



agriculture, rural development,
land & environmental affairs

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

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Litiko Letekulima, Kutfutukiswa
Kwetindzawo Tasemakhaya, Temhlaba
Netesimondzawo

Departement van Landbou,
Landelike Ontwikkeling,
Grond en Ongewing Sake

umNyango weZelimo
UkuThuthukiswa kweeNdawo zemaKhaya,
iNarha neeNdaba zeBhoduluko

S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), EA amendment application.

2017

Kindly note that:

1. This application form must be completed for all applications in terms of S24G of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.
2. An independent EAP must be appointed to complete the application form on behalf of the applicant; the declaration of independence must be completed by the independent EAP and submitted with the application.
3. In cases where an activity applied for commenced during the ECA and other activities commenced during NEMA, two applications forms must be submitted.
4. It is the responsibility of the Applicant / Environmental Assessment Practitioner (EAP) to ascertain whether subsequent versions of the application form have been published or produced by the relevant competent authority.
5. The content of the application for rectification form comprises of:
 - Section A: Application Information
 - Section B: Activity Information
 - Section C: Description of Receiving Environment
 - Section D: Preliminary Impact Assessment
 - Section E: Alternatives
 - Section F: Appendices
 - Section G: Declarations
 - Annexure A: S24G Fines Regulations
6. It is compulsory to comply and complete Annexure A of this application.
7. Incomplete applications will be returned to the applicant for revision and re-submission.
8. The required information must be typed within the spaces provided. The sizes of the spaces provided are not necessarily indicative of the amount of information to be provided. The space provided extend as each space is filled with typing. A legible font type and size must be used when completing the form. The font size should not be smaller than 10pt (e.g. Arial 10).

9. The use of “*not applicable*” in the application form must be done with circumspection.
10. No faxed or e-mailed applications will be accepted. This application form must be submitted by hand or mailed to the Department.
11. Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. Upon request, any interested and affected party must be provided with the information contained in and attached to this application form.
12. This application form constitutes the initiation of the S24G application process.
13. **Activities which result in detrimental impacts to the environment are considered in a serious light by the Department and accordingly Applicants must understand that by lodging an application for the continuation of activities that commenced/ was undertaken unlawfully does not necessarily imply that the activity will be authorised. In terms of the NEMA, the MEC may either refuse to issue an EA, conditionally authorise the activity or direct you, the Applicant, to provide further information or take further steps prior to making a decision.**

DEPARTMENTAL DETAILS

DEPARTMENT DETAILS

Applications must be submitted by hand to:

S24G Unit Manager : Ms T Tanda
 E-mail : ttanda@mpg.gov.za
 Contact : **072 249 1384**
 : And Ms Zandile Ngobeni
 : dlaminiz@mpg.gov.za
 : **079 365 9296**

Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs
 Physical Address : 2nd Floor Block 4, **Office Number 231 / 237**
 Cycard Building, East Tower
 Riverside Office Park (Opposite Audi Entrance Gate)
 Aqua Street
 Nelspruit
 1200

S24G Regional Assistant Directors:

Gert Sibande : Mr Musa Luhlanga
 Email : mmluhlanga@mpg.gov.za
 Contact : **082 769 4478**
Nkangala : Mr Quinton Shakwane
 Email : kgshakwane@mpg.gov.za
 Contact : **082 597 9758**
Ehlanzeni : Ms Nocawe Nkosi
 Email : nocawe@mpg.gov.za
 Contact : **082 683 0594**

Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs
 Tel: **Head Office 013 766 6067/8**

SECTION A: APPLICATION INFORMATION

1. APPLICANT PROFILE INDEX

Cross out the appropriate box “”.

1.1	The applicant is an individual	YES	X NO
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1.2	The applicant is a company	X YES	NO
1.3	The applicant is a state-owned enterprise or municipality	YES	X NO
1.4	Other (specify)	YES	X NO
1.5	There is more than one individual / company responsible for the unlawful commencement of listed activities	YES	X NO

Name of Project applicant:	At-Road Construction (Pty) Ltd												
RSA Identity number:	6	5	0	6	0	7	5	1	2	9	0	8	0
Contact person:	Mr. Marius Prinsloo												
Position in company	Director												
Registered Name of Company/ Closed Corporation	At-Road Construction (Pty) Ltd												
Trading name (if any):	At-Road Construction												
Registration number	2015/269374/07												
Postal address:	P.O. Box 43715												
Telephone:	Heuwilsig, Bloemfontein					Postal code:		9332					
	(051) 436 0103					Cell:		082 450 8957					
E-mail:	mprinsloo@taupele.co.za					Fax:		()					
	admin@taupele.co.za												
Please Note: In instances where there is more than one individual / company responsible for the unlawful commencement of listed activities, please attach a list of with all contact details to the back of this page.													

Environmental Assessment Practitioner (EAP):	Louis De Villiers												
Contact person:	Ansuné Weitsz (Assistant EAP)												
Postal address:	Suite 221, Private Bag X01												
Telephone:	Brandhof					Postal code:		9324					
	072 967 7962 / 072 838 8189					Cell:		072 967 7962 / 072 838 8189					
E-mail:	ansune@turn180.co.za / admin@turn180.co.za					Fax:		()					
EAP Qualifications	EAP: B.Sc. Environmental Geography. Assistant EAP: Master in Environmental Management.												
EAP Registrations/Associations	None												

Name of Landowner(s):	Chamotte Holdings (Pty) Ltd (Lessor)												
Contact person(s):	Robert Greaves												
Postal address:	PO Box 243												
	Malelane					Postal code:		1320					

Telephone:	013 791 0020	Cell:	082 430 9501
E-mail:	yolande@chamotte.co.za	Fax:	()
Please Note: In instances where there is more than one landowner, please attach a list of landowners with their contact details to the back of this page.			
Municipality in whose area of jurisdiction the activity falls:	Nkomazi Local Municipality		
Contact person:	Mr. M.D. Ngwenya (Municipal Manager)		
Postal address:	9 Park Street		
	Malelane	Postal code:	1320
Telephone	013 790 0245	Cell:	
E-mail:	Gabby.nkosi@nkomazi.gov.za	Fax:	()
Please Note: In instances where there is more than one Municipality involved, please attach a list of Municipalities with their contact details to the back of this page.			
Project title:	The rectification of the unlawful commencement of a listed activity: The establishment of an Asphalt Plant on Portion 57 of the farm Strathmore 214, Nelspruit District, Mpumalanga.		
Property location:	Nelspruit District		
Farm/Erf name & number (incl. portion):	Portion 57 of the farm Strathmore 214		
SG21 Digit code:	T0JU00000000021400057		
Co-ordinates:	Latitude (S):		Longitude (E):
	25°	31'	55.52"
			31° 27' 2.48"
Please Note: Where a large number of properties are involved (e.g. linear activities), attach a list of property descriptions to the back of this page. Indicate the position of the activity using the latitude and longitude of the center point of the site for each alternative site. The co-ordinates must be in degrees, minutes and seconds. The minutes must be given to at least three decimals to ensure adequate accuracy. The EAP is required to contact the relevant competent authority with regards to the projection that must be used.			
Street address:	N/A		
Magisterial District or Town:	Nelspruit		
Please Note: In instances where there is more than one town or district involved, please attach a list of towns or districts as well as complete physical address information for the entire area to the back of this page.			
Closest City/Town:	Malelane	Distance	6.5 km to edge of town
Zoning of Property:	Mining		
Please Note: In instances where there is more than one zoning, please attach a map clearly indicating zoning of the different portions.			
Was a rezoning application required?	YES	X NO	
Was a consent use application required?	X YES	NO	

Please Note: Where planning approvals have been granted please attach the relevant approvals.

Owners consent:

Letters of consent from all landowners or a detailed explanation by the applicant explaining why such letters of consent are not furnished must be attached to application form.

Please refer to Appendix C for the Landowner Agreement

2. APPLICATION HISTORY

(Cross out the appropriate box "☒" and provide a description where required).

Has any national, provincial or local authority considered any development applications on the property previously?	Yes	X No
If so, please give a brief description of the type and/or nature of the application/s: (In instances where there were more than one application, please attach a list of these applications)		
We are not aware of any previous applications for developments on the property. The site is located on an active mining area (Magnesite mine).		
Which authority considered the application(s):		
Has any one of the previous application/s on the property been approved or rejected so provide a list of the successful and unsuccessful application/s and the reasons decision/s.	Yes	No
N/A		
Provide detail on the period of validity of decision(s) and expiry dates of the above applications/ permits etc.		

I hereby apply in terms of Section 24 G of the National Environmental Management Act (Act no 107 of 1998 as amended) for the rectification of the unlawful commencement or continuation of the listed activity(ies) in Section B of the application form:

Applicant (Full names) _____

Signature _____

Place _____

Date:

EAP (Full names) _____

Signature _____

Place _____

Date:

SECTION B: ACTIVITY INFORMATION

1. ACTIVITIES APPLIED FOR:

Separate applications are required for one development site where more than one listed activity has commenced and where these unlawfully commenced activities constitute offences in terms of different EIA regulations (refer to Table 1 & 2 of the S24G guideline).

Applicants and EAPs are strongly advised to discuss the merits of a combined application (*if deemed applicable*) with the relevant competent authority prior to the completion of this application form and submission thereof.

The Department will use its discretion in deciding to allow one application for more than 1 Section 24F contravention on one development site.

All potential listed activities associated with the development must be indicated below. (See Annexures B, C, D and E). Only those activities for which the applicant applies will be considered.

Where the EIA activity/ies applied for commenced during 2006, 2010 and 2014 listed activity regimes, the corresponding activity listed in the 2017 listings must be indicated in Table 6.

Where the Waste Management activity/ies applied for commenced during 2009 and 2013 listed activity regimes, the corresponding activity/ies listed in the 2017 listings must be indicated in Table 9.

The onus is on the applicant to ensure that all the applicable listed activities are included in the application.

Listed activities applied for. Identify the relevant listed activities applied for below:

National Environmental Management Act, 1998

Table 1:

ECA EIA Contraventions: Between 08 September 1997, end of day 09 May 2002 and still listed in terms of 2010 Regulations.	
Activities unlawfully commenced with on or after 08 September 1997 and before end 09 May 2002: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still in terms of 2010 Regulations.	
Listed Activity(ies)	Details of Activity(ies)

Table 2:

ECA EIA Contraventions: Between 10 May 2002 and before end of day 03 June 2006 and still listed in terms of 2017 EIA Regulations	
Activities unlawfully commenced with on or after 10 May 2002 and before end of day 02 June 2006: EIA Regulations promulgated in terms of the ECA, Act No 73 of 1989, as amended and are still listed in terms of 2010 Regulations.	
Listed Activity(ies)	Details of Activity(ies)

Table 3:

NEMA EIA Contraventions: Between 03 June 2006 and before end of day 01 August 2010	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 (as amended) after 03 July 2006 and ended 01 August 2010	
Government Notice No. R386 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No. R387, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA

Table 4:

NEMA EIA Contraventions: From 02 August 2010 and before end of day 7 December 2014	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/after 02 August 2010 and ended 7 December 2014	
Government Notice No. R544 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No. R545, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
Government Notice No. R546, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA

Table 5:

NEMA EIA Contraventions: From 08 December 2014 and before end of day 6 April 2017	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 08 December 2014 and ended 6 April 2017	
Government Notice No. R983 Activity No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No. R984, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
Government Notice No. R985, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA

Table 6:

NEMA EIA Contraventions: From 07April 2017	
Activities unlawfully commenced with in terms of the NEMA, Act No 107 of 1998 on/ after 07 April 2017	
Government Notice No. R983, as amended, Activity No(s):	Details of Activity(ies) requiring Basic Assessment
14	<p><i>"The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres."</i></p> <p>The Asphalt Plant has the capacity to store approximately 296 000 L dangerous goods on site in the form of diesel (1 × 23 000L tank), Paraffin (1 × 23 000 L tank), bitumen (approximately 204 000 L) and Heavy Fuel Oil (HFO) (2 × 23 000L tanks).</p>
<p>Please note that the above-mentioned activity is the only activity commenced with. A letter was issued by the Ehlanzeni District Municipality (Competent Authority for the Atmospheric Emission License) exempting the facility from complying with the provisions of Chapter 5 of NEM:AQA, because the facility is currently a mobile, temporary emitter that was planned to operate on the site for less than 2 years.</p> <p>However, the applicant intends to tender for more road construction projects in the area and would in this case need to extend the operating period of the Asphalt Plant. Therefore, application for an AEL will also be lodged and the following activity also needs to be applied for:</p>	
Government Notice No. R984, as amended, Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA
6	<p><i>"The development of facilities or infrastructure for any process or activity which requires a permit or license or an amended permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent"</i></p> <p>The applicant intends to tender for future road construction projects in the area and would like to extend the operating period of the Asphalt Plant for longer than 2 years (period of a temporary emitter). Therefore, an AEL needs to be applied for.</p>
Government Notice No. R985, as amended, Activity No(s):	Details of Activities that occurred in specific identified geographical areas only and requires a Scoping Report and EIA

National Environmental Management: Waste Act, 2009.

Table 7:

NEMWA Activity, 2009: From 03 July 2009 and before end of day 28 November 2013	
Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 03 July 2009 and ended 28 November 2013	
Government Notice No. 718 List of Waste Management Activities No(s):	Details of Activity(ies) requiring Basic Assessment
Government Notice No. 718 List of Waste Management Activity No(s):	Details of Activity(ies) requiring a Scoping Report and EIA

Table 8:

NEMWA Activity, 2009: From 01 July 2013 and before end of day 10 October 2017

Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 29 November and ended 10 October 2017	
Government Notice No. 921 List of Waste Management Activities No(s) Category A:	Details of Activity(ies) requiring Basic Assessment
Government Notice No. 921 List of Waste Management Activity No(s) (Category B):	Details of Activity(ies) requiring a Scoping Report and EIA

Table 9:

NEMWA Activity, 2009: From 11 October 2017	
Activities unlawfully commenced with in terms of the NEMWA, 2008 promulgated in terms of the NEMA, Act No 107 of 1998 on/after 11 October 2017	
Government Notice No. 921, as amended, List of Waste Management Activities No(s): Category A:	Details of Activity(ies) requiring Basic Assessment
Government Notice No. 921, as amended, List of Waste Management Activity No(s), (Category B):	Details of Activity(ies) requiring a Scoping Report and EIA

2. ACTIVITY DESCRIPTION

(Cross out the appropriate box "" and provide a description where required).

(a) Is/was the project a new development or an upgrade of an existing development?	<input checked="" type="checkbox"/> New	<input type="checkbox"/> Upgrade
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(b) Clearly describe the activity and associated infrastructure commenced with, indicating what has been completed, what still has to be completed and applicable commencement dates.

The site has an approximate footprint of 1.4 ha. However, no indigenous vegetation was cleared for the establishment of the Asphalt Plant, as the site is located on a Magnesite mine. Thus, the site was significantly disturbed prior to the establishment of the Asphalt Plant. The site falls within the Baberton Serpentine Sourveld and the Kaalrug Mountain Bushveld vegetation types. These vegetation types are not classified as Threatened according to the National List of Threatened Ecosystems (Notice 1477 of 2009) (National Environmental Management Biodiversity Act, 2004). The site is located approximately 250 m from a dam (also classified as a NFEPA artificial wetland). The Crocodile River is located approximately 3 km north of the site.

The Asphalt Plant has the capacity to store approximately 296 000 L dangerous goods on site in the form of diesel (1 × 23 000L tank), Paraffin (1 × 23 000 L tank), bitumen (approximately 204 000 L) and Heavy Fuel Oil (HFO) (2 × 23 000L tanks). All infrastructure related to the plant is already present on site. This includes temporary offices, ablution facilities, the Asphalt Plant, storage tanks for hazardous liquids and silos to store the product. Although the Asphalt Plant has been established on site for a while, it only started operation (producing asphalt) in the middle of August 2020.

The Asphalt Plant will operate 15 days a month, for 4 hours a day. Raw materials that are used in the production process include aggregate and bitumen. The product resulting from the production process is asphalt and it has a maximum production capacity of approximately 60 tons per hour and 3600 tons per month.

The basic operation includes the heating of raw aggregate and mixing this with hot bitumen to produce asphalt. Raw aggregate (60-65 t/h) gets feeded into cold feed bins and then transferred to a dryer bin where the aggregate is heated using a burner. The heated aggregate gets transferred into the tower unit where it is screened and separated and stored in different bins according to size. The aggregate gets weighed and discharged into the mixing unit where hot bitumen (3.2 t/h) is added. After mixing, the asphalt is ready to be discharged into silos to be stored or into trucks to be transported.

Key emissions generated during operation of the Asphalt Plant include NO_x, SO₂, CO, Volatile Organic Compounds (VOCs) and particulate matter. The main sources of emissions are the dryer, hot bins and mixer, but other sources also exist including the storage silos, truck loading and offloading areas, liquid storage tanks, oil heaters and yard emissions. However, baghouse filters (Nomex bags with a total filtering area of 530m²) are used in the Asphalt Plant to capture particulate matter from the process to prevent it from being dispersed into the atmosphere. The bag filter is attached to the drying drum. The bag filter provides a mechanical barrier to dust. It retains particulates and prevents solid particles from being released into the atmosphere. Only the finest particles reach the bag filter, as the larger particles are captured in the pre-collector. This particulate matter will be recycled into the process.

An exemption letter was issued (please refer to Appendix E) by the Ehlanzeni District Municipality (Competent Authority for the Atmospheric Emission License ("AEL")) exempting the facility from complying with the provisions of Chapter 5 of National Environmental Management: Air Quality Act ("NEM:AQA"), because the facility is currently a mobile, temporary emitter that was planned to operate on the site for less than 2 years. However, the applicant decided to tender for more road construction projects in the area after this exemption was granted and would in this case need to extend the operating period of the Asphalt Plant. Therefore, application for an AEL will also be lodged.

Dust suppression measures, such as spraying water on dirt roads and operational areas, are currently being implemented. Dust sampling is also done monthly to ensure compliance to national standards

(c) Provide details of all components of the activity and attach diagrams (e.g. architectural drawings or perspectives, engineering drawings, process flow charts etc.).

Buildings YES NO

Provide brief description:

All buildings present on site are temporary of nature. The Asphalt Plant will be removed at the end of the road construction/upgrade project for which it was established. The Plant was established for the upgrading of the N4 (MDC sections 11 and 12) from east of the Crocodile River to the Magnesite mine intersection. This project is expected to be completed by middle August 2021. However, if the applicant is granted the tender for phase 2 of the project, the new project will extend the operating time of the Plant by at least another 2 years. Thus, it is planned that the Asphalt Plant will be operational on site for at least another 3 years. The buildings present on site include the lab, site offices and a workshop. Infrastructure associated with the Asphalt Plant itself (storage tanks, bund walls ect.) it also present on site.

Infrastructure (e.g. roads, power and water supply/ storage) YES NO

Provide brief description:

The road on site was present before the commencement of the development. The road consists of soil and gravel. This road is also used by mining vehicles. Power for operational activities is gained from the Strathmore Mine. The applicant has an agreement with the mine to use some of their electricity for a monthly fee (based on the usage). The site also has a backup generator that uses diesel.

The applicant has permission from the Crocodile River Major Irrigation Board and Mthayiza Farming (Pty) Ltd to abstract water from the drainage water on the farm Mpata. Please refer to the attached letter in Appendix H. Drinking water for the site is collected in town (municipal water). This water is stored on site in tanks.

Processing activities (e.g. manufacturing, storage, distribution) YES NO

Provide brief description:

Asphalt production occurs in the Asphalt Plant. The basic operation includes the heating of raw aggregate and mixing this with hot bitumen to produce asphalt. Raw aggregate (60-65 t/h) gets feeded into cold feed bins and then transferred to a dryer bin where the aggregate is heated using a burner. The heated aggregate gets transferred into the tower unit where it is screened and separated and stored in different bins according to size. The aggregate gets weighed and discharged into the mixing unit where hot bitumen (3.2 t/h) is added. After mixing, the asphalt is ready to be discharged into silos to be stored or into trucks to be transported.

Storage facilities for raw materials and products (e.g. volume and substances to be stored)

Provide brief description YES NO

The Asphalt Plant has the capacity to store approximately 296 000 L dangerous goods on site in the form of diesel (1 × 23 000L tank), Paraffin (1 × 23 000 L tank), bitumen (approximately 204 000 L) and Heavy Fuel Oil (HFO) (2 × 23 000L tanks). These hazardous substances are stored in above-ground tanks that are bunded, located on an impermeable surface and that can contain 110% of the volume of the substance.

Raw aggregate is stored in stockpiles with an area of approximately 55 m × 24 m.

Storage and treatment facilities for solid waste and effluent generated by the project Yes No

Provide brief description

A skip and bins are present on site to store contaminated soil and/or waste (such as old oil rags). This contaminated soil and waste is removed by a contractor on a regular basis.

Bins for general waste is also present on site, which gets emptied at a registered landfill site on a regular basis. No effluent, except normal sewage is generated by the project. Portable chemical toilets are available on site. These toilets are cleaned by a contractor on a regular basis.

No treatment of waste or effluent takes place on site.

Other activities (e.g. water abstraction activities, crop planting activities)	Yes	X No
Provide brief description		

3. ACTIVITY NEED AND DESIRABILITY

Describe the need and desirability of the activity:	
The Asphalt Plant produces pre-mix asphalt for use in upgrading of the N4 (MDC sections 11 and 12) from east of the Crocodile River to the Magnesite mine intersection. This upgrade includes widening sections of the road from one lane to two lanes. This is expected to decrease the number of vehicle accidents on this portion of the N4. Thus, this benefits society directly by improving road safety. The project has also benefited society by providing local people with jobs. The project is also of national concern, as the N4 is a national road. Therefore, it was sensible to establish an Asphalt Plant in this location due to the proximity of the plant to the N4 road.	
Indicate the benefits that the activity has/had for society in general and also indicate what benefits the activity has/had for the local communities where it is located:	
<p>The Asphalt Plant benefits society and especially the local residents in the following manner:</p> <ul style="list-style-type: none"> • The development has a positive effect towards the area's infrastructure, as the pre-mix asphalt is used to upgrade the N4 road. • It also directly benefits society by improving road safety, through widening the road. • The socio-economic status of the area has been impacted positively as the development has provided local people with job opportunities. 6 local people were employed at the Asphalt Plant. In addition, 35 local people were employed for the road construction project. • Building material, services and products are obtained locally which contributes to the local economy. 	

4. PHYSICAL SIZE OF THE ACTIVITY

Indicate the physical spatial size of the activity as well as associated infrastructure (footprints):	14 000 m ²
Indicate the area that has been transformed / cleared to allow for the activity as well as associated infrastructure	14 000 m ²
Total area (sum of the footprint area and transformed area)	14 000 m ² (1.4 ha)

5. SITE ACCESS

Was there an existing access road?	X YES	NO
If no, what was the distance over which the new access road was built?	m	
Describe the type of access road constructed: [indicate the position of the access road on the site plan]		
The access road of the Strathmore Mine is used to gain access to the site.		

6. SITE PHOTOGRAPHS

Color photographs of the site and its surroundings (taken of the site and from the site), both before (if available) and after the activity commenced, with a description of each photograph must be attached to this application. The vantage points from which the photographs were taken must be indicated on the site plan, or locality plan as applicable. If available, please also provide past and recent aerial photographs. It should be supplemented with additional photographs of relevant features on the site. Date of photographs must be included. Photographs must be attached under Appendix D to this form.

7. APPLICABLE LEGISLATION, POLICIES AND/OR GUIDELINES

Please list all legislation, policies and/or guidelines that were or are relevant to this activity.

Legislation	Administering Authority	Type Permit/ license/ authorization/comment	Date (if already obtained):
National Environmental Management Amendment Act (Act No.62 of 2008)	Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs.	Authorisation	
National Water Act (Act No. 36 of 1998).	Mpumalanga Department of Water and Sanitation.	Comment	The site is located 250 m from a dam (also classified as a NFEPA artificial wetland). However, the site, as well as the wetland, is located on an active mining area.
National Water Act (Act No. 36 of 1998).	Inkomati Usuthu Catchment Management Agency	Comment	The site is located 250 m from a NFEPA wetland. However, the site, as well as the wetland, is located on an active mining area.
National Heritage Resources Act (Act No. 25 of 1999).	SAHRA Mpumalanga Provincial Heritage Resources Authority	Comment	Comments are attached in Annexure A.
National Environmental Management Air Quality Act (Act No. 39 of 2004) (" NEM:AQA ").	Ehlanzeni District Municipality	License	An exemption letter was issued by the Ehlanzeni District Municipality exempting the facility from complying with the provisions of Chapter 5 of NEM:AQA because the facility is a mobile temporary emitter that will operate on the site for less than 2 years.
POLICY/ GUIDELINES		ADMINISTERING AUTHORITY	

SECTION C: DESCRIPTION OF RECEIVING ENVIRONMENT

Site/Area Description

For linear activities (pipelines etc) as well as activities that cover very large sites, it may be necessary to complete copies of this Section for each part of the site that has a significantly different environment. In such cases please complete copies of Section C and indicate the area which is covered by each copy No. on the Site Plan.

Section C Copy No. (e.g. 1, 2, or 3):

1. GRADIENT OF THE SITE

Indicate the general gradient of the site(s) (cross out the appropriate box).

Flat	X Flatter than 1:10	1:10 – 1:5	Steeper than 1:5
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2. LOCATION IN LANDSCAPE

Indicate the landform(s) that best describes the site (cross out (“☒”) the appropriate box (es)).

Ridgeline	Side slope of ridge	Plain	Ridge	X Other
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If other, provide details.

The site is located on a small man-made plateau. This plateau is man-made due to mining activities.

3. GROUNDWATER, SOIL AND GEOLOGICAL STABILITY OF THE SITE

Is the site(s) located on or near any of the following [cross out (“☒”) the appropriate boxes]?

Shallow water table (less than 1.5m deep)	YES	X NO	UNSURE
Seasonally wet soils (often close to water bodies)	YES	X NO	UNSURE
Unstable rocky slopes or steep slopes with loose soil	YES	X NO	UNSURE
Dispersive soils (soils that dissolve in water)	YES	X NO	UNSURE
Soils with high clay content	YES	X NO	UNSURE
Any other unstable soil or geological feature	YES	X NO	UNSURE
An area sensitive to erosion	YES	X NO	UNSURE

If any of the answers to the above are “YES” or “UNSURE”, specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.

An Ecological and Wetland Assessment is attached in Appendix H.

4. SURFACE WATER

Indicate the surface water present on and or adjacent to the site and alternative sites (cross out (“☒”) the appropriate boxes)?

Perennial River	YES	X NO	UNSURE
Non-Perennial River	YES	X NO	UNSURE
Permanent Wetland	YES	X NO	UNSURE
Seasonal Wetland	YES	X NO	UNSURE
Artificial Wetland	X YES	NO	UNSURE

If any of the answers to the above are “YES” or “UNSURE”, specialist input may be requested by the Department. Information in respect of the above will often be available at the planning Sections of local authorities. Where it exists, the 1:50 000 scale Regional Geotechnical Maps prepared by Geological Survey may also be used.

According to the Ecological Assessment, “The Salt Creek runs past the Strathmore Magnesite Mine and it is dammed by the Strathmore Dam in the valley directly north-west of the mine”. The Asphalt Plant is located approximately 250 m from the Strathmore Dam. This dam is classified as a NFEPA Channelled valley-bottom Wetland. However, it is artificial in nature. “The Salt Creek is classified as a Seasonal Upper Foothill Stream”.

Although the project area is situated in an Ecological Support Area, the Salt Creek drainage line is not a significant tributary and “The Present Ecological State of the Salt Creek is rated as Largely Modified (Category D).”

“During the process of surveying the area for potential impacts, the possibility of a massive spill originating from the Asphalt Plant were considered. Should all safety measures in place fail and the spill discharged into the surrounding area, four different routes of flow were identified. Three of the 4 drainage lines transporting storm water flows from the Plant will not be able to reach the riverine environment. The fourth drainage line is secured by an existing “settling pool”, but there is still a slight chance that the spill might breach or overtop the pond wall. However, the pollutants have to flow over 663 m of absorbing soil and diverted by other smaller drainage lines in order to reach the Salt Creek.”

Therefore, the potential risk to the Salt Creek and Strathmore Dam is considered to be low (Deacon, 2020).

Please refer to the Ecological and Wetland Assessment in Appendix H.

5. VEGETATION AND GROUNDCOVER

5.1 VEGETATION / GROUNDCOVER (PRE-COMMENCEMENT, IF KNOWN)

Cross out (“”) the block or describe (where required) the vegetation types / groundcover present on the site before commencement of the activity.

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above:	Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above:	Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
<input checked="" type="checkbox"/> Bare soil The site was disturbed and cleared by mining activities prior to establishment of the Asphalt Plant.	Building or other structure	Sport field
Other (describe below)	Cultivated land	Paved surface

5.2. VEGETATION / GROUNDCOVER (POST-COMMENCEMENT)

Cross out (“”) the block or describe (where required) the vegetation types / groundcover present on the site after commencement of the activity.

Indigenous Vegetation - good condition	Indigenous Vegetation with scattered aliens	Indigenous Vegetation with heavy alien infestation
Describe the vegetation type above:	Describe the vegetation type above:	Describe the vegetation type above:
Provide ecosystem status for above:	Provide ecosystem status for above:	Provide Ecosystem status for above:
Indigenous Vegetation in an ecological corridor or along a soil boundary / interface	Veld dominated by alien species	Distinctive soil conditions (e.g. Sand over shale, quartz patches, limestone, alluvial deposits, termitaria etc.) – describe
<input checked="" type="checkbox"/> Bare soil X	<input checked="" type="checkbox"/> Building or other structure X	Sport field
Other (describe below)	Cultivated land	Paved surface
Please note: The Department may request specialist input/studies depending on the nature of the vegetation type / groundcover and impact(s) of the activity/ies.		

The Asphalt Plant is located on a mining area which was cleared of vegetation prior to the establishment of the Plant. However, a small copse of natural woodland is located adjacent to the Plant. This woodland falls under the Baberton Serpentine Sourveld (SVI 13) vegetation type which is classified as Vulnerable (Deacon, 2020). The site is also “surrounded by an Ecological Support Area buffer of 10 km (established for the Kruger National Park)”. However, the site “is situated on the Strathmore Magnesite mine footprint which is heavily modified by mining activities with practically zero intact natural habitat present. The plants observed in the grove were all common and local species, similar to the area surrounding the mining area. There are no threatened or rare species present” (Deacon, 2020).

Please refer to the Ecological and Wetland Assessment in Appendix H.

5.3 VEGETATION / GROUNDCOVER MANAGEMENT

Describe any mitigation/management measures that were adopted and the adequacy of these:

The site footprint was kept as small as possible (1.4 ha) while allowing adequate space for the development. The site was also established on a mining area which was already cleared and disturbed. Thus, no indigenous vegetation was disturbed.

6. LAND USE CHARACTER OF SURROUNDING AREA (PRE-COMMENCEMENT)

Cross out (“”) the block that reflects the past land uses and/or prominent features that occur/red within +/- 500m radius of the site and neighbouring properties if these are located beyond 500m of the site. Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and impact(s) of the activity/ies.

Untransformed area	Low density residential	Medium density residential	High density residential	Informal residential
Retail	Commercial & warehousing	Light industrial	Medium industrial	Heavy industrial
Power station	Office/consulting room	Military or police base/station/compound	Casino/entertainment complex	Tourism & Hospitality facility
Open cast mine X	Underground mine	Spoil heap or slimes dam	Quarry, sand or borrow pit	Dam or reservoir
Hospital/medical center	School	Tertiary education facility	Church	Old age home
Sewage treatment plant	Train station or shunting yard	Railway line	Major road (3 lanes or more)	Airport
Sport facilities	Golf course	Polo fields	Filling station	Landfill or waste treatment site
Plantation	Agriculture	River, stream or wetland X	Nature conservation area	Mountain or ridge
Museum	Historical building	Graveyard	Archaeological site	

Other land uses (describe):	
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7. REGIONAL PLANNING CONTEXT

Is/was the activity permitted in terms of the property's existing land use rights? Please explain

The property is zoned for mining use. However, the applicant has permission from the landowner to use a portion of the property for the Asphalt Plant (refer to Appendix C for the landowner agreement).

Is/was the activity in line with the following?

○ Provincial Spatial Development Framework (PSDF)	X YES	NO	Please explain
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One of the strategic objectives of the Mpumalanga PSDF is "Leveraging N4 corridor to facilitate regional and provincial connectivity". Another strategic objective is "Upgrading the existing corridors and building new linkages to increase capacity, economic opportunities and ensure connectivity to surrounding areas". These objectives include upgrading the N4 road, which is a very important national corridor and establishing access points on the N4 to allow sub-regional connectivity (Mpumalanga Spatial Development Framework 2019).

○ Urban edge / Edge of Built Environment for the area	YES	X NO	Please explain
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The development is located outside the urban edge of the local municipality.

○ Integrated Development Plan of the Local Municipality	X YES	NO	Please explain
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According to the Nkomazi Local Municipality IDP (2017-2021) the Nkomazi area has a strategically geographic location between northern Swaziland and the southwest of Mozambique. The area is linked with Mozambique through the national road, the N4, which forms part of the Maputo Corridor. Therefore, the upgrade and maintenance of the N4 road can be seen as an important project.

Furthermore, infrastructure upgrading, which includes the building of new roads, road maintenance and regravelling, forms part of the Nkomazi Local Municipality's Six Point Plan (Nkomazi Local Municipality IDP, 2017 – 2021).

○ Spatial Development Framework of the Local Municipality	X YES	NO	Please explain
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One of the key focus areas of the Nkomazi Local Municipality's SDF is the development of activity corridors and nodes that link with major growth centres.

○ Approved Structure Plan of the Municipality	X YES	NO	Please explain
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Infrastructure maintenance and development (which includes roads) is a key objective of the Nkomazi Local Municipality (Nkomazi Local Municipality IDP, 2017 – 2021).			
○ Any other Plans	YES	<input checked="" type="checkbox"/> NO	Please explain

8. SOCIO-ECONOMIC CONTEXT

8.1 SOCIO-ECONOMIC CONTEXT (PRE-COMMENCEMENT)

Describe the pre-commencement social and economic characteristics of the community in order to provide baseline information.

<p>The unemployment rate for the Nkomazi Local Municipality is 34.3 %. The share of population below the lower-bound poverty line was 58.4 % in 2017.</p> <p>In regard to schooling, 4 691 people have no schooling, while 20 703 people completed Grade 12 in 2016 (Nkomazi Local Municipality IDP (2018-2019)).</p>

8.2 SOCIO-ECONOMIC CONTEXT (POST-COMMENCEMENT)

Describe the post commencement social and economic characteristics of the community in order to determine any change.

<p>The Asphalt Plant has provided at least 6 local people with jobs for the duration of the project. This has a positive impact on the unemployment rate of the local municipality. In turn, this will also reduce the poverty rate and give 6 families the means to send their children to school. In addition, 35 local people were employed for the road construction project</p>
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9. CULTURAL/HISTORICAL FEATURES

Were there any signs or evidence (unearthed during construction) of culturally or historically significant elements including archaeological or paleontological sites, on or in close proximity to the site?	YES	<input checked="" type="checkbox"/> NO
	UNCERTAIN	
If YES, explain:		
If uncertain, the Department may request that specialist input be provided to establish whether such possibilities occurred on or close to the site.		
Briefly explain the findings of the specialist if one was already appointed:	<p>According to the Heritage Impact Exemption letter (van der Walt, 2020), the study area is of low heritage significance and has been impacted upon by the Magnesite Mine since the 1960's. Mining activities would have obliterated any indicators of heritage resources if any occurred in the study area. Therefore, it is unlikely that the Asphalt Plant impacted on any sites of significance and it is recommended that the</p>	

<p>project is exempted from a Heritage Impact Assessment or further mitigation work.</p> <p>According to the Paleontological Impact Exemption letter, the site is also paleontologically insignificant. The site is on ancient volcanic rocks, the Kaap Valley Granite, with the Tjakstad Subgroup (Onverwacht Group, Barberton Greenstone Belt). Neither of these rock types is fossiliferous because they are much too old and of the wrong type to preserve fossils. Therefore, there is no chance of finding any fossils in the Asphalt Plant site or immediate surroundings (Bamford, 2020).</p> <p>A Heritage Impact Exemption letter and Paleontological Impact Exemption letter is attached in Appendix H.</p>		
Were any buildings or structures older than 60 years affected in any way?	YES	NO X
Was it necessary to apply for a permit in terms of the National Heritage Resources Act, 1999 (Act 25 of 1999)?	YES	NO X
If yes, please submit or, make sure that the applicant or a specialist submit the necessary application to SAHRA or the relevant provincial heritage agency and attach proof thereof to this application.		

SECTION D: PRELIMINARY IMPACT ASSESSMENT

Please note, the impacts identified below refer to general impacts commonly associated with development activities. The list below is not exhaustive and may need to be supplemented. Where required, please append the information on any additional impacts to this application.

1. WASTE, EFFLUENT AND EMISSION MANAGEMENT

(a) Solid waste management

Did/does the activity produce any general waste (e.g. domestic-, commercial-, certain industrial waste, including building rubble also known as solid waste) during the construction phase and/or the operational phase?	X YES	NO
If yes, briefly describe what type of waste was produced (i.e. green waste, building rubble, etc.) in which phase.		
The activity did not produce any construction waste (e.g. construction rubble) as there was no existing infrastructure that was demolished. If any construction waste is generated in future, it will be used as filling material or be disposed of at the authorised landfill site of the local authority.		
Solid waste generated during the operational phase is in the form of general waste. Receptacles are available on site to collect any waste generated during the operational phase. Any other solid waste from the plant will be recycled in the process		
What quantity was/is produced during the construction period?		0m ³
What was/is the estimated quantity that will be produced per month during the operational phase?		25m ³
Did/does the activity produce any <u>hazardous</u> waste (e.g. chemical, medical waste, infectious, nuclear etc.) during the construction and/or the operational phase?	YES	X NO
If yes, briefly describe what type of waste was produced (i.e. infectious waste, medical waste, etc.) in which phase.		

What quantity was/is produced during the construction period?	m ³
What was/is the estimated quantity that will be produced per month during the operational phase?	m ³

Where and how was/is waste treated / disposed of (describe each waste stream)?	
General waste is disposed of at the authorised landfill site of the local authority.	
Has the municipality or relevant authority confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? If yes, provide written confirmation from municipality or relevant authority	YES X NO
Does/did the activity produce solid waste that was/will be treated and/or disposed of at another facility other than into a municipal waste stream?	YES X NO
If yes, did/has this facility confirmed that sufficient capacity exist for treating / disposing of the solid waste to be generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES NO
Did/does the facility have an operating license? (If yes, please attach a copy of the license.)	YES NO
Facility name:	
Contact person:	
Postal address:	
	Postal code:
Telephone:	Cell:
E-mail:	Fax:

(b) Effluent

Did/does the activity produce sewage and or any other effluent?	X YES	NO
Some sewage is produced by the activity through mobile chemical ablution facilities.		
What was/is the estimated quantity produced per month?	0.8	m ³ (800L)
Was/is the effluent treated and/or disposed of in a municipal system?	X YES	NO
If Yes, did/has the Municipality or relevant authority confirmed that sufficient unallocated capacity exist for treating / disposing of the sewage or any other effluent generated by this activity(ies)? Provide written confirmation from the Municipality or relevant authority.		
Pleaser refer to Appendix H for the letter from the municipality.		
Was/is any effluent produced be treated and/or disposed of on site?	YES	X NO
If yes, briefly describe the nature of the effluent and how it was/will be disposed of:		
Did/does the activity produce effluent that was/will be treated and/or disposed of at another facility?	YES	X NO
If yes, did/has this facility confirmed that sufficient capacity exist(ed) for treating / disposing of the liquid effluent generated by this activity(ies)? Provide written confirmation from the facility and provide the following particulars of the facility:	YES	NO

Does the facility have an operating license? (If yes, please attach a copy of the license.)	YES	NO
Facility name:		
Contact person:		
Postal address:		
	Postal code:	
Telephone:	Cell:	
E-mail:	Fax:	

Describe the measures that was/will be taken to ensure the optimal reuse or recycling of waste water, if any:
None

(c) Emissions into the atmosphere

Did/does the activity produce emissions that will be disposed of into the atmosphere?	X YES	NO
If yes, did/does it require approval in terms of relevant legislation? If yes, attach a copy to this application. Refer to Appendix E for the exemption letter. As indicated earlier in the application, an application for AEL will be submitted if EA is obtained.	X YES	NO
Describe the emissions in terms of type and concentration and how it was/will be treated/mitigated:		
<p>Key emissions generated during operation of the Asphalt Plant include NO_x, SO₂, CO, Volatile Organic Compounds (VOCs) and particulate matter. The main sources of emissions are the dryer, hot bins and mixer, but other sources also exist including the storage silos, truck loading and offloading areas, liquid storage tanks, oil heaters and yard emissions. However, baghouse filters (Nomex bags with a total filtering area of 530m²) are used in the Asphalt Plant to capture particulate matter from the process to prevent it from being dispersed into the atmosphere. The bag filter is attached to the drying drum. The bag filter provides a mechanical barrier to dust. It retains particulates and prevents solid particles from being released into the atmosphere. Only the finest particles reach the bag filter, as the larger particles are captured in the pre-collector. This particulate matter will be recycled into the process.</p> <p>According to the Atmospheric Impact Report, "The impact of modelled dustfall and ambient concentrations of PM_{2.5}, SO₂, CO and BTEX are well below the respective national dust regulations and health-based ambient air quality standards and guidelines. No exceedance of the respective standards or guidelines are predicted within the site or in areas around the site." (uMoya-NILU Consulting, 2020).</p> <p>Please refer to the Atmospheric Impact Report in Appendix H.</p> <p>An exemption letter was issued (please refer to Appendix E) by the Ehlanzeni District Municipality (Competent Authority for the AEL) exempting the facility from complying with the provisions of Chapter 5 of NEM:AQA because the facility is currently a mobile temporary emitter that was planned to operate on the site for less than 2 years. However, the applicant decided to tender for more road construction projects in the area after this exemption was granted and would in this case need to extend the operating period of the Asphalt Plant. Therefore, application for an AEL will also be lodged.</p> <p>An air emission monitoring programme will be implemented to verify compliance to the air emission standards in terms of the NEM:AQA. A dust monitoring programme is already in place on site.</p>		

(d) Describe any mitigation/management measures that were adopted and the adequacy of these:

Baghouse filters are used in the Asphalt Plant in order to limit emissions into the atmosphere. A dust monitoring programme is also in place on site. Four dust buckets are present on site (one at each border of the
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site) and dust samples are collected once a month and sent for analysis to ensure that the project complies with Dust Regulations.
 Bins are present on site for the collection of general waste. These bins are emptied on a regular basis.
 Storm water management measures (in the form of sand berms) are implemented on site in order to prevent erosion and contamination of nearby water sources.

2. WATER USE

(a) Please indicate the source(s) of water for the activity by crossing out (“X”) the appropriate box(es)

X Municipal	X Water Board	Groundwater	River, Stream, Dam or Lake	Other	The activity did/does not use water
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If water was/is extracted from a groundwater source, river, stream, dam, lake or any other natural feature, please indicate the volume that was/is extracted per month: m³

Please provide proof of assurance of water supply eg. letter of confirmation from Municipality/water user associations, yield of borehole etc. **The applicant has permission from the Crocodile River Major Irrigation Board and Mthayiza Farming (Pty) Ltd to abstract water from the drainage water on the farm Mpata. Please refer to the attached letter in Appendix H.**

Drinking water for the site is collected in town (municipal water).

Did/does the activity require a water use permit / license from DWAF? If yes, attach a copy to this application	YES	X NO
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If yes, please submit the necessary application to Department of Water Affairs and Forestry and attach proof thereof to this application.

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

Storm water management measures (in the form of sand berms) are implemented on site in order to prevent contamination of water sources from runoff from site.

No water will be abstracted from any water sources without a Water Use License.

3. POWER SUPPLY

(a) Please indicate the source of power supply eg. Municipality / Eskom / Renewable energy source.

The Asphalt Plant has an agreement with the Strathmore Mine to use some of their electricity. The applicant pays the mine a monthly fee based on the usage for the month. The Asphalt Plant also has a backup generator.

Has the Municipality or relevant service provider confirmed that sufficient electricity capacity (i.e. generation, supply and transmission) exist for activity(ies)? If yes, provide written confirmation from Municipality or relevant service provider. Please refer to the Lease Agreement attached in Appendix H.	X YES	NO
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If power supply was/is not available, where was/is it sourced from?

The Asphalt Plant has an agreement with the Strathmore Mine to use some of their electricity. The applicant pays the mine a monthly fee based on the usage for the month. The Asphalt Plant also has a backup generator

(b) Describe any mitigation/management measures that were adopted and the adequacy of these:

Energy saving light bulbs are used as far as possible to conserve electricity.

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4. ENERGY EFFICIENCY

(a) Describe the design measures, if any, that have been taken to ensure that the activity is energy efficient:

The use of fuel for the activity will be regulated in order to ensure that the energy use is limited, yet efficient.

(b) Describe how alternative energy sources have been taken into account or been built into the design of the activity, if any:

No alternative energy sources are used for the activity.

5. NOISE IMPACTS

(a) Did/does the activity result in any noise impacts?

X	NO
YES	

If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

Some noise is generated from the Asphalt Plant itself and from the trucks loading and hauling the aggregate and asphalt.

However, the plant is located approximately 6.5 km away from the nearest town. The site is also located on an active mining area.

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential noise impact(s) of the activity/ies.

6. VISUAL IMPACTS

(a) Did/does the activity result in any visual impacts?

YES	X NO
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If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

The Asphalt Plant is located on an active mining area which is not located near any public roads or residential areas.

(b) Did/does the activity result in potential lighting impacts at night?

YES	X NO
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If yes, please describe and indicate the measures implemented to mitigate and manage these impacts?

(c) Were/are there any alternatives available to address this impact?

YES	X NO
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If yes, please describe these alternatives?

Please note: The Department may request specialist input/studies depending on the nature of the land use character of the area and potential visual impact(s) of the activity/ies.

7. SOCIO-ECONOMIC IMPLICATIONS OF THE ACTIVITY

(a) What was/is the expected capital value of the activity on completion?	Asphalt Plant: R 30 Million Contract: R 270 Million	
(b) What was/is the expected yearly income or contribution to the economy that will be generated by or as a result of the activity?	R 600 000	
(c) Did/does the activity contribute to service infrastructure?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
(d) How many permanent new employment opportunities were created?	No permanent employment opportunities. 6 Employment opportunities at the Asphalt Plant were created for the life of the project.	
(e) What was/is the expected current value of the employment opportunities to date?	R 28 000 4 Employees were only employed on 11 August 2020	
(f) What percentage of this accrued to previously disadvantaged individuals?	100%	

How was (is) this (to be) ensured and monitored (please explain):
The applicant will ensure this through pays lips and payment certificates. The Project Liaison Committee provides the applicant with possible candidates for employment.

8. PRELIMINARY IMPACT ASSESSMENT

Briefly describe the impacts (as appropriate), significance rating of impacts and significance rating of impacts after mitigation. This must include an assessment of the significance of all impacts. Please note: This is a preliminary impact statement. The Department may request specialist input/studies depending on the type and nature of the impact(s) of the activity/ies.

Possible Impacts	Significance rating of impacts after mitigation (Low, Medium, Medium-High, High, Very High):
Loss of vegetation and topsoil	Low
Loss of animal life	Low
Loss of potential to use land for other activities	Low
Contamination of surface and groundwater resources	Low
Contamination of soil	Low-Medium

Decreased ambient air quality	Low-Medium
Increased noise levels	Low
Accidental unearthing, damage and/or loss of heritage and/or paleontological resources	Low.
Negative visual impact on passing motorists	Low

Please refer to Appendix F for a complete Impact Assessment.

SECTION E: ALTERNATIVES

As part of this report, consideration must be given to alternatives that are/may have been possible had an environmental impact assessment been undertaken prior to the commencement of the activity. Please provide a detailed description of the alternatives (whether location, technology or environmental) that were/are possible in terms of this application.

Location Alternative:

One location alternative for the Asphalt Plant was identified. This site is located on Portion 141 of the farm Alkmaar 286, Nelspruit District. However, this location was decided against because of the environmental sensitivity of the site. This site is located in close proximity to numerous wetlands and river lines. This site has a high environmental sensitivity and the negative impacts of the Asphalt Plant on this site would have been too great, and therefore it was not considered further.

Design/Layout Alternative:

There is no feasible design/layout alternative for this project that will be/was assessed due to the following reasons:

The applicant has extensive knowledge and experience in the operation of the Asphalt Plant and the layout of the site is usually designed in a manner to allow the most efficient and safest way of operation, storage of goods and transportation of material to and product from the plant.

Technological Alternative:

As far reasonably possible, the best technology is utilised to limit and / or prevent impact on the environment. The type of tanks that are used for the storage of goods on site is of such nature as to minimise "breathing losses" into the atmosphere. All dangerous substances stored at the plant is stored in a bunded area which can contain 110% of the volume of the substance. An air emission monitoring program will be implemented to verify compliance to the air emission standards in terms of the NEM:AQA. A dust monitoring programme is already in place.

SECTION F: APPENDICES

The following appendices must be attached where appropriate:

Appendix	Cross out ("☒") the box if Appendix is attached
Appendix A: Location map	X
Appendix B: Site plan(s)	X
Appendix C: Owner(s) consent(s)	X

Appendix D: Photographs	X
Appendix E: Permit(s) / license(s) from any other organ of state including service letters from the municipality	X
Appendix F: Additional Impact Assessment Information	X
Appendix G: Report on alternatives	X
Appendix H: Any Other (describe)	X
Annexure A: Forms and Preliminary Public Participation	X

SECTION G: DECLARATIONS

G1: Declarations of the EAP

1. The Independent Environmental Assessment Practitioner

I, _____ declare under oath that I –

- a. act as the independent environmental assessment practitioner in this application ;
- b. do not have and will not have any financial interest in the undertaking of the activity, other than remuneration for work performed in terms of the S24G of the National Environmental Management Act, read together with the relevant Environmental Impact Assessment Regulations;
- c. do not have and will not have a vested interest in the proposed activity proceeding;
- d. have no, and will not engage in, conflicting interests in the undertaking of the activity;
- e. undertake to disclose, to the competent authority, any material information that has or may have the potential to influence the decision of the competent authority or the objectivity of any report, plan or document required in terms of the S24G of the National Environmental Management Act, read together with the Environmental Impact Assessment Regulations, 2014, as amended;
- f. will ensure that all documents will contain all relevant facts in respect of the application & that all documentation is distributed or made available to interested and affected parties. I will ensure that participation by interested and affected parties is facilitated in such a manner that all interested and affected parties will be provided with a reasonable opportunity to participate and to provide comments on documents that are produced for the rectification application.
- g. will ensure that the comments of all interested and affected parties are considered and recorded in reports that are submitted to the competent authority in respect of the application, provided that comments that are made by interested and affected parties in respect of a final report that will be submitted to the competent authority may be attached to the report without further amendment to the report;
- h. **will keep a register of all interested and affected parties that participated in a public participation process; and**
- i. **will provide the competent authority with access to all information at my disposal regarding the application, whether such information is favourable to the applicant or not.**

Signature of the environmental assessment practitioner:

Name of company:

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp:

G2: Declarations of the Applicant

2. The Applicant

I, _____, declare under oath that I -

- a. **am the applicant in this application;**
- b. **appointed the environmental assessment practitioner as indicated under G1 above to act as the independent environmental assessment practitioner for this application;**
- c. **will provide the environmental assessment practitioner and the competent authority with access to all information at my disposal that is relevant to the application;**
- d. **am responsible for complying with the directive or conditions of any environmental authorisation issued by the competent authority;**
- e. **understand that I will be required to pay an administration fine in terms of S24G (4) of the Act and that a decision in this regard will only be forthcoming after payment of such a fine; and**
- f. **hereby indemnify, the government of the Republic, the competent authority and all its officers, agents and employees, from any liability arising out of the content of any report, any procedure or any action for which the applicant or environmental assessment practitioner is responsible in terms of the Act.**

Signature of the applicant:

Name of company:

Date:

Signature of the Commissioner of Oaths:

Date:

Designation:

Official stamp (below):

ANNEXURE A TO THE SECTION 24G APPLICATION FORM

SECTION A: DIRECTIVE

Section 24G(1) of the National Environmental Management Act, 1998 (Act 107 of 1998) ("NEMA") provides that on application by a person who has commenced with a listed or specified activity without an environmental authorisation in contravention of section 24F(1); or a person who has commenced, undertaken or conducted a waste management activity without a waste management licence in terms of section 20(b) of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) ("NEM:WA") the Minister, the Minister responsible for mineral resources or the MEC concerned (or the official to which this power has been delegated), as the case may be, may direct the applicant to -

i	immediately cease the activity pending a decision on the application submitted in terms of this subsection	
ii	investigate, evaluate and assess the impact of the activity on the environment	
lii	remedy any adverse effects of the activity on the environment	
iv	cease, modify or control any act, activity, process or omission causing pollution or environmental degradation	
v	contain or prevent the movement of pollution or degradation of the environment	
vi	eliminate any source of pollution or degradation	
vii	compile a report containing -	
	aa	A description of the need and desirability of the activity
	bb	assessment of the nature, extent, duration and significance of the consequences for or impacts on the environment of the activity, including the cumulative effects and the manner in which the geographical, physical, biological, social, economic and cultural aspects of the environment may be affected by the proposed activity
	cc	description of mitigation measures undertaken or to be undertaken in respect of the consequences for or impacts on the environment of the activity
	dd	description of the public participation process followed during the course of compiling the how the issues raised have been addressed
	ee	an environmental management programme
	Provide such other information or undertake such further studies as the Minister, Minister responsible for mineral resources or MEC, as the case may be, may deem necessary.	

You are hereby provided with an opportunity to make representations on any or all of the abovementioned instruction, including where you are of the opinion that any of these instructions are not relevant for the purposes of your application, setting out the reasons for your assertion. Kindly note further that, after taking your representations into account, a final directive may be issued.

Please refer to Appendix H for the representations on the directives.

SECTION B: DEFERRAL

Section 24G(7) of the NEMA provides that if at any stage after the submission of an application it comes to the attention of the Minister, the Minister responsible for mineral resources or the MEC, that the applicant is under criminal investigation for the contravention of, or failure to comply with, section 24F(1) of the NEMA or section 20(b) of the NEM:WA, the Minister, Minister responsible for mineral resources or MEC may defer a decision to issue an environmental authorisation until such time as the investigation is concluded and-

- (a) The National Prosecuting Authority has decided not to institute prosecution in respect of such contravention or failure;
- (b) The applicant concerned is acquitted or found not guilty after prosecution in respect of which such contravention or failure has been instituted; or
- (c) The applicant concerned has been convicted by a court of law of an offence in respect of such contravention or failure and the applicant has in respect of the conviction exhausted all the recognised legal proceedings pertaining to appeal or review.

Kindly answer the following questions:

Are you, the applicant, being investigated for a contravention of section 24F(1) of the NEMA in respect of a matter that is not subject to this application and in any province in the Republic?	YES	<input checked="" type="checkbox"/> NO	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation, If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for the contravention of section 20(b) of the NEMWA in respect of a matter that is not subject to this application and in any province in the Republic?	YES	<input checked="" type="checkbox"/> NO	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			
Are you, the applicant, being investigated for an offence in terms of section 24F(1) of the NEMA or section 20(b) of the NEMWA in terms of which this application directly relates?	YES	<input checked="" type="checkbox"/> NO	UNCERTAIN
If yes provide details of the offence being investigated and authority conducting the investigation. If uncertain provide details of the activity or activities in relation to which you suspect you may be under investigation.			

If you have answered yes or uncertain to any of the above questions, you are hereby provided with an opportunity to make representations as to why the Minister, Minister responsible for mineral resources or MEC, as the case may be, should not defer the application as he or she is entitled to do under section 24G(7).

SECTION C: QUANTUM OF THE SECTION 24G FINE

In terms of section 24G(4) of the NEMA, it is mandatory for an applicant to pay an administrative fine as determined by the competent authority before the Minister, Minister responsible for mineral resource or MEC may take a decision on whether or not to grant an ex post facto environmental authorisation or a waste management licence as the case may be. The quantum of this fine may not exceed R5 million.

Having regard to the factors listed below, you are hereby afforded with an opportunity to make representations in respect of the quantum of the fine and as to why the competent authority should not issue a maximum fine of R5 million.

Please note that Part 1 of this section must be completed by an independent environmental assessment practitioner after conducting the necessary specialist studies, copies of which must be submitted with this completed application form.

Please also include in your representations whether or not the activities applied for in this application (if more than 1) are in your view interrelated and provide reasons therefore.

PART 1: THE IMPACTS OR POTENTIAL IMPACTS OF THE ACTIVITY/ACTIVITIES

Index: Socio Economic Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any negative socio-economic impacts	X
The activity is giving, has given, or could give rise to negative socio- economic impacts, but highly localised	
The activity is giving, has given, or could give rise to significant negative socio-economic and regionalized impacts	
The activity is resulting, has resulted or could result in wide-scale negative socio-economic impacts.	
Motivation:	
The activity has had a positive impact on the socio-economics of the area by providing 6 local people with jobs at the Asphalt Plant. In addition, 35 local people has been employed for the road construction project. Building material, services and products for the activity are also obtained locally which contributes to the local economy	

Index: Biodiversity Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any impacts on biodiversity	
The activity is giving, has given or could give rise to localised biodiversity impacts	X

The activity is giving, has given or could give rise to significant biodiversity impacts	
The activity is, has or is likely to permanently / irreversibly transform/ destroy a recognised biodiversity 'hot -spot' or threaten the existence of a species or sub -species.	
Motivation:	
<p>The Asphalt Plant is located on a mining area which was cleared of vegetation prior to the establishment of the Plant. However, a small copse of natural woodland is located adjacent to the Plant. This woodland falls under the Baberton Serpentine Sourveld (SVI 13) vegetation type which is classified as Vulnerable (Deacon, 2020). The site is also “surrounded by an Ecological Support Area buffer of 10 km (established for the Kruger National Park)”. However, the site “is situated on the Strathmore Magnesite mine footprint which is heavily modified by mining activities with practically zero intact natural habitat present.” (Deacon, 2020).</p> <p>The Asphalt Plant is also located approximately 250 m from the Strathmore Dam which forms part of the Salt Creek. This dam is classified as a NFEPA Channelled valley-bottom Wetland. However, it is artificial in nature.</p> <p>The potential risk to the Salt Creek and Strathmore Dam is considered to be low (Deacon, 2020).</p> <p>Please refer to the Ecological and Wetland Assessment in Appendix H.</p>	

Index Sense of Place Impact and 1 or Heritage Impact	Place an “X” in the appropriate box
Description of variable	
The activity is in keeping with the surrounding environment and I or does not negatively impact on the affected area's sense of place and /or heritage	X
The activity is not in keeping with the surrounding environment and will have a localised impact on the affected area's sense of place and/or heritage	
The activity is not in keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage	
The activity is completely out of keeping with the surrounding environment and will have a significant impact on the affected area's sense of place and/ or heritage.	
Motivation:	
<p>The Asphalt Plant is located on an active mining area. The site was cleared of vegetation and disturbed long before establishment of the Asphalt Plant. According to the Heritage Impact Exemption letter (van der Walt, 2020), the study area is of low heritage significance and has been impacted upon by the Magnesite Mine since the 1960's. Therefore, it is unlikely that the Asphalt Plant impacted on any sites of significance.</p> <p>According to the Paleontological Impact Exemption letter, the site is also paleontologically insignificant. Therefore, there is no chance of finding any fossils in the Asphalt Plant site or immediate surroundings (Bamford, 2020).</p>	

Please refer to the Heritage Impact Exemption letter and the Paleontological Impact Exemption letter in Appendix H.	
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Index Pollution Impact	Place an "X" in the appropriate box
Description of variable	
The activity is not giving, has not given and will not give rise to any pollution	
The activity is giving, has given or could give rise to pollution with low impacts,	X
The activity is giving, has given or could give rise to pollution with moderate impacts.	
The activity is giving, has given or could give rise to pollution with high impacts.	
The activity is giving, has given or could give rise to pollution with major impacts.	
Motivation:	
<p>The activity gives rise to some atmospheric emissions. However, according to the Atmospheric Impact Report, "The impact of modelled dustfall and ambient concentrations of PM2.5, SO2, CO and BTEX are well below the respective national dust regulations and health-based ambient air quality standards and guidelines. No exceedance of the respective standards or guidelines are predicted within the site or in areas around the site." (uMoya-NILU Consulting, 2020).</p> <p>The storage of hazardous substances can also lead to contamination of soil and water sources. However, all hazardous substances are stored in bunded areas with impermeable surfaces that can contain 110% of the volume of the substance. The potential risk to nearby water sources is also considered to be low (Deacon, 2020).</p> <p>Please refer to the Ecological and Wetland Assessment and the Atmospheric Impact Report in Appendix H</p>	

PART 2: COMPLIANCE HISTORY AND KNOWLEDGE OF THE APPLICANT	
Index: Previous administrative action (i.e. administrative enforcement notices) issued to the applicant in respect of a contravention of section 24F(1) of the National Environmental Management Act and/ or section 20(b) of the National Environmental Management Waste Act	Place an "X" in the appropriate box
Description of variable	
Administrative action was previously taken against the applicant respect the abovementioned provisions.	
No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	

Administrative action was not previously taken against the applicant in respect of the abovementioned provisions.	X
Explanation of all previous administrative action taken in respect of the above:	
Index: Previous Convictions in terms of section 24F (1) of the National Environmental Management Act and/or section 20(b) of the National Environmental Management Waste Act	Place an "X" in the appropriate box
Description of variable	
The applicant was previously convicted in terms of either or both of the abovementioned provisions.	
No previous administrative action was taken against the applicant but previous administrative action was taken against a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time when the administrative action was taken.	
The applicant has not previously been convicted in terms of either or both of the abovementioned provisions.	X
Explanation of all previous convictions in respect of the above:	
Index: Number of section 24G applications previously submitted by the applicant	Place an "X" in the appropriate box
Description of variable	
Number of section 24G applications previously submitted by the applicant	
No previous applications have been submitted by the applicant but a previous application(s) have been submitted by a firm(s) on whose board one or more of the applicant's directors sit or sat at the relevant time.	
No previous applications have been submitted by the applicant but the applicant sat on the board of a firm that previously submitted an application.	
No previous applications have been submitted by the applicant	X
Explanation in respect of all previous applications submitted in terms of section 24G:	

PART 3: APPLICANT'S PERSONAL CIRCUMSTANCES	
Index: Applicant's legal persona	Place an "X" in the appropriate box
Description of variable	
The applicant is a natural person.	
The applicant is a firm.	X
Describe the firm: The applicant is At-Road Construction (Pty) Ltd. At-Road Construction is a construction firm that specializes in road construction and maintenance services.	

Index: Any other relevant information that the applicant would like to be considered.
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Motivate and explain fully:

As mentioned before, the project is of national concern. The Asphalt Plant is also temporary in nature and will be removed once the road construction/maintenance project for which it was established and any other future projects in the area for which the applicant intends to tender is complete. It is expected that the Asphalt Plant will be operational on site for at least another 3 years.

NOTE: An explanation as to why the applicant did not obtain an environmental authorisation and/or waste management licence must be attached to this application.

Please refer to Appendix H for the explanation.

SECTION D: PRELIMINARY ADVERTISEMENT

When submitting this application form, the applicant must attach proof that the application has been advertised in at least one local newspaper in circulation in the area in which the activity was commenced, and on the applicant's website, if any.

The advertisement must state that the applicant commenced a listed or specified activity or activities or waste management activity or activities without the necessary environmental authorisation and/or waste management license and is now applying for ex post facto approval. It must include the following:

- the date;
- the location;
- the applicable legislative provision contravened; and
- The activity or activities commenced with without the required authorisation.

Interested and affected parties must be provided with the details of where they can register as an Interested and affected party and I or submit their comment. At least 20 days must be provided in which to do so.

This advertisement shall be considered as a preliminary notification and the competent authority may direct the applicant to undertake further public participation and advertising after receipt of this application form.

NOTE: Unless protected by law, all information contained in and attached to this application form may become public information on receipt by the competent authority. This application must be attached to any documentation or information submitted by the applicant further to section 24G(1).