

**APPENDIX D: SUMMARY OF ISSUES RAISED BY REGULATORY AUTHORITIES AND IAPs**

ISSUE RAISED	BY WHOM AND WHEN	RESPONSE GIVEN BY PROJECT TEAM
<b>Procedural related issues</b>		
If the projects are being combined into a single environmental process and report how will the financial provision be catered for?	Khalid Patel, focused meeting with RBA, 31 July 2012	The financial provision for the projects will be split, as was done in the Impala Consolidation report.
When will the Consolidation report be approved?		SLR has received comments from the DMR, but does not yet have confirmation of when a Record of Decision will be issued.
Will the Pit8C and Shaft 16 waste rock dump (WRD) expansion project therefore be excluded from this Consolidation?		Every new project has its own EIA report, however the EMP is consolidated.
Will the financial provision then be updated?		The financial provision will be update. Impala will not receive authorisation without doing so.
Was Impala issued a directive from Water Affairs following the identification of the groundwater pollution issue?		This was not done under instruction. This was Impala's own initiative following the monitoring results from their own boreholes.
You mentioned public venues for report review. Some of the members in the communities can't read. I would like to suggest that the Future Forum presents the proposed projects to the communities so that they can understand.	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	Impala provided the Future Forum was with a copy of the presentation delivered by SLR.
We would like a copy of the presentation so that we can use this as information sharing with the communities.	Lebogang Sephai (Ward 4), focused meeting with Future Forum, 17 August 2012	Keoikantse Mogatle ensured that the Future Forum was provided with a copy of the presentation delivered by SLR. In addition to this, a copy of the meeting minutes were emailed to all delegates.
I would like to be provided with a provisional list of the activities (as per the NEMA Regs) that you will need to apply for authorisation for.	Khalid Patel, EIMS, comment by email dated 2 August 2012	<p>Application for authorisation for the following NEMA Activities has been submitted to DEDECT.</p> <p>Regulation 544, Listing Notice 1</p> <p>Activity 23: The transformation of undeveloped, vacant or derelict land to-</p> <p>(ii) residential, retail, commercial, recreational, industrial or institutional use, outside an urban area and where the total area to be transformed is bigger than 1 hectare but less that 20 hectares; -</p>

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		<p>Except where such transformation takes place for linear activities. In this regard, both projects have a footprint of greater than 1 ha but less than 20 ha and are located in part on vacant land.</p> <p>Activity 28: The expansion of existing facilities for any process or activity where such expansion will result in the need for a new, or amendment of, an existing permit or license in terms of the national or provincial legislation governing the release of emissions or pollution, excluding where the facility, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 Of 2008) in which case that Act will apply. In this regard, the waste rock dump expansion will require an amendment of Impala's water license.</p> <p>Regulation 544, Listing Notice 3</p> <p>Activity 12: The clearance of an area of 300 square metres or more of vegetation where 75 % or more of the vegetative cover constitutes indigenous vegetation (a) Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004. In terms of vegetation, the proposed site for Pit8C is located, in part, on vacant veld which although compromised by existing development, may fall within the specified areas of the Marikana Thornveld vegetation community that require impact assessment evaluation prior to disturbance. In this regard, activity 12 may apply.</p>
Does the Pit8C project require a WULA or an amendment to an existing WULA, or is it covered in a previous WUL for the mining area?		Given the temporary nature of the proposed Pit8C project, Impala is following the same approach as previously for the open pits which is not to apply for any water use licences unless dewatering from the pit becomes an issue – which is not currently expected to be the case.
Impala should ensure minimising any type of	Department of Agriculture, Forestry and	During the EIA/EMP amendment phase landowners and

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negative impact from mining activities onto adjacent agricultural land. This would also imply establishing a good relationship with adjacent land owners.	Fisheries, comments on scoping report received by email on 9 October 2012	landusers both within and adjacent to the proposed project sites were consulted. These IAPs included sunflower farmer Mr Basi Ntsimane at the WRD expansion site as well as had-hoc cattle grazers at both sites whom were engaged through the RBA. Through formal structures such as the Impala stakeholder department, the RBA mining committee and other representative bodies, Impala maintains open communication channels with IAPs.
Impala should compile an adequate program for controlling declared weed and invader plants.		As discussed in Sections 7 and 19 of the EIA/EMP amendment report, Impala implements an alien/invasive /weed management control programme to control the spread of these plants onto and from disturbed areas. This is done through active eradication, establishment of natural species and through on-going monitoring and assessment. It should be noted, that in this regard, the use of herbicides will be controlled by only allowing registered Pest Control Operators (PCO) to administer any such chemical or biological agent.
In your report you have indicated that there are farmers that will be affected by the expansion. I did not see a report where you have consulted with the affected farmers what is their feeling in this matter. I would appreciate it if you could consult the farmers and provide the report.	Department of Rural Development and Land Reform, comments on scoping report received by email on 24 October 2012	As indicated in the Scoping Report and following discussions with the Royal Bafokeng Administration (RBA), directly affected farmers include Mr Basi Ntsimane (sunflower farmer at the Shaft 16 WRD expansion site) as well as ad-hoc cattle grazers at the Pit8C site. Both parties have been engaged through using the RBA as a channel. Attached in Appendix C of the EIA and EMP report is proof of consultation with Mr Ntsimane and the ad-hoc cattle grazers (whom are represented by the RBA). This proof of consultation includes proof of receipt of the BID as well as proof of receipt of the Scoping report summary document.
The mitigation measures and the recommendations contained in the scoping report compiled by SLR for this activity must be implemented.	Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012	For all impacts identified during the scoping phase, the appropriate mitigation measures have been included in Section 19 of the EIA/EMP amendment report.
Any complaint from the public during the construction and operation of the projects must be attended to by the person involved as soon as possible to the satisfaction of the parties concerned. A complaint register must		Impala currently implements noise, air, traffic and blasting complaints procedures. In this regard, all complaints from third parties are documented, investigated and reasonable efforts made to address the area of concern.

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<p>be kept up to date and should be produced upon request.</p>		
<p>The Department of Water Affairs is mandated to regulate water use, as defined in Section 21 of the National Water Act, 1998 (Act 36 of 1998). Please note that no person may use water otherwise than as permitted under section 40 of the National Water Act, 1998. Should you engage in any water use without the necessary water use authorisation it will be regarded as an unlawful water use and are guilty of an offence and liable for a fine or imprisonment as stipulated in section 151 of the National Water Act, 1998.</p>		<p>Impala has been issued with a Water Use Licence (WUL) dated 30 September 2011. An amendment to the WUL from the Department of Water Affairs (DWA) in terms of the National Water Act (NWA) 36 of 1998 is required in order to authorise the use of water at the Shaft 16 WRD expansion site. In this regard a WULA was submitted to the DWA on 2 July 2012. Proof of submission is included in Appendix A of the EIA/EMP report (Information sharing with authorities).</p>
<p>Impala Platinum Mine has been issued with a Water Use Licence dated 30 September 2011 for various water uses. It is recommended that all other additional water uses associated with the proposed activity be identified and applied for with this Department. The mine should ensure that the following technical information has been included as supporting information for the Water Use Licence Application:</p> <ul style="list-style-type: none"> <li>• Storm water management plans &amp; designs</li> <li>• The 1:100 year floodline in map</li> <li>• Geohydrological Report</li> <li>• Civil designs for all storage facilities</li> <li>• Surface and Ground water quality report</li> </ul>		<p>The amendment to the Water Use License Application was submitted on 2 July 2012. Impala is awaiting feedback on its WULA from the DWA. Proof of the WULA submission is included in Appendix A of the EIA/EMP report (Information sharing with authorities)</p>
<p>All the requirements of the Government Notice no.704 "Regulations on the Use of Water for Mining Activities aimed at the protection of Water Resources" dated 04 June 1999 must strictly be adhered to.</p>	<p>Department of Water Affairs, comments on scoping report received by email on 29 October 2012</p>	<p>Water management facilities for the control of stormwater and for pollution prevention will be designed to meet the requirements of Regulation 704, 4 June 1999 (Regulation 704) for water management on mines. This is outlined in sections 2, 7 and 19 of the EIA/EMP report.</p>

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<b>Technical/project related issues</b>		
Where is the additional rock coming from to necessitate the expansion of the waste rock dump?	Khalid Patel, focused meeting with RBA, 31 July 2012	The waste rock dump expansion is not driven by the addition of waste rock tonnage. It is primarily driven by Impala's initiative to address pollution concerns associated with the current waste rock dump. It follows that the proposed expansion requires a greater footprint because it will be designed with flatter slopes.
<b>Land use issues</b>		
What about the agricultural activities taking place at the Shaft 16 waste rock dump expansion area?	Reotshepile Tlhapane, focused meeting with RBA, 31 July 2012	The proposed site for the shaft 16 waste rock dump expansion is currently comprised of vacant, undisturbed veld and dry-land sunflower cultivation. The RBA and Impala will engage with the relevant farmer with regards to compensation for lost ground. Compensation could either be in the form of financial remuneration for the loss in harvest or the sourcing and preparation of alternative land for cultivation. This is dependent on the timing of the proposed project and could be managed so as not to cause any loss to harvesting season. This is detailed in Section 7 and Section 19 of the EIA/EMP report.
Is there a piece of land which Impala has in mind to provide as an alternative for the farmer affected at Shaft 16 waste rock dump expansion site?	Itumeleng Hume, focused meeting with RBA, 31 July 2012	Where farming land is lost to mining, the affected farmer(s) will be provided with alternative suitable land by facilitating discussions with the Royal Bafokeng Administration (RBA) and if this is not feasible alternative compensation will be provided. This is detailed in Sections 7 and 19 of the EIA/EMP report.
Impala must help us to buy more land. The RBA is in the process of purchasing 5000 ha and need more funds.	Advocate Kenneth Mokate, focused meeting with RBA, 31 July 2012	This will probably require reconsideration of the current surface lease agreement. This idea will be passed on to the Impala legal department.
Perhaps the agreement with Impala could be improved. Our agricultural land is comprised of black-turf soils which are fertile and the groundwater used for watering of cattle is subject to pollution. Provided that we are compensated with land which is well grassed and has good water, our farmers would relocate happily. The RBA would then allow Impala to use the existing land fuss-free.		This is something that will be discussed at the next Impala-RBN meeting.
<b>Surface water issues</b>		
You mention surface water as part of your	Victoria Makhaula (Ward 23), focused	Surface water monitoring and pollution control at Shaft 16 WRD

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environmental definition. The dam in Kanana is already polluted and this is affecting the cattle. This is an issue which has been raised previously. As Impala what are you going to do?	meeting with Future Forum, 17 August 2012	will be undertaken in line with Section 12 and as stipulated in Impala's EMP commitments in Section 19 of the EIA/EMP report.
In terms of section 144 of the National Water Act, Act 36 of 1998 it is required that the 1:100 year floodline be demarcated on development plans. No development is encouraged within the 1:100 year floodline.	Department of Water Affairs, comments on scoping report received by email on 29 October 2012	The 1:100 year floodline is indicated on the surface infrastructure layouts for both the Shaft 16 WRD expansion project and Pit8C project. These figures are included in the EIA/EMP report.
<b>Groundwater issues</b>		
Groundwater pollution (in the form of nitrates) is increasing every day. Ten years from now our water will be highly toxic to our people and livestock.	Advocate Kenneth Mokate, focused meeting with RBA, 31 July 2012	If this is the case, it is worth noting that in many cases there are technical solutions to treating water, this includes solutions such as the pump and treat method. Impala is monitoring and modelling the groundwater within its surface use area and will adjust its water management strategy accordingly to include the best mitigation measures if required.
Could you elaborate on the nature and extent of the groundwater pollution/contamination that has necessitated the expansion of the WRD? furthermore could you provide me with a groundwater monitoring report, preferably a consolidated report, indicating parameters exceeded and trending etc.	Khalid Patel, EIMS, comment by email dated 2 August 2012	The existing waste rock dump (WRD) at No 16 shaft was constructed as per the approved EMP. However, groundwater monitoring at the WRD shows that there has been some contamination emanating from the WRD, especially with respect to nitrates and chlorides. The highest contaminant concentration was picked up immediately downstream of the WRD. At a distance of a few hundred meters away it is in a range of 160mg/l of nitrates and 2800mg/l of chloride. The water quality in a borehole drilled on the eastern side of the shaft, between the shaft and the Kanana village does not show contamination, with nitrate and chloride levels of 4.6mg/l and 235mg/l respectively. The existing WRD was constructed as per the Impala Platinum – Rustenburg Operations (Impala) practices. The method of WRD construction did include the compaction of the in-situ clay, but the entire footprint area was prepared at the start of the development of the WRD. Because moisture could not be retained in the compacted clay, the clay liner cracked and it is thought that this is the main cause of the groundwater contamination at the shaft 16 WRD area.

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		<p>In an effort to prevent and minimise pollution from future WRDs, Impala, with assistance from the specialist consultant (SLR) has developed a new design method which includes the combination of a clay lining system (with runoff collection trenches) and concurrent rehabilitation. This significant improvement in the design of the facility requires that the WRD footprint be progressively developed ahead of deposition i.e. only the area to be used for dumping in one year will be prepared at a time, and a layer of waste rock will be used as cover to prevent the clay liner from drying out and cracking. Another significant change is that the side slopes of the WRD will be rehabilitated concurrently with the operation of the WRD, and this will minimise seepage into the WRD.</p> <p>It is expected that these design improvements and operational changes should play a significant role in preventing and minimising groundwater contamination from the WRD. However, it should be noted that for concurrent rehabilitation to be successful, the side slopes of the WRD must be relatively flat during the operational phase. This is a significant change from the old method of dumping at the angle of repose, and only flattening the sides at the end of the operational phase during site rehabilitation. The flatter sides of the operational WRD will therefore require a significantly larger footprint.</p> <p>A project specific WRD design is included in Appendix H of the EIA/EMP report.</p>
<p>There is possibility of seepage from the WRD into groundwater, which may contain elevated levels of chromium and other elements; therefore continuous water monitoring should be done on the existing and proposed WRD.</p>	<p>Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012</p>	<p>The groundwater monitoring programme is discussed in Section 21 and illustrated in Figure 18 of the EIA/EMP report.</p>
<p><b>Rehabilitation issues</b></p>		

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How sure are you that rehabilitation of the open pit will be feasible?	Khalid Patel focused meeting with RBA, 31 July 2012	The project team is confident that rehabilitation will be feasible. Impala has a ten year track record of successful rehabilitation and will continue to do so in accordance with their EMP commitments. Pit rehabilitation commitments are included in Section 19 of the EIA/EMP report.
Impala should ensure the securing of topsoil for rehabilitation either concurrent with mining or afterwards.	Department of Agriculture, Forestry and Fisheries, comments on scoping report received by email on 9 October 2012	Stripping, storing, maintenance and replacement of topsoil will be done in accordance with soil management procedures. Soil management commitments are included in Section 19 of the EIA/EMP report.
The stripped and stockpiled topsoil may be chemically altered due to storage, this can be potentially alter nutrient levels in the soil and result in a loss of fertility, therefore proper management of topsoil must be ensured.	Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012	
<b>Blasting issues</b>		
What is Impala doing about the blasting issues which have been raised in the past?	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	Impala manages blasting issues according to the blast management, monitoring and mitigation commitments as set out in Section 19 of the EIA/EMP report.
Mitigation measures must be implemented to minimise health hazard and risk to surrounding villages (i.e. flyrock and vibration)	Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012	According to the existing monitoring and EMP performance assessment (Section 21 of the EIA/EMP report), monitoring of each blast will take place for the duration of blasting activities. Points for off-site vibration and airblast monitoring will be identified in consultation with surrounding landowners and a blast monitoring specialist. The monitoring results will be documented and maintained for record-keeping and auditing purposes. Detailed technical management options for blasting can be found in Table 61 of Section 19 of the EIA/EMP report.
<b>Heritage issues</b>		
There are graves at Shaft 16. Are they fenced? What is going to be done about them when Shaft 16 is expanded?	Victoria Makhaula (Ward 23), focused meeting with Future Forum, 17 August 2012	The expansion refers only to the existing waste rock dump at Shaft 16.
According to the information provided on this development to SAHRA, it is unlikely that any significant impacts on heritage resources will result from the construction of the proposed waste rock dump expansion and Pit 8C project as the area has already been highly	SAHRA, comments on scoping report received by email on 17 August, 2012	No heritage, cultural and palaeontological resources have been identified within the proposed Pit8C or Shaft 16 WRD expansion sites. Notwithstanding the above, any chance finds at the proposed project sites will require a permit from the South African Heritage Resources Agency (SAHRA) if these sites were to be altered. If there are any chance finds of heritage and/or



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<p>impacted. Consequently, SAHRA Archaeology, Palaeontology &amp; Meteorites (APM) Unit has no objection to the proposed development on the condition that if any evidence of archaeological sites or remains (e.g., remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, marine shell and charcoal/ash concentrations), unmarked human burials, fossils or other categories of heritage resources are found during mining activities, SAHRA APM Unit (Katie Smuts/Colette Scheermeyer 021 462 4502) must be alerted immediately, and an accredited professional archaeologist must be contacted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance a Phase 2 rescue operation might be necessary.</p>		<p>cultural sites, Impala will follow its response procedure included in Section <b>Error! Reference source not found.</b> of the EIA/EMP report. This includes immediate notification to SAHRA.</p>
<p><b>Air pollution issues</b></p>		
<p>Dust generated by construction activities must be effectively controlled by water spraying and/or other dust-allaying agents</p>	<p>Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012</p>	<p>In accordance with the commitments in Section 19 of the EIA/EMP report, during the construction, operational and decommissioning phases, the following specific mitigation measures will be implemented for the main emission sources: roads, blasting, drilling, materials handling, vehicles and wind erosion:</p> <ul style="list-style-type: none"> <li>• limit the disturbance of land to what is absolutely necessary and in accordance with the existing mine infrastructure layout;</li> <li>• Impala will apply dust suppression on unpaved roads through chemical binding agents and/or water sprays combined with vehicle speed controls;</li> <li>• dust control at material handling points should be done by means of water sprays;</li> </ul>

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		<ul style="list-style-type: none"> <li>rehabilitation and re-vegetation of all decommissioned areas;</li> <li>if not reprocessed, vegetate the side slopes of the existing permanent WRD and ensure concurrent rehabilitation of the expanded permanent WRD; and</li> <li>maintenance of all vehicles to achieve optimal exhaust emissions.</li> </ul>
<b>Waste issues</b>		
<p>An integrated waste management approach that is based on best practice which incorporates reduction, recycling, re-use and disposal must be used.</p>	<p>Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012</p>	<p>Waste management will be done as outlined in Section 2 and Section 19 of the EIA/EMP report.</p>
<p>It is said under 3.1.4 of the scoping report that portable toilets will be provided at the proposed Pit8C project site and routine sewage removal will be required to transport sewage from these toilets to one of its existing approved impala sewage treatment plants. You are therefore requested to provide this Department with proof that the said sewage facility is approved and have enough capacity to cater for the expansion project.</p>		<p>The approved certification for the facilities is included in Appendix A (Information sharing with authorities) of the EIA/EMP report. The existing 3 sewage plants currently service approximately 20 000 employees. Given that no additional staff will be employed for the Pit8C project and only 10-20 additional staff will be required for the Shaft 16 WRD expansion project (this will be during the construction phase only), it is expected that the existing sewage facilities will be sufficient to cater for the proposed projects.</p>
<p>Stormwater should by no means be allowed to enter the sewage system.</p>		<p>In accordance with the commitments in Section 19 of the EIA/EMP report, water management facilities for the control of stormwater and for pollution prevention will be designed to meet the requirements of Regulation 704, 4 June 1999 (Regulation 704) for water management on mines.</p>
<p>All general waste such as domestic waste and cleared vegetation should be separated from hazardous waste such as fuel, lubricants and explosive packaging and be disposed of at an accredited landfill with proof of accreditation.</p>		<p>General and hazardous waste will be collected and removed from the proposed project sites and transported to existing Impala waste management facilities where it will be temporarily stored prior to re-use, recycling, or disposal in accordance with existing approved practices. Impala will continue to implement management procedures for the handling and disposal of hazardous and non-hazardous materials.</p>
<p>Should there be any incident or potential</p>		<p>Major spillage incidents will be handled in accordance with the</p>

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incident that might impact on any water resources, this office must be notified immediately.		Impala emergency response procedure outlined in Section 20 of the EIA/EMP report.
<b>Socio-economic issues</b>		
As far as possible, employment opportunities should be given to the local skilled, semi-skilled and unskilled labour force during the construction and operation phases to stimulate the local and regional economy as per the Social and Labour Plan.	Rustenburg Local Municipality, comments on scoping report received by email on 2 November 2012	With regards to the WRD expansion, the strategy is to involve people from the local community as far as possible. This has the potential to increase employment and procurement opportunities as outlined in Section 2, Section 7 and Appendix F of the EIA/EMP report.