

Beeshoek Iron Ore Mine Basic Assessment & Water Use License Application



Notice of Consolidation of Environmental Management Plans/Programmes in terms Of Part 1 of Government Notice 982 of the National Environmental Management Act, 1998 and Section 102 of the Mineral and Petroleum Resources Development Act, 2002

Notification Status:	Final
Applicant:	Assmang Ltd: Beeshoek Iron Ore Mine
DMR Reference:	NC 30/5/1/223MR
EnviroGistics Ref.:	21521
Date of Publication:	30 January 2017

Purpose of this Background Information Document

The purpose of this document is to:

- Provide all Interested and Affected Parties (I&APs) with information about the proposed project,
- Introduce, explain and initiate the Public Participation Process that is prescribed by the National Environmental Management Act, 1998 (Act No.107 of 1998) (NEMA) and the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA)

We invite all I&APs to comment on:

- The environmental (bio-physical) and socio-economical environmental and/or considerations
- The proposed Public Participation Process to be followed
- The proposed Environmental Process being followed
- Any other suggestions, comments or recommendations.



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Introduction

Beeshoek Iron Ore Mine (hereafter referred to as Beeshoek) will be submitting an application to consolidate the existing Environmental Management Programmes and Plans (EMPs) in terms of Regulation 982

A meeting was held at the Department of Mineral and Resources (DMR) offices on 22 September 2016 to discuss the opportunity to combine the EMPs. Subsequent to this, the applicant submitted a motivation document on 23 September 2016 to the DMR officially requesting this process. Response was received from the DMR on 14 November 2016 concurring the process and specifically requesting that the applicant must make sure that all the previous Record of Decisions and Conditions form part of the consolidation.

The applicant is now required to prepare a Section 102 application and an Environmental Management Plan (EMP) to the DMR for consideration.

Project Location

The project is located within the Magisterial District of Hay under the jurisdiction of the Tsantsabane Local Municipality, located within the ZF Mgcau District Municipality (formally Siyanda District Municipality) of the Northern Cape Province. The mine is located approximately 10km west of the town of Postmasburg. The farms over which the mining right is held are: Beeshoek 448RD, Ptn 0, 1 and Olyfontein 47 RD, Ptn 4. All owned by the applicant.

Project Description

The mine is operating with all required environmental authorisations in terms of the:

- ☛ National Environmental Management Act, 1998 (Act No. 107 of 1998) (hereafter referred to as the “NEMA”), also the original approval in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) (hereafter referred to as the “ECA”):
 - License 1 (in terms of the Environmental Conservation Act, 1989)
 - License Ref.: Permit 12/9/11/P49
 - Purpose: Landfill site (hereafter referred to as the LFS)
 - Date: 30 October 2008
 - License 2
 - License Ref.: Permit 17/2011
 - Purpose: Road Diversion
 - Date: 3 March 2011
 - License 3
 - License Ref.: Permit 12/2014
 - Purpose: BF Waste Rock Dump (Village Waste Rock Dump)
 - Date 7 March 2014
 - License 4
 - License Ref: Permit 20/2015
 - Purpose: Waste Rock Dump Village Haul Road
 - Date: 3 June 2015
- ☛ Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (hereafter referred to as the “MPRDA”):
 - EMP 1:
 - EMP Report
 - Purpose: Beeshoek Mining Operation
 - Date: August 2004
 - EMP 2:
 - Licence Ref.: NC30/5/1/2/3/2/1/223EM
 - Purpose: EMP Alignment for activities on Beeshoek
 - Date: 7 June 2010
- ☛ National Water Act, 1998 (Act No. 36 of 1998) (hereafter referred to as the “NWA”):
 - Licence Ref.: 10/D73A/ABGJ/2592
 - Purpose: License for all Section 21 Water Uses and GN704 triggered activities (such as backfilling)
 - Date: 1 December 2014

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Project Description (continue)

The mine would like to utilise this opportunity to:

- ☛ Combine all conditions in the approved EMPs and Record of Decisions (Environmental Authorisations) into one holistic EMP;
- ☛ Compile an EMP which presents a detailed action plan for all type of activities (approved) on site, i.e. Mine Residue Stockpiles, Slimes Dam, Infrastructure, Opencast Pts, and Roads.
- ☛ Clearly define all approved activities and indicate these clearly by presenting coordinates and locality maps;
- ☛ Include the Regulations 6 & 11 Reports of GN R.1147. The newly promulgated regulations (November 2015) pertaining to the Financial Provision for Prospecting, Exploration, Mining and Production Operations in terms of the NEMA prescribes the determination and making of Financial Provision for existing rights/permit holders (Regulation 11 of GNR.1147). Importantly, the provisions in Section 24P of NEMA has been given effect through these newly promulgated regulations.
- ☛ Incorporate all commitments and requirements as presented in the approved Water Uses Licence and also the Integrated Water and Waste Management Plan; and
- ☛ Include the monitoring schedule as required in the Water Use Licence.

Required Authorisations

National Environmental Management Act, 1998

Regulation 54 (2) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) provides that “An application submitted after the commencement of these Regulations for an amendment of an Environmental Management Programme, issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) (MPRDA), must be dealt with in terms of Part 1 or Part 2 of Chapter 5 of these Regulations”.

Chapter 5 presents two avenues for amendment:

Part 1, Regulation 29: *“An environmental authorisation may be amended by following the process prescribed in this Part if the amendment;*

- a) *Will not change the scope of a valid environmental authorisation nor increase the level or nature of the impact, which impact was initially assessed and considered when the application was made for an environmental authorisation; or*
- b) *Relates to the change of ownership or transfer of rights and obligations”.*

Part 2, Regulation 31 is applicable for the amendments where a change in scope occurs.

The mine has a number of Environmental Authorisations in place and would like to consolidate the associated Environmental Management Plans in terms of Part 1 to allow for one document which would result in an effective management programme on site.

Mineral and Petroleum Resources Development Act, 2002:

Section 102 of the MPRDA provides the opportunity for a holder of a mining right to amend its EMP, subject to a formal application.

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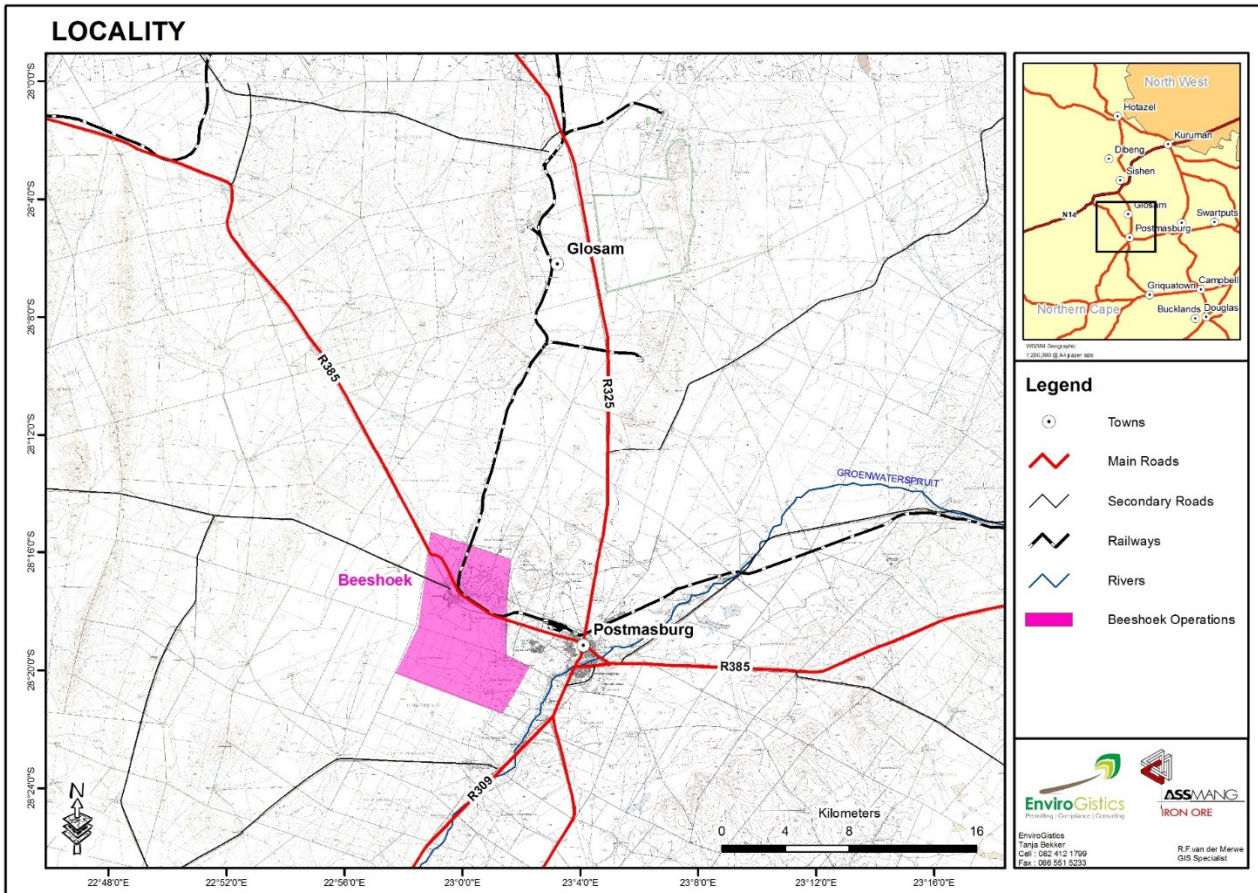


Figure 1: Local Setting of Beeshoek Iron Ore Mine

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Environmental Authorisation Process and Required Reporting

The following process will be followed:

- 1) Part 1: Motivation to the DMR:
 - a. Submitted during October 2016
 - b. Submission of Section 102 Application – will be submitted with the EMP
- 2) Part 2: Approval by the DMR to proceed:
 - a. Approval in writing from the DMR will be required to proceed and was received in November 2016.
- 3) Part 3: Public Participation to inform the registered stakeholders of the project. This involves:
 - a. Site Notices;
 - b. One Advertisement;
 - c. Information letters to stakeholders; and
 - d. Opportunity to review the documents.
- 4) Part 4: Document Compilation
 - a. Detailed assessment of each of the EMPs and associated RODs;
 - b. Summary table of all approved activities will be compiled, indicating the applicable legislation and approval (see the example in Annexure 3);
 - c. Compilation of Consolidated EMP in terms of the NEMA Regulations:
 - i. Detailed description of the mining plan;
 - ii. Detailed description of activities approved;
 - iii. Detailed description of impacts previously identified;
 - iv. Detailed description of all management measures;
 - v. Detailed monitoring programme;
 - vi. Closure and Rehabilitation Plan (annual and final closure).
 - vii. Submission to the DMR for approval.

Public Participation Process or Stakeholder Consultation

Purpose of Stakeholder Consultation

The purpose of the stakeholder consultation process is to:

- ☛ Engage with stakeholders as part of a process to identify the potential social and environmental impacts which may result from the planned activities.
- ☛ Develop an understanding of the views, concerns and expectations of stakeholders.
- ☛ Engage with stakeholders to determine the closure objectives as input into the development of a rehabilitation plan.

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Stakeholder Consultation Process

The key objective of public participation during an Environmental Authorisation process is to assist stakeholders to identify issues of concern and suggestions for enhanced benefits, and to comment on the findings of the EIA. The Public Participation Process is an integral part of the EIA process, and continues throughout the EIA process, for this purpose the process is presented in a systematic approach:

- **Step 1: Identify of Stakeholders and/or I&APs.** Key stakeholders have been identified including:
 - Landowners and/or occupiers of affected land portions.
 - Landowners and/or occupiers located on land portions directly adjacent to the farms where activities will take place.
 - Government bodies / organs of state that have jurisdiction over the area where activities will take place.
 - Ward Councillors are consulted to ensure that host communities in proximity to the site are afforded the opportunity to participate.
 - The Department of Rural Development and Land Reform are contacted to confirm land claims and if applicable, land claimants will be registered as stakeholders.
 - Associations and non-governmental organisations that might have an interest in the area.
- **Step 2: Notification of Stakeholder and or I&APs of the proposed project, via adverts, notices, BIDs to request these parties to register (please see the section on "Be an Integral Part of the Environmental Assessment Process").**
- **Step 3: All stakeholders are afforded the opportunity to share their views, raise concerns and clarify their expectations as it relates to the planned activities. Comments and concerns can be submitted in writing via email or fax to the details provided in this document. A written record of the stakeholder engagement process, the stakeholder comments and concerns will be compiled into a Report on Results of Consultation, and will be submitted to the DMR for consideration. All registered stakeholders will be provided with written feedback to address any questions and concerns.**
- **Step 4: I&APs are provided with the opportunity to review documents and comments on these. I&APs will be provided with 30 days to comment on the draft reports.**
- **Step 5: All registered stakeholders will be informed of the department's decision regarding whether an application was granted or not.**

Be an Integral Part of the Environmental Impact Assessment Process

Public involvement is an essential part of any environmental assessment process. All comments will be recorded and presented to the project team and regulatory authorities. You will receive feedback on how your comments have been taken into account and the outcome of the assessment. You will further receive updates on the status of the project.

How to Register and get involved?

Parties wishing to register as Interested and Affected Parties ("I&APs"), who wish to participate by contributing comments, or require additional information, should please register or submit their correspondence in writing to reach EnviroGistics no later than **thirty (30) days** after the issue of this notice (**27 January 2017**). Please refer to the Registration Form attached. The draft EMP will be submitted to the DMR and registered Stakeholders during March 2016. All relevant comments received by **27 February 2017** will be incorporated into a final Report, which will be made available to all registered I&APs for review and comment.

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Environmental Assessment Practitioner

Environmental Assessment Practitioner: EnviroGistics (Pty) Ltd

EAP: Ms. Tanja Bekker

Qualification: MSc. Environmental Management (RAU, now Johannesburg University)

Professional Registrations: Certified member of the EAPASA (October 2013); SACNASP: Pr.Sci.Nat. Reg No. 400198/09

Experience: 13 Years

Project Timeframes and Opportunities for Involvement

Action	On or Before	Comment
Register as a stakeholder	27 January 2017 to 27 February 2017	While care has been taken to I&APs, should there be other stakeholders you would like to be involved in the process, please send their details to the email address above
Review of draft EMP	March – April 2017	All registered stakeholders will be afforded the opportunity to review and comment on the Draft Report.
Submit comments and concerns	April 2017	All comments and concerns submitted by this date will be accepted, responded to and included in the Report on Results of Consultation

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Registration Form

Name:		Surname:				
Title:		Initials:				
Organisation / interest:		Capacity (e.g. Chairperson):				
Postal / Residential address						
	Area:		Code:			
Contact details	Tel:	()				
	Fax:	()				
	Mobile:	()				
	Email:					
Please mark with an X to indicate whether you would like to participate in the process:			Yes			
			No			
Preferred method of communication	Email		Fax		Post	
Date commented	(DD / MM / YYYY)					
What is your main area of interest with regard to the proposed project?						
What are your points of concern or support for this project?						
Please indicate in which aspects you would require more information						
Please indicate the contact details of any I&APs whom you think should be contacted						
Name:		Surname:				
Tel:	()	Fax:	()			
Mobile:	()	Email:				
<p>In order to be registered as an I&AP for this project, fax, mail, or e-mail the completed registration form on or before xxx to EnviroGistics: Contact Details: Ms Tanja Bekker PO Box 22014, Helderkruin, 1733 Fax: 086 551 5233 Tel No: 082 412 1799 E-mail: tanja@envirogistics.co.za</p> <p style="text-align: center;">Thank you for your participation.</p>						