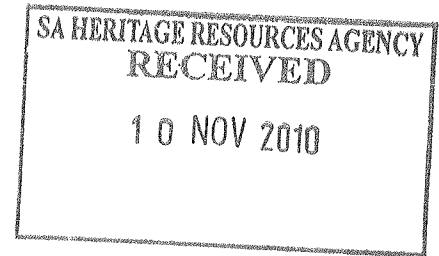


# mineral resources

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA



Private Bag X6093, Kimberley, 8300, Tel: (053) 807 1700, Fax: (053) 8325 631  
First Floor, Liberty Corner, 29-31 Curry Street, Kimberley 8301

**From:** Directorate: Mineral Regulation: Northern Cape **Date:** 04 November 2010  
**Enquiries:** Mr. N.V. Muila **E-mail:** Vincent.Muila@dmr.gov.za  
**Ref:** NC 30/5/1/1/3/2/1/2328EM

The Director  
South African Heritage Resources Agency  
PO Box 4637  
CAPE TOWN  
8000

**Attention: Mrs Nonofho Ndobochani**

**CONSULTATION IN CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 2002, (ACT 28 OF 2002) FOR THE APPROVAL OF AN ENVIRONMENTAL MANAGEMENT PLAN FOR PROSPECTING RIGHT ON PORTION 12 (ROOI PUNTS NORTH A), PORTION OF PORTION 3 OF FARM KLIP PUNT NO. 452 AND PART OF PORTION 3 (MCTAGGARTS CAMP NORTH) OF FARM MCTAGGARTS CAMP NO. 453, SITUATED IN THE MAGISTERIAL DISTRICT GORDONIA, NORTHERN CAPE REGION.**

**APPLICANT: AFRIMAT AGGREGATES (TRADING) (PTY) LTD.**

Attached herewith, please find a copy of an EMP received from the above-mentioned applicant, for your comments.

It would be appreciated if you could forward any comments or requirements your Department may have to this office and to the applicant before **03 January 2011** as required by the Act.

Consultation in this regard has also been initiated with other relevant State Departments. In an attempt to expedite the consultation process please contact **Mr Vincent Muila** of this office to make arrangements for a site inspection or for any other enquiries with regard to this application.

Your co-operation will be appreciated.

.....  
**REGIONAL MANAGER: MINERAL REGULATION  
NORTHERN CAPE REGION**

**DEPARTMENT OF MINERALS AND ENERGY**  
Department of Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)  
NORTHERN CAPE REGION

04 NOV 2010  
REGISTRY  
Signature: \_\_\_\_\_  
DEPARTMENT OF MINERAL RESOURCES

**PROSPECTING  
ENVIRONMENTAL MANAGEMENT PLAN**

Submitted in support of application for a prospecting right or mining permit.  
Section 39 and Regulation 52 of the Minerals and Petroleum Resources Development Act, 2002  
(Act 28 of 2002)



Application for a:

Prospecting Right	X
-------------------	---

**Applicant:** AFRIMAT AGGREGATES (TRADING) (PTY) LTD

**Farm:** Portion 12 (Rooi Punts North A), Portion of Portion 3 of farm Klip Punt No. 452 and Part of Portion 3 (McTaggarts Camp North) of farm Mc Taggarts Camp No. 453

**District:** Gordonia

**Mineral:** Aggregate and Associated Minerals

**Date:** November 2010

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## SECTION A

### A.1 INTRODUCTION

This document aims to provide a simplified national standard for applicants for prospecting rights and mining permits to comply with the relevant legislation and environmental regulations as apply to their respective applications in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)(MPRDA).

Applicants in this sector of the mining industry typically disturb smaller surface areas of land, whether drilling boreholes, small trenches, or mining on a small area, less than 1,5 hectares of land, under a mining permit as contemplated in Section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002).

### A.2 SCOPE

This document is intended for use by applicants for mining permits and prospecting rights. Typically, operations in this sector of the mining industry:

- Use little or no chemicals to extract mineral from ore,
- Work on portions of land of 1,5 hectares in size or smaller,
- Disturb the topography of an area somewhat but have no significant impact on the geology

### A.3 PURPOSE

This document aims to :

- Provide a national standard for the submission of Environmental Management Plans for the types of applications mentioned above.
- Ensure compliance with Regulation 52 of the MPRDA.
- Assist applicants by providing the information that the Department of Mineral Resources (DMR) requires in a simple language and in a structured, prescribed format, as contemplated in Regulation 52(2) of the (MPRDA).
- Assist regional offices of the DMR to obtain enough information about a proposed prospecting/reconnaissance or mining permit operation to assess the possible environmental impacts from that operation and to determine corrective action even before such right is granted and the operation commences.

This document aims both to provide the DMR regional offices with enough information about applicants for mining permits and applicants with guidance on environmental management matters pertaining to the mitigation of environmental impacts arising from their operations. Given this dual focus and the generic nature of the document, it might not be sufficient for all types of operations under various circumstances. The document may therefore be altered or added to as the particular circumstances of the application in question may require.

#### A.4 USE OF THE DOCUMENT:

This document is designed for use by non-professionals and newcomers to the environmental management industry and it incorporates a very simple Environmental Impact Assessment (EIA). The EIA is contained in Section C of this document and was designed specifically with the target sectors of the mining industry (described in A.2 above) in mind.

The aim is ultimately to (a) gather information from applicants themselves; (b) to assess the impact of the operation based on that information and then (c) to guide the applicant to mitigate environmental impacts to limit damage to the environment.

Section B of the document gathers demographic information about the applicant. Section C gathers the information that will be used in the Environmental Impact Assessment. The applicant must complete the relevant sections of this document, but the regional office of the DMR will do the scoring of these for the impact assessment rating in Section D.

Section F (the Environmental Management Plan) of the document is prescriptive and gives guidance to the miner or prospector on how to limit the damage of the operation on the environment. This part may be added to by the regional manager, who has the prerogative to decide whether this Environmental Management Plan will adequately address the environmental impacts expected from the operation or whether additional requirements for proper environmental management need to be set. Where these additional requirements are set, they will appear in Section G of this document. The Environmental Management Plan (Section F) of the document is legally binding once approved and, in the undertaking contained in Section H, the applicant effectively agrees to implement all the measures outlined in this Environmental Management Plan.

#### A.5 LEGISLATION/REGULATIONS

The relevant sections of Mineral and Petroleum Resources Development Act and its supporting Regulations are summarised below for the information of applicants. The onus is on the applicant to familiarise him/herself with the provisions of the full version of the Mineral and Petroleum Resources Development Act and its Regulations.

Section of Act	Legislated Activity/Instruction/Responsibility or failure to comply	Penalty in terms of Section 99
5(4)	No person may prospect, mine, or undertake reconnaissance operations or any other activity without an approved EMP, right, permit or permission or without notifying land owner.	R100 000 or two years Imprisonment or both
19	Holder of a Prospecting right must: lodge right with Mining Titles Office within 30 days; commence with prospecting within 120 days, comply with terms and conditions of prospecting right, continuously and actively conduct prospecting operations; comply with requirements of approved EMP, pay prospecting fees and royalties.	R100 000 or two years Imprisonment or both
20(2)	Holder of prospecting right must obtain Minister's permission to remove any mineral or bulk samples.	R100 000 or two years Imprisonment or both
26(3)	A person who intends to beneficiate any mineral mined in SA outside the borders of SA may only do so after notifying the Minister in writing and after consultation with the Minister.	R500 000 for each day of contravention.

Section Of Act	Legislated Activity/Instruction/Responsibility or failure to comply	Penalty in terms of Section 99
28	Holder of a mining right or permit must keep records of operations and financial records AND must submit to the DG: monthly returns, annual financial report and a report detailing compliance with social & labour plan and charter	R100 000 or two years imprisonment or both
29	Minister may direct owner of land or holder/applicant of permit/right to submit data or information	R 10 000
38(1)(c)	Holder of permission/permit/right MUST manage environmental impacts according to EMP and as ongoing part of the operations	R500 000 or ten years imprisonment or both.
42(1)	Residue stockpiles must be managed in prescribed manner on a site demarcated in the EMP	A fine or imprisonment of up to six months or both
42(2)	No person may temporarily or permanently deposit residue on any other site than that demarcated and indicated in the EMP	A fine or imprisonment of up to six months or both
44	When any permit/right/permission lapses, the holder may not remove or demolish buildings, which may not be demolished in terms of any other law, which has been identified by the Minister or which is to be retained by agreement with the landowner.	Penalty that may be imposed by Magistrate's Court for similar offence
92	Authorised persons may enter mining sites and require holder of permit to produce documents/reports/or any material deemed necessary for inspection	Penalty as may be imposed for perjury
94	No person may obstruct or hinder an authorised person in the performance of their duties or powers under the Act.	Penalty as may be imposed for perjury
05	Holder of a permit/right may not subject employees to occupational detriment on account of employee disclosing evidence or information to authorised person (official).	Penalty as may be imposed for perjury
All sections	Inaccurate, incorrect or misleading information	A fine or imprisonment of up to six months or both
All sections	Failure to comply with any directive, notice, suspension, order, instruction, or condition issued	A fine or imprisonment of up to six months or both

## A.6 OTHER RELEVANT LEGISLATION

Compliance with the provisions of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and its Regulations does not necessarily guarantee that the applicant is in compliance with other Regulations and legislation. Other legislation that may be immediately applicable includes, but are not limited to:

- National Monuments Act, 1969 (Act 28 of 1969)
- National Parks Act, 1976 (Act 57 of 1976)
- Environmental Conservation Act, 1989 (Act 73 of 1989)
- National Environmental Management Act, 1998 (Act No. 107 of 1998)
- Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965)
- The National Water Act, 1998 (Act 36 of 1998)
- Mine Safety and Health Act, 1996 (Act 29 of 1996)
- The Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).

## A.7 WORD DEFINITIONS

In this document, unless otherwise indicated, the following words will have the meanings as indicated here:

<b>Act (The Act)</b>	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
<b>Borehole</b>	A hole drilled for the purposes of prospecting i.e. extracting a sample of soil or rock ships by pneumatic, reverse air circulation percussion drilling, or any other type of probe entering the surface of the soil.
<b>CARA</b>	The Conservation of Agricultural Resources Act
<b>EIA</b>	An Environmental Impact Assessment as contemplated in Section 38(1)(B) of the Act
<b>EMP</b>	An Environmental Management Plan as contemplated in Section 39 of the Act
<b>Fauna</b>	All living biological creatures, usually capable of motion, including insects and predominantly of protein-based consistency.
<b>Flora</b>	All living plants, grasses, shrubs, trees, etc., usually incapable of easy natural motion and capable of photosynthesis.
<b>Fence</b>	A physical barrier in the form of posts and barbed wire and/or "Silex" or any other concrete construction, ("palisade"- type fencing included), constructed with the purpose of keeping humans and animals within or out of defined boundaries.
<b>House</b>	Any residential dwelling of any type, style or description that is used as a residence by any human being
<b>NDA</b>	National Department of Agriculture
<b>NWA</b>	National Water Act, Act 36 of 1998
<b>Pit</b>	Any open excavation
<b>"Porrel"</b>	The term used for the sludge created at alluvial diamond diggings where the alluvial gravels are washed and the diamonds separated in a water-and-sand medium.
<b>Topsoil</b>	The layer of soil covering the earth which- (a) Provides a suitable environment for the termination of seed; (b) Allows the penetration of water; (c) Is a source of micro-organisms, plant nutrients and in some cases seed; and (d) Is not of a depth of more than 0,5 metres or such depth as the Minister may prescribe for a specific prospecting or exploration area or mining area.
<b>Trench</b>	A type of excavation usually made by digging in a line towards a mechanical excavator and not pivoting the boom – a large, U-shaped hole in the ground, with vertical sides and about 6 – 8 metres in length. Also a prospecting trench.
<b>Vegetation</b>	Any and all forms of plants, see also Fauna
<b>DWAF</b>	The Department of Water Affairs and Forestry – both national office and their various regional offices, which are divided across the country on the basis of water catchment areas.
<b>MPRDA</b>	The Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002)
<b>EMPlan</b>	An Environmental Management Plan as contemplated in Regulation 52 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) – this document.

## SECTION B:

## B.1: BIOGRAPHIC DETAILS OF THE APPLICANT

<b>B1.1</b>	Full name (and surname) of person or company applying for the permit or right	<b>Afrimat Aggregates (Trading) (Pty) Ltd</b>
<b>B1.2</b>	ID number of person or company/CC registration number	Co Reg No: 1994/005271/07
<b>B1.3</b>	Postal address	P O Box 768, Bellville 7535
<b>B1.4</b>	Physical/residential address	Tyger Valley Office Park No.2 Cnr Old Oak Road and Willie van Schoor Avenue, Tyger Valley, Bellville
<b>B1.5</b>	Applicant's telephone number	021 917 8840 (Mr Gerhard Odendaal)
<b>B1.6</b>	Applicant's cellular phone number	082 370 3777
<b>B1.7</b>	Alternative contact's name	Mr Carl Malan
<b>B1.8</b>	Alternative contact's telephone/cell phone numbers	082 851 0830
<b>B2.1</b>	Full name of the property on which mining/prospecting operations will be conducted	Part of portion 12 of the farm Klip Punt 452 and part of portion 3 of the farm McTaggarts Camp 453
<b>B2.2</b>	Name of the Subdivision	Gordonia Registration Division
<b>B2.3</b>	Approximate center of mining/prospecting area	
	- Latitude	S28° 31' 10.0"
	- Longitude	E21° 04' 14.0"
<b>B2.4</b>	Magisterial district	Northern Cape Province
<b>B2.5</b>	Name of the registered owner of the property	McTaggarts Camp 453 – Part of portion 3 Mr Piet van Schalkwyk
<b>B2.6</b>	His/Her telephone number	054 332-3568 083 285 1519
<b>B2.7</b>	His/her Postal address	Allepad Boerdery P O Box 746 UPINGTON 8800
<b>B2.8</b>	Current uses of surrounding areas	Stock farming and livestock
<b>B2.9</b>	Are there any other existing land uses that impact on the environment in the proposed prospecting area?	No
<b>B2.10</b>	What is the name of the nearest town?	Upington



**SECTION C. ENVIRONMENTAL IMPACT ASSESSMENT:**

**Schedule of Activities:**

The proposed prospecting schedule will comprise the following (from the date of approval of the prospecting right) as shown in the chart below:

		Months										
		1	2	3	4	5	6	7	8	9	10-24	
Phase 1 INVESTIGATIVE STAGE	Approval	█										
	1a	Desktop Analysis of Aerial Photos	█									
		Desktop Analysis of Satellite Imagery	█									
		Sourcing, purchasing & analysis of other geological information	█									
		Literature review	█									
		Site Establishment		█								
		Delineate survey control data (GPS)		█	█							
	1b	On site Assessment and field mapping			█	█						
	1c	Consideration of results					█					
Phase 2 : INVASIVE PROSPECTING												
	2	Mark the position of the core and percussion drill holes				█						
		Locate and mark access routes to the drill sites				█						
		Educate / train the staff conducting drilling re environmental issues				█						
		Conduct drilling of core holes					█	█				
		Logging of cores and Analysis of results						█	█			
		Final analysis of results to determine future options or drill additional holes								█	█	
Phase 3 : Decisions & Applications	3	<i>Depending on results, 3 options exist as follows:</i>										
		- If results non conclusive, then apply for renewal of prospecting permit									█	
		OR if results prove negative then rehabilitate & apply for closure										█
		OR if results prove positive then submit mining right application										█
		In all events, provide reporting to DMR as required by the DMR	█	█	█	█	█	█	█	█	█	█

The information provided in this section will enable officials to determine how serious the impact of the prospecting/mining operation will be. DESCRIBE THE ENVIRONMENT THAT WILL BE AFFECTED BY THE PROPOSED PROSPECTING / MINING OPERATIONS UNDER THE FOLLOWING HEADINGS:

C.1	<b>DESCRIPTIO OF THE ENVIRONMENT LIKELY TO BE AFFECTED BY PROPOSED PROSPECTING/MINING OPERATIONS: (REGULATION 52(2)(2))</b>							
C1.1	What does the landscape surrounding the proposed operation look like? (Open veldt / valley / flowing landscape / steep slopes)							
	<b>Low karroid shrubland on flat gravel plains. Karoo-related elements (schrubs) meet here with northern floristic elements, indicating a transition to the Kalahari region and sandy soils.</b>							
C1.2	Describe the type of soil found on the surface of the site							
	<b>Cenozoic Kalahari Group sands and small patches also on calcrete outcrops and screes on scarps of intermittent rivers (mekgacha). In places Dwyka Group tillites outcrop as well as Granitoids..</b>							
			VALUE	TICK		OFFICE USE		
C1.3	How deep is the topsoil?		0 – 300mm	√			8	
			300 – 600mm				4	
			600mm +				2	
C1.4	What <i>plants, trees and grasses</i> grow naturally in the area around the site?							
	<b>The entire study area consists of 1 vegetation group as defined by Mucina and Rutherford in their 2004 Vegetation Map of South Africa, Lesotho and Swaziland, being the Kalahari Karroid Shrubland (NKb 5). This vegetation type has the following statistics regarding their classification, presence and ecosystem status:</b>							
	Vegetation Name	Original Area (ha)	Remaining Area (ha)	% Remaining	% Protected	Target (%)	Ecosystem Status	Protection Level
	Kalahari Karroid Shrubland	828 389	821 569	99	0	21	LT	Hardly Protected
	<b>Least threatened. Target 21%. Very little statutorily conserved in Augrabies Falls National Park. Although only a small area has been transformed many of the belts of this type were preferred routes for early roads, thus promoting the introduction of alien plants (about a quarter of the unit has scattered <i>Prosopis</i> species). Erosion is very low (94%).</b>							
	<small>Source: Mucina, L &amp; Rutherford, M (Editors) 2006. <i>The vegetation of South Africa, Lesotho and Swaziland, Strelitzia 19, SANBI, Pretoria.</i></small>							
C1.5	What <i>animals</i> naturally occur in the area?							
	It is known that a variety of buck (Springbok, Steenbok, Duiker) and predators such as jackal and cerval, inhabit the farm. In addition, a variety of rodents (meerkat, moles), reptiles (lizards and snakes) and birds inhabit the site. Given the extensive tracts of similar habitat available surrounding the site, coupled with the small scale of the proposed activities which will be limited to large bare rock outcrops insignificant impact is expected in this regard.							
C1.6	Are there any <i>protected areas</i> (game parks/nature reserves, monuments, etc) close to the proposed operation?		Yes				4	
			No	√			0	
	<b>No national or provincial parks or reserves are located within 10 km of the proposed prospecting area.</b>							
C1.7	What mineral are you going to <u>prospect</u> or mine for?	Sand (manufactures from Hardrock; Sand (General); Gravel; Aggregates						
C1.8	Describe the type of equipment that will be used:							
	<b>A core drill rig will be used during the invasive prospecting phase.</b>							

**C.2 HOW WILL THE PROPOSED OPERATION IMPACT ON THE NATURAL ENVIRONMENT?  
(REGULATION 52(2)(b))**

	ENVIRONMENTAL ELEMENT/IMPACTOR	VALUE	TICK	OFFICE USE
C2.1	What will the ultimate depth of the proposed prospecting operations be?	0 – 5m		2
		6 – 10m		4
		10 – 25m		8
		25m+	√	10
C2.2	How large will the <i>total</i> area of all excavations be?	There will be no excavations – no bulk sampling will take place, only 4 core holes of ± 64 diameter will be drilled.		
C2.3	How large will each excavation be before it is filled up? <b>No Excavations</b>	<10x10m	N/A	2
		<20x20m	N/A	4
		>20x20m	N/A	8
C2.4	How many <i>prospecting</i> boreholes or trenches will there be?	In terms of the previous compiled prospecting work programme, it is proposed to drill only 4 core drill holes; either more than 1 in a successful area or at worst one in each of the target areas as identified in figure 3. These 4 holes will be drilled in Phase 2 (as shown in figure 3) to an average depth of 30m, to yield a total drilling depth in Phase 2 of 120m.		
<p><b><u>Drilling method:</u></b> Drilling will be conducted by contractor using ±64mm core drill to yield samples to varying depths. The samples will be logged by geologist and transported to suitable facility for laboratory tests on strength and durability of the material sampled.</p> <p>Drilling will be conducted vertically. The drill is self propelled (refer photo 2) and drilling will take place on a site (hardened area) measuring approximately 90m<sup>2</sup> consisting of:</p> <ul style="list-style-type: none"> <li>- The drill site (5m<sup>2</sup>)</li> <li>- The core drill truck (30m<sup>2</sup>)</li> <li>- Surrounding activity area and core collection/stacking area (55m<sup>2</sup>)</li> </ul>				
<p><b><u>Drilling layout</u></b> Phase 2 is initiated by the convening of the appropriate persons to conduct the following tasks:</p> <ul style="list-style-type: none"> <li>- Locate / Survey the positions of the core drill holes</li> <li>- Locate and mark access routes to the drill sites – see paragraph below.</li> <li>- Educate / train the staff conducting the prospecting on environmental issues (the details of which will be discussed in the EMPlan to be compiled).</li> </ul>				

<u>Access to the drill sites:</u>				
<b>Figure 1 shows existing farm tracks. Given the possible location of the core holes and the extent of existing tracks on site, it will not be necessary for the applicant to develop any new roads but he will simply use "tracks" (i.e. say 3 passes with the drill rig and geologist bakkie) in previously undisturbed areas. Given the absolute minimal traffic, these tracks will not require topsoil removal (but will require raking as part of the final rehabilitation of the site).</b>				
C2.5	Will employees prepare food on the site and collect firewood?	Yes		4
		No	√	0
C2.6	Will water be extracted from a river, stream, dam or pan for use by the proposed operation?	Yes		4
		No	√	2
C2.7	If so, what is the name of this water body?			
C2.8	If water will not be extracted from an open surface source, where will it be obtained?			
<b>Process water used to flush the core hole will be purchased from the land owner or surrounding land owner whilst potable water will be purchased from Upington Town – only very minor quantities will be required.</b>				
C2.9	How much water per day will the <i>mineral processing</i> operation require?  <b>No mineral processing will take place on site but drill coolant water will be required.</b>	1 000 – 10 000	√	2
		20 000 – 40 000		3
		40 000 – 60 000		5
		60 000 – 100000		8
		More		10
C2.10	How far is the proposed operation from open water ---- (dam, river, pan, lake)?	0 – 15m		8
		16 – 30m		6
		31 – 60m		4
		More than 60m	√	2
C2.11	What is the estimated depth of the water table/borehole?	<b>Reported by Farmer as min 30m</b>		
C2.12	How much water per day will the proposed operation utilize for <i>employees</i> ?	<b>Say 20 litres / employee X 5 employees =</b>		<b>100 lt</b>
C2.13	What toilet facilities will be made available to workers? <b>One mobile trailer type chemical toilet will be provided at the working site</b>	None		8
		Pit latrine		4
		Chemical toilet	√	2
C2.14	Would it be necessary to construct roads to access the proposed operations? <b>Refer para C2.4</b>	Yes		4
		No	√	0
C2.15	How long will these access road(s) be (from a public road to the proposed operations)	0 – 0,5km		4
		0,6 – 1,5 km		2
		1,6 – 3 km		4
C2.16	Will trees be uprooted to construct these access road(s)?	Yes		4
		No	√	0
C2.17	Will any foreign material, like crushed stone, limestone, or any material other than the naturally ---- occurring topsoil be placed on the road surface?	Yes		4
		No	√	0

**C.3 TIME FACTOR**

C3.1	For what time period will prospecting operations be conducted on this particular site? <b>Invasive prospecting time</b>	0 – 6 months	√	2
		6 – 12 months		4
		12 – 18 months		6
		18 – 24 months		8
		>24 months		10

**C.4 HOW WILL THE PROPOSED OPERATION IMPACT ON THE SOCIA-ECONOMIC ENVIRONMENT (REGULATION 52(2)(B))**

	ELEMENT/IMPACTOR	VALUE	TICK	OFFICE USE
C4.1	How many people will be employed?	<b>± 5 persons</b>		
C4.2	How many men?	<b>Unknown</b>		
C4.3	How many women?	<b>Unknown</b>		
C4.4	Where will employees be obtained? (Own or employed from local communities?)	Own		2
		Local	√	4
C4.5	How many hours per day will employees work?	Sunrise to Sunset	√	4
		Less		2
		More		8
C4.6	Will operations be conducted within 1 kilometer from a residential area	Yes		6
		No	√	1
C4.7	How far will the proposed operation be from the nearest fence / windmill / house / dam / built structure?	0 – 50m		8
		51 – 100m		4
		150m or more	√	2

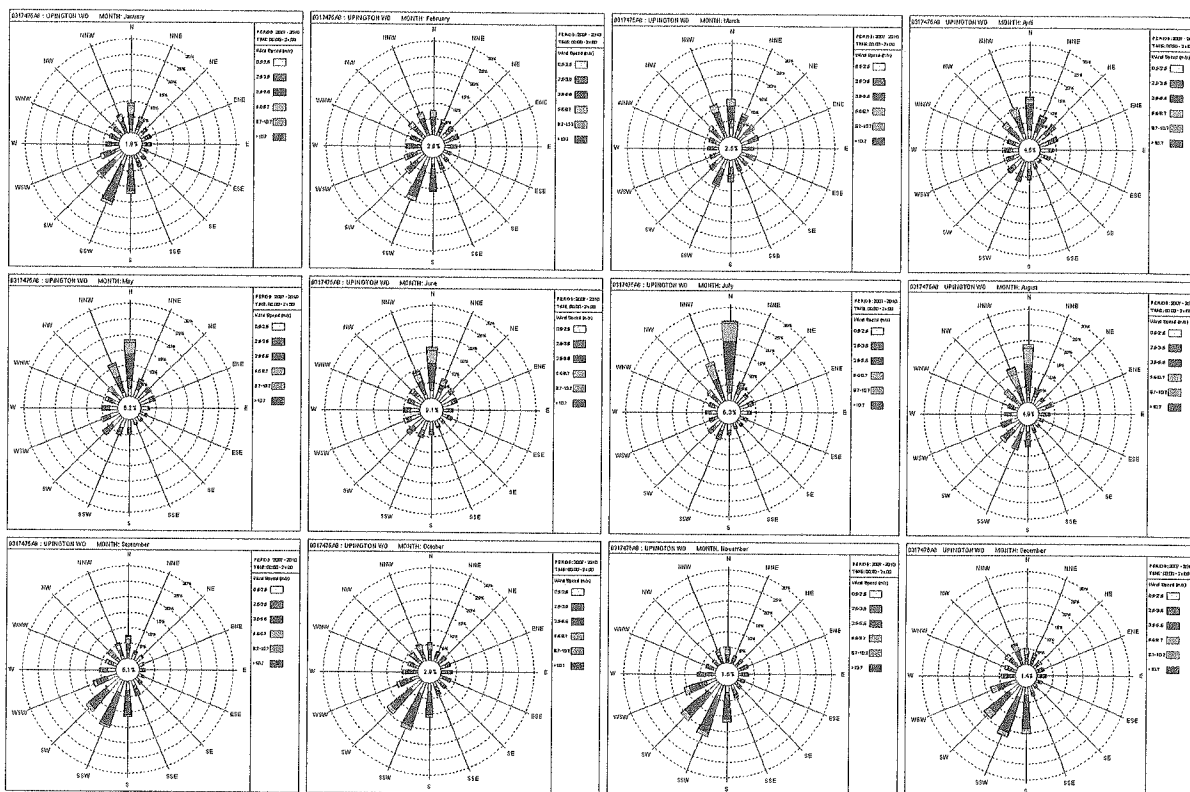
**C.5 HOW WILL THE PROPOSED OPERATION IMPACT ON THE CULTURAL HERITAGE OF THE SURROUNDING ENVIRONMENT? REGULATION 52(2)(b)**

	ELEMENT/IMPACTOR	VALUE	TICK	OFFICE USE
C5.1	Are there any graveyards or old houses or sites of historic significance within 1 kilometer of the area? <b>None known</b>	Yes		8
		No	√	0

### C.6 SPECIFIC REGULATORY REQUIREMENTS

#### C.6.1 Air quality Management and Control (Regulation 64)

Describe how the operation will impact on the quality of the air, taking into account predominant wind direction and other affected parties in the downwind zone:



Source: WB38, Surface Winds

- MAP ranges from about 100-200mm and most rain falls in late summer and early autumn. Winters are particularly dry, with lowest winter relative humidity compared to other temperatures in Upington are 39.5°C and -4.2°C for January and July, respectively.

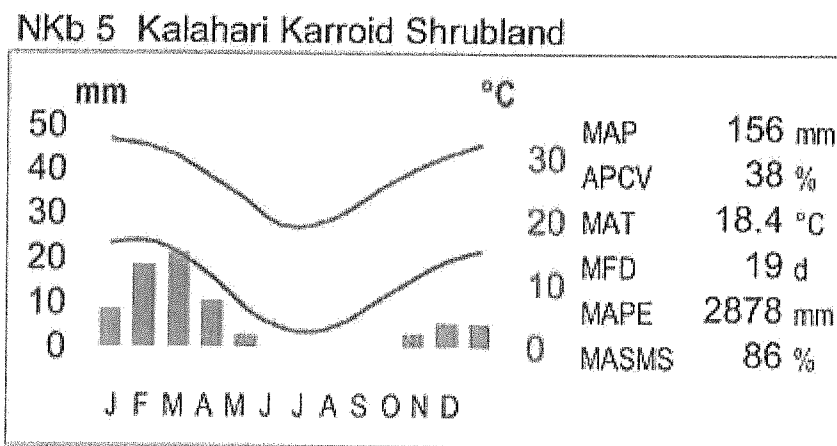


Figure 7.2

**Existing dust sources in the area:**

- Possible dust from the dirt road construction  $\pm$  1km north of the site
- Vehicle generated dust on unsurfaced road to the West
- Regionally generated dust from denuded areas

Impacts arising from the proposed operation with regard to dust generation (and the proposed attenuation measures) are as follows:

- The actual drilling by core rig is a wet operation and will not generate any dust.
- The only (very minor) dust will be generated by vehicles using unsurfaced roadways.
- Dust must however be minimised in terms of employee health and masks must be available at all times and the applicants must comply with the prescriptions of the Mine Health & Safety Act.

**C6.2 Fire Prevention (Regulation 65)**

Applicants for permits, rights or permissions involving **coal or bituminous rock** must:

*Indicate on a plan where the coal or rock discard dump will be located. (If applied for a permit to mine or prospect for coal or bituminous rock, indicate the exact location of the discard dump on the plan and write "EMPlan C6.2" next to it)*

Not applicable

**C6.3 Noise control (Regulation 66)**

Indicate how much noise the operation will generate, and how it will impact on the surrounding environment, who might be influenced by noise from your operation.

**Given the low level of noise generation by a core rig as opposed to a percussion rig, the noise will only disturb the wildlife in close proximity to the rig insofar as it could impact on game hunting on the farm. To that end priority was given to prospecting the western corner of the farm which enjoys direct access from the public road in discussions held with the land owner on the farm when selecting the target area.**

The operation will result in noise generation but the only affected parties will be the employees at the drill site. Noise will be generated by the following activities:

- Vehicles accessing the site
- Core drilling activities

At these drill sites, no attenuation measures will be necessary given:

- The extremely small scale of the operation and
- The isolation of the site.

Noise must however be minimized to limit disturbance of hunting and in terms of employee health and HPD's must be available to employees at all times and the applicants must comply with the prescriptions of the Mine Health & Safety Act.

**C6.4 Blasting, vibration and shock (Regulation 67)**

*Please indicate whether any blasting operation is / will be conducted.*

**NONE**

**C6.5 Disposal of waste material (Regulation 69)**

*Indicate on your plan where waste will be dumped in relation to the beneficiation works / washing pans. Also indicate below how domestic waste material will be managed.*

**Plant Residue:**

**No plant residue.**

**Domestic Waste:**

**Domestic Waste will consist of lunch wrappers, cooldrink cans, cigarette packets and the like. The staff must be instructed to put all domestic waste into a bin to be provided on the drill site at which they are busy. Such waste is to be taken daily and disposed of at Municipal Site closeby. Waste volumes will be minor.**



## C6.6 Soil pollution and erosion control (Regulation 70)

### 6.6.1 Indicate how topsoil will be handled on the area

The core drilling per se will not impact on topsoil in any way, except for the insignificant impact generated by the  $\pm$  48mm diameter drill as it passes through the topsoil. However, the activity at each of the sites will result in a disturbance footprint of max 90m<sup>2</sup>. No topsoil will be removed prior to the short lived activity that will take place at each site as it has been found that removing topsoil for such short lived activities generates more impact than if such topsoil were removed. That impact is more on vegetation and no impact on soil will occur during this phase. In any event most drilling will occur on flat sheet-like rock outcrops where there is no topsoil.

### 6.6.2 Describe how spills of oil, grease, diesel, acid or hydraulic fluid will be dealt with

#### Fuel receipt, storage and dispensing:

Fuel will be purchased from Upington and transported by small bowser towed behind a bakkie on a daily basis to the drill sites. Once at the recipient machine, the diesel will be dispensed via pump through funnels to the drilling machine and water pump at the site.

#### Vehicle / drill / pump leaks:

Drip trays will collect any identified dripping of used oil which will then be collected in a drum for transport to an Oilkol facility for recycling.

#### On-site repairs:

No workshop will be required and all scheduled mobile plant servicing will take place in terms of the contractor's own schedules (but not on site).

#### Emergency repairs on site:

In the event of a breakdown repair being required in the field, the staff should be trained in use of drip trays and suitable funnels (not to drain oil into the sand) for filling and draining of lubricants and the staff shall be provided with such equipment to prevent oil contamination.

#### In addition:

- Used/replaced filters, hoses, belts, cloths, etc. are to be placed in a bin for return to Upington and eventual disposal at a suitable facility. Used filters are not to be buried at the site of repair (nor discarded in the excavation to be backfilled).
- In the event of soil contamination, the soils contaminated soils are to be removed and placed in black bags for disposal at a suitable facility.

All staff involved in mobile plant operation and maintenance is to be made aware of these oil and lubricant procedures. Staff will require instruction in the:

- Deleterious effects of oil / fuel on the environment
- Handling of oil leaks onto soil

#### General provisions

- All operators are to check their equipment for leaks and report such leaks on a daily basis.
- No used oils are to be used as dust suppressants on maneuvering areas. Used oils collected in the drums are to be collected by oil recycling company (such as Oilkol)
- All staff to be instructed to report oil spills immediately and be trained in fire fighting.

6.6.3 Briefly describe the storage facilities available for the above fluids:

None required on site. Any fuel / oil required will be transported from Upington commercial supply as required.

<p><b>C6.7</b> If significant impacts on any element of the environment mentioned in Section C1 to C6.6 above have been identified, summarise them all here: (Regulation 52(2)(c) -</p>	<p><b>C6.8</b> How will the negative impacts on the environment be mitigated or managed (as described in C6.11 (??) to the left? (Regulation 57 (2)(c))</p>
<p><b>No SIGNIFICANT impacts identified – but prevention of excessive disturbance of topsoil (when not on bare sandstone) is essential to ensure effective rehabilitation of the site.</b></p>	

**C.7 Financial provision: (Regulation 54)**

The amount that is necessary for the rehabilitation of damage caused by the operation, both sudden closure during the normal operation of the project and at final, planned closure will be estimated by the regional office of the DMR, based on the information supplied in this document. This amount will reflect how much will it cost the Department to rehabilitate the area disturbed in case of liquidation or abscondence.

The table below shows the calculation used in deriving the rehabilitation fund guarantee.

<i>REHABILITATION FUND REQUIREMENTS</i>			
<b>Core drill hole sites</b>			
<i>Assume all 4 drill sites need raking</i>			
<i>Raking by hand (4 sites x 90m<sup>2</sup>)</i>	<i>0,500 m<sup>2</sup> @</i>	<i>R 2.40 /m<sup>2</sup></i>	<i>R 1 200</i>
<b>SUB-TOTAL</b>			<b>R 1 200</b>
<b>Roads &amp; Tracks</b>			
<i>Assume 2km tracks to be rehabilitated</i>			
<i>Raking 2km @ 3m wide</i>	<i>6,000 m<sup>2</sup> @</i>	<i>R 2.40 /m<sup>2</sup></i>	<i>R14 000</i>
<b>SUB-TOTAL</b>			<b>R14 400</b>
<i>Plus Contingency Fees at 5%</i>			<i>R 0,780</i>
<i>Plus Management Fee at 10%</i>			<i>R 1,560</i>
<i>Plus V.A.T. @ 14%</i>			<i>R 2,184</i>
<b>GRAND TOTAL</b>			<b>R20 124</b>

- Assume a team of 10 workers can rake 50m in 1 hour and they are each paid at a rate of R30/hr  
Thus it costs R150 to cover 25m or 62.5m<sup>2</sup>  
Therefore 1m<sup>2</sup> = R150/62.5m<sup>2</sup> or R2.40/m<sup>2</sup>

**Enter the amount of financial provision required here: R20 000**

What method will be used to furnish DME with this financial provision?

Cash deposit	
Bank guarantee	√
Trust Fund	
Other: (specify) (Note: other methods must be approved by the Minister)	

The standard formats for each of these types of guarantees are available from your regional office of the DME.

### **C8.1 Monitoring and performance assessment**

Regulation 55 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) clearly describes the process and procedure as well as requirements for monitoring and auditing of the performance of this plan to adequately address environmental impacts from the operation. The following information must be provided:

<p><b>C8.2 Please describe how the adequacy of this programme will be assessed and how any inadequacies will be addressed. (Regulations 55(a) and 52(2)(e))</b></p>
---

<p><b>The applicant will ensure the following activities / functions take place to ensure implementation of this EMPlan's prescriptions:</b></p>
--

- |  |
|--|
| <ul style="list-style-type: none"> <li>• <b>Copies of the EMPlan and Prospecting Work Programme (PWP) will be made available to the site manager. At least one copy of each must be available at short notice.</b></li> <li>• <b>The applicant will ensure that the site manager is fully au fait with the prescriptions of this EMPlan and the PWP (under separate cover).</b></li> <li>• <b>The site manager will be responsible for ensuring that labour / operators are aware of their environmental responsibilities related to their activities.</b></li> <li>• <b>The site manager will continuously (whilst on site) conduct monitoring of activities taking place on site. He/she must ensure that all activities comply with the prescriptions of the EMPlan.</b></li> <li>• <b>Any shortcomings must be remedied immediately and if required the site manager must explain the required actions and reasons for them to the applicable person.</b></li> </ul> |
|--|

### **C.9 Closure and Environmental objectives: (Regulation 52(2)(f))**

Note: The proposed end-state of your area must be consulted with interested and affected parties in terms of Regulation 52(2)(g). Details of the acceptability of the end-state must appear in the section C11 below. Clearly state the intended end use for the area prospected after closing of operations.

**Should prospecting yield negative results then the end use of the site is to revert back to grazing.**

**However, should prospecting yield positive results, then the site will be subject to a mining right application and full scale quarry will take place for the proposed new Solar Tower project.**

C9.1 Describe, in brief terms, what the environment will look like after a closure certificate has been obtained.

**Should closure be applied for after prospecting, then the site will be returned to its grazing rating.**

## C.10 CLOSURE

Regulations 56 to 62 outline the entire process of mine closure, and these are copied in Section F of this document, both as a guide to applicants on the process to be followed for mine closure, and also to address the legal responsibility of the applicant with regard to the proper closure of his operation. In terms of Section 37 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), the holder of a permit is liable for any and all environmental damage or degradation emanating from his/her operation, until a closure certificate is issued in terms of Section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002).

## C.11 PUBLIC PARTICIPATION: (Regulation 52(2)(9))

In terms of the above regulation consultation with interested and affected person or persons must take place prior to the approval of the environmental management plan. This regulation is quoted below for ease of reference.

*"a record of the public participation undertaken and the results thereof"*

- C11.1** Any comments lodged by an interested and affected person or persons in terms of section 10(1)(b) of the Act, must be in writing and addressed to the relevant Regional Manager.
- C11.2** Any objections lodged by an interested and affected person or persons against the application for a right or permit in terms of the Act, must set out clearly and concisely the facts upon which it is based and must be addressed to the relevant Regional Manager in writing.
- C11.3** The Regional Manager must make known by way of publication in a local newspaper or at the office of the Regional Manager, that an application for a right or permit in terms of the Act has been received.

In the table below, please list the names of people or organizations likely to be influenced by the proposed operations (these might include neighbours, other water users, etc.). Kindly indicate how these people were consulted (e.g. by letter or by phone) *and provide proof* of that consultation. What were the main concerns / objections raised by the interested and affected parties to the proposed operation?

Name of Interested/ affected party	Contact details: Address & Telephone number	How did Consultation take Place?	What were his/her main concerns about the operation?
Mr Piet van Schalkwyk	Allepad Boerdery P O Box 746 UPINGTON 8800	Fax, registered mail, & Telephone	In process of selling part of property.
Mr WJ Koekemoer	Amhappy 191 Investments P O Box 127 PORT NOLLOTH 8280	Registered mail, fax & Email	
Iningi Investments	P O Box 35004 Northcliff JOHANNESBURG 2115	Registered mail & fax	

Mr H O Davies	P O Box 1 KANONEILAND 8806	Registered mail	
Rural Development & Land Reform	P O Box 2458 KIMBERLEY 8300	Fax	

## SECTION D

## D. SCORING OF EIA – FOR OFFICIAL USE ONLY

**Instructions for officials:**

In this table, complete the totals of each section indicated below and do the calculation. **Remember to first add all the values of sections C1,2,4 and 5 and then multiply it by the time factor in Section C3.** Note that the value for the time factor element of the impact rating appears in Section C3. This is the total amount of time that the operation is expected to impact on the environment and all other factors are MULTIPLIED by this value. Compare the score (impact rating) with the table below to help you make a decision on the total impact of the operation and also on the sufficiency of this programme to address all expected impacts from the operation on the environment.

## D1.1 CALCULATION TABLE

Section <b>C 1</b> Total	+	Section <b>C 2</b> Total	+	Section <b>C 4</b> Total	+	Section <b>C 5</b> Total	=	<u>Subtotal</u>	X	Time factor Section <b>C</b> <b>3</b>	=	Score (Impact Rating)
8	+	18	+	11	+	0	=	37	X	3	=	111

## D1.2 IMPACT RATING SCALE

SCORE ATTAINED	IMPACT RATING	REMARKS
46 – 300	Low	No additional objectives needed – this programme is sufficient.
301 – 800	Medium	Some specific additional objectives to address focal areas of concern may be set.
801 – 1160	High	Major revision of Environmental Management Plan for adequacy and full revision of objectives.

**Additional Objectives:**

Based on the information provided by the applicant and the regional office's assessment thereof, combined with the interpretation of the scoring and impact rating attained for the particular operation above, the Regional Manager of the regional office of the DMR may now determine additional objectives / requirements for the mine owner/manager to comply with. *These measures will be specific and will address specific issues of concern that are not adequately covered in the standard version of this document.* These requirements are not listed here, but are specified under Section G of this document, so as to form part of the legally binding part of this Environmental Management Plan.

SECTION E

E. UNDERTAKING:

I, Ses Kalo....., the applicant for a prospecting right hereby declare that the above information is true, complete and correct. I undertake to implement the measures as described in Sections F and G hereof. I understand that this undertaking is legally binding and that failure to give effect hereto will render me liable for prosecution in terms of Section 98(b) and 99(1)(g) of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002). I am also aware that the Regional Manager may, at any time but after consultation with me, make such changes to this plan as he/she may deem necessary.

Signed on this 03 day of NOVEMBER..... 2010 at BALUKE..... (Place)



.....  
Signature of applicant

## F. ENVIRONMENTAL MANAGEMENT PLAN:

### INTRODUCTION

This Environmental Management Plan contains guidelines, operating procedures and rehabilitation/pollution control requirements which will be binding on the holder of the mining permit/prospecting permission/reconnaissance permission after approval of the Environmental Management Plan. It is essential that this portion be carefully studied, understood, implemented and adhered to at all times.

### F1 GENERAL REQUIREMENTS

#### F1.1 MAPPING AND SETTING OUT

##### F1.1.1 LAYOUT PLAN

- A copy of the layout plan as provided for in Regulation 2.2 must be available at the prospecting/mining site for scrutiny when required.
- The plan must be updated on a regular basis with regard to the actual progress of the establishment of surface infrastructure, mining operations and rehabilitation (a copy of the updated plan shall be forwarded to the Regional Manager on a regular basis).
- A final layout plan must be submitted at closure of the mine or when operations have ceased.

**NOTE:** Regulation 2.2 of the regulations promulgated in terms of the Act requires:

*"An application contemplated in sub-regulation (1) must be accompanied by a plan that must contain –*

- (a) The co-ordinates of the land or area applied for;*
- (b) The north point;*
- (c) The scale to which the plan has been drawn;*
- (d) The name, number and location of the land or area comprising the subject of the application concerned;*
- (e) In relation to farm boundaries and surveyed points-*
  - (a) The size and shape of the proposed area;*
  - (b) The boundaries of the land or area comprising the subject of the application concerned;*
  - (c) The layout of the proposed reconnaissance, prospecting, exploration, mining or production operations;*
  - (d) Surface structures and servitudes;*
  - (e) The topography of the land or area;"*

##### F1.1.2 DEMARCATING THE MINING/PROSPECTING AREA

- The mining/prospecting area must be clearly demarcated by means of beacons at its corners, and along its boundaries if there is no visibility between the corner beacons.
- Permanent beacons as indicated on the layout plan or as prescribed by the Regional Manager must be firmly erected and maintained in their correct position throughout the life of the operation.
- Mining/Prospecting and resultant operations shall only take place within this demarcated area.



### **F1.1.3 DEMARCATING THE RIVER CHANNEL AND RIVERINE ENVIRONMENT**

The following is applicable if operations are conducted within the riverine environment (See F3.2):

- Beacons as indicated on the layout plan or as prescribed by the Regional Manager must be erected and maintained in their correct position throughout the life of the operation.
- These beacons must be of a permanent nature during the operations and must not be easily removable, especially those in a river channel. The beacons must, however, be removed at the end of the operations.
- The mining of and prospecting for any mineral shall only take place within this demarcated mining area.
- If riverine vegetation is present in the form of reeds or wetland vegetation, the presence of these areas must be entered in Part C 1.45 of the EMPan and indicated on the layout plan.
- The holder of the mining permit/prospecting right will also be required to permanently demarcate the areas as specified in F1.1.2.

### **F1.2 RESTRICTIONS ON MINING/PROSPECTING**

- On assessment of the application, the Regional Manager may prohibit the conducting of mining or prospecting operations in vegetated areas or over portions of these areas.
- In the case of areas that are excluded from mining or prospecting, no operations shall be conducted within 5m of these areas.

### **F1.3 RESPONSIBILITY**

- The environment affected by the mining/prospecting operations shall be rehabilitated by the holder, as far as is practicable, to its natural state or to a predetermined and agreed to standard or land use which conforms with the concept of sustainable development. The affected environment shall be maintained in a stable condition that will not be detrimental to the safety and health of humans and animals and that will not pollute the environment or lead to the degradation thereof.
- It is the responsibility of the holder of the mining permit/prospecting right to ensure that the manager on the site and the employees are capable of complying with all the statutory requirements which must be met in order to mine, which includes the implementation of this EMP.
- If operations are to be conducted in an area that has already been disturbed, the holder must reach specific agreement with the Regional Manager concerning the responsibilities imposed upon himself/herself pertaining to the rehabilitation of the area and the pollution control measures to be implemented.

## **F2 INFRASTRUCTURAL REQUIREMENTS**

### **F2.1 TOPSOIL**

- Topsoil shall be removed from all areas where physical disturbance of the surface will occur.
- All available topsoil shall be removed after consultation with the Regional Manager prior to the commencement of any operations.
- The topsoil removed, shall be stored in a bund wall on the high ground side of the mining/prospecting area outside the 1:50 flood level within the boundaries of the mining area/prospecting.

- Topsoil shall be kept separate from overburden and shall not be used for building or maintenance of access roads.
- The topsoil stored in the bund wall shall be adequately protected from being blown away or being eroded.

## **F2.2 ACCESS TO THE SITE**

### **F2.2.1 Establishing access roads on the site**

- The access road to the mining/prospecting area and the camp-site/site office must be established in consultation with the landowner/tenant and existing roads shall be used as far as practicable.
- Should a portion of the access road be newly constructed the following must be adhered to:
  - The route shall be selected that a minimum number of bushes or trees are felled and existing fence lines shall be followed as far as possible.
  - Water courses and steep gradients shall be avoided as far as is practicable.
  - Adequate drainage and erosion protection in the form of cut-off berms or trenches shall be provided where necessary.
- If imported material is used in the construction or upgrading of the access road this must be listed in C2.17.
- The erection of gates in fence lines and the open or closed status of gates in new and existing positions shall be clarified in consultation with the landowner/tenant and maintained throughout the operational period.
- No other routes will be used by vehicles or personnel for the purpose of gaining access to the site.

**NOTE: The design, construction and location of access to provincial roads must be in accordance with the requirements laid down by the Provincial or controlling authority.**

### **F2.2.2 Maintenance of access roads**

- In the case of dual or multiple use of access roads by other users, arrangements for multiple responsibility must be made with the other users. If not, the maintenance of access roads will be the responsibility of the holder of the mining permit/prospecting right.
- Newly constructed access roads shall be adequately maintained so as to minimise dust, erosion or undue surface damage.

### **F2.2.3 Dust control on the access and haul roads**

- The liberation of dust into the surrounding environment shall be effectively controlled by the use of, inter alia, water spraying and/or other dust-allaying agents. The speed of haul trucks and other vehicles must be strictly controlled to avoid dangerous conditions, excessive dust or excessive deterioration of the road being used.

## **F2.2.4 Rehabilitation of access roads**

- Whenever a mining permit/prospecting right is suspended, cancelled or abandoned or if it lapses and the holder does not wish to renew the permit or right, any access road or portions thereof, constructed by the holder and which will no longer be required by the landowner/tenant, shall be removed and/or rehabilitated to the satisfaction of the Regional Manager.
- Any gate or fence erected by the holder which is not required by the landowner/tenant, shall be removed and the situation restored to the pre mining/prospecting situation.
- Roads shall be ripped or ploughed, and if necessary, appropriately fertilised (based on a soil analysis) to ensure the regrowth of vegetation. Imported road construction materials which may hamper regrowth of vegetation must be removed and disposed of in an approved manner prior to rehabilitation.
- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation, be corrected and the area be seeded with a seed mix to the Regional Manager's specifications.

## **F2.3 OFFICE/CAMP SITES**

### **F2.3.1 Establishing office / camp sites**

- Office and camp sites shall be established, as far as is practicable, outside the flood plain, above the 1 in 50 flood level mark within the boundaries of the mining/prospecting area.
- The area chosen for these purposes shall be the minimum reasonably required and which will involve the least disturbance to vegetation. Topsoil shall be handled as described in F2.1 above.
- No camp or office site shall be located closer than 100 metres from a stream, river, spring, dam or pan.
- No trees or shrubs will be felled or damaged for the purpose of obtaining firewood, unless agreed to by the landowner/tenant.
- Fires will only be allowed in facilities or equipment specially constructed for this purpose. If required by applicable legislation, a fire-break shall be cleared around the perimeter of the camp and office sites.
- Lighting and noise disturbance or any other form of disturbance that may have an effect on the landowner/tenant/persons lawfully living in the vicinity shall be kept to a minimum.

### **F2.3.2 Toilet facilities, waste water and refuse disposal**

- As a minimum requirement, the holder of a mining permit/prospecting right shall, at least, provide pit latrines for employees and proper hygiene measures shall be established.
- Chemical toilet facilities or other approved toilet facilities such as a septic drain shall preferably be used and sited on the camp site in such a way that they do not cause water or other pollution.
- The use of existing facilities must take place in consultation with the landowner/tenant.
- In cases where facilities are linked to existing sewerage structures, all necessary regulatory requirements concerning construction and maintenance should be adhered to.
- All effluent water from the camp washing facility shall be disposed of in a properly constructed French drain, suitable as far as possible, but not less than 200 metres, from any stream, river, pan, dam or borehole.

- Only domestic type water shall be allowed to enter this drain and any effluents containing oil, grease or other industrial substances must be collected in a suitable receptacle and removed from the site, either for resale or for appropriate disposal at a recognised facility.
- Spills should be cleaned up immediately to the satisfaction of the Regional Manager by removing the spillage together with the polluted soil and by disposing of them at a recognised facility.
- Non-biodegradable refuse such as glass bottles, plastic bags, metal scrap, etc., shall be stored in a container at a collecting point and collected on a regular basis and disposed of at a recognised disposal facility. Specific precautions shall be taken to prevent refuse from being dumped on or in the vicinity of the camp site.
- Biodegradable refuse generated from the office/camp site, processing areas vehicle yard, storage area or any other area shall either be handled as indicated above or be buried in a pit excavated for that purpose and covered with layers of soil, incorporating a final 0,5 metre thick layer of topsoil (where practicable). Provision should be made for future subsidence of the covering.

### F2.3.3 Rehabilitation of the office/camp site

- On completion of operations, all buildings, structures or objects on the camp/office site shall be dealt with in accordance with section 44 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), which states:
  - 1) *When a prospecting right, mining right, retention permit or mining permit lapses, is cancelled or is abandoned or when any prospecting or mining operation comes to an end, the holder of any such right or permit may not demolish or remove any building, structure, object –*
    - 1) *which may not be demolished in terms of any other law;*
    - 2) *which has been identified in writing by the Minister for purposes of this section;*  
or
    - 3) *which is to be retained in terms of an agreement between the holder and the owner or occupier of the land, which agreement has been approved by the Minister in writing.*
  - 2) *The provision of subsection (1) does not apply to bona fide mining equipment which may be removed.*
- Where office/camp sites have been rendered devoid of vegetation/grass or where soils have been compacted owing to traffic, the surface shall be scarified or ripped.
- Areas containing French drains shall be compacted and covered with a final layer of topsoil to a height of 10cm above the surrounding ground surface.
- The site shall be seeded with a vegetation seed mix adapted to reflect the local indigenous flora.
- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation be corrected and the area be seeded with a vegetation seed mix to his or her specification.
- Photographs of the camp and office sites, before and during the mining / prospecting operation and after rehabilitation, shall be taken at selected fixed points and kept on record for the information of the Regional Manager.

## **F2.4 VEHICLE MAINTENANCE YARD AND SECURED STORAGE AREAS**

### **F2.4.1 Establishing the vehicle maintenance yard and secured storage areas**

- The vehicle maintenance yard and secured storage area will be established as far as is practicable, outside the flood plain, above the 1 in 50 flood level mark within the boundaries of the mining/prospecting area.
- The area chosen for these purposes shall be the minimum reasonably required and involve the least disturbance to tree and plant life. Topsoil shall be handled as described in F2.1 above.
- The storage area shall be securely fenced and all hazardous substances and stocks such as diesel, oils, detergents, etc., shall be stored therein. Drip pans, a thin concrete slab or a facility with PVC lining, shall be installed in such storage areas with a view to prevent soil and water pollution.
- The location of both the vehicle maintenance yard and the storage areas are to be indicated on the layout plan.
- No vehicle may be extensively repaired in any place other than in the maintenance yard.

### **F2.4.2 Maintenance of vehicles and equipment**

- The maintenance of vehicles and equipment used for any purpose during the mining/prospecting operation will take place only in the maintenance yard area.
- Equipment used in the mining/prospecting process must be adequately maintained so that during operations it does not spill oil, diesel, fuel, or hydraulic fluid.
- Machinery or equipment used on the mining/prospecting area must not constitute a pollution hazard in respect of the above substances. The Regional Manager shall order such equipment to be repaired or withdrawn from use if he or she considers the equipment or machinery to be polluting and irreparable.

### **F2.4.3 Waste disposal**

- Suitable covered receptacles shall be available at all times and conveniently placed for the disposal of waste.
- All used oils, grease or hydraulic fluids shall be placed therein and these receptacles will be removed from the site on a regular basis for disposal at a registered or licensed disposal facility.
- All spills should be cleaned up immediately to the satisfaction of the Regional Manager by removing the spillage together with the polluted soil and by disposing of them at a recognised facility.

### **F2.4.4 Rehabilitation of vehicle maintenance yard and secured storage areas**

- On completion of mining/prospecting operations, the above areas shall be cleared of any contaminated soil, which must be dumped as referred to in section F2.4.3 above.
- All buildings, structures or objects on the vehicle maintenance yard and secured storage areas shall be dealt with in accordance with section 44 of the Mineral and Petroleum Resources Development Act, 2002.
- The surface shall then be ripped or ploughed to a depth of at least 300mm and the topsoil previously stored adjacent the site, shall be spread evenly to its original depth over the whole area. The area shall then be fertilised if necessary (based on a soil analysis).
- The site shall be seeded with a vegetation seed mix adapted to reflect the local indigenous flora.

- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.

### **F3 OPERATING PROCEDURES IN THE MINING AREA**

#### **F3.1 Limitations on mining/prospecting**

- The mining of or prospecting for precious stones shall take place only within the approved demarcated mining or prospecting area.
- Mining/prospecting may be limited to the areas indicated by the Regional Manager on assessment of the application.
- The holder of the mining permit/prospecting right shall ensure that operations take place only in the demarcated areas as described in section F1.1.2 above.
- Operations will not be conducted closer than one and a half times the height of the bank from the edge of the river channel and in such manner that the stability of the bank of the river is affected.
- Precautions shall also be taken to ensure that the bank of the river is adequately protected from scouring or erosion. Damage to the bank of the river caused by the operations, shall be rehabilitated to a condition acceptable to the Regional Manager at the expense of the holder.
- Restrictions on the disturbance of riverine vegetation in the form of reeds or wetland vegetation must be adhered to. The presence of these areas must be entered in Part of the programme and indicated on the layout plan.

#### **F3.2 Mining/prospecting operations within the riverine environment**

**NOTE: The Department of Water Affairs and Forestry may impose additional conditions which must be attached to this EMP. In this regard, please see the Best Practice Guideline for small scale mining developed by DWAF (BPG 2.1)**

(available from <http://www.dwaf.gov.za>)

- The mining of or prospecting for precious stones in the river or the banks of the river will be undertaken only after the Regional Manager has consulted with the Department of Water Affairs and Forestry.
- The canalisation of the river will not be undertaken unless the necessary permission has been obtained from the Department of Water Affairs and Forestry. Over and above the conditions imposed by the said Department, which conditions shall form part of this EMP, the following will also apply:
  - ❖ The canalisation of the flow of the river over different parts of the river bed shall be constructed in such a manner that the following are adhered to at all times:
    - The flow of the river may not be impeded in any way and damming upstream may not occur.
    - The canalisation of the flow may not result in scouring or erosion of the river-bank.
    - Well points or extraction pumps in use by other riparian users may not be interfered with and canalisation may not impede the extraction of water at these points.

- Access to the riverbed for the purpose of conducting excavations in the river-bed, shall be through the use of only one access at a time. The location of the access to the river channel across the river-bank shall be at a point of the river-bank where the least excavation and damage to vegetation will occur and shall not be wider than is reasonably required. The position of the river access together with all planned future access points, must be indicated on the layout plan.

### **F3.2.1 Rehabilitation of access to river-bed**

- When rehabilitating the access point, the original profile of the river-bank will be re-established by backfilling the access point with the original material excavated or other suitable material.
- The topsoil shall then be returned over the whole area to its original depth and if necessary fertilised and the vegetation allowed to grow.
- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.
- In the event of damage from an occurrence where high flood water scour and erode access points in the process of rehabilitation over the river-bank or an access point currently in use, repair or such damage shall be the sole responsibility of the holder of the mining permit or prospecting right.
- Repair of the river-bank to reinstate its original profile to the satisfaction of the Regional Manager must take place immediately after such event has occurred and the river has subsided to a point where repairs can be undertaken.
- Final acceptance of rehabilitated river access points will be awarded only after the vegetation has re-established to a point where the Regional Manager is satisfied that the river-bank is stable and that the measures installed are of durable nature and able to withstand high river-flow conditions.

### **F3.2.2 Rehabilitation of mining/prospecting area in the bed of the river**

- The goal of rehabilitation with respect to the area where mining/prospecting has taken place in the river-bed is to leave the area level and even, and in a natural state containing no foreign debris or other materials and to ensure the hydrological integrity of the river by not attenuating or diverting any of the natural flow.
- All scrap and other foreign materials will be removed from the bed of the river and disposed of as in the case of other refuse (see section F2.3.2 above), whether these accrue directly from the mining/prospecting operation or are washed on to the site from upstream.
- Removal of these materials shall be done on a continuous basis and not only at the start of rehabilitation.
- Where reeds or other riverine vegetation have been removed from areas, these shall be re-established systematically in the approximate areas where they occurred before mining/prospecting.
- An effective control programme for the eradication of invader species and other exotic plants, shall be instituted on a regular basis over the entire mining/prospecting area under the control of the holder of the mining permit/prospecting right, both during mining/prospecting and at the stage of final rehabilitation.

## 2. THE WATER USE LICENSE

The National Water Act, (Act 36 of 1998), is based on the principles of sustainability, efficiency and equity, meaning that the protection of water resources must be balanced with their development and use.

In addition to being issued with a prospecting right or mining permit a small-scale miner may also need to get a **water use license** for the proposed water uses that will take place, except in certain cases.

*NOTE: The Department of Water Affairs and Forestry (DWAF) developed specific Best Practice Guideline for small scale mining that relates to stormwater management, erosion and sediment control and waste management. Copies of these guidelines can be obtained from the regional office of DME or DWAF.*

Applications for a water use license must be made in good time, such that approval can be granted before a water use activity can begin. The appropriate license forms for each kind of expected water use should be completed together with supporting documentation. The main supporting document required is a technical report. To make the technical report easier, you can refer to sections in this EMPlan, as most of what the technical report requires has already been done in the EMPlan. If you refer to the EMPlan it must be attached to the technical report.

### F3.3 EXCAVATIONS

#### F3.3.1 Establishing the excavation areas

- Whenever any excavation is undertaken for the purpose of locating and/or extracting ore bodies of all types of minerals, including precious stone-bearing gravels, the following operating procedures shall be adhered to:
  - ❖ Topsoil shall, in all cases (except when excavations are made in the river-bed), be handled as described in F2.1 above.
  - ❖ Excavations shall take place only within the approved demarcated mining/prospecting area.
  - ❖ Overburden rocks and coarse material shall be placed concurrently in the excavations or stored adjacent to the excavation, if practicable, to be used as backfill material once the ore or gravel has been excavated.
  - ❖ Trenches shall be backfilled immediately if no ore or precious stone-bearing gravel can be located.

#### F3.3.2 Rehabilitation of excavation areas

The following operating procedures shall be adhered to:

- The excavated area must serve as a final depositing area for the placement of tailings during processing.
- Rocks and coarse material removed from the excavation must be dumped into the excavation simultaneously with the tailings.
- Waste, as described in paragraph F2.3.2 above will not be permitted to be deposited in the excavations.
- Once excavations have been refilled with overburden, rocks and coarse natural materials and profiled with acceptable contours and erosion control measures, the topsoil previously stored, shall be returned to its original depth over the area.



- The area shall be fertilised if necessary to allow vegetation to establish rapidly. The site shall be seeded with a local or adapted indigenous seed mix in order to propagate the locally or regionally occurring flora.
- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation, be corrected and the area be seeded with a vegetation seed mix to his or her specification.

### **F3.4 PROCESSING AREAS AND WASTE PILES (DUMPS)**

#### **F3.4.1 Establishing processing areas and waste piles**

- Processing areas and waste piles shall not be established within 100 metres of the edge of any river channel or other water bodies.
- Processing areas should be established, as far as practicable, near the edge of excavations to allow the waste, gravel and coarse material to be processed therein.
- The areas chosen for this purpose shall be the minimum reasonably required and involve the least disturbance to vegetation.
- Prior to development of these areas, the topsoil shall be removed and stored as described in paragraph F2.1 above.
- The location and dimensions of the areas are to be indicated on the layout plan and once established, the processing of ore containing precious stones shall be confined to these areas and no stockpiling or processing will be permitted on areas not correctly prepared.
- Tailings from the extraction process must be so treated and/or deposited that it will in no way prevent or delay the rehabilitation process.

#### **F3.4.2 Rehabilitation of processing areas**

- Coarse natural material used for the construction of ramps must be removed and dumped into the excavations.
- On completion of mining/prospecting operations, the surface of the processing areas especially if compacted due to hauling and dumping operations, shall be scarified to a depth of at least 300mm and graded to an even surface condition and the previously stored topsoil will be returned to its original depth over the area.
- Prior to replacing the topsoil the material that was removed from the processing area will be replaced in the same order as it originally occurred.
- The area shall then be fertilised if necessary to allow vegetation to establish rapidly. The site shall be seeded with a local adapted indigenous seed mix.
- If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.

### **F3.5 TAILING DAM(S) (SLIMES DAM)**

The permission of the Regional Manager must be obtained should a tailings dam be constructed for the purpose of handling the tailings of the mining/prospecting operations. The construction, care and maintenance of tailings dams have been regulated and the relevant regulation is copied herewith, both for your information and as a guideline to the commissioning, management, operation, closing and aftercare of a tailings deposition facility.

**Regulation 73 promulgated under the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) requires the following:**

**Management of residue stockpiles and deposits**

56. (1) *The assessment of impacts relating to the management of residue stockpiles and deposits, where appropriate, must form part of the environmental impact assessment report and environmental management programme or the environmental management plan.*
- (2) *Residue stockpiles and deposits must be characterised in terms of its-*
- (i) *physical characteristics, which may include –*
    - (aa) *the size distribution of the principal constituents;*
    - (bb) *the permeability of the compacted material;*
    - (cc) *void ratios of the compacted material;*
    - (dd) *the consolidation or settling characteristics of the material under its own weight and that of Any overburden;*
    - (ee) *the strength of compacted material;*
    - (ff) *the specific gravity of the solid constituents; and*
    - (gg) *the water content of the material at the time of deposition, after compaction, and at other Phases in the life of the deposit.*
  - (ii) *chemical characteristics, which may include –*
    - (aa) *the toxicity;*
    - (bb) *the propensity to oxidize and/or decompose;*
    - (cc) *the propensity to undergo spontaneous combustion;*
    - (dd) *the pH and chemical composition of the water separated from the solids;*
    - (ee) *stability and reactivity and the rate thereof; and*
    - (ff) *neutralising potential.*
  - (iii) *mineral content, which include the specific gravity of the residue particles and its impact on partial segregation and consolidation;*
- (3) *Classification of residue stockpiles and deposits*
- (a) *All residue stockpiles and deposits must be classified into one or a combination of the following categories-*
    - (i) *The safety classification to differentiate between residue stockpiles and deposits of high, medium and low hazard on the basis of their potential to cause harm to life or property; and*
    - (ii) *The environmental classification to differentiate between residue stockpiles and deposits with:*
      - (aa) *a potentially significant impact on the environment due to its spatial extent, duration and intensity of potential impacts; or*
      - (bb) *no potentially significant impact on the environment.*
  - (b) *All mine residue stockpiles and deposits must be classified by a suitably qualified person(s).*
  - (c) *The classification of residue stockpiles and deposits shall determine the –*
    - (i) *level of investigation and assessment required;*
    - (ii) *requirements for design, construction, operation, decommissioning, closure and post closure maintenance; and*
    - (iii) *Qualifications and expertise required of persons undertaking the investigations, assessments, design, construction thereof.*
  - (d) *The safety classification of residue stockpiles and deposits shall be based on the following criteria:*

Number of residents in zone of influence	Number of workers in zone of influence	Value of third party property in zone of influence	Depth to underground mine workings	Classification
0	< 10	0 – R2 m	>200m	Low hazard
1 – 10	11 – 100	R2m – R20m	50m – 200m	Medium hazard
> 10	> 100	> R20 m	< 50m	High hazard

- (e) A risk analysis must be carried out and documented on all high hazard residue stockpiles and Deposits.
- (f) The environment classification of residue stockpile and deposits must be undertaken on the basis of-
- (i) The characteristics of the residue;
  - (ii) The location and dimensions of the deposit (height, surface area);
  - (iii) The importance and vulnerability of the environmental components that are at risk; and
  - (iv) The spatial extent, duration and intensity of potential impacts.
- (g) An assessment of the environmental impacts shall be done on all environmental components which are significantly affected.
- (h) The assessment of impacts and analyses of risks shall form part of the environmental assessment and management programme.
- (4) Site selection and investigation:
- (a) The process of investigation and selection of a site must entail –
- (i) the identification of a sufficient number of possible candidate sites to ensure adequate consideration of alternative sites;
  - (ii) qualitative evaluation and ranking of all alternative sites;
  - (iii) qualitative investigation of the top ranking sites to review the ranking done in (ii);
  - (iv) a feasibility study to be carried out on the highest ranking site(s), involving -
    - (aa) a preliminary safety classification;
    - (bb) an environmental classification;
    - (cc) geotechnical investigations; and
    - (dd) groundwater investigations.
- (b) The geotechnical investigations may include-
- (i) the characterization of the soil profile over the entire area to be covered by the residue facility and associated infrastructure to define the spatial extent and depth of the different soil horizons;
  - (ii) the characterization of the relevant engineering properties of foundations soils and the assessment of strength and drainage characteristics.
- (c) The groundwater investigations may include-
- (i) the potential rate of seepage from the residue facility;
  - (ii) the quality of such seepage;
  - (iii) the geohydrological properties of the strata within the zone that could potentially be affected by the quality of seepage;
  - (iv) the vulnerability and existing potential use of the groundwater resource within the zone that could potentially be affected by the residue facility.
- (d) From these investigations, a preferred site must be identified.
- (e) Further investigation on the preferred site, shall include -
- (i) land use;
  - (ii) topography and surface drainage;
  - (iii) infrastructure and man-made features;
  - (iv) climate;
  - (v) flora and fauna;
  - (vi) soils;
  - (vii) ground water morphology, flow, quality and usage; and
  - (viii) surface water

- (f) *The investigations, laboratory test work, interpretation of data and recommendations for the identification and selection of the most appropriate and suitable site for the disposal of all residue that have the potential to generate leachate that could have a significant impact on the environment and groundwater must be carried out by a suitably qualified person.*
- (5) *Design of residue stockpile and deposit*
- (a) *The design of the residue stockpile and deposit shall be undertaken by a suitably qualified person.*
- (b) *An assessment of the typical soil profile on the site is required for residue stockpiles and deposits which*
- (i) *Have a low hazard potential; and*
  - (ii) *Have no significant impact on the environment.*
- (c) *The design of the residue stockpile and deposit must take into account all phases of the life cycle of the stockpile and deposit, from construction through to closure and must include -*
- (i) *The characteristics of the mine residue;*
  - (ii) *The characteristics of the site and the receiving environment;*
  - (iii) *The general layout of the stockpile or deposit, whether it is a natural valley, ring dyke, impoundment or a combination thereof and its 3-dimensional geometry at appropriate intervals throughout the planned incremental growth of the stockpile or deposit;*
  - (iv) *The type of deposition method used; and*
  - (v) *The rate of rise of the stockpile or deposit.*
- (d) *Other design considerations, appropriate to the particular type of stockpile and deposit must be incorporated –*
- (i) *The control of storm water on and around the residue stockpile or deposit by making provision for the maximum precipitation to be expected over a period of 24 hours with a frequency of once in a 100 years, in accordance with the regulations made under section 8 of the National Water Act, 1998;*
  - (ii) *The provision, throughout the system, of a freeboard of at least 0.5m above the expected maximum water level, in accordance with regulations made under the National Water Act, 1998, to prevent overtopping;*
  - (iii) *Keeping the pool away from the walls; where there are valid technical reasons for deviating from this, adequate motivation must be provided and the design must be reviewed by a qualified person as required in terms of sections 9(6) or 9(7) of the Mine Health and Safety Act, 1996;*
  - (iv) *The control of decanting of excess water under normal and storm conditions;*
    - (aa) *the retention of polluted water in terms of GN R991(9), where measures may be required to prevent water from the residue deposit from leaving the residue management system unless it meets prescribed requirements;*
    - (bb) *the design of the penstock, outfall pipe, under-drainage system and return water dams;*
    - (cc) *the height of the phreatic surface, slope angles and method of construction of the outer walls and their effects on shear stability;*
    - (dd) *the erosion of slopes by wind and water, and its control by (ee) vegetation, berms or catchment paddocks; and*
    - (ee) *the potential for pollution.*
- (e) *A design report and operating manual shall be drawn up for all residue stockpiles and deposits which -*
- (i) *Have a medium to high hazard; and*
  - (ii) *Have a potentially significant impact on the environment*
- (f) *Relevant information must be included in the draft environmental management programme or environmental management plan.*
- (6) *Construction and operation of residue deposits:*
- (a) *The holder of any right or permit in terms of the Act, must ensure that-*
- (i) *the residue deposits, including any surrounding catchment paddocks, is constructed and operated in accordance with the approved environmental management programme or environmental management plan;*

- (ii) *the design of the residue deposit is followed implicitly throughout the construction thereof, and that any deviations from the design be approved by the Regional Manager and the environmental management programme and environmental management plan be amended accordingly;*
  - (iii) *as part of the monitoring system, measurements of all residues transported to the site and of all surplus water removed from the site are recorded;*
  - (iv) *the provision for appropriate security measures be implemented to limit unauthorised access to the site and infusion into the residue deposit;*
  - (v) *specific action be taken in respect of any sign of pollution;*
  - (vi) *adequate measures be implemented to control dust pollution and erosion of the slopes; and*
  - (vii) *details of rehabilitation of the residue deposit be provided in the draft environmental management programme or environmental management plan.*
- (b) *A system of routine maintenance and repair in respect of the residue deposit must be implemented to ensure the ongoing control of pollution, the integrity of rehabilitation and health and safety matters at the site.*
- (7) *Monitoring of residue stockpiles and deposits:*
- (a) *A monitoring system for residue stockpiles and deposits with respect to potentially significant impacts as identified in the environmental assessment must be included in the environmental management programme or environmental management plan.*
  - (b) *In the design of a monitoring system for a residue stockpile or deposit, consideration must be given to-*
    - (i) *Baseline and background conditions with regard to air, surface and groundwater quality;*
    - (ii) *The air, surface and groundwater quality objectives;*
    - (iii) *Residue characteristics;*
    - (iv) *The degree and nature of residue containment;*
    - (v) *The receiving environment and specifically the climatic, local geological, hydrogeological and geochemical conditions;*
    - (vi) *Potential migration pathways;*
    - (vii) *Potential impacts of leachate;*
    - (viii) *The location of monitoring points and the prescribed monitoring protocols; and*
    - (ix) *The reporting frequency and procedures.*
- (8) *Decommissioning, closure and aftercare:*
- (a) *The decommissioning, closure and post closure management of residue deposits must be addressed in the closure plan, which must contain the following-*
    - (i) *the environmental classification, including assumptions on which the classification were based;*
    - (ii) *the closure objectives, final land use or capability;*
    - (iii) *conceptual description and details for closure and post closure management;*
    - (iv) *cost estimates and financial provision for closure and post-closure management; and*
    - (v) *residual impacts, monitoring and requirements to obtain mine closure in terms of the Act.*

### **F3.6 FINAL REHABILITATION**

- All infrastructure, equipment, plant, temporary housing and other items used during the mining period will be removed from the site (section 44 of the MPRDA)
- Waste material of any description, including receptacles, scrap, rubble and tyres, will be removed entirely from the mining area and disposed of at a recognised landfill facility. It will not be permitted to be buried or burned on the site.
- Final rehabilitation shall be completed within a period specified by the Regional Manager.

## F4 MONITORING AND REPORTING

### F4.1 Inspections and monitoring

- Regular monitoring of all the environmental management measures and components shall be carried out by the holder of the prospecting right, mining permit or reconnaissance permission in order to ensure that the provisions of this programme are adhered to.
- Ongoing and regular reporting of the progress of implementation of this programme will be done.
- Various points of compliance will be identified with regard to the various impacts that the operations will have on the environment.
- Inspections and monitoring shall be carried out on both the implementation of the programme and the impact on plant and animal life.
- Visual inspections on erosion and physical pollution shall be carried out on a regular basis.

**Regulation 55 promulgated in terms of the MPRDA requires the following:**

<b>Monitoring and performance assessments of environmental management programme or plan</b>
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- 1) *As part of the general terms and conditions for a prospecting right, mining right or mining permit and in order to ensure compliance with the approved environmental management programme or plan and to assess the continued appropriateness and adequacy of the environmental management programme or plan, the holder of such right must-*
  - (a) *Conduct monitoring on a continuous basis;*
  - (b) *Conduct performance assessments of the environmental management programme or plan as required; and*
  - (c) *Compile and submit a performance assessment report to the Minister to demonstrate adherence to sub-regulation (b)*
- 2) *The frequency of performance assessment reporting shall be-*
  - (a) *In accordance with the period specified in the approved environmental management programme or plan, or, if not so specified;*
  - (b) *As agreed to in writing by the Minister; or*
  - (c) *Biennially (every two years).*
- 3) *The performance assessment report, shall be in the format provided in guidelines that will from time to time be published by the Department and shall as a minimum contain-*
  - (a) *Information regarding the period that applies to the performance assessment;*
  - (b) *The scope of the assessment;*
  - (c) *The procedure used for the assessment;*
  - (d) *The interpreted information gained from monitoring the approved environmental management programme or plan;*
  - (e) *The evaluation criteria used during the assessment;*
  - (f) *The results of the assessment; and*
  - (g) *Recommendations on how and when deficiencies that are identified and/or aspects of non-compliance will be rectified.*
- 4) *The holder of a prospecting right, mining right or mining permit may appoint an independent qualified person(s) to conduct the performance assessment and compile the performance assessment report provided that no such appointment shall relieve the holder of the responsibilities in terms of these regulations.*
- 5) *Subject to section 30(2) of the Act, the performance assessment report submitted by the holder shall be made available by the Minister to any person on request.*

- 6) *If upon consideration by the Minister, the performance assessment executed by the holder is not satisfactory or the report submitted by the holder is found to be unacceptable, the holder must-*
- (a) *Repeat the whole or relevant parts of the performance assessment and revise and resubmit the report; and/or*
  - (b) *Submit relevant supporting information; and/or*
  - (c) *Appoint an independent competent person(s) to conduct the whole or part of the performance assessment and to compile the report.*
- 7) *If a reasonable assessment indicates that the performance assessment cannot be executed satisfactorily by the holder or a competent person(s) appointed by the holder, the Minister may appoint an independent performance assessment person(s) to conduct such performance assessment. Such appointment and execution shall be for the cost of the holder.*
- 8) *When the holder of a prospecting right, mining right or mining permit intends closing such operation, a final performance assessment shall be conducted and a report submitted to the Minister to ensure that –*
- (a) *The requirements of the relevant legislation have been complied with;*
  - (b) *The closure objectives as described in the environmental management programme or plan have been met; and*
  - (c) *All residual environmental impacts resulting from the holder's operations have been identified and the risks of latent impacts which may occur have been identified, quantified and arrangements for the management thereof have been assessed.*
- 9) *The final performance assessment report shall either precede or accompany the application for a closure certificate in terms of the Act.*

#### **F4.2 Compliance reporting / submission of information**

- Layout plans will be updated on a regular basis and updated copies will be submitted on a biennial basis to the Regional Manager.
- Reports confirming compliance with various points identified in the environmental management programme will be submitted to the Regional Manager on a regular basis and as decided by the said manager.
- Any emergency or unforeseen impact will be reported as soon as possible.
- An assessment of environmental impacts that were not properly addressed or were unknown when the programme was compiled shall be carried out and added as a corrective action.

#### **F5.1 ENVIRONMENTAL RISK REPORT**

*"An application for a closure certificate must be accompanied by an environmental risk report which must include-*

- (a) *the undertaking of a screening level environmental risk assessment where -*
  - (i) *all possible environmental risks are identified, including those which appear to be insignificant;*
  - (ii) *the process is based on the input from existing data;*
  - (iii) *the issues that are considered are qualitatively ranked as -*
    - (aa) *a potential significant risk; and/or*
    - (bb) *a uncertain risk; and/or*
    - (cc) *an insignificant risk.*
- (b) *the undertaking of a second level risk assessment on issues classified as potential significant risks where -*
  - (i) *appropriate sampling, data collection and monitoring be carried out;*
  - (ii) *more realistic assumptions and actual measurements be made; and*
  - (iii) *a more quantitative risk assessment is undertaken, again classifying issues as posing a potential significant risk or insignificant risk.*
- (c) *assessing whether issues classified as posing potential significant risks are acceptable without further mitigation;*
- (d) *issues classified as uncertain risks be re-classified as either posing potential significant risks or insignificant risks;*
- (e) *documenting the status of insignificant risks and agree with interested and affected persons;*
- (f) *Identifying alternative risk prevention or management strategies for potential significant risks which have been identified, quantified and qualified in the second level risk assessment;*

- (g) *agreeing on management measures to be implemented for the potential significant risks which must include-*
- (i) a description of the management measures to be applied;*
  - (ii) a predicted long-term result of the applied management measures;*
  - (iii) the residual and latent impact after successful implementation of the management measures;*
  - (iv) time frames and schedule for the implementation of the management measures;*
  - (v) responsibilities for implementation and long-term maintenance of the management measures;*
  - (vi) financial provision for long-term maintenance; and*
  - (vii) monitoring programmes to be implemented."*

## **F5.2 CLOSURE OBJECTIVES**

Closure objectives form part of this EMPlan and must-

- (a) a description of the closure objectives and how these relate to the prospecting or mine operation and its environmental and social setting;
- (b) a plan contemplated in Regulation 2(2), coordinated according to generally accepted standards, showing the land or area under closure;
- (c) a summary of the regulatory requirements and conditions for closure negotiated and documented in the environmental management programme or plan;
- (d) a summary of the results of the environmental risk report and details of identified residual and latent impacts;
- (e) a summary of the results of progressive rehabilitation undertaken;
- (f) a description of the methods to decommission each prospecting or mining component and the mitigation or management strategy proposed to avoid, minimize and manage residual or latent impacts;
- (g) details of any long-term management and maintenance expected;
- (h) details of financial provision for monitoring, maintenance and post closure management, if required;
- (i) a plan or sketch at an appropriate scale describing the final land use proposal and arrangements for the site;
- (j) a record of interested and affected persons consulted; and
- (k) technical appendices, if any.

## **F5.4 TRANSFER OF ENVIRONMENTAL LIABILITIES TO A COMPETENT PERSON**

Should the holder of a prospecting right, mining permit or reconnaissance permission wish to transfer any environmental liabilities and responsibilities to another person or persons, the following will pertain:

- (1) An application to transfer environmental liabilities to a competent person in terms of section 48) of the Act, must be completed on Form O as set out in Annexure 1 to the Regulations and be lodged to the Minister for consideration.
- (2) The holder of the prospecting right, mining right or mining permit may transfer liabilities and responsibilities as identified in the environmental management plan and the required closure plan to a competent person as contemplated in Regulation 58.
- (3) When considering the transfer of environmental liabilities and responsibilities in terms of section 48) of the Act, the Minister must consult with any State department which administers any law relating to matters affecting the environment.
- (4) No transfer of environmental liabilities and responsibilities to a competent person may be made unless the Chief Inspector of Mines and the Department of Water Affairs and Forestry have confirmed in writing that the person to whom the liabilities and safety and management of potential pollution of water resources.



**F5.5 NOTES ON LEGAL PROVISIONS**

**NOTE:** The holder of a prospecting right, mining permit or reconnaissance permission must also take cognisance of the provisions of other legislation dealing with matters relating to conservation, and which include, *inter alia*, the following:

- National Monuments Act, 1969 (Act 28 of 1969)
- National Parks Act, 1976 (Act 57 of 1976)
- Environmental Conservation Act, 1989 (Act 73 of 1989)
- National Environmental Management Act, 1998 (Act No 107 of 1998)
- Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965)
- The National Water Act, 1998 (Act 36 of 1998)
- Mine Safety and Health Act, 1996 (Act 29 of 1996)
- The Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983)

**SECTION G**

**G. SPECIFIC ADDITIONAL REQUIREMENTS DETERMINED BY THE REGIONAL MANAGER**

Officials in regional offices may use the following matrix to determine the necessity for additional objectives to be included in this Section of the document:

POTENTIAL ENVIRONMENTAL IMPACTS OF MINING										
Activity	Disturbance					Pollution				Visual
	Landform	Soil	Flora	Fauna	Heritage	Land	Water	Air	Noise	
Mining										
Access										
Topsoil removal										
Overburden removal										
Mineral Extraction										
Tailings disposal										
Water Abstraction										
Pipeline route										
Transport										
Accommodation										
Waste Disposal										
Electricity										
Hydrocarbon storage										
Workforce										

Please indicate VL, L, M, H and VH for Very Low, Low, Medium, High and Very High in each column to determine the main area and severity of impact.

G. This section outlines the specific additional requirements that may be set for the operation by the Regional Manager. Additional requirements will only have been set if the Regional Manager is of the opinion that there are specific impacts on the environment which will not be adequately mitigated by the provisions set within the standard version of the Environmental Management Plan. These requirements form part of the Environmental Management Plan and all elements and instructions contained herein must be complied with by the applicant.

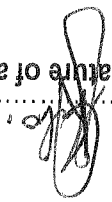


**SECTION H  
H. UNDERTAKING**


I, Les Koro the undersigned and duly authorised thereto by **BRICKRUSH (PTY) LTD** have studied and understand the contents of this document in its entirety and hereby undertake to adhere to the conditions as set out therein including the amendment(s) agreed to by the Regional Manager in Section G and approved on .....

Signed at Benoni this 05 day of November 2010

Signature of applicant



Designation



**SECTION J  
J. APPROVAL**

Approved in terms of Section 39(4) of the Mineral and Petroleum Resources Development Act, 2002 (Act 29 of 2002)

Signed at ..... This ..... Day of ..... 2010

REGIONAL MANAGER

REGION: .....

This document has been compiled by the Directorate: Mine Environmental Management of the Department of Minerals and Energy at their Head Office in Pretoria. Any comments, suggestions or inputs will be sincerely appreciated. If you have any comments or suggestions regarding this document or its application, please forward your contribution to:

The Director: Mine Environmental Management

Private Bag X59

PRETORIA

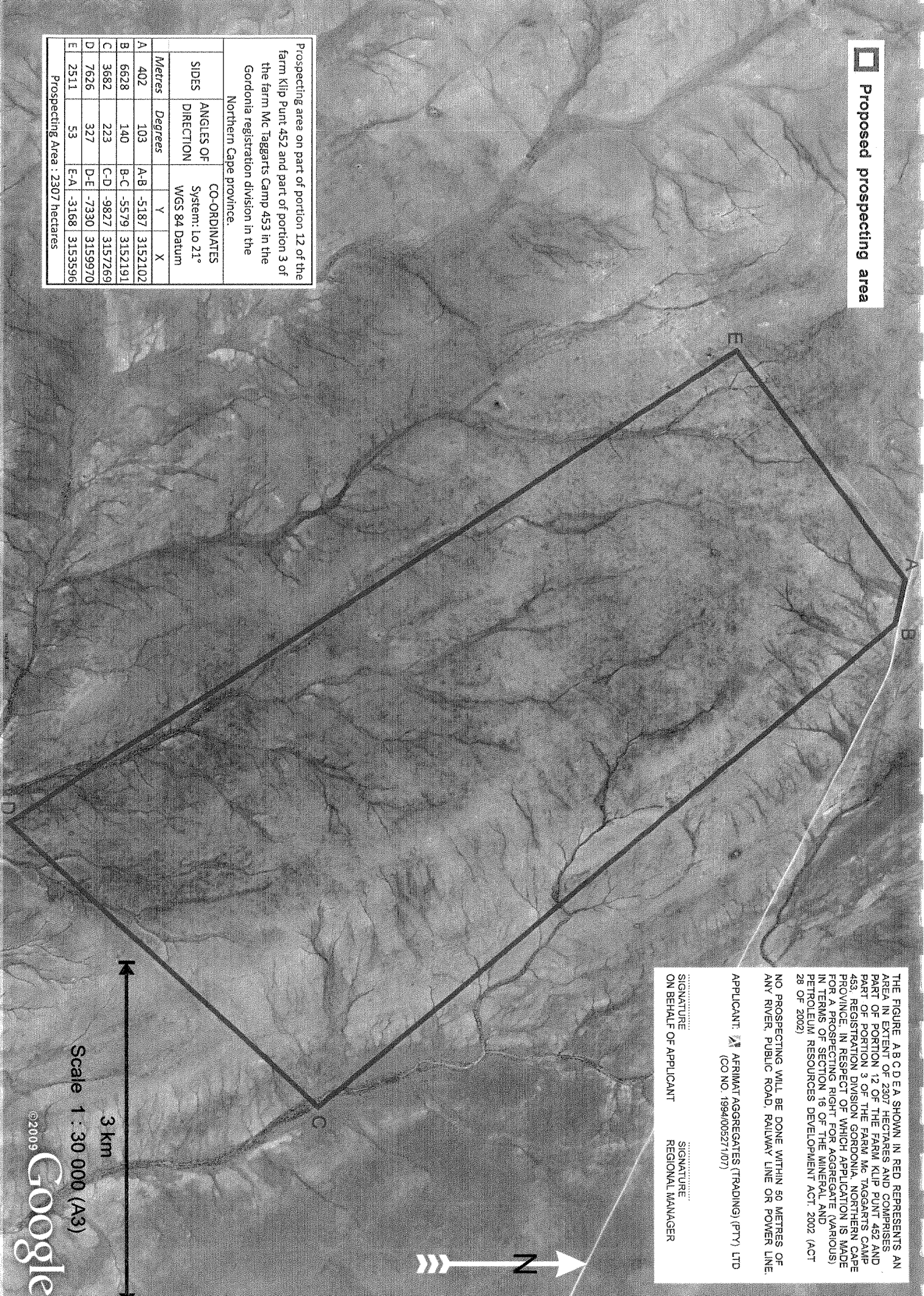
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E-mail: [Dorothy@mepta.pwv.gov.za](mailto:Dorothy@mepta.pwv.gov.za)

Fax: 012 320 6788

Tel: 012 317 9288

Proposed prospecting area



Prospecting area on part of portion 12 of the farm Klip Punt 452 and part of portion 3 of the farm Mc Taggarts Camp 453 in the Gordonia registration division in the Northern Cape province.

SIDES	ANGLES OF DIRECTION	CO-ORDINATES	
		System: LQ 21° WGS 84 Datum	
Metres	Degrees	Y	X
A	402	103	A-B -5187 3152102
B	6628	140	B-C -5579 3152191
C	3682	223	C-D -9827 3157269
D	7626	327	D-E -7330 3159970
E	2511	53	E-A -3168 3153596

Prospecting Area : 2307 hectares

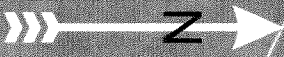
THE FIGURE ABCDEA SHOWN IN RED REPRESENTS AN AREA IN EXTENT OF 2307 HECTARES AND COMPRISES PART OF PORTION 12 OF THE FARM KLIP PUNT 452 AND PART OF PORTION 3 OF THE FARM Mc TAGGARTS CAMP 453, REGISTRATION DIVISION GORDONIA, NORTHERN CAPE PROVINCE, IN RESPECT OF WHICH APPLICATION IS MADE FOR A PROSPECTING RIGHT FOR AGGREGATE (VARIOUS) IN TERMS OF SECTION 16 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT: 2002 (ACT 28 OF 2002)

NO PROSPECTING WILL BE DONE WITHIN 50 METRES OF ANY RIVER, PUBLIC ROAD, RAILWAY LINE OR POWER LINE.

APPLICANT AFRIMAT AGGREGATES (TRADING) (PTY) LTD  
(CO NO. 1994/00527/107)

.....  
SIGNATURE  
ON BEHALF OF APPLICANT

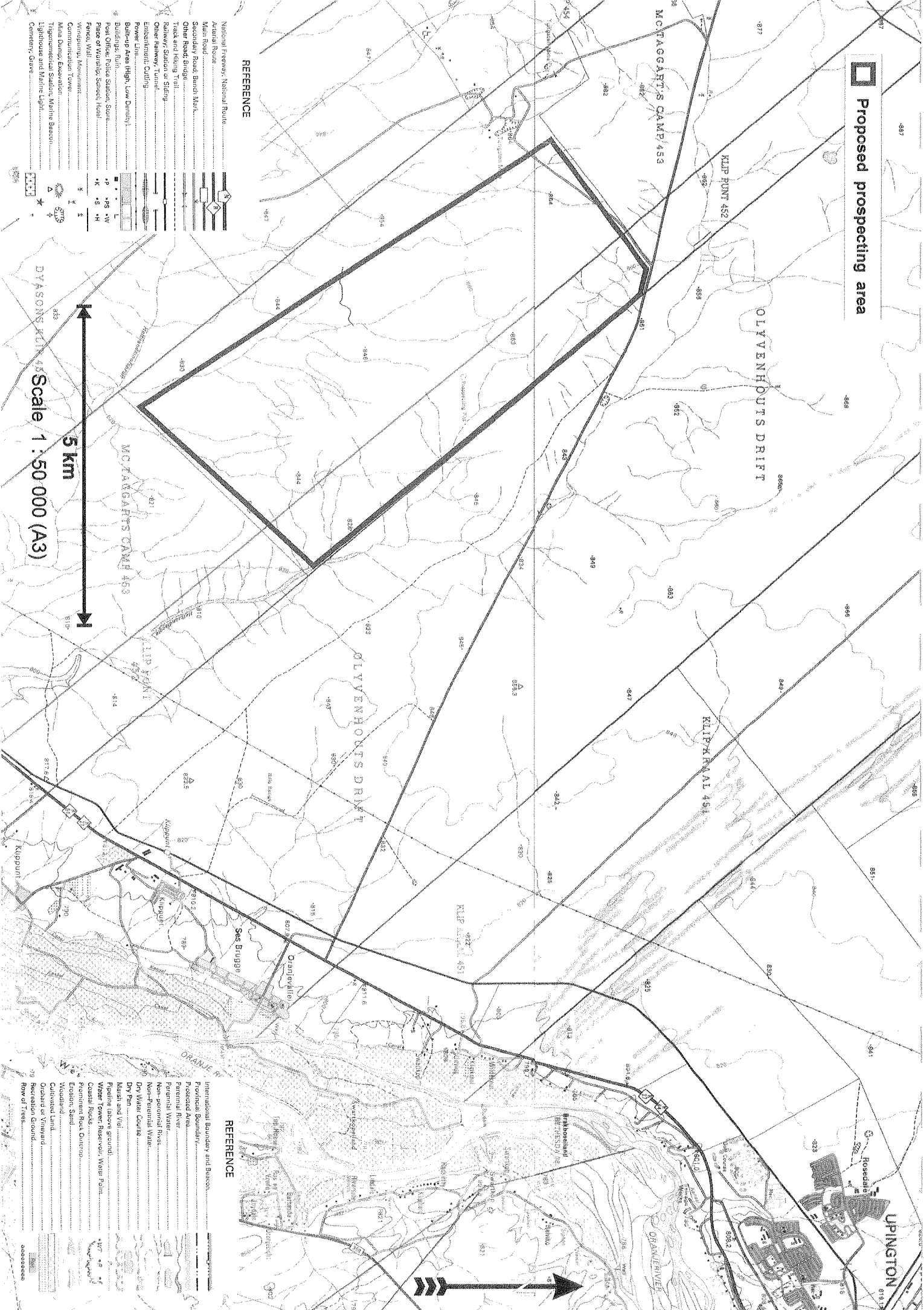
.....  
SIGNATURE  
REGIONAL MANAGER



3 km

Scale 1 : 30 000 (A3)

 Proposed prospecting area



**REFERENCE**

- National Freeway, National Route
- Aerial Road
- Main Road
- Other Road
- Track and Hiking Trail
- Railway Station or Siding
- Other Railway, Tunnel
- Enclavement, Cutting
- Power Line
- Buildings, Ruin
- Post Office, Police Station, Store
- Place of Worship, School, Hotel
- Fence, Wall
- Windmill, Monument
- Communication Tower
- Mine Dump, Excavation
- Trigonometrical Station, Marine Beacon
- Lighthouse and Marine Light
- Cemetery, Grave

**REFERENCE**

- International Boundary and Section
- Provincial Boundary
- Provincial Area
- Parental Water
- Non-parental Water
- Non-parental Water
- DRY Water Course
- Dry Pen
- Mud and Vile
- Pebbles (above ground)
- Water Tower, Reservoir, Water Pans
- Coastal Rocks
- Permanent River Outcrop
- Excursion Sand
- Woodland
- Cultivated Land
- Outline of Viewed
- Recreation Ground
- Row of Trees

Scale 1 : 50 000 (A3)

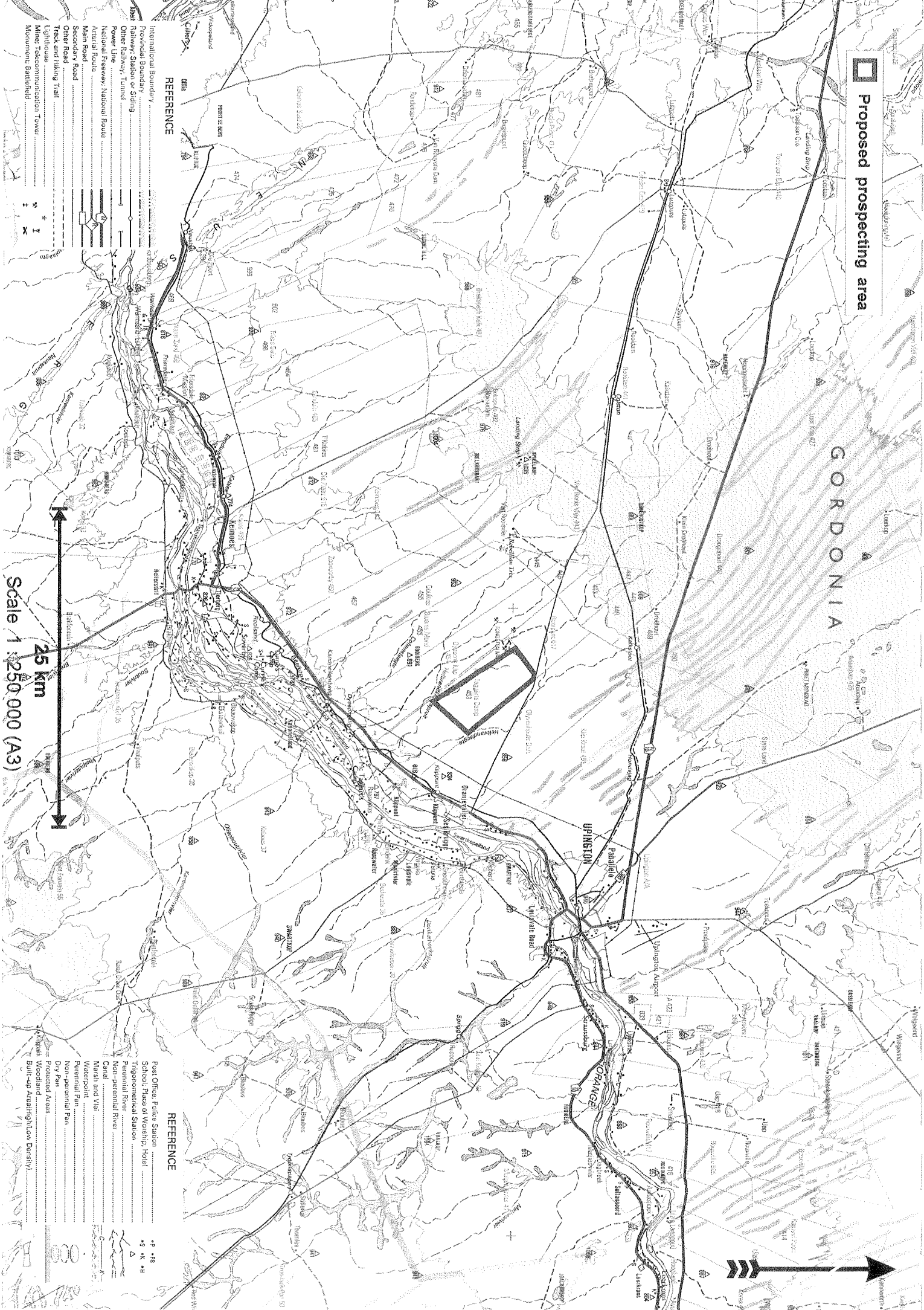
5 km

Proposed prospecting area

GORDONIA

UPINGTON

ORANGE



REFERENCE

- International Boundary
- Provincial Boundary
- Railway Station or Siding
- Other Railway: Tunnel
- Power Line
- National Freeway, National Route
- Main Road
- Secondary Road
- Other Road
- Track and Fencing Trail
- Lighthouse
- Mine: Telecommunication Tower
- Monument: Battlefield

REFERENCE

- Post Office, Police Station
- School: Place of Worship, Hotel
- Triangulation Station
- Perennial River
- Non-perennial River
- Marsh and Vlei
- Waterpoint
- Non-perennial Pan
- Dry Pan
- Protected Areas
- Woodland
- Built-up Area (High/Low Density)

Scale 1:250,000 (A3)  
25 km



**Proposed prospecting area**



**REFERENCE**

- Post offices, police stations and ASARS
- Schools, churches and mosques
- Masson station
- Water
- Basins with heights and margins
- Perennial rivers
- Non-perennial rivers
- Dry pans
- Ferrous and saline
- Perennial rivers
- Non-perennial rivers
- Marshes and fens
- Wetlands

**REFERENCE**

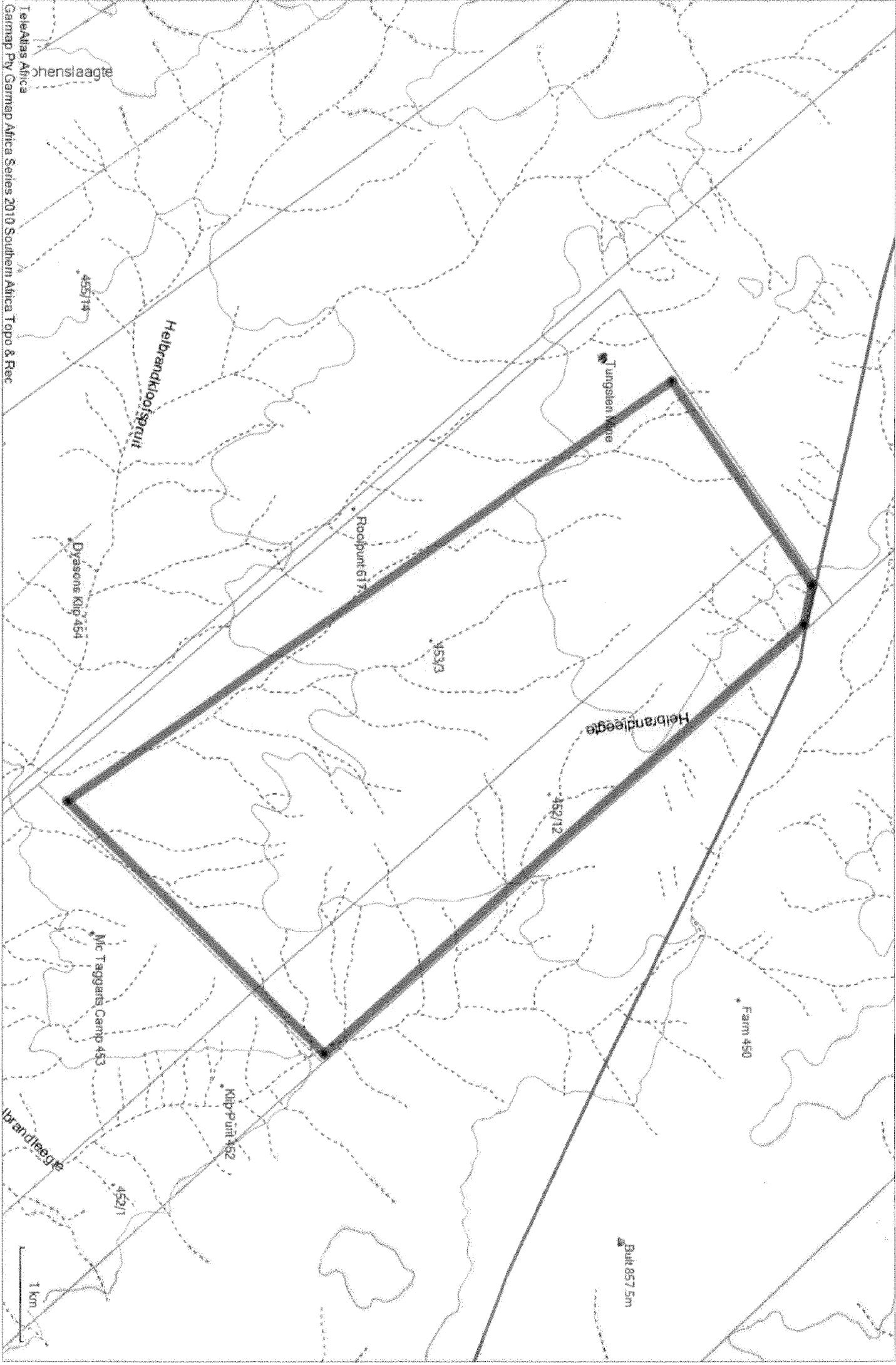
- International boundaries
- Provincial boundaries
- Sea walls
- Narrow gauge or light
- Standard gauge
- Power lines
- Atmospheric
- Water cables
- Overhead cables
- Other roads
- Fences and boundaries
- Game and other reserve boundaries

25 Km  
Scale 1:250 000 (A3)











Case 1348



# mineral resources

Department:  
Mineral Resources  
**REPUBLIC OF SOUTH AFRICA**

Private Bag x14, Springbok 8240, Andia Building, Voortrekker Street, Springbok 8240  
Tel: 027- 712 8163. Fax 027-7121959; E-mail: [deidre.williams@dmr.gov.za](mailto:deidre.williams@dmr.gov.za).  
Ref: NCS 30/5/1/2/3/2/1(539)MR

15 November 2010

## REGISTERED MAIL

<p>The Director SAHRA  P O Box 4637 CAPE TOWN 8000</p>	
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**CONSULTATION IN TERMS OF SECTION 40 OF THE MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT, 2002 (ACT 28 OF 2002) FOR THE APPROVAL OF THE ENVIRONMENTAL MANAGEMENT PROGRAMME IN RESPECT OF THE FARM BRAZIL 329 ADMINISTRATIVE DISTRICT: NAMAQUALAND**

**APPLICANT: TRANS HEX OPERATIONS (PTY)LTD**

1. Attached herewith, please find a copy of the Environmental Management Programme to the received from the above-mentioned applicant, for your comments.
2. It would be appreciated if you could forward any written comments or requirements your department may have in the case in hand to this office on or before **15 February 2011**.
3. Consultation in this regard has also been initiated with other relevant Sate departments.
4. Your co-operation will be appreciated.

Yours faithfully

**REGIONAL MANAGER: MINERAL REGULATION  
NORTHERN CAPE REGION**