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*Background Information Document (BID)*

FOR COAL MINING RIGHT, AND ENVIRONMENTAL AUTHORIZATION APPLICATION WITH WATER USE LICENSE (WUL) AND REZONING APPLICATIONS ON PORTION OF REMAINING EXTENT OF THE FARM ST. HELENA 386 IT (EXCLUDING MINING PERMIT WITH REF: MP 30/5/1/3/2/14071 MP), IN THE MKHONDO MAGISTERIAL DISTRICT, MPUMALANGA PROVINCE: DMRE REF NUMBER: MP 30/5/1/2/2/ 10397 MR.



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MINING RIGHT BACKGROUND  
INFORMATION

## 1.1 INTRODUCTION

Foloyi Construction and Projects CC has applied for a mining right in terms of the Minerals and Petroleum Resources Act (Act No.28 of 2002) (MPRDA) (as amended) portion of remaining extent of the farm ST. Helena 386 IT (Excluding Mining Permit with DMRE Ref: MP 30/5/1/3/2/14071 MP), situated within Mkhondo Magisterial District, under Gert Sibande District Municipality, Mpumalanga Province: DMRE Ref Number: MP 30/5/1/2/2/ 10397 MR.

This application for a mining right is subject to an application for an Environmental Authorization in terms of the National Environmental Management Act (NEMA), Act 107 of 1998. In addition to this, the project will also require a water use license in terms of the National Water Act, Act No. 36 of 1998 (NWA) and to adhere with Section 58(1) of the Mkhondo Local Municipality Spatial Planning and Use Management SPLUM By-Law, 2016.

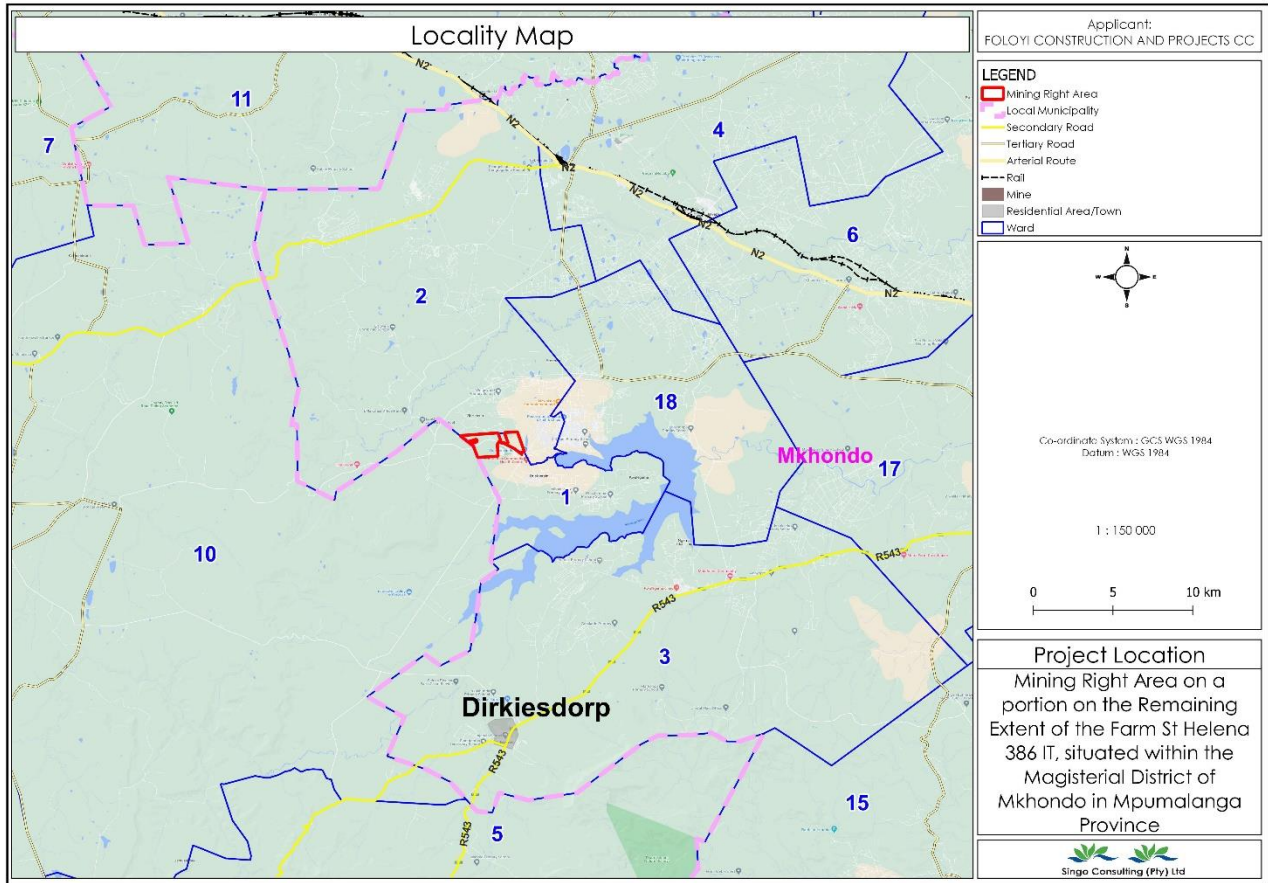
Foloyi Construction and Projects CC appointed Singo Consulting (Pty) Ltd as an independent Environmental Assessment Practitioner (EAP), to complete the necessary environmental applications and oversee the various specialist studies:

Various Specialist studies:	
Geohydrology study	Heritage study
Ecological study	Hydrological Study
Social Labour Plan	Integrated Water and Waste Management
Waste Classification	Wetland Delineation Study
Geotechnical Study	Soil study
Rehabilitation Plan	Traffic Management Study
Blasting and vibration Assessment	Competent Person Report
PCD and General Engineering Design	

## 2. LOCATION

The mining right area falls in the Gert Sibande District Municipality and Mkhondo Local Municipality, Mpumalanga Province. The mining right application will be on portion of remaining extent of the farm ST. Helena 386 IT (Excluding Mining Permit with DMRE Ref: MP 30/5/1/3/2/14071 MP). The site is covered approximately 383.711 hectares in extent and is located approximately 4 km West of Heyshope Dam,

approximately 36 km West of Piet Retief, adjacent to Mkhize Village and in Driefontein between two regional highways, R543 and N2 which give easy access to the farm. Please refer to Figure 1 and Figure 2.



**Figure 1: Locality Map of the project area (Coordinate: -26.980741, 30.374236).**



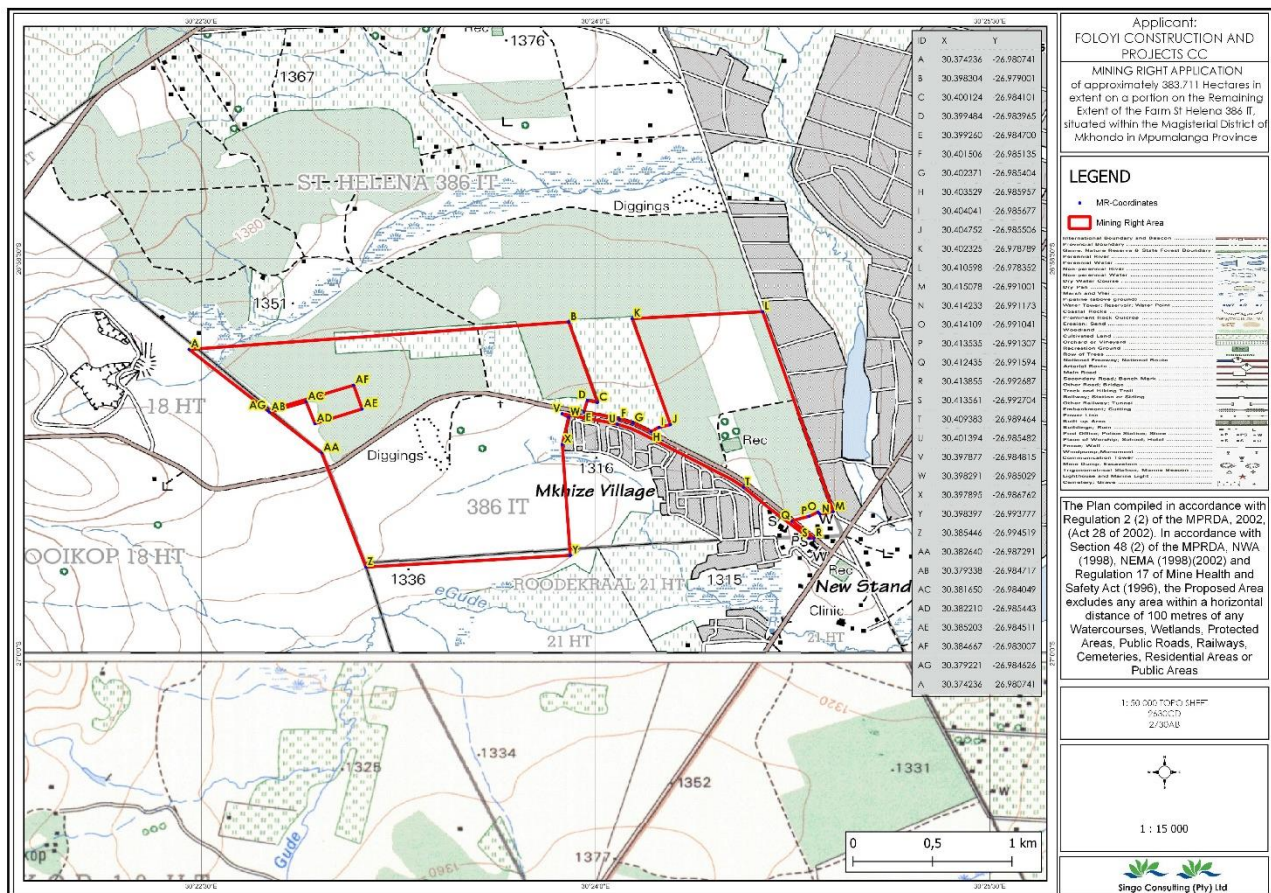


Figure 2: Regulation 2(2) map of the project area

### 3. PURPOSE OF THE BACKGROUND INFORMATION DOCUMENT

❖ **The purpose of this document is to:**

- ✚ Provide background information to landowners, stakeholders, interested and affected parties (I&APs) on the proposed mining right activities
- ✚ Consult stakeholders and provide them the opportunity to register as I&APs
- ✚ Announce the availability of a draft Scoping Report available for public review and comment
- ✚ Obtain I&AP comments and contributions to incorporate these into environmental reporting

Please complete the attached Comments and Registration Form if you wish to register as an I&AP or contribute comments. Register / comment and return the form to Singo Consulting (Pty) Ltd.

#### ❖ **THE ROLE OF I&AP's**

Communities, neighbors, government representatives, stakeholders such as community leaders, Non-governmental organizations (NGO) are being invited to participate in the EIA process by means of published advertisements, site notices and written correspondence. I&APs are invited to assist in:

- ✚ Identifying issues of concern to be investigated, as well as possible impacts of the project on the natural & social environment;
- ✚ Suggesting alternative means in which to mitigate possible negative impacts and enhance positive impacts.

You are hereby invited to participate freely and submit any questions or information you feel may contribute to the process. All comments received will be recorded and addressed as part of the environmental impact assessment process. Please complete the attached comment form (APPENDIX A).

#### **4. Project Overview**

**Mineral Applied For:** Coal resources.

**Mining Methods:** Open Cast Mining

**Life of Mine:** 30 years lifespan

##### **Potential Market:**

Foloyi Construction and Projects plans to supply coal to the local market (Eskom); provided that the quality of coal from portion of the Remaining Extent of the farm St. Helena 385 IT exploration meets Eskom's specifications. The decision to supply coal to the local market was based on Eskom's demand for coal, as well as the proposed mining area's proximity to the Eskom Power station.

International markets, Eskom, other domestic (i.e. coal stove & power generation) and (i.e. for steel production, liquid fuel and for cement manufacturing).

The main components of the database included spreadsheets describing each of the following data formats, collar, lithological, raw quality and the wash product quality database.

#### ❖ **Mineral and Land Tenure**

The mining right is applicable for portion of remaining extent of the farm ST. Helena 386 IT (Excluding Mining Permit with DMRE Ref: MP 30/5/1/3/2/14071 MP). The Windeed results reflects that, the proposed property

belongs to Mkhondo Local Municipality. There is a mining permit application by Fologyi Construction and Projects CC on portion of remaining extent of the farm ST. Helena 386 IT with DMRE Ref: MP 30/5/1/3/2/14071 MP.

#### ❖ HISTORICAL INFORMATION;

According to the geological map of the project area below, it can be observed that the area is underlain by Vryheid Formations which forms part of the Eccca Group within the Karoo Supergroup. It is a sedimentary rock formation that consists of sandstones, shales, and coals (Coffey, 1994). The Vryheid Formation is overlain by the Eccca Group, which consists of sandstones, shales, and coals (Coffey, 1994). The Eccca Group is important for coal mining in the Mpumalanga region and is known for its high-quality coals (Coffey, 1994). The Vryheid Formation is also an important coal-bearing unit, and it is interbedded with the Eccca Group in many areas (Coffey, 1994).

Coal mining is the primary economic activity associated with the Vryheid Formation in the Mpumalanga region (Coffey, 1994). The coal that is mined from the formation is used for power generation, steel production, and other industrial purposes (Coffey, 1994). The Vryheid Formation coals are generally of lower quality than those from the Eccca Group, but they are still economically viable (Coffey, 1994).

From the data gathered from CGS the drilled boreholes confirmed that there are coal resources on the area of interest and the adjacent mines solidify the existence of coal commodity.



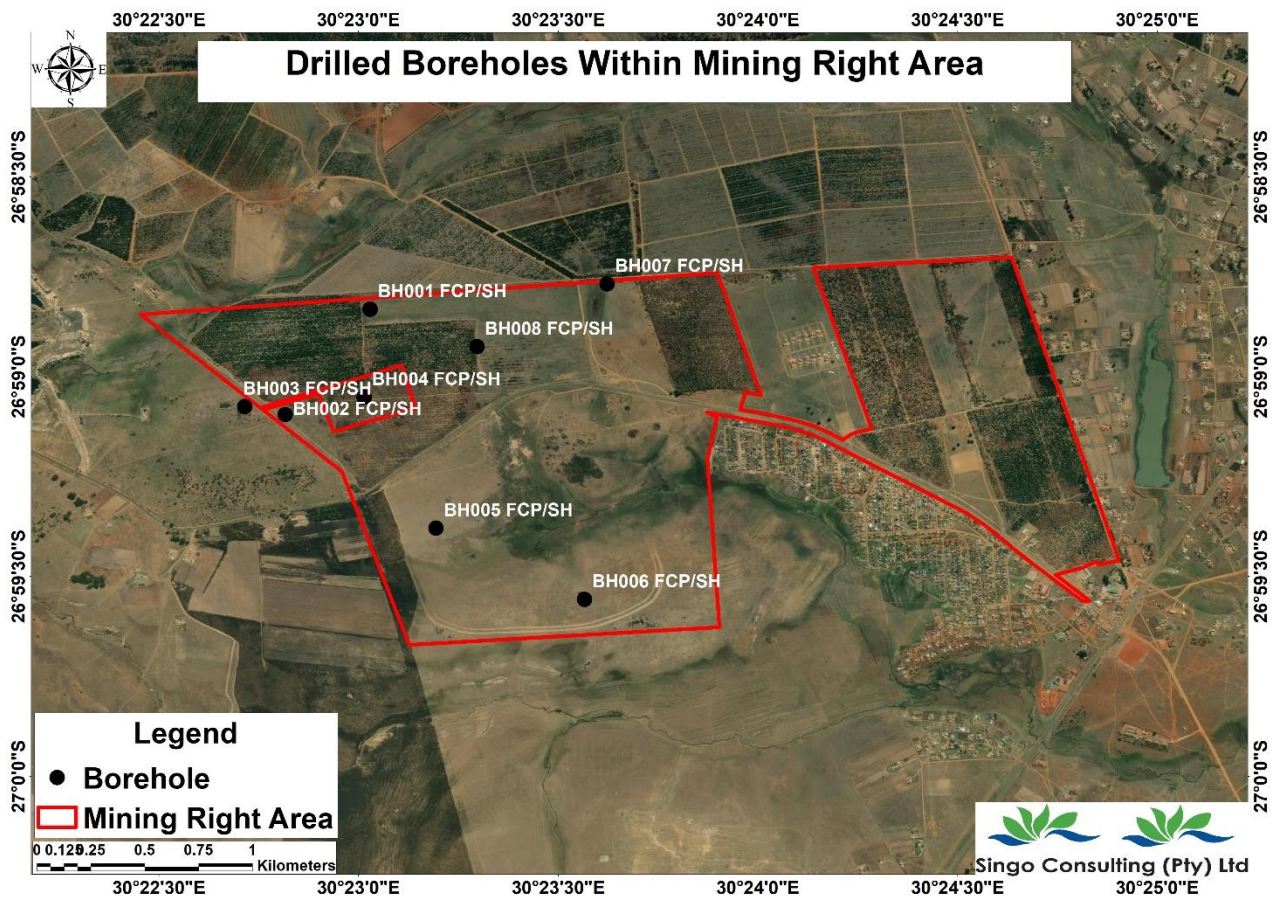
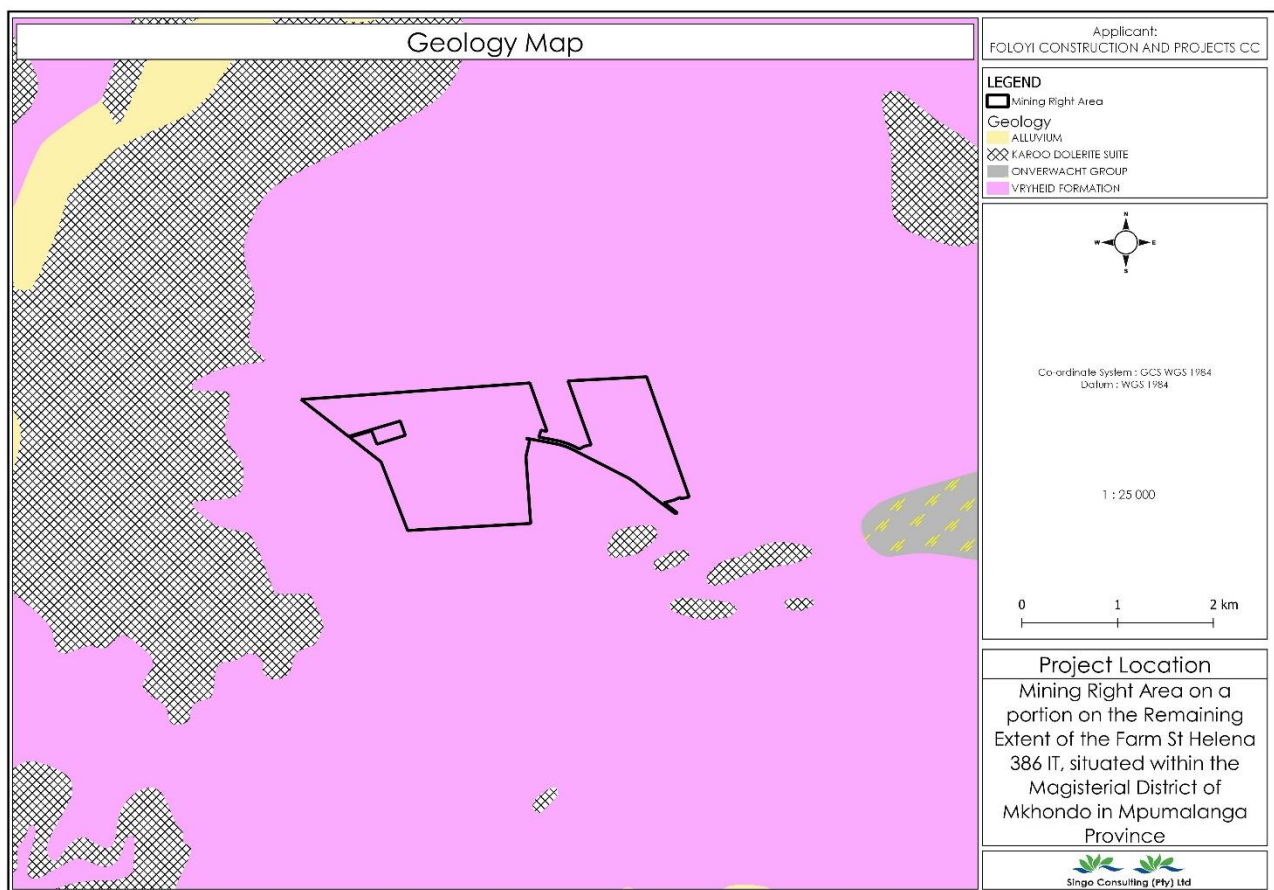


Figure 3: Historical Drilled boreholes.

### ❖ Project Geology.

The mining right application is located within the Ermelo Coalfield based on the generally accepted coalfields. The coal seams of the Ermelo Coalfield are part of the Vryheid Formation, which is a geological unit that consists of sandstones, shales, and coals. The coal seams in the Ermelo Coalfield are interbedded with the sandstones and shales and vary in thickness from a few centimetres to several meters. The coal seams in the Ermelo Coalfield have been divided into four major coal zones, which are known as the D, E, F, and G coal zones (Mey and Hermanus, 2017).

According to the geological map of the project area below, it can be observed that the area is underlain by Vryheid Formations which forms part of the Eccu Group within the Karoo Supergroup. The Vryheid Formation is composed of shales, sandstones, and coal seams.



**Figure 4: Geology Map of the project area.**



Open cast coal mining recovers a greater proportion of the coal deposit than underground methods, as more of the coal seams in the strata may be exploited. The proposed infrastructure required on site includes the following:

Proposed Infrastructure:	
Access & Haul roads (with necessary security) including the upgrading of the access point to the gravel road.	Contractor's Yard with septic/chemical ablution facilities
Offices	Surface water management measures (stormwater diversion berms and trenches, pollution control dams etc)
workshop and stores (with septic/chemical ablution facilities)	Discard Facility
Diesel facilities and a hardstand	Power and Water
Boxcut	Stockpiles (topsoil, overburden, subsoil/softs,)

The proposed mining method and sequence comprised of the following main mining activities for coal:

- ✚ Initial topsoil and soft overburden removal which will be stockpiled to ensure it can be replaced back in the initial box cut;
- ✚ The physical mining of the coal seam which includes drilling of hard overburden material, charging and blasting;
- ✚ The coal will be loaded into trucks and transported to Folyi processing plant situated on the Remaining Extent of the farms Klipspruit 138 HT, Portion 7 of the farm Annysspruit 141 HT and Portion 1 of the farm Annysspruit 139 HT under Wakkerstroom and Piet Retief Magisterial Districts, Mpumalanga Province;
- ✚ Discard coal will be extracted and replaced in the bottom of the opencast pit, while the product will be then removed off site to Folyi processing plant;
- ✚ The overburden is replaced back into the pit as mining progresses leaving a minimum area open at a single time;
- ✚ The topsoil which was stripped and stockpiled separately before mining commenced is then replaced. The findings of the land capability study will determine the optimal composition to ensure pre-mining conditions for utilisation.

#### **Employment:**

- ✚ The project will create employment for approximately 52 people as per the Social Labour Plan for the Mkhondo Local Municipality.

## 5. LEGISLATIVE PROCESS

In order for the proposed mine to operate, the applicant is required to submit an application for a mining right in terms of Section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) with the DMRE. In support of the application to obtain the mining right, the applicant is required to conduct a Scoping and Environmental Impact Assessment (S&EIA) process that needs to be submitted to the DMRE for adjudication, which includes activities triggered under the Environmental Impact Assessment Regulations of 2014 (as amended) promulgated under the National Environmental Management Act, 1998 (Act 107 of 1998).

The extent of the mining right entails a life of mine of 30 years and covers the above-mentioned farm portion. The proposed ST. Helena opencast coal mining operations constitutes various listed activities which have been listed within the scheduled activities in Government Notice Regulation No 324, 325 and 327 (amended 7 April 2017) now amended GNR 517 as of 11 June 2021 and therefore require an integrated Scoping and EIA process to be followed. Prior to any listed activity being approved by the DMRE, it is required that an environmental process is undertaken, and a report is submitted to the relevant environmental authority for consideration. The purpose of the S&EIA process is to ensure that potential environmental, economic and social impacts associated with operation and closure/rehabilitation of a project are identified, assessed and appropriately managed. There are two primary phases, namely the scoping phase and the environmental impact assessment phase. These two phases are discussed in more detail below:

### ❖ Scoping Phase

The scoping phase is conducted as the precursor to the Environmental Impact Assessment (EIA) process during which:

- ✚ Project and baseline environmental information is collated. Baseline information for the scoping report is gathered through visual inspections during field visits of the proposed project area and surroundings, desktop studies which include GIS mapping, and review of existing reports, guidelines and legislation.
- ✚ Landowners, adjacent landowners, local authorities, environmental authorities, as well as other stakeholders which may be affected by the project, or that may have an interest in the environmental impacts of the project are identified.
- ✚ Interested and affected parties (I&APs) are informed about the proposed project.
- ✚ Environmental authorities are consulted to confirm legal and administrative requirements.
- ✚ Environmental issues and impacts are identified and described.
- ✚ Development alternatives are identified and evaluated, and non-feasible development alternatives are eliminated.

- ✚ The nature and extent for further investigations and specialist input required in the EIA phase is identified.
- ✚ The draft and final scoping reports are submitted for review by authorities, relevant organs of state and I&APs.
- ✚ Key I&AP issues and concerns are collated into an issues and response report for consideration in the EIA phase.

#### ❖ EIA Phase Process

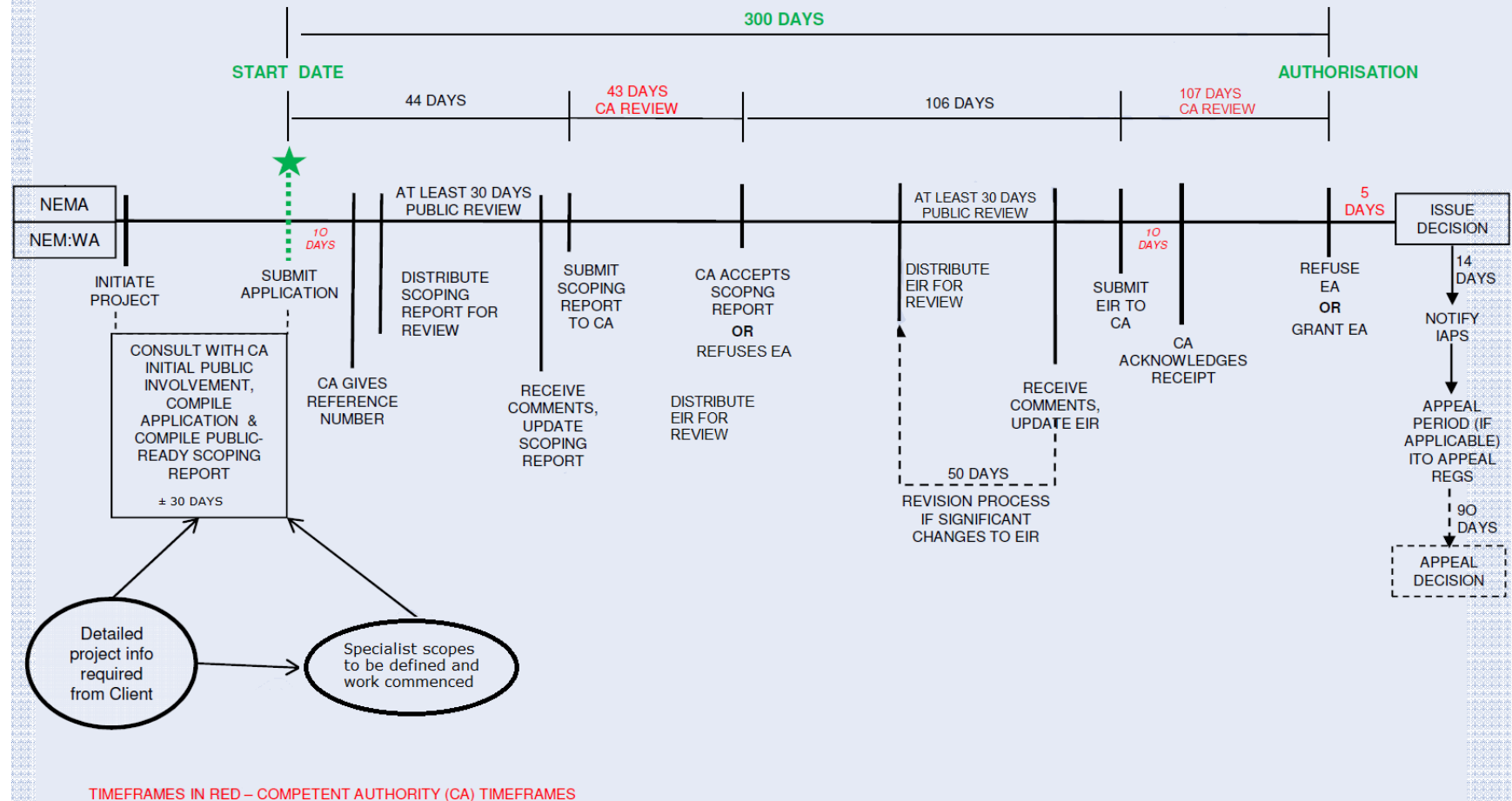
After the initial scoping phase, the EIA phase of the application includes:

- ✚ Specialist investigations are undertaken in accordance with the terms of reference established in the scoping assessment (plan of study for EIA appended to the scoping report). The scope for specialist work is determined accordingly to the nature and scale of the project impacts.
- ✚ An evaluation of development alternatives and identification of a proposed option.
- ✚ An assessment of existing impacts (no-go development option), environmental impacts that may be associated with the proposed project option, and cumulative impacts using the impact assessment methodology.
- ✚ Identification of mitigation measures to address the environmental impacts and development of actions required to achieve the mitigation required.
- ✚ Consultation with I&APs.
- ✚ Incorporation of public comment received during scoping and the draft EIA into the final EIA report.
- ✚ Issuing of the final EIA report for review.
- ✚ After the draft EIA report was reviewed, comments received are incorporated in the final EIA report and final Environmental Management Program (EMPr).

The requirements for the S&EIA process are specifically contained in Chapter 4 Part 3 of the NEMA Reg No 326 (amended on 7 April 2017 and amended GNR 517 as of 11 June 2021). The EIA process can take up to 300 days to complete (87 days for scoping phase, 106 days for EIA phase, and 107 days for competent authority to review). In addition, Water Use License Application (WULA) will be submitted to the Department of Water and Sanitation (DWS) in accordance with the National Water Act 1998 (Act No. 36 of 1998) (NWA) for listed water uses and Rezoning application will be submitted to Mkhondo Local Municipality in terms of Section 45 of the Spatial Planning and Land Use Management Act, 2013, (Act No. 16 of 2013), as amended, and to adhere to Section 58(1) of the Mkhondo Local Municipality Spatial Planning and Use Management SPLUM By-Law, 2016. See illustration below;



## 2017 EIA REGS AUTHORISATION TIMELINE – SCOPING & EIR



## **6. PUBLIC PARTICIPATION PROCESS (PPP)**

### **6.1 OBJECTIVES OF PUBLIC PARTICIPATION**

- ✚ Provides Interested and Affected parties (I&APs) with an opportunity to voice their support, concerns and questions regarding the project, application or decision;
- ✚ Provides an opportunity for I&APs, EAP and the Competent Authority (CA) to obtain clear, accurate and understandable information about the environmental, social and economic impacts of the proposed activity or implications of a decision;
- ✚ Provides I&APs with the opportunity of suggesting ways of reducing or mitigating negative impacts of an activity and for enhancing positive impacts
- ✚ Enables the applicant to incorporate the needs, preferences and values of affected parties into the application;

### **6.2 LEGISLATION**

The PPP must comply with the several important sets of legislation that require public participation as part of an application for authorisation or approval; namely:

- ✚ The Mineral and Petroleum Resources Development Act (Act No. 28 of 2002 - MPRDA);
- ✚ The National Environmental Management Act (Act No. 107 of 1998 - NEMA);
- ✚ The National Water Act (NWA, Act No. 36. Of 1998).
- ✚ The Spatial Planning and Land Use Management Act (Act No. 16 of 2013)

Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. The details of the Integrated PPP are provided below.




### **6.3 IDENTIFICATION OF I&APS**

An Interested and Affected Parties (I&AP) database will be compiled of key stakeholders and I&AP's identified for notification of the Environmental Authorisation Application. The I&AP database includes, amongst others; landowners, communities, regulatory authorities and other specialist interest groups. I&AP's are notified of the proposed project through site notices, public notices and newspaper advertisements. Where contact information is available email notifications has also been sent out.

### **6.4 NOTIFICATION AND REGISTER OF I&APS**

The PPP was initiated in May 2023 and is ongoing process where I&AP's are encouraged to send through their concerns or comment and call to **register to EAP & PPP Officer**. The notification procedure includes:

- ✚ Newspaper advertisement;

-  Site Notices;
-  Public meetings;
-  Letters and emails.

## 6.5 NOTIFICATION OF AVAILABILITY OF SCOPING REPORT

With submission of the application to the DMR, the formal 300-days EIA process has been initiated, as per the NEMA Regulations (2014, as amended). The Draft Scoping Report (DSR) will be made available to stakeholders and I&APs for a period of 30 days to review and provide comments. All registered I&APs will be notified via emails of the dates for the **availability of the DSR from the 26<sup>th</sup> of June 2023 to the 25<sup>th</sup> of July 2023**. The DSR will also be placed on the following public spaces:

Areas	Contact Person	Addresses
Piet Retief Public library	N/A	Piet Retief, 2380
Driefontein library	N/A	St Helena, Driefontein
Mkhondo Local Municipality	Vusih Dube (087 630 0180/082 065 4597)	33 Mark & De Wet Streets, eMkhondo

**“Registered I&APs will be informed about availability of reports and scheduled stakeholder meetings. Comments raised by stakeholders will assist in informed decision-making for authorities and provides information to be considered by the project team and specialists conducting studies.”**



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**Appendix A: REGISTRATION AND COMMENT FORM SHEET-**

**NOTICE OF COAL MINING RIGHT AND ENVIRONMENTAL AUTHORIZATION APPLICATION WITH WATER USE LICENSE (WUL) AND REZONING APPLICATIONS ON PORTION OF REMAINING EXTENT OF THE FARM ST. HELENA 386 IT (EXCLUDING MINING PERMIT WITH REF: MP 30/5/1/3/2/14071 MP), IN THE MKHONDO MAGISTERIAL DISTRICT, MPUMALANGA PROVINCE: DMRE REF NUMBER: MP 30/5/1/2/2/ 10397 MR.**

Please complete this form and return it to **Singo Consulting (Pty) Ltd** to ensure that you are registered as an Interested and Affected Party (I&AP).

By answering the questions below you will help us to develop a better understanding of your information requirements. The form also gives you the opportunity to make comments regarding the project. Additional pages may be attached.

**I&AP Details:**

<b>Full Names and Surname:</b>							
<b>Contact Details:</b>							
<b>Tel(w):</b>		<b>Tel(h):</b>		<b>Fax No:</b>		<b>Cell No:</b>	
<b>Email:</b>							
<b>Physical Address:</b>							
<b>Postal Address:</b>							
<b>Preferred method of communication:</b> <input type="checkbox"/> fax <input type="checkbox"/> e-mail <input type="checkbox"/> post <b>Preferred telephonic communication:</b> <input type="checkbox"/> cell <input type="checkbox"/> home <input type="checkbox"/> work							
<b>Organisation/Representative:</b>							
<b>Farm name, number and subdivision or Street Address (if applicable):</b>							

**Questions(s):**

**1. Where did you get information about the project?**

**Newspaper advertisement ☐ notice board ☐ flyer ☐ other (please specify)**

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**2. Do you represent a company/organization or is your interest on behalf of yourself?**

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**3. Do you know of anyone that is affected by the proposed activity who was not informed of the project? (Please provide contact details)**

Name:		Organization:	
Contact details			
Address:			
Tel No:	Fax No:	Cell No:	
Email address:			

**Do you have any specific concerns or comments regarding the project?**

**YES**

**NO**

If yes, please indicate what the comments are?

.....

**Signed**

.....

**Date**