

APPENDIX 2.1 (A)

SYNOPTIC CV'S OF

JASPER MULLER AND KOBUS DU PLESSIS

Jasper Müller

Jasper L Müller (Pr.Sci.Nat.)



Date of Birth: 16 November 1957

Nationality: S A Citizen

Position in firm: Managing Director

Qualification:

B. Sc.: Geology and Geohydrology, UOFS, 1979

B. Sc. (Hons): Geohydrology, UOFS, 1980

M. Sc. (Cum Laude): Geohydrology, UOFS, 1984

Memberships:

Geological Society of SA : Ground Water Division
South African Council for Natural Scientific Professions
National Groundwater Association.

Period employed:

1981 Hydrologist with Dept. of Water Affairs.

1983 Researcher with Institute for Ground Water Studies, UOFS.

1987 Divisional Head, Geohydrology, Environmental Science Services

1988 Founded Jasper Müller Associates.

Jasper Müller received his training as geohydrologist at the Institute for Ground Water Studies (University of the Freestate). He worked at IGS as Researcher / Lecturer, specialising in numerical aquifer analyses.

He left IGS in 1986 and joined the consulting firm Terradata, where he was involved in projects related to ground water pollution and water supply.

In 1987 he was appointed at the consulting firm Environmental Science Services. His responsibility was to structure and build a division for water sciences (ground water and surface water). During his tenure at ESS he also floated a division on ground water monitoring.

During 1988, Jasper founded JMA, which has since evolved into a consulting firm employing 17 people. JMA is a multi-disciplinary team specialising in geohydrology.

Since 1988 Jasper Müller was involved on a consulting level on more than 200 JMA projects related to water supply, aquifer management, ground water quality investigations, ground water monitoring, ground water impact and risk modelling, ground water pollution remediation and litigative consultative work.

E-mail: jasper@jmaconsult.co.za

Kobus du Plessis

Kobus Du Plessis (Cand.Sci.Nat.)



Date of birth: 10 December 1986
Nationality: S A Citizen
Position in firm: Junior Scientist (ST 3)

Qualifications:

B.Sc. Conservation Ecology, US (2009)

FGASA Level 1 and 2 (Ulovane Environmental Training)

Period employed:

April 2010 - Dec 2011: Manage Private Tented Camp at Amakhala Game Reserve, Eastern Cape.

Feb 2012 - May 2012: Environmental Assistant, GNEC, Paarl.

May 2012: Junior Scientist, JMA Consulting, Delmas.

Kobus Du Plessis completed his studies in the field of Conservation Ecology at the University of Stellenbosch. During his time of study (2005 – 2009), he conducted fieldwork all over the Western Cape concentrating on various aspects of the Fynbos biome. He also worked in the Southern Cape, where he drew up a management plan for Botlierskop Private Game Reserve.

After completing his studies he was employed as a manager at Amakhala Private Game Reserve in the Eastern Cape.

At the beginning of 2012, he started doing his part-time Masters in Environmental Management at University of Stellenbosch.

At present he is responsible for environmental impact assessment studies and reports.

E-mail: kobus@jmaconsult.co.za

APPENDIX 6.1.1 (A)

**I&AP DATA BASE FOR THE LUSTHOF COLLIERY
PROJECT**

NAME	COMPANY	CONTACT NO.	EMAIL ADDRESS	PHYSICAL ADDRESS	POSTAL ADDRESS
JMA CONSULTING (PTY) LTD					
Jasper Müller	JMA Consulting (Pty) Ltd	Tel no: 013 – 655 1788 Cell no: 082 495 0169 Fax no: 013 – 665 2364	jasper@jmaconsult.co.za	15 Vickers Street, Delmas, 2210	P.O. Box 883, Delmas, 2210
Jaco van den Berg	JMA Consulting (Pty) Ltd	Tel no: 013 – 665 1788 Cell no: 082 499 4083 Fax no: 013 – 665 2364	jaco@jmaconsult.co.za	15 Vickers Street, Delmas, 2210	P.O. Box 883, Delmas, 2210
Kobus du Plessis	JMA Consulting (Pty) Ltd	Tel no: 013 – 665 1788 Fax no: 013 – 665 2364	kobus@jmaconsult.co.za	15 Vickers Street, Delmas, 2210	P.O. Box 883, Delmas, 2210
Rene Wolmarans	JMA Consulting (Pty) Ltd	Tel no: 013 – 665 1788 Fax no: 013 – 665 2364	rene@jmaconsult.co.za	15 Vickers Street, Delmas, 2210	P.O. Box 883, Delmas, 2210
Shane Turner	JMA Consulting (Pty) Ltd	Tel no: 013 – 665 1788 Fax no: 013 – 665 2364	shane@jmaconsult.co.za	15 Vickers Street, Delmas, 2210	P.O. Box 883, Delmas, 2210
BLACK GOLD COAL ESTATES					
Jamie Ferguson	Black Gold Coal Estates	Tel no: 013 – 690 3131 Cell no: 082 900 4448	ferguson@eastsidecoal.co.za	34 OR Tambo Road, Model Park, Witbank 1035	P.O Box 3185, Model Park, Witbank, 1035
Renee Swanepoel	Black Gold Coal Estates	Tel no: 013 – 690 3131 Cell no: 082 900 4448	renee@eastsidecoal.co.za	34 OR Tambo Road, Model Park, Witbank 1035	P.O Box 3185, Model Park, Witbank, 1035
Jannie Ackermann	Black Gold Coal Estates	Tel no: 013 – 690 3131	ackerman@eastsidecoal.co.za	34 OR Tambo Road, Model Park, Witbank 1035	P.O Box 3185, Model Park, Witbank, 1035
Alaefair Danton	Black Gold Coal Estates	Tel no: 013 600 2121	danton@eastsidecoal.co.za	34 OR Tambo Road, Model Park, 1035	P.O Box 3185, Model Park, 1035

PROSIDIENSI EINDHOVEN	DIKKE OORDE COÖP ERSTATES	TEL NO. 011 - 070 2151	pierre@inprocon.co.za	Witbank	Witbank, 1035
JMA SUB-CONTRACTORS					
Pierre du Toit	Inprocon Consulting Engineers	Tel no: 012 347 7794 Cell no: 083 659 3475	pierre@inprocon.co.za	Pretoria	P.O. Box 1286 Wingate Park, Gauteng 153
Dieter Kassier	Wetland Consulting Services (Pty) Ltd	Tel no: 012 349 2699 Cell no:	dieterk@wetlandcs.co.za	Pretoria	P O Box 72295 Lynnwood Ridge Gauteng 40
Marisa du Toit	RS2 - Socio-Cultural	082 564 5695 012) 6675325	mdutoit@rsrisksolutions.com	Centurion	
Johan Oosthuizen	RS2 -Socio-Cultural	082 557 3947 012) 6652817	joosthuizen@rsrisksolutions.com	Centurion	
An Kritzinger	RS2 - Socio-Economic	082 335 4126	an@futurelead.co.za	Pretoria Menlopark	
Danie Zeeman	Blast Management - Blasting and	082 854 2725 012) 3451443	danie@blastmanagement.co.za	Pretoria Moreletta	
Dieter Kassier	Wetland Consulting Services - I	012) 3492699	dieterk@wetcs.co.za	Pretoria CSIR	
Nicolette Krausse	Airshed Planning Professionals	082 493 7070 011) 8051940	nicolette@airshed.co.za	Midrand	
Izelle Muller	Zeli Design - Visuals	825784142	zeli.izellemuller@gmail.com	Delmas/Parys	
Ben van Zyl	Private - Noise	834693888		Wilgers	
Pierre du Toit	Inprocon - Surface water	083 659 3475 012) 9932423	pierre@inprocon.co.za	Pretoria Moreletta	
Candice Gibson	Cameron Cross - Enviro-Legal	072 571 8782 012) 6646429	candice.gibson@cameronscross.co.za	Centurion	
LAND OWNER					
Hannes Botha	Owner Lusthof	Tel no: 017 843 3189 Cell no: 083 630 1251 Fax no: 017 843 3189	hanribotha@mweb.co.za	Lusthof	P.O. Box 1145, Carolina, 1185
FOCUS GROUP – DIRECT ADJACENT LANDOWNERS					
Danie Neethling	Mooifontein 35 IT / Remaining extent Lusthof	Cell: 082 821 3073	demooihof@gmail.com	Mooifontein	P.O. Box 488 Carolina, 1185
	De Jager Familie Trust				P.O. Box 28,

Werner de Jager	(Adjacent Landowner – Portion 5 Lusthof IT)	Cell no: 082 926 4565	gewaagd@vodamail.co.za	Lusthof	Wonderfontein, 1101
Hendrik & Rene de Jager	De Jager Familie Trust (Adjacent Landowner – Portion 5 Lusthof IT)	Tel: 013 297 1634 Cell: 082 926 4564 Fax: 013 297 1634	gewaagd@vodamail.co.za	Lusthof	P.O. Box 28, Wonderfontein, 1101
Pierre Duhain	Owner Lusthof Pt & Iona Farm	Tel no: 017 843 1969	pierreduhain@hotmail.com	Lusthof / Iona	
Koos Davel	Iona Farm	Cell no: 082 067 2347	davelengineering@vodamail.co.za	Iona	P.O. Box 981, Wingate Park, 153
Willem Davel	Iona Farm	Cell no: 082 338 7386 Fax no: 086 531 8126	davels@wol.co.za	Iona	Postnet Suite 195, Private Bag x7260, Witbank, 1035
Fanie Nel	Florence 78 IT	Cell: 082 492 7031	1950@webmail.co.za	Florence	
FOCUS GROUP – OTHER LANDOWNERS					
Koos Pretorius	MPLDG	Cell no: 083 986 4400	d.zoekop@lando.co.za	Zoekop	
Rouxjtjie le Roux	Rouxjtjie le Roux Trust	Tel no: 017 843 2440 Cell no: 082 463 8929 Fax no: 017 843 2440	witkrans@gmail.com	The Pearl	P.O. Box 60, Carolina, 1185
Charl Koen	Rouxjtjie le Roux Trust	Cell no: 082 827 7129 Fax No: 011 522 0347	charl.koen@sasol.com		P.O. Box 11336, Palms, Secunda, 2302
Antonius Sanders	Chrissiesmeer Tourism	Tel no: 017 847 0008	Have no Email	Chrissiesmeer	P.O. Box 94, Chrissiesmeer, 2332
Gert van der Merwe	Private (Adjacent Landowner - Fairview)	Cell no: 084 700 1932	Have no Email	Fairview	P.O. Box 124, Carolina, 1185
IDENTIFIED INTERESTED AND AFFECTED PARTIES					
Priet van Deventer	Northwest University	Cell no: 082 855 4533	10058591@nwu.ac.za / pietwvd@lantic.net	Potchefstroom	

Pieter Geldenhuys	Carolina Boekhou	Cell no: 082 555 8444 Fax no: 082 772 9855	cboekhou@vodamail.co.za	Lusthof	P.O. Box 61, Carolina, 1185
Judy Anderson	Driefontein Farm	Cell no: 084 240 3283 Fax no: 084 240 3283	socandjudy@vodamail.co.za	Driefontein Farm	P.O. Box 67, Chrissiesmeer, 2332
Hendrik Botha	HJ Boerdery	Cell no: 083 556 2377	hennobotha@yahoo.com	Breytenbach Str 32, Carolina, 1185	P.O. Box 167, Carolina, 1185
Leon Dormehl	NG Kerk Omgewings Groep	Cell no: 083 723 7920	leon.dormehl@gmail.com	Carolina	
Ds Prinsloo	NG Kerk Omgewings Groep	Cell no: 082 920 6852	mfb@lando.co.za	Carolina	
Ursula Franke	Highveld Grasslands Crane Conservation Project - Endangered Wildlife Trust	Cell: 083 332 8859 Tel: 017 811 2817 Fax: 086 589 2532	ursulaf@ewt.org.za	Ermelo	PostNet Suite #1791 Private Bag X9013 Ermelo, 2350
IDENTIFIED AUTHORITIES					
MTPA					
Brain Morris	MTPA	Cell: 084 579 7979	enviroteq@gmail.com	Nelspruit	
Mervyn Lotter	MTPA	Fax: 013) 235 2395	mervyn@mtpa.co.za	Nelspruit	
Frans Krige	Mpumalanga Tourism & Parks Agency	Tel no: 013 254 0279	franskrige@telkomsa.net	Dullstroom	
Vaino Prinsloo	Mpumalanga Tourism & Parks Agency	Cell no: 082 468 5447	vaino@vodamail.co.za	Ermelo	
Ronell Niemand	Mpumalanga Tourism & Parks Agency	Tel no: 013 759 5573	ronell@mtpa.co.za	Nelspruit	
DEDET					
G. Cowden	MDEDET	Fax: 071) 541 7783 Cell: 073 759 4087	gcowden@mpg.gov.za	Nelspruit	
Garth Batchelor	DEDET	Cell: 082 771 7998	gbatchelor@mpg.gov.za	Nelspruit	
Surgeon Marebane	DEDET	Tel no: 017 811 4815/ 017 819 1155 Cell no: 079 841 9582	stmarebane@mpg.gov.za	Ermelo	
Bulelwa Shabalala	DEDET	Tel: 017 811 4830 Cell: 076 213 6874	shabalalabn@mpg.gov.za	Ermelo	

Nelisiwe Mlangeni	DEDET	Tel: 017 811 4830 Cell: 076 481 7250	mlangeninn@mpg.gov.za	Ermelo	
Other Authorities					
Miss Halaliswe Mdlletshe	Department of Water Affairs - Dundee	Tel no: 034 212 1158 Cell no: 082 325 9741	mdlletsheh@dwaf.gov.za	No 26 Beaconsfield stree Dundee	Private Bag X 2015 Dundee 3000
Lucky Hadebe	Gert Sibande District Municipipal Albert Luthuli Local Municipality	Cell no: 083 336 4930 Tel no: 017) 843 4072 Cell no: 082 546 4151	lucky.hadebe@gsibande.gov.za thabethenp@albertluthuli.gov.za	Chrissiesmeer Albert Luthuli	
Walter Mwangomezulu	Ward Councillor - Ward 21	Tel no: 017) 843 4035 Cell no: 082 359 9252	mngomezulumw@albertluthuli.gov.za		
Bonile Mdutjulwa	Albert Luthuli Local Municipality - Project Manager (MMC)	Tel no: 017) 843 4084 Cell no: 073 219 6878	mdutjulwab@albertluthuli.gov.za		
Martha Makonyane	Department of Mineral Resources – Witbank	Tel no: 013) 653 0500 Cell no: 082 447 2400	Martha.Makonyane@dme.gov.za	Witbank	
Helen Maumela	Department of Mineral Resources – Witbank	Tel no: 013) 653 0500	helen.maumela@dmr.gov.za	Witbank	CASE OFFICER
Themba Mazibuko	Department of Mineral Resources – Witbank	Tel no: 013) 653 0500	Themba.mazibuko@dmr.gov.za	Witbank	
Frans Mashabela	Department of Agriculture	Tel no: 013 754 0730	fransmas@nda.agric.za	Nelspruit	P.O. Box 8906, Nelspruit, 1200
Nkosazana Machete	South African Heritage Resources Agency	Tel no: 013 752 2884 Fax: 013 752 8498	nmachete@mp.sahra.org.za	Nelspruit	P.O. Box 18403, Nelspruit, 1200
Careen Swart	Department of Health	Tel no: 013 766 3448 Fax : 086 5492 969 Cell no: 082 820 7950	Careens@social.mpu.gov.za	Nelspruit	Private Bag X 11285, Nelspruit, 1200
Peter Sonemann	Department of Public Works	Tel: 013 766 8528 Fax: 013 766 8449	psonemann@mpg.gov.za	Nelspruit	
OTHER I&AP's FOR 2012					
Carolyn Ah Shene-Verdoorn	BirdLife South Africa (Policy & Advocacy Manager)	011) 789 1122	advocacy@birdlife.org.za	Lewis House, Barkston Blaingownie, 2194	P O Box 515, Randburg, 2125

Charmaine Uys	BirdLife South Africa Mpumalanga Regional Conservation Manager	Tel: 011) 7891122	grasslands@birdlife.org.za ewt@ewt.org.za	Lewis House, 239 Barkston Drive, Blairgowrie, 2194	P O Box 515, Randburg, 2125
	Endangered Wildlife Trust	Tel: 011) 372 3600 Fax: 011) 608 4682		Pinelands Office Park, Ardeer Road, Modderfontein, 1609	Private Bag XI1, Modderfontein, 1645
SASOL GAS					
Jan Jordaan	Sasol Gas	Cell: 082 574 2843 Tel: 011 865 8508 Fax: 011 522 1938	ian.jordaan@sasol.com		
Neo Modise	Sasol Gas		neo.modise@sasol.com		
Piet-Nel de Vos	Sasol Gas		pietnel.devos@sasol.com		
Bruce van den Heuvel	Sasol Gas		bruce.vandenheuvel@sasol.com		
Machobane Goodwill	Sasol Gas		Goodwill.Machobane@sasol.com		
Stanley Bracey	Sasol Gas		Stanley.Bracey@sasol.com		

APPENDIX 6.1.2(A)

COPIES OF THE EIA APPLICATION FORMS



DELIVERED BY HAND

10 November 2012

Department of Economic Development, Environment & Tourism
Gert Sibande District
13 De Jager Street
P.O. Box 2777
Ermelo
2351

ATTENTION: Surgeon Marebane

BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY


EIA APPLICATION FORM

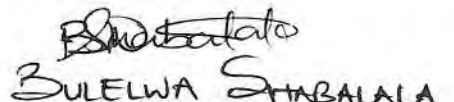
ACKNOWLEDGEMENT OF RECEIPT

Receipt of the EIA Application form is hereby acknowledged (**1 HARD COPY**).

Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


BULELWA STHABALALA
NAME:
For and on behalf of
DEDET Gert Sibande District

Date: 09/11/2012

Date: 9/11/2012

Time: 10:21

Time: 10h21

APPENDIX 6.1.3(A)

MINUTES OF PRE-APPLICATION MEETING WITH DMR



**LUSTHOF COLLIERY PROJECT
BLACK GOLD COAL ESTATES (PTY) LTD**

PRE-CONSULTATION MEETING

**DEPARTMENT OF MINERAL RESOURCES
WITBANK**

**11:00
12/09/2009**

NOTES FOR THE RECORD

NAME	COMPANY
Jasper Müller	JMA Consulting (Pty) Ltd
Riaan Fourie	JMA Consulting (Pty) Ltd
Bethuel Matodzi	DMR
Martha Makhonyane	DMR
André Cronje	DMR
Mashudu Mutengwe	DMR

Jasper Müller (JM) opened the meeting by introducing himself and the other member of JMA Consulting (Pty) Ltd that was present at the meeting. JM then gave a background description of the project indicating where it was located and that an EMPR for this mine has already been approved in June 2006, but that litigation action against the company by the surrounding landowners were preventing the mine from starting up. JM explained that the landowners would consider stopping the litigation action if an amendment was made to the current approved EMPR with special focus of the investigation on the impact of the mine on the groundwater, surface water management, and, post-closure rehabilitation, as these were the issues that were most dissatisfied with within the current EMPR

Andre Cronje stated that this mine was located within a very sensitive area and gave an indication on what methodology the DMR would find appropriate when the baseline studies of the environment were undertaken.

JM then discussed the project timelines and how this EMPR amendment can be synchronized with other environmental processes. JM asked DMR that if JMA submits the relevant documents by the end of July 2010 would they be able to provide approval by the end of October 2010. DMR indicated that it would be possible depending on whether everything is comprehensively addressed in the submitted documents. JM asked DMR whether the same documentation that is to be submitted to DEDET can be submitted to DMR. And DMR indicated that they would rather want their own copy focussing on relevant mining aspects in order to avoid having to process redundant information not applicable to the EMPR process.

These Notes for the Record were compiled by:



Riaan Fourie
(**Cand.Sci.Nat**)

APPENDIX 6.1.3(B)

MINUTES OF PRE-APPLICATION MEETING WITH DEDET

**LUSTHOF COLLIERY PROJECT
BLACK GOLD COAL ESTATES (PTY) LTD**

**PRE-CONSULTATION MEETING
DEPARTMENT OF ECONOMIC DEVELOPMENT ENVIRONMENT & TOURISM
ERMELO**



**10:00
21 OCTOBER 2009**

NOTES FOR THE RECORD

NAME	COMPANY
Jasper Müller	JMA Consulting (Pty) Ltd
Riaan Fourie	JMA Consulting (Pty) Ltd
Surgeon Marabane	DEDET
Vaino Prinsloo	Mpumalanga Parks Board

Jasper Müller (JM) opened the discussions by introducing himself and the others present at the meeting. JM then gave a description of the proposed project and discussed the different environmental authorisations that are required for this project.

JM asked Surgeon Marabane (SM) whether the same documentation (Scoping Report; EIA/EMP Report) that will be submitted to DMR, can be submitted to DEDET. Whereupon SM replied that DEDET finds it difficult to process such thick documentation and to sift through them for the relevant information. SM suggested that the documentation that is to be submitted to DEDET, be compiled according to DEDET specific requirements as stipulated in the EIA Regulations.

SM raised the issue that if Waste License applications are relevant to the proposed project that JMA need to contact Mr. Theledi also at the DEDET Ermelo office. SM also mentioned that if hazardous waste is applicable, the documentation will need to go to Head Office and that if any other waste related activities are applicable, it will go to another department in DEDET and not the same department that will assess the EIA for activities listed in GNR 386 and GNR 387.

Riaan Fourie (RF) inquired what application forms are the ones that needs to be used, as the only application form which are available are still under the old MDALA letterhead. SM stated that the old MDALA EIA application forms are still the relevant ones.

JM asked what the preferred method of the public participation was and SM replied that the audience determines the method of public participation. SM stated the consultant is responsible for communicating the extent and scope of the project to all identified I&APs and the EAP is also responsible for collecting all of the comments and issues raised by them.

JM asked what other government departments they feel need to be informed, and SM replied that the Department of Health, and the Regional and Local Municipalities should be contacted.

Vaino Prinsloo indicated that both him and Frans Krige must be added as I&APs representing Mpumalanga Tourism & Parks Agency to this project.

These Notes for the Record were compiled by:

A handwritten signature in black ink, appearing to read 'Riaan Fourie', written over a horizontal line.

Riaan Fourie
(Cand.Sci.Nat)

APPENDIX 6.1.3(C)

MINUTES OF PRE-APPLICATION MEETING WITH DWA

**LUSTHOF COLLIERY PROJECT
BLACK GOLD COAL ESTATES (PTY) LTD**

**PRE-CONSULTATION MEETING
DEPARTMENT OF WATER AFFAIRS
DUNDEE**



**11:30
04 MARCH 2010**

NOTES FOR THE RECORD

NAME	COMPANY
Jasper Müller	JMA Consulting (Pty) Ltd
Riaan Fourie	JMA Consulting (Pty) Ltd
Halala Mdletshe	Department of Water Affairs

Jasper Müller (JM) opened the discussions by introducing the members of JMA Consulting (Pty) Ltd that were present at the meeting. JM then continued to give a detailed background description of the proposed project and went on to discuss the different environmental authorisations that are required for this project. JM also mentioned when the consultant would like to submit the relevant documentation for these processes.

Halala Mdletshe (HM) suggested that she could provide JMA with the format and the consultant then do the reserve determination as this would lead to the avoidance of unnecessary delays in the issuing of the integrated water use licence. JM stated that this would be in order.

JM made mentioned the compilation of an IWWMP inception report which will accompany the submission of the IWULA application forms. JM described the format in which JMA usually compile this report and asked HM whether DWA had any specific format in which they would like this report to be and HM indicated that such a format was not yet available. HM asked whether JMA have the relevant new IWULA application forms and JM indicated that they do have them.

JM continued to discuss the proposed project by describing the locality of the project. HM asked who was going to do the water monitoring and JM answered that details of this will be included in the water monitoring report. JM then discussed the identified water uses that will require an IWUL and HM suggested that a 21 (i) water use be added to this list to address the possible cut-off of surface water seepages during the construction of the open pit. JM discussed the exemptions which will be applied for from GN 704.

JM indicated where exactly in the formal EIA process the project was by stating that public participation phase 1 was already completed. HM requested a copy of the scoping report which will be submitted to DEDET. JM said that JMA will provide her with an electronic as well as a hard copy.

HM asked how many people would be on site and what would be the manner of sewage disposal. JM indicated that there will not be large amount of employees (approximately 30

people) at any given moment on the mine and indicated that he was not sure what the method of sewage disposal would entail but said that it would probably be in the form of portable toilets or a modular system. Details on this will be included in the reports to be submitted.

JM then discussed the specialist studies that will be undertaken during the next phase of the EIA process. HM indicated that she still will require a site visit and asked for directions to the site. JM said that this could be arranged with members of JMA to be present.

JM then discussed the road diversion that will be made and HM inquired what chemicals will be used during construction and potential pollution of water resources as a result thereof. JM stated that this issue will be investigated to a further extent. JM then explained the proposed mine layout. HM asked how big the mine is proposed to be and JM indicated that the mine will be approximately 74 ha. HM asked who is going to do the surface water studies as this seems to be very wet area and JM said that this will be done by civil engineering company named Inprocon Civils.

HM inquired about prospecting permits and whether this was in place, and JM indicated that the applicant already possess an approved EMPR so those permits should be in place.

JM then concluded the meeting by working through the table of contents of the scoping report and thanked HM for her time and willingness to this meeting.

These Notes for the Record were compiled by:

A handwritten signature in black ink, appearing to read 'Riaan Fourie', is written over a horizontal line. The signature is stylized and cursive.

Riaan Fourie
(Cand.Sci.Nat)

APPENDIX 6.1.3(D)

MINUTES OF PRE-APPLICATION MEETING WITH MTPA



LUSTHOF COLLIERY PROJECT

BLACK GOLD COAL ESTATES (PTY) LTD

MTPA FOCUS GROUP MEETING

NELSPRUIT

21 JUNE 2012

13:30

MINUTES OF THE MEETING

Present:

Jasper Müller (JM)	JMA Consulting (Pty) Ltd
Kobus Du Plessis (KP)	JMA Consulting (Pty) Ltd
Rene Wolmerans (RW)	JMA Consulting (Pty) Ltd
Allan Batchelor (AB)	Wetland Consulting Services (Pty) Ltd
Brain Morris (BM)	MTPA
Mervyn Lotter (ML)	MTPA
G. Cowden (GC)	MDEDET
G. Batchelor (GB)	DEDET

1. Opening, Welcome and Project Background

Jasper Muller (JM) welcomed everyone to the meeting and gave general background of the project and what transpired during the last three years. He further stated that BGCE, being a legitimate stakeholder, wants to mine in the area, and wants to do it in a responsible way. Black Gold Coal Estates (BGCE) would strive to accommodate the MTPA and wanted work together in order to move forward in the process. JM stated that this meeting was not part of the formal process, but that JMA, as the appointed EAP, wants to have a good understanding of the MTPA's point of view on the project.

2. Discussion

BM:

The main concern for MTPA is the RAMSAR site.

JM:

JM acknowledged it.

ML:

Stated that the MTPA did not get any feedback from MLDPG on previous discussions and asked if JM can give them a summary of what MTPA's main concerns and responses were in the past..

JM:

JM responded that the MTPA comments received, related mainly to the efforts to have the area formally protected and to have it developed as an eco-tourism destination. Also the potential impact of the mine on the environment, as well as the impact on the process of having the area protected.

BM:

Wanted to make sure that this meeting was not part of the formal EIA/Scoping process.

JM:

JM confirmed that the formal process had been terminated and explained what the reasons were. JM stated that the project would be taken through the formal process again and that the aim of the meeting was to consult the MTPA as to their views on re-entering the formal process.

BM:

BM stated that he was tasked to establish a protected area with the objective to eventually have it proclaimed as a RAMSAR site. BM presented a slideshow to inform JMA regarding the process, and elaborated on the project background, goals and their concerns as relating to mining activities in the area. A concern for potential impacts on Wetlands and Pans, as well as on birdlife was expressed. He informed the meeting that a Tourism Master Plan had been developed for the Chrissiesmeer lakes area.

JM:

JM acknowledged the MTPA's efforts for the larger area. He stated that based on extensive environmental and mine design investigations done for the mine, JMA and BGCE are confident that the mine can be managed in such a way that it would have a minimal impact, both during operation and post closure, on the water resources in the area. JM stated BGCE's commitment to mine responsibly and to support the MTPA's efforts as far as possible.

ML:

ML stated that within this area there are no room for mistakes and that the MTPA has worked with other mines before. He expressed his concern that what is stated on paper and what actually happens, are often two different things. He also stated his concern that once approved and operational, the mine could merely in future apply for an extension and that because the footprint is then disturbed, the state would approve the application for extension. In view of their objective to have the site declared as a RAMSAR site, the MTPA must be

convinced by any documentation submitted by JMA, that these risks are being minimized and addressed satisfactorily.

JM:

JM responded that for the mine to be environmentally acceptable, it had very specific design considerations and features, one of which was that the extent of mining had to be fixed. The EMP compiled by JMA will specifically state these critical requirements that the mine had to comply with. What JMA requires from the MTPA is to indicate any conditions that would be important to them and which they wanted to be written into the EMP.

ML:

ML requested JMA to standardize the use of measurement units for water in all documentation. He further requested that the documentation address the economic sustainability for the duration of Water Treatment Plant and how the WTP itself will be sustained over time. He further requested that Birdlife SA and the Endangered Wildlife Trust be involved in the process and requested that they be listed as Interested and Affected Parties (I&AP's) and that should consulted in the process.

JM:

JM responded that both Birdlife SA and the Endangered Wildlife Trust will be included as stakeholders and I&AP's in the process.

BR:

BR stated that the MTPA are attempting to establish the area as a major ecotourism site/area. He expressed his concern that mining would not be compatible with what the MTPA are trying to accomplish and stated that from his point of view they are not compatible.

JM:

JM acknowledged his concerns and then proceeded to ask if the MTPA would be prepared to agree that any formal negotiations in this regard could occur within the formal EIA process. JM explained that JMA wants to do this in the formal process but understands the concerns of certain stakeholders in this regard. JM further stated that JMA as the EAP are not making the decisions but merely generate the information for submission to the Competent Authority for decision making.

BR and ML:

BR and ML stated that from the MTPA's perspective, participation would have to be within the formal process. They see no alternative because the MTPA cannot comment unless they have access to the formal documentation to see what the project entails and how the area could be impacted. The MTPA needs to avail itself of the potential risks and issues involved and therefore required the EIA documentation. They stated that from the MTPA perspective tourism in the area is seen as the economic driver in the long run.

JM:

JM stated that BGCE is prepared to run the full process from scratch. He also stated that BGCE are prepared to commission proper economic assessments for the project. JM then elaborated on the financial assessment envisaged for the Water Treatment Plant (WTP). He explained the concepts of re-capitalization of plant and operational costs and further that a comprehensive financial assessment would be commissioned. The financial assessment will be reviewed by a person nominated by the MLDPG.

GB:

GB enquired if the WTP brines that will be generated, would be kept on site?

JM:

JM responded that the brines would be removed from site and disposed at an appropriate disposal facility.

BM:

BM expressed his concern about the trucks on the roads as a danger and impact, especially during the rainy season.

JM:

JM responded that the transport issue had been investigated. The relevant gravel roads would be upgraded to handle the increased traffic. The transport plan made provision that the trucks coming in would be using a different road from the ones going out.

(GC):

GC enquired as to the size of the Lusthof operation.

JM:

JM responded that Lusthof Colliery would be a small mine with the parent company as Black Gold Coal Estates. Coal from Lusthof Colliery will be taken to the nearby East Side Colliery, also a BGCE mine, for washing. Therefore no wash plant will be set up at Lusthof. At Lusthof it will only be an excavation. Only a small run of mine coal stockpile will be established at the mine. The open pit would be less than 90 ha.

BM:

BM enquired about whether an Independent Financial Trust Fund would be set up to cover costs for the water treatment plant in the case if something happens to BGCE.

JM:

A trust fund will be provided. A formal financial assessment will be commissioned by BGCE.

ML:

ML wanted to know if the mine and mine water would have any impact on the Te Vredepan?

AB:

AB responded that the pan was in a different catchment and that the mine would therefore not have an impact on the pan.

ML:

ML enquired if any ecological studies was done on the site.

AB

AB responded that such a study was conducted by Mr Mark Thompson for Wetland Consulting Services as part of their inputs into the Lusthof project.

ML:

ML wanted to know what the impact would be on the bird life. He asked whether an expert could be appointed to undertake a site specific study during the correct season.

JM:

JM responded that such a study could be considered.

BR:

BR enquired about the possibility for research by the MTPA through a Mine sponsored stewardship program.

JM:

JM indicated that BGCE are in principle prepared to work with stakeholders. The possibility for a contribution to research would be considered by BGCE.

ML:

ML suggested that a contribution by BGCE should form part of the formal conditions of the authorization.

JM:

JM responded that the MTPA must formally submit their concerns and requirements during the stakeholder/public participation process of the Scoping Phase.

GB:

GB stated that amphibians are very sensitive and that he would like to put a benchmark on that. He suggested that if blasting affects the amphibians, the mining at Lusthof could present an opportunity to investigate the matter.

ML:

ML responded that it could present an opportunity for post graduate studies for students.

JM:

JM responded by saying that all constructive comments and proposals would be taken up with BGCE and ensured the meeting that BGCE would consider them.

JM:

JM asked the MTPA if, subject to the discussions of the day, he could concluded that the MTPA would support the project to enter the formal authorization process.

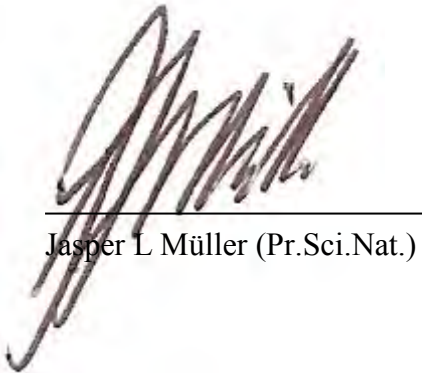
BR:

BR responded that the MTPA have a specific initiative in terms of the environment and that they could only comment on the project once the formal process, in terms of which they would receive formal information for review and comment, was underway. He confirmed that they can only engage the project within the formal process.

3. Closure

Everyone at the meeting indicated their satisfaction with the discussions. No further questions and issues were raised when the opportunity was given. Jasper Muller thanked everyone present for their time and assured them that the project will be conducted in a manner satisfactory to all parties involved.

Minutes compiled by:



Jasper L Müller (Pr.Sci.Nat.)



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Sustainable Environmental Solutions through integrated Science and Engineering

ATTENDANCE REGISTER

PROJECT : Lusthof Colliery Forum Focus Group Meeting		VENUE : Nelspruit DATE & TIME : 21 June 2012					
Nr	Name	Representing	Postal Address	Fax number	Contact Details	E-mail address	Sign
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APPENDIX 6.1.5(A)

MINUTES OF PRE-APPLICATION FOCUS GROUP

MEETING



**LUSTHOF COLLIERY
BLACK GOLD COAL ESTATES**

**FOCUS GROUP MEETING (I) -
ADJACENT LANDOWNERS**

22/08/2009

MINUTES OF THE MEETING

NAME	COMPANY
Jasper Müller	JMA Consulting (Pty) Ltd
Riaan Fourie	JMA Consulting (Pty) Ltd
Pierre du Toit	Inprocon Civil Engineers
Allan Bachelor	Wetland Consulting Services
Jamie Ferguson	Black Gold Coal Estates
Jannie Ackermann	Black Gold Coal Estates
Hannes Botha	Lusthof Eienaar
Jacobus Petrus le Roux	Rouxtjie le Roux Trust – Eienaar The Pearl
Charl Koen	Rouxtjie le Roux Trust
Antonius Sanders	Chrissiesmeer Tourism
Koos Pretorius	MPLDG
Willem Davel	Iona Boer
Koos Davel	Iona Boer
Pierre Dohain	Lusthof pt & Iona Eienaar

The meeting was opened by means of prayer by Hannes Botha, owner of the farm Lusthof.

Jasper Müller (**JM**) then formally started the meeting by discussing the different points of the agenda with the meeting, as handed out. JM also brought it under the attention of the members present (**Focus Group**) that certain changes have been made to the agenda and that it differs slightly from the one circulated to the persons present, prior to the meeting. JM asked the Focus Group if the agenda was acceptable, whether Focus Group is satisfied with the current format, and if the Focus Group would like to add anything to the points for discussion. The Focus Group were happy with the format.

JM then started with an introductory discussion to the meeting, whereby he explained the purpose and need for forming Focus Groups comprising of certain identified individuals (in this case adjacent landowners) and conducting meetings with these Focus Groups to convey certain information on a separate basis to these Focus Groups. JM however reminded the Focus Group that they are still part of a bigger group of Interested and Affected Parties (**IAPs**) for the official and overall Public Participation Process (**PPP**).

JM stated that JMA's main objectives for this meeting were to obtain an agreement on what exactly JMA Consulting (**JMA**) and Black Gold Coal Estates (**BGCE**) are intending for this project and what exactly they are currently busy with. JM stated that this will be achieved by

providing this Focus Group with pertinent information on the aims and objectives of the project and the intended route that is to be taken. JM said that this meeting have the added function of presenting the opportunity for this Focus Group to raise any issues and concerns that they may have with the proposed project. JM stressed the fact that a lot of information will be presented to the Focus Group during the meeting but that it will be in vain if JMA does not receive any comment from them. JM also emphasised the fact that if any member of the Focus Group have any concern or issue to raise that now (during and within the specified and agreed on time after the meeting) is the time to do so, so that JMA will be able to address such issues and concerns pre-emptively and during the planning phase of the proposed project, and not only after six months when JMA will already be well into the various formal processes that will have to be followed. JM clearly stated that ANY comment and concern from the Focus Group is seen as important and that if such issues do arise six months down the line it will still carry the same authority, but it is just a matter of planning and to be able to accommodate such concerns in the most effective manner possible.

JM mentioned that an extensive list of aspects of concern has already been received from Koos Pretorius (**KP**) and that these concerns already form part of the planning and is being addressed in the measures proposed for this project. JM said that everybody present in the meeting has a responsibility, JMA as Environmental Consultants, BGCE as the applicant and responsible body for implementing the proposed environmental management measures on the Mine, and the Focus Group to raise concerns and issues that they may have regarding the project, and that if everybody adheres to their responsibilities, the project will be an effective one.

JM concluded his introductory discussion by asking whether there were any questions at that moment. There were none.

JM then returned to the point's agenda and officially welcomed everybody present at the meeting. JM welcomed BGCE representatives and then continued to introduce Mr Allan Bachelor (**AB**) of Wetland Consulting Services. JM explained AB's role in the proposed project with regards to all aspects regarding wetlands and aquatic ecosystems which JMA acknowledge as being sensitive issues to the Focus Group, as well as post closure land use which is intended to be as close to natural as possible. JM also introduced Mr Pierre du Toit who is a Civil Engineer and will be responsible for all of the conceptual designs for infrastructure pertaining to surface water and storm water management during the operational and post closure phases. JM then gave background information on himself and of the JMA Consulting Company. JM introduced Riaan Fourie (**RF**) and stated that RF will be responsible for all communication between JMA and IAPs as well as communications with the Relevant Authorities, and to ensure that the various legal processes required will be followed and complied with. JM stated that RF will be responsible for compiling Minutes to this Meeting and that the meeting will be recorded to ensure effectiveness and completeness of these Minutes to the Meeting.

JM started to explain the background to this project by briefly discussing the history of developments of the project, up to the point in 2006 where Mr Koos Pretorius (**KP**) asked JMA to critically review the approved EMPR to identify shortcomings in the document and whether any suggestions can be made by JMA on these shortcomings. JM stated that this was done and the findings of JMA were handed over to KP. JM said that after this for a period of 18 months nothing was heard of again of this project. JM stated that in 2008 however JMA was approached by BGCE after discussions held between KP and BGCE. JMA then became involved in discussions with BGCE and KP where it was decided that JMA must come up with propositions of how the critical aspects of the approved EMPR must be readdressed in order to be able to draw up an Environmental Management Plan (**EMP**) that is acceptable to members of this Focus Group that formed part of the dispute. This being necessary, to ensure that the current dispute between BGCE and members of the Focus Group can be resolved, in order for BGCE to be able to continue their proposed mining activities on the farm Lusthof.

JM stated that the EMPR was reviewed again and it was decided that JMA will focus directly on two aspects, these being the **water management aspects** and **post closure rehabilitation** of the proposed mine. JM explained that JMA had a problem with the water management measures in the approved EMPR. JM stated that extensive shortcomings in documentation regarding both how the baseline studies were conducted and baseline conditions were determined, and shortcomings regarding the impact assessment methodology that was used with certain key impacts that was overlooked and other identified impacts that was judged to be worse than that which they are actually likely to be. JM then said that all surface water studies will need to be done again, all ground water studies will be done again, as well as acid base accounting etc. JM then discussed the second major issue identified within the approved EMPR, this being aspects regarding the closure of the mine, the proposed rehabilitation measures that are to be implemented, and all aspects regarding residual impacts arising during the post closure phase of a mine as well as the post closure land use after rehabilitation.

JM stated that after all meetings conducted between JMA, BGCE, and KP, the above mentioned concerns were accepted in consensus, and that these were the critical aspects that need to be addressed. JM then asked the Focus Group that if they deem any other aspects important or that they want to be addressed as well, that they must raise those concerns as soon as possible so that it can be incorporated into the project planning.

JM mentioned that he will now discuss the intended route to be followed. JM said that JMA was then formally appointed and was asked by BGCE to do a fatal flaw assessment. This Phase 1 investigation was done to identify any possible environmental risks that would be so severe that the upstart of the mine would not be feasible as a result of such environmental risks (Fatal Flaws). JM said that this was done and that JMA reported on this matter in March 2009 during a meeting where KP was also present. During this meeting further queries about water treatment and cost implications arose. JM then stated that BGCE asked JMA to do more detailed cost estimates for measures to be implemented during the

operational and post closure phases. This was done and JM said that BGCE accepted and felt comfortable with these estimated cost implications.

JM then discussed the current status of the project and explained to the Focus Group that this Focus Group meeting was the starting point for the project. JM mentioned that after the Focus Group's concerns were received after the meeting (Held on 22 August 2009), the action plan as proposed in the documentation, which consisted of the proposal made to BGCE, that were sent to Focus Group members prior to this meeting, will be followed. JM however mentioned that certain additions to that proposal made to BGCE have been made, but those measures described in the action plan, sent to the Focus Group, is in essence what is intended to be done.

JM then inquired whether there were any questions that stage. KP reminded him of Mr Pierre Dohain's (**PD**) concerns which needed to be handled separately due to various technical issues that he feels need to be addressed. JM acknowledged this.

JM then continued to discuss the results of the fatal flaw assessment. Mr Koos Davel (**KD**) at that stage inquired whether there will be an opportunity to discuss the documentation sent through to them prior to the meeting, and JM said that such a discussion was in order. JM set up the presentation that was given to BGCE in March 2009 and stated that this was the ground water aspects that was addressed during the Phase 1 investigations that was done. JM said that the studies focussed mainly on geology, geochemistry, and the influence thereof on geohydrology.

JM discussed the shortcomings of the geological information present in the approved EMPR by noting that most of the findings were made on assumptions derived from data collected on sites surrounding the area and not of the specific site, and that some statements made are not backed up by the reports. JM continued to discuss the importance of determining the presence of dolerite dykes in the study area and the effect thereof on the groundwater flow. JM also mentioned the importance of determining the acid generation potential and what affect that will have on management measures. JM also touched on the strength of the borehole yields that are found in the study area. JM remarked on the importance of an extensive geological/geohydrological study in order to produce effective management measures and again mentioned that the water management measures proposed in the approved EMPR are based on assumptions made from results that are not terrain specific and therefore not that accurate.

Mr Rouxtjie le Roux (**RLR**) asked what the purpose of the mining of this coal is and whether it will be used internationally, locally or go to Eskom's power stations.

Mr's Jamie Ferguson and Jannie Ackerman answered RLR by stating that it will be used in all three sectors. The high quality coal, located in some of the coal seams to be mined, will be exported, the lower quality will be used for metallurgical processes in SA, and the lowest quality will be supplied to Eskom for their power stations.

JM then discussed the methodology used for the geological study, and also gave an explanation on how dolerite dykes are formed and what implications these structures have on ground water flow & coal exploitation. JM mentioned that a detailed report on the findings of JMA's Phase I geological study is available.

JM then continued to discuss how samples were taken in the study area during a quantitative assessment of the potential the material present in the study area to reduce the ground water quality. JM explained that results of this assessment were used to enable modelling and continued to explain the program and methodology used to predict the state of the water quality under certain conditions. JM stated that it is important to know whether acid will be generated as this will impact on the management measures to be implemented. JM then mentioned that Jaco van den Berg calculated that acid will be generated by the material present at the proposed mining site.

JM then looked at the borehole yields and discussed the results. JM continued and noted the importance of knowing the depth of the water table in the area as this will influence the wetlands of the surrounding area if the depth of the water table gets altered during the operational phase of the mining. JM also stated that the water table before mining will indicate whether decanting will take place once the mine is not operational anymore, also that the mining method have an influence on whether a mining pit will decant and that this will be discussed with BGCE.

JM then discussed the two types of aquifers present in the area being the shallow perched aquifers and the deeper weathered zone aquifers. JM remarked on the excellent quality of the ground water in the area. JM followed the above by discussing a map indicating borehole localities, borehole yields, and borehole levels. JM then discussed the results obtained from the various boreholes.

JM continued by explaining the various management options that are proposed with regards to the lining of ROM stockpile footprints. KD asked what liner system will be used and JM explained that that decision is yet to be determined and that Pierre du Toit from Inprocon Civils will be responsible for that decision. JM also stated that the relevant authorities will have to agree with the decision on a liner system. JM then touched on the pollution control dams and their function along with the water treatment plant. JM mentioned that best practice guidelines exist for this and will be used accordingly. JM mentioned the constraints to storm water management measures but assured all that they will be effective. JM said that the water level in the pit after mining activities have ceased will have to be managed by pumping water to the water treatment plant.

KD asked an explanation of the cost estimate presented by JMA. JM said that this issue will be addressed and the results will be discussed with the Focus Group.

JM then discussed how and why water balances will be calculated and used in the proposed management measures.

KD then stated that water must be treated to comply with environmental standards and not only to drinking water standards which is at a lower level than that for the environment.

JM mentioned the compilation of final document which will contain all of the aims and objectives of the project which will be presented to IAPs for review.

RLR then asked whether the release to a drain system towards Tevrede se pan was an indication of the extent of wetlands investigated, and if not what will be the extent of the wetlands impact study. JM assured RLR that calculations will be made of the extent to which the mine will impact on the surrounding wetlands and that such a calculation will determine the extent of wetlands investigated. RLR then mentioned the wetlands that he thought should be investigated around the Lusthof site.

KD asked for an explanation of what are the intentions of JMA and BGCE as the Focus Group do not fully see the bigger picture yet. JM stated that he did not want to commit to anything at that stage but that he will give the Focus Group a rough estimate of what is intended.

JM then explained what happens to the ground water in pit during the operational phase of a mine and the influence of a mine on the surrounding groundwater. JM then mentioned the studies that need to be done to determine an accurate water balance, as well as the impacts that need to be predicted. JM explained that the recharge of water into the pit is considered as dirty and will therefore be pumped to the pollution control dam to be treated, and according to results from the water balance calculations the determined volume must be released to the environment as surface runoff.

During post closure phase the pit will be filled up but now chemical reactions will be taking place and the water in the pit will still need to be treated. KD mentioned that the pit will now be less permeable but JM corrected him by stating that exactly the opposite was true, being that the pit is more permeable under such conditions. JM then explained past practices of leaving a final void in the pit, but also why JMA and BGCE did not intend to use such practices. JM also stated the intention of optimal rehabilitation with a layering concept to increase success of rehabilitation of grass.

RLR wanted to know which grass will be used for rehabilitation and stated that Oulands grass would not be acceptable to them, but rather that studies must be made of grass species distribution before the mine starts and that rehabilitation must be done according to these results. JM stated that this will be AB's responsibility.

JM continued by stating that the post closure water table in the pit will have to be managed otherwise decanting will take place. This will be done by pumping water to the water

treatment plant where it will be treated through reverse osmoses and sold as part of a sustainable post closure solution to mining.

Willem Davel (**WD**) then stated that this water cannot be sold as it belongs to the environment, and as such, it must be released back into the environment. JM then explained the functioning of the toe drain system and that post closure there will be more recharge into the pit as pre-mining environment, thus “extra water”. WD insisted that irrespective of these facts that the water belongs to the environment and must be returned as such and cannot be sold. JM said the concern will be noted and be addressed.

JM stated that it must be taken into account that the mine will have an impact on the environment but that it is the intention of JMA to manage these impacts as best as possible.

A convenience break was then taken.

AB then gave wetland assessment presentation.

AB stated that the aim was to assess the uniqueness of wetlands present in this study area using biodiversity as a measure. AB stated that biodiversity in this case represent vegetation species richness. AB discussed the methodology of the wetland uniqueness study that was performed. AB mentioned that area’s that was previously agricultural lands was not sampled due them being classified as disturbed lands.

AB then discussed the findings of the study by saying that uniqueness of the features in the landscape include slope, which was not unique, the facing direction of the slope, which was not unique, and species richness and diversity, although it was true that there exist a great amount of species diversity it was not unique. AB mentioned that he found roughness located on the site which seemed to be unique. They identified the localities of the roughness spots and went to sample them. JM clarified a point by saying that the points sampled for roughness were not classified as rough due to plant species diversity, but that other factors caused the roughness. This was agreed upon by AB.

AB continued with analysis of the results of the study and KD stated that there was a pan not indicated on the map. AB stated that he knew of the mentioned pan.

AB stated that a dam wall was present on the site and a disagreement between AB, and KD and WD, arose because they are convinced that it was a natural feature. But AB was adamant that it was a manmade feature.

KD asked what the conclusions of the study were.

JM at this point intervened by saying that the objective of the study was to ascertain whether the site where the mine will be located represent uniqueness not found anywhere else.

AB stated that at the mining site the area is already disturbed and that although elsewhere on the study area there do exist a good opportunity for biodiversity, the site is not unique that it does not exist anywhere else. AB also added that the landscape not being unique does not mean no species richness occurs. AB concluded that the reason for these wetlands and pans occurring in the area is because it is a feature of the landscape to hold the water for a long time.

JM stated the fact that the water stays in the landscape for a long time is a very important feature to note and that this has the implication that the water management by mine has to be very good to ensure water availability and acceptable water quality to the environment. JM concluded that the wetlands at the site does not consist a fatal flaw.

KP just wanted to clarify a point by saying the area of the mine footprint may be disturbed but it still supports specie rich areas lower down with regards to surface runoff. AB agreed on this.

PD then asked whether the wetland located on his property, directly adjacent to where the mine footprint will be situated, will become dry as a result of the mine's activities during the five years operational period.

JM stated that the mine area footprint of 75 ha will be bunded and the water diverted to the pollution control dam from where it will be treated and released back into the environment. JM also stated that only a small area of the catchment will be influenced by the mine footprint the rest will have normal runoff.

JM stated that the mine will have an impact but that the management measures are intended to minimize the negative impacts on the receiving environment according to best practice guidelines.

PD mentioned that mining process should be stopped during exploration and prospecting, they have to stop the first step.

KD requested permission to summarise his concerns but JM asked for another five minutes to conclude his presentation.

Charl Koen then asked about the standards of rehabilitation and where are the other mines regarding this standard.

KP stated that from experience Best Practice Guidelines does not cut much.

JM stated that JMA was asked to become involved in this process in order try to make a difference, and that this was exactly what JMA intended. JM also said that in his personal opinion he believes that it is possible that BGCE can mine at Lusthof with a very reasonable

impact on the environment. JM also stated that it would take commitment from BGCE and that they have already committed to yearly audits by JMA.

PD stated that this will be a 5 year process but who will be available for complaints after 5 years. PD also mentioned post closure monitoring. PD stated that from his experience of South Africa there will be no one.

JM explained that the formal processes to be followed include the following:

- An **Addendum EMPR** process because of various mine and management measures that will change from those mentioned in the approved EMPR.
- An **IWULA** process to apply and register various identified water uses requiring licensing.
- And an **EIA process** for all identified listed activities.

JM stated that these three formal processes will be streamlined and be run in parallel with each other. JM said that if everything went according to plan, Final Authorisation could be obtained by end October 2010. He also mentioned that the formal processes have started on that day (22 August 2009).

JM assured the Focus Group that continuous monitoring will be done throughout the operational phase. JM also mentioned that should one of the member's boreholes dry up or water resources become contaminated, a compensation protocol will be included into the Addendum EMPR. Thus should something happen, remedying costs will be part of the Addendum EMPR and be handled accordingly.

PD wanted to know what are JMA and BGCE going to do if his borehole dries up because of the blasting, because if there is no water there is no water.

JM stated that there exists no correlation between blasting from the mine and the drying up of boreholes.

KP stated that borehole cave-ins as a result of blasting done by the mine represent a real problem in the area.

JM stated that such impacts are manageable and should the Focus Group have a concern of boreholes caving in, that JMA will address that issue by possibly reinforcing the borehole walls prior to the upstart of the mine.

JM then gave the opportunity for all of the Focus Group members to summarise their concerns point for point so that JMA can be sure to address these issues and concerns. A

separate document listing all of the raised concerns in a table format will be attached to these Minutes.

JM thanked everybody for their concerns and stated that all of them are valid concerns that are to be expected in a situation like this. JM then gave the Focus Group the assurance that these concerns raised will be investigated and addressed in the documenting of the reports for the formal processes. JM also reassured the Focus Group that the financial provisioning will be done effectively, briefly indicating the regulations pertaining to this in the relevant environmental legislation. JM stated that the so called track record and background information regarding BGCE will be included and if it does not live up to the Focus Group's expectation then they can ask for more information. JM said a cumulative impact assessment will be done, and also mentioned the difficulties associated with the performing of such an assessment, but stated that it will be done nonetheless.

KP inquired about the progress on the establishment of the Environmental Management Framework for the area, and AB stated that a meeting with the stakeholders were held on the 12th of August 2009 and that the next meeting is due soon. JM stated that AB is the representative for that forum. KD suggested that the track record of BGCE be included in JMA's reports to illustrate their compliance record with regards to the environmental management measures prescribed in the relevant reports. JM intervened by saying that the Applicants must be given a chance of showing their intent with this project and the fact that they are present in his meeting is already some measure of their commitment to environmental compliance. Jamie Ferguson also replied by saying that they get audited on their environmental compliance on a yearly basis by a third party consultant.

JM asked the Focus Group to please submit their concerns in writing and to please supply JMA with their contact details. JM again assured the Focus Group that all of their concerns irrespective of their relevance will be considered.

JM asked if there were any further questions. There were none.

JM then conclude by thanking everybody present at the meeting for their time and effort to attend the meeting on that Saturday and also for the way in which they participated in that meeting.

These minutes were compiled by:



Riaan Fourie
(Cand.Sci.Nat)

APPENDIX 6.1.5(B)

MINUTES OF PRE-APPLICATION FOCUS GROUP

MEETING



DEDET Ref: 17/2/7/3/1-G-1

JMA/10381/jlm

NOTE FOR THE RECORD

LUSTHOF COLLIERY EIA/EMP

FOCUS GROUP MEETING WITH

MPUMALANGA LAKE DISTRICT PROTECTION GROUP

DATE OF MEETING: 20/01/2011
VENUE: Georges Café, Wonderfontein
TIME: 10h00

PRESENT:

Koos Pretorius	MLDPG
Koos Davel	MLDPG
Hannes Botha	MLDPG
Jamie Ferguson	BGCE
Jannie Ackerman	BGCE
Alaister Ponton	BGCE
Jasper Muller	JMA

POINTS FOR DISCUSSION: **RETRACTION OF FORMAL EIA AND EMPR
ADDENDUM APPLICATIONS FOR LUSTHOF
COLLIERY**

Background

1. As part of the ongoing EMPR Upgrade Process for Lusthof Colliery, which is being undertaken to satisfy concerns of *inter alia* the MLDPG, JMA Consulting, being the formally appointed EAP for the Lusthof Colliery project, made a formal EIA Application to DEDET (for NEMA listed activities), and also entered into the formal process with DMR (MPRDA requirement) through the submission of a Scoping Report and Plan of Study for the Lusthof Colliery Project.
2. In order for the EMPR Upgrade Process to continue, MLDPG has agreed to provisionally suspend their existing litigation related to Lusthof Colliery against *inter alia* BGCE, until such time as MLDPG has been furnished with an acceptable EMP for the project.

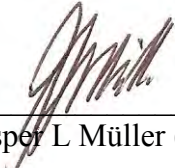
3. During November 2010, Koos Pretorius as representative of the MPLDP, and having realized that formal application has been made with DEDET and DMR, informed JMA Consulting, that the MPLDP holds the opinion that through entering the formal processes with DEDET and DMR, the legal position of MPLDP, in terms of their agreement to put litigation on hold, has been compromised.
4. The meeting held on 20/01/2011, was called to discuss the matter and to determine the way forward.

Discussions:

1. During the discussions the representatives of the MLDPG confirmed their position that through entering of the formal EIA and EMPR Addendum processes with DEDET and DMR respectively, their legal position has been compromised.
2. The representatives from the MLDPG insisted that both processes must be terminated without any delay, and that the formal applications and processes can only resume once the MLDPG has been provided with a final and fully acceptable EMP for Lusthof Colliery, on which they would sign-off prior to the formal processes being re-entered.
3. The representatives of the MLDPG confirmed that they were fully satisfied with the Scoping Process followed to date, and also with the material content of the Final Scoping Report and Plan of Study as submitted to both DEDET and DMR.
4. Although both JMA and BGCE, held the opinion that the entering of the formal processes with DEDET and DMR, does not compromise the legal position of the MLDPG, BGCE nevertheless agreed to instruct JMA to withdraw the applications from both DEDET and DMR, despite fully realizing that this action would both add to the project time line and budget, as a gesture to illustrate their good faith in the entire matter.

Way Forward:

1. It was agreed that JMA would retract both applications from DEDET and DMR.
2. JMA would continue with its specialist studies and would compile a Draft EIAR (EIA and EMP) for submission to the MLDPG for their review and approval.
3. Once approved by the MLDPG, the process with the authorities would be re-entered at the Scoping Phase, with a Scoping Phase Public Meeting in order to ratify the existing Scoping Report and Plan of Study, which has already been approved by DEDET.
4. Once ratified the Scoping Report and Plan of Study will be re-submitted in order to re-start the formal processes with DEDET and DMR.



Jasper L Müller (Pr.Sci.Nat.)

APPENDIX 6.1.5(C)

MINUTES OF PRE-APPLICATION FOCUS GROUP

MEETING



LUSTHOF COLLIERY PROJECT

BLACK GOLD COAL ESTATES (PTY) LTD

FOCUS GROUP MEETING

CAROLINA

16 MAY 2012

13:00

MINUTES OF THE MEETING

Present:

Jasper Müller	JMA Consulting (Pty) Ltd
Jaco van der Berg	JMA Consulting (Pty) Ltd
Kobus Du Plessis	JMA Consulting (Pty) Ltd
Pierre du Toit	Inprocon
Jamie Ferguson	Black Gold Coal Estates (Pty) Ltd
J.M. Ackerman	Black Gold Coal Estates (Pty) Ltd
Alastair Ponton	Black Gold Coal Estates (Pty) Ltd
Hannes Botha	Lusthof Landowner
Koos Pretorius	MLDPG
Koos Davel	MLDPG

1. Opening, Welcome and Project Background

Jasper Muller (JM) welcomed everyone to the meeting and gave general background of the project and what happened during the last three years. The three main points of interest were:

- Water management:

All possible aspects of the water management in all aspects of the mine from the start of the mining process until completion were investigated.

- Negotiations with Pierre du Hain

Black Gold is busy with the negotiations with Pierre du Hain and gave the assurance that he will financially benefit from it.

- The proclamation of the Mpumalanga Lakes District as a RAMSAR site

Important points that were raised by JM were the following:

- In 2010 MLDPG asked for a better management plan of Lusthof Colliery
- JMA came forward with the idea of using Eucalyptus or Black Wattle trees to drink surface water by planting about 3 hectares
- Black Gold has to settle financially with Pierre du Hain
- New Scoping report as well as the Public Participation Process will be done by JMA Consulting (Pty) Ltd

2. Discussion of MLDPG Comments

Comments by Koos Pretorius:

- As soon as the process is taken to the DMR the necessary authorization will be given and the process will definitely continue.
- The community is afraid that if this process continues, it will be the start of mining in the area that cannot be stopped.
- He raised three issues that he felt had to be dealt with before the process can continue:
 1. Financial support
Who is going to take the responsibility for financial support in the long-term, 100 years from now? MLDPG wants a financial trust fund available now, before the mining starts.
 2. RAMSAR
He raised the issue from a socio-ecological point of view where RAMSAR wants to protect the area and develop it into an ecological tourism area. On the other hand the mine is coming in. There is a conflict of interest and the different parties will need to sort that out before the process can continue.
 3. Pierre du Hain
He stated that Pierre du Hain and Black Gold have different view points on financial support and wanted negotiations to be completed before the process continues.

Response by JMA:

Although JMA is trying to get RAMSAR involved in the process, no feedback has been received from them up to date.

Comments by Koos Davel:

- The big issue is **water**.
He wanted confirmation of how the plant is going to be run, especially in the long-term, when the plant is closed, 100 years from now.
- How it is going to work
- How it is going to be managed and by whom
- Where the financial support is coming from
- What the quality of the water is going to be after usage by the mine

Quality of the water:

JMA indicated a -2 standard deviation; MLDPG wanted the general and +2 standard deviation. He also wanted to know the exact figures and what the impact on the environment and on the costs will be. He felt that the water quality after use by the mine will be worse than before usage.

Another issue raised was the liner used in the Brine dam. Who is going to be responsible for the management of this in the long term? He also had an issue with the type of liner to be used.

He did not support the idea raised by JMA of planting trees to get rid of surface water.

Financial support:

MLDPG wanted a financial model for long term financial cover for maintenance after mine has closed.

- Trust fund for long term to cover costs
- Funds to cover legal cost to keep Black Gold to its commitments

Response by JMA:

Financial calculation:

Calculations will be done for a time period of hundred years. The standard way of calculation for a project with continuing capital for DMR is working on a time frame of recapitalization every twenty years. Provision will be made for the operational costs. This will then be escalated in terms of an inflation funding mechanism that will ensure the necessary revenue to guarantee capital growth, as well as income from the refining mechanism. The calculation indicates the amount that needs to be invested now so that the money will be available when needed. A further possible source of funding is the downstream use of the water, which is currently investigated.

JMA gave the assurance that all parties involved will know how the final figures were reached and where the money is coming from.

JMA agrees that if we cannot do it in a sustainable way all the good work that has been done during the project will go to waste.

Quality of the water:

The only reason why JMA only put in a -2 standard deviations was for the evaluation of the background water quality that will change through time because of natural variations. When the mining starts, the water will be monitored frequently to get an idea of the background water quality. The quality of the water going back into the water system will not be worse than that of the water used in the first place and will have no negative impact on the remaining water sources. JMA used the standard statistic method to determine the variation of surface water over time. The guidelines used are the background water quality with the acceptable variation because of natural conditions.

Response by Koos Pretorius:

The money that will be made by the sustainable use of the recycled water cannot be the main source of financial support for the rehabilitation project to continue; other finances must also be available for that. He also requested the amounts to be available to MLDPG before the project continues. He wanted the amounts put into a financial model to estimate the capital and the operational capital needed a hundred years from now to continue the financing of the project.

Comments by Hannes Botha:

He felt that RAMSAR was not part of the problem and that legally nothing could be forced upon them.

Comments by Alastair Ponton:

His view was that Black Gold Coal Estates (Pty) Ltd is committed to the process and the community, having been given a right to be here for 12 years. They are working together with the community and they are here to protect the community. They are busy with job creation in the area. They respect the farmers; everything will be done in the community and nothing will be hidden. Black Gold has been given a right and wants to go forward.

Response by JMA:

Black Gold is prepared to pay for the feasibility study to be done. The financial requirements will be given to a financial intermediary so that the necessary calculations of funding needed for the water treatment plant could be done so that Black Gold can come up with a proposal of how they are going to fund it.

JMA undertakes to set up a meeting with the parties associated with the RAMSAR application – Mpumalanga Tourism and Parks Agency. They will be informed about what JMA wants to do and it be determined what could be done from JMA's side to do things in such a way that it will optimize their application for the RAMSAR .

If Black Gold is successful, the mining will continue as intended. This will happen as soon as possible.

Information will be submitted to the other parties as soon as it becomes available. In the meantime JMA will start the preparations for the intermediate process which will take some time, as a new scoping report and Public Public Participation Process must be done. This will be submitted to MLDPG within the next 2 months.

By that time and before the Public Participation process for the scoping phase starts again, Black Gold will have negotiated with Pierre du Hain and the financial provision report will be available to MLDPG.

3. Conclusion

In two months from now:

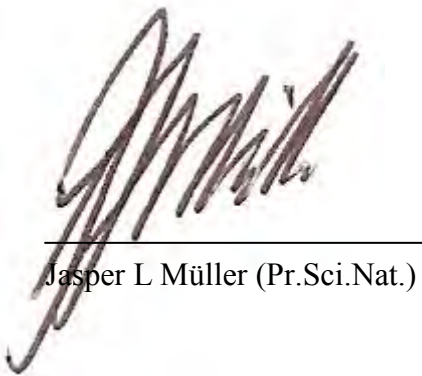
- Financial provision report will be made available to MLDPG
- Settlement with Pierre du Hain

- Outcomes of JMA discussions with RAMSAR concerning MTPA requirements will be discussed
- Preparatory work to enter the formal EIA process will be completed.

4. Closure

Everyone present was satisfied with the decisions that were taken during the meeting. No further questions and issues were raised when the opportunity was given. Jasper Muller thanked everyone present for their time and assured them that the project will be conducted in a manner satisfactory to all parties involved.

Minutes compiled by:



Jasper L Müller (Pr.Sci.Nat.)

APPENDIX 6.1.5 (D)

ADDITIONAL CORRESPONDENCE WITH MLDPG



19 APRIL 2012

LUSTHOF COLLIERY ENVIRONMENTAL AUTHORIZATION

FORMAL RESPONSE FROM JMA CONSULTING TO COMMENTS RECEIVED FROM THE MLDPG AS COMPILED BASED ON THEIR MEETING HELD ON 21 JANUARY 2012.

Dear Members of the MLDPG,

Having reviewed the comments received from the MLDPG pertaining to Chapters 1 to 5 of the Lusthof Colliery EIA, we now have pleasure in submitting our response. The response was compiled collectively by Jasper Muller, Allan Batchelor, Koos Jonck and Adam Keuler.

Based on the material content of the comments, we are confident that we are close to agreement on the big issues pertaining to Water and Pierre du Hain, whilst the MTPA Process is somewhat out of our hands.

Some aspects related to alternatives and financial provisioning still have to be assessed by ourselves as it was the intention to first sort out the technical stuff, which I believe we are now close to achieving.

It is apparent from the comments, that some very important aspects contained in our report pertaining to water management and water treatment were misunderstood and we therefore request the opportunity to discuss these aspects with you in detail.

I will be in contact to set up a meeting to discuss our response.

Respectfully submitted,

Jasper L Muller (Pr.Sci.Nat.)

Lusthof Vergadering - 21 Jan 2012

Ons bevestig dat die proses voortgaan op ‘n ” no prejudice” basis. Niks van die inligting tydens hierdie proses kan gebruik word sonder ons ooreenkoms nie.

Kommentaar op die EMPR van Des 2011

1. **No – Go**

a. *nie uiteengesit nie.*

The document provided to the MLDPG represents Chapters 1 to 5 of the EIAR and details the changes made to the mine design and management measures in order to minimize the environmental impacts related to the site. The chapters following on chapter 5 will document all the alternatives considered (**which will include the no-go option**), the impact assessment to describe the magnitude of the impacts after the measures have been implemented as proposed in chapter 5, a final statement of all management objectives and then a binding section on the management measures as designed. These sections have to be compiled within the formal process as they need to include comments from other I&AP, as well as from the authorities.

b. *Moet uiteengesit word, comparative analysis vd die voordele en nadele oor die tydperk vd impakte moet uitgespel word.*

This will be done as soon as the go-ahead is received from the MLDPG that they are in principle satisfied with the mine design and that all the critical aspects related to mine design and the related environmental management measures, have been dealt with.

c. *3 groot issues – water, Pierre du Hian se situasie en MTPA se proses om die groter area bewaar te kry*

We confirm that the 3 big issues are recognised.

- The document provided to MLDPG addresses the first issue of **water management**. The entire mine design was altered, all water balances were calculated in detail, different water management options and systems were considered, conceptually designed in accordance with Regulatory and DWA guidelines, and then modelled for feasibility. A feasibility study was done for the water treatment plant and costs were calculated to indicate the financial provisioning that would be required to construct and operate the WTP. The document went further and also considered other environmental management aspects. We believe that sufficient information is available to demonstrate that mining can occur without any serious impact on the environment (including water). The management measures proposed represent proven technologies, industry best practice and are in line with Legal/Regulatory Guidelines.

- The **situation around Mr Pierre du Hain** has been considered by BGCE, which has taken a principle decision to negotiate a financial settlement with him. The negotiations with him will commence as soon as the project enters the EIA Phase of the formal process.
- The efforts of the **MTPA to have the larger area protected** are recognized. However, we believe that the formal EIA process as envisaged will be the correct one in which the MTPA must use the submission by BGCE to make their case to the powers to be. We do believe that the EMPR Addendum application by BGCE should be considered by the relevant decision making body(s) when considering the MTPA application as it does constitute an existing mining right in the area.

d. Alternatives Part and parcel of the evaluation of the no-go option. It is the evaluation of alternatives – including other sources of coal, other methods of mining, other land uses and all cost internalised that shows up the real value of the project. The cost post closure of any water treatment is of great importance and this is not addressed at all.

Alternatives will be addressed. Studies are currently scoped to assess different land use alternatives in a comparative fashion – mining, agriculture, tourism. Reference is made later in these comments to the development of a “Tourism Master Plan for the Chrissiesmeer area, which includes the Lusthof farm.” **We request a copy of this plan to include it in the assessment.**

2. Water

a. *Nb – EC bl 34 huidiglik = 3.9 – 9.01, vergelyk met bladsy 20*

This is correct.

b. *Plan van vroeër oor geen verlies van water aan omgewing nie meer op tafel. Water sou gesuiwer word en terug gesit word in die omgewing. Gaan die water nou verloor word? Hoekom die verandering.*

The plan has not changed. Water will be treated and put back into the environment through discharge into the surface streams. The original idea of putting the treated water into infiltration galleries was discarded due to the following reasons:

- This option does not represent a proven technology and is not recognized as best practice.
- The ground water modelling has confirmed that the mining impact on the hillslope seepages will be insignificant.

Other possible uses for the treated water, which will support post mining sustainable land uses, are also currently investigated.

c. *Hoe beter kwaliteit hoe hoer koste vir behandeling – brine is teenoorgestel. Die koste vd Brine disposal sal 'n groot verpligting wees en moet uiteengesit word in detail.*

Option 1:

As per Annexure D of the Proxa report the operating costs and chemicals and consumables are provided for the main treatment plant with brine disposal for option 1. The components for the brine disposal for option 1 are summarised in Table 1 **Table 1** below:

Option 2:

As per Annexure D of the report the operating costs and chemicals and consumables are provided for the main treatment plant with brine disposal for option 2. The components for the brine disposal for option 2 are summarised in Table 2:

Table 1: Breakdown of costs for brine disposal of option 1

OPERATING COST -BRINE DISPOSAL ONLY - OPTION 1		82%					
Availability		7 183	hrs				
Operating hours per annum		15.2	m3/hr				
Effluent water treated							
DESCRIPTION	REPLACEMENT	Units	Usage/annum	Unit cost	Cost/annum	Cost/month	R/m3 water treated
Chemicals and consumables	every x years						R 0.64
Anti-scalant			290 kg/annum	51.24 R/kg	R 14 836.49	R 1 236.37	R 0.14
H2SO4			392 kg/annum	2.51 R/kg	R 983.12	R 81.93	R 0.01
Filter press material for dewatering	80% for brine disposal		24 units/month	189.00 R/unit	R 54 432.00	R 4 536.00	R 0.50
Electricity							R 0.35
Evaporator and Crystallizer		8.3 kW		0.65 R/kW/hr	R 38 753.36	R 3 229.45	R 0.35
Manpower							R 4.73
Plant manager	40% for brine disposal	0.1 person		360 000 R/year	R 14 400.00	R 1 200.00	R 0.13
Operators	40% for brine disposal	3 person		216 000 R/year	R 259 200.00	R 21 600.00	R 2.37
GA	40% for brine disposal	3 person		96 000 R/year	R 115 200.00	R 9 600.00	R 1.05
Engineering assistance	40% for brine disposal	0.05 person		900 000 R/year	R 18 000.00	R 1 500.00	R 0.16
Other (car, travel, cellphone, accommodation etc)	40% for brine disposal	12 months		23 100 R/month	R 110 880.00	R 9 240.00	R 1.01
Waste removal							R 6.92
Waste removal		32.9 tons/month	394.5 tons/year	1921.0 R/ton	R 757 832.48	R 63 152.71	R 6.92
Maintenance							R 2.49
Maintenance	3.0%				R 272 794.90	R 22 732.91	R 2.49
TOTAL					R 1 641 492.75	R 136 791.06	R 15.14

Please note: All costs based on prices in September 2011.

Table 2: Breakdown of costs for brine disposal of option 2

OPERATING COST -BRINE DISPOSAL ONLY - OPTION 2							
Availability	82%						
Operating hours per annum	7 183 hrs						
Effluent water treated	15.2 m3/hr						
DESCRIPTION	REPLACEMENT	Units	Usage/annum	Unit cost	Cost/annum	Cost/month	R/m3 water treated
Chemicals and consumables	every x years						R 0.00
Electricity							R 0.02
Pumping and auxiliary equipm.		0.5 kW		0.65 R/kWhr	R 2 334.54	R 194.55	R 0.02
Manpower							R 0.35
Plant manager	3% for brine disposal	0.1 person		360 000 R/year	R 1 080.00	R 90.00	R 0.01
Operators	3% for brine disposal	3 person		216 000 R/year	R 19 440.00	R 1 620.00	R 0.18
GA	3% for brine disposal	3 person		96 000 R/year	R 8 640.00	R 720.00	R 0.08
Engineering assistance	3% for brine disposal	0.05 person		900 000 R/year	R 1 350.00	R 112.50	R 0.01
Other (car, travel, cellphone, accommodation etc)	3% for brine disposal	12 months		23 100 R/month	R 8 316.00	R 693.00	R 0.08
Waste removal							R 0.27
Waste removal		1.3 tons/month	15.6 tons/year	1921.0 R/ton	R 29 905.47	R 2 492.12	R 0.27
Maintenance							R 1.05
Maintenance	1.1%				R 115 330.41	R 9 610.87	R 1.05
TOTAL					R 186 396.42	R 15 533.04	R 1.70

Please note: All costs based on prices in September 2011

d. *Terug gee van wat nou in omgewing is – relatiewe koste van behandeling teenoor brine*

The operating cost summary for all three options (all treating to environmental quality) is detailed in the Table in section 4.8.1.17.8 of the report.

e. *Gee koste beraming van kriteria vir water se verswakte kwaliteit na behandeling nie. (Hoekom 2 std's gekies – hoekom). Wat sal koste wees as na huidige kwaliteit geneem word?*

Surface water quality in the environment is prone to natural changes in salinity due to rainfall dilution and evaporation. The use of the maximum observed value + 2 standard deviations is an often used selection of an upper bound which is designed to accommodate such natural changes in an attempt to arrive at a reasonable upper bound for quality compliance assessment purposes.

f. *Hoekom nie behandel tot huidige omgewings water kwaliteit nie.*

The intention is to treat back to current environmental quality

g. *Koos Davel – soek rou data van water.*

Surface Water Quality Data

BH No.	LC-SW 2	LC-SW 3	LC-SW 9	LC-SW10	LC-SW21	LC-SW22	LC-SW23	Min	Avg	Max	Std Dev	Avg + 2 Std Dev
pH	6.39	5.66	6.08	5.9	6.73	6.93	6.41	5.66	6.30	6.93	0.45	5.4-7.2
EC (mS/m)	5.81	7.04	7.96	3.96	5.73	9.01	8.64	3.96	6.88	9.01	1.82	10.51
TDS (mg/l)	30.8	30.2	35.9	20.6	28.7	40.3	40.7	20.60	32.46	40.70	7.12	46.69
T. Alk (mg/l)	9.56	3.08	5.88	6.92	8.6	17.7	7.32	3.08	8.44	17.70	4.58	17.60
NH ₄ (mg/l)	0.01	0.23	0.01	0.01	0.01	0.01	0.01	0.01	0.04	0.23	0.08	0.21
Ca (mg/l)	2.44	2.32	1.46	0.94	2.09	3.78	1.98	0.94	2.14	3.78	0.89	3.92
Cl (mg/l)	7.42	16.1	16.4	5.81	9.81	15.2	10	5.81	11.53	16.40	4.34	20.21
Mg (mg/l)	1.79	1.51	1.01	0.75	0.84	2.13	1.91	0.75	1.42	2.13	0.55	2.53
NO ₃ (mg/l)	0.15	0.14	0.14	0.25	0.36	0.29	0.2	0.14	0.22	0.36	0.09	0.39
PO ₄ (mg/l)	0.02	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.02	0.00	0.02
K (mg/l)	0.22	2.51	1.49	0.82	1.33	3.93	5.96	0.22	2.32	5.96	2.01	6.34
Na (mg/l)	6.94	5.92	9.24	4.92	5.89	6.05	5.59	4.92	6.36	9.24	1.40	9.17
Si (mg/l)	3.54	0.89	1.5	2.67	3.91	4.68	0.89	0.89	2.58	4.68	1.53	5.64
SO ₄ (mg/l)	5.49	0.93	3.28	2.6	2.62	0.42	14	0.42	4.19	14.00	4.63	13.45
Al (mg/l)	0.01	0.1	0.03	0.03	0.266	0.17	0.85	0.01	0.21	0.85	0.30	0.80
Sb (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
As (mg/l)	0.005	0.005	0.005	0.005	0.005	0.005	0.005	0.005	0.005	0.005	0.000	0.01
B (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Cd (mg/l)	0.003	0.003	0.003	0.003	0.003	0.003	0.003	0.00	0.00	0.00	0.00	0.00
Cr(T) (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Cr ⁶⁺ (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Co (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Cu (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
F (mg/l)	0.076	0.093	0.12	0.066	0.067	0.093	0.09	0.07	0.09	0.12	0.02	0.12
Fe (mg/l)	0.11	0.27	0.18	0.11	0.31	0.46	0.9	0.11	0.33	0.90	0.28	0.89
Pb (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Mn (mg/l)	0.01	0.17	0.02	0.03	0.04	0.02	0.02	0.01	0.04	0.17	0.06	0.16
Hg (mg/l)	0.001	0.001	0.001	0.001	0.001	0.001	0.001	0.00	0.00	0.00	0.00	0.00
Se (mg/l)	0.005	0.005	0.005	0.005	0.005	0.005	0.005	0.01	0.01	0.01	0.00	0.01
V (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01
Zn (mg/l)	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.00	0.01

h. *Water balans – verduidelik hoekom slegs so min water gaan wees.*

Both the surface water and ground water balances were calculated to a very high level of detail. A presentation on the calculations can be given during the meeting. The mine water balance is reckoned to be very accurate and conservative.

i. Dykes and sills se impak moet uiteengesit word.

See discussion on Page 5-55, section 5.6.2.5 in Chapter 5 of report.

j. P263 se geologie NB – lyk nie of vloer gelyk gan wees nie – hoe gaan dit die pomp van water na behanmdeling plant beinvloed?

The coal floor has a definitive slope towards the south and south-west which was a critical consideration for pit water management. This attribute resulted in the mining sequence being reversed from the original – the mine will now start at the deepest part. This is fundamental in ensuring the optimal use of storage in the pit during and after mining and will greatly simplify the water management and pumping of water to the WTP. We will explain this in detail during the meeting.

k. Finansiële voorsiening. Die volgende word benodig:

i. The detailed costing and financial model used by the applicants to calculate the quantum of the necessary financial provisions to ensure that the facility is appropriately constructed, operated and maintained in perpetuity (or any other timeframe legally required) and meets the relevant regulatory requirements.

The costing was based on actual quotations from Proxa's price database or from actual suppliers. Main equipment, instrumentation, valves, electrical, civil, mechanical and piping were all priced separately. Electrical, civil, mechanical and piping were estimated from similar projects/tenders. Chemicals and consumables, manpower and waste disposal were all based on pricing from price database and/or actual quotations.

ii. Details and sources of all costs (and revenues if relevant) used in the model including construction, equipment, operational cost estimates and their sources.

See answer above. Please comment if further information is required and specifically the detail that is required.

iii. Details of all assumptions used in the model. These need to include assumptions regarding:

- 1. Technical goals and standards that the plant would be aiming to meet (i.e. quantified water volumes to be treated, quantified levels or standards of water quality to be achieved by the plant and other relevant information)*
- 2. Key assumptions regarding the surrounding environment that may impact on the construction and operation of the plant and their associated costs*
- 3. Time frame of analysis and discount rate(s) used with reasons for their use*
- 4. Treatment of likely inflation of key costs*
- 5. Treatment of depreciation over time*
- 6. Treatment of salvage value with reasons*

7. Treatment of potential revenues and the quantified degree to which they would off-set costs
8. Degree of confidence in cost (and revenue) assumptions used
9. Sensitivity analysis assumptions and details of scenarios used

1. Design basis for capacity, feed water quality and product water quality

The Proxa report provides the design basis for the feed water as per abstract below: “The estimated time for mining activities is 8 years. For the first 5 years of treatment, the water to be treated will be neutral and thereafter the pH of the water will gradually decline with the associated increase in solubility of heavy metals such as iron, manganese and aluminium. Sulphate levels will also gradually increase from about 850mg/l to a maximum of 1200mg/l. After the 8 years of mining, when mining activities cease, the pumping of water to be treated will continue. The treatment plant capable of treating 300m³/day of effluent must be a ZED (zero effluent discharge) facility and all final waste must be treated to the desired quality or removed offsite.

Table 3: Feed and product water design basis

Parameter	Units	Feed	SANS 241 Class 1	Average regional natural water quality + 2 Std Dev
Feed flow rate	m ³ /day	300		
Plant availability	%	82%		
Al	mg/l	1.5	0.15	0.80
Ca	mg/l	360	150	3.92
Cl	mg/l	165	200	20.21
Electrical Conductivity	mS/m	350-450	150	10.51
F	mg/l	6.5	1	0.12
Fe (first 5 years)	mg/l	<1	0.2	0.89
Fe (year 6 onwards)	mg/l	10	0.2	0.89
K	mg/l	35	50	6.34
Mg	mg/l	210	70	2.53
Mn	mg/l	5	0.1	0.16
Na	mg/l	110	200	9.17
pH (first 5 years)		7-8	5.0 – 9.5	5.4-7.2
pH (year 6 onwards)		4.5	5.0 – 9.5	5.4-7.2
SO ₄	mg/l	1200	400	13.45
Total Alkalinity (first 5 years)	mg/l as CaCO ₃	160	No specification	17.6
Total Alkalinity (year 6 onwards)	mg/l as CaCO ₃	0	No specification	17.6
TSS	mg/l	<10	No specification	
Turbidity	NTU		1	
TOC	mg/l	2	10	
TDS		2100	1000	46.7

Please note: feed analyses that fall outside the specification limit for SANS 241 Class 1 and/or the required product water guideline specification are indicated in red; analyses indicated in black fall within the specification limits for both class.”

In addition to those constituents specified in Table 3, the proposed process makes provision for the following maximum values:

Table 4: Additional water specifications not considered by the Enquiry

Component	Unit	Limit
Fats, oils and grease	mg/l	<1
Total organic carbon	mg/l	< 5
Pseudomonas	cfu/100ml	<1000
Yeasts	cfu/100ml	<100
Moulds	cfu/100ml	<100
Algae	cfu/100ml	<100

Any components not specified were assumed to be zero.”

2. Key assumptions regarding the surrounding environment that may impact on the construction and operation of the plant and their associated costs

The following assumptions were made regarding the surrounding environment that may impact on the construction and operation of the plant:

- Geotechnical survey will show that area is suitable for the plant construction.
- No special regulations for noise levels.
- The specified area is relatively safe.
- Rainfall data from the weather station 517430W was deemed the most appropriate for the purposes of the Conceptual Design as was average annual evaporation for Region 5A (ref WRC Surface Water Resources of South Africa 1990) and applicable gauge X1E003 measuring S-Pan evaporation.
- Site water balance was calculated as follows:
 - Inputs: Effluent stream from the proposed water treatment works; Rainfall.
 - Outputs: Evaporation

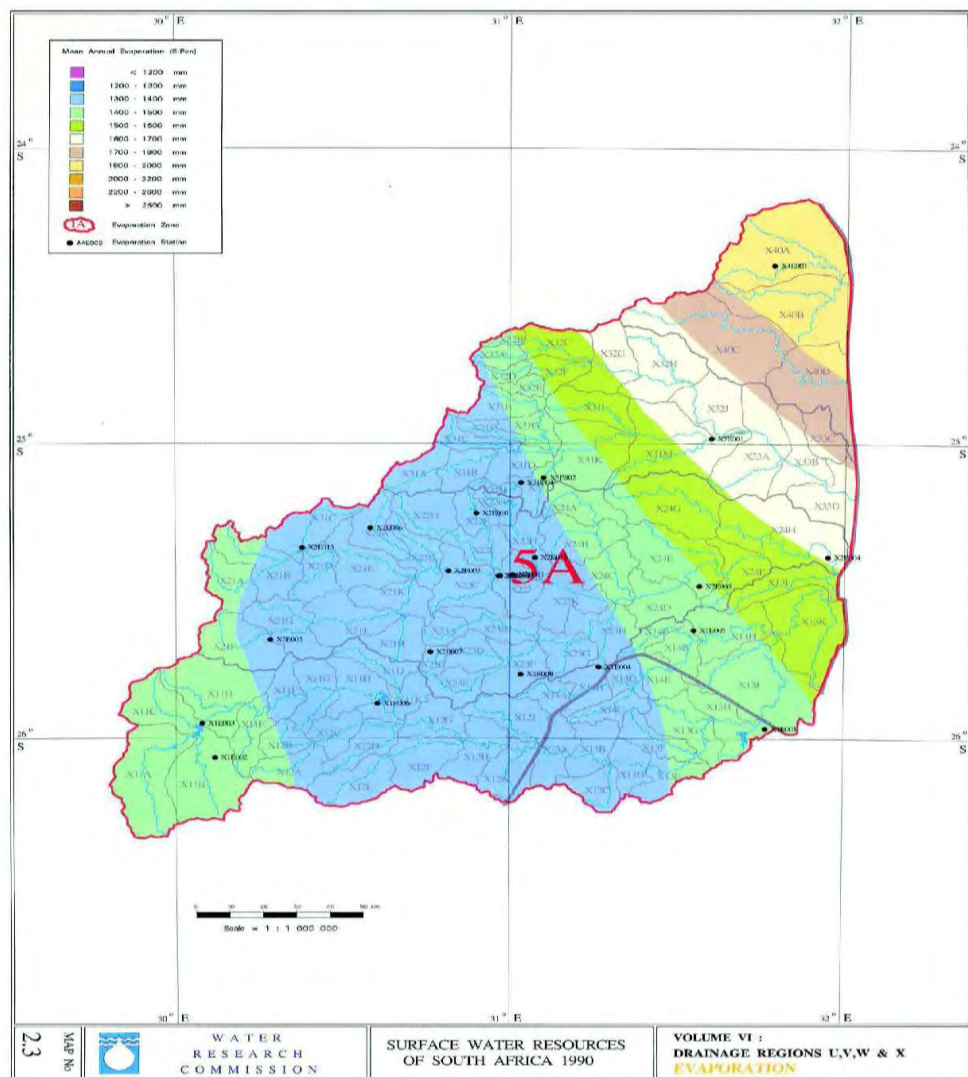


Figure 1: Rainfall Data indicated for Area 5A

3. Time frame of analysis

The time frames for the WTP are based on a re-capitalization period of 20 years. The plant, or any replacing technology, needs to run in perpetuity.

4. Treatment of likely inflation key costs

Inflation key costs difficult to predict – assume 6% overall at present.

5. Treatment of Depreciation over Time

Depreciation not included in assumptions. Equipment can be depreciated over fifteen years (twenty years is the expected plant lifetime) or alternatively over the project period required for treatment, whichever of the two is the least.

6. Treatment of Salvage Value

Salvage Value not included in assumptions. Value assumed R nil after 20 years.

7. Treatment of potential revenues

No possible revenues have been taken into account as the likelihood thereof is very low. If so, it would be a low value or zero value product.

8. Degree of confidence in costs and assumptions

+/- 25%

9. Sensitivity analyses

Sensitivity analyses not performed as it was not part of original scope. Cost of treatment would be partly sensitive to cost of bulk chemicals such as lime, but again compared to manpower it would still have a relative small impact. The evaporation pond(s) facility must, as the rest of the plant, be insured against fire. Fire damage to the pond liner can take long periods to repair.

- iv. Ultimately the level of detail provided needs to be adequate for the conducting of a financial and costing due diligence investigation regarding the long term cost of the plant. In other words the kind of study a bank or similar financial institution would do in order to provide adequate comfort if it were considered the provision of a loan to fund the plant.*

Such a detailed costing would be conducted during the detailed design phase and after having received tenders from the technology providers. It would not make sense to do such a study now as the plant is only required in year 7 of operation, which is some 9 to 10 years from now. By then much more cost effective technologies could be available for both the water treatment as well as the brine disposal.

3. Brine Disposal

a. *Skips wat gaan wegry – kostes.*

No brine will be removed off site for any of the options. For option 1 the brine will be evaporated and the salts crystallized while precipitated salts from the clarifier underflow will be dewatered with the salts from the crystallizer in a filter press. The dewatered salts from the filter press will be stored in a skip and trucked away twice per month. The cost of three skips (~R3 000 per skip) will be a once-off cost as it will remain on site on just be replaced by an empty waste skip from the Waste treatment facility when they remove the salt waste off site. The cost of waste disposal (including transport from the area) to waste disposal site is R1921 per ton (actual cost from September 2011).

For option 2 waste disposal will be required less frequently. Brine will be routed to an evaporation pond and the precipitated salts will be disposed to a hazardous waste site once per month.

b. *P52 vd treatment – kostes - Evaporation Ponds*

The graph on page 52 of the report and Figure 1 below shows the comparison between using natural clay material (conventional) as liners or geosynthetic clay liners (GCL's, alternative) which is preferred and more economical as well. As per the DWA Minimum Requirements, the proposed Brine Pond will require a Lagoon Liner Design with several layers and leakage detection. The liner components as per Appendix 8.2 of the Minimum Requirements for Waste Disposal by Landfill have been used in the design.

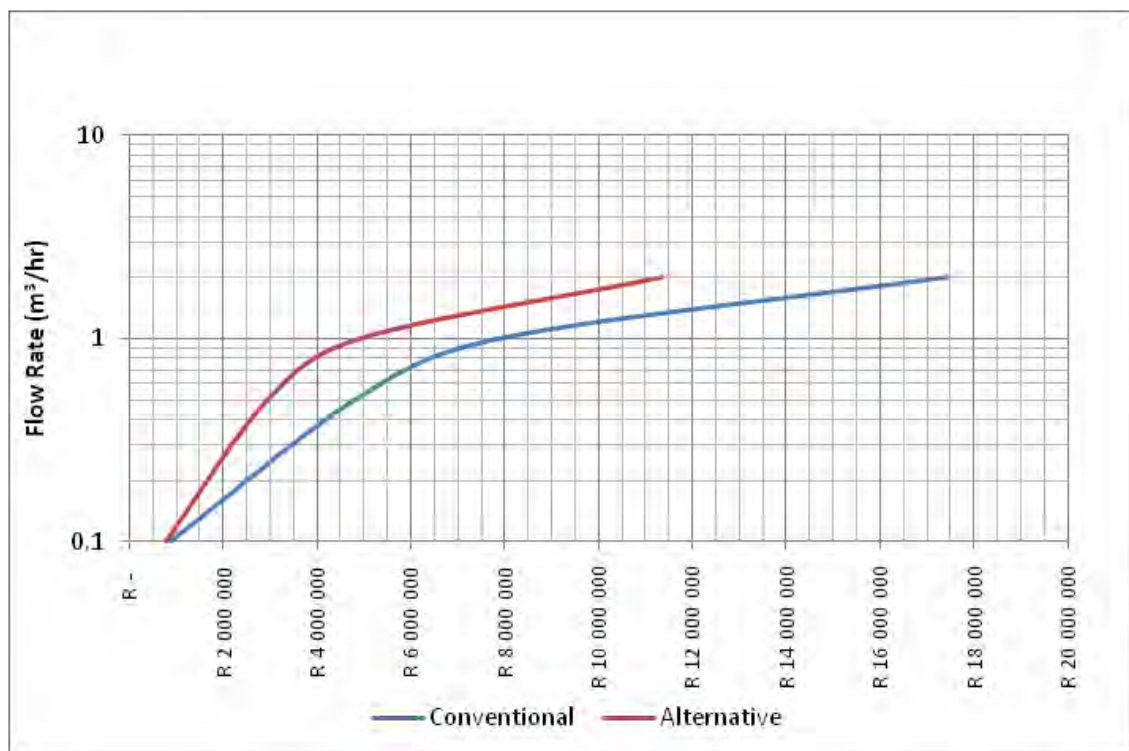


Figure 1: Cost of conventional (natural clay) liners vs alternative (geosynthetic clay liners (GCL's))

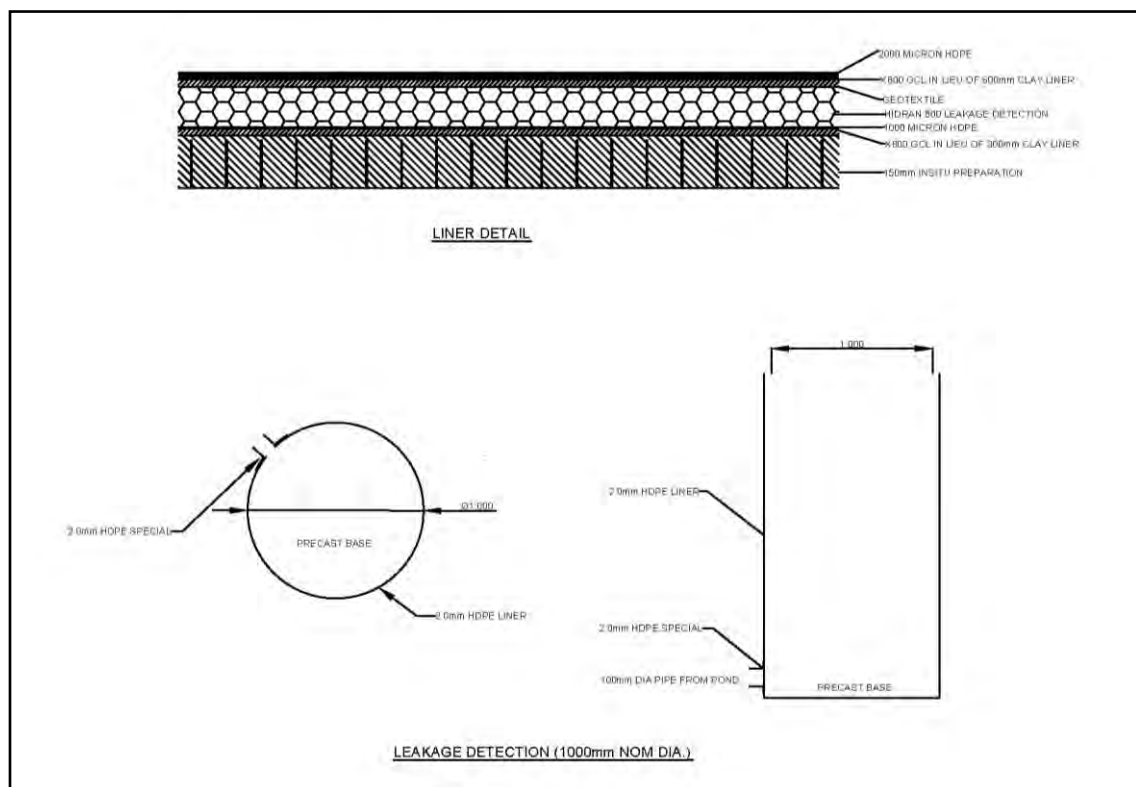
c. *Hoe lank gaan impak duur – tydperk waarin behandeling moet plaasvind.*

Forever.

d. *Hoe lank gaan liners hou – 1mm = 10 jaar (DWAf)*

Minimum expected lifetime is 25 years. The liner design consists of several layers of which two layers are a 2000 micron thick HDPE geosynthetic liner. A typical liner detail is shown below.

Pond's are equipped with a leakage detection system and would require maintenance if leakages are detected or the liner is damaged by e.g. fire. The pond will consist of at least two to three individual cells in order to make provision for maintenance on one cell if required. In general the evaporation pond facility would not need reconstruction. Provision for maintenance has been made as detailed earlier.



Typical Liner Detail

e. *Hoe gaan die ponds herbou wrd – kostes? Hoe gereeld, ens*

Ponds will be refurbished/replaced as part of the re-capitilization process, once every 20 years.

f. Bentonite – collapse onder suur en hoë sout.- hoekom nie hier nie.

Not applicable as bentonite does not form part of the design. GCL's will not collapse under high salts. Brine stream is at neutral pH of 6-9.

g. Hoe gaan brine verwyder word – net een dam word beplan

The pond will consist of at least two to three individual cells in order to make provision for maintenance on one cell if required.

4. Performance Management

- a. *Access to all monitoring data and production data and sites for the public. This must be in any contract as well as any Environmental authorisation's conditions.*

Acceptable.

- b. *There must be public scrutiny of any contract for the short and long term solutions.*

Acceptable.

- c. *Maandelikse inspeksie deur IAP komitee – met af naweek.*

Acceptable.

- d. *Oudits 6 maandeliks vd EMPR compliance.*

Acceptable.

- e. *Oudits – jaarliks met ons keuse konsultant - Myn betaal.*

Acceptable.

- f. *Regsfonds moet bespreek word waaring geld gesit word om enige dispute in die toekoms mee aan te spreek.*

Will discuss.

5. Siviele Uitleg

- a. *Al die damme ontwerp op 1:50 jaar storm. Storm volume nie 'n 1 in elke 50 jaar storm. Hoekom 1:50 jaar. GN 704 – 1:50 jaar – al die ander 1:100 jaar.*

Die damgroottes is volgens huidige wetgewing bepaal (GNR 704) en die voorskrif is dat die 1:50 jaar 24 uur storm volume bo en behalwe die normale bedryfsvolumes geakkommodeer moet word. Verder moet die stormwater stelsels se vloeï kapasiteite die 1 in 50 jaar vloedpiek kan hanteer.

- b. *Gegewe sensitiewe omgewing – hoeveel spills kan vlei hanteer? Ontwerp kriteria daarvolgens.*

Daar behoort geen spills in die vlei te wees nie want alle grys of besoedelde water word met berms en kanale herlei na die PCD en DWD. Nie een van hierdie damme kan fisies in die vlei spill nie. Die berms en kanale is verder ontwerp om die 1:50 jr vloedpieke te hanteer. Indien daar wel 'n spill plaasvind sal dit net agv 'n vloed groter as die 1:50 jr vloedpiek wees wat deurbreek deur 'n berm of oorloop uit 'n kanaal en in so 'n geval sal die water baie verdun wees en besoedeling sal minimaal wees.

- c. *Damme gemiddeld reenval per jaar – dam nooit leeg nie. Soek berekenings (spreadsheets) vir uitkom en water balans.*

Die damme se groottes is bepaal vanaf die spreadsheet vir elke dam vir die 3 verskillende fases van ontwikkeling van die myn...ook vir die nat seisoen wat in die natste maand November voorkom. Die spreadsheet sluit die natste reenval maand in asook akkommodasie van die 1:50 jr 24 hr storm volume. Alle afloop word geakkommodeer en geen uitvloeï vind plaas vir vloede tot 1:50 jaar nie. Verder vind dust suppression ook plaas teen 30 m³ per dag – dit kan vermeerder word indien nodig en vloedkapasiteit nog verder verhoog. Die waterbalans spreadsheets word weergegee in afdelings 4.8.1.12 en 4.8.1.18 van die verslag.

- d. *Vloeï in kanale – watter metode gebruik vir vloed intensiteit.*

Oorland vloeï oor 100 m wye stroke langs die kanale vir die 1:50 jr vloedpieke.

- e. *Aan begin seisoen – geen afloop – later alles. Hoe gan die veranderlike afloop hanteer word?*

Die waterbestuurstelsel is in 3 fases opgedeel soos die myn vorder, m.a.w die opvanggebied word beheer en geminimaliseer. Daar word vir 'n siklus van 2 jaar se kumulatiewe maandelikse reenval afloop voorsien en opgaarkapasiteit word voorsien vir die maksimum maandelikse afloop in hierdie siklus plus die 1:50 jr 24 hr storm volume. Die siklus begin met 'n lee dam en eindig met 'n lee dam.

f. PCD is 48 ha en area is 90 ha myn – hoe werk dit?

Sien vorige paragrawe...die mynarea word in 3 fases verdeel soos die myn ontwikkel en die **opvanggebied** vir die PCD word deurentyd beperk tot 'n maksimum van 48 ha met behulp van berms en opvangkanale. Die PCD self is 0.81 ha groot.

g. Safety factor op damme – slegs 1.1 . Safety factor behoort 1.3 – 1.6.

Die minimum veiligheidsfaktor vir al die damme is 1.30 (sien afdeling 4.8.1.13 van verslag). Vir hierdie kleiner tipe damme is dit aanvaarbaar. Weet nie waar 1.1 vandaan kom nie.

6. Risks

a. *Risiko's moet gekwantifiseer word dat plan kan of nie werk nie – risiko kwantifisering nie.*

i. *Damme spill tydens operasioneel – performace , vloede, brekasies*

Damme ontwerp vir 1:50 jaar storm en vloedpieke. Moontlik dat tydens 8 jaar operasionele fase geen “spill” sal voorkom nie.

ii. *WTP – operasie lang termyn - @ R36k/annum*

Trustfonds sal voorsiening maak vir langtermyn herkapitalisasie van infrastruktuur sowel as langtermyn bedryfskoste. Gebruik vir water vir intensiewe landbou doeleindes asook voorsiening van gebottelde water is moontlikhede wat ondersoek word om langtermyn kostes te finansier. Tans word voorsien dat alle water teruggaan na omgewing.

iii. *Koste van krag – nie inflasie gekoppel nie. Hoe gaan dit bereken word?*

Voorsiening sal gemaak word d.m.v. finansiële model vir sluiting. Langtermyn skommeling sal in berekening gebring word.

iv. *Impak as kragonderbreking – downtime 72 h . Is daar voldoende kapasiteit om dit te hanteer?*

Geen risiko vanwee kragonderbreking. Die voerpompe in die gerehabiliteerde oopgroef sal ook staan tydens kragonderbreking wat beteken dat alle water in die WTP sal staan. Die watervlak in die groef word beheer op 'n ewasie van 1765 mamsl wat 5 m onder die dekant ewasie is. Die 5 meter voorsien buffer stoorkapasiteit van bykans 3 jaar se watermaak voordat die dekant ewasie bereik word.

v. *Hoeveel vet in die 300m³ per dag – 400m³? Is die hoogste reeval gebruik of gemiddelde en wat is die buffer kwantiteit in pit.*

Volle beskrywing van grondwater en mynwaterbalans word gegee in 4.8.1.14 en 4.8.1.15 van verslag. Gemiddelde reeval, met in ag neming van seisoenale variasies word gebruik vir die grondwater en mynwaterbalans aangesien die bufferstoorkapasiteit in die myn jaarlikse reevalskommeling kan hanteer. Aanbieding van waterbalans kan gedoen word. Die watervlak in die groef word beheer op 'n ewasie van 1765 mamsl wat 5 m onder die dekant ewasie is. Die 5 meter voorsien buffer stoorkapasiteit van bykans 3 jaar se watermaak voordat die dekant ewasie bereik word.

7. Paaie

a. Paaie moet voor voorsiening gemaak word. Geen trokke op Chrissies pad nie.

BGCE het reeds 'n geotegniese studie laat onderneem vir die opgradering en onderhoud van die grondpaaie wat vir vervoer van steenkool gebruik gaan word, asook intern in die mynbougebied. Hierdie onderhoudsplan sal deel vorm van die formele Bestuursplan. Inligting oor paaie word gegee in afdelings 4.8.1.1.1, 4.8.2.6 en 4.8.3.8 van die verslag. Die vervoerplan sluit wel die gebruik van die Chrissies pad in vir lee vragmotors. Dit is gedoen juis vir veiligheids redes. Die frekwensie van vragmotors op hierdie pad sal ongeveer 4 per uur wees.

b. Regmaak kostes vd teerpad en grondpad moet bereken word.

'n Toelating sal in die finansiële voorsiening vir die myn gedoen word vir padonderhoud – word formeel aangespreek in Hoofstuk 9 van die OBP.

c. 2 paaie deur mynarea – impak trokke op ander padgebruikers.

Indien die vervoerplan streng toegepas word, die padonderhoud reg gedoen word, gereelde stofbekamping gedoen word en alle padgebruikers die padreels gehoorsaam, behoort die invloed van vragmotors op ander padgebruikers onbenullig te wees.

8. **Blasting**

- a. *Geen baseline van geboue en potensieële impak nie. Dit moet gedoen word.*

Die basislyn van alle geboude strukture sal fotografies vasgele word voordat die eerste skietwerk gedoen word. Die basislyn is bepland uitgestel tot kort voordat mynbou 'n aanvang neem om alle moontlike dispute tot die minimum te beperk. Die skietwerk uitvoerplan asook die skietwerkmoniteringsplan word breedvoerig behandel in die verslag in afdeling 4.8.3.3.

9. MTPA

- a. *RAMSAR proposal – ignored. S 49 application is ignored. How will this affect these applications?*

Please provide copy of RAMSAR proposal. We cannot respond on how this application will affect the RAMSAR proposal. This surely is something for the competent authorities to decide. BGCE has an existing mining right in the area and therefore this new EMP Addendum should be taken into consideration during the deliberations by the authorities. Surely they cannot make a reasonable decision without the benefit of the information generated by an existing stakeholder in the area.

- b. *Longer life of mine is now proposed. Why?*

Life of mine is a function of reserves divided by the production rate, which is again a function of market demand. The life of mine was calculated based on an estimated average production rate as based on current assessment of demand.

- c. *Cumulative impact on rest of area.*

The impact on regional biodiversity was addressed, the site itself was disturbed and does not represent a threat to local loss of biodiversity should the water related impacts be adequately managed, but the precedent setting is certainly an issue and was possibly not adequately addressed. Noted to be addressed.

- d. *Impact on character and aesthetics – tourism, protection land use – mine not compatible normally. How will this be mitigated?*

Recognise that if tourism is the growth vehicle then mining expansion could negatively impact this strategy. However the mine design did consider aspects related to visibility, dust control, etc. Furthermore the mine will only have an aesthetic impact during its operational phase, after which the site will revert back to its current visual status.

- e. *Will this set a precedent for other mining activity?*

The proposed mining at Lusthof will have a limited environmental impact mainly due to its small size, the unique topographical setting, the willingness of the applicants to sacrifice coal reserves, its short life span and of course the comprehensive measures designed for commissioning prior to and during mining. It was stated right from the outset that the mine has these unique attributes that will make it possible to minimize its impacts on the environment. Furthermore it should be noted that the DMR has already put a moratorium on new applications in the area.

- f. *Must reflect impact on broader vision and how will this be addressed.*
- i. *Mitigation money into protected area establishment and management.*
 - ii. *SLP – input into that*
 - iii. *Principle of sustainability must be upheld*

Acceptable.

- g. *NFEPA – how does this reflect on this. Proposal?*

National Fresh Water Priority Areas (NFEPA) has been considered during ecological assessments – will be reflected in EMP.

- h. *MTPA plan is reflected*

No comment.

- i. *Area is listed as threatened ecosystem in terms of Biodiversity act. Must be reflected, Formally.*

Will update to reflect new legislation

- j. *The following must be taken cognisance of and addressed as to how the impacts will be mitigated –*

- i. *The MTPA objects to any proposed minerals development within the Chrissiesmeer Quaternary Catchment and the buffer zone as defined on the attached map. This area (as defined on the map) is identified as highly significant within the Mpumalanga Biodiversity Conservation Plan (MBCP) and is currently also under consideration by the National Department of Minerals Resources as a 'no go area' for minerals development under Section 49 of the MPRDA. The MTPA has submitted an application to the DMR to this effect.*

Noted. BGCE is also a legitimate stakeholder in the area and wishes to submit this EMP Addendum to DMR to facilitate informed and fair decision making.

- ii. *The area is also identified as a region of importance for the creation of a protected area, under the National Environmental Management Protected Areas Act. The MTPA has since 2009 been engaging landowners within the defined area to declare a 55 000 hectare Protected Environment (PE). A total of 39 500 hectares of the Chrissiesmeer area has been assessed to date by a team of MTPA staff and staff of other environmental NGO's to determine which land may be suitable for incorporation into the Protected Environment. It is envisaged that the PE will be declared by the end of 2012. The Lusthof property has also been assessed as part of this protected area expansion programme and has been found to be suitable for inclusion into the Protected Environment. The MTPA is also pursuing the registration of the Chrissiesmeer area as a wetland site of International Significance under the International RAMSAR convention once the area is declared formally as a PE.*

Noted.

- iii. *Various role players within the area have also pooled resources to develop a Tourism Master Plan for the Chrissiesmeer area, which includes the Lusthof farm. The purpose of the plan is to develop and grow tourism within the Chrissiesmeer area taking advantage of the unique natural environment, the pans and wetlands and the rich diversity of birdlife within the area. It is envisaged that 35 new jobs will be created within the region over the next two years in tourism/conservation projects. Any land use which is in direct conflict with the conservation and tourism vision for the area will not be supported by the MTPA and the Lusthof mine is not seen as a compatible land use with the conservation and tourism plans for the area.*

Noted. Would appreciate a copy of the Tourism Master Plan to assess possibilities for positive inputs.

10. Pierre

- a. *Political decision – even most sensitive areas. Easier for other companies to follow same process.*

The situation with respect to coal mining in the sensitive areas of Mpumalanga has been recognized by government. A moratorium on the granting of new authorizations for exploration and mining is currently in force in the region. However, Lusthof Colliery holds an existing authorization (mining right) and now wishes to amend the EMP to provide for improved environmental management.

- b. *Farmers – bad news. Nobody will fight the mines.*

Do not fight – regulate – we need mines.

- c. *Agric – bad news – how make investment in agric.*

Still possible – think outside the box – this specific mine will not destroy agricultural activities in the area. Feasibility study on alternative agricultural options will be commissioned.

- d. *Symbolically – Lusthof is a very important case.*

We agree – Lusthof is an important case – this mine will focus attention on how mine design needs to be used as the primary environmental management measure. The process followed and the site specific detailed studies conducted, confirms that each mine need to be treated on merit – don't discard the baby with the bath water.

APPENDIX 6.1.6(A)

MINUTES OF PRE-APPLICATION PUBLIC MEETING



BLACK GOLD COAL ESTATES – LUSTHOF COLLIERY

PUBLIC MEETING (PHASE 1)

FAIRVIEW GUEST LODGE, CAROLINA

17 FEBRUARY 2010

11:00

MINUTES

Present:

**Jasper Müller
Riaan Fourie
Leana van Niekerk
Jamie Ferguson
A.E. Rabie
Lucky Hadebe
L.J. Botha
D.L. Neethling
P.L. Geldenhuys
L. Dormell
G. van der Merwe
Koos Davel
Antonius Sanders
Pierre Du Hain**

**JMA Consulting (Pty) Ltd
JMA Consulting (Pty) Ltd
JMA Consulting (Pty) Ltd
Black Gold Coal Estates (Pty) Ltd
Black Gold Coal Estates (Pty) Ltd
Chrissiesmeer Community
Lusthof Landowner
Mooifontein Landowner
Lusthof Landowner
N.G. Kerk Omgewings Groep
Fairview Landowner
Iona Farm
Chrissiesmeer Tourism
Lusthof & Iona Landowner**

1. Welcome

Jasper Müller welcomed everyone, introduced the JMA team and explained the purpose of the meeting.

2. Presentations

The following presentations were given:

- Presentation by Jasper Müller regarding the Background to the Project and the Scoping Report
- Presentation by Riaan Fourie regarding the Scoping and EIA Process, as well as future Public Participation

3. Discussion

Opportunity was given for questions and discussion, and relevant issues are listed as follows:

NG Kerk Omgewingsgroep (Carolina) – Leon Dormel

Comments on the fact that the presentations were given in English, even when there were only two people present who might not understand Afrikaans.

Lucky Radebe – Chrissiesmeer Community Representative

Mentioned that unfortunately he was not present when the stakeholder/committee was formed.

- Would like to get a clear understanding of the role of the stakeholder (committee) – is it an ongoing stakeholder who keeps on discussing problems?
- How many people from Chrissiesmeer are also involved?

***J Müller:** The ‘stakeholder / committee’, is what we refer to as our Focus Group, and consists of people who live immediately surrounding the mine, also called “Immediate Adjacent Land Owners”. Normally a focus group is a group of people with the same interests in a specific field. If anybody else wants to be consulted as a focus group, they are invited to inform us and they will be consulted as a focus group.*

Koos Davel - Neighbour

- Main concerns are water and rehabilitation.
- The Scoping Document must be comprehensive in order to address **all** issues before the project commences.
- Neighbours/farmers must have the privilege to influence decisions.
- When the project starts, and the plans as set out in the Scoping Document are not implemented correctly, who is going to be held responsible? The directors’/ shareholders’ names, ID numbers and contact details must be available and they must be prosecuted.

***J Müller:** It is our responsibility, as the environmental consultant, and the responsibility of the mine, in terms of their management of the environment, to comply to all legislation in the first place. Also to comply with guidelines set by the authorities, who are the official custodians of the environment. The final decision whether this mine continues or not, lies with the authorities.*

Together with your contribution, which is already becoming more evident in this process, we are committed to give compliance to all objectives to the best of our ability and with integrity. When the final document (the EMPR) is approved, it becomes the legal document which manages the objectives for the mine.

In terms of compliance with legislation and guidelines, as well as involving affected parties, we are committed to give our assurance that the study and process will be designed to take cognizance of the importance and sensitivity of the area.

With reference to details of the shareholders or directors, the registration number of the company is in the document, and details and financial information are public knowledge which can be obtained from the relevant departments.

Tom Sanders – Chrissiesmeer Tourism

Will the mine be prepared to enter into a “performance contract” with interest groups, in which all plans (e.g. number of trucks per day, number of blasts per day, dust, etc), are stipulated. In this way individual interests could be protected.

J Müller: The matter will be taken on advisement and will be answered responsibly.

Gert van der Merwe – Farm Fair View

How important is it for the neighbours to be included in the process, because my “Interested and Affected Party” form has been submitted in Aug/Sep 2009 and I have, until now, not been registered as an Interested Party.

R Fourie: Your correspondence has been received, and documentation has been sent to the address on the form. The correctness of the details will be verified.

Pieter Geldenhuys – Farm Lusthof

- No mention has been made regarding **transport of the coal**, what route will be followed?
- What is going to be done with all the **dust**?
- The existing road is necessary for movement of group members. If this road is going to be used, who will be responsible for **maintaining the road**? (The road was built in the 1960’s, and not designed for many vehicles carrying heavy loads).
- I have a game farm and often get visitors seeking the tranquillity and peace away from noise. The road is only 80m from the house - how is the **noise** going to be addressed, because in the long run, I am going to lose business, with the noise of trucks stopping and starting at all hours of the day and night.
- The **financial sustainability** of the mine is a concern.

J Müller: Your concerns are noted, and we shall address them. With reference to financial sustainability: The law clearly stipulates that sufficient funds must at all times during the life of the mine, be available for rehabilitation and closure of the mine.

J Ferguson: There is a protocol for calculating rehabilitation liability and funds must be paid into a trust fund (at the Dept of Mineral Affairs). It is a formal guarantee made out in their favour, and gets updated annually.

J Müller: In conclusion, the road is an important issue that needs to be addressed. With reference to liability: We only make use of registered engineers and scientists who are professionally accountable insofar as legislation requires.

Koos Davel - Neighbour

The question regarding professional liability is once again raised and it is suggested that insurance be obtained from an insurance company to cover losses even after 50 years or more.

J Müller: The insurance company to rely on, is DMR. The concept of a contract between people in a specific area speaking to each other, contributing towards good wellbeing and good neighbourliness, and sustainability of the area in terms of all issues, are noted.

Leon Dormel – NG Kerk Environmental Group

The track record of mines in the area shows that no mine actually keeps to the plans set out in the beginning. Can Blackgold Coal prove that their track record is different – maybe at another one of their mines?

***J Müller:** Agrees that the impacts at coal mines are large. However, from the start of the project, this mine has shown their commitment in that there have been large financial expenses in the form of the EMPR preparation, trust funds to be paid, etc. This meeting is proof that it is their intention to do this project right, in order for them to obtain a good track record. They also proved their intention when they appointed an objective person to monitor and audit them on what they committed themselves to.*

Leon Dormel

The monitoring process should be ongoing, and if the mine is found to be negligent, the parties involved must be in a position to stop the activity.

***J Müller:** There are existing mechanisms in the legislation, in the form of the approved EMPR which contains certain objectives, a Water License in which conditions are set out, an EIA RoD with conditions. If any condition is violated, you will be able to take action in several ways, e.g. go to the authorities or legal action.*

Gert van der Merwe – Farm Fair View

- Is there going to be living quarters for workers on site?
- Is there any chance that mining will be extended into neighbouring property when this mine reaches completion?

***J Müller:** No, it is a 24 hours operation, so the workers are going to work shifts. There will be ablution facilities, and a mine office. This will be written into the final EMP document.*

Currently this is the only reserve to be mined - any expansion will be subject to the same process as the one we are currently involved in, with a new EMPR Addendum, new EIA's, new Water License Applications, etc.

Pierre du Hain –

- Concerned about the responsibility towards the gas pipeline in terms of protection against rocks and dust, as well as vibration.
- Understands that the mine is trying to do well, but doesn't believe that the mine will be able to work as planned.

***J Müller:** Regarding the gas pipeline, we sent out a formal query to Sasol, and we received a formal response from Sasol. We are far from the pipeline, and there are many safety factors, but we are going to appoint a blasting specialist to make an assessment of the potential impact of blasting on the mine, as well as the potential impact on the pipeline.*

Koos Davel - Neighbour

- Agrees with Pierre Du Hain that nobody believes that it is going to go according to plan. At this stage, the government doesn't have the capacity to even evaluate whether it is good or bad.
- The implications of this mine are going to impact upon this group, and the choices made here, is our responsibility. We cannot rely on the government to make decisions, because they do not do it.
- Therefore we, as the immediate adjacent landowners, would like to have the option to influence the objectives.

J Müller: It will be looked at.

Leon Dormel

- I would like to see a detailed Storm Water Design, not only for the site itself, but also for the road outside the site. What is going to happen with the water run-off and how are trucks going to be prevented to waste coal onto the road.

J Müller: There will be a detailed Storm Water Design.

- Does the mine have ISO 14000 registration? If not, they should consider it.

J Ferguson: No ISO 14000 registration.

- How are workers going to be prevented to set traps for smaller game (like rabbits, mice, mongoose, etc)?
- Are there going to be power lines, and how are injuries to birds going to be prevented?

J Müller: 200 kVa power line

- Does the mine plan to measure the biodiversity beforehand?

J Müller: Yes, it will be included in the EIA.

- As jy na 'n tipiese profiel kyk van ons omgewing, is daar byvoorbeeld 'n grasvlakte met 'n bultjie. Jy het nou 'n split met 'n sandsteenbank wat wissel van omtrent 'n meter tot so 3 – 4 meter. Die steenkool lê onder hierdie sandbank. As dit reën, sak dit deur tot op die sandbank, dan loop dit horisontaal af tot waar dit teen die rante van die hellings uitkom. Nou het jy tipies (en jy sien dit baie in ons omgewing), waar die water oor 'n neus van die sandbank afloop en dan in die gras ondertoe, af na die spruit toe. Nou het jy tipies 'n nat veld (vlei). Jy strip nou die bogrond af en jy strip die sandsteenbank af om by die steenkoop uit te kom. Hierdie goed word nou gestockpile eenkant. Op die ou end word alles teruggebring om te rehabiliteer. Nou reën dit weer, maar daar is nie meer 'n sandsteenbank om hierdie water te vang en uit te gooi nie, dit sal nou reg deur tot op die volgende harde laag, wat 10 – 20 meter dieper kan lê. Hierdie waterveld wat ons gehad het, gaan nou verdwyn. Het julle vir my 'n antwoord?

J Müller: Ons kyk spesifiek na die perched aquifer. Vlak watertafels, baie keer loop hy bo-op die kliplaag, gaan uit, so ons kyk na al die 'sypelpunte', dit word opgeteken rondom die myn. Dit is een van die fokuspunte waarna ons kyk en daar sal diagrammatiese uiteensettings wees.

4. Closure

Everybody is thanked for their time and assured that the project will be conducted in a satisfactory manner to all parties involved.

Minutes compiled by:



Jasper L Muller (Pr.Sci.Nat.)

BLACK GOLD COAL ESTATES LUSTHOF COLLIERY

EMPR ADDENDUM EIA AND IWULA

FIRST PUBLIC MEETING 17 FEBRUARY 2010

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BLACK GOLD COAL ESTATES - LUSTHOF AGENDA

1. Welcome	Jasper Muller
2. Background to Project	Jasper Muller
3. Scoping & EIA Process	Riaan Fourie
4. The Scoping Report	Jasper Muller
5. Future Public Participation	Riaan Fourie
6. Discussion	Jasper Muller
7. Closure	Jasper Muller

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WELCOME

- ❖ Welcome all Present
- ❖ Introduce JMA Team (Jasper Muller and Riaan Fourie)
- ❖ Purpose of Meeting
- ❖ Time 11:00 till 13:00
- ❖ Presentations by Jasper Muller and Riaan Fourie
- ❖ Can Ask Questions for Clarity during Presentations
- ❖ Hold Aspects/Concerns over till Discussion for sake of the Minutes

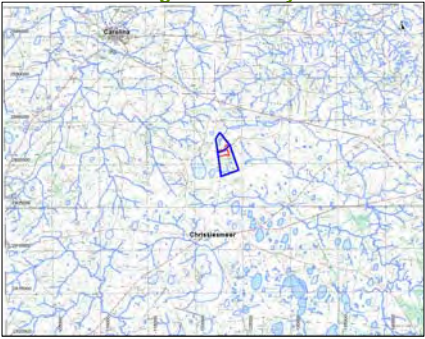
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Background to Project

- ❖ The Project is known as the Black Gold Coal Estates – Lusthof Colliery Project
- ❖ Lusthof Colliery has an approved EMPR for its proposed mining activities on Portions 4 and 6 of the Farm Lusthof 60 IT, located within the Albert Luthuli Local Municipality between Carolina and Chrissiesmeer
- ❖ As a result of concerns raised by neighbouring land owners, mining has not commenced and BGCE has agreed to produce and submit an Addendum EMPR to DMR in order to address critical mining and environmental issues.
- ❖ In the current project BGCE also intends to apply for other related Formal Environmental Authorizations - therefore:
 - The approved EMPR for Lusthof will be supplemented to address concerns and issues and an EMPR Addendum will be submitted to DMR in terms of the EIA & EMP requirements of the **Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA)**.
 - An EIA Record of Decision (ROD) will be sought from DEDET as required in terms of the provisions of the **National Environmental Management Act, Act 107 of 1998 (NEMA)** for all listed activities related to the proposed project.
 - An Integrated Water Use License Application (IWULA) will be lodged with DWA as required in terms of the National Water Act, Act 36 of 1998 (**NWA**) to authorize water uses related to the project.

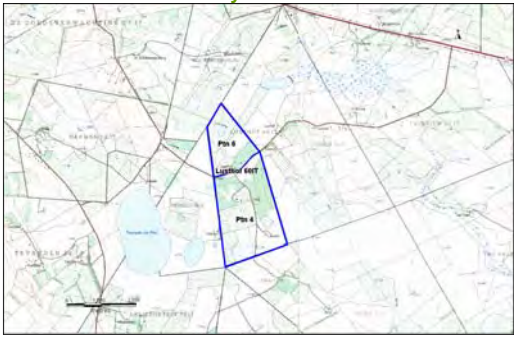
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Background to Project Regional Locality

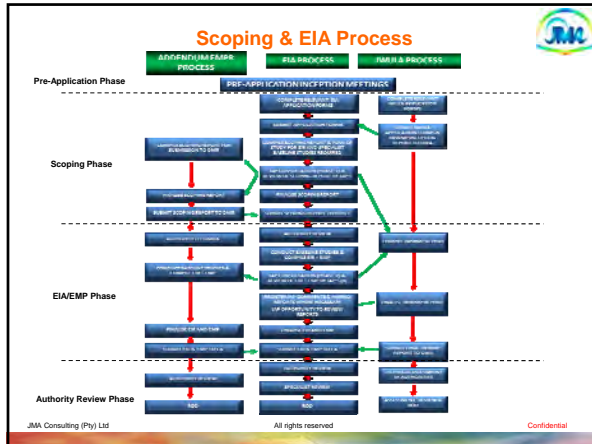


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Background to Project Locality on Lusthof



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Different Phases of EIA Process

In the EIA Process there are 4 Phases:

- **Pre-Application Phase**
- **Scoping Phase**
- **EIA/EMP Phase**
- **Authority Review Phase**

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Different Phases of EIA Process

Pre-Application Phase:

- Appointment of EAP
- Determining Type of Applications
- Identification of Relevant Authorities
- Pre-Consultation Meetings with Lead Authorities:
 - Department of Mineral Resources
 - Department of Economic Development, Environment & Tourism
 - Department of Water Affairs

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Identified Listed Activities for the Scoping EIA

National Environmental Management Act, Act No. 107 of 1998	
Section 24 Environmental Authorization Application	
GNR 386	
Activity 1(c)	The construction of facilities or infrastructure, including associated structures or infrastructure, for – the storage of 250 tons or more but less than 100 000 tons of coal
Activity 1(n)	The construction of facilities or infrastructure, including associated structures or infrastructure, for – the off-stream storage of water, including dams and reservoirs, with a capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of the activity listed in item 6 of Government Notice No. R. 387 of 2006
Activity 7	The above ground storage of a dangerous good, including petrol, diesel, liquid petroleum gas or paraffin, in containers with a combined capacity of more than 30 cubic metres but less than 1 000 cubic metres at any one location or site.
Activity 13	The abstraction of groundwater at a volume where any general authorization issued in terms of the National Water Act, 1998 (Act No. 36 of 1998) will be exceeded.
Activity 15	The construction of a road that is wider than 4 metres or that has a reserve wider than 6 metres, excluding roads that fall within the ambit of another listed activity or which are access roads of less than 30 metres long.

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Identified Listed Activities for the Scoping EIA

National Environmental Management Act, Act No. 107 of 1998	
Section 24 Environmental Authorization Application	
GNR 387	
Activity 1 (e)	The construction of facilities or infrastructure, including associated structures or infrastructure, for – any process or activity which requires a permit or license in terms of legislation governing the generation or release of emissions, pollution, effluent or waste and which is not identified in Government Notice No. R. 386 of 2006 or included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the activity is regarded to be excluded from this list.
Activity 2	Any development activity, including associated structures and infrastructure, where the total area of the developed area is, or is intended to be, 20 hectares or more.
Activity 5 (b)	The route determination of roads and design of associated physical infrastructure, including roads that have not yet been built for which routes have been determined before the publication of this notice and which has not been authorised by a competent authority in terms of the Environmental Impact Assessment Regulations, 2006 made under section 24(5) of the Act and published in Government Notice No. R. 385 of 2006, where – it is a road administered by a provincial authority;

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Identified Water Uses

- **Section 21 (a)** - Taking water from a water resource
- **Section 21 (e)** - Engaging in a controlled activity
- **Section 21 (g)** - Disposing of waste in a manner which may detrimentally impact on a water resource
- **Section 21 (j)** - Removing, discharging or disposing of water found underground if it is necessary for the efficient continuation of an activity or for the safety of people

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Exemptions from GN 704 of NWA

GNR 740 (R 3) Exemptions from GNR 704	
Regulation 4 (c) (Restrictions On Locality)	No person in control of a mine or activity may place or dispose of any residue or substance which causes or is likely to cause pollution of a water resource, in the workings of any underground or open cast mine excavation, prospecting diggings, pit or any other excavation. Placement of spoil in the open pit in a continuous fashion during mining at Lusthof Colliery.
Regulation 7(a) (Protection of Water Resources)	Every person in control of a mine or activity must take reasonable measures to: (a) Prevent water containing waste or any other substance which causes or is likely to cause pollution of a water resource from entering any water resource, either by natural flow or by seepage, and must retain or collect such substance or water containing waste for use, reuse, evaporation or for purification and disposal in terms of the Act. Placement of Lusthof Colliery ROM stockpile on land to be mined or on rehabilitated open pit areas without a footprint liner.

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Different Phases of EIA Process

Scoping Phase:

- Public Participation (Phase 1)
- Notification of I&APs (BID, Notification Letter, Press Adverts, & Site Notice's)
- Public Meeting (I)
- Focus Group Meetings
- Identified Focus Groups
 - Surrounding Land Owners
 - Other
- Collecting & Documenting Comments from I&APs
- Compilation of EIA Application forms, Scoping Report & Plan of Study
- Submit EIA Application form, Scoping Report & Plan of Study

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Different Phases of EIA Process

EIA/EMP Phase:

- Conduct Specialist Studies
- Conduct EIA, Design EMP, Compile EIA Reports
- Public Participation (Phase 2)
- Notification of I&APs (BID, Notification Letters, Press Adverts, Site Notice's)
- Public Meeting (II)
- Collecting and Documenting Comments from I&APs
- Finalize EIA Report and Draft EMP
- Submit EIA Report and Draft EMP

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The Scoping Report & Plan of Study

- The Scoping Report and Plan of Study is currently being compiled in support of the EMPR Addendum (MPRDA), the EIA/EMP (NEMA) as well as the IWULA (NWA)
- The contents of the Scoping Report and Plan of Study are prescribed in both the MPRDA Regulations as well as the NEMA EIA Regulations
- The Draft Scoping Report will only be finalized after the I&AP's and other relevant stakeholders have commented and their comments have been addressed
- The Final Scoping Report will then be submitted to DEDET for review and approval
- This Public Participation process is intended to facilitate your inputs into this process.

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The Scoping Report & Plan of Study

- Chapter 1** gives an Introduction to the project and explains the Formal Authorizations required.
- Chapter 2** gives a detailed Description of the Scoping and EIA Processes as required by the two sets of relevant legislation (NEMA and MPRDA) and also gives Details of the Environmental Assessment Practitioner and the Project Team appointed to undertake the EIA and compile the EMP. It also contains a declaration by the EAP.
- Chapter 3** discusses the overall Project Description which includes details on the Enviro-Legal Framework for the Project, the Project Applicant, Project Location with relevant Regulating Authorities, Properties Affected, Project Resource Attributes, Project Motivation and a Project Description for the Construction Phase, Operational Phase, Decommissioning and Closure Phase, as well as the Post Closure Phase.

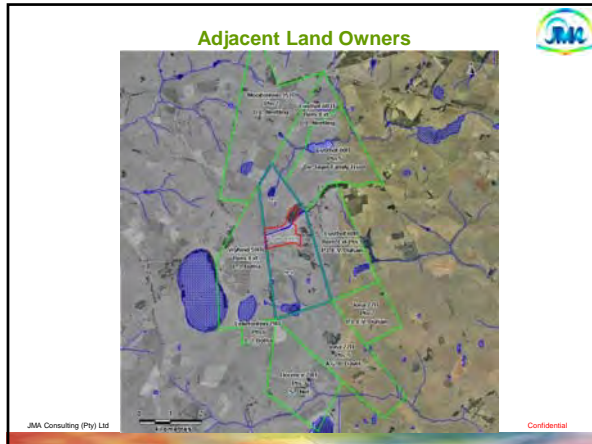
In the Project Description the General Infrastructure, Mining Infrastructure, Stockpile Areas, Water Management Infrastructure and Waste Management Facilities are all dealt with. Closure and Rehabilitation are also discussed.

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The Scoping Report & Plan of Study Project Applicant

Project Applicant:	Black Gold Coal Estates (Pty) Ltd
Trading Name:	Lusthof Colliery t/a as Black Gold Coal Estates (Pty) Ltd
Business Registration No:	2003/003266/07
Contact Person:	Mr J Ferguson
Physical Address:	34 O R Tambo Street, Model Park, Witbank
Postal Address:	P O Box 3185, Witbank, 1035
Telephone no:	+ 27 (0) 13 690 3131
Fax no:	+ 27 (0) 13 656 4374
E-mail:	ferguson@eastsidecoal.co.za

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The Scoping Report & Plan of Study Project Resource Attributes

<ul style="list-style-type: none"> • Coal Seams to be Mined: • Coal Reserve Estimate: • Estimated Life of Mine: • Markets: 	<p>B Lower, C Upper, C Lower 4 000 000 tons 4 years to 6 years A Grade Export Inland High Quality (Paper & Sugar) Inland Low Quality (Eskom) (60/40) (Export/Inland)</p>
<ul style="list-style-type: none"> • Depth of Mining: • Mining Method: • Spoil & Rehabilitation 	<p>5 m to 31 m below surface Open Cast Truck & Shovel Sequential Roll Over</p>

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- ### The Scoping Report & Plan of Study Project Life Cycle Description Construction Phase
- Site Establishment
 - Road Diversion
 - Access Roads
 - Offices
 - Security Fencing
 - Box Cut
 - Haul Road
 - ROM Stockpile
 - Soil Stockpile – Visual Berms
 - Soils Stockpile
 - Hards Stockpile
 - Water Management Infrastructure including Storm Water PCD
 - Water Treatment Plant if Required
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- ### The Scoping Report & Plan of Study Project Life Cycle Description Operational Phase
- Soil stripping and stockpiling
 - Soft overburden stripping and stockpiling
 - Blasting every 2 to 3 days
 - Start roll over after cut 4 to 5
 - Coal mining with shovel and truck
 - Trucks exit along haul road and transport coal to Eastside Colliery (10 per hour)
 - 35 people on site at any given moment
 - 24 hour operation
 - Ongoing Environmental Management and Monitoring as per EMP
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- ### The Scoping Report & Plan of Study Project Life Cycle Description Decommissioning and Closure Phase
- Removal of infrastructure and rehabilitation of footprints as per EMP
 - Final pit rehabilitation - no open final voids – as per EMP
 - Re-vegetation of final rehabilitation – as per EMP
 - Implement post closure ground water measures as per EMP
 - Implement post closure surface water measures as per EMP
 - Ongoing Environmental Management and Monitoring as per EMP
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- ### The Scoping Report & Plan of Study Project Life Cycle Description Post Closure Phase
- Post Closure ground water measures as per EMP
 - Ongoing Monitoring and Maintenance as per Closure Permit
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The Scoping Report & Plan of Study



- Chapter 3 also deals with the Identification and Assessment of Project Alternatives and includes *inter alia* aspects related to:
 - Mining Surface Infrastructure Layout
 - Mining Plan
 - Mineral Processing
 - Transport Methods and Routes
 - Road Diversion Alternatives and Routes
 - Stream Diversion Alternatives
 - Electrical Power Supply
 - Water Supply
 - Overburden and Soil Stockpile Sites
 - ROM Stockpile Sites
 - Waste Disposal
 - Sewage Treatment
 - Post Closure Land Use
 - The No-Go Option

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The Scoping Report & Plan of Study Project Alternatives



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The Scoping Report & Plan of Study Project Alternatives



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The Scoping Report & Plan of Study



- Chapter 4 describes the Current Environment that could be impacted by the proposed activity. This description, although provisional in the Scoping Report, nevertheless contains a fair amount of detail as base line studies were conducted for the entire project area during the original EMPR project for Luthof. Some of these studies will, however, be upgraded during the EIA Phase of this study. The Manner of Potential Environmental Impacts on each of environmental components is also summarized in this chapter.

The following Environmental Components will be covered:

Meteorology	Topography	Soils
Land Capability & Use	Geology	Ground Water
Surface Water	Plant Life	Animal Life
Aquatic Ecosystems	Air Quality	Noise
Heritage Aspects	Visual Aspects	Socio-Economics

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The Scoping Report & Plan of Study



- Chapter 5 deals with a description of Environmental Issues and Impacts as they were/are identified by the Consultants as well as the I&AP's. The chapter also deals with Potential Cumulative Impacts, a discussion on the proposed Impact Assessment Methodology and concludes with a listing of Proposed Specialist Studies required during the EIA Phase. More details on the Specialist Studies and Focus Issues are given in the Plan of Study in Chapter 7.

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The Scoping Report & Plan of Study



- Chapter 6 gives a detailed description of the Public Participation Process conducted to date – Scoping Phase. It contains details on:
 - Need for Public Participation
 - The Scope of the Scoping Phase Public Participation
 - Identification/Registration of Authorities and I&AP's
 - Notification of Authorities and I&AP's
 - Information to Authorities and I&AP's
 - Meetings with Authorities and I&AP's
 - Obtaining comments from Authorities and I&AP's
 - Responding to comments from Authorities and I&AP's

Please note that the Public Participation Process supports the EMPR Addendum for DMR (MPRDA), the EIA/EMP for DEDET (NEMA) as well as the IWULA for DWA (NWA)

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The Scoping Report & Plan of Study Specialist Studies



- Chapter 7 represents the Plan of Study which details the Proposed Specialist Studies and also proposes the Project and Consultation Time Line with the Authorities. Based on a critical review of the original EMPR, and subject to comments received from I&AP's up till now, the following specialist studies have been identified to date:
 - Detailed Aerial Topographical Survey to support the road diversion, as well as the rehabilitation plan – Azur Aerial Works
 - Soil Survey to support the rehabilitation plan – Wetland Consulting Services
 - Biodiversity Assessment (Fauna, Flora, Aquatic Ecosystems and Sensitive Landscapes) in support of overall impact of the mine as well as the rehabilitation/vegetation plan – Wetland Consulting Services
 - Geochemical Study to assess AMD Generation in support of the salt balance and the water management plan – JMA Consulting
 - Assessment for the potential of AMD Diffusion in support of the rehabilitation plan – North West University
 - Geological Study to support the materials balance and floor contour assessment for the rehabilitation plan and water management plan – JMA Consulting

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The Scoping Report & Plan of Study Specialist Studies



- Groundwater Study to support the ground water balance, the pit flooding and decant assessments, the aquifer dewatering assessments, the potential ground water pollution plume migration assessment, the ground water management plan and ultimately the overall mine water management plan – JMA Consulting
- Surface Water Study to support the surface and storm water balances, the storm water management plan and also the overall mine water management plan – Inprocon
- Air Quality Assessment to address Dust issues – Airshed Planning Professionals
- Noise Assessment to address Noise issues – Acusolv
- Blasting and Vibration Study to address blasting related Noise, Vibrations and Dust – Blast Analyse Africa
- Detailed Water Treatment Feasibility Assessment – Proxa
- Gas Pipeline Vulnerability Assessment – Sasol Gas Limited

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The Scoping Report & Plan of Study Focus Issues



In the EIA special attention will additionally be given to Cumulative Impacts

In the EMP special attention will be given to the following Focus Issues :

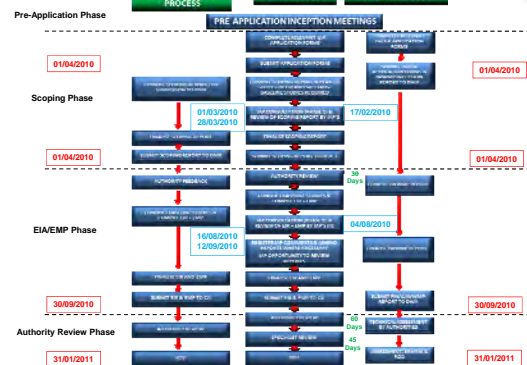
- Ground Water Management Plan
- Storm Water Management Plan
- Overall Mine Water Management Plan
- Dust Control
- Noise Abatement
- Stockpiling of Overburden and Soil
- Rehabilitation Plan
- Re-vegetation Plan
- Post Closure sustainable Land Use
- Post Closure Water Management/Treatment
- Operational and Post Closure Monitoring

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Future Public Participation Time Line



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Discussion Jasper Muller



- ❖ Please state your name and affiliation prior to asking your question
- ❖ Your name and question will be minuted
- ❖ If possible your question will be answered at the meeting
- ❖ If you are satisfied with the answer it will be minuted, captured in the Issues and Response Register and your query will be considered as settled/concluded
- ❖ If your question cannot be answered at the meeting, it will be minuted, captured in the Issues and Response Register, and will be formally attended to during the finalization of the scoping report or alternatively during the EIA/EMP phase
- ❖ You can also submit your query in writing at the end of the meeting or post it to JMA Consulting, P O Box 883, Delmas, 2210, or alternatively
- ❖ Fax to (013) 665 2364, or else,
- ❖ e-mail to: r.fourie@jmaconsult.co.za
- ❖ All written queries/concerns/comments received will be acknowledged and will then be captured and responded to in the Issues and Response Register
- ❖ The Issues and Response Register will be amended as the project continues and will be appended as an APPENDIX to the Scoping Report as well as to the EIA Report as a separate Public Participation Report

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Closure Jasper Muller



- ❖ We aim to have the Draft Scoping Report available by end February
- ❖ All will be informed as soon as it is available
- ❖ Hard copies of the Draft Scoping Report will be made available for review and comment in the public libraries in Carolina and Chrissiesmeer
- ❖ Electronic copies (pdf) on CD can be supplied to everyone who requests such a copy from JMA Consulting
- ❖ Limited hard copies can be printed and supplied to persons who does not have access to electronic media
- ❖ Please make sure that we have your details for delivery of CD's/Reports
- ❖ A review period of 4 weeks is proposed – Obtain Agreement!!!!
- ❖ Minute the agreed review period!

Thank You for Your Attendance

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APPENDIX 6.1.8 (A)

NOTIFICATION TO LANDHOLDERS



JMA Projek Verwysingsnommer – JMA/10381

AANDAG: MNR. L.J. BOTHA

(Aangewese kontak persoon vir die volgende entiteite)

- **JOHAN BOTHA TRUST– EIENAAR PORSIE 4 VAN DIE PLAAS LUSTHOF 60 IT**
- **HANNES BOTHA TRUST – EIENAAR PORSIE 6 VAN DIE PLAAS LUSTHOF 60 IT**

In terme van die nuwe Omgewings Impak Studie Regulasies, soos vervat in Goewerment Kennisgewing Regulasie 543 van 18 Junie 2010 (**GKR 543**), en wat op 2 Augustus 2010 in terme van Seksie 24 van die Nasionale Omgewings Bestuurs Wet, **NOBW**, (Wet 107 van 1998) gepromulgeer is, moet die applikant, **Black Gold Coal Estates (Pty) Ltd (BGCE)**, indien hy nie die wettige eienaar of persoon in beheer van die grond waarop hiernaas genoemde aktiwiteite sal plaasvind nie, volgens wet die huidige grondeienaars skriftelik in kennis stel van hul intensie om 'n Omgewings Impak Studie aansoek te loods. Hierdie skrywe het dan die funksie om voldoening te gee aan Regulasie 15 (1) van GKR 543 wat die bogenoemde vereiste soos volg uitstip:

“Activity on land owned by person other than applicant

15. (1) *If the applicant is not the owner or person in control of the land on which the activity is to be undertaken, the applicant must give written notice of the proposed activity to the owner or person in control of the land on which the activity is to be undertaken, and inform such person that he may participate in the public participation process as contemplated in regulation 54.”*

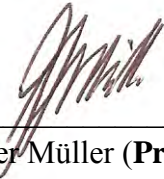
Soos reeds aan u bekend, is JMA Consulting (Pty) Ltd aangestel deur BGCE as onafhanklike konsultante om die verskeie wetlike omgewings goedkeuring prosesse te fasiliteer ten einde voldoening te gee aan BGCE se intensie om die “Lusthof Colliery” steenkool myn te bedryf op Porsie 4 en 6 van die plaas Lusthof 60 IT.

Genoemde prosesse sluit in die volgende; 'n Omgewings Impak Studie soos vereis deur die NOBW (Wet 107 van 1998), 'n Geïntegreerde Water Gebruik Lisensie Aansoek soos vereis deur die Nasionale Water Wet (Wet 36 van 1998), 'n Wysiging aan die huidiglik goedgekeurde Omgewings Bestuurs Program soos vereis deur die Minerale en Petroleum Hulpbronne Ontwikkelings Wet (Wet 28 of 2002), asook 'n Afval Lisensiering Aansoek soos vereis deur die Nasionale Omgewing Afval Bestuurs Wet (Wet 59 van 2008).

Al die bogenoemde prosesse vereis dat daar 'n Publieke Deelname Proses moet geskied, soos beskryf in Regulasies 54 – 57 van GKR 543 van 18 Junie 2010, soortgelyk aan die Publieke Deelname Proses wat onlangs gevolg is tydens die Bestekopname fase van die Omgewings Impak Studie vir hierdie projek en waarby u ook betrokke was. Die Bestekopname Fase is nou afgehandel en JMA Consulting beoog om die Bestekopname & Beplanning vir Verdere Studies Verslag by die Mpumalanga Departement van Ekonomiese Ontwikkeling, Omgewing & Toerisme se Ermelo kantoor in te dien.

Ons sal dit hoog op prys stel indien u ontvangs van hierdie skrywe sal erken.

Die uwe



Jasper Müller (**Pr.Sci.Nat.**)
Raadgewende Konsultant

LET 6662

APPENDIX 6.2.1 (A)

COPIES OF SCOPING PHASE BID,

NOTIFICATION LETTERS,

NEWSPAPER ADVERTISEMENTS

AND

SITE NOTICES

SCOPING PHASE BID

CONTACT INFORMATION

In order to ensure that you are identified/listed as an Interested and Affected Party, please submit your name, contact information and interest in the matter on the provided registration form or contact:

JMA Consulting (Pty) Ltd

Contact: Kobus du Plessis (Cand.Sci.Nat)
Tel: 013 665 1788
Fax: 013 665 2364
Email: kobus@jmaconsult.co.za
Postal: P.O. Box 883
 Delmas
 2210

JMA Consulting (Pty) Ltd

"Sustainable Environmental Solutions through
 Integrated Science and Engineering"



LUSTHOF COLLIERY - BLACK GOLD COAL ESTATES (PTY) LTD BACKGROUND INFORMATION DOCUMENT

IN THIS BID:

BACKGROUND TO THE PROPOSED PROJECT	1	Black Gold Coal Estates (Pty) Ltd (BGCE) intends to start up an open pit coal mine, with a mine footprint area of approximately 80 ha on Portion's 4 and 6 of the Farm Lusthof 60 IT. The farm Lusthof is located some 17 km South East of Carolina and 10 km North of the town Chrissiesmeer. Due to various legal requirements for this project, certain formal legal processes as prescribed by environmental legislation will need to be followed.
OUTLINE OF THE PROCESSES TO BE FOLLOWED	2	This document has the function of providing the various identified Interested & Affected Parties (I&APs) with some background information regarding the proposed mining developments on Portion's 4 and 6 of the Farm Lusthof 60 IT as well as information on the various formal legal processes that will need to be followed in order to obtain the required environmental authorizations.
ENVIRONMENTAL EVALUATIONS THAT WILL BE CONDUCTED	2	This document therefore forms part of the official Public Participation documentation as prescribed in the EIA Regulations published in Government Notice Regulations 543, whereby all I&APs must be notified and informed on proceedings regarding the EIA process. Attached to this document also find a Comment Page whereupon all concerns or objections by the I&APs can be stipulated to be reviewed by JMA Consulting (Pty) Ltd (JMA).
ROLE OF THE I&AP'S	3	In September 2005, BGCE submitted an Environmental Management Programme Report (EMPR) to the Department of Minerals and Energy with regards to studies done in order for BGCE to commence mining on the Farm Lusthof 60 IT. This document was approved by DME in 2006.
PROJECT TIMELINE	3	Subsequent to the approval of the EMPR by DME, surrounding land owners and other I&AP's raised serious concerns about aspects related to the approved EMP and a formal dispute between these parties and BGCE ensued. Although the dispute comprised a number of issues, the main concerns related to water management, biodiversity, noise, dust, rehabilitation and the overall cumulative impacts in the area.
CONTACT DETAILS	4	In an attempt to resolve the dispute, JMA Consulting (Pty) Ltd was consulted collectively by the surrounding land owners and BGCE, to perform a detailed review of the approved EMPR.

INTRODUCTION & BACKGROUND TO THE PROPOSED PROJECT

They had to assess its acceptability, identify any shortcomings, and to propose a way forward for additional studies and upgrading of the EMP.

The outcome of the JMA Study was an agreement between the parties that the formal dispute would be put on hold and that JMA would be appointed to conduct the necessary studies in support of an EMPR Addendum which would be based on a high level quantitative Environmental Impact Assessment, followed by an Environmental Management Plan incorporating the BPEO (Best Practicable Environmental Option).

In November 2008, JMA Consulting commenced with studies to upgrade information required for the EMPR Addendum in full consultation with the relevant I&AP focus group. These investigations progressed to the point where a Draft Scoping Report was compiled and submitted for general I&AP comment in a formal I&AP process as required in terms of the relevant regulations. After the review period the Draft Scoping Report was updated into a Final Scoping Report and submitted to both DMR and DEDET for consideration on 3 September 2010.

However, certain I&AP's were still not satisfied and requested BGCE to retract the submitted Scoping Report and to terminate the formal process until such time as all outstanding issues were resolved. BGCE, in a gesture of good faith retracted the documents early in 2011.

Consultations with the relevant I&AP's continued and more studies were conducted and reported on. The project continued outside the formal process and included additional studies related to aspects identified by the relevant I&AP's, including issues pertaining to water treatment, adjacent land owner compensation and aspects raised by the MTPA (Mpumalanga Tourism and Parks Agency).

Extensive additional work was again conducted, reported on and consulted with the relevant I&AP's. Although some details related to the final outstanding issues still have to be resolved to the satisfaction of some of the relevant I&AP's, BGCE now proposes to re-enter the formal processes. BGCE is committed to finalize the outstanding issues within the formal processes.

REGIONAL SETTING OF LUSTHOF SITE

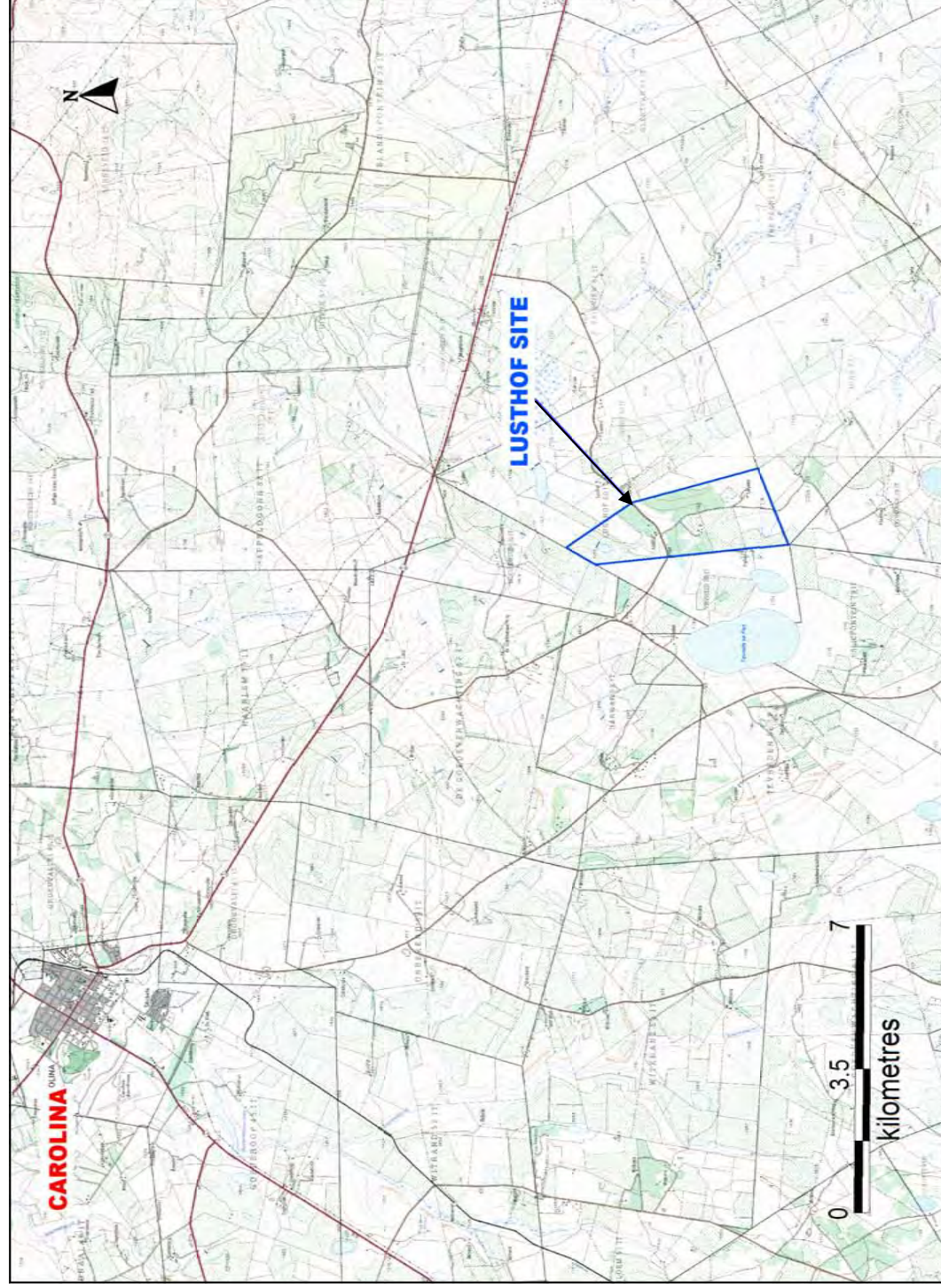
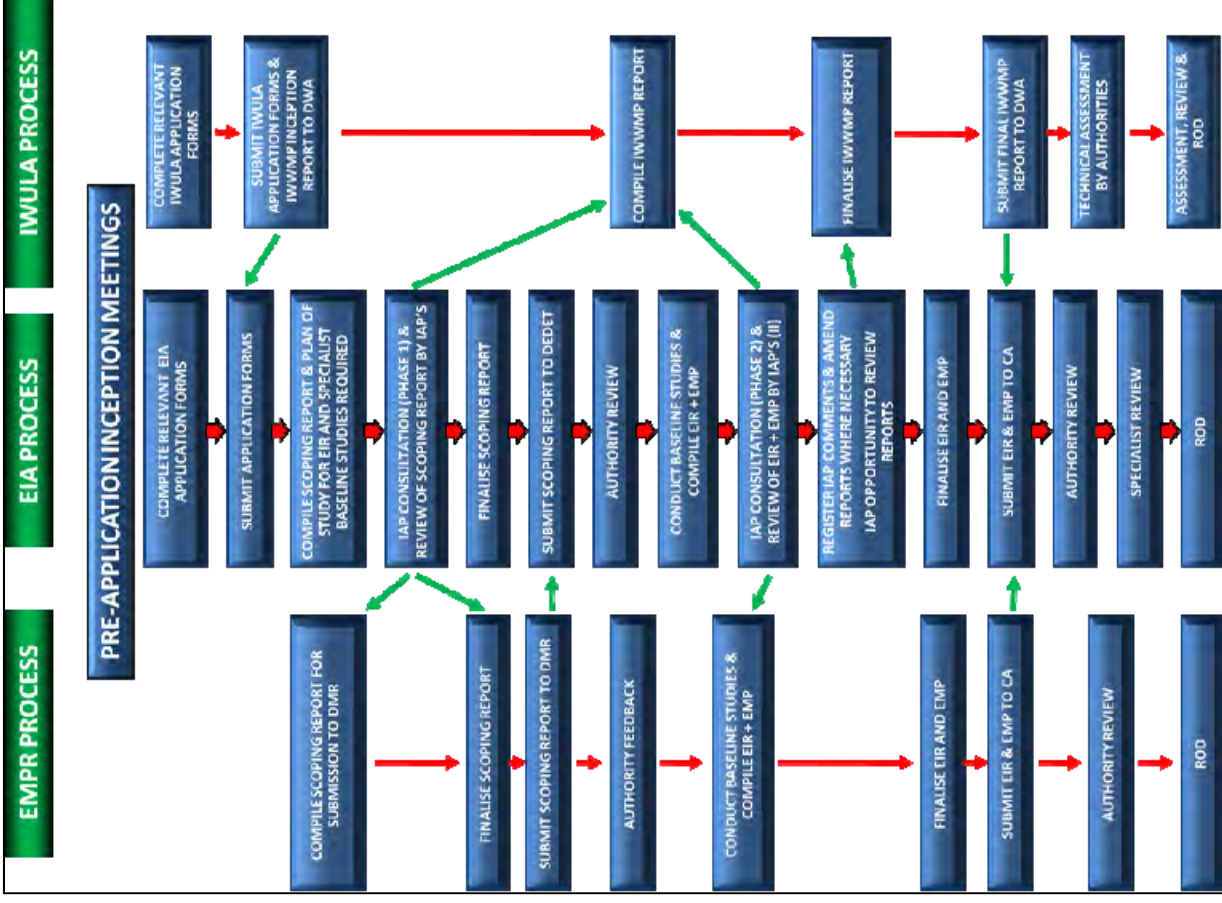


Figure 1: Regional Setting of the Lusthof Site

OUTLINE OF THE VARIOUS ENVIRONMENTAL PROCESSES TO BE FOLLOWED

For this project three formal Environmental Authorisation Processes will be run concurrently with each other. These formal processes are:

- ⇒ An **Addendum Environmental Management Programme Report (EMPR) Process** as described in the Mineral and Petroleum Resources Development Act (Act 28 of 2002).
- ⇒ A **Full Scoping Environmental Impact Assessment (EIA) Process** as described in the National Environmental Management Act (Act 107 of 1998).
- ⇒ An **Integrated Water Use License Application (IWULA) Process** as described in the National Water Act (Act 36 of 1998).



ENVIRONMENTAL EVALUATIONS THAT WILL BE CONDUCTED

In order to support the relevant authorization processes, a number of specialist investigations are being conducted. These investigations include *inter alia* environmental base line studies, impact assessments, management measure development and monitoring system design. Aspects covered include:

Socio-cultural; Socio-economic; Heritage; Meteorology; Topography; Soils; Land Capability; Land Use; Geology/Geochemistry; Ground Water; Surface Water; Plant Life; Animal Life; Wetlands; Aquatic Ecosystems; Air Quality; Noise; Visuals; Blasting/Vibration; Road Traffic; Water Treatment; Economic Closure Cost Model; Comparative Land Use Assessment.

These studies are being conducted by a team of duly qualified specialists.

ROLE OF THE I&AP'S

Interested and Affected Parties (I&AP's) have the right to raise any issue that they may deem as important and that they feel, needs to be investigated prior to approval being granted with regards to this application. These issues raised, must then be formally registered by the Environmental Assessment Practitioner (EAP), and be subsequently investigated. The EAP must respond to all issues raised during the Public Participation Process.

The roles of I&AP's in a Public Participation Process include *inter alia* one or more of the following:

- ⇒ Provides an opportunity for interested and affected parties (I&AP's) to obtain clear, accurate and comprehensible information about the proposed activity, its alternatives and the environmental impacts thereof.
- ⇒ Provides I&AP's with an opportunity to indicate their viewpoints, issues and concerns regarding the activity, alternatives and the impacts.
- ⇒ Provides I&AP's with the opportunity of suggesting ways of avoiding, reducing or mitigating negative impacts of an activity and for enhancing positive impacts.
- ⇒ Enables an applicant to incorporate the needs, preferences and values of affected parties into the activity.
- ⇒ Provides opportunities to avoid and resolve disputes and reconcile conflicting interests.
- ⇒ Enhances transparency and accountability in decision-making.

AUTHORITY PARTICIPATION

In conjunction with the formal Public Participation Process the EAP will also meet with the Relevant Authorities in a series of identified Focus Group Meetings throughout the project application process. The Relevant Authorities in this case being amongst others the Department of Mineral Resources, the Department of Water Affairs and the Department of Economic Development, Environment, and Tourism.

TIMELINE FOR THE PROJECT

As can be seen in the outline of the processes to be followed (see page 2) there are two scheduled I&AP public meetings. At these meetings, the status of the project will be explained. On completion of the different stages of the project, the I&AP's will be able to review documentation drawn up, and raise any comment and/or concern that they may have with regards to the proposed project.

The first I&AP public meeting will be held on the 14th of November 2012, where the Scoping Report and Plan of Study for the rest of the Environmental Impact Assessment, will be discussed. I&AP's will then have an opportunity to react to the proposed planning and raise any comments and/or concerns that they may have during the meeting and the formal review period that will follow after the meeting for a specified time period.

After the review period has expired and the comments of the I&AP's have been incorporated into the document, the Scoping Report and Plan of Study will be submitted to the relevant authorities.

The second I&AP public meeting is provisionally scheduled for May 2013 where the Environmental Impact Report (EIR) & Draft Environmental Management Plan (EMP) as well as the Integrated Water Management plan will be discussed and presented for I&AP review.

The updated EIR & Draft EMP, along with the Integrated Water Management Plan for the Integrated Water Use License Application, will then be submitted to the authorities for approval.



NOTIFICATION LETTER



ATTENTION: Dear Interested and Affected Party

Dear Sir / Madam

You are hereby notified by JMA Consulting (Pty) Ltd, the duly appointed EAP, that the applicant Black Gold Coal Estates intends to commence with the following activities in the near future:

- Application for an EMPR Addendum in terms of the Mineral and Petroleum Resources Development Act 28 of 2002, GNR 527
- Formal EIA process in terms of The National Environmental Management Act 107 of 1998, GNR 543
- Integrated Water Use Licence Application in terms of The National Water Act 36 of 1998 as prescribed by the Department of Water Affairs
- If any listed waste activities are identified a formal Waste Application will be applied for in terms of The National Environmental Management: Waste Act 59 of 2008.

In support of the required applications, and to initiate to above processes, a Scoping Phase, I&AP Public Meeting, will be held at **11h00 on Wednesday 14 November 2012**, in order to provide you with project related information and to provide you with the opportunity to give inputs into the project.

The meeting will be held at the Fairview Guesthouse, located approximately 4 km outside of Carolina on the R33 Wonderfontein / Middelburg road.

GPS Coordinates of Venue:

S 26°02'51.4"

E 30°04'59.7"

Site Notices to announce the project and to inform the public of the proposed public meeting were put up at the following locations:

- Carolina Post Office
- Carolina Public Library
- Albert Luthuli Municipality/Information Desk
- Chrissiesmeer Post Office
- Chrissiesmeer Public Library
- Lusthof Portion 4, boundary fence

Advertisements to announce the project and to inform the public of the proposed public meeting were placed in the Daily Sun Newspaper as well as the Kontrei Gazette on Friday, 26th of October 2012.

A Background Information Document, providing more information about the proposed project, is attached for your information.



JMA Consulting (Pty) Ltd

15 Vickers Street
Delmas
P O Box 883
Delmas, 2210
Tel (013) 665 1788
Fax (013) 665 2364

Sustainable Environmental Solutions through integrated Science and Engineering

Further information can be obtained from Mr. Kobus du Plessis of JMA Consulting (Pty) Ltd at the following contacts:

Email: kobus@jmaconsult.co.za

Tel: (013) 665 1788

Fax: (013) 665 2364

Please note that all formal correspondence must be send directly to Mr. Kobus du Plessis at the above contact details.

Yours sincerely

Kobus Du Plessis
(Cand.Sci.Nat)

SCOPING PHASE NEWSPAPER ADVERTS

SCOPING & ENVIRONMENTAL IMPACT ASSESSMENT PUBLIC MEETING

14 NOVEMBER 2012

Notice is given, in terms of the EIA regulations published in Government Notice No. **R543** of the National Environmental Management Act (Act No. 107 of 1998) and Government Notice No. **R527** of the MPRDA (Act No. 28 of 2002), with the intent to carry out the Scoping Phase of a **Scoping Environmental Impact Assessment** (i.t.o. Listing Notices 1 and 2 – **G.N. R544 & R545**) for the following activity:

Proposed Coal Mining development on Portion's 4 & 6 of the farm Lusthof 60 IT, to be known as Lusthof Colliery. The farm Lusthof is located approximately 17 km South East of the town of Carolina and about 10 km North of the town Chrissiesmeer.

The following topics will be discussed:

- The Overall Addendum EMPR project;
- The Relevant Legal Framework;
- The Scoping & EIA Process;
- Water Use License Applications;
- Road Diversion;
- The way forward in the EIA, Addendum EMPR, and IWULA



JMA Consulting (Pty) Ltd
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Description: The project will comprise the upstart of a “Greenfields” Open Pit Coal mine, with a life expectancy of approximately Eight years. The construction of a water treatment plant on site is also expected.

Size of Site: The size of the property on which the mine will be located is some 654 ha, but the mining footprint area will be restricted to approximately 74 ha.

Proponent: Black Gold Coal Estates (Pty) Ltd

Consultant: Kobus Du Plessis

JMA Consulting (Pty) Ltd

Tel: (013) – 665 1788

Fax: (013) – 665 2364

Email: kobus@jmaconsult.co.za

Postal Address: P.O. Box 883

Delmas

2210

Date of Publication: 26 October 2012

Public Participation: You are hereby then cordially invited to attend the Public Meeting scheduled for:

11:00 on the 14th of November 2012,

at the Fairview Guesthouse 4km from Carolina on the R33 Wonderfontein / Middelburg road, where further registration as I&AP can be done.

It is important to note that this **Scoping Environmental Impact Assessment Process**, as prescribed by the Department of Environmental Affairs, will be conducted in conjunction with an **Addendum Environmental Management Programme Report Process**, as prescribed by the Department of Mineral Resources, and an **Integrated Water Use Licence Application Process**, as prescribed by the Department of Water Affairs, during which all Interested and Affected Parties need to be informed and consulted.

SCOPING PHASE SITE NOTICES

NOTICE

SCOPING & ENVIRONMENTAL IMPACT ASSESSMENT PUBLIC MEETING 14 NOVEMBER 2012

Notice is hereby given in terms of the Regulations published in terms of GNR 527 of 23 April 2004 of The Mineral & Petroleum Resources Development Act (Act 28 of 2002), the National Environmental Management Act (Act 107 of 1998) in terms of GNR 543 and the National Water Act (Act 36 of 1998) for an Integrated Water Use Licence Application Process, as prescribed by the Department of Water Affairs, with the intent to discuss and carry out the following activities:

PROPOSED ACTIVITY

The project will comprise the upstart of a "Greenfields" Open Pit Coal mine, with a life expectancy of approximately eight years. The construction of a water treatment plant on site is also expected.

PROJECT LOCATION

Proposed Coal Mining development on Portion's 4 & 6 of the farm Lusthof 60 IT, to be known as Lusthof Colliery. The farm Lusthof is located approximately 17 km South East of the town of Carolina and about 10 km North of the town Chrissiesmeer.

SIZE OF SITE

The size of the property on which the mine will be located is some 654 ha, but the mining footprint area will be restricted to approximately 74 ha.

APPLICANT:

Black Gold Coal Estates (Pty) Ltd

I&AP MEETING (14 NOVEMBER 2012 – 11:00)

The I&AP meeting will take place at Fairview Guesthouse where the following topics will be under discussion:

- The Overall Addendum EMPR project;
- The Relevant Legal Framework;
- The Scoping & EIA Process;
- Water Use License Applications;
- Road Diversion;
- The way forward in the EIA, Addendum EMPR, and IWULA processes.

CONSULTANT

JMA Consulting (Pty) Ltd

Contact: Kobus Du Plessis

Tel: (013) – 665 1788

Fax: (013) – 665 2364

Email: kobus@jmaconsult.co.za

Postal: P.O. Box 883

Delmas, 2210



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DATE OF THIS ADVERTISEMENT

26 October 2012

In order to ensure that you are identified and registered as an Interested and/or Affected Party please submit your name, contact information and interest in the matter, in writing, to the contact person given above. You are also cordially invited to attend the Interested & Affected Party Meeting scheduled for 11:00 on the 14th of November 2012, at the Fairview Guesthouse 4km from Carolina on the R33 Wonderfontein / Middelburg road, where further registration as I&AP can be done.

If any further information is required please do not hesitate to contact us.

APPENDIX 6.2.2 (A)

PROOF OF SCOPING PHASE

E-MAILS AND SMS'e

SEND TO I&AP'S

EMAILS NOTIFICATION TO I&AP's

Jasper Muller

From: Jasper Muller
Sent: 25 September 2012 12:03 PM
To: 'KoosPretorius'; 'Davel '; hanribotha@mweb.co.za
Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis
Subject: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process
Attachments: MLDPG_Lusthof Colliery_Minutes_16May 2012.pdf; Minutes_LUSTHOF COLLIERY_MTPA_Nelspruit_21June 2012.pdf; Lusthof WTP Financial Provisions Report 28 Aug 2012.pdf

Dear MLDPG members,

During our last meeting held in Carolina on 16 May 2012, it was agreed that Black Gold Coal Estates need to address three main outstanding issues before the MLDPG would support BGCE in re-entering the formal Environmental Authorization Process for Lusthof Colliery.

The 3 main issues documented in the minutes (minutes attached) were:

1. Financial provisioning for closure and specifically the Water Treatment Plant (WTP).
2. The potential RAMSAR site and the concerns of the MTPA.
3. Negotiations with Mr Pierre du Hain to address his concerns.

We can now report back that all three aspects have received our due attention. We attached for you information for your perusal.

1. Minutes of Meeting with MLDPG on 16 May 2012.
2. Minutes of Meeting with MTPA in Nelspruit on 21 June 2012.
3. Report of financial Model compiled by independent Economist – referred by Dr Koos Pretorius.

With reference to the above, shortly the following:

1. The outcome of the meeting with the MTPA was that they stated that they could only get formally involved in the Lusthof application, once the formal process was re-entered. They are therefore in favour of the process being re-entered and have indicated that they would contribute their inputs.
2. The compiled and externally reviewed financial report was perused by BGCE and they have indicated that the funds required would be included into the overall closure cost provisioning as per the requirements of DMR for approval of the EMPr.
3. Negotiations with Mr Pierre du Hain is currently in progress. We can confirm that a formal offer to purchase his land has been made.

In view of the above, we believe that all outstanding main issues raised by the MLDPG have now been adequately addressed. Smaller (technical) issues raised will of course be addressed within the formal process, which will now be re-entered.

The MLDPG will be of course be consulted, together with all other relevant stakeholders, throughout the Scoping, EIA, EMPr, Water Use License Application and Waste License Application processes.

We trust that you will find the matter in order.

Yours sincerely

Jasper Müller

JMA Consulting (Pty) Ltd
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Fax: +27 13 665 2364
Cellphone: +27 82 495 0169

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2. *The views and opinions expressed in this e-mail do not necessarily express or reflect the views and/or opinions of JMA Consulting (Pty) Ltd.*

From: Kobus Du Plessis
To: ["leon.dormehl@gmail.com"](mailto:leon.dormehl@gmail.com)
Subject: FW: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process
Date: 10 October 2012 09:31:00 AM

From: Jasper Muller
Sent: 09 October 2012 03:36 PM
To: Davel ; 'Willim Davel' (davel@wol.co.za); pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; 'KoosPretorius'; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za
Cc: Jasper Muller; Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans
Subject: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Dear I&AP,

During 2009 Black Gold Coal Estates (BGCE) entered a formal authorization process (EMPR Addendum) with three Government Departments, namely DMR, DEDET and DWA in order to obtain the relevant permissions to mine coal at Lusthof Colliery on the farm Lusthof 60 IT.

The process progressed through Scoping phase and the Scoping Report was approved by the relevant authorities, which allowed the applicant BGCE to proceed with the EIA Phase of the project. However, members of the Mpumalanga Lakes District Protection Group (MLDPG) whom represents a focus group within the larger I&AP group, requested BGCE to exit the process until such time as their (MLDPG) main concerns related to the project have been addressed. These concerns included inter alia aspects listed by the MTPA relating to the protection status of the area, negotiations with Mr Pierre du Hain a neighbouring farmer, as well as aspects related to the Water Treatment Plant and its associated financial provisioning for the construction, operational and post closure phases.

We can now report that the MTPA has approved BGCE to re-enter the formal process as this would be a requirement for their formal involvement.

A formal offer to purchase his land was made to Mr Du Hain and negotiations are on-going.

A formal financial model was compiled by independent Financial Consultants (consultants recommended by MLDPG) and their recommendations in terms of financial provisioning was accepted by BGCE whom will commit to the provisioning thereof in the EMP.

The financial model will be further refined during the Scoping and EIA Phases to incorporate water treatment plant specifics related to the target water quality objectives as well as re-capitalization periods for certain plant infrastructure components, both aspects which were raised by the MLDPG.

In view of the above, we are now preparing to re-enter the formal process. Due to certain alterations to Regulations and Process Guidelines since the previous Scoping Report was compiled, JMA Consulting has identified 4 additional base line studies which are required before the formal process documentation can be compiled. It is therefore envisaged that these 4 base line studies will be conducted over the period **15 October 2012 till 2 November 2012**. JMA personnel and personnel from specialist consultants will therefore be in the area over this period to conduct their base line work. All I&AP contact details have been provided to the specialists and they have been instructed to contact every land owner and to obtain permission prior to entering upon their land. The following base line studies, and the personnel conducting them are relevant:

- 1. Socio-Cultural Base Line Study:** Johan Oosthuizen and Marissa du Toit

Johan Oosthuizen
Social Specialist

Office: +27 12 665 2817
Mobile: +27 82 557 3947
E-mail: joosthuizen@rsrisksolutions.com
Skype ID: johan.oos13

Marisa du Toit

Social Management Professional
Office: +27 12 665 2817
Mobile: +27 82 564 5695
Email: mdutoit@rsrisksolutions.com
Skype ID: marisa_du_toit

2. Socio-Economic and Land Use Base Line Study: An Kritzinger

An Kritzinger

Mobile: +27 82 335 4126
Email: hstrat1@iafrica.com

3. Blasting and Vibration Base Line Study: Danie Zeeman

Danie Zeeman

Mobile: +27 82 854 2725
Email: danie@blastmanagement.co.za

4. Visuals Base Line Study: Izelle Muller

Izelle Muller
Mobile: + 27 578 4142
Email: zeli.izellemuller@gmail.com

The formal process will be entered as soon as the Scoping Report and Plan of Study has been compiled. It is currently envisaged that the process will start with a Scoping Public meeting, which will probably be conducted towards the mid of November 2012. You will be informed of the date and venue for this meeting in due course.

Looking forward to engage you formally within the process.

Jasper Müller

*JMA Consulting (Pty) Ltd
P O Box 883
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Fax: +27 13 665 2364
Cellphone: +27 82 495 0169*

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- 2. The views and opinions expressed in this e-mail do not necessarily express or reflect the views and/or opinions of JMA*

From: [Kobus Du Plessis](#)
To: "Davel."; ""Willim Davel""; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@gmail.com; 1950@webmail.co.za; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za; hanribotha@mweb.co.za; d.zoekop@lando.co.za; witkrans@gmail.com; pietwvd@lantic.net; 10058591@nwu.ac.za; leon.dormehl@gmail.com; enviroteq@gmail.com; mervyn@mtpa.co.za; franskriige@telkomsa.net; vaino@vodamail.co.za; ronell@mtpa.co.za; gcowden@mpg.gov.za; gbatchelor@mpg.gov.za; stmarebane@mpg.gov.za; mdletsheh@dwaf.gov.za; lucky.hadebe@gsibande.gov.za; thabethenp@albertluthuli.gov.za; Martha.Mokonyane@dme.gov.za; Themba.mazibuko@dmr.gov.za; fransmas@nda.agric.za; nmachete@mp.sahra.org.za; Careens@social.mpu.gov.za; advocacy@birdlife.org.za; grasslands@birdlife.org.za; ewt@ewt.org.za
Cc: [Jaco Van Der Berg](#); [Shane Turner](#); [Kobus Du Plessis](#); [Rene Wolmarans](#); "Melissa grobbelaar"; "Duard Barnard"; [Jasper Muller](#); mdutoit@rsrisksolutions.com; joosthuizen@rsrisksolutions.com; an@futurelead.co.za; danie@blastmanagement.co.za; dieterk@wetcs.co.za; nicolette@airshed.co.za; zeli.izellemuller@gmail.com; pierre@inprocon.co.za; candice.gibson@cameroncross.co.za
Subject: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process
Date: 31 October 2012 03:16:06 PM
Attachments: [Notification Letter I&AP"s.pdf](#)
[image002.png](#)
[Lusthof BID.pdf](#)
[Lusthof I&AP CommentPage.pdf](#)
[Fair View Location.pdf](#)

Dear Interested and Affected Party

Please find the following attached documentation that relates to Black Gold Coal Estates (Pty) Ltd entering the formal process regarding Lusthof Colliery:

- Formal Notification Letter
- Background Information Document (BID)
- Map of Venue for the Public Meeting to be held on 14 November 2012, 11h00.
- I&AP's Comment Page

For any further information please do not hesitate to contact me.

Regards

Kobus du Plessis

JMA CONSULTING (PTY) LTD

P O BOX 883

DELMAS

2210

Tel No.: 013-665 1788

Fax No.: 013-665 2364

E-mail: kobus@jmaconsult.co.za

From: Kobus Du Plessis
To: "Davel."; ""Willim Davel""; "pierreduhain@hotmail.com"; "gewaagd@vodamail.co.za"; "demooihof@gmail.com"; "1950@webmail.co.za"; "jpleroux.kobus@gmail.com"; "charl.koen@sasol.com"; "cboekhou@vodamail.co.za"; "socandjudy@vodamail.co.za"; "hennobotha@yahoo.com"; "mfp@lando.co.za"; "ursulaf@ewt.org.za"; "hanribotha@mweb.co.za"; "d.zoekop@lando.co.za"; "witkrans@gmail.com"; "pietwvd@lantic.net"; "10058591@nwu.ac.za"; "leon.dormehl@gmail.com"; "enviroteq@gmail.com"; "mervyn@mtpa.co.za"; "franskriige@telkomsa.net"; "vaino@vodamail.co.za"; "ronell@mtpa.co.za"; "gcowden@mpg.gov.za"; "gbatchelor@mpg.gov.za"; "stmarebane@mpg.gov.za"; "mdletsheh@dwaf.gov.za"; "lucky.hadebe@gsibande.gov.za"; "thabethenp@albertluthuli.gov.za"; "Martha.Mokonyane@dme.gov.za"; "Themba.mazibuko@dmr.gov.za"; "fransmas@nda.agric.za"; "nmachete@mp.sahra.org.za"; "Careens@social.mpu.gov.za"; "advocacy@birdlife.org.za"; "grasslands@birdlife.org.za"; "ewt@ewt.org.za"; "jan.jordaan@sasol.com"; "hennie.schoeman1@sasol.com"; Nothnagel, Sandra (S) - Jhb-Sasol Gas (sandra.nothnagel@sasol.com); "gcowden@mpg.gov.za"; "mdutjulwab@albertluthuli.gov.za"; "psonemann@mpg.gov.za"
Cc: Jaco Van Der Berg; Shane Turner; Rene Wolmarans; "Melissa grobbelaar"; "Duard Barnard"; Jasper Muller; "mdutoit@rsrisksolutions.com"; "joosthuizen@rsrisksolutions.com"; "an@futurelead.co.za"; "danie@blastmanagement.co.za"; "dieterk@wetcs.co.za"; "nicollette@airshed.co.za"; "zeli.izellemuller@gmail.com"; "pierre@inprocon.co.za"; "candice.gibson@cameroncross.co.za"
Bcc: "ferguson@eastsidecoal.co.za"; "renees@eastsidecoal.co.za"
Subject: Lusthof Colliery - Draft Scoping Report and Plan of Study available for comments
Date: 19 November 2012 04:50:00 PM
Attachments: [image004.png](#)

Dear I&AP's

The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012:

- Ermelo Public Library
- Carolina Public Library
- Chrissiesmeer Public Library
- Albert Luthuli Local Municipality

The report will be available for comment until 6 January 2013 (30 days plus period between 15 December 2012 and 2 January 2013).

Please feel free to contact me if you have any questions.

Regards

Kobus du Plessis

JMA CONSULTING (PTY) LTD
P O BOX 883
DELMAS
2210
Tel No.: 013-665 1788
Fax No.: 013-665 2364
E-mail: kobus@jmaconsult.co.za

From: Kobus Du Plessis
To: "Davel .": d.zoekop@lando.co.za
Cc: [Jasper Muller](#)
Subject: RE: Response to Comments of Mr Koos Davel (07/12/2012)
Date: 22 January 2013 03:58:00 PM
Attachments: [image001.png](#)
[RE Water quality.msg](#)

Good afternoon Koos

Your e-mail dated 21/01/2013 refers. Our records indicate that Jasper did reply to your email on 10/10/2012 (Please see attachment). He indicated that the technical response would be given in due course. As you have been informed the Scoping Phase comment period has now lapsed and we are at this moment compiling the formal Issues and Response Register. All technical and financial queries received to date, which includes all the emails and comments sent by yourself, are captured and will then be distributed to the various specialists for attention during the EIA Phase, which will formally commence on approval of the Scoping Report and Plan of Study by the relevant authorities. You will in due course receive a copy of the formal issues and response register to enable you to verify that all the comments made by yourself (e-mails, etc.) have been captured. As soon as the specialists have completed their EIA/EMP inputs and specifically their responses to your queries, you will receive formal feedback. You will also have the opportunity to indicate your agreement or disagreement with the responses.

Trusting that you will find the matter in order.

Regards

Kobus du Plessis

*JMA CONSULTING (PTY) LTD
P O BOX 883
DELMAS
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Tel No.: 013-665 1788
Fax No.: 013-665 2364
E-mail: kobus@jmaconsult.co.za*

From: Davel [<mailto:davelkengineering@vodamail.co.za>]
Sent: 21 January 2013 06:35 AM
To: Kobus Du Plessis; d.zoekop@lando.co.za
Subject: RE: Response to Comments of Mr Koos Davel (07/12/2012)

Hallo Kobus,

I have noted that there is no reaction to the e-mail, copy below. This was sent to Jasper Muller on 9 October 2012.

Hallo Jasper,

Can you please give me the level of reliability of the following aspects regarding the water treatment plant of Lusthof, judged over the 100 year investigation period:

Description	Reliability
Accuracy of financial model	
Inputs to the financial model	
Adequacy of financial provision	
How many times would the pit pumps be standing for more than the buffer volume capacity in the pit over 100 year period?	
Reliability of the mine plan re the water decant and the Mine's adherence to the plan	
The water plant's output pH value meeting the measured environmental values	
The expected variation in water quality from the pit	
Does the feed quality to the treatment plant impact on the output water quality?	
Durability of the Brine storage dam liner	
Adequate size and volume of brine dams	
Reliability of the brine dam operation and maintenance	

Thanks
Koos Davel

From: Kobus Du Plessis [<mailto:Kobus@jmaconsult.co.za>]
Sent: 18 January 2013 10:22 AM
To: davelkengineering@vodamail.co.za; d.zoekop@lando.co.za
Subject: FW: Response to Comments of Mr Koos Davel (07/12/2012)

Good morning Mr Davel

Please find attached the feedback provided by JMA Consulting, for the comments received from you on 07 December 2012. We have also added these comments and response into the formal Issues and Response Register that you will receive with the Final Scoping Report on Tuesday, 22 January 2013.

Please feel free to contact me if you have any other enquiries.

Regards

Kobus du Plessis

*JMA CONSULTING (PTY) LTD
P O BOX 883
DELMAS
2210
Tel No.: 013-665 1788
Fax No.: 013-665 2364
E-mail: kobus@jmaconsult.co.za*

From: Jasper Muller
Sent: 18 January 2013 10:06 AM
To: Kobus Du Plessis
Subject: Response to Comments of Mr Koos Davel (07/12/2012)

Kobus attached please find the JMA response to the comments received from Mr Koos Davel dated 07/12/2012. I attach five files, the MS-Word file contains the Response, the two Exel files contain Mr Davel's proposed standards and the measured water qualities assessed for compliance against his standards, and the two jpeg files show the sampling localities.

The response to the comments has also been included in the formal Issues and Response Table.

Please forward the email to both Dr Pretorius and Mr Davel.

Thanks

Jasper Müller

*JMA Consulting (Pty) Ltd
P O Box 883
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2210
Tel: +27 13 665 1788
Fax: +27 13 665 2364
Cellphone: +27 82 495 0169*

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Kobus Du Plessis

From: Jasper Muller
Sent: 26 September 2012 04:43 PM
To: 'Davel'; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'; ferguson@eastsidecoal.co.za
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process
Attachments: SWandGWBackground.xlsx

Koos,

Attached the data in the requested format.

Regards

Jasper

From: Davel [mailto:davelkengineering@vodamail.co.za]
Sent: 26 September 2012 10:24 AM
To: Jasper Muller; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'; ferguson@eastsidecoal.co.za
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Jasper,

To give you the specifications which I think should be the correct values. Can you pse send me the values in your report in tables 5.6.5.1(b) and table 5.7.3(a) in excel format.

Koos

From: Jasper Muller [mailto:Jasper@jmaconsult.co.za]
Sent: 26 September 2012 09:19 AM
To: Davel; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'; ferguson@eastsidecoal.co.za
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Koos,

Ja ek dink jy is reg – die waterkwaliteits ding gaan ons nie per e-mail uitgesorteer kry nie aangesien ek oortuig is dat jy ons benadering verkeerd verstaan. Ek het egter 'n kortpad. Kyk asb na die agtergrond water data wat ek verskaf het en dan spesifiseer jy vir ons die verlangde kwaliteit volgens jou interpretasie – dan sal ek dat Proxa bevestig of die aanleg dit kan haal of nie – ek glo die aanleg sal kan. Sodoende gebruik ons dus jou inligting en verval alle ongemak oor die situasie.

Ek heg vir jou die inligting aan wat na die finansiële modelleerders gegaan het. Die addisionele inligting vanaf Proxa aan hulle sal ek vir jou deurstuur sodra ek vir Proxa in die hande kry.

Groete

Jasper Müller

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P O Box 883
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Tel: +27 13 665 1788
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Cellphone: +27 82 495 0169

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From: Davel [<mailto:davelengineering@vodamail.co.za>]
Sent: 25 September 2012 06:48 PM
To: Jasper Muller; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Jasper,

Kan jy asb die volgende inligting verskaf/opklaar:

1. Wat is die water kwaliteit wat die water aanleg gaan lewer waarop die finansieele model gebou is?
2. Proxa het inligting verskaf aan die finansieele moduleerders, kan ons asb 'n afskrif van die inligting kry?
3. Tabel 6-1 van die finansieele model verwys na die recap period vir verskillende komponente. Gee asb verduideliking van wat onder elke component in gesluit is en die verduideliking oor die leeftyd.

Koos Davel

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]
Sent: 25 September 2012 02:42 PM
To: Davel ; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Koos,

That was one of the smaller technical issues I referred to in my e-mail. I did review your written comments at the time and it is clear that we are misunderstanding each other. We undertake to discuss the matter in detail with you and I am convinced that we will arrive at a mutually agreeable solution. What is important is that the plant will be designed to clean the mine water to be equal in quality to what is measured prior to mining in the environment. I have budgeted more funds to sample and test the background surface water in order to arrive at a better understanding of the background quality. We will use an agreed (with you) statistical method to arrive at the end result. The cost of cleaning to current background water quality is however already accommodated in the financial model.

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Hallo Jasper,

There is one aspect that you have not reported on, and was discussed at the meeting in Carolina and I have commented on in writing. This is the water quality issue. Is this reports based on the +2 stdv values of water quality or on the mean values as measured?

Koos

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 25 September 2012 12:03 PM

To: 'KoosPretorius'; Davel ; hanribotha@mweb.co.za

Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis

Subject: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Dear MLDPG members,

During our last meeting held in Carolina on 16 May 2012, it was agreed that Black Gold Coal Estates need to address three main outstanding issues before the MLDPG would support BGCE in re-entering the formal Environmental Authorization Process for Lusthof Colliery.

The 3 main issues documented in the minutes (minutes attached) were:

1. Financial provisioning for closure and specifically the Water Treatment Plant (WTP).
2. The potential RAMSAR site and the concerns of the MTPA.
3. Negotiations with Mr Pierre du Hain to address his concerns.

We can now report back that all three aspects have received our due attention. We attached for you information for your perusal.

1. Minutes of Meeting with MLDPG on 16 May 2012.
2. Minutes of Meeting with MTPA in Nelspruit on 21 June 2012.
3. Report of financial Model compiled by independent Economist – referred by Dr Koos Pretorius.

With reference to the above, shortly the following:

1. The outcome of the meeting with the MTPA was that they stated that they could only get formally involved in the Lusthof application, once the formal process was re-entered. They are therefore in favour of the process being re-entered and have indicated that they would contribute their inputs.
2. The compiled and externally reviewed financial report was perused by BGCE and they have indicated that the funds required would be included into the overall closure cost provisioning as per the requirements of DMR for approval of the EMPr.
3. Negotiations with Mr Pierre du Hain is currently in progress. We can confirm that a formal offer to purchase his land has been made.

In view of the above, we believe that all outstanding main issues raised by the MLDPG have now been adequately addressed. Smaller (technical) issues raised will of course be addressed within the formal process, which will now be re-entered.

The MLDPG will be of course be consulted, together with all other relevant stakeholders, throughout the Scoping, EIA, EMPr, Water Use License Application and Waste License Application processes.

We trust that you will find the matter in order.

Yours sincerely

Jasper Müller

JMA Consulting (Pty) Ltd

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We trust that you will find the matter in order.

Yours sincerely

Jasper Müller

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Kobus Du Plessis

From: Jasper Muller
Sent: 10 October 2012 12:46 PM
To: 'Koos Pretorius'
Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Tracking:	Recipient	Delivery
	'Koos Pretorius'	
	ferguson@eastsidecoal.co.za	
	pontonalastair@gmail.com	
	ackerman@eastsidecoal.co.za	
	'Renee Swanepoel'	
	Jaco Van Der Berg	Delivered: 2012/10/10 12:46 PM
	Rene Wolmarans	Delivered: 2012/10/10 12:46 PM
	Kobus Du Plessis	Delivered: 2012/10/10 12:46 PM
	Shane Turner	Delivered: 2012/10/10 12:46 PM

Hallo Koos,

We will be doing some preparatory work from Monday onwards as described in the first e-mail (base line work) in order for us to be able to compile the Draft Scoping Report in compliance with the most recent DMR guidelines. As soon as we have all our ducks in a row, we will then inform all I&AP's on how and when the formal process will commence.

Regards

Jasper Müller

*JMA Consulting (Pty) Ltd
P O Box 883
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2210
Tel: +27 13 665 1788
Fax: +27 13 665 2364
Cellphone: +27 82 495 0169*

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From: Koos Pretorius [mailto:d.zoekop@lando.co.za]

Sent: 10 October 2012 12:35 PM

To: Jasper Muller; 'Davel '; "Willim Davel"; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@gmail.com; 1950@webmail.co.za; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za

Cc: Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans; 'Melissa grobbelaar'; 'Duard Barnard'

Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Jasper

It is a pity that they are taking this stand.

We reserve all our rights.

Please advise of the process going forward.

Koos Pretorius
Box 201
Belfast
1100
Tel: (+27) 83 986 4400
Fax: (+27) 86 514 6085

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From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 10 October 2012 09:24 AM

To: Koos Pretorius; 'Davel '; "Willim Davel"; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@gmail.com; 1950@webmail.co.za; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za

Cc: Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans; Melissa grobbelaar; Duard Barnard

Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Dear Koos,

I have submitted your email below to BGCE. In response they have instructed me to proceed with the preparations to re-enter the process. I am not mandated by BGCE to respond to any aspects related to litigation between yourselves and BGCE. For any matters related to litigation please revert to BGCE directly.

We remain committed to deal with your project related concerns.

Regards

Jasper Müller

*JMA Consulting (Pty) Ltd
P O Box 883
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Cellphone: +27 82 495 0169*

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From: Koos Pretorius [<mailto:d.zoekop@lando.co.za>]

Sent: 09 October 2012 04:10 PM

To: Jasper Muller; 'Davel '; "Willim Davel"; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za

Cc: Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans; Melissa grobbelaar; Duard Barnard

Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Importance: High

Jasper

Hold you horses. The re- entering is not for the MTPA to decide or not. The MLDPG had agreed to this process on a without prejudice basis and we had agreed that once we are satisfied with the process , the necessary authorisations can be sought. We are not there yet.

An offer , and a very pathetic one at that, was made to Pierre. As far as I know the rejected offer has not been amended and no new offer has been made to Pierre.

The treatment plant plan and its financial provision have been made available. There are questions and answers that are being sought. I have given some comment, but I believe everyone must have the opportunity to do so. Once we have received the answers and all the loose ends have been tied up and we are satisfied, then the we can move forward.

In summary: the process is still on a no prejudice basis. We will not agree to a lifting of the interdict until such time as the issues have been resolved. They have not been resolved as yet.

Koos Pretorius
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Tel: (+27) 83 986 4400
Fax: (+27) 86 514 6085

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From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 09 October 2012 03:36 PM

To: Davel ; 'Willim Davel' (davels@wol.co.za); pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; 'KoosPretorius'; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za

Cc: Jasper Muller; Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans
Subject: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Dear I&AP,

During 2009 Black Gold Coal Estates (BGCE) entered a formal authorization process (EMPR Addendum) with three Government Departments, namely DMR, DEDET and DWA in order to obtain the relevant permissions to mine coal at Lusthof Colliery on the farm Lusthof 60 IT.

The process progressed through Scoping phase and the Scoping Report was approved by the relevant authorities, which allowed the applicant BGCE to proceed with the EIA Phase of the project. However, members of the Mpumalanga Lakes District Protection Group (MLDPG) whom represents a focus group within the larger I&AP group, requested BGCE to exit the process until such time as their (MLDPG) main concerns related to the project have been addressed. These concerns included inter alia aspects listed by the MTPA relating to the protection status of the area, negotiations with Mr Pierre du Hain a neighbouring farmer, as well as aspects related to the Water Treatment Plant and its associated financial provisioning for the construction, operational and post closure phases.

We can now report that the MTPA has approved BGCE to re-enter the formal process as this would be a requirement for their formal involvement.

A formal offer to purchase his land was made to Mr Du Hain and negotiations are on-going.

A formal financial model was compiled by independent Financial Consultants (consultants recommended by MLDPG) and their recommendations in terms of financial provisioning was accepted by BGCE whom will commit to the provisioning thereof in the EMP.

The financial model will be further refined during the Scoping and EIA Phases to incorporate water treatment plant specifics related to the target water quality objectives as well as re-capitalization periods for certain plant infrastructure components, both aspects which were raised by the MLDPG.

In view of the above, we are now preparing to re-enter the formal process. Due to certain alterations to Regulations and Process Guidelines since the previous Scoping Report was compiled, JMA Consulting has identified 4 additional base line studies which are required before the formal process documentation can be compiled. It is therefore envisaged that these 4 base line studies will be conducted over the period **15 October 2012 till 2 November 2012**. JMA personnel and personnel from specialist consultants will therefore be in the area over this period to conduct their base line work. All I&AP contact details have been provided to the specialists and they have been instructed to contact every land owner and to obtain permission prior to entering upon their land. The following base line studies, and the personnel conducting them are relevant:

- 1. Socio-Cultural Base Line Study:** Johan Oosthuizen and Marissa du Toit

Johan Oosthuizen

Social Specialist

Office: +27 12 665 2817

Mobile: +27 82 557 3947

E-mail: joosthuizen@rsrisky.com

Skype ID: johan.oos13

Marisa du Toit

Social Management Professional

Office: +27 12 665 2817

Mobile: +27 82 564 5695

Email: mdutoit@rsrisky.com

Skype ID: marisa_du_toit

- 2. Socio-Economic and Land Use Base Line Study:** An Kritzinger

An Kritzinger

Mobile: +27 82 335 4126

Email: hstrat1@iafrica.com

- 3. Blasting and Vibration Base Line Study:** Danie Zeeman

Danie Zeeman

Mobile: +27 82 854 2725

Email: danie@blastmanagement.co.za

4. Visuals Base Line Study:

Izelle Muller

Izelle Muller

Mobile: + 27 578 4142

Email: zeli.izellemuller@gmail.com

The formal process will be entered as soon as the Scoping Report and Plan of Study has been compiled. It is currently envisaged that the process will start with a Scoping Public meeting, which will probably be conducted towards the mid of November 2012. You will be informed of the date and venue for this meeting in due course.

Looking forward to engage you formally within the process.

Jasper Müller

JMA Consulting (Pty) Ltd

P O Box 883

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Fax: +27 13 665 2364

Cellphone: +27 82 495 0169

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Kobus Du Plessis

From: Jasper Muller
Sent: 10 October 2012 09:02 AM
To: 'Davel '; "Willim Davel"; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; 'KoosPretorius'; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za; hanribotha@mweb.co.za
Cc: Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans
Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Hallo Koos,

Your submission has been noted. We await your guidance on further work required.

Regards

Jasper Müller

*JMA Consulting (Pty) Ltd
P O Box 883
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Tel: +27 13 665 1788
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From: Davel [mailto:davelkengineering@vodamail.co.za]
Sent: 09 October 2012 05:44 PM
To: Jasper Muller; "Willim Davel"; pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; 'KoosPretorius'; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za
Cc: Jaco Van Der Berg; Shane Turner; Kobus Du Plessis; Rene Wolmarans
Subject: RE: Lusthof Colliery - Preparation to Re-Enter Formal Authorization Process

Hallo Jasper,

The formal compilation of a document and the submitting of such a document to IAP does not constitute any form of approval or agreement. The documents submitted re the water treatment plant does not give any assurance to the commitment by JMA and BGC that "there would no deterioration in water quality". Further work would be required.

Koos Davel

From: Jasper Muller [mailto:Jasper@jmaconsult.co.za]
Sent: 09 October 2012 03:36 PM

To: Davel ; 'Willim Davel' (davels@wol.co.za); pierreduhain@hotmail.com; gewaagd@vodamail.co.za; demooihof@lando.co.za; 1950@webmail.com; 'Koo Pretorius'; jpleroux.kobus@gmail.com; charl.koen@sasol.com; cboekhou@vodamail.co.za; socandjudy@vodamail.co.za; hennobotha@yahoo.com; mfp@lando.co.za; ursulaf@ewt.org.za

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Johan Oosthuizen

Social Specialist

Office: +27 12 665 2817

Mobile: +27 82 557 3947

E-mail: joosthuizen@rsrisksolutions.com

Skype ID: johan.oos13

Marisa du Toit

Social Management Professional

Office: +27 12 665 2817

Mobile: +27 82 564 5695

Email: mdutoit@rsrisksolutions.com

Skype ID: marisa_du_toit

2. Socio-Economic and Land Use Base Line Study: An Kritzinger

An Kritzinger

Mobile: +27 82 335 4126

Email: hstrat1@iafrica.com

3. Blasting and Vibration Base Line Study:

Danie Zeeman

Danie Zeeman

Mobile: +27 82 854 2725

Email: danie@blastmanagement.co.za

4. Visuals Base Line Study:

Izelle Muller

Izelle Muller

Mobile: + 27 578 4142

Email: zeli.izellemuller@gmail.com

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Looking forward to engage you formally within the process.

Jasper Müller

JMA Consulting (Pty) Ltd

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Kobus Du Plessis

From: Jasper Muller
Sent: 02 October 2012 04:51 PM
To: 'Davel '
Cc: 'KoosPretorius'; hanribotha@mweb.co.za; ferguson@eastsidecoal.co.za; hugovz@mweb.co.za; 'Adam Keuler'; hanribotha@mweb.co.za; 'Willem Davel'; cboekhou@vodamail.co.za
Subject: RE: Commnets on report by Hugo v Zyl

Dankie Koos – laat weet maar as jy die inligting het.

Groete

Jasper

From: Davel [mailto:davelkengineering@vodamail.co.za]
Sent: 02 October 2012 04:28 PM
To: Jasper Muller
Cc: 'KoosPretorius'; hanribotha@mweb.co.za; ferguson@eastsidecoal.co.za; hugovz@mweb.co.za; 'Adam Keuler'; hanribotha@mweb.co.za; 'Willem Davel'; cboekhou@vodamail.co.za
Subject: RE: Commnets on report by Hugo v Zyl

Hallo Jasper,
Dit is gekwalifiseerder person(e) in die water suiwerings industrie. Ek het navraag uit gestuur en wag vir kwotasies en tyd lyne.

Groete
Koos Davel

From: Jasper Muller [mailto:Jasper@jmaconsult.co.za]
Sent: 02 October 2012 03:55 PM
To: Davel
Cc: 'KoosPretorius'; hanribotha@mweb.co.za; ferguson@eastsidecoal.co.za; hugovz@mweb.co.za; 'Adam Keuler'; hanribotha@mweb.co.za; 'Willem Davel'; cboekhou@vodamail.co.za
Subject: RE: Commnets on report by Hugo v Zyl

Hi Koos,

Can I perhaps ask who you are going to use for the review – we just want to make sure that they would be acceptable to us. Can you also please indicate by when we can expect an outcome.

Regards

Jasper Müller

*JMA Consulting (Pty) Ltd
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From: Davel [<mailto:davelkengineering@vodamail.co.za>]

Sent: 01 October 2012 06:59 PM

To: Jasper Muller

Cc: 'KoosPretorius'; hanribotha@mweb.co.za; ferguson@eastsidecoal.co.za; hugovz@mweb.co.za; 'Adam Keuler'; hanribotha@mweb.co.za; 'Willem Davel'; cboekhou@vodamail.co.za

Subject: RE: Commnets on report by Hugo v Zyl

Hallo jasper,

I will only comment further on any water quality issues once I have received a review on the Proxa design and report. I have been in communication with Koos Pretorius re the water quality issues and he would be taling to you further about the water treatment plant delivery standards.

Thanks

Koos Davel

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 01 October 2012 11:55 AM

To: Davel

Cc: 'KoosPretorius'; hanribotha@mweb.co.za; ferguson@eastsidecoal.co.za; hugovz@mweb.co.za; Adam Keuler (akeuler@proxaco.za)

Subject: RE: Commnets on report by Hugo v Zyl

Hi Koos,

Thanks. The mean value now implies that you want the plant to deliver water at a better quality than what 50% of the receiving environment currently provides. I think it is unreasonable to expect this. It is your good right to have the report reviewed.

Regards

From: Davel [<mailto:davelkengineering@vodamail.co.za>]

Sent: 01 October 2012 09:57 AM

To: Jasper Muller

Cc: 'KoosPretorius'

Subject: RE: Commnets on report by Hugo v Zyl

Hallo Jasper,

I am uncomfortable with the recapitalisation periods of equipment as per the attached table. It look like that " we are not understanding" each other again. I am going to have the Proxa design, cost, process and recapitalisation reviewed by a third party. I will only comment once I have received this review back.

On face value the following seem to be wrong:

1. The life expectancy on the lined brine holding dams
2. The life expectance on valves and mechanical equipment
3. Electrical installation (40 years?)

I do not see a plan how to rebuild the brine dams or earth works (after 60 years!) with out removing the brine etc. Water quality.

I have looked into the water quality data you have send me and compiled a spreadsheet, see attached. The following is my logic about setting the standards.

- The surface water that would be affected by and what is fed no by the area where the mine is planned is used.
- The expected water quality is the mean values from those readings

A summary is attached below.

	Surface water
pH	6.47
EC (mS/m)	8.34
TDS (mg/l)	40.64
T.Alk (mg/l)	10.76
Ca (mg/l)	2.65
Cl (mg/l)	12.82
Mg (mg/l)	2.05
K (mg/l)	2.53
Na (mg/l)	7.10
SO₄ (mg/l)	7.80
Al (mg/l)	0.31
F (mg/l)	0.10
Fe (mg/l)	0.41

The following information from this revised water quality standards would be required:

1. Is there any changes in the process or equipment?
2. What is the deviations that can be expected from those values i.e. what is the worst and what can be expected to be better?

Regards
Koos

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 01 October 2012 09:31 AM

To: Davel

Cc: 'KoosPretorius'; Adam Keuler (akeuler@proxaco.za); hugovz@mweb.co.za; ferguson@eastsidecoal.co.za; hanribotha@mweb.co.za

Subject: RE: Commnets on report by Hugo v Zyl

Koos,

Al die inligting wat jy vra is in die verslae en dokumentasie wat ek reeds laasweek op 26 September vir jou aangestuur het. Die inligting wat Proxa aan die finansiële modelleerders verskaf het, was volgens Adam Keuler van Proxa (ek het met hom gepraat hieroor) 'n telefoniese gesprek ter verduideliking van sekere aspekte. Geen addisionele dokumentasie is volgens hom verskaf nie.

Groete

Jasper Müller

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From: Davel [<mailto:davelengineering@vodamail.co.za>]

Sent: 01 October 2012 08:58 AM

To: Jasper Muller

Cc: 'KoosPretorius'

Subject: RE: Commnets on report by Hugo v Zyl

Pse see below my requests on Friday

Koos

Kan jy asb die volgende inligting verskaf/opklaar:

1. Wat is die water kwaliteit wat die water aanleg gaan lewer waarop die finansieele model gebou is?
2. Proxa het inligting verskaf aan die finansieele moduleerders, kan ons asb 'n afskrif van die inligting kry?
3. Tabel 6-1 van die finansieele model verwys na die recap period vir verskillende komponente. Gee asb verduideliking van wat onder elke component in gesluit is en die verduideliking oor die leeftyd.

Koos Davel

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 01 October 2012 08:53 AM

To: Hugo van Zyl

Cc: 'Koos Pretorius'; hugovanzy101@gmail.com; Davel ; Adam Keuler (akeuler@proxaco.za); ferguson@eastsidecoal.co.za; hanribotha@mweb.co.za

Subject: RE: Commnets on report by Hugo v Zyl

Hallo Hugo,

I am still waiting for feedback on the final product water quality objectives from Koos Davel. This may, or may not, alter the plant and treatment cost and Adam Keuler from PROXA will first have to have a look at it. I suggest that we wait for this before we answer to the comments. Then we can do it in one go.

Regards

Jasper Müller

JMA Consulting (Pty) Ltd

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Fax: +27 13 665 2364

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From: Hugo van Zyl [<mailto:hugovz@mweb.co.za>]
Sent: 01 October 2012 08:44 AM
To: Jasper Muller
Cc: 'Koos Pretorius'; hugovanzy101@gmail.com
Subject: RE: Commnets on report by Hugo v Zyl

Hi Jasper

Thus far we have received comments from Koos on our draft report. Please confirm whether we will be receiving any other comments from other people and, if so, by when so that we can plan to finalise our report?

Thanks
Hugo

*Dr Hugo van Zyl
Independent Economic Researchers
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Tel: +27 21 4342659
Mobile: +27 825784148
Fax: 0866712638*

From: Koos Pretorius [<mailto:d.zoekop@lando.co.za>]
Sent: 29 September 2012 11:04 AM
To: Hugo van Zyl; 'Jasper Muller'
Cc: hanribotha@mweb.co.za; Koos Davel
Subject: Commnets on report by Hugo v Zyl

Koos Pretorius
Box 201
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1100
Tel: (+27) 83 986 4400
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From: Jasper Muller
Sent: 01 October 2012 09:31 AM
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Cc: 'KoosPretorius'; Adam Keuler (akeuler@proxaco.za); hugovz@mweb.co.za; ferguson@eastsidecoal.co.za; hanribotha@mweb.co.za
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Sent: 01 October 2012 08:58 AM

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Hi Koos,

Thanks. The mean value now implies that you want the plant to deliver water at a better quality than what 50% of the receiving environment currently provides. I think it is unreasonable to expect this. It is your good right to have the report reviewed.

Regards

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Sent: 01 October 2012 09:57 AM
To: Jasper Muller
Cc: 'KoosPretorius'
Subject: RE: Commnets on report by Hugo v Zyl

Hallo Jasper,

I am uncomfortable with the recapitalisation periods of equipment as per the attached table. It look like that " we are not understanding" each other again. I am going to have the Proxa design, cost, process and recapitalisation reviewed by a third party. I will only comment once I have received this review back.

On face value the following seem to be wrong:

1. The life expectancy on the lined brine holding dams
2. The life expectance on valves and mechanical equipment
3. Electrical installation (40 years?)

I do not see a plan how to rebuild the brine dams or earth works (after 60 years!) with out removing the brine etc. Water quality.

I have looked into the water quality data you have send me and compiled a spreadsheet, see attached. The following is my logic about setting the standards.

- The surface water that would be affected by and what is fed no by the area where the mine is planned is used.
- The expected water quality is the mean values from those readings

A summary is attached below.

	Surface water
pH	6.47
EC (mS/m)	8.34
TDS (mg/l)	40.64
T.Alk (mg/l)	10.76
Ca (mg/l)	2.65
Cl (mg/l)	12.82
Mg (mg/l)	2.05

K	(mg/l)	2.53
Na	(mg/l)	7.10
SO₄	(mg/l)	7.80
Al	(mg/l)	0.31
F	(mg/l)	0.10
Fe	(mg/l)	0.41

The following information from this revised water quality standards would be required:

1. Is there any changes in the process or equipment?
2. What is the deviations that can be expected from those values i.e. what is the worst and what can be expected to be better?

Regards
Koos

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Sent: 01 October 2012 09:31 AM

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Thus far we have received comments from Koos on our draft report. Please confirm whether we will be receiving any other comments from other people and, if so, by when so that we can plan to finalise our report?

Thanks
Hugo

*Dr Hugo van Zyl
Independent Economic Researchers
P.O. Box 1015
Green Point, 8051
South Africa*

E-mail: hugovz@mweb.co.za
Tel: +27 21 4342659
Mobile: +27 825784148
Fax: 0866712638

From: Koos Pretorius [<mailto:d.zoekop@lando.co.za>]
Sent: 29 September 2012 11:04 AM
To: Hugo van Zyl; 'Jasper Muller'
Cc: hanribotha@mweb.co.za; Koos Davel
Subject: Commnets on report by Hugo v Zyl

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Kobus Du Plessis

From: Davel <davelkengineering@vodamail.co.za>
Sent: 01 October 2012 08:57 AM
To: Jasper Muller
Cc: 'KoosPretorius'
Subject: RE: Commnets on report by Hugo v Zyl

Hallo Jasper,

I have worked on the water quality requirements, however, I would like to submit all my comments in one go to you. I would like to evaluate the inputs from Proxa into the financial model, hence my request for the Proxa data.

Can that data be forwarded to me pse.

Thanks

Koos Davel

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]
Sent: 01 October 2012 08:53 AM
To: Hugo van Zyl
Cc: 'Koos Pretorius'; hugovanzyl01@gmail.com; Davel ; Adam Keuler (akeuler@proxaco.za); ferguson@eastsidecoal.co.za; hanribotha@mweb.co.za
Subject: RE: Commnets on report by Hugo v Zyl

Hallo Hugo,

I am still waiting for feedback on the final product water quality objectives from Koos Davel. This may, or may not, alter the plant and treatment cost and Adam Keuler from PROXA will first have to have a look at it. I suggest that we wait for this before we answer to the comments. Then we can do it in one go.

Regards

Jasper Müller

*JMA Consulting (Pty) Ltd
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Cellphone: +27 82 495 0169*

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From: Hugo van Zyl [<mailto:hugovz@mweb.co.za>]
Sent: 01 October 2012 08:44 AM
To: Jasper Muller

Cc: 'Koos Pretorius'; hugovanzy101@gmail.com
Subject: RE: Commnets on report by Hugo v Zyl

Hi Jasper

Thus far we have received comments from Koos on our draft report. Please confirm whether we will be receiving any other comments from other people and, if so, by when so that we can plan to finalise our report?

Thanks
Hugo

Dr Hugo van Zyl
Independent Economic Researchers
P.O. Box 1015
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South Africa
E-mail: hugovz@mweb.co.za
Tel: +27 21 4342659
Mobile: +27 825784148
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From: Koos Pretorius [<mailto:d.zoekop@lando.co.za>]
Sent: 29 September 2012 11:04 AM
To: Hugo van Zyl; 'Jasper Muller'
Cc: hanribotha@mweb.co.za; Koos Davel
Subject: Commnets on report by Hugo v Zyl

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Kobus Du Plessis

From: Jasper Muller
Sent: 01 October 2012 08:49 AM
To: hugovz@mweb.co.za; Adam Keuler (akeuler@proxa.co.za)
Cc: 'Koos Pretorius'; ferguson@eastsidecoal.co.za; 'Davel '; hanribotha@mweb.co.za
Subject: FW: Commnets on report by Hugo v Zyl
Attachments: Comments on Financial provision for Lusthof RO Plant.docx

Dear Hugo and Adam,

Could you please review the comments by Dr Pretorius and give me feedback. I will attend to whatever may not be relevant to you.

Regards

Jasper Müller

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From: Koos Pretorius [<mailto:d.zoekop@lando.co.za>]
Sent: 29 September 2012 11:04 AM
To: Hugo van Zyl; Jasper Muller
Cc: hanribotha@mweb.co.za; Koos Davel
Subject: Commnets on report by Hugo v Zyl

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Jasper Muller

From: Koos Pretorius <d.zoekop@lando.co.za>
Sent: 29 September 2012 11:04 AM
To: Hugo van Zyl; Jasper Muller
Cc: hanribotha@mweb.co.za; Koos Davel
Subject: Commnets on report by Hugo v Zyl
Attachments: Comments on Financial provision for Lusthof RO Plant.docx

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Comments on Financial provision for Lusthof RO Plant – Koos Pretorius

1. **PROXA cost estimates:**

1.1. Construction

1.2. Operation

Table 6.2 – RO-65c/kW¹ – is the monthly connection cost included? Our current figure is higher on farm. Has this been verified?

Where does one find 0.1² of a manager to employ in 50 years' time?

Waste removal – at R2500 per month? Seems very low

Brine disposal? If in dam – what evaporation rate for the brine (< 50% of water)?

Inflation –

what has happened with the chemicals over the last few years? I am very uncomfortable with this assumption

Wage inflation has been negated by increased efficiencies. How will this be attained at this plant? I am very uncomfortable with this 0.3 % assumption under these circumstances.

1.3. Re-capitalisation

Table 6.1 – how accurate are the recap periods – has it been verified?

Evaporation pond – every 60 years for the structure ? Liner ?

2. **Time period for provision:**

2.1. The 100 years was just taken as a cut-off date for the financial provision - due to constraints in financial models. The plant will have to operate for longer. Is there any risk to the extended operations of the plant?

3. **Financial vehicle:**

3.1. Which banks are appropriate for a bank guarantee?

3.2. What happens if BCGE goes bankrupt before the total of the provision I provided for in place of the bank guarantee?

3.3. Should the full guarantee be replaced with cash by the end of the life of this mine?

3.4. Which institutions are proposed to operate the Trust fund?

3.5. What criteria will be used to select the trustees? What input from the IAP's in set up and thereafter?

3.6. Independent verification of compliance to EMP, statutory obligations and trust deed – who will do this, how often and at what cost?

3.7. Does the standard trust deed attached meet the criteria and requirements as per this document?

4. **Asset mix**

4.1. Will this be stipulated in the trust deed?

5. **Provisions for Financial vehicle**

Risk averse and cautious approach

5.1. Why use 3.25 % instead of 2.25% - use the 2.25 % as a start and annually this can be realigned in future in accordance with real returns over past 2 – 3 years.(Need a target figure for every year) What happens if , after mining , the return is less than even 2.25 %?

¹ Page 3 concept design

² Page 3 of concept design

Kobus Du Plessis

From: Koos Pretorius <d.zoekop@lando.co.za>
Sent: 27 September 2012 04:35 PM
To: Jasper Muller
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

dankie

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From: Jasper Muller [mailto:Jasper@jmaconsult.co.za]
Sent: 27 September 2012 10:02 AM
To: Koos Pretorius
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Koos,

Die volume volgens die waterbalans is 300 m3/dag. Ons het egter voorsiening gemaak vir 467 m3/dag in die gekose opsie sodat die aanleg nie 7 dae per week hoef te loop nie. Ons het genoeg stoorkapasiteit in die put om nie elke dag te hoef pomp nie.

$7 * 300 = 4.5\ 467.$

Groete

Jasper

From: Koos Pretorius [mailto:d.zoekop@lando.co.za]
Sent: 26 September 2012 06:43 PM
To: Jasper Muller
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Jasper

Wat is die volume / dag wat behandel moet word volgens julle berekenings?

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From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]
Sent: 26 September 2012 09:19 AM
To: Davel ; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'; ferguson@eastsidecoal.co.za
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Koos,

Ja ek dink jy is reg – die waterkwaliteits ding gaan ons nie per e-mail uitgesorteer kry nie aangesien ek oortuig is dat jy ons benadering verkeerd verstaan. Ek het egter 'n kortpad. Kyk asb na die agtergrond water data wat ek verskaf het en dan spesifiseer jy vir ons die verlangde kwaliteit volgens jou interpretasie – dan sal ek dat Proxa bevestig of die aanleg dit kan haal of nie – ek glo die aanleg sal kan. Sodoende gebruik ons dus jou inligting en verval alle ongemak oor die situasie.

Ek heg vir jou die inligting aan wat na die finansiële modelleerders gegaan het. Die addisionele inligting vanaf Proxa aan hulle sal ek vir jou deurstuur sodra ek vir Proxa in die hande kry.

Groete

Jasper Müller

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From: Davel [<mailto:davelengineering@vodamail.co.za>]
Sent: 25 September 2012 06:48 PM
To: Jasper Muller; 'KoosPretorius'; hanribotha@mweb.co.za
Cc: hanribotha@mweb.co.za; cboekhou@vodamail.co.za; 'Willem Davel'
Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Jasper,

Kan jy asb die volgende inligting verskaf/opklaar:

1. Wat is die water kwaliteit wat die water aanleg gaan lewer waarop die finansieele model gebou is?
2. Proxa het inligting verskaf aan die finansieele moduleerders, kan ons asb 'n afskrif van die inligting kry?
3. Tabel 6-1 van die finansieele model verwys na die recap period vir verskillende komponente. Gee asb verduideliking van wat onder elke component in gesluit is en die verduideliking oor die leeftyd.

Koos Davel

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 25 September 2012 02:42 PM

To: Davel ; 'KoosPretorius'; hanribotha@mweb.co.za

Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis

Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Koos,

That was one of the smaller technical issues I referred to in my e-mail. I did review your written comments at the time and it is clear that we are misunderstanding each other. We undertake to discuss the matter in detail with you and I am convinced that we will arrive at a mutually agreeable solution. What is important is that the plant will be designed to clean the mine water to be equal in quality to what is measured prior to mining in the environment. I have budgeted more funds to sample and test the background surface water in order to arrive at a better understanding of the background quality. We will use an agreed (with you) statistical method to arrive at the end result. The cost of cleaning to current background water quality is however already accommodated in the financial model.

Regards,

Jasper

From: Davel [<mailto:davelkengineering@vodamail.co.za>]

Sent: 25 September 2012 12:22 PM

To: Jasper Muller; 'KoosPretorius'; hanribotha@mweb.co.za

Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis

Subject: RE: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Hallo Jasper,

There is one aspect that you have not reported on, and was discussed at the meeting in Carolina and I have commented on in writing. This is the water quality issue. Is this reports based on the +2 stdv values of water quality or on the mean values as measured?

Koos

From: Jasper Muller [<mailto:Jasper@jmaconsult.co.za>]

Sent: 25 September 2012 12:03 PM

To: 'KoosPretorius'; Davel ; hanribotha@mweb.co.za

Cc: ferguson@eastsidecoal.co.za; pontonalastair@gmail.com; Rene Wolmarans; Kobus Du Plessis

Subject: Lusthof Colliery - MLDPG Concerns - Re-entering of EIA Process

Dear MLDPG members,

During our last meeting held in Carolina on 16 May 2012, it was agreed that Black Gold Coal Estates need to address three main outstanding issues before the MLDPG would support BGCE in re-entering the formal Environmental Authorization Process for Lusthof Colliery.

The 3 main issues documented in the minutes (minutes attached) were:

1. Financial provisioning for closure and specifically the Water Treatment Plant (WTP).
2. The potential RAMSAR site and the concerns of the MTPA.
3. Negotiations with Mr Pierre du Hain to address his concerns.

We can now report back that all three aspects have received our due attention. We attached for you information for your perusal.

1. Minutes of Meeting with MLDPG on 16 May 2012.
2. Minutes of Meeting with MTPA in Nelspruit on 21 June 2012.
3. Report of financial Model compiled by independent Economist – referred by Dr Koos Pretorius.

With reference to the above, shortly the following:

1. The outcome of the meeting with the MTPA was that they stated that they could only get formally involved in the Lusthof application, once the formal process was re-entered. They are therefore in favour of the process being re-entered and have indicated that they would contribute their inputs.
2. The compiled and externally reviewed financial report was perused by BGCE and they have indicated that the funds required would be included into the overall closure cost provisioning as per the requirements of DMR for approval of the EMPr.
3. Negotiations with Mr Pierre du Hain is currently in progress. We can confirm that a formal offer to purchase his land has been made.

In view of the above, we believe that all outstanding main issues raised by the MLDPG have now been adequately addressed. Smaller (technical) issues raised will of course be addressed within the formal process, which will now be re-entered.

The MLDPG will be of course be consulted, together with all other relevant stakeholders, throughout the Scoping, EIA, EMPr, Water Use License Application and Waste License Application processes.

We trust that you will find the matter in order.

Yours sincerely

Jasper Müller

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Kobus Du Plessis

From: Kobus Du Plessis
Sent: 18 January 2013 10:22 AM
To: 'davelkengineering@vodamail.co.za'; 'd.zoekop@lando.co.za'
Subject: FW: Response to Comments of Mr Koos Davel (07/12/2012)
Attachments: Koos Davel Req Water Standard Dec 12.xlsx; KoosDavelResponse.docx; Lusthof GW Hydrocensus 2010 - Topo.jpg; Lusthof SW Hydrocensus 2010 - Topo.jpg; Lusthof Water - Davel Objectives.xlsx

Good morning Mr Davel

Please find attached the feedback provided by JMA Consulting, for the comments received from you on 07 December 2012. We have also added these comments and response into the formal Issues and Response Register that you will receive with the Final Scoping Report on Tuesday, 22 January 2013.

Please feel free to contact me if you have any other enquiries.

Regards

Kobus du Plessis

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E-mail: kobus@jmaconsult.co.za

From: Jasper Muller
Sent: 18 January 2013 10:06 AM
To: Kobus Du Plessis
Subject: Response to Comments of Mr Koos Davel (07/12/2012)

Kobus attached please find the JMA response to the comments received from Mr Koos Davel dated 07/12/2012. I attach five files, the MS-Word file contains the Response, the two Exel files contain Mr Davel's proposed standards and the measured water qualities assessed for compliance against his standards, and the two jpeg files show the sampling localities.

The response to the comments has also been included in the formal Issues and Response Table.

Please forward the email to both Dr Pretorius and Mr Davel.

Thanks

Jasper Müller

JMA Consulting (Pty) Ltd
P O Box 883
DELMAS
2210

Tel: +27 13 665 1788
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RESPONSE TO E-MAIL FROM MR KOOS DAVEL – RECEIVED 07/12/2012

Aangeheg die water Kwaliteit wat ek sou verwag uit die water aanleg sonder dat daar 'n impak op die omgewing is. Die volgende is belangrik:

- 1. Dit is die waardes wat nie oorskry mag word nie. (nie die gemiddelde maar die afsny waardes)*
- 2. As hulle aandui dat hulle wel die kwaliteit kan lewer, moet daar ook 'n aanduiding wees van die statistiese verspreiding wat gelewer gaan word op elk van die kwaliteits aspekte*
- 3. Daar moet gese word hoe 'n variasie in voer water kwaliteit na die aanleg gehanteer gaan word.*
- 4. Hoe gaan die stikstof en kwik wat as deel van die skiet proses in die omgewing en water inkom gehanteer word.*

A spreadsheet with the objectives provided by Mr Davel is attached as a separate file (Koos Davel Req Water Standard Dec 12).

1. JMA evaluated the water quality objectives as proposed by Mr Davel against the observed surface and ground water qualities as sampled during the base line studies.

The following files attached separately contain relevant information:

Lusthof GW Hydrocensus 2010 – Topo (localities of ground water samples)
Lusthof SW Hydrocensus 2010 - Topo (localities of surface water samples)
Lusthof Water – Davel Objectives (Lusthof water assessed for compliance against the proposed Davel Objectives)

Before discussing the outcome, the following should be noted:

- Both surface water and ground water qualities are variable over time. No two samples taken from the same source in the environment will ever report the same chemical composition. In this regard surface water qualities are more variable than ground water qualities as the surface water sources are more prone to influencing factors such as rainfall, storm water run-off and evaporation.
- Therefore, if one uses measurements of the current water quality in an environment to derive water quality objectives, one should always make provision for the inherent variability. JMA attempted to do this when they compiled the proposed output water quality objectives for the treatment plant.
- The reasoning behind the JMA derived objectives was that in view of the fact that no mining activities are currently active within the influence zones of any of the sampled surface water and ground water sources, the water qualities observed at these sources must represent the pre-mining pristine water qualities, with the only possible impacts, those that could be caused by the current land uses. It was further assumed that surface water qualities could deteriorate naturally in especially dams, as any evaporation after the samples were taken will increase the salt concentrations in these dams. From this reasoning the JMA protocol was then to take the maximum values observed and to add 2 standard deviations to provide for the variability.

The evaluation of the observed water qualities against the objectives provided by Mr Davel, yielded the following:

- Not a single surface water or ground water sample taken during the base line studies complies with the standard proposed by Mr Davel.
- For the surface water samples 55% of the 448 macro chemistry variables analysed are non-compliant, and 17% of the 544 micro chemistry variables analysed are non-compliant.
- For the ground water samples 51% of the 112 macro chemistry variables analysed are non-compliant, and 21% of the 136 micro chemistry variables analysed are non-compliant.

The conclusion from the above is therefore that, either the objectives supplied by Mr Davel are not representative of the pristine background water quality, or else the current land use (agriculture) is polluting the environment severely - the **average** of the observed values for macro-chemistry generally exceeds Mr Davel's objectives by a factor of 2.

The aquatic ecosystems base line study reflected in the Scoping Report states that the majority of wetlands and pans within the mining application area resemble the natural situation although most of the systems and pans have been modified to some extent due to agricultural activities - essentially sediment deposition. Therefore in view of the good condition of wetlands and aquatic ecosystems as confirmed by the base line studies, JMA is of the opinion that the water qualities observed during the base line studies are indeed representative of the natural background water qualities for the area and that they do not indicate a severe impacted situation. It follows therefore that they could and should be used in determining the quality objectives for the output water from the water treatment plant.

2. Plants (technology) similar to that proposed for Lusthof, have proven that they can achieve the design water quality with a very high degree of certainty and repeatability, provided of course that they are managed properly. The output water quality will be sampled on a regular basis and if required the required alterations made to process management in order to comply with the output water quality objectives.
3. The Plant proposed for Lusthof Colliery is robust in terms of the feed water quality and in general will be able to absorb a 20% variation in concentrations. The feed water quality will also be monitored on a regular basis, not only to assess the possible variation in pH and salinity, but indeed also to check for any changes in the water composition. If the composition changes, the process might need to be adapted. Depending then of course on the nature and extent of the change in composition, this could involve infrastructure changes or perhaps only a process or management alteration. Of importance to recognize is that the feed water quality used in the feasibility design is currently a theoretical composition based on site specific assessment of geochemistry, supported with knowledge obtained from operational and closed mines in the Mpumalanga coal fields. The actual feed water quality will only become known once the mine starts to generate pit water. Even then the quality will be variable as time progresses. The efficient treatment of the water will therefore require on-going monitoring of the feed water and dynamic management of the treatment process. This is a fundamental requirement for all water treatment facilities.

4. Nitrogen and any mercury released by blasting activities will be contained within the open pit and will therefore become part of the feed water to the treatment plant, where it will be treated together with all the other constituents. Whereas nitrogen is a well known contaminant associated with blasting, the elevation of mercury in the coal blasting environment is not recognized as a commonly occurring phenomenon.

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Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0828207950

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0824472400

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0825464151

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0833364930

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0823259741

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0798419582

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0827717998

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0737594087

Dear Interested and Affected Party
You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

Dear Interested and Affected Party
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 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0824685447

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:07:46 P 0845797979

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0833328859

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0829206852

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0837237920

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0835562377

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0842403283

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0825558444

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:05:14 P 0828554533

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r

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 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:01:55 P 0828277129
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:01:55 P 0824638929
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:01:55 P 0839864400
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:00:51 P 0824927031
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:00:51 P 0823387386
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:00:51 P 0820672347
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 04:00:51 P 0829264564
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

2012/11/01 03:59:17 P 0829264565
 Dear Interested and Affected Party
 You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r
 Kobus Du Plessis
 013-665 1788
 Kobus@jmaconsult.co.za

Dear Interested and Affected Party
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Kobus Du Plessis

013-665 1788

Kobus@jmaconsult.co.za

2012/11/01 03:59:17 P 0828213073

Dear Interested and Affected Party

You are hereby notified by JMA Consulting (Pty) Ltd, of the Public Meeting for Lusthof Colliery. It will be held 11h00 on Wednesday 14 November 2012, at the Fair View Guest Farm, located 4 km outside Carolina on the R33 Wonderfontein / Middelburg Road. You have also r

Kobus Du Plessis

013-665 1788

Kobus@jmaconsult.co.za

2012/11/01 03:58:04 P 0836301251

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2012/11/20 09:18:11 A	0829264564 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:18:07 A	0820672347 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:18:00 A	0823387386 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:32 A	0824927031 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:27 A	0839864400 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:22 A	0824638929 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:17 A	0828277129 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:12 A	0847001932 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:07 A	0828554533 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:17:01 A	0825558444 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:16:50 A	0842403283 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:16:44 A	0835562377 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:16:39 A	0837237920 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:16:27 A	0829206852 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:16:21 A	0833328859 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:48 A	0845797979 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:40 A	0824685447 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:31 A	0737594087 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:24 A	0827717998 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:16 A	0798419582 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:10 A	0833364930 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:15:03 A	0825464151 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:11:57 A	0824472400 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:11:31 A	0833729979 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:11:05 A	0823239741 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report
2012/11/20 09:08:11 A	0828207950 Dear I&AP's, The Lusthof Colliery Draft Scoping Report and Plan of Study will be available at the following venues for committing as of today, 19/11/2012: Ermelo Public Library; Carolina Public Library; Chnissiesmeer Public Library; Albert Luthuli Local Municipality. The report

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Feel free to contact me.
Kobus Du Plessis
013-665 1788
Kobus@jmaconsult.co.za

APPENDIX 6.2.3 (A)

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REG NO 1956/038385/05

HEAD OFFICE
POSBUS / PO BOX 291298, MELVILLE, 2186
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BTW/VAT REG NO 41450102228

DAILY SUN

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Sunday SUN

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City Press

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SONDAG

021 406 2222 / 041 503 6111

Naam van Adverteerder / Name of Advertiser JMA CONSULTING
(Gekose / Chosen domicilium citandi et executandi)

Telno / Tel no 013 665 1788

Posadres / Postal Address P.O. Box 983 Straatadres / Street Address _____

Faksno / Fax No 013 665 2364

DELMAS

E-Pos Adres / E-Mail Address Kdavis@jmaconsult.co.za

Kode / Code 2210 Kode / Code _____

00212

BTW / VAT No _____

PRO FORMA FAKTUUR INVOICE

BANKING DETAILS
BANK: ABSA
ACCOUNT NUMBER: 0110570326
BRANCH CODE: 514805
ACCOUNT NAME: MEDIA24 vs BEELD

Pub Kode / Pub Code	Dag / Day	Datum / Date	Grootte / Size	Kleur / Colour	POSISIE / POSITION	OPSKRIF / CAPTION	Tarief / Rate	Koste per plasing / Cost per insertion
DI	FRI	26/10	15X3	B/W	MAIN BODY		110	R4'950

BTW / VAT	693
TOTAAL / TOTAL	R5'643.00
VERTW / REP	JULIE
VERTW KODE / REP CODE	DL

Besonderhede van opdragter -- Bestelno
Particulars of instructing client -- Order No _____

Rekeningno / Account No 4417 208 OF Kwitansieno / Receipt No _____

Agentskap / Agency _____ indien van toepassing / if applicable

1. Persoon / entiteit aanspreeklik vir rekening / Person / body liable for account
2. Entiteit tipe: BK CC MPY CO VENOOTSKAP PARTNERSHIP EENMANSAK ONE-MAN BUSINESS ANDER OTHER
3. Indien aanspreeklikheid verskil van opdragter, in watter hoedanigheid tree opdragter op: / Should the liable body differ from the instructing client, in which capacity will the instructing client act: LID MEMBER DIREKTEUR DIRECTOR VENOOT PARTNER AGENT AGENT VERTEENWOORDIGER REPRESENTATIVE ANDER OTHER

4. Geregistreerde kantoor (en gekose domicilium citandi et executandi): / Registered office (and chosen domicilium citandi et executandi): _____

5. Registrasieno / ID-no / Registration No / ID No _____

6. Bankers / Bankers _____ Tak / Branch _____ No. / No. _____

7. Ek, die ondergetekende / I, the undersigned _____ in my hoedanigheid as / in my capacity as _____ van die skuldenaar en in my persoonlike hoedanigheid: / of the debtor and in my personal capacity:

- verklaar hiermee dat ek behoorlik gemagtig is om namens die skuldenaar te mag optree en dat die bovermelde inligting waar en korrek is; en hereby declare that I am duly authorised to act on behalf of the debtor and that the above-mentioned information is true and correct; and
- verklaar hiermee dat deur my handtekening hieronder, ek my verbind as borg op mede-hoofskuldenaar in solidum met die skuldenaar vir die tydige betaling van enige bedrag verskuldig en betaalbaar aan Media24 Bepark, of enige saldo daarvan onderwerp aan die algemene voorwaardes vir plasing soos van tyd tot tyd gepubliseer, en hereby declare that I bind myself as sponsor and co-principal debtor in solidum with the debtor for the timely payment of any amount due and payable to Media24 Limited or any balance thereof in terms of the general conditions for placement as published from time to time; and
- ek verteenwoordigende in my persoonlike / verteenwoordigende hoedanigheid as ondergetekende, toestemming aan Media24 Bepark om my persoonlike / die beslote korporasie / die maatskappy se kredietrekord te verifieer by enige kredietrekord instansie. I, as the undersigned, herewith give permission in my personal / representative capacity that Media24 Limited may verify my personal / the close corporation's / the company's credit record at any credit record authority.

GEDATEER TE / DATED AT Delmas OP HIERDIE / ON THIS 22 DAG VAN / DAY OF November 20 12

HANDTEKENING / SIGNATURE Antonie Smit

(Vir die skuldenaar en in my persoonlike hoedanigheid as borg en mede-hoofskuldenaar) / (on behalf of the debtor and in my personal capacity as sponsor and co-principal debtor) Naam in DRUKSKRIF / Name in BLOCK LETTERS _____

STORE MANAGER

A post for a Store Manager is available with a leading clothing retail establishment in the following area: MAFIKENG

Applicants must be matriculated and have at least 5 years experience in clothing retail management.

Kindly fax a concise 2 page CV to
(031) 300 8486 or e mail to
lordship@lordship.co.za

Applications close on 7 November 2012

HAVE YOU BEEN INJURED IN A CAR ACCIDENT, TRAIN ACCIDENT, THROUGH THE NEGLIGENCE OF YOUR DOCTOR; FALLING OR BEING INJURED AT A SHOPPING CENTRE, SIDEWALK OR MALL, DOG BITE INCIDENT?

HAS THE RAF ASSISTED YOU WITH A CLAIM?

PHONE **ANDRIES SIBIYA AT 082 954 2371** for a no-obligation assessment of a possible damages claim against the wrongful party.

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SCOPING & ENVIRONMENTAL IMPACT ASSESSMENT PUBLIC MEETING

14 NOVEMBER 2012

Notice is given, in terms of the EIA regulations published in Government Notice No. R548 of the National Environmental Management Act (Act No. 107 of 1998) and Government Notice No. R527 of the MPEDA (Act No. 28 of 2002) with the intent to carry out the Scoping Phase of a Scoping Environmental Impact Assessment (EIA) in terms of the EIA Regulations (Act No. 107 of 1998) for the following activity:

Proposed Coal Mining development on Portion 4 & 6 of the farm Lushof 46 IT, to be known as Lushof Colliery. The farm Lushof is located approximately 17 km South East of the town of Carolina and about 18 km North of the town of Christiesburg.

The following topics will be discussed:

- The Overall Addition EMPR project
- The Relevant Legal Framework
- The Scoping & EIA Process
- Water Use License Applications
- Baseline Data
- The way forward in the EIA, Addition EMPR, and IWUJA



JMA Consulting (Pty) Ltd
Specialising in Environmental Impact Assessments
through Integrated Services and Engineering

Description: The project will comprise the layout of a "Greenfield" Open Pit Coal mine, with a life expectancy of approximately eight years. The construction of a water treatment plant on site is also expected.
Size of Site: The size of the property on which the mine will be located is some 154 ha, but the mining footprint area will be restricted to approximately 74 ha.
Proprietor: Black Gold Coal Estates (Pty) Ltd.
Consultant: Kobus Ehl Plessen, JMA Consulting (Pty) Ltd.
Tel: (013) - 665 1788
Fax: (013) - 665 2264
Email: info@jmaconsulting.co.za
Postal Address: P.O. Box 812, Tlokweng, 2210

Date of Publication: 28 October 2012

Public Participation: You are hereby then credibly invited to attend the Public Meeting scheduled for:

11:00 on the 14th of November 2012,

at the Fairview Greenhouse 4km from Carolina on the R55 Wenderfontein / Middelburg road, where further registration as EIA can be done.

It is important to note that this Scoping Environmental Impact Assessment Process, as prescribed by the Department of Environmental Affairs, will be conducted in conjunction with an Addition Environmental Management Programme Report Process, as prescribed by the Department of Mineral Resources, and an Integrated Water Use License Application Process, as prescribed by the Department of Water Affairs, during which all Interested and Affected Parties need to be informed and consulted.

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56.99
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KONTREI GAZETTE

Invoice

Kontrei Gazette cc.
Voortrekkerstr 39
Posbus 463
Carolina 1185

reg. no: 2007/216355/23

ClientNo	Inv-no	Date
410	11705	18-Oct-12

Tel: 017 843 2262 Fax: 086 524 2035 email: brugge@lando.co.za

Name **JMA Consulting**

Address PO Bpx 883

VatRegno:

City Delmas 2210

Phone (013) 655 1788

Fax (013) 655 2364

Quantity	Description	Unit Price	Subtotal
1	1/2 blad swart en wit 27 october	R 595.00	R 595.00

TOTAL

R 595.00

Thursday 18 October 2012

Page 1 of 1

Banking Details: FNB Carolina Branch Code: 270 151
Kontrei Gazette: 6216 7313 247

ROLBOS STORIES *deur Amos v.d. Merwe*

Kleinpiet's Dilemma

You could have told me it was only herd of antelope," Precilla fixes Kleinpiet with an accusing stare, "and stopped me from worrying so much. Anything could have happened out here."

Kleinpiet doesn't know whether he must feel guilty or proud. Sure, he did leave in a rush; but he thought she was sleeping soundly. Then again: if she worries about him that means she does care. It's a comforting thought.

"I'm sorry. I really thought you were sleeping and didn't want to disturb you..."

"That's why you blew away half your ammunition to scare the living daylight out of me and poor Jock? That's clever, Kleinpiet. Real clever."

Some people react like that if they get a fright. The scare triggers an Angry Button somewhere in the brain and unleashes the pent-up emotions. It's a healthy reaction to the scaree, but hugely uncomfortable for the scarer. Kleinpiet shuffles his feet and mumbles he's sorry. He cuts such a pathetic figure that the Angry Button flips to 'off' and the Laughing Circuit activates. "But I did appreciate Jock's presence, I can tell you. He's really a lovable dog – saw that I was scared and upset and simply kept me company. Sometimes that's all a girl needs. That, and a good lock on the front door. This open-house situation doesn't work for me."

Ten minutes later Kleinpiet makes a piece of wood fit into the hooks he screwed into the door. "See: a real old-fashioned bolt. Now nobody can come in." Precilla isn't impressed. "So how do you lock – or unlock – it from the outside? Say you're going to town or something. This contraption only works from the inside;

that's not good enough."

Kleinpiet sighs. That door hasn't been locked since the house was built by his grandfather.

"The times have changed, Kleinpiet," using a softer tone, she tries to make him understand. "In your grandfather's time crime was rare. They still hanged rapists and murderers – and let's not debate that one, either. Nowadays about 10% of criminals get caught, and only a fraction of them end up in jail. Dockets get lost, lawyers probe into the cracks of the fine detail of laws, and some laws

are even so badly written, it's a joke. Not so long ago they found a child molester guilty of abuse, but then the court suddenly realised that the law was well written – but there was no punishment stipulated. The message to the masses is clear: go ahead and plunder. Even if you get caught, the chances are that the prosecuting authority will slip up somewhere and you'll go free.

(continues on page 14)

SCOPING & ENVIRONMENTAL IMPACT ASSESSMENT PUBLIC MEETING

14 NOVEMBER 2012

Notice is given, in terms of the EIA regulations published in Government Notice No. R543 of the National Environmental Management Act (Act No. 107 of 1998) and Government Notice No. R527 of the MPRDA (Act No. 28 of 2002), with the intent to carry out the Scoping Phase of a **Scoping Environmental Impact Assessment** (i.t.o. Listing Notices 1 and 2 – G.N. R544 & R545) for the following activity:

Proposed Coal Mining development on Portion's 4 & 6 of the farm Lusthof 60 IT, to be known as Lusthof Colliery. The farm Lusthof is located approximately 17 km South East of the town of Carolina and about 10 km North of the town Chrissiesmeer.

The following topics will be discussed:

- The Overall Addendum EMPR project;
- The Relevant Legal Framework;
- The Scoping & EIA Process;
- Water Use License Applications;
- Road Diversion;
- The way forward in the EIA, Addendum EMPR, and IWULA



JMA Consulting (Pty) Ltd
Sustainable Environmental Solutions
through
Integrated Science and Engineering

Description: The project will comprise the upstart of a "Greenfields" Open Pit Coal mine, with a life expectancy of approximately Eight years. The construction of a water treatment plant on site is also expected.

Size of Site: The size of the property on which the mine will be located is some 654 ha, but the mining footprint area will be restricted to approximately 74 ha.

Proponent: Black Gold Coal Estates (Pty) Ltd
Consultant: Kobus Du Plessis
JMA Consulting (Pty) Ltd
Tel: (013) – 665 1788
Fax: (013) – 665 2364
Email: kobus@jmaconsult.co.za
Postal Address: P.O. Box 883
Delmas
2210

Date of Publication: 26 October 2012

Public Participation: You are hereby then cordially invited to attend the Public Meeting scheduled for:

11:00 on the 14th of November 2012,

at the Fairview Guesthouse 4km from Carolina on the R33 Wonderfontein / Middelburg road, where further registration as I&AP can be done.

It is important to note that this **Scoping Environmental Impact Assessment Process**, as prescribed by the Department of Environmental Affairs, will be conducted in conjunction with an **Addendum Environmental Management Programme Report Process**, as prescribed by the Department of Mineral Resources, and an **Integrated Water Use Licence Application Process**, as prescribed by the Department of Water Affairs, during which all Interested and Affected Parties need to be informed and consulted.

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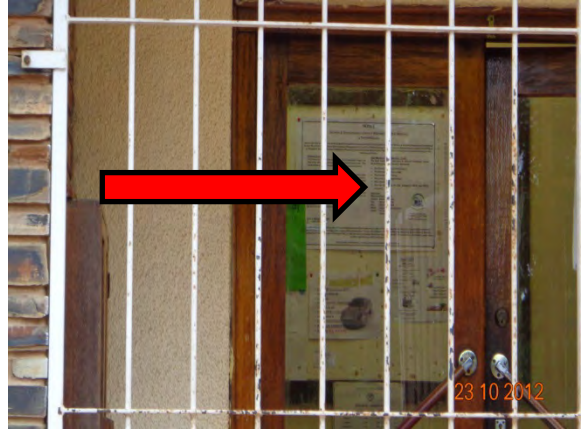
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sDay, Prest-
s, Thanksgiv-

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N S T P
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R O E

APPENDIX 6.2.4 (A)

PROOF OF SCOPING PHASE SITE NOTICES

Site Notices were put up at the Albert Luthuli Municipality/Community Information Desk



Site Notices were put up at the Carolina Post Office



Site Notices were put up at the Carolina Public Library



Site Notices were put up at the Chrissiesmeer Post Office



Site Notices were put up at the Chrissiesmeer Public Library



Site Notices were put up at Lusthof Portion 4's boundary fence next to the gravel road (1)



Site Notices were put up at Lusthof Portion 4's boundary fence next to the gravel road (2)



Site Notices were put up at Lusthof Portion 4's boundary fence next to the gravel road (3)



Place Name of Site Notice around Lusthof	Latitude	Longitude
Carolina Public Library	26° 4'17.16"S	30° 7'17.53"E
Carolina Post Office	26° 4'10.73"S	30° 7'0.47"E
Albert Luthuli Municipality/Community Info	26° 4'1.28"S	30° 6'52.10"E
Chrissiesmeer Post Office	26°16'51.99"S	30°12'39.20"E
Chrissiesmeer Public Library	26°16'55.78"S	30°12'39.48"E
Lusthof Site Notice1	26°11'17.19"S	30°12'59.98"E
Lusthof Site Notice2	26°11'32.80"S	30°13'31.68"E
Lusthof Site Notice3	26°11'5.54"S	30°14'19.02"E

MAP OF SITE NOTICES
PUT UP FOR
SCOPING PHASE PUBLIC MEETING



N

R338

R333

Albert Luthuli Municipality/Community Info
Carolina Public Library
Carolina Post Office

Lusthof Portion 4 Site Notice 3

Lusthof Portion 4 Site Notice 2
Lusthof Portion 4 Site Notice 1

Chrissiesmeer Public Library
Chrissiesmeer Post Office

R36

R54

17

Image © 2012 GeoEye
Image © 2012 CDNGI
Image © 2012 Afrigis (Pty) Ltd.
Image © 2012 DigitalGlobe

Imagery Date: 5/3/2012
26° 11' 42.75" S / 30° 09' 23.45" E elev. 1691 m

Eye alt 39.90 km

Google earth

APPENDIX 6.2.5 (A)

COPY OF SCOPING PHASE I&AP RESPONSE FORM

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

**BLACK GOLD COAL ESTATES (PTY) LTD.
LUSTHOF COLLIERY
EMPR AMENDMENT PROCESS**

Contact: Kobus du Plessis
JMA Consulting (Pty) Ltd
P.O. Box 883
Delmas, 2210



Phone: (013) 665 1788
Fax: (013) 665 2364

**INTERESTED AND AFFECTED PARTY REGISTRATION
& INVITATION TO COMMENT
NOVEMBER 2012**

E-mail: kobus@jmaconsult.co.za

Please complete and return to the Address indicated above.

TITLE		FIRST NAME	
INITIALS		SURNAME	
ORGANISATION		E-MAIL ADDRESS	
POSTAL ADDRESS			
POSTAL CODE		CELL PHONE NO	
TEL NO		FAX NO	

REGISTRATION AS INTERESTED AND AFFECTED PARTY (Please tick the applicable box)

Please formally register me as an Interested and Affected Party (I&AP) so that I may receive further information and notifications during the Environmental Impact Assessment Process	YES	NO
	Letter (Mail)	
	Email	
	Fax	
I would like notifications by	SMS	
In Terms of Regulation 56(1) c, of GNR 543 (EIA process regulations) I disclose below any direct business, financial, personal, other interest that I may have in the approval or refusal of this application:		

COMMENTS (Please make use of the additional sheet if more space is needed for comments)

I suggest that the following issues be addressed during the Scoping Phase of the Environmental Impact Assessment

Any other comments

Please ask the following friends/colleagues to register as I&APs for this Environmental Impact Assessment

Signature

WE THANK YOU FOR YOUR CONTRIBUTION

Date

Please be assured that your comments will be formally registered and be included as part of the Final Documentation that will be submitted to Relevant authorities.

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

**BLACK GOLD COAL ESTATES (PTY) LTD.
LUSTHOF COLLIERY
EMPR AMENDMENT PROCESS**

**Contact: Kobus du Plessis
JMA Consulting (Pty) Ltd
P.O. Box 883
Delmas, 2210**



**Phone: (013) 665 1788
Fax: (013) 665 2364**

**INTERESTED AND AFFECTED PARTY REGISTRATION
& INVITATION TO COMMENT
NOVEMBER 2012**

E-mail: kobus@jmaconsult.co.za

Please complete and return to the Address indicated above.

TITLE		FIRST NAME	
INITIALS		SURNAME	
ORGANISATION		E-MAIL ADDRESS	
POSTAL ADDRESS			
POSTAL CODE		CELL PHONE NO	
TEL NO		FAX NO	

REGISTRATION AS INTERESTED AND AFFECTED PARTY (Please tick the applicable box)

Please formally register me as an Interested and Affected Party (I&AP) so that I may receive further information and notifications during the Environmental Impact Assessment Process	<input type="checkbox"/>	YES	<input type="checkbox"/>	NO
	I would like notifications by	<input type="checkbox"/> Letter (Mail)		
		<input type="checkbox"/> Email		
		<input type="checkbox"/> Fax		
<input type="checkbox"/> SMS				
In Terms of Regulation 56(1) c, of GNR 543 (EIA process regulations) I disclose below any direct business, financial, personal, other interest that I may have in the approval or refusal of this application:				

COMMENTS (Please make use of the additional sheet if more space is needed for comments)

I suggest that the following issues be addressed during the Scoping Phase of the Environmental Impact Assessment

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Please ask the following friends/colleagues to register as I&APs for this Environmental Impact Assessment

Signature

WE THANK YOU FOR YOUR CONTRIBUTION

Date

Please be assured that your comments will be formally registered and be included as part of the Final Documentation that will be submitted to Relevant authorities.

APPENDIX 6.2.7 (A)

SCOPING PHASE PUBLIC MEETING MINUTES



**LUSTHOF COLLIERY
EMPR ADDENDUM, EIA AND IWULA**

Scoping Phase Public Meeting

DATE: 14th November 2012

TIME: 11:00

VENUE: FAIR VIEW GUEST FARM

MINUTES OF THE MEETING

1. Opening and Welcome

Jasper Muller (JM) welcomed everyone to the meeting.

2. Presentation to Meeting

JM gave a formal presentation to the attendees. A copy of the presentation slides is attached as Annexure A to the minutes.

The following was covered in the presentation:

- The Purpose of the Meeting
- Meeting Rules
- Agenda
- The Project Background
- The Lusthof Colliery Operation
 - Properties Affected
- The EIA Process
 - 5 Phases
 - Pre-Application Phase
 - Appointment of EAP by Applicant
 - Determination of Type of Application
 - Identification of the Competent Authority
 - Pre-application Consultation with the Competent Authority
 - Identify and Notify Property/Land Owners
 - Submit Application to Competent Authority
 - Notification of Decision on Application
 - Scoping Phase
 - Initiate and Conduct Public Participation Process
 - Compile Notification and Information Documents
 - Notify all I&AP's of Project and Meetings (Newspapers, Site Notices, Letters, etc.)
 - Written Notification to Relevant Regulating Authorities
 - Compilation of Scoping Report and Plan of Study as per Regulations and Guidelines
 - Scoping Public Meeting
 - Make Scoping Report available for Review
 - Capture and Consider Comments from I&AP's and Relevant Authorities

- Finalize and Submit Scoping Report and Plan of Study to I&AP's and Authorities
 - Authority Review & Decision
 - Notification of Decision on Scoping Report
 - Environmental Impact Assessment Phase
 - Commence to Implement Plan of Study
 - Continue Public Participation Process
 - Conduct Specialist Studies
 - Prepare EIA Report (EIAR comprising EIA, EMPr as per Regulations and Guidelines
 - EIA/EMP Public Meeting
 - Make EIAR available for Review
 - Capture and Consider Comments from I&AP's and Relevant Authorities
 - Finalize and Submit EIAR to I&AP's and Authorities
 - Consideration and Decision Phase
 - Authority Review & Decision
 - Notification of Decision on the EIAR
 - Granting of Environmental Authorization
 - Inform I&AP's of Decision/Approval and of Opportunity to Appeal
 - Appeal Phase
 - May Appeal against an Administrative Decision by DMR/DEDET
 - Appellant to give notice of intention to Appeal to Authority and Applicant
 - Consultation between Applicant and Appellant to Resolve Issues
 - Submission of appeal to Authority and Applicant
 - Submission of Responding Statement from Respondent/Applicant to Authority and Appellant
 - Submission of Answering Statement by Appellant to Authority and Applicant
 - Acknowledgment of all by Authority within 10 days
 - Processing of Appeal
 - Decision on Appeal
 - Notification of Decision on Appeal to Appellant and Respondents by Authority
- The PPP Process
 - Where are we now in the Process
 - Scoping Phase
 - Public Meeting (Today, 14 November 2012)
 - The next PPP Phase
 - Still to happen
 - Prepare Draft Scoping Report
 - Distribute Draft Scoping Report for I&AP's review
 - Will be available on the 19th of November 2012 for commenting
 - Capture Comments and Issues
 - I&AP's can comment for 30 days until 6th of January 2013 (days between 15/12/2012 and 02/01/2013 not reckoned)
 - Submit Final Scoping Report to Authorities and I&AP's
 - Report will be submitted to DEDET before end January 2013

- EIA Phase:
 - Public Meeting/Open House (10th of May 2013)
 - Prepare Draft EIA/EMP Report
 - Distribute Draft EIA/EMP Report for I&AP's review (20th of May 2013)
 - Capture Comments and Issues
 - I&AP's can comment for 30 days until 17h00 on the 22th of June 2013
 - Any comments after this deadline must be submitted directly to DEDET.
 - Compile Public Participation Programme Report
 - Submit Final EIA/EMP Report to Authorities and I&AP's
 - Report will be submitted to DMR/DEDET on the 28th of June 2013
 - I&AP's will have 30 days after this date to send comments to DEDET
 - DEDET to make Decision Known to Public
 - Can Appeal Against Administrative Decision

- The Scoping Report and Plan of Study
 - The Scoping Report and Plan of Study are being compiled in support of the EMPR Amendment as well as the EIA.
 - The contents of the Scoping Report and Plan of Study are prescribed in the NEMA EIA Regulations as well as the MPRDA Regulations and guidelines.
 - The Draft Scoping Report will now be submitted to all relevant stakeholders for review and consideration for a period of 30 Days.
 - After the review period has expired all comments that were received will be included and addressed in the Final Scoping Report.
 - The Final Scoping Report will then be submitted to the DMR in Witbank as well as DEDET's Regional Office in Ermelo for review and approval.
 - The Final Scoping Report will at the same time also be made available to all Registered I&AP's.
 - This Public Participation process is intended to facilitate your inputs into this process.

- Scoping Report Chapter 1
 - Introduction to project
 - Methodology
 - Affected Communities
 - Proof of communication with communities
 - Description of Scoping and EIA Processes
 - Details of EAP & Project Team
 - Declaration of Independence by EAP
- Scoping Report Chapter 2
 - detailed description of the existing environment by discussing the status of the existing:
 - Socio-Cultural Environment,
 - Heritage Environment,
 - Current Land Use and Socio-Economic Environment,
 - Existing Infrastructure,
 - Meteorology,
 - Topography, Soils,
 - Land Capability,
 - Land Use,
 - Geology,

- Ground Water,
 - Surface Water,
 - Plant Life,
 - Animal Life,
 - Aquatic Ecosystems,
 - Air Quality,
 - Noise Impact,
 - Visuals Impact
 - Blasting and Vibration
 - Confirmation from I&AP's on current environment
- Scoping Report Chapter 3
 - Project Description
 - Anticipated Impacts
 - Project Applicant
 - Project Location with relevant Regulating Authorities
 - Properties Affected
 - Project Resource Attributes
 - Project Motivation
 - Construction Phase
 - Operational Phase
 - Decommissioning Phase
 - Closure Phase
 - Post Closure Phase.
 - Water Uses
 - Section 21(a), (b), (c), (i), (e), (g) and (j)
- Scoping Report Chapter 4
 - Alternative land uses
 - Alternative land developments
 - Operational alternatives
 - No-Go option
- Scoping Report Chapter 5
 - Project Planning & Development
- Scoping Report Chapter 6
 - Public Participation Process
 - Need for Public Participation
 - The Scope of the Scoping Phase Public Participation
 - Identification/Registration of Authorities and I&AP's
 - Notification of Authorities and I&AP's
 - Information to Authorities and I&AP's
 - Meetings with Authorities and I&AP's
 - Obtaining comments from Authorities and I&AP's
 - Responding to comments from Authorities and I&AP's
- Scoping Report Chapter 7
 - Plan of Study
 - Specialist Studies to be undertaken
 - Project and Consultation Time Line with the Authorities.
- Scoping Report Chapter 8
 - contains information related to the identification of the report

3. Discussion, Comments, Questions

The following interactions were minuted from the voice recording of the meeting:

Question: Frans Krige (FK) (MTPA):

FK wanted to know about the proposed water management for the mine. FK stated that the surface of “Te Vrede Pan” is lower than the mine. This will mean that the water will flow down from the mine into “Te Vrede Pan”.

Response by JMA:

Jasper Muller (JM) responded by explaining the concept of a ground water divide. He indicated that a ground water model was run for the site, based on site specific geohydrological data and that the zone of ground water level influence of the open pit was modelled. The results indicated that provided that a safe environmental ground water level is maintained in the open pit, migration of contaminated water from the pit could be managed not to impact on “Te Vrede Pan”. He also explained that provision will be made for boreholes along the pit perimeter to monitor any migration and that these boreholes could also be used to intercept seepage from the pit should it occur. He requested FK to refer to the geohydrological report and model and also offered to provide more information and explanations should FK require such.

Question: Frans Krige (FK) (MTPA):

Is there any risk that the plume will move into the direction of “Te Vrede Pan”?

Response by JMA:

JM responded that the initial modelling showed a potential for migration of contaminated seepage from the pit in a southerly direction (towards the pan) and an easterly direction. After negotiation with BGCE, it was agreed to raise the decant elevation of the pit by sterilizing some coal reserves along the eastern flank of the mine. This resulted in the outcome that the decant elevation was raised and facilitated the selection of a safe environmental ground water level in the pit which resulted in the elimination of seepage towards the south and the minimization of seepage towards the east. As a further safeguard to manage this situation, the monitoring/interception boreholes mentioned previously were provided for. The short answer to FK’s question is that contaminated seepage from the pit would in all probability not move in the direction of the pan.

Question: Koos Pretorius (KP) (MLDPG):

Your argument is that the water cannot get out of the pit. If you keep your water under the level where you think it can escape and seep into the soft overburden by keeping it at the level of the hard overburden the water will stay in the pit. I just want to find out about dykes and sills?

Response by JMA:

JM responded that a detailed geophysical investigation was conducted across and around the proposed mining area with the specific objective of identifying sills and dykes. The outcome of the study is detailed in the ground water base line discussion in Chapter 2 of the Draft Scoping Report. The results of the study showed remnants of two sills located east and west of the proposed mining area. No dykes or sills were identified in the mining area itself.

Comment make by KP:

KP stated for the record that an interdict is currently in place which prevents BGCE from mining the reserve. He also stated there is disagreement with the current process as their view is that the process is continuing without agreement being concluded on previous agreements between the MLDPG and BGCE. He further stated that he is attending the meeting on a without pre-judice basis.

Response by JMA:

JM responded that his statement is noted and will be reflected in the minutes.

Jannie Neethling (JN):

The water license, how sure are we that BGCE is going to wait for all the necessary approvals before starting to mine?

Response by JMA:

JM responded that BGCE has no intention of commencing with the mining operations until all the environmental authorizations, including the water use license, have been obtained.

Response by Jamie Ferguson (JF):

JF stated (confirmed) that BGCE would wait for the IWUL to be approved before commencing with mining.

Jannie Neethling (JN):

You showed us in the presentation the roads that the trucks are going to use. Can you please provide us with the risks involved with the trucks using these difficult roads.

Response by JMA:

JM responded that a number of risks are associated with the coal transport including road deterioration, traffic safety, pollution, dust and noise. Several studies have been conducted and more studies will be done to assess these risks and to identify mitigation measures. He confirmed that a gravel road upgrade study was already completed and that noise, dust and pollution investigations are on-going at present. He also confirmed that the transport plan proposed in the Scoping Report was specifically developed to minimize two way traffic along the transport route.

Jannie Neethling (JN):

Are the road location changing or staying the same?

Response by JMA:

Two road diversions will be done as the mine pit will cut through two roads. Details are given in the Scoping Report. However, apart from in the immediate vicinity of the mine, the rest of the road locations will not be changed. The gravel roads will be upgraded to be able to handle the increased mine traffic.

Pieter Geldenhuys (PG):

The engineers involved in the project, who will they be and how will they be monitored to ensure that they are delivering quality, up to standard work? Who will be responsible if his quality of work is not up to standard?

Response by JMA:

The engineers appointed by JMA are professional consulting engineers. The engineers are registered with their professional bodies and as such they carry professional liability. Designs related to water management infrastructure are furthermore submitted to DWA for approval. In terms of DWA requirements, construction must be supervised by a professional engineer and he must sign off on as built drawings on completion of construction.

The detailed Management Plan submitted to DMR and DEDET at the end of this process, is also approved by the authorities and becomes a binding commitment to BGCE.

Furthermore the mine will establish an Environmental Forum who will consult with the people in the area on regular intervals. At these meetings the mine will provide the necessary information to the people and tell them what is currently happening within the mine.

Pieter Geldenhuys (PG):

These reports, are they provided by the mine or by an independent party? How do I know that the information is correct?

Response by JMA:

The mine will provide the information but it will be the individual's responsibility to verify if the information is indeed correct. The mine has the responsibility to generate the required information - sometimes they do it themselves and other times they contract independent service providers.

Pieter Geldenhuys (PG):

I am very unhappy with the systems provided by DMR and I do not think that practically this system will work. I am concerned about the monitoring system that is in place.

Response by JMA:

Statement will be noted in the minutes.

Comment made by KP:

What is the reason for BGCE to want to mine in this sensitive area?

Response by JF:

In the case of Lusthof, BGCE have been in the area, just outside of Carolina, for the last 10 years. BGCE were granted these reserves and their entire infrastructure is in place close by. The coal reserve is a high quality reserve. The future employment of BGCE employees are ensured, which we have employed for the last 10 years.

Comment made by Ursula Franke (UF):

How do you see the place of mining activities, especially Lustof Colliery, within a formal protected area, and proposed RAMSAR Site?

Response by JMA:

JMA is dealing with the reality of a given situation. Lusthof Colliery has been given a mining right in an environmentally sensitive area. According to information provided to JMA by the MTPA the area is not yet a formally declared protected area. JMA was requested by all the parties involved to re-design the mine to be as environmentally friendly as possible. The mine was re-designed and now an Impact Assessment will be done, based on which a Management Plan will be developed. All this information will be provided to all stakeholders, I&AP's and authorities in order for them to give comments, make suggestions and eventually take a decision. The MTPA was specifically consulted as focus group and must use the opportunity to put forward their case. JMA is independent and has no vested interest in the mine.

Response by JF:

Before this site was even considered as a RAMSAR site, BGCE have been granted a mining license. BGCE went to the relevant authorities, sought legal opinion and were told by the relevant authorities that BGCE have the mining right to mine in this area and if new legislation come into play at a later stage nothing will change and BGCE will not be affected.

Comment by Willem Davel (WD):

The different departments did not realise at that stage, when the mining rights were granted that the area is a sensitive area. I think that if we go back to them there response will be different.

Comment make by UF:

DMR have a different opinion now because they are considering a Section 49 for the area.

Response by JMA:

The mine is prepared to follow the correct process and do not want to force anybody into any decisions. The way JMA run the process is to give as much quality information as possible so that Competent Authorities can make an informed decision. JMA also want to give anybody who wants to make a contribution the opportunity to do so.

Comment make by UF:

How are the impacts that the mine will have on tourism in the area accounted for?

Response by JMA:

JMA received a copy of the tourism plans for the area from the MTPA. It was provided to a specialist who will now conduct a comparative land use assessment.

Comment by Willem Davel (WD):

You mentioned boreholes being drilled to monitor any decant water, and the Water Treatment Plant (WTP) will purify this water. What will happen in the case if there is a spillage and the WTP does not work due to unforeseen circumstances? Who will be responsible to pay for fixing it? Are there any money put aside for something like that before hand? What is the plan?

Response by JMA:

There are certain regulations requiring funds to be put aside beforehand. A full closure cost assessment will be performed and the mine will be required to provide guarantees for this purpose. In the pit itself there will be sufficient storing capacity to cater for unforeseen stopages in pumping and treatment and spillages will not occur as a result of such incidents. A detailed closure cost provisioning model was commissioned on request from the MLDPG by an independent economist referred to JMA by Dr Koos Pretorius of the MLDPG.

Comment make by JN:

How long after the mine disappeared are they still responsible for pollution taking place because of their earlier mining activities?

Response by JMA:

The mine will be accountable until such time as a Closure Certificate is issued by DMR.

Comment make by PG:

Who will be responsible for managing these funds?

Response by JMA:

The mine will be responsible for managing the funds up to the stage where they receive a Closure Certificate from DMR. After that the responsibility will fall on the government.

Comment make by PG:

My concerns is, that if one look at the government's ability to administrate these funds, then we have a problem! I think we must look at another alternative.

After no more questions were asked JMA thanked the I&AP's present for their time and comments and indicated that JMA looked forward to getting some feedback from them.

Minuted by Kobus du Plessis
(JMA Consulting (Pty) Ltd)



Kobus Du Plessis



JMA Consulting (Pty) Ltd

15 Vickers Street
Delmas
P O Box 883
Delmas, 2210
Tel (013) 665 1788
Fax (013) 665 2364

Sustainable Environmental Solutions through integrated Science and Engineering

ATTENDANCE REGISTER

PROJECT: Black Gold Coal Estates (Pty) Ltd. Scoping Phase Public Meeting		VENUE : Fairview Guest Farm DATE & TIME : 14 November 2012 @ 11:00
---	--	---

Nr	Name	Representing	Postal Address	Fax number	Contact Details	E-mail address	Sign
1	Jasper Muller	JMA	PO Box 883, Delmas, 2210	013 665 2364	Tel: 013 665 1788	jasper@jmaconsult.co.za	
2	K du Plessis	JMA	PO Box 883, Delmas, 2210	013 665 2364	Tel: 013 665 1788	kobus@jmaconsult.co.za	
3	A. E. RABIE	BLACK GOLD		013 640 3131	082 441 6023	RENES@EAS-ISA COZL.CO.ZA	
4	P. B. CHERNENYF		BOKI CAROLINA	0178433423	0823558444	cbnetha@vodamail.co.za	
5	A. de Jager	Kuisthof. Ploersbos	28 Wombourton	0132971654	082 3572879	gewingol@vodamail.co.za	
6	U. Franke	EWT, MWF, Matieland	PostNet Suite #1791 Pfbg X9031	-	083 332 8859	uwslanf@ewt.org.za	
7		Eco-tourism Association	Emelo 2350				
8	W. DASL	IANA	POSTNET SUITE 195 P/SAK X7460 WITBANK		082 338 7386	davelse@ic.co.za	
9	D. Nelthuis	Kuisthof.	Bos 488 lande		0828213013	dennelhof@gmail.com	
10	J. Nelthuis	Belgicommunale Kring	Bos 111 Canalis		083 491 89 00		
11	F. W. KRU	MTPA.	P.O. Box 98 PULCSTOWN 1110		0842322900	fransdmpa@co.za	



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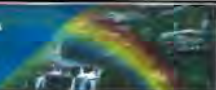
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Sustainable Environmental Solutions through integrated Science and Engineering

Nr	Name	Representing	Postal Address	Fax number	Contact Details	E-mail address	Sign
12	H. Schepman	SASOL	P.O. Box 699 Tlokoeng	011 522 4458	017-6148031	henrie.schepman@sasol.com	
13	K. Pretorius	HEWLETT	Box 201, Aseron	0865140165	0839864400	d.pretorius@hewlett.com	
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Annexure A
Copy of Presentation Slide Show

Sustainable Environmental Solutions
Through Integrated
Science and Engineering


BLACK GOLD COAL ESTATES (PTY) LTD

LUSTHOF COLLIERY EMPR AMENDMENT EIA and IWULA

SCOPING PUBLIC MEETING
14 NOVEMBER 2012, 11H00
FAIRVIEW GUEST FARM

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WELCOME




BY:
Jasper Müller
on behalf of

JMA Consulting and
Black Gold Coal Estates

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MEETING RULES



1. The meeting starts with a Presentation by the EAP;
2. Questions will only be taken after the presentation - this is to support accurate compilation of the meeting minutes;
3. State your name and affiliation at the outset of your question/statement;
4. Please feel free to communicate in English or Afrikaans;
5. There is an opportunity for written comments – comment sheets are provided;
6. Write name & designation with questions / concern;
7. Please complete the attendance register.

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AGENDA



- Welcome & Meeting Rules
- Background to Project
- Details of the Applicant
- Regional Locality
- Property Description
- Legal Framework
- Scoping & EIA and PPP Processes
- Scoping Report & Plan of Study
- Commenting on Scoping Report
- Questions and Discussion
- Closure

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BACKGROUND TO PROJECT



- ◆ The Project is known as the Lusthof Colliery Project.
- ◆ The Lusthof Colliery EMPR was approved in June 2006.
- ◆ As a result of concerns raised by neighbouring land owners, mining has not commenced and BGCE has agreed to produce and submit an Addendum EMPR in terms of the Mineral and Petroleum Resources Development Act (MPRDA) to DMR in order to address critical mining and environmental issues.
- ◆ In the current project BGCE also intends to apply for other related formal Environmental Authorizations:
 - An EIA Record of Decision (ROD) will be sought from DEDET as required in terms of the provisions of the National Environmental Management Act (NEMA) for all listed activities related to the proposed project.
 - An Integrated Water Use License Application (IWULA) will be lodged with DWA as required in terms of the National Water Act (NWA) to authorize water uses related to the project.
 - A Waste License Application in terms of the National Environmental Management Waste Act (NEMWA) will be lodged later in order to authorize the proposed Water Treatment Plant.

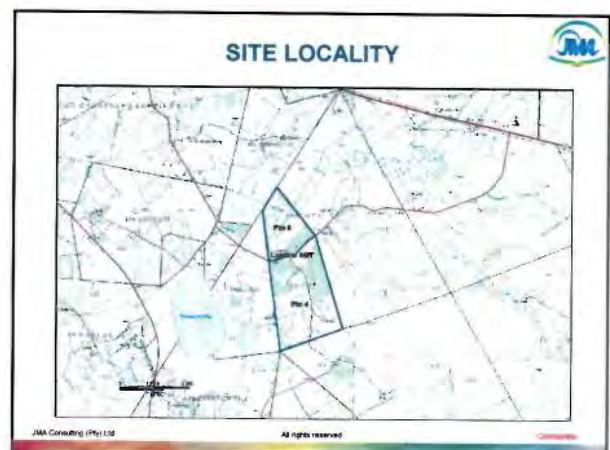
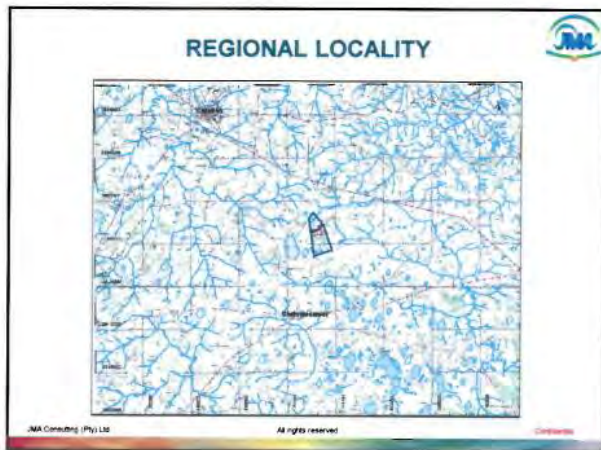
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DETAILS OF THE APPLICANT



Project Applicant:	Black Gold Coal Estates (Pty) Ltd
Trading Name:	Lusthof Colliery t/a as Black Gold Coal Estates (Pty) Ltd
Business Registration No:	2003/003266/07
Contact Person:	Mr J Ferguson
Physical Address:	34 O R Tambo Street, Model Park, Witbank
Postal Address:	P O Box 3185, Witbank, 1035
Telephone no:	+ 27 (0) 13 690 3131
Fax no:	+ 27 (0) 13 656 4374
E-mail:	ferguson@eastsidecoal.co.za

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THE EIA PROCESS DIFFERENT PHASES

5 Phases In the EIA Process

- Pre-Application Phase
- Scoping Phase
- Environmental Impact Assessment Phase
- Consideration and Decision Phase
- Appeal Phase

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DIFFERENT PHASES OF THE EIA

Pre-Application Phase

- Appointment of EAP by Applicant
- Determination of Type of Application
- Identification of the Competent Authority
- Pre-application Consultation with the Competent Authority
- Identify and Notify Property/Land Owners
- Submit Application to Competent Authority
- Notification of Decision on Application

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DIFFERENT PHASES OF THE EIA

Scoping Phase

- Initiate and Conduct Public Participation Process
- Compile Notification and Information Documents
- Notify all I&AP's of Project and Meetings (Newspapers, Site Notices, Letters, etc)
- Written Notification to Relevant Regulating Authorities
- Compilation of Scoping Report and Plan of Study as per Regulations and Guidelines
- Scoping Public Meeting
- Make Scoping Report available for Review
- Capture and Consider Comments from I&AP's and Relevant Authorities
- Finalize and Submit Scoping Report and Plan of Study to I&AP's and Authorities
- Authority Review & Decision
- Notification of Decision on Scoping Report

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DIFFERENT PHASES OF THE EIA

Environmental Impact Assessment Phase

- Commence to Implement Plan of Study
- Continue Public Participation Process
- Conduct Specialist Studies
- Prepare EIA Report (EIAR comprising EIA, EMP as per Regulations and Guidelines)
- EIA/EMP Public Meeting
- Make EIAR available for Review
- Capture and Consider Comments from I&AP's and Relevant Authorities
- Finalize and Submit EIAR to I&AP's and Authorities

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DIFFERENT PHASES OF THE EIA

Consideration and Decision Phase

- Authority Review & Decision
- Notification of Decision on the EIAR
- Granting of Environmental Authorization
- Inform I&AP's of Decision/Approval and of Opportunity to Appeal

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DIFFERENT PHASES OF THE EIA

Appeal Phase

- May Appeal against an Administrative Decision by DMR/DEDET
- Appellant to give notice of intention to Appeal to Authority and Applicant
- Consultation between Applicant and Appellant to Resolve Issues
- Submission of appeal to Authority and Applicant
- Submission of Responding Statement from Respondent/Applicant to Authority and Appellant
- Submission of Answering Statement by Appellant to Authority and Applicant
- Acknowledgment of all by Authority within 10 days
- Processing of Appeal
- Decision on Appeal
- Notification of Decision on Appeal to Appellant and Respondents by Authority

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THE PPP PROCESS

Where are we now in Process?

- Scoping Phase
- Public Meeting (Today)
 - 14th of November 2012

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THE NEXT PPP PHASE

COMMENTS ON SCOPING REPORT

- Prepare Draft Scoping Report
- Distribute Draft Scoping Report for I&AP's review
 - Will be available on the 19th of November 2012 for commenting
- Capture Comments and Issues
 - I&AP's can comment for 30 days until 8th of January 2013 (days between 15/12/2012 and 02/01/2013 not reckoned)
- Submit Final Scoping Report to Authorities and I&AP's
 - Report will be submitted to DEDET before end January 2013

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THE NEXT PPP PHASE

COMMENTS ON EIAR

Still to happen

EIA Phase:

- Public Meeting/Open House
 - 30th of May 2013
- Prepare Draft EIA/EMP Report
- Distribute Draft EIA/EMP Report for I&AP's review
 - Will be available on the 20th of May 2013 for commenting
- Capture Comments and Issues
 - I&AP's can comment for 30 days until 17h00 on the 22nd of June 2013
 - Any comments after this deadline must be submitted directly to DEDET
- Compile Public Participation Programme Report

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THE NEXT PPP PHASE COMMENTS ON EIAR

- Submit Final EIA/EMP Report to Authorities and I&AP's
 - Report will be submitted to DMR/DEDET on the 28th of June 2013
- I&AP's will have 30 days after this date to send comments to DEDET

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THE NEXT PPP PHASE COMMENTS ON EIAR

Still to happen

- DEDET to make Decision Known to Public
- Can Appeal Against Administrative Decision

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THE SCOPING REPORT & PLAN OF STUDY

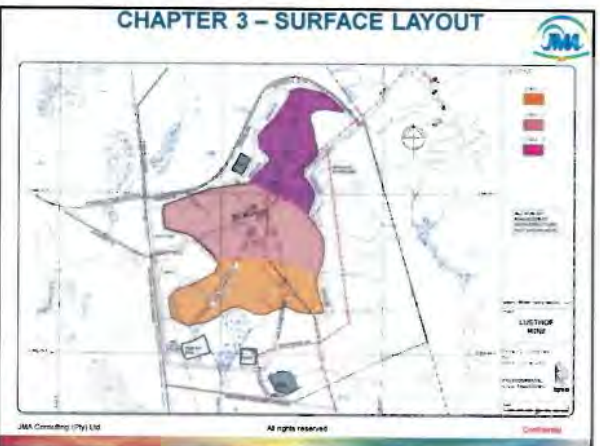
- The Scoping Report and Plan of Study is being compiled in support of the EMPR Amendment as well as the EIA.
- The contents of the Scoping Report and Plan of Study are prescribed in the NEMA EIA Regulations as well as the MPRDA Regulations and guidelines.
- The Draft Scoping Report will now be submitted to all relevant stakeholders for review and consideration for a period of 30 Days.
- After the review period has expired all comments that were received will be included and addressed in the Final Scoping Report.
- The Final Scoping Report will then be submitted to the DMR in Witbank as well as DEDET's Regional Office in Ermelo for review and approval.
- The Final Scoping Report will at the same time also be made available to all Registered I&AP's.
- This Public Participation process is intended to facilitate your inputs into this process.

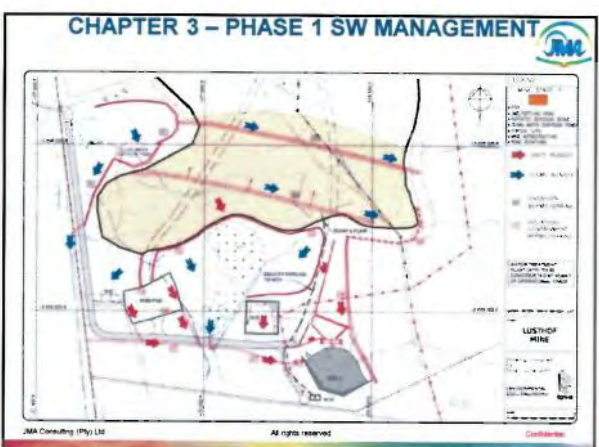
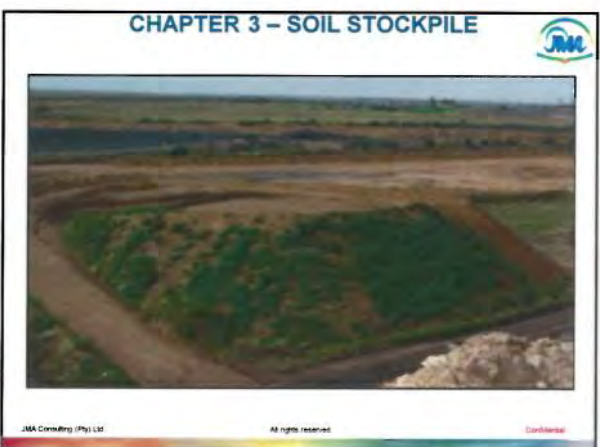
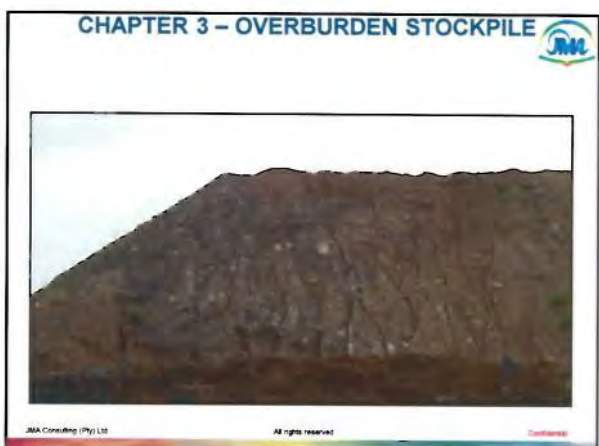
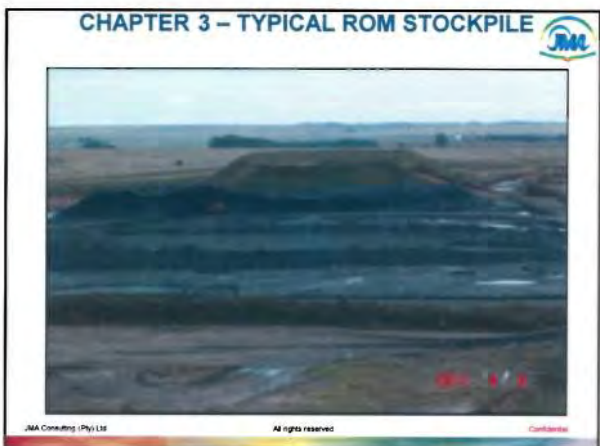
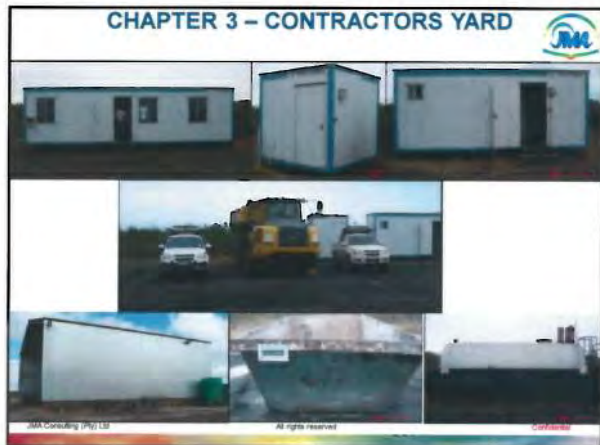
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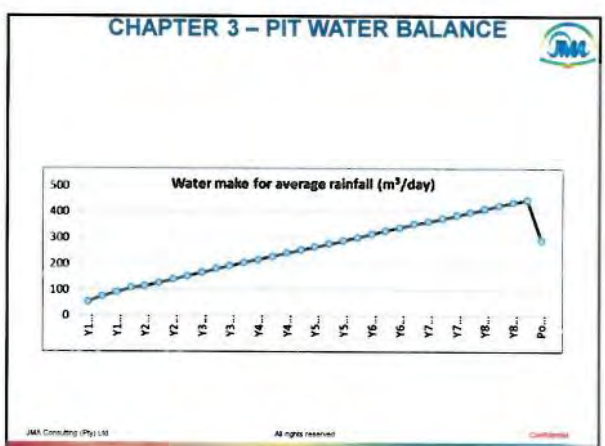
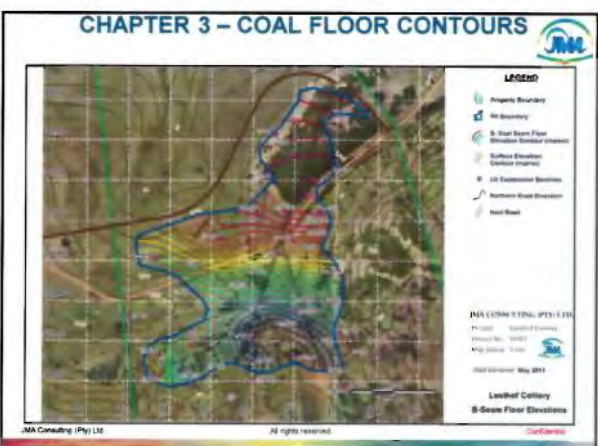
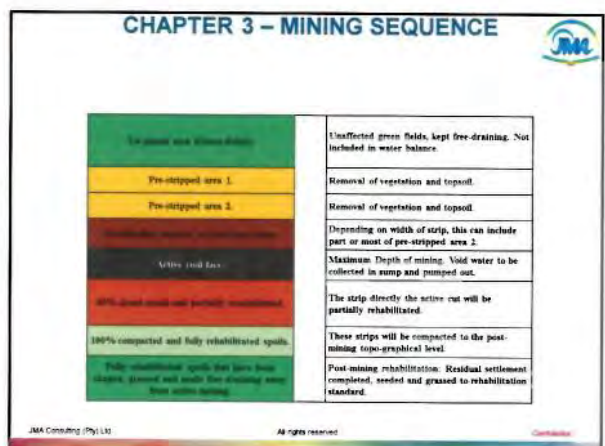
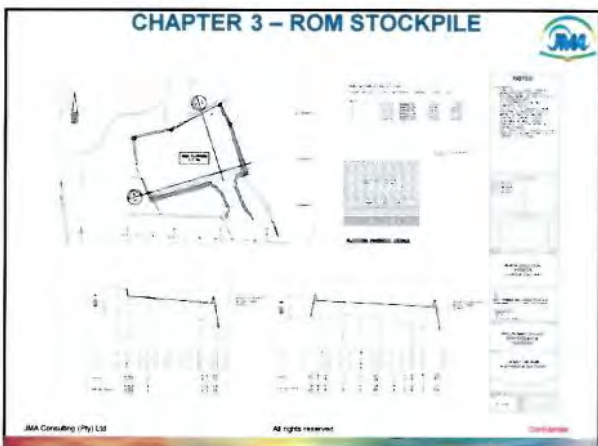
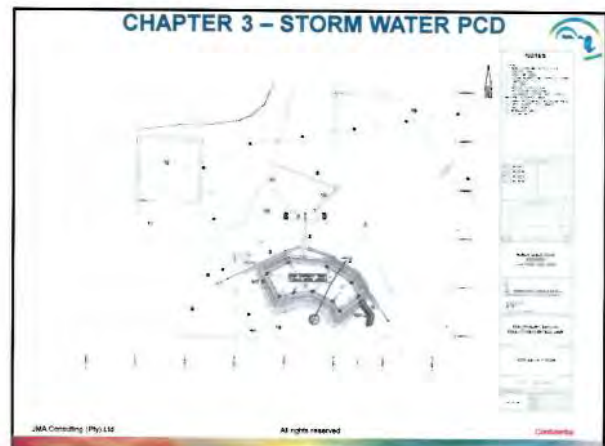
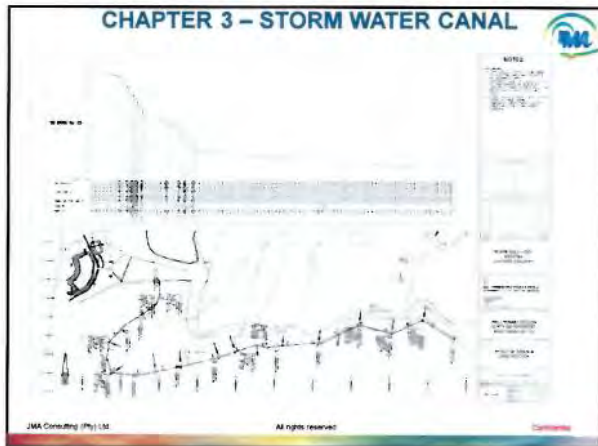
THE SCOPING REPORT & PLAN OF STUDY

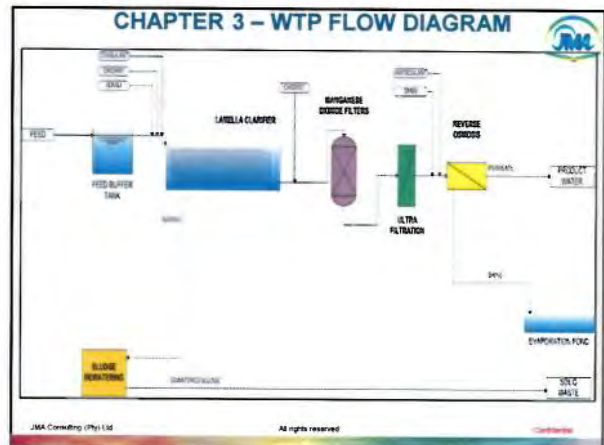
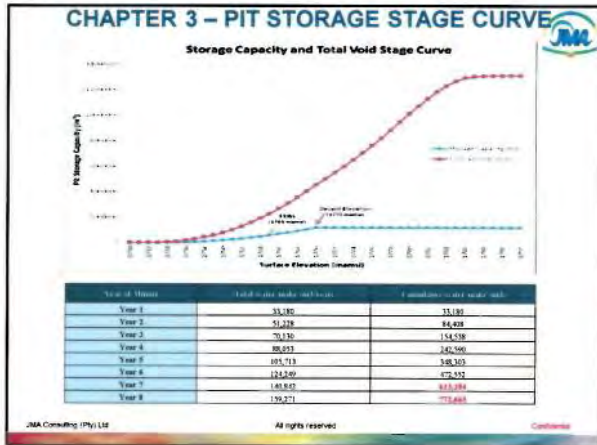
- **Chapter 1** gives an Introduction to the project and explains the Methodology that was applied to Scoping by identifying and providing details of the affected communities along with the status of these affected communities, and also proof of communication with these communities. This chapter also contains a detailed description of the Scoping and EIA Processes as required by the relevant legislation and also gives details of the Environmental Assessment Practitioner and the Project Team appointed to undertake the EIA and compile the EMPR. It also contains a declaration of independence by the EAP.
- **Chapter 2** provides a detailed description of the existing environment by discussing the status of the existing Socio-Cultural Environment, Heritage Environment, Current Land Use and Socio-Economic Environment, Existing Infrastructure, Meteorology, Topography, Soils, Land Capability, Land Use, Geology, Ground Water, Surface Water, Plant Life, Animal Life, Aquatic Ecosystems, Air Quality, Noise, Visuals and Blasting and Vibration. To finalize the Scoping Report, this chapter also requires a confirmation from I&AP's with the description of the current environment.
- **Chapter 3** details the overall Project Description and also gives an indication of Anticipated Impacts, the latter which the I&AP's are required to confirm. The Chapter includes details on the Project Applicant, Project Location with relevant Regulating Authorities, Properties Affected, Project Resource Attributes, Project Motivation, and a Project Description for the Construction Phase, Operational Phase, Decommissioning and Closure Phase, as well as the Post Closure Phase.

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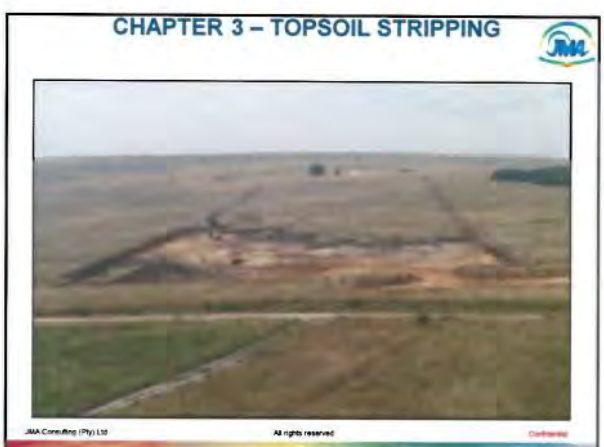
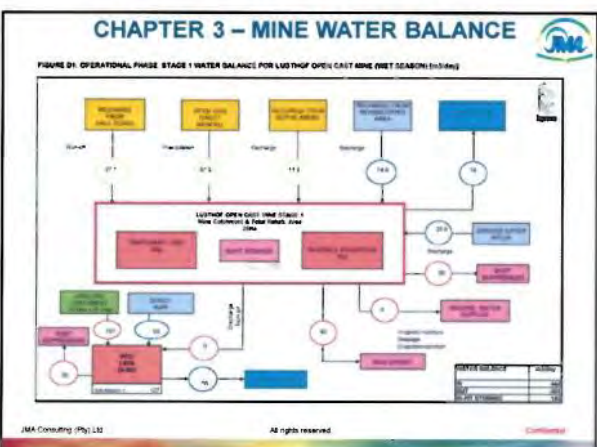




CHAPTER 3 – PRODUCT WATER QUALITY

Parameter	Unit	Controlled Parameter (N/10)	N/10 (N/10)	N/10 (N/10)	Maximum Allowed Value (N/10)
Al	mg/l	0.01	0.15	0.15	0.50
Ca	mg/l	4.8	100	100	150
Cl	mg/l	15.7	300	300	300
Electrical Conductivity	µS/cm	<12.8	150	160	160
pH	mg/l	0.50	1	1	0.50
Fe (Year 5 scenario)	mg/l	0.01	0.1	0.1	0.3
Fe (Year 6 scenario)	mg/l	0.01	0.1	0.1	0.3
K	mg/l	2.2	50	50	6.34
Mg	mg/l	1.65	70	70	2.52
Mn	mg/l	0.01	0.1	0.1	0.16
Na	mg/l	8.4	200	200	200
pH (Year 5 scenario)		6.3	5.8 - 9.5	5.4 - 7.3	
pH (Year 6 scenario)		6.5	5.8 - 9.5	5.4 - 7.3	
SO ₄	mg/l	12.7	400	13.65	
Total Alkalinity (Year 5 scenario) as CaCO ₃	mg/l	15.8	No spec	17.6	
Total Alkalinity (Year 6 scenario) as CaCO ₃	mg/l	1.1	No spec	17.6	
TDS	mg/l	<1	No specification	28	
Turbidity	NTU	<0.1	1	1	
TSS	mg/l	<2	10	10	
TSS	mg/l	<15	1000	100	

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CHAPTER 3 – SOFTS REMOVAL



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CHAPTER 3 – SOFTS REMOVAL



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CHAPTER 3 – OVERBURDEN DOZING



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CHAPTER 3 – HARD OVERBURDEN



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CHAPTER 3 – BEFORE DRILLING/BLASTING

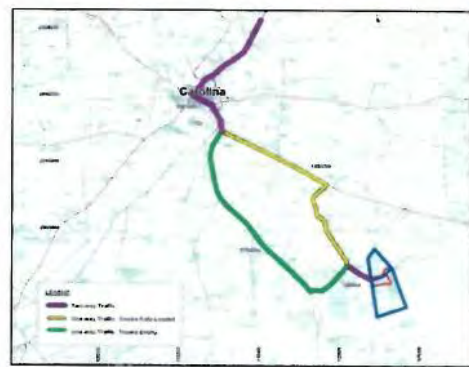


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CHAPTER 3 – COAL TRANSPORT



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CHAPTER 3 – REHABILITATION



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CHAPTER 3 – RE-SOILED



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CHAPTER 3 – RE-VEGETATED



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CHAPTER 3 – WATER USES

Section 21(a)

- Abstraction of ground water from two (2) boreholes for potable use
- Abstraction of contaminated ground water from five (5) boreholes to intercept ground water seepage from the open pit
- Abstraction of mine water contained in the spoils of the open pit from three (3) boreholes to manage mine water decant and for treatment in the water treatment plant
- Abstraction of water from the Lushof Northern Surface Water Dam for dust suppression
- General Authorisations in terms of Section 39: Abstraction of ground water from two (2) boreholes for potable use from quaternary catchment W55A (Table 1.2 - Zone C)

Section 21(b)

- Lushof Colliery Clean Water Diversion Pond
- Lushof Colliery Northern Surface Water Dam

Section 21(c) & 21(d)

- Diverting of clean storm water originating from the marsh area south of the open pit, through a road culvert underneath the main mine access road
- Lushof Mining Activities including the Road Diversion within 500 m up gradient from a wetland
- Diverting of clean storm water originating from the marsh area south of the open pit, through a road culvert underneath the main mine access road
 - Lushof Mining Activities including the Road Diversion within 500 m up gradient from a wetland

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CHAPTER 3 – WATER USES

Section 21(c)

- Dust suppression of all gravel roads within the mining area with clean water
- Dust suppression of gravel roads used for coal transportation from the mine to the coal beneficiation plant at East Side Colliery with clean water
- Dust suppression of open pit haul roads with mine water

Section 21(a)

- Lushof Colliery Dirty Water Dam
- Lushof Colliery Pollution Control Dam
- Lushof Colliery Overburden Stockpiles
- Lushof Colliery ROM Stockpile
- Brine Disposal Facility at Water Treatment Plant

Section 21(d)

- Abstraction of mine water contained in the spoils of the open pit from three (3) boreholes to manage mine water decant and for treatment in the water treatment plant

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THE SCOPING REPORT & PLAN OF STUDY

- **Chapter 4** describes the consideration of alternatives by discussing alternative land uses, alternative land developments, operational alternatives and the no-go option
- **Chapter 5** includes discusses aspects about the Project Planning & Development
- **Chapter 6** provides a detailed description of the Public Participation Process conducted to date in the Scoping Phase. It contains details on:
 - Need for Public Participation
 - The Scope of the Scoping Phase Public Participation
 - Identification/Registration of Authorities and I&AP's
 - Notification of Authorities and I&AP's
 - Information to Authorities and I&AP's
 - Meetings with Authorities and I&AP's
 - Obtaining comments from Authorities and I&AP's
 - Responding to comments from Authorities and I&AP's

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THE SCOPING REPORT & PLAN OF STUDY

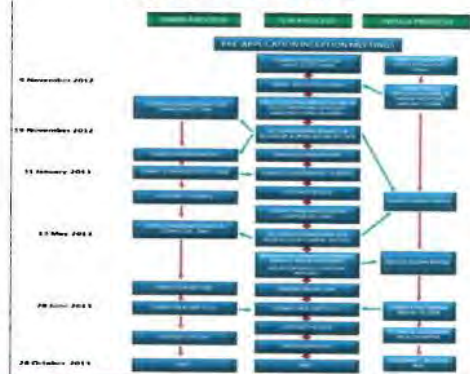
- **Chapter 7** represents the Plan of Study which details the Proposed Specialist Studies to be undertaken and also proposes the Project and Consultation Time Line with the Authorities.
- **Chapter 8** contains information related to the identification of the report.

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PROJECT TIME LINE



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DISCUSSION

- Please state your name and affiliation prior to asking your question.
- Your name and question will be minuted.
- If possible your question will be answered at the meeting.
- If you are satisfied with the answer it will be minuted, captured in the Issues and Response Register and your query will be considered as settled/concluded.
- If your question cannot be answered at the meeting, it will be minuted, captured in the Issues and Response Register, and will be formally attended to during the finalization of the EIAR.
- You can also submit your query in writing at the end of the meeting or post it to JMA, P O Box 883, Delmas, 2210, or alternatively:
- Fax to (013) 665 2364 or;
- e-mail to: kobus@jmaconsult.co.za
- All written queries/concerns/comments received will be acknowledged and will then be captured and responded to in the Issues and Response Register.
- The Issues and Response Register will be amended as the project continues and will be appended as an APPENDIX to the EIAR as a separate Public Participation Report.

JMA Consulting (Pty) Ltd

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THANK YOU FOR YOUR
ATTENDANCE
YOUR CONTRIBUTION AND INPUT
IS VALUED

JMA Consulting (Pty) Ltd

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Sustainable Environmental Solutions
through integrated
Science and Engineering

CONTACT DETAILS

JMA CONSULTING (PTY) LTD
P.O. BOX 883
DELMAS 2210
TEL: 013 665 1788
FAX: 013 665 2364

E-MAIL: kobus@jmaconsult.co.za

Attention: Mr Kobus du Plessis

JMA Consulting (Pty) Ltd

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END OF MEETING

APPENDIX 6.2.11 (A)

PROOF OF SUBMISSION OF

DRAFT SCOPING REPORTS

TO I&AP'S



DELIVERED BY HAND

19 November 2012

ATTENTION: Hannes Botha


**BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY
DRAFT SCOPING REPORT & PLAN OF STUDY**

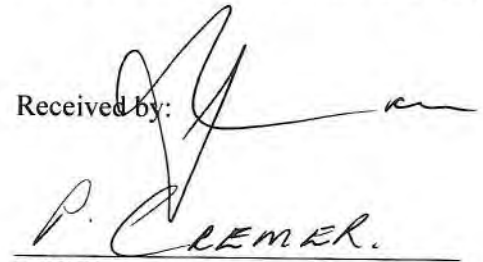
ACKNOWLEDGEMENT OF RECEIPT

Receipt of the LUSTHOF COLLIERY DRAFT SCOPING REPORT & PLAN OF STUDY form is hereby acknowledged (**1 HARD COPY & 1 ELECTRONIC COPY**).

Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


P. CREMER
NAME:
For and on behalf of
Hannes Botha

Date: 19/11/2012

Date: 19/11/2012

Time: 13h45

Time: 13h45



DELIVERED BY HAND

19 November 2012

ATTENTION: Koos Davel

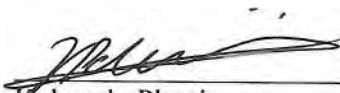
BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY
DRAFT SCOPING REPORT & PLAN OF STUDY


ACKNOWLEDGEMENT OF RECEIPT

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Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


NAME: _____
For and on behalf of
MLDPG Sarah Mahlangu

Date: 19/11/2012

Date: 19/11/2012

Time: 11h17

Time: 11h17



DELIVERED BY HAND

19 November 2012

ATTENTION: Koos Pretorius/MLDPG

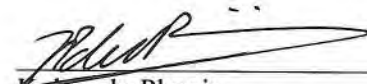
BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY DRAFT SCOPING REPORT & PLAN OF STUDY


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Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


NAME: _____
For and on behalf of
MLDPG Sarah mawangyu

Date: 11:15 19/11/2012

Date: _____

Time: 11h15

Time: 11h15



DELIVERED BY HAND

19 November 2012

ATTENTION: Albert Luthuli Local Municipality

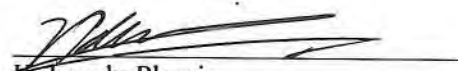
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Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


NAME:
For and on behalf of
Albert Luthuli Local Municipality

Date: 19/11/2012

Date: 19/11/2012

Time: 12h15

Time: 12h15



DELIVERED BY HAND

19 November 2012

ATTENTION: Walter Mwingomezulu

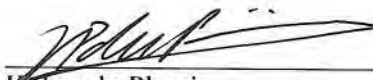
**BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY
DRAFT SCOPING REPORT & PLAN OF STUDY**

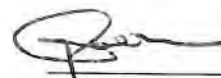
ACKNOWLEDGEMENT OF RECEIPT

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Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


NAME:
For and on behalf of
Albert Luthuli Local Municipality
Ward Councillor - Ward 21

Date: 19/11/2012

Date: 19/11/2012

Time: 13h10

Time: 13h10



DELIVERED BY HAND

19 November 2012

ATTENTION: Chrissiesmeer Public Library


**BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY
DRAFT SCOPING REPORT & PLAN OF STUDY**

ACKNOWLEDGEMENT OF RECEIPT

Receipt of the LUSTHOF COLLIERY DRAFT SCOPING REPORT & PLAN OF STUDY form is hereby acknowledged (**1 HARD COPY**).

Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd

F.S. Masuku
NAME:
For and on behalf of
Chrissiesmeer Public Library

Date: 19/11/2012

Date: 19/11/2012

Time: 12h35

Time: 12h35



DELIVERED BY HAND

19 November 2012

ATTENTION: Carolina Public Library

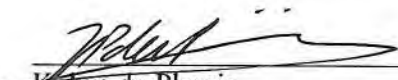
**BLACK GOLD COAL ESTATES (PTY) LTD – LUSTHOF COLLIERY
DRAFT SCOPING REPORT & PLAN OF STUDY**

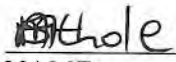
ACKNOWLEDGEMENT OF RECEIPT

Receipt of the LUSTHOF COLLIERY DRAFT SCOPING REPORT & PLAN OF STUDY form is hereby acknowledged (**1 HARD COPY**).

Delivered by:

Received by:


Kobus du Plessis
JMA Consulting (Pty) Ltd


NAME:
For and on behalf of
Carolina Public Library

Date: 19/11/2012

Date: 19/11/2012

Time: 1415

Time: 1H15

APPENDIX 6.2.14 (A)
ISSUE AND RESPONSE REGISTER

BLACK GOLD COAL ESTATES (PTY) LTD. LUSTHOF COLLIERY

ISSUES, COMMENTS AND RESPONSE REGISTER

Authority Meetings: Department of Mineral Resources (DMR)			
12 September 2009			
NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
Bethuel Matodzi Martha Makhonyane André Cronje Mashudu Murengwe	DMR	Jasper Müller (JM) opened the meeting by introducing himself and the other member of JMA Consulting (Pty) Ltd that was present at the meeting. JM then gave a background description of the project indicating that an EMPR for this mine has already been approved in June 2006, but that litigation action against the company by the surrounding landowners were preventing the mine from starting up. JM explained that the landowners would consider stopping the litigation if the EMPR amendment was made to the current approved EMPR with special focus of the investigation on the impact of the mine on the groundwater and post-closure rehabilitation.	Noted
		Andre Cronje stated that this mine was in a very sensitive area and gave an indication on what methodology the DMR would find appropriate when the studies of the impact on the environment were undertaken.	Noted
		JM then discussed the project timelines and how this EMPR amendment can be synchronized with other environmental processes. JM asked DMR that if JMA submits the relevant documents by the end of July 2010 would they be able to provide approval by the end of October 2010. DMR indicated that it would be possible depending on whether everything is comprehensively addressed in the submitted documents. JM asked DMR whether the same documentation that is to be submitted to DEDET can be submitted to DMR. And DMR indicated that they would rather want their own copy focussing on relevant mining aspects in order to avoid having to process redundant information not applicable to the EMPR process.	Noted
Department of Economic Development Environment & Tourism (DEDET)			
21 October 2009			
Surgeon Marabane	DEDET	Jasper Müller (JM) opened the discussions by introducing himself and the others present at the meeting. JM then gave a description of the proposed project and discussed the different environmental authorisations that are required for this project.	Noted
Vaino Prinsloo	Mpumalanga Parks Board	JM asked Surgeon Marabane (SM) whether the same documentation (Scoping Report; EIA/EMP Report) that will be submitted to DMR, can be submitted to DEDET. Whereupon SM replied that DEDET finds it difficult to process such thick documentation and to sift through them for the relevant information. SM	Noted

		suggested that the documentation that is to be submitted to DEDET, be compiled according to DEDET specific requirements as stipulated in the EIA Regulations.	Noted
		SM raised the issue that if Waste License applications are relevant to the proposed project that JMA need to contact Mr. Theledi also at the DEDET Ermelo office. SM also mentioned that if hazardous waste is applicable, the documentation will need to go to Head Office and that if any other waste related activities are applicable, it will go to another department in DEDET and not the same department that will assess the EIA for activities listed in GNR 386 and GNR 387.	Noted
		Riaan Fourie (RF) inquired what application forms are the ones that needs to be used, as the only application form which are available are still under the old MDALA letterhead. SM stated that the old MDALA EIA application forms are still the relevant ones.	Noted
		JM asked what the preferred method of the public participation was and SM replied that the audience determines the method of public participation. SM stated the consultant is responsible for communicating the extent and scope of the project to all identified I&APs and the EAP is also responsible for collecting all of the comments and issues raised by them.	Noted
		JM asked what other government departments they feel need to be informed, and SM replied that the Department of Health, and the Regional and Local Municipalities should be contacted.	Noted
		Vaino Prinsloo indicated that both he and Frans Krige must be added as I&APs representing Mpumalanga Tourism & Parks Agency to this project.	Noted
Department of Water Affairs (DWA)			
4 March 2010			
Halala Mdlletshe	DWA	Jasper Müller (JM) opened the discussions by introducing the members of JMA Consulting (Pty) Ltd that were present at the meeting. JM then continued to give a detailed background description of the proposed project and went on to discuss the different environmental authorisations that are required for this project. JM also mentioned when the consultant would like to submit the relevant documentation for these processes.	Noted
		Halala Mdlletshe (HM) suggested that she could provide JMA with the format and the consultant then do the reserve determination as this would lead to the avoidance of unnecessary delays in the issuing of the integrated water use licence. JM stated that this would be in order.	Noted
		JM made mentioned the compilation of an IWWMP inception report which will accompany the submission of the IWULA application forms. JM described the format in which JMA usually compile this report and asked HM whether DWA had any specific format in which they would like this report to be and HM indicated that such a format was not yet available. HM asked whether JMA have the relevant new IWULA application forms and JM indicated that they do have them.	Noted
		JM continued to discuss the proposed project by describing the locality of the project. HM asked who was going to do the water monitoring and JM answered that details of this will be included in the water monitoring report. JM then discussed the identified water uses that will require an IWUL and HM suggested that a 21 (t) water use be added to this list to address the possible cut-off of surface water seepages during the construction of the open pit. JM discussed the exemptions which will be applied for from GN 704.	Noted

		<p>JM indicated where exactly in the formal EIA process the project was by stating that public participation phase 1 was already completed. HM requested a copy of the scoping report which will be submitted to DEDET. JM said that JMA will provide her with an electronic as well as a hard copy.</p> <p>HM asked how many people would be on site and what would be the manner of sewage disposal. JM indicated that there will not be large amount of employees (approximately 30 people) at any given moment on the mine and indicated that he was not sure what the method of sewage disposal would entail but said that it would probably be in the form of portable toilets or a modular system. Details on this will be included in the reports to be submitted.</p> <p>JM then discussed the specialist studies that will be undertaken during the next phase of the EIA process. HM indicated that she still will require a site visit and asked for directions to the site. JM said that this could be arranged with members of JMA to be present.</p> <p>JM then discussed the road diversion that will be made and HM inquired what chemicals will be used during construction and potential pollution of water resources as a result thereof. JM stated that this issue will be investigated to a further extent. JM then explained the proposed mine layout. HM asked how big the mine is proposed to be and JM indicated that the mine will be approximately 74 ha. HM asked who is going to do the surface water studies as this seems to be very wet area and JM said that this will be done by civil engineering company named Inprocon Civils.</p> <p>HM inquired about prospecting permits and whether this was in place, and JM indicated that the applicant already possess an approved EMPR so those permits should be in place.</p> <p>JM then concluded the meeting by working through the table of contents of the scoping report and thanked HM for her time and willingness to this meeting.</p>	Noted
			Noted
			Noted
			Noted
			Noted
			Noted

**Scoping Phase Public Meeting
17 February 2010**

NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
Danie Neethling	Adjacent Landowner (Farm Mooifontein)	<ol style="list-style-type: none"> The effect of the mine on specific water resources (fountains) on his farm that supply large portions of the farms grazing camps with water. Wants to know the proposed route that is going to be used for transporting the coal. 	<ol style="list-style-type: none"> Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.
Lucky Hadebe	Albert Luthuli Local Municipality	<ol style="list-style-type: none"> Would like to get a clear understanding of the role of the stakeholder (committee) – is it an ongoing stakeholder who keeps on discussing problems? How many people from Chrissiesmeer are also involved? 	<ol style="list-style-type: none"> The Focus Group of surrounding landowners were explained to him. Anton Sanders representing Chrissiesmeer Tourism.
Koos Davel	Adjacent Landowner (Farm Iona)	<ol style="list-style-type: none"> Main concerns are water and rehabilitation. The Scoping Document must be comprehensive in order to address all issues before the project commences. Neighbours/farmers must have the privilege to influence decisions. When the project starts, and the plans as set out in the Scoping Document are not implemented correctly, who is going to be held responsible? The directors/ shareholders' names, ID numbers and contact details must be available and they must be prosecuted. 	<ol style="list-style-type: none"> Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Scoping report will be a comprehensive document compiled according to EIA Regulations as stipulated in GNR 543 of 18 June 2010. This is the function of Public Participation process as set out in the EIA Regulations as stipulated in GNR 543 of 18 June 2010. Concern was acknowledged and duly noted.

		<p>5. The question regarding professional liability is once again raised and it is suggested that insurance be obtained from an insurance company to cover losses even after 50 years or more.</p> <p>6. Agrees with Pierre Du Hain that nobody believes that it is going to go according to plan. At this stage, the government doesn't have the capacity to even evaluate whether it is good or bad.</p> <p>7. The implications of this mine are going to impact upon this group, and the choices made here, is our responsibility. We cannot rely on the government to make decisions, because they do not do it.</p> <p>8. Therefore we, as the immediate adjacent landowners, would like to have the option to influence the objectives.</p>	<p>5. Concern was acknowledged and duly noted.</p> <p>6. Concern was acknowledged and duly noted.</p> <p>7. Concern was acknowledged and duly noted.</p> <p>8. That is the function of Public Participation and this Issues & Response Register.</p>
Ton Sanders	Chrissiesmeer Tourism	<p>1. Will the mine be prepared to enter into a "performance contract" with interest groups, in which all plans (e.g. number of trucks per day, number of blasts per day, dust, etc.), are stipulated. In this way individual interests could be protected.</p> <p>1. How important is it for the neighbours to be included in the process, because his "Interested and Affected Party" form has been submitted in Aug/Sep 2009 and I have, until now, not been registered as an Interested Party.</p> <p>2. Is there going to be living quarters for workers on site?</p> <p>3. Is there any chance that mining will be extended into neighbouring property when this mine reaches completion?</p>	<p>1. Concern was acknowledged, duly noted and will be investigated.</p> <p>1. Proof of registration was shown to him along with proof of letters sent to him.</p> <p>2. There are going to be no workers housed on site.</p> <p>3. It was indicated that there will be no extension of mining activities to neighbouring properties.</p>
Gert van der Merwe	Adjacent Landowner (Farm Fairview)	<p>1. No mention has been made regarding transport of the coal, what route will be followed?</p> <p>2. What is going to be done with all the dust?</p> <p>3. The existing road is necessary for movement of group members. If this road is going to be used, who will be responsible for maintaining the road? (The road was built in the 1960's, and not designed for many vehicles carrying heavy loads).</p> <p>4. I have a game farm and often get visitors seeking the tranquility and peace away from noise. The road is only 80m from the house - how is the noise going to be addressed, because in the long run, I am going to lose business, with the noise of trucks stopping and starting at all hours of the day and night.</p> <p>5. The financial sustainability of the mine is a concern.</p>	<p>1. Road Transport will be used to transport the coal from the Lusthof Colliery. Concern was acknowledged and duly noted and will be investigated during the EIA/EMP Phase.</p> <p>2. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>3. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>4. Concern was acknowledged and duly noted.</p> <p>5. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p>
Pieter Geldenhuys	Adjacent Landowner (Farm Lusthof)	<p>1. The track record of mines in the area shows that no mine actually keeps to the plans set out in the beginning. Can Blackgold Coal prove that their track record is different – maybe at another one of their mines?</p> <p>2. The monitoring process should be ongoing, and if the mine is found to be negligent, the parties involved must be in a position to stop the activity.</p> <p>3. I would like to see a detailed Storm Water Design, not only for the site itself, but also for the road outside the site. What is going to happen with the water run-off and how are trucks going to be prevented to waste coal onto the road.</p> <p>4. Does the mine have ISO 14000 registration? If not, they should consider it</p> <p>5. Does the mine plan to measure the biodiversity beforehand?</p>	<p>1. Concern was acknowledged and duly noted.</p> <p>2. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>3. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>4. At the moment no ISO 14000 registration exists.</p> <p>5. Yes, Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>6. Concern was acknowledged and duly noted.</p> <p>7. No new power lines will be constructed for this project.</p> <p>8. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p>
Leon Dormell	NG Kerk Omgevings Groep		

Pierre Du Hain	Adjacent Landowner (Farms Lushof & Iona)	<p>6. How are workers going to be prevented to set traps for smaller game (like rabbits, mice, mongoose, small antelope species etc.)?</p> <p>7. Are there going to be power lines, and how are injuries to birds going to be prevented?</p> <p>8. <i>“As jy na 'n tipiese profiel kyk van ons omgewing, is daar byvoorbeeld 'n grasvlakte met 'n buktjie. Jy het nou 'n split met 'n sandsteenbank wat wissel van onttrent 'n meter tot so 3 – 4 meter. Die steenkool lê onder hierdie sandbank. As dit reën, sak dit deur tot op die sandbank, dan loop dit horisontaal af tot waar dit teen die rante van die hellings uitkom. Nou het jy tipies (en jy sien dit baie in ons omgewing), waar die water oor 'n neus van die sandbank afloop en dan in die gras ondertoe, af na die spruit toe. Nou het jy tipies 'n nat veld (vlei). Jy strip nou die bogrond af en jy strip die sandsteenbank af om by die steenkoop uit te kom. Hierdie goed word nou ge-stockpile eenkant. Op die ou end word alles teruggebring om te rehabiliteer. Nou reën dit weer, maar daar is nie meer 'n sandsteenbank om hierdie water te vang en uit te gooi nie, dit sal nou reg deur tot op die volgende harde laag, wat 10 – 20 meter dieper kan lê. Hierdie waterveld wat ons gehad het, gaan nou verdwyn. Het julle vir my 'n antwoord?”</i></p> <p>1. Concerned about the responsibility towards the gas pipeline in terms of protection against rocks and dust, as well as vibration.</p> <p>2. Understands that the mine is trying to do well, but doesn't believe that the mine will be able to work as planned.</p>	<p>1. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>2. Point made was acknowledged and duly noted.</p>
Scoping Phase Public Meeting 14 November 2012			
NAME Frans Krige (KF)	COMPANY MTPA	ISSUES/CONCERNS RAISED <p>1. Wanted to know about the proposed water management for the mine. FK stated that the surface of “Te Vrede Pan” is lower than the mine and that this will mean that the water will flow down from the mine into “Te Vrede Pan”.</p> <p>2. Wanted to know if there will be any risk that the plume will move into the direction of “Te Vrede Pan”?</p>	RESPONSE FROM JMA <p>1. Jasper Muller (JM) responded by explaining the concept of a ground water divide. He indicated that a ground water model was run for the site, based on site specific geohydrological data and that the zone of ground water level influence of the open pit was modelled. The results indicated that provided that a safe environmental ground water level is maintained in the open pit, migration of contaminated water from the pit could be managed not to impact on “Te Vrede Pan”. He also explained that provision will be made for boreholes along the pit perimeter to monitor any migration and that these boreholes could also be used to intercept seepage from the pit should it occur. He requested FK to refer to the geohydrological report and model and also offered to provide more information and explanations should FK require such.</p> <p>2. JM responded that the initial modelling showed a potential for migration of contaminated seepage from the pit in a southerly direction (towards the pan) and an easterly direction. After negotiation with BGCE, it was agreed to raise the decant elevation of the pit by sterilizing some coal reserves along the eastern flank of the mine. This resulted in the outcome that the decant elevation was raised and facilitated the selection of a safe environmental ground water level in the pit which resulted in the elimination of seepage towards the south and the minimization of seepage towards the east. As a further safeguard to manage this situation, the monitoring/interception</p>

Koos Pretorius	MLDPG	<p>1. He stated that the argument is that the water cannot get out of the pit. If you keep the water under the level where you think it can escape and seep into the soft overburden by keeping it at the level of the hard overburden the water will stay in the pit. I just want to find out about dykes and sills?</p> <p>2. KP stated for the record that an interdict is currently in place which prevents BGCE from mining the reserve. He also stated there is disagreement with the current process as their view is that the process is continuing without agreement being concluded on previous agreements between the MLDPG and BGCE. He further stated that he is attending the meeting on a without prejudice basis.</p> <p>3. Wanted to know what is the reason for BGCE to want to mine in this sensitive area?</p>	<p>boreholes mentioned previously were provided for. The short answer to FK's question is that contaminated seepage from the pit would in all probability not move in the direction of the pan.</p> <p>1. JM responded that a detailed geophysical investigation was conducted across and around the proposed mining area with the specific objective of identifying sills and dykes. The outcome of the study is detailed in the ground water base line discussion in Chapter 2 of the Draft Scoping Report. The results of the study showed remnants of two sills located east and west of the proposed mining area. No dykes or sills were identified in the mining area itself.</p> <p>2. JM responded that his statement is noted and will be reflected in the minutes.</p>
Jannie Neethling	Adjacent Landowner	<p>1. The water license, how sure are we, the I&AP's that BGCE is going to wait for all the necessary approvals before starting to mine?</p>	<p><u>Response by BGCE:</u></p> <p>3. In the case of Luthof, BGCE have been in the area, just outside of Carolina, for the last 10 years. BGCE were granted these reserves and their entire infrastructure is in place close by. The coal reserve is a high quality reserve. The future employment of BGCE employees are ensured, which we have employed for the last 10 years.</p>
Pieter Geldenhuys (PG)	Carolina Boekhou	<p>1. The water license, how sure are we, the I&AP's that BGCE is going to wait for all the necessary approvals before starting to mine?</p> <p>2. JM showed us in the presentation the roads that the trucks are going to use. Can you please provide us with the risks involved with the trucks using these difficult roads?</p> <p>3. Are the road location changing or staying the same?</p> <p>4. How long after the mine disappeared are they still responsible for pollution taking place because of their earlier mining activities?</p>	<p>1. JM responded that BGCE has no intention of commencing with the mining operations until all the environmental authorizations, including the water use license, have been obtained.</p> <p><u>Response by BGCE:</u></p> <p>1. Jamie Ferguson stated (confirmed) that BGCE would wait for the IWUL to be approved before commencing with mining.</p> <p>2. JM responded that a number of risks are associated with the coal transport including road deterioration, traffic safety, pollution, dust and noise. Several studies have been conducted and more studies will be done to assess these risks and to identify mitigation measures. He confirmed that a gravel road upgrade study was already completed and that noise, dust and pollution investigations are on-going at present. He also confirmed that the transport plan proposed in the Scoping Report was specifically developed to minimize two way traffic along the transport route.</p> <p>3. Two road diversions will be done as the mine pit will cut through two roads. Details are given in the Scoping Report. However, apart from in the immediate vicinity of the mine, the rest of the road locations will not be changed. The gravel roads will be upgraded to be able to handle the increased mine traffic.</p> <p>4. The mine will be accountable until such time as a Closure Certificate is issued by DMR.</p>
Pieter Geldenhuys (PG)	Carolina Boekhou	<p>1. Wanted to know about the engineers involved in the project, who they will be and how will they be monitored to ensure that they are delivering quality, up to standard work? Who will be responsible if the engineer's quality of work is not up to standard?</p> <p>2. These report, are they provided by the mine or by an independent party? How do I know that the information is correct?</p>	<p>1. JM responded that the engineers appointed by JMA are professional consulting engineers. The engineers are registered with their professional bodies and as such they carry professional liability. Designs related to water management infrastructure are furthermore submitted to DWA for approval. In terms of DWA requirements, construction must be supervised by a professional engineers and he must sign off on as built drawings on</p>

Ursula Franke	Highveld Grasslands Crane Conservation Project - Endangered Wildlife Trust	<p>3. PG stated that he is very unhappy with the systems provided by DMR and that he does not think that practically this system will work. He is concerned about the monitoring system that is in place.</p> <p>4. Wanted to know who will be responsible for managing the funds supplied by the Mine for after closure?</p>	<p>completion of construction. The detailed Management Plan submitted to DMR and DEDET at the end of this process, is also approved by the authorities and becomes a binding commitment to BGCE. Furthermore the mine will establish an Environmental Forum who will consult with the people in the area on regular intervals. At these meetings the mine will provide the necessary information to the people and tell them what is currently happening within the mine.</p> <p>2. The mine will provide the information but it will be the individual's responsibility to verify if the information is indeed correct. The mine has the responsibility to generate the required information - sometimes they do it themselves and other times they contract independent service providers.</p> <p>3. Statement will be noted in the minutes.</p> <p>4. The mine will be responsible for managing the funds up to the stage where they receive a Closure Certificate from DMR. After that the responsibility will fall on the government.</p>
Ursula Franke	Highveld Grasslands Crane Conservation Project - Endangered Wildlife Trust	<p>1. Wanted to know how do JMA see the place of mining activities, especially Lustof Colliery, within a formal protected area, and proposed RAMSAR Site?</p> <p>2. How are the impacts that the mine will have on tourism in the area accounted for?</p>	<p>Response by BGCE:</p> <p>1. Before this site was even considered as a RAMSAR site, BGCE have been granted a mining license. BGCE went to the relevant authorities, sought legal opinion and were told by the relevant authorities that BGCE have the mining right to mine in this area and if new legislation come into play at a later stage nothing will change and BGCE will not be affected.</p> <p>1. JMA is dealing with the reality of a given situation. Lusthof Colliery has been given a mining right in an environmentally sensitive area. According to information provided to JMA by the MTPA the area is not yet a formally declared protected area. JMA was requested by all the parties involved to re-design the mine to be as environmentally friendly as possible. The mine was re-designed and now an Impact Assessment will be done, based on which a Management Plan will be developed. All this information will be provided to all to stakeholders, I&AP's and authorities in order for them to give comments, make suggestions and eventually take a decision. The MTPA was specifically consulted as focus group and must use the opportunity to put forward their case. JMA is independent and has no vested interest in the mine.</p> <p>2. JMA received a copy of the tourism plans for the area from the MTPA. It was provided to one of our specialists who will now conduct a comparative land use assessment.</p>
Willem Davel	Iona Farm	<p>1. He stated that JMA mentioned boreholes being drilled to monitor any decant water, and the Water Treatment Plant (WTP) will purify this water. What will happen in the case if there is a spillage and the WTP does not work due to unforeseen circumstances? Who will be responsible to pay for fixing it? Are there any money put aside for something like that before hand? What is the plan?</p>	<p>1. There are certain regulations requiring funds to be put aside beforehand. A full closure cost assessment will be performed and the mine will be required to provide guarantees for this purpose. In the pit itself there will be sufficient storing capacity to cater for unforeseen stoppages in pumping and treatment and spillages will not occur as a result of such incidents. A detailed closure cost provisioning model was commissioned on request from the MLDPG by an independent economist referred to JMA by Dr Koos Pretorius of the MLDPG.</p>

**Focus Group Meetings
22 August 2009**

NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
Jasper Muller Pierre du Toit	JMA Consulting Inprocon Civil Engineers	KP reminded JM of Mr Pierre Dohain's (PD) concerns which needed to be handled separately due to various technical issues that he feels need to be addressed. JM acknowledged this.	JM acknowledged this.
Allan Bachelor	Wetland Consulting Services	Mr Rouxjie le Roux (RLR) asked what the purpose of the mining of this coal is and whether it will be used internationally, locally or go to Eskom's power stations.	Mr's Jamie Ferguson and Jannie Ackerman answered RLR by stating that it will be used in all three sectors. The high quality coal, located in some of the coal seams to be mined, will be exported, the lower quality will be used for metallurgical processes in SA, and the lowest quality will be supplied to Eskom for their power stations.
Jamie Ferguson	Black Gold Coal Estates	KD asked an explanation of the cost estimate presented by JMA.	JM said that this issue will be addressed and the results will be discussed with the Focus Group.
Jannie Ackermann	Black Gold Coal Estates	KD then stated that water must be treated to comply with environmental standards and not only to drinking water standards which is at a lower level than that for the environment.	JM acknowledged this.
Hannes Botha Jacobus Petrus le Roux	Lusthof Eienaar Rouxjie le Roux Trust – Eienaar The Pearl	RLR then asked whether the release toe drain system towards Tevrede se pan was an indication of the extent of wetlands investigated, and if not what will be the extent of the wetlands impact study.	JM assured RLR that calculations will be made of the extent to which the mine will impact on the surrounding wetlands and that such a calculation will determine the extent of wetlands investigated.
Charl Koen	Rouxjie le Roux Trust	RLR then mentioned the wetlands that he thought should be investigated around the Lusthof site.	JM acknowledged this.
Antonius Sanders	Chrissiesmeer Tourism	KD asked for an explanation of what are the intentions of JMA and BGCE as the Focus Group does not fully see the bigger picture yet.	JM stated that he did not want to commit to anything at that stage but that he will give the Focus Group a rough estimate of what is intended.
Koos Pretorius Willem Davel Koos Davel	MPLDG Iona Boer Iona Boer	RLR wanted to know which grass will be used for rehabilitation and stated that Oulands grass would not be acceptable to them, but rather that studies must be made of grass species distribution before the mine starts and that rehabilitation must be done according to these results.	JM stated that this will be AB's responsibility.
Pierre Dohain	Lusthof pt & Iona Eienaar	Willem Davel (WD) then stated that this water cannot be sold as it belongs to the environment, and as such, it must be released back into the environment.	JM then explained the functioning of the toe drain system and that post closure there will be more recharge into the pit as pre-mining environment, thus "extra water".
		WD insisted that irrespective of these facts that the water belongs to the environment and must be returned as such and cannot be sold.	JM said the concern will be noted and be addressed.
		KP just wanted to clarify a point by saying the area of the mine footprint may be disturbed but it still supports specie rich areas lower down with regards to surface runoff.	AB agreed on this.
		PD then asked whether the wetland located on his property, directly adjacent to where the mine footprint will be situated, will become dry as a result of the mine's activities during the five years operational period.	Concern was acknowledged and duly noted
		PD mentioned that mining process should be stopped during exploration and prospecting, they have to stop the first step.	Concern was acknowledged and duly noted
		Charl Koen then asked about the standards of rehabilitation and where are the other mines regarding this standard.	Concern was acknowledged and duly noted
		PD stated that this will be a 5 year process but who will be available for complaints after 5 years. PD also mentioned post closure monitoring. PD stated that from his experience of South Africa there will be no one.	Concern was acknowledged and duly noted
		PD wanted to know what are JMA and BGCE going to do if his borehole dries up because of the blasting, because if there is no water there is no water.	JM stated that there exists no correlation between blasting from the mine and the drying up of boreholes.

		<p>KP stated that borehole cave-ins as a result of blasting done by the mine represent a real problem in the area.</p> <p>KP inquired about the progress on the establishment of the Environmental Management Framework for the area.</p>	<p>JM stated that such impacts are manageable and should the Focus Group have a concern of boreholes caving in, that JMA will address that issue by possibly reinforcing the borehole walls prior to the upstart of the mine.</p> <p>AB stated that a meeting with the stakeholders were held on the 12th of August 2009 and that the next meeting is due soon.</p>
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**Focus Group Meetings
20 January 2011**

NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
<p>Koos Pretorius Koos Davel Hannes Botha Jamie Ferguson Jannie Ackerman Alaister Ponton</p>	<p>MLDPG MLDPG MLDPG BGCE BGCE BGCE</p>	<p>Discussions:</p> <ol style="list-style-type: none"> During the discussions the representatives of the MLDPG confirmed their position that through entering of the formal EIA and EMPR Addendum processes with DEDET and DMR respectively, their legal position has been compromised. The representatives from the MLDPG insisted that both processes must be terminated without any delay, and that the formal applications and processes can only resume once the MLDPG has been provided with a final and fully acceptable EMP for Luthhof Colliery, on which they would sign-off prior to the formal processes being re-entered. The representatives of the MLDPG confirmed that they were fully satisfied with the Scoping Process followed to date, and also with the material content of the Final Scoping Report and Plan of Study as submitted to both DEDET and DMR. Although both JMA and BGCE, held the opinion that the entering of the formal processes with DEDET and DMR, does not compromise the legal position of the MLDPG, BGCE nevertheless agreed to instruct JMA to withdraw the applications from both DEDET and DMR, despite fully realizing that this action would both add to the project time line and budget, as a gesture to illustrate their good faith in the entire matter. <p>Way Forward:</p> <ol style="list-style-type: none"> It was agreed that JMA would retract both applications from DEDET and DMR. JMA would continue with its specialist studies and would compile a Draft EIA/R (EIA and EMP) for submission to the MLDPG for their review and approval. Once approved by the MLDPG, the process with the authorities would be re-entered at the Scoping Phase, with a Scoping Phase Public Meeting in order to ratify the existing Scoping Report and Plan of Study, which has already been approved by DEDET. Once ratified the Scoping Report and Plan of Study will be re-submitted in order to re-start the formal processes with DEDET and DMR. 	

**Focus Group Meetings
16 May 2012**

<p>Hannes Botha Koos Davel Koos Pretorius</p>	<p>Luthof Landowner MLDPG MLDPG</p>	<p>Jasper Muller (JM) welcomed everyone to the meeting and gave general background of the project and what happened during the last three years. The three main points of interest were:</p>	
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<p>Jamie Ferguson Jannie Ackerman Alaister Ponton</p>	<p>BGCE BGCE BGCE</p>	<ul style="list-style-type: none"> Water management: All possible aspects of the water management in all aspects of the mine from the start of the mining process until completion were investigated. Negotiations with Pierre du Hain Black Gold is busy with the negotiations with Pierre du Hain and gave the assurance that he will financially benefit from it. The proclamation of the Mpumalanga Lakes District as a RAMSAR site Important points that were raised by JM were the following: <ul style="list-style-type: none"> In 2010 MLDPG asked for a better management plan of Lusthof Colliery JMA came forward with the idea of using Eucalyptus or Black Wattle trees to drink surface water by planting about 3 hectares Black Gold has to settle financially with Pierre du Hain New Scoping report as well as the Public Participation Process will be done by JMA Consulting (Pty) Ltd <p>Comments by Koos Pretorius:</p> <ul style="list-style-type: none"> As soon as the process is taken to the DMR the necessary authorization will be given and the process will definitely continue. The community is afraid that if this process continues, it will be the start of mining in the area that cannot be stopped. He raised three issues that he felt had to be dealt with before the process can continue: <ol style="list-style-type: none"> Financial support Who is going to take the responsibility for financial support in the long-term, 100 years from now? MLDPG wants a financial trust fund available now, before the mining starts. RAMSAR He raised the issue from a socio-ecological point of view where MTPA wants to protect the area and develop it into an ecological tourism area. On the other hand the mine is coming in. There is a conflict of interest and the different parties will need to sort that out before the process can continue. Pierre du Hain He stated that Pierre du Hain and Black Gold have different viewpoints on financial support and wanted negotiations to be completed before the process continues. <p>Comments by Koos Davel:</p> <ul style="list-style-type: none"> The big issue is water. He wanted confirmation of how the plant is going to be run, especially in the long-term, when the plant is closed, 100 years from now. How it is going to work How it is going to be managed and by whom Where the financial support is coming from What the quality of the water is going to be after usage by the mine <p>Quality of the water: JMA indicated a -2 standard deviation; MLDPG wanted the general and +2 standard deviation. He also wanted to know the exact figures and what the impact</p>	<p>Response by JMA: Although JMA is trying to get MTPA involved in the process, no feedback has been received from them up to date.</p> <p>Response by JMA: Financial calculation: Calculations will be done for a time period of hundred years. The standard way of calculation for a project with continuing capital for DMR is working on a time frame of recapitalization every twenty years. Provision will be made for the operational costs. This will then be escalated in terms of an inflation funding mechanism that will ensure the necessary revenue to guarantee capital growth, as well as income from the refining mechanism. The calculation indicates the amount that needs to be invested now so that the money will be available when needed. A further possible source of funding is the downstream use of the water, which is currently investigated. JMA gave the assurance that all parties involved will know how the final figures were reached and where the money is coming from. JMA agrees that if we cannot do it in a sustainable way all the good work that has been</p>
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<p>done during the project will go to waste. Quality of the water: The only reason why JMA only put in a -2 standard deviations was for the evaluation of the background water quality that will change through time because of natural variations. When the mining starts, the water will be monitored frequently to get an idea of the background water quality. The quality of the water going back into the water system will not be worse than that of the water used in the first place and will have no negative impact on the remaining water sources. JMA used the standard statistic method to determine the variation of surface water over time. The guidelines used are the background water quality with the acceptable variation because of natural conditions.</p>	<p>on the environment and on the costs will be. He felt that the water quality after use by the mine will be worse than before usage. Another issue raised was the liner used in the Brine dam. Who is going to be responsible for the management of this in the long term? He also had an issue with the type of liner to be used. He did not support the idea raised by JMA of planting trees to get rid of surface water. Financial support: MLDPG wanted a financial model for long term financial cover for maintenance after mine has closed.</p> <ul style="list-style-type: none"> • Trust fund for long term to cover costs • Funds to cover legal cost to keep Black Gold to its commitments 	
<p><u>Response by JMA:</u> Black Gold is prepared to pay for the feasibility study to be done. The financial requirements will be given to a financial intermediary so that the necessary calculations of funding needed for the water treatment plant could be done so that Black Gold can come up with a proposal of how they are going to fund it. JMA undertakes to set up a meeting with the parties associated with the RAMSAR application – Mpumalanga Tourism and Parks Agency. They will be informed about what JMA wants to do and it be determined what could be done from JMA's side to do things in such a way that it will optimize their application for the RAMSAR. If Black Gold is successful, the mining will continue as intended. This will happen as soon as possible. Information will be submitted to the other parties as soon as it becomes available. In the meantime JMA will start the preparations for the intermediate process which will take some time, as a new scoping report and Public Public Participation Process must be done. This will be submitted to MLDPG within the next 2 months. By that time and before the Public Participation process for the scoping phase starts again, Black Gold will have negotiated with Pierre du Hain and the financial provision report will be available to MLDPG.</p>	<p><u>Response by Koos Pretorius:</u> The money that will be made by the sustainable use of the recycled water cannot be the main source of financial support for the rehabilitation project to continue; other finances must also be available for that. He also requested the amounts to be available to MLDPG before the project continues. He wanted the amounts put into a financial model to estimate the capital and the operational capital needed a hundred years from now to continue the financing of the project.</p>	
<p>Concern was acknowledged and duly noted</p>	<p><u>Comments by Hannes Botha:</u> He felt that RAMSAR was not part of the problem and that legally nothing could be forced upon them.</p> <p><u>Comments by Alastair Ponton:</u> His view was that Black Gold Coal Estates (Pty) Ltd is committed to the process and the community, having been given a right to be here for 12 years. They are working together with the community and they are here to protect the community. They are busy with job creation in the area. They respect the farmers; everything will be done in the community and nothing will be hidden. Black Gold has been given a right and wants to go forward.</p> <p>Conclusion In two months from now:</p> <ul style="list-style-type: none"> • Financial provision report will be made available to MLDPG • Settlement with Pierre du Hain • Outcomes of JMA discussions with RAMSAR concerning MTPA requirements will be discussed • Preparatory work to enter the formal EIA process will be completed. 	
<p>Noted.</p>	<p>JMA to take action.</p>	

**Focus Group Meetings
21 June 2012**

Allan Batchelor Brain Morris Mervyn Lotter G. Cowden G. Batchelor	Wetland Consulting Services (Pty) Ltd MTPA MTPA MDEDET DEDET	<p><u>BM:</u> The main concern for MTPA is the RAMSAR site.</p> <p><u>ML:</u> Stated that the MTPA did not get any feedback from MLDPG on previous discussions and asked if JM can give them a summary of what MTPA's main concerns and responses were in the past..</p> <p><u>BM:</u> Wanted to make sure that this meeting was not part of the formal EIA/Scoping process.</p> <p><u>BM:</u> BM stated that he was tasked to establish a protected area with the objective to eventually have it proclaimed as a RAMSAR site. BM presented a slideshow to inform JMA regarding the process, and elaborated on the project background, goals and their concerns as relating to mining activities in the area. A concern for potential impacts on Wetlands and Pans, as well as on birdlife was expressed. He informed the meeting that a Tourism Master Plan had been developed for the Chrissiesmeer lakes area.</p> <p><u>ML:</u> ML stated that within this area there are no room for mistakes and that the MTPA has worked with other mines before. He expressed his concern that what is stated on paper and what actually happens, are often two different things. He also stated his concern that once approved and operational, the mine could merely in future apply for an extension and that because the footprint is then disturbed, the state would approve the application for extension. In view of their objective to have the site declared as a RAMSAR site, the MTPA must be convinced by any documentation submitted by JMA, that these risks are being minimized and addressed satisfactorily.</p> <p><u>ML:</u> ML requested JMA to standardize the use of measurement units for water in all documentation. He further requested that the documentation address the economic sustainability for the duration of Water Treatment Plant and how the WTP itself will be sustained over time. He further requested that Birdlife SA and the Endangered Wildlife Trust be involved in the process and requested that they be listed as Interested and Affected Parties (I&AP's) and that should consulted in the process.</p> <p><u>BR:</u> BR stated that the MTPA are attempting to establish the area as a major ecotourism site/area. He expressed his concern that mining would not be compatible with what the MTPA are trying to accomplish and stated that from his point of view they are not compatible.</p> <p><u>BR and ML:</u> BR and ML stated that from the MTPA's perspective, participation would have to</p>	<p>JM acknowledged it.</p> <p>JM responded that the MTPA comments received, related mainly to the efforts to have the area formally protected and to have it developed as an eco-tourism destination. Also the potential impact of the mine on the environment, as well as the impact on the process of having the area protected.</p> <p>JM confirmed that the formal process had been terminated and explained what the reasons were. JM stated that the project would be taken through the formal process again and that the aim of the meeting was to consult the MTPA as to their views on re-entering the formal process</p> <p>JM acknowledged the MTPA's efforts for the larger area. He stated that based on extensive environmental and mine design investigations done for the mine, JMA and BGCE are confident that the mine can be managed in such a way that it would have a minimal impact, both during operation and post closure, on the water resources in the area. JM stated BGCE's commitment to mine responsibly and to support the MTPA's efforts as far as possible.</p> <p>JM responded that for the mine to be environmentally acceptable, it had very specific design considerations and features, one of which was that the extent of mining had to be fixed. The EMP compiled by JMA will specifically state these critical requirements that the mine had to comply with. What JMA requires from the MTPA is to indicate any conditions that would be important to them and which they wanted to be written into the EMP.</p> <p>JM responded that both Birdlife SA and the Endangered Wildlife Trust will be included as stakeholders and I&AP's in the process.</p> <p>JM acknowledged his concerns and then proceeded to ask if the MTPA would be prepared to agree that any formal negotiations in this regard could occur within the formal EIA process. JM explained that JMA wants to do this in the formal process but understands the concerns of certain stakeholders in this regard. JM further stated that JMA as the EAP are not making the decisions but merely generate the information for submission to the Competent Authority for decision making.</p> <p>JM stated that BGCE is prepared to run the full process from scratch. He also stated that BGCE are prepared to commission proper economic assessments for the project.</p>
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<p>be within the formal process. They see no alternative because the MTPA cannot comment unless they have access to the formal documentation to see what the project entails and how the area could be impacted. The MTPA needs to avail itself of the potential risks and issues involved and therefore required the EIA documentation. They stated that from the MTPA perspective tourism in the area is seen as the economic driver in the long run.</p> <p><u>GB:</u> GB enquired if the WTP brines that will be generated, would be kept on site?</p> <p><u>BM:</u> BM expressed his concern about the trucks on the roads as a danger and impact, especially during the rainy season.</p> <p><u>(GC):</u> GC enquired as to the size of the Lusthof operation.</p> <p><u>BM:</u> BM enquired about whether an Independent Financial Trust Fund would be set up to cover costs for the water treatment plant in the case if something happens to BGCE.</p> <p><u>ML:</u> ML wanted to know if the mine and mine water would have any impact on the Te Vredepan?</p> <p><u>ML:</u> ML enquired if any ecological studies were done on the site.</p> <p><u>ML:</u> ML wanted to know what the impact would be on the bird life. He asked whether an expert could be appointed to undertake a site specific study during the correct season.</p> <p><u>BR:</u> BR enquired about the possibility for research by the MTPA through a Mine sponsored stewardship program.</p> <p><u>ML:</u> ML suggested that a contribution by BGCE should form part of the formal conditions of the authorization.</p> <p><u>GB:</u> GB stated that amphibians are very sensitive and that he would like to put a benchmark on that. He suggested that if blasting affects the amphibians, the mining at Lusthof could present an opportunity to investigate the matter.</p> <p><u>ML:</u> ML responded that it could present an opportunity for post graduate studies for students.</p> <p><u>BR:</u> BR responded that the MTPA have a specific initiative in terms of the environment and that they could only comment on the project once the formal process, in terms of which they would receive formal information for review and comment, was underway. He confirmed that they can only engage the project within the formal</p>	<p>JM then elaborated on the financial assessment envisaged for the Water Treatment Plant (WTP). He explained the concepts of re-capitalization of plant and operational costs and further that a comprehensive financial assessment would be commissioned. The financial assessment will be reviewed by a person nominated by the MLDPPG.</p> <p>JM responded that the brines would be removed from site and disposed at an appropriate disposal facility.</p> <p>JM responded that the transport issue had been investigated. The relevant gravel roads would be upgraded to handle the increased traffic. The transport plan made provision that the trucks coming in would be using a different road from the ones going out.</p> <p>JM responded that Lusthof Colliery would be a small mine with the parent company as Black Gold Coal Estates. Coal from Lusthof Colliery will be taken to the nearby East Side Colliery, also a BGCE mine, for washing. Therefore no wash plant will be set up at Lusthof. At Lusthof it will only be an excavation. Only a small run of mine coal stockpile will be established at the mine. The open pit would be less than 90 ha.</p> <p>A trust fund will be provided. A formal financial assessment will be commissioned by BGCE.</p> <p><u>AB:</u> AB responded that the pan was in a different catchment and that the mine would therefore not have an impact on the pan.</p> <p><u>AB:</u> AB responded that such a study was conducted by Mr. Mark Thompson for Wetland Consulting Services as part of their inputs into the Lusthof project.</p> <p>JM responded that such a study could be considered.</p> <p>JM indicated that BGCE are in principle prepared to work with stakeholders. The possibility for a contribution to research would be considered by BGCE.</p> <p>JM responded that the MTPA must formally submit their concerns and requirements during the stakeholder/public participation process of the Scoping Phase.</p> <p>JM responded by saying that all constructive comments and proposals would be taken up with BGCE and ensured the meeting that BGCE would consider them.</p> <p>Noted</p> <p>JM asked the MTPA if, subject to the discussions of the day, he could conclude that the MTPA would support the project to enter the formal authorization process.</p>	
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I&AP & FOCUS GROUP – ADJACENT LANDOWNERS 2009 Comments Received Prior to Scoping Phase Public Meeting			
NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
Koos Davel	Iona Farmer	<p>process.</p> <p>Water Treatment Plant</p> <ul style="list-style-type: none"> • If a Reverse Osmoses plant is constructed the risk associated with the operation and performance of this plant should be quantified before and mitigation for such operation planned and budget for. It is my contention that an acceptable risk for a spill would be at least 1: million, given the sensitivity of the surrounding area. A risk analysis on the Reverse Osmoses plant should be reflected in this study considering at least: <ul style="list-style-type: none"> ○ Equipment reliability ○ Operational and maintenance issues ○ External issues like electrical power supply, lightning etc. ○ Financial provision and adequacy ○ Sufficiency of mitigation measures ○ Complexity of the system ○ Pumping reliability ○ Change in the input to the RO plant • Mitigation of the Reverse Osmoses plant should include aspects like: <ul style="list-style-type: none"> ○ Availability of spares ○ Availability of suitable qualified persons ○ Storage of untreated water in case of non-performance of operational standstills ○ Inspections and controls by third parties ○ Compilation of a trust fund government by board of trustees • What will the capacity specifications of water treatment plant be? • What will happen to waste generated during the treatment of polluted water? • How will storm water affect the above? • The output of the water treatment plant should be that of the natural environment now, and not that of drinking water standards. It should be noted that the drinking water standards are worse than Class 1 water whilst the water in the environment is typical an order of magnitude better than class 0 water • It is indicated that water conditioning prior to treatment would be by Caustic soda and soda ash. My limited chemical knowledge gives the chemical formulas for this to be NaOH and Na₂CO₃. The indicating is that about 350 kg per day of this material would be released into the treated water. This is a lot of Na. • The Reverse Osmoses Plant should there for be designed in such a way that no additional Na be released to the environment. It seems that the back ground Na level is between 3 and 20 parts per million, with an average of below 10. • The implications of this Na extraction should be reflected in the plant 	<p>Concerns regarding the water treatment plant were noted and will be subsequently addressed during the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist studies to be undertaken.</p> <p>Concerns regarding financial provisioning was noted. This matter will be investigated and addressed during the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist studies to be undertaken.</p> <p>Issue have been addressed in Chapter 5 of this report.</p> <p>Concern was acknowledged, duly noted and will be investigated during the EIA/EMP Phase</p> <p>Concerns regarding financial provisioning was noted. This matter will be investigated and addressed during the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist study to be undertaken.</p> <p>Jasper Müller gave an explanation of the type of liner systems that will be used.</p> <p>This was explained to him at the Focus Group meeting on the 22nd of August 2009.</p> <p>Alan Batchelor mentioned that he was aware of the pan in question.</p> <p>Alan Batchelor stated that from his investigations he saw it to be a manmade dam wall.</p> <p>This matter was taken up with Mr. van Deventer and will be addressed in the final reports to be submitted to DEDET.</p> <p>This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist studies to be undertaken.</p> <p>This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist studies to be undertaken.</p> <p>The issue raised was formally documented and will be addressed during the EIA/EMP Phase. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of specialist study to be undertaken.</p> <p>At this time the issues raised to date were documented in the Register of Concerns but the consultant first wanted to receive all comments before addressing each and every one of them as we were still within the scoping phase. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of all specialist studies to be undertaken.</p> <p>Matter was discussed during the public meeting held at Fairview Guesthouse on the 17th of February 2010.</p>

	<ul style="list-style-type: none"> • design, operational cost, and brine disposal. As well as on the replacement/capital cost. What would the implications be on the filters? It was asked at the meeting that the period of responsibility for after care/water treatment should be stated up front. Koos Davel said that given the long term impact, this responsibility should at least be for 100 years. This should include all aspects related to vegetation care, waste management and water treatment and the maintenance on the associated infrastructure. <ol style="list-style-type: none"> 2. Financial Provision <ul style="list-style-type: none"> • Who will be responsible during operational and more importantly during post-closure phases? • Wants a methodology of post closure management. • Requests ID no.'s of Directors that will be benefitting from the mine; • What is the methodology used when setting up financial provision? • How is amount determined? Will amount in the trust fund be enough? • Were pricing increases taken into account? • Will financial provision support sustainable rehabilitation for more than 30 years? 3. Wants a rational explanation of methodology on how impacts on the environment are identified and quantified as part of the risk analysis. 4. Mine behaviour and track record <ul style="list-style-type: none"> • Wants a report on BGCE's track record of environmental compliance on previous projects. 5. Wants Specialist to Review the Financial provision and Water Management. 6. Asked about choice of liner system to be used for ROM coal stockpiles. 7. Wanted to have the bigger picture explained of what JMA and BGCE's intentions are at Lusthof. 8. Mentioned that there was a pan not indicated on the map during Adam Bachelor's presentation on the wetlands of the area. 9. Had a disagreement with Adam Bachelor on what Adam saw as a manmade dam wall or weir, but which Koos Davel said was natural. 10. Raised the issue of the issue of acid diffusion from the acid mine generation material placed back into the pit. And would like a report on the potential of acid diffusion from Piet van Deventer. 11. The protection of wetlands. 12. Cut-off Layer on Mining Site <ul style="list-style-type: none"> • The importance of a cut-off layer on the mining site was even recognised by Geovicon with their specification of a compacted layer. This is further identified by the role the ferricrete layer is playing in separating water tables and conducting water through the soil. The re-instatement of such a layer is important. This would only be possible if the back fill in the pit is compacted back in layers, not to a performance specification of a few passes with dozer but to engineering specifications. The following specification comes to mind "compaction to 95% Mod AASHO density at +2% of optimum moisture content in 150mm layers". This compaction would give a low void ratio and would assist with air and water ingress in the backfill, reducing the rate
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Willem Davel	Iona Farmer	<p>of AMD generation. The QA on this would be essential and should be recorded and signed off by a Pr Eng.</p> <ul style="list-style-type: none"> This compaction will only be possible if material of a suitable particle size grading is used. It might require the crushing and grinding of stone. Whilst doing this, the introduction of cement as agent can be considered to further improve the material characteristics if a suitable particle size grading cannot be maintained during the backfill operation. It is unclear how backfill and blasting is going to exist next to each other. <p>13. In response to the BID document distributed to I&APs before the Public Meeting held on 17 February 2010, the issue was raised again that the sustainability of the water treatment plant, the associated cost, disposal of brine, skills required was deemed to be a fatal flaw by some of the I&APs. Wanted that point to be formally registered. Also stated that further studies regarding this matter was requested and agreed to by JMA during the meeting held on 22 August 2009.</p> <p>14. Stated that environmental evaluations that will be conducted, as proposed in the BID, did not include the above raised concerns of sustainability of proposed water mitigation plan.</p> <p>15. Suggested that Water mitigation plan's viability be sent out along with BID notification and that this matter is discussed in depth on 17 February 2010 during the Public Meeting.</p> <ol style="list-style-type: none"> Ground water Management Surface water Management <ul style="list-style-type: none"> Water that gets treated on site may not be sold, as this water belongs to the environment and as such must be returned to the environment Wetlands Maintenance Roads Dust Rehabilitation regarding grass species to be reintroduced. Access Roads to farms. 	
Pierre Duhain	Lusthof Pt & Iona Owner	<ol style="list-style-type: none"> What will the effect of the blasting operations done by the mine be on the gas pipeline running from Mozambique to Secunda? What is the limit regarding distance from the pipeline for blasting operations. Who will be responsible if there occurs a leak or an explosion? Asked whether the wetland located on his property, directly adjacent to where the mine footprint will be situated, will become dry as a result of 	<ol style="list-style-type: none"> Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.
Pierre Duhain	Lusthof Pt & Iona Owner	<ol style="list-style-type: none"> What will the effect of the blasting operations done by the mine be on the gas pipeline running from Mozambique to Secunda? What is the limit regarding distance from the pipeline for blasting operations. Who will be responsible if there occurs a leak or an explosion? Asked whether the wetland located on his property, directly adjacent to where the mine footprint will be situated, will become dry as a result of 	<ol style="list-style-type: none"> Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.

	<p>the mine's activities during the five years operational period.</p> <p>Mentioned that mining process should be stopped during exploration and prospecting, that they have to stop the first step, because now it is too late.</p> <p>Stated that this will be a 5 year process but who will be available for complainants after 5 years. PD also mentioned post closure monitoring and how it will be done. PD stated that from his experience of South Africa there will be no one.</p> <p>Wanted to know what are JMA and BGCE going to do if his borehole dries up because of the blasting, because if there is no water there is no water.</p> <p>Dust resulting from blasting mining activity, transport traffic will not be compatible with grazing, dairy, butchery, vegetable, fruit or tourism and residence.</p> <p>Blasting will scare and stress cattle, horses, and wildlife, leading to a reduction of milk production and resulting in animals running through the fences.</p> <p>Blasting will also result in the destruction of buildings, pollution and drying up of boreholes and will create an unhealthy and stressful life.</p> <p>Other impacts that may arise from blasting, mining activities and transport traffic that needs investigation include:</p> <ul style="list-style-type: none"> • Noise • Quality of life in the surrounding area • Structural integrity of buildings and residences • Security • Stones from blasting (distance) <p>Mining activity will dry out his farm, dams, boreholes and wetland, as a great deal of its underground and surface water comes from the Lusthof 4 and 6.</p> <p>Approval of mining application will make implementation of his Organic farm and Eco-Tourism Business Plan (which played a large role in approval of immigration authorisation to South Africa) impossible.</p> <p>The high quality of his water, which is the basic condition for his proposed Business Plan, will disappear forever.</p> <p>A global cumulative impact assessment has to be done for the whole area, including those areas where prospecting was done, the proposed future planning for expansion of mining activities in the area must be included, in order to give IAP's the opportunity to plan the future and to give the political power the opportunity to make a good decision for this area.</p> <p>Impact of approval of mining activities in a sensitive area with high agricultural potential, without any consideration for the affected parties, on:</p> <ul style="list-style-type: none"> • Image of South Africa • Confidence in South Africa a State of Right • Local and Foreign Investment in agriculture and Eco-Tourism <p>Letters of concern written on behalf of Mr Du Hain, from Woolworths, Organics SA, and Fédération Unie de Groupements d'Eleveurs et d'</p>	<p>3. Point raised was acknowledged and noted.</p> <p>4. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>5. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>6. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>7. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>8. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>9. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>10. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>11. Point raised was acknowledged and noted.</p> <p>12. Point raised was acknowledged and noted.</p> <p>13. Point raised was acknowledged and noted.</p> <p>14. Point raised was acknowledged and noted.</p> <p>15. Receipt of mentioned documents were acknowledged and included in documentation following this table.</p>
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Antonius Sanders	Chriessesmeer Tourism	<p>Agriculteurs (a Belgian farmer organisation), that was submitted for original EMPR process in 2005 was received again from Mr Du Hain and now forms part of the project documentation.</p> <ol style="list-style-type: none"> Mine behaviour and track record <ul style="list-style-type: none"> Wants know BGCE's track record of environmental compliance on previous projects, what is the company's profile, and how able will they be to cover rehabilitation costs. 	<p>Concern was acknowledged, duly noted and will be investigated during the EIA/EMP Phase</p>
Rouxjie le Roux	Rouxjie le Roux Trust	<ol style="list-style-type: none"> Does not see the necessity of the mine, regarding to what the coal are going to be used for. What benefits will the community obtain from the mine? Or will the mine only benefit the labourers working on/for the mine? Air Pollution <ul style="list-style-type: none"> How will dust be kept to a minimum? Management measures? Increase of coal dust on pastures, to the detriment of livestock health and condition. Increase of coal dust on lifetime of metal infrastructure like roofs and boundary wires? Shock waves originating from blasting operations <ul style="list-style-type: none"> Effect thereof on infrastructure on neighbouring farms? What happens if structures collapse as a result of shockwaves caused by blasting operations? How will coal be transported? Trucks? Roads safety and condition of the roads? What will be the extent of wetlands investigated around the mining site? Wanted to know what grass species are going to be used for rehabilitation and suggested that this be done according to pre mining condition's distribution. Also said that Oulands grass will not be acceptable. 	<ol style="list-style-type: none"> Point raised was acknowledged and noted. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. It was indicated that road transport will be used for the transportation of coal. This was explained to him. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.
Charl Koen	Rouxjie le Roux Trust	<ol style="list-style-type: none"> Asked what the standards of rehabilitation were and where are other mines regarding best practice guidelines mentioned? 	<p>This was explained to him, and it was indicated that JMA Consulting are not in a position to comment on other mines' operations in the area.</p>
Koos Pretorius	MPLDG	<ol style="list-style-type: none"> Stated that Mr Pierre Duhaïn's issues must be handled separately due to the technical nature of his concerns. During the wetland presentation of Adam Batchelor KP just wanted to clarify a point by saying that although the area where the mine footprint will be situated is classified as disturbed, that it still supports area's with high species diversity lower down on the property. Mentioned that Best Practice Guidelines from their experience does not cut much as often it is intended but not that often applied to a site. Stated that borehole cave-ins are a real concern as a result of blasting activities by mining operations in the area. Inquired about the progress of the establishment of the Environmental Management Framework for the area. 	<ol style="list-style-type: none"> A separate meeting was scheduled and conducted with Mr Pierre Du Hain and Mr Koos Pretorius on his farm on the 28th of January 2010. Point was acknowledged and duly noted. Point was acknowledged and duly noted. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Adam Batchelor informed him on that matter.
Gert van der Merwe	Landowner (Fairview)	<ol style="list-style-type: none"> Property is located downstream from the mine thus as a result of surface water run-off the water quality on his property will be compromised. Quality of life will be affected negatively because of Dust, Blasting Operations and other Noise pollution issues as a result of the mine. Will be negatively affected from a financial perspective due to possible increase in crime in the area, damages to buildings as result of blasting 	<ol style="list-style-type: none"> Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.

Stephanie de Jager	Landscape (Portion 5 of the farm Lusthof)	<p>4. from the mine, possible destruction and pollution of water resources. According to the constitution he also has the basic human right to viable and quality way of life.</p> <ol style="list-style-type: none"> 1. At the 25 ha dam on their farm they have resident Crowned Cranes, Blue Cranes, Geesem Ducks, Waterfowl, as well as Fish Eagles and Spoonbilled Storks, White Storks and Goliath Herons, that will be adversely affected by the mining operations. 2. Request a global cumulative impact assessment on all the farms in the area where prospecting have been or is intended to take place, as this is an important water rich area that forms part of the upper reaches of three different rivers. 3. Definite possibility that polluted effluent resulting from mining operations may negatively affect sensitive ecosystems in the rivers. 4. Proximity of Gas Pipeline in the area, structural integrity may possibly be negatively affected by shockwaves generated as result of blasting operations. May lead to leakages and even explosions. 5. From current personal experience with mining groups in the area the following issues are a reality: <ul style="list-style-type: none"> • Surface water run-off is adversely affected, residue deposits forms on the soil. • Boreholes that either dries up completely, - cave in as a result of blasting, or the taste and quality of borehole water deteriorates. • If the above mentioned concerns realise they demand that clean and potable water be distributed to affected landowners at the mining groups cost, for human and animal requirements. • Owns a dairy consisting of 200 lactating cows, an operation which future is threatened by mining operations due to the following: <ul style="list-style-type: none"> • Dairy cows are very sensitive to noise and blasting which adversely affects their milk producing ability. • Thus income will be directly affected if there is a decrease in production. • Dust resulting from mining operations and roads on which coal will be transported will negatively affect the hygiene of the dairy as well as the dust residue deposited on grazing pastures. 7. How is the coal going to be transported? Which roads are going to be used for this? 8. How will the dust issue be addressed as a result of the transportation of the coal according to the affected parties' standards? 9. Where is the water for dust suppression going to come from as this will have to be clean water? 10. Dust and noise will detrimentally affect Ecotourism activities in the area. 11. A lot of the times trucks used for transporting the coal drive recklessly without taking other road users into consideration. Leads to landowners feeling unsafe on the access roads to their farms. 12. Currently noise resulting from mining operations e.g. blasting, shocks vehicles etc. is a problem especially at night. 13. Structural integrity of buildings on the farm will be detrimentally 	<ol style="list-style-type: none"> 3. Concern was acknowledged and duly noted. 4. Concern was acknowledged and duly noted. 1. Concern was acknowledged and duly noted. 2. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. 3. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. 4. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. 5. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. 6. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken. 7. Road Transport will be used for the transportation of coal from Lusthof Colliery. This issue will be investigated and addressed in the EIA/EMP phase of the project. 8. Dust Suppression will be done on roads to counter the generation of dust as a result of transport trucks thereupon. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. 9. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. 10. Concern was acknowledged and duly noted. 11. Concern was acknowledged and duly noted. 12. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. 13. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. 14. Concern was acknowledged and duly noted. 15. Concern was acknowledged and duly noted. 16. Concern was acknowledged and duly noted. 17. Concern was acknowledged and duly noted. 18. No workers will be housed on site.
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E-mail correspondence 2009			
Comments Received on Draft Scoping Report & Plan of Study during I&AP Review Period			
Koos Davel	Adjacent Landowner (Farm Iona)	<p>1. Concerns regarding the construction of a water treatment plant at the Lushof site were raised during the Focus Group meeting held on the 22nd of August 2009 and the Public Meeting Held on the 17th of February 2010. Although concerns regarding this was captured and included in Draft Scoping Report and Plan of Study made available to I&APs for review, it is of concern that the specifics regarding water treatment is not recorded in the draft reports as specifics that would be investigated by specialists.</p> <p>Sufficient information is available from the JMA studies as the previous Geovicon studies to be able to make a preliminary assessment and construct an evaluation model on the water treatment requirements. It is my suggestion that details and scope regarding the water treatment plant be specified in the Scoping Document.</p> <p>2. An important aspect not covered in the Scoping document or in the communication with I&APs is the aspect of liability for environmental damage. This liability is covered in various legislatures. From the legislation it is clear that the “polluter pays” principle is confirmed, there is no time limit on the liability of the polluter, and planning in terms of management and financial provisioning is required. Considering the above mentioned the following is proposed for the scoping document:</p> <ul style="list-style-type: none"> • The length (time) of impact on the environment, specifically the water should be quantified; • The remedial actions in terms of the best practice guidelines of DWA be specified; and • That the management and financial provision be quantified. <p>Sufficient information is already available to cover these aspects in the scoping document</p>	<p>1. The matter was explained to him and his concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>2. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p>
Frans Krige	Mpumalanga Tourism & Parks Agency	<p>1. MTPA requires that an EIA study must conform to its minimum requirements for an Environmental study. Please receive the attached minimum requirements document. The approved Mpumalanga Conservation Plan by Lotter and Ferrar (2007) indicates that this area lies in an extremely ecological sensitive area in that it lies in an Aquatic</p>	<p>1. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>2. Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>3. Concern was noted. This issue will be investigated and addressed in the</p>

	<p>biodiversity sub catchment area that is regarded as irreplaceable. The area furthermore lies in a designated Ecological corridor as indicated in the attached maps (Lotter & Ferrar, 2007). No Prospecting and mining activities can be allowed in an Ecological corridor unless detailed biophysical studies on site can prove that the area is degraded beyond repair.</p>	
<p>2. The Aquatic Biodiversity sub catchment sensitivity status for this farm is Irreplaceable. This farm together with the Tevrede se pan is regarded as a no go area for any mining activities because of its necessity to produce clean water supply for the ecosystem and farming activities downstream as far as Swaziland. No prospecting or mining is advised on this farm.</p> <p>3. The Terrestrial Biodiversity status of portion 6 of this farm is highly significant where no prospecting or mining should be allowed. Please refer to the attached C-plan maps.</p> <p>4. The risk of acid mine drainage pollution by opencast or underground mining in such a sensitive environment is great and the withdrawal of the water from the underground aquifers feeding Tevrede pan by the proposed mine's water withdrawal cone cannot be prevented during the mining phase. The Tevrede pan as indicated by the Terrestrial biodiversity map is irreplaceable. No negative effects temporarily or permanent should be allowed.</p> <p>5. MTPA is currently compiling an Application to register this Greater Chissiesmeer pans area as an international RAMSAR site. Luthof 60 IT lies within this designated area. Provisional approval from the MEC's of DCSR and DEDET as well as the Provincial Premier was given to this initiative during the Mpumalanga Lakes District Heritage Symposium that took place during August 2007. The National Minister of DMR has been informed of the RAMSAR as well as the declaration of a protected environment by DEDET's applications. A coal mine allowed to operate within these boundaries will set a negative precedent.</p> <p>6. A current Integrated Environmental Management Framework study by SRK is currently in progress to investigate the best land use parameters for this area. This study is commissioned by DEDET.</p> <p>7. The EIA regulations require that all reasonable /feasible alternatives for this project which would have a significant negative environmental impact on this farm must be assessed in order for the Regulating and Decision making Authorities to make an informed decision.</p> <p>8. It is then recommended that this Scoping report includes a thorough investigation of the no go option and that the exploitation of other energy sources outside this ecological sensitive area be found.</p> <p>9. MTPA further recommends that the Scoping Report should include the findings of the EMF Study and that closer consultation with the RAMSAR application committee as well as the progress with regards to the DEDET protected environment declaration be done.</p> <p>10. Furthermore MTPA request that the geohydrology studies and modeling of the Aquifers includes the water volume of the Tevrede pan and its source in order to have a more comprehensive baseline study.</p>	<p>EIA/EMP phase of the project.</p> <p>Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>Concern was noted. A copy of this document was obtained by JMA and this issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>Issue was addressed in the Scoping Report but MTPA's concern was noted and this issue will be investigated and addressed to a further extent in the EIA/EMP phase of the project.</p> <p>Issue was addressed in the Scoping Report but MTPA's concern was noted and this issue will be investigated and addressed to a further extent in the EIA/EMP phase of the project.</p> <p>Concern was noted. A copy of this document was obtained by JMA and this issue will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>Concern was noted. This issue will be investigated and addressed in the EIA/EMP phase of the project. Please refer to Section 7.2 of this report for details of the specialist studies to be undertaken.</p> <p>Suggestion was acknowledged and duly noted.</p>	

		<p>11. A thorough cost, benefit analysis be done, not only for the lifetime of the mine but it must include the water management until 50 years after decommissioning.</p> <p>12. A detailed rehabilitation plan must be compiled which includes the costs for: soil rehab, (Bioremediation), water purification and hillslope wetland loss replacement, indigenous plants re-establishment and the control and removal of exotic plant species in and around the site.</p> <p>13. MTPA believes strongly that it is in the best interest of current and future generations that the principles of Sustainable Development be followed and that this activity be prevented.</p>	
Additional Correspondence with MLDPG. See APPENDIX 6.1.5(D) Of Public Participation Report.			
Comments received from MLDPG on 21 January 2012			
Fax sent on 07/11/2012 by Mrs Swart			
NAME	COMPANY	ISSUES/CONCERNS RAISED	
Mrs Carreen Swart	Mpumalanga Department of Health	Issues to be addressed during Scoping Phase: The effect on the environment and surrounding people and animals	Noted
Email sent on 19/11/2012 by Mr Bruce van den Heuvel			
NAME	COMPANY	ISSUES/CONCERNS RAISED	
Mr Bruce van den Heuvel	Sasol Gas	Sasol gas have a 650mm High Pressure Gas Pipeline that lies about 2700 meters North West of the Mine (Lusthof Colliery)	Noted
Email sent on 14/12/2012 by Ms Ursula Franke (Endangered Wildlife Trust)			
NAME	COMPANY	ISSUES/CONCERNS RAISED	
Ms Ursula Franke	Endangered Wildlife Trust (EWT)	<p>The Endangered Wildlife Trust is strongly opposed to the above mentioned application for a mining right and would like to note our objection on the following grounds:</p> <p>1. Impact on Formal conservation initiatives The proposed mining area falls within the proposed Chrissiesmeer Protected Environment as part of the provincial Protected Areas Expansion Strategy under the Biodiversity Stewardship Programme under the NEM: PAA [Act no.57 of 2003]. Land owner engagement, as well as detailed veld condition assessments has already been completed, and land owner consent forms are currently being collected.</p> <p>2. Impact on wetlands and freshwater resources The proposed mining site is located within the upper reaches of the Mpuluzi River and within the Quaternary catchment W55A. According to the Mpumalanga Biodiversity Conservation Plan (MBCP) this catchment is Irreplaceable in terms of aquatic biodiversity and it is also a National Freshwater Ecosystem Priority Area (NFEPA). The report stated that the area currently has a largely natural A Present Ecological State (PES). The Mpuluzi River also forms part of a system that passes two</p>	<p>Noted</p> <p>1. Concerns were noted. These issues will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>2. Concerns were noted. These issues will be investigated and addressed in the EIA/EMP phase of the project.</p> <p>3. Concerns were noted. These issues will be investigated and addressed in the EIA/EMP phase of the project.</p> <ul style="list-style-type: none"> • 2.2.1.3 will be added and discussed in the Social-Cultural Specialist Report • Table 2.15.2 will be updated, see Animal Life Specialist Report • Table 2.15.3 will be updated, see Animal Life Specialist Report • Table 2.16.7 will be updated, see Animal Life Specialist Report • 2.15.5 will be added and updated, see Animal Life Specialist Report • 2.16.8 will be added and updated, see Aquatic Ecology Specialist Report • 2.19.1.3 will be added and updated, Visual Specialist Report • 3.1.4.6 For Socio-Economic Benefits please see Section 8.5 of the Specialist Socio-Economic Report. • 4.4 Concern is noted – the no-go option will be further discussed in the Cost Benefit Comparative Assessment Specialist Report. • Summary Opinion Key issues related to listed impacts will be assessed in the EIA/EMP Phase. <p>With regards to the provisions of section 49 of the MPRDA, the moratorium</p>

	<p>neighbouring countries, Swaziland and Mozambique. In the draft scoping report the Ecological importance and sensitivity (EIS) assessment indicates that 60% of the wetlands in the application area have a high to very high EIS status, and another 32% a moderately high status. The report further states the high likelihood that these wetlands will be impacted upon by the proposed activities given “the hydrological interdependence of the wetlands, particularly in terms of perched groundwater linkages which is controlled by the underlying stratigraphy”. On page 226 the summary further states that the proposed mining “is likely to impact upon a number of wetlands of high EIS within the upper reaches of the Mpułuzi River. This may result in the loss of sensitive species and a decline in biodiversity value.” This is absolutely undesirable within a proposed Protected Environment and Ramsar site (wetland area of international importance).</p> <p>3. Impact on Red Data List species and their habitats According to the MBCP and the Mpumalanga Protected Areas Expansion Strategy (MPAES) the Quaternary catchment W55A is Highly Significant in terms of terrestrial biodiversity and forms part of an ecological corridor within the province. The scoping report mentions several mammals, bird and potentially plant Red Data List species occurring on site. Water, noise, light, and air pollution will have a negative effect on local biodiversity, especially the more sensitive Red Data List species.</p> <p>Please see the following questions/comments regarding the draft Scoping report:</p> <ul style="list-style-type: none"> • 2.2.1.3 Importance to Study – Please add the impact on local tourism, especially eco-tourism activities to the list of points. • Table 1.15.2 (a) and (c) – please add Black-footed Cat (<i>Felis nigripes</i>) and Serval (<i>Leptailurus serval</i>) to the list. □ • Table 2.15.3 (a) – please add Greater (Phoenicopterous <i>roseus</i>) and Lesser Flamingo (<i>Phoenicopterous minor</i>), Blue Korfhaan (<i>Eupodotis caerulescens</i>), Southern Bald Ibis (<i>Geronticus calvus</i>), Blue Crane (<i>Anthropoides paradiseus</i>), Denham’s Bustard (<i>Neotis denhami</i>) and African Grass-Owl (<i>Tyto capensis</i>) to the list. • Table 2.16.7 (b) – please add Blue, Grey Crowned (<i>Balearica regulorum</i>) and Wattled Crane (<i>Bugeranus carunculatus</i>), and Red-chested Flufftail (<i>Sarothrura rufá</i>) to the list. • 2.15.5 Habitats of Conservation Importance – According to the MPAES the study site falls within the proposed Chrissiesmeer Protected Environment. It also falls within a proposed Ramsar site. • 2.16.8 Presence of Red Data Flora and Fauna – Please note the status of the following species: Blue Crane = vulnerable and Wattled Crane = critically endangered. Also please add Greater and Lesser Flamingo = vulnerable. • 2.19.1.3 District Context – Please note that the proposed Lusthof Colliery Site is located <i>in</i> (not near) the Lake District of South Africa. 	<p>published by the minister relates to new applications. In view of the fact that Black Gold Coal Estates are already the holder of a mining right for Lusthof (this application is for an EMPR addendum and related authorizations) the moratorium as published is not applicable.</p>
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		<ul style="list-style-type: none"> 3.1.4.6 Socio-economic benefits – No mention is made of what specific projects and benefits local communities can expect or how many people can expect to benefit from any such projects? Impact on tourism – Mining activities will most likely have a negative impact on local tourism, and especially eco-tourism, activities. Not only the visual impact on the sense of place, but also the cumulative effects of noise, light, dust pollution and numbers of coal transport trucks on the Carolina-Chrissiesmeer road. 4.4 Consequences of the No-Go option – The report only states the impact of the no-go option on the mining company, please take into account the impact of the no-go option on other stakeholders as well. Typically, the Endangered Wildlife Trust is in favour of the no-go option as we feel that mining is an incompatible land use within this sensitive landscape and that sustainable ecotourism and agriculture will contribute more, especially to local communities, over the long term. <p>Summary opinion on scoping report Key issues, given the context of this project, such as impact on biodiversity, air, noise, and light pollution, disruption of sense of place, impacts on the health and livelihoods of surrounding land users and impact on the unique landscape of Chrissiesmeer, have not been adequately assessed. No mention is also made of the Section 49 application under the MPRDA [Act no. 28 of 2002] as was published in the Government Gazette of 4 March 2011.</p>	
Email sent on 14/12/2012 by Ms Ursula Franke (Matotoland Eco-Tourism Association)			
NAME	COMPANY	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
Ms Ursula Franke	Matotoland Eco-Tourism Association	<p>The Matotoland Eco-Tourism Association is strongly opposed to the above mentioned application for a mining right and would like to note our object on the following grounds:</p> <p>Impact on local Tourism The Association strives to promote sustainable development through tourism, and in particular eco-tourism activities, within the surrounding area of Chrissiesmeer. National and international visitors come to the area for its scenic beauty, peaceful atmosphere, and its wildlife. The demand for tourist accommodation is increasing and with this the number of long term, sustainable job opportunities are also rising. A mining development within this area will drastically impact on the 'sense of place', which is the cornerstone of the local tourism sector. The visual disturbance, as well as noise and light pollution, and increased traffic on the Carolina-Chrissiesmeer road, will most definitely have a negative effect on the tourism potential of the area. Also to note is that the dirt road that runs through the proposed site, and that consequently needs to be moved, forms part of a birding route.</p> <p>Impact on Environmental Initiatives The conservation of the natural character of the Chrissiesmeer area and its wildlife is of the utmost importance to ensure the long-term viability of the</p>	<p>Opposition, concerns and comments were noted and will be dealt with during the EIA/EMP phase of the project. The concerns listed will be given through to the relevant authorities.</p>

		<p>various eco-tourism activities on offer. A mining development is incompatible with the area's current environmental initiatives – to receive Ramsar (wetland of international importance) and Protected Environment status (under the NEM: PAA [Act no.57 of 2003]).</p> <p>The Matotoland Eco-Tourism Association is therefore opposed to the proposed mining development and ask that the no-go option be considered – which would be in line with the Section 49 application under the MPRDA [Act no. 28 of 2002] as was published in the Government Gazette of 4 March 2011.</p>	<p>various eco-tourism activities on offer. A mining development is incompatible with the area's current environmental initiatives – to receive Ramsar (wetland of international importance) and Protected Environment status (under the NEM: PAA [Act no.57 of 2003]).</p> <p>The Matotoland Eco-Tourism Association is therefore opposed to the proposed mining development and ask that the no-go option be considered – which would be in line with the Section 49 application under the MPRDA [Act no. 28 of 2002] as was published in the Government Gazette of 4 March 2011.</p>
Email sent on 03/01/2013 by Chrissiesmeer Bewarea			
NAME Mantjies Blignaut	COMPANY Chrissiesmeer Bewarea	ISSUES/CONCERNS RAISED	RESPONSE FROM JMA
<p>With this email Chrissiesmeer Bewarea (CB) are stating that they are against the Mining application in the Chrissiesmeer area as well as any mining development in the area.</p> <ol style="list-style-type: none"> 1. Chrissiesmeer area is in the process of applying for RAMSAR status. The area will be proclaimed as a Wetland to receive International Protection Statutes under NEM: PAA 57 of 2003. The biggest reed-pan/marsh in South Africa occurs in this area. Mr Anton Linstorm, previously part of the MTA discovered Peat in the pan. Another concern is that water quality is threatened by mining activities and development. This will threaten the biggest fresh water source in South Africa. 2. The limitation of the road connecting Chrissiesmeer and Carolina are only 10 tons. How will heavy Mining trucks move through the area without upgrading the road? 3. The dirt road between Baadjiesbult, Carolina and Warburton forms part of an important Bird Watching Route used by many Tourists. This Eco-Tourism provides job-opportunities in the area. Bird Guides are being trained and guesthouses are 70% of the time filled with tourist visiting these marshes and Bird-watching Routes. Some endangered bird species like the Mahem are breeding in this area. 4. Wildlife will be threatened by mining activities. Endangered species like Aardvark and Oriibi (<i>Ourebia scoparia</i>) will be killed and further threatened. 5. Red Data Orchids occurs in the area. Matotoland Ecotourism Association has a "Wildflower Day" every year. This year it will be held on 19th January 2013. 6. Frogs are a barometer for the ecosystem. In 1996, 13 different species were monitored in the area. However in the last 5 years only 4 species could be found. On 17 November 2012 only 3 species could be found. Is this not an indication of the degradation and destruction of our natural environment already happening in this area? 7. Butterfly-days were held in past years but had to be cancelled due to lack of butterflies that still occurs in the area. 8. Pollution, Noise and Mine dumps will reduce tourism in the area. 9. Most of the buildings date back to the 1900's and were built from sandstone. Blasting will result in cracking of the buildings in <p>1. Noted. The Applicant is aware of this fact. The MTPA is a registered I&AP on this project.</p> <p>2. Please see Section 2.5 on the Current Road Status.</p> <p>3. Concern noted. All relevant dirt roads will be upgraded and maintained. The matter will be dealt with in the EIA/EMP.</p> <p>4. Concern noted. Issue will be dealt with in the Animal Life Study and EIA/EMP.</p> <p>5. Concern noted. Issue will be dealt with in the Plant Life Study and EIA/EMP.</p> <p>6. Concern noted. Issue will be dealt with in the Animal Life Study and EIA/EMP.</p> <p>7. Concern noted.</p> <p>8. Concern noted. Will be addressed in the EIA/EMP.</p> <p>9. Blasting at the mine will not impact on buildings in Chrissiesmeer.</p> <p>All the concerns raised by the Chrissiesmeer Bewarea will be considered during the EIA/EMP phase.</p>			

<p>NAME Koos Davel</p>	<p>COMPANY Adjacent Landowner (Farm Iona)</p>	<p>Chrissiesmeer, some of which are already damaged. Chrissiesmeer Bewarea is concerned about the impacts that the mine will have on the area and we trust that our concerns and plea will be looked at.</p>	<p>RESPONSE FROM JMA</p> <p><u>Comment 1.</u> JMA evaluated the water quality objectives as proposed by Mr Davel against the observed surface and ground water qualities as sampled during the base line studies. Before discussing the outcome, the following should be noted:</p> <ul style="list-style-type: none"> • Both surface water and ground water qualities are variable over time. No two samples taken from the same source in the environment will ever report the same chemical composition. In this regard surface water qualities are more variable than ground water qualities as the surface water sources are more prone to influencing factors such as rainfall, storm water run-off and evaporation. • Therefore, if one uses measurements of the current water quality in an environment to derive water quality objectives, one should always make provision for the inherent variability. JMA attempted to do this when they compiled the proposed output water quality objectives for the treatment plant. • The reasoning behind the JMA derived objectives was that in view of the fact that no mining activities are currently active within the influence zones of any of the sampled surface water and ground water sources, the water qualities observed at these sources must represent the pre-mining pristine water qualities, with the only possible impacts, those that could be caused by the current land uses. It was further assumed that surface water qualities could deteriorate naturally in especially dams, as any evaporation after the samples were taken will increase the salt concentrations in these dams. From this reasoning the JMA protocol was then to take the maximum values observed and to add 2 standard deviations to provide for the variability. <p>The evaluation of the observed water qualities against the objectives provided by Mr Davel, yielded the following:</p> <ul style="list-style-type: none"> • Not a single surface water or ground water sample taken during the base line studies complies with the standard proposed by Mr Davel. • For the surface water samples 55% of the 448 macro chemistry variables analysed are non-compliant, and 17% of the 544 micro chemistry variables analysed are non-compliant. • For the ground water samples 51% of the 112 macro chemistry variables analysed are non-compliant, and 21% of the 136 micro chemistry variables analysed are non-compliant. <p>The conclusion from the above is therefore that either the objectives supplied by Mr Davel are not representative of the pristine background water quality, or else the current land use (agriculture) is polluting the environment severely (the average of the</p>
<p>Email sent on 07/12/2012 by Koos Davel</p>			<p>ISSUES/CONCERNS RAISED</p> <p>Mr Koos Davel provided a spread sheet with Water Quality Objectives to be applicable to the treated water at Lushtof. He furthermore made the following comments:</p> <p>Aangeheg die water Kwaliteit wat ek sou verwag uit die water aanleg sonder dat daar 'n inpak op die omgewing is. Die volgende is belangrik:</p> <ul style="list-style-type: none"> • Dit is die waardes wat nie oorskry mag word nie. (nie die gemiddelde maar die afsny waardes) • As hulle aandui dat hulle wel die kwaliteit kan lewer, moet daar ook 'n aanduiding wees van die statistiese verspreiding wat gelewer gaan word op elk van die kwaliteitse aspekte • Daar moet gese word hoe 'n variasie in voer water kwaliteit na die aanleg gehanteer gaan word. • Hoe gaan die stikstof en kwik wat as deel van die skiet proses in die omgewing en water inkom gehanteer word.
<p>Email received and commented on 10/01/2013 by JMA</p>			

observed values for macro-chemistry generally exceeds Mr Davel's Objectives by a factor of 2.

The aquatic ecosystems base line study reflected in the Scoping Report states that the majority of wetlands and pans within the mining application area resemble the natural situation although most of the systems and pans have been modified to some extent due to agricultural activities - essentially sediment deposition. Therefore in view of the good condition of wetlands and aquatic ecosystems as confirmed by the base line studies, JMA is of the opinion that the water qualities observed during the base line studies are indeed representative of the natural background water qualities for the area and that they do not indicate a severe impacted situation. It follows therefore that they could and should be used in determining the quality objectives for the output water from the water treatment plant.

Comment 2.

Plants similar to the one proposed for Luthhof, have proven that they can achieve the design water quality with a very high degree of certainty and repeatability, provided of course that they are managed properly. The output water quality will be sampled on a regular basis and if required the required alterations made to process management in order to comply with the output water quality objectives.

Comment 3.

The Plant proposed for Luthhof Colliery is robust in terms of the feed water quality and in general will be able to absorb a 20% variation in concentrations. The feed water quality will also be monitored on a regular basis, not only to assess the possible variation in pH and salinity, but indeed also to check for any changes in the water composition. If the composition changes, the process might need to be adapted. Depending then of course on the nature and extent of the change in composition, this could involve infrastructure changes or perhaps only a process or management alteration. Of importance to recognize is that the feed water quality used in the feasibility design is currently a theoretical composition based on site specific assessment of geochemistry, supported with knowledge obtained from operational and closed mines in the Mpumalanga coal fields. The actual feed water quality will only become known once the mine starts to generate pit water. Even then the quality will be variable as time progresses. The efficient treatment of the water will therefore require on-going monitoring of the feed water and dynamic management of the treatment process. This is a fundamental requirement for all water treatment facilities.

Comment 4.

Nitrogen and any mercury released by blasting activities will be contained within the open pit and will therefore become part of the feed water to the treatment plant, where it will be treated together with all the other constituents. Whereas nitrogen is a well known contaminant associated with blasting, the elevation of mercury in the coal blasting environment is not recognized as a commonly occurring phenomenon.

Emails sent and received from I&AP's during September/November 2012 regarding Water Treatment Plant			
NAME	SEND	REPLY BY JMA	RESPONSE FROM JMA
Emails received from MLDPG			
Koos Davel/ MLDPG	25/09/2012	25/09/2012	For all e-mail correspondence between JMA Consulting and Registered I&AP's see APPENDIX 6.2.2(A) of the Public Participation Report (APPENDIX 6(A) of the Final Scoping Report). All technical and financial queries received from I&AP's up to date are captured and will be distributed to the various specialists for attention during the EIA Phase.
Koos Davel/ MLDPG	25/09/2012	26/09/2012	
Koos Davel/ MLDPG	25/09/2012		
Koos Davel/ MLDPG	26/09/2012	26/09/2012	
Koos Pretorius/ MLDPG	26/09/2012	27/09/2012	
Koos Pretorius/ MLDPG	29/09/2012	01/10/2012	
Koos Davel/ MLDPG	01/10/2012	01/10/2012	
Koos Davel/ MLDPG	01/10/2012	01/10/2012	
Koos Davel/ MLDPG	09/10/2012	09/10/2012	
Koos Pretorius/ MLDPG	09/10/2012	10/10/2012	
Koos Davel/ MLDPG	10/10/2012	10/10/2012	
Koos Pretorius/ MLDPG	10/10/2012	10/10/2012	

APPENDIX 6.2.14(B)
ORIGINAL COMMENTS RECEIVED FROM I&AP'S
SINCE BEGINNING OF 2012

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

**BLACK GOLD COAL ESTATES (PTY) LTD.
LUSTHOF COLLIERY
EMPR AMENDMENT PROCESS**

**INTERESTED AND AFFECTED PARTY REGISTRATION
& INVITATION TO COMMENT
NOVEMBER 2012**

Contact: Kobus du Plessis
JMA Consulting (Pty) Ltd
P.O. Box 883
Delmas, 2210



Phone: (013) 665 1788
Fax: (013) 665 2364

E-mail: kobus@jmaconsult.co.za

Please complete and return to the Address indicated above.

TITLE	Mrs	FIRST NAME	Careen
INITIALS	C	SURNAME	Swart
ORGANISATION	Mpumalanga Dept	E-MAIL ADDRESS	careens@social.mp.gov.za
POSTAL ADDRESS	AB. 11278 Nelspruit	Health	
POSTAL CODE	1250	CELL PHONE NO	002-820-7950
TEL NO	013-766-3448	FAX NO	086-5492-969

REGISTRATION AS INTERESTED AND AFFECTED PARTY (Please tick the applicable box)

Please formally register me as an Interested and Affected Party (I&AP) so that I may receive further information and notifications during the Environmental Impact Assessment Process	YES	NO
	Letter (Mail)	
	<input checked="" type="radio"/> Email	
	Fax	
I would like notifications by	SMS	
In Terms of Regulation 56(1) c, of GNR 543 (EIA process regulations) I disclose below any direct business, financial, personal, other interest that I may have in the approval or refusal of this application:		
N/A		

COMMENTS (Please make use of the additional sheet if more space is needed for comments)

I suggest that the following issues be addressed during the Scoping Phase of the Environmental Impact Assessment

Effect on environment and surrounding people, animals.

Any other comments

Please ask the following friends/colleagues to register as I&APs for this Environmental Impact Assessment

[Handwritten Signature]
Signature

WE THANK YOU FOR YOUR CONTRIBUTION

7 / 11 / 2012
Date

Please be assured that your comments will be formally registered and be included as part of the Final Documentation that will be submitted to Relevant authorities.

ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

**BLACK GOLD COAL ESTATES (PTY) LTD.
LUSTHOF COLLIERY
EMPR AMENDMENT PROCESS**

**INTERESTED AND AFFECTED PARTY REGISTRATION
& INVITATION TO COMMENT
NOVEMBER 2012**

Contact: Kobus du Plessis
JMA Consulting (Pty) Ltd
P.O. Box 883
Delmas, 2210

Phone: (013) 665 1788
Fax: (013) 665 2364

E-mail: kobus@jmaconsult.co.za



Please complete and return to the Address indicated above.

TITLE	Mr	FIRST NAME	Bruce
INITIALS	B	SURNAME	Van den Heuwel
ORGANISATION	Sasol Gas	E-MAIL ADDRESS	bruce.vandenheuvel@sasol.com
POSTAL ADDRESS	PO Box 1234	Randburg	
POSTAL CODE	2125	CELL PHONE NO	082 450 2822
TEL NO	011 865 8563	FAX NO	011 865 8591

REGISTRATION AS INTERESTED AND AFFECTED PARTY (Please tick the applicable box)

Please formally register me as an Interested and Affected Party (I&AP) so that I may receive further information and notifications during the Environmental Impact Assessment Process	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
I would like notifications by	Letter (Mail)	<input type="checkbox"/>
	Email	<input checked="" type="checkbox"/>
	Fax	<input type="checkbox"/>
	SMS	<input type="checkbox"/>
In Terms of Regulation 56(1) c, of GNR 543 (EIA process regulations) I disclose below any direct business, financial, personal, other interest that I may have in the approval or refusal of this application: <p style="text-align: center;">None</p>		

COMMENTS (Please make use of the additional sheet if more space is needed for comments)

I suggest that the following issues be addressed during the Scoping Phase of the Environmental Impact Assessment

Sasol Gas have a 650 mm ϕ High Pressure Gas Pipeline that lies about 2700 Meters North West of the Mine

Any other comments

Please ask the following friends/colleagues to register as I&APs for this Environmental Impact Assessment

Signature

19/10/2012

Date

WE THANK YOU FOR YOUR CONTRIBUTION

Please be assured that your comments will be formally registered and be included as part of the Final Documentation that will be submitted to Relevant authorities.



14 December 2012

Attention: Jasper Muller JMA Consulting (Pty) Ltd
J Ferguson Black Gold Coal Estates (Pty) Ltd

RE: BLACK GOLD COAL (MP 30/5/1/2/3/2/1/ (66) EM) DRAFT SCOPING REPORT

The Endangered Wildlife Trust is strongly opposed to the above mentioned application for a mining right and would like to note our objection on the following grounds:

1. Impact on Formal conservation initiatives

The proposed mining area falls within the proposed Chrissiesmeer Protected Environment as part of the provincial Protected Areas Expansion Strategy under the Biodiversity Stewardship Programme under the NEM:PAA [Act no.57 of 2003]. Land owner engagement, as well as detailed veld condition assessments has already been completed, and land owner consent forms are currently being collected.

2. Impact on wetlands and freshwater resources

The proposed mining site is located within the upper reaches of the Mpuluzi River and within the Quaternary catchment W55A. According to the Mpumalanga Biodiversity Conservation Plan (MBCP) this catchment is Irreplaceable in terms of aquatic biodiversity and it is also a National Freshwater Ecosystem Priority Area (NFEPA). The report stated that the area currently has a largely natural A Present Ecological State (PES). The Mpuluzi River also forms part of a system that passes two neighbouring countries, Swaziland and Mozambique.

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The Endangered Wildlife Trust is a non-profit, public benefit organisation dedicated to conserving species and ecosystems in southern Africa to the benefit of all people.

NPO Number: 015-502, **PBO number:** 930 001 777, **Member of IUCN** - The International Union for Conservation of Nature
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In the draft scoping report the Ecological importance and sensitivity (EIS) assessment indicates that 60% of the wetlands in the application area have a high to very high EIS status, and another 32% a moderately high status. The report further states the high likelihood that these wetlands will be impacted upon by the proposed activities given “the hydrological interdependence of the wetlands, particularly in terms of perched groundwater linkages which is controlled by the underlying stratigraphy”. On page 226 the summary further states that the proposed mining “is likely to impact upon a number of wetlands of high EIS within the upper reaches of the Mpuluzi River. ... This may result in the loss of sensitive species and a decline in biodiversity value.” This is absolutely undesirable within a proposed Protected Environment and Ramsar site (wetland area of international importance).

3. Impact on Red Data List species and their habitats

According to the MBCP and the Mpumalanga Protected Areas Expansion Strategy (MPAES) the Quaternary catchment W55A is Highly Significant in terms of terrestrial biodiversity and forms part of an ecological corridor within the province. The scoping report mentions several mammal, bird and potentially plant Red Data List species occurring on site. Water, noise, light, and air pollution will have a negative effect on local biodiversity, especially the more sensitive Red Data List species.

Please see the following questions/comments regarding the draft Scoping report:

- f* 2.2.1.3 Importance to Study – Please add the impact on local tourism, especially eco-tourism activities to the list of points.
- f* Table 1.15.2 (a) and (c) – please add Black-footed Cat (*Felis nigripes*) and Serval (*Leptailurus serval*) to the list.
- f* Table 2.15.3 (a) – please add Greater (*Phoenicopterus roseus*) and Lesser Flamingo (*Phoenicopterus minor*), Blue Korhaan (*Eupodotis caerulea*), Southern Bald Ibis (*Geronticus calvus*), Blue Crane (*Anthropoides paradiseus*), Denham’s Bustard (*Neotis denhami*) and African Grass-Owl (*Tyto capensis*) to the list.

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- f* Table 2.16.7 (b) – please add Blue, Grey Crowned (*Balearica regolorum*) and Wattled Crane (*Buggeranus carunculatus*), and Red-chested Flufftail (*Sarothrura rufa*) to the list.

- f* 2.15.5 Habitats of Conservation Importance – According to the MPAES the study site falls within the proposed Chrissiesmeer Protected Environment. It also falls within a proposed Ramsar site.

- f* 2.16.8 Presence of Red Data Flora and Fauna – Please note the status of the following species: Blue Crane = vulnerable and Wattled Crane = critically endangered. Also please add Greater and Lesser Flamingo = vulnerable.

- f* 2.19.1.3 District Context – Please note that the proposed Lusthof Colliery Site is located *in* (not near) the Lake District of South Africa.

- f* 3.1.4.6 Socio-economic benefits – No mention is made of what specific projects and benefits local communities can expect or how many people can expect to benefit from any such projects?

- f* Impact on tourism – Mining activities will most likely have a negative impact on local tourism, and especially eco-tourism, activities. Not only the visual impact on the sense of place, but also the cumulative effects of noise, light, dust pollution and numbers of coal transport trucks on the Carolina-Chrissiesmeer road.

- f* 4.4 Consequences of the No-Go option – The report only states the impact of the no-go option on the mining company; please take into account the impact of the no-go option on other stakeholders as well. Typically, the Endangered Wildlife Trust is in favour of the no-go option as we feel that mining is an incompatible land use within this sensitive landscape and that sustainable ecotourism and agriculture will contribute more, especially to local communities, over the long term.

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Summary opinion on scoping report

Key issues, given the context of this project, such as impact on biodiversity, air, noise, and light pollution, disruption of sense of place, impacts on the health and livelihoods of surrounding land users and impact on the unique landscape of Chrissiesmeer, have not been adequately assessed. No mention is also made of the Section 49 application under the MPRDA [Act no. 28 of 2002] as was published in the Government Gazette of 4 March 2011.

Regards,

A handwritten signature in black ink that reads 'Ursula Franke'.

Ursula Franke

Senior Field Officer: Highveld Regional Project

Endangered Wildlife Trust – African Crane Conservation Programme

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14 December 2012

Attention: Jasper Muller JMA Consulting (Pty) Ltd
J Ferguson Black Gold Coal Estates (Pty) Ltd

RE: BLACK GOLD COAL (MP 30/5/1/2/3/2/1/ (66) EM) DRAFT SCOPING REPORT

The Matotoland Eco-Tourism Association is strongly opposed to the above mentioned application for a mining right and would like to note our object on the following grounds:

Impact on local Tourism

The Association strives to promote sustainable development through tourism, and in particular eco-tourism activities, within the surrounding area of Chrissiesmeer. National and international visitors come to the area for its scenic beauty, peaceful atmosphere, and its wildlife. The demand for tourist accommodation is increasing and with this the number of long term, sustainable job opportunities are also rising.

A mining development within this area will drastically impact on the 'sense of place', which is the cornerstone of the local tourism sector. The visual disturbance, as well as noise and light pollution, and increased traffic on the Carolina-Chrissiesmeer road, will most definitely have a negative effect on the tourism potential of the area. Also to note is that the dirt road that runs through the proposed site, and that consequently needs to be moved, forms part of a birding route.

Impact on environmental initiatives

The conservation of the natural character of the Chrissiesmeer area and its wildlife is of the utmost importance to ensure the long-term viability of the various eco-tourism activities on offer. A mining development is incompatible with the area's current environmental initiatives – to receive Ramsar (wetland of international importance) and Protected Environment status (under the NEM:PAA [Act no. 57 of 2003]).

The Matotoland Eco-Tourism Association is therefore opposed to the proposed mining development and ask that the no-go option be considered – which would be in line with the Section 49 application under the MPRDA [Act no. 28 of 2002] as was published in the Government Gazette of 4 March 2011.

Regards,

A handwritten signature in black ink, appearing to read 'Ursula Franke'.

Ursula Franke

Matotoland Eco-Tourism Association Vice-Chair

On behalf of the Matotoland Eco-Tourism Association committee

From: meraai950@gmail.com
To: [Kobus Du Plessis](#)
Subject: Lusthof
Date: 03 January 2013 10:52:47 AM

Chrissiesmeer Bewarea
Posbus 42
Chrissiesmeer 2332
Tel: 017 847 0078 / 082 929 1219

BLACK GOLD COAL (MP 30/5/1/2/3/2/1 (66) EM)

Hiermee maak Chrissiesmeer Bewarea beswaar teen die aansoek om te myn op Lusthof. Ons staan alle ontwikkelinge van myne teen op grond van:

1. Chrissiesmeer omgewing is in die proses om Ramsar status te verkry. Die gebied gaan internasionaal as 'n Vleiland verklaar word om beskermende status te verkry onder NEM: PAA (Wet no 57 van 2003). Die grootste Rietpan in SA kom ook in die gebied voor. Mnr Anton Linstorm vroeër van MTA het ook 'n paar jaar gelede veen in hierdie pan ontdek. Water gehalte met myn ontwikkelinge word ernstig bedreig. Die grootste varswatermeer in SA gaan ook bedreig word met verdere ontwikkelinge van myne. Water is kosbaar!
2. Die Pad tussen Chrissiesmeer en Carolina het 'n 10 ton beperking. Hoe gaan swaar mynbou voertuie hier beweeg sonder opgradering van die pad?
3. Grondpad (Baadjiesbult en aansluiting na Carolina en Warburton) vorm deel van 'n belangrike Voelroete wat deur toeriste gebruik word. Ekotoerisme bied baie werkgeleenthede in hierdie area. Voelgidse is opgelei om in hierdie behoeftes te voorsien. Gastehuse is meesal 70% beset met toeriste wat die vleiland besoek. Bedreigde voels soos bv die Mahem broei orals in hierdie gebied.
4. Wildlewe gaan bedreig word. Erdvarke en oorbietjies wat bedreig is, gaan uitgeroei word. Is dit nodig??
5. Rooi data orgidee word in die gebied aangetref. Matotoland Ekotoerisme Vereniging bied jaarliks 'n Veldblomdag aan om veldblomme te monitor. Ons het die 19de Januarie 2013 weer so 'n geleentheid
6. Paddas is 'n barometer van die ekosisteem in 'n gebied. Rondom 1996 is daar 13 verskillende spesies gemonitor tydens die jaarlikse Paddanagte wat aangebied word. Die laaste 5 jaar word daar slegs 4 spesies aangetref. Is dit nie alreeds 'n bewys van die stelselmatige vernietiging van ons Vleiland nie? Die pas afgelope Paddanag het op 17 November plaasgevind en is daar weereens 'n daling gewees - slegs 3 spesies is aangetref.....
7. Skoenlapperdae is ook aangebied, maar afgestel weens die feit dat daar te min voorkom....
8. Besoedeling, mynhope en geraas gaan toeriste afskrik en 'n groot impak op toerisme in hierdie gebied he.
9. Meeste geboue dateer uit die vroeë 1900 en is van sandsteen. Die ontwikkeling van myne wat dmv dinamiet myning gepaard gaan, veroorsaak dat geboue bars. Daar is verskeie sandsteengeboue in die dorp wat reeds beskadig is!

Chrissiesmeer Bewarea is baie bekommerd oor die impak van hierdie voorgestelde myn en vertrou dat ons pleidooi nie op dowe ore sal val nie.

Chrissiesmeer is 'n juweel wat nog deur baie mense ontdek moet word. Vertrou dat hierdie ou dorpie nie dieselfde gaan lyk oor 'n paar jaar as Ogies nie...

Marietjie Bignaut
Voorsitter Chrissiesmeer Bewarea
Sent from my BlackBerry® wireless device