

# Stakeholder Engagement Plan for the proposed relocation of the bulk chemical storage at Anglo American Platinum's Rustenburg Base Metal Refiners (RBMR), North West Province.

Report Prepared for

**Anglo American Platinum's RBMR**



Report Number 561608/ Stakeholder Engagement Plan



Report Prepared by



October 2020

# Application for an Environmental Authorisation for the proposed relocation of the bulk chemical storage facility at Anglo American Platinum's Rustenburg Base Metal Refiners (RBMR), North West Province

## Stakeholder Engagement Plan

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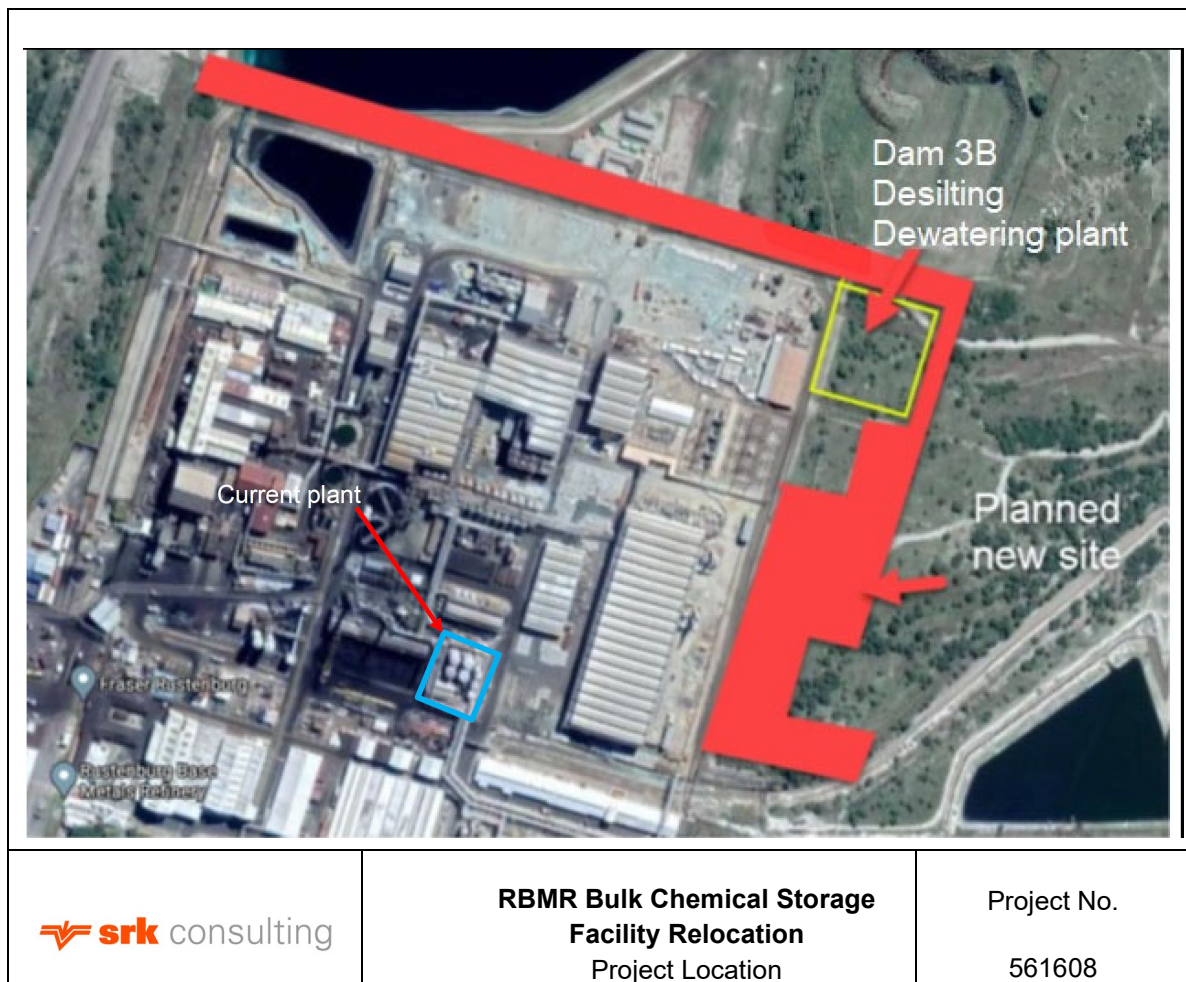
The opinions expressed in this Report have been based on the information supplied to SRK Consulting (South Africa) (Pty) Ltd (SRK) by Anglo American Platinum's Rustenburg Base Metal Refiners (RBMR). The opinions in this Report are provided in response to a specific request from RBMR to do so. SRK has exercised all due care in reviewing the supplied information. Whilst SRK has compared key supplied data with expected values, the accuracy of the results and conclusions from the review are entirely reliant on the accuracy and completeness of the supplied data. SRK does not accept responsibility for any errors or omissions in the supplied information and does not accept any consequential liability arising from commercial decisions or actions resulting from them. Opinions presented in this report apply to the site conditions and features as they existed at the time of SRK's investigations, and those reasonably foreseeable. These opinions do not necessarily apply to conditions and features that may arise after the date of this Report, about which SRK had no prior knowledge nor had the opportunity to evaluate.

## List of Abbreviations

BMR	Base Metals Refiners
CRR	Comments and Responses Report
DEDECT	North West Department of Economic Development, Environment, Conservation
DEFF	Department of Environment, Forestry and Fisheries
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Report
EMPr	Environmental Management Programme report
GNR	Government Notice Regulation
I&APs	Interested and Affected Parties
MC	Magnetic Concentrator
NEMA	National Environmental Management Act
PPP	Public Participation Plan
RBMR	Rustenburg Base Metals Refiners
ToR	Terms of Reference
SAHRA	South African Heritage Resources Agency

# 1 Introduction

Rustenburg Base Metals Refiners (RBMR) requires reagents for processing their raw materials at their Magnetic Concentrator (MC) Plant and Base Metals Refiners (BMR) plants. The chemicals are received, stored and distributed from a centralised Bulk Chemical Storage facility shown in Figure 1-1 (current plant).



**Figure 1-1: Project Location**

However, continuous leaks and loss of bund integrity have resulted in the contamination of the current site’s substrate resulting in heaving of the foundations. RBMR decided in late 2019 that a repair of the current facility would not be possible and that a new facility was urgently required. The chemical storage plant therefore needs to be relocated.

The construction of a new bulk chemical storage facility triggers activities listed in terms of Listing Notices 1 and Listing Notice 2 of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) (as amended) and will require an Environmental Authorisation (EA) from the North West Department of Economic Development, Environment, Conservation (DEDECT). Since the project triggers activities in Listing Notice 2 of the NEMA, a full Environmental Impact Assessment (EIA) including Scoping and Impact Assessment will be followed as stipulated in Government Notice Regulation (GNR) 326 of the NEMA. The NEMA listed activities triggered by the proposed project are provided in Table 1-1.

**Table 1-1: NEMA Listed Activities Triggered by the proposed project**

<b>Government Notice and Activity Number</b>	<b>Relevant Activity as per the relevant Listing Notice</b>	<b>Describe the portion of the development as per the project description that relates to the applicable listed activity</b>
Listing Notice 1 (GNR 327): Activity 24	<i>The development of a road— (i) [a road] for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) [a road] with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i>	The proposed project will include tarring of an existing gravel access road.
Listing Notice 1 (GNR 327): Activity 27	<i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</i>	Construction of the proposed plant will require clearance of land with a footprint more than 1 hectare and less than 20 ha.
Listing Notice 1 (GNR 327): Activity 31	<i>The decommissioning of existing facilities, structures or infrastructure...</i>	The relocation of the bulk chemical storage facility will require the decommissioning of the existing plant.
Listing Notice 1 (GNR 327): Activity 60	<i>The expansion and related operation of facilities or infrastructure for the bulk transportation of dangerous goods— (ii) in liquid form, outside an industrial complex or zone, by an increased throughput capacity of 50 cubic metres or more per day;</i>	The proposed project will require transportation of chemicals considered to be dangerous goods.
Listing Notice 1 (GNR 327): Activity 64	<i>The expansion of railway lines, stations or shunting yards where there will be an increased development footprint, excluding—</i>	A railway siding running from the existing railway line running in RBMR will be constructed for the transportation of chemicals to the new plant.
Listing Notice 2 (GNR 325): Activity 4	<i>The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.</i>	The proposed bulk chemical storage facility will have storage capacity of more than 500m <sup>3</sup> .
Listing Notice 2 (GNR 325): Activity 7	<i>The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods— ii) in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or</i>	The plant will require pipelines that will be used to transport chemicals from the bulk chemical storage facility to the RBMR facilities where the chemicals will be used.

SRK Consulting (SA) (Pty) Ltd (SRK) has been appointed RBMR as the independent Environmental Assessment Practitioner (EAP) to conduct the EA application and associated stakeholder engagement process for the project. The reports and documentation for the EA application process will be compiled and finalised for submission to the DEDECT in terms of the NEMA for consideration and decision making.

## 2 Aim of the Stakeholder Engagement Plan

This Stakeholder Engagement Plan is prepared in response to the requirements of Annexure 3 of the Department of Environment, Forestry and Fisheries (DEFF) Disaster Management Directions of 5 June 2020. The Directions require that a person (proponent/ applicant, specialist, EAP) or other professional) who undertakes actions as part of an environmental authorisation process must:

- Prepare a written Public Participation Plan (PPP) or Stakeholder Engagement Plan, containing proposals on how the identification of and consultation with all potential Interested and Affected Parties (I&APs) will be ensured in accordance with regulation 41(2)(a) to (d) of the Environmental Impact Assessment (EIA) Regulations (2014, as amended) or proposed alternative reasonable methods as provided for in regulation 41(2)(e) of the EIA Regulations, for the purposes of the application and submit such plan to the competent authority;
- Request a meeting or pre-application discussion with the relevant competent authority to determine the reasonable measures to be followed to identify potential I&APs and register I&APs for purposes of conducting public participation on an application requiring adherence to Chapter 6 of the EIA Regulations as set out in the PPP and obtain agreement from the relevant competent authority on the Public Participation Plan;
  - For new applications, the PPP agreed with the competent authority, must be attached to the application form; and
  - Unless part of a site visit, virtual or telephonic meetings to be arranged with the relevant competent authority as set out in Annexure 2.

A pre-application discussion was held with the DEDECT on 11 August 2020 where the proposed stakeholder engagement process was discussed. This stakeholder engagement plan will form an appendix to the application that will be submitted to the DEDECT.

## 3 Proposed Stakeholder Engagement Process

Stakeholder engagement is a key element of the environmental decision-making process, and stakeholder engagement forms part of the scoping phase as well as the impact assessment phase. The process is primarily aimed at affording I&AP's the opportunity to gain an understanding of the proposed project. In addition, the purpose of consultation with the landowners, key stakeholders, and I&AP's is to provide them with the necessary information about the proposed project so that they can make informed decisions as to whether the project will affect them, and provide the EIA team with local knowledge of the area and raise concerns relating to the biophysical, socio-economic and cultural impacts that may arise.

The stakeholder engagement process will be conducted in terms of NEMA, which provides clear guidelines for stakeholder engagement during an EIA as summarised in Table 3-1.

**Table 3-1: NEMA Stakeholder Guidelines**

NEMA Section	Applicability to Stakeholder Engagement
<b>Chapter 1</b>	Outlines the principles of environmental management, several pertaining to public consultation (e.g. Chapter 1, subsections (2), (3), (4) (f), (g), (h), (k), (q) and (r).
<b>Chapter 6,</b>	Regulations 39 – 44 of the amended EIA Regulations GNR) 326, promulgated on 8 December 2014, specify the minimum

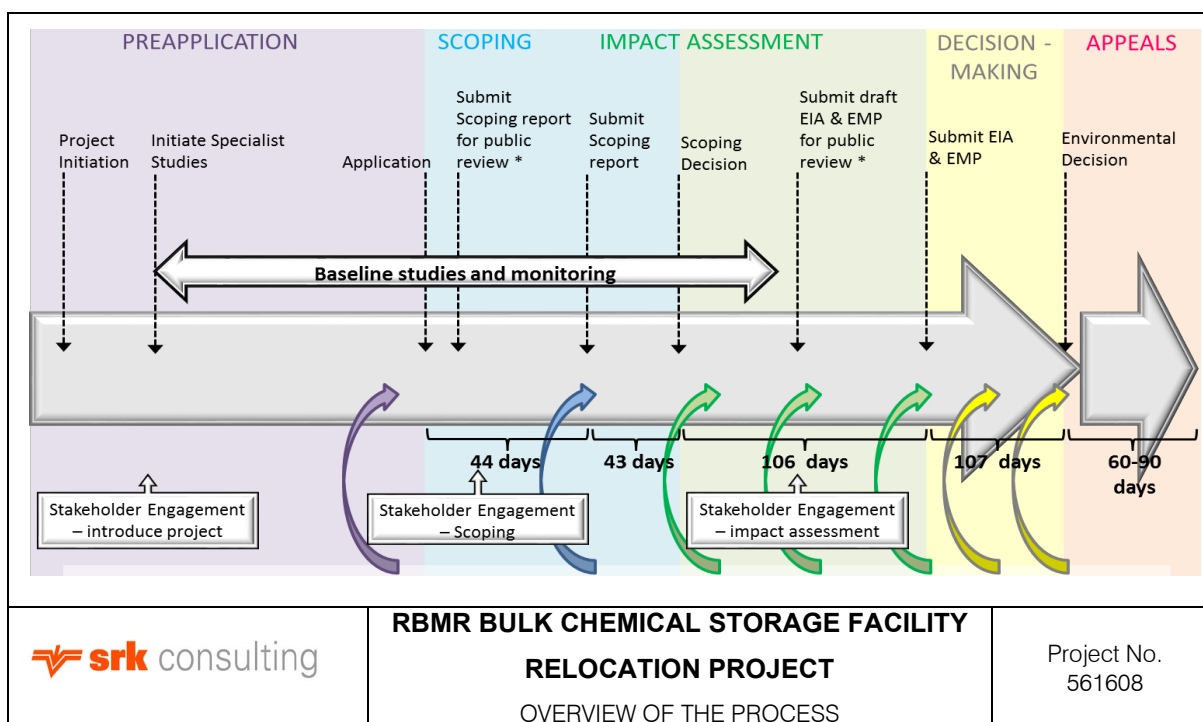


NEMA Section	Applicability to Stakeholder Engagement
	requirements for stakeholder engagement in an EIA process conducted under the NEMA.
<b>Section 24J of the NEMA</b>	In 2017, the Minister of Environmental Affairs published, Section 24J of the NEMA in terms of, Public Participation Guidelines which guide the Public Participation Process in order to give effect to Section (2)(4)(f), (o) and 24 (1A)(C) of the NEMA.

The application process will commence with a scoping phase which will inform the impact assessment phase. This scoping phase will provide Interested and Affected Parties (I&AP's) an opportunity to provide the EAP with issues and concerns with respect to the proposed project in order to inform the technical studies so that they can evaluate these concerns during the EIA phase of the project.

The draft Scoping and EIA Reports will be made available for public review prior to submission to DEDECT for authorisation. All the comments received will be captured and addressed where feasible in the Scoping and EIA Reports.

Figure 3-1 provides a summary of the EIA process to be followed and indicates where stakeholder engagement will be undertaken throughout the process.



**Figure 3-1: Overview of the Environmental Impact Assessment Process**

The guidelines listed in Table 3-1 will be incorporated into the stakeholder engagement process. This application will be submitted to the DEDECT for authorisation as the competent authority. Identified commenting authorities on this application include:

- Department of Water and Sanitation (DWS) – Regional Office;
- SAHRA – Provincial;
- Rustenburg Local Municipality;
- Bojanala Platinum District Municipality; and

- Royal Bafokeng Nation.

### 3.1 Stakeholder Identification Interested and Affected Parties

Interested and Affected Parties (I&APs) will be identified using GIS and cadastral information to identify affected and adjacent properties. The affected and adjacent property owners will be identified using the surveyor general website, [www.deedsweb.gov.za](http://www.deedsweb.gov.za). In addition, registered I&AP's will be also sourced from responses to the advertisements, site notices and written notification to I&AP's associated with the project.

The I&APs register will be maintained for the duration of the study where the details of stakeholders are captured and automatically updated upon communication to the EAP. The identification, registration, and comments from I&APs will be an on-going activity.

The affected properties are provided in Table 3-2.

**Table 3-2: List of affected Farm and Farm Portions**

Farm	Portions	21 Digit Survey General Code
WATERVAL 303 JQ	42	T0JQ0000000030300042

Table 3-3 provides a list of identified adjacent properties.

**Table 3-3: List of the adjacent properties**

Farm	Portions	21 Digit Survey General Code
WATERVAL 303 JQ	33/303	T0JQ0000000030300033
	73/303	T0JQ0000000030300073
	74/303	T0JQ0000000030300074
	75/303	T0JQ0000000030300075
	76/303	T0JQ0000000030300076
	67/303	T0JQ0000000030300067
	68/303	T0JQ0000000030300068
	69/303	T0JQ0000000030300069
	70/303	T0JQ0000000030300070
	71/303	T0JQ0000000030300071

Figure 3-2 shows the affected and adjacent properties.

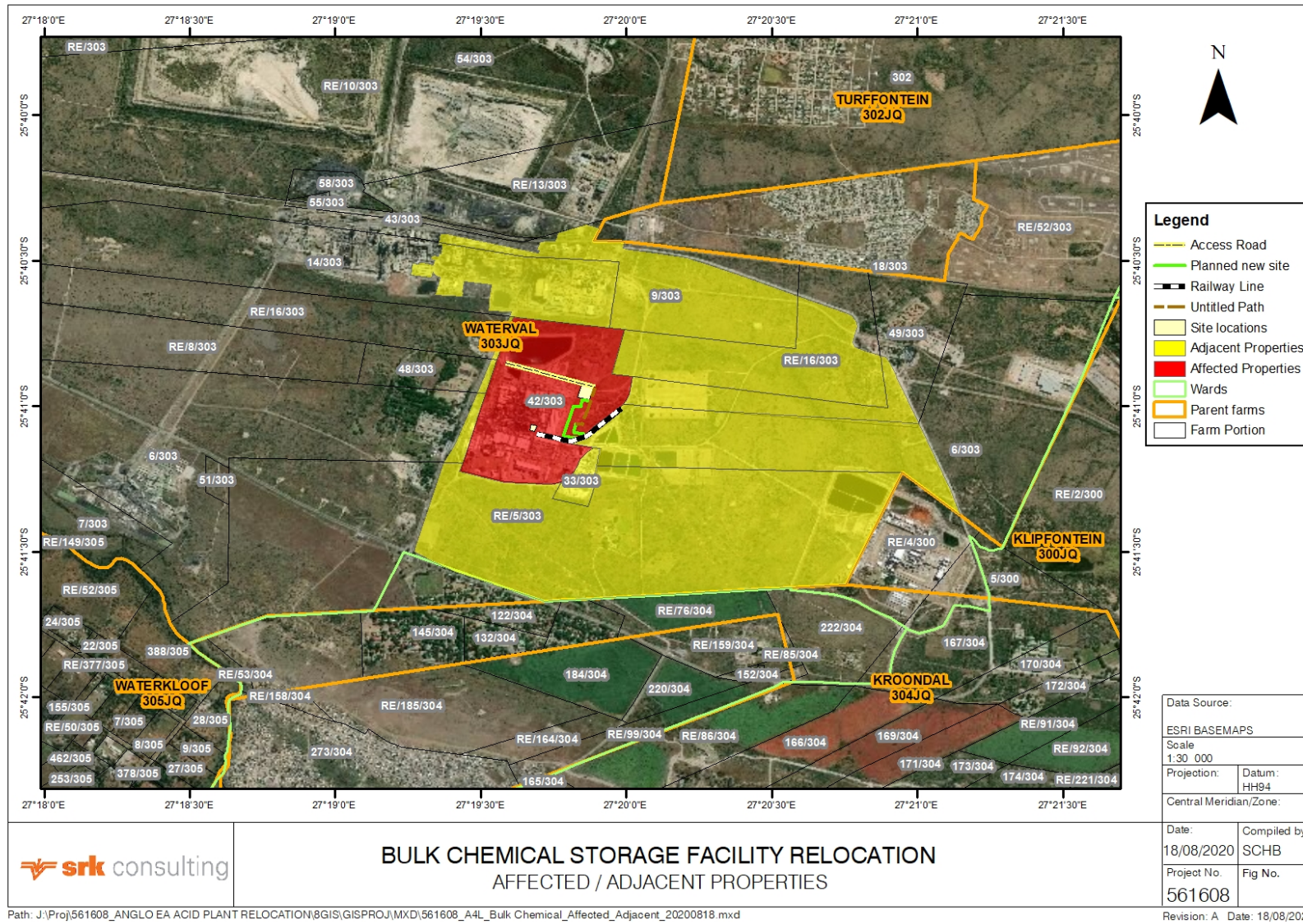


Figure 3-2: Affected and Adjacent Properties

## 3.2 Project Announcement Phase

SRK will make use of various methods to inform stakeholder of RBMR's intention to undertake the required and environmental processes and EA application. Stakeholders will be provided with the opportunity to participate and register as I&AP's during the announcement phase of the project.

### 3.2.1 Distribution of Notification Letters

Notification letters will be sent to all identified I&AP's (affected and adjacent landowners and land occupiers) informing them of the proposed project.

### 3.2.2 Site Notice Placements

Sites notices (Size A2: 600 mm X 420 mm) notifying stakeholders and I&AP's of the proposed bulk chemical storage facility will be placed at conspicuous places in the project area.

### 3.2.3 Newspaper Advertisements

English and Setswana newspaper advertisements notifying stakeholders about the proposed project and the opportunity to participate in the EIA process will be placed in the Rustenburg Herald newspapers.

## 3.3 Draft Scoping Report Phase

The draft Scoping Report will be compiled in terms of the requirements of GNR 326. All comments received during the announcement phase of the stakeholder engagement process will be incorporated into draft Scoping Report and collated into a Comments and Responses Report (CRR) as an attachment. The draft Scoping Report will be made available for a 30-day commenting period.

The availability of the draft Scoping Report was announced by means of SMSes, letters and emails to registered I&APs. Copies of the draft Scoping Report will be made available at the venues listed in Table 3-4.

**Table 3-4: The list of places where the draft Scoping Report will be placed for public viewing**

Public Place	Locality	Telephone
Rustenburg Library	Heystek/Thabo Mbeki Drive, Rustenburg	014 590 3701 <a href="mailto:plouw@rustenburg.gov.za">plouw@rustenburg.gov.za</a>
SRK	OneDrive	A link will be created and shared with the stakeholders
SRK	Dropbox	A link will be created and shared with the stakeholders
SRK Website	<a href="http://www.srk.co.za">www.srk.co.za</a>	(012) 361 9821

The draft Scoping Report will also made available to the competent and commenting authorities during the 30-day review and comment period.

Depending on the responses received during the registration period, and where requested by the stakeholders, a public meeting may be held during the Scoping Phase of the project, ensuring that the COVID-19 Regulation requirements are met. This would preferably be undertaken through, where possible, online meetings. In cases where stakeholders do not have internet access, the meetings will

be held with no more than 50 stakeholders in attendance. Stakeholders will be informed of the COVID-19 Regulation requirements that will be enforced during the meeting.

Where necessary, comments and concerns received from I&AP's, including commenting authorities, will be incorporated and addressed in the Final Scoping Report. All comments and concerns received from I&AP's and responses to those concerns will also be collated into the CRR prior to submission of the Final Scoping Report to the competent authority, who will decide as to whether the EIA Phase can continue.

Once all the comments and concerns have been incorporated into the Final Scoping Report, the EIA team will submit the Final Scoping Report to the DEDECT for decision-making.

### **3.4 Comments and Response Report**

All issues and concerns raised by I&AP's during the Scoping and EIA process, will be recorded and responded to in the CRR which will form part of the Final Reports submitted to the DEDECT.

### **3.5 Draft Environmental Impact Assessment Report Phase**

Upon acceptance of the Final Scoping Report by the DEDECT, a draft Environmental Impact Assessment Report (EIAR) will be compiled in terms of Appendix 3 of GNR 326 promulgated in terms of the NEMA. The purpose of the impact assessment Phase of this EIA process is to systematically assess the impacts of the proposed project on the immediate and surrounding biophysical and socio environment.

The draft EIAR and EMPr will be made available for a 30-day commenting period. Registered I&AP's will be notified of the availability of the draft EIAR and EMPr Report through email, fax, SMS and posted registered letters. Depending on the responses received during the registration period, and where requested by the stakeholders, a public meeting may be held during the impact assessment phase of the project, ensuring that the COVID-19 Regulation requirements are met. Should a meeting be required, where possible online meetings will be held, and where stakeholders do not have internet access, the meetings will be held with no more than 50 stakeholders in attendance. Stakeholders will be informed of the COVID-19 Regulation requirements that will be enforced during the meeting.

Where necessary, comments and issues raised by I&AP's during the commenting period will be consolidated into the Final EIAR and EMPr with the relevant response issued by the EAP. The Final EIAR and EMPr will then be submitted to the DEDECT for decision making. The comments will also be collated into the CRR that will form an Appendix to the Final EIAR.

### **3.6 Authority Consultation**

Ongoing consultation with the different authorities will be conducted during the course of the EIA process. Further consultations with the competent authorities will be conducted should they become necessary. Authority consultation is considered an on-going process until a decision is made on the environmental application.

Other authorities that will be included are the local and district municipalities, ward councillors, and others identified during the scoping Phase of the project.

## **4 Conclusions and Recommendations**

The aim of the stakeholder engagement plan is to inform and request the DEDECT to provide direction for the proposed EIA. SRK is of the opinion that the proposed stakeholder engagement plan will meet the requirements of both Chapter 6 of the NEMA and requirements of Annexure 3 of the DEFF Disaster

Management Directions of 5 June 2020. The proposed stakeholder engagement process will provide I&APs with ample opportunity to be involved throughout the EIA process.

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