



**Alta van Dyk
Environmental**

Regulation 31 Amendment Process to Correct the Heights of Waste Rock Disposal Facilities (W01, W07, RS3, East & West WRD) at Mogalakwena Mine Complex, Limpopo Province

Background Information Document

INTRODUCTION

Notice is given in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations (2014), as amended, of the National Environmental Management Act (Act No. 107 of 1998) (NEMA), that Anglo American Platinum Limited: Rustenburg Platinum Mines' (AAP-RPM) Mogalakwena Mine Complex intends to undertake a Regulation 31 Amendment process in order to amend the heights of the Waste Rock Disposal Facilities as previously approved by the Department of Mineral Resources and Energy DMRE (Reference: LP 30/5/1/2/3/2/1 (050) EM). As part of this process, the existing approved Environmental Management Programme (EMPr) will be updated and aligned with this Regulation 31 Application.

BACKGROUND

Mogalakwena Mine Complex is a wholly owned subsidiary of AAP-RPM. The mine is located approximately 30 km north west of the town of Mokopane, within the Mogalakwena Local Municipality under the jurisdiction of the Waterberg District Municipality in the Limpopo Province. The Mogalakwena Mine Complex comprises of the following key infrastructure:

- Five open pit mining areas;
- Five WRD facilities;
- North and South concentrators which are ore processing plants; and
- Vaalkop and Blinkwater Tailing Storage facilities.

PURPOSE OF THE BACKGROUND INFORMATION DOCUMENT

The objective of this Background Information Document (BID) is to inform all Interested and Affected Parties (I&APs) of the proposed amendment. This document therefore includes the following:

- Background and description;
- An overview of the environmental regulatory processes which will be undertaken in accordance with the South African legislation; and
- Details of the Public Participation Process (PPP) and how I&APs can become involved.

LOCALITY

The Mogalakwena Mine Complex is situated on Portion 0 of the Farm Zwartfontein 818 LR, Portion 0 of the Farm Overysel 875 LR, Portion 0 of the Farm Sandsloot 236 KR, and Portion 0 of the Farm Vaalkop 819 LR. The WRD Facilities are situated within the Mogalakwena Mine Complex Mining Right and Surface Right Area. A project locality map is provided overleaf (**Figure 1**). Details of property ownership is provided in **Table 1**.

LOCALITY MAP

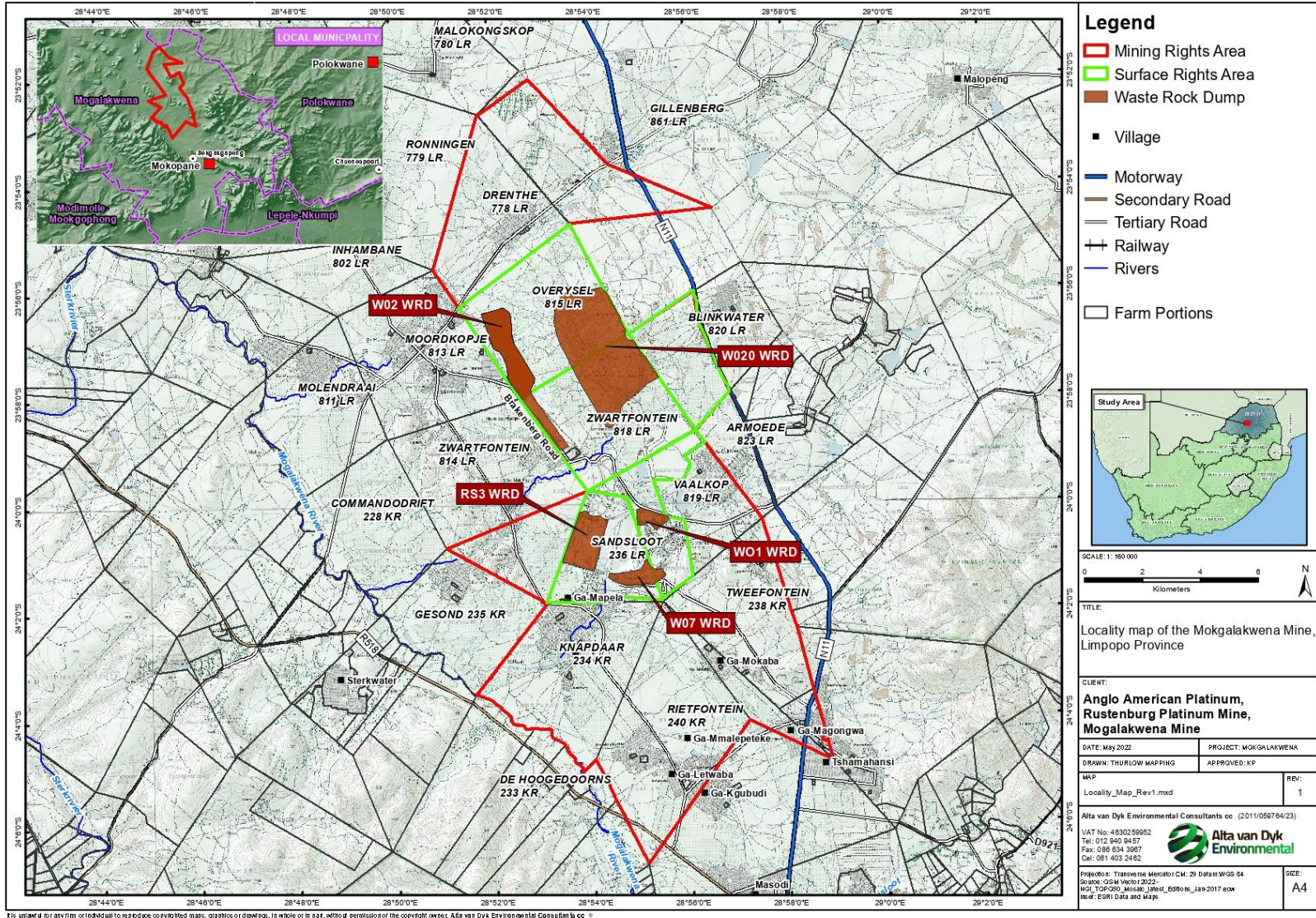


Figure 1: Locality Map showing the Waste Rock Disposal Facilities that form part of the EMP Amendment process

Table 1: Property details of WRD facilities that require a height amended

WRD Facility	Property Description	Property Owner
WRD01	Portion 0 of the Farm Zwartfontein 818 LR	Held in Trust by the National Government of the Republic of South Africa on behalf of the Mapela Traditional Authority Mogalakwena Mine holds a surface lease over the property. Mogalakwena Mine is the Mining Rights Holder..
East WRD (WRD020)	Portion 0 of the Farm Overysel 875 LR	
West WRD (WRD02)	Portion 0 of the Farm Overysel 875 LR	
WRD07	Portion 0 of the Farm Sandsloot 236 KR Portion 0 of the Farm Vaalkop 819 LR	Held in Trust by the National Government of the Republic of South Africa on behalf of the Mapela and Mokopane Traditional Authority Held in Trust by the National Government of the Republic of South Africa on behalf of the Mapela Traditional Authority Mogalakwena Mine holds a surface lease over the property. Mogalakwena Mine is the Mining Rights Holder.
RS3	Portion 0 of the Farm Sandsloot 236 KR	Held in Trust by the National Government of the Republic of South Africa on behalf of the Mapela and Mokopane Traditional Authority Mogalakwena Mine holds a surface lease over the property. Mogalakwena Mine is the Mining Rights Holder.

PROJECT DESCRIPTION

Mogalakwena Mine Complex is in possession of a number of approved EMPs for the current operation. WRD Facilities W01 and W07 were approved to a height of 60m in the 1997 approved EMP, and WRD RS3 was similarly approved to a height of 60m in the 2001 approved EMP. WRD facilities East (WRD020) and WRD West (WRD02) were both approved to a height of 175m and 95m respectively based on the design drawings in the 2003 approved EMP.

In 2019, the approved EMPs were consolidated and amended as part of the Mogalakwena Expansion project. As part of the consolidation and amendment process, all approved EMPs were combined into one EMP which also then included the activities associated with the Expansion Project. This consolidation and amendment EMP was approved by the Department of Mineral Resources and Energy (DMRE) in August 2020.

Although the approved design heights of WRD East (WRD020) and WRD West (WRD02) were 175m and 95m respectively, the approved 2003 EMP had erroneously reflected their final heights as being 60m. These errors were unfortunately carried over into the 2020 approved EMP. In addition, as WRD Facilities W01 and W07 and RS3 exceed the approved 60 m heights. Mogalakwena Mine therefore wishes to correct these errors through a Regulation 31 Amendment process. The 2020 approved EMP will be updated and aligned with this Regulation 31 Application.

Details regarding the proposed amendments are included in **Table 2**.

Table 2: Proposed amendment of the WRD Heights

Waste Rock Disposal Facility	Approved Heights (m)	Current Average Undulating Height (m)*	Approved Footprint (ha)	Proposed Average Undulating Amendment Height (m)*
W01	60	82	42.28	82
W07	60	82	84.32	82
RS3	60	109	195.64	109
W020 (East)	60	135	1027	175
W02 (West)	60	92	385	95

*Average height is used due to topography differences that occur across the WRD facility

INDEPENDENCE OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Alta van Dyk Environmental Consultants cc (AVDE) has been appointed as the independent Environmental Assessment Practitioner (EAP) to prepare the required amendment application and conduct the associated public participation process.

APPLICABLE ENVIRONMENTAL LEGISLATION

National Environmental Management Act (Act 107 of 1998) and EIA Regulations (as amended)

The amendment process is underpinned by the legal provisions of NEMA, as amended. The Environmental Impact Assessment Regulations, 2014 (as amended) regulate applications relating to environmental authorisations and EMPs as well as amendments to these.

No additional infrastructure is associated with the proposed WRD height amendments. There will also be no increase in footprint. However, as the increase in height results in a change of scope and possibly the nature of existing impacts, the existing EMPr needs to be amended as per Regulation 31 of the EIA Regulations, 2014 (as amended) which states:

“An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or change in the nature of impact where such level or change in nature of impact was not - (a) assessed and included in the initial application for environmental authorisation; or (b) taking into consideration in the initial environmental authorisation; and the change does not, on its own, constitute a listed or specified activity.”

In light of the above, Mogalakwena Mine is following a Regulation 31/Part 2 Amendment process.

PUBLIC PARTICIPATION

Public Participation is a process that is designed to enable all Interested and Affected Parties (I&AP's) to voice their opinions and/or concerns which enables the Environmental Assessment Practitioner to evaluate all aspects of the proposed development, with the objective of improving the project by maximising its benefits while minimising its adverse effects. I&AP's includes all interested stakeholders, landowners, technical specialists and various relevant organs of state, who work together to produce better decisions.

The Draft Amended report and EMPr have been compiled and are available for a 30-day public comment period. Details of the availability of the report is as follows:

- Electronically on the AVDE website: <https://www.altavandykenvironmental.co.za/>; and
- Hardcopies are available at the facilities listed in Table 3.

Table 3: Facilities where hard copies of reports are available for public comment

Availability of Report	Address	Contact Person
Mapela Traditional Council Office	Stand 1, Fothane Village, Mapela	Mr Peter Nkosi Email: mapela-ta@outlook.com
Mokopane Traditional Council Office	Moshate, Mokopane	Ms Emily Nkogatse Email: emilynkogatse1@gmail.com
Mogalakwena Mine Social Performance Office	Mogalakwena Mine, South Concentrator	Mr Kgaotsang Ngoepe Email: Kgaotsang.Ngoepe@angloamerican.com

The report will be available for comment from **10 June to 11 July 2022**.

I&APs wishing to comment on the project or to be registered as an I&AP are requested to forward their comments (with reasons), no later than the **11 July 2022** to:

Kirthi Peramaul

Alta van Dyk Environmental Consultants cc

Tel number: 012 940 9457

Fax number: 086 634 3967

Postal Address: Postnet Suite #745, Private Bag X 1007, Lyttelton, 0140

Email: kirthi@avde.co.za

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REGISTRATION AND COMMENT FORM

To register as an I&AP, kindly complete this form and return it to:

Alta van Dyk Environmental Consultants cc
Postnet Suite 745, Private bag X1007, Lyttelton, 0140
Fax: 086 634 3967
Email: kirthi@avde.co.za

Personal Details

Title		First Name	
Surname		E-mail	
Telephone		Fax	
Organisation (If Applicable)		Capacity	
Physical Address		Postal Address	

Comments:

Are there any additional stakeholders who you should feel should be consulted with regards to the proposed project? Please provide their details.