



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

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Reference number: : FS 30/5/1/3/3/2/1 (10201) EM

Last amended: : First issue

Holder of authorisation: : Mosito Mining (Pty) Ltd

Location of activity: : On the remainder of the farm Dutoitspan
119, in the magisterial district of Boshof.

DECISION

ACRONYMS

BAR: Basic Assessment Report

DEPARTMENT: Department of Mineral Resources

DEA Minister: Minister Responsible for environmental matters

EA: Environmental Authorisation

EAP: Environmental Assessment Practitioner

ECO: Environmental Control Officer

EMPr: Environmental Management Programme

EIA: Environmental Impact Assessment.

EIA REGULATIONS: EIA Regulations, 2014

FINANCIAL

PROVISIONING

REGULATIONS:	The National Environmental Management Act, 1998 (Act 107 of 1998), Regulations Pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations
I&APs:	Interested and Affected Parties
Minister:	Minister responsible for mineral resources
MPRDA:	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
NEMA:	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
NEMA: WA:	National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
NWA:	National Water Act 1998 (Act 36 of 1998) as amended.
SAHRA:	South African Heritage Resources Agency

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the **NEMA EIA** listed activity (ies) specified below. Details regarding the basis on which the Department reached this decision are set out in **Annexure “1”** and **“2”** of this environmental authorisation.

ACTIVITY APPLIED FOR

By virtue of the powers conferred to the Department by the NEMA, is Department hereby Grants an application for an EA to **Mosito Mining (Pty) Ltd** with the following contact details

Mosito Mining (Pty) Ltd
P.O. Box 1631
Kimberley
8300

Contact person: Mr. M.E. Selemela
Cell: 083 255 8816
Fax: 086 607 4721/ 086 248 5383
Email Address: Meselemela@yahoo.com

to undertake the following activity listed in the NEMA EIA Regulation.

The abovementioned company is the holder of this environmental authorisation and is hereinafter referred to as “the sole applicant”.

NEMA: LISTED ACTIVITIES:

Listed in the EIA Regulations R. 983 of 2014 as:-

Activity 21 - “Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including associated infrastructure, structures and earthworks directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)”and

Activity 25- The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres and

Detailed specifications of the activity are as follows:

The mining activity details are as follows:
The area under application is 5 ha.
<ul style="list-style-type: none">• The proposed mining activities will include the clearing of the area of 20 x 2x 5m for office sites• The offices will be demarcated as well as the different structures,• During the construction phase a block of 20 x 10 x 5 m will be taken and material removed,

- The waste materials will be used for backfilling of the excavations, while excess water will be recycled,
- Continuous inspections to the rehabilitated area will be conducted to monitor the re-vegetation rate as well as to remove all invader/pioneer plant species that may also establish themselves in the area,

The granting of this EA is subject to the conditions set out below (site specific) and in **Annexure 2** (Departmental standard conditions). The EMPr attached as part of the reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the mining operation.

EA SITE SPECIFIC CONDITIONS

1. The removal of topsoil and vegetation must be limited to the strips actively being mined, stockpiles and loading areas and access roads;
2. Dust suppression must be undertaken through water spraying and it must be done on a regular basis to prevent dust;
3. The listed activities must be undertaken at the alternative site as the protected plant species is dominant at the proposed mining area;
4. Concurrent rehabilitation must occur after completing conducting mining activities;
5. Proper erosion control measures must be in place to prevent runoff from discharging into the already mined area, wetlands and rivers.
6. Topsoil must be stockpiled in a designated area and not scattered all over.
7. Topsoil must not be contaminated by any material or products classified as dangerous goods.

8. Ensure that the identified features and infrastructures are left intact after the operation have ceased.
9. Ensure that there is minimal damage to the environment and leave the site in a safe state for humans and animals.
10. The area must be rehabilitated as close as possible to its original natural state and must be done to the complete satisfaction of all relevant Departments.
11. Ensure that the water resources (surface or underground) are not affected by both mining and rehabilitation activities.
12. Once mining has ceased, the area must be well rehabilitated, vegetated using vegetation that is endemic to the surround environment.
13. Where necessary a soil bed must be provided and sown with indigenous plant species to ensure re-establishment of vegetation.
14. Seeding of trees on site should be established on the site to replace those which were removed during mining activities.
15. A two to three year monitoring programme must be implemented to ensure the success of vegetation re-establishment and elimination of invader or pioneer plant species.
16. All other rehabilitation measures as contained within the revised BAR and EMPr mitigation measures, inclusive must be adhered to or a grounded reasons for why any of these could not be met.
17. You are not authorized to conduct activity 21 of Listing notice 2 -any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this notice apply.

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Mosito Mining (Pty) Ltd submitted an application for an EA for activities listed in the EIA Regulations and of 2014 as:

Listed in the EIA Regulations R. 983 of 2014 as:-

Activity 21 "Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including associated infrastructure, structures and earthworks directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)" and

Activity 25- The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2000 cubic metres but less than 15000 cubic metres and

Mosito Mining (Pty) Ltd appointed Ms. L. Wiehahn of LW Consulting to undertake the Basic Assessment process as required by Regulation 19 of the EIA Regulations 2014.

2. Information considered in making the decision

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

- a) The information contained in the application form received by the Department on the 18th of August 2016 and the revised application form received on the 03rd of October 2016;

- b) The information contained on the revised BAR and EMPr received by the Department on the revised BAR and EMPr received on the 01st of September 2017;
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- d) Public Participation Process (PPP) attached in the revised BAR and EMPr reports;
- e) The notification of acceptance of an application for mining permit dated the 25th of August 2016 received from mineral law administration;
- f) Relevant information contained in the Departmental information database, including, the Department's circular on the One Environmental Management System dated the 08th of December 2014;
- g) The comments received from Interested and Affected Parties ("I&APs") and the responses provided thereon, as included in the revised BAR and EMPr dated the 01st of September 2017;
- h) The sense of balance of the negative and positive impacts and mitigation measures; and
- i) The Company has complied with the provisions of the NEMA: Regulations Pertaining to the Financial Provision for Prospecting, Exploration, Mining or Production Operations by committing to provide financial provision as per regulation 8 read with regulation 11 of the said Regulations. The company had proposed to provide an amount of **R412, 725.07 (Four Hundred and Twelve Thousand Seven Hundred and Twenty Five Rand and Seven Cents only)** as financial provision for rehabilitation purposes to cater for rehabilitation and management or residual and latent environmental impacts.

3. Key factors considered in making the decision

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

- a) A PPP was undertaken and the company has satisfied the minimum requirements as prescribed in the EIA Regulations for public involvement;
- b) The environmental impacts associated with the activity will be addressed by the implementation of mitigation measures outlined in the revised BAR compiled by Ms. L. Wiehahn of LW Consulting and submitted to the Department on the 01st of September 2017;

4. Findings

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

- a) The potential impacts on the site were clearly investigated and mitigation measures outlined;
- b) The PPP complied with Chapter 6 of the EIA Regulations R 982. The PPP included, *inter-alia*, the following:
 - Identification of and engagement with I&APs;
 - Placing of a newspaper advertisement on the 18th of August 2017;
 - Fixing of notices on the library notice boards and on the area where the mining permit is going to take place and
 - The Department concurs with the Environmental Assessment Practitioner's responses to the issues raised during the PPP and has included appropriate conditions in this environmental authorisation.

ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1. The holder of the EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant or any person rendering a service to the holder of an EA.
- 1.2. Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as is deems necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorisation in terms of the EIA Regulations.
- 1.3. The activity (ies), which are authorised, may only be carried out at the property (ies) indicated in the EA and or on the approved EMPr.
- 1.4. Where any of the holder of the EA contact details change including name of the responsible person, physical or postal address/ or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.5. The EA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activity (ies).
- 1.6. The holder of EA must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.
- 1.7. The holder of EA must make sure that copies of the EA and EMPr are always kept where the listed activity will be undertaken.

2 APPEAL OF AUTHORISATION

2.1 The holder of EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with EIA Regulation 4(2) do the following:

2.2 Notify all registered I&APs of –

2.2.1 The outcome of the application;

2.2.2. The date of the decision;

2.2.3. The date of issue of the decision and;

2.2.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.

2.3 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations,

2.4 Draw the attention of all registered I&APs to the manner in which they may access the decision.

2.5 Provide the registered I&APs with:

2.5.1 Name of the holder (entity) of this EA

2.5.2 Name of the responsible person for this EA

2.5.3 Postal address of the holder;

2.5.4 Telephonic and fax details of the holder and

2.5.5 E-mail address of the holder if any.

3 COMMENCEMENT OF THE ACTIVITY (IES)

- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE) and training;
- 3.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him or her;
- 3.3 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Furthermore, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line or wet areas;
- 3.4 Appropriate notification sign must be erected at the mining site, warning the public (residents, visitors etc.) about the hazard around the mining site and presence of heavy vehicles and machinery;
- 3.6 Vegetation clearance must be limited on areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion;
- 3.7 The holder of the EA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species, also listed in must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased or sold unless permission is granted by the Department of Agriculture, Forestry and fisheries.
- 3.8 Construction areas (e.g. material lay down areas), topsoil and subsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage lines or areas where it will impede surface water runoff;
- 3.9 If any soil contamination is noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. The opportunity for the onsite remediation and re-use of contaminated

soil must be investigated prior to the disposal and this Department must be informed in this regard;

- 3.10 An integrated waste management approach must be implemented that is based on waste minimization and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubble generated on the premises can be re-used as back filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited on the adjacent properties or public places and open space;
- 3.11 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the project. It is the holder of EA responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner;
- 3.12 Construction vehicle must be serviced and maintained in the manner whereby excessive smokes and noise production is reduced to acceptable levels, and to prevent oil leaks. Contaminated soil must be remediated on site or removed to an authorised landfill site;
- 3.14 Residents (if any) on the property (ies) and surrounding areas must be informed if any unusual noisy activities are planned;
- 3.15. Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust;
- 3.16 Mixing of cement, concrete, paints, solvent, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflow onto soil to avoid contamination of underground water and environmental damage;

- 3.17 Should any heritage remains be exposed during operation or any actions on the site, these must immediately be reported to the South African Heritage Resource Agency (SAHRA) and (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the South African Heritage Resource Agency (SAHRA). Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; middens, indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the company and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority;
- 3.18 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons;
- 3.19 Hydraulic fluid or chemicals required during construction must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it should be cleaned immediately by removing spillage together with the polluted solids and dispose it in the authorised disposal site permitted of such waste. The regional office of the Department of Water and Sanitation must be notified within 24 hours of an incident that may pollute surface and underground water resources;
- 3.20 Chemical sanitation facilities or system such as toilets that do not rely on the seepage of liquids must be provided with a ratio of 1 for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorised waste water treatment works;
- 3.21 The holder of EA must ensure that any water uses listed in terms of Section 21 of National Water Act must get authorization from Department of Water and Sanitation prior to the commencement of such activity (ies);