

Nkomati Anthracite Mine Background Information Document Block L Mining Area

Basic Assessment & Amendment to Environmental Management Plan (EMP) Water Use Licence Application

DMR REFERENCE: MP 30/5/1/2/2/89 MR

INTRODUCTION

Notice is hereby given in terms of the regulations promulgated under Section 102 of the Mineral and Petroleum Resources Act No.28 of 2002 (MPRDA) as well as Section 39 of the MPRDA that it is the intention of N'Komati Anthracite Mine (N'Komati) to undertake a Basic Assessment Process as stipulated in Section 22(4)(a) of the MPRDA in support of the development of a new opencast mining area (Block L) and amend the current Mangweni 2020 Environmental Management Programme Report (EMPr) accordingly. The development of the proposed Block L Mining Area will also require a Water Use License Application in terms of the National Water Act, 1998 (Act 36 of 1998).

BACKGROUND

N'Komati has an existing mining right (MP30/5/1/2/2/89 MR), which was renewed on 26 January 2022 and is valid for another 30 years allowing for both open cast and underground mining to take place. The operational area of the mine is divided into Mangweni (Opencasts (Mini-Pit) and Underground sections and Beneficiation Plant) and Madadeni (Opencast and underground sections). Ore is hauled via trucks to the existing Processing Plant, where it is washed and sorted and transported to clients.

N'Komati has a total inferred, indicated, and measured reserve of 8.7-million tonnes.

The Mpumalanga Economic Growth Agency holds 33.3% of the mine and the local community 16.1% of the mine. Unicorn Capital Partners ("UCP") indirectly holds 60% of the issued shares of N'Komati. Afrimat Limited has a 100% shareholding in UCP.

LOCALITY

N'Komati Anthracite Mine is located 50km South of Komatipoort, 10km west of the Mozambique Border and 6.5km north of the town Tonga. Figure 1 provides for the extent of the approved mining right area (outlined in green). The existing Mining Right include the following farms:

- Grobler 479 JU
- Guillaume 480 JU
- Wildebeest 494 JU
- Rusplek 495 JU;
- Sweet Home 496 JU;
- Bonnie Vale 497 JU;
- Excelsior 498 JU;
- Murray 502 JU
- Fig Tree 503 JU
- Beginsel 504 JU
- Portions of un-surveyed state land.

LOCALITY MAP

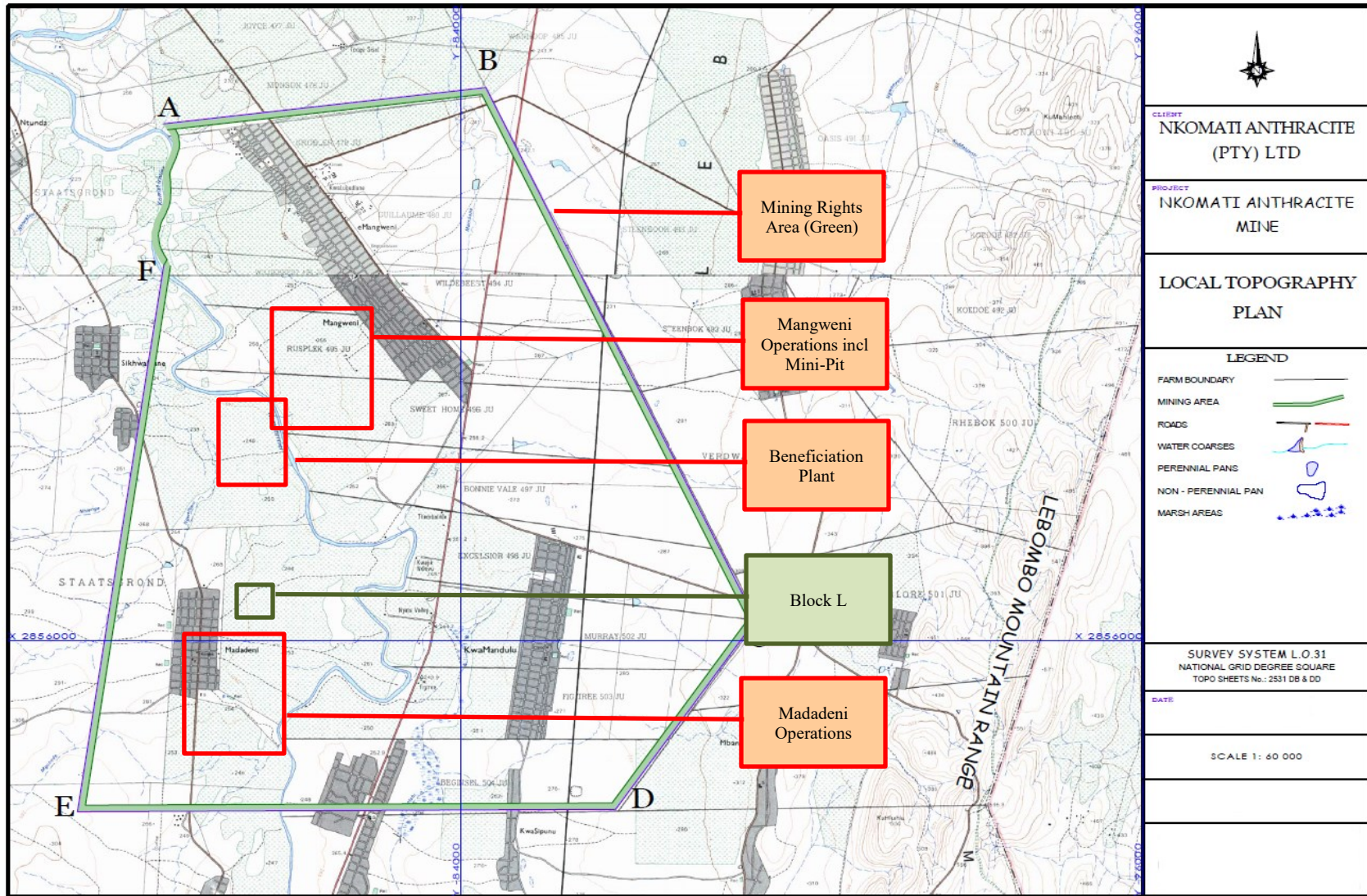


Figure 1: Locality of the N'Komati Anthracite Mine Mining Right Area (green), proposed new Block L (green)

The un-surveyed state land is under the jurisdiction of three Tribal Authorities namely Mawewe, Matsamo and Kwalugedlane. Block L is located within the area of the Mawewe Tribal Authority.

PROJECT DESCRIPTION

Block L open pit mining area is indicated in the Figure below as the orange block. The area will extent over a 60 ha block of which an area of less than 20 Ha of natural indigenous vegetation will be impacted upon. To reach the anthracite reserves, the overburden material will be stripped through “cuts” will be stored on the side of the pit. “Fill” will be undertaken through the roll-over method of mining ensuring the backfilling of the overburden material to the pit as to allow for continuous rehabilitation. Should there be any overburden material in excess, this material will be temporary placed on the purple block located within the sugar cane fields to the north.

The Run-of-Mine (ROM) material will be hauled to the existing Processing Plant located to the north of the proposed open pit mining area for processing. The haul road that connects the Madadeni Open Pit mining area with the processing plant will be re-aligned slightly to the west of the proposed Block L operations to ensure continual mining at the Madadeni Operations.

Block L has an anticipated Life of Mine (LoM) of approximately 5 years. Care will be taken as not to disturbed more natural vegetation as what is allowed for in this BA application process. It is the plan of N’Komati Mine to apply during the mining period, through a different regulatory approval process (S&EIA), to develop the remainder of the mine within the Mining Rights Area. The resource quantification process is currently in progress in order to inform mine planning and design.

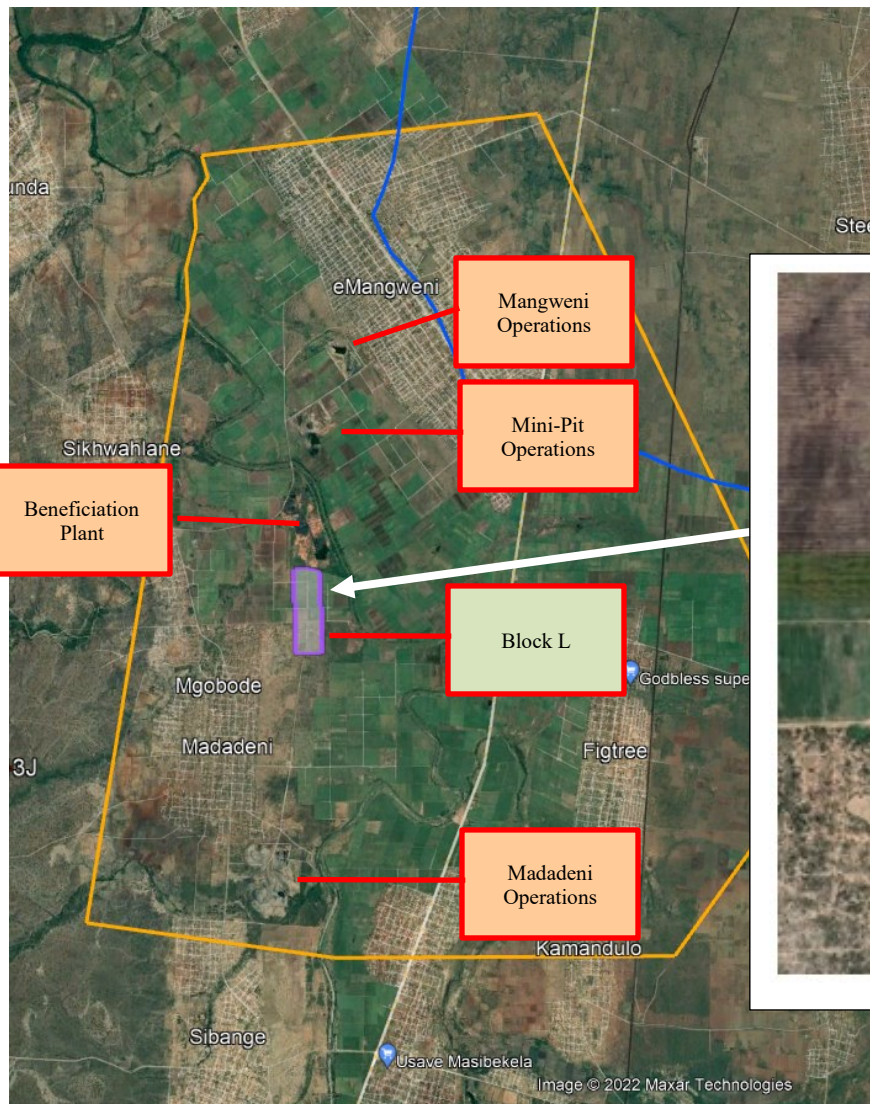


Figure 2: Block L Mining Area



INDEPENDENCE OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Alta van Dyk holds a Master's Degree in Environmental Management from the University of North-West and a Masters of Law degree in International Commercial Law from the Salford University in Manchester. In terms of professional affiliation, Alta van Dyk is registered with the South African Council for Natural Scientific Professions (SACNASP – 400099/02) in Natural Science Services, as well as Environmental Science fields of practice. Alta is a registered Environmental Assessment Practitioner with the Environmental Assessment Practitioners Association of South Africa (EAPASA – 2019/962).

Alta van Dyk has been involved as the project manager in various EIAs in terms of the National Environmental Management Act (NEMA) (No 107 of 1998), the National Environmental Management Waste Act (NEMWA) (No 59 of 2008), the National Water Act (NWA) (No 36 of 1998) as well as the Minerals and Petroleum Resources Development Act (MPRDA) (No 28 of 2002). Her responsibilities included the overall management of the project, the identification and assessment of environmental impacts and the development of environmental management plans.

Alta van Dyk meets the requirements for independence as she does not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the EIA Regulations, 2010, and has no vested interest in the proposed activity proceeding, and also has no, and will not engage in, conflicting interests in the undertaking of the activity.

APPLICABLE ENVIRONMENTAL LEGISLATION

Mineral and Petroleum Resources Development Act, 2002 (Act No.28 of 2002)(MPRDA)

In terms of Sections 39 and 102 (as amended 21 April 2009) of the Mineral and Petroleum Resources Development Act, 2002 ((MPRDA), a mine may not amend a Mining Right, a Mining Works Programme (MWP), Environmental Management Programme (EMP) or an Environmental Authorisation issued in terms of the MPRDA, without the written approval from the Department of Mineral Resources and Energy (DMRE). Any significant changes made to an EMP and/or MWP will result in the need for an Impact Assessment. This process allows for interested and affected parties as well as government departments to raise issues and concerns and provide comments/ input/ grievances on the documentation before the final documents are submitted to the competent authorities for approval.

National Water Act, 1998 (Act 36 of 1998)

N'Komati Anthracite Mine is the holder of a valid Water Use Licence, Licence No 05/X13J/ACGIJ/1864 dated 22 February 2022. Any additional possible water uses or amendments to the existing licence will be confirmed during the impact assessment process. The following water uses have been identified based on the current Block L mine plan:

- Section 21(c) and (i) – Impeding or diverting the flow of water in a water course and altering the bed, banks, course or characteristics of a watercourse – Block L is located in close proximity of a drainage line and delineated wetland areas
- Section 21(j) – Removing, discharging, or disposing of water found underground if it is necessary for the efficient continuation of and activity or for the safety of people – removing of fissure water from the open pit for storage in the existing approved Void 2 area

National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA)

The National Environmental Management Act (Act 107 of 1998) (NEMA) gives effect to the rights contained under section 24 of the constitution which states that “*everyone has the right to an environment that is not harmful to their health or well-being; and to have the environment protected, for the benefit of present and future generations*”.

NEMA provides for the publishing of listed activities that require either a Basic Assessment (BA) or a full Scoping and Environmental Impact Assessment (S&EIA) process pending the listed activities being triggered by the proposed development.

In terms of the section 24(5) read with section 44 of the Act, Environmental Impact Assessment Regulations have been published that provides a list of activities that may require either BA or S&EIA process to be followed.

- Government Notice No. 983 in Gazette No. 38282 on 4 December 2014, as amended on 7 April 2017 in Gazette No. 40772 as Government Notice No. 327 - Listing Notice 1;
 - Basic Assessment Process
- Government Notice No. 984 in Gazette No. 38282 on 4 December 2014, as amended on 7 April 2017 in Gazette No. 40772 as Government Notice No. 325 – Listing Notice 2;
 - Scoping and Impact Assessment Process
- Government Notice No. 985 in Gazette No. 38282 on 4 December 2014, as amended on 7 April 2017 in Gazette No. 40772 as Government Notice No. 324 – Listing Notice 3;
 - Basic Assessment Process

The following listed activities are being triggered by the development of the proposed Block L Opencast Operations:

- GNR 983 (Listing Notice 1) as amended on 7 April 2017 in Gazette NO 40772 as Government Notice No 327 Listing Notice 1;
 - *Activity 27* - 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) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan;
 - More than 1 Ha of indigenous vegetation will be cleared
 - *Activity 56* - The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—
 - (i) where the existing reserve is wider than 13,5 meters; or
 - (ii) where no reserve exists, where the existing road is wider than 8 metres;
 - Re-alignment of the existing haul road between the Madadeni Mining area and the beneficiation plant allowing for the development of Block L;

Based on the Listed Activities triggered, a Basic Assessment Process is being undertaken.

APPROVAL PROCESSES

The following diagrams provides for:

- Basic Assessment approval process including the proposed timeframes
- Water Use Licence approval process including proposed timeframes



Basic Assessment Process

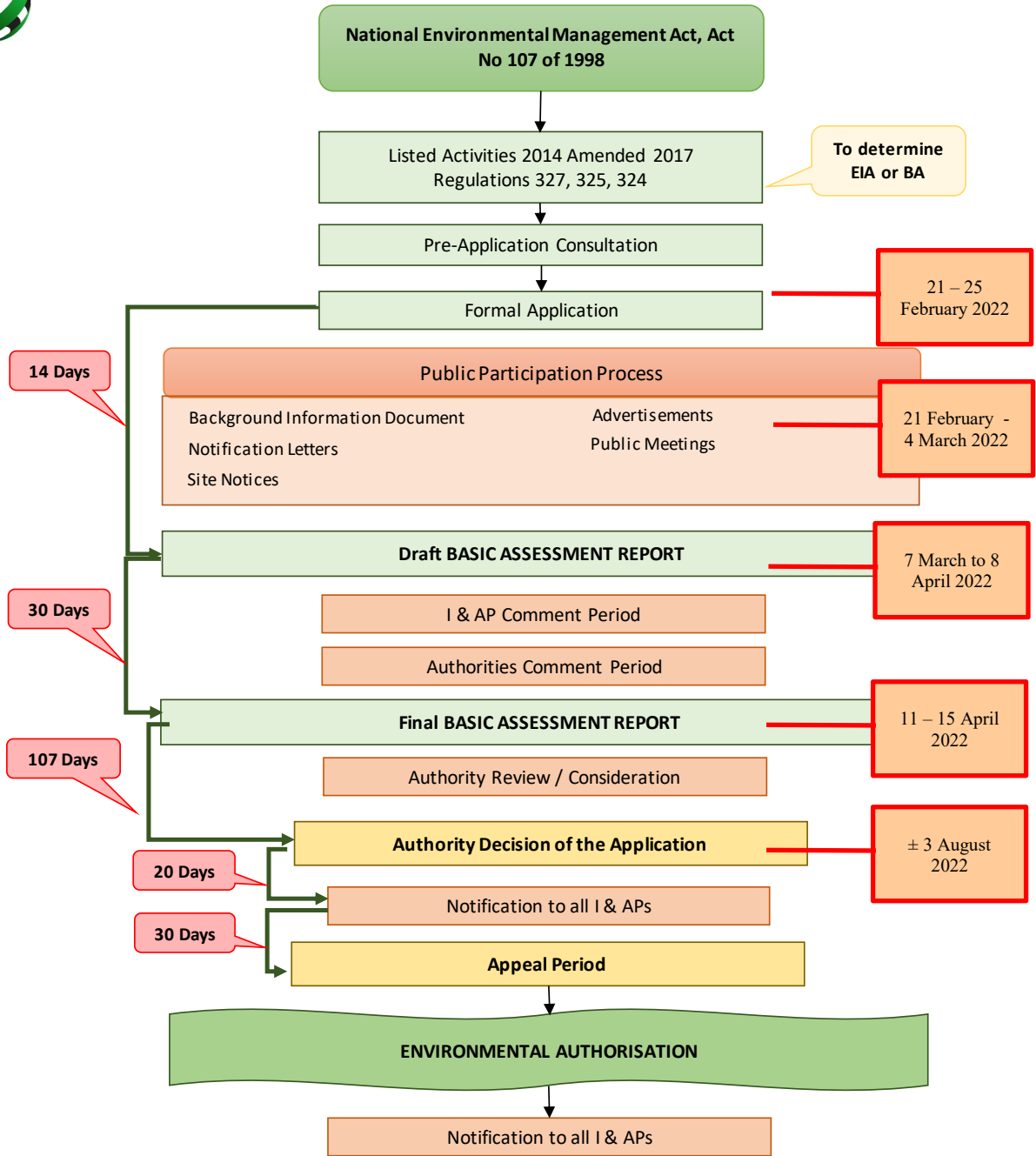


Figure 3: Basic Assessment Process and estimated timeframes

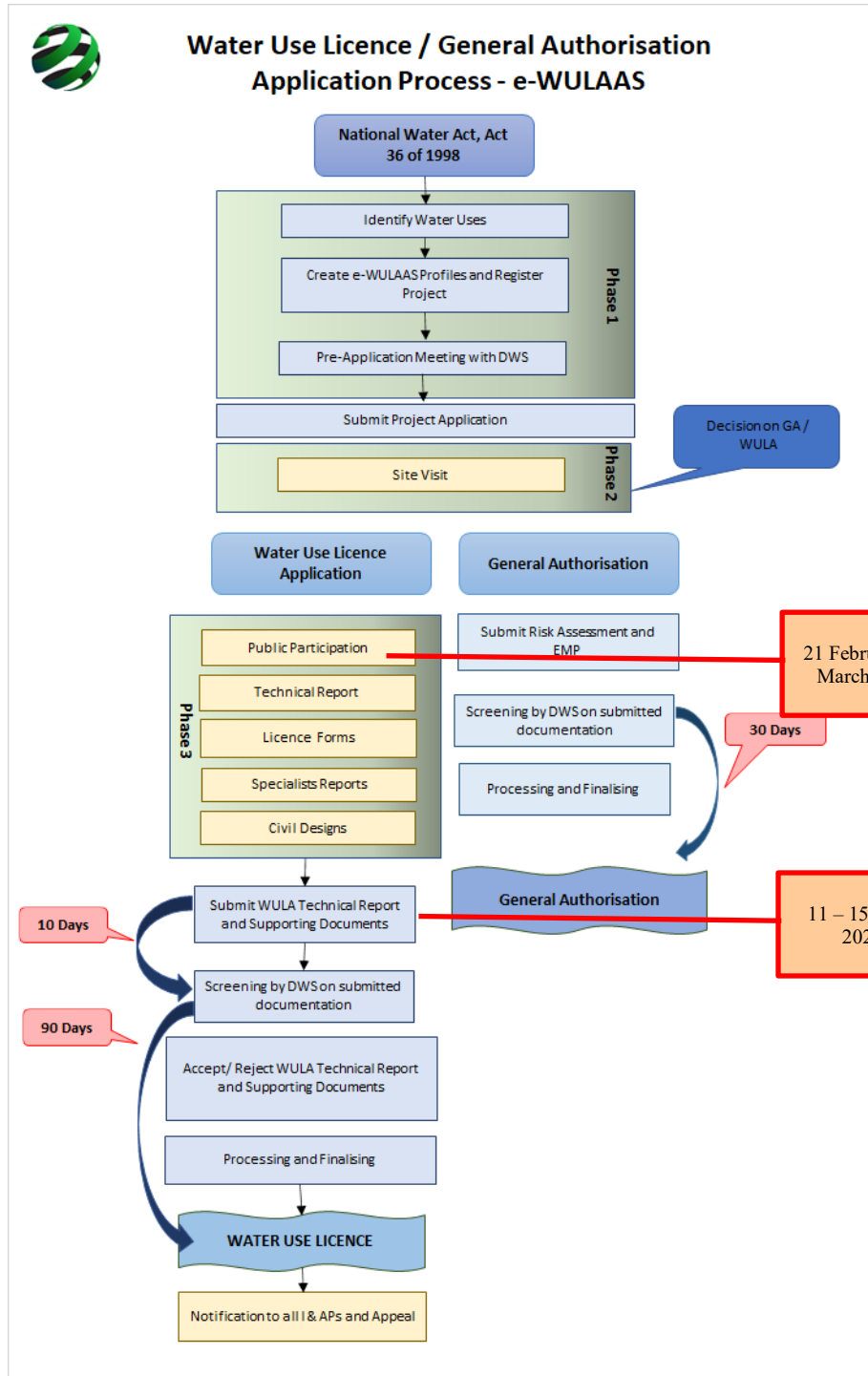


Figure 4: Water Use Licence Application Process and estimated timeframes

HOW TO REGISTER AS AN INTERESTED AND AFFECTED PARTY (I&AP)

Availability of Reports

The Draft Basic Assessment Report (BAR) will be made available to Registered Interested and Affected Parties from **7 March 2022 to 8 April 2022** for comment at the following places.

- N'Komati Anthracite Mine Security Office, Madadeni, Mpumalanga;
- Malelane Public Library, Park Street, Malelane;
- Offices of Alta van Dyk Environmental Consultants (4 Garcia Peak, Midlands Estate, Centurion, Gauteng);
- Website: www.altavandykenvironmental.co.za

Public Participation

To receive further information regarding this project, to make comments or to raise concerns please register as an Interested and Affected Party (I&AP). All correspondence must quote the DMR reference number for this project. To register as an I&AP, please contact:

ALTA VAN DYK ENVIRONMENTAL CONSULTANTS CC

Postal Address: Postnet Suite 745
Private bag X1007

.....Lytelton

..... 0140

Fax: 086 634 3967

Tel number: 012 940 9457

E-Mail:.... alta@avde.co.za

PUBLIC PARTICIPATION CONSULTANT – SEHUNOZA CONSULTING SERVICES (Pty) Ltd

Postal Address: P.O. Box 1800

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.....2059

Contact Person:.....Adel Malenana

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**N’Komati Anthracite Mine
Basic Assessment Process – Block L**

DMR Reference Number: MP 30/5/1/2/2/89 MR

REGISTRATION AND COMMENT FORM

To register, kindly complete this form and return it to:

Alta van Dyk Environmental Consultants cc
Postnet Suite 745, Private bag X1007, Lyttelton, 0140
Fax: 086 634 3967
malebanaa@yahoo.com / alta@avde.co.za

Personal Details

Title		First Name	
Surname		E-mail	
Telephone		Fax	
Organisation (If Applicable)		Capacity	
Physical Address		Postal Address	

1. What is your main area of interest with regards to the proposed project?

2. Do you have any points of concern or support regarding the proposed project?
Please specify.

3. Are there any additional stakeholders who you should feel should be consulted
with regards to the proposed project? Please provide their details.