

Environmental Authorisation Amendment and Waste Management License for the Expansion of the Kareerand Tailings Storage Facility (TSF) for Mine Waste Solutions, North-West Province

Comments and Responses Report (CRR)

Version 4

October 2020



This Comments and Responses Report (CRR) **Version 4** provides a summary of the comments, questions and issues raised by stakeholders since the announcement of the application on 1 November 2019 for an Integrated Regulatory Process for an Environmental Authorisation Amendment and a Waste Management Licence for the proposed expansion of the Kareerand Tailings Storage Facility (TSF) for Mine Waste Solutions in the North-West Province.

- Version 1 of the CRR was appended to the Draft Scoping Report and records issues and concerns raised during the announcement period of the project from 1 November 2019 until 17 January 2020;
- Version 2 of the CRR was appended to the Final Scoping Report and included comments that were raised on the Draft Scoping Report which was available on public review from 24 January – 24 February 2020;
- Version 3 of the CRR was appended to the Draft Environmental Impact Report (DEIR) which included comments that were raised on the Final Scoping Report. The DEIR was available for public comment from 14 August to 14 September 2020;
- Version 4 of the CRR will be appended to the Revised Draft Environmental Impact Report and will include comments that were raised on the Consultation for the Integrated Environmental Impact Report.

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Comments received during the announcement (1 November 2019 – 17 January 2020)						
Will stakeholders have the opportunity to contribute to specialist studies?	Ms	Mariette Liefferink	Federation for Sustainable Environment (FSE)	1 Nov 2019	Focus Meeting	The public participation process allows for public comment on the terms of reference of the specialist studies during the Scoping Phase. Comments will be considered for the update of the terms of reference to ensure that specialist studies are optimised.
Will a health impact study be conducted? It is recommended that a full health impact assessment be conducted for this application.	Ms	Mariette Liefferink	Federation for Sustainable Environment (FSE)	1 Nov 2019	Focus Meeting	A health impact study will not be conducted; however, the potential health effects will be assessed through the specialist studies during the EIA phase. Subsequently, a Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment have been conducted and included in the impact assessment process (refer to Appendix D16 and D17 of the RDEIR, respectively).
Will a climate change specialist assessment be conducted for this application? It is recommended that a climate change assessment be conducted for this application.	Ms	Mariette Liefferink	Federation for Sustainable Environment (FSE)	1 Nov 2019	Focus Meeting	The impact of climate change will be considered during the design of the TSF during the EIA phase. Subsequently the impact of greenhouse gas emissions and associated impacts on climate change has been included and assessed within the Air Quality Specialist Report (refer to Appendix D8 of the RDEIR).
Requested to be sent available information and to be registered as an Interested and Affected Party (I&AP)	Mr	Nkosinathi Leornard Qotwanw	Nathis Works and Consultancy Services PTY LTD	7 Nov 2019	Email correspondence	The Background Information Document (BID) was emailed to the stakeholder on 7 November 2019.
I am not party to the Kareerand TSF that does not benefit the community of Khuma. Keep on engaging those who are party to it including the	Mr	Phoka Phatsoane		5 Nov 2019	Email correspondence	GCS is independently conducting an environmental assessment process for the proposed development and you are welcome to provide your concerns to

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farmer who benefited from millions of Rands your company have paid.						us. Through the public participation process, we encourage stakeholders to register and to be involved.
As Fresheners Multipurpose Co-operative Pty Ltd, we form part of the affected & interested parties which would like to take part in the public participation process taking place in due course. Our main concern is the environmental impact & rehabilitation of land as per NEMA act 107 of 1998 and NEM:WA act 59 of 2008. Please provide us with more details and documents regarding your Background Information Document on DSR, EMP, DEIR, S&EIR and any other details deemed necessary for preparation of the participation process.	Mr	K Monnahela and M Motloung	Fresheners Multipurpose Co-operative Pty Ltd	4 Nov 2019	Email correspondence	The Fresheners Multipurpose Co-operative Pty Ltd, notified that they would like to be part of the EIA process and was registered as an I&AP and all documents of the Kareerand TSF Expansion EA application following the initial project introduction was submitted to them. The Background Information Document (BID) was emailed to the stakeholders on 4 November 2019
We request: Full participation of interested and affected parties Involvement and capacitation of SMEs in terms of the environment We would like more information on: Details on the scope of work with regards to the expansion Details in terms of norms and standards in terms of waste disposal (landfill) Environmental Implementation Plan Details in terms of compliance with NEM:WA licencing	Mr	Archibald Monnahela	Fresheners Multipurpose Co-operative Pty Ltd	4 Nov 2019	Comment and registration form	Requests are noted. The Background Information Document (BID) was emailed to the stakeholders on 4 November 2019.
Requested to receive relevant information.		Koketso Moagi		11 Nov 2019	Telephonic Conversation	The Background Information Document (BID) was emailed to the stakeholder on 11 November 2019.
GCS should engage with all commenting authorities simultaneously with the Department of Mineral Resources (DMR). GCS to include the Department of Economic Development, Environment, Conservation and Tourism (Detect), the Department of Water and Sanitation (DWS),		Lorraine Nobela, Thilivhali Mereg, Neo Nthoesane	DMR	14 Nov 2019	Pre-application meeting with the DMR and DWS	Noted. The relevant authorities have been engaged throughout the process.

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the Department of Agriculture and Rural Development, the National Nuclear Regulator, etc in Authority Communication.					
GCS to ensure that the Khuma Community is engaged during the Public Participation Process. Community members must be provided with the opportunity to participate and not only just community representatives.		Lorraine Nobela, Thilivhali Meregi, Neo Nthoesane	14 Nov 2019	Pre-application meeting with the DMR and DWS	<p>Noted. Advertisements were published to announce the project as follows:</p> <ul style="list-style-type: none"> ○ Potch Herald (31/10/2019) ○ Klerksdorp Record (1/11/2019) ○ City Press (3/11/2019) <p>The availability of the Draft Scoping Report for review and the dates of public meetings were again advertised as follows:</p> <ul style="list-style-type: none"> ○ Potch Herald (23/01/20) ○ Klerksdorp Rekord (23/01/20) ○ City Press (19/01/20) ○ Kroonnuus (23/01/20) ○ Volksblad (22/01/20) <p>During the announcement of the project, site notices were placed as per requirements, including at the Khuma Clinic. Stakeholders were notified via SMS and email of the review of the Draft Scoping Report as well as the public meetings of 5 February 2020.</p>
An authority site visit will be arranged, and all relevant authorities invited, once the Draft Scoping Report has been submitted for comment. This will be in late January or early February 2020.		Lorraine Nobela, Thilivhali Meregi, Neo Nthoesane	14 Nov 2019	Pre-application meeting with the DMR and DWS	Noted. A site visit for authorities is planned for March 2020. Due to restrictions imposed resulting from the COVID-19 Pandemic, the site visit was delayed. It was undertaken on the 8 th July 2020 with DEDECT & DMRE in attendance.
Application for a Section 21(b) water use is not required as there is no clean water storage, and the dirty water storage is licensed as 21(g).		George Nel, Terence Ngilande	14 Nov 2019	Pre-application meeting with the DMR and DWS	Noted.

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Requested that a socio-economic impact assessment be conducted as part of the study and that the findings be made available.		NL Qotwane	Nathis works and Consulting Services	15 Nov 2019	Comment and registration form	Noted. This specialist assessment forms part of the EIA process. Please refer to the Socio-Economic Impact Report in Appendix D14 of the RDEIR.
Comments received during the review period of the Draft Scoping Report (24 January to 24 February 2020)						
The water quality of our drinking water as the borehole is the only water source for Tims Haven (we yearly have our water tested independently to monitor the quality of the water source). What will impact of extension have on water quality?	Mr	Etienne Rood	Tims Haven	20 Jan 2020	Email correspondence	Ground water monitoring is conducted as per DWS approved programme for the existing operations. The boreholes at the Kromdraai farm's old household are monitored on a quarterly basis and the water quality data are assessed to identify in a proactive manner if any changes in groundwater quality occurring. A hydrogeological impact assessment will be conducted during the EIA phase to investigate the potential impact of the expansion. Please refer to the Hydrogeological Assessment in Appendix D13 of the RDEIR. Mitigation actions have been established to intercept possible sulfate-rich groundwater migrating from the TSF towards the East.
Kareerand has its own borehole (plus minus 20 m from the Tims Haven borehole) from where water is piped to Kareerand. a. What amount of water is piped? b. What will be the impact of the extension have on the amount of water that is piped.	Mr	Etienne Rood	Tims Haven	20 Jan 2020	Email correspondence	a. Chemwes is authorised to abstract a maximum volume (597190 m ³ /annum) of groundwater from these boreholes for irrigation.

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c. What is the risk of over depleting the underground water source leaving Tim's Haven without any water for human consumption and any assurances in the event this happen in future.						<p>b. The volume of water abstracted will not be impacted by the expansion project.</p> <p>c. The abstraction of groundwater from these boreholes will be carefully monitored to ensure that abstraction falls within approved water use licence criteria and that the source is not depleted.</p>
What is the plan with any surface stormwater in case of excessive rain?	Mr	Etienne Rood	Tims Haven	20 Jan 2020	Email correspondence	A hydrological assessment will be conducted as part of the design to correctly size stormwater management infrastructure (refer to Appendix D12 of the RDEIR). Details of the hydrological assessment was presented in the EIR. The northern diversion channel was designed to handle a 1:50 storm event and divert clean storm water away from the TSF directly into the Vaal River.
What is the current height of Kareerand as planning is to extend the TSF to 122 m? What will dust impact be when at full height (122 m)?	Mr	Etienne Rood	Tims Haven	20 Jan 2020	Email correspondence	The current height of the TSF is approved to reach 80 m. It is currently at approximately 40 m. The new application is for the TSF to reach 122 m. An Air Quality Assessment has been conducted in the EIA phase to determine the potential impact of dust (refer to Appendix D8 of the RDEIR).
<p>Concerns noted are:</p> <ul style="list-style-type: none"> a) Shortcoming and challenges in operating the existing slimes dam b) Rehabilitation and end-use of the dam <p>Would like more information on:</p> <ul style="list-style-type: none"> c) Current monitoring of water seepage d) Alternatives considered for more sustainable rehabilitation and end-use in design of dam. 	Mr	Piet Theron	Agri North West	24 Jan 2020	Comment and Registration Form	<ul style="list-style-type: none"> a) Some challenges have been experienced with the operation of the existing TSF since acquisition in 2012. Significant improvement in dust mitigation, clean/dirty water separation, deposition, seepage mitigation has been made. b) A specialist consultant has been appointed to compile a

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						<p>rehabilitation and end-use plan for the TSF in an independent process to this EIA process.</p> <p>c) Ground water quality monitoring is conducted as per the DWS approved programme for the existing operations. The groundwater interception system is continually assessed and expanded to intercept seepage and returned to the process water circuit.</p> <p>d) A specialist consultant has been appointed to compile a rehabilitation and end-use plan for the TSF in an independent process to this EIA process.</p>
<p>Note that the Fresheners Multipurpose Co-operative is a member of Matlosana Community Economic Development Non-Profit Company (NPC). Only Matlosana Community Economic NPC is delegated for mining consultation at the behest of community of Matlosana. Soon Matlosana NPC will sent comments on the scoping report to enable NPC to participate in the coming meeting.</p>		<p>Directors A Monnahela Zola Macwaqa Vincent motlounq</p>	<p>Matlosana Community Economic Development NPC</p>	<p>24 Jan 2020</p>	<p>Email correspondence</p>	<p>Noted. Email was acknowledged on 24 January 2020.</p>
<p>Has the DMR issued a reference number as yet for the project? Please provide the contact number of the person that GCS is communicating to at the DMR.</p>	<p>Ms</p>	<p>Eva Mashego</p>	<p>North West Department of Economic Development , Environment, Conservation and Tourism (Detect)</p>	<p>27 Jan 2020</p>	<p>Email correspondence</p>	<p>An email was sent to Ms Mashego on 29 January 2020, explaining that a reference number will be issued in due course. The details of the contact person at the DMR was provided. DMR Ref Nu: NWP/EIA/176/2008 was subsequently provided by the DMRE</p>

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In order for SANRAL to comment, please provide a locality map showing the project area.	Mr	Jan Oliver Statutory Controller Northern Region	SANRAL	27 Jan 2020	Email correspondence	A locality map also indicating the proposed infrastructure was sent to Mr Oliver on 27 January 2020.
SANRAL has no objection to the extension of the Kareerand Tailings Storage Facility (TSF) nor to the issuing of the necessary Environmental Authorizations/ approvals for such, as national roads N12 and R30 appears not to be affected.	Mr	Jan Oliver Statutory Controller Northern Region	SANRAL	28 Jan 2020	Email correspondence	Noted.
The documents are not available at both Khuma and Stilfontein libraries	Mr	MP Phatsoane		28 Jan 2020	Email correspondence	<p>All the public places where the Draft Scoping Report was delivered to was contacted on 29 and 30 January 2020. Personnel at every library (including the Stilfontein and Khuma libraries) have confirmed to GCS that the Draft Scoping Report was received by them and that it has been placed for public review. Proof of delivery is available as Appendix I of the Final Scoping Report.</p> <p>Mr Phatsoane was invited to download the document electronically from the GCS website. He was also notified that an electronic copy of the report will be available at the public meetings to be held on 5 February 2020.</p>
<p><i>The submission of the FSE, 2 Feb 2020, is appended (APPENDIX A). A summary of the submission is included below – please refer to the appendix for the detailed submission.</i></p>						
The FSE expresses the hope that since AngloGold Ashanti is a global gold mining company and a founding member of the International Council on Mining and Metals (ICMM) the environmental performance of its Mine Waste Solutions' (MWS) operations will be aligned to the ICMM's principles and its publicly stated environmental values,	Ms	Mariette Lieverink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	The EIA is being carried out to international standards and the ICMM guiding principles because they are best practice in relation to preventing pollution and reducing carbon emissions, not because MWS is undertaking mining operations.

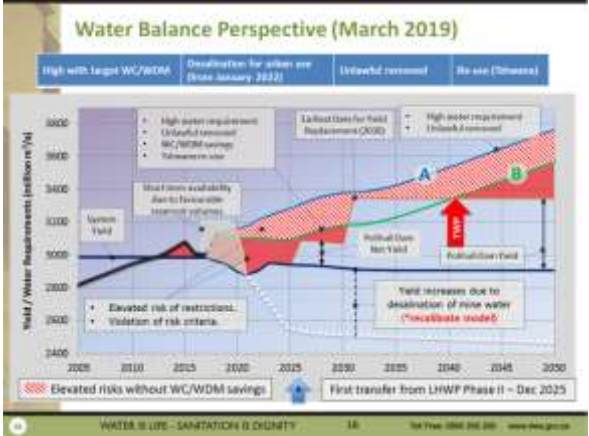
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<p>namely its commitment to “continually improve our processes in order to prevent pollution, minimise waste, increase our carbon efficiency and make efficient use of natural resources. We will develop innovative solutions to mitigate environmental and climate risks” and that the EIA/EMPR will reflect this.</p>					<p>The potential risk of climate change will be considered in the design of the proposed expansion project. Subsequently the impact of greenhouse gas emissions and associated impacts on climate change has been included and assessed within the Air Quality Specialist Report (refer to Appendix D8 of the RDEIR).</p>
<p>RECLAMATION OPERATIONS P 47, Draft Scoping Report refers. The argument in support of the proposed project can only be supported if the footprints of the reclaimed historic tailings storage facilities (TSFs) are rehabilitated to a sustainable and agreed upon land use with sustainable livelihood opportunities for the community. Our statement in this regard finds support in the Council of Geoscience’s recommendations, namely: a. “Any new application to exploit mining residues should only be approved if it involves the removal of an entire residue deposit and the rehabilitation of the remaining footprint. b. “The past practice of granting rights and authorization for the reprocessing of individual residue deposits may need to be reviewed insofar as it allows the selective extraction of value from portions of a site without ploughing some of that value back into the rehabilitation of the entire mining area.” We consider (advised by the finding of academic research) residential townships, edible crop production and livestock grazing to be high risk land uses for TSFs, TSF footprints and areas within</p>	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	<p>Note that none of the current source TSF’s being reclaimed is available for rehabilitation at this time and will be remediated once reclamation is complete. Final rehabilitation of the reclaimed TSF footprints will be undertaken once reclamation activities are complete and it will be based on a safe, sustainable and agreed land use.</p>

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the aqueous or aerial zone of influence of TSFs in the Stilfontein area.					
<p>HISTORICAL PERFORMANCE</p> <p>On page 1 of the DSR we are informed that “once a TSF has been completely recovered, it is cleaned-up and rehabilitated.”</p> <p>Notwithstanding the above aspirational statement by the Environmental Assessment Practitioner (EAP) we express little or no confidence that the above-mentioned initiative will be implemented in view of AngloGold Ashanti’s MWS’s historical performance.</p> <p>In substantiation, the FSE provided photographic evidence and a description of incidences - (Please refer to APPENDIX A for details).</p>	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	Note that none of the current source TSF’s being reclaimed is available for rehabilitation at this time and will be remediated once reclamation is complete. Final rehabilitation of the reclaimed TSF footprints will be undertaken once reclamation activities are complete and it will be based on a safe, sustainable and agreed land use.
<p>The application for the Kareerand Tailings Storage Facility Expansion Project must not be approved unless evidence can be adduced that the above-mentioned contaminated sites were rehabilitated to an agreed upon sustainable land use in terms of 2014 EIA Regulations (Chapter 5) which directs that the environment must be rehabilitated to “its natural or predetermined state or to a land use which conforms to the generally accepted principle of sustainable development.”</p> <p>Since the closure of a mining operation must incorporate a process which must start at the commencement of the operations and continue throughout the life of the operations, we request that the Applicant provides us with the specific objectives which the Applicant had undertaken in consultation with interested and affected parties, to rehabilitate the above-mentioned degraded and polluted farmland and water sources. Section 28 (1) of the National Environmental Management Act (107 of 1998) (NEMA) directs that “every person</p>	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	<p>Note that none of the current source TSF’s being reclaimed is available for rehabilitation at this time and will be remediated once reclamation is complete. Final rehabilitation of the reclaimed TSF footprints will be undertaken once reclamation activities are complete and it will be based on a safe, sustainable and agreed land use.</p> <p>The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/</p>

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<p><i>who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures ..to rectify such pollution or degradation of the environment".</i> Measures such as sloping, grassing.re-vegetation, phytoremediation, woodlands, wilderness status, stockpiling for road building material, etc. cannot be regarded as reasonable measures for remediation and are at best measures for interim stabilisation unless it can be demonstrated that the implementation of these measures will facilitate the agreed sustainable future land use.</p>						<p>stockpiles created pursuant to a mining right/mining permit granted under the MPRDA or "an old order right". The term "old order right" was considered in the case of Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd. The court, in this case, confirmed that the term "old order rights" has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered "mining" and persons re-processing or reclaiming these dumps do not require a mining right/mining permit.</p> <p>Through the process of reclamation of existing source TSFs, this load can be eliminated over a period of time and the total load to the environment can be reduced. Theoretically, the total load into the Vaal River as a result of these TSFs can be reduced by 80 to 100% in the long term.</p> <p>The long-term positive impact of reclaiming existing TSFs, in terms of groundwater quality, will exceed the short-term negative impacts</p>
<p>It should furthermore not be overlooked that during reclamation of the historic TSFs there is remobilisation of radioactive material and metal bound cyanides through the reprocessing activities. The impacts of the remobilisation of these contaminants during</p>	Ms	Marianne Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	Noted - This aspect is assessed as part of the current operational groundwater management programmes of the operations.

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<p>the disturbance of the old tailings deposits must be assessed.</p>					<p>The long-term positive impact of reclaiming existing TSFs, in terms of groundwater quality, will exceed the short-term negative impacts. In other words: a short-term influx (1 to 3 years) of seepage can be expected during the hydro mining methods used which will add to some degree to the existing contamination plumes. However, after this short period, the TSF sites will be rehabilitated and NO contaminated seepage will occur thereafter.</p>
<p>IMPACTS OF THE EXPANSION PROJECT ON THE INTEGRATED VAAL RIVER SYSTEM The Draft Scoping Report informs us Option 4/7 was selected as the preferred site for the Kareerand TSF Expansion. Option 4 is leased from the community while Option 7 is located within the 500m buffer zone of the Vaal River (page 23 of the DSR). The Site of Option 4 is a greenfields site. We reiterate that Option 7 is not only a greenfield site but located within the 500m buffer zone of the Vaal River.</p>	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	<p>According to the surface water baseline report, the TSF is located 2 km north of the Vaal River. Consolidation of the tailings within a single site will make management more effective. The movement of tailings to the Kareerand site will remove tailing from facilities closer to the Vaal River. The surface water specialist study was carried out to confirm the impact of the Kareerand TSF expansion on the Vaal River system and other surface water bodies. Option 4 was chosen as the preferred site for the expansion, which is not within the 500 m buffer zone of the Vaal River.</p>
<p>In the assessment of the impacts of the proposed expansion of the Kareerand TSF, the following factors must be considered namely:</p> <ul style="list-style-type: none"> According to the Department of Human settlements, Water and Sanitations River EcoStatus Monitoring Programme State of Rivers' Report (2017-2018) "<i>the Vaal River Management Area (WMA) had no sites in a good (better than C category) condition</i>". 	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	<p>This was considered within the groundwater impact assessment and management/mitigation measures were recommended.</p> <p>It should be noted that the expansion footprint are in line with the DWS requirements.</p> <p>The groundwater interception system was assessed and expanded to</p>

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<ul style="list-style-type: none"> The project involves a Category A Mine in terms of the Department of Water and Sanitation's Mine Water Management Policy since it is acid producing. Category A Mines have a significant adverse impact potential. This is corroborated by the DSR on page 33 which confirms that "<i>elevated TDS and sulphate concentrations were observed within the direct vicinity of the Current Kareerand TSF</i>" and that some boreholes contain elevated manganese, iron, aluminium, etc. The geochemical data and analyses of the current Kareerand suggest that the seepage from the existing unlined TSF falls with a sulphate concentration range of 1500 to 4 000 mg/l, which is significantly elevated and in non-compliance with the resource quality objectives of the Vaal River. The seepage volumes from the current Kareerand TSF according to the DSR (page 34) are in the order of 5000 to 7000 m³/day. 						<p>intercept seepage and returned to the process water circuit. Please refer to the Hydrogeological Assessment in Appendix D13 of the RDEIR.</p>
<p>The associated contribution of acid mine water to the surface and groundwater in the area, as well as downstream on the Vaal River is likely to be considerable as the old tailings within the area are hydraulically mined using high-pressure water cannons.</p>	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	<p>The impact on surface and groundwater pollution for the existing TSF is well known and understood. This additional potential impact was assessed as part of the EIA process, refer to the Hydrogeological and Hydrological Assessment Reports in Appendix D13 and D12, respectively.</p>
<p>The accumulative impact of the reclamation operations, the existing unlined Kareerand TSF and the contribution of the expanded TSF, notwithstanding the fact that it will be lined, on the salinity of the Vaal River may be significant and may exceed the environmental threshold.</p>	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	<p>A Hydrogeological Assessment has been conducted during the EIA phase to investigate the potential (cumulative) impacts of the existing and expansion TSF's (refer to Appendix D13 of the RDEIR).</p>

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<p>In terms of the Reconciliation Strategy for the Integrated Vaal River System (Phases 2 & 3) the following facts must be taken into consideration in the assessment of the long-term impacts of the existing Kareerand TSF and the expanded TSF upon the Vaal River System:</p> <ul style="list-style-type: none"> The water security risks within the Integrated Vaal River System. Please see subjoined graph.  <ul style="list-style-type: none"> Seepage from the existing Tailings Storage Facilities such as the Kareerand TSF will continue to find its way to the Vaal River. The elevated Total Dissolved Solid (TDS) concentrations in and below Vaal Barrage remains to be of concern. Acid Mine Drainage contains the most concentrated salt stream. <p>Furthermore, it is common cause that: TSFs can never be maintained in a completely reducing environment hence the long-term risks of water pollution. While most mines recognise the fact that tailings dams generate acid mine drainage, it is generally and incorrectly assumed that the impact will decrease to acceptable levels when mining operations cease or within 3 to 5 years after mine closure. The assessment of long-</p>	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	<p>A Hydrogeological Assessment was conducted during the EIA phase to investigate the potential impacts of the existing and expansion TSF's. The hydrogeological assessment considered long term impacts for a period in excess of 200 years after closure through the application of a 3-tier approach. The hydrogeological assessment identified key risk areas and suitable groundwater management and mitigation measures. Please refer to the Hydrogeological Assessment in Appendix D13 of the RDEIR.</p>

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<p>term risks from tailings dams can at best be described as subjectively qualitative in nature.</p> <p>In view of the above-mentioned facts the FSE requests that a proper quantitative assessment be conducted to include the long-term risks and the extent of the contamination plumes in the long term since latent impacts may take decades, or even centuries, to manifest themselves.</p>					
<p>Specialist investigations must be done to identify the status of the geohydrological regime, the extent of contamination, preferential pathways and predictions regarding long-term migration, which must advise the mitigation and management options in the EMPRS that specifically deal with the containment/rehabilitation of contaminated groundwater.</p> <ul style="list-style-type: none"> Because of the hydrological interconnections between mines applications for the expansion of TSFs cannot be considered in isolation. This calls for the development of a coherent and integrated closure planning process for the Klerksdorp-Orkney-Stilfontein-Hartebeestfontein (KOSH) area. The secondary source of contaminants that remain in the soil after historic TSFs have been reclaimed must be acknowledged and the impact on surface and groundwater assessed. 	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	Email correspondence	<p>It must be noted that MWS continues to actively participate in the KOSH regional Water Task Team DMRE initiative.</p> <p>A Hydrogeological Assessment was conducted during the EIA phase which investigated the extent of contamination and potential impacts of the existing and expansion TSF's.</p> <p>The hydrogeological assessment considered long term impacts for a period in excess of 200 years after closure through the application of a 3-tier approach.</p> <p>The hydrogeological assessment identified key risk areas and suitable groundwater management and mitigation measures. Please refer to the Hydrogeological Assessment in Appendix D13 of the RDEIR.</p>
<p>FINANCIAL PROVISION</p> <p>In terms of National Environmental Management Act (107/1998): Regulations pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations <i>“an applicant or holder of right or permit must make financial provision for—</i></p> <p><i>(c) remediation and management of latent or residual environmental impacts which may become</i></p>	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	Email correspondence	<p>The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others. Although the definition of “mine”, when used as a</p>

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<p><i>known in future, including the pumping and treatment of polluted or extraneous water.”</i></p> <p>We hereby request that the Applicant in its Final Scoping Report assesses its latent or residual environmental impacts and in its determination of its financial provision consider the following risks:</p> <ul style="list-style-type: none"> • The near certainty of contaminated water, which will require some form of decontamination treatment, decanting from closed underground mines, or from lower-lying interconnected neighbouring mines. • The near certainty of sulphate, chloride, metal and naturally occurring radioactive material (NORM) and technologically enhanced naturally occurring radioactive material (TENORM) contamination of soils and sediments from its existing Kareerand tailings storage facility (TSF), tailings spillages and plant discharges, and the potential for contamination of downstream / downwind soils and sediments. • The potential for salt, sulphate, chloride, metal and NORM contamination of crop soils irrigated with contaminated surface water or contaminated groundwater. • The concomitant loss of genetic/biodiversity and potentially ecosystem goods and services on disturbed, fragmented or polluted properties. • The potential for bioaccumulation of some metals and NORMs by flora and fauna. • The potential for acute and latent toxicity impacts of bioaccumulated pollutants on humans and the potential for radioactivity impacts from NORMs on humans. • The potential for human disease as a result of exposure to windblown dust from the existing and expanded Kareerand TSF and reclamation operations. 					<p>verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/ stockpiles created pursuant to a mining right/mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right / mining permit.</p> <p>As these operations are not considered to be “mining”, they do not fall within the scope of section 24P(1) of the National Environmental Management Act and, as a result, it is not necessary for MWS to put up financial provision. MWS, however, will be required to comply with the terms and conditions of the relevant authorisations and licences and take reasonable measures to prevent pollution and/or environmental degradation from occurring, continuing or recurring.</p>

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						The Scoping Report is not required to provide the impact rating for potential impacts; this was done within the EIA phase. The EIA addressed these issues through the specialist studies which were commissioned. See various appendices of the specialist investigations appended to the DEIR and RDEIR.
<p>DUST In terms of the Draft Scoping Report we are informed that:</p> <ul style="list-style-type: none"> • Only dustfall rates measured near the project site were available for analysis (page 41). • The current air quality in the study area is mostly influenced by farming activities, domestic fires, vehicle exhaust emissions and dust entrained by vehicles. <p>No reference is made to the dust fallout from the existing Kareerand TSF and its risks to human health (respiratory and cardiovascular diseases), the environment, wildlife and water, which is surprising since it is well established in scientific literature that the dust from environmental exposure to tailings particulate matter (PM) through water*, food and inhalation may present a significant risk for wildlife, ecosystems as well as for individuals living around mining areas, especially children, the elderly and individuals with existing health problems. Epidemiologic studies have indicated that living near mining waste is a major risk factor for exposure to metals as a result of dust fallout.</p> <p>* (Stormwater drainage systems, into which windblown dust from adjacent slimes dams is flushed by run-off from sealed surfaces are also likely to constitute a major source of potential water pollution. Based on (conservative) assumptions regarding the affected surface area and average deposition rates of dust from adjacent slimes dams,</p>	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	<p>An air quality assessment was carried out within the EIA phase to investigate the potential impacts of dust generated by the TSF and expansion on the environment and affected communities.</p> <p>The air quality assessment scope of work included to identify and describe the existing air quality of the project area, as well as climatic patterns and features (i.e. the baseline); (refer to Appendix D8 of the RDEIR).</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks from the existing and proposed assessment (refer to Appendix D16 and D17 respectively of the RDEIR).</p>

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<p>it was estimated that approx. 10 tons of (particle-bound) uranium per year are flushed by stormwater into receiving watercourses.) The DSR informs us that:</p> <ul style="list-style-type: none"> • The final height of the existing and expanded facility will be 122 meters. • The current TSF and the proposed expansion will store 837 tons of tailings. <p>The existing Kareerand TSF is the source of significant dust fallout according to testimonies and eyewitness accounts by mining affected communities. It can logically be inferred that the expanded facility will contribute significantly to the existing dust fallout. Research found that fall-out - as deposition or nuisance dust - exceeds a 1000 m distance from the TSF source. Because of the combined height of the existing TSF and expanded Kareerand TSF these distances can be expected to be much further.</p>					
<p>The Applicant and its EAP should, in its assessment, mitigation and management measures, recognise the significant challenges regarding dust management of gold TSFs. Research identified the following challenges:</p> <ul style="list-style-type: none"> • monitoring networks; • monitoring methods; • deposition standards; • financial provisions; • technical skills and capacity; • lack of specific dust management plans within air quality management plans; • limited regulation and enforcement; • limited information and participation of government, • lack of participation of interested and affected parties as well as; • lack of specialists' expertise. <p>It is common cause that dust fallout has a significant impact on human health. A large number of epidemiological studies have been conducted</p>	Ms	Mariette Lieferink	2 Feb 2020	Email correspondence	<p>An air quality assessment has been undertaken as part of the EIA Phase, which includes the results of dust fallout monitoring in the vicinity (refer to Appendix D8 of the RDEIR).</p> <p>In accordance with the National Dust Control Regulations, 2013, AngloGold Ashanti/MWS's dust management plan was approved by the District Municipality to combat fugitive dust in June 2018.</p> <p>The dust management plan addresses the criteria below;</p> <ul style="list-style-type: none"> ○ It identifies all sources of dust; ○ Details the best practicable measures to be undertaken to mitigate dust emissions; ○ Detail an implementation schedule;

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<p>globally over the last two decades and associations between ambient particulate matter and excesses in daily mortality and morbidity were observed. Dust fallout furthermore has significant impacts on eco-systems and results in losses in crop and livestock productivity.</p> <p>In view of the above-mentioned risks, we call for a dust management plan (from the commencement of the Project and not only after the standard is transgressed) and not merely a dust monitoring plan.</p> <p>The 2019 proposed amendments to the 2013 National Dust Control Regulations require the use of windshields, tailored to allow for tolerance ranges for the bucket diameter (150mm ± 30mm); a minimum ratio of depth to diameter (1:2); a height of a sampler above ground (2m±0.2m uncertainty) and the method should allow for both wet and dry sampling (algae control – biocide). We would expect that the Applicant will comply with the above-mentioned requirements.</p> <p>The FSE recommends the establishment of a community forum within Stilfontein/Kareerand area to report on and address exceedances because of the following identified weakness:</p> <ul style="list-style-type: none"> • Reliance on the air quality officer’s action on dust sources • Averaging period of monitoring weakens quick response to short-term episodes/activities • Approach not suitable to deal timeously to complaints (due to the 3 months of submission of a plan required) • Implementation of control measures only after approval. <p>The findings and directives by the South African Human Rights Commission in terms of its Report on the National Hearing of the Underlying Socio-Economic Impacts of Mining Affected Communities to the DMR and the DEA also has relevance, namely:</p> <p><i>“The DMR together with the DEA must jointly report on the measures taken to streamline the control of</i></p>					<ul style="list-style-type: none"> ○ Identifies responsible for implementation; ○ It provides the dust fallout monitoring plan. <p>Additionally, AngloGold Ashanti/MWS actively participates in the Dr KK Industrial Air Quality Interaction Forum. The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of dust and the pathways from the existing and proposed assessment (refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase.</p>

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<p><i>the cumulative air pollution impacts on mining operations. This report must outline the mechanisms that have been put in place for collation, verification and dissemination of information between stakeholders in relation to impacts reported and/or interventions undertaken in relation to air quality.”</i></p> <p>And,</p> <ul style="list-style-type: none"> • <i>“Overall the mining sector is riddled with challenges related to land, housing, water, the environment and the absence of sufficient participation mechanisms and access to information.</i> • <i>“Non-compliance, the failure to monitor compliance, poor enforcement, and a severe lack of coordination amongst especially government stakeholders exacerbate the socio-economic challenges faced by mining-affected communities.</i> • <i>“It is crucial that government ensures that communities are able to participate meaningfully in mining-related activities and influence decisions that detrimentally impact their enjoyment of constitutionally guaranteed rights and general well-being.</i> • <i>“The State must do more to include communities in reporting and monitoring mechanisms.”</i> <p>Of relevance too are the following the fact that the dust contains a wide spectrum of metals, in toxic concentrations as well and radioactive metals. We refer in this regard to the subjoined findings:</p> <ul style="list-style-type: none"> • <i>“The two major airborne risks will be due to airborne radon and windblown dust.</i> • <i>“The major primary pathways by which contamination can enter the environment from a mine site are:</i> <ul style="list-style-type: none"> ○ <i>the airborne pathway, where radon gas and windblown dust disperse outwards from mine sites”.</i> ○ <i>air-quality, with</i> 					

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<p>particular reference to dust pollution from MRAs (including radioactive dust)."</p> <ul style="list-style-type: none"> • <i>"Three main issues relating to MRAs located in Gauteng have been identified, namely:</i> <ul style="list-style-type: none"> ○ <i>"... significant radiation exposure can occur in the surroundings of mining legacies, due to:</i> <ul style="list-style-type: none"> ○ <i>Inhalation of Rn-222 daughter nuclides from radon emissions of desiccated water storage dams and slimes dams.</i> ○ <i>The inhalation of contaminated dust generated by wind erosion from these objects, and</i> ○ <i>The contamination of agricultural crop (pasture, vegetables) by the deposition of radioactive dust particles, which can cause considerable dose contributions via ingestion".</i> 						
<p>RADIOACTIVITY</p> <p>We noticed in the Plan of Study for the EIA that there is reference to a radiation safety assessment (page 58 of the DSR). In this regard, we respond as follows:</p> <p>It is well-established that:</p> <ul style="list-style-type: none"> • <i>"As a consequence of the uraniferous nature of the ore, Witwatersrand tailings and other mining residues often contain significantly elevated concentrations of uranium and its daughter radionuclides, with the decay series of U238 being dominant".</i> • <i>"The gold ores of the Witwatersrand contain appreciable concentrations of uranium and its radioactive progeny. Mining has resulted in the dispersal of radioactive material into the environment via windblown dust, waterborne sediment and the sorption and precipitation of radioactivity from water into sediment bodies."</i> • One of the <i>"major primary pathways by which contamination can enter the environment from a mine site [is]:</i> 	Ms	Mariette Liefferink	Federation for Sustainable Development (FSE)	2 Feb 2020	Email correspondence	<p>A radiological public safety assessment was conducted during the EIA phase (refer to Appendix D17 of the RDEIR) that is consistent with the NNRA and NEA, as well as with NNR requirements and regulations in general (NNR process).</p> <p>The public safety assessment was used as a basis to present the Radiological Public Impact Assessment (refer to Appendix D17 of the RDEIR) in a manner that is consistent with the NEMA and EIA regulations (EIA process).</p>

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<ul style="list-style-type: none"> ○ <i>the airborne pathway, where radon gas and windblown dust disperse outwards from mine sites</i>". • Two of the main issues relating to Mine Residue Areas (MRA) are: <ol style="list-style-type: none"> 1) <i>air-quality, with particular reference to dust pollution from MRAs (including radioactive dust);</i> 2) <i>water-flux and water-quality, ...AMD and the transport of radioactive materials associated with the exposed uranium ore.</i>" 					
<p>In assessing the radiation safety, it is necessary to determine the radiological exposure to the adjacent landowners, communities and occupiers of the land and to assess all exposure pathways, namely:</p> <ul style="list-style-type: none"> • Direct external gamma radiation. This is usually determined by: <ul style="list-style-type: none"> ○ Performing a gamma survey using a sodium iodide detector on a grid over the proposed study area measuring the radium-226 (Ra-226), radium-228 (Ra-228) and potassium-40 concentrations in the soil. This should consist of a stationary as well as continuous in-situ survey. ○ Performing a dose rate survey at contact and 2 meter distance. • Internal radiation through the inhalation and ingestion pathways – this is usually determined through the taking of soil and tailings samples for radiochemical analyses at an accredited laboratory. • Exposure of radon. This should have been done by placing radon gas monitors at a number of representative positions (indoors and outdoors) around the community, landowners and occupiers of the land. • A background reference site should have been chosen in the vicinity of the potentially affected parties but in an undisturbed zone. The information obtained should have been used to compare with the results obtained from the 	Ms	Mariette Liefferink	2 Feb 2020	Email correspondence	<p>A radiological public safety assessment was conducted during the EIA phase that assessed the exposure of humans through the different pathways (refer to Appendix D17 of the RDEIR) that is consistent with the NNRA and NEA, as well as with NNR requirements and regulations in general (NNR process) .</p> <p>The public safety assessment was used as a basis to present the Radiological Public Impact Assessment in a manner that is consistent with the NEMA and EIA regulations (EIA process).</p>

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<p>community, landowner and occupier of the land.</p> <p>Furthermore, it is well established that the health risk posed by uranium is due to both radiotoxicity and the chemical toxicity of uranium. The chemical toxicity of the metal constitutes the primary environmental health hazard, with the radioactivity of uranium a secondary concern. The non-radiological health consequences from uranium exposure particularly with respect to kidney disease, are thoroughly documented and the long half-life (4.5 billion years) results in a low potential for radiation-induced cancer from uranium than from other decay products with much shorter half-lives including - thorium-230 - 70,000yrs, radium, 1,260 yrs., radon-222 - 3.8 days and four radon decay products decays within less than 1/2 hour of a radon decay.</p> <p>The update of the toxicologic evidence²³ on uranium adds to the established findings regarding nephrotoxicity, genotoxicity, and developmental defects. Additional novel toxicologic findings, including some at the molecular level, are now emerging that raise the biological plausibility of adverse effects on the brain, on reproduction, including estrogenic effects, on gene expression, and on uranium metabolism. As much damage is irreversible, and possibly cumulative, present efforts must be vigorous to limit environmental uranium contamination and exposure.</p> <p>It is therefore logical that the risk of both radioactive and chemical contamination be assessed, and management measures proposed to address these risks.</p> <p>In view of the above-mentioned facts, the FSE calls for a fully quantitative assessment of risk to the health of the adjacent communities as a result of the reclamation operations and the cumulative impacts from the existing Kareerand TSF and the proposed expansion.</p> <p>We furthermore call for a consideration of the National Nuclear Regulator's (NNR) position paper</p>					

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<p>on the “<i>Remediation Requirements and Criteria for the remediation of land contaminated with radioactive material</i>” (PP0018) (September 2015) (attached) and the NNR’s “<i>Plan for remediation of Contaminated Sites</i>” (PLN-SARA-15-012) in addressing the radiological risks (residual radioactivity) associated with the footprints of the reclaimed TSFs.</p>					
<p>ECOLOGY AND WETLANDS We request that the assessment of the project on the ecology and wetlands involves an assessment of the full hydrological cycle since the influence of seasonality on the detection of flora and fauna, and evaluation of biodiversity, ecosystem goods and services is well recognised worldwide.</p>	Ms	Marianne Liefferink	Federation for Sustainable Development (FSE) 2 Feb 2020	Email correspondence	These factors were considered in the Ecological and Wetland studies during the EIA Phase, refer to Appendix D1 – D6 of the RDEIR for the detailed studies.
<p>SENSE OF PLACE Since there are numerous nature reserves, national parks and potential tourism points of interests in the vicinity of the proposed TSF expansion (please refer to page 51 of the DSR) we request that the impacts (aesthetic and economic) on the sense of place be assessed based on the Guideline Document by Adv. Duard Barnard and the legal precedent which was established in the case of Director: Mineral Development Gauteng Region and another v. Save the Vaal Environment and others 1999 (2) SA 709 (SCA) at 715C namely that constant noise, light, dust and water pollution resulting from mining activities may totally destroy the sense of place and the associated spiritual, aesthetic and therapeutic qualities associated with nature reserves, national parks and tourism attractions.</p>	Ms	Marianne Liefferink	Federation for Sustainable Development (FSE) 2 Feb 2020	Email correspondence	A viewshed analysis and visual impact assessment, which considers sense-of-place, was undertaken in the EIA Phase (refer to Appendix D15 of the RDEIR). Furthermore, the air quality and noise studies include a modelled plume of impact on surrounding receptors and land uses (refer to Appendix D8 and D9 of the RDEIR, respectively).
<p>REQUIREMENTS IN TERMS OF THE AMENDED MRDA REGULATIONS On page 47 of the DSR we are informed that Khuma’s population totalled 45 895 individuals, which totals approximately 10% of the total municipal population. We hereby request that the Applicant in terms of the Amended MRDA Regulations consult with mining affected communities on the Social and</p>	Ms	Marianne Liefferink	Federation for Sustainable Development (FSE) 2 Feb 2020	Email correspondence	The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others. Although

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<p>Labour Plan (SLR) and thereafter publish the approved SLP in English and one other dominant official language commonly used within the mine community using the following avenues:</p> <p>(i) Company website/s, local newspaper/s;</p> <p>(ii) Hard copies of the approved Social and Labour Plan to be placed in local libraries, municipal offices, traditional authority offices, company /mine offices; and</p> <p>(iii) Announcements may be made, where feasible, in local radio stations and relevant news outlets about the availability and content of the approved Social and Labour Plan.</p> <p>We furthermore request that a review of the SLP must be done in consultation with affected mine communities and adjacent communities in terms of the above Regulations.</p> <p>Of relevance too in this regard are the directives of the SAHRC's pertaining to SLPs pursuant to its National Hearings on the Underlying Socio-Economic Impacts of Mining Affected Communities in South Africa. Please see attached Report (report is available from GCS on request due to its size).</p>					<p>the definition of "mine", when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/ stockpiles created pursuant to a mining right / mining permit granted under the MPRDA or "an old order right". The term "old order right" was considered in the case of Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd. The court, in this case, confirmed that the term "old order rights" has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered "mining" and persons re-processing or reclaiming these dumps do not require a mining right/mining permit therefore no SLP as prescribed by the MPRDA is required.</p>
<p><i>The submission of the Matlosana Community Economic Rights and Development NPC, 3 Feb 2020, is appended (APPENDIX B). A summary of the submission is included below – please refer to the appendix for the detailed submission.</i></p>					
<p>South African legislation requires that mine residue deposits (MRDs, tailings storage facilities, tailings deposits, or slime dams) be managed over their entire lifecycle by appropriately qualified persons, often Professional Engineers, so that they do not pose unreasonable risk to the public and the environment.</p>		<p>Community - Rep: Mr. V M Motloun Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>03 Feb 2020</p>	<p>Email correspondence</p>	<p>Noted.</p>

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<p>In terms of Sections 10 of MPRDA, 2002 (Act No 28 of 2002) environmental impact assessment regulations - before a mining company of (MWS) CHEMWES (Pty) Ltd can commence with its mining operations it must tell the DMR what impact mining will have on the environmental and on affected communities and interested parties.</p> <p>The Constitution gives everyone the right to just administrative action. This means that when decisions are made by the government, those decisions must be fair and properly taken. One of the ways to try and ensure that decisions are fair is to give everyone with an interest in the decision an opportunity to have their say and to have their concerns about the decision heard and taken into consideration. Both government and mining companies must consult with communities and individuals affected by any decision to allow mining. However, people cannot be properly consulted without having enough information about the mining, how it will happen, and what its impacts will be.</p>		<p>Community - Rep: Mr. V M Motloung Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>Matlosana Community Economic Rights and Development NPC</p>	<p>03 Feb 2020</p>	<p>Email correspondence</p>	<p>The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of De Beers Consolidated Mines Ltd v Ataqu Mining (Pty) Ltd and Others. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/ stockpiles created pursuant to a mining right/mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right/mining permit.</p> <p>This application is submitted under the NEMA and NEMWA.</p> <p>In terms of NEMA and NEWMA, public participation has been carried out in terms of Chapter 6 of the EIA</p>

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					Regulations 2014. Baseline assessments have been carried out to investigate the receiving environment, as is required under the relevant legislation.
<p>The mining company (MWS) CHEMWES (Pty) Ltd must first look at what the environment looked like before this mine tailing dump expansions starts and describe how the environment will change once mine expansions operation begins, (MWS) CHEMWES (Pty) Ltd must also look at how it can protect the environment and reduce impact on his mining operation. It must be done through an Environmental Impact Assessment (EIA), because air pollution is the contamination of the air by harmful gasses and particulates (dust) at concentrations that are higher than natural background levels. Different groups of individuals are affected by air pollution in different ways depending on our level of sensitivity. Continual exposure to air pollution affects the lungs of growing children and may aggravate or complicate medical conditions in the elderly.</p>		<p>Community - Rep: Mr. V M Motloun Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>03 Feb 2020</p>	<p>Email correspondence</p>	<p>The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of <i>De Beers Consolidated Mines Ltd v Ataqu Mining (Pty) Ltd and Others</i>. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/stockpiles created pursuant to a mining right/mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of <i>Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd</i>. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004. As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of the these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right / mining permit. This was addressed through the EIA process. An Air Quality Assessment is included in the RDEIR (refer to Appendix D8 of the RDEIR).</p>

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					It is anticipated that removing and consolidating all the tailings in the KOSH (Klerksdorp, Orkney, Stilfontein and Hartebeestfontein) area on a single mega-tailings storage facility will in the long term, positively impact the surrounding environment and Vaal River.
<p>The environment extends from our everyday surroundings to our whole beautiful country. South Africa's rivers and wetlands, its mountains and plains, its estuaries and oceans, its magnificent coastline and landscapes all contain an exceptionally rich and varied array of life forms. In fact, our country ranks as the third most biologically diverse country in the world and is the only country to have an entire plant kingdom within its national boundaries.</p> <p>In terms of the number of mammals, bird, reptile and amphibian species which occur only in this country, South Africa is the 24th richest country in the world, and the 5th richest in Africa. Being bordered by three water masses (the cold Benguela current, the warm Agulhas current and oceanic water) makes our seas some of the most diverse in the world.</p> <p>We request GCS Water & Environment Consultants/ (MWS) CHEMWES (Pty) Ltd to provide the following information via email or postal address provided.</p> <ol style="list-style-type: none"> A copy of the prospecting right or mining right application A copy of the water use license application A copy of the environmental authorization application Any social impact assessment A Copy of social labour plan A Copy of community ownership A copy of BBBEE or shareholding A copy of Procurement plan A copy of SMME Development plan 		<p>Community - Rep: Mr. V M Motloun Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	03 Feb 2020	Email correspondence	<ol style="list-style-type: none"> N/A as the activity being undertaken does not constitute mining, therefore MPRDA does not apply. MWS/Chemwes holds a valid water use license. The TSF Expansion project's PPP for the WULA will be initiated shortly. MWS/Chemwes holds a valid environmental authorisation. The Environmental Authorisation application for the Expansion Project is underway, I&APs are provided with all relevant documents. The application form was submitted for public review with the Draft Scoping Report. SIA was provided in EIA Phase (refer to Appendix D14 of the RDEIR). N/A as the activity being undertaken does not constitute mining, therefore MPRDA does not apply and an SLP is not required by law. N/A - Land in the project scope is owned by AGA/MWS

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<p>j. A copy Community social fund k. A copy of joint venture or community trust l. A copy of shareholdings made by Chemwes (Pty) (Ltd) m. All scientific reports that the (MWS) CHEMWES (Pty) Ltd may have that show what the impacts of mining will be.</p>					<p>g. N/A to this process, but can be obtained from the MWS via PAIA h. N/A to this process, but can be obtained from MWS via PAIA i. N/A to this process, but can be obtained from MWS via PAIA j. N/A to this process, but can be obtained from MWS via PAIA k. N/A to this process, but can be obtained from MWS via PAIA l. N/A to this process, but can be obtained from MWS via PAIA m. There is no mining included within this application. The specialist and impact reports were provided for public review during the EIA phase for the reclamation and deposition activities. The DEIR was available from 14 August to 14 September 2020.</p>
<p>EIAs are required in terms of the national environmental managements Act 107 of 1998 (NEMA) for certain activities listed in the Act, EIAs must evaluate the possible environmental impact of proposed project, taking into account inter-related socio-economic, cultural and human-health impact, and as required in terms section 10 (1) (b), 22 (4) (b), 27 (5) (b) and 39 of the mineral and petroleum resources development act (28 of 2002) to consult with the affected and interested parties continuously. If this project will impact on cultural and heritage site an environmental assessment in terms of the National Heritage Resources Act 25 of 1999, (NHRA s38) is required.</p>		<p>Community - Rep: Mr. V M Motloug Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>03 Feb 2020</p>	<p>Email correspondence</p>	<p>This application is submitted under the NEMA and NEMWA. The EIA was therefore carried out in terms of the NEMA and NEMWA, including relevant specialist studies. This is a reclamation and deposition activity and not a mining activity. Therefore, the MPRDA does not apply.</p>
<p>Water use license (WUL) or authorization; it is required in terms of the National Water Act 36 of 1998 (NWA s39-40), this mining company must have a WUL from the department of Water Affairs</p>		<p>Community - Rep: Mr. V M Motloug</p>	<p>03 Feb 2020</p>	<p>Email correspondence</p>	<p>MWS/Chemwes holds a valid water use licence for the current operations. An application for a water use licence for</p>

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and Sanitation in order to regulate and minimize the detrimental impact of this mine activities on the water resources.		Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe	Rights and Development NPC			several water uses was submitted to the Department of Water and Sanitation. Stakeholders were notified of the process of application and were invited to participate.
In terms of Chapter 5 of the National Environmental Management Act, 1998 (NEMA) it is our interests as local community and important that this mining company "MUST" comply with Regulation 73 of MPRDA dust management of stockpiles residue and residue deposits from a prospecting, mining, exploration, sections 10(1) (b), 16(4) (b), 22(4) (b), 27(5) (b) and 39 of the MPRDA 28 of 2002 requires government and the mining company must facilitate on going broader public participation or consultations with the affected and interested communities in terms section 24(4) (a) (9v).		Community - Rep: Mr. V M Motloung Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe	Matlosana Community Economic Rights and Development NPC	03 Feb 2020	Email correspondence	Although MWS is not a mining company and is not undertaking mining activities, there is an on-going community engagement programme or forum or complaints mechanism in which members of the community can report dust impacts or concerns.
I write this letter to you requesting the following documents for comment 1. Original and copies (Scoping Report/ EMP/BAR/EIA 2. Closure agreement 3. Memorandum Agreement 4. Itemisation as required in terms of Section 24 P(3) of NEMA 5. Letter from the Bank: Financial Provision 6. Bank guarantee 7. Public consultation and Public Participation Report.	Mr	Pule Mokoteli and Gabriel Mashaba	Khuma Location	02 Feb 2020	Email correspondence	An email was sent to both stakeholders on 2 Feb 2020 and it stated the following: "Copies of the Draft Scoping Report (DSR) are available as per the public place locations advertised. Included in the DSR is also more information in terms of the consultation which has taken place thus far and which is planned for the rest of the process which is still to unfold. An electronic copy of the DSR can be downloaded from the GCS website: http://www.gcs-sa.biz/documents . At this stage in the application process the DSR is the only document that has been compiled thus far, therefore the subsequent documents, e.g. EIA Report will only be made available at a later stage - after the approval of the DSR.

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						<p>The Background Information Document explains the legal context of the application for the proposed extension of Kareerand. The application is brought under NEMA.”</p> <p>In terms of your requests for the other items – please, note:</p> <ul style="list-style-type: none"> ○ Closure agreement - not relevant to this application ○ Memorandum Agreement - please provide more details of what you are referring to ○ As these operations are not considered to be “mining”, they do not fall within the scope of section 24P(1) of the National Environmental Management Act and, as a result, it is not necessary for MWS to put up financial provision. MWS, however, will be required to comply with the terms and conditions of the relevant authorisations and licences and take reasonable measures to prevent pollution and / or environmental degradation from occurring, continuing or recurring. Letter from the Bank: Financial Provision - not relevant ○ Bank guarantee - not relevant
<p>The FSE is not opposed to the reclamation activities as such, but only opposed to the incorrect or insufficient rehabilitation of the old TSFs that are being reclaimed. The FSE is concerned about the contaminant plumes from the current unlined TSF. Complaints have been received from neighbouring farmers regarding the dust pollution. Will the</p>	Ms	Marianne Liefferink	FSE	04 Feb 2020	Telephonic contribution	<p>A Hydrogeological Assessment was conducted during the EIA phase which investigated the potential impacts of the existing and expansion TSF's (refer to Appedix D13 of the RDEIR).</p>

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financial provision be adequate to deal with the latent and residual effects of the TSFs in future.						The potential impact of dust were addressed through the EIA. An Air Quality Assessment was included in the EIA (refer to Appendix D8 of the RDEIR). MPRDA is not relevant therefore no financial provisioning is required by law.
The hall in which this public meeting is held, is too small for the community of Khuma. Have invitations only been sent to community leaders? We are now being squeezed into this hall without having been accommodated.	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	The announcement of the public meeting was done using different platforms; newspaper adverts, notification emails, notification text messages and through the engagement of local leaders in the aim to reach all interested and affected parties (IAPs). The process leading to this public meeting was open to all IAPs and further announced using different platforms as aforementioned.
My concern is the lack of the Draft Scoping Report (DSR) availability which were made from the 24 th of Jan 2020 to adequately equip us for the public meeting. Furthermore, my challenge was how the whole of Khuma community can be subjected to reviewing a single report.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	A follow-up was made directly with Khuma Library expressing the requirement for the report to be made available and the expectations thereof. Proof of the delivery of reports to Khuma Library and all the other public places as were advertised is included as Appendix I of the FSR. Copies of CDs of the DSR were made available at the public meeting for I&APs to take. The address where copies can be electronically downloaded was again communicated. An electronic copy of the DSR can be downloaded from the GCS website: http://www.gcs-sa.biz/documents .
Khuma is located one (1) km from the current Kareerand Operations but we fail to understand why the public meeting is held in Stilfontein.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	The objective of holding a public meeting at Stilfontein was to present to all I&APs the opportunity to attend a meeting at a centrally located venue. The authorisation application scope includes the construction of additional

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						infrastructure and pump stations across the entire Vaal River Operations also located in proximity of i.e. Khuma, Stilfontein, Orkney, Vaal Reefs. Therefore, Stilfontein was regarded to be a centrally located venue.
This public meeting cannot be seen as yet another tick of the box exercise. We require that due processes be followed.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	Due process with regards to the requirements as per NEMA is followed. I&APs can comment in various ways, of which to attend a meeting is one of the ways in which to communicate.
AngloGold Ashanti (AGA) spent millions on purchasing the adjacent farm property but cannot spend anything on Khuma community as the directly affected parties.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	Comments are noted.
As South African citizens, we fully understand our rights and procedural measures that are fair. We are not happy with the operations at Kareerand and associated risks thereof. GCS has indicated that they are here as independent Environmental Assessment Practitioners (EAPs) and consultants, however, the independence is questioned considering that AGA are the very people responsible for paying the work conducted and to be conducted. We are simply tired of AGA with their ways of destroying our environment and further using our own black brothers.	Mr	Olebogeng Matebesi	ANC, RET Forum and Khuma Community	05 Feb 2020	Public Meeting	Comments are noted. The independent EAP is contracted to provide a service, regardless of the outcome of the process.
How can the public be invited for comments for a proposed expansion without addressing the real issues attached to the current operation?	Mr	Olebogeng Matebesi	ANC, RET Forum and Khuma Community	05 Feb 2020	Public Meeting	As per the requirements of NEMA, stakeholders have the right to participate in the process for a new application. Alternative forums are available to address issues associated with the current operations.
We proposed that AGA hold a public meeting in Khuma community before the 24 th of Feb 2020 or we will go directly to the Department of Mineral Resources to stop the operations and not allow the proposed expansion to suffice.	Mr	Olebogeng Matebesi	ANC, RET Forum and Khuma Community	05 Feb 2020	Public Meeting	Noted. In terms of NEMA and NEWMA, public participation has been carried out in terms of Chapter 6 of the EIA Regulations 2014.

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We are going to stop the current operation and the proposed development. The only way we can avoid this is by holding a public meeting in Khuma before the 24 th of Feb 2020.	Mr	Olebogeng Matebesi and M.D. Phatsoane	Khuma Community	05 Feb 2020	Public Meeting	Noted. In terms of NEMA and NEWMA, public participation has been carried out in terms of Chapter 6 of the EIA Regulations 2014.
I understand that several newspaper adverts were published, but how can it be expected that people will buy newspapers if they cannot afford bread?	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	Advertisements published were not the only way of communication employed to make stakeholders aware of the review of the DSR. Emails were sent, SMS messages were sent, and site notices were placed (Klerksdorp and Stilfontein Libraries, Khuma Clinic, in and around the TSF) in addition to the advertisements published.
It is important to know that there is little or no communication between community members and leaders.	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	Noted.
Before we proceed onto the second phase (expansion), let us discuss phase one (1), the health biodiversity and socio-economic dynamics. Where are the environmental reports for Phase one (1)?	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	Regarding the current operations (phase 1 refers), MWS/Chemwes holds all the required authorisation to conduct its business. Due process with regards to the authorisation was followed and concluded in 2008/9.
There must be thorough consultation in a big hall where all of Khuma can attend for discussions.	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	Noted. In terms of NEMA and NEWMA, public participation has been carried out in terms of Chapter 6 of the EIA Regulations 2014.
The operation needs to be stopped, look at the money from 15 tailings as a result of the extracted gold and uranium. The dumping and negative effects are received by Khuma community members.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	Noted.
We need to highlight that seven (7) people died (during 2017 with the occurrence of cyclone Dineo) but we as the community do not benefit from the operations and are always left impacted.	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	Noted.
We are simply being exploited.	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	Noted.

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This consultation is seen as AGA or GCS doing the public a favour. It should not be like that. This meeting must be taken to the community or we stop the operation.	Mr	Lawrence Shilenge	EFF	05 Feb 2020	Public Meeting	The EIA process as per NEMA is being followed. Public participation is part of the EIA process and the opportunity for stakeholders to comment is available in various respects, e.g. stakeholder can attend the public meetings, provide written or verbal comment.
How will the close-out of the current operations affect us? The indication of the current operations closing in 2024 is a psychological game that we wish not to take part in.	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	The potential social aspects of the project were evaluated during the EIA phase (refer to Appendix D14 of the RDEIR).
If you came to Khuma and smell the air in which we live in, the air quality is bad. It is clear that there is no environmental impact assessment and it is not being managed properly and seemingly done with care. The issues are related to the EIA, is there mitigation? Ecological concerns associated with local plantation. Khuma community members are poor, however our resources are being extracted and yet we see no benefit and furthermore, the extraction is affecting our livelihood.	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	An Air Quality Assessment has been undertaken in EIA Phase to assess the potential effect of dust on local receptors identified by the specialist (refer to Appendix D8 of the RDEIR).
It is clear that the representatives present are acting as salespersons for AGA. Profit being made and proposed to be made is protected but what are the underlying precautions that will be followed?	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	The EIR has listed all potential impacts and proposed management and mitigation measures required, refer to Section 11 and 10 of the RDEIR.
AGA has not presented us with any community contributions. They are good at talking, making promises but they spend money whilst they owe us.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	Noted.
Can we end this meeting and set up a date for another at a different location where all IAPs will be present? I propose that this be done through the Office of the Speaker and the agenda is to be developed by the consultants the same way this public meeting was coordinated.		Unknown participant		05 Feb 2020	Public Meeting	The public meetings were advertised through various means and stakeholders had the opportunity to comment through various means on the Draft Scoping Report until 24 Feb 2020.
I have noted all points being discussed but still have uncertainty on which actions will be taken to go to the public.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Information in terms of the intended project's description, motivation and the process followed for environmental authorisation was communicated through the Background Information Document, advertisements and the

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						Draft Scoping Report. This information was available to all stakeholders. Further information, e.g. specialist assessments will be communicated in the next phases.
You must note that the chemicals being released are affecting us and our health. This is an indication that you do not care about our lives.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Air Quality, Noise, Water and Radiation Safety Assessments have been carried out and were presented during the EIA Phase, which included potential impacts of dust and particulate matter on identified receptors (refer to Appendix D8, D9, D12, D13 and D17 of the RDEIR, respectively).
Our plants are not growing – they are dying because of the TSF.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Specialist assessments have been carried out and results were presented in the EIA Phase, which included potential ecological impacts. (refer to Appendix D to the RDEIR for the various assessments). The process that was followed was to look at receptors and pathways potentially involved and then based on this public exposure conditions were determined. In the case of dispersion of dust, it was determined that most of the plumes are towards the south where there is more commercial/farming communities than residential. The specialists concluded that based on scientific evidence, the Khuma community is not severely impacted.
We worry for our kids and their health.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Specialist assessments have been carried out and results were presented in the EIA Phase, which included potential health impacts (refer to Appendix D16 and D17 of the RDEIR).
Our water is not nice, and the quality is poor.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Water quality assessments have been carried out and results were presented during the EIA Phase, which included potential water impacts (refer to Appendix D12 and D13 of the RDEIR).

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Khuma is a poor community, we have a mine within close range but are still living in poor conditions.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	The potential social aspects of the project were evaluated during the EIA phase. (refer to Appendix D14 of the RDEIR).
Why is the meeting held in Stilfontein and not Khuma. Come talk to us in our community.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	In terms of NEMA and NEWMA, public participation has been carried out in terms of Chapter 6 of the EIA Regulations 2014. The authorisation application scope includes the construction of additional infrastructure and pump stations across the entire Vaal River Operations also located in proximity of i.e. Khuma, Stilfontein, Orkney, Vaal Reefs. Therefore, Stilfontein was regarded to be a centrally located venue.
Potchefstroom has walls as a prevention measure to manage any associated impacts, AGA needs to apply the same principle and build walls around the TSF.	Ms	Puleng Silvia Nkash	Khuma Community	05 Feb 2020	Public Meeting	Specialist studies have been carried out and provide scientifically based mitigation measures which have been recommended to reduce and manage impacts. (refer to Appendix D of the RDEIR)
We want a meeting where the Department of Minerals and Energy (DME), Department of Environmental, Forestry and Fisheries (DEFF), Municipality and the Director of AGA are all present.	Mr	M.D. Phatsoane	EFF Chairperson and Khuma Community	05 Feb 2020	Public Meeting	Authorities are invited to public meetings, which is a means of sharing information. Meetings are attended voluntarily. Questions and comments to the organisations mentioned can be lodged through the EIA's public participation process.
AGA hired consultants for this proposed expansion, why can they not hire consultants for our community?	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	According to S13 of the NEMA EIA Regulations (GN R982): General requirements for EAPs and specialists (1) An EAP and a specialist, appointed in terms of regulation 12(1) or 12(2), must— (a) be independent; (b) have expertise in conducting environmental impact assessments or undertaking specialist work as required, including knowledge of the Act, these

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						<p>Regulations and any guidelines that have relevance to the proposed activity;</p> <p>(c) ensure compliance with these Regulations;</p> <p>(d) perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application;</p> <p>(e) take into account, to the extent possible, the matters referred to in regulation 18 when preparing the application and any report, plan or document relating to the application; and</p> <p>(f) disclose to the proponent or applicant, registered interested and affected parties and the competent authority all material information in the possession of the EAP and, where applicable, the specialist, that reasonably has or may have the potential of influencing—</p> <p>(i) any decision to be taken with respect to the application by the competent authority in terms of these Regulations; or</p> <p>(ii) the objectivity of any report, plan or document to be prepared by the EAP or specialist, in terms of these Regulations for submission to the competent authority;</p> <p>unless access to that information is protected by law, in which case it must be indicated that such protected information exists and is only provided to the competent authority.</p> <p>The appointment of consultants and specialist was done through the company's tender process.</p>

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The proposed agenda is to be managed by AGA but must include environmental and health impacts. In addition, send a consultant to fix our current problems.	Mr	Mxolisi Manju	Khuma Concern Resident	05 Feb 2020	Public Meeting	Specialist Assessments have been carried out and results were presented during the EIA Phase, which included potential impacts. (refer to Appendix D of the RDEIR) Alternative forums are available to address issues associated with the current operations.
If and when the operations close down is not our problem. Do not play the psychological games. As for SMME's and what AGA claims to be doing with them – it is a lie.	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	Noted.
Before the expansion can take place, discussions need to be around the first dam and address all the existing concerns.	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	Regarding the current operations (phase 1 refers), MWS/Chemwes holds all the required authorisations to conduct its current business. Due process with regards to the authorisation was followed and concluded in 2008/9.
We want DME, Municipality and Department of Human Settlements, Water and Sanitation (DHWS) to be present at the next meeting.	Mr	William Molapo	Khuma Community	05 Feb 2020	Public Meeting	Authorities are invited to public meetings, which is a means of sharing information. Meetings are attended voluntarily. Questions and comments to the organisations mentioned can be lodged through the EIA's public participation process.
We exercise things as we know the law, in terms of Section 33 of the Constitution, every person has the right lawful, procedural fair and have a problem with this process/procedure as AGA did not follow everything and now want to address all the underlying issues.	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	The public participation process is being undertaken according to the requirements of the NEMA. MWS/Chemwes holds all the required authorisations to conduct its current business.
We want to review the EIA, EMP, Air Quality reports for the existing TSF.	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	Documents are available on the GCS website. The website address was provided in SMS communication, advertisements and all notifications.
We must review the Mineral and Petroleum Resources Development Act (MPRDA), 2002 (Act No. 28 of 2002) and see to it to assess what the benefit of the community must be and we require research associated with the common occurrence	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	The social and health aspects of the project were evaluated during the EIA phase. (refer to Appendix D14 and D16 of the RDEIR).

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of tuberculosis with its cause from the AGA unlawful practices.						MPRDA is not relevant as no mining is taking place. NEMA and NEMWA are overarching laws to be adhered to.
Unlucky that we are the ones that suffer.	Mr	Olebogeng Matebesi	Khuma Community	05 Feb 2020	Public Meeting	Noted.
We need a hospital / clinic.	Ms	Puleng Nkash Silvia	Khuma Community	05 Feb 2020	Public Meeting	Noted.
The only issue is the health of the community.	Ms	Nonyamezelo Mtsutsa	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	A Human Health Risk And Impact Assessment was conducted during the EIA phase (refer to Appendix D16 of the RDEIR).
We are concerned about unemployment of people in Khuma. For employment opportunities, make the Khuma community a priority. The people of Khuma should as a priority benefit from the proposed project.	Ms	Nonyamezelo Mtsutsa	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	As this is an expansion, very few new jobs will be created, but existing jobs will be extended past 2024.
The community has to be consulted first for any input they might have with regards to the proposed project.	Mr	Puleng Nkash	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	All interested and affected communities were provided with the opportunity to participate in the EIA through the public participation process. The EIA process is the process through which MWS applies for environmental authorisation. Communities were involved upfront as part of the EIA process.
Air pollution caused by chemicals from the TSF is a serious concern. The TSF is a health hazard to the environment of Khuma. In the event of a serious spill the people in Ext 7 will be mostly affected, followed by the rest of the Khuma community. While the TSF is extended, can something be done to prevent such dangers? Can a wall be constructed between the TSF and the Khuma community?	Mr	Puleng Nkash	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	An Air Quality Assessment has been undertaken as part of the EIA Phase, which addressed the impact of dust and particulate matter on identified local receptors (refer to Appendix D8 of the RDEIR). The EIR lists all the potential impacts and propose management and mitigation measures required, which has been incorporated into the EMPr included as Appendix F of the RDEIR. An independent APP is appointed under the NWA and the TSF managed through Best Practices and Industry Standards (SANS10268 - Mine

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						Residue, International Commission on large Dams (ICOLD) and Global Industry Standard on Tailings Management.
The Khuma community should benefit either through employment, building of roads, building of training centres for young and old people.	Mr	Puleng Nkash	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	The potential social aspects of the project has been evaluated during the EIA phase. (refer to Appendix D14 of the RDEIR).
Community consultation is needed for inputs regarding the proposed project expansion of Kareerand TSF.	Mr	Christoff Nkashe	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	Any interested and affected party can provide their inputs at the different phases in the EIA process towards the application for the expansion of the Kareerand TSF. Inputs were invited in writing, by attending the public meeting or telephonically.
The proposed expansion will be a health hazard to Khuma residents, especially those living in Ext 7. Health check-up for residents is important. Perhaps a wall or ridge has to be constructed between Khuma Ext 7 and the TSF.	Mr	Christoff Nkashe	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	An Air Quality Assessment was undertaken as part of the EIA Phase, which addressed the impact of dust and particulate matter on identified local receptors (refer to Appendix D8 of the RDEIR). Additionally, a Human Health Risk and Impact Assessment was conducted during the EIA phase (refer to Appendix D16 of the RDEIR). The EIR further lists the potential impacts and propose management and mitigation measures required. which has been included in the EMPr included as Appendix F of the RDEIR. In the case of dispersion of dust, it was determined that most of the plumes are towards the south where there are more commercial/farming communities than residential. The specialists concluded that based on scientific evidence, the Khuma community is not severely impacted. An independent APP is appointed under the NWA and the TSF managed through Best Practices and Industry Standards (SANS10268 - Mine Residue, International Commission on

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						large Dams (ICOLD) and Global Industry Standard on Tailings Management.
The proposed development is important to the Khuma society as we would like tar roads, libraries for school children of Ext 5 and 7. We would like a training centre to be built for the unemployed (including youth and elders) as well as an old age home for the elders and disabled. We would like security against vandalism of properties.	Mr	Christoff Nkashe	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	The potential social aspects of the project were evaluated during the EIA phase (refer to Appendix D14 of the RDEIR).
The Khuma community should receive preference / priority when it comes to employment, especially certain sections of the Kuma town.	Mr	Christoff Nkashe	Khuma community (Ext 7)	05 Feb 2020	Comment Sheet	Noted. The proposed expansion will extend the life of the TSF operations and it is not anticipated that additional job opportunities will be generated beyond the construction phase. It is the company's policy to give employment preference to the local community.
The waste on the TSF is compromising our health.		Kefilwe Segomoco, Bonolo Segomoco, Kgothatso Moepadira, Siphokazi Jobela, Kgomotso Manoto, Meita Molekane, Elizabeth Molekane, Gloria Dineo Monoto	Khuma community (Ext 7)	05 Feb 2020	Comment Sheets	Specialist Assessments have been undertaken as part of the EIA Phase, which addressed the impact of dust and particulate matter on identified local receptors (refer to the Air Quality Assessment in Appendix D8 and the Human Health Risk and Impact Assessment in Appendix D17 to the RDEIR). The EIR further lists the potential impacts and propose management and mitigation measures required which has been included in the EMPr included as Appendix F of the RDEIR
As the closest community to the TSF, we believe that we should benefit from the project.		Kefilwe Segomoco, Bonolo Segomoco, Kgothatso Moepadira, Siphokazi Jobela,	Khuma community (Ext 7)	05 Feb 2020	Comment Sheets	Noted. The proposed expansion will extend the life of the TSF operations and it is not anticipated that additional job opportunities will be generated beyond the construction phase. It is the company's policy to give employment preference to the local community.

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		Kgomotso Manoto, Meita Molekane, Elizabeth Molekane, Gloria Dineo Monoto				
<p>The proposed expansion of the TSF near Khuma is a health and an environmental hazard.</p> <p>I request the CV of the Environmental practitioner along with the EIA.</p> <p>The TSF is near the Khuma community and its expansion is a danger to the lives of the community.</p> <p>According to NEMA and the Mine Safety Act, mine waste is considered a hazardous waste which has the potential to harm / have a negative effect on air quality, the socio economy, vegetation, human life, soil land use.</p> <p>Please outline exactly how you have prepared the rehabilitation plan for the current TSF.</p> <p>We would also like to review the Final EIR, EMP and the National Heritage Impact Assessment report.</p>	Mr	Gift Mashaba	Khuma community	06 Feb 2020	Email correspondence	<p>During the impact assessment phase of the EIA various specialist studies were conducted to assess potential impacts and to provide mitigation measures for potential impacts (refer to Appendix D of the RDEIR).</p> <p>A CV of the EAP was included in the Draft Scoping Report which was available for review until 24 February 2020. The EAP CV was also available in the EIR Reports.</p>
<p>Could we have the following:</p> <ul style="list-style-type: none"> - the documents of the 1st mega dam (existing TSF) including the initial Environmental Authorisation and Waste Management Licence. - details of the EAP who prepared the report - the way used to inform and notify members of the community who have challenges and disadvantages, including the illiterate, disabled, elderly 	Mr	Pule Mokoteli		06 Feb 2020	Email	<p>Documents are available on GCS website.</p> <p>The CV of the EAP was included in the Draft Scoping Report and the draft EIRs.</p> <p>A public participation process according to Chapter 6 of NEMA is being followed. Please refer to the Chapter 5 of the Final Scoping Report for the details.</p> <p>All of the documents on the existing TSF requested was provided on 3 August 2020 to you and other Khuma community representatives in electronic</p>

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<p>The Khuma community should be consulted. Those members of the community who attended the public meeting on 5 February 2020 should be contacted to assist with the arrangements.</p> <p>Stop consulting councillors because at Khuma, the community and councillors are not drinking the same water.</p> <p>Invite the Department of Mineral Resources (DMR) and the officials from the Local Economic Development (LED) division of the municipality to a meeting. Stop empty promises, we want to be part of the Kareerand projects – we are unemployed. We have a company certificate and NPO'S certificate that are not funded. People come from other provinces and benefit from our royalties. It must stop now.</p>	Mr	Lawrence Shilenge	Khuma community	08 Feb 2020	Email	<p>format. Please refer to APPENDIX I for the signed acknowledgement of receipt</p> <p>The Khuma community has the same opportunities as all interested and affected parties to participate in the EIA process. Councillors are not specifically consulted in the EIA process, however they, as other interested and affected parties were notified of the project and the opportunity to become involved. Authorities were invited to participate in the meeting.</p>
<p>The DSR notes that several heritage resources have been identified within the proposed development area and that a Heritage Impact Assessment in terms of the National Heritage Resources Act, Act 25 of 1999 (NHRA) would be undertaken as part of the EIA process.</p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit awaits the pending HIA to be submitted to SAHRA in terms of section 38(3) and 38(8) of the NHRA. The HIA must comply with 2007 SAHRA Minimum Standards: Archaeological and Palaeontological Components of Impact Assessments and be completed by a qualified archaeologist.</p> <p>Additionally, a desktop Palaeontological Impact Assessment must be conducted as part of the HIA as the proposed development footprint is located within an area of moderate sensitivity for palaeontological resources as per the SAHRIS Palaeo Sensitivity map. This desktop PIA must be conducted by a qualified palaeontologist</p>	Ms	N Higgitt	Heritage Officer South African Heritage Resources Agency	14 Feb 2020	Email correspondence	<p>Heritage, archaeology and palaeontology impact assessment have been carried out, (refer to Appendix D10 and D11 in the RDEIR, respectively). A baseline assessment of the receiving environment was done and informed the project design in order to avoid graves and heritage sites.</p>

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<p>and the report must comply with the 2012 SAHRA Minimum Standards: Palaeontological Component of Heritage Impact Assessments. Further comments will be issued upon receipt of the above requested report including the Draft EIA report with appendices.</p>						
<p>The following comments for consideration:</p> <ul style="list-style-type: none"> a) Ensure that there is duty of care with regards to the affected receiving environment during construction, operation decommission and closure phases of the project; b) Pollution of ground and surface water should be avoided; c) Monitoring of boreholes to ensure detection of seepage must be conducted; d) Ensure correct management of waste segregation from the source; e) General waste generated from the development must be disposed at a licenced landfill facility; f) Hazardous waste to be collected by licenced service provider; g) Implement dust suppression and control measures in all stages of the project; h) Prevent and control spillages on the soil to prevent contamination; i) Provide on-going training for employees regarding environmental protection and waste management issues to prevent environmental degradation in all stages of the project; j) Ensure that all relevant environmental legislations are complied with at all times; k) Ensure that you adhere to all applicable Municipal by-laws (both district and local). 	Ms	SM Lesupi	Municipal Manager: Dr Kenneth Kaunda District Municipality	10 Feb 2020	Email correspondence	Noted. These items were all considered during the EIA phase and management and mitigation measures have been included into the EMPr included as Appendix F to the RDEIR.
<p>The efficiency of this process relies on the collaboration with stakeholders to avoid having any negative implications. The role of the community leaders is to lead the community and if we work together then we can manage the crowds for an efficient meeting.</p>	Mr	Phatsoane	Khuma Community	14 Feb 2020	Telephonic discussion	<p>The stakeholder engagement followed the regulated process and all registered interested and affected parties (I&AP's) have the right to participate in the process.</p> <p>An important part of an Environmental Impact Assessment (EIA) application is public participation and as such, all</p>

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						raised issues and concerns related to the process have been noted for consideration.
The delivered reports are appreciated, however one key aspect that needs to be stressed is how the community members will read those reports. Firstly, there have no interest in visiting the library to request the documents and further have no skills to read and understand the technical information being reported. Given this, a meeting needs to be scheduled to present the report accordingly. One thing that needs to be understood is that, as local leaders, we will communicate the negative impacts and need for you as the responsible consultants to present the positive impacts, risk associated and expert information that we might not understand or be able to fully discuss	Mr	Phatsoane	Khuma Community	14 Feb 2020	Telephonic discussion	The method of engaging with stakeholders is critical and our role is to manage the dynamics for the full engagement from all I&APs, the comment has been noted. Subsequently, various consultation meetings have been held and specifically with representatives of the Khuma Community on the 14 th of July 2020.
We require all project team members to be present at the meeting including the DMR as they are the competent authority for the Kareerand application. We ask that you communicate with us as stakeholders or nothing will suffice from the proposed expansion.	Mr	Phatsoane	Khuma Community	14 Feb 2020	Telephonic discussion	Noted.
Previous AGA owned and MWS managed sites in the area have caused toxic spillages and severe pollution incidents in 2012 and 2013.	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	Noted. Please be advised that, as per the regulatory requirements, incidents are reported to the relevant regulators as required by exiting authorisations.
There is no indication that TSFs are ever fully rehabilitated and brought back to farming for human settlements (see EIA regulations, 2014).	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	Note that none of the current TSF's currently being reclaimed is available for rehabilitation. The rehabilitation of the TSF footprints to an agreed land use standard will commence when all tailings and waste material on the footprint is removed.
The run-off from the facility is likely to contribute to the surface contours (p.187, Golders Associates Report – Appendix H).	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	A surface water assessment (refer to Appendix D12 of the RDEIR) and a soils investigation (refer to Appendix D7 of the RDEIR) have been undertaken to identify potential impacts including erosion.

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						Management and mitigation measures for identified impacts were provided in the EMPr during EIA Phase (refer to Appendix F of the RDEIR).
The draft report does not contain a long-term assessment of the water-pollution risks associated with the facility.	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	The hydrogeological assessment considered long term impacts for a period in excess of 200 years after closure through the application of a 3-tier approach. The hydrogeological assessment did allow for the identification of key risk areas and to identify suitable groundwater management and mitigation required. (refer to Appendix D13 of the RDEIR)
Considering the planned height of 122m, significant air considered as an alternative storage option underground.	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	Noted. An air quality assessment has been carried out to determine potential impacts (refer to Appendix D8 of the RDEIR).
The Figures in Chapter 4, e.g. Figure 4-1, 2, 5, 6-10 etc. are of such low resolution that the legends are not legible.	Mr	Friedemann Essrich	Private landowner	17 Feb 2020	Comment Sheet	Due to the size of the DSR, the resolution of the figures had to be reduced. Better resolution maps can be provided upon request.
The presentations intended for presentation at the public meeting were requested by the Department of Human Settlements, Water and Sanitation.	Mr	Lutendo (Desmond) Mutshaine	Department of Human Settlements, Water and Sanitation	17 Feb 2020	Telephonic conversation	On 17 February 2020 the presentations which were intended for presentation at the public meeting, held 5 February 2020 were emailed to Mr Mutshaine.
Since the PPP has been cancelled and the EFF Stakeholder have not provided its input as yet, what are your plans due to that effect.		MP Phatsoane	Khuma Community	21 Feb 2020	Email	On 24 February 2020 the following response was sent to Mr Phatsoane: "Please note that the public participation process (PPP) was not cancelled, but the second public meeting which was planned to take place on the 05th of February 2020 at 18:00 was cancelled due to disruptions that took place at the morning session. Given this, all interested and affected parties (I&AP's) still have the opportunity to comment. The

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						commenting period of the Draft Scoping Report (DSR) is to end today, Monday, 24 February 2020 as was communicated and advertised.”
I could not access the Scoping Report at the Potchefstroom Library.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	A follow-up was made directly with Khuma Library expressing the requirement for the report to be made available and the expectations thereof. Proof of the delivery of reports to Khuma Library and all the other public places as were advertised is included in Appendix I of the FSR. Copies of CDs of the DSR were made available at the public meeting for I&APs to take. The address where copies can be electronically downloaded was again communicated.
Building a huge mountain 122m high, surely the stability of the underlying formation was researched as to ensure it could take the huge weight. Even if it was well research, the is still a concern whether there are sufficient plans, to manage possible outcrops caused by the weight of the dam.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	Geotechnical assessments and stability analysis for the existing and proposed TSF will be conducted by the appointed professional design engineers. The design will be present to the relevant authorities for scrutiny before approval.
The purpose of the underground drainage and the importance of the system functioning effectively needs attention. I observed during a visit in 2019, that not all drainage pipes are working. When looking at the photo showing the planned expansion, it seems that the existing drainage system / pipes would be affected. Please provide a description of the drainage system – the purpose thereof and how MWS plans to ensure effective functioning of the system.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	It is to be noted that the existing drains are functioning well although some of the drains has shown erratic behaviour over time. The existing drains on the western side of the TSF will remain functional with the subsurface drain that will be installed underneath the proposed expansion.
Safety measures should be in place to prevent and or manage possible spilling of slimes. Also MWS has to be very honest in reporting such spills to the affected parties, such as land users using water from the Vaal River downstream of the dam.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	The Tailings Expansion Project will be designed to meet the prescribed Regulatory requirements. Management and mitigation measures for identified impacts has been provided in the EMPr and included as Appendix F of the RDEIR.

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Identifying any other risks that might occur and updating all interested and affected parties is important and to ensure that measures are included into the Environmental Management Plan of the TSF.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	This was included in the EIA Phase, refer to the EMP in Appendix F of the RDEIR.
Impact on underground water and the water in the Vaal River. Surely, there is a risk of affecting the underground water and the water of the river. Although I attended a number of the Environmental Forum meetings, the outcome of reports was very seldom clear and not covered in the minutes of meetings. Thus, the suggestion is that summary reports of monitoring impacts on the environment, rather be sent on a regular basis to interested and affected parties, such as the Department of Agriculture and Agri NW.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	A hydrogeological impact assessment was conducted during the EIA phase which investigated the potential impacts of the existing and expansion TSF's. (refer to Appendix D13 of the RDEIR) The hydrogeological assessment considered long term impacts for a period in excess of 200 years after closure through the application of a 3-tier approach. The hydrogeological assessment did allow for the identification of key risk areas and to identify suitable groundwater management and mitigation required. The surface and groundwater monitoring results are reported to the relevant regulators on a quarterly basis as prescribed by the WUL.
Some people involved in obtaining comment for the original TSF, would remember that the side slopes were an important aspect in comments from the Department of Agriculture. Fortunately, the dam was designed for such flatter slopes as the old dams. With expansion now being on the table, I would like to emphasize again the importance of ensuring constructing the dam with slopes as designed.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	Noted
Covering the dam with topsoil during the operational phase is a concern from the original design and construction phase. Unfortunately, the detailed calculations whether there would be enough topsoil to cover the entire dam.	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	A topsoil balance was conducted during the design to ensure enough topsoil material is available for cover material.

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<p>End-use of the dam after decommissioning. People involved in the original design of the dam would remember that the Department of Agriculture argued about the loss of agricultural land. Thus, emphasis was on the improvement of rehabilitation in an attempt to restore the land – mountain – to land that could be used for agriculture again. Therefore, designing the dam with low side slopes and covering it with topsoil was aimed at end-use rehabilitation. The assumption is that the expansion of the dam has still the very same end-use to be agriculture. Calculations as from where and how enough topsoil would be available, need to be clearly captured in the Scoping Report and at the end in the Environmental Management Plan.</p>	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	<p>A topsoil balance was conducted during the design to ensure enough topsoil material is available for cover material. A geotechnical assessment, during the feasibility study, confirmed enough cover material will be available in the proposed expansion footprint.</p>
<p>Size of the TSF. As the size of the TSF seems to be quite unique, there is a question whether there is somewhere in the world such a huge dam. Information on that would be valuable as lessons from such an example can be used in terms of designing, managing and operating of the dam.</p>	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	<p>There are several facilities similar or larger in size i.e. Daggafontein. Lessons learned from these facilities is incorporated in the current design.</p>
<p>Agri NW would like to emphasise:</p> <ul style="list-style-type: none"> a) the importance of possible negative impacts on the adjacent agricultural land, underground water and the water from the Vaal River. b) That MWS should be 100% honest and transparent in managing all aspects of the TSF. 	Mr	Piet Theron	Agri West North	22 Feb 2020	Email correspondence	<p>Soil, agricultural potential and water studies were undertaken as part of the EIA Phase to identify potential risks (refer to Appendix D7 and D12 in the RDEIR, respectively).</p>
<p>Matlosana Community Economic Rights Development NPC participated through email and telephonically, including personal delegation to the public participation meetings and Matlosana NPC was acting in the interests of community of Dr Kenneth Kaunda district. Matlosana Community Non-Profit Company (NPC) is interested to participate in these projects through social labour plan, community ownership, BBEE and shareholding, Procurement, SMME Development, Community Social Fund, joint venture and community trust.</p>		<p>Community - Rep: Mr. V M Motloun Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>Matlosana Community Economic Rights and Development NPC</p>	24 Feb 2020	Email correspondence	Noted.

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<p>Matlosana Community Economic Rights and Development is acting at the behest of the community of Matlosana in terms of Chapter 5 and section 24(4) (a) (v) and of section 1 of Act 62/2005, and is one of the interested and affected parties. We as a local community are satisfied after consultation meetings held by GCS Water and Environment Consultants on February 2020, and Chemwes (Pty) Ltd can proceed with Expansion of Kareerand TSF, activity 12, 16, 24, 28, 46, 48 to collect and reprocesses mine tailing that were previously deposited on tailings storage facilities (TSFs) in order for MWS . Chemwes to extract gold and uranium.</p>		<p>Community - Rep: Mr. V M Motlounge Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>Matlosana Community Economic Rights and Development NPC</p>	<p>24 Feb 2020</p>	<p>Email correspondence</p>	<p>Noted.</p>
<p>We request GCS / MWS to provide copies of the following information via email or postal address provided:</p> <ol style="list-style-type: none"> Prospecting rights or mining rights application Any Social impact assessment Social and Labour Plan Community ownership BBEEE Procurement plan SMME development plan Community Social Fund Joint venture and community trust Shareholding Scientific report that the MWS may have that show what the impacts of mining will be 		<p>Community - Rep: Mr. V M Motlounge Director: Mr. Monnahela Director: Mr. Z A Maqwaca Director: Mr. Mr. M Matsepe</p>	<p>Matlosana Community Economic Rights and Development NPC</p>	<p>24 Feb 2020</p>	<p>Email correspondence</p>	<p>Relevant information will be made available on request</p> <ol style="list-style-type: none"> N/A, as the activity being undertaken does not constitute mining, therefore MPRDA does not apply. SIA will be undertaken in EIA Phase. (refer to Appendix D14 of the RDEIR) N/A as the activity being undertaken does not constitute mining, therefore MPRDA does not apply and an SLP is not required by law. N/A - Land in the project scope is owned by AGA/MWS N/A - to this process, but can be obtained from the MWS via PAIA N/A to this process, but can be obtained from the MWS via PAIA N/A to this process, but can be obtained from MWS via PAIA N/A to this process, but can be obtained from MWS via PAIA

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						<ul style="list-style-type: none"> i. N/A to this process, but can be obtained from MWS via PAIA j. N/A to this process, but can be obtained from MWS via PAIA k. There is no mining included within this application. The specialist and impact reports were provided for public review during the EIA phase for the reclamation and deposition activities.
<p><i>The submission of the Khuma EFF Branch, 24 Feb 2020, is appended (APPENDIX C). A summary of the submission is included below – please refer to the appendix for the detailed submission, including photographic images.</i></p>						
<p>Mr Phatsoane reiterated that “we believe in honest and truthful constructive engagement in order to reach peaceful settlements”.</p> <p>We also urge that since company directors have fiduciary duties to act in good faith, they must not place themselves in positions in which there is conflict between their duties to the company and their own interests, nor be arrogant or hide their heads in the sand, thinking some problems will just fade away will be at one’s peril, and we the EFF have nothing to lose in protecting our communities, but if the Kareerand issue is properly handled, we shall come out winners. So, we give you seven days to respond the way forward and hope you will find it in order.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>“Your correspondence dated 24/2/2020 as Chairman of the Khuma EFF Branch Chairman addressed to the environmental practitioner appointed by Mine Waste Solution to facilitate the Kareerand TSF Expansion Process is acknowledged.</p> <p>We also acknowledge your registration on 14/2/2020 as Interested and Affected party and your concerns raised either telephonically and by email regarding the Environmental Authorisation Amendment and Waste Management License application for the Expansion of the Kareerand Tailings Storage Facility (TSF) at Mine Waste Solutions.</p> <p>Note that stakeholder engagement follows the regulated process as prescribed by NEMA and all registered interested and affected parties (I&AP’s) have the right to participate in the process. An important part of an Environmental Impact Assessment (EIA) application is public participation and as such, all raised issues and concerns related to the process have been noted for consideration. Issues</p>

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						<p>raised by yourself related to the scope of the Kareerand Expansion Project will be addressed through the formal NEMA process with the prescribed timeliness. In terms of the way forward, Mine Waste Solutions herewith propose to setup a meeting with yourself to make available information and to clarify any questions related to the existing operations authorisation pending the availability of the yourself, Mine Waste Solution Management and the DMRE office on a mutually agreed date. .”</p> <p>The above email to Mr MP Phatsoane was acknowledged on 03 March 2020 with the following statement: “I acknowledge receipt of your email and wish to inform you I'll only be able to respond after our EFF B.C.T Executive meeting on Thursday 05/03/20.”</p> <p>A follow up meeting was held at the Vaal Reef Auditorium on the 16th February 2020.</p>
<p>The Kareerand TSF near Khuma township was built without community engagement. The FIU proposed to be built north-east of Stilfontein and later it was recommended to be built 15km south-east of Stilfontein, resulting to be about one km closer to the resident leaves much to be desired hence our community was not consulted.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>Please note that MWS/Chemwes holds all the required authorisations to conduct its current business. All of the information of the 2008/2009 environmental authorisation application was provided on 3rd August 2020.</p>
<p>These mine dumps are spewing poisonous materials into the atmosphere and people living close to them have presented with a range of serious illness that have been linked to these toxic wastes. The submission details the type of wastes, e.g. heavy metals in water containing uranium, zinc, arsenic, selenium, sulphur and lithium traces and dust containing a mixture of chemicals like arsenic and cyanide that that polluted water and air and that can cause various health issues from brain damage to skin cancers.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>The impact(s) of the TSF and proposed expansion were assessed during the EIA phase and results presented in EIR. The findings were presented in the DEIR which was available for public comment between 14 August and 14 September 2020.</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the</p>

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<p>Khuma is one of the contaminated areas outside Stilfontein. Some winter mornings the dust in the air makes it impossible to continue driving. This situation is caused by the tailings in our area including all the relics from the old mines.</p> <p>David van Wyk a lead researcher was quoted in the submission on the dangers to exposures to chemical substances and heavy metals.</p> <p>Information of the Ellen Glen Special Needs Centre was provided (why it was established and its status) describing the reason for the disabilities in the children as a direct result of the exposure to toxic wastes.</p>						<p>health risks of water and air borne pollutants that may occur in the dust or water -(refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase.</p>
<p>The rapid growth of mining activities has led to the increase in the number of tailings which are often stored in TSFs. The purpose of TSFs is said to be to safely store tailings to protect the natural environment from damage, but once the TSF leaks, it has major negative impacts on the economy, surrounding properties and the people's lives. The submission details the dangers of TSFs, e.g. incidents of dam failures and consequential pollution as well as some of the reasons why tailings dams are more susceptible to damage than other water storage structures.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>This EIA provides detailed information to the Competent Authority who will make the decision on whether to approve the expansion. The possible risks and mitigation of the impacts identified by the different specialist are listed in the EMPr to enable the competent authority to make a final decision based on all positive and negative impacts.</p>
<p>The submission details the context of accidents related to TSFs on a global scale and states that many accidents are not correctly reported or reported in time to government because managers are afraid of taking legal responsibility – e.g. “Cyclone Dineo (21/02/17) with regards to Kareerand – the communities have never been made aware and the incident was only raised by the VF Plus at a national assembly on 23 March 2018. At that stage the then acting general manager Duran Archery is his medium to long action plan report, listed plans that will prevent the risk of spillages and recurrence, but we can confirm and have proof that the spillages still occurs</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>As per the requirements of the various authorisations held by MWS, the incident on the 21 Feb 2017 was reported to the relevant regulators, within the prescribed timeframe and the close out reports submitted with commitments to prevent similar occurrences. All environmental incidents that occur at MWS is reported to the relevant regulator within the prescribed timeframes. Mitigation measures implemented to prevent recurrence include the construction of the East</p>

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<p>frequently from the pipelines, polluting our areas by spreading these toxic chemicals through storm water, especially now in rainy seasons. And imagine such pollution happening till 2042 from these pipelines how will our grass and plants look like? Including the health effects to the domestic animals grazing nearby, which may later be slaughtered, and people get sick resulting to loss of lives.</p>						<p>Storm Water Dam, construction of secondary containment along slurry pipelines, pipe patrols, pipe maintenance and replacement strategies.</p>
<p>Mining giants abuse department's failure to act, the industry is a major polluter and repeatedly ignores environmental laws. Water quality and supply has become a national crisis, and little is been done to stop the pollution and poisoning of water sources or wastages. According to a report by the Center for Environmental Rights (CER) the department itself is in a state of complete institutional and regulatory breakdown. Further details on the matter is included in the submission.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>Noted. The required legislated process is being undertaken for authorisation of this project.</p>
<p>We are living in an unpredictable climate change and what guarantee our community shall have on the Kareerand TSF Dam? And when there are fatalities tomorrow caused by any of the basic "Tailing Impoundment Failures", who shall be blamed? Except to say it is a disaster, so we cannot allow gambling with the people lives and health which cannot be priced. Statistics and examples internationally and nationally were provided as part of the submission.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>Impact of climate change is being considered in the designs of the TSF Expansion and support infrastructure.</p>
<p>And now we the stakeholders are expected to endorse Kareerand TSF expansion by a record height of 122 meters in the world history, is this not a death warrant of our community? Especially for the companies that have never developed our township, including socio-economic development of our people? Both MWS and VMR have received our emails since last year requesting to meet them regarding the companies' social responsibilities, but in vain – you know why? Because of their guilty consciousness, and one irresponsible HR Manager from VMR said will only meet us through the Mayor and Lucky from LED department to discuss this.</p>	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	<p>Comments noted.</p>

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These are the irresponsible and greedy companies that only looks after own interests above black human lives, and are now busy planning to kill further the very communities and societies which AGA have said “will be better off for it having been there” according to its values. This shall not happen under our radar, and its chairman (Pityana) will sooner than later know as he too would not allow such pollution to take place in his areas, affecting the grazing farms let alone the health effects to his communities.	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	Noted.
The submission further details “basic information regarding some of the tailings impound failures” globally and in South Africa.	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	Noted.
The submission further provides photo evidence (eight photos) of spillages near Khuma with the following date: 25/05/2019	Mr	MP Phatsoane	Chairperson Khuma EFF Branch	24 Feb 2020	Email correspondence	Noted: This occurrence was closed out by the DMR on 31 July 2019
Comments received during the review period of the Draft Scoping Report (after 25 February 2020)						
Ensure that there is duty of care with regard to affected receiving environment during construction, operation, decommissioning and closure phases of the project	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality	10 Feb 2020 (received 28 Feb 2020)	Written Communication	Noted. This will be managed through the implementation of an Environmental Management Plan, refer to Appendix F of the RDEIR for further detail.
Pollution of ground and surface water should be avoided	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality	10 Feb 2020 (received 28 Feb 2020)	Written Communication	Noted. This will be managed as far as practically possible through the implementation of an Environmental Management Plan (refer to Appendix F of the RDEIR)
Monitoring of boreholes to ensure detection of seepage must be conducted	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality	10 Feb 2020 (received 28 Feb 2020)	Written Communication	Groundwater monitoring is conducted as per DWS approved programme for the existing operations. The department’s requirements will be implemented for the expansion as well.
Ensure correct management of waste segregation from the source	Ms	SM Lesupi	Municipal Manager,	10 Feb 2020 (received 28 Feb 2020)	Written Communication	This will be managed through the implementation of an Environmental

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		Dr Kenneth Kaunda District Municipality			Management Plan (refer to Appendix F of the RDEIR).
General waste generated from the development must be disposed at a licenced landfill site	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	This will be managed through the implementation of an Environmental Management Plan (refer to Appendix F of the RDEIR).
Hazardous waste to be collected by licenced service provider	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	This will be managed through the implementation of an Environmental Management Plan (refer to Appendix F of the RDEIR).
Implement dust suppression and control measures in all stages of the project	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	In accordance with the National Dust Control Regulations, 2013 AngloGold Ashanti/MWS's dust management plan was approved by the District Municipality to combat fugitive dust in June 2018. The expansion project will be managed under this plan as well.
Prevent and control spillages on the soil to prevent contamination	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	This will be managed through the implementation of an Environmental Management Plan (refer to Appendix F of the RDEIR).
Provide on-going training for employees regarding environmental protection and waste management issues to prevent environmental degradation in all the stages of the project	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	This will be managed through the implementation of an Environmental Management Plan (refer to Appendix F of the RDEIR).
Ensure that all relevant environmental legislations are complied with at all times	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda 10 Feb 2020 (received 28 Feb 2020)	Written Communication	Noted. MWS will ensure full compliance to all relevant regulations and authorisation and licence requirements.

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		District Municipality			
Ensure that you adhere to all applicable Municipal by-laws (both district and local)	Ms	SM Lesupi	Municipal Manager, Dr Kenneth Kaunda District Municipality 10 Feb 2020 (received 28 Feb 2020)	Written Communication	Noted. MWS will ensure adherence to all relevant applicable Municipal by-laws.
Please register me as an interested and affected party for the project. Also send me the copy of the report through email or post.		Mpho Magasa	26 February 2020	Email correspondence	An email was sent on 26 February 2020 to Mpho Magasa in acknowledgement of registration. Information of where a copy of the report can be obtained was provided.
Members from the Khuma Community (attendance register of event is available as APPENDIX D) marched to the gates of Karee Rand, they were accompanied by SAPS, as to ensure the march was peaceful. An AGA delegation made up of C Badashe, C Human, S Fipaza, J Lawrence, A Geard, J Banda and M van der Spuy was on hand to receive a Memorandum of complaints and grievances (See APPENDIX D) from the community.		Khuma Community	26 February 2020	Community march	Response to the memorandum received on 26 February 2020: Thank you for your memorandum received the 26th February 2020. We acknowledge your reference to section 24 of the Constitution and section 2 of the National Environmental Management Act, 1998 ("NEMA") and confirm that these provisions have been correctly cited and summarised. It is as a consequence of these very statutory provisions that the commissioning of the Kareerand Facility was subjected to a stringent authorisation process during 2008 which culminated in the issuance by various state departments of the following consents: 1) An environmental authorisation dated 21 July 2009 (NWP/EIA/176/2008); 2) A certificate of registration No. COR-30 dated 14 April 2003; 3) A water use licence 08/C24B/AACIG/8368, dated 30/11/2018, in respect of re portion 30 of Stilfontein 408 IP; portion 38

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						<p>Hartebeesfontein 422 IP; portion 91 of Hartebeesfontein 422 IP; portion 1 of Buffelsfontein 443 IP; portion 4 of Kromdraai 420 IP and Megadam 574; and</p> <p>4) An impoundment licence issued 18th June 2010, for the construction of the Kareerand TSF issued in terms of Chapter 12 of the National Water Act, 1998 (“NWA”).</p> <p>Kindly find attached copies of the above-mentioned consents.</p> <p>We are entitled to operate the Kareerand Facility and will continue to do so as authorised by the various government departments.</p> <p>We confirm that you are and will remain registered interested and affected parties in respect of the management of the Kareerand Facility and any future developments in respect thereof and will as such enjoy continued opportunities to consult.</p> <p>Rollet Masakona District General Manager: Vaal River Operations</p>
<p>Receipt of letter of enquiry was acknowledged on land claims enquiry on Remaining Extent (R/E) of Farm Wildebeestpan 442 IP, R/E of Farm Megadam 574 IP, R/E and portion 1 of the FarmUmfula 547 IP.</p> <p>A formal response could be expected from the office within seven working days.</p>	Mr	LJ Bogatsu	<p>Chief Director – Regional Land Claims Commissioner-North West</p>	28 February 2020	Written Communication	<p>A letter was received on 4 March 2020 from the Land Claims Commissioner’s office, confirming that they are not aware of any land claims on the stated properties.</p>
<p>SANRAL has no objection to the expansion of the Kareerand Tailing Storage Facility, and the approval of the Environmental Impact Assessment and WULA.</p>	Mr	Jan Oliver	<p>SANRAL-Statutory Controller Northern Region</p>	2 March 2020	Email correspondence	Noted.

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<p>The property concerned is zoned “agricultural” in terms of the Klerksdorp Land Management Scheme 2005 and the proposed use is not allowed on such land. Furthermore, the portion of the property is High Potential Agricultural Land in terms of the City of Matlosana Spatial Development Framework – 2009.</p>		Tsundzuka Shibiti	City of Matlosana Municipality	4 March 2020	Comment Sheet	Noted. A rezoning application was submitted to relevant CMLM.
<p>I am concern about the process, specifically regarding comments from interested and affected parties. Submitting comments, without receiving any response on comments, while the application is already submitted to DMR does not make good sense, unless I understand the process wrongly. Thus, I would appreciate providing feedback about the comments I already submitted. Surely all other stakeholders would have the same concern.</p>	Mr	Piet Theron	Agri West North	9 March 2020	Email correspondence	<p>As mentioned in the email sent to notify all of the availability of the Final Scoping Report, responses were provided as part of the Final Scoping Report. “Please note, the Comments and Responses Report (CRR) is part of the Final Scoping Report – Appendix G. Please refer to the CRR for responses to concerns and issues raised during the review of the Draft Scoping Report.” The Final Scoping Report has been submitted to the DMR, and all stakeholders were informed (email below) that comments on the FSR can now be provided directly to the DMR, while a copy is also sent to GCS. The DMR now has the FSR for 106 days to review and to approve. The next document for review will be the Environmental Impact Assessment Report which will again be made available to all stakeholders. A notification will be sent to you in this regard.”</p>
<p>I have not yet visited the link to peruse the comments and response report, however, I infer from your statement that “no significant changes were made” that the FSE’s comments on the Draft Scoping Report were not taken into consideration. Is my inference correct?</p> <p>Kindly also advise since the sale of AGA to Harmony Gold, whether AGA has been supplanted with Harmony Gold as the Applicant?</p>	Ms	Mariette Liefferink	FSE	9 March 2020	Email correspondence	<p>To clarify, the phrase “no significant changes were made” was used to indicate that the Scoping Report would not need to be circulated again for public review. Changes made to the Report were not substantial in terms of the description of the project or the receiving environment. However, we have reviewed your comments and all other comments received on the Draft Scoping Report</p>

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						<p>and have considered these very carefully during the compilation of our Final Scoping Report and our Plan of Study for EIA. We have reviewed our specialist terms of reference to ensure that all specialist studies take cognizance of relevant climate change adaptation and mitigation, as well as any health implications of the TSF Expansion Project. AngloGold Ashanti has agreed to commission a health assessment, which will investigate pollutants to dust and water, assessing the potential to effect human health of local communities.</p> <p>Your query around whether the applicant will be changed to Harmony – the sale will have no effect on the current application and Mine Waste Solutions MWS remains the applicant on this environmental authorization application to DMR.</p>
<p>Khuma EFF B.C.T Executive has resolved that it shall no more take part in the Kareerand Expansion public participation processes with GCS including AGA. But wish to reiterate that we stand by the comments we have submitted and dont support Kareerand TSF expansion, which is what we will present to our communities.</p>	Mr	MP Phatsoane		17 March 2020	Email correspondence	<p>Noted. The EIA process remains open to all interested and affected parties and we will keep you informed via notifications of progress in the process.</p>
<p>Acknowledgement letter of receipt of FSR was received. Asked for application form to be received.</p>	Ms	Tseladimitlwa Antoinette	Environmental Officer Production Department of Rural, Environment and Agricultural Development	18 March 2020	Email correspondence	<p>Copy of the application form was sent on 23 March 2020</p>
<p>This enquiry is submitted on behalf of the Federation for a Sustainable Environment. The FSE is a registered interested and affected party in a number of reclamation applications by</p>	Ms	Mariette Liefferink	FSE	10 June 2020	Email correspondence	<p>The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was</p>

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<p>gold mining companies , that is, the applications for the extraction (or “reprocessing”; also referred to as “re-mining” – please refer to the treatise by DM van Tonder, H Coetzee of the Council of Geoscience and others titled “South Africa’s Challenges Pertaining to Mine Closure – The Concept of Regional Mining and Closure Strategies”, 2008) of residual gold from historical tailings storage facilities and the deposition of the residues from this reprocessing activities on a single large dump, commonly referred to as a super dump or regional tailings storage facility.</p> <p>In response to our question whether the financial provisions will be adequate to deal with the latent and residual effects of the footprints of the reclaimed TSFs and the super dump in future, the Applicant responded as follows: “MPRDA not relevant therefore no financial provisioning is required by law.”</p> <p>The Applicant in this particular application is Mine Waste Solutions, whom I take the liberty to copy on this e-mail.</p> <p>May we kindly request your learned opinion on whether the current (2015) and proposed (2019) “Regulations pertaining to financial provisioning for the rehabilitation and remediation of environmental damage caused by reconnaissance, prospecting, exploration, mining or production operations” in terms of the NEMA are applicable to reclamation or re-mining operations and in particular section 5 of the said Regulations namely “the financial provision must guarantee the availability of sufficient funds for (a) progressive rehabilitation and remediation; (b) rehabilitation, remediation, decommissioning and closure activities; and (c) remediation and management of residual and latent environmental damage including the ongoing pumping and treatment of polluted or extraneous water where relevant”?</p>					<p>confirmed in the case of <i>De Beers Consolidated Mines Ltd v Ataqu Mining (Pty) Ltd and Others</i>. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/ stockpiles created pursuant to a mining right / mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of <i>Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd</i>. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right / mining permit.</p> <p>As these operations are not considered to be “mining”, they do not fall within the scope of section 24P(1) of the National Environmental Management Act and, as a result, it is not necessary for MWS to put up financial provision. MWS, however, will be required to comply with the terms and conditions of the relevant authorisations and licences and take reasonable measures to prevent pollution and/or environmental degradation from occurring, continuing or recurring.</p>

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<p>In order to discuss the letter which was sent by MWS to the “Khuma community” in response to the memorandum received by MWS from the community on 26 February 2020 (Appendix APPENDIX D), a meeting was held between representatives of the “Khuma community”, MWS and the EIA team.</p> <p>An electronic recording of the meeting is available on request.</p> <p>In summary, the following was discussed:</p> <p>a) The public participation report and other related documents for the previous EIA conducted in 2008 – 2009 for the establishment of the TSF have to be made available. The community expressed that they believe the “Khuma community” was not consulted during the 2008-2009 EIA and has thus not participated in the process to approve the construction of the Kareerand TSF. It is believed by the “Khuma community” that the matter has to be resolved before the community is requested to participate in the EIA for the extension of the TSF (current process).</p> <p>b) The “Khuma community” would like to have a public meeting in the Khuma location where MWS can address the whole community.</p> <p>c) Issues with regards to the health impacts relating to air quality and soil quality for subsistence food production were raised.</p>		Representatives of the Khuma community led by Mr MP Phatsoane		14 July 2020	Electronic Ms Teams meeting	<p>Contributions were noted.</p> <p>a) The documents requested will be made available was provided on 3 August 2020 to those who participated the Khuma community representatives in the meeting electronic format.</p> <p>b) A public meeting will not be held in the “Khuma community” due to the restriction posed by the Covid-19 pandemic. Stakeholders are welcome to send their written contributions as part of the EIA process. Further opportunity will be available for electronic platform meetings during the review of the Draft Environmental Impact Report (DEIR).</p> <p>c) Issues raised with regards to health concerns will be reported on in the DEIR phase as specialist studies were undertaken to review all health-related aspects of the current proposed development. (refer to Appendix D16 of the RDEIR for the Human Health Risk and Impact Assessment)</p>
<p>Comments received during the review period of the Draft Environmental Impact Report (14 August to 14 September 2020)</p>						
<p>Please ensure that the documents are uploaded to the relevant SAHRIS Case Application and that the status of the case is changed to SUBMITTED. Please inform me when this is completed and provide the Case ID number. The detailing response letter from SAHRA with comments on the DEIR is appended (APPENDIX E).</p>	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	07 August 2020	Email correspondence	Noted with thanks. Case ID number - 14766

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The Company must apply to the National Nuclear regulator and submit relevant assessments related to radiation., appended (APPENDIX F).	Mr	Patle Mohajane	National Nuclear Regulator	11 August 2020	Email correspondence with formal response on Comment Sheet	The Kareerand Extension TSF falls on land that is being rented/leased and therefore not mine property. The holder required to submit a Scope Change for COR-30 to the NNR. As the extension is on non-mine property, a Public Safety Assessment needs to be conducted and submitted as well. A Radiological Report was attached to the DEIR for review and Public Impact Assessment has been compiled and is included as Appendix D17 to the DEIR and RDEIR.
My name is Melizizwe Jaas and interested in a public participation advertised and conducted by your company please advise me further how to acquire the link and have access to the platform available. On 3 September 2020, Ms Jaas also requested the recording of the meeting which took place.	Ms	Melizizwe Jaas	Thlaholmvelo Enviromental Organisarion	12 August 2020	Email correspondence	The link to the meeting was sent via email to Ms Jaas on 28 August 2020. Also included was the draft agenda of the meeting and the presentation to be presented. The recording of the meeting was made available to all who have requested as well as on the GCS website.
The subject property is zoned "Agricultural" in terms of the land use scheme and thus must be rezoned prior to commencement with the activity.		Tsundzuka Shibiti	Section: Spatial Planning & Land Use Management Department: Development Planning & Human Settlements	17 August 2020	Email correspondence with formal response on Comment Sheet	The rezoning was advertised on 3 March 2020. No objections were received. Proof of the advertisement was sent to the municipality. The municipality have circulated the application and await comments. Once all comments were received, the town planner can prepare a report with recommendation.
The consultants need to provide proper clarity on which company's behalf are they conducted this public participation for expansion because the so-called Mine Waste Solutions does not have capacity as it does not exist anymore and has sold its properties to First Uranium that finally sold to the current owner.	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	GCS is consulting as an independent environmental assessment practitioner. The applicant is Mine Waste Solutions for the EIA and Chemwes for the IWUL application. AGA held the shares in First Uranium which is the sole shareholder of MWS. As a result of the sale transaction, the Harmony group will replace AGA in this corporate structure.

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<p>The assessment done does not reflect the actual impact on both the environment and the nearest public as there was no known public participation before the project started and during its existence not a single research was done as to how tailing affect the nearest community who are ingesting and inhaling uranium dust particles on a daily basis.</p>	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>The DEIR included all the specialist studies (refer to Appendix D of the DEIR) which provide scientific evidence of the current impact of the existing TSF as well as the anticipated future impact of the proposed expansion. These reports are now included as Appendix D of the RDEIR.</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of water and air borne pollutants that may occur (refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase. All specialist assessments concluded, based on scientific evidence, that the Khuma community is not severely impacted.</p>
<p>The tailings are a risk to the nearest community by its radioactive toxic nature that is not being monitored and no sort of accountability is emphasised as we now being told the consultation is on behalf of Mine Waste Solutions when we all know Anglo Gold Ashanti owns the tailings. This leaves a lot to be desired and one wonders who will be held accountable should the tailing collapse and injure innocent people who does not benefit by any means from this business operation that has consistent signs of failure and collapse as a couple of spillages were reported previously and a recent incident in Brazil, Brummadhino reminds us of what the communities near the tailing are faced with a horrible fate to be buried alive with toxic slime.</p>	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>A radiological public safety assessment was conducted during the EIA phase (refer to Appendix D17 of the RDEIR) that is consistent with the NNRA and NEA, as well as with NNR requirements and regulations in general (NNR process).</p> <p>AGA held the shares in First Uranium which is the sole shareholder of MWS. As a result of the sale transaction, the Harmony group will replace AGA in this corporate structure. MWS holds and has always held the relevant authorisations to process historic tailings dumps through its processing plant and to dispose of the waste generated from this process onto the Kareerand TSF. The proposed application is to extend these</p>

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						<p>operations to include additional historic dams owned by MWS and to extend the Kareerand TSF. As the authorisation holders, MWS is responsible for ensuring compliance with the conditions of those authorisations.</p> <p>An independent APP is appointed under the NWA and the TSF managed through Best Practices and Industry Standards (SANS10268 - Mine Residue, International Commission on large Dams (ICOLD) and Global Industry Standard on Tailings Management.</p>
<p>The report seems not to find nothing wrong or any form of harmful impact to the nearest communities and the environment at large as it does not state that the main waste in the tailings is indeed uranium as we know the previous owners of Chemwes plant now called mine waste plant were First Uranium who specifically build the uranium plant to extract uranium and gold from this tailing and that never happened due to the danger of uranium mining and irreparable harm it will have on close communities. All that waste including the uranium that was supposed to be extracted is thrown right in front of the community of Khuma but yet the report sees no harm or any impact of the proposed project and fail to notice this over-reaching fact that uranium is indeed what is stored on the tailings.</p>	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>A radiological public safety assessment was conducted during the EIA phase that is consistent with the NNRA and NEA, as well as with NNR requirements and regulations in general (NNR process).</p> <p>The public safety assessment was used as a basis to present the Radiological Public Impact Assessment (refer to Appendix D17 of the RDEIR) in a manner that is consistent with the NEMA and EIA regulations (EIA process). The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of water and air borne pollutants that may occur (refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase. All specialist assessments concluded, based on scientific evidence, that the Khuma community is not severely impacted</p>

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<p>As members of the community we are afraid that reading and records of radiation exposure are not a true reflection as none of the community stakeholders were part of the monitoring of risk and hazards associated with the operation and there is growing fear as the facility also grows to heights never seen in history that it might collapse and there are no measures the community know of that are in place actually nothing is related to the community and are left psychologically traumatised to wake up next to an unknown growing mountain of toxic mine waste.</p>	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>An independent APP is appointed under the NWA and the TSF managed through Best Practices and Industry Standards (SANS10268 - Mine Residue, International Commission on large Dams (ICOLD) and Global Industry Standard on Tailings Management.</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of dust and the pathways from the existing and proposed assessment (refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase.</p> <p>The DEIR included all the specialist studies (refer to Appendix D of the DEIR) which provide scientific evidence of the current impact of the existing TSF as well as the anticipated future impact of the proposed extension. expansion. These reports are now included as Appendix D of the RDEIR. Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase.</p>
<p>As community member and representative, I have a strong objection of the proposed project until all concerns and proof of minimal impact is arranged and also the people who are directly impacted should be preference in terms of beneficiation.</p>	Ms	Melizizwe Jaas	Khuma Location	19 August 2020	Email correspondence with formal response on Comment Sheet	Noted.
<p>We were never were given an opportunity to know what is that thing that you call mine waste. Why do we have to comment on something that is already there? This application is just to formalise everything as if we agreed to the exposure of dangers of uranium, radiation and other toxic chemicals that you are throwing next to our</p>	Mr	Pule Mokoteli	Khuma Community	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>Noted.</p> <p>The stakeholder engagement followed the regulated process and all registered interested and affected parties (I&AP's) have the right to participate in the process.</p>

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<p>community of which nothing is coming out of except miseries of a multiple number of illnesses. You do not even tell us who agreed with you from the beginning of the current TSF. I can tell you that you had an agreement with people we do not know and who do not reside with us and who is not exposed to the trauma that is being caused by the so-called TSF that grows bigger and bigger day by day. Now you want us to comment and agree with you to kill us all like it did in the Free State in Virginia.</p>						<p>An important part of an Environmental Impact Assessment (EIA) application is public participation and as such, all raised issues and concerns related to the process have been noted for consideration.</p> <p>As part of the integrated application process, a waste management licence is applied for under NEM:WA, Category B activity 3 and 7. This information was communicated in the BID, advertisements and ever since in all communication to I&APs.</p> <p>The current Kareerand Tailing Storage Facility has all its licences for operation in place which was approved as part of a previous EIA process, where due process has been followed during the authorisation application process.</p>
<p>GCS must tell us who are they consulting for? Because we all know that there is no MWS. No CHEMWES, no FIRST URANIUM. Speaking of FIRST URANIUM can you tell what happened to the uranium that is mined at CHEMWES PLANT? It is the very same uranium that you call mine waste and yet you do not tell how harmful and detrimental it is.</p>	Mr	Pule Mokoteli	Khuma Community	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>GCS is consulting as an independent environmental assessment practitioner. The applicant is Mine Waste Solutions for the EIA and Chemwes for the IWUL application.</p> <p>AGA held the shares in First Uranium which is the sole shareholder of MWS. As a result of the sale transaction, the Harmony group will replace AGA in this corporate structure. MWS holds and has always held the relevant authorisations to process historic tailings dumps through its processing plant and to dispose of the waste generated from this process onto the Kareerand TSF. The proposed application is to extend these operations to include additional historic dams owned by MWS and to extend the Kareerand TSF. As the authorisation holders, MWS is responsible for ensuring compliance with the conditions of those authorisations.</p>

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<p>I just wonder who will provide connection data. Will those who have no internet access be sold out for profit? And the biggest question is - why now do you want us to be part of these authorisations while you know that our views do not matter. You are going to get the authorisation application approved, just like you said your scoping report was accepted even if we still have unresolved issues with the existing tailing. The application process was made after its existence. Even the expansion application is not yet concluded but the expansion has long started. I fail to understand how our comments will really matter to any.</p>	Mr	Pule Mokoteli	Khuma Community	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>Stakeholders can comment on the DEIR in writing and by attending an electronic session. The process is open and transparent - any I&AP is welcome to participate. The RDEIR for the expansion of the TSF is underway and will be submitted to the DMRE for consideration.</p> <p>Note that expansion has not yet commenced.</p>
<p>What good will come from commenting? AGA and others before you only care for profit and nothing else matters to you.</p> <p>There are many people who are affected by the operation, but no one has ever come to them and seek understanding of what it is like to inhale something that you do not know. We want that tailings dam gone. You wanted proof that we are really sick because of the chemicals flying through the air. You can give us proof that it is not harmful to us and our ecosystem at large.</p>	Mr	Pule Mokoteli	Khuma Community	19 August 2020	Email correspondence with formal response on Comment Sheet	<p>Noted.</p> <p>The DEIR included all the specialist studies (refer to Appendix D of the DEIR) which provide scientific evidence of the current impact of the existing TSF as well as the anticipated future impact of the proposed extension. expansion. These reports are now included as Appendix D of the RDEIR.</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of water and air borne pollutants that may occur (refer to Appendix D16 and D17 respectively of the RDEIR). Findings of the Human Health Risk Impact Assessment was presented during the public meeting in the EIA phase. All specialist assessments concluded, based on scientific evidence, the Khuma community is not severely impacted.</p>
<p>We have emailed to both you and the DMRE our submission and please stop up-dating me about this issue I am not interested as it is boring.</p>	Mr	Phoka Phatsoane	Khuma Community	21 August 2020	Email correspondence	Noted.

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I just wanted to know about the expansion of the Kareerand TSF, did you consult the people of Khuma about the expansion as required by the law? If so, can you please send me the details of the meeting with the community of Khuma?		J Latha		22 August 2020	Email correspondence	The following email was sent to J Latha on 23 August 2020: Below a link where access is provided to all public documents with regards to the application. Also, attached for your convenience a record (Comments and Responses Report (CRR)) of interaction with all stakeholders as part of the process. In addition, you are more than welcome to review the documents and make use of the opportunities provided for participation as described in the Draft Environmental Impact Report (DEIR) which is currently available for public review. You are welcome to download a copy at the link which was provided.
I will be attending the meeting. Please send me the meeting link.	Mr	Mpho Terrence Magasa		23 August 2020	Email correspondence	The link to the meeting, an agenda as well as the presentation to be presented was sent on 28 August 2020.
I want to participate.	Mr	Sebenzile Daemane	Khuma community	23 August 2020	Email correspondence	The link to the meeting, an agenda as well as the presentation to be presented was sent on 28 August 2020.
Is this process legal? You will be speaking about the lives of people and you say disrupting participants will be switched off if we show dissatisfaction about the project because we want to know why do you always speak about us without us. I think you should apply for a new site and remove the one you have illegally established next to our homes without having a proper public participation. DMRE is surely on your payroll. It is not going to be a walk-over, we will not allow you to continue with your planned genocide. Just because we are poor and black profit is more important than our lives. Why do you keep on wanting us to give you a go ahead with your planned project? We have marched to the facilities showing that what you are doing is harmful to our health, lives, and environment. But you still want to go ahead. Why can you not go and build that thing	Mr	Pule Mokoteli	Khuma Community	28 August 2020	Email correspondence	Noted. The application process is a legal process under NEMA, NEM:WA and the NWA towards the proposed expansion of the Kareerand TSF. The process is open and transparent for I&APs to participate and to comment on.

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<p>next to your neighbourhood? You know rich people will give you a hard time. Our lives matter to us if it does not to you AGA or MWS. We will defend ourselves with everything we have. We are very prepared to go to the highest court in the country if we fail, we go international.</p>						
<p>You are busy conducting your session online, talking about how you going to kill us in numbers. You do not even consider the laws of the country. We have showed you many times about your illegal activities and you still carry on. Why should we just have to listen to you, why? Why are you conducting this without us? You already started with the expansion.</p>	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Email correspondence	<p>Noted. Please note that the current Kareerand Tailing Storage Facility has all its licences for operation in place which was approved as part of a previous EIA process. Note that the expansion has not yet commenced.</p>
<p>GCS Consultants are an accomplice to criminal activities done by the mines. How can you claim you are consulting for Mine Waste Solutions when these tailings are owned by AngloGold Ashanti who is selling to Harmony? What does Mine Waste Solutions have to do with this application?</p>	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 10:00	<p>Mine Waste Solutions is a subsidiary of Anglo Gold Ashanti (who owns Chemwes). Harmony has bought Mine Waste Solutions and Chemwes. The application for the EIA was submitted under Mine Waste Solutions and the Water Use Licence under Chemwes.</p>
<p>Already the DMRE and Water and Sanitation departments have approved your so-called application when you have already started with expansion phases. What does that imply and what are the purpose of this consultation that tells us of readings of how safe this tailings are when you are the only ones who know that not even one independent individual is your company.</p>	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 10:00	<p>The WULA and EA application for the expansion of the Kareerand Tailings Storage facility is still underway and has not yet been approved. A decision from the various departments regulators only expected in 2021. The DEIR, of which a summary has been presented at the meeting, includes various specialist studies showing the potential impact of the proposed expansion. The DEIR as well as all the specialist information was available in the public domain for review and comment. The existing operation was authorised in 2010.</p>
<p>We have former employees who already experienced problems back in 2003 when Mine Waste Solutions started this operation. The employees asked why they were on Fraser Alexander's payroll when they have signed</p>	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 10:00	<p>Mine Waste Solutions still exists as a wholly owned subsidiary of AngloGold Ashanti and has submitted the EIA application for the proposed expansion of Kareerand. Harmony has recently</p>

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contracts of employment with Mine Waste Solutions. They were harshly dealt with and since then Mine Waste Solutions sold to First Uranium who sold to Anglo Gold Ashanti that is now selling to Harmony. So why is Mine Waste Solutions conducting public participation when they do not exist anymore and have long sold their properties and disappeared?						bought Mine Waste Solutions. all AngloGold Ashanti assets and is now a wholly owned subsidiary of Harmony. as of 1 October 2020.
Why are only you (GCS and Mine Waste Solutions) in this meeting? Where are the people who are affected by your tailings?	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 10:00	All stakeholders on the database were given notice of the public meetings and advertisements were published in local and national newspapers inviting stakeholders to register for electronic events. Electronic meetings are held given the Covid-19 restrictions not permitting prohibiting large gatherings of people. The Kareerand TSF Expansion project was presented at the Mine Waste Environmental Forum meeting on 13 th December 2020 and participants invited to register as I&APs.
It is suggested that the information of the DEIR be adapted for presentation to a wider audience, those with technical limitations.	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	Noted. The objective of the meetings held are to allow stakeholders to ask questions and for further explanation to be provided where requested.
Proper responses to questions asked and comments raised during the scoping phase were not provided, e.g. on financial provisioning and potential water pollution.	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of <i>De Beers Consolidated Mines Ltd v Ataquia Mining (Pty) Ltd and Others</i> . Although the definition of "mine", when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/stockpiles created pursuant to a mining right/mining permit granted under the MPRDA or "an old order right". The term "old order right" was considered in the

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						<p>case of <i>Holcim (South Africa) (Pty) Ltd v Prudent Investors (Pty) Ltd</i>. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004.</p> <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right/mining permit.</p> <p>As these operations are not considered to be “mining”, they do not fall within the scope of section 24P(1) of the National Environmental Management Act and, as a result, it is not necessary for MWS to put up financial provision. MWS, however, will be required to comply with the terms and conditions of the relevant authorisations and licences and take reasonable measures to prevent pollution and/or environmental degradation from occurring, continuing or recurring.</p> <p>Please refer to responses given on the applicability and financial provision based on its duty of care in accordance with accepted financial reporting and accounting standards. But it is not obliged to make statutory financial provision since it is not a “holder” or “holder of a right or permit” as contemplated in the MPRDA and the Financial Provision Regulations (2015).and the MPRD in the Comments and Response Register:</p> <ul style="list-style-type: none"> ○ Period: DSR for public review (24 January 2020 to 24 February 2020),

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						<p>dated 2 February 2020, p23 - Requirements in terms of the amended MPRDA regulations.</p> <ul style="list-style-type: none"> ○ Period: Comments received during the review period of the Draft Scoping Report (after 25 February 2020), dated 10 June 2020, p59.
<p>Clarity of future land-use of remined footprint should be provided as part of this EIA study. Concurrent rehabilitation is a requirement and cannot take place without understanding the end of land-use. The FSE is in favour of the proposed process, however if the developer is not openly committed to the rehabilitation of the TSF it will lead to further and more severe pollution than before.</p>	Ms	Mariette Lieferink	FSE	01 September 2020	Public meeting at 14:00	<p>End land-use planning and provision for that is a requirement under the MPRDA. This application was submitted under NEMA. MWS may choose to make financial provision based on its duty of care in accordance with accepted financial reporting and accounting standards. But it is not obliged to make statutory financial provision since it is not a “holder” or “holder of a right or permit” as contemplated in the MPRDA and the Financial Provision Regulations (2015). The aim of the cover design for the Kareerand TSF and expansions was to develop a cover for the Kareerand TSF and expansion that will be stable, non-polluting and self-sustaining in the long term.</p> <p>Based on analysis the most appropriate cover to achieve this objective is a store-and-release or phyto-evaporative transpiration (PET) cover. Effectively, a PET cover consists of chemically and hydraulically suitable soil combinations, supported by adequate, high quality, vegetation cover.</p> <p>The functions of the PET cover are to remain stable over the long-term, to provide a productive ecosystem, and to effectively evapotranspire and manage incident rainfall, minimising oxygen and moisture ingress into the underlying reactive tailings.</p> <p>Different cover thicknesses were modelled and trial sites established</p>

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						<p>onsite to validate lab tests and modelled assumptions. The onsite results are used to update cover design report as data become available.</p> <p>MWS is committed to concurrent rehabilitation of the Kareerand TSF as part of operations and have made financial provision for concurrent rehabilitation. Concurrent rehabilitation can only commence once design profile of the bottom slopes of the TSF has been achieved.</p> <p>Final rehabilitation of the reclaimed TSF footprints will be based on a safe, sustainable and agreed land use</p>
Who will be responsible for rehabilitation and associated liabilities now that Anglo has sold to Harmony?	Ms	Marianne Liefferink	FSE	01 September 2020	Public meeting at 14:00	The sale is all inclusive – assets and all liabilities. These will revert to Harmony.
Why is MWS in the picture? Who is going to be held liable? They do not exist, and they have all been gone.	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	Mine Waste Solutions, a subsidiary to AngloGold Ashanti, is the applicant which was bought by Harmony. Harmony bought all assets and liabilities.
Why is the public participation for expansion so important now as it was never done by the same Mine Waste Solutions who started the Kareerand Tailings Facility?	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	<p>Regarding the current operations, MWS/Chemwes holds all the required authorisation to conduct its business operations. Due process with regards to public participation for Kareerand and the authorisation was followed and concluded in 2008/9.</p> <p>A new application is submitted under NEMA for the expansion of Kareerand and public participation is a requirement under the Act. This was explained as part of the presentation.</p>

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<p>Given that this is re-mining, it is understood that this process is a mining operation and I am perplexed that an application under the MPRDA is not submitted. Information was quoted from DM van Tonder (Council for Geoscience) that states that reprocessing includes mining activities.</p>	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	<p>Noted. The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of <i>De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others</i>. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/stockpiles created pursuant to a mining right / mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of <i>Holcim (South Africa) (Pty Ltd v Prudent Investors (Pty) Ltd</i>. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004. As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-processing or reclaiming these dumps do not require a mining right / mining permit.</p>
<p>The groundwater specialist study states that the potential sulphur plumes have a low impact on the Vaal. Can the specialist please explain the statement?.</p>	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	<p>The specialist, Pieter Labuschagne explained that the movement of sulphur in the groundwater has been monitored over the years and that monitoring shows migration of sulphur to the south and the east. To mitigate this, interception boreholes was drilled and actively pumped. The</p>

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						<p>seepage is returned to the process water circuit.</p> <p>The groundwater quality around the TSF is monitored. The mitigation measures i.e. seepage interception will continue post deposition to prevent pollution. mitigate the movement of contamination migrating towards the Vaal River.</p> <p>The footprint of the proposed expansion will be lined with a class C type barrier.</p>
<p>Dust – it is inferred from the presentation that only radiological impacts were assessed, and in terms of the NNR Report it was mentioned that the principle radiological pathway is the deposition of dust on crops, the inhalation and ingestion of radioactive dust. As dust from tailings facilities can disperse far, and in reference to various other studies, why have the aforementioned pathways not been considered?</p>	Ms	Marianne Liefferink	FSE	01 September 2020	Public meeting at 14:00	<p>The process that was followed was to look at receptors and pathways potentially involved and then based on this public exposure conditions were determined.</p> <p>In the case of dispersion of dust, it was determined that most of the plumes are towards the south where there are more commercial/farming communities than residential.</p> <p>External exposure, inhalation exposure as well as agriculturally based ingestion pathways have been included within the assessment.</p>
<p>The Koekoemoer Spruit has been categorised E/F – very poor and it is assumed that it is due to continuous Mine Waste Solution spillages. Will MWS take responsibility to rehabilitate this water resource as it is in need of serious improvement?</p>	Ms	Marianne Liefferink	FSE	01 September 2020	Public meeting at 14:00	<p>Mine Waste Solutions had two environmental spillages at Koekoemoer Spruit, pipeline crossing, (27 August 2013 and 20 September 2019).</p> <p>Both incidents were reported to the relevant regulators and the spillages cleaned up and areas rehabilitated. A closeout report was submitted to the relevant regulators and the incidents closed out.</p> <p>Part of the incident response procedure is taking water samples, up and downstream of the incidents during and post clean up and water quality compared against the baseline water quality upstream of the incident site.</p>

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						Upstream (baseline) water quality samples indicate that the poor water quality in the Koekemoerspruit is a result of various anthropogenic spillages from Khuma and poor waste management.
Was the chemical toxicity part of the health assessment?	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	The Human Health Risk and Impact Assessment (refer to Appendix D16 of the RDEIR) conducted by EnviroSim Consulting, considered the toxicity of various chemicals (e.g. airborne Manganese, airborne and waterborne Uranium, Arsenic and Lead).
In terms of the proposed grave relocation - were the families consulted.	Ms	Mariette Liefferink	FSE	01 September 2020	Public meeting at 14:00	<p>The heritage specialist, Mr Polke Birkholtz explained that 48 archaeological and heritage sites of importance were identified and of which four (4) may potentially be impacted require mitigation. Of the four, three were historic black homes which may have unmarked graves. The fourth site has two unmarked graves.</p> <p><i>The process going forward is clearly described in the EMP (Section 4.2.2.7 and 4.2.3.5) included as Appendix F to the RDEIR.</i></p>
Why do you not want Anglo Gold Ashanti to associated with this tailings but they are charging other small mining companies to dump on this tailings like on your nuclear south plant, but you are not accountable for any of the operations. You say you do not want to address the historical questions so you say you will not even touch the rehabilitation process - as you clearly said you will cross that bridge when you get there.	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	MWS only has an tailings deposition agreement with Buffelsfontein's Nicolor Plant to accept their tailings at Kareerand TSF. MWS does not take responsibility for any of the footprints not managed by MWS.
The near community is severely impacted and have no knowledge of the radiation exposure near them. The mines and this consultation agencies	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	Dr Japie van Blerk provided information based on the specialist study on radiation which is included in the DEIR.

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are the only ones who know about the rate of radiation from the uranium dumped near the communities.						In his explanation he concluded that based on scientific evidence, the Khuma community is not severely impacted.
We do not want the expansion of the Kareerand Tailings Storage Facility. We do not want this and we do not want you to proceed.	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	Noted.
We are busy talking and the community does not even know. People are interested and affected. People are dying. Go elsewhere. The community is suffering.	Mr	Pule Mokoteli	Khuma Community	01 September 2020	Public meeting at 14:00	All stakeholders on the database were given notice of the public meetings and advertisements were published in local and national newspapers inviting stakeholders to register for electronic events. Electronic meetings are held given the Covid-19 restrictions prohibiting large gatherings of people The Kareerand Expansion Project and the environmental authorisation process was presented at the Mine Waste Solutions Environmental form meeting on 13 December 2019. The participants were encouraged to register as I&APs
Extensive pressure of slime material on underlying formations? Risk of outcropping and plans to deal with it? (APPENDIX G)	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	A slope stability assessment has showed that the lowest factor of safety slip circle surface does not go through the foundation, therefore not a risk.
Bottoms drains of existing dam not working as planned. How to deal with it when extending the dam?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	The existing drains are functioning well although some of the drains has shown erratic behaviour over time. A review on the existing TSF has been done to assess the feasibility of installing elevated drains.
What are the prevention plans to deal with significant spills?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	A hydrological assessment and detailed water balance were done as part of the TSF expansion design (refer to Appendix D12 of the RDEIR). The mitigation measure that will be implemented to prevent spillages are: ○ The construction of the East Storm Water Dam and additional return

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						<p>water dams. To ensure sufficient storm water containment;</p> <ul style="list-style-type: none"> ○ The construction of the north diversion channel. To divert clean water away from the TSF; ○ Construction of containment paddocks around the expansion. To contain water from the side slopes; ○ Flexibility in water pumping infrastructure. To allow for dams to be taken offline and desilted. ○ Investigating the feasibility of backup power supply. To prevent power failures and tank overflows.
<p>What risks were identified during the 10 years' operational period?</p>	<p>Mr</p>	<p>Piet Theron</p>	<p>Agriculture North West</p>	<p>02 September 2020</p>	<p>Email correspondence</p>	<p>Risks identified were:</p> <ul style="list-style-type: none"> ○ Underflow/overflow splits on the cyclones. Resulted in outer wedge not being developed to the design. The splits were corrected in 2014. ○ There was an earthquake of magnitude 5.8 12km away from the site in 2016 and there was an indication of liquefaction on the beach, however there was no deformation observed on the outer coarse wall. Mitigation measures implemented. The installation of additional vibrating piezometers and onsite seismograph to gather onsite data on ground movements and vibrations. ○ Data used to review current design. Flattened the outer side slope of the existing TSF from 1:4 to 1:6 too reducing the driving forces (loads). ○ There was spillage on the RWD in 2018. A dam for additional water storage is being constructed and will be commission in the second quarter of 2021. existing TSF has no paddock systems to catch slope run-off and therefore the run-off on

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						the slopes results in silting up the solution trench and silt trap. This is ongoing maintenance.
Plans for monitoring, mitigating and reporting of water quality? Plans to sustain the Environmental Forum?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	MWS is a member of the Environmental Forum and participate regularly in the forum. No change in this status is anticipated.
What plans are there to improve the management of dust, as it seems the current plans are not sufficient to prevent negative effects on adjacent vegetation and livelihood of people?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	Some challenges have been experienced with the operation of the existing TSF since acquisition in 2012. Significant improvement in dust mitigation has been achieved with the current mitigation system availability > 90% to mitigate the dust on the crest of the TSF. The average monthly dust-fall results, since 2012, for the Kareerand TSF monitoring sites are well below the National Dust Control Regulations limit of 600 (mg/m ² /day, 30-days average) dust-fall. Once a side slope becomes available, down streaming stops, the slope will be covered with topsoil and rehabilitated to limit areas of tailings exposed.
Sides slopes of the dam. Plans to deal with the problems experienced till date as to ensure maintaining workable slopes for successful and sustainable rehabilitation?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	The side slopes could not be developed or prepared for rehabilitation due to insufficient underflow material or designed outer wall wedge being achieved. There has been a significant down streaming to achieve the required design slopes (rehabilitation slopes).
Covering the dam with topsoil. As covering the dam with topsoil is of utmost importance for a sustainable end use, there should be a very clear and trustable confirmation that there would be enough topsoil to cover at least all the side slopes. How does the Scoping Report provide for this?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	A material balance has been done as part of the expansion project. Rehabilitation material will be sourced in the basin of the TSF, RWD and diversion channel excavations. These materials will be stockpiled rehabilitation.

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End-use of the dam. Are their plans for building access roads as to reach the top of the dam when finalising the dam?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	The current rehabilitation plan is for the TSF side slopes, berms and outer 200m of the top to be covered with topsoil and vegetated with indigenous grass and woody species. To allow for a cover is stable, non-polluting and self-sustaining in the long term. There will be certain infrastructure that will need to remain post closure of the operations.
Similar TSFs in other parts of the world? Lessons to be learned?	Mr	Piet Theron	Agriculture North West	02 September 2020	Email correspondence	A third-party review has been done to verify that the design complies with the following standards; SANS10268 - Mine Residue, International Commission on large Dams (ICOLD) and Global Industry Standard on Tailings Management. Knight Piesold done internal review with one of their international office to get international design review.
Recommendations: A social consultation process to assess whether any local residents or the wider public is aware of the presence of graves at sites WBP-2; MGD-5 and MGD-6. (APPENDIX E)	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. The heritage and possible grave sites will be managed as per the recommendations in the EMPr.
Depending on the result of the above consultation process, three difference processes will need to be followed. These include no mitigation if no graves are confirmed, a grave relocation process is graves are confirmed, and test excavations to confirm the presence or absence of graves if no information is gathered from the initial social consultation process.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted.
Site WGD-7 must be fenced with signposts and all individuals involved with construction and mining activities are made aware of the presence of these sites.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted, comment addressed in EMPr.
An archaeological and heritage monitoring process must be implemented for three sites containing cemeteries and possible graves located approximately 50m from the proposed development footprint areas. Although these sites	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted, comment addressed in EMPr.

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are not expected to be directly impacted upon by the proposed development, this monitoring process will ensure that no peripheral impacts take place. These four sites are AGA-MWS-MGD-2, AGA-MWS-MGD-3 and AGAMWS-MGD-8;						
All the sites listed in this report with a heritage significance of Medium and higher, must be included in a heritage management plan. Such a management plan would allow for the future management and protection of these sites.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted, comment addressed in EMPr.
Final Comments: 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and Burial Grounds and Graves (BGG) Unit has no objections to the proposed development	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted, thank you.
38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows: A qualified Heritage Specialist must be appointed to conduct Test Excavations to confirm the existence of graves in the 4 sites that lie within the proposed development footprint. A permit for this must be applied for and obtained in terms of section 36(3) of the NHRA.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted, PGS Heritage appointed to undertake the process.
If the above activity confirms the existence of graves, a grave exhumation and relocation process must be initiated as a means to conserve the graves. This must include a full 60 days public consultation process as prescribed in the NHRA Regulations under Chapter XI Procedure for consultation regarding burial grounds and graves. Evidence of consultation must be submitted as part of a permit application for the exhumation and relocation of identified graves in terms of section 36(3) of the NHRA.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted.
Monitoring reports must be provided for sites MGD-2, MGD-3 and MGD-8 once the construction period has been finalized.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted.

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The recommended Heritage Management Plan (HMP) must be submitted to SAHRA for review prior to the construction phase.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted.
38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. In the unlikely event that fossil remains are discovered during any phase of construction, on the surface or exposed by excavations the Chance Find Protocol outlined in the palaeontological report must be implemented by the ECO in charge of these developments.
38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. In the unlikely event that fossil remains are discovered during any phase of construction, on the surface or exposed by excavations the Chance Find Protocol outlined in the palaeontological report must be implemented by the ECO in charge of these developments.
38(4)d – See section 51(1) of the NHRA.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted.
38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. In the unlikely event that fossil remains are discovered during any phase of construction, on the surface or exposed by excavations the Chance Find Protocol outlined in the palaeontological report must be implemented by the ECO in charge of these developments.

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The Final EIA and EMPr must be submitted to SAHRA for record purposes.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. The final documentation as submitted to the CA will be provided to SAHRA.
The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.	Ms	Natasha Higgitt	South Africa Heritage Resource Agency	08 September 2020	Final Comment posted on SAHRIS portal	Noted. SAHRA will be notified as part of the EA notification process.
<p>FSE, on the 10th of June 2020, requested the Department of Environmental Affairs, Forestry and Fisheries and the Department of Human Settlements, Water and Sanitation's regulatory reply to the response from the EAP, namely that "MPRDA not relevant therefore no financial provisioning is required by law" and that "the MPRDA does not govern this application as this is not a mining activity, but a reclamation /deposition activity. The activities are governed by NEMA and NEMWA, therefore no SLP as prescribed by the MPRDA is required."</p> <p>Concisely stated, this Application appears to be structured and organized in such a manner to prevent responsibility from flowing along the same channels as profit. The ecological damage and degradation and pollution will therefore not be attributed to the parent (holding) company (AGA or its successor in title, namely Harmony Gold) despite the power, influence and command the holding company may wield at the top of the corporate structure.</p> <p>This strategy allows for AGA (or its successor in title) to disengage with its subsidiary, MWS (if there are ecological degradation and damage, and pollution) in order to avoid having to mitigate the impact and/or redress the harm.</p>	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	AGA held the shares in First Uranium which is the sole shareholder of MWS. As a result of the sale transaction, the Harmony group will replace AGA in this corporate structure. MWS holds and has always held the relevant authorisations to process historic tailings dumps through its processing plant and to dispose of the waste generated from this process onto the Kareerand TSF. The proposed application is to extend these operations to include additional historic dams owned by MWS and to extend the Kareerand TSF. As the authorisation holders, MWS is responsible for ensuring compliance with the conditions of those authorisations.
Request that the Applicant or its EAP clarify in simple terms, its corporate structure and to explain why MWS (which holds no mining right) will be held liable for the rehabilitation, ecological damage and	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14	Email correspondence	AGA held the shares in First Uranium which is the sole shareholder of MWS. As a result of the sale transaction, the Harmony group will replace AGA in this

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pollution in terms of this Application and not AGA (or Harmony Gold). (APPENDIX H).				September 2020		corporate structure. MWS holds and has always held the relevant authorisations to process historic tailings dumps through its processing plant and to dispose of the waste generated from this process onto the Kareerand TSF. The proposed application is to extend these operations to include additional historic dams owned by MWS and to extend the Kareerand TSF. As the authorisation holders, MWS is responsible for ensuring compliance with the conditions of those authorisations.
<p>If MWS is not the Mining Right Holder, it is inferred that AGA is the Mining Right Holder and that this Mining Right has been transferred with the consent of the Minister of Mineral Resources and Energy (DMRE) to Harmony Gold.</p> <p>AGAASA as the Mining Right Holder or Harmony Gold, as its successor in title, is therefore obligated to prepare a closure plan.</p>	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	<p>There has been no transfer of mining rights to MWS. The historic tailings dams were not (and cannot be) governed by AGA's mining rights for the reasons set out above.</p> <p>MWS holds the authorisations in its own name and is responsible for ensuring compliance with the conditions, the relevant laws and the duty of care.</p>
Please clarify if the dumps which are to be remined or reprocessed by MWS is defined as residue stockpiles or as residue deposits in terms of the MPRDA.	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	The proposed "dumps" to be reclaimed are termed "residue deposits".
However, the EAP informed us that AGA (or Harmony Gold) is not the Applicant for the extraction of gold from the historic tailings storage facilities. The Applicant is MWS.	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	Yes, the Applicant is MWS.
In the light of the aforementioned, please advise whether AGA as the Mining Right Holder has allowed MWS to process its stockpiles or has it disposed of its stockpiles to MWS?	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	<p>There has been no transfer of mining rights to MWS. The historic tailings dams were not (and cannot be) governed by AGA's mining rights for the reasons set out above.</p> <p>MWS holds the authorisations in its own name and is responsible for ensuring</p>

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						compliance with the conditions, the relevant laws and the duty of care.
<p>Contrary to residue stockpiles, the definition of mine as a verb in the MPRDA includes mining in residue deposits. It is therefore illegal to mine a residue deposit without a mining right or mining permit.</p>	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	<p>There has been no transfer of mining rights to MWS. The historic tailings dams were not (and cannot be) governed by AGA's mining rights for the reasons set out above. MWS holds the authorisations in its own name and is responsible for ensuring compliance with the conditions, the relevant laws and the duty of care</p>
<p>We request the DMRE not to authorise the project unless the following knowledge gaps, which were identified in the SEIA, have been addressed. These gaps include:</p> <ul style="list-style-type: none"> The unknown impact on soil and water quality in the case of potential spillages along the new or existing pipelines (the specialist studies focused on the TSF area and not the supporting infrastructure). The status and impacts of the rehabilitation of the historical TSFs are unknown. 	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	<p>The existing and new pipelines run along existing pipelines or existing pipe-corridors. Pipeline failures and spillage do occur. However, the following mitigation measures has been put in place to limit the extent and impact of these spillages or failures:</p> <ol style="list-style-type: none"> 24-hour pipeline patrol; Secondary containment bunds along pipelines to contain any spillage; Clean up and rehabilitation of spillage as soon as practically possible. Pipeline maintenance and replacement strategy Reporting of incidents to the relevant regulator, and closeout report submitted once incident has been cleaned up and area rehabilitated. <p>The above-mentioned mitigation measures reduce the risk of spillages and limit the potential impact to a minimum. None of the current source TSF's being reclaimed is available for rehabilitation at this time and will be remediated once reclamation is complete. Final</p>

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						rehabilitation of the reclaimed TSF footprints will be undertaken once reclamation activities are complete and it will be based on a safe, sustainable and agreed land use.
<p>The likelihood of pipelines spillages find support in the historic pipeline failures by Mine Waste Solutions. The subjoined photographs adduce authentic photographic evidence of the pipeline failures, spillages and unrehabilitated footprints of the reclaimed TSFs.</p>	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	<p>All incidents are reported to the relevant regulators as required.</p> <p>Spillages is clean up and the areas rehabilitated as soon as possible. Progress and close-out reports is submitted to the relevant regulators during clean up and once area is rehabilitated. The following mitigation measures has been put in place to limit the extent and impact of these spillages or failures:</p> <ul style="list-style-type: none"> f) 24-hour pipeline patrol; g) Secondary containment bunds along pipelines to contain any spillage; h) Clean up and rehabilitation of spillage as soon as practically possible. i) Pipeline maintenance and replacement strategy j) Reporting of incidents to the relevant regulator, and closeout report submitted once incident has been cleaned up and area rehabilitated. <p>None of the current source TSF's being reclaimed is available for rehabilitation at this time and will be remediated once reclamation is complete. Final rehabilitation of the reclaimed TSF footprints will be undertaken once reclamation activities are complete and it will be based on a safe, sustainable and agreed land use.</p>

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<p>We report that the public participation meetings on the 1st of September 2020, did not make sufficient provision for disadvantaged and vulnerable persons to meaningfully participate and failed to take into consideration the local knowledge of affected communities.</p> <p>We submit that the above process was prejudicial to the interests and rights of affected communities of Khuma and the Margaret Village.</p>	Ms	Mariette Liefferink	FSE	08 September 2020 and further resent on 14 September 2020	Email correspondence	Noted. The process followed was in line with Chapter 6 of the EIA regulations and in line with the Covid-19 restrictions.
Comments received <u>after</u> the review period of the Draft Environmental Impact Report						
<p>"I really fail to understand how you conduct your business, you had a secret participation on your own and on behalf of yourselves. What GCS has done is totally illegally. You want me to comment. When I have asked questions, you told me that you are not going to entertain some historical questions. That on its own undermine and humiliate my right to know what you do not want me to know.</p> <p>From my little knowledge, I understand that according to NEMA, public participation must be accessible to everyone who is affected by the projects including those who are vulnerable and disadvantaged the community. For this application, it is not the case. We did request the records of the existing tailings dam, but according to you it not something that you are going to give us because you know that these processes have never taken place before.</p> <p>Initially we as the members of the community we knew that your initial application to put uranium was not authorised. Then you had your way of manipulating the system and had things done your way at the expenses of our lives. You failed to tell what it is that you are throwing next to us. You can't even tell who you really are consulting for, who is getting the profit from the remining of dumps.</p>	Mr	Pule Mokoteli	Khuma Community	20 September 2020, further resent on 24 September 2020	Email correspondence	<p>All of the documents on the existing TSF requested was provided on 3 August 2020 to you and other Khuma community representatives in electronic format. Please refer to APPENDIX I for the signed acknowledgement of receipt.</p> <p>The process followed was in line with Chapter 6 of the EIA regulations and in line with the Covid-19 restrictions. The rules of the meetings were communicated prior to the events and at the beginning of the meetings. All I&AP's were afforded the opportunity to comment after the presentation was delivered. Those participating also had the opportunity to provide comments in the "conversation box". Comments were addressed after the presentation was delivered. I&APs could also provide any written questions and comments via email and cell phone communication.</p>

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<p>This is a clear indication of what you did by not allowing us an opportunity to be heard on how we will feel to live with uranium and other toxic chemicals. You think it does not matter because you are not living in the exposed area, only money for you.</p>						
<p>We request the DMRE AND DWA not to grant this authorisation for a number of reasons:</p> <ol style="list-style-type: none"> 1. No one wants to tell us how did that TSF get near us, we simply do not know who is responsible for the genocide in the making, 2. We humbly request our government institutions to save our lives and children. We did our part as community to save ourselves - it is now up to our government officials to save us. Our lives matter to us as much as profit matters to your boss. You do not want us to know who is really killing our community. <p>When we say to you that your current TSF is affecting our health and our ecosystem, AGA says we must bring proof of what we say. The proof is where we live. DMR OFFICIALS has told us so too. They say we must conduct our own scientific study to proof that we are dying. So it not possible for us as we have no money to conduct those studies for something that we did not even bring to ourselves. It is clear to us that they are being protective over the applicant. For AGA, MWS, HARMONY, CHEMWES, FIRST URANIUM it is in the bag. See attached files so show that we have made enough effort to really save ourselves. Remove your uranium next to us please and please apply for depositing it near your houses. May you be well taken care of and well looked after.</p>	Mr	Pule Mokoteli	Khuma Community	20 September 2020, further resent on 24 September 2020	Email correspondence	Noted.
<p>I solemnly object to the expansion of the Kareerand TSF which is 2km from our township Khuma location. As the community we were never consulted with the first phase of the operation. It will be useless to comment on something that you do not know. We were never told about it. I have also heard that you had a public participation</p>		Mzwandile Huna	Khuma Community	20 September 2020,	Email correspondence	Noted. Regarding the current operations (phase 1 refers), MWS holds all the required authorisations to conduct its business and due process with regards to the authorisation was followed and concluded in 2008/9. The information on Phase 1 is available on

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<p>consultation process electronically. We were denied opportunity to express our rights as the community of Khuma as the neighbouring community and the previously disadvantage community this project is killing the environment and affects human health through toxic chemicals green house emission, uranium, airborne particles .in conclusion OUR LIFES MATTERS and we want that bomb gone. We only have one life, and it is to be spared. It is clear that you knew from the onset that we will never allow you to dump uranium next us, however, you did so in hiding thinking you will hide it forever.</p>						<p>the GCS website or electronically from MWS. The opportunity to participate in the electronic meetings held were advertised, notifications were sent via email and SMS messages were sent to those who have registered. Advertisements were published as follows:</p> <ul style="list-style-type: none"> ○ Klerksdorp Record (13 August 2020) ○ City Press (09 August 2020) ○ Potchefstroom Herald (13 August 2020) ○ Volksblad (12 August 2020) ○ Kroonnuus (11 August 2020) <p>The impact of greenhouse gas emissions, airborne particles and radiological impacts on human health has been included and assessed within the Air Quality Specialist Report (refer to Appendix D8 of the RDEIR), the Human Health Risk and Impact Assessment (refer to Appendix D16 of the RDEIR) as well as the Radiological and Public Impact Assessment (refer to D17 of the RDEIR). The Human Health Risk and Impact Assessment as well as a Radiological Public Impact Assessment looked at the health risks of water and air borne pollutants that may occur. All specialist assessments concluded, based on scientific evidence, the Khuma community is not severely impacted.</p>
<p>May I also kindly request your response to our understanding of the process your client is following. Our understanding of the process is subjoined hereunder.</p>	Ms	Mariette Lieferink	FSE	25 September 2020	Email correspondence	<p>Your understanding of the process being followed is correct. In this regard, the following has reference:</p>

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<p>Application process and timeframes for a mining right: Where large scale mining activities are to be undertaken, the applicant must apply in terms of section 22 (1) of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) to the Minister of Mineral Resources for a mining right simultaneously with an environmental authorisation. The application must be lodged at the office of the Regional Manager in whose region the land is situated and the Regional Manager must, within 14 days of receipt of the application, either accept or reject the application for a mining right. In terms of section 22 (4) (a) and (b) of the MPRDA, where the Regional Manager accepts the application, the Regional Manager must, within 14 days from the date of acceptance of the application, request the applicant to:</p> <p>(a) Submit the relevant environmental reports, as required in terms of Chapter 5 of the National Environmental Management Act, 107 of 1998 (NEMA), within 180 days from the date of the notice; and</p> <p>(b) Consult in the prescribed manner with the landowner, lawful occupier and any I&AP and include the results of the consultation in the relevant environmental reports.</p> <p>Anglo Gold Ashanti's (AGA) position on the above requirements is that its application is not for a mining operation but for reclamation operations. We have queried this viewpoint and at the time of writing, we have not received a response. We have also raised concerns regarding the obfuscation of the relationship between Mine Waste Solutions and AGA.</p> <p>We have agreed, however, that the project needs environmental authorisation in terms of the NEMA, the NEM:Waste Act, the National Nuclear Regulator Act (47 of 1999), the National Water Act (36 of 1998), etc. The 2014 Environmental Impact Assessment (EIA) Regulations regulate the procedure and criteria, as provided for in Chapter</p>					<ul style="list-style-type: none"> ○ Comments and Responses Report Version 2 which was included in the Final Scoping Report – the response below was provided: ○ The re-processing/reclamation of tailings dams created prior to 1 May 2004 does not fall within the scope of the MPRDA. This conclusion was confirmed in the case of <i>De Beers Consolidated Mines Ltd v Ataqua Mining (Pty) Ltd and Others</i>. Although the definition of “mine”, when used as a verb, includes any residue deposit, the definition of residue deposit (and by association residue stockpiles) contemplates only those deposits/ stockpiles created pursuant to a mining right / mining permit granted under the MPRDA or “an old order right”. The term “old order right” was considered in the case of <i>Holcim (South Africa) (Pty Ltd v Prudent Investors (Pty) Ltd</i>. The court, in this case, confirmed that the term “old order rights” has a very specific meaning under the MPRDA and only applies to residue stockpiles and deposits created after 1 May 2004. <p>As a result, residue stockpiles and deposits fall outside the ambit of the MPRDA and the re-processing or reclamation of these dumps is not considered “mining” and persons re-</p>

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<p>5 of the NEMA, pertaining to the preparation, submission, processing and consideration of, and decision on, applications for environmental authorisation. GCS on behalf of Mine Waste Solutions (MWS) conducted a Scoping and Environmental Impact Assessment.</p> <p>Full Scoping and EIA Process and Associated Timeframes:</p> <p>The development of facilities or infrastructure for the storage and handling of hazardous substances where the combined capacity is 500 cubic metres (listed activity 4 of Government Notice [GN] R984) or the clearance of 20 hectares or more of indigenous vegetation (listed activity 15 of GN R984) require a full scoping and EIA Process. The expansion of the Kareerand Tailings Storage Facility (TSF) therefore requires a full scoping and EIA Process.</p> <p>Regulation 21 of GN R982 prescribes the process and timeframes for undertaking a Full Scoping and EIA process and the submission of a Scoping Report to the competent authority.</p> <p>In terms of regulation 21 (1) of GN R982, the Applicant is required to submit within 44 days of receipt of the application by the competent authority a Scoping Report. The Scoping Report must have been subjected to a public participation process of at least 30 days, prior to the submission of the Scoping Report to the competent authority.</p> <p>In terms of regulation 21 (1) of GN R982, the Applicant is required to submit within 44 days of receipt of the application by the competent authority a Scoping Report. The Scoping Report must have been subjected to a public participation process of at least 30 days, prior to the submission of the Scoping Report to the competent authority.</p> <p>The competent authority must within 43 days of receipt of the Scoping Report, either accept the Scoping Report, with or without conditions, or refuse environmental authorisation. Thereafter, the applicant, in accordance with regulation 23 (1) (a), must within 160 days of the acceptance of the</p>						<p>processing or reclaiming these dumps do not require a mining right / mining permit. Please refer to updated response to your comments dated 2 February 2020, published in this report.</p> <ul style="list-style-type: none"> ○ The timeframe extensions granted as a result of regulation GN 650 in GG 43412 issued on 05 June 2020, given this we are still within the regulated timeframe with the finalisation of the EIR underway.

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<p>Scoping Report submit to the competent authority an Environmental Impact Report (“EIR”) which must include any specialist reports and an EMPr. We are, according to our understanding, in this stage of the process.</p> <p>Where significant changes have been made or significant new information has been included in the EIR or EMPr where such changes and / or new information, was not contained in the EIR or EMPr consulted on in the initial public participation process, then the applicant in terms of regulation 23 (1) (b) must submit written notification to the competent authority that the EIR and EMPr will be submitted within 156 days of acceptance of the Scoping Report by the competent authority.</p> <p>The competent authority must within 107 days of receipt of the EIR and EMPr either grant environmental authorisation in respect of all or part of the activity applied for or refuse environmental authorisation.</p> <p>The total days for the scoping and EIA process envisaged under regulation 23 (1)(a) of GN R982 is 300 days. However, where written notification in terms of regulation 23 (1)(b) of GN R982 is given to the competent authority to submit the EIR and EMPr within 156 days of receipt of the application by the competent authority, the total days for the entire scoping and EIA process is 350 days.</p>						
<p>It has been a while we have been anticipating the response to our comments in your so called public participation done on a webinar even under lowered regulations of the current pandemic that allowed a gathering of up to fifty people but yet you have failed to consult with the severely affected members of the community due to your dangerous unacceptable business practices that allows you to continue expanding the current facilities without approval from the same authorities that you currently applied to and that alone shows your disrespect of our democratically enforced procedures as you did it before when you started this tailings by constructing it without approval or</p>	Ms	Melizizwe (G) Jaas	Khuma Community	14 October 2020	Email correspondence	<p>Noted.</p> <p>Comments are responded to in the Comments and Responses Report. Comments received on the DEIR are responded to in this 4th version of the CRR.</p> <p>Regarding the current operations (phase 1 refers), MWS holds all the required authorisations to conduct its business and due process with regards to the authorisation was followed and concluded in 2008/9.</p> <p>The Human Health Risk and Impact Assessment as well as a Radiological</p>

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<p>adherence to any protocols I am a very interested and affected party and registered as one but your records do not reflect as such there are no proper responds to comments I raised in the comment sheet I sent and through Mr Pule Mokoteli's webinar as mine always has difficulties login in to your meetings I am still of the strongest opposing view of this dangerous practices that you do not acknowledge by still claiming to be consulting on behalf of mine waste solution a so called subsidiary entity to those benefiting and taking all the profit as enviromental consultants you have reported so much about Khuma and how it is impacted but amazingly you and not even one of your officials has ever set foot to consult or record that information you presented this is very serious and will need to be accounted to like how did you not mention the fact that this is a very toxic mine waste site that stores a dangerous mineral of uranium character that is known for its very volatile nature and severe irreparable impacts on human health how did you miss the fact that this site has very high doses of radiation that surpass the so called acceptable standards and according to health and safety including enviromental regulation there is acceptable radiation exposure dose to any living being including poor black people of khuma townships as it seems they are not regarded as such and be warned we don't need this killer storage facility next to us and the only justice to this community is to have it removed as it serves no purpose but severely and invincibly harming us and you not even account to but downplay all raised concerns we will march with the community members you deprived an legal opportunity to raise their voices through public participation stipulated by our laws and will exercise our democratic rights and engage public institutions to demand disapproval of this project an immediate halt of illegal operations.</p>					<p>Public Impact Assessment looked at the health risks from the existing and proposed expansion (refer to Appendix D16 and D17 respectively of the RDEIR). All specialist assessments concluded, based on scientific evidence, the Khuma community is not severely impacted.</p> <p>Please note that the public consultation process followed was in line with Chapter 6 of the EIA regulations and in line with the Covid-19 restrictions at the time. Public meetings during the EIA phase were held electronically and the rules of the meetings were communicated prior to the events and at the beginning of the meetings. All I&AP's were afforded the opportunity to comment after the presentation was delivered. Those participating also had the opportunity to provide comments in the "conversation box". Comments were addressed after the presentation was delivered. I&APs could also provide any written questions and comments via email and cell phone communication.</p>

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<p>Following the review of the submitted draft EIA report and Environmental Management Programme Report (EMPr), this Department has no objection to the submission of the final (“scoping”) report to the Department of Mineral Resources (DMR) for consideration.</p>	Ms	B Moselakgomo	Department of Economic Development , Environment, Conservation and Tourism (Detect) – North West	14 October 2020	Letter via Email correspondence	Noted, thank you.
<p>The proposed Kareerand TSF expansion trigger Waste Management Activities Category B (3), (7) and (11) listed in GNR.921 of November 2013. The EIA must make reference and/or description of how the listed activities above are applicable to the project as proposed. The EIA does not outline the relation between the listed activities and project description. The EIA must capture the impacts identified and applicable mitigation measures so far as waste management listed activities are concerned. A waste management licence application must be lodged with the relevant Competent Authority.</p>	Ms	B Moselakgomo	Department of Economic Development , Environment, Conservation and Tourism (Detect) – North West	14 October 2020	Letter via Email correspondence	<p>As part of the integrated application process, a waste management licence is applied for under NEM:WA, Category B activity 3 and 7. Please refer to Section 4, Table 4-4: NEM:WA Listed Activities triggered by the proposed project of the EIR where the activities applied for in terms of NEM:WA is listed. As this application is an integrated application under the “One Environmental System”, all activities as identified in terms of NEMA and NEM:WA has been assessed simultaneously. Impacts and mitigation measures associated with all listed activities has been identified and assessed within Sections 10 and 11 of the EIR.</p>
<p>Please note the final decision in this application remains with the Competent Authority, the Department of Mineral Resources.</p>	Ms	B Moselakgomo	Department of Economic Development , Environment, Conservation and Tourism (Detect) – North West	14 October 2020	Letter via Email correspondence	Noted.

APPENDIX A

FSE Submission

APPENDIX B

Matlosana Community Economic Rights and Development NPC Submission

APPENDIX C

Khuma EFF Submission

APPENDIX D

Attendance register and memorandum of community march held on 26 February 2020

APPENDIX E

SAHRA Comments and Response Letter

APPENDIX F

Comments from National Nuclear Regulator

APPENDIX G

Comments from Agri North West

APPENDIX H

Comments from FSE on DEIR

APPENDIX I

Signed acknowledgement of receipt