



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

From: Directorate: Mineral Regulation: Free State Region

Enquiries: Ms. P. Makhuvele

E-Mail: Patricia.Makhuvele@dmr.gov.za

314 Stateway Street, The Strip Building, First & Second Floors, Welkom, 9459

Private Bag X33, Welkom, 9460

Tel: (057) 391 1300, Fax: (057) 357 6003

Sub Directorate: Mine Environmental Management **Ref:** FS 30/5/1/1/3/2/1(391) EM

The Directors
De Beers Consolidated Mines Limited
P.O. Box 616
KIMBERLEY
8300

Dear Sir/ madam

Please find an approved EMPlan for your operation. Kindly note that the EMPlan stipulates Environmental Management and copy of which should always be available on site.

APPROVAL OF ENVIRONMENTAL MANAGEMENT PLAN IN TERMS OF SECTION 39(4) FOR A PROSPECTING RIGHT CONVERSION AS REFERRED TO ITEM 6(2) OF SCHEDULE II (TRANSITIONAL ARRANGEMENTS) OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) FOR PROSPECTING DIAMONDS; IN RESPECT OF SUBDIVISION 1 (KINGS-PADDOCK) AND THE REMAINING EXTENT OF THE FARM JAGERSFONTEIN 14 (EXCLUDING TAILING DUMPS); ALL SITUATED IN THE MAGISTERIAL DISTRICT OF JAGERSFONTEIN.

You are hereby informed that the Environmental Management Plan for De Beers Consolidated Mines Limited has been approved under the following conditions:

CONDITIONS

- a.) All prospecting activities must take place in accordance with the approved EMPlan.
- b.) Prospecting activities are not allowed within 1:50 year flood line or 100m from the edge of the river whatever is the greatest, without the necessary authorization from the Department of Water Affairs.
- c.) The De Beers Consolidated Mines Limited is responsible for all surface disturbances on the prospecting area, which includes all historical prospecting or mining activities.

- d.) All prospecting waste (suitable for rehabilitation) that originating from the prospecting area must be taken back to the excavation area for backfilling purposes. Rehabilitation of prospecting area must be done concurrently with the prospecting activities (whenever and wherever possible).
- e.) Prospecting waste will not be allowed to be deposited in natural drainage lines or erosion gullies.
- f.) Dump structures must not be left on the surface; this includes topsoil stockpiles, overburden stockpiles and waste rock stockpiles.
- g.) All excavations must be backfilled to the natural surface level; if a bulk factor exists it must be accommodated on the total area of disturbance.
- h.) A surveyed plan must be submitted every year to the Regional Manager that indicates:
 - The positions, footprints and volumes of all topsoil stockpiles, overburden dumps and waste rock dumps. (Any structure that is above the natural surface).
 - The positions, surface areas and depths of all open pits.
 - The positions and surface areas of all rehabilitated areas (please indicate the status of rehabilitation-backfilled, profiled/landscaped, top soiled, vegetated or monitoring and managing).
- i.) The financial provision for rehabilitation purposes must be upgraded or revised on an annual basis according to the surveyed plan, which indicates the progress in rehabilitation (see section 41 of the MPRDA, 2002 (Act 28 of 2002) and regulation 54 of the Regulations to the said Act).
- j.) The monitoring and performance assessment of the Environmental Management Plan must be conducted on a continuous basis. A Performance Assessment Report must be compiled and submitted to this department; Mine Environmental Management section on an annual basis, i.e. every 12 months (see regulation 55 of the Regulation to the MPRDA, 2002 (Act 28 of 2002)).
- k.) Any project, expansions or additional infrastructure must be addressed through an amendment of the approved Environmental Management Plan and should be submitted to the Regional Manager: Mineral Regulation for approval, before they commence. This approval may be amended at any stage if deemed necessary.
- l.) Should any archaeological artefact be exposed during the prospecting activities in the vicinity of its finding it must be stopped. Under no circumstances shall any artefact be destroyed. Such object must be marked and fenced off, and South African Heritage Resource Agency must be contacted as soon as possible.
- m.) This approval does not purport to absolve your company from its common law obligations towards the surface rights holder or any other affected party.
- n.) You are expected to familiarize yourself with the provisions of the following Acts as they are applicable and relevant to your approved EMP and operation:

- The National Water Act 1998, (Act 36 of 1998), with particular reference to the sections pertaining to mining or prospecting in the proximity of dams and their catchments areas, rivers, marshes, streams, pans and other water courses.
- The Environmental Conservation Act (Act 73 of 1989). Your attention is specifically directed to the requirements of section 20 of the above-mentioned Act.
- The Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965), with particular reference to the sections pertaining to the liberation of dust, and other emissions, created by mining activities, into the atmosphere.
- The Conservation of Agriculture Resources Act, 1983 (Act 43 of 1983), with particular references to the sections pertaining to soil conservation.
- The National Heritage Resources Act (Act No 25 of 1999), with particular reference to the protection of all historical and pre-historical cultural remains.
- The Mine Health and Safety Act (Act 29 of 1996) as well as other applicable law regarding noise management and control.
- The National Environmental Management Act, 1998 (Act 107 of 1998), with particular reference to section 2 of the Act.

o.) All persons concerned must be made fully conversant with the terms of this approval, copies of which must be readily available to them.

Yours faithfully



.....
REGIONAL MANAGER: MINERAL REGULATION
FREE STATE REGION
 DATE: 13.01.2011

ACKNOWLEDGEMENT OF RECEIPT:.....
DATE:.....

ALL CORRESPONDENCE SHOULD BE ADDRESSED TO THE REGIONAL MANAGER DEPARTMENT OF MINERAL RESOURCES : FREE STATE REGION