of the responsible person for this Environmental Authorisation;
 - postal address of the holder;
 - telephonic and fax details of the holder; and
 - e-mail address if any.
6. The holder is responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
7. The holder of the EA must implement an Emergency Preparedness Plan and review it bi-annually when conducting audit and after each emergency and major incident. The holder must notify the competent authority in writing, within 24 hours thereof of the occurrence.
8. This environmental authorisation only authorises activities specified in the Environmental Management Plan ("EMP") and a new authorisation must be applied for in respect of any new activity not specified as part of the EMP
9. A copy of the environmental authorisation and the EMP must be kept at the site where the listed activities will be undertaken. Access to the site must be granted to any authorised official representing a competent

authority. The environmental authorisation and EMP must be available on site to the aforesaid authorised official on request at all times.

10. Only activities that are expressly specified in the EMP that forms part of this authorisation may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority in the form of an amendment or an addendum to the aforesaid EMP before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, and removal or updating of any detail in the aforesaid EMP.
11. Whenever any of the applicant's contact details, physical or postal address and/ or telephonic details change, the applicant must notify the competent authority in writing to that effect.
12. Non-compliance with a condition of this environmental authorisation or EMP may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.
13. Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the Heritage Resources Authority. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.

14. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.
15. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing to ensure compliance with the EMP and the conditions contained herein.
16. The holder of the environmental authorisation must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.
17. The holder of the authorisation must appoint an independent auditor to audit the site bi-annually. This auditor must compile an environmental audit report documenting the findings of the audit.

The audit report must:

- specifically state whether conditions of this environmental authorisation and EMP/closure plan are adhered to;
- identify and assess any new impacts and risks as a result of undertaking the activity/ies, if applicable;
- identify shortcomings in the EMP/closure plan, if applicable;
- identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMP/closure plan;
- if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate; and
- be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.

Should any shortcomings in terms of Regulation 34(4) be identified, the holder of the authorisation must submit recommendation to amend the EMP plan in order to rectify any shortcomings identified with the aforementioned audit report.

18. An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.
19. The amount of waste to emanate from the activity due to its nature must be treated and disposed of to relevant licensed landfill sites (NB; no waste must be mixed during storage and or disposal process).
20. All employees and contractors must frequently undergo an environmental awareness training on site.
21. No surface or ground water may be polluted due to any actions on the site. The applicable requirements with respect to relevant legislation pertaining to water must be met prior to any extraction of water on the properties.
22. The applicable requirements with respect to relevant legislation pertaining to cutting, damaging, disturbing or destroying protected trees or trees from a natural forest must be adhered to.
23. The applicable requirements with respect to relevant legislation pertaining to occupational health and safety must be adhered to.
24. You shall not store any fuel either above or underground, with a combined capacity of 80 cubic metres or more without an authorisation in each of the above mentioned sites. All fuels and lubricants that are allowed to be stored in the sites must be stored inside a bounded area.
25. Should the holder of the Authorisation ever cease, he/she must take required actions as prescribed by legislation at the time and comply with

all the relevant legal requirements administered by any relevant and competent authority at that time.

26. Any changes to or deviations from the activity description set out above 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 information as it deems necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the EA holder to apply for further authorisation in terms of the regulations.
27. All the (3) pillars of sustainable development (environment, social and economic) must always be considered before commencement, during the operation and post the operation period of decommissioning by the holder.
28. All the possible accidental effluent, oil spillages etc must be cleaned immediately at all times on site.
29. Faunal species must not be trapped, killed or hunted during the construction period.

F. APPEALS

Appeals must comply with the provisions contained in the National Appeal Regulations 2014.

1. An appellant must –

- 1.1. submit an appeal in accordance with Regulation 4 to the appeal administrator, within 20 (twenty) calendar days from the date the applicant notified registered I&APs of this decision;
 - 1.2. If the appellant is the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
 - 1.3. If the appellant is a person other than the applicant, provide any registered I&AP, any Organ of State and the decision-maker with a copy of the appeal lodged with the appeal administrator;
- 1.2 The applicant (if not the appellant) the decision-maker, I&APs 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.
- 1.3 The appeal form/s must be submitted by means of one of the following methods:

By post: Attention: Directorate Appeals and Legal Review
 The Minister
 Department of Environmental Affairs
 Private Bag X 447
 PRETORIA
 0001

By facsimile: (012) 359 3609; or

By hand: Environmental House, Corner Steve Biko and
Soutspanberg, Arcardia, Pretoria, 0083

By e-mail: appealsdirector@environment.gov.za

An electronic copy (word document format) of the appeal and its supporting documents must also be submitted.

- 1.4 A prescribed appeal form, as well as assistance regarding the appeal processes is obtainable from the office of the appeal authority/ at: Tel. (021) 483 3721, E-mail appealsdirector@environment.gov.za

Copy of the lodged appeal to the Department of Mineral Resources

Attention : Regional Manager: Northern Cape Region
E-mail : Ntombi.Mayekiso@dmr.gov.za
By post : Private Bag X 6093, Kimberley, 8300
By hand : 65 Phakamile Mabija Street, 1st Floor Permanent Building,
Kimberley, 8301

G. DISCLAIMER

The Department of Mineral Resources in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

M.M. Malapane

M.M. MALAPANE

ACTING CHIEF DIRECTOR: CENTRAL REGIONS

MINERAL REGULATION

DATE OF DECISION: 27-07-2018

FOR OFFICIAL USE ONLY:

EIA REFERENCE NUMBER:

NC 30/5/1/2/3/2/1/ (070) EM

ANNEXURE 1: REASONS FOR THE DECISION

In reaching its decision, the competent authority, inter alia, considered the following:

- a) The information contained in the, application form dated 03 May 2017 as received by the competent authority on 18 July 2016, the Basic Assessment Report (BAR) together with Environmental Management Programme ("EMP") submitted on the 12 June 2017.
- b) Relevant information contained in the Departmental information base, including, the Department's circular on the One Environmental Management System dated 8 December 2014.

- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA");
- d) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereon, as included in the Environmental Management Programme dated 12 June 2017,
- e) This application was submitted in terms of the 2014 NEMA Environmental Impact Assessment Regulations ("EIA Regulations"),
- f) The sense of balance of the negative and positive impacts and proposed mitigation measures; and

All information presented to the competent authority was taken into account in the consideration of the application for environmental authorisation. A summary of the issues which, according to the competent authority, were the most significant reasons for the decision is set out below.

1. Exemption

No Exemption from NEMA and its Regulation was granted to the applicant by the competent authority. No Public Participation Process ("PPP") in accordance with Regulation 4(3) in terms of the National Exemption Regulations and Regulation 41 in terms of the EIA Regulation 2014 was conducted by the Department of Mineral Resources; the applicant and the Environmental Assessment Practitioner did the PPP and the Department was satisfied with the documentation that was submitted as a proof of the whole process.

2. Public Participation

No deviations requested and accepted by the Department from certain requirements of Regulation 41 of Government Notice No. R. 982.

The PPP conducted as part of the Environmental Management programme process included:

- identification of and engagement with I&APs;
- fixing a notice board at the site and any alternative site where the listed activity/ies is/are to be undertaken;
- giving written notice to the owners and occupiers of land adjacent to the site and any alternative site where the listed activities is/are to be undertaken, the municipality, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities; and
- the placing of a newspaper advertisement in the Kathu Gazzette on the 13th May 2017.

All the concerns raised by I&APs were responded to and adequately addressed during the PPP. Specific management and mitigation measures have been considered in this environmental authorisation and in the EMP/closure programme to adequately address the concerns raised.

The Department concurs with the Environmental Assessment Practitioner's responses to the issues raised during the PPP and has included appropriate conditions in this environmental authorisation.

3. Alternatives

Alternatives considered are only applicable to the Pit and Dump Extension Project for which an Environmental Assessment is being undertaken. Other activities as provided for in this pit and dump extension EIA/EMP have already approved and are operational.

4. Impacts, assessment and mitigation measures

4.1. Activity Need and Desirability

The objective is to beneficiate the low grade ROM from the King Mine, similar to the plant process applied for at the Parson Mine. The project will not allow for (the extension to the LOM- which means it will lead to improvement of beneficiation on site, by allowing the beneficiation of a lower grade iron ore. In terms of Local Economic Development. The lawful and sustainable operation of the mine allows the mine to contribute to the Local Economic Development programmes.

4.2. Services/ Bulk Infrastructure

Phase 3 will require an additional stockpile from where the -32mm size fraction will be beneficiated. As an alternative, Khumani may consider a truck tip instead of the additional stockpile to beneficiate the -32mm size fraction, resulting in less clearance. This will however be determined and finalised as part of the project design and will not have a further impact on the environmental consideration as presented in the report.

The explosive magazine and silos located on farm Parson are located a distance away from the existing mining operations at Bruce Mine. The alternative to moving the silos will be to retain the site where it currently is. The relocation of the silos at this site is an economic decision which involves the relocation of the silos and magazine will reduce transportation costs is situated closer to the Bruce Mine. The silos at King Mine will be relocated within the plant and workshop areas. To improve efficiency, the mine intends constructing a magazine on King Mine.

4.3. Air quality

Air quality monitoring station will be installed to determine fallout and respirable dust (PM10) concentration that will rise from the mine. Dust suppression should be undertaken regularly to prevent dust emissions.

Haulage roads will be treated with dust suppression techniques such as wet to reduce dust creation. Tarpaulins will be placed over all vehicles transporting product.

4.4. Noise impact

Machinery and vehicles will be well maintained to prevent excessive noise and to comply with national and provincial regulations. All vehicles will have muffles to minimise noise emissions

4.5. Ground water

- Clean and dirty water separation systems should be incorporated in terms of 2016 SWWP.

4.6. Soil contamination

- All fuels and soils must be stored in appropriate containers. Chemicals and hazardous material must be stored in suitable containers, fit for purpose and in line with SDS requirements. Spill kit must be provided to be used in the event of a spill. Contaminated soil must be removed immediately and stored accordingly. Contaminated soil will be disposed of at the suitably licensed facility.

5. NEMA Principles

The NEMA Principles (set out in Section 2 of NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), inter alia, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;

- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures; and
- the selection of the best practicable environmental option.

6. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this environmental authorisation, and compliance with the EMP/closure plan, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of NEMA and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels.

-END-



water affairs

Department:
Water Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X313, Pretoria, 0001, Sedibeng Building, 185 Schoeman Street, Pretoria, Tel: (012) 336-7500,
Fax: (012) 326-4472/ (012) 326-2715

LICENCE IN TERMS OF CHAPTER 4 OF THE NATIONAL WATER ACT, 1998 (ACT NO 36 OF 1998) (THE ACT)

I, **Trevor Balzer** in my capacity as a Director-General (Acting) in the Department of Water Affairs and acting under authority of the powers delegated to me by the Minister of Water and Environmental Affairs, hereby authorize the following water uses in respect of this licence.

SIGNED: Trevor Balzer

DATE: 16/03/2013

LICENCE NO: 10/D41J/BC1J/2122
FILE NO: 27/2/2/D941/1111/1

- | | | |
|-----|---------------------------|--|
| 1. | Licensee | Assmang (Khumani) Iron Ore Mine |
| | Postal Address | Private Bag X503
KATHU
8446 |
| | | |
| 2. | Water uses | |
| 2.1 | Section 21(a) of the Act: | Taking of water from a water resource, subject to the conditions set out in Appendices I and II. |
| 2.2 | Section 21(b) of the Act: | Storing of water, subject to conditions set out in Appendices I and III. |
| 2.3 | Section 21(c) of the Act: | Impeding or diverting the flow of water in a watercourse, subject to the conditions set out in Appendices I and IV. |
| 2.4 | Section 21(g) of the Act: | Disposing of waste in a manner which may detrimentally impact on a water resource, subject to the conditions as set out in Appendices I and V. |
| 2.5 | Section 21(i) of the Act: | Altering the bed, banks or characteristics of a watercourse, subject to the conditions as set out in Appendices I and IV. |

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- 2.6 Section 21(j) of the Act: Removing, discharging or disposing of water found underground for the efficient continuation of an activity or for the safety of people, subject to the conditions set out in Appendices I and VI.

3. Properties in respect of which this licence is issued

Table 1: Properties of water uses

NO	PROPERTY NAME	WATER USES	TITLE DEED NO	OWNER
3.1	King Farm 561, Portion 1.	Section 21 (g)	T1447/1993	Assmang (Pty) Ltd
3.2	Bruce 544 Kuruman RD, Portion 0.	Section 21 (g)	FT2375-KQ3/15	Assmang (Pty) Ltd
3.3	Mokaning 560 Kuruman RD, Portion 3.	Section 21 (g)	T442/1936	Assmang (Pty) Ltd
3.4	Parson 564 Kuruman RD, portion 0.	Section 21 (b), (c), (g) and (i).	FT2044-VQ18/10	Assmang (Pty) Ltd
3.5	King 561 Kuruman RD, Portion 0.	Section 21 (b) and (g)	FT2287-KQ3/6A	Assmang (Pty) Ltd

4. Registered owner of the Properties

- 4.1 Assmang Ltd, Khumani Iron Ore Mine

5. Licence and Review Period

- 5.1 This licence is valid for a period of twenty eight (28) years, the 1st review in (1) one year after the date of issuance and thereafter may be reviewed after every (5) five years.

6. Definitions

"Any terms, words and expressions as defined in the National Water Act, 1998 (Act 36 of 1998) shall bear the same meaning when used in this licence."

"The Regional Head" means the Regional Chief Director: Northern Cape, Department of Water Affairs, Private Bag X6101, Kimberly, 8800.

"Report" refers to the reports entitled:

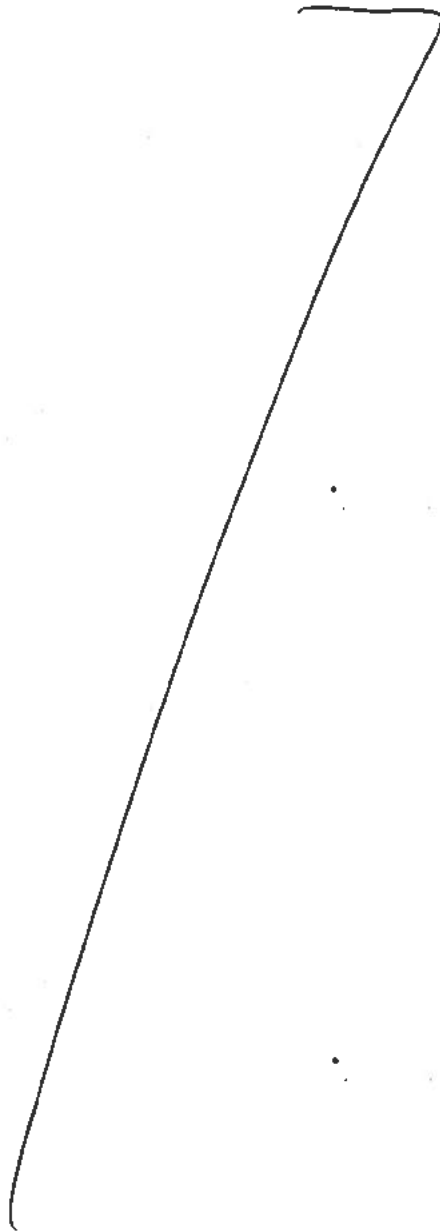
- Environmental Management Report approved by the Departments of Mineral Resources and Tourism, Environment and Conservation for Khumani Iron Ore Mine compiled by GCS consultants (DENC Ref: NC/EIA/JTG/GAM/KAT1/2010) dated October 2011;
- Holistic Khumani Iron Ore Mine Environmental Management Programme Report incorporating the expansion of capacity, railway diversion and establishment of a local railway siding (Ref no: NC/SIY/ASS3/41/08) dated April 2009;
- Storm Water Management Plan by DRA dated November 2010;
- Hydrological Assessment by GCS dated January 2009;
- Air Quality Impact Assessment and Management Plan for BKM Mine (Ref no: APP/05/IVUZI-01 Rev 0) dated February 2005;

- Report on Soil/Pedological, Land Capability and Land use assessment study (Ref no: IV.04.05.044.JHB) dated 14 August 2004;
- Motivational Report for Water Use Licence (Ref no 04:03.163) dated 28 February 2006;
- Evaluation of the Hydrogeological Data at Khumani mine and the development of a Groundwater Management Plan compiled by Geo Pollution Technologies (GPT Ref no: Kum-09-403) dated June 2010.

As well as other related documentation and communication (email, letters and phone calls).

7. Description of the application

The applicant, Assmang (Pty) Ltd – Khumani Iron Ore Mine, applied for an integrated water use licence in terms of Section 21 (b), (c), (g) and (j) of the National Water Act (NWA), 1998 (Act 36 of 1998) to undertake Iron Ore mining operations and railway diversion in order to increase production for the local market in the already mentioned properties on table 1.



APPENDIX I

General conditions for the licence

1. This licence is subject to all provisions of the National Water Act, 1998 (Act 36 of 1998).
2. The responsibility for complying with the provisions of the licence is vested in the licensee and not any other person or body.
3. The Licensee must immediately inform the Regional Head of any change of name, address, premises and/or legal status.
4. If the property/ies in respect of which this licence is issued is subdivided or consolidated, the Licensee must provide full details of all changes in respect of the properties to the Regional Head of the Department within 60 days of the said change taking place.
5. If a water user association is established in the area to manage the resource, membership of the Licensee to this association is compulsory.
6. The Licensee shall be responsible for any water use charges or levies imposed by a responsible authority.
7. While effect must be given to the Reserve as determined in terms of the Act, where a desktop determination of the Reserve has been used in issuance of a licence, when a comprehensive determination of the Reserve has finally been made; it shall be given effect to.
8. The licence shall not be construed as exempting the licensee from compliance with the provisions of any other applicable Act, Ordinance, Regulation or By-law.
9. The licence and amendment of this licence are also subject to all the applicable procedural requirements and other applicable provisions of the Act, as amended from time to time.
10. The Licensee shall conduct an annual internal audit on compliance with the conditions of licence. A report on the audit shall be submitted to the Regional Head within one month of finalization.
11. The Licensee shall appoint an independent external auditor to conduct an annual audit on compliance with the conditions of this licence. The first audit must be conducted within 3 (three) months of the date of this licence and a report on the audit shall be submitted to the Regional Head within one month of finalization.
12. Flow metering, recording and integrating devices shall be maintained in a sound state of repair and calibrated by a competent person at intervals of not more than two years. Calibration certificates shall be available for inspection by the Regional Head or his/her representative upon request.
13. Any incident that causes or may cause water pollution must be reported to the Regional Chief Director or his/her designated representative within 24 hours.

APPENDIX II

Section 21(a) of the Act: Taking water from a water resource

1. The Licensee is authorised to abstract a maximum quantity in cubic metres per annum (m^3/a) of water from groundwater resources for construction as indicated in Table 2 below:

Table 2: Volumes of water to be abstracted from groundwater resources

Abstraction point	Property Name	Coordinates	Volume in (m^3/a)	Date of the application and status
PBE 01	Parson 564 Portion 2 RE	S27° 51' 03.2" E22° 59' 02.6"	14 832	2008 Licence Authorisation water use
PBW 02	Parson 564 RE	S26° 2' 9.88" E29° 9' 7.00"	5 820	2008 Licence Authorisation water use

2. The quantity of water authorised to be taken in terms of this licence may not be exceeded without prior authorisation by the Minister.
3. This licence does not imply any guarantee that the said quantities and qualities of water will be available at present or at any time in the future.
4. The above mentioned volumes may be reduced, when the licence is reviewed.
5. The Licensee must continually investigate new and emerging technologies and put into practice water efficient devices or apply technique for the efficient use of water containing waste, in an endeavour to conserve water at all times.
6. The Licensee must be responsible for any water use charges or levies, which may be imposed from time to time by the Department or responsible authority in terms of the Department's Raw Water Pricing Strategy.
7. The Department accepts no liability for any damage, loss or inconvenience, of whatever nature, suffered as a result of:
- 7.1 Shortage of water;
 - 7.2 Inundations or flood;
 - 7.3 Siltation of the resource; and
 - 7.4 Required reserve releases.
8. The Licensee must establish and implement a continual process of raising awareness amongst itself, its workers and stakeholders with respect to Water Conservation and Water Demand Management initiatives.

APPENDIX III

Section 21 (b) of the Act: Storing of water

This licence authorises Section 21(b) water use activities as set out in Table 3 below and in the water use licence application reports submitted to the Department.

Table 3: Section 21 (b) water use storage facilities.

Name of storage facility	Storage capacity	Type of water to be stored and its source	Property	Coordinates	Date of the application and status
9.Dust Suppression Dam	4000 m ³	Clean water for dust suppression from Sedibeng Dam	King 561 Kuruman RD, portion 0	27 ^o 50' 53.2"S 23 ^o 00' 53.9"E	2011 application
17.Diversion Catchment Dam 1	49 500 m ³	Catchment water	King 561 Kuruman RD, portion 0	27 ^o 53' 10.6"S 23 ^o 00' 02.3"E	Amendment to the existing licence
18.Diversion Catchment Dam 2	19 500 m ³	Catchment water	King 561 Kuruman RD, portion 0	27 ^o 53' 23.9"S 23 ^o 00' 07.7"E	Amendment to the existing licence
19.Diversion Catchment Dam 3	43 500 m ³	Catchment water	King 561 Kuruman RD, portion 0	27 ^o 53' 46.5"S 23 ^o 00' 08.0"E	Amendment to the existing licence

1. STORING OF WATER

- 1.1 The Licensee is authorised to store a maximum quantity of water as indicated in table 3 above in cubic meters per annum (m³ /a) in the facilities located on King 561 Kuruman RD, portion 0; Parson 564 Kuruman RD, portion 2; and Bruce 544 Kuruman RD, portion 0.
- 1.2 The Licensee must obtain any proprietary rights or servitudes at their own cost.
- 1.3 The Licensee is not exempted from compliance with any applicable Dam Safety Regulations.

2. Monitoring Requirements

- 2.1 The Licensee is not indemnified from any detrimental effect that the dam(s) may have on other properties. The Department does not accept any responsibility or liability for any damages or losses that may be suffered by any other party as a result of the construction and utilisation of the dams.
- 2.2 The Licensee shall establish a monitoring programme and the date and time of monitoring in respect of each sample taken shall be recorded together with the results of the analysis.
- 2.3 The quantity of water stored shall be recorded as at the last day of each month.



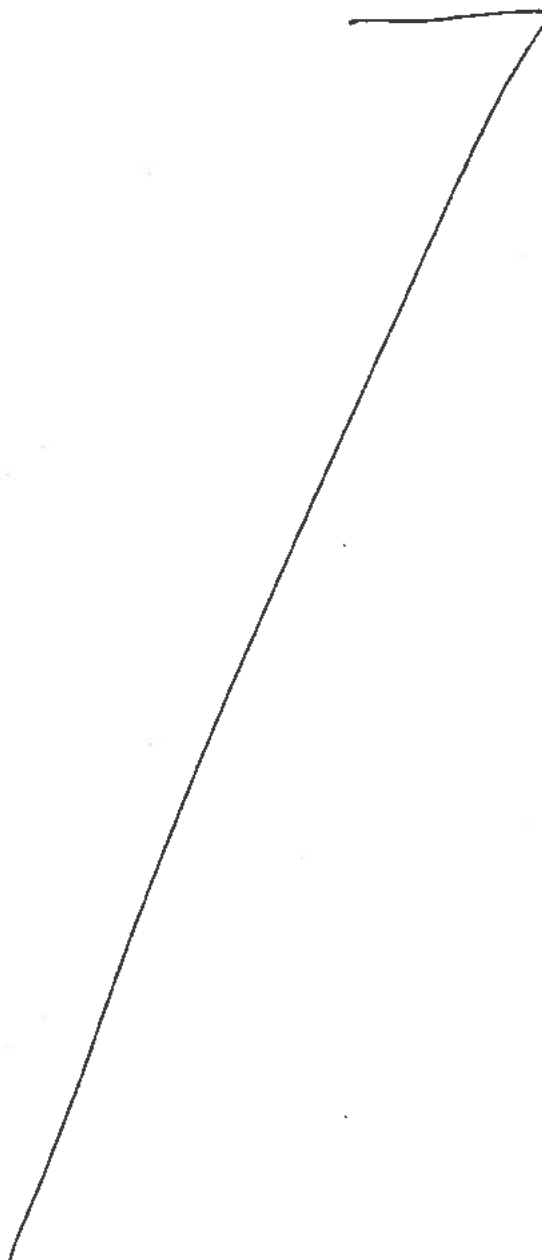
3. Dam Safety Requirements

The Licensee is not exempted from compliance with the provisions of the Regulations published under Government Notice R139 of 24 February 2012, read with Chapter 12 of the Act.

4. Construction of Dam(s)

The as-built plans and specifications of the dam(s) must be submitted to the Regional Head for his/her records and the following applies:

- a. Construction of the dam(s) may not commence before authorisation in terms of the Environment Conservation Act, 1989 (Act 73 of 1989) is issued; and
- b. The Government reserves the right to construct storage works at any time in any stream and to store all surplus water reaching the dam(s) and to control the allocation of such water.



APPENDIX IV

**Section 21(c) of the Act: Impeding or diverting the flow of water in a watercourse
And
Section 21(i) of the Act: Altering the bed, banks, course or characteristics of a
watercourse**

1. GENERAL

1.1 This licence authorises Section 21(c) and (i) water use activities as set out in Table 4 & 5 below and in the water use licence application reports submitted to the Department in 2009 and 2011.

Table 4: Section 21 (c) and (i) water uses.

Name of water resource affected	Parameters	Purpose of the water use	Property	Coordinates	Date of the application and status
1.Small non perennial tributary (King Culvert A)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 c))	Allow water to flow under the haul roads	King 561 Kuruman RD, portion 0	27 ⁰ 49' 55.2"S 23 ⁰ 00' 36"E	2011 application
2.Small non perennial tributary (King Culvert A)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 i))	Allow water to flow under the haul road	King 561 Kuruman RD, portion 0	27 ⁰ 49' 55.2"S 23 ⁰ 00' 36"E	2011 application
3.Small non perennial tributary (King Culvert B)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 c))	Allow water to flow under the haul road	King 561 Kuruman RD, portion 0	27 ⁰ 49' 51.5"S 23 ⁰ 00' 43.2"E	2011 application
4.Small non perennial tributary (King Culvert B)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 i))	Allow water to flow under the haul road	King 561 Kuruman RD, portion 0	27 ⁰ 49' 51.5"S 23 ⁰ 00' 43.2"E	2011 application
5.Small non perennial tributary (King Culvert C)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 c))	Allow water to flow under the haul road	King 561 Kuruman RD, portion 0	27 ⁰ 49' 44.4"S 23 ⁰ 00' 50.3"E	2011 application
6.Small non perennial tributary (King Culvert C)	2.5 m height, width is 3 m and length is 3 m (impeding (S21 i))	Allow water to flow under the haul road	King 561 Kuruman RD, portion 0	27 ⁰ 49' 44.4"S 23 ⁰ 00' 50.3"E	2011 application
7.Non perennial small tributary of the Gamagara river	1.0 m height, width is 3 m and length is 3 m (impeding (S21 c))	Railway Crossing 1	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 39.0"S 22 ⁰ 58' 55.1"E	2009 application
8.Non perennial small tributary of the Gamagara river	1.0 m height, width is 3 m and length is 3 m (impeding (S21 i))	Railway Crossing 1	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 39.0"S 22 ⁰ 58' 55.1"E	2009 application

Name of water resource affected	Parameters	Purpose of the water use	Property	Coordinates	Date of the application and status
9.Non perennial small tributary of the Gamagara river	1.0 m height, width is 3 m and length is 3 m (impeding (S21 c))	Railway Crossing 2	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 34.7"S 22 ⁰ 59' 05.9"E	2009 application
10.Non perennial small tributary of the Gamagara river	1.0 m height, width is 3 m and length is 3 m (impeding (S21 i))	Railway Crossing 2	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 34.7"S 22 ⁰ 59' 05.9"E	2009 application
11.Non perennial small tributary of the Gamagara river	2.5 m height, width is 3 m and length is 3 m (impeding (S21 c))	Railway Crossing 3	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 23.9"S 22 ⁰ 59' 40.1"E	2009 application
12.Non perennial small tributary of the Gamagara river	2.5 m height, width is 3 m and length is 3 m (impeding (S21 i))	Railway Crossing 3	Parson 564 Kuruman RD, portion 2	27 ⁰ 50' 23.9"S 22 ⁰ 59' 40.1"E	2009 application

1.2 This licence also incorporates the following 2008 Section 21 (c) and (i) Water Use Licence Authorisation (WULA) issued on 21 November 2008:

Table 5: Summary of section 21 (c) & (i) water uses in the 2008 existing licence.

Name of water resource affected	Purpose of the water use	Coordinates	Date of the application and status
1.Watercourse No 1	King/Mokaning Diversion	27 ⁰ 54' 26.2"S 23 ⁰ 00' 46.7"E and 27 ⁰ 53' 31.2"S 22 ⁰ 59' 11.9"E	2008 water use Existing Licence Authorisation.
2.Gamagara River	Conveyor Crossing	27 ⁰ 49' 38.8"S 22 ⁰ 00' 20.0"E	2008 water use Existing Licence Authorisation.
3.Gamagara River	Haul Road Crossing	27 ⁰ 49' 12.3"S 23 ⁰ 01' 15.0"E	2008 water use Existing Licence Authorisation
4.Watercourse No. 2	Railway Crossing 2	27 ⁰ 50' 58.6"S 22 ⁰ 59' 45.0"E	2008 water use Existing Licence Authorisation
5.Watercourse No 2	Conveyor Crossing 1	27 ⁰ 50' 58.6"S 22 ⁰ 59' 45.0"E	2008 water use Existing Licence Authorisation

6.Watercourse No 2	Railway Crossing 1	27 ^o 54' 05.1"S 22 ^o 59' 45.0"E	2008 water use Existing Licence Authorisation
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- 1.3 The Licensee must carry out and complete all the activities listed under Appendix IV according to the reports.
- 1.4 The conditions of the authorisation must be brought to the attention of all persons (employees, sub-consultants, contractors etc.) associated with the undertaking of these activities and the licensee must take such measures that are necessary to bind such persons to the conditions of this licence.
- 1.5 A copy of the water use licence and reports must be on site at all times.
- 1.6 A suitably qualified person/s, appointed by the licensee, and approved in writing by the Regional Head must be responsible for ensuring that the activities are undertaken in compliance with the specifications as set out in reports submitted to the Department and the conditions of this licence.

2. FURTHER STUDIES AND INFORMATION REQUIREMENTS

- 2.1 For water use activities set out in Table 4 & 5, an environmental audit addressing how the characteristics of the watercourses have been affected must be submitted to the Regional Head for a written approval within one (1) year of the date of issuance of this licence. The audit must be accompanied by a remediation plan and programme for any post construction impacts identified in the audit.
- 2.2 For water use activities outlined in Table 4 & 5:
 - 2.2.1. A more legible Master Plan/s of watercourse crossings in particular must be compiled indicating all temporary and permanent infrastructure, 1:100 year floodlines, watercourses, riparian habit, pan boundaries and proposed water uses. Alternatives to be shown on the Master Plan and clarity to be provided to what degree pits can be filled. All this information must be submitted to DWA within six (6) month of the date of this licence issuance.
 - 2.2.2. Work method statements, site plan/s and detailed design drawings for the construction of all infrastructure of impeding and/or diverting flow of watercourses as well as alterations to watercourses on the property/ies must be submitted to the Regional Head for a written approval and implementation as directed before construction. The foregoing must indicate the regulated activities, marking the limits of disturbance in relation to the impacted watercourses; morphology of the watercourses; site specific impacts; and environmental management, particularly erosion and sediment, controls and measures.
 - 2.2.3. No fundamental alterations of the work method statements, site plan/s and drawings are allowed, unless a modification is requested and granted by the Regional Head in writing.
 - 2.2.4. No site activities must occur beyond the proposed site location of the erosion and sedimentation controls and marked limits of disturbance.



- 2.3 For water use activities outlined in Table 4 & 5, the following information must be submitted to the Regional Head for written approval before these activities commence:
- 2.3.1. A site level environmental impact assessment (EIA) addressing how the characteristics of the watercourses must be affected by the aforementioned activities in Table 4 & 5.
 - 2.3.2. The loss of biodiversity offset mitigation measure as determined in the EIA.
 - 2.3.3. An environmental management plan (EMP) including rehabilitation strategies.
- 2.4 An EMP for the decommissioning of the water use activities listed in Table 4 & 5 must be submitted five (5) years before commencing with closure to the Regional Head for a written approval.
- 2.5 The Gamagara river is a losing system due to the dewatering impacts of the mine. A full aquatic study is required to determine the impacts on the characteristics (flow, quality, habitat and biota) of all impacted watercourses and the mitigation thereof.
- 2.6 Dust control at sensitive areas like crossings and pans and floodplains must be at 85% control efficiency. There must be an absence of visual dust plume as best indicator according to the Dust Management Plan. Dust suppression activities shall not contaminate and/or pollute any watercourse and the Licensee must conduct six (6) month soil monitoring events to determine the impact of dust suppression on the receiving environment. Soil samples shall at least be analyzed for pH, Electrical conductivity (mS/M), Calcium (Ca) (mg/l), magnesium (mg) (mg/l), Potassium (K) (mg/l), Sodium (Na) (mg/l), Chloride (Cl) (mg/l), Sulphate (SO₄) (mg/l), Aluminium (Al) (mg/l), Iron (Fe) (mg/l), Manganese (mg/l), BTEX & TPH (mg/l), and nitrate (NO₃ as N) (mg/l). Soil samples to be compared with a reference site. The monitoring reports and recommended actions must be submitted within thirty (30) days after completion of the report(s) to the Regional Head for a written comments.

3. PROTECTIVE MEASURES

Storm Water Management

- 3.1 Storm water management practices must be constructed, operated and maintained in a sustainable manner throughout the project and for the water use activities set out in Appendix IV and must include but are not limited to the following:
- 3.1.1. Increased runoff due to vegetation clearance and/or soil compaction must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering the watercourse/s.
 - 3.1.2. Storm water must be diverted from construction works, mining areas, and roads must be managed in such a manner as to disperse runoff and to prevent the concentration of storm water flow.
 - 3.1.3. The velocity of storm water discharges must be attenuated and the banks of the watercourses protected.
 - 3.1.4. Storm water leaving the Licensee's premises must in no way be contaminated by any substance, whether such substance is a solid, liquid, vapour or gas or a combination thereof which is produced, used, stored, dumped or spilled on the premises.



- 3.1.5. Stormwater drains should be made as ecologically friendly as possible. Where relevant include grass drains and adhere to the specifications of the engineer drawings where the use of Armorflex and gabion structures is specified and vegetate the side slopes of drains to create natural streams.
- 3.2 Side slopes of Stormwater Management trenches, dams, canals, berms, channels, diversions, waste rock dumps, paste (tailings) facilities and other earthworks must be shaped to 1:3, protected with rock or erosion protection measure, topsoiled at least 250 mm within the rock protection and vegetated with indigenous grass for safety, aesthetics, ease of vegetation and less erosion. Clean water channel/berm slopes must be protected against erosion and vegetated with indigenous vegetation and details of Plant Species Plans and implementation thereof submitted to the Regional Head. Surrounding indigenous grass and tree seeds can be harvested and used. Dirty water slopes must be lined as approved by Civil Design. Design drawings of 1:1.5 and 1:2 slopes must be changed to at least 1:3 slopes.

Structures, Construction Plant and Materials

- 3.3 The height, width and length of structures must be limited to the minimum dimension necessary to accomplish the intended function.
- 3.4 1:100 year floodlines must be determined for the crossings and sufficient culverts must be included not to change floodlines. Structures must not be damaged by floods exceeding the magnitude of floods occurring on average once in every 100 years.
- 3.5 Structures must be non-erosive, structurally stable and must not induce any flooding or safety hazard.
- 3.6 Structures must be inspected regularly for accumulation of debris, blockage, erosion of abutments and overflow areas - debris must be removed and damages must be repaired and reinforced immediately.
- 3.7 The construction plant and materials must be recovered and removed one month after construction/commencement has been completed.

Water Quality

- 3.8 In-stream water quality must be analysed on a two-weekly basis during construction otherwise monthly at monitoring points both upstream and downstream of the activities for the following variables:
- 3.8.1. pH.
 - 3.8.2. Electrical conductivity (mS/M).
 - 3.8.3. Suspended solids (mg/l).
 - 3.8.4. Total dissolved solids (mg/l).
- 3.9 Discharge qualities and proof of adherence to WULA licence conditions in terms of water quality must be submitted to the Department within six (6) months of issuance of this licence.
- 3.10 Monitoring must continue for five years after the cessation of the activities listed in Appendix IV.



- 3.11 Activities that lead to elevated levels of turbidity of any watercourse must be minimised. Operation and maintenance activities must be scheduled to take place during the dry seasons when flows are lowest where reasonably possible. If this is not possible and if management measures have not been provided for in the reports submitted to the Department, the Licensee must submit such to the Regional Head for written approval before these activities commence. Natural instream hydrology is to be used to determine which months constitute the low flow months.
- 3.12 The Licensee must ensure that the quality of the water to downstream water users does not decrease because of the water use activities listed under Appendix IV.
- 3.13 Pollution of and disposal/spillage of any material into the watercourse must be prevented, reduced, or otherwise remediated through proper operation, maintenance and effective protective measures.
- 3.14 Vehicles and other machinery must be serviced well above the 1:100 year flood-line or outer edge of the riparian habitat whichever is the greatest. Oils and other potential pollutants must be disposed off at an appropriate licensed site, with the necessary agreement from the owner of such a site.
- 3.15 Any hazardous substances must be handled according to the relevant legislation relating to transport, storage and use of the substance.
- 3.16 All reagent storage tanks and reaction units must be supplied with a banded area built to the capacity of the facility and provided with sumps and pumps to return the spilled material back into the system. The system must be maintained in a state of good repair and standby pumps must be provided.

Flow

- 3.17 The Licensee must determine flood lines (1:50 and 1:100 year) prior to construction to ensure risks are adequately managed. Flood lines must be clearly indicated on the site plan/s and drawings along with all wetland boundaries.
- 3.18 The activities must be conducted in a manner that does not negatively affect catchment yield, hydrology and hydraulics. The Licensee must ensure that the overall magnitude and frequency of flow in the watercourse/s does not decrease, other than for natural evaporative losses and authorised attenuation volumes.
- 3.19 Base flow that is extracted by the mine must be treated and returned to the river to support its ecological requirements and other water users requirements.

Riparian and Instream Habitat (Vegetation and Morphology)

- 3.20 Activities must start up-stream and proceed into a down-stream direction, so that the recovery processes can start immediately, without further disturbance from upstream works.
- 3.21 Operation and storage of equipment within the riparian habitat must only take place within the approved limits of disturbance indicated in the site plans and work method statements.
- 3.22 Activities must not occur in sensitive riffle habitats.

- 3.23 Indigenous riparian vegetation, including dead trees, outside the limits of disturbance indicated in the site plans referred, must not be removed from the area.
- 3.24 Alien and invader vegetation must not be allowed to further colonise the area, and all new alien vegetation recruitment must be sustainably eradicated or controlled.
- 3.25 Existing vegetation composition must be maintained or improved by maintaining the natural variability in flow fluctuations.
- 3.26 Recruitment and maintaining of a range of size classes of dominant riparian species in perennial channels must be stimulated.
- 3.27 Encroachment of additional exotic species and terrestrial species in riparian zones must be discouraged.
- 3.28 Accumulation of woody debris on terraces by periodic flooding must be discouraged.
- 3.29 Existing flood terraces and deposition of sediments on these terraces to ensure optimum growth, spread and recruitment of these species must be maintained.
- 3.30 All reasonable steps must be taken to minimise noise and mechanical vibrations in the vicinity of the watercourses.
- 3.31 Necessary erosion prevention mechanisms must be employed to ensure the sustainability of all structures and activities and to prevent instream sedimentation.
- 3.32 Soils that have become compacted through the water use activities must be loosened to an appropriate depth to allow seed germination.
- 3.33 Slope/bank stabilisation measures must be implemented.
- 3.34 Stockpiling of removed soil and sand must be stored outside of the 1:100 flood line or riparian habitat, whichever is the greater, to prevent being washed into the river and must be covered to prevent wind and rain erosion.
- 3.35 Topsoil must be stripped and stockpiled for rehabilitation work after completion of construction in any given area.
- 3.36 Rehabilitation must be concurrent with construction.
- 3.37 Wetlands must be rehabilitated in accordance with the specialist wetland report specifications.
- 3.38 The indiscriminate use of machinery within the instream and riparian habitat must lead to compaction of soils and vegetation and must therefore be strictly controlled.
- 3.39 The overall macro-channel structures and mosaic of cobbles and gravels must be maintained by ensuring a balance (equilibrium) between sediment deposition and sediment conveyance. A natural flooding and sedimentation regime must thus be ensured as far as reasonably possible.



Biota

- 3.40 The Licensee must take all reasonable steps to allow movement of aquatic species, including migratory species.
- 3.41 All reasonable steps must be taken not to disturb the breeding, nesting and/or feeding habitats and natural movement patterns of aquatic biota.
- 3.42 The current level of diversity of biotopes and communities of animals, plants and microorganisms must be maintained.

Other Water Users

- 3.43 The Licensee must attempt to prevent adverse effect on other water users. All complaints must be investigated by a suitable qualified person and if investigations prove that the Licensee has impaired the rights of other water users, the Licensee must initiate suitable compensative measures.

Rehabilitation and Management

- 3.44 A comprehensive and appropriate rehabilitation and management programme to restore the watercourse/s to be environmentally acceptable and sustainable conditions after construction must be developed and submitted to the Regional Head for written approval within three months from the date of issuance of this licence.
- 3.45 The licensee must embark on a systematic long-term rehabilitation programme to restore the watercourse/s to environmentally acceptable and sustainable conditions after completion of the activities, which must include, but not be limited to the rehabilitation of disturbed and degraded riparian areas to restore and upgrade the riparian habitat integrity to sustain a bio-diverse riparian ecosystem.
- 3.46 The cone of depression impacts of the aquifer system due to the pits must be addressed holistically with surrounding mines like Sishen within a year and mitigation measures implemented.
- 3.47 Proof of addressing the EIA environmental authorisation condition of determining and implementing offset mitigation measures for the loss of biodiversity must be addressed within six (6) months.
- 3.48 An updated Mine Rehabilitation Plan that includes landscape development, plant species plans, wetland management, eradication of bush encroachment and alien species and the methods employed with proof of a dedicated rehabilitation team and equipment with reference to the past and current rehabilitation standards, statistics, maps, and compliance must be submitted within six (6) month of the date of this licence issuance to the Regional Head.

4. MONITORING AND REPORTING

- 4.1 The Regional Head must be notified in writing one week prior to commencement of the licensed activity/ies and again upon completion of the activity/ies;
- 4.2 A comprehensive and appropriate environmental (including bio-monitoring) assessment and monitoring programme to determine the impact, change, deterioration and improvement of the

aquatic system associated with the activities listed under Appendix IV as well as compliance to these water use licence conditions must be developed and submitted to the Regional Head for a written approval before commencement and must subsequently be implemented as directed;

- 4.3 Six (6) monthly monitoring reports must be submitted to the Regional Head or until otherwise agreed in writing with the Regional Head.
- 4.4 A qualified environmental management specialist must be retained by the Licensee who must give effect to the various licence conditions and to ensure compliance thereof pertaining to all activities impeding and/or diverting the flow of watercourses as well as alterations to watercourses on the property/ies as set out in Appendix IV.
- 4.5 The Licensee must conduct on a two yearly basis an internal audit on compliance with the conditions of this licence. A report on the audit must be submitted to the Regional Head within one month of finalisation of the audit. A qualified independent auditor must undertake this audit.
- 4.6 The audit reports must include but are not limited to:
 - 4.6.1 Reporting in respect of the monitoring programme referred to in condition 4.2 (Appendix IV).
 - 4.6.2 A record of implementation of all mitigation measures including a record of corrective actions.
 - 4.6.3 Compensation measures for damage where mitigation measures have failed to adequately protect the in-stream and riparian habitat or any other characteristic of the watercourses.
- 4.7 The Licensee must apply in writing to the Regional Head for alternative reporting arrangements for which written approval must be provided.

5. PLANT AREAS AND CONVEYANCES

- 5.1 Pollution caused by spills from the conveyances must be prevented through proper maintenance and effective protective measures especially near all stream crossings.
- 5.2 All reagent storage tanks and reaction units must be supplied with a banded area built to the capacity of the facility and provided with sumps and pumps to return the spilled material back into the system. The system shall be maintained in a state of good repair and standby pumps must be provided.
- 5.3 Any hazardous substance must be handled according to the relevant legislation relating to the transport, storage and use of the substance.
- 5.4 Any access road or temporary crossing must be:
 - 5.4.1 Non-erosive, structurally stable and shall not induce any flooding or safety hazard.
 - 5.4.2 Be repaired immediately to prevent further damage.



6. CONTINGENCIES

- 6.1 Accurate and up-to-date records shall be kept of all system malfunctions resulting in non-compliance with the requirements of this licence. The records shall be available for inspection by the Regional Head upon request. Such malfunctions shall be tabulated under the following headings with a full explanation of all the contributory circumstances:
- 6.1.1. Operating errors.
 - 6.1.2. Mechanical failures (including design, installation or maintenance).
 - 6.1.3. Environmental factors (e.g. flood).
 - 6.1.4. Loss of supply services (e.g. power failure).
 - 6.1.5. Other causes.
- 6.2 The Licensee must, within 24 hours, notify the Regional Head of the occurrence or potential occurrence of any incident which has the potential to cause, or has caused water pollution, pollution of the environment, health risks or which is a contravention of the licence conditions.
- 6.3 The Licensee must, within 14 days, or a shorter period of time, as specified by the Regional Head, from the occurrence or detection of any incident referred above, submit an action plan which must include a detailed time schedule to the satisfaction of the Regional Head of measures taken to:
- 6.3.1 Correct the impacts resulting from the incident.
 - 6.3.2 Prevent the incident from causing any further impacts.
 - 6.3.3 Prevent a recurrence of a similar incident.

7. AUDITING

- 7.1 The Licensee shall conduct an annual internal audit on compliance with the conditions of this licence. A report on the audit shall be submitted to the Regional Head within one month of finalisation of the report, and shall be made available to an external auditor, should the need arise.
- 7.2 The Licensee shall appoint an independent external auditor to conduct an annual audit on compliance with the conditions of this licence. The first audit must be conducted within six (6) months of the date this licence was issued and a report on the audit shall be submitted to the Regional Head within one month of finalisation of the report.

APPENDIX V

Section 21 (g) of the Act: Disposing of waste in a manner which may detrimentally impact on a water resource

1. CONSTRUCTION AND OPERATION

1.1 The Licensee shall carry out and complete all the activities, including the construction and operation of the facilities listed below in Table 6, according to the Report and according to the final plans submitted with the Integrated Water Use Licence Application as approved by the Regional Head.

Table 6: Summary of section 21 (g) water uses.

Name of disposal facility	Disposal quantity/capacity	Type of waste to be disposed and source	Property	Coordinates	Date of the application & status
1. Bruce ROM Buffer S/P	10 m ³ /a	Stockpile for processing	Bruce 544 Kuruman RD, portion 0	27° 49' 06.0"S 23° 00' 36.5"E	2009 application
2. Bruce Wash Bay	100 000 m ³ /a	Washbay for vehicles and machinery	Bruce 544 Kuruman RD, portion 0	27° 49' 5.5"S 23° 00' 35.9"E	2009 application
3. Bruce Evaporation Pond	30 000 m ³ /a	Crusher water plus runoff	Bruce 544 Kuruman RD, portion 0	27° 48' 55.8"S 23° 00' 41.3"E	2009 application
4. Dirty Water Dam	160 444 m ³ /a	Water from the PCD for dust suppression	Bruce 544 Kuruman RD, portion 0	27° 48' 40.1"S 23° 00' 44.6"E	2011 application
5. Bruce Dust Suppression and (BC04 Dam)	672 000 m ³ /a	Water from Dust suppression Dam and BC04 Dam	Bruce 544 Kuruman RD, portion 0	27° 49' 03.1"S 23° 00' 17.8"E	2011 application
6. Bruce Banded Iron Stone Dump	20 m ³ /a	Waste Rock	Bruce 544 Kuruman RD, portion 0	27° 48' 31.8"S 23° 00' 38.7"E	2009 application
7. Bruce Quartz Dump	10 m ³ /a or 20 000 m ³ /a	Waste Rock	Bruce 544 Kuruman RD, portion 0	27° 48' 48.4"S 23° 00' 27.1"E	2009 application
8. Decant Dam	1 152 094 m ³ /a	Storm water from paste facility and overflow from secondary thickener stored in decant lined dam	King 561 Kuruman RD, portion 0	27° 50' 36.9"S 23° 00' 45.0"E	2009 application
9. Paste Facility Return Water Dams	5 878 281 m ³ /a	Return Water Dams as part of closed circuit	King 561 Kuruman RD, portion 0	27° 50' 45.2"S 23° 00' 25.0"E	2009 application
10. Secondary Thickener Tank 1	3 600 000 m ³ /a	Process Water from Thickener 2	King 561 Kuruman RD, portion 0	27° 50' 44.2"S 23° 00' 24.2"E	2009 application

Name of disposal facility	Disposal quantity/capacity	Type of waste to be disposed and source	Property	Coordinates	Date of the application & status
11.Secondary Thickener Tank 2	3 600 000 m ³ /a	Process Water from Thickener 1	King 561 Kuruman RD, portion 0	27° 50' 44.8"S 23° 00' 23.7"E	2009 application
12.King Pollution Control Dam	12 946 m ³ /a	Process Circuit Water	King 561 Kuruman RD, portion 0	27° 51' 00.5"S 23° 00' 20.1"E	2009 application
13.King Wash Bay	100 000 m ³ /a	Wash water from vehicles and machinery	King 561 Kuruman RD, portion 0	27° 51' 00.5"S 23° 00' 20.1"E	2009 application
14.New stockpile dam	6 121 m ³ /a	Stockpile dirty water containment	King 561 Kuruman RD, portion 0	27° 50' 47.5"S 22° 59' 59.2"E	2009 application
15.King Buffer ROM S/P	105 000 m ³ /a	Product S/P	King 561 Kuruman RD, portion 0	27° 50' 45.6"S 23° 00' 03.4"E	2009 application
16.WHIMS Process Water Tank	24 000 72 2 m ³ /a	Process Circuit Water	Parson 564 Kuruman RD, portion 2	27° 51' 39.9"S 22° 58' 33.5"E	2011 application
17.WHIMS Gland Services Tank (Process water clarifier)	1 800 428 m ³ /a	Plant Circuit Water	Parson 564 Kuruman RD, portion 2	27° 51' 41.9"S 22° 58' 37.5"E	2011 application
18.ROM Stockpile Area	144 m ³ /a	Parson overland Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 35.7"S 22° 58' 48.7"E	2009 application
19.Wash bay Ponds	1 000 m ³ /a	Vehicle and Machine wash water	Parson 564 Kuruman RD, portion 2	27° 51' 47.1"S 22° 58' 29.2"E	2009 application
20.Dirty Water Dam	84 004 33 1 m ³ /a	Process Circuit Water	Parson 564 Kuruman RD, portion 2	27° 51' 43.5"S 22° 58' 28.6"E	2009 application
21.Process Water Dam	175 321 8 75 m ³ /a	Process Circuit Water	Parson 564 Kuruman RD, portion 2	27° 51' 44.5"S 22° 58' 27.3"E	2009 application
22.Parson Semi Fines Product S/P 1	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 38"S 22° 58' 22.1"E	2009 application
23.Parson Semi Fines Product S/P 2	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 40.8"S 22° 58' 21.4"E	2009 application
24.Fines Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 33.5"S 22° 58' 34.1"E	2009 application
25.Parsons Thickener Phase 2	90 002 33 6 m ³ /a	Mining waste from process circuit water	Parson 564 Kuruman RD, portion 2	27° 51' 44"S 22° 58' 24"E	2009 application
26.Parson Lumpy Product	10 m ³ /a	Product S/P	Parson 564 Kuruman	27° 51' 33.2"S 22° 58' 37.1"E	2009 application

Name of disposal facility	Disposal quantity/capacity	Type of waste to be disposed and source	Property	Coordinates	Date of the application & status
S/P			RD, portion 2		
27.Process Water Recovery Dam 1	5 233 m ³ /a	Recycled Process Water	Parson 564 Kuruman RD, portion 2	27° 51' 48.9"S 22° 58' 47.5"E	2011 application
28.Process Water Recovery Dam 2	5 233 m ³ /a	Recycled Process Water	Parson 564 Kuruman RD, portion 2	27° 51' 46.8"S 22° 58' 49.7"E	2011 application
29.Parson Lumpy Buffer Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 56.1"S 22° 58' 29.7"E	2011 application
30.Fines Buffer Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 56.3"S 22° 58' 32.5"E	2011 application
31.Limpy Jigs 2 Feed Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 48.5"S 22° 58' 51.3"E	2011 application
32.Limpy Jigs 2 Feed Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 51' 50.9"S 22° 58' 50.2"E	2011 application
33.HPGR 2 Semi Fines Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 52' 02.1"S 22° 58' 44.1"E	2011 application
34.HPGR 2 Middlings Stockpile	10 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 2	27° 52' 04.4"S 22° 58' 42.5"E	2011 application
35.Primary Thickener	90 002 33 6 m ³ /a	Process circuit water	Parson 564 Kuruman RD, portion 2	27° 51' 59.6"S 22° 58' 36.1"E	2011 application
36.Process Water Tank 2	90 590 62 0 m ³ /a	Process circuit water	Parson 564 Kuruman RD, portion 2	27° 51' 56.5"S 22° 58' 36.2"E	2011 application
37.Dirty Water Tank 2	84 004 33 1 m ³ /a	Process circuit water	Parson 564 Kuruman RD, portion 2	27° 51' 55.6"S 22° 58' 37.9"E	2011 application
38.Parson Load out Stockpile	264 m ³ /a	Product S/P	Parson 564 Kuruman RD, portion 0	27° 51' 26.8"S 22° 57' 48.1"E	2009 application
39.Low Grade Stockpile	17 375 m ³ /a	Waste Rock from the plant	Parson 564 Kuruman RD, portion 0	27° 52' 02.2"S 22° 57' 40.3"E	2009 application
40.Mokaning Waste Dump	69.5 m ³ /a	Waste Rock from the plant	Mokaning 560 Kuruman RD, portion 3	27° 52' 33.54"S 23° 00' 51.42"E	2009 application
41.Parson Storm water Dam 2	8 175 m ³ /a	Storm water	Parson 564 Kuruman RD, portion 0	27° 50' 58.1"S 22° 58' 43.9"E	2011 application
42.Bruce crusher	11 520 m ³	Contaminated storm water	Bruce 544 Kuruman	27° 49' 09.8"S 23° 00' 35.1"E	2008 Licence Authorisation

Name of disposal facility	Disposal quantity/capacity	Type of waste to be disposed and source	Property	Coordinates	Date of the application & status
pollution control dam		runoff	RD, portion 0		water use
43.King crusher pollution control dam	11 520 m ³	Contaminated storm water runoff	King 561 Kuruman RD, portion 0	27° 50' 55.3"S 23° 00' 10.08"E	2008 Licence Authorisation water use
44.Bruce Overburden and low grade ROM stockpile	6 643 333 m ³	Mine residue	Bruce 544 Kuruman RD, portion 0	27° 46' 12.0"S 23° 01' 42.0"E	2008 Licence Authorisation water use
45.King Paste Disposal Facility	1 920 000 m ³	Mine Plant Tailings	King 561 Kuruman RD, portion 0	27° 50' 16.6"S 23° 00' 51.4"E	2008 Licence Authorisation water use
46.Return Water Dam	44 484 m ³	Water draining from the Tailings	King 561 Kuruman RD, portion 0	27° 50' 38.7"S 23° 00' 44.4"E	2008 Licence Authorisation water use
47.King Overburden dump	7 000 000 t	Mine residue	King 561 Kuruman RD, portion 0	27° 51' 47.0"S 23° 01' 12.0"E	2008 Licence Authorisation water use
48.King Waste Rock Dump	40 000 000 t	Mine Plant Tailings	King 561 Kuruman RD, portion 0	27° 50' 40.7"S 23° 01' 22.1"E	2008 Licence Authorisation water use
49.Mokaning Overburden and low grade ROM stockpile	2 600 000 m ³	Mine residue	Mokaning 560 Kuruman RD, portion 3	27° 52' 41.2"S 23° 01' 28.2"E	2008 Licence Authorisation water use
50.Parson Process Water Dam	20 131 m ³	Process Water	Parson 564 Kuruman RD, portion 0	27° 51' 49.1"S 22° 58' 31.33"E	2008 Licence Authorisation water use
51.Parson Plant Pollution Control Dam	20 160 m ³	Polluted Process Water	Parson 564 Kuruman RD, portion 0	27° 51' 19.2"S 22° 58' 34.5"E	2008 Licence Authorisation water use
52.Parson Production Stockpile Pollution Control Dam	20 000 m ³	Contaminated Water	Parson 564 Kuruman RD, portion 0	27° 51' 16.9"S 22° 58' 09.5"E	2008 Licence Authorisation water use
53.Diversion Waste Rock Dump	2 880 000 m ³	Waste Rock from the plant	King 561 Kuruman RD, portion 0	27° 53' 03.00"S 23° 00' 10.6"E	Amendment to the existing licence
54.Evaporation Pond 1	1075 m ³	Capture runoff to ensure open pit safety	King 561 Kuruman RD, portion 0	27° 52' 44.7"S 23° 00' 8.8"E	2011 application
55.Evaporation Pond 2	2 554 m ³	Capture runoff to ensure open pit safety	King 561 Kuruman RD, portion 0	27° 53' 24.9"S 23° 00' 5.7"E	2011 application

1.2 The Licensee must ensure that the disposal of waste water, operation, and maintenance of the system are done according to the provisions in the Report.

- 1.3 The waste facilities listed in Table 6 shall be operated and maintained to have a minimum freeboard of 0.8 metres above full supply level and all other water systems related thereto shall be operated in such a manner that it is at all times capable of handling the 1:50 year flood-event on top of its mean operating level.
- 1.4 The tailings and pollution control dams must be designed in such a manner that any spillage can be contained and reclaimed at an early stage without any impact on the surrounding environment.

2. STORAGE OF WATER CONTAINING WASTE

The Licensee is authorised to dispose of the amount of volumes as stipulated on table 7 of waste/waste water emanating from the Iron Ore mining activities.

3. QUALITY OF WASTE WATER TO BE DISPOSED

- 3.1 The quality of waste water disposed of into the waste water facilities.

Table 7: Quality of waste water to be disposed into the waste facilities

Variable	Quality of Slurry
pH	8.1
Alkalinity (mg/l)	160
Calcium (mg/l)	53
Cadmium (mg/l)	6.000667
Chloride (mg/l)	59
Chromium (mg/l)	0.08664
Copper (mg/l)	0.04294
Fluoride (mg/l)	0.3
Iron (mg/l)	2.313
Magnesium (mg/l)	18
Manganese (mg/l)	0.2176
Potassium (mg/l)	9.2
Sodium (mg/l)	34
Sulphate (mg/l)	45
Total Dissolved Solids (mg/l)	360
Vanadium (mg/l)	0.01869

4. MONITORING

- 4.1 The Licensee shall monitor on monthly basis the water resources at surface water monitoring points and Ground water monitoring points to determine the impact of the facility and other activities on the water quality by taking samples at the monitoring points as indicated in the hydrogeological study as on tables 8 and table 9.

Table 8: Summary of monitoring boreholes in the mining area.

Borehole	Location		Farm	Farm Owner	Parameter	Frequency
	X	Y				
1.Wright 3	22.92230	-27.79459	Wright	Stephanie Cornellisen	Water Levels	Quarterly
2.SEK 0023	23.0705	-27.7235	Sekagame	Khumba	Water Levels	Quarterly

Borehole	Location		Farm	Farm Owner	Parameter	Frequency
	X	Y				
3.BEST 2	23.09101	-27.68138	Bestwood	Fred Viljoen	Water Levels	Quarterly
4.MOK 2	23.04974	-27.91066	Mokaning	Nic Steyn	Water Levels	Quarterly
5.Mashwenin	23.0485	-27.88725	-	Assmang	Water Levels	Quarterly
6.Mashwenin	23.0566	-27.89595	-	Assmang	Water Levels	Quarterly
7.Mokaning 1	23.0296	-27.88651	-	Assmang	Water Levels	Quarterly
8.Mokaning 2	23.0351	-27.89274	-	Assmang	Water Levels	Quarterly
9.King 3	22.9954	-27.8496	-	Assmang	Water Levels	Quarterly
10.King 2	23.0012	-27.85562	-	Assmang	Water Levels	Quarterly
11.King 1	22.9881	-27.87321	-	Assmang	Water Levels	Quarterly
12.BKM 1	23.0146	-27.77299	-	Assmang	Water Levels	Quarterly
13.BKM 3D	22.991	-27.88483	-	Assmang	Water Levels	Quarterly
14.PBW 01	22.9693	-27.84925	-	Assmang	Water Levels	Quarterly
15.Parsons 1	22.9848	-27.85842	-	Assmang	Water Levels	Quarterly
16.Parsons 8	22.9844	-27.85207	-	Assmang	Water Levels	Quarterly
17.Parsons 9	22.9849	-27.85231	-	Assmang	Water Levels	Quarterly
18.AGK2/87	22.9868	-27.8875	-	Assmang	Water Levels	Quarterly
19.AIK1/45	23.0011	-27.8858	-	Assmang	Water Levels	Quarterly
20.VK2/81	22.9837	-27.8695	-	Assmang	Water Levels	Quarterly
21.VK1/49	22.9827	-27.8677	-	Assmang	Water Levels	Quarterly
22.WK2/35	22.9959	-27.8672	-	Assmang	Water Levels	Quarterly
23.QK4/55	22.9959	-27.8636	-	Assmang	Water Levels	Quarterly
24.QK4/70	22.9985	-27.8641	-	Assmang	Water Levels	Quarterly
25.QK2/9	22.998	-27.857	-	Assmang	Water Levels	Quarterly
26.ZR3/24	23.0208	-27.808	-	Assmang	Water Levels	Quarterly
27.ABK2/42	22.9944	-27.8767	-	Assmang	Water Levels	Quarterly
28.ZR3/2	23.0198	-27.8072	-	Assmang	Water Levels	Quarterly
29.AMK1/47	22.9923	-27.8943	-	Assmang	Water Levels	Quarterly
30.AGK1/89	22.9832	-27.8871	-	Assmang	Water Levels	Quarterly
31.AAK2/45	22.9862	-27.8763	-	Assmang	Water Levels	Quarterly
32.WK4/70	22.999	-27.8728	-	Assmang	Water Levels	Quarterly
33.VK3/67A	22.9822	-27.8727	-	Assmang	Water Levels	Quarterly
34.KM3/24	23.0005	-27.8893	-	Assmang	Water Levels	Quarterly
35.ALK3/22	22.9796	-27.8979	-	Assmang	Water Levels	Quarterly
36.AKK4/26	22.9761	-27.8984	-	Assmang	Water Levels	Quarterly
37.ABK2/46	22.9964	-27.8767	-	Assmang	Water Levels	Quarterly
38.AAK3/27	22.9817	-27.8803	-	Assmang	Water Levels	Quarterly
39.ALK2/49	22.9878	-27.8948	-	Assmang	Water Levels	Quarterly
40.PBE01	22.9836	-27.8513	-	Assmang	Water Levels, Chemistry	Quarterly
41.PBW01	22.9617	-27.843	-	Assmang	Water Levels, Chemistry	Quarterly
42.PBW02	22.9618	-27.8587	-	Assmang	Water Levels, Chemistry	Quarterly
43.PBW03	22.9669	-27.8523	-	Assmang	Water Levels, Chemistry	Quarterly
44.PBW04	22.9585	-27.8692	-	Assmang	Water Levels, Chemistry	Quarterly
45.BKM1	23.0146	-27.7731	-	Assmang	Water Levels	Quarterly
46.BKM2	23.0185	-27.847	-	Assmang	Water Levels, Chemistry	Quarterly
47.BKM3D	22.9793	-27.8777	-	Assmang	Water Levels	Quarterly
48.BKM4	23.0265	-27.8674	-	Assmang	Water Levels	Quarterly

Table 9: Summary of proposed drilling sites for monitoring wells.

Farm	Location		Comments/Recommendations
	X	Y	
1.Roscoe Traverse 1	22.959499	-27.904714	Drill to 200 metres
2.Roscoe Traverse 1	22.959652	-27.904132	Drill to 200 metres
3.Roscoe Traverse 4	22.9225861	-27.917794	Drill to 200 metres
4.Roscoe Traverse 4	22.921821	-27.917160	Drill to 200 metres
5.Macarthy Traverse 3	23.050261	-27.910937	Drill to 200 metres
6.Macarthy Traverse 3	23.0501229	-27.910414	Drill to 200 metres
7.Macarthy Traverse 2	23.0412922	-27.939500	Drill to 200 metres
8.Macarthy Traverse 2	23.0418146	-27.939866	Drill to 200 metres

- 4.2 The date, time and monitoring point in respect of each sample taken shall be recorded together with the results of the analysis.
- 4.3 Monitoring points shall not be changed prior to notification to and written approval by the Regional Head.
- 4.4 An Aquatic Scientist approved by the Regional Head must establish a monitoring programme for the following indices: Invertebrate Habitat Assessment System (IHAS) and the latest SASS (South African Scoring System). Sampling must be done once during summer season and once during the winter season, annually, to reflect the status of the river upstream and downstream of the mining activities.
- 4.5 Analysis shall be carried out in accordance with methods prescribed by and obtainable from the South African Bureau of Standards (SABS), in terms of the Standards Act, 1982 (Act 30 of 1982).
- 4.6 The methods of analysis shall not be changed without prior notification to and written approval by the Minister.
- 4.7 A total of 95 boreholes were identified in the surrounding area during hydro-census, it is therefore, of utmost importance to ensure the proposed mining activities at Khumani Iron Ore Mine do not impact on the water quality and quantity of the area as all farms surrounding the site rely heavily on groundwater for both domestic and livestock watering purposes. Should the monitoring results indicate an impact on these groundwater users, the applicant must ensure in advance that alternative water supply is provided.
- 4.8 Groundwater monitoring programme must be updated incorporating proposed additional boreholes and forwarded to this Department within six month of issuance of the licence.
- 4.9 Groundwater model must be calibrated as more information becomes available. This will add significant value in terms of groundwater management and better understanding of the aquifer behaviour.

5. WATER RESOURCE PROTECTION

- 5.1 The impact of the activities of the mine waste water quality containment facilities shall not exceed the groundwater quality objectives detailed in Table 10 in the water quality reserve for the area.

Table 10: Water resource quality objectives of D41J groundwater.

Substance/parameter	Limit
pH	7.95
Electrical conductivity (Ec) in mS/m	71.50
Chlorides (Cl) in mg/l	33.66
Sulphate (SO ₄) in mg/l	24.55
Sodium (Na) in mg/l	20.88
Calcium (Ca) in mg/l	68.48
Magnesium (Mg) in mg/l	41.39
Nitrate and Nitrite (NO ₃ and NO ₂) in mg/l	2.29
Fluoride (mg/l)	0.23
Total Alkalinity (CaCO ₃) mg/l	307.79

- 5.2 The Gamagara River located in the study area is an important water resource. Reasonable and sound groundwater protection measures are required to ensure that no cumulative pollution affects the river and the aquifer, even in the long term.
- 5.3 Diesel tanks must be placed in a bunded area and oil detection system must be installed to prevent the chemicals from reaching groundwater resources resulting in groundwater pollution.
- 5.4 It is evident from the report that the mine is situated in a dolomitic area. Dolomite aquifers are known to be highly vulnerable to pollution and difficult to remediate. There is possibility of sinkholes and cavities development, therefore; dolomite instability must be investigated and a dolomite risk management plan must be established within one year of issuance of this licence.

6. REPORTING (REVIEW)

- 6.1 The Licensee shall update the water and salt balance annually and calculate the loads of waste emanating from the activities. The Licensee shall determine the contribution of their activities to the mass balance for the water resource and must furthermore co-operate with other water users in the catchment to determine the mass balance for the water resource reserve compliance point.
- 6.2 The Licensee shall submit the report on results of analysis after monitoring requirements to the Regional Head on a quarterly basis under Reference number 27/2/2/C192/111/1.

7. STORM WATER MANAGEMENT

- 7.1 Storm water leaving the Licensee's premises shall in no way be contaminated by any substance, whether such substance is a solid, liquid, vapour or gas or a combination thereof which is produced, used, stored, dumped or spilled on the premises.
- 7.2 Increase runoff due to vegetation clearance and/or soil compaction must be managed, and steps must be taken to ensure that storm water does not lead to bank instability and excessive levels of silt entering the stream.
- 7.3 Storm-water shall be diverted from the mine complex site and roads and shall be managed in such a manner as to disperse runoff and concentrating the storm-water flow.

- 7.4 Where necessary, works must be constructed to attenuate the velocity of any storm-water discharge and to protect the banks of the affected watercourses.
- 7.5 Storm-water control works must be constructed, operated and maintained in a sustainable manner throughout the impacted area.
- 7.6 Increased runoff due to vegetation clearance and/or soil compaction must be managed, and steps must be taken to ensure that storm-water does not lead to bank instability and excessive levels of silt entering the streams.
- 7.7 All storm-water that would naturally run across the pollution areas shall be diverted via channels and trapezoidal drains designed to contain the 1:50 year flood.
- 7.8 The polluted storm water system shall be designed and implemented to provide suitable routing and pumping capacity for contaminated storm water from the individual facilities to the respective storm water dams in accordance with the design specifications as contained in the Integrated Water Use License Application report.
- 7.9 The polluted storm water captured in the storm water control dams shall be pumped to the process water treatment plant for re-use and recycling.

8. PLANT AREAS AND CONVEYANCES

- 8.1 Pollution caused by spills from the conveyances must be prevented through proper maintenance and effective protective measures especially near all stream crossings.
- 8.2 All reagent storage tanks and reaction units must be supplied with a bunded area built to the capacity of the facility and provided with sumps and pumps to return the spilled material back into the system. The system shall be maintained in a state of good repair and standby pumps must be provided.
- 8.3 Any hazardous substances must be handled according to the relevant legislation relating to the transport, storage and use of the substance.
- 8.4 Any access roads or temporary crossings must be:
- 8.4.1 Non-erosive, structurally stable and shall not induce any flooding or safety hazard and
 - 8.4.2 Be repaired immediately to prevent further damage.

9. ACCESS CONTROL

- 9.1 Strict access procedures must be followed in order to gain access to the property.
- 9.2 Access to the pollution control dams, coal slurry discard dumps, storm water dam and return water dam must be limited to authorised employees of the Licensee and their contractors only.
- 9.3 Notices prohibiting unauthorised persons from entering the controlled access areas as well as internationally acceptable signs indicating the risks involved in case of an unauthorised entry must be displayed along the boundary fence of these areas.



10 CONTINGENCIES

- 10.1 Accurate and up-to-date records shall be kept of all system malfunctions resulting in non-compliance with the requirements of this licence. The records shall be available for inspection by the Regional Head upon request. Such malfunctions shall be tabulated under the following headings with a full explanation of all the contributory circumstances:
- 10.1.1 Operating errors.
 - 10.1.2 Mechanical failures (including design, installation or maintenance).
 - 10.1.3 Environmental factors (e.g. flood).
 - 10.1.4 Loss of supply services (e.g. power failure).
 - 10.1.5 Other causes.
- 10.2 The Licensee must, within 24 hours, notify the Regional Head of the occurrence or potential occurrence of any incident which has the potential to cause, or has caused water pollution, pollution of the environment, health risks or which is a contravention of the licence conditions.
- 10.3 The Licensee must, within 14 days, or a shorter period of time, as specified by the Regional Head, from the occurrence or detection of any incident referred above, submit an action plan, which must include a detailed time schedule, to the satisfaction of the Regional Head of measures taken to:
- 10.3.1 Correct the impacts resulting from the incident.
 - 10.3.2 Prevent the incident from causing any further impacts.
 - 10.3.3 Prevent a recurrence of a similar incident.

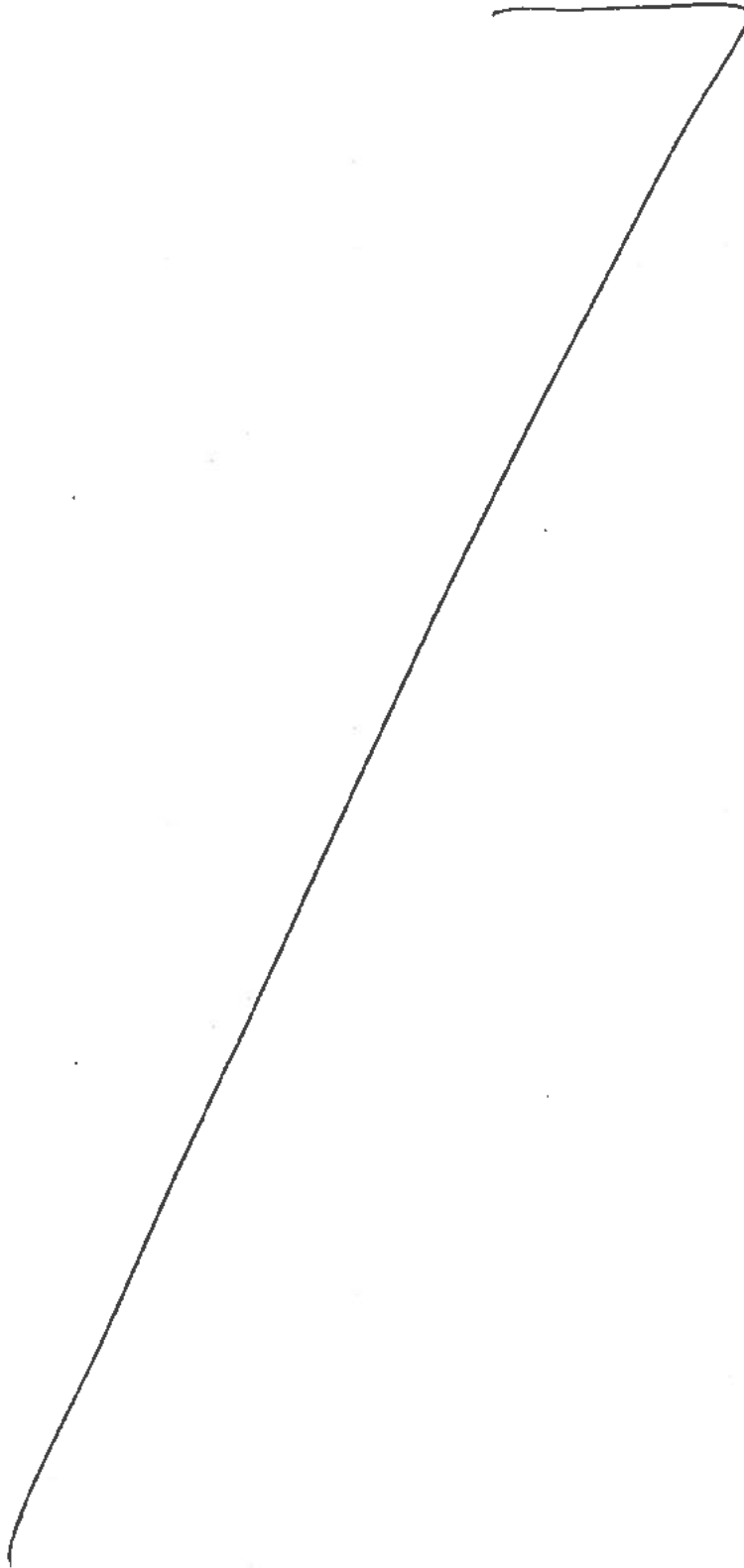
11. AUDITING

- 11.1 The Licensee shall conduct an annual internal audit on compliance with the conditions of this licence. A report on the audit shall be submitted to the Regional Head within one month of finalisation of the report, and shall be made available to an external auditor should the need arise.
- 11.2 The Licensee shall appoint an independent external auditor to conduct an annual audit on compliance with the conditions of this licence. The first audit must be conducted within 6 (six) months of the date this licence is issued and a report on the audit shall be submitted to the Regional Head within one month of finalisation of the report.

12. INTEGRATED WATER AND WASTE MANAGEMENT

- 12.1 The Licensee must do an Integrated Water and Waste Management Plan (IWWMP) and submit it to the Regional Head for approval within one (1) year from the date of issuance of this licence.
- 12.2 The IWWMP and RSIP shall thereafter be updated and submitted to the Regional Head for approval, annually.
- 12.3 The Licensee must, at least 180 days prior to the intended closure of any facility, or any portion thereof, notify the Regional Head of such intention and submit any final amendments of the IWWMP and RSIP as well as a final Closure Plan, for approval.

12.4 The Licensee shall make full financial provision for all investigations, designs, construction, operation and maintenance for a water treatment plant should it become a requirement as a long-term water management strategy.



Handwritten signature of the Director-General (Acting)

APPENDIX VI

Section 21 (j) of the Act: Removing, discharging or disposing of water found underground if it is necessary for the continuation of an activity or for safety of people (2008 Water Use Licence Authorisation).

1. REMOVING WATER FOUND UNDERGROUND.

- 1.1 The Licensee is authorised to remove a total volume of four hundred and thirty two thousand cubic metres per annum (432 000 m³/a) of water found underground from King/Bruce pits based on average of one thousand two hundred cubic metres per day (1 200 m³/d) for disposal into Pollution Control Dams and for mining purpose or for treatment before being discharged into Gamagara River.
- 1.2 Should the water authorised to be removed in terms of Appendix VI of this licence be required for storage and mining, the Licensee shall also apply and obtain a Section 21 (a) water use as defined in the National Water Act, Act No 36 of 1998 before commencement of the Section 21 (j) water use.
- 1.3 Should the water authorised to be removed in terms of Appendix VI of this licence be required to be treated and discharged into Gamagara River, the Licensee shall also apply and obtain a Section 21 (f) water use as defined in the National Water Act, Act No 36 of 1998 before commencement of the Section 21 (j) water use.
- 1.4 Water use authorised in terms of Appendix VI of this licence shall only commence when mining intersects groundwater, which is expected to occur in 2027. The Regional Head must be notified of the date dewatering will commence.
- 1.5 No more water shall be removed for dewatering than the minimum required for effective dewatering.
- 1.6 The quantity of water removed underground must be metered and recorded on a daily basis.
- 1.7 The groundwater levels shall be monitored every month.
- 1.8 Self registering flow metres must be installed in the delivery lines at easily accessible positions near the points of abstraction.
- 1.9 The flow metering devices shall be maintained in a sound state of repair and calibrated by a competent person at intervals of not less than once in two years. Calibration certificates shall be available for inspection by the Regional Head or his/her representative upon request.
- 1.10 Calibration certificates in respect of the pumps must be submitted to the Regional Head after installation thereof and thereafter at intervals of two years.
- 1.11 The Licensee must routinely check if the pumps are in a working order. A contingency plan should be in place in cases of failure of pumps.

THIS LICENCE SUPRECEDES LICENCE NO.719242 DATED 21 NOVEMBER 2008.

[END OF LICENCE]

