

MPUMALANGA PROVINCIAL GOVERNMENT

Building No. 4
No. 7 Government Boulevard
Riverside Park Extension 2
Nelspruit
1200
South Africa



Private Bag X 11215
Nelspruit, 1200
Tel: 013 766 4004
Fax: 013 766 4614
Int: +27 13 766 4004
Int: +27 13 766 4614

Department of Economic Development, Environment and Tourism

Litiko Letekutufufukiswa
Kwetemntfo, Simondzwo netekuVakasha

Umgango WezokuThuthukiswa
KoMnotho, iBhoduluko nezamaVakajho

Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Enquiries : Charity Mthimnye
Telephone : 013 692 6300
Reference no. : 17/2/3N-263
NEAS ref no. : MPP/EIA/0000669/2013

Mr. Joe Janse van Rensburg
Wescoal Mining (Pty) Ltd (Intibane Colliery)
Private Bag x7260
Witbank
1035

Fax : 086 743 7208
Email : joe@wescoal.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED INFRASTRUCTURE FOR THE STORAGE OF FUEL, UPGRADING OF AN ACCESS ROAD AND THE CONSTRUCTION OF THE SLIME AND STORM WATER DAM ON PORTION 12 AND 16 OF THE FARM VLAKVARKFONTEIN 213 IR, DELMAS, MPUMALANGA PROVINCE.

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulations 10(2)(a)-(d) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of the date of this letter, by means of one of the following methods:

By facsimile: (013) 766 4614

By post: Private Bag x 11215
Nelspruit
1200



17/2/3N-263



By hand: Building 4, No. 7 Government Boulevard,
Riverside Park Extension
Nelspruit
1200

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S.S. Maluleka'.

MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES

DATE: 10.09.13

cc: Mr. Simon Netshozwi
Kimopax (Pty) Ltd
Fax no: 086 558 7022
Email:simon@kimopax.com

MPUMALANGA PROVINCIAL GOVERNMENT

Building No. 4
No. 7 Government Boulevard
Riverside Park Extension 2
Nelspruit
1200
South Africa



Private Bag X 11215
Nelspruit, 1200
Tel: 013 766 4004
Fax: 013 766 4614
Int: +27 13 766 4004
Int: +27 13 766 4614

Department of Economic Development, Environment and Tourism

Litiko Letekufufukiswa
Kwetemnotho, Simondzwo netekuVakasha

Umgango WezokuThuthukiswa
KoMnotho, iBhoduluko nezamaVakatiho

Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Environmental Authorisation

Application number: 17/2/3N-263

Holder of Authorisation: Wescoal Mining (Pty) Ltd
(Intibane Colliery)

NEAS reference number: MPP/EIA/0000669/2013

Location of activity: Portion 12 and 16 of the
Farm Vlakvarkfontein 213 IR





17/2/3N-263

1. Decision

The Department is satisfied on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Department hereby authorises:

Wescoal Mining (Pty) Ltd (Intibane Colliery)
Private Bag x 7260
Witbank
1035

Attention: Mr. Joe Janse van Rensburg

Fax no: 086 743 7208

Tel no: 084 487 8000

Email: joe@wescoal.com

To undertake the following activities (hereafter referred to as "the activity"):

The proposed infrastructure for the storage of fuel, upgrading of an access road and the construction of the slime and storm water dam on portion 12 and 16 of the farm Vlakvarfontein 213 IR, Victor Khanye Local Municipality, Mpumalanga Province at the following co-ordinates, 26° 03.910"S and 28° 53.029"E and GNR 544 Listing 1 (Activities 12, 13 and 47)

The activity will entail the following:

- 1) Three above ground fuel storage tanks (23m³) with a combined capacity of 69m³ for refueling of mining vehicles for the life of the mining activity.
- 2) Approximately 20x 220 litre drums of oil will be stored on site to be used for mining activities.
- 3) The tanks will be placed on a concrete bunding and the bund of the connected tanks will be 7m long, 6m wide and 1.2m high.
- 4) The existing farm road will be widened to a width of approximately 12m to accommodate the safe transfer of coal using coal trucks and the road will remain 1.3km in length.
- 5) Slime and storm water dam will be constructed. The dam will have a surface area of 0.71 hectare and will be lined accordingly in order to hinder any seepage. Berms and trenches will run parallel to each other on either sides of the mine towards the slimes and storm water dam.

The granting of this environmental authorisation is subject to the conditions set out below.

3. Conditions of Authorisation

Scope of authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the environmental authorisation and are binding on the holder of the authorisation.



- 3.2 The holder of the authorisation must ensure compliance with these conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.3 The activity which is authorised may only be carried out at the property indicated above.
- 3.4 Any changes to, or deviations from, the project description set out in this 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 authorisation in terms of the regulations.
- 3.5 In the event that the impacts exceed the significance as predicted in the basic assessment report, authorisation may be suspended after proper procedures have been followed.
- 3.6 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.7 The Department may change or amend any of the conditions of this authorisation if, in the opinion of the Department, it is environmentally justified.
- 3.8 This activity must commence within a period of three (3) years from the date of issue. 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.
- 3.9 The holder of this authorisation is responsible for compliance with the provisions for Duty of Care and Remediation of Environmental Damage contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).
- 3.10 This authorisation does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

Appeal of authorisation

- 3.11 The holder of the authorisation must notify every registered interested and affected party, in writing and within twelve (12) days of the date of this decision, of the outcome of the application.
- 3.12 The notification referred to above, must –
 - a) Specify the date on which the authorisation was issued;
 - b) Inform the interested and affected party of the appeal procedure provided for in Chapter 7 of the Regulations; and
 - c) Advise the interested and affected party to the manner in which the decision can be accessed;
 - d) Be published in the newspaper contemplated in Regulation 54(2) (c) and which newspaper was used for the placing of advertisements as part of the public participation process.

Management and monitoring of the activity

- 3.13 The Environmental Management Programme (EMPr) dated 03rd September 2013 and submitted as part of the Basic Assessment Report is hereby approved and must be implemented and adhered to throughout the lifecycle of the activity.
- 3.14 The applicant must appoint an independent Environmental Control Officer (ECO) that will have the responsibility of monitoring and reporting on compliance with the conditions of this environmental authorisation as well as monitoring and reporting on the implementation of the approved EMPr.
- 3.15 The ECO must be appointed before the commencement of construction and the Department must be notified of such an appointment for communication purposes.
 - 3.17.1 The ECO must oversee and monitor the success of all rehabilitation activities.