

17 July 2013

Dear Stakeholder,

NOTIFICATION OF THE AUTHORISATION OF THE BULK FUEL STORAGE EXPANSION PROJECT AT THE ANGLO AMERICAN THERMAL COAL: ISIBONELO COLLIERY, MPUMALANGA PROVINCE.

We refer to the environmental authorisation (NEAS Reference: MPP/EIA/0000471/2012; MDEDET Reference: 17/2/3N-184) issued by the Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET) to Anglo American Thermal Coal: Isibonelo Colliery ("the Applicant") on the 04th of July 2013 for the installation / expansion of bulk fuel storage tanks within the existing mine lease area. The Environmental Authorisation will be provided to a stakeholder upon request.

All stakeholders who wish to appeal the Departments decision should do so in accordance with the National Environmental Management Act (No. 107 of 1998) (NEMA), Government Notice Regulation 543, Chapter 7 (Sections 60-62). The prescribed procedure is provided below:

Notice of intention to appeal

60. "(1) A person affected by a decision referred to in these regulations who wishes to appeal against the decision, must submit a notice of intention to appeal with the Minister, MEC, or delegated organ of state, as the case may be, within 20 days after the date of the decision.
- (2) If the appellant is an applicant, the appellant must provide each person and organ of state which was a registered interested and affected party in relation to the applicant's application, within 10 days of having submitted the notice contemplated in subregulation (1), with—
- (a) a copy of the notice referred to in subregulation (1); and
- (b) a notice indicating where and for what period the appeal submission will be available for inspection by such person or organ of state.
- (3) If the appellant is a person other than an applicant, the appellant must provide the applicant, within 10 days of having lodged the notice contemplated in subregulation (1), with—
- (a) a copy of the notice referred to in subregulation (1); and
- (b) a notice indicating where and for what period the appeal submission will be available for inspection by the applicant.
- (4) The Minister, Member of Executive Council or delegated organ of state, may, as the case may be, in writing, on good cause extend the period within which a notice of intention to appeal must be submitted."

Submission of appeals

61. "(1) An appeal lodged must be submitted to the appeal authority as indicated in section 43 of the NEMA.
- (2) An appeal must be—
- (a) submitted in writing; and
- (b) accompanied by—
- (i) a statement setting out the grounds of appeal;
- (ii) supporting documentation which is referred to in the appeal and which is not in the possession of the Minister, MEC, Minister of Mineral Resources or designated organ of state;
- (iii) a statement by the appellant that regulation 60(2) or (3) has been complied with together with copies of the notices referred to in that regulation; and
- (iv) the prescribed appeal fee, if any.
- (3) The appellant must take into account any guidelines applicable to appeals as contemplated in section 24J of the Act."

Time within which appeals must be lodged

62. "(1) An appeal as contemplated in subregulation 61(1), must be submitted within 30 days after the lapsing of the 20 days contemplated in regulation 60(1).
- (2) The Minister, MEC, Minister of Mineral Resources or designated organ of state, as the case may be, may, in writing, on good cause extend the period within which an appeal must be submitted."

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WSP Group Ltd.
Offices worldwide

Should you wish to appeal any aspect of the environmental authorisation please forward the notice of intent to appeal and the appeal forms in accordance with the above regulations to:

Department of Environmental Affairs

Attention: MEC
By facsimile: 013 766 4614
By post: Private Bag X11215, Nelspruit, 1200
By hand: Building 4, No. 7 Government Boulevard, Riverside Park Extension, Nelspruit, 1200.

Copies of the abovementioned documents should also be submitted to:

Anglo American Thermal Coal: Isibonelo Colliery

Attention: Kenneth Mokoena
By email: kenneth.mokoena@angloamerican.com
By post: PO Box 61587, Marshalltown, 2107, Johannesburg, South Africa; and
Private Bag X7275, Witbank, 1035.

and WSP Environmental (Pty) Ltd

Attention: Janna Bedford-Owen
By facsimile: 086 556 6336
By email: Janna.bedford-owen@wspgroup.co.za
By post: P O Box 98867, Sloane Park 2152, South Africa

The notice of intent to appeal must be lodged by no later than, 24 July 2013.

Should you have any queries or questions regarding this notification, please contact the undersigned.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Janna Bedford-Owen'.

Janna Bedford-Owen

Senior Environmental Consultant

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