



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA ·0001· Environment House ·473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/3/401

Enquiries: Mr Lunga Dlova

Telephone: (012) 399 8524 E-mail: LDlova@environment.gov.za

Ms Anette Pocock
Anglo African Metals (Pty) Ltd.
56 Western Road, Central.
PORT ELIZABETH
6001

Cell-phone Number: (084) 026 6774
Email Address: anettepocock@foderegroup.com

PER EMAIL / MAIL

Dear Ms Pocock

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED AND NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 GOVERNMENT NOTICE 921: FOR THE ANGLO AFRICAN METALS ZERO WASTE RECOVERY SOLUTION AND ASSOCIATED INFRASTRUCTURE NEAR KWA-GUQA IN THE EMALAHLENI LOCAL MUNICIPALITY WITHIN NKANGALA DISTRICT MUNICIPALITY, MPUMALANGA PROVINCE.

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, Act No. 3 of 2000, you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, Act No. 4 of 2013 which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

Your attention is drawn to Chapter 2 of National Environmental Management Act, Act No. 107 of 1998 National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any

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organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko
Arcadia
Pretoria
0083; or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 13/09/2021

cc:	Ms Jo-Anne Thomas	Savannah Environmental (Pty) Ltd	Email: ioanne@savannahsa.com
	Mr Erald Nkabinde	eMalahleni Local Municipality	Email: nkabindeej@emalahleni.gov.za / 911960@emalahleni.gov.za
	Mr Velile C Makedama	eMalahleni Local Municipality	Email: makedamav@emalahlenilm.gov.za





**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Integrated Environmental Authorisation Issued in terms of

The National Environmental Management Act, 1998 and the Environmental Impact
Assessment (Regulations 2014, as amended)

and

The National Environmental Management: Waste Act, 2008 and Government Notice 921 of
2013

**The Anglo African Metals Zero Waste Recovery Solution and Associated Infrastructure near Kwa-Guqa
in the eMalahleni Local Municipality, Mpumalanga Province.**

Nkangala District Municipality

Authorisation register number:	<i>14/12/16/3/3/3/401</i>
Last amended:	<i>First issue</i>
Holder of authorisation:	<i>Anglo African Metals (Pty) Ltd</i>
Location of activity:	<i>Farm Elandsfontein No. 309 JS, Portion 48; near Kwa-Guqa informal settlement (Ward 22), in the eMalahleni Local Municipality within the Nkangala District Municipality in Mpumalanga Province.</i>

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other
statutory requirements that may be applicable to the undertaking of the activity.

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Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this integrated environmental authorisation ("the environmental authorisation") that the applicant should be authorised to undertake the NEMA EIA and NEMWA listed activities specified below.

Details regarding the basis on which the Department reached this decision are set out in Annexure "1" to this environmental authorisation.

NEMA EIA and NEMWA Activities Authorised

By virtue of the powers conferred on it by NEMA, the NEMA EIA Regulations, 2014, NEMWA and Government Notice 921 of November 2013 the Department hereby authorises –

ANGLO AFRICAN METALS (PTY) LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Ms Anette Pocock
Anglo African Metals (Pty) Ltd.
56 Western Road, Central.

PORT ELIZABETH

6001

Cellphone Number: (084) 026 6774

Email Address: anettepocock@foderegroup.com

The applicant, Anglo African Metals (Pty) Ltd applied for authorisation in terms of the EIA Regulations, 2014 as amended, activities applied for are as follows:

Activity number	Activity description
<p><u>Listing Notice 1 (GNR 327) of April 2017: Activity 14</u> <i>"The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres."</i></p>	<p>Storage facilities for fuels, gas and chemicals will be required and will have a combined capacity of less than 500m³</p>
<p><u>Listing Notice 2 (GNR 325) of April 2017: Activity 6</u> <i>"The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent."</i></p>	<p>An Atmospheric Emissions License (AEL) is required under the NEM: AQA for the processing or recovery of metallurgical slag by the application of heat (Sub-category 4.20 of GNR893 published on 22 November 2013 under the National Environmental Management: Air Quality Act, No 39 of 2004).</p>

The application also includes waste activities, as per the Schedule contained in GN R.921 of 29 November 2013 in terms of section 19 of NEM: WA, 2008, applied for as follows:

Listed activities	Activity/Project description
<p><u>GN R 921 Category B Activity 3</u> <i>"The recovery of waste including the refining, utilisation, or co- processing of the waste at a facility that processes in excess of 100 tons of general waste per day or in excess of 1 ton of hazardous waste per day, excluding recovery that takes place as an integral part of an internal manufacturing process within the same premises."</i></p>	<p>The plant will be developed to process 2000 tonnes of tailings/slag per month, approximately 3 tons per day.</p>

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Listed activities	Activity/Project description
<p>GN R 921 Category B Activity 4</p> <p><i>"The treatment of hazardous waste in excess of 1 ton per day calculated as a monthly average; using any form of treatment excluding the treatment of effluent, wastewater or sewage."</i></p>	<p>The technology proposed to process the waste will utilise pyro metallurgical and hydrometallurgical patented extraction process for high-purity Titanium Dioxide production as well as vanadium, aluminium and magnesium.</p>
<p>GN R 921 Category B Activity 10</p> <p><i>"The construction of a facility for a waste management activity listed in Category B of this Schedule (not in isolation to associated waste management activity)."</i></p>	<p>A plant of approximately 4 hectares in extent will be developed to process the waste.</p>

as described in the Environmental Impact Assessment Report (EIAr) dated May 2021 at:

SG 21 Code

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Coordinates of the development footprint	Latitude	Longitude
	25°52'58.26"S	29° 4'47.58"E
	25°52'56.83"S	29° 4'55.73"E
	25°53'2.34"S	29° 4'57.16"E
	25°53'3.63"S	29° 4'48.86"E

- for the Anglo African Metals Zero Waste Recovery Solution and Associated Infrastructure near Kwa-Guqa in the eMalahleni Local Municipality within Nkangala District Municipality, Mpumalanga Province, hereafter referred to as "the property".

Layout map of the preferred development footprint for the zero waste recovery plant attached as Annexure 2 on this Environmental Authorisation.

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The main infrastructure associated with the facility includes the following:

Infrastructure	Dimensions / Details
<p>Extent of the project development footprint</p>	<p>✓ Approximately 4ha – includes the following:</p> <ul style="list-style-type: none"> • Internal roads • Air and gas pipelines • Control and electrical buildings (including a central control room) • Administrative buildings • Firefighting systems • Bulk water storage • Storage facilities for fuels, gas and chemicals • Emergency back-up generators • Effluent reticulation systems
<p>Chemical plant</p>	<p>✓ To be utilised for the production, storage and handling of process chemicals required by the waste recovery process.</p> <p>✓ Process chemicals to be stored include:</p> <p>✓ Coal stored in bin of up to 3 m³</p> <p>✓ Sodium carbonate stored in bin of up to 4 m³</p> <p>✓ Ammonium sulphate stored in bin of up to 4 m³</p> <p>✓ Sulphuric acid in 2 tanks of up to 30 m³ (60 m³)</p> <p>✓ Lime is slurred in a tank of up 6 m³</p> <p>✓ Sodium hydroxide into solution stored in tank of up to 20 m³</p> <p>✓ A fuel storage tank (or multiple tanks, as required) of up to 70 m³ for the bulk storage of gas (LPG or similar type) utilised in the waste recovery process All storage areas will be bunded.</p>
<p>Technology</p>	<p>Pyro metallurgical and hydrometallurgical patented extraction process for high-purity Titanium Dioxide production as well as Vanadium, Aluminium and Magnesium</p>
<p>Processing capacity</p>	<p>2 000 tons of tailings/slag per month, 3 tons per hours, 72 tons per day x 28 days x 12 months</p>
<p>Stack dimensions (Site elevation: 155 m above mean sea)</p>	<p>✓ Stack 1: 20 m above ground</p> <p>✓ Stack 2: 13 m above ground</p>

Substation and plant utility unit	<ul style="list-style-type: none"> ✓ Interface and controlling unit for the electricity utilised by the plant during operation. ✓ Control Room: Length: 12m, Width: 3m, Height: 2.6m, Area: 36m² ✓ Server Room: Length: 6m, Width: 2.4m, Height: 2.5m, Area: 14.4m² ✓ Substation: Length: 12m, Width: 3m, Height: 2.6m, Area: 36m² 			
Crushing plant	Operating hours are split into two categories, namely milling and hydrometallurgy, as indicated:	Operating Hours (milling/crushing)	(h/d)	09
		Operating Hours (hydrometallurgy)		24
Mill	The mill will be housed in the main facility building and will operate 9 hours per day.			
Product area	<ul style="list-style-type: none"> ✓ To be utilised for the storage of the various products produced through the recovery process. ✓ Approximately 36m² 			
Reagent area	<ul style="list-style-type: none"> ✓ To be utilised for the storage and handling of reactants utilised in the water recovery process. ✓ Approximately 96m² 			
Security area	Approximately 14.4m ²			
Admin and control room, including offices and ablutions for staff.	Estimated surface area: 187.2m ²			
Supporting Infrastructure	<ul style="list-style-type: none"> ✓ Internal water, air and gas pipelines ✓ Control and electrical buildings, including a central control room » Administrative buildings ✓ Firefighting systems ✓ Bulk water storage ✓ Emergency back-up generators ✓ Effluent reticulation systems - i.e. <ul style="list-style-type: none"> 1) sanitary wastewater system 			

	2) storm water and rainwater collection system
Access road	Main access to the project site will be via the existing access from the R104 to Highveld Steel
Raw / Process-Water Storage Reservoir	<ul style="list-style-type: none"> ✓ Process water stored on site in a tank of 20 000 m³. ✓ Process water will be recycled, and no process water effluent will be discharged ✓ Potable water is to be stored in 2 tanks of 5 m³ each, one at ablution block and one at the admin offices ✓ Water for fire-fighting purposes will be located on site in a 20 000 m³ tanks
Services required	<ul style="list-style-type: none"> ✓ Services agreements for refuse disposal, water, and electricity have been entered into with Highveld Steel in terms of the lease agreement ✓ Sanitation waste generated in septic tanks system will be emptied as required by a licensed service provider for disposal

Conditions of this Environmental Authorisation

Scope of authorisation

1. The Anglo African Metals Zero Waste Recovery Solution and Associated Infrastructure near Kwa-Guqa in the eMalahleni Local Municipality within Nkangala District Municipality, Mpumalanga Province is approved as per the geographic coordinates cited in the table above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary

- to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
 7. This activity must commence within a period of ten (10) years from the date of issue of this Environmental Authorisation. If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
 8. Construction must be completed within five (05) years of the commencement of the activity on site.

Notification of authorisation and right to appeal

9. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
10. The notification referred to must –
 - 10.1. specify the date on which the authorisation was issued;
 - 10.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 10.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 10.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

11. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged you may not commence with the activity until such time that the appeal has been finalised.
12. The holder of this authorisation must obtain a Water Use Licence from the Department of Water and Sanitation (DWS) prior to the commencement of the project should the holder impact on any wetland or water resource. A copy of the license must be submitted to the Chief Director: Integrated Environmental Authorisations at this Department.

13. The holder of this authorisation must obtain Atmospheric Emission Licence from relevant authority prior to commencement of the project should the project trigger listed activities in terms of the National Environmental Management: Air Quality Act 39 of 2004. The copy of the licence obtained must be included in the first audit submitted to this Department.

Management of the activity

14. The site layout plans as attached as Appendix G (Maps) of the EIAr dated May 2021 is approved.
15. The Environmental Management Programme (EMPr) submitted as part of the EIAr dated May 2021 is approved and must be implemented and adhered to.
16. The EMPr must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development when approved.
17. Changes to the approved EMPr must be submitted in accordance to the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPr should any impacts that were not anticipated or covered in the EIAr be discovered.
19. A Fugitive Dust Management Plan must be implemented, inclusive of the following mitigation measures aimed at controlling fugitive dust emissions from the operations and minimize the impact of particulate emissions on the receiving environment:
- Dust fallout sampling must be conducted on the facility boundary in the four cardinal wind directions.
 - Mitigation of crushing plant emissions. The design of the plant includes must dust extraction and abatement with a bag house.
 - Control of dust emissions from stockpiles during periods of high wind speeds, either by increasing moisture content of material with water sprays, or by decreasing wind speeds using enclosures or bund walls.
 - Establishment of a complaints register before construction activities commenced, and maintained throughout the life of the project. Neighbouring residents and business must be made aware of the means by which complaints can be lodged and recorded.
 - Paving of all on-site roads. While the surface moisture content of unpaved roads can be increased with water bowsers, it is much easier to control the silt loading on paved roads.
 - Regular sweeping of on-site paved roads to reduce silt loading on the road surface, higher silt loading results in higher vehicle entrainment emissions.
 - Clean-up of all spillages to avoid re-entrainment by vehicles.
 - Implementation of strict on site speed limits.

Frequency and process of updating the EMPr

20. The EMPr must be updated where the findings of the environmental audit reports, contemplated in Condition 27 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMPr.
21. The updated EMPr must contain recommendations to rectify the shortcomings identified in the environmental audit report.
22. The updated EMPr must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
23. In assessing whether to grant approval of an EMPr which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
24. The holder of the authorisation must apply for an amendment of an EMPr, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

25. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
 - 25.1. The ECO must be appointed before commencement of any authorised activities.
 - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.

- 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 25.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Waste Management Control Officer

26. The applicant must designate a Waste Management Control Officer (WMCO), who will monitor and ensure compliance and correct implementation of all conditions and provisions as stipulated in the environmental authorisation and approved EMPr related to the Anglo African Metals Zero Waste Recovery Solution and Associated Infrastructure near Kwa-Guqa in the eMalahleni Local Municipality within Nkangala District Municipality, Mpumalanga Province.
27. The WMCO must report any non-compliance with any environmental authorisation conditions or requirements or provisions of NEMWA to the Department through the means reasonably available.
28. The duties and responsibility of the WMCO should not be seen as exempting the holder of the environmental authorisation from the legal obligations in terms of the NEMWA.

Recording and reporting to the Department

29. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
 30. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
 31. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
 32. The holder of the authorisation must, in addition, submit environmental audit reports to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
 33. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.
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34. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Environmental audit report for construction

35. The holder of the authorisation must submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and within 30 days of completion of rehabilitation activities.
36. The environmental audit report must:
- 36.1. Be compiled by an independent environmental auditor;
 - 36.2. Indicate the date of the audit, the name of the auditor and the outcome of the audit;
 - 36.3. Evaluate compliance with the requirements of the approved EMPr and this environmental authorisation;
 - 36.4. Include measures to be implemented to attend to any non-compliances or degradation noted;
 - 36.5. Include copies of any approvals granted by other authorities relevant to the development for the reporting period;
 - 36.6. Highlight any outstanding environmental issues that must be addressed, along with recommendations for ensuring these issues are appropriately addressed;
 - 36.7. Include a copy of this authorisation and the approved EMPr;
 - 36.8. Include all documentation such as waste disposal certificates, hazardous waste landfill site licences etc. pertaining to this authorisation for waste streams that will be generated during construction; and
 - 36.9. Include evidence of adherence to the conditions of this authorisation and the EMPr where relevant such as training records and attendance records.

Notification to authorities

37. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

38. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

39. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Leasing and alienation of the site

40. Should the holder of the environmental authorisation want to alienate or lease the site, he/she shall notify the Department in writing of such an intention at least 120 days prior to the said transaction. Should the approval be granted, the subsequent holder of the environmental authorisation shall remain liable to compliance with all licence conditions.

Transfer of Environmental Authorisation

41. Should the holder of the environmental authorisation transfer holdership of this environmental authorisation due to a change of ownership [as provided for in terms of S24E(c) of NEMA], he/she must apply in terms of Section 52 of NEMWA.
42. Should the transfer of holder ship of this environmental authorisation mentioned above be for any reason other than the change of ownership in the property, the holder of this environmental authorisation must inform the Department of any change in ownership in the property and must request an amendment to this environmental authorisation to reflect such change in ownership.
43. Any subsequent holder of an environmental authorisation shall be bound by conditions of this environmental authorisation.

Investigations

44. If, in the opinion of the Department, pollution, nuisances or health risks may be or are occurring on the site, the holder of the environmental authorisation must initiate an investigation into the cause of the problem or suspected problem, including such investigations as identified by the Department related to the risks posed.
45. Should the investigation carried out as per condition 44 above reveal any unacceptable levels of pollution, the holder of the environmental authorisation must submit mitigation measures to the satisfaction of the relevant Department.

Specific conditions

46. The recovery area must have firm, impermeable base to prevent contamination of ground water. As the plant will be developed to process 2000 tonnes of tailings/slag per month, approximately 3 tons per day.
47. The recovered waste from the slag must be classified according to the Waste Classification and Management Regulations, 2013.
48. The holder of the authorisation must register and comply with the Norms and Standards for sorting, Shredding and grinding and also Norms and Standards for Storage of Waste, 2013.
49. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste must be disposed of at a landfill licensed in terms of Section 20 (b) of the National Environment Management Waste Act, 2008 (Act No.59 of 2008).
50. The plant must be designed to comply with the Subcategory 4.20 Minimum Emission Standards.
51. Fossil remains or trace fossils discovered during any phase of construction, either on the surface or exposed by excavations the Chance Find Protocol must be implemented by the Environmental Officer (EO) in charge of these developments. These discoveries ought to be protected and the EO must report to SAHRA (Contact details: SAHRA, 1st and 2nd floor, Building 5 Government complex, 7 Government Boulevard Riverside Park, Private Bag X11316, Nelspruit, Fax number: 013 7668256) so that mitigation can be carry out by a palaeontologist.
52. The holder of Environmental Authorisation must prevent the occurrence of nuisance conditions or health hazards.
53. No effluent must be discharged into any storm water drain or furrow, whether by commission or by omission.

General

54. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
 - 54.1. at the site of the authorised activity;
 - 54.2. to anyone on request; and
 - 54.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
55. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons

of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of Environmental Authorisation: 13/09/2021



Mr Sabelo Malaza

**Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment**

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The listed activities as applied for in the application form received on 20 November 2020.
- b) The information contained in the EIAr dated May 2021.
- c) The comments received from SAHRA, SANRAL, Eskom, Mpumalanga DPWR&T Transport Infrastructure, Mpumalanga Public Works, Roads & Transport, COGTA Mpumalanga and interested and affected parties as included in the EIAr dated May 2021.
- d) Mitigation measures as proposed in the EIAr and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the EIAr dated May 2021 and as appears below:

Title	Prepared by	Date
Atmospheric Impact Report	Airshed Planning Professionals (Pty) Ltd	May 2021
Heritage Impact Assessment	PGS Heritage (Pty) Ltd	29 March 2021
Socio - Economic Impact Assessment	Urban-Econ Development Economists	April 2021

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the reduction of slag waste disposed of at slag waste disposal areas by Highveld Steel.
- c) The EIAr dated May 2021 identified all legislation and guidelines that have been considered in the preparation of the EIAr.
- d) The location of the proposed wind energy facility.
- e) The methodology used in assessing the potential impacts identified in the EIAr dated May 2021 and the specialist studies have been adequately indicated.

- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the EIAr dated May 2021 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The information contained in the EIAr dated May 2021 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction phase.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.

Annexure 2: Layout Map

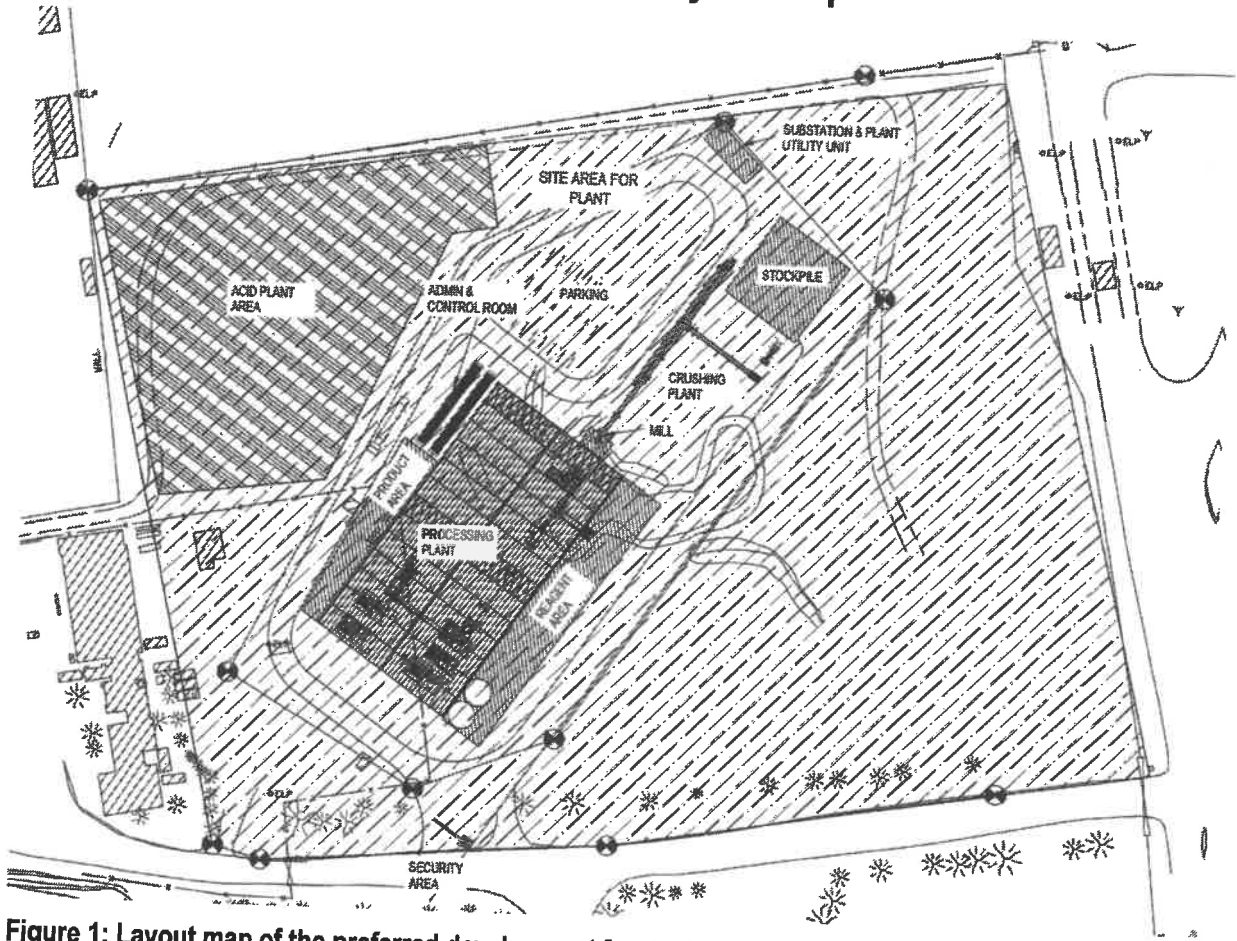


Figure 1: Layout map of the preferred development footprint for the zero waste recovery plant.

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