

## Ashley A. Strong

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**From:** Van Den Berg Leo [VanDenBergL@dwa.gov.za]  
**Sent:** 28 September 2012 07:57 AM  
**To:** Bongzi Mhlanga; iafrica@icon.co.za  
**Cc:** Ashley A. Strong; Veerapan-Lewis Leila  
**Subject:** RE: EIA and Waste Management Licence Application: Proposed Continuous Ashing at Majuba Power Station

**To: Nicolene Venter: Public Participation & Stakeholder Engagement Practitioner**

You can register me as an interested party for this project. The following comments are provided.

### **TAILINGS DAMS AND ASH DISPOSAL FACILITIES – DAM SAFETY REQUIREMENTS IN TERMS OF CHAPTER 12 OF THE NATIONAL WATER ACT, 1998**

1. If the operational storage of the free water on top of a tailings dam / mine residue deposit or ash dam does not exceed 50 000 m<sup>3</sup>, the particular tailings dam or ash dam is not registered or classified as a dam with a safety risk.
2. The requirement that the free water on top of the facility must be reduced to below 50 000 m<sup>3</sup>, or a more stringent requirement, must be clearly specified in the Operation Manual and /or Code of Practice of the tailings dam / mine residue deposit or ash dam and should be actively enforced throughout the life of the dam. If not, the tailings dam / mine residue deposit or ash dam must be registered as a dam with a safety risk in terms of dam safety legislation. It will then be classified and it must then comply with all the requirements of the dam safety legislation in Chapter 12 of the Water Act and the requirements of dam safety regulations issued in terms of this chapter.
3. If the tailings dam / mine residue deposit or ash dam is part of a mining operation, it must at all times comply with all the applicable legislation administered by the Department of Mineral Resources (DMR). The DMR requires that every tailings dam / mine residue deposit must have a Code of Practice. A guideline for such a Code of Practice has been developed by DMR.
4. It must also comply with the requirements in Chapter 4 of the National Water Act with respect to the use of water. Pollution control dams and tailings dam / mine residue deposit at mines must also comply with the Regulations on use of water for mining and related activities aimed at the protection of water Resources (Government Gazette 20119, Notice 704), 4 June 1999.
5. Pollution control dams associated with ash disposal and tailings facilities must however comply with the dam safety requirements of Chapter 12 of the National Water Act if they comply with the size requirements of a dam with a safety risk. Only dams with a maximum wall height that exceeds 5,0 m **and** with a storage capacity of more than 50 000 m<sup>3</sup>, or any other dam declared as a dam with a safety risk) are subject to the dam safety legislation in Chapter 12 of the National Water Act and the Dam Safety Regulations in Government Notice R. 139 of 24 February 2012.
6. For more information about dam safety you can visit the Dam Safety Office website (part of the Department of Water Affairs website at:

<http://www.dwa.gov.za/DSO/>

Kind Regards

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**From:** Nicolene Venter [<mailto:iafrica@icon.co.za>]  
**Sent:** 27 September 2012 09:59 AM  
**To:** 'Bongi Mhlanga'  
**Cc:** 'Ashley A. Strong'  
**Subject:** EIA and Waste Management Liscence Application: Proposed Continuous Ashing at Majuba Power Station

Dear Stakeholders

**DEA Ref No: 14/12/16/3/3/1/53; NEAS Ref No: DEA/EIA/0001417/2012**

Lidwala Environmental has been appointed to undertake a Environmental Impact Assessment (EIA) and Waste Management License Application for the proposed Continuous Ashing at Eskom's existing Ash Disposal Facilities at their Majuba Power Station, Mpumalanga Province.

Please find attached, for your attention the Background Information Document (BID) and Registration and Comment Form for the proposed project.

If you require any addition information, we kindly request that you submit them – in writing – to us.

We are looking forward to receive your registration and comments.

Kind Regards

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