



EA Holder:
Vengablox (Pty) Ltd
P.O. Box 202
Theunissen
9410
Tel: 083 410 8286
machiel@wzbeta.co.za
Mr. M du Plessis

Reference No: FS 30/5/1/2/2/10071 MR

To whom it may concern

13 December 2022

RE: APPROVAL OF AN ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 AS AMENDED (NEMA), AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 (AS AMENDED) FOR MINING OF SAND AND ASSOCIATED ACTIVITIES IN RESPECT OF PORTION 0 AND PORTION 1 (REMAINING EXTENT) OF THE FARM DE KLERKS KRAAL NO 231, THEUNISSEN DISTRICT, FREE STATE

Notice is hereby given that authorisation was granted through an Environmental Authorisation (EA) in terms of the National Environmental Management Act, 1998 as amended (NEMA), and the Environmental Impact Assessment (EIA) Regulations, 2014 (as amended) to Vengablox (Pty) Ltd to carry out the following activity:

- Mine sand from 238.5426 ha that extends over Portion 0 and Portion 1 (Remaining Extent) of the farm De Klerks Kraal No 231 within the Lejweleputswa Magisterial District of the Free State.

A copy of the Environmental Authorisation accompanies this notice and is available from Greenmined Environmental (Pty) Ltd, Suite 62, Private Bag X15, Somerset West, 7129, or contact Christine Fouché (082) 811 8514 (Tel), christine.f@greenmined.co.za.

Date of Decision: 08 December 2022

Date of Issue of Decision: 13 December 2022

Reasons for Decision: See attached EA

Departmental Standard Conditions: See attached EA

the goal isn't to live forever, it is to protect a planet that will

Greenmined Environmental (Pty) Ltd | Tel: 021 851 2673 | Fax: 086 546 0579
Unit M01, Office No 107, AECl Site, Baker Square, Paardevelei, De Beers Avenue, Somerset West, 7130
Postnet Suite 62, Private Bag x15, Somerset West, 7129
Directors: S Smit; C Weideman | Reg No: 2012/055565/07 | VAT No. 4040263032



Appeal Procedure: Any registered I&AP may lodge an appeal against the decision in terms of the National Appeals Regulations. An appellant must submit the appeal to the Minister of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (Free State Regional Office), within 20 days from the date of notification (13 December 2022), and such appeal must be lodged as prescribed by Chapter 2 of the National Appeal Regulation of 2014, by means of the methods as prescribed below:

Appeal to the Department of Environmental Affairs:

Attention: Director Appeals and Legal Review – M Rakgogo
Email: appeals@environment.gov.za
Tel: (012) 399 9626
By Post: Private Bag X447, Pretoria, 0001
By Hand: Environmental House, (473 Steve Biko) corner Steve Biko and Soutpansberg Street, Arcadia, Pretoria, 0083

Copy of the lodged appeal to the Department of Mineral Resources and Energy:

Attention: Regional Manager: Free State Region
By facsimile: (057) 357 6003
Email: mamokete.mpatane@dmre.gov.za
By Post: Private Bag X33, Welkom, 9460
By Hand: The Strip Building, 314 Stateway Street, Welkom, 9459

Should you decide to appeal the decision, you must comply with the National Appeal Regulations of 2014 in relation to notification of the Applicant and all registered interested and affected parties. A copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and the Environment.

We trust you will find this in order. Please do not hesitate to contact us in the event of any uncertainties.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Fouche', is written over the typed name.

Christine Fouche – Greenmined Environmental (Pty) Ltd



ANNEXURE A

ENVIRONMENTAL AUTHORISATION



mineral resources & energy

DMRE 11

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X33, Welkom, 9460, Tel: 057 391 1323, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, Welkom, 9459

Enquiries: Ms. H Maphisa Ref: FS 30/5/1/2/3/2/1 (10071) EM
E-Mail Address: Happy.Maphisa@dmre.gov.za
Sub-Directorate: Mine Environmental Management

BY REGISTERED MAIL

The Director/s
Vengablox (Pty) Ltd
P.O Box 202
Theunessen
9410



ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 FOR MINING OF GRAVEL AND STONE AGGREGATE AND ASSOCIATED ACTIVITIES IN RESPECT OF THE PORTION 0 OF THE FARM DE KLERKS KRAAL NO 231 AND PORTION 1 OF THE REMAINING EXTENT OF THE FARM DE KLERKS KRAAL NO 231 IN THE MAGISTERIAL DISTRICT OF THEUNESSEN.

With reference to the abovementioned application, please be advised that the Department has decided to **grant** an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998). The environmental authorisation and reasons for the decision are attached herewith.

In terms of section 4(2) of the Environmental Impact Assessment Regulations of 2014, you are instructed to notify all registered interested and affected parties, in writing within 14 (Fourteen) calendar days, from the date of the Department's decision in respect of your application and the relevant provisions regarding the lodgement of an appeal must be provided for in terms of the National Appeal Regulations of 2014.

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources (Free State Regional Office), within 20 days from the date of notification, and such appeal must be lodged as prescribed in chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

Appeal must be submitted in writing to the Department of Forestry, Fisheries and the Environment.

Attention : M. Rakgogo, Acting Director: Appeals and legal Review
Email : appeals@environment.gov.za
Tel : (012) 399 9626
By post : Private Bag X447, Pretoria, 0001
By hand : Environmental House, (473 Steve Biko) Corner Steve Biko and
Soutpansberg Street, Arcadia, Pretoria, 0083

Copy of the lodged appeal to the Department of Mineral Resources and Energy.

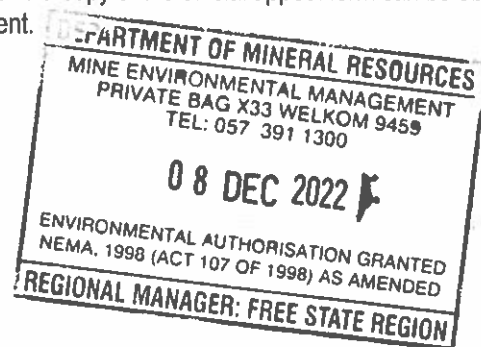
Attention : Regional Manager: Free State Region
By facsimile : 057 357 6003
E-mail : Mamokete.Mpatane@dmre.gov.za
By post : Private Bag X33, Welkom, 9460
By hand : The Strip Building, 314 Stateway Street, Welkom, 9459

Should you decide to appeal, you must comply with the National Appeal Regulation of 2014 in relation to notification of all registered interested and affected parties, and a copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and the Environment.

Yours Faithfully



.....
KALIPA KEWUTI
REGIONAL MANAGER: MINERAL AND PETROLEUM REGULATION
FREE STATE REGION
DATE: 08/12/2022
.....





mineral resources & energy

DMRE 11

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X33, Welkom, 9460, Tel: 057 391 1323, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, Welkom, 9459

GRANTED ENVIRONMENTAL AUTHORISATION

Reference number: FS 30/5/1/2/3/2/1 (10071) EM

Last amended: Fifth issue

Holder of authorisation: Vengablox (Pty) Ltd

Location of activity:



Portion 0 of the Farm De Klerks Kraal No 231 and Portion 1 of the remaining extent of the Farm De Klerks Kraal No 231 in the Magisterial District of Theunessen.

ACRONYMS

| | |
|------------------|--|
| EIR: | Environmental Impact Report |
| DEPARTMENT: | Department of Mineral Resources and Energy |
| ECO: | Environmental Control Officer |
| EA: | Environmental Authorisation |
| EIA: | Environmental Impact Assessment |
| EIA REGULATIONS: | EIA Regulations, 2014 as amended |
| EMPr: | Environmental Management Programme |
| I&AP: | Interested and Affected Parties |
| MPRDA: | Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended |
| NEMA: | National Environmental Management Act, 1998 (Act 107 of 1998), as amended |
| NEMWA: | National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended |
| SAHRA: | South African Heritage Resources Agency |

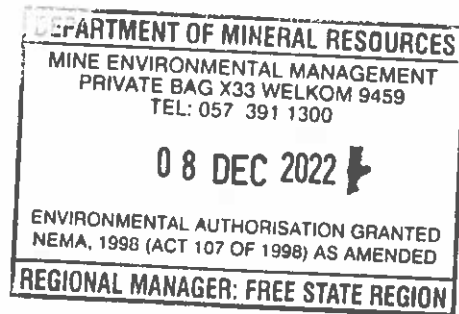
The department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake **NEMA EIA** listed activities specified below. Details regarding the basis on which the department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

ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department of Mineral Resources hereby **Grants** an Environmental Authorization (EA) to **Vengablox (Pty) Ltd** with the following contact details –

The Director/s
Vengablox (Pty) Ltd
P.O Box 202
Theunessen
9410

Attention : Mr. M.du Plessis
Cell : 083 410 8286
E-Mail : machiel@wzbeta.co.za



to undertake the following activities listed in the NEMA EIA Regulations:

Listed Activities Authorised:

| Listed Activities | Activity and/or project description |
|--|--|
| Activity 17 of Government notice No. R 984 as amended <i>Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), as well as any applicable activity as contained in this Listing Notice, in Listing Notice 1 of 2014 or Listing Notice 3 of 2014 required to exercise the mining right.</i> | Sand mining will take place in an area of approximately 238.5426 hectares in extent. |

Detailed description of the activity are as follows:

The holder is hereby authorised to undertake sand mining activities including the installation and construction of associated infrastructure in relation to the above listed activities as it relates to the development as follows:

- To conduct sand mining activities in the aforementioned property as indicated on page 19 and 255 of the EIR&EMPr.
- To conduct sand mining activities concurrently with rehabilitation and to ensure that the rehabilitation of the mined area is effective and protected from erosion forces.
- The stripping/removal and stockpiling of 350mm topsoil from each strip before mining activities commences. The stockpiled topsoil will be replaced onto the mined area during rehabilitation.

Site description and location:

The activities will be conducted Portion 0 of the Farm De Klerks Kraal No 231 and Portion 1 of the remaining extent of the Farm De Klerks Kraal No 231 in the Magisterial District of Theunessen.

The SG code for each farm portion is: F0330000000023100000 and: F0330000000023100001

The granting of this EA is subject to the conditions set out below (**site specific**) and in **Annexure 2** (departmental standard conditions). The Environmental Management Programme (EMPr) attached as part of the reports for the above development submitted as part of the application for an EA complies with section 24N of NEMA, Appendix 4 of the EIA Regulations, 2014 as amended and is hereby approved and must be adhered to throughout the life of the operation.

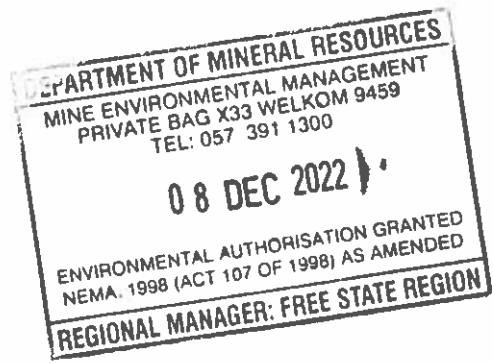
EA SITE SPECIFIC CONDITIONS

1. Mining activities must be conducted in accordance with the approved Environmental Management Programme and the layout plans attached on page 19 and 255 of the EIR&EMPr.
2. The entire mining area must be fenced off, and a lockable gate(s) must be installed. Access to the mine must be strictly controlled and measures must be put in place to ensure the safety of animals/wildlife and the public.
3. Visible semi-permanent markers must be placed on the mining boundary before mining activities commences and must be kept for the duration of mining. Mining activities must strictly be conducted within the demarcated area. The mining boundary in this case refers to the edges or boundary of the actual area where mining will take place as outlined on mine layout plans attached on page 15 and 94 of the EIR&EMPr.
4. Mining area must be visibly subdivided into strips and mining must be confined to one strip at a time. Mining must proceed to the next strip once the previous mined strip has been successfully rehabilitated.
5. Sand mining activities including excavation must be conducted or commence exactly 9m away from the mining area boundary. This 9m buffer must be demarcated with visible beacons and it must be treated as a no-go area for the duration of the mining activities. No mining activities must take place within the 9m buffer area. The mining boundary in this case refers to the edges or boundary of the actual area where mining will take place as outlined on mine layout plans attached on page 19 and 255 of the EIR&EMPr.
6. Mining activities must be conducted concurrently with rehabilitation and measures such as mulching and/or immediate cover with vegetation must be taken to make sure that the rehabilitated surface is protected from forces of erosion.



7. At least 350mm of topsoil must be stripped from each strip before mining activities commences. The topsoil must be stockpiled within the mining area and be replaced onto the mined area during rehabilitation. Topsoil management must be done in accordance with the approved EMPr and this EA.
8. The stockpiled topsoil must be protected from and/ or against losses by water and wind erosion. Driving over topsoil stockpile is prohibited.
9. The installation of diesel tanks onsite must comply with the approved EMPr. Diesel tanks must be placed in a bunded or impermeable area to avoid soil and or water pollution. Diesel tanks storage area must be designed in such a way that they do not come into contact with stormwater during and also to cater for accidental damage or leakage of the tanks. Refuelling area must be bunded and during refuelling, drip trays must be placed below the pump(s) to prevent soil contamination and water pollution.
10. After mining, steep slopes at the edges of excavations must be reduced to a slope of 1:3 and profiled to blend in with the surrounding topography.
11. Sand leaving the site must be covered with a tarpaulin cloth during transportation to prevent sand from being blown away by wind and causing pollution nuisance to other road users and the public. It is the responsibility of the EA holder to ensure compliance with this condition.
12. Construction of access roads within the mining area must strictly comply with the approved Environmental Management Programme and this EA.
13. Alien vegetation must be cleared on an ongoing basis during mining activities and after rehabilitation.
14. A surface slope must be maintained across the mining area in the drainage direction, so that excavation is freely drained.
15. Dust suppression measures must be implemented during mining activities, and this may include spraying the mining area and access road with water and/or an environmentally friendly dust-allaying agent. Dust prevention measures such as sprayers must be incorporated onto the screening plants to limit the generation of dust.





ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Vengablox (Pty) Ltd applied for an EA for activities listed in the 2014 EIA Regulations as amended. Amongst the listed activities triggered by the mining activities include the following:

Listed activities triggered by the project were as follows:

| Listed Activities | Activity and/or project description |
|---|--|
| <p>Activity 17 of Government notice No. R 984 as amended</p> <p><i>Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), as well as any applicable activity as contained in this Listing Notice, in Listing Notice 1 of 2014 or Listing Notice 3 of 2014 required to exercise the mining right.</i></p> | <p>Sand mining will take place in an area of approximately 238.5426 hectares in extent</p> |

Vengablox (Pty) Ltd appointed Greenmined Environmental (Pty)Ltd to undertake the Scoping and Environmental Impact Assessment process as required by the 2014 EIA Regulations as amended. Scoping and Environmental Impact Report contemplated on Regulation 21 and 23 of the 2014 EIA Regulations as amended was followed.

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 uploaded onto SAMRAD and received by the Department on 30 September 2021 and acknowledged by the department on 02 December 2021 as well as the scoping report accepted by the Department on 05 April 2022.
- b) The information contained in the EIR & EMPr received by the department on 20 July 2022.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014 as amended.
- d) Layout plans attached on page 19 and 255 of the EIR&EMPr.

- e) The findings of site inspection conducted by officials of this department in the presence of Vengablox (Pty) Ltd (applicant) representative on 04 November 2022.



3. Key factors considered in making the decision.

All the information presented to the department was considered during 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 procedure that has been followed is in accordance with the NEMA as amended and the EIA Regulations of 2014 as amended.
- b) Public Participation Process (PPP) was undertaken, and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations R982 of 2014 as amended for public involvement.
- c) The results of public participation process undertaken for the proposed mining project.
- d) The environmental impacts associated with the proposed activity will be addressed through the implementation of the proposed mitigation measures outlined in the EMPr compiled by EMPr compiled by Ms.C Fouche (EAP) of Greenmined Environmental (Pty)Ltd.
- e) Mitigation measures outlined in the EMPr compiled by Ms. C Fouche (EAP) of Greenmined Environmental (Pty)Ltd.
- f) The Principal Inspector of mines was consulted for comments on the 31 August 2022 and there was no objection regarding the approval of the EIR and EMPr
- g) Layout plans attached on page 19 and 255 of the EIR&EMPr.
- h) The applicant complied with Section 24P of the National Environmental Management Act, 1998 (Act 107 of 1998) and the 2015 Financial Provisioning Regulations in that the financial provision for the management of environmental impacts was determined and provided as required.

4. Findings

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

- a) The potential impacts on the proposed site were clearly investigated and mitigation measures were outlined.

- b) Potential impacts from the mining activities will be managed through the implementation of mitigation measures proposed in the EMPr.
- c) The review of the EIR and EMPr revealed that the proposed mining activities will take place within an agricultural area.
- d) The findings of site inspection conducted by officials of this department in the presence of **Vengablox (Pty) Ltd** (applicant) representative on 04 November 2022 confirmed that mining activities will take place in an area zoned agriculture.
- e) Public Participation Process complied with Chapter 6 of the 2014 EIA Regulations R.982 as amended. The PPP included, *inter-alia*, the following:
- A placement of newspaper advertisement in the Vista newspaper on 13 January 2022.
 - Notices were placed at the project site for the period of 30 days and the proof is included in the EIR.
 - Notices were sent to the landowner, adjacent landowners, key stakeholders and the registered interested and affected parties during public participation process. Proof and results of consultation is included in the EIR.
 - Comments and issues raised by interested and affected parties were adequately addressed in the EIR.



ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1 SCOPE OF AUTHORISATION

- 1.1 The holder of the EA must 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 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 deemed 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 authorization in terms of the EIA Regulations as amended.
- 1.3 The activities, which are authorized, must only be carried out at the property indicated in the EA and the approved EMPr.
- 1.4 When any of the holders 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 authorized activities occur have controlled access to ensure safety of people and animals.

2 APPEAL OF AUTHORISATION

- 2.1 The holder of the 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.
 - 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.
 - 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 any employee without PPE must not be allowed on site.
- 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 mining vehicles and machinery must be clearly marked and appropriate signaling must be posted to that effect. Furthermore, movement of vehicles and machinery must be restricted to the approved mining area. This must also take into consideration the 9m buffer area to be demarcated before mining commences and all buffer areas indicated on the layout plans.
- 3.4 Appropriate notification sign must be erected at the mining site, warning the public (residents, visitors etc.) about the hazard around the mining area and presence of mining vehicles and machinery.
- 3.5 Vegetation clearance must be limited to the actual mining footprint in accordance with the approved layout plans, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.6 Topsoil stripped before mining must be protected from erosion, contamination and/or pollution and stockpiling of topsoil must not take place in the drainage lines or areas where it will impede water runoff.
- 3.7 The construction of site camp is not permitted.
- 3.8 Noise abatement equipment such as mufflers on diesel engines must be installed on mining machinery and be maintained ensure that they remain in good condition.
- 3.9 Vehicles and machineries must be serviced and maintained in the manner whereby excessive smokes and noise production is reduced to acceptable levels, and to prevent oil leaks. Servicing of machinery and vehicles must not take place within active sand mining area on site.
- 3.10 Maintenance of machineries must be done at specified area (workshop area) within the mining right area to minimize soil contamination. The area must be bunded or have an

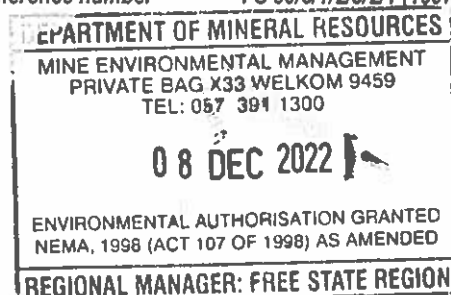
impermeable surface. Contaminated soil must be remediated on site or removed to an authorized landfill site.

- 3.11 Drip trays must be placed underneath stationery or breakdown vehicles or machinery (under maintenance) to prevent pollution of the soil.
- 3.12 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 designed for such waste and the site must be rehabilitated to the satisfaction of the department and the department responsible with the management of water resources. 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.
- 3.13 An integrated waste management approach that is based on waste minimization (waste management hierarchy) must be implemented and must incorporate avoidance, reduction, recycling, treat, reuse, and disposal where appropriate. Ensure that no refuse generated in the mining area is placed, buried, dumped, or deposited on the adjacent properties or public places and open space.
- 3.14 Uncontaminated storm water must be prevented from coming into contact with the waste and must be diverted away from the storage site and mining area.
- 3.15 The waste generated during mining activities must be stored in animal proof containers and must be removed from site and disposed of at a registered disposal facility. Proof of disposal at a registered disposal facility must be kept and produced to any official of this department on request.
- 3.16 In terms of sections 28 and 30 of NEMA, 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.
- 3.17 Residents (if any) on the property and surrounding areas must be informed of any unusual noise activities in the mining area.
- 3.18 Dust suppression measures must be implemented on all exposed surface and access road to minimize and control airborne dust.
- 3.19 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) (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).
- 3.20 Care must be taken to ensure that material and topsoil required for rehabilitation is free of contamination from hydrocarbons.
- 3.21 Refueling of machinery and construction vehicles on active sand mining area must be done through a mobile bowser. Drip trays must be placed below the pump(s) to prevent



soil contamination and water pollution. Should any spills occur, it must be cleaned immediately by removing spillage together with the polluted soil and dispose it at authorized disposal site permitted for the disposal of such waste. The regional office of the Department responsible with water resources must be notified within 24 hours of an incident that may pollute surface and ground water resources.

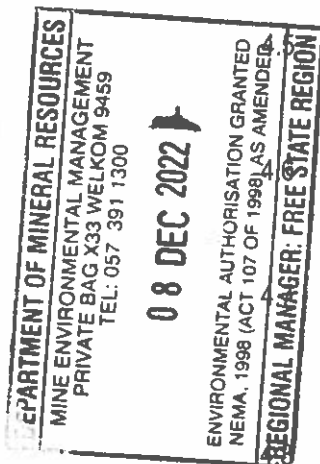
- 3.22 Chemical sanitation facilities or system such as toilets that do not rely on the seepage of liquids must be provided with a ratio of 1 for every 15 workers. These must be placed such that they prevent spills or leaks to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorized wastewater treatment works. Proof of disposal must be kept on site and be produced upon request.
- 3.23 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 responsible with water resources prior to the commencement of such activity (ies).
- 3.24 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the surface of land affected.
- 3.25 The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.
- 3.26 This EA 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.
- 3.27 The holder of EA must note that in terms of Section 20 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), no person may commence, undertake, or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste management license is issued in respect of that activity if license is required.
- 3.28 An appeal under Section 43 (7) of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended) suspend an EA or exemption or any provisions of conditions attached hereto, or any directive unless the Minister directs otherwise.
- 3.29 Should you be notified by the Minister of a suspension of the authorization pending appeal procedure, you may not commence with the activity (ies) until such time that the Minister allows you to commence with such activity (ies) in writing.
- 3.30 The department reserves the right to audit and/or inspect the activity (ies) without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.31 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed mining activities, the EA is valid for the period for which the FS164MR Mining Right has been granted provided that the authorized activities commence within 10 years. If the commencement of the proposed activities does not occur within the specified period, the EA lapses, and a new application for EA in terms of the NEMA and the EIA Regulations must be made for the activities to be undertaken.



- 3.32 The listed activity (ies), including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorization is suspended until such time as the appeal is decided.
- 3.33 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is upon the holder of EA to bring it to the attention of the department for resolution.

4 MANAGEMENT OF ACTIVITY (IES)

- 4.1 A copy of the EA and EMPr must be kept at the property or on-site office where the activities will be undertaken. The EA and EMPr must be produced to any authorized officials of the department who request to see it and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property (ies).
- 4.2 The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agent, and any other people working on the site, and any updates or amendments to the EMPr must be submitted to the department for approval.
- 4.3 Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.
- 4.4 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.



The holder of the EA must ensure that all non-recyclable waste is disposed of at a waste management facility licensed to handle such wastes and all recyclable waste are collected by licensed waste management facilities for recycling, reuse, or treatment.

In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled. The holder of the EA must also make sure that littering of waste within the mining area is prohibited.

Non-compliance with any condition of this EA and the approved EMPr is an offence in terms of section 49A(1)(c) of NEMA and may result in criminal proceedings and issuing of a directive in terms of Section 28 and or a compliance notice in terms of section 31L of NEMA.

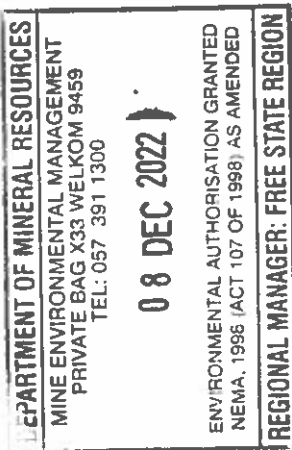
Only listed activity (ies) that are expressly specified in this EA must be undertaken, any additional or new activities not specified herein must be applied for by the holder and authorized by the competent authority before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, and removal or updating of any detail in the aforesaid EA.

- 4.9 Rehabilitation of the disturbed surface caused by operation must comply with the approved EMPr.

- 4.10 The Holder of EA must appoint the ECO before commencement of mining activities and ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of EA must also ensure that an ECO is always available on site to ensure that activities at all times comply with the issued EA and approved EMPr.
- 4.11 The ECO must:
- 4.11.1 Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals, or any other material).
 - 4.11.2 Keep a complaint register on site indicating the complaint and how the issues were addressed, what measures were taken and what the preventative measures were implemented to avoid re-occurrence of complaints.
 - 4.11.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.11.4 Keep copies of all environmental reports submitted to the department.
 - 4.11.5 Keep the records of all permits, licences and authorisations required by the operation.
 - 4.11.6 Compile a monthly monitoring report and make it available to the department if requested.
 - 4.11.7 The duties and responsibility of the ECO must not be seen as exempting the holder of the EA from the legal obligations in terms of the NEMA.
- 4.12 The footprint of the activities must be limited on the areas authorized for the actual mining works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.

5 REPORTING TO THE DEPARTMENT

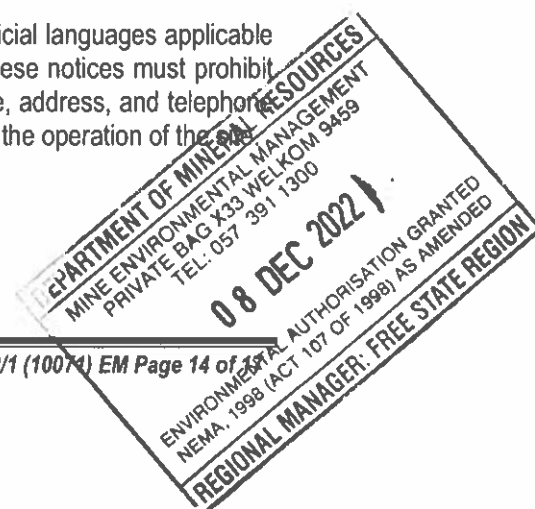
- 5.1 The holder of EA must:
- 5.1.1 Submit an Environmental Audit Report to this department annually and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorisation and EMPr/closure plan are adhered to.
 - 5.1.2 The audit report must be in accordance with appendix 7 of the 2014 EIA regulations.
 - 5.1.3 identify and assess any new impacts and risks as a result of undertaking the activities, if applicable.
 - 5.1.4 identify shortcomings in the EMPr/closure plan, if applicable.
 - 5.1.5 identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr.

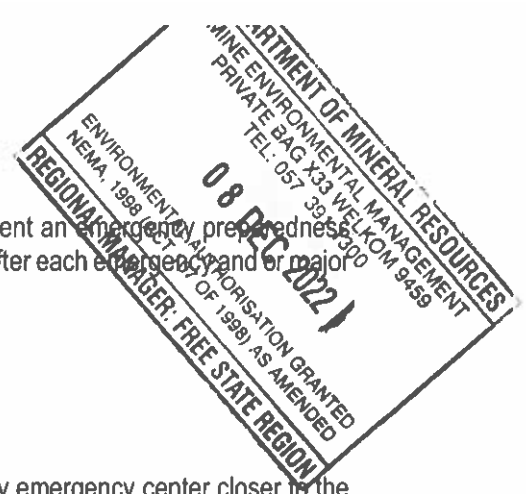


- 5.1.6 if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate and must.
- 5.1.7 Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.
- 5.2 Should any shortcomings in terms of Regulation 34(4) be identified, the holder must submit recommendation to amend the EMP/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.
- 5.3 The holder of the EA must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA. This process must comply the Financial Provisioning Regulations 2015 as amended.
- 5.4 The holder of the EA must, within 24 hours of any incidents occurring, notify the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 5.5 The holder of the EA must, within 14 days, or a shorter period of time, if specified by the Competent Authority from the occurrence or detection of any incident referred to in condition 5.4, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Competent Authority of measures taken to –
 - 5.5.1 Correct the impact resulting from the incident.
 - 5.5.2 Prevent the incident from causing any further impact.
 - 5.5.3 Prevent a recurrence of a similar incident.
 - 5.5.4 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.4, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost of the holder of the EA.

6 SITE SECURITY AND ACCESS CONTROL

- 6.1 The holder of the EA must ensure effective access control to the site to reasonably prevent unauthorized entry. Signs indicating the risks involved in unauthorised entry must be displayed at the entrance.
- 6.2 The mining area must be fenced off and lockable gates must be installed to restrict unauthorised access to the site.
- 6.3 Weatherproof, durable and legible notices in at least three official languages applicable in the area must be displayed at the entrance to the Site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address, and telephone number of the holder of the EA and the person responsible for the operation of the site.





7 EMERGENCY PREPAREDNESS PLAN

- 7.1 The holder of the EA must draft, maintain, and implement an emergency preparedness plan and review it annually when conducting audit and after each emergency and/or major accident. The plan must, amongst others, include:
- 7.1.1 Site Fire
 - 7.1.2 Spillage
 - 7.1.3 Natural disasters such as floods
 - 7.1.4 Industrial action
 - 7.1.5 Contact details of police, ambulances, and any emergency center closer to the site.
- 7.2 The holder of EA must ensure that an up-to-date emergency register is kept during all phases of the operation. This register must be made available upon request by the department.

8 INVESTIGATIONS

- 8.1 If, in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem.
- 8.2 If, in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables and air quality, at those monitoring points and such frequency as may be specified by the Competent Authority.
- 8.3 Investigations carried out in terms of conditions 8.1 and 8.2 above must include the monitoring of the relevant environmental pollution and/or degradation, nuisance, and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Competent Authority.
- 8.4 Should the investigation carried out as per conditions 8.1 and 8.2 above reveal any unacceptable levels of pollution, the holder of the EA must submit mitigation measures to the satisfaction of the Competent Authority.
- 8.5 The holder of the EA must comply with Section 28 of the NEMA and conduct mining activities in an environmentally friendly manner.

9 COMMISSIONING AND DECOMMISSIONING

- 9.1 The commissioning and decommissioning of individual activity within the overall listed mining activities must take place within the phases and timeframes as set out in EMPr.

10 SITE CLOSURE

- 10.1 The holder of EA must apply for a closure certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of

occurrence of lapsing, abandonment, cancellation, cessation, relinquishment, and completion of development.

- 10.2 The application for closure indicated above must be submitted together with all relevant documents as indicated in Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.
- 10.3 No exotic but, only indigenous plants must be utilized for rehabilitation purposes.
- 10.4 The holder of EA remains responsible for any environmental liability, pollution or ecological degradation, the pumping and treatment of extraneous water, compliance with the conditions of EA and the management and sustainable closure thereof until the Minister has issued a Closure Certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002). Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.

11 NEMA PRINCIPLES

The NEMA Principles (set out in Section 2 of NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account.
- the consideration, assessment, and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment.
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment.
- the resolving of actual or potential conflicts of interest between Organs of State through conflict resolution procedures.
- the selection of the best practicable environmental option.

12 DISCLAIMER

The Department of Mineral Resources and Energy in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer, or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.




13 RECOMMENDATIONS

In view of the above, the NEMA principles, compliance with the conditions stipulated in this EA, and compliance with the EMP/closure plan, the competent authority is satisfied that the proposed listed activities will not conflict with the general objectives of Integrated Environmental Management stipulated in Chapter 5 of the NEMA, and that any potentially detrimental environmental impacts resulting from the listed activities can be mitigated to acceptable levels. **The authorisation is accordingly granted.**

Your interest in the future of our environment is appreciated

Kind Regards



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KALIPA KEWUTI
REGIONAL MANAGER: MINERAL REGULATION
FREE STATE REGION
DATE: 08/12/2022.....

