



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

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Enquiries: Ms. N.E Dzivhani Ref: **MP 30/5/1/2/3/2/1 (483) EM**
Sub-directorate: Mine Environmental Management

BY HAND

The Directors
Wescoal Holdings Limited
P.O Box 215
Fourways North
JOHANNESBURG
2088

Dear Sir/ Madam

APPROVAL OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME FOR WESCOAL HOLDINGS LIMITED IN RESPECT OF PORTION 12 AND 16 OF THE FARM VLAKVARKFONEIN 213 IR, MAGISTERIAL DISTRICT OF WITBANK: MPUMALANGA REGION

The Environmental Management Programme submitted by you, has been approved, in terms of Section 39 (4) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), Your attention is directed to the fact that:

1. This approval does not purport to absolve **Wescoal Holdings Limited** from its common law obligations towards the owner of the surface of land affected.
2. This approval may be amended or withdrawn at any stage for non compliance and provides no relief from the provisions of any other relevant statutory or contractual obligations whatsoever,
3. Environmental management must conform to the Environmental Management Programme Report as approved.

4. The following legislations are applicable to this mining operation and therefore must be implemented throughout the life span of this operation:
 - a. The National Water Act, 1998 (Act 36 of 1998), with particular reference to the sections pertaining to mining in the proximity of dams and their catchments areas, rivers, marshes, streams, pans and other water courses.
 - b. The Environmental Conservation Act, 1989 (Act 73 of 1989) with particular reference to the requirements of section 20 of the above-mentioned Act.
 - c. The National Environmental Management Air Quality Act (Act 36 of 2004), with particular reference to the sections pertaining to the liberation of dust, and other emissions, created by mining activities, into the atmosphere.
 - d. The Conservation of Agriculture Resources Act, 1983 (Act 43 of 1983), with particular references to the sections pertaining to soil conservation.
 - e. The National Heritage Resources Act, 1989 (Act No 25 of 1999), with particular reference to the protection of all historical and pre-historical cultural remains.
 - f. The Mine Health and Safety Act, 1996 (Act 29 of 1996) in conjunction with the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), with particular reference to those sections and regulations pertaining to health and safety at mines; mining within 100 m from structures that must be protected; as well as those sections pertaining to rehabilitation of the surface.
 - g. The National Environmental Management Act, 1998 (Act 107 of 1998), with particular reference to the principles in chapter 2 of the said Act.
5. The financial provision provided in terms of Regulation 54 (2) and section 41 of the MPRDA, 2002 must be annually adjusted to conform to the above-mentioned mining activities.

6. Rehabilitation of the disturbed surface caused by mining activities at all times must comply with the said Environmental Management Programme.
7. A performance assessment, monitoring, and evaluation report must be submitted annually to this office or as determined by the Regional Manager, or at any other time that an officer of this office duly authorized thereto requests.
8. Any alteration or deviation from the programme must be reported to the Regional Manager for his/her approval or consideration.
9. A copy of the approved Environmental Management Programme must always be available on the mining premises for inspection by duly authorized officers.
10. All the interested and affected parties (I & AP's) registered during the compilation of the EMP must be informed in writing of the outcome of this application and, if requested, provide copies of the EMP.

Yours faithfully


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REGIONAL MANAGER
MPUMALANGA REGION

DATE: 20.8.2012

ACKNOWLEDGEMENT OF RECEIPT:.....

DATE:.....