



- 3.17.2 During the construction phase, the ECO must submit monthly compliance reports to the Department in writing and copy the applicant with such reports. Where applicable, the ECO may negotiate the required frequency for the submission of reports with the Department, which must be agreed to in writing by the Department. The reports must include a description of all activities on site, problems identified, transgressions noted and remedial action implemented. All reports must reflect the Department's reference number of the project on the cover page.
- 3.17.3 The ECO must maintain the following on site:
- A site diary
  - Copies of all reports submitted to the Department
  - A complaints' register of all environmental complaints regarding the proposed project and the remedies applied to such complaints
- 3.17.4 The ECO must remain employed until all rehabilitation measures as well as site clean-up are completed and the site is handed over to the applicant by the contractor for operation.
- 3.16 The holder of the authorisation must submit an environmental audit report to the Department upon completion of the construction and rehabilitation activities. The environmental audit report must be compiled by an independent environmental auditor 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 conditions of this authorisation as well as the requirements of the EMPr.
- 3.17 The Department retains the right to monitor and/ or inspect the proposed development during both construction and operational phases.

#### **Commissioning and operation of the activity**

- 3.18 Fourteen (14) days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, and must include the name and contact details of the appointed ECO.
- 3.19 The contractor must ensure that all employees including sub-contractors and their employees do attend on-site Environmental Awareness training prior to commencing work on site.
- 3.20 The training must cover all aspects of the EMP, procedures to be followed, the sensitivity of the site and importance of adhering to no-go areas.
- 3.21 The contractor must locate the construction camp on existing disturbed site or the least sensitive sites above the 1:100 year flood line or further than 32m from the edge of a watercourse.
- 3.22 Sufficient chemical toilets must be provided; they must contain the sewage in an enclosed and removable 'tank'. The toilets must be located in the shade and outside the demarcated disturbed wetland system, kept hygienic, cleaned daily and emptied when the tanks are full.
- 3.23 Waste receptacles must be put in place before construction starts and litter must be removed daily to the registered landfill site for the duration of the project
- 3.24 No dry wood, living plant or part thereof must be harvested from any plant community and open fires are prohibited.
- 3.25 Access to the site must be through the existing access roads.
- 3.26 Drip trays must be utilized during daily greasing and re-fueling of machinery and to catch incidental spills and pollutants.
- 3.27 No concrete mixing must take place on open grounds.
- 3.28 Oil and diesel spills are considered hazardous, therefore soil contaminated with hazardous substances must be treated as hazardous waste and must be removed from the site.
- 3.29 The floor must be lined with DPC plastic to prevent ground contamination from leachate such as cement powder residue or paint containers.
- 3.30 During the upgrading of the access road, there must be a dustcart to water the road on dry windy days.



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- 3.31 General waste must be disposed off at a registered landfill site.
- 3.32 Proper storage facilities must be provided for the storage of oils, grease, fuels, chemicals and hazardous materials.
- 3.33 All areas susceptible to erosion must be protected by installing all necessary, temporary and/or permanent mechanisms for controlling/diverting storm water run-off, dissipating water energy and encouraging infiltration as soon as possible.
- 3.34 Topsoil must be stored and used for rehabilitation in areas affected by construction activities.
- 3.35 Stockpiles of soil must be properly covered.
- 3.36 All formal and informal cemeteries and burials areas must be left undisturbed.

**General**

- 3.37 A copy of this authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.38 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.39 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.40 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 applicant or his 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 applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

**ENVIRONMENTAL AUTHORISATION APPROVED BY:**

**MR. S.S. MALULEKA**  
**CHIEF DIRECTOR: ENVIRONMENTAL SERVICES**  
**DATE:** 10.09.17



## Annexure 1: Reasons for the Decision

### 1. Background

1.1 The applicant, Wescoal (Pty) Ltd (intibane Colliery), applied for authorization to carry out the following activity (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 Vlakvarkfontein 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 (23m<sup>3</sup>) with a combined capacity of 69m<sup>3</sup> 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) Slimes and storm water dam will be constructed. The dam will have a surface area of 0.71 ha 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.
- 1.2 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

Mr. Simon Netshiozwi  
 Kimopax (Pty) Ltd  
 P.O. Box 4077  
 Halfway House  
 1687  
 Tel no: 076 100 4772  
 Fax no: 086 558 7022  
 Email:simon@kimopax.com

### 2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the Basic Assessment Report and the EMP.
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- c) The findings of the site visit undertaken by Ms. Charity Mthimunya on the 06<sup>th</sup> August 2013.

### 3. 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 proposed project will not have significant impacts as it will take place within a mining area .
- b) The economy of the country will be lifted as there will be creation of jobs.
- c) Waste generated will be disposed off at a registered landfill site of Victor Khanye Local



Municipality.

- d) The solid waste that will be produced during the life cycle of the activity, will be reclaimed and re-used as much as possible before being transported to an appropriate landfill site licensed in terms of section 20 (b) of the National Environmental Management Waste Act, 2008 (Act No 59 of 2008).

**4. Findings**

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

- a) The project will offer job opportunities for substantive number of unskilled, semi skilled and skilled community members.
- b) There were no signs of culturally or historically significant elements including archaeological or paleontological sites observed during the site visit.
- c) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the Basic Assessment report and conditions of this environmental authorisation be implemented and adhered to.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorisation is accordingly granted. 