

Response:

The Competent Authorities (CA) (Department of Mineral Resources and Energy KZN as well as the Department of Water and Sanitation KZN) will be the regulating authority. The local municipality environmental section is also mandated to handle environmental and health related issues.

Comment:

I read that the levels are compared to the National approved levels – however I did not move here to be exposed to average. I paid extra to live on a quite small holding out of town. Therefore, I want a study to be done to measure the noise here and it must remain the same.

Response:

The ambient noise levels were measured as part of the Noise Impact Assessment. The study was conducted according to the relevant legal requirements and relevant noise threshold levels were used to assess impacts on Noise Sensitive Receptors. Refer to Section 2 of this letter for a response regarding impacts related to noise generation.

Buffalo Coal Security Access Policy



1. **AIM**
The Policy provides for access control to all mine premises, thus prevention of unlicensed drivers, drivers under the influence of alcohol, and the prevention of mine property theft.
2. **SCOPE**
This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications ("Employees").
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver's license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the "normal" working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

From: nandi@certaca.co.za
To: [Trevor Hallatt](#)
Cc: "[janet.potgieter](#)"
Subject: Balgray Basic Impact Assessment
Date: Tuesday, 15 September 2020 19:01:23
Attachments: [2020_09_15 Comments on Balgray BAR specialist reports EMPr.pdf](#)
Importance: High

Dear Trevor

Please see attached our comments regarding the Balgray Adit for comment and inclusion in your report.

Please advise what the process is now? If I can request that you keep us updated on the progress.

Lastly, when do we have to submit our comments regarding the minutes of the meeting, which are still outstanding.

Kind Regards
Nandi

Nandi Zaloumis-Mitchell
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certa
CHARTERED ACCOUNTANTS

ZINOJU COAL (PTY) LTD
ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL

Name: Nandi and Jody Mitchell, Janet and Anthony Potgieter

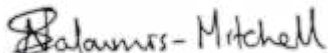
Address: 33a & 32 McPhail Drive, Dundee. 3000

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E-mail: nandi@certaca.co.za, janet@linky.co.za

Date: 15/09/2020

Signature: 

If you know of others who should be informed of this application, please provide us with their contact details:

Name:

Address:

Telephone/cell phone:

Fax:

E-mail:

ISSUES, CONCERNS AND QUESTIONS

1. Application process and license requirements

The application processes and licensing requirements are described in the public notification documents and the draft Basic Assessment Report (dBAR), including the section that deals specifically with the legislative and policy context. However, there are a number of aspects that do not make sense and require clarity:

- 1.1. If approval of an amendment to the EMPr is being sought in terms of S102 of the MPRDA as stated, then why isn't an amendment to the EMPr also being sought in terms of Regulation 54(2) read with Chapter 5 of the EIA Regulations, 2014 (as amended)?
- 1.2. It also does not make sense that the applicant is applying for a S102 amendment of the EMPr when even DMR's holds the view that this *"is not an amendment to the existing EMPr, but rather a new application"* as recorded in the minutes of the pre-application meeting of 31 May 2019.
- 1.3. It is also not clear how the mining right (301 MR) granted in 2013 includes the Balgray Project if the EIA and EMPr on which it is based was for Aviemore only and did not include Balgray Colliery. I see that at the same pre-application meeting, the DMR is recorded as saying that that the *"Balgray Project is not an expansion of existing infrastructure but rather a new development"*.

1.4. On page 7 of the dBAR the following is stated:

“The proposed surface infrastructure will also be located within the mining right area. However, some of the Balgray coal reserves fall outside the Aviemore mining right area (301 MR) under a separate prospecting right area (PR258) which is currently undergoing final adjudication to be granted a mining right (MR10083) – i.e. Aviemore North”

Regulation 11(3) of the EIA Regulations, 2014 (as amended) requires that all activities relating to the same development must be contained in the same application.

Please can you explain how and why the application for environmental authorisation for the Balgray surface infrastructure has been separated from the application for environmental authorisation for a substantial part of the associated underground mining activities, which is being applied for in a completely separate application and by another EAP? This will result in one mining operation (Balgray Colliery) being licensed and regulated under two (or three?) separate environmental authorisations, EMPRs and closure plans. Not only is this contrary to the 2014 EIA Regulations, but it also shows complete disregard for the Integrated Environmental Management objectives and basis of Chapter 5 of NEMA.

1.5. It is explained in the dBAR that Balgray is an “interim solution” that has come about as a stopgap between the completion of mining at Aviemore and the commencement of mining at Aviemore North. However, the applicant’s urgency, however it arose, cannot be used to circumvent due process – although smaller than the applicant’s current and future mining projects, Balgray is not a small project and will have significant adverse impacts on the environment and socio-economic conditions that need to be duly considered through the correct process/es.

1.6. Please can you explain why the disposal of waste rock into land (“in existing underground cavities of the previously mined out areas”) does not trigger a waste management activity and require a waste management licence under NEMWA? I also note that leachate testing was conducted which is only required for waste that is destined for disposal. This then seems to support that this is indeed a waste management activity that requires a licence.

1.7. In light of the above, it is hard to believe that this lack of transparency and clarity is not deliberate. In any event, the EAP has a legal duty to disclose all material information that may influence the decision or the requisite level of objectivity, regardless of whether this information is favourable or not to the application.

2. **Public participation process**

2.1. Apart from discussions with small holding residents by the social impact assessment specialist, all other specialist studies were completed without I&AP input and before the public participation process was undertaken. The dBAR was also prepared with very little prior input from I&APs.

Now that further public participation has been conducted, and I&APs have had an opportunity to better understand the project and its associated impacts, these specialist reports need to be updated and the BAR amended accordingly, and subjected to another round of public participation as per Regulation 19(1)(b). It is insufficient for I&AP comments to be included in a separate comments and response table only and the public participation process to be treated as a parallel checklist exercise.

The EAP needs to show how the I&AP comments are addressed in the BAR and specialist reports and this can only be shown if the dBAR and specialist studies are substantively amended. It would be wholly unconvincing and disingenuous for the EAP to hold to the DMR and I&APs that these reports pre-empted the majority of I&AP comments and that there was nothing raised by I&APs that required further consideration.

2.2. The DBAR and specialist studies also contain no evidence of comments having been obtained from the relevant authorities, especially the local and district municipalities, and the other organs of state, including those specified by the DMR in its acknowledgement letter of 27 February 2020, namely

Ezemvelo KZN Wildlife, Department of Human Settlements, Water and Sanitation, the National Department of Agriculture and Amafa.

Where these comments have been obtained subsequent to the dBAR being distributed for authorities' comment, they need to be incorporated into the BAR and possibly even the relevant specialist studies. Any significant changes or new information to the BAR or specialist reports as a result, will need to be subjected to a second round of public participation consistent with the approach discussed above.

- 2.3. The description of the project as the *"recommissioning of the Old Balgray colliery"* and *"proposed Refurbishment of the old Balgray adit"* is misleading. The old Balgray Colliery was abandoned in the late 1960s and the proposed extensive underground mining activities of some 225 ha and surface infrastructure of 10.2 ha, which in itself is equivalent to 14 soccer fields in size, essentially comprise a new mining operation. As already mentioned, this was acknowledged at the pre-application meeting on 31 May 2020.

An independent EAP is required to *"perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application"*(Regulation 13) The information cannot be presented in away so as to downplay the magnitude or greenfields nature of this development.

- 2.4. According to the Department of Environmental Affairs 2017 Public Participation guideline in terms of NEMA S24J, *"advertisements must be placed in newspapers that will easily reach the intended audiences considering jurisdictions and boundaries within which the proposal or application falls and or will have an impact or interest"* and although *"legislation do not stipulate what language must be used when placing an advertisement, the person conducting PP must exercise insight and discretion and ensure that the language used allows for the facilitation of a PPP where all potential and RI&APs are provided with a reasonable opportunity to comment on an application and participate without unnecessary difficulty during the PPP"*.

Press advertisements were only published in 2 newspapers, both in English. Given that English is not the first language of many in the Dundee area, in fact the 2011 Census recorded that isiZulu is by far the dominant language (79% of residents), it is felt that due diligence was not done in the PPP as many were excluded.

Further, in the application for environmental authorisation dated 2 August 2019, and accepted by the DMR on 27 February 2020, the applicant undertook to erect site notices and publish the newspaper advertisement in both English and isiZulu. As mentioned, the BAR only refers to the two advertisements, both published in English and the copies of the site notices, newspaper advertisements and background information document contained in Appendix B of the dBAR are also only in English.

- 2.5. The draft BAR and IWWMP were only made available electronically. This too is very exclusive as it assumes that all IAPS will have access to internet to download or view this, which is unlikely to be the case in a farming town such as Dundee and with such a significant rural population without access to these highly technical reports. Again, these documents were only made available in English and the public participation guideline requires that at least a summary of the BAR is provided in two other languages spoken in the area.

3. **Draft Basic Assessment Report dated 3 July 2020 (dBAR)**

- 3.1. **General comment:** as already mentioned, the dBAR was drafted without any meaningful input from I&APs, including State Departments and other relevant organs of state. It was also drafted on the strength of the specialists' findings which, apart from the Social Impact Assessment, were made without any such engagement, and therefore, have not taken I&APs comments into consideration. For this reason, we request that the BAR is revised and subjected to another public participation process of at least 30 days in terms of Regulation 19(1)(b) of the EIA Regulations, 2014.

3.2. **Legislative & policy context (Section 4)**

- 3.2.1. I have already questioned the application and licence requirements above.
- 3.2.2. The environmental regulations for mineral development under the MPRDA were repealed as of 27 March 2020, including Regulation 53 and 54.
- 3.2.3. There is no specific mention of the Financial Provisioning Regulations, 2015 and how these have been complied with.
- 3.2.4. There is no mention of the control and management of alien and invasive species in terms of NEMBA and CARA.
- 3.2.5. There is no mention of the various soil erosion and water management requirements under CARA or legislation governing veld fires.
- 3.2.6. There is no mention of the various waste management duties required in terms of NEMWA.
- 3.2.7. There is no reference to municipal by-laws.
- 3.2.8. There is no mention of S24J guidelines or other relevant guidelines that the EAP and specialists are required to apply to the EIA process, including but not limited to, the Mining and Biodiversity Guidelines, the 2017 Public Participation Guidelines and the 2017 Need and Desirability Guidelines.

3.3. **Need and desirability (Section 5):**

- 3.3.1. There is no evidence that the S24J Need and Desirability Guideline has been applied to the basic assessment process in general, nor to this prescribed section of the dBAR.
- 3.3.2. The contents of this section is one-sided as it only focuses on the importance of Balgray operations to Zinoju and the positive socio-economic impacts. It ignores the adverse impacts on the environment, local residents and society in general.
- 3.3.3. The EAP is required to perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application. For example, according to the BAR *"the proposed mining activity will create numerous positive socio-economic benefits including job creation and procurement of local goods and services and will stimulate the local economy"*. However, it is also stated that *"Balgray will be taking over from Aviemore and so the traffic will not increase along the route and in town as the production levels are the same"*. Based on this logic, the opening of Balgray would not create economic growth and jobs as promised, but would rather maintain the current level of employment. Furthermore, the LOM is only 5-6 years, meaning that job creation in the area would be relatively short-lived, whilst the negative environmental impacts of the project would likely last far longer.
- 3.3.4. There is no discussion on the compatibility of the project with municipal or biodiversity planning nor with relevant national policies and plans.
- 3.3.5. The discussion around the importance of coal to the South African economy relies on outdated authorities, some as old as 2010. Globally, the dependence of coal is decreasing for various reasons, including commitments to renewable energy, reducing greenhouse gas emissions and international climate change agreements to which South Africa is party.
- 3.3.6. There is no discussion of the contribution of coal mining to climate change or the impacts of climate change on coal mining and water availability which have become standard practice in EIA processes for similar projects.
- 3.3.7. In summary, the dBAR is defective as it does not consider the need and desirability of the project in terms of whether it is ecologically sustainable and socially and economically justifiable.

3.4. **Alternatives (Sections 6 & 7):**

- 3.4.1. While it accepted that some alternatives, such as site alternatives, are justifiably not feasible to consider further in an impact assessment for this coal mine, the other alternatives that have been

identified have simply been labelled as “not feasible” without proper motivation being given. Additional cost to the applicant is an insufficient reason and we thus request that a proper assessment is undertaken for alternatives such as the site layouts, routes for the access road, the borrow pit and the “no-go” option.

- 3.4.2. Appendix 1 which prescribes the contents of a BAR, requires that it must contain “*the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts*”. The dBAR does not comply with this requirement.
- 3.4.3. Another alternative that has not been identified but which should be included in the BAR, is the paving of the 1.9 km access and haul road linking the surface infrastructure to the provincial road P272 as an alternative. Only an unpaved option has been proposed.
- 3.4.4. The air quality impact assessment report identifies the main source of dust and highest risk for exceedances as being the vehicle-entrained dust from the access road. The recommended mitigation in the dBAR and EMPr is dust suppression using dirty water from the Pollution Control Dam. However, the potential impact of land and water contamination from such practice is simply not considered.
- 3.4.5. Paving the access road thus would significantly reduce dust emissions as well as avoid contamination of land adjacent to the road, which is used for grazing and the watercourse which runs through the site. For these reasons, this alternative needs to be assessed as part of the basic assessment and the findings reported in the dBAR.

3.5. **Air quality (dust)**

- 3.5.1. I am a resident at one of the small holdings which have been identified in the dBAR as sensitive receptors for dust and for which extra care is needed. It is also mentioned in the dBAR that there are currently no significant dust sources at the site. I also read that the dominant wind direction blows from a north easterly direction which is directly towards the small holdings located between 600m and just over 1 km from the mine surface infrastructure. The three main sources of the dust emissions have been identified as:

“the conveyor belt (continuous transport source), unloading material from the stockpile to trucks using front-end loaders and vehicle entrained dust from trucks driving on unpaved Roads. From these sources, the emission factor was the highest for the vehicle entrained dust.”
- 3.5.2. The air quality specialist found that “[d]ust from loading material from the ROM stockpile onto trucks, dust generated at the outlet of the conveyor belt and vehicle-entrained dust were assessed as “high” risk sources for nuisance dust and an environmental and health risk without mitigation” and through the impact assessment methodology, assesses the impacts resulting from dust to be negative and highly significant without any mitigation.
- 3.5.3. The same impacts are rated as being of low significance if the recommended mitigation measures are applied. These seem to be rational except I have a concern over the confidence rating assigned to the effectiveness of these mitigation measures. The rate is 0.4 which if I understand Section 10.2 of the BAR correctly, equates to approximately 60 % confidence that these measures will be effective. This considered to be wholly inadequate that there is a 40% chance the mitigation measures to reduce dust emissions to a bearable level for a possibly 8 year duration (construction and operation of the mine) may not be effective. This would be particularly problematic on dry windy days which are fairly common in the area.
- 3.5.4. What is also not included as a possible mitigation measure is paving the access road. I have already covered this under my comments on “alternatives” above. (This is also in accordance with the mitigation hierarchy espoused in the NEMA S2 principles, which promotes the avoidance of impacts over minimising and remediation. In addition to reduction in dust emissions, paving the access road will also prevent land and water contamination as water for dust suppression will not be required).
- 3.5.5. The risk of dust generation from borrow pit excavation does not appear to be addressed. This pit will be located 50m from people’s homes and thus any negative impact that its construction and

operation will have is of great concern and should be adequately assessed and adequate mitigation provided.

3.5.6. The potential impact of dust generation on fauna and flora has not been addressed. This is a major flaw as the full scale of potential impacts on the biodiversity of the area has not been assessed and the BAR thus underestimates or misrepresents the potential negative impacts of the mining activity.

3.5.7. Also not assessed is the impact of dust on the palatability of plants that are grazed by livestock and thus the decreased availability of this resource and further impacts on productivity and reduced income.

3.6. **Air quality (other substances)**

3.6.1. The only aspect of air quality addressed in the air quality specialist study is dust emissions. No mention is made of other emissions that could potentially be of concern, particularly greenhouse gas emissions such as CO₂ and methane.

3.6.2. Furthermore, it is known that fires are a potential hazard associated with underground mining, yet no mention is made of the air quality risk that could be posed by smoke generation should a fire occur. In fact, the risk of underground fire and the associated impacts are not addressed at all in the dBAR.

3.7. **Noise impacts**

3.7.1. Due to the proximity of our residence to the mine, I am obviously also concerned about noise pollution. I have several concerns about how the impact of noise on the small holdings in my neighbourhood were measured and assessed.

3.7.2. The two locations at which noise measurements were taken for ambient noise levels should not be considered representative of the noise levels in my neighbourhood where it is much quieter. Noise measurements therefore need to be taken at this third location in order to complete the noise impact assessment.

3.7.3. We don't accept the average daytime ambient sound level of 45 dBA to be applied to our area in order to set the acceptable rating level at less than 52 dBA for daytime noise levels for the mine. Likewise, we don't accept the typical night-time ambient sound levels of 35 dBA, allowing the mine to generate noise levels of up to 42 dBA at night-time. We and most of our neighbours specifically bought our properties because they are exceptionally quiet, especially at night time. Thus, typical averages shouldn't be applied and won't be accurate in terms of the actual noise impacts once the mine is operational.

3.7.4. Although there are a number of mitigation measures that the specialist recommends in order to reduce the significance rating of noise impacts to low, we note that their associated confidence rating is as low as 30%. From the table in the dBAR in Section 10.2, this appears to align with a low level of confidence in the mitigation measures" i.e. *[m]easures are either difficult or expensive to implement or are expected to have limited effectiveness in reducing the impact*". Thus, there is a strong possibility that the mine won't be able to mitigate the noise impacts to acceptable level.

3.7.5. What if the ventilation fans can't be modified or berms are not possible? The specialist report was completed in August 2019 which has given the applicant almost a year to commission further technical specialists to design or investigate the feasibility of such recommendations. We thus request that further information is provided in the dBAR that goes out for a second round of public comment.

3.7.6. It is also requested that far more effort be made in the dBAR to identify more certain mitigation measures to reduce noise impacts on local residents, including payment for modification to houses to insulate against noise.

3.7.7. We also reject the notion that 10 pm at night is considered to be day time – rather any operations after 6pm should be considered night time, especially in such a quiet area. Related to this, we request that reduced operating hours are implemented as a mitigation measure.

- 3.7.8. We further request that where mitigation is in effective, offsets for noise be considered, which could include compensation being paid to residents where their well-being and/or property values are negatively impacted by noise generated by mine for the duration of its construction and operational phases.
- 3.7.9. We also request that the finding of the noise monitoring events are made freely available to affected parties as a matter of course during construction and operation.
- 3.7.10. The potential impact of noise pollution on fauna has not been addressed. This is a major flaw as the full scale of potential impacts on the biodiversity of the area has not been assessed and the BAR thus underestimates or misrepresents the potential negative impacts of the mining activity.
- 3.7.11. The potential impact of noise on farm and other domesticated animals has also not been considered and should be.

3.8. **Blasting and vibration**

- 3.8.1. Although there is a technical report on blasting that it does not meet the requirements of a specialist report as per Appendix 6 of the EIA Regulations, 2014.
- 3.8.2. The dBAR seemingly only considered the impact of blasting on structures. The risk of underground blast vibration damage to the overburden rock is stated as being significantly low *“due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations”*. However, the dBAR does not go far enough to say how far from the mining area vibrations will be experienced. Will neighbouring residents feel any effects of blasting?
- 3.8.3. The technical report and the dBAR also do not consider the impact of blasting and vibrations on animals, especially the large numbers of animals kept locally on the farms and small holdings in the area, which are likely to be far more sensitive to vibrations than humans.

3.9. **Visual**

- 3.9.1. We are also concerned about the visibility of the mine and the impact this has on the sense of place of the area. I understand that the planting of trees is unlikely to provide the necessary screening as the lifespan of the mine (construction and operation) is predicted to be 6 – 8 years. We are also fortunate that our viewshed is partly shielded by a ridge and vegetation close to our residence.
- 3.9.2. However, we are concerned about light pollution at night. We see in Appendix 0 that 15m poles have been included for lighting. Given the elevated position of the mining operation on the hillside, the light pollution is likely to be even more prominent.
- 3.9.3. We also note that the confidence rating for the effectiveness of mitigation measures is 50 % which is not at all reassuring. Again, provision should made in the dBAR and EMPr for additional house-specific mitigation measures where the mitigation measures are not effective, also including offsetting (compensation) where all other reasonable mitigation measures fail.

3.10. **Socio-economic impacts**

- 3.10.1. The above nuisance impacts (dust, noise, blasting and visual) on the small holdings that are in close proximity to the mining activities will not only have an impact on our well-being but also our property values. While these impacts are covered to some degree in the respective specialist reports and the dBAR, they do not go far enough to come up with mitigation measures that can be achieved with confidence.
- 3.10.2. We thus request that the applicant, EAP and specialists be required to engage with local residents to come to an agreement on what is considered to be acceptable mitigation measures for the impacts that the mine will have on each of them site-specifically, and that this engagement be required before mining commences and not just left to a complaints process which has the potential to frustrates individuals further. The mine should not be allowed to externalise costs to be paid by society when it is generating profit from its activities.

3.11. Biodiversity impacts

- 3.11.1. The Balgray mining lease is partly situated within a Critical Biodiversity Area (CBA), as well as an Ecological Support Area (ESA). However, not enough explanation or clarity is provided in the dBAR about why these are classified as important areas or how they will be impacted by the mining. This therefore prevents I&APs from being fully informed about the activity and thus defeats the purpose of the BAR.
- 3.11.2. The ESA is an important biodiversity corridor. The mining lease cuts off this corridor, although the mine infrastructure does not. What would the impacts be if the mining operation did result in some sort of cut off to this corridor due to likely significant disturbances from mining and hauling operations?
- 3.11.3. Faunal surveys were conducted in autumn, which is a far from ideal time of year and likely contributed to the low biodiversity of amphibians and small mammals recorded. This underrepresentation of the area means that it has thus not been “fairly” assessed and should reassessed at an appropriate time of year and covering key seasonality aspects.
- 3.11.4. 24 birds, 7 mammals and 1 amphibian species of conservation concern are potentially present on site. This site is thus of conservation significance and should not be disturbed.
- 3.11.5. Invertebrates were not assessed at all in the study site; thus, the biodiversity of the area has not been comprehensively assessed. The following threats to fauna are identified:
- Avian: Habitat loss- what about impacts of air quality? Noise pollution? Decline in food availability?
 - Mammals: Disturbance, fire risk, road mortalities, loss of habitat- what about air quality and noise pollution? There is also undoubtedly an increased risk of poaching due to increase in people in area and this is not covered or addressed adequately in the reports
 - Reptiles: Habitat loss – same as the comment above
 - Amphibians: Pollution of aquatic habitats- same as the comment above
- 3.11.6. The threats identified are by no means comprehensive and it is thus felt that the identified level of risk associated with the mine is severely underestimated and misrepresented to the I&APs.

3.12. Impact on water resources and wetlands

- 3.12.1. Water quality has not been assessed in wetlands in the site, of which there are 3. Wetlands are globally recognised as one of the most significant, impacted and at risk habitats of all global biomes. See for example the key recent paper on this matter, and its relation to global freshwater biodiversity loss: Bending the Curve of Global Freshwater Biodiversity Loss: An Emergency Recovery Plan – Tickner et al. February 2020. A key extract from that paper, emphasis added:

Humans have caused widespread planetary change, ushering in a new geological era, the Anthropocene (a term first coined in the 1980s by Eugene F. Stoermer, a freshwater biologist). Among many consequences, biodiversity has declined to the extent that we are witnessing a sixth mass extinction (Ceballos et al. 2017). Recent discourse has emphasised the triple challenge of bending the curve of biodiversity loss (Mace et al. 2018) while also reducing climate change risks and improving lives for a growing human population. In 2020, governments will review international agreements relevant to this challenge, including the Convention on Biological Diversity (CBD) and the Sustainable Development Goals (SDGs). There is a brief window of opportunity now to set out recommendations that can inform these agreements and guide future policy responses.

Nowhere is the biodiversity crisis more acute than in freshwater ecosystems. Rivers, lakes, and inland wetlands (such as deltas, peatlands, swamps, fens, and springs) are home to an extraordinary diversity of life. Covering less than 1% of Earth's surface, these habitats host approximately one-third of vertebrate species and 10% of all species (Strayer and Dudgeon 2010),....

- 3.12.2. Hardness was never tested for in the groundwater sampling. Its relevance is that it has a significant impact on the pollution potential of AMD issues. A significant oversight on sampling.

- 3.12.3. In the freshwater assessment specialist study (Annexure 6), the map indicates that the CBA does not fall in the mine lease area, however in the BAR it shows that CBA does fall in the mine lease area. There is thus discrepancy between the reports and this raises issues regarding the quality and accuracy of work done, or at worst an attempt to prevent this significant fact entering into the realm of the I&AP knowledge. It raises concerns over whether the freshwater study was purposefully trying to misrepresent the conservation significance of the area. The failure of the EAP to detect this issue casts a shadow over the quality of work, and the thoroughness with which the specialist studies were analysed.
- 3.12.4. Mining takes place in relatively close proximity, at Aviemore Mine. No water quality data etc. is provided from this mine. Some data should be provided here to illustrate the potential impacts and thus allow I&APs to develop an informed opinion of the project.
- 3.12.5. No long-term water quality monitoring data is provided and this therefore prevents I&APs from assessing what the impacts of past mining may have been. Being fully aware of past mining impacts is crucial for I&APs to make an informed decision about the proposed mining activities. See earlier comments and references to AMD.
- 3.12.6. The potential impact of other sources known to pollute water, such as oil and grease, is not assessed. There is also no assessment of the impact of the proposed use of contaminated water from the pollution control dam for dust suppression along the access road.
- 3.12.7. The BAR states that upon closure of the mine the underground workings will be allowed to flood. This will likely negatively impact the groundwater quality into the future and has been inadequately covered by this study, and due to its significant risk. Acid Mine Drainage (AMD) is a known/recognised and significant water risk in this region. See for example scholarly articles on this subject and which highlight its risks to water resources, biodiversity, and human rights. See: Terence S. McCarthy (2011) – here http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0038-23532011000300002 and the SA Human Rights Commission <https://www.sahrc.org.za/home/21/files/AMD%20Booklet.pdf>
- 3.12.8. Past mining in the area has had a negative impact on the quality of groundwater in certain areas within the study site. Further mining will surely result in further degradation to the water quality, and thus pose a risk to the future use of water from this area following mine closure.
- 3.12.9. It is noted that a diversion berm will be placed upstream of the borrow pit to prevent flooding. The borrow pit will be located 50m from people's homes. Will this berm cause a risk of flooding to these homes? This does not look to have been adequately assessed.
- 3.12.10. The site falls within the V32E quaternary catchment. The main river for this catchment is the Buffalo River, the longest free-flowing river in KZN. Free-flowing rivers are regarded internationally as being worthy of protection and also recognised as such within national databases (see for example the Freshwater Ecosystem Priority Areas atlases and associated data <http://www.sasdi.net/metaview.aspx?uid=d0fec700e7e3c0168fce4f2a461720b4>). And then also http://biodiversityadvisor.sanbi.org/wp-content/uploads/2016/07/NFEPA_Implementation_Manual.pdf
- 3.12.11. The construction of a road-crossing over the Sterkstroom River could potentially lead to sedimentation and altered flows, and thus negative impacts on the Buffalo River.
- 3.12.12. Diatom sampling was never done as part of the baseline assessment. This is well recognised as a sensitive integrator of water quality and bioindicator of water quality changes.
- 3.12.13. The surface water quality sampling focused on a limited suite of parameters, namely pH, Conductivity, DO, Temperature, Sulphate, Aluminium, Iron and Manganese. Other determinands which could be impacted by future mining operations, such as turbidity and TDS are not measured. This provides a significant risk for future monitoring and assessment of impacts from the mine.
- 3.12.14. No macroinvertebrate sampling was done in the wetland study. No faunal surveys were done in the wetland survey, only a habitat assessment. It is therefore felt that the wetlands at the site have

not been sufficiently assessed. Again see cross reference to above points about water quality risks from the mining and also FEPA issues, etc.

3.13. **Land care and contamination**

- 3.13.1. There is no assessment of the risk of land contamination as a result of the proposed use of contaminated water from the pollution control dam for dust suppression along the access road.
- 3.13.2. We also request that the issue of subsidence as a result of the underground operations be addressed.

3.14. **Climate change**

- 3.14.1. As already mentioned under my comments on the Need and Desirability section of the dBAR, there is no identification or assessment of climate change impacts related to the mine apart from a very bare inclusion in the impact assessment table. This is considered to be insufficient for a development such as a coal mine, and particularly in South Africa where water resources are already compromised.

4. **Mitigation measures, conditions of environmental authorisation and the EMPr**

- 4.1. Any comments made with regard to impacts and mitigation measures equally apply to the EMPr.
- 4.2. We request that as a condition of environmental authorisation, the performance / environmental audit should be done every 6 months during construction and annually during operation. This frequency of audits should also be reflected in the EMPr.
- 4.3. We further request that as a condition of environmental authorisation, the applicant must establish and maintain monitoring committee comprising interested and affected parties, including local residents and local, provincial and national departments and other relevant organs of state.
- 4.4. This has become a standard condition in other licences and is an important vehicle for good communication and transparency where issues can be resolved relatively quickly with minimum frustration.
- 4.5. The details of how this monitoring committee is established and convened should be fleshed out in the EMPr. For example, the committee should be established prior to construction and should be convened twice a year with reasonable notice of not less than two weeks, at which key environmental issues should be presented and discussed, including the following:
- Complaints
 - Monitoring results– noise, water, air quality, biodiversity, crime, safety etc.
 - Performance audits / environmental audits
- 4.6. The EMPr does not fully comply with the requirements of Appendix 4 of the EIA Regulations. Such deficiencies include not differentiating between impact management outcomes and impact management actions, and not including the relevant components regarding financial provision for rehabilitation, in terms of the Financial Provisioning Regulations, 2015.

5. **Closure Plan (Appendix 18)**

- 5.1. The Closure Plan does not comply with the requirements of Appendix 5 of the EIA Regulations, 2014 in respect of the prescribed financial provision reporting requirements for the rehabilitation, closure and on-going post decommissioning management of negative environmental impacts as set out in the Financial Provisioning Regulations, 2015.

6. Revised dBAR

- 6.1. Should the draft BAR be subjected to public participation as we strongly believe it should be for reasons I have already stated, please can you differentiate the revised sections with a different colour text to facilitate I&APs review of this further document. This request also applies to the EMPr and any of the other appendices included as part of the dBAR.

7. Final BAR

- 7.1. Please can you provide registered I&APs with access to a complete copy of the final BAR, inclusive of the EMPr and appendices that is submitted to the DMR, again indicating the text that has been amended, in a different text colour for ease of reference. This is considered good practice and is increasingly being done by EAPs.

8. Concluding remarks

- 8.1. I reiterate that our main concerns pertain to the nuisance impacts that are very likely to adversely affect our well-being and the value of our property due to our proximity to the proposed mining operation. We specifically purchased our property because of the tranquil and relatively natural setting and therefore, anything that affects this environment, including the water resources, air quality and the biodiversity has a direct impact on our quality of life and our investment.
- 8.2. While we are appreciative that the dBAR and specialist studies have gone some way in identifying and addressing potential impacts, we submit that the issues and impacts we have raised above need to be addressed further by the specialists and EAP. This should include engaging directly with us and the other small holding residents.
- 8.3. The whole purpose of public participation after all is to ensure that decisions take into account the interests, needs and values of all interested and affected parties and the only way to do this in a meaningful way, is through proper engagement in good faith.
- 8.4. As per our submission, we are concerned about the effectiveness of the mitigation measures that have been proposed, and the residual impacts that are likely to persist even with mitigation measures in place.
- 8.5. We are also concerned that access to information and effective remedy needs to be easily accessible to I&APs during construction and operation which is why we are requesting that a monitoring committee be established and maintained by the applicant for the duration of its presence on site. If the mine is going to be a neighbour for at least 8 years, it should be a good neighbour.

We look forward to further meaningful engagement to ensure that impacts are adequately identified, assessed and mitigated but reserve our rights to appeal or take further action should our concerns be ignored.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 15 September 2020

Name of party: Nandi Mitchell and Janet Potgieter

Designation: Surrounding land owner

1. Application process and license requirements

The application processes and licensing requirements are described in the public notification documents and the draft Basic Assessment Report (dBAR), including the section that deals specifically with the legislative and policy context. However, there are a number of aspects that do not make sense and require clarity:

1.1 and 1.2 Comment:

If approval of an amendment to the EMPr is being sought in terms of S102 of the MPRDA as stated, then why isn't an amendment to the EMPr also being sought in terms of Regulation 54(2) read with Chapter 5 of the EIA Regulations, 2014 (as amended)?

It also does not make sense that the applicant is applying for a S102 amendment of the EMPr when even DMR's holds the view that this "is not an amendment to the existing EMPr, but rather a new application" as recorded in the minutes of the pre-application meeting of 31 May 2019.

Response:

Although situated on the Aviemore mining right, the Balgray project will have a separate EA and EMPr (which is normal practice) as confirmed with the DMRE. The existing Aviemore EMPr will therefore not be amended in terms of Section 102 of the MPRDA. This is also reflected in the final BAR.

1.3 Comment:

It is also not clear how the mining right (301 MR) granted in 2013 includes the Balgray Project if the EIA and EMPr on which it is based was for Aviemore only and did not include Balgray Colliery. I see that at the same pre-application meeting, the DMR is recorded as saying that that the "Balgray Project is not an expansion of existing infrastructure but rather a new development".

Response:

The proposed Balgray project is a development which falls within the Aviemore mining right area (301 MR) and the adit will be refurbished to access the coal reserve that is already in Zinoju Coal's resource statement. Although the infrastructure that will be established is not an expansion of the existing Aviemore infrastructure, it will be used to access the coal reserve included in the mining right. However, a separate BA must be conducted due to the fact that the project triggers activities listed in regulations published in terms of NEMA.

1.4 Comment:

On page 7 of the dBAR the following is stated:

"The proposed surface infrastructure will also be located within the mining right area. However, some of the Balgray coal reserves fall outside the Aviemore mining right area (301 MR) under a separate prospecting right area (PR258) which is currently undergoing final adjudication to

be granted a mining right (MR10083) – i.e. Aviemore North”

Regulation 11(3) of the EIA Regulations, 2014 (as amended) requires that all activities relating to the same development must be contained in the same application.

Please can you explain how and why the application for environmental authorisation for the Balgray surface infrastructure has been separated from the application for environmental authorisation for a substantial part of the associated underground mining activities, which is being applied for in a completely separate application and by another EAP? This will result in one mining operation (Balgray Colliery) being licensed and regulated under two (or three?) separate environmental authorisations, EMPRs and closure plans. Not only is this contrary to the 2014 EIA Regulations, but it also shows complete disregard for the Integrated Environmental Management objectives and basis of Chapter 5 of NEMA.

Response:

The Balgray project is a separate project from the North Adit and has been initiated due to the fact that the sections of the underground reserve associated with MR 10083 and MR 301 cannot be accessed from the northern side of the Mpati mountains due to geological constraints. Therefore, a separate application process was initiated for the Balgray project. The mining right for MR 10083 was executed on the 22nd of September 2020. The Balgray project will be managed by one set of EA, EMPr and closure plan.

1.5 Comment:

It is explained in the dBAR that Balgray is an “interim solution” that has come about as a stopgap between the completion of mining at Aviemore and the commencement of mining at Aviemore North. However, the applicant's urgency, however it arose, cannot be used to circumvent due process – although smaller than the applicant's current and future mining projects, Balgray is not a small project and will have significant adverse impacts on the environment and socio-economic conditions that need to be duly considered through the correct process/es.

Response:

A comprehensive Basic Impact Assessment and Water Use Licence Application is conducted to obtain the required authorisations for the proposed activities associated with the Balgray project according to the legal requirements for such processes.

1.6 Comment:

Please can you explain why the disposal of waste rock into land (“in existing underground cavities of the previously mined out areas”) does not trigger a waste management activity and require a waste management licence under NEMWA? I also note that leachate testing was conducted which is only required for waste that is destined for disposal. This then seems to support that this is indeed a waste management activity that requires a licence.

Response:

The material that will be placed in the underground working cavities will consist of roof sandstones which is required to be barred down from above the mined horizon making the working environment safe and will not be waste generated from the mined ore. This will only occur on limited occasions. All material that will be mined, including shales and sandstone bands, above, below and within the seam will be extracted and sent to be processed at the Coalfields processing site. The waste generated at the Coalfields site will be discarded at the licenced waste disposal site at Magdalena Colliery. There will not be a new waste disposal site

at the Balgray facility.

The leachate testing was conducted on the ore that will be extracted and temporarily placed at the product storage area. This was done to establish the liner requirements for the product storage area.

1.7 Comment:

In light of the above, it is hard to believe that this lack of transparency and clarity is not deliberate. In any event, the EAP has a legal duty to disclose all material information that may influence the decision or the requisite level of objectivity, regardless of whether this information is favourable or not to the application.

Response:

This comments is noted.

2. Public participation

2.1 Comment:

Apart from discussions with small holding residents by the social impact assessment specialist, all other specialist studies were completed without I&AP input and before the public participation process was undertaken. The dBAR was also prepared with very little prior input from I&APs.

Now that further public participation has been conducted, and I&APs have had an opportunity to better understand the project and its associated impacts, these specialist reports need to be updated and the BAR amended accordingly, and subjected to another round of public participation as per Regulation 19(1)(b). It is insufficient for I&AP comments to be included in a separate comments and response table only and the public participation process to be treated as a parallel checklist exercise.

The EAP needs to show how the I&AP comments are addressed in the BAR and specialist reports and this can only be shown if the dBAR and specialist studies are substantively amended. It would be wholly unconvincing and disingenuous for the EAP to hold to the DMR and I&APs that these reports pre-empted the majority of I&AP comments and that there was nothing raised by I&APs that required further consideration.

Response:

The public participation process is conducted according to the requirements of Chapter 6 of the EIA regulations. Comments received during the initial public consultation when the project was introduced prior to the BAR review period has been incorporated in the draft BAR submitted for comment. No substantial amendments to the draft BAR and specialist studies have been made during the commenting period. Comments received from the IAPs will be incorporated in the final BAR that will be submitted to the DMRE and distributed to the registered I&APs.

2.2 Comment:

The DBAR and specialist studies also contain no evidence of comments having been obtained from the relevant authorities, especially the local and district municipalities, and the other organs of state, including those specified by the DMR in its acknowledgement letter of 27 February 2020, namely Ezemvelo KZN Wildlife, Department of Human Settlements, Water and Sanitation, the National Department of Agriculture and AMAFA.

Where these comments have been obtained subsequent to the dBAR being distributed for

authorities' comment, they need to be incorporated into the BAR and possibly even the relevant specialist studies. Any significant changes or new information to the BAR or specialist reports as a result, will need to be subjected to a second round of public participation consistent with the approach discussed above.

Response:

Comments received from the IAPs, including those specified by the EA acknowledgement letter, will be incorporated in the final BAR that will be submitted to the DMRE and distributed to the registered I&APs. No substantial amendments to the draft BAR and specialist studies have been made.

2.3 Comment:

The description of the project as the "recommissioning of the Old Balgray colliery" and "proposed Refurbishment of the old Balgray adit" is misleading. The old Balgray Colliery was abandoned in the late 1960s and the proposed extensive underground mining activities of some 225 ha and surface infrastructure of 10.2 ha, which in itself is equivalent to 14 soccer fields in size, essentially comprise a new mining operation. As already mentioned, this was acknowledged at the pre-application meeting on 31 May 2020.

An independent EAP is required to "perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application" (Regulation 13) The information cannot be presented in a way so as to downplay the magnitude or greenfields nature of this development.

Response:

As already stated, the Balgray project falls within the existing mining right and will be used to access the coal reserve included in the Applicant's resource statement. The project will have a separate EA and EMPr as is normal practice for different activities/projects within a mining right. All information, including the footprint size, regarding the project has been communicated to the I&APs and assessments was conducted accordingly.

2.4 Comment:

According to the Department of Environmental Affairs 2017 Public Participation guideline in terms of NEMA S24J, "advertisements must be placed in newspapers that will easily reach the intended audiences considering jurisdictions and boundaries within which the proposal or application falls and or will have an impact or interest" and although "legislation do not stipulate what language must be used when placing an advertisement, the person conducting PP must exercise insight and discretion and ensure that the language used allows for the facilitation of a PPP where all potential and RI&APs are provided with a reasonable opportunity to comment on an application and participate without unnecessary difficulty during the PPP".

Press advertisements were only published in 2 newspapers, both in English. Given that English is not the first language of many in the Dundee area, in fact the 2011 Census recorded that isiZulu is by far the dominant language (79% of residents), it is felt that due diligence was not done in the PPP as many were excluded.

Further, in the application for environmental authorisation dated 2 August 2019, and accepted by the DMR on 27 February 2020, the applicant undertook to erect site notices and publish the newspaper advertisement in both English and isiZulu. As mentioned, the BAR only refers to the two advertisements, both published in English and the copies of the site notices, newspaper

advertisements and background information document contained in Appendix B of the dBAR are also only in English.

Response:

A newspaper advert translated in Zulu was placed in the New Castle Express on the 11th of August 2020 containing the relevant information regarding the Balgray project (Annexure A of this letter). Site notices translated in Zulu at different access points to the site on the 6th of August 2020 (Annexure B of this letter).

2.5 Comment:

The draft BAR and IWWMP were only made available electronically. This too is very exclusive as it assumes that all IAPS will have access to internet to download or view this, which is unlikely to be the case in a farming town such as Dundee and with such a significant rural population without access to these highly technical reports. Again, these documents were only made available in English and the public participation guideline requires that at least a summary of the BAR is provided in two other languages spoken in the area.

Response:

Hard copies of the BAR, specialist studies and IWWMP were placed at the Umzinyathi Community Education Centre during the review period and all I&APs were informed about the availability thereof. No requests were received to translate any information. The attendance register for the hard copies was actually signed by residents.

3. Draft Basic Assessment Report dated 3 July 2020 (dBAR)

3.1 Comment:

General comment: as already mentioned, the dBAR was drafted without any meaningful input from I&APs, including State Departments and other relevant organs of state. It was also drafted on the strength of the specialists' findings which, apart from the Social Impact Assessment, were made without any such engagement, and therefore, have not taken I&APs comments into consideration. For this reason, we request that the BAR is revised and subjected to another public participation process of at least 30 days in terms of Regulation 19(1)(b) of the EIA Regulations, 2014.

Response:

This comment has already been addressed.

3.2. Legislative & policy context (Section 4)

3.2.1 Comment:

I have already questioned the application and licence requirements above.

Response:

Noted

3.2.2 Comment:

The environmental regulations for mineral development under the MPRDA were repealed as of 27 March 2020, including Regulation 53 and 54.

Response:

Noted and incorporated in the final BAR.

3.2.3 Comment:

There is no specific mention of the Financial Provisioning Regulations, 2015 and how these have been complied with.

Response:

The Aviemore mining right was issued prior to 20 November 2015. The NEMA Financial Provision Regulations do provide for existing operations, prior to November 2015, to be deemed compliant with the Regulations if it complies with Regulation 53 and 54 of the MPRDA. However, recent amendments to the MPRDA Regulations repealed the relevant regulations pertaining to financial provisioning (Regulations 53 and 54 of the MPRDA) and as a result could affect the basis on which an existing holder complies with the revision of financial provision. Notwithstanding, an existing holder is considered to comply with the repealed regulations, although repealed is still considered to be enforced due to its existence in the NEMA Financial Provision Regulations.

An amendment to the Financial Provision Regulations promulgated in terms of the NEMA was gazetted on 17 January 2020 (Government Notice No. 24956) by the Department of Environmental Affairs ("DEA"). Essentially, the only change to the Financial Provisioning Regulations is to delay the implementation date for a further period and now requires a holder to comply with these regulations by no later than 19 June 2021.

Therefore, the Financial Provision Regulations will only apply once the transitional arrangements are in effect.

3.2.4 Comment:

There is no mention of the control and management of alien and invasive species in terms of NEMBA and CARA.

Response:

Although CARA is not mentioned in the legislative & policy context, the BAR and EMPr contain sufficient information regarding the management of Invasive Alien Species. The flora specialist study has also included extensive information regarding such species.

3.2.5 Comment:

There is no mention of the various soil erosion and water management requirements under CARA or legislation governing veld fires.

Response:

Although CARA or legislation related to veld fire are not mentioned in the legislative & policy context, the BAR, specialist studies and EMPr contain extensive information regarding the management of soil erosion and veld fires.

3.2.6 Comment:

There is no mention of the various waste management duties required in terms of NEMWA.

Response:

The waste act and related regulations and norms and standards is very extensive, but a short summary has been added to the final BAR. The measures included in the EMPr is in line with the requirements of the waste act.

3.2.7 Comment:

There is no reference to municipal by-laws.

Response:

Applicable bylaws have been Incorporated in the final BAR.

3.2.8 Comment:

There is no mention of S24J guidelines or other relevant guidelines that the EAP and specialists are required to apply to the EIA process, including but not limited to, the Mining and Biodiversity Guidelines, the 2017 Public Participation Guidelines and the 2017 Need and Desirability Guidelines.

Response:

The respective specialist studies have incorporated relevant legislation (regulations, laws, standards) and guidelines in the various reports.

3.3. Need and desirability (Section 5):**3.3.1 Comment:**

There is no evidence that the S24J Need and Desirability Guideline has been applied to the basic assessment process in general, nor to this prescribed section of the dBAR.

Response:

The guidelines are not legal requirements. However, the guidelines have been assessed and incorporated in the need and desirability section.

3.3.2 Comment:

The contents of this section is one-sided as it only focuses on the importance of Balgray operations to Zinoju and the positive socio-economic impacts. It ignores the adverse impacts on the environment, local residents and society in general.

Response:

The importance of the project to the local economy and communities is highlighted – not only for the Applicant. The environmental impacts are elaborated on in different sections of the BAR. However, a summary has been added to the need and desirability section.

3.3.3 Comment:

The EAP is required to perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application. For example, according to the BAR "the proposed mining activity will create numerous positive socio-economic benefits including job creation and procurement of local goods and services and will stimulate the local economy". However, it is also stated that "Balgray will be taking over from Aviemore and so the traffic will not increase along the route and in town as the production levels are the same". Based on this logic, the opening of Balgray would not create economic growth and jobs as promised, but would rather maintain the current level of employment. Furthermore, the LOM is only 5-6 years, meaning that job creation in the area would be relatively short-lived, whilst the negative environmental impacts of the project would likely last far longer.

Response:

The original planning was to run the Balgray project parallel to the Aviemore operations.

However, due to significant delays caused by i.e. the national lock down, this will not be possible as the resources of the current Aviemore mine will be depleted by mid-2022 and the jobs at the mine will be absorbed in the Balgray project. If the project does not proceed, all of these jobs (225 permanent employees) will be loss and the livelihood of these people and dependents will be depleted which will increase unemployment in the Dundee area. Approximately 25 direct additional temporary jobs will be created during the construction phase.

Moreover, if the project does not proceed the coal processing plant in the Dundee industrial area currently used to process coal from Aviemore will have to close down due to the mine not proceeding after 2022 and the Head Office will also close down. This will result in a further 250 job losses, with total job losses estimated at 606 employees (including contractors). Again, the Balgray project is a crucial project to prevent job losses and to protect the livelihoods of the employees as well as numerous dependents.

The Balgray project will also generate the required funds for the development of the North Adit project on the northern side of the Mpati Mountain which will retain the employees at the Balgray project and create additional 250 employment opportunities (total 500 people employed on a permanent basis). The North Adit project is planned to commence in 2025 after the required funds have been obtained from the Balgray project and the potential socio-economic benefits will already be achieved during this time. The North Adit project will have a lifespan of 13-15 years with additional resource potential. Therefore, the Balgray project is a stepping stone for a long-term strategy (>20 years) to create sustained employment for current and additional employees. All employees from the Balgray project will be moved to the North Adit project – no retrenchments anticipated at the end of the Balgray project.

The BAR has been updated to reflect this.

3.3.4 Comment:

There is no discussion on the compatibility of the project with municipal or biodiversity planning nor with relevant national policies and plans.

Response:

A description has been added to the final BAR.

3.3.5 Comment:

The discussion around the importance of coal to the South African economy relies on outdated authorities, some as old as 2010. Globally, the dependence of coal is decreasing for various reasons, including commitments to renewable energy, reducing greenhouse gas emissions and international climate change agreements to which South Africa is party.

Response:

The comment is noted. A need still exist for coal in the South African economy and other countries.

3.3.6 Comment:

There is no discussion of the contribution of coal mining to climate change or the impacts of climate change on coal mining and water availability which have become standard practice in EIA processes for similar projects.

Response:

The comment is noted. The mine itself will have no significant Green House Gas emissions, apart from exhaust emissions. Coal burning down the value chain has an impact on GHG emissions.

3.3.7 Comment:

In summary, the dBAR is defective as it does not consider the need and desirability of the project in terms of whether it is ecologically sustainable and socially and economically justifiable.

Response:

A description has been added to the final BAR regarding the environmental aspects.

3.4. Alternatives (Sections 6 & 7):**3.4.1 Comment:**

While it accepted that some alternatives, such as site alternatives, are justifiably not feasible to consider further in an impact assessment for this coal mine, the other alternatives that have been identified have simply been labelled as "not feasible" without proper motivation being given. Additional cost to the applicant is an insufficient reason and we thus request that a proper assessment is undertaken for alternatives such as the site layouts, routes for the access road, the borrow pit and the "no-go" option.

3.4.2 Comment:

Appendix 1 which prescribes the contents of a BAR, requires that it must contain "the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts". The dBAR does not comply with this requirement.

Response:

The alternatives identified were not feasible for various reasons as described in the BAR and was not further assessed due to the impracticability, viability or environmental constraints. No alternatives were therefore further assessed. This is similar to a scoping process during a full Environmental Impact Assessment where alternatives are scoped out due to various reasons and the alternatives that remain are assessed during the EIA phase of the process.

3.4.3 Comment:

Another alternative that has not been identified but which should be included in the BAR, is the paving of the 1.9 km access and haul road linking the surface infrastructure to the provincial road P272 as an alternative. Only an unpaved option has been proposed.

3.4.4 Comment:

The air quality impact assessment report identifies the main source of dust and highest risk for exceedances as being the vehicle-entrained dust from the access road. The recommended mitigation in the dBAR and EMPr is dust suppression using dirty water from the Pollution Control Dam. However, the potential impact of land and water contamination from such practice is simply not considered.

3.4.5 Comment:

Paving the access road thus would significantly reduce dust emissions as well as avoid contamination of land adjacent to the road, which is used for grazing and the watercourse

which runs through the site. For these reasons, this alternative needs to be assessed as part of the basic assessment and the findings reported in the dBAR.

Response:

The paving of the road was not regarded as an alternative due to the fact that the mitigation measures already included in the EMPr is deemed adequate to effectively mitigate dust emissions as per the results of the Air Quality Impact Assessment.

Chemical dust suppression with a bonding agent as indicated in the EMPr will be conducted on the roads and other exposed surfaces. Dust suppression using water from the Pollution Control Dam will only be conducted if dust is observed after the use of the bonding agent. This will be fine spray only on the roads without causing runoff as is normal practice at mining facilities.

3.5. Air quality (dust):

3.5.1 Comment:

I am a resident at one of the small holdings which have been identified in the dBAR as sensitive receptors for dust and for which extra care is needed. It is also mentioned in the dBAR that there are currently no significant dust sources at the site. I also read that the dominant wind direction blows from a north easterly direction which is directly towards the small holdings located between 600m and just over 1 km from the mine surface infrastructure. The three main sources of the dust emissions have been identified as:

“the conveyor belt (continuous transport source), unloading material from the stockpile to trucks using front-end loaders and vehicle entrained dust from trucks driving on unpaved Roads. From these sources, the emission factor was the highest for the vehicle entrained dust.”

3.5.2 Comment:

The air quality specialist found that “[d]ust from loading material from the ROM stockpile onto trucks, dust generated at the outlet of the conveyor belt and vehicle-entrained dust were assessed as “high” risk sources for nuisance dust and an environmental and health risk without mitigation” and through the impact assessment methodology, assesses the impacts resulting from dust to be negative and highly significant without any mitigation.

3.5.3 Comment:

The same impacts are rated as being of low significance if the recommended mitigation measures are applied. These seem to be rational except I have a concern over the confidence rating assigned to the effectiveness of these mitigation measures. The rate is 0.4 which if I understand Section 10.2 of the BAR correctly, equates to approximately 60 % confidence that these measures will be effective. This considered to be wholly inadequate that there is a 40% chance the mitigation measures to reduce dust emissions to a bearable level for a possibly 8 year duration (construction and operation of the mine) may not be effective. This would be particularly problematic on dry windy days which are fairly common in the area.

Response:

The Air Quality Impact Assessment and the air dispersion model has taken into consideration the climate, including wind direction as well as topography. The specialist study showed that dust emissions will be well within legal limits even before mitigation measures are applied and PM 10 emissions will be within legal limits after mitigation measures are applied. All the models show that emissions will be **very negligible to the west of the site** where your houses are located.

The impact has been assessed as low after the application of mitigation measures. Monthly dust fall monitoring will be conducted in terms of the National Dust Control Regulations and the results will be available for the monitoring committee to review.

3.5.4 Comment:

What is also not included as a possible mitigation measure is paving the access road. I have already covered this under my comments on “alternatives” above. (This is also in accordance with the mitigation hierarchy espoused in the NEMA S2 principles, which promotes the avoidance of impacts over minimising and remediation. In addition to reduction in dust emissions, paving the access road will also prevent land and water contamination as water for dust suppression will not be required).

Response:

Chemical dust suppression with a bonding agent as indicated in the EMPr will be conducted on the roads and other exposed surfaces. This is a well established effective measure to significantly minimise potential emissions.

3.5.5 Comment:

The risk of dust generation from borrow pit excavation does not appear to be addressed. This pit will be located 50m from people’s homes and thus any negative impact that its construction and operation will have is of great concern and should be adequately assessed and adequate mitigation provided.

Response:

An assessment has been conducted on the potential impacts associated with the borrow pit in terms of dust generation. Adequate mitigation measures have also been included, including buffers from residential areas.

3.5.6 Comment:

The potential impact of dust generation on fauna and flora has not been addressed. This is a major flaw as the full scale of potential impacts on the biodiversity of the area has not been assessed and the BAR thus underestimates or misrepresents the potential negative impacts of the mining activity.

Response:

The impact of dust on flora has been assessed by the Biodiversity Impact Assessment that was circulated for public comment, however the impact will be low after the implementation of mitigation measures. The impact assessment has been incorporated in the final BAR.

3.5.7 Comment:

Also not assessed is the impact of dust on the palatability of plants that are grazed by livestock and thus the decreased availability of this resource and further impacts on productivity and reduced income.

Response:

The Air Quality Impact Assessment has revealed that dust emissions will be low even before implementation of mitigation measures and the impact on flora will be low. No assessment is required to determine impacts on grazing as dust emissions will be low and localised.

3.6. Air quality (other substances)

3.6.1 Comment:

The only aspect of air quality addressed in the air quality specialist study is dust emissions. No mention is made of other emissions that could potentially be of concern, particularly greenhouse gas emissions such as CO₂ and methane.

Response:

An assessment of GHG emissions has been included in the draft BAR submitted for comment. It is not anticipated that project will result in significant greenhouse gas emissions.

3.6.2 Comment:

Furthermore, it is known that fires are a potential hazard associated with underground mining, yet no mention is made of the air quality risk that could be posed by smoke generation should a fire occur. In fact, the risk of underground fire and the associated impacts are not addressed at all in the dBAR.

Response:

Aviemore has been operational for more than 20 years and no fires have occurred. Risk is very negligible. All processes and procedures will be in place to prevent fires from occurring.

3.7. Noise impacts

3.7.1 Comment:

Due to the proximity of our residence to the mine, I am obviously also concerned about noise pollution. I have several concerns about how the impact of noise on the small holdings in my neighbourhood were measured and assessed.

Response:

This comment is noted.

3.7.2 Comment:

The two locations at which noise measurements were taken for ambient noise levels should not be considered representative of the noise levels in my neighbourhood where it is much quieter. Noise measurements therefore need to be taken at this third location in order to complete the noise impact assessment.

Response:

Ambient (background) noise levels were measured on the 10th to the 13th of June 2019 in accordance with the South African National Standard SANS 10103:2008 "*The measurement and rating of environmental noise with respect to land use, health, annoyance and to speech communication*". Ambient sound levels were measured at two locations using two class-1 Sound Level Meters (SLMs) for 2 nights. The noise specialist confirmed that the area at the resident immediate west of the site was not chosen due to the dense vegetation/trees that would provide higher noise levels and an unrealistic baseline.

The baseline noise monitoring revealed that all the Noise Sensitive Receptors were allocated the same type of characteristic namely "rural district" which is the most conservative baseline rating to predict potential change.

3.7.3 Comment:

We don't accept the average daytime ambient sound level of 45 dBA to be applied to our

area in order to set the acceptable rating level at less than 52 dBA for daytime noise levels for the mine. Likewise, we don't accept the typical night-time ambient sound levels of 35 dBA, allowing the mine to generate noise levels of up to 42 dBA at night-time. We and most of our neighbours specifically bought our properties because they are exceptionally quiet, especially at night time. Thus, typical averages shouldn't be applied and won't be accurate in terms of the actual noise impacts once the mine is operational.

Response:

The baseline noise ratings provided is the most conservative rating, rural district. This was done to obtain a baseline from which the increase in noise levels was calculated. The increase is the important factor that is considered to assess impacts, the baseline is only the starting point. The baseline was characterised to determine the potential increase in noise levels and to set a threshold/limit at which the proposed activities may increase the noise levels at the respective receptors. Noise monitoring will be conducted at the residents immediate west of the project area and the results will be available to the monitoring committee.

3.7.4 Comment:

Although there are a number of mitigation measures that the specialist recommends in order to reduce the significance rating of noise impacts to low, we note that their associated confidence rating is as low as 30%. From the table in the dBAR in Section 10.2, this appears to align with a low level of confidence in the mitigation measures" i.e. [m]easures are either difficult or expensive to implement or are expected to have limited effectiveness in reducing the impact". Thus, there is a strong possibility that the mine won't be able to mitigate the noise impacts to acceptable level.

Response:

The noise specialist has given the mitigation a medium to high confidence rating. The confidence of mitigation has been allocated in the BAR either 0.4 or 0.6 which corresponds with the description "*Measures can be implemented with some effort and cost and/or the measures can be effective in mitigating the impact if implemented (50% Confidence)*"

The Noise Impact Assessment specialist study concluded, considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods.

3.7.5 Comment:

What if the ventilation fans can't be modified or berms are not possible? The specialist report was completed in August 2019 which has given the applicant almost a year to commission further technical specialists to design or investigate the feasibility of such recommendations. We thus request that further information is provided in the dBAR that goes out for a second round of public comment.

Response:

The EMPr once approved as well as the mitigation measures therein will be a legally binding document which must be adhered to by the Applicant. The Environmental Authorisation, as is normal practice, will stipulate that the EMPr must be implemented.

3.7.6 Comment:

It is also requested that far more effort be made in the dBAR to identify more certain mitigation measures to reduce noise impacts on local residents, including payment for modification to

houses to insulate against noise.

Response:

This comment is noted and has been communicated to the Applicant.

3.7.7 Comment:

We also reject the notion that 10 pm at night is considered to be day time – rather any operations after 6pm should be considered night time, especially in such a quiet area. Related to this, we request that reduced operating hours are implemented as a mitigation measure.

Response:

It is standard practice for Noise Specialist Studies to stipulate after 22:00 is night time. The night shift will be from 15:00 – 00:00. Additional noise abatement measures have been added to the EMPr, including the construction of a noise berm adjacent to the conveyor belt and to utilise low vibration and noise belt conveyor idlers. The establishment of a community forum and monitoring committee has been added to the EMPr as a condition for inclusion in the EA.

3.7.8 Comment:

We further request that where mitigation is in effective, offsets for noise be considered, which could include compensation being paid to residents where their well-being and/or property values are negatively impacted by noise generated by mine for the duration of its construction and operational phases.

Response:

This comment is noted and has been communicated to the Applicant.

3.7.9 Comment:

We also request that the finding of the noise monitoring events are made freely available to affected parties as a matter of course during construction and operation.

Response:

Environmental monitoring results will be made available to all participant of the community engagement forum/monitoring committee or as requested.

3.7.10 Comment:

The potential impact of noise pollution on fauna has not been addressed. This is a major flaw as the full scale of potential impacts on the biodiversity of the area has not been assessed and the BAR thus underestimates or misrepresents the potential negative impacts of the mining activity.

Response:

Impacts on fauna have been thoroughly assessed as was deemed necessary by the biodiversity specialist.

3.7.11 Comment:

The potential impact of noise on farm and other domesticated animals has also not been considered and should be.

Response:

The noise levels that will be generated by the project has been assessed by the Noise Impact Assessment and the proposed mitigation will reduce associated impacts.

3.8. Blasting and vibration

3.8.1 Comment:

Although there is a technical report on blasting that it does not meet the requirements of a specialist report as per Appendix 6 of the EIA Regulations, 2014.

Response:

The blasting report contains sufficient information to predict potential impacts on surface infrastructure.

3.8.2 Comment:

The dBAR seemingly only considered the impact of blasting on structures. The risk of underground blast vibration damage to the overburden rock is stated as being significantly low "due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations". However, the dBAR does not go far enough to say how far from the mining area vibrations will be experienced. Will neighbouring residents feel any effects of blasting?

Response:

It is not anticipated that any vibrations will propagate on the surface as mining will occur >300m below surface and according to the blasting report, the vibration amplitudes will already be negligible within 10 meters from the blasting location. No mining will be conducted near or underneath any residents.

3.8.3 Comment:

The technical report and the dBAR also do not consider the impact of blasting and vibrations on animals, especially the large numbers of animals kept locally on the farms and small holdings in the area, which are likely to be far more sensitive to vibrations than humans.

Response:

It is not anticipated that any vibrations will propagate on the surface as mining will occur >300m below surface and according to the blasting report, the vibration amplitudes will already be negligible within 10 meters from the blasting location. No animals occur 300m below surface.

3.9. Visual

3.9.1 Comment:

We are also concerned about the visibility of the mine and the impact this has on the sense of place of the area. I understand that the planting of trees is unlikely to provide the necessary screening as the lifespan of the mine (construction and operation) is predicted to be 6 – 8 years. We are also fortunate that our viewshed is partly shielded by a ridge and vegetation close to our residence.

3.9.2 Comment:

However, we are concerned about light pollution at night. We see in Appendix 0 that 15m poles have been included for lighting. Given the elevated position of the mining operation on the hillside, the light pollution is likely to be even more prominent.

Response:

The comment regarding the trees are noted. Lights will be directed downwards, away from the surrounding receptors as indicated in the EMPr.

The following mitigation is included in the EMPr regarding lights from a visual perspective:

- Install light fixtures that provide precisely directed illumination to reduce light “spillage” beyond the immediate surrounds of the site i.e. lights are to be aimed away from residential areas (south and west of the site).
- Avoid high pole top security lighting along the periphery of the site and use only lights that are activated on illegal entry to the site.
- Minimise the number of light fixtures to the bare minimum, including security lighting."
- The height and extent of the retaining wall(s) associated with the adit (portal area) must be minimised as it is the most visible from sensitive viewing areas west of the site.

3.9.3 Comment:

We also note that the confidence rating for the effectiveness of mitigation measures is 50% which is not at all reassuring. Again, provision should be made in the dBAR and EMPr for additional house-specific mitigation measures where the mitigation measures are not effective, also including offsetting (compensation) where all other reasonable mitigation measures fail.

Response:

The confidence rating has been set at 50% because the site will still be visible, however to a much lesser degree due to the implementation of the mitigation measures. The Visual Impact Assessment states that mitigation measures are feasible. Due to the nature of the activities, the impact could be reduced when the measures proposed are implemented and effectively managed.

3.10. Socio-economic impacts**3.10.1 Comment**

The above nuisance impacts (dust, noise, blasting and visual) on the small holdings that are in close proximity to the mining activities will not only have an impact on our well-being but also our property values. While these impacts are covered to some degree in the respective specialist reports and the dBAR, they do not go far enough to come up with mitigation measures that can be achieved with confidence.

3.10.2 Comment

We thus request that the applicant, EAP and specialists be required to engage with local residents to come to an agreement on what is considered to be acceptable mitigation measures for the impacts that the mine will have on each of them site-specifically, and that this engagement be required before mining commences and not just left to a complaints process which has the potential to frustrate individuals further. The mine should not be allowed to externalise costs to be paid by society when it is generating profit from its activities.

Response:

The public participation process (PPP) has been conducted and additional mitigation has been added to the EMPr as per the outcome of the public engagement meeting and PPP. Extensive mitigation measures have been included in the EMPr for the management of dust, noise and visual.

3.11. Biodiversity impacts

3.11.1 Comment

The Balgray mining lease is partly situated within a Critical Biodiversity Area (CBA), as well as an Ecological Support Area (ESA). However, not enough explanation or clarity is provided in the dBAR about why these are classified as important areas or how they will be impacted by the mining. This therefore prevents I&APs from being fully informed about the activity and thus defeats the purpose of the BAR.

Response:

An explanation is provided in the BAR regarding the CBA and ESA. The biodiversity specialist studies were conducted to assess the onsite specific biodiversity and potential impacts that the project will have on fauna and flora. This was done to provide detailed information to I&APs regarding the biodiversity on site and how it may be affected by the proposed project. The specialist studies also provided information regarding the CBA and ESA. The BAR and specialist studies have noted that the CBA/ESA corridor is located north of the site, but falls outside the proposed footprint and has been demarcated as a no-go area.

3.11.2 Comment

The ESA is an important biodiversity corridor. The mining lease cuts off this corridor, although the mine infrastructure does not. What would the impacts be if the mining operation did result in some sort of cut off to this corridor due to likely significant disturbances from mining and hauling operations?

Response:

The mining infrastructure footprint will be located outside the corridor as per the facility's design. The local topography and location of the adits also constraints the placement of infrastructure outside the footprint.

3.11.3 Comment

Faunal surveys were conducted in autumn, which is a far from ideal time of year and likely contributed to the low biodiversity of amphibians and small mammals recorded. This underrepresentation of the area means that it has thus not been "fairly" assessed and should reassessed at an appropriate time of year and covering key seasonality aspects.

Response:

The mitigation proposed is based on the minimisation/prevention of impacts. The specialist studies have made recommendations to conduct follow up monitoring of faunal communities in the area.

3.11.4 Comment

24 birds, 7 mammals and 1 amphibian species of conservation concern are potentially present on site. This site is thus of conservation significance and should not be disturbed.

Response:

The number of species stipulated is based on a desktop review not on actual observations made by the specialist studies. The Faunal Impact Assessment stipulated that the risk assessment conducted identified some impacts that could negatively affect the extant faunal communities as well as adjacent areas of biodiversity importance. These impacts can, however, through the implementation of adequate mitigation measures be reversed and, in

some instances, improved. Areas of concern have been identified with general, and tax-specific mitigation measures proposed.

In our opinion, if the proposed mitigation measures are adequately enforced, the overall impact of the mine on faunal diversity can be significantly reduced. Additionally, the possibility of to have a nett positive effect on faunal diversity exists. However, this will require dedication from management to the proposed mitigation measures and annual feedback to regulators.

3.11.5 Comment

Invertebrates were not assessed at all in the study site; thus, the biodiversity of the area has not been comprehensively assessed. The following threats to fauna are identified:

- Avian: Habitat loss- what about impacts of air quality? Noise pollution? Decline in food availability?
- Mammals: Disturbance, fire risk, road mortalities, loss of habitat- what about air quality and noise pollution? There is also undoubtedly an increased risk of poaching due to increase in people in area and this is not covered or addressed adequately in the reports
- Reptiles: Habitat loss – same as the comment above
- Amphibians: Pollution of aquatic habitats- same as the comment above

Response:

The impacts on biodiversity was assessed at a level deemed necessary by the biodiversity specialist to accurately determine associated impacts. The overall majority of the impacts listed above was incorporated in the risk assessment and the proposed mitigation measures is adequate to minimise impacts associated with biodiversity.

3.11.6 Comment

The threats identified are by no means comprehensive and it is thus felt that the identified level of risk associated with the mine is severely underestimated and misrepresented to the I&APs.

Response:

This comment is noted. Contrary to the statement, the specialist studies and BAR have provided a comprehensive assessment of the potential impacts of the proposed project and is sufficient to comprehend the associated risks.

3.12. Impact on water resources and wetlands

Comment 3.12.1

Water quality has not been assessed in wetlands in the site, of which there are 3. Wetlands are globally recognised as one of the most significant, impacted and at risk habitats of all global biomes. See for example the key recent paper on this matter, and its relation to global freshwater biodiversity loss: Bending the Curve of Global Freshwater Biodiversity Loss: An Emergency Recovery Plan – Tickner et al. February 2020. A key extract from that paper, emphasis added:

Humans have caused widespread planetary change, ushering in a new geological era, the Anthropocene (a term first coined in the 1980s by Eugene F. Stoermer, a freshwater biologist). Among many consequences, biodiversity has declined to the extent that we are witnessing a sixth mass extinction (Ceballos et al. 2017). Recent discourse has emphasised the triple challenge of bending the curve of biodiversity loss (Mace et al. 2018) while also reducing climate change risks and improving lives for a growing human population. In 2020, governments will review international agreements relevant to this challenge, including the

Convention on Biological Diversity (CBD) and the Sustainable Development Goals (SDGs). There is a brief window of opportunity now to set out recommendations that can inform these agreements and guide future policy responses.

Nowhere is the biodiversity crisis more acute than in freshwater ecosystems. Rivers, lakes, and inland wetlands (such as deltas, peatlands, swamps, fens, and springs) are home to an extraordinary diversity of life. Covering less than 1% of Earth's surface, these habitats host approximately one-third of vertebrate species and 10% of all species (Strayer and Dudgeon 2010),.....

Response:

No wetlands will fall directly in the footprint of the proposed facility. A comprehensive assessment of potential impacts on wetlands have been conducted by the wetland specialist study and incorporated in the BAR. The quality of the Valley Bottom Wetland will be assessed on a quarterly basis as part of the monitoring programme stipulated in the EMPr. The seep wetlands are far away and upstream of the site. No monitoring required.

Comment 3.12.2

Hardness was never tested for in the groundwater sampling. Its relevance is that it has a significant impact on the pollution potential of AMD issues. A significant oversight on sampling.

Response:

Hardness will be sampled as part of quarterly groundwater monitoring as per the monitoring programme included in the EMPr.

Comment 3.12.3

In the freshwater assessment specialist study (Annexure 6), the map indicates that the CBA does not fall in the mine lease area, however in the BAR it shows that CBA does fall in the mine lease area. There is thus discrepancy between the reports and this raises issues regarding the quality and accuracy of work done, or at worst an attempt to prevent this significant fact entering into the realm of the I&AP knowledge. It raises concerns over whether the freshwater study was purposefully trying to misrepresent the conservation significance of the area. The failure of the EAP to detect this issue casts a shadow over the quality of work, and the thoroughness with which the specialist studies were analysed.

Response:

The BAR reflects the correct CBA (which was communicated to all IAPs) and the freshwater assessment has been updated to incorporate the CBA.

Comment 3.12.4

Mining takes place in relatively close proximity, at Aviemore Mine. No water quality data etc. is provided from this mine. Some data should be provided here to illustrate the potential impacts and thus allow I&APs to develop an informed opinion of the project.

Response:

The hydrocensus and monitoring was conducted on a 5km radius from the site. Aviemore falls outside the radius of the hydrocensus. The studies was conducted to predict potential impacts from the proposed Balgray operations not Aviemore. The data can be requested from the Applicant directly as previously indicated.

Comment 3.12.5

No long-term water quality monitoring data is provided and this therefore prevents I&APs from

assessing what the impacts of past mining may have been. Being fully aware of past mining impacts is crucial for I&APs to make an informed decision about the proposed mining activities. See earlier comments and references to AMD.

Response:

As indicated above, monitoring data can be requested from the Applicant directly. For the purpose of this study data incorporated is sufficient.

Comment 3.12.6

The potential impact of other sources known to pollute water, such as oil and grease, is not assessed. There is also no assessment of the impact of the proposed use of contaminated water from the pollution control dam for dust suppression along the access road.

Response:

Storage and use of hazardous substances (diesel, grease, paint etc) and potential impacts on water resources have been assessed in the BAR. Dust suppression using water from the Pollution Control Dam will only be conducted if dust is observed after the use of the bonding agent (chemical dust suppression). This will be fine spray only on the roads without causing runoff. It is not anticipated that this will result in pollution.

Comment 3.12.7

The BAR states that upon closure of the mine the underground workings will be allowed to flood. This will likely negatively impact the groundwater quality into the future and has been inadequately covered by this study, and due to its significant risk. Acid Mine Drainage (AMD) is a known/recognised and significant water risk in this region. See for example scholarly articles on this subject and which highlight its risks to water resources, biodiversity, and human rights. See:

Terence S. McCarthy (2011) – here

http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S0038-23532011000300002 and

the SA Human Rights Commission

<https://www.sahrc.org.za/home/21/files/AMD%20Booklet.pdf>

Response:

The BAR, Geohydrology Specialist study and EMPr contains a comprehensive assessment for the potential risks associated with AMD. The reports also elaborate on strategies to address potential AMD generation and how the occurrence and extent thereof must be monitored.

Comment 3.12.8

Past mining in the area has had a negative impact on the quality of groundwater in certain areas within the study site. Further mining will surely result in further degradation to the water quality, and thus pose a risk to the future use of water from this area following mine closure.

Response:

The Geohydrological Specialist Study was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

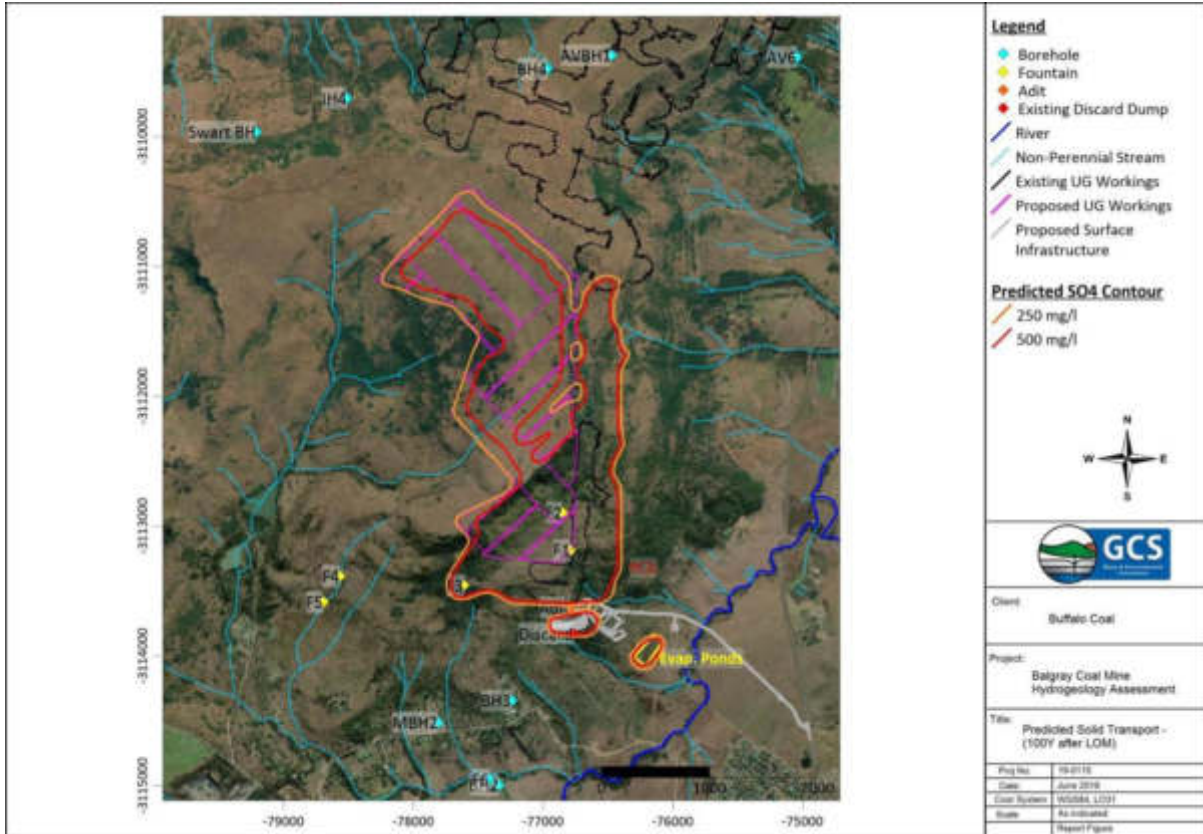
The Zone of Influence (Zol) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The

predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in the Figure below. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

The model also shows the plume from the existing discard dump and evaporation pond.



Comment 3.12.9

It is noted that a diversion berm will be placed upstream of the borrow pit to prevent flooding. The borrow pit will be located 50m from people's homes. Will this berm cause a risk of flooding to these homes? This does not look to have been adequately assessed.

Response:

The berm will not be established to prevent flooding, rather to prevent siltation. The area is relatively flat and no significant runoff is expected. The berm will not convey water to the houses. The natural angle of the topography is away from the houses in any case.

Comment 3.12.10

The site falls within the V32E quaternary catchment. The main river for this catchment is the Buffalo River, the longest free-flowing river in KZN. Free-flowing rivers are regarded internationally as being worthy of protection and also recognised as such within national databases (see for example the Freshwater Ecosystem Priority Areas atlases and associated data <http://www.sasdi.net/metaview.aspx?uuid=d0fec700e7e3c0168fce4f2a461720b4>). And then also

http://biodiversityadvisor.sanbi.org/wp-content/uploads/2016/07/NFEPA_Implementation_Manual.pdf

Response:

This comment is noted. Adequate mitigation will be implemented to prevent impacts on surface water resources, including a stormwater management system according to legal requirements stipulated in GN 704.

Comment 3.12.11

The construction of a road-crossing over the Sterkstroom River could potentially lead to sedimentation and altered flows, and thus negative impacts on the Buffalo River.

Response:

Potential impacts associated with the bridge crossing have been assessed
The following mitigation have been included in the EMP:

The design of the bridge crossing must ensure that the creation of turbulent flow in the system is minimised, in order to prevent downstream erosion;

No support pillars should be constructed within the active channel of the river;

The crossing must take place at right angles to the course of the river;

Stabilisation of river banks in the vicinity of the bridge crossing by employing one or a combination of the following individual techniques:

- o Re-sloping of banks to a maximum of a 1:3 slope;

- o Revegetation of re-profiled slopes;

- o Temporary stabilisation of slopes using geotextiles; and

- o Installation of gabions and reno mattresses.

The mine must ensure that flow connectivity along the river is maintained and that the bridge crossing will not result in any barriers preventing biota (i.e. fish) moving upstream and downstream of the crossing.

Comment 3.12.12

Diatom sampling was never done as part of the baseline assessment. This is well recognised as a sensitive integrator of water quality and bioindicator of water quality changes.

Response:

The freshwater aquatic study utilised a wide variety of factors to assess the current status of the freshwater ecosystems according to established guidelines and legal requirements. The methodology used is deemed sufficient to obtain an adequate indication of the baseline environment.

Comment 3.12.13

The surface water quality sampling focused on a limited suite of parameters, namely pH, Conductivity, DO, Temperature, Sulphate, Aluminium, Iron and Manganese. Other determinands which could be impacted by future mining operations, such as turbidity and TDS are not measured. This provides a significant risk for future monitoring and assessment of impacts from the mine.

Response:

The monitoring programme for surface water monitoring includes a wide range of parameters including EC, pH, TDS, total alkalinity, total suspended solids, COD, total coliform, total hardness, calcium, magnesium, E-coli, sodium, potassium, chloride, sulphate, fluoride, iron, manganese, aluminium, cobalt, lead, oil & grease, nitrate, orthophosphate and ammonium.

Comment 3.12.14

No macroinvertebrate sampling was done in the wetland study. No faunal surveys were done in the wetland survey, only a habitat assessment. It is therefore felt that the wetlands at the site have not been sufficiently assessed. Again see cross reference to above points about water quality risks from the mining and also FEPA issues, etc.

Response:

This has also been noted by the wetland specialist study. The delineation and characterisation of the wetlands were conducted according to established methodology as described in the wetland study. The mitigation measures focussed on the prevention of impacts. The footprint of the facility will not directly impact on the valley bottom wetland and the seep wetlands are far away and upstream of the site.

3.13. Land care and contamination**Comment 3.13.1**

There is no assessment of the risk of land contamination as a result of the proposed use of contaminated water from the pollution control dam for dust suppression along the access road.

Response:

Chemical dust suppression with a bonding agent as indicated in the EMPr will be conducted on the roads and other exposed surfaces. Dust suppression using water from the Pollution Control Dam will only be conducted if dust is observed after the use of the bonding agent. This will be fine spray only on the roads without causing runoff as is normal practice at mining facilities. No pollution or contamination is expected.

Comment 3.13.2

We also request that the issue of subsidence as a result of the underground operations be addressed.

Response:

The mining operations will be conducted in a manner to prevent subsidence. It has been indicated that no subsidence has occurred at the Aviemore operations which is a good indication of the proposed Balgray project.

3.14. Climate change**Comment 3.14.1**

As already mentioned under my comments on the Need and Desirability section of the dBAR, there is no identification or assessment of climate change impacts related to the mine apart from a very bare inclusion in the impact assessment table. This is considered to be insufficient for a development such as a coal mine, and particularly in South Africa where water resources are already compromised.

Response:

The mine itself will have no significant Green House Gas emissions, apart from exhaust emissions. Coal burning down the value chain has an impact on GHG emissions. What will the mitigation measures be?

4. Mitigation measures, conditions of environmental authorisation and the EMPr

Comment 4.1

Any comments made with regard to impacts and mitigation measures equally apply to the EMPr.

Response:

Noted.

Comment 4.2

We request that as a condition of environmental authorisation, the performance / environmental audit should be done every 6 months during construction and annually during operation. This frequency of audits should also be reflected in the EMPr.

Response:

This has been added to the BAR as a condition for inclusion in the EA and added to the EMPr.

Comment 4.3

We further request that as a condition of environmental authorisation, the applicant must establish and maintain monitoring committee comprising interested and affected parties, including local residents and local, provincial and national departments and other relevant organs of state.

Response:

This has been added to the BAR as a condition for inclusion in the EA and added to the EMPr.

Comment 4.4

This has become a standard condition in other licences and is an important vehicle for good communication and transparency where issues can be resolved relatively quickly with minimum frustration.

Response:

This has been added to the BAR as a condition for inclusion in the EA and added to the EMPr.

Comment 4.5

The details of how this monitoring committee is established and convened should be fleshed out in the EMPr. For example, the committee should be established prior to construction and should be convened twice a year with reasonable notice of not less than two weeks, at which key environmental issues should be presented and discussed, including the following: •
Complaints

Monitoring results– noise, water, air quality, biodiversity, crime, safety etc.

Performance audits / environmental audits

Response:

This has been added to Section 6 of the EMPr.

Comment 4.6

The EMPr does not fully comply with the requirements of Appendix 4 of the EIA Regulations.

Such deficiencies include not differentiating between impact management outcomes and impact management actions, and not including the relevant components regarding financial provision for rehabilitation, in terms of the Financial Provisioning Regulations, 2015.

Response:

Impact management outcomes have been included in the BAR and actions in the EMPR, the report was based on the DMRE template. The Financial Provisioning Regulations have been addressed with previous responses.

5. Closure Plan (Appendix 18)

Comment 5.1

The Closure Plan does not comply with the requirements of Appendix 5 of the EIA Regulations, 2014 in respect of the prescribed financial provision reporting requirements for the rehabilitation, closure and on-going post decommissioning management of negative environmental impacts as set out in the Financial Provisioning Regulations, 2015.

Response:

The Aviemore mining right was issued prior to 20 November 2015. The NEMA Financial Provision Regulations do provide for existing operations, prior to November 2015, to be deemed compliant with the Regulations if it complies with Regulation 53 and 54 of the MPRDA. However, recent amendments to the MPRDA Regulations repealed the relevant regulations pertaining to financial provisioning (Regulations 53 and 54 of the MPRDA) and as a result could affect the basis on which an existing holder complies with the revision of financial provision. Notwithstanding, an existing holder is considered to comply with the repealed regulations, although repealed is still considered to be enforced due to its existence in the NEMA Financial Provision Regulations.

An amendment to the Financial Provision Regulations promulgated in terms of the NEMA was gazetted on 17 January 2020 (Government Notice No. 24956) by the Department of Environmental Affairs ("DEA"). Essentially, the only change to the Financial Provisioning Regulations is to delay the implementation date for a further period and now requires a holder to comply with these regulations by no later than 19 June 2021.

Therefore, the Financial Provision Regulations will only apply once the transitional arrangements are in effect.

6. Revised dBAR

Comment 6.1

Should the draft BAR be subjected to public participation as we strongly believe it should be for reasons I have already stated, please can you differentiate the revised sections with a different colour text to facilitate I&APs review of this further document. This request also applies to the EMPR and any of the other appendices included as part of the dBAR.

Response:

No substantial changes has been made to the BAR. All comments will be incorporated in documents and the changes made will be indicated in the final BAR which will be circulated to the IAPs.

7. Final BAR

Comment 7.1

7.1. Please can you provide registered I&APs with access to a complete copy of the final BAR, inclusive of the EMPr and appendices that is submitted to the DMR, again indicating the text that has been amended, in a different text colour for ease of reference. This is considered good practice and is increasingly being done by EAPs.

Response:

All comments will be incorporated in documents and the changes made will be indicated in the final BAR which will be circulated to the IAPs.

8. Concluding remarks

Comment 8.1

I reiterate that our main concerns pertain to the nuisance impacts that are very likely to adversely affect our well-being and the value of our property due to our proximity to the proposed mining operation. We specifically purchased our property because of the tranquil and relatively natural setting and therefore, anything that affects this environment, including the water resources, air quality and the biodiversity has a direct impact on our quality of life and our investment.

Response:

Your concern is noted and has been addressed in all of the above responses and previous communication.

Comment 8.2

While we are appreciative that the dBAR and specialist studies have gone some way in identifying and addressing potential impacts, we submit that the issues and impacts we have raised above need to be addressed further by the specialists and EAP. This should include engaging directly with us and the other small holding residents.

Response:

The draft BAR and the 18 specialist studies have conducted an in dept investigation of the impacts associated with the proposed project. The mitigation measures are deemed sufficient to prevent/minimise impacts or to reduce it to acceptable levels.

Comment 8.3

The whole purpose of public participation after all is to ensure that decisions take into account the interests, needs and values of all interested and affected parties and the only way to do this in a meaningful way, is through proper engagement in good faith.

Response:

A comprehensive public consultation process has been according to Chapter 6 of the EIA regulations. An extension to the commenting period has been also provided to allow more than sufficient time for I&APs to comment on the reports.

Comment 8.4

As per our submission, we are concerned about the effectiveness of the mitigation measures that have been proposed, and the residual impacts that are likely to persist even with mitigation measures in place.

Response:

All impacts have been assessed with information obtained from the various specialist studies, taking into account the mitigation to be implemented. The effectiveness of the mitigation has been discussed in the BAR and specialist studies.

Comment 8.5

We are also concerned that access to information and effective remedy needs to be easily accessible to I&APs during construction and operation which is why we are requesting that a monitoring committee be established and maintained by the applicant for the duration of its presence on site. If the mine is going to be a neighbour for at least 8 years, it should be a good neighbour.

Response:

The requirement to establish a community forum and monitoring committee has been added to the EMPr and BAR as a condition to be included in the EA.

We look forward to further meaningful engagement to ensure that impacts are adequately identified, assessed and mitigated but reserve our rights to appeal or take further action should our concerns be ignored.

Annexure A: Zulu Advert

Newcastle Express • 11 August 2020 • Page 07

Classifieds

Classifieds Deadline is on Wednesday at 12 noon
Placing your classified advert is as easy as...



1 034 312 9930/25 **2** EMAIL: classifieds@tabloidmedia.co.za **3** ONLINE: www.tabloidmedia.co.za
Easy Payment Options : Credit Card, Bank Deposits, EFT or at any of our Offices

PERSONAL
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to ENTERTAIN YOU
066 050 0737
073 278 2077

Advertise
to get rid of
your
unwanted
items!
031 581 1821

TO LET
PREMISES TO-LET
NEWCASTLE
Rental R6600pm
Contact Wendy
031 581 1806

I-BALGRAY COLLAERY: DIVA UKUQINISEKISA ISIVIVINYO IN DUNDEE, KWAZULU-NATAL
Ngaleso sikhathi kunikezwe isaziso sokuthi iZinoju Coal (Pty) Ltd ihlongoza ukulungisa kabusha futhi ivume kabusha iBalgray Colliery yakudala etholakala endaweni eyi-Aviemore Mining Right Area (Ref: KZN 30/5/1/2/2/301 MR). Lo msebenzi uzoba cishe kumakhilomitha ayi-1.7 enyakatho nentshonalanga yedolobha elisenyakatho nedolobha laseDundee nasempumalanga neGraigsid, esifundazweni saKwaZulu-Natal. Isicelo sifunwa ukugunyazwa ngokuya ngokulandelayo:
1. Ukufaka isicelo sokugunyazwa **kwemisebenzi 14** - umagazini weziqhumane (ukugcinwa kwezimpahla eziyingozi), **24** - ukwakhiwa komgwaqo, **27** - ukuthunyelwa kwezimila > 1ha (5.5ha), kanye no **34** - ukucindezela uthuli neDamu LokuLawula Ukungcola okubangelwe ngokulandela ukufakwa kuhlu kwesaziso 1 (GNR 983 of 2014) kanye **nemisebenzi 4** - ukwakhiwa komgwaqo kanye no-12 - ukuqothulwa kwezimila > 300m2 endaweni yezemvelo ebucaji ebangelwe ukufakwa ohlwini lweSaziso 3 (GN R, 985 sika-2014) esidinga ukugunyazwa kwezemvelo ngokuya Umthetho Kazwelonke Wokulawulwa Kwemvelo, we-1998 (Umthetho Nombolo 107 ka-1998). Isicelo kumele sisekelwe ngenqubo yokuhlola okuyisisekelo ngokuya ngemithethonqubo yokuhlola umthelela wezemvelo (GN R982 njengoba kuchitshyelwe ngo-2017); futhi
2. Isicelo selayisense Yokusebenzisa Amanzi ukusetshenziswa kwamanzi njengoba kuchaziwe ngokwesigaba **21 (a)** - Ukukhishwa kwamanzi ngaphansi komhlaba **(c)** - ukufaka noma ukuphambukisa ukuhamba kwamanzi emgodini wamanzi; **(g)** - ukujahla imfucuzo ngendlela engaba nomthelela omubi emthonjeni wamanzi; **(i)** - umfucuzo ngaphesheya komfula wesiteki; futhi **(j)** - Ukususa, ukukhipha noma ukulahla amanzi atholakala ngaphansi komhlaba uma kunesidingo ukuze kuqhubeka umsebenzi noma ukuphepha kwabantu.
Uyacelwa ukuthi unikeze iminingwane eyengeziwe, ubukeze imibiko futhi uveze izindaba zezemvelo, ukukhathazeka nokuphikisa isicelo. Sicela uthumele ngomlomo ukuthunyelwa ngeke isikhombisa izinsuku ka lokhu qaphela okubhalwe:
Trevor Hallatt EXM Advisory Services (Pty) Ltd Linombolo lo Ucingo:
071 689 2229 • Fax: 086 616 0443
• Post: Libogisi le Kheli 1822 Rivonia 2128 • Email: trevor@exm.co.za

activity & puzzles

CROSSWORD

ACROSS
1. From mountain god.
2. Hanks, for instance.
3. Fatheko. Alaska sport code.
4. Caribbean island.
5. Common UK river name.
6. US movie rating.
7. Harboured state (abbrv.).
8. Antarctic glacier.
9. Northern island (abbrv.).
10. Three thousand (Roman numeral).
11. British Columbian city.
12. Porcine country, to IOC.
13. Yunnan nation.
14. California county, colloquial.
15. Acronym for western US state.
16. Famous trench.
17. Town in Latvia.
18. Nicolas partner.
19. Ghana nation (abbrv.).
20. Vietnamese province (abbrv.).
21. Lullaby.
22. African language.
23. Archipelago nation.
24. Square colour.
25. West coast Irish island.
26. Jewellery quality.
27. Cola brand.
28. Nine Scots regiment (abbrv.).
29. Pacific New Guinea river.
30. Zurich's capital (two words).
31. Universal Standard Time (abbrv.).
32. Athens or Angkor's precursor.
33. Rocky outcropping.

DOWN
1. Some American tribe.
2. Northern region.
3. La Brea and Carpenteria.
4. Defunct email program (abbrv.).
5. Boston Harbor drink.
6. Swedish city.
7. Travel by plane.
8. Air gap.
9. South Island NZ city.
10. Landlocked African nation.
11. Famous empire.
12. Roman festival.
13. South Korean auto manufacturer (abbrv.).
14. Small West African nation.
15. Early sea explorer.
16. Seaport nation.
17. Long time.
18. Hawaiian highway.
19. Minnesota.
20. Small US state (abbrv.).
21. Specialised in university.
22. Hesitation before speaking.
23. UK living soil network.
24. Vegas structure.
25. Nail ink.
26. Football, to some.
27. A central colour.
28. Scottish capital (not word).
29. Tucson river.
30. Legal rule.
31. Arrive.
32. Dutch island (abbrv.).
33. Bahamas country code.
34. Hockey game rehearsal (abbrv.).

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Must be computer literate and be able to practice strong work discipline including using contact management tools.
Minimum 2 years experience in sales and own car is essential.
Experience in the advertising industry an advantage.
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Annexure B: Zulu Site Notices



Hetta Lake

33 Mcphail Drive

Dundee

3000

Date : 10/09/2020

RE: Balgray Mining Project at Impati

Dear Trevor,

My name is Hetta Lake. I am one of the Impati residents that applied as an official Interested and Affected Persons for the Balgray Project in our area.

Following the IAP meeting held on 3rd August 2020, for the Balgray mine, I would like to bring forward my support for the project. As mentioned in the meeting, I think the opening of the Balgray mine will bring a lot of economic relief to the already struggling economy of Dundee. Myself, and many others are in full support of the project and think it will be for the betterment of hundreds more people than those against it. As a resident of Craigie Burn and a landowner who is one of the 3 most closest to the proposed mine, I see this project as another way to maintain the sustainability of Dundee as most of the Dundee residents and businesses benefit directly or indirectly from the revenue generated by the mine services.

Attending the meeting made me aware that most of whom are in favour of the project and have no objections did not attend the meeting as they are supportive of the Application. Therefore, I have taken the liberty to get a petition for all those in favour of the project as this will be for the betterment of Dundee.

Appended is the petition of all those in favour.

Yours Sincerely,

Hetta Lake

Hetta Lake

(Resident)

PETITION TO THE APPROVAL OF THE BALGRAY MINE PROJECT

FULL NAME	ADDRESS	CONTACT DETAILS	SIGNATURE
MICHAEL S. LAKE	33 McPhail Dr DUNDEE	082 804 9474	
Jacques Corbitt	13A CATTERALL DR.	072 3005659	
Antoinette Corbitt	13A Catterall Dr	0722 385606	
Magda Corbitt	13B Catterall Dr	0842433306	
Eugene Corbitt	13 Catterall Dr	0723920704	
Zelvan de Beer	13A Catterall	0662531566	
Megon Cloete	15A Catterall	0825601789	
Marlene Knud	29 McPhail	0828982116	
J.D. Knud	29 McPhail	0824930007	
C. Standa	15 Catterall	0824156597	
Christina Standa	15 Catterall 0711883119	0711883119	
Chrizzelle Terry	15 Catterall	0761025143	
T. Terry	15 Catterall	0823210815	
R. TUTING	4 CATERALL	0741263714	
G. Payne	15A Catterall	0842433306	
M. de Lange	5 Catterall	082 794 6556	
A. de Lange	5 Catterall	072 5110669	
R. Kruger	7 Catterall	0857152578	
O. Kruger	" "	076 966 5444	

From: [Trevor Hallatt](mailto:Trevor.Hallatt@exm.co.za)
To: mdumela@9zeroseven.com
Subject: RE: Balgray Public Meeting
Date: Wednesday, 16 September 2020 13:44:00
Attachments: [image002.png](#)
[image001.png](#)

Good day Ndumiso,

Thank you for the comments received, I will incorporate the information in my reports.

Kind regards
Trevor

From: mdumela@9zeroseven.com <mdumela@9zeroseven.com>
Sent: Wednesday, 16 September 2020 13:40
To: Trevor Hallatt <trevor@exm.co.za>
Subject: RE: Balgray Public Meeting

Good day Trevor,

Please find attached my comment and response form.

I trust you find all in order.

Regards,

Ndumiso Dlamini (Pr. Sci. Nat)

**Senior Environmental Consultant
Ecological Sciences & Water Resources**

+27 71 343 1503
mdumela@9zeroseven.com

From: Trevor Hallatt <trevor@exm.co.za>
Sent: Monday, 31 August 2020 15:55
Subject: Balgray Public Meeting

ATTENTION: INTERESTED AND AFFECTED PARTY / COMMENTING AUTHORITY

Please take note that the venue has a capacity limit. Please inform me if you know of any other parties that wish to attend as to make sure that the social distancing capacity is not exceeded. We would like to strictly adhere to the relevant safety requirements.

Kind regards
Trevor

ATTENTION: INTERESTED AND AFFECTED PARTY / COMMENTING AUTHORITY

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

From: [Trevor Hallatt](#)
To: [Nokwanda Mthethwa](#)
Subject: RE: Balgray Public Participation
Date: Monday, 14 September 2020 08:15:00
Attachments: [NCFri01530_08_2019 \(003\).pdf](#)
[Proof of advert - new castle express.pdf](#)

Good day Nokwando,

The minutes for the public meeting will be provided as soon as it is finalised. It is taking a bit longer due to the length of the meeting. You can download the recording at the link below so long. The project was announced in two newspapers (New Castle Express and the Northern Natal Courier) when we commenced with public participation. All IAPs (a very extensive list) that responded to the advert and other notification methods were invited to the meeting. See attached proof of placement.

<https://web.microsoftstream.com/video/e2465bb3-8e34-464e-a6ec-5624c8caff1e>

Kind regards
Trevor

From: Nokwanda Mthethwa <MthethwaN@endumeni.gov.za>
Sent: Friday, 11 September 2020 14:57
To: Trevor Hallatt <trevor@exm.co.za>
Subject: Balgray Public Participation

Good day Trevor

Can you kindly forward to me the minutes from the public participation meeting and proof of your notice of public participation meeting in the newspaper.

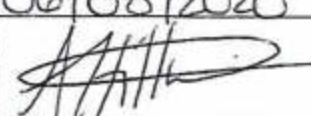
Kind Regards

Miss N. Mthethwa
Environmental Planning Officer
Endumeni Local Municipality
0343931121

Disclaimer: The information contained in this communication is confidential and may be legally privileged. It is intended solely for the use of the individual or entity to whom it is addressed, and others authorized to receive it. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking action in reliance of the contents of this information is strictly prohibited and may be unlawful. Endumeni Local Municipality is neither liable for the proper complete transmission of the information contained in this communication nor any delay in its receipt.

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Ashleigh Hilliar
Address:	7 Catterall Drive, Dundee
Telephone/cell phone:	082 440 9790
Fax:	/
E-mail:	doc.ash.oren@gmail.com
Date:	06/08/2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	Shane Hilliar
Address:	7 Catterall Drive, Dundee
Telephone/cell phone:	079 378 2583
Fax:	/
E-mail:	doc.shane.hilliar@gmail.com


ISSUES, CONCERNS AND QUESTIONS

* Increased traffic in the area leading to increased road damage, increased theft, including household and stock theft and increased litter.

* ~~Increased traffic in the area~~ Health issues with people with chronic respiratory disease (eg. asthma)

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	AB & JS POTGIETER
Address:	33A MC PHAIL DRIVE, CRAIGIEBURN, DUNDEE
Telephone/cell phone:	0845527992 + 083 409 7932
Fax:	
E-mail:	janet@tinky.co.za
Date:	11 AUGUST 2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

Noise Pollution:

Let it be noted that the money that we invested in this property was all about a "lifestyle". No revving vehicles, no loud music, no hooting, no machinery. Any noise is totally unacceptable, as this is what we paid a premium for. The absolute peace, tranquility, the blackness of our nights. Now we are expected to embrace noise from machinery, trucks 24hrs a day, 365 days a year. A mountain lit up all night. This is unacceptable.

Dust Pollution:

No amount of mitigating solutions are going to control black corrosive coal-dust. We currently enjoy the fact that we are able to utilise our outdoor areas, without having to clean surfaces before settling down. Also, our wrap-around verandah is under white painted ceiling. Why should we now be faced with all the extra cleaning and painting. The same can be said for our curtains, bedlinen and

One member of our house-hold has severe health issues, i.e. chronic heart condition, severe skin disorder, acute arthritis. What will the long-term effects on his health be?

BLASTING:

We will never accept blasting so very close to our newly built home. It is a known fact that the mining fraternity never accept responsibility for any damage to properties. Our house is totally free of cracks and we will not accept that there is a possibility of "hair-line" cracks. That is an acknowledgement of the possibility of far worse damage that could occur.

WATER:

As we are totally inadequately educated to understand the scientific jargon in the WUL, we can only state that we are extremely concerned about the quality and quantity of water from our borehole. We currently use our borehole on a daily basis and it is therefore of utmost importance that we will be able to continue with this.

SECURITY:

The increased pedestrian traffic is going to negatively impact on our safety and security. Due to our isolation, no-one will even know that we are in trouble. Then there is the issue of street hawkers, i.e. loitering, littering, no toilet facilities etc. How will this be policed.

IN CONCLUSION:

The effect of a filthy coal mine on our front stoep will have devastating consequence for us. The filth that we will be faced with on a daily basis is

The non-stop noise is equally unacceptable. This is not what we purchased. It is totally unreasonable to expect us to live with constant noise. This area is zoned "light agricultural". It is not a mining area.

Also, it has yet to be suggested in your "mitigation solutions" who or how we will be compensated for the massive loss on the retail value of our property.

In fact, it is true to say that the devaluation of our properties does not even merit mention. And yet, this is our greatest underlying concern.

We will do whatever is necessary to protect the "lifestyle" that we invested all our retirement savings in. We are not being unreasonable expecting a fair return on our investment.

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	M. Violet Lubbe
Address:	No 4 Impati Villah
Telephone/cell phone:	0658275449
Fax:	
E-mail:	
Date:	13 Augustus
Signature:	Shaw

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

- Opening a mine in a residential area.
- Health implicated physically and mentally.
- Water and air implicated.

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Tarryn Fogg & Willem Wentzel
Address:	6 Mpati Chase, Cragiebun, Dundee
Telephone/cell phone:	082 302 8901
Fax:	
E-mail:	fogg@agricare.co.za
Date:	11/08/2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

1. Disrupt the wildlife, Fauna & Flora on the mountain
2. Coal trucks, heavy machinery messing up the roads
3. Close to houses, crime rate could increase
4. Blasting could affect the structure & value of the houses/buildings in the area
5. Noise pollution to residents in the area

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	W.B. KASSIER & R.D. KASSIER
Address:	41 McPHAIL DRIVE DUNDEE
Telephone/cell phone:	082 458 8974
Fax:	—
E-mail:	rdkassier@gmail.com
Date:	15 August 2020
Signature:	<i>R.D. Kassier</i>

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

Unique indigenous fauna and flora on Mpati mountain
Natural water in Mpati mountain
Cracks to homes
Value of properties
Noise pollution
Air pollution
Environmental damage
Natural game in area - poaching increase
Security to the area
More traffic
Coal trucks on McPhail Drive
Allergies
Rise in cancer, lung problems, etc.

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Mbalenhle Theodora Kadebe
Address:	1 Union Street
Telephone/cell phone:	076 819 0178
Fax:	
E-mail:	mbalenhletheodora@gmail.com
Date:	12-08-2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:


Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

I am well aware of your intentions of opening a mine but the main issue with this idea is that the mine would be very close to our houses. The constant motion of trucks transporting your coal will create a lot of dust. This dust will firstly create unnecessary dirt within our homes. Secondly your trucks will be creating a lot of noise which will disturb the peace in our neighborhood.

ZINOJU COAL (PTY) LTD

ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING PROJECT DUNDEE, KWAZULU- NATAL

Name:	MIG. TALANDA
Address:	19 McPhail Drive
Telephone/cell phone:	082 8701205
Fax:	—
E-mail:	
Date:	14 August 2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

- 1) Value of property
- 2) Security - theft more people using road
- 3) Health - a) sinus sufferers with quarry already a problem
b) Pollution giving rise to severe headaches (migraines)
- 4) Brought here for peace and quiet, farming atmosphere
- 5) Fires - people walking and smoking
- 6) Pollution - air, noise, dust

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	MERLE OLIVIER.
Address:	NO1 CATTERALL DRIVE CRAIGIE BURN.
Telephone/cell phone:	0723112596
Fax:	=
E-mail:	=
Date:	
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

SEE ATTACHED.

SECURITY

HOW DOES THE MINE INTEND TO DEAL WITH THE FOLLOWING PROBLEMS:

- A. INCREASING CRIME AND POACHING
- B. INFORMAL TRADING.
- C. CONTROL OF PROTEST AND RIOTS
- D. BURNING OF PRIVATE PROPERTY.
- E. BLOCKING OF ROADS.
- F. SECURITY PATROLS FOR THE SAFETY OF JOGGING/WALKING ACTIVITIES, ALSO FOR SAFETY OF CYCLISTS/QUAD BIKES, HIKING AND HORSE RIDING.

WILL THERE BE SECURITY PATROLS?

SAFETY

HOW SAFELY WILL EXPLOSIVES BE STORED.

WILL THERE BE A COMPOUND BUILT FOR WORKERS.

HOW WILL THE INCREASED TRAFFIC AND MINE-ACTIVITIES IMPACT ON OUR LIFESTYLE? I.E:

JOGGING/WALKING, CYCLING/QUAD BIKES, HIKING AND HORSE RIDING.

ACCESS TO MINE.

A. WORKERS USING TRANSPORT TO THE MINE, WILL INCREASE THE DANGER OF COVID-19 SPREADING IN THE SURROUNDING AREA.

B. WITH INCREASED TRAFFIC TO THE AREA, THERE WILL BE DAMAGE TO THE ROADS, COAL DUST, AND AN INCREASED LITTERING IS INEVITABLE

WATER.

IN THE CASE OF WATER, THE CONTINUOUS RELEASE OF VARIOUS CHEMICALS AND GASSES FROM COAL MINE DRASTICALLY AFFECT WATER QUALITY. FURTHER IT RESULTS IN ACIDIFICATION AND DEGRADATION OF THE WATER, AFFECTING THE AQUATIC BODIES AND HUMAN HEALTH. WHILE COAL REMAINS A SOURCE OF ENERGY IT DOES UNDENIABLY CAUSES GREAT DAMAGE TO THE HEALTH OF PEOPLE AND THE GENERAL ECOSYSTEM, ALTO WATER RESOURCES, AIR POLLUTION AND ILLNESSES SUCH AS CANCER TYPES AND RESPIRATORY RELATED. WHEN RAIN FALLS ALL TOXIC DUST IS WASHED INTO THE SOIL, WHICH AFFECTS AGRICULTURAL LAND, AND ONCE AGAIN CONTAMINATES THE NATURAL WATER RESOURCES.

CONTAMINATED WATER AFFECTS PEOPLE AND ANIMALS THAT DEPEND ON THE WATER FOR DRINKING.

HOW DOES THE MINE "BALGRAY" PLAN TO SOLVE THIS PROBLEM.

DAMAGE TO ENVIRONMENT AND HUMAN HEALTH.

COAL MINES AFFECT HUMAN HEALTH LIVING CLOSE BY. EXPOSURE TO MINE DUST OR LIVING CLOSE TO A MINE IS A RISK FACTOR FOR ASTHMA. IT IS ATTRIBUTED TO THE FACT THAT INHALED DUST PARTICLES CAN POTENTIALLY HARM THE RESPIRATORY SYSTEM. AMONG OLDER PEOPLE, IT IS FOUND THAT THE RATE OF ASTHMA TO BE CONCERNING, AS IS WITH CHILDREN. MINING RELEASES CARBON DIOXIDE AND NITROGEN OXIDES. EXPOSURE TO THESE TOXIC SUBSTANCES FROM COAL MINING COULD/CAN RESULT IN VARIOUS HEALTH PROBLEMS, SUCH AS CANCER OF SOME TYPES, RESPIRATORY PROBLEMS, CARDIOVASCULAR PROBLEMS AND EVEN DEATHS.

POLLUTION AND GLOBAL WARMING.

THE AFFECT OF COAL MINING IS NOT ONLY LIMITED TO AIR POLLUTION, BUT HAS FURTHER RESULTS IN GLOBAL WARMING. DURING COAL MINING ACTIVITIES, GREENHOUSE GASSES SUCH AS CARBON DIOXIDE, NITROGEN OXIDE AND OTHER HEAT-TRAPPING GASSES ARE PRODUCED, AND REMAINS IN THE ATMOSPHERE FOR SEVERAL YEARS ONCE EMITTED, AND IS THE LARGEST CONTRIBUTOR TO GLOBAL WARMING YET.

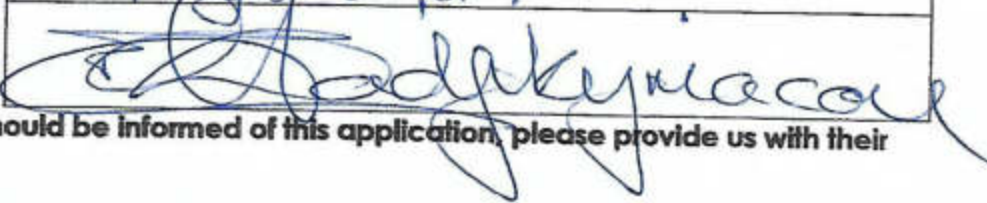
GLOBAL WARMING ALREADY IS CAUSING MORE SEVERE STORMS, HEAT WAVES, DROUGHTS AND SPREAD OF MALARIA AND OTHER DISEASES. IT HAS ALSO POSED A GREAT DANGER TO HUMAN HEALTH, PLANTS, ANIMALS AND THE GENERAL ECOSYSTEM. THIS ACCORDING TO THE NATURAL RESOURCES DEFENCE COUNCIL.

DAMAGE TO BUILDINGS AND SWIMMING POOLS.

A. WITH MINING ACTIVITIES AND BLASTING, WILL THE MINE COMPENSATE FOR DAMAGES CAUSED, BECAUSE OF.

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Mania Hadjikyriacou
Address:	1 Union Street.
Telephone/cell phone:	083 797 2524
Fax:	
E-mail:	
Date:	13 August 2020.
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:


Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

- Devaluation of property
- Constant Coal Trucks passing the Houses. This is a Residential Area.
- Pollution. Can cause Health problems. especially as I suffer of asthma & Sinuses.
- Cracking of walls etc... due to Tremors.
- Everything is always full of Black Dust

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Eugene van Aswegen
Address:	22 McPhail street
Telephone/cell phone:	083 236 1395
Fax:	
E-mail:	Giena.eva@gmail.com
Date:	
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	Crystal Stander
Address:	15 McPhail st
Telephone/cell phone:	082 659 8225
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS


To Whom it may Concern

Opening the mine will be a big disturbance to the environment and residence. I would not permit to opening of the mine.

Regards Eugene & Denise

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Glenn & Dee Owen
Address:	16 Catterall Rd, Dundee
Telephone/cell phone:	080 4404745 080 7156866
Fax:	
E-mail:	deewen2@gmail.com
Date:	6/8/2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	Dr R. du Toit
Address:	28 Douglas Sdr, Dundee
Telephone/cell phone:	074 2970075
Fax:	
E-mail:	dukoit.dr@gmail.com

ISSUES, CONCERNS AND QUESTIONS

Firstly, we are concerned with the general health of everyone surrounding the one i.e. air pollution as well as water pollution.

There is also great concern with noise pollution and the impact on the surrounding residence & environment.

How will the blasting of the mine be conducted as we are greatly affected by the quarry near our residence with dust, noise and inconvenience with traffic flow?

We are also worried with the impact that the mine will have on our property value as it will decrease when mining commences.

The mining will also inconvenience our road quality and general safety if trucks are used to transport coal out of the mine. Our roads have only recently been tarred and we would like to keep our roads

In its current pristine condition, there is also concern for the safety of pedestrians and cyclists who often use these roads for exercise as they are the only ~~quite~~ quiet roads in the Dundee area.


Most plots also have animals on them and there is concern to their health as well regarding air pollution.

Increased traffic on our roads will also result in increased crime in the area.

There is also great concern with our water supply and quality as it will also be affected by mining activities.

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**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Demetris Kudiyiriac
Address:	6 Union Street
Telephone/cell phone:	083 797 6565
Fax:	
E-mail:	
Date:	14 August
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

- Tremors Causes Walls to Crack in property.
- Pollution in the air
- Constant movement of Cabal Trucks Up & Down the Road. Causing the Roads to get pot holes like in Fryal Road.
- Water seeping through to the residential Areas damaging our gardens & plants.
- Possible Riots due to Unhappy Workers.

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Desiree du Toit
Address:	15 Douglas Street, Dundee
Telephone/cell phone:	082 460 4891
Fax:	
E-mail:	brian@dundeeekzn.co.za
Date:	11/08/2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

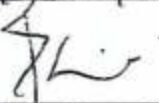
Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

1. Disruption of wild life, Fauna & Flora
2. Why was there no transparency on this?
3. Noise Pollution
4. Blasting may effect buildings/houses in the area
5. Coal trucks & heavy machinery affecting the roads

ZINOJU COAL (PTY) LTD

**ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Brian Du Toit
Address:	15 Douglas St.
Telephone/cell phone:	082 468 4891
Fax:	
E-mail:	brian@dumketzn.co.za
Date:	11/08/2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

1. Disruption of wild life, fauna + flora
2. Why is there no transparency?
3. Noise and air pollution.
4. Blasting could affect the value and structures of our investments in the area.
5. Could affect the crime rate in the area.
6. Coal Truck + heavy machinery will affect the roads.

From: [Trevor Hallatt](#)
To: ["giena.eva@gmail.com"](mailto:giena.eva@gmail.com)
Subject: Comments and response
Date: Wednesday, 26 August 2020 12:29:00
Attachments: [Comments and response Brian Du Toit.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Sharepoint electronic Link: https://exmadvisoryservices-my.sharepoint.com/:f:/g/personal/trevor_exm_co_za/Er3kV8t3uV5MgXERoT7-EfEBA7nve2exzOs9rSeOIW9Jdw?e=5udj2c
- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

Hard copies of the documents are also available at the address below:

Address: Umzinyathi Community Education Centre
33 Tatham Street
Dundee

Times: Monday- Friday
10am-3pm

Kind regards

Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

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M: +27 (0) 71 689 2229

W: WWW.EXM.CO.ZA

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From: [Trevor Hallatt](#)
To: brian@dundeekzn.co.za
Subject: Comments and response
Date: Wednesday, 26 August 2020 12:24:00
Attachments: [Comments and response Brian Du Toit.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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Trevor



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From: [Trevor Hallatt](#)
To: ["doc.ash.owen@gmail.com"](mailto:doc.ash.owen@gmail.com)
Subject: Comments and response
Date: Wednesday, 26 August 2020 12:20:00
Attachments: [Comments and response Ashleigh Hilliar.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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From: [Trevor Hallatt](#)
To: Janet@tinky.co.za
Subject: Response to comments
Date: Friday, 28 August 2020 08:14:00
Attachments: [Comments and response AB, JS Potgieter.pdf](#)

Good day Jannet,

Please find attached the response to your comments received. The responses to the other comments you've provided has been given to the respective persons.

Kind regards
Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
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From: [Trevor Hallatt](#)
To: docdainty@gmail.com
Subject: Comments and response
Date: Thursday, 27 August 2020 10:41:00
Attachments: [Comments and response Violet Lusbe.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU- NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zf8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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From: [Trevor Hallatt](#)
To: merleolivier2020@gmail.com
Subject: Comments and response
Date: Thursday, 27 August 2020 10:30:00
Attachments: [Comments and response Merle Olivier.pdf](#)

**PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD
BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU- NATAL**

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- Dropbox electronic Link:
<https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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Times: Monday- Friday
10am-3pm

Kind regards

Trevor



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MA ENVIRONMENTAL MANAGEMENT

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From: [Trevor Hallatt](#)
To: maggieh7502@gmail.com
Subject: Comments and response
Date: Thursday, 27 August 2020 10:15:00
Attachments: [Comments and response Maria Hadjikynacou.pdf](#)
[Comments and response Demetris Hadjikynacou.pdf](#)

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU- NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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Kind regards

Trevor



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MA ENVIRONMENTAL MANAGEMENT

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From: [Trevor Hallatt](#)
To: brian@dundeekzn.co.za
Subject: Comments and response
Date: Thursday, 27 August 2020 10:01:00
Attachments: [Comments and response Brian Du Toit.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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10am-3pm

Kind regards

Trevor



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ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

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From: [Trevor Hallatt](#)
To: ["rdkassier@gmail.com"](mailto:rdkassier@gmail.com)
Subject: Comments and response
Date: Thursday, 27 August 2020 09:22:00
Attachments: [Comments and response WB Kassier, RD Kassier.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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Dundee

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10am-3pm

Kind regards

Trevor



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ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

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From: [Trevor Hallatt](#)
To: foggt@agricare.co.za
Subject: Comments and response
Date: Thursday, 27 August 2020 08:43:00
Attachments: [Comments and response Tarryn Fogg, Willem Wentzel.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

Please find attached the response to your comments regarding the abovementioned project. The Basic Impact Assessment, Water Use Licence Technical Report and Specialist Studies can be accessed by means of the links below:

- Sharepoint electronic Link: https://exmadvisoryservices-my.sharepoint.com/:f:/g/personal/trevor_exm_co_za/Er3kV8t3uV5MgXERoT7-EfEBA7nve2exzOs9rSeOIW9Jdw?e=5udj2c
- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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33 Tatham Street
Dundee

Times: Monday- Friday
10am-3pm

Kind regards

Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

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M: +27 (0) 71 689 2229

W: WWW.EXM.CO.ZA

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From: [Trevor Hallatt](#)
To: mbalenhletheodora@gmail.com
Subject: Comments and response
Date: Wednesday, 26 August 2020 12:36:00
Attachments: [Comments and response Mbalenhle Theodora Redebe.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

Please find attached the response to your comments regarding the abovementioned project. The Basic Impact Assessment, Water Use Licence Technical Report and Specialist Studies can be accessed by means of the links below:

- Sharepoint electronic Link: https://exmadvisoryservices-my.sharepoint.com/:f:/g/personal/trevor_exm_co_za/Er3kV8t3uV5MgXERoT7-EfEBA7nve2exzOs9rSeOIW9Jdw?e=5udj2c
- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

Hard copies of the documents are also available at the address below:

Address: Umzinyathi Community Education Centre
33 Tatham Street
Dundee

Times: Monday- Friday
10am-3pm

Kind regards

Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

T: +27 (0) 10 007 3617

M: +27 (0) 71 689 2229

W: WWW.EXM.CO.ZA

This email is confidential, may also be legally privileged and is intended for the exclusive use of the recipient to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

From: [Trevor Hallatt](#)
To: giena.eva@gmail.com
Subject: RE: Comments and response
Date: Wednesday, 26 August 2020 12:30:00
Attachments: [Comments and response Eugene van Aswegen.pdf](#)

Good day,

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

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- Dropbox electronic Link: <https://www.dropbox.com/sh/zt8r9lyavahcee2/AABv4pGDBxsKuA1TZw8p7YNra?dl=0>

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Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 13 August 2020

Name of party: Violet Lusbe

Address: No 4 Impati Villah

Tel nr: 065 827 5449

Email address:

Designation: Interested/Affected Party

1. Residential area

Comment:

- Opening a mine in a residential area.

Response:

The proposed Balgray operations will be located on the existing Aviemore mining right area and not be situated in a residential area.

2. Health concerns

Comment:

Health implicated physically and mentally.

Response:

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area. It should be noted that the proposed Balgray project will be undertaken on the existing Aviemore mining right area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 3 of this letter shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)	
	Day	Night	Day	Night
1	43.8	43.8	0	0
2	42.2	42.2	0	0
3	39.3	39.3	0	0
4	39.2	39.2	0	0
5	43.6	43.6	0	0
6	44.1	44.1	0	0
7	46.3	46.3	1.3	1.3
8	44.2	44.2	0	0
9	43.8	43.8	0	0
10	46.1	46.1	1.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario (with management measures implemented) does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

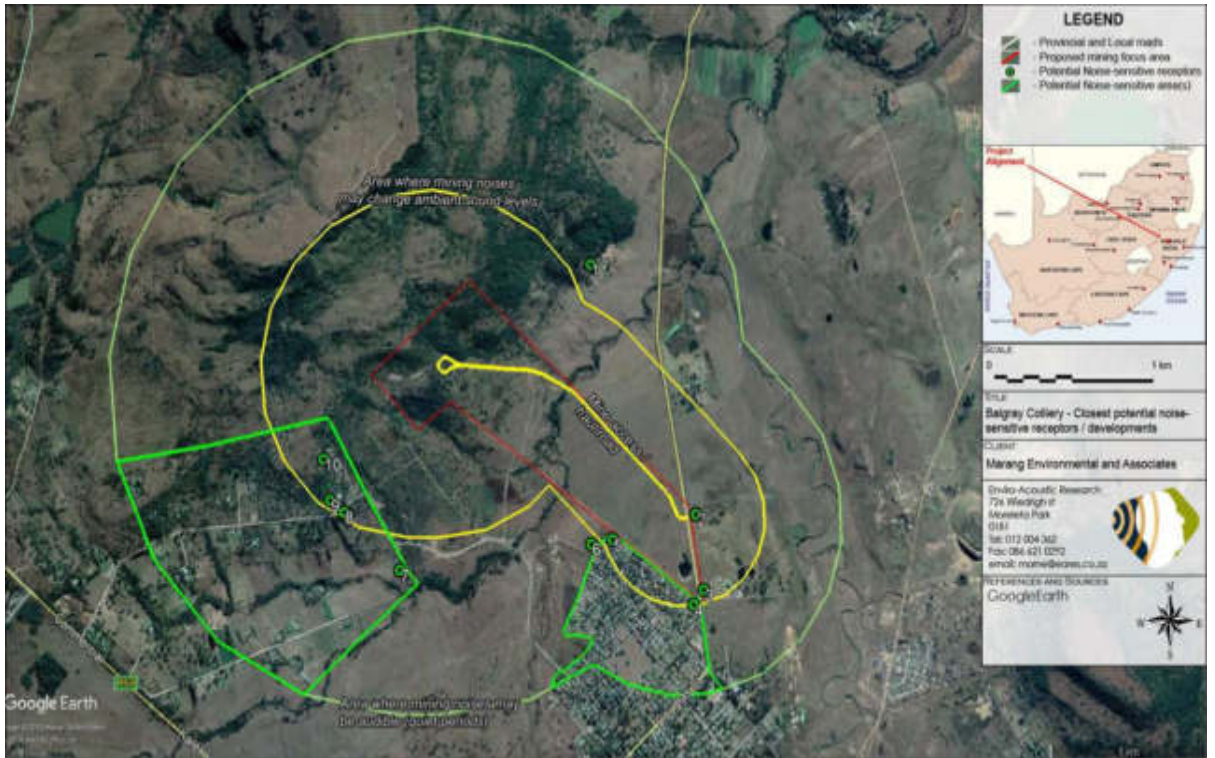
The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
	1	40.7	40.7	0
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6
7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

- Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3 </td <td>0</td> <td>3.3</td>	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7



- Figure 1: Noise Sensitive Receptors Identified

3. Water pollution

Comment:

- Water and air implicated.

Response:

- Air

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 2 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 3 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

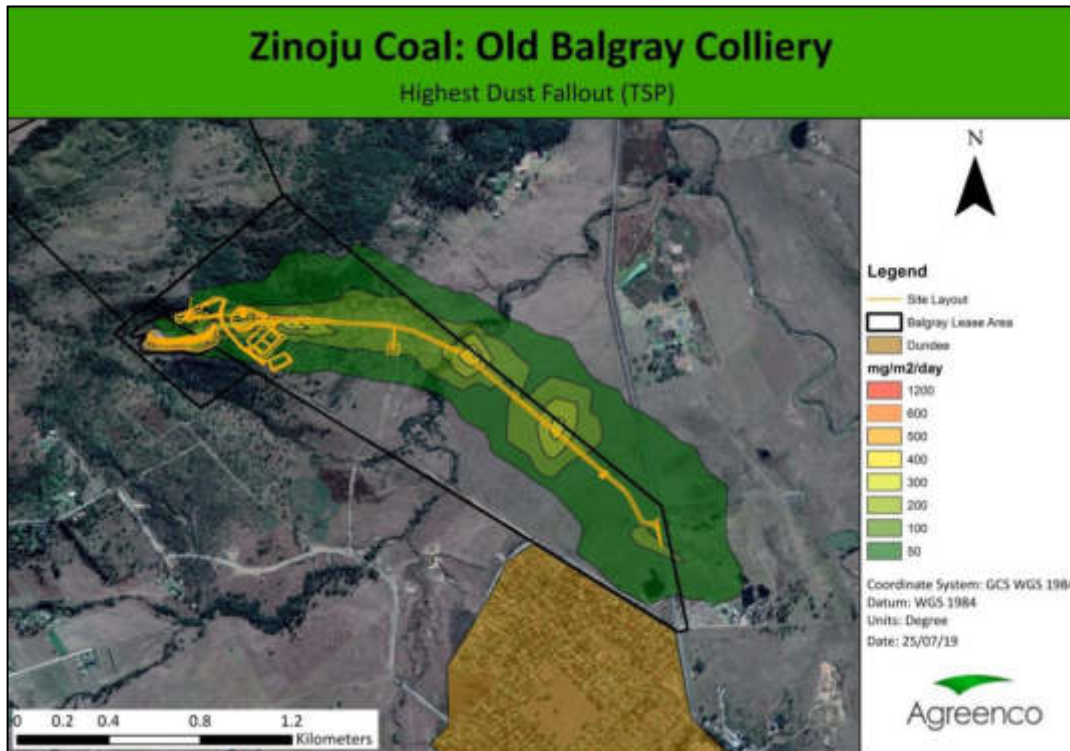


Figure 2: The highest expected dust fallout per day

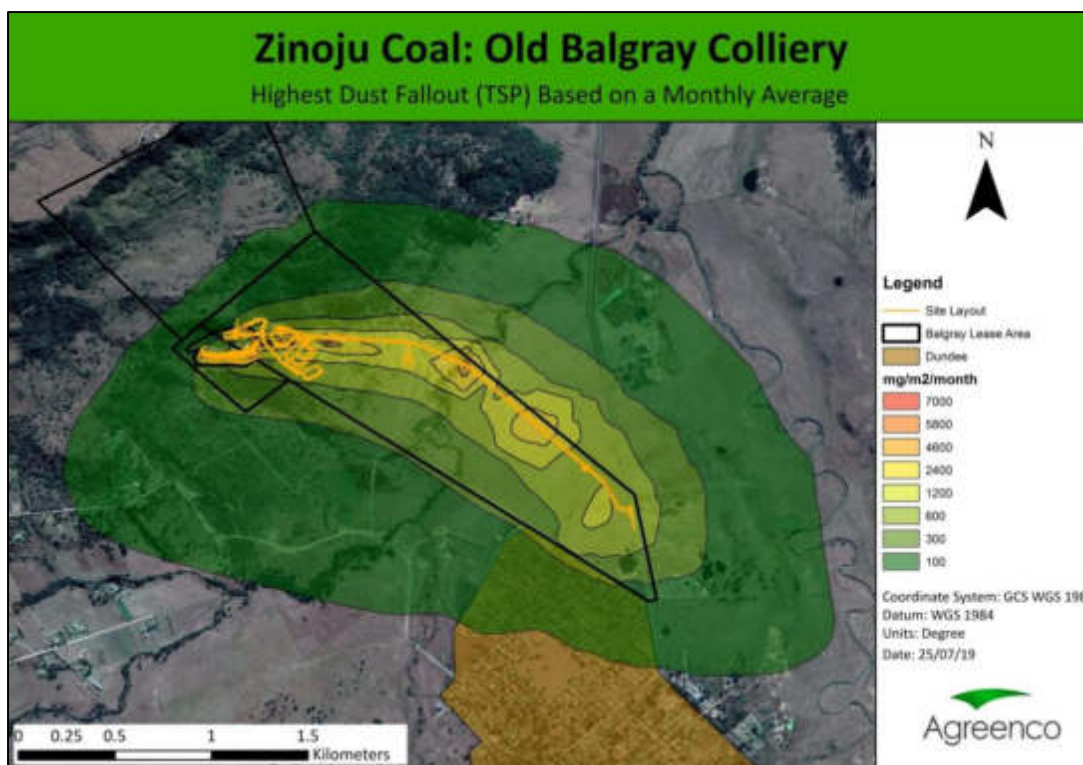


Figure 3: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM₁₀ (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM₁₀ limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.
- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants
- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

- **Groundwater**

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (ZOI) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in **Figure 1**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

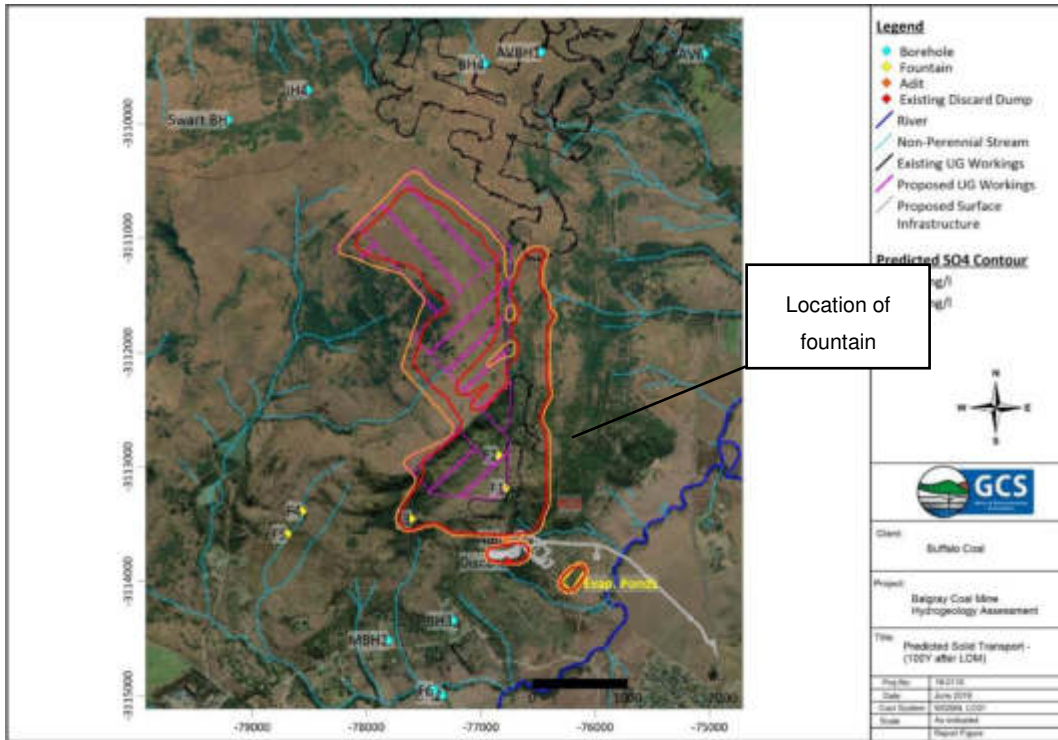


Figure 1: Predicted sulphate plume 100 year after Life of Mine

- Surface water**

The mine will be designed according to the requirements of Government Notice 704 which requires that all potentially contaminated runoff to be contained. A stormwater management plan (Annexure 11 of the BAR) has been developed for the Balgray operations to ensure adequate management of runoff from all areas. Bunding will be established where required to contain any spillages. Ground and surface water monitoring will be conducted in terms of the monitoring programme stipulated in the Integrated Water and Waste Management Plan to detect any pollution up and down stream.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 11 August 2020

Name of party: Tarryn Fogg & Willem Wentzel

Address: 6 Mpati Chase, Cragieburn, Dundee

Tel nr: 082 302 8901

Email address: fogg@agricare.co.za

Designation: Interested/Affected Party

1. Fauna and flora concerns

Comment:

- Disrupt the wildlife, fauna & flora on the mountain.

Response:

A Fauna and Flora biodiversity study (Annexure 4 and 5) has been undertaken by Agreenco as part of the Basic Impact Assessment. The studies identified the potential impact that the project may have on biodiversity and included measures that must be taken to mitigate those impacts.

The risk assessment identified some impacts that could negatively affect the faunal communities as well as adjacent areas of biodiversity importance. These impacts can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with general, and tax-specific mitigation measures proposed.

If the proposed mitigation measures are adequately enforced, the overall impact of the mine on faunal diversity can be significantly reduced.

The vegetation assessment showed that the area has been previously substantially disturbed, exhibiting high prevalence of invasive alien plants and exotic species. It cannot be considered representative of the natural vegetation type (Gs4 - Northern KwaZulu Natal Moist Grassland) described for the area. There are, however, some pockets of natural vegetation present. No plant species of conservation concern were identified within the planned footprint of the development. Nevertheless, the risk assessment showed some impacts that could negatively affect the existing natural vegetation. This can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with specific mitigation measure proposed.

It should be noted that surface infrastructure will have a relatively small surface area of approximately 10 hectares.

2. Infrastructure concerns

Comment:

- Coal trucks, heavy machinery messing up the roads.
- Blasting could affect the structure & value of the houses/buildings in the area.

Response:

No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the eastern side of Dundee as per route determination in the Figure below.

This is currently the case where the trucks from the Aviemore mining operations travel on the same route on the P272 Provincial Road. The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site. All the current employees at the Aviemore mining operations will be employed at the Balgray operations and will use the same routes as before as the Aviemore operations is also situated on the P272 Provincial Road. No additional traffic is therefore anticipated on any different routes during the operational phase.



The mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project to ensure .

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues. It is anticipated that employees will not walk to the mine but rather use transportation as currently the case at Aviemore.

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more that 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

3. Crime concerns

Comment:

- Close to houses, crime rate could increase.

Response:

The mine lease area will be secured and monitored by Security and access control measures will be implemented. Security will patrol the fences. The mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. No spaza shops at entrance or on mine lease area will be permitted. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project.

The security will be patrolling and will be deployed at various position on the surface lease area.

4. Noise pollution

Comment:

- Noise pollution to residents in the area.

Response:

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area. It should be noted that the proposed Balgray project will be undertaken on the existing Aviemore mining right area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 3 of this letter shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)	
	Day	Night	Day	Night
1	43.8	43.8	0	0
2	42.2	42.2	0	0
3	39.3	39.3	0	0
4	39.2	39.2	0	0
5	43.6	43.6	0	0
6	44.1	44.1	0	0
7	46.3	46.3	1.3	1.3
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Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario (with management measures implemented) does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
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8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
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9	38.1	38.1	0	3.1
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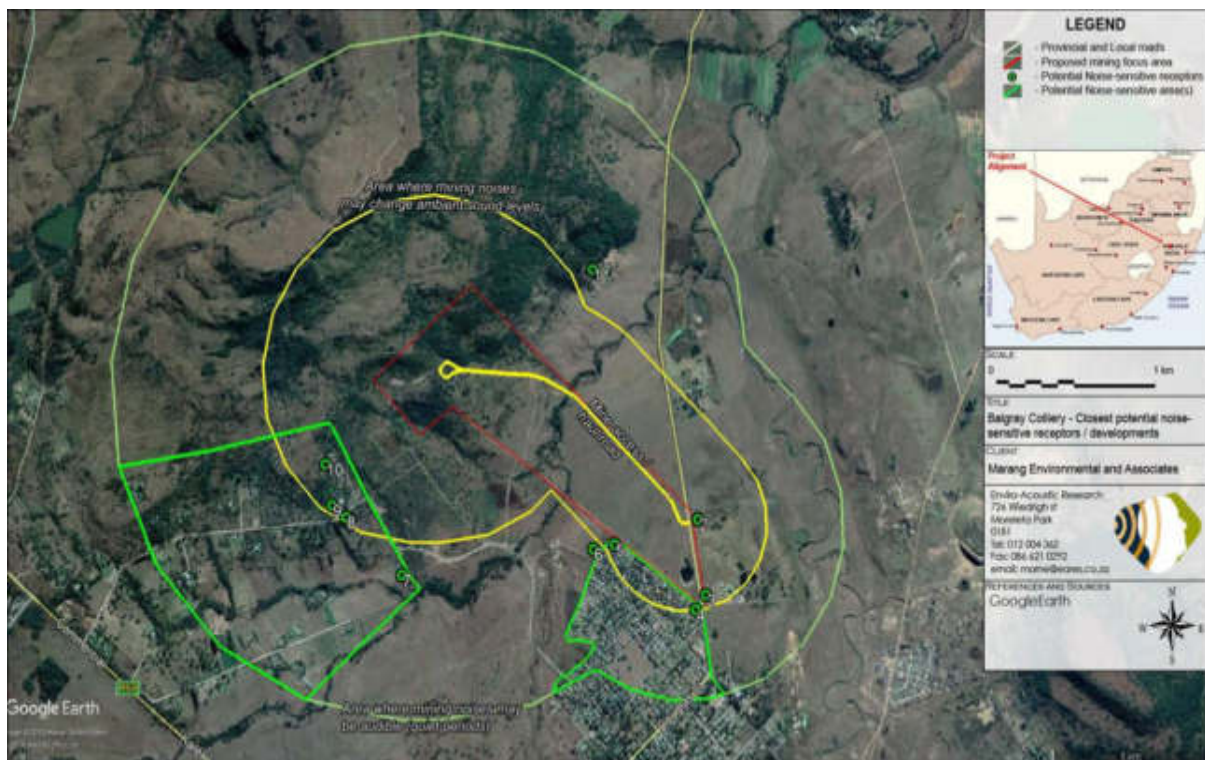


Figure 1: Noise Sensitive Receptors Identified

Annexure A: Security Access Policy

Buffalo Coal Security Access Policy



1. **AIM**
The Policy provides for access control to all mine premises, thus prevention of unlicensed drivers, drivers under the influence of alcohol, and the prevention of mine property theft.
2. **SCOPE**
This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications (“Employees”).
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver’s license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the “normal” working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment:

Name of party: MG Talanda

Address: 19 McPhail Drive

Tel nr: 082 870 1205

Email address:

Designation: Interested/Affected Party

1. Property concerns

Comment:

- Value of property.
- Bought here for peace and quiet farming atmosphere.

Response:

The comment is noted. The project will have a relative short live span of 5-7 years (operational phase) and if any property values are affected it will be for a short period.

2. Security concerns

Comment:

- Theft more people using road.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site. No additional trucks will therefore travel on the roads. It should be noted that all the current employees at the current Aviemore mining operations will be employed at the Balgray operations and will use the same routes as before as the Aviemore operations is also situated on the P272 Provincial Road – same as the Balgray access point. No additional traffic during operations is therefore anticipated on different routes. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

3. Health concerns

Comment:

- Sinus sufferers, with quarry already a problem.
- Pollution giving rise to severe headaches (migraines).

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 1 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 2 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

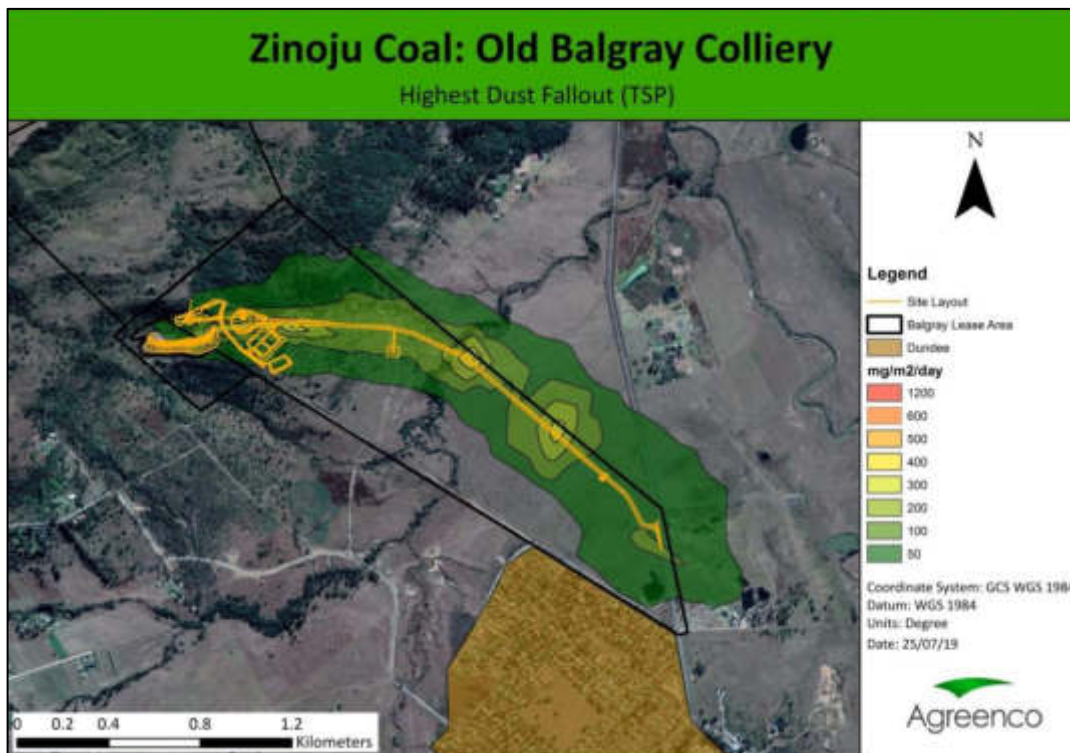


Figure 1: The highest expected dust fallout per day

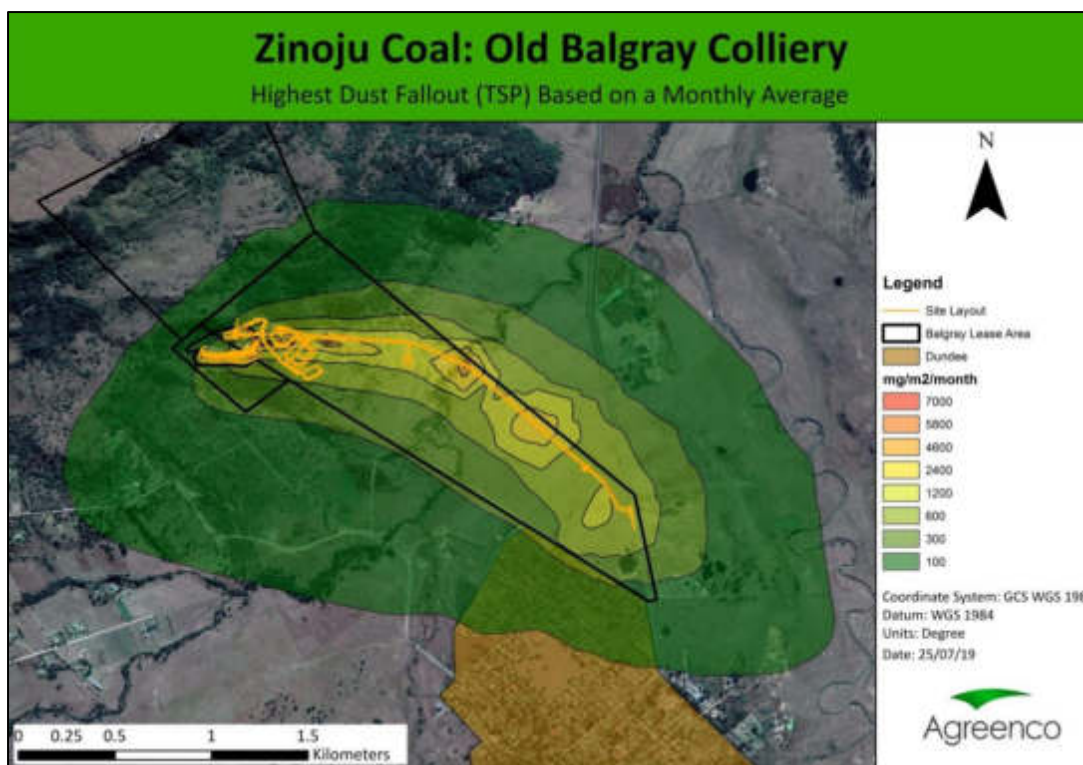


Figure 2: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM₁₀ (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM₁₀ limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:**Construction**

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.
- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants
- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface

Comment:

- Bought here for peace and quiet farming atmosphere.
- Pollution – air, noise, dust.

Response

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area. It should be noted that the proposed Balgray project will be undertaken on the existing Aviemore mining right area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 3 of this letter shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)	Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)
	Day	Day
1	43.8	0
2	42.2	0
3	39.3	0
4	39.2	0
5	43.6	0
6	44.1	0
7	46.3	1.3
8	44.2	0
9	43.8	0
10	46.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario (with management measures implemented) does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6

7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7

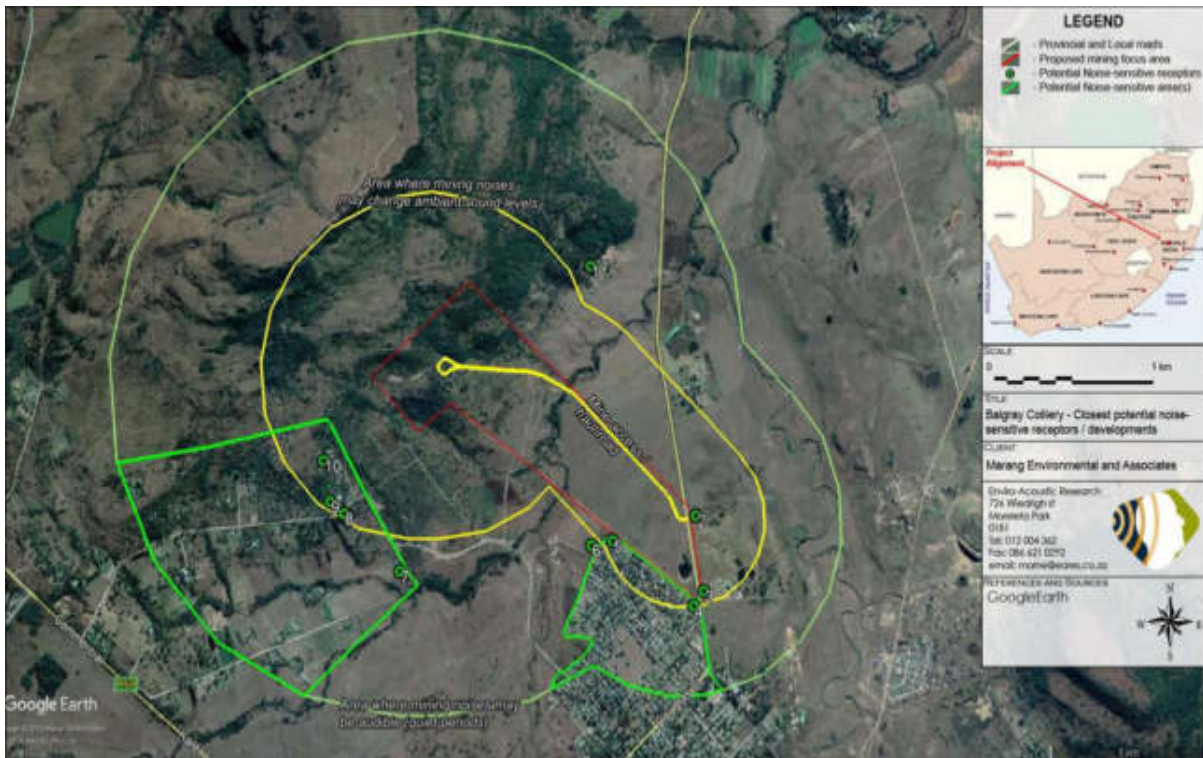


Figure 1: Noise Sensitive Receptors Identified

4. Air pollution/nature concerns

Comment:

- Fires – people walking and smoking.

Response:

An emergency and response procedure will be implemented in the case of fires associated with the Balgray operations. Dedicated smoking areas will be allocated.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee**Date of comment:****Name of party:** Merle Olivier**Address:** No 1 Catterall Drive, Craigieburn**Tel nr:** 072 311 2596**Email address:** merleolivier2020@gmail.com**Designation:** Interested/Affected Party**Comment regarding the retrenchment of people after decommissioning (as per telephone discussion)**

The operational phase of the Balgray project will have a lifespan of approximately 5-7 years. The resources of the current Aviemore mine will be depleted by mid-2022 and the jobs at the mine will be absorbed in the Balgray project. If the project does not proceed, all of these jobs (225 permanent employees) will be lost and the livelihood of these people and dependents will be depleted which will increase unemployment in the Dundee area. Approximately 25 direct additional temporary jobs will be created during the construction phase, sourced from Dundee and surrounds. The mine's operational expenditure (OPEX) is estimated at around R11m per month. An estimated 45% of the colliery's OPEX will be spent in Dundee and 35% in the other parts of Endumeni and Dannhauser municipalities.

Moreover, if the project does not proceed the coal processing plant in the Dundee industrial area currently used to process coal from Aviemore will have to close down due to the mine not proceeding after 2022 and the Head Office will also close down. This will result in a further 250 job losses, with total job losses estimated at 500 employees (including contractors). Again, the Balgray project is a crucial project to prevent job losses and to protect the livelihoods of the employees as well as numerous dependents.

The Balgray project will also generate the required funds for the development of the North Adit project on the northern side of the Mpati Mountain which will retain the employees at the Balgray project and create additional 250 employment opportunities (total 500 people employed on a permanent basis). The North Adit project is planned to commence in 2025 after the required funds have been obtained from the Balgray project and the potential socio-economic benefits will already be achieved during this time. The North Adit project will have a lifespan of 13-15 years with additional resource potential. Therefore, the Balgray project is a stepping stone for a long-term strategy (>20 years) to create sustained employment for current and additional employees. All employees from the Balgray project will be moved to the North Adit project.

1. Health concerns

Comment:

Coal mines affect human health living close by. Exposure to mine dust or living close to a mine is a risk factor for asthma. It is attributed to the fact that inhaled dust particles can potentially harm the respiratory system. Among older people, it is found that the rate of asthma to be concerning, as is with children. Mining releases carbon dioxide and nitrogen oxides. Exposure to these toxic substances from coal mining could/can result in various health problems, such as cancer of some types, respiratory problems, cardiovascular problems and even deaths.

While coal remains a source of energy it does undeniably cause great damage to the health of people and the general ecosystem, all water resources, air pollution and illnesses such as cancer types and respiratory related.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 1 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 2 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

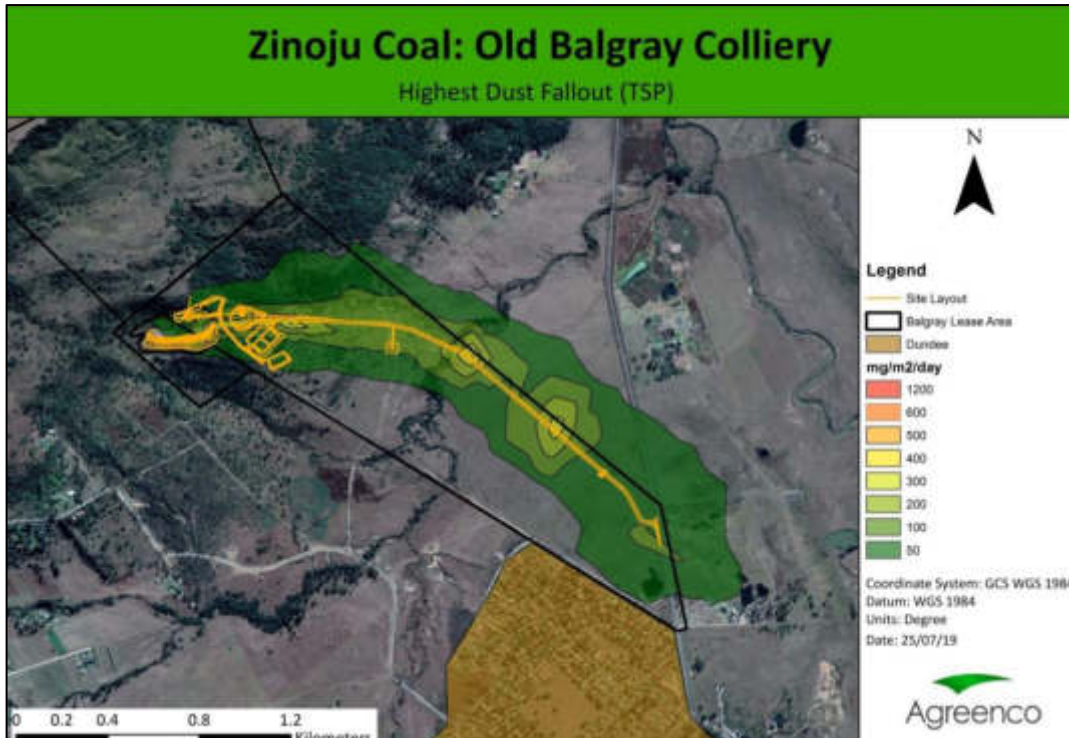


Figure 1: The highest expected dust fallout per day

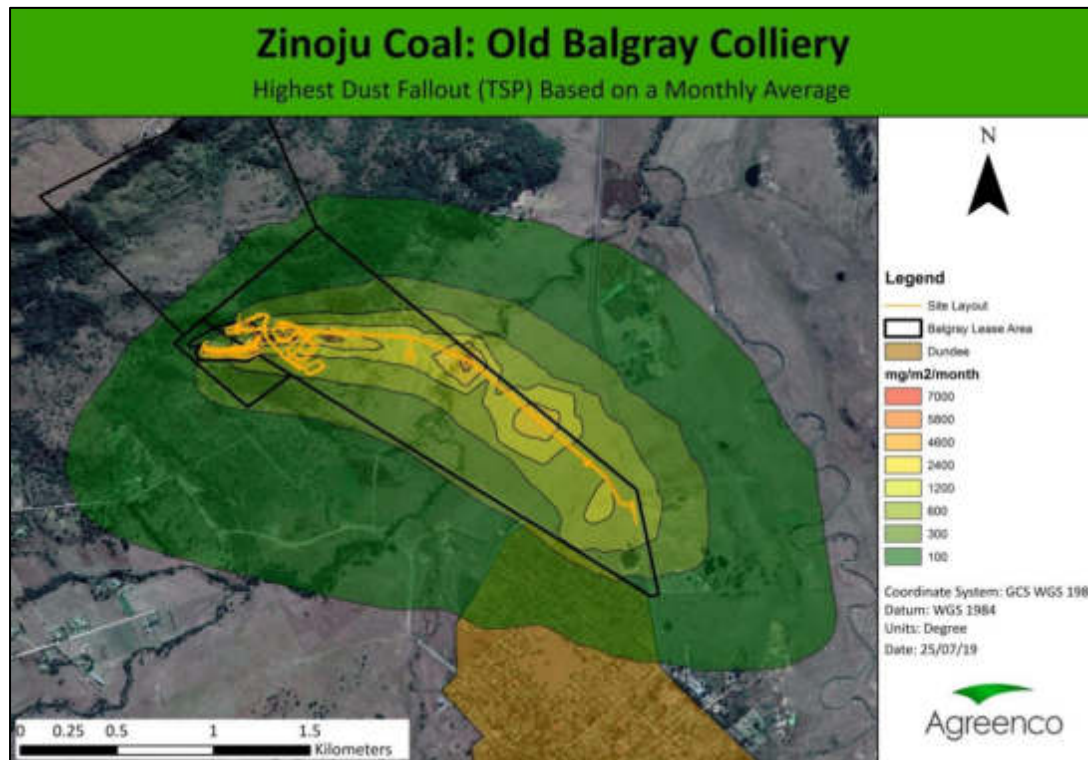


Figure 2: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM10 (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

2. Environmental concerns

Comment:

The affect of coal mining is not only limited to air pollution, but has further results in global warming during coal mining activities, greenhouse gasses such as carbon dioxide, nitrogen oxide and other heat-trapping gasses are produced, and remains in the atmosphere for several years once emitted, and is the largest contributor to global warming yet.

Global warming already is causing more severe storms, heat waves, droughts and spread of malaria and other diseases. It has also posed a great danger to human health, plants, animals and the general ecosystem. This is according to the Natural Resources Defence Council.

While coal remains a source of energy it does undeniably cause great damage to the health of people and the general ecosystem, all water resources, air pollution and illnesses such as cancer types and respiratory related.

Response:

Greenhouse gas emissions associated with the proposed Balgray operations will only relate to the burning of fuel for the transportation of coal to the processing plant on the eastern side of Dundee. Electricity usage at the mine will also result in indirect emissions as electricity generation is associated with the burning of coal. The burning of coal extracted from the mining operations will result in the release of green house gas emissions, but does not directly relate to the operations itself.

The direct contribution of the project on greenhouse gas emissions has been assessed as having a low impact significance.

3. Infrastructure concerns

Comment:

- a. With mining activities and blasting, will the mine compensate for damages caused, because of
- b. How far will the underground mining operations extend?

Response:

Refer to the Figure below for the extent of the underground workings.

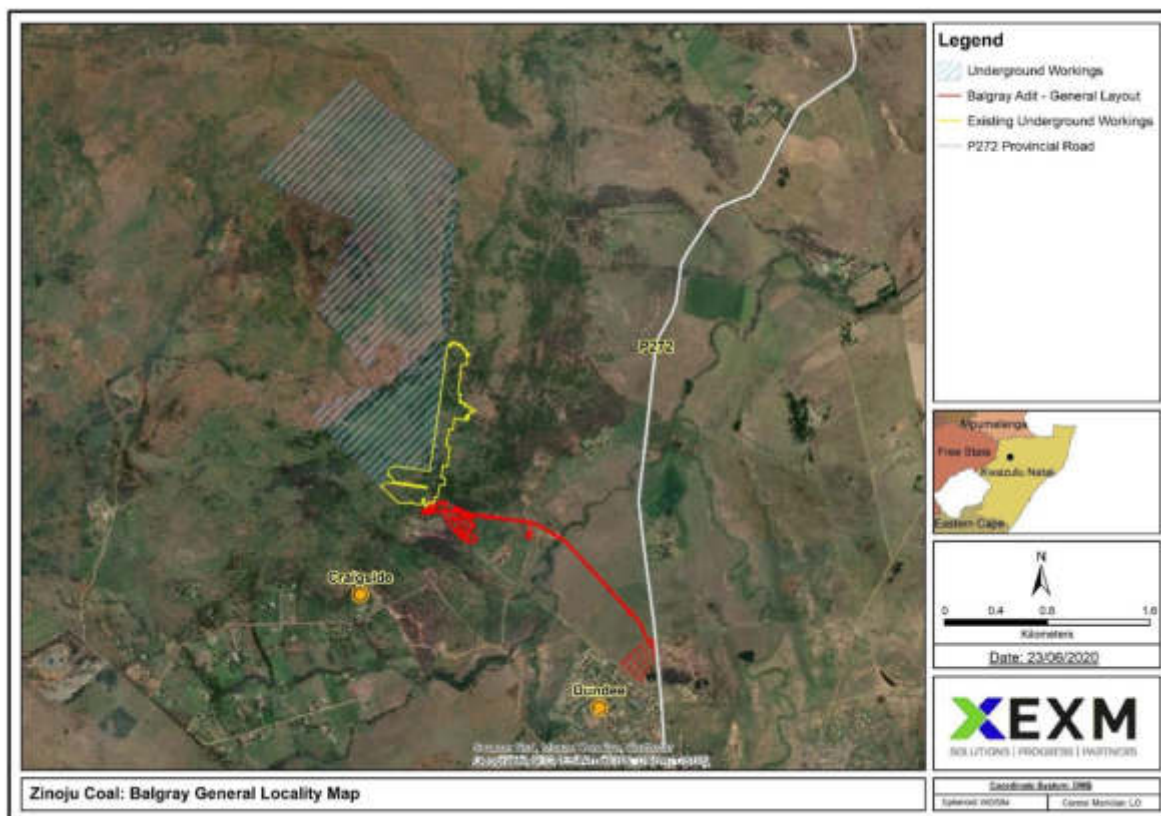
It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more than 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.



4. COVID concerns

Comment:

Workers using transport to the mine, will increase the danger of COVID19 spreading in the surrounding area.

Response

The same number of people currently driving to the Aviemore mine will be driving to the Balgray operations.

5. Traffic concerns

Comment:

With increased traffic to the area, there will be damage to the roads, coal dust, and an increased littering is inevitable.

How will the increased traffic and mine activities impact on our lifestyle? I.e. Jogging/walking, cycling/quad bikes, hicking and horse riding.

Response:

Access will only be from the P272 Provincial Road. The servitude area for mine access road will be fenced off and no other access will be possible to the operations except from the P272 Provincial Road. An access control point will be established at the entrance.

No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the eastern side of Dundee as per route determination in the Figure below. This is currently the case where the trucks from the

Aviemore mining operations travel on the same route on the P272 Provincial Road. All the current employees at the Aviemore mining operations will be employed at the Balgray operations and will use the same routes as before as the Aviemore operations is also situated on the P272 Provincial Road. No additional traffic is therefore anticipated on any different routes during the operational phase.

The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.



The mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project to ensure .

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues. The employees will not walk to the mine but rather use transportation as currently the case at Aviemore.

6. Water concerns

Comment:

In the case of water, the continuous release of various chemicals and gasses from coal mine drastically affect water quality. Further it results in acidification and degradation of the water, affecting the aquatic bodies and human health. When rain falls all toxic dust is washed into the soil, which affects agricultural land, and once again contaminated the natural water resources. Contaminated water affects people and animals that depend on the water for drinking.

Response:

The mine will be designed according to the requirements of Government Notice 704 which requires that all potentially contaminated runoff to be contained. A stormwater management plan (Annexure 11 of the BAR) has been developed for the Balgray operations to ensure adequate management of runoff from all areas. Bunding will be established where required to contain any spillages. Ground and surface water monitoring will be conducted to detect any pollution up and downs stream.

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in **Figure 3**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

The borehole in question falls outside the Zone of Influence with regards to the migration of pollution as a result of the mining operations and is unlikely to be affected.

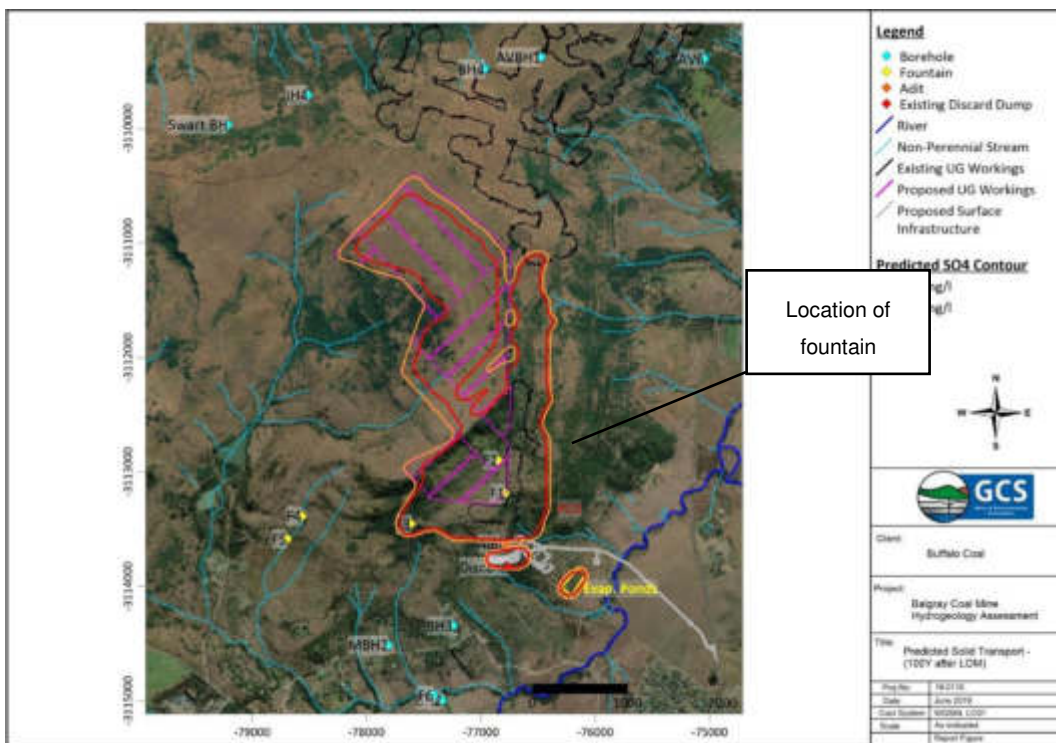


Figure 3: Predicted sulphate plume 100 year after Life of Mine

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which the aquifer drawdowns, due to the dewatering activities, will affect the groundwater regime and water users.

The predicted 2D aquifer drawdown zone at Life of Mine (LOM) for the Balgray project, is shown by **Figure 4**. From the drawdown zone of influence generated, the following is noted:

- A maximum aquifer drawdown of 3 m, can be expected, with the lowest drawdown in the order of 0.1 m. It should be noted that the drawdown ZOI indicates drawdown in the aquifer layer directly above the underground workings. Hence, drawdown in regional water tables in the uppermost reaches of the mountain, is unlikely (due to mine

depth).

- **No groundwater users (discovered during the survey) fall within the dewatering ZOI.**
- No perennial streams fall within the dewatering ZOI due to the dewatering depth underneath the mountain area (> 300 m).
- The springs discovered in the area, namely spring F3 and spring F2, likely fall within the 0.3 m drawdown ZOI. Hence, the impact on the springs is likely to be low to insignificant.

From **Figure 4** below, it is evident that the borehole in question falls outside the aquifer drawdown ZOI of the proposed dewatering activities as determined by the Geohydrological Specialist and impacts on the availability of water is not likely.

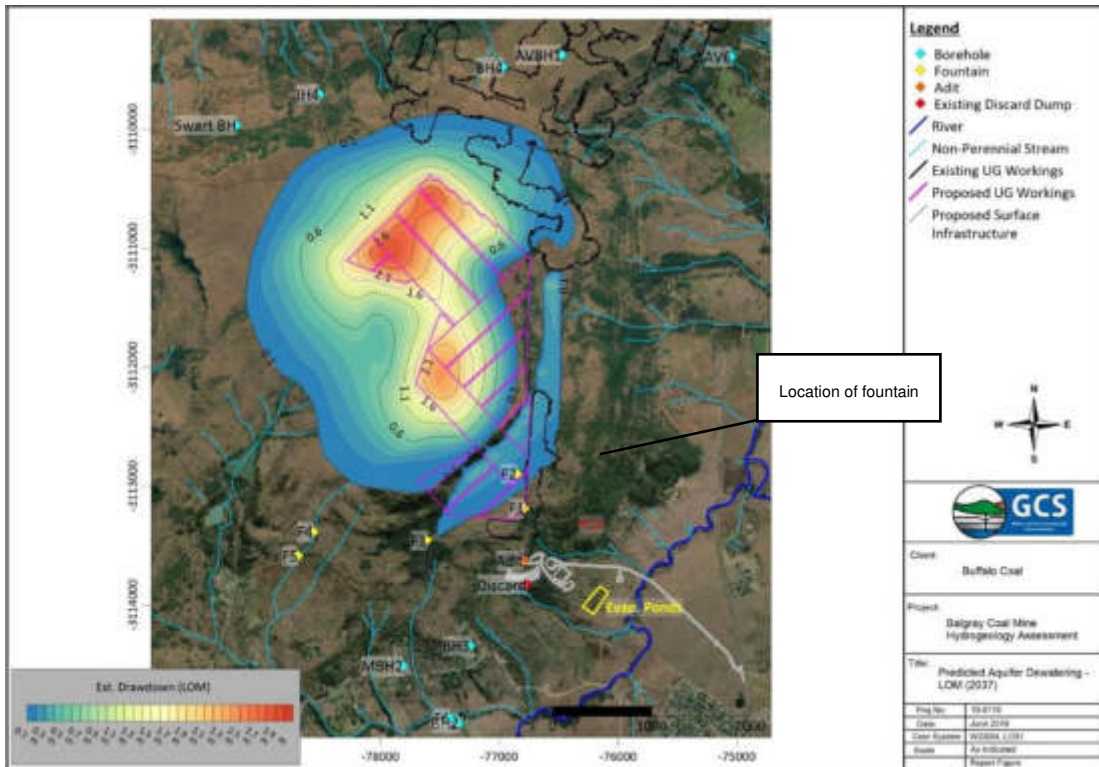


Figure 4: Aquifer drawdown Zone of Influence

7. Security concerns

Comment:

How does the mine intend to deal with the following problems:

- Increasing crime and poaching
- Informal trading
- Control of protest and riots
- Burning of private property
- Blocking of roads
- Security patrols for the safety of jogging/walking activities, also for safety of cyclists/quad bikes hiking and horse riding.

Will there be security patrols?

Response:

The mine lease area will be secured and monitored by Security and access control measures will be implemented. Security will patrol the fences. The mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. No spaza shops at entrance or on mine lease area will be permitted. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project.

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues.

The security will be patrolling and will be deployed at various position on the surface lease area. In the event of protests, the mine will work in conjunction with the SAPS. Bear in mind that access can only be obtained from the P272 Provincial Road.

8. Safety concerns**Comment:**

How safely will explosives be stored?

Response:

The explosives magazine will be designed according to the requirements of the Explosives Act and associated regulations. All required bunding will also be established and strict access control measures will be implemented. An inspector from the Department will have to approve the facility before any explosives may be stored and will also be inspected on a frequent basis during operations.

9. Workers accommodation**Comment:**

Will there be a compound built for workers?

Response:

No. Employees from the current Aviemore operations will be employed at the Balgray operations, therefore no additional accommodation will be required. The casual labour (approximately 25 employees) for the construction phase will be sourced locally, but no compound or other means of accommodation will be established at the site.

Buffalo Coal Security Access Policy



1. **AIM**
The Policy provides for access control to all mine premises, thus prevention of unlicensed drivers, drivers under the influence of alcohol, and the prevention of mine property theft.
2. **SCOPE**
This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications ("Employees").
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver's license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the "normal" working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreeco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 1 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 2 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

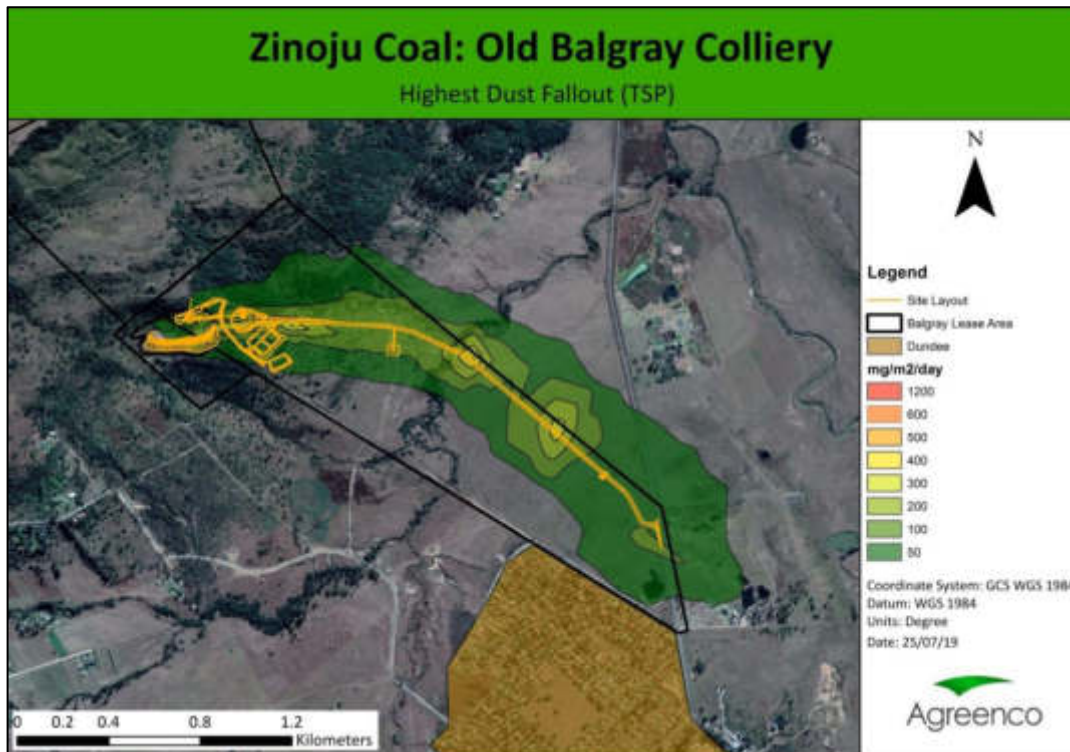


Figure 1: The highest expected dust fallout per day

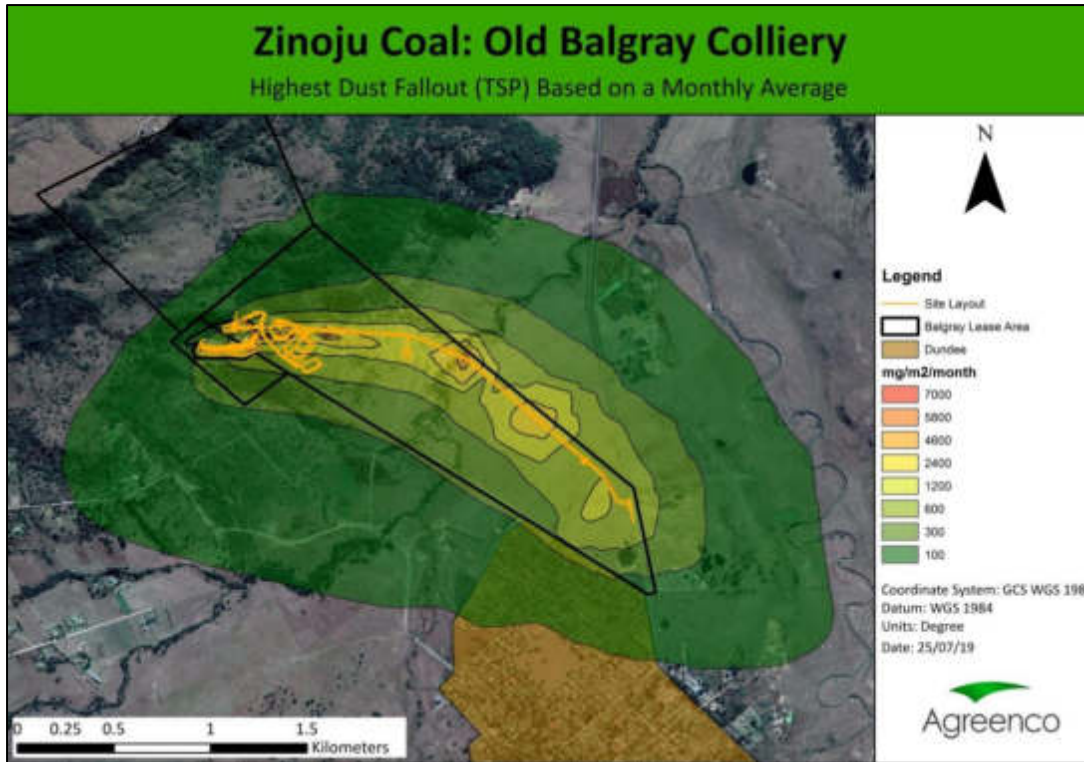


Figure 2: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM₁₀ (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM₁₀ limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 14 August 2020

Name of party: Demetris Hadjikynacou

Address: 6 Union Street

Tel nr: 083 797 6565

Email address:

Designation: Interested/Affected Party

1. Road infrastructure

Comment:

Constant movement of coal trucks up and down the road, causing the roads to get potholes like in Argyll Road.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site.

Note should be taken that all the people currently employed at Aviemore will be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

Trucks transporting coal will also use the same routes as before, no other routes will be followed to the processing plant. The Traffic Impact Assessment (Annexure 14 of the BAR) conducted for the Balgray operations stated that it is recommended that Argyll Street be resurfaced and repaired. However, this action is required by the local municipality.

2. Property damage

Comment:

Tremors causes walls to crack in property.

Response:

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more than 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

3. Air pollution

Comment:

- Pollution in the air.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreeco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures.

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM10 (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
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PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.
- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants
- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

4. Property concerns

Comment:

- Water seeping through to the residential area damaging our gardens and plants.

Response:

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (Zol) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 years after Life of Mine, is shown in **Figure 1**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

From the above findings of the Specialist study, no seepage is expected to occur in the Dundee residential areas.

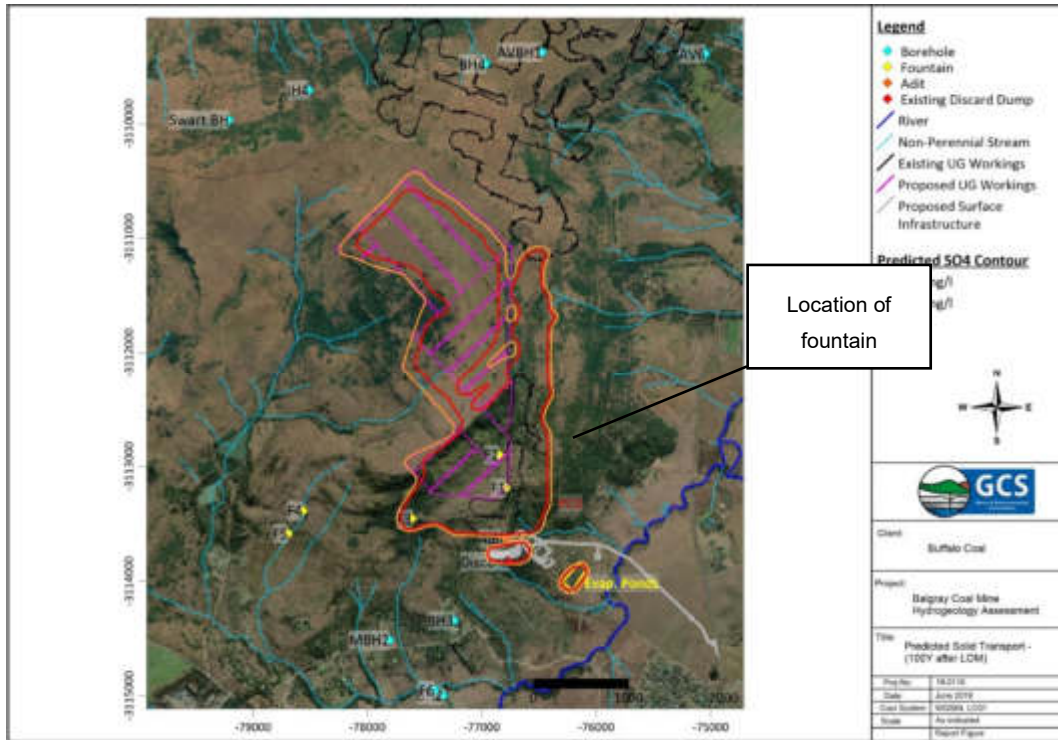


Figure 1: Predicted sulphate plume 100 year after Life of Mine

A stormwater management system will be implemented according to the requirements of GN 704 which stipulates measures that must be taken to manage potentially contaminated runoff. All potentially contaminated runoff associated with the proposed Balgray operations will be contained.

5. Safety concerns

Comment:

- Possible riots due to unhappy workers.

Response:

In the event of protests, the mine will work in conjunction with the SAPS.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 13 August 2020

Name of party: Maria Hadjikynacou

Address: 1 Union Street

Tel nr: 083 797 2524

Email address:

Designation: Interested/Affected Party

1. Property concerns

Comment:

- Devaluation of property.

Response:

The comment is noted. The project will have a relative short live span of 5-7 years and if any property values are affected it will be for a short period.

2. Infrastructure concerns

Comment:

- Cracking of walls etc. due to tremors

Response:

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

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The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

3. Health concerns

Comment:

- Constant coal trucks passing the houses. This is a residential area. Pollution can cause health problems, especially as I suffer from asthma and sinuses.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site.

Note should be taken that all the people currently employed at Aviemore will be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

Trucks transporting coal will also use the same routes as before, no other routes will be followed to the processing plant. The Traffic Impact Assessment (Annexure 14 of the BAR) conducted for the Balgray operations stated that it is recommended that Argyll Street be resurfaced and repaired. However, this action is required by the local municipality.

4. Air pollution

Comment:

- Everything is always full of black dust.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 1 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 2 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

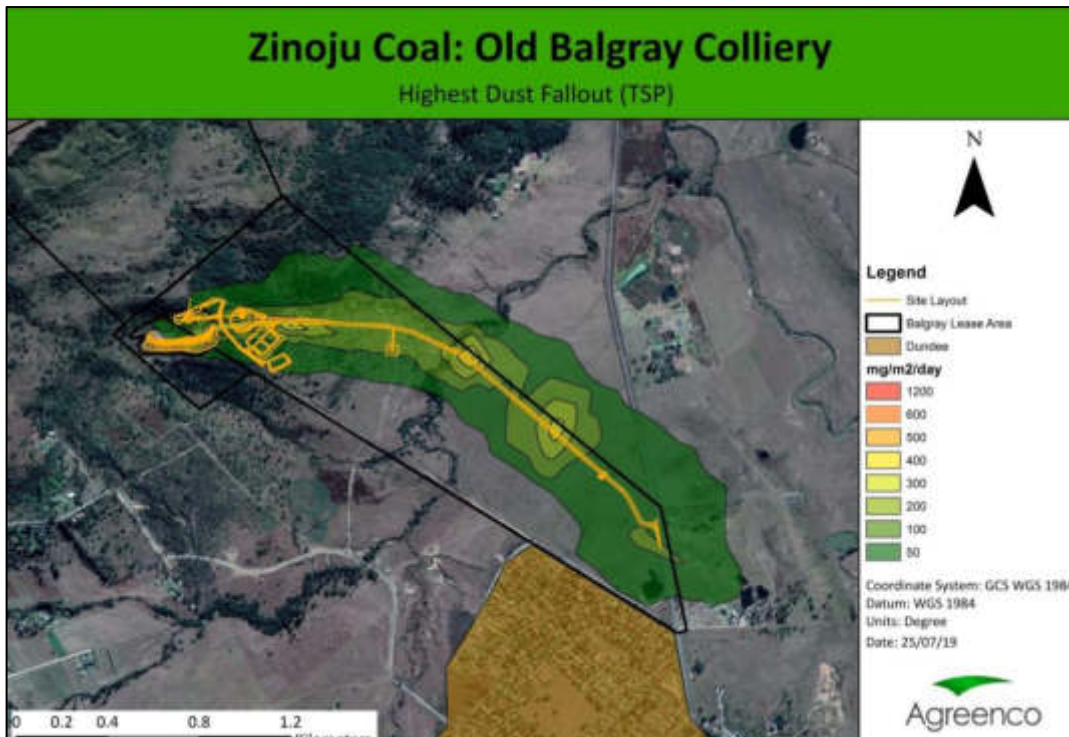


Figure 1: The highest expected dust fallout per day

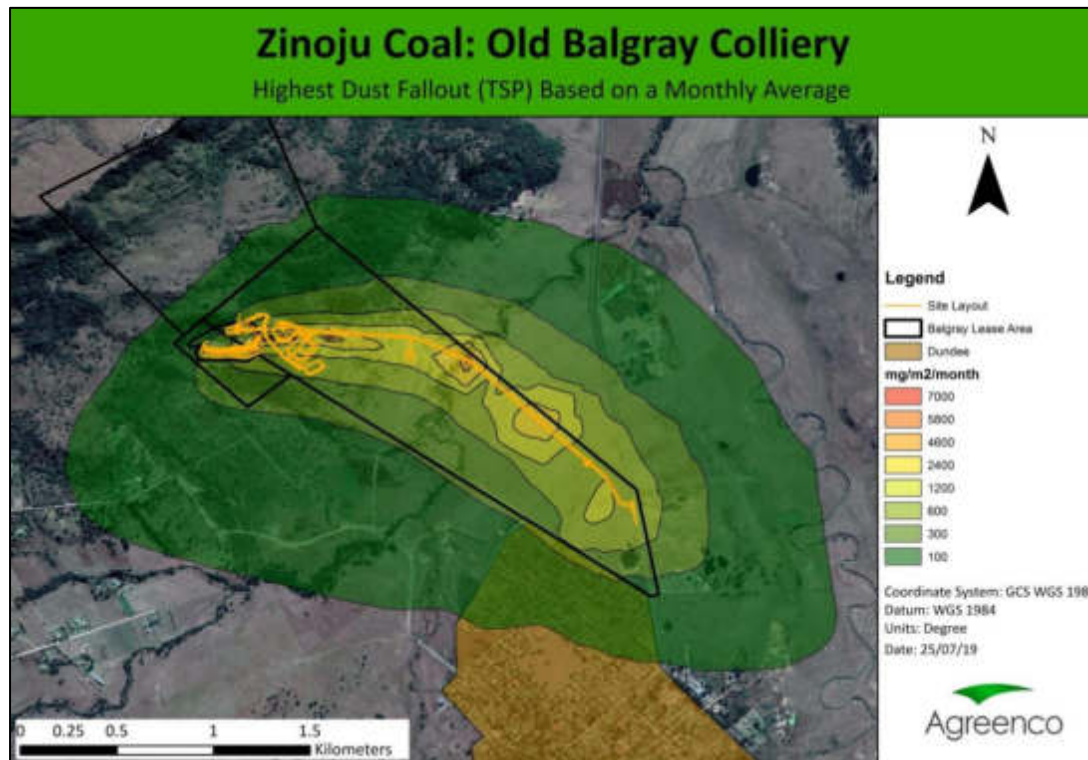


Figure 2: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM₁₀ (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM₁₀ limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.
- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants

- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment:

Name of party: Eugene van Aswegen

Address: 22 McPhail Street

Tel nr: 083 234 1395

Email address: gjena.eva@gmail.com

Designation: Interested/Affected Party

1. General concerns

Comment:

Opening the mine will be a big disturbance to the environment and residence. I would not permit to opening of the mine.

Response:

Your comment is noted, no specific concerns raised.

- **Noise**

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 4 of this letter shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)	Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)
	Day	Day
1	43.8	0
2	42.2	0
3	39.3	0
4	39.2	0
5	43.6	0
6	44.1	0
7	46.3	1.3
8	44.2	0
9	43.8	0
10	46.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6
7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0

5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7

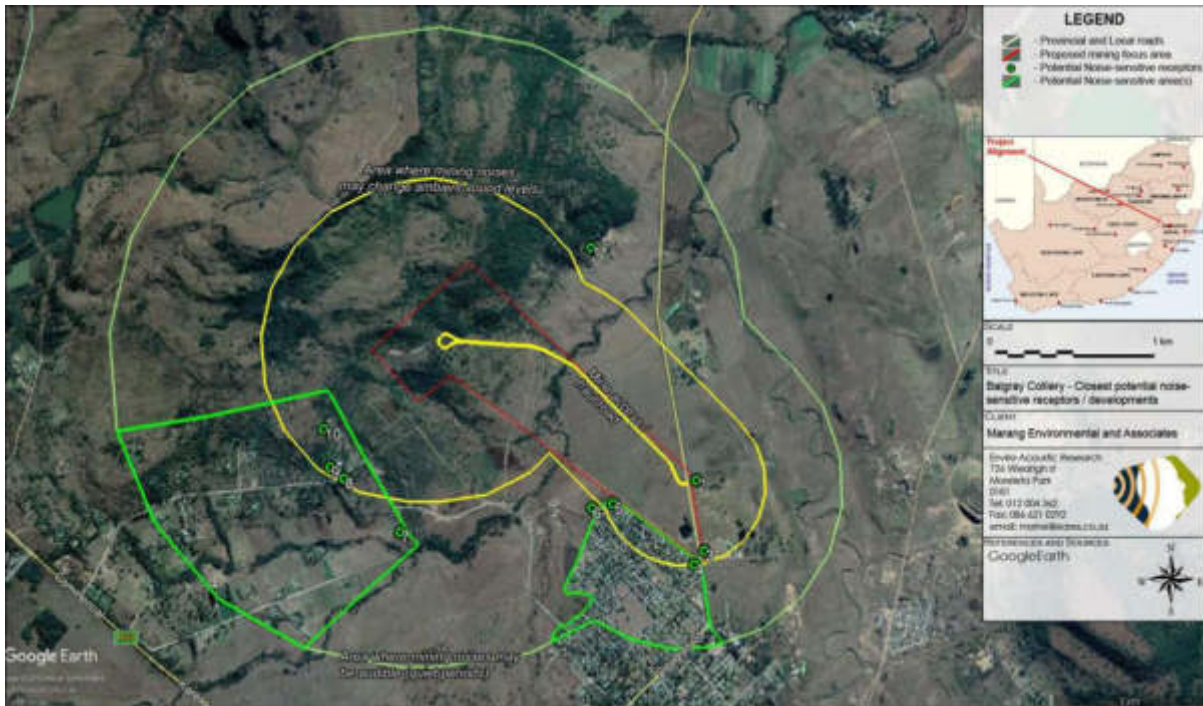


Figure 1: Noise Sensitive Receptors Identified

- **Biodiversity**

A Fauna and Flora biodiversity (Annexure 4 and 5 of the BAR) study has been undertaken by Agreeco as part of the Basic Impact Assessment. The studies identified the potential impact that the project may have on biodiversity and included measures that must be taken to mitigate those impacts.

The risk assessment identified some impacts that could negatively affect the faunal communities as well as adjacent areas of biodiversity importance. These impacts can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with general, and tax-specific mitigation measures proposed.

If the proposed mitigation measures are adequately enforced, the overall impact of the mine on faunal diversity can be significantly reduced.

The vegetation assessment showed that the area has been previously substantially disturbed, exhibiting high prevalence of invasive alien plants and exotic species. It cannot be considered representative of the natural vegetation type (Gs4 - Northern KwaZulu Natal Moist Grassland) described for the area. There are, however, some pockets of natural vegetation present. No plant species of conservation concern were identified within the planned footprint of the development. Nevertheless, the risk assessment showed some impacts that could negatively affect the existing natural vegetation. This can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of

concern have been identified with specific mitigation measure proposed.

It should be noted that surface infrastructure will have a relatively small surface area of approximately 10 hectares.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 14 August 2020

Name of party: Demetris Hadjikynacou

Address: 6 Union Street

Tel nr: 083 797 6565

Email address:

Designation: Interested/Affected Party

1. Road infrastructure

Comment:

Constant movement of coal trucks up and down the road, causing the roads to get potholes like in Argyll Road.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site.

Note should be taken that all the people currently employed at Aviemore will be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

Trucks transporting coal will also use the same routes as before, no other routes will be followed to the processing plant. The Traffic Impact Assessment (Annexure 14 of the BAR) conducted for the Balgray operations stated that it is recommended that Argyll Street be resurfaced and repaired. However, this action is required by the local municipality.

2. Property damage

Comment:

Tremors causes walls to crack in property.

Response:

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

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Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

3. Air pollution

Comment:

- Pollution in the air.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreeco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures.

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	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

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- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
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- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

4. Property concerns

Comment:

- Water seeping through to the residential area damaging our gardens and plants.

Response:

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (ZOI) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 years after Life of Mine, is shown in **Figure 1**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

From the above findings of the Specialist study, no seepage is expected to occur in the Dundee residential areas.

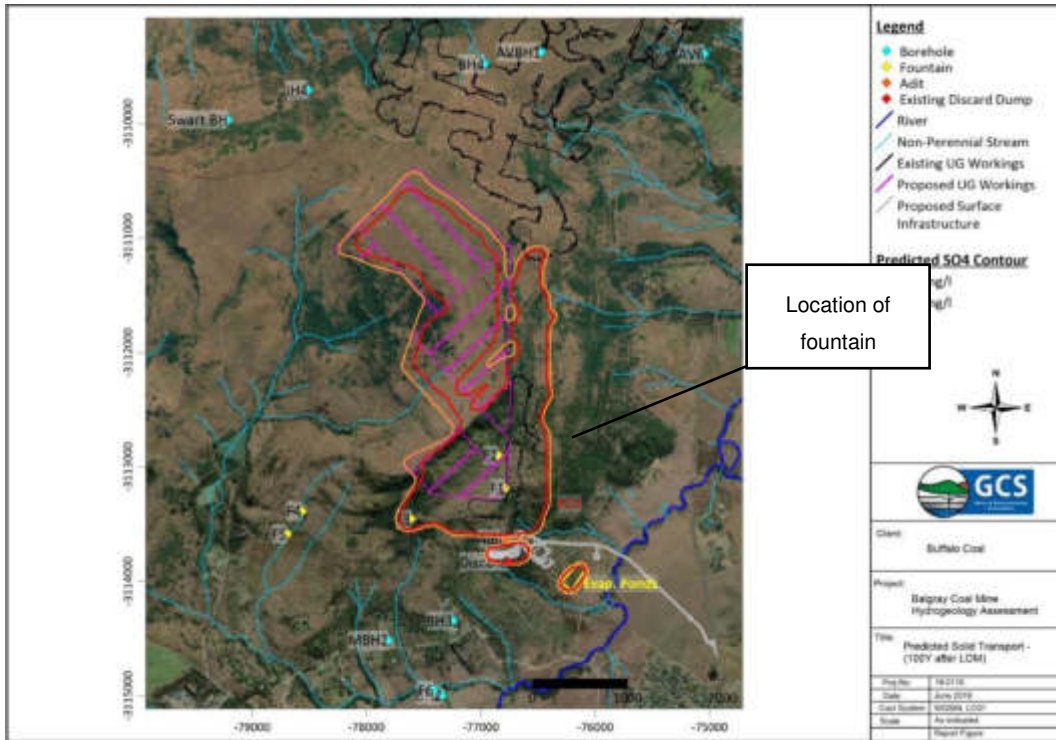


Figure 1: Predicted sulphate plume 100 year after Life of Mine

A stormwater management system will be implemented according to the requirements of GN 704 which stipulates measures that must be taken to manage potentially contaminated runoff. All potentially contaminated runoff associated with the proposed Balgray operations will be contained.

5. Safety concerns

Comment:

- Possible riots due to unhappy workers.

Response:

In the event of protests, the mine will work in conjunction with the SAPS.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 11 August 2020

Name of party: Brian du Toit

Address: 15 Douglas Street

Tel nr: 082 460 4891

Email address: brian@dundeekzn.co.za

Designation: Interested/Affected Party

1. Environmental concerns

Comment:

- Disruption of wildlife, fauna, and flora.

Response:

A Fauna and Flora biodiversity study (Annexure 4 and 5 of the BAR) has been undertaken by Greenco as part of the Basic Impact Assessment. The studies identified the potential impact that the project may have on biodiversity and included measures that must be taken to mitigate those impacts.

The risk assessment identified some impacts that could negatively affect the faunal communities as well as adjacent areas of biodiversity importance. These impacts can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with general, and taxa-specific mitigation measures proposed. Impacts on animals (fauna) were rated as having a moderate significance prior to the implementation of mitigation measures and low after the implementation of mitigation.

If the proposed mitigation measures are adequately enforced, the overall impact of the mine on faunal diversity can be significantly reduced.

The vegetation assessment showed that the area has been previously substantially disturbed, exhibiting high prevalence of invasive alien plants and exotic species. It cannot be considered representative of the natural vegetation type (Gs4 - Northern KwaZulu Natal Moist Grassland) described for the area. There are, however, some pockets of natural vegetation present. No plant species of conservation concern were identified within the planned footprint of the development. Nevertheless, the risk assessment showed some impacts that could negatively affect the existing natural vegetation. This can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with specific mitigation measure proposed. Impacts on flora were rated as having a moderate significance prior to the implementation of mitigation measures and low after the implementation of mitigation.

It should be noted that surface infrastructure will have a relatively small surface area of approximately 10 hectares.

2. Noise pollution

Comment:

- Noise pollution.

Response:

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 4 of this letter shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)	Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)
	Day	Day
1	43.8	0
2	42.2	0
3	39.3	0
4	39.2	0
5	43.6	0
6	44.1	0
7	46.3	1.3
8	44.2	0
9	43.8	0
10	46.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6
7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7

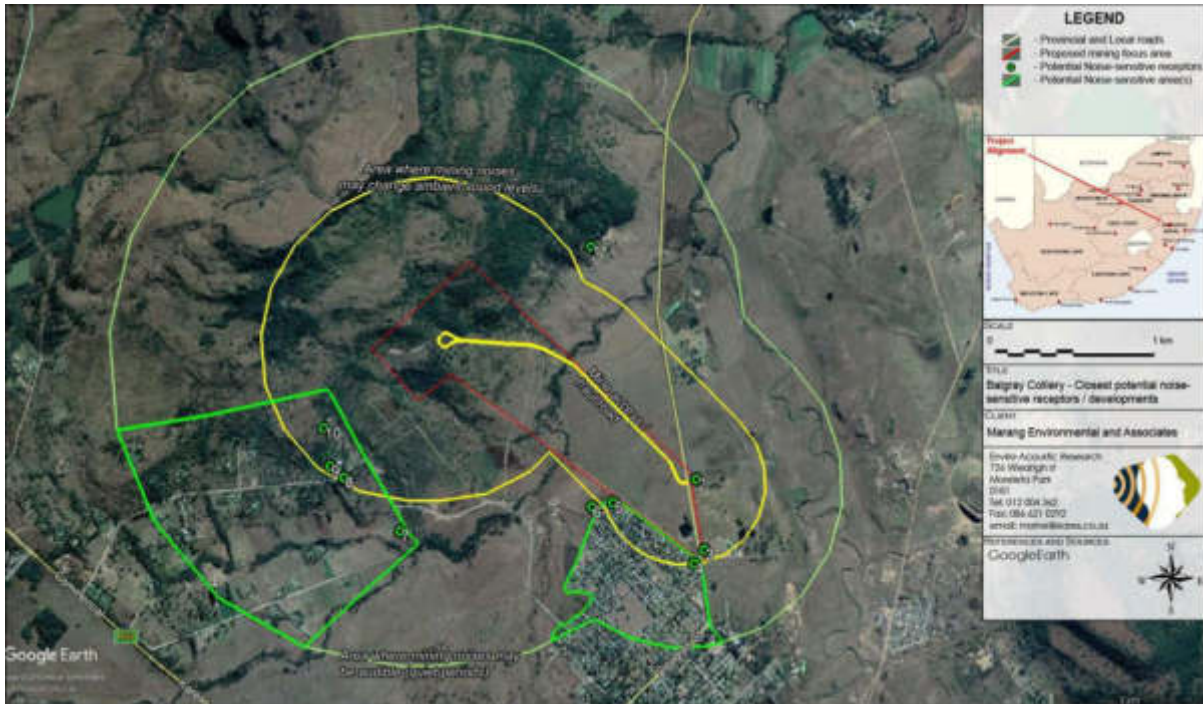


Figure 1: Noise Sensitive Receptors Identified

3. Air pollution

Comment:

- Air pollution.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreeco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 2 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 3 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

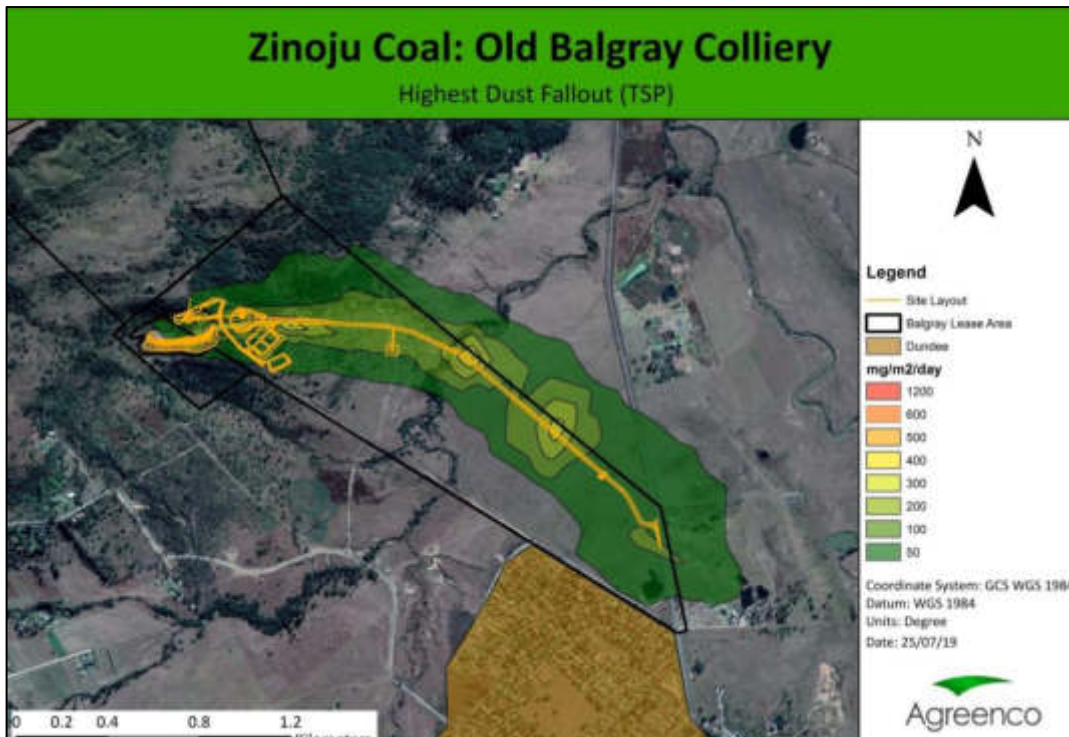


Figure 1: The highest expected dust fallout per day

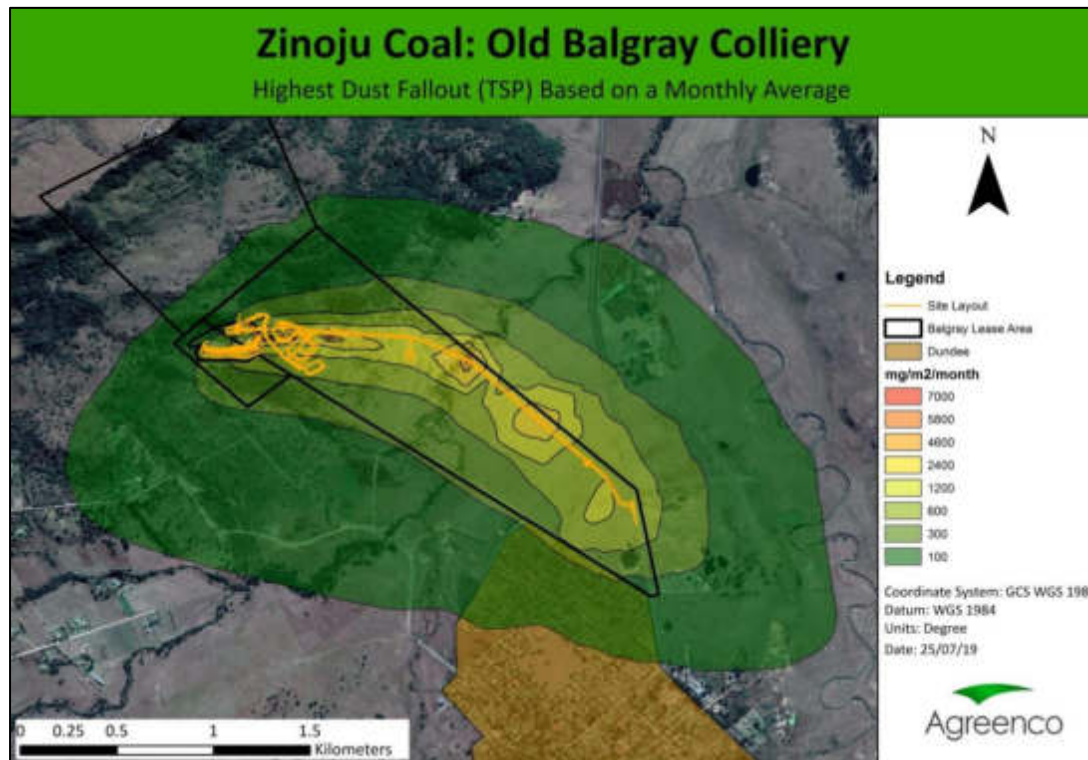


Figure 5: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM10 (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

4. Infrastructure concerns

Comment:

- Blasting could affect the value and structures of our investments in the area.
- Coal truck and heavy machinery will affect the roads.

Response

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more that 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the western side of Dundee as per route determination in the Figure below.



Note should be taken that all the people currently employed at Aviemore will also be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

5. Crime concerns

Comment:

- Could affect the crime rate in the area.

Response:

The mine lease area will be secured and monitored by Security and access control measures will be implemented. Security will patrol the fences. The mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project.

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues.

The security will be patrolling and will be deployed at various position on the surface lease area. In the event of protests, the mine will work in conjunction with the SAPS. Bear in mind that access can only be obtained from the P272 Provincial Road.

6. Transparency concerns

Comment:

- Why is there no transparency?

Response:

An open public participation process is conducted in terms of the Environmental Impact Assessment Regulations (GNR 982 as amended) where all the Interested and Affected Parties have been notified of the proposed project and Environmental Authorisation (EA) processes.

Annexure A: Security Access Policy

Buffalo Coal Security Access Policy



1. **AIM**
The Policy provides for access control to all mine premises, thus prevention of unlicensed drivers, drivers under the influence of alcohol, and the prevention of mine property theft.
2. **SCOPE**
This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications ("Employees").
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver's license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the "normal" working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Buffalo Coal Security Access Policy



- relevant HOD and/or such person nominated by HOD.
- 6.4.3 If there is not a valid gate pass, the goods will be confiscated and/or held back and reported immediately to responsible mine official. Only once the proper processed completed will the property then be allowed to leave the mine.
- 6.4.4 Any gate pass issued to an employee/ private person, is requested to do so during normal working hours i.e. 07h00 – 15h00, and the HOD allowing for such items to be removed must be onsite to verify the authorisation.
- 6.4 Coal Transportation/ Sales:**
- 6.4.1 All trucks and/or other vehicle entering mine premises must have the relevant paperwork/ weighbridge slip.
- 6.4.2 Security will be required to ensure that the truck and/or other vehicle is either carrying a load of coal or not and contains the correct load.
- 6.4.3 Trucks must close the tarpaulins after security have checked the trailer.**

7. ALCOHOL TESTING

- 7.1 Alcohol testing is purely a standard routine to protect the Company's interest and the safety and well-being of employees.
- 7.2 All employees undergoing such tests must be treated with the greatest possible understanding and respect.
- 7.3 Under no circumstances must an employee's dignity be violated.
- 7.4 Voluntary Alcohol Testing is for the mine employee and/or visitors "eyes" only and may not be viewed by other person (Security and/or any other employee responsible for testing) and so too may not be recorded as testing.
- 7.5 Testing for alcohol at access gates, upon entering mine premises is applicable for all Buffalo Coal Dundee Operations Inclusive Coalfields (inclusive of Coalfields Washing Plant, Transport Department and Administration), Magdalena Mine (inclusive Magdalena Services, Washing Plant and Underground) and Aviemore Mine.

- 7.6 When testing positive upon entering the mine, the security at the access gate is to notify the mine official responsible for security immediately, to which the mine official will contact the relevant Section Head. Positive results are to be recorded accurately and employees may not be released to leave until all relevant line management have been notified.



General Manager
Buffalo Coal Dundee

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 6 August 2020

Name of party: Ashleigh Hilliar

Address: 7 Catterall Drive, Dundee

Tel nr: 082 440 9290

Email address: doc.ash.owen@gmail.com

Designation: Interested/Affected Party

1. Infrastructure concerns

Comment:

- Increased traffic in the area leading to increased road damage, increased theft, including household and stock theft and increased litter.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site.

Note should be taken that all the people currently employed at Aviemore mine will be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

Trucks transporting coal will also use the same routes as before, no other routes will be followed to the processing plant.

No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the western side of Dundee as per route determination in the Figure below.



2. Health concerns

Comment:

- Health issues with people with chronic respiratory disease (eg. asthma).

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures.

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM10 (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None

PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.
- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants
- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 11 August 2020

Name of party: AB & JS Potgieter

Address: 33A McPhail Drive, Craigieburn, Dundee

Tel nr: 084 552 7992/083 409 7932

Email address: jancr@tinky.co.za

Designation: Interested/Affected Party

1. Noise pollution

Comment:

- Let it be noted that the money that we invested in this property was all about a "lifestyle". No revving vehicles, no loud music, no hooting, no machinery. Any noise is totally unacceptable, as this is what we paid a premium for. The absolute peace, tranquillity, the blackness of our nights. Now we are expected to embrace noise from machinery, trucks 24 hours a day, 365 days a year. A mountain lit up at night. This is unacceptable.
- The non-stop noise is unacceptable. This is not what we purchased. It is totally unreasonable to expect us to live with constant noise. This area is zoned "light agricultural". It is not a mining area.

Response:

The resources of the current Aviemore mine will be depleted by mid-2022. All operations associated with the Aviemore mine will move to the Balgray site.

Note should be taken that all the people currently employed at Aviemore will be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

Trucks transporting coal will also use the same routes as before, no other routes will be followed to the processing plant.

The operating hours at the proposed facility will be as follows. Day shift from 06:00-15:00. The night shift during weekdays will be from 15:00 – 00:00 (no shift from 00:00 – 06:00). Saturday shifts will only be from 06:00-14:00. On weekdays, the weighbridge will close at 21:00 and no coal will be transported from 21:00 until 06:00 in the morning. No work on public holidays unless authorised.

No other services and delivery vehicles will enter the site during night shift as is currently the case at the operational sites. Appointments will have to be made and only during day time. The request for access to cameras have been communicated to the applicant. No public holidays without consent. No work on public holidays unless authorised.

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area. It should be noted that the proposed Balgray project will be undertaken on the existing Aviemore mining right area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure 1 on page 3 of this letter shows the NSR identified (NSR 10 related to your residence) that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)	Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)
	Day	Day
1	43.8	0
2	42.2	0
3	39.3	0
4	39.2	0
5	43.6	0
6	44.1	0
7	46.3	1.3
8	44.2	0
9	43.8	0
10	46.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario (with management measures implemented) does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6
7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7

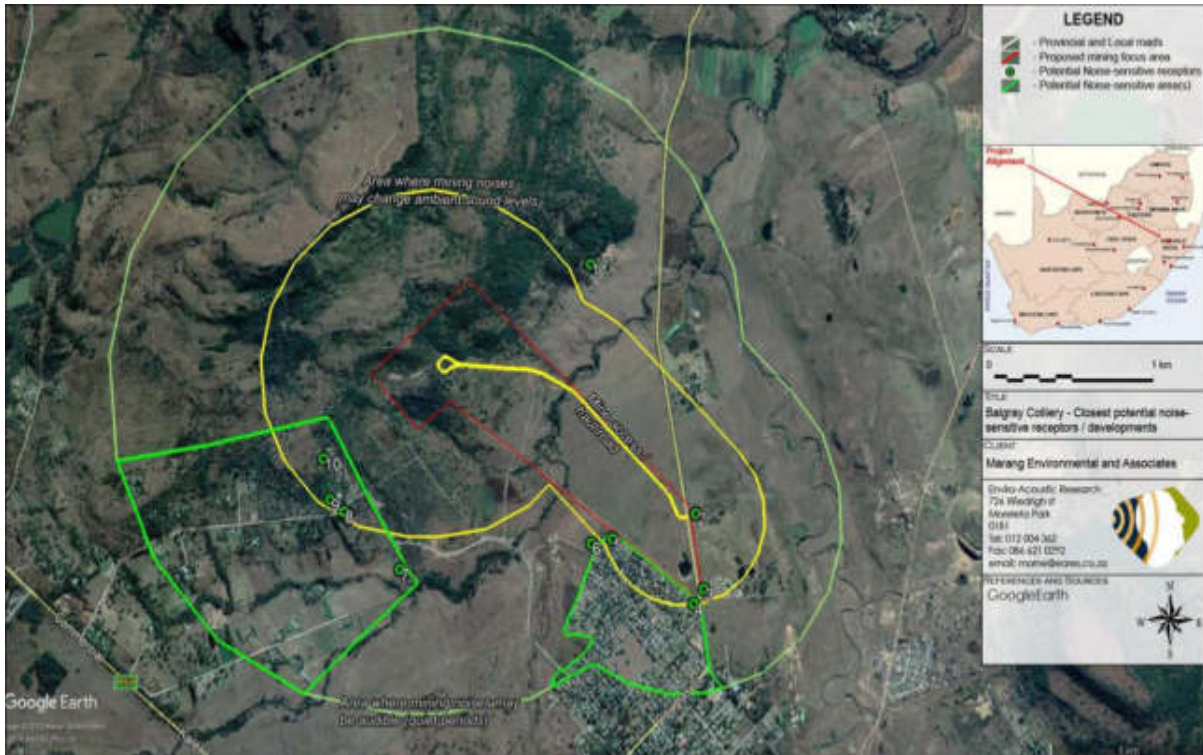


Figure 1: Noise Sensitive Receptors Identified

2. Air pollution

Comment:

- No amount of mitigating solutions are going to control black corrosive coal dust. We currently enjoy the fact that we are able to utilise our outdoor areas, without having to clean surfaces before sitting down. Also, our wrap around veranda is under white painted ceiling and painting. The same can be said for our curtains, bedding and fabric upholstery.
- The effect of a filthy coal mine on our front stoep will have devastating consequence for us, the filth that we will be faced with on a daily basis.

Response:

An Air Quality Impact Assessment (Annexure 1 of the BAR) was conducted by Agreeenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 2 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 3 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240

mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

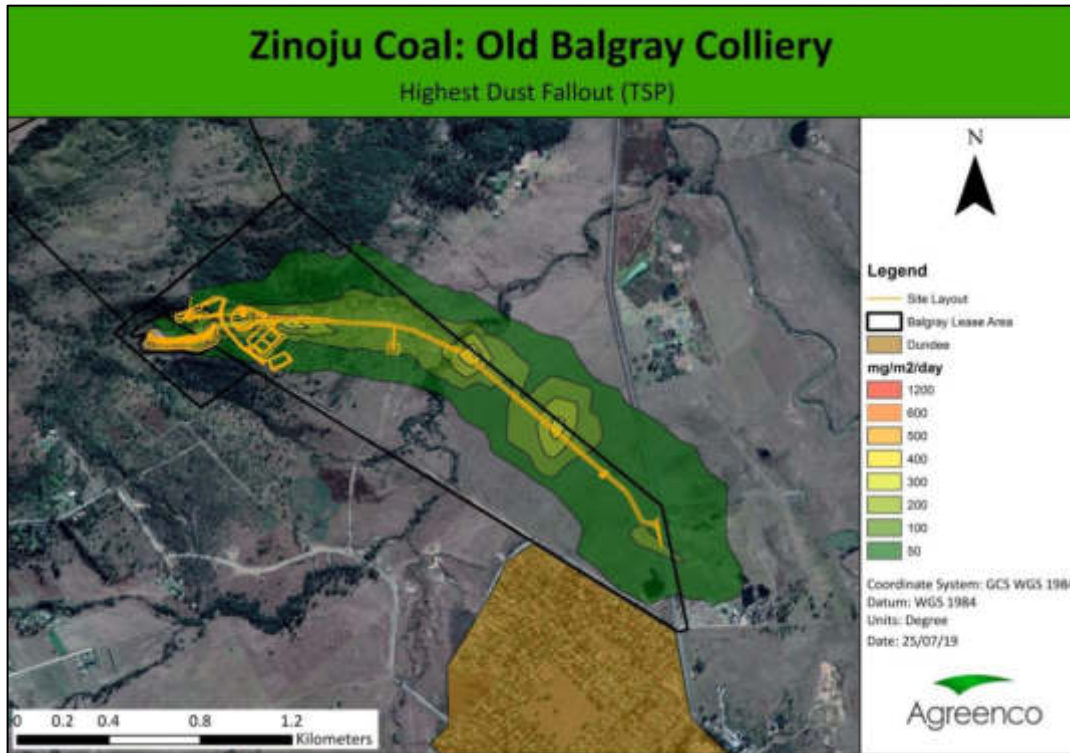


Figure 2: The highest expected dust fallout per day

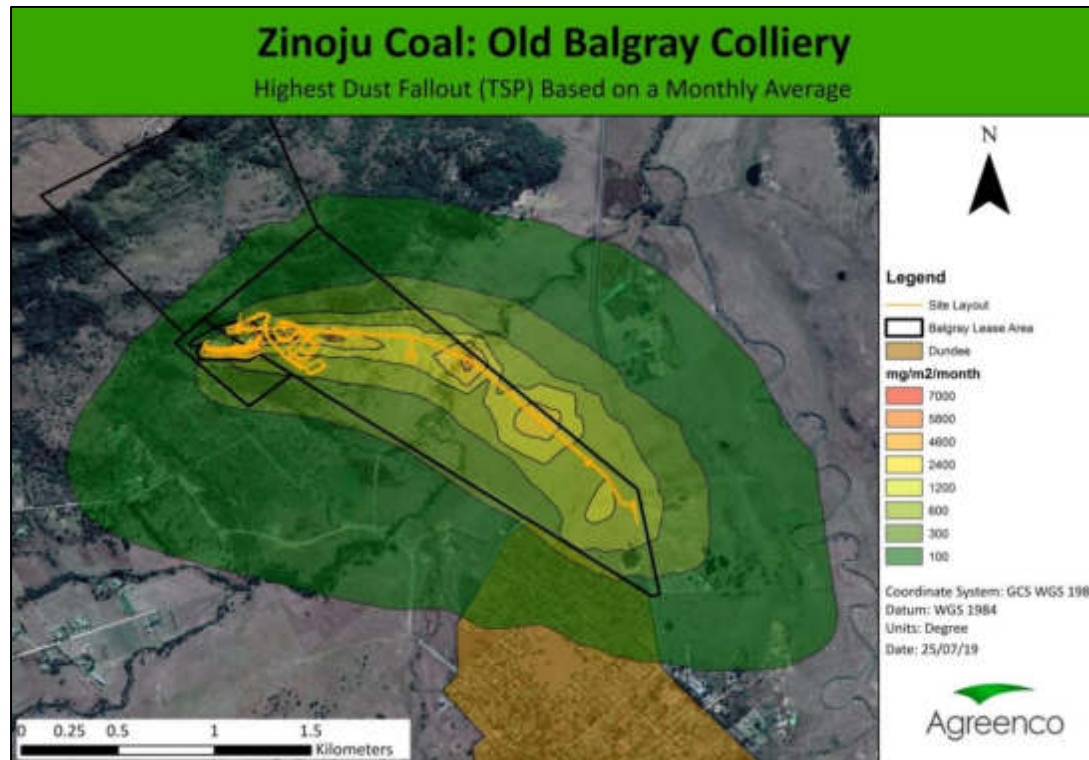


Figure 3: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM10 (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The impact significance were assessed as being high prior to the implementation of mitigation measures and low after the implementation of mitigation measures The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

Mitigation measures to minimise dust fall are as follows:

Construction

- Removal of vegetation must be avoided until such time as it is required and exposed surfaces must be stabilised as soon as practically possible.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants.
- Constructing the road close to the access gate should be avoided in high wind speed conditions or when a visible dust plume is present.
- Enforce strict speed limit, i.e. 30km/h.
- Conduct Dust Fall Monitoring in terms of the National Dust Control Regulations and management of the site according to the measures prescribed in the NDCR 2019.

Operations

- An irrigation system at the material loading areas can be installed to prevent dust liberation from the operations.
- Prevent spillage from the conveyor belt by regulating the amount of material and feeding the material to the centre of the belt. The belt should be covered by skirting to prevent wind entrained dust.

- Coal spillages must be cleaned appropriately.
- Maintain high moisture content on exposed surface and roads by spraying with water or applying dust retardants
- Enforce strict speed limit, i.e. 30km/h.
- Trucks should be covered to avoid wind blowing the material away and spillage on the road surface.

3. Health concerns

Comment:

- One member of our household has severe health issues. I.e. Chronic heart condition, severe skin disorder, acute arthritis. What will the long-term effects on his be?

Response:

Please refer to the above response regarding air quality impacts associated with the proposed Balgray operations.

4. Infrastructure concerns

Comment:

- We will never accept blasting so very close to our newly built home. It is a known fact that the mining fraternity never accept responsibility for any damage to properties. Our house is totally free of cracks and we will not accept that there is a possibility of "hair-line" cracks. That is an acknowledgement of the possibility of far worse damage that could occur.

Response

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more that 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

5. Water pollution

Comment:

- As we are totally inadequately educated to understand the scientific jargon in the WUL, we can only state that we are extremely concerned about the quality and quantity of water from our borehole. We currently use our borehole on a daily basis and it is therefore of utmost importance that we will be able to continue with this.

Response:

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in **Figure 6**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

The borehole in question falls outside the Zone of Influence with regards to the migration of pollution as a result of the mining operations and is unlikely to be affected.

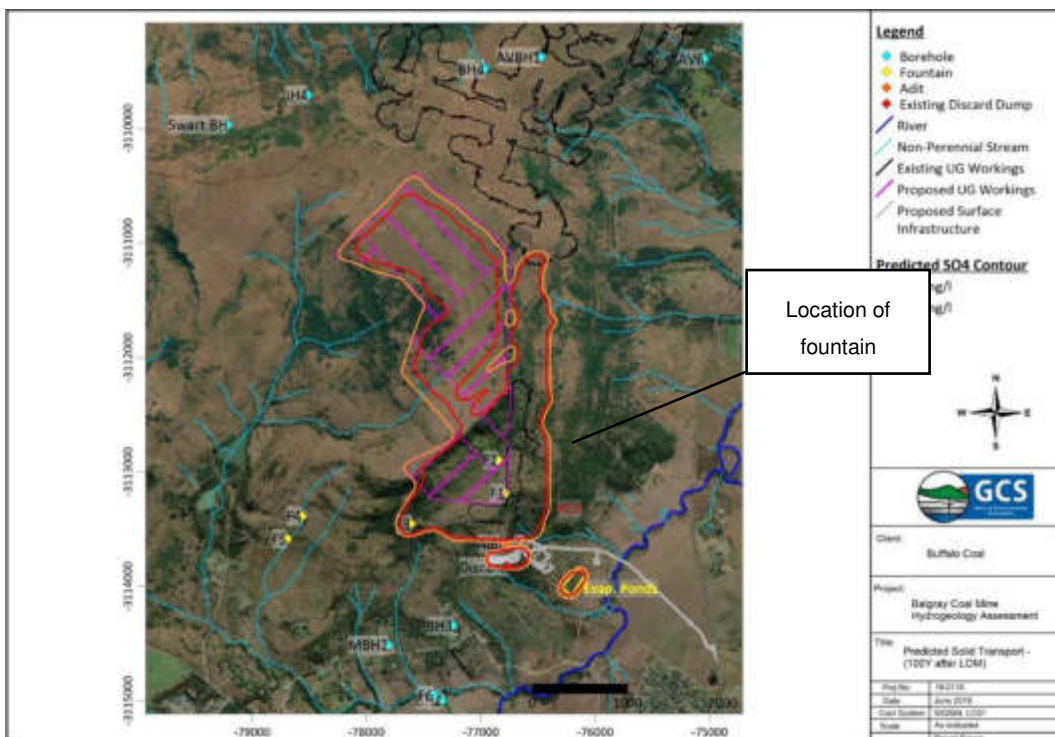


Figure 6: Predicted sulphate plume 100 year after Life of Mine

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which the aquifer drawdowns, due to the dewatering activities, will affect the groundwater regime and water users.

The predicted 2D aquifer drawdown zone at Life of Mine (LOM) for the Balgray project, is shown by **Figure 7**. From the drawdown zone of influence generated, the following is noted:

- A maximum aquifer drawdown of 3 m, can be expected, with the lowest drawdown in the order of 0.1 m. It should be noted that the drawdown ZOI indicates drawdown in the aquifer layer directly above the underground workings. Hence, drawdown in regional water tables in the uppermost reaches of the mountain, is unlikely (due to mine depth).
- **No groundwater users (discovered during the survey) fall within the dewatering ZOI.**
- No perennial streams fall within the dewatering ZOI due to the dewatering depth underneath the mountain area (> 300 m).
- The springs discovered in the area, namely spring F3 and spring F2, likely fall within the 0.3 m drawdown ZOI. Hence, the impact on the springs is likely to be low to insignificant.

From **Figure 7** below, it is evident that the borehole in question falls outside the aquifer drawdown ZOI of the proposed dewatering activities as determined by the Geohydrological Specialist and impacts on the availability of water is not likely.

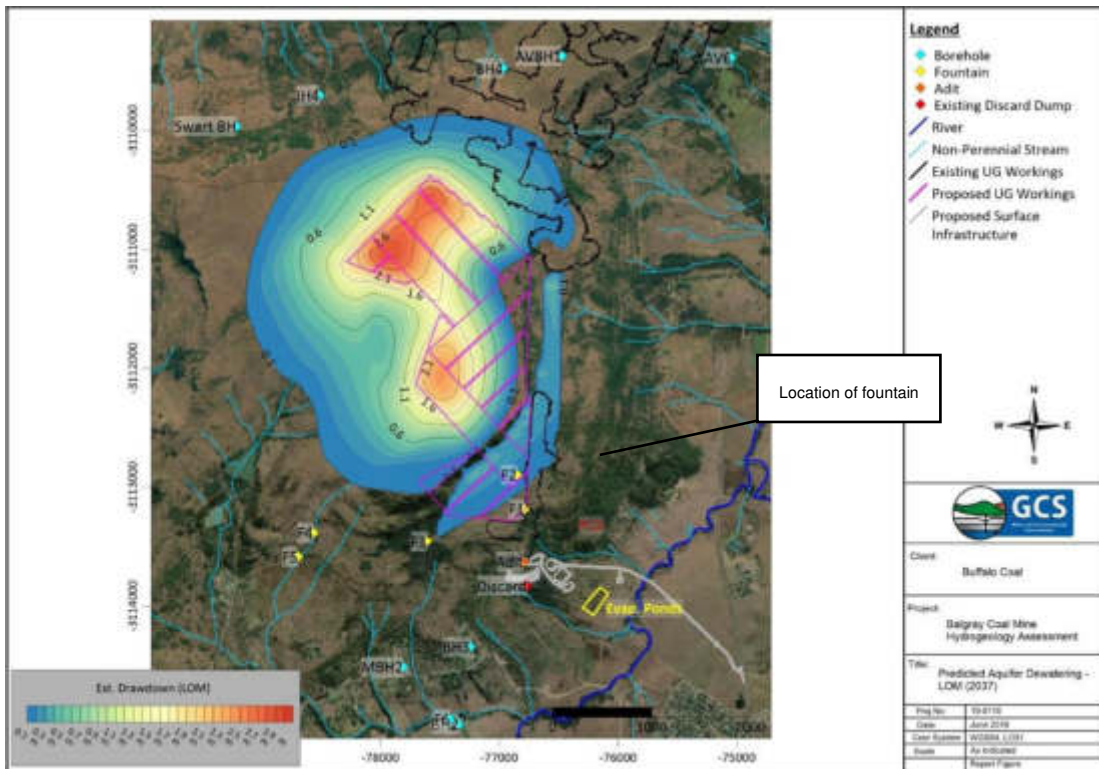


Figure 7: Aquifer drawdown Zone of Influence

6. Security concerns

Comment:

- The increased pedestrian traffic is going to negatively impact on our safety and security. Due to our isolation, no-one will know that we are in trouble. Then there is the issue of street hawkers, ie. Loitering, littering, no toilet facilities, etc. How will this be policed?

Response:

Access will only be from the P272 Provincial Road. The servitude area for mine access road will be fenced off and no other access will be possible to the operations except from the P272 Provincial Road. An access control point will be established at the entrance.

The lease area to be secured and monitored by Security and access control measures will be implemented. As stated above, the mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. No spaza shops at entrance or on mine lease area will be permitted. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project.

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues.

7. Property concerns**Comment:**

- It has yet to be suggested in your "mitigation solutions" who or how we will be compensated for the massive loss on the retail value of our property.
- In fact, it is true to say that the devaluation of our properties does not merit mention. And yet, this is our greatest underlying concern.

Response:

The comment is noted. The project will have a relative short live span of 5-7 years (operational) and if any property values are affected it will be for a short period.

Annexure A: Security Access Policy

Buffalo Coal Security Access Policy



1. **AIM**
The Policy provides for access control to all mine premises, thus prevention of unlicensed drivers, drivers under the influence of alcohol, and the prevention of mine property theft.
2. **SCOPE**
This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications ("Employees").
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver's license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the "normal" working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Buffalo Coal Security Access Policy




- relevant HOD and/or such person nominated by HOD.
- 6.4.3 If there is not a valid gate pass, the goods will be confiscated and/or held back and reported immediately to responsible mine official. Only once the proper processed completed will the property then be allowed to leave the mine.
- 6.4.4 Any gate pass issued to an employee/ private person, is requested to do so during normal working hours i.e. 07h00 – 15h00, and the HOD allowing for such items to be removed must be onsite to verify the authorisation.
- 6.4 Coal Transportation/ Sales:**
- 6.4.1 All trucks and/or other vehicle entering mine premises must have the relevant paperwork/ weighbridge slip.
- 6.4.2 Security will be required to ensure that the truck and/or other vehicle is either carrying a load of coal or not and contains the correct load.
- 6.4.3 Trucks must close the tarpaulins after security have checked the trailer.**

7. ALCOHOL TESTING

- 7.1 Alcohol testing is purely a standard routine to protect the Company's interest and the safety and well-being of employees.
- 7.2 All employees undergoing such tests must be treated with the greatest possible understanding and respect.
- 7.3 Under no circumstances must an employee's dignity be violated.
- 7.4 Voluntary Alcohol Testing is for the mine employee and/or visitors "eyes" only and may not be viewed by other person (Security and/or any other employee responsible for testing) and so too may not be recorded as testing.
- 7.5 Testing for alcohol at access gates, upon entering mine premises is applicable for all Buffalo Coal Dundee Operations Inclusive Coalfields (inclusive of Coalfields Washing Plant, Transport Department and Administration), Magdalena Mine (inclusive Magdalena Services, Washing Plant and Underground) and Aviemore Mine.

- 7.6 When testing positive upon entering the mine, the security at the access gate is to notify the mine official responsible for security immediately, to which the mine official will contact the relevant Section Head. Positive results are to be recorded accurately and employees may not be released to leave until all relevant line management have been notified.



General Manager
Buffalo Coal Dundee

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Response to comments/concerns regarding the refurbishment of the Balgray Colliery near Dundee

Date of comment: 15 August 2020

Name of party: W.B. Kassier & R.D. Kassier

Address: 41 McPhail Drive, Dundee

Tel nr: 082 458 8974

Email address: rdkassier@gmail.com

Designation: Interested/Affected Party

1. Nature concerns

Comment:

- Unique indigenous fauna and flora on Mpati mountain.
- Environmental damage.
- Natural game in area – poaching increase.

Response:

A Fauna and Flora biodiversity study (Annexure 4 and 5 of the BAR) has been undertaken by Agreenco as part of the Basic Impact Assessment. The studies identified the potential impact that the project may have on biodiversity and included measures that must be taken to mitigate those impacts.

The risk assessment identified some impacts that could negatively affect the faunal communities as well as adjacent areas of biodiversity importance. These impacts can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with general, and taxa-specific mitigation measures proposed. Impacts on animals (fauna) were rated as having a moderate significance prior to the implementation of mitigation measures and low after the implementation of mitigation.

If the proposed mitigation measures are adequately enforced, the overall impact of the mine on faunal diversity can be significantly reduced.

The vegetation assessment showed that the area has been previously substantially disturbed, exhibiting high prevalence of invasive alien plants and exotic species. It cannot be considered representative of the natural vegetation type (Gs4 - Northern KwaZulu Natal Moist Grassland) described for the area. There are, however, some pockets of natural vegetation present. No plant species of conservation concern were identified within the planned footprint of the development. Nevertheless, the risk assessment showed some impacts that could negatively affect the existing natural vegetation. This can, however, through the implementation of adequate mitigation measures be reversed and, in some instances, improved. Areas of concern have been identified with specific mitigation measure proposed. Impacts on flora were rated as having a moderate significance prior to the implementation of mitigation measures and low after the implementation of mitigation.

It should be noted that surface infrastructure will have a relatively small surface area of approximately 10 hectares.

2. Water pollution

Comment:

- Natural water in Mpati mountain.

Response:

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in **Figure 1**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

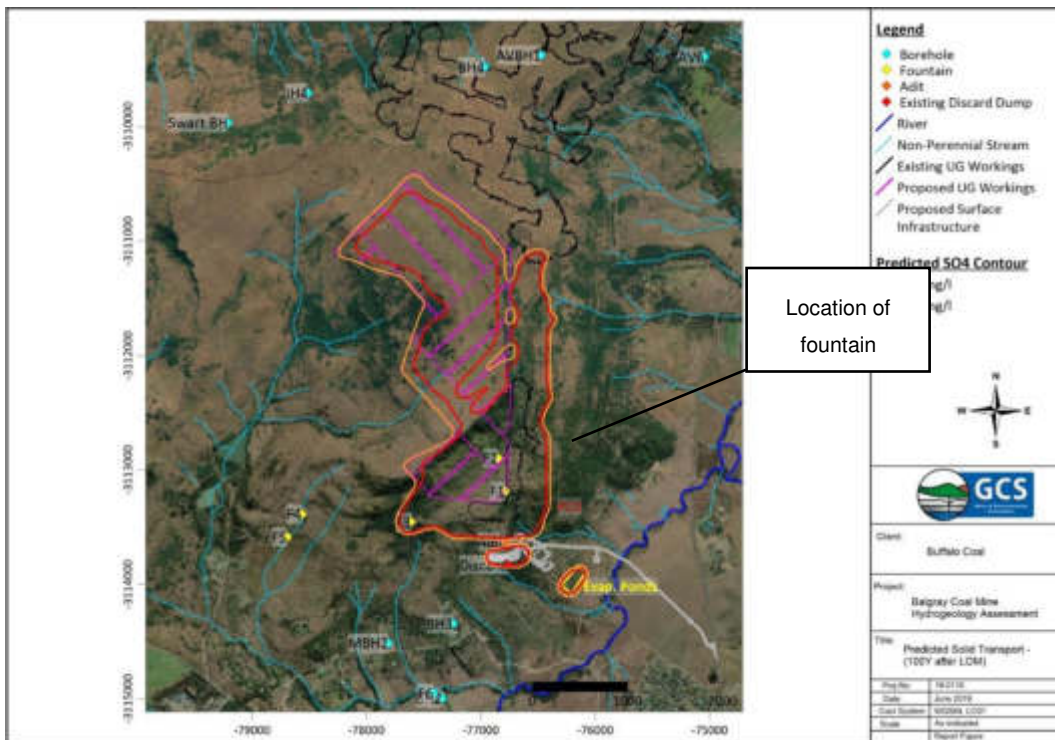


Figure 1: Predicted sulphate plume 100 year after Life of Mine

The Zone of Influence (Zoi) referred to below is defined as the maximum distance at which the aquifer drawdowns, due to the dewatering activities, will affect the groundwater regime and water users.

The predicted 2D aquifer drawdown zone at Life of Mine (LOM) for the Balgray project, is shown by **Figure 2**. From the drawdown zone of influence generated, the following is noted:

- A maximum aquifer drawdown of 3 m, can be expected, with the lowest drawdown in the order of 0.1 m. It should be noted that the drawdown ZOI indicates drawdown in

the aquifer layer directly above the underground workings. Hence, drawdown in regional water tables in the uppermost reaches of the mountain, is unlikely (due to mine depth).

- **No groundwater users (discovered during the survey) fall within the dewatering ZOI.**
- No perennial streams fall within the dewatering ZOI due to the dewatering depth underneath the mountain area (> 300 m).
- The springs discovered in the area, namely spring F3 and spring F2, likely fall within the 0.3 m drawdown ZOI. Hence, the impact on the springs is likely to be low to insignificant.

From **Figure 2** below, it is evident that the borehole in question falls outside the aquifer drawdown ZOI of the proposed dewatering activities as determined by the Geohydrological Specialist and impacts on the availability of water is not likely.

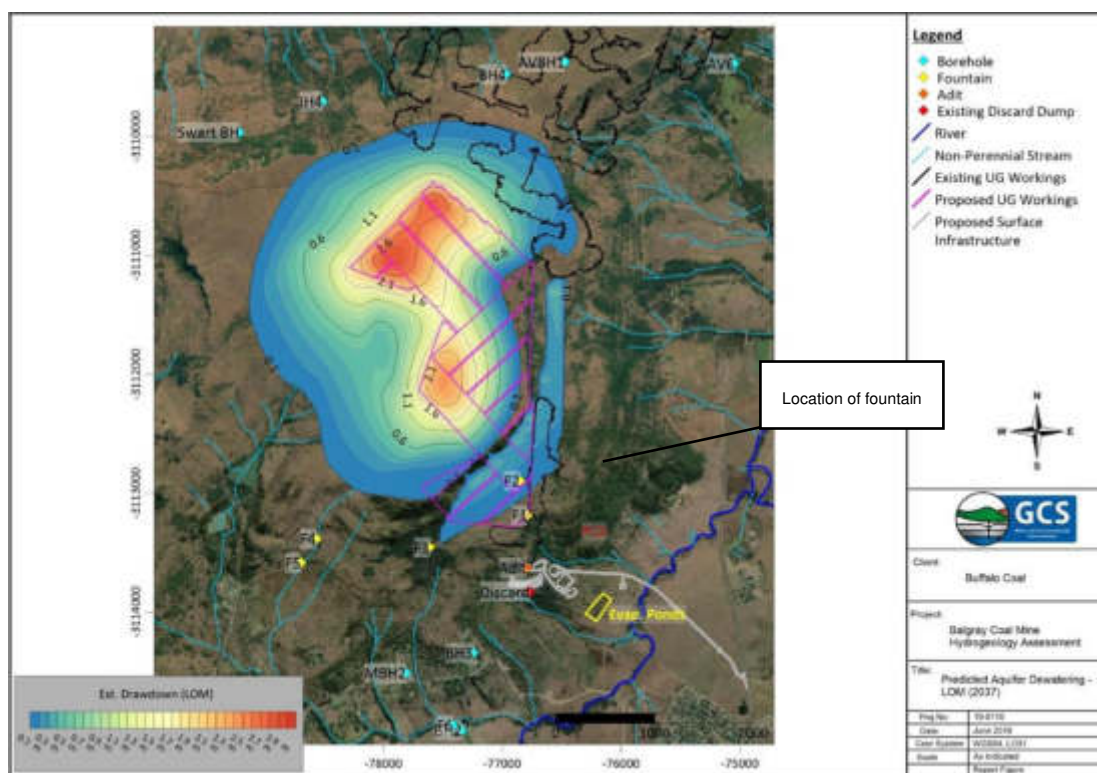


Figure 2: Aquifer drawdown Zone of Influence

3. Infrastructure concerns

Comment:

- Cracks to homes.

Response:

It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more than 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

Comment:

- Value of properties.

Response

The comment is noted. The project will have a relative short live span of 5-7 years (operational phase) and if any property values are affected it will be for a short period.

Comment:

- Trucks on McPhale Drive

Response

No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the western side of Dundee as per route determination in the Figure below.



Note should be taken that all the people currently employed at Aviemore will also be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only

(according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

4. Noise pollution

Comment:

- Noise pollution.

Response

A Noise Impact Assessment (NIA) (Annexure 2 of the BAR) specialist study was undertaken to characterise the current noise levels in the surrounding areas and to determine the increase of noise levels due to the proposed Balgray project. The specialist study further determined/assessed the impact that the increase in noise levels will have on noise sensitive receptors (NSR) in the surrounding area.

Definition: Decibel (dBA) (expression of the relative loudness of the A-weighted sound level in air) is used as the measurement (weighted scale) for judging loudness that corresponds to the hearing threshold of the human ear. Measurements in dBA, or dB(A) as it is sometimes written, are decibel scale readings that have been adjusted in an attempt to take into account the varying sensitivity of the human ear to different frequencies of sound.

The activities of the proposed mining activity should not change the existing ambient sound levels with more than 7 dBA (Disturbing noise as per the National Noise Control Regulations). Considering the International Finance Corporation (IFC) and World Health Organisation (WHO) the recommended night-time noise limit for residential use, the 45 dBA night-time noise limit has been set as the recommended (maximum) noise limit for the project activities. The day time limit is set at 52 dBA compared to ambient noise levels.

A conceptual noise model was created by the specialist to predict the potential noise levels at the Noise Sensitive Receptor (NSR) as a result of the proposed mining project. Figure below shows the NSR identified that are related to the proposed project. Refer to Pages 65 to 71 of the Noise Impact Assessment (Annexure 2 of the BAR) for the results of the model. Table 1 below shows the projected noise levels assessed by the model at the NSR for the construction phase and shows a very insignificant increase in noise levels during construction.

Table 1: Projected noise levels due to potential construction mining activities

NSD	Projected construction noise levels (dBA)	Projected change in ambient sound levels (dBA – see section 5.3.3, ambient sound levels assumed as 45 dBA day)
	Day	Day
1	43.8	0
2	42.2	0
3	39.3	0
4	39.2	0
5	43.6	0
6	44.1	0
7	46.3	1.3
8	44.2	0
9	43.8	0
10	46.1	1.1

Table 2 below shows the projected noise levels for day and night for the operational phase at the NSR without any mitigation measures implemented. Table 3 below shows the projected noise levels for the operational phase for day and night at the NSR with the mitigation measures implemented. The projected noise levels for the mitigated scenario does not exceed the 7 dBA (Disturbing noise as per the National Noise Control Regulations) for any of the NSR.

The specialist study concluded, “considering the mitigated scenario, the projected noise levels are unlikely to impact on the quality of living for the surrounding receptors. The noise impacts (after mitigation) will have a low significance during the day- and night-time periods”

Table 2: Projected noise rating levels due to potential operational activities for the unmanaged scenario

NSD	Projected operational noise rating levels (dBA)		Projected change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 35 dBA night-time)	
	Day	Night	Day	Night
1	40.7	40.7	0	5.7
2	43.6	43.6	0	8.6
3	42.7	42.7	0	7.7
4	43	43	0	8
5	46.3	46.3	1.3	11.3
6	46.6	46.6	1.6	11.6
7	41.8	41.8	0	6.8
8	47.2	47.2	2.2	12.2
9	44.9	44.9	0	9.9
10	45.9	45.9	0.9	10.9

Table 3: Projected noise rating levels due to potential operational activities for the managed scenario

NSD	Projected operational noise rating levels (dBA)		Projected Day change in ambient sound levels (dBA – see section 5.3.3, 45 dBA day and 42 dBA night-time)	
	Day	Night	Day	Night
1	40.8	40.8	0	5.8
2	39.7	39.7	0	4.7
3	34.4	34.4	0	0
4	34.3	34.3	0	0
5	38.5	38.5	0	3.5
6	39.4	39.4	0	4.4
7	38.3	38.3	0	3.3
8	39.5	39.5	0	4.5
9	38.1	38.1	0	3.1
10	40.7	40.7	0	5.7

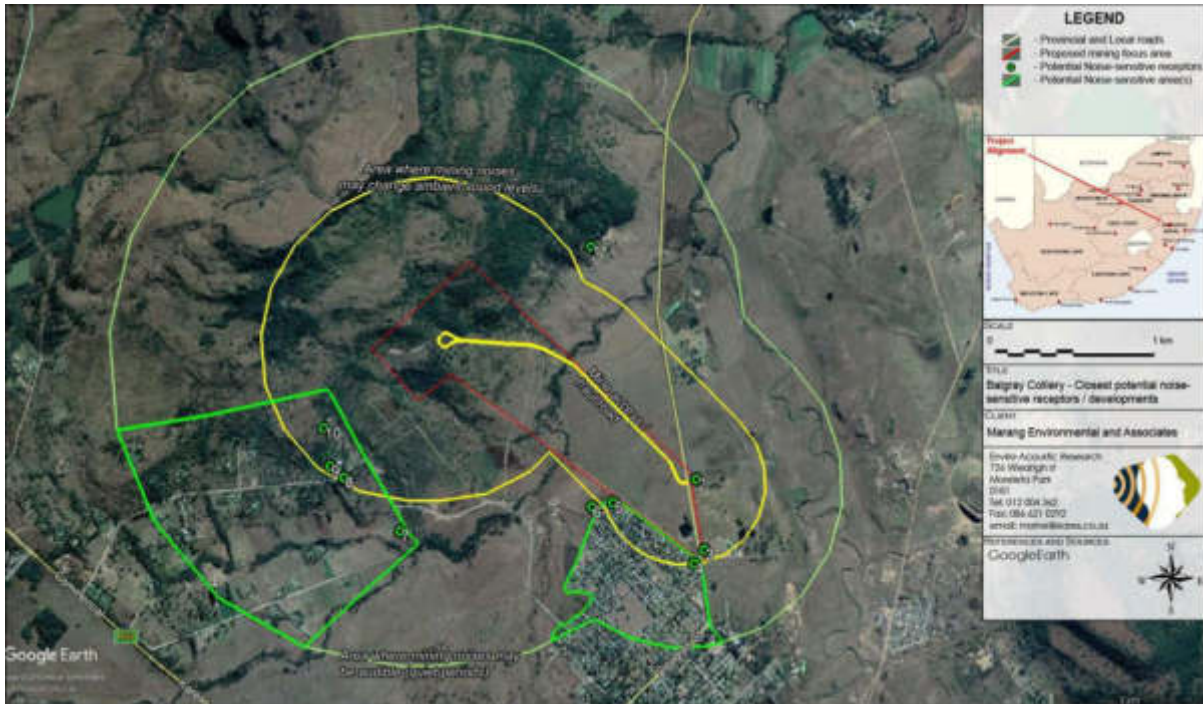


Figure 3: Noise Sensitive Receptors Identified

5. Air pollution

Comment:

- Air pollution.

Response:

An Air Quality Impact Assessment was conducted by Agreenco (2019) (Annexure 1 of the BAR) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model **shows the worst-case scenario** without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

Figure 4 shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

Figure 5 show the highest dust fallout for the site on a monthly average. According to the air dispersion model the maximum dust fallout value to be reached is 7 187 mg/m²/month. These values divided by 30 (or the amount of monitoring days in the month) is equal to 240 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas.

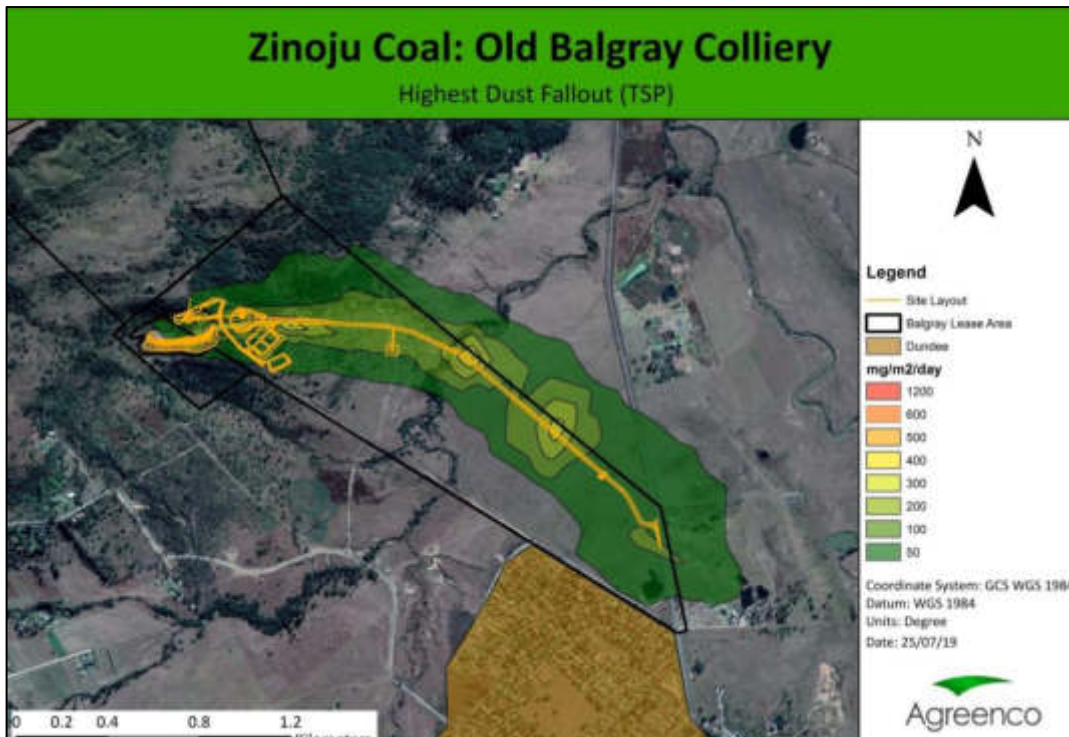


Figure 4: The highest expected dust fallout per day

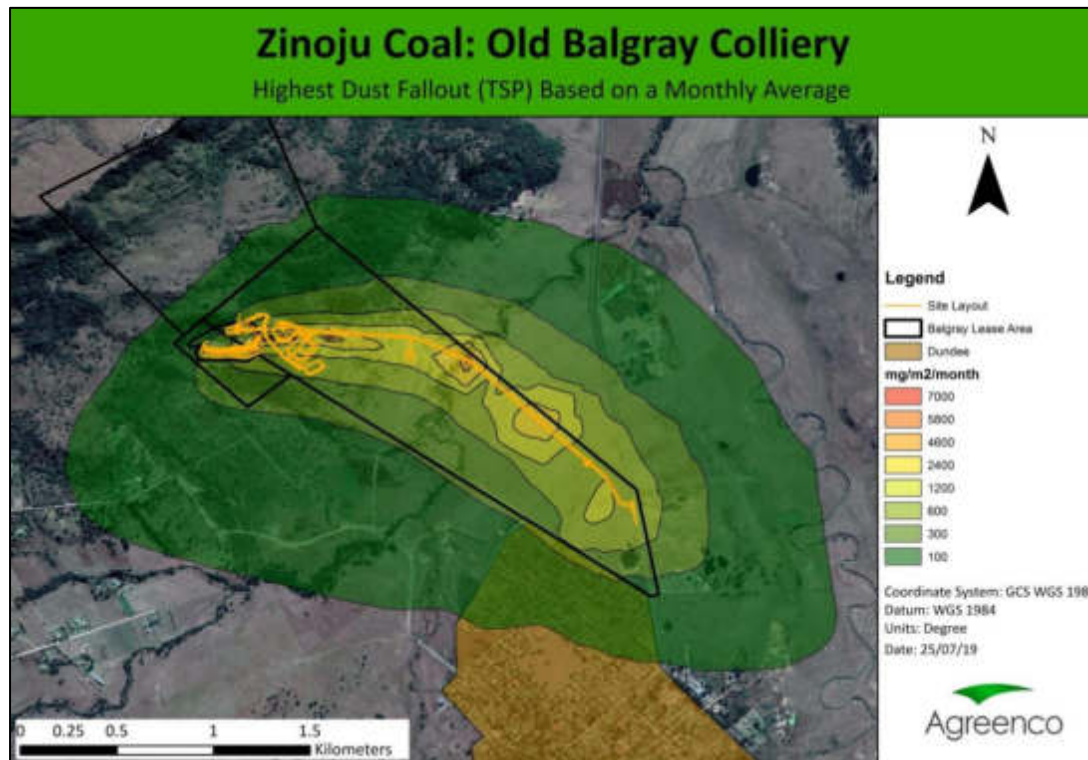


Figure 5: The highest dust fallout for the site on a monthly average

The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place). There are no exceedances expected at the sensitive receptors around the colliery in terms of fall out dust. However, the model showed that PM₁₀ (Particular Matter with a diameter with a diameter of 10 micro meter or less) outputs based on a 24-hr average indicate concentrations slightly above the limits at the top corner of Dundee, closest to the colliery – only under extreme conditions. This is without the application of any mitigation/control measures. However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM₁₀ limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/m ² /day in 2 sequential months)	None
	Non-residential (1,200 mg/m ² /day in 2 sequential months)	None
PM ₁₀	24-hr period (75 µg/m ³ –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/m ³)	None

6. Security concerns

Comment:

- Security to the area.

Response:

Access will only be from the P272 Provincial Road. The servitude area for mine access road will be fenced off and no other access will be possible to the operations except from the P272 Provincial Road. An access control point will be established at the entrance.

The lease area to be secured and monitored by Security and access control measures will be implement. As stated above, the mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. No spaza shops at entrance or on mine lease area will be permitted. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project.

There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues.

7. Traffic concerns

Comment:

- More traffic.

Response:

Note should be taken that all the people currently employed at Aviemore will also be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

8. Health concerns**Comment:**

- Allergies.
- Rise in cancer, lung problems, etc.

Response:

Please refer to responses above regarding air quality.

Annexure A: Security Access Policy

Buffalo Coal Security Access Policy



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This policy applies to all Buffalo Coal operations, subsidiaries, and managed joint ventures. It is relevant to all employee groups, including temporary, part-time, vacation and independent contract classifications ("Employees").
3. **RESPONSIBLE FOR REVIEW**
The Human Resources Manager will review this policy at such intervals as may be necessary.
4. **RESPONSIBLE FOR IMPLEMENTATION**
The Human Resources, Security Access points and Mbube Security will be responsible for implementation of the policy.
5. **POLICY**
All gates to be kept closed to force vehicles to stop and allow security to duly carry out the responsibilities of access control.
6. **ACCESS DISCS**
All vehicles without an access disc wanting access to mine premises will be stopped and allow for security at access gates to search vehicles. Drivers will have to sign the access book before proceeding onto the mine. All drivers entering mine premises must have a valid driver's license; access will not be granted to drivers without a valid license. Drivers leaving mine premises with access control slip must have it signed by the relevant mine official visited before being allowed to leave.
 - 6.1 **Mine Employees:**
 - 6.1.1 All staff and company vehicles will be issued a disc for relevant area of work access. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.1.2 Any employee entering the premises outside the "normal" working hours as per business area, public holidays and weekends, must complete and sign the Access Control Book.
 - 6.1.3 Employees entering areas of work where their disc is not assigned will be required to complete the access control book and the number of their access disc will be recorded.
 - 6.1.4 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.2 **Contractors:**
 - 6.2.1 All Contractors service vehicles will be issued a disc for relevant for contractor use only. The disc will be issued by the Human Resources Department in conjunction with Mbube Security Coordinator.
 - 6.2.2 A register of all discs will be kept by Mbube Security and maintained at their offices in Dundee.
 - 6.3 **Visitors:**
 - 6.3.1 A list of visitors (when applicable) is to be given to the Security at the access gate and visitors will then be granted access.
 - 6.3.2 Visitors will receive a permit (duplicated), and responsible mine official to sign the permit and this permit is to be handed back to security when the visitor exits mine premises. Visitors are to be advised to park in allocated parking for visitors only.
 - 6.3.3 All visitors entering mine premises will be subjected to having their car searched.
 - 6.3.4 Should a visitor want to see a mine employee without a appointment, the relevant employee is to be contacted and confirmation if they are available. If the employee is not available, then access WILL NOT be granted.
 - 6.4 **Gate Passes:**
 - 6.4.1 Gate passes can only be signed by the Head of Department (HOD) and/or such person nominated by a HOD, as per specimen signatures.
 - 6.4.2 No company property (including waste and/or scrap) may leave mine premises without a gate pass completed and signed by

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

Buffalo Coal Security Access Policy




- relevant HOD and/or such person nominated by HOD.
- 6.4.3 If there is not a valid gate pass, the goods will be confiscated and/or held back and reported immediately to responsible mine official. Only once the proper processed completed will the property then be allowed to leave the mine.
- 6.4.4 Any gate pass issued to an employee/ private person, is requested to do so during normal working hours i.e. 07h00 – 15h00, and the HOD allowing for such items to be removed must be onsite to verify the authorisation.
- 6.4 Coal Transportation/ Sales:**
- 6.4.1 All trucks and/or other vehicle entering mine premises must have the relevant paperwork/ weighbridge slip.
- 6.4.2 Security will be required to ensure that the truck and/or other vehicle is either carrying a load of coal or not and contains the correct load.
- 6.4.3 Trucks must close the tarpaulins after security have checked the trailer.**

7. ALCOHOL TESTING

- 7.1 Alcohol testing is purely a standard routine to protect the Company's interest and the safety and well-being of employees.
- 7.2 All employees undergoing such tests must be treated with the greatest possible understanding and respect.
- 7.3 Under no circumstances must an employee's dignity be violated.
- 7.4 Voluntary Alcohol Testing is for the mine employee and/or visitors "eyes" only and may not be viewed by other person (Security and/or any other employee responsible for testing) and so too may not be recorded as testing.
- 7.5 Testing for alcohol at access gates, upon entering mine premises is applicable for all Buffalo Coal Dundee Operations Inclusive Coalfields (inclusive of Coalfields Washing Plant, Transport Department and Administration), Magdalena Mine (inclusive Magdalena Services, Washing Plant and Underground) and Aviemore Mine.

- 7.6 When testing positive upon entering the mine, the security at the access gate is to notify the mine official responsible for security immediately, to which the mine official will contact the relevant Section Head. Positive results are to be recorded accurately and employees may not be released to leave until all relevant line management have been notified.



General Manager
Buffalo Coal Dundee

Effective: 01/01/2016

Revision 2, April 2018

Note: Buffalo Coal Corp. at its option, may change, delete, suspend or discontinue parts or the policy in its entirety, at any time without prior notice

From: [Trevor Hallatt](mailto:Trevor.Hallatt@exm.co.za)
To: [janet_potgieter](mailto:janet_potgieter@tinky.co.za)
Cc: claims@jmitchell.co.za; shaunabraham3@gmail.com; rdkassier@gmail.com; dbc1@telkomsa.net; richard@farmtrac.co.za; aishapeer06@gmail.com; dvduplooy@gmail.com; carienn4@gmail.com; admin@elegancebydesign.co.za; rpherwee2@gmail.com; steanjacobs@gmail.com; aleth@trustnet.co.za
Bcc: [Dineo Nyambose](mailto:Dineo.Nyambose@exm.co.za); [Frank Talbot](mailto:Frank.Talbot@exm.co.za)
Subject: RE: Virtual meeting verse physical meeting
Date: Wednesday, 12 August 2020 12:48:00
Attachments: [DEFF updated Covid 19 directions 5 June 2020.pdf](#)
[Balgray EIA and WUL - Way Forward for Public Consultation.pdf](#)

Good day Janet,

Thank you for the communication received. Please refer to the attached directions issued by the Department of Environment, Forestry and Fisheries (DEFF) (previously known as the Department of Environmental Affairs) – specifically page 14 that is applicable to applications related to the Department of Mineral and Energy (DMRE) which is the Competent Authority (CA) for the Balgray application. The directions specifically stipulate that meetings with external parties “*will be conducted virtually*” and therefore does not allow physical meetings. The public participation conducted in support of the application is conducted in terms of the Directions as stipulated above and has been approved by the DMRE.

The way forward for public participation as previously communicated and attached to this email has been designed to provide a suitable substitute for a physical public meeting and to achieve the outcome thereof .

Kind regards
Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
MA ENVIRONMENTAL MANAGEMENT

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This email is confidential, may also be legally privileged and is intended for the exclusive use of the recipient to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful.

From: janet potgieter <janet@tinky.co.za>
Sent: Friday, 07 August 2020 08:41
To: Trevor Hallatt <trevor@exm.co.za>
Cc: claims@jmitchell.co.za; shaunabraham3@gmail.com; rdkassier@gmail.com; dbc1@telkomsa.net; richard@farmtrac.co.za; aishapeer06@gmail.com; dvduplooy@gmail.com; carienn4@gmail.com; admin@elegancebydesign.co.za; rpherwee2@gmail.com; steanjacobs@gmail.com; aleth@trustnet.co.za
Subject: Virtual meeting verse physical meeting

Good morning Trevor,

Regulated protocols pertaining to “physical” meetings with interested/affected parties under lockdown are not prohibited. However, “virtual” meetings would be preferred. We feel that this would severely compromise the consultative process, as an answer given, inevitably leads to more questions. It is for this reason that we demand a physical meeting.

Where interested/affected parties would prefer a physical meeting, this must be arranged in accordance with regulations governing such meetings ie social distancing, masks, sanitisers etc.

Should the regulated number of persons attending the meeting breach the regulated/allowable numbers specified in the act, then a series of meetings must be arranged to accommodate all concerned.

Should the above prove to not be practicable, then the meeting must be put in abeyance until physical meetings can once again take place.

The process of “consultation” with ALL interested/affected parties must take place in a manner that allows ALL parties to participate without being compromised due to age, lack of electronic equipment, language etc. This will allow All an equal chance to be heard.

It has also been brought to my attention, that all mining/proposed mining activities must be controlled by the Dept of Environmental Affairs. Unless new arrangements for a meeting is communicated to us as a matter of urgency, we will have no other recourse than to lay a complaint of “non-compliance” with the Dept of Environmental Affairs.

Thank you,

Janet Potgieter

From: [Trevor Hallatt](mailto:Trevor.Hallatt)
To: robbielawrens@gmail.com; maureen@endumeni.gov.za
Subject: FW: Balgray Basic Impact Assessment and Water Use Licence Application - Way forward for Public Consultation
Date: Wednesday, 12 August 2020 07:43:00
Attachments: [Balgray EIA and WUL - Way Forward for Public Consultation.pdf](#)

Good day Robbie,

The below mail was the most recent communication sent to the I&APs. I will send the links to the documents in a separate mail, also contained in the attached document.

Kind regards

Trevor

ATTENTION: INTERESTED AND AFFECTED PARTY / COMMENTING AUTHORITY

APPLICANT: ZINOJU COAL (PTY) LTD

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

To whom it may concern,

After due consideration, EXM has decided to extend the public participation period for the abovementioned project to allow additional time for the review of the supporting documents and allow Interested and Affected parties to provide comments. Herewith, please find attached details regarding the way forward in terms of public meetings, review of the supporting documents and timeframes for comments. A summary is provided below:

Step 1: Additional time will be allocated for the review of documents

The Water Use Licence (WUL) Technical Report and Basic Assessment report (BAR) will be available until **15 September** for review and comment.

Step 2: Opportunity to provide information to attend focus group meeting

All people that are interested in attending a focused meeting (via zoom/Microsoft teams or phone discussion) must provide their email address or cell phone number (depending on preferred method of meeting) before **15 August 2020**, as well as the date (as per meeting dates below) that will suit their diary.

Step 3: Date of meeting

The focus meetings will be conducted on the **31st of August and 1st of September 2020**. All I&Ps that are interested in attending the meeting are requested to provide a set of questions that they want to discuss during the meeting before the **20th of August 2020**.

Step 4: Minutes of meeting

Minutes of the meetings will be provided to the I&APs after the meetings.

Step 5: Final comments

All final comments must be provided by the 15th of September 2020.

Please do not hesitate to contact me at any stage if you have any questions or queries. You are welcome to provide the contact details of any other persons that

1. Damage to environmental and human health. Carbon dioxide can be harmful to people and affect respiratory function. Nitrogen dioxide also reacts in the atmosphere and form nitric acid that can be harmful to animal and plants.

Response: It is not anticipated that the proposed Balgray facility will release significant CO2 emissions. The only CO2 emissions will be related to trucks and machinery

2. Pollution of coal mines can damage water quality, physical and chemical land degradation and air pollution through dust

Response: An Air Quality Impact Assessment was conducted by Agreenco (2019) to determine the potential air quality related impacts associated with the proposed project. An air dispersion model was created to determine the potential dust fall associated with the activities. It should be noted that the model shows the worst-case scenario without the application of mitigation measures. The National Dust Control Regulations (NDCR) standards for acceptable dust fallout rates are 600 mg/m²/day for residential areas and 1 200 mg/m²/day for non-residential areas.

The Figure below shows the modelled dust fallout for the site on a daily average (24-hr). The results show no exceedances in residential and non-residential areas. The maximum dust fallout value to be reached according the air dispersion model is 488 mg/m²/day, which is well below the acceptable limits prescribed by the NDCR for residential areas. This will further be reduced with the application of mitigation measures.

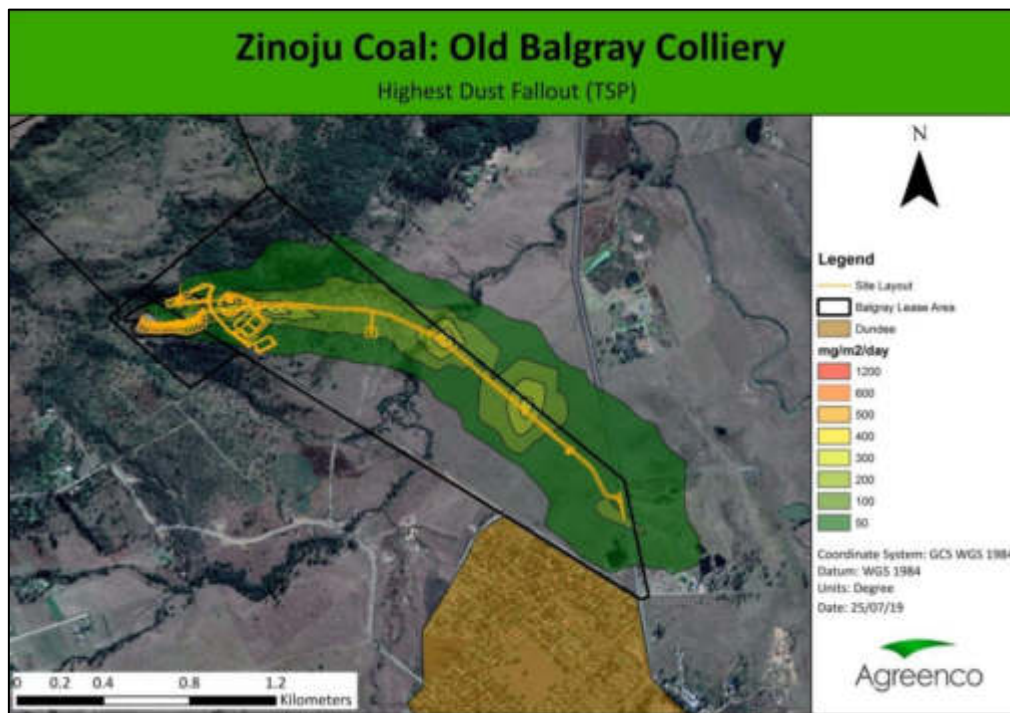
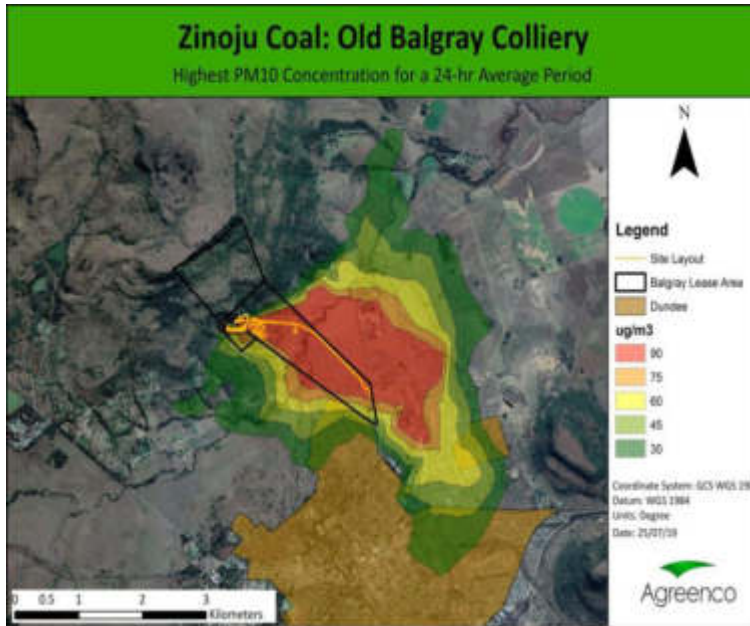


Figure 1: The highest expected dust fallout per day

The Figure below shows the highest average PM 10 (smaller dust particles) concentration or mass that could be emitted within a 24 hour period, based on hourly averages, under extreme weather and operational circumstances. Basically, how much PM particles could be present at one stage under worst case scenario. Therefore, under extreme weather and operational conditions there could be some exceedances of the Ambient Air Quality Standards. Remember this is without the application of any mitigation measures.



The air dispersion modelling results gives an idea of how receptors may be affected in unmitigated scenarios (without any controls in place).

However, the application of control measures will reduce potential dust generation. The Table below indicates the exceeding limits and expected exceedances at the sensitive receptors with the application of mitigation measures. It shows that the PM10 limits will not be exceeded at any receptors.

Table 1: The expected exceedances based on air dispersion modelling

	Limit/standard	Expected exceedances
Dust fallout	Residential (600 mg/mP ² P/day in 2 sequential months)	None
	Non-residential (1,200 mg/mP ² P/day in 2 sequential months)	None
PM10	24-hr period (75 µg/mP ³ P –frequency of 4 times during a 24-hr period)	None
	Annual (40 µg/mP ³ P)	None

3. Damage to building and underground waters. We have been living in our houses for 20 years there are no cracks in the walls or floors. The blasting can damage the structures. Will the mine pay for the damages?

Reply: It should be noted that the underground workings will not be undertaken under any residential area. A Rock Engineering Assessment (Annexure 16 of the BAR) of Blasting Effect on Overburden Stability at Balgray was undertaken by Umnotho Consulting (October, 2019). The purpose of the study was to determine the peak vibrations/amplitude that will be caused by the blasting associated with the underground operations. This was done to assess whether the blasting will result in potential damage to surface structures. The calculations considered i.e. the size of the explosives to be used, the distance from blast to point of concern, and geology.

PPV is the peak particle velocity after a particular distance from the blast. It should be taken into account that blasting will be conducted more than 300m below surface.

The results indicate that from a distance or radius of 1.0m into the rock, PPV significantly reduce and risk to values below any risk of rock damage. A distance above 10m blast vibration effects are negligible.

Based on blasting effect assessments conducted, it can be concluded that risk of underground blast vibration damage to the overburden rock is significantly low.

This is due to the fact that high percentage usage of explosives energy will dissipate into rock breaking and only negligible remaining energy will be propagated through rock as vibrations.

4. We have a borehole and we use the water for human consumption will the mine guarantee that the water will not be contaminated and that the water levels don't drop. We have used this borehole for 20 years through the drought and the water table has been stable. If the borehole gets contaminated how will the mine solve the problems?

A Geohydrological Specialist Study (Annexure 8 of the BAR) was conducted by GCS in 2019 to determine the impact of the Balgray project on the groundwater regime and water users.

The Zone of Influence (ZOI) referred to below is defined as the maximum distance at which groundwater quality will be affected.

A model was created by the Geohydrological Specialist to determine the distance that pollution will travel in the underground water regime as a result of the Balgray project. The predicted 2D mass transport ZOI at 100 year after Life of Mine, is shown in **Figure 3**. From the ZOI generated, the following is noted:

- The 250 mg/l and 500 mg/l SO₄ contours remain in close proximity to the mining infrastructure;
- The 250 mg/l and 500 mg/l SO₄ contours do not intercept major rivers.

The borehole in question falls outside the Zone of Influence with regards to the migration of pollution as a result of the mining operations and is unlikely to be affected.

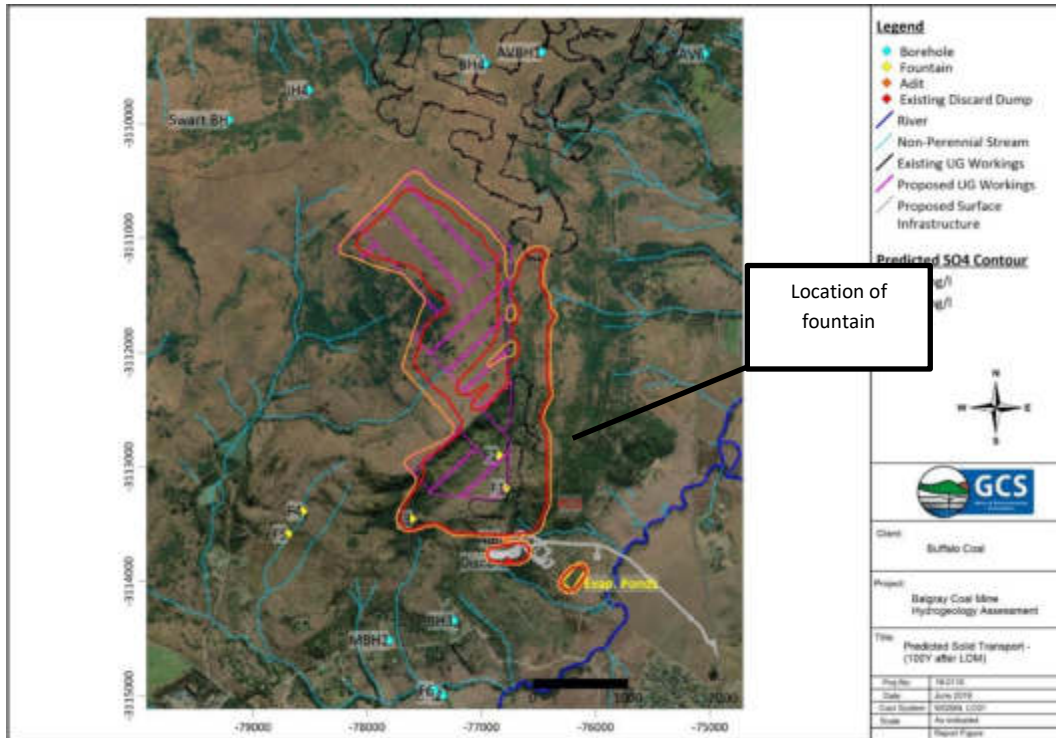


Figure 3: Predicted sulphate plume 100 year after Life of Mine

- Will we still be safe in our own homes as we are now? The crime will rise as their will be more people walking and driving in our neighborhood. The informal trades will come and sell their goods and litter. Who will pick that up?

Response: The lease area to be secured and monitored by Security and access control measures will be implement. As stated above, the mine area will be fenced off and vehicle will only be able to access the site from the P272 Provincial Road. No spaza shops at entrance or on mine lease area will be permitted. Refer to Annexure A for the Security Access Policy that will be implemented at the Balgray project. There are no spaza shops, no problems with littering at any existing operations as the Applicant implements sound security measures and a SHE policy controlling access and housekeeping issues.

- How secure will the explosives be, won't the civilians get access to it?

Response: High security fences will be established. 24 security guards.

- When there are strikes and riots and protests. Who will guarantee our safety and protect our properties from burning and looting. Will the mine pay?

Response: Zinoju Coal has procedures in place to deal with protests and they work closely with the SAPS to manage such events.

The following has been added to the EMP: In the event of protests related to the mine that could pose a threat to surrounding residents, assistance needs to be provided to residents in the immediate area to

ensure that their safety is not compromised. Contact details of a desiccated person need to be provided to potentially affected stakeholders in the surrounding area.

8. The road to the mine is less than 100m from the first houses on Rorke street are the mine going to build a tar road to the mine because the dust from the trucks will be to much. We will have to close our houses and doors and windows every day.

Response:The road will not be tarred. However, chemical dust suppression with a bonding agent as indicated in the EMPr will be conducted on the roads and other exposed surfaces.

9. There will be extra traffic in our area and more littering. With more feet the crime will also escalate

Response: No commercial vehicles will make use of Mc Phail/Rourke/Smith Street roads as the only entrance to the site will be on the P272 Provincial Road. The haul trucks will make use of the P272 Provincial Road to drive towards the processing plant at the western side of Dundee.

Note should be taken that all the people currently employed at Aviemore will also be employed at the Balgray operations and will use the same routes as before to gain access to the site. The Aviemore operations is situated on the P272 Provincial Road – same as the Balgray access point. Therefore current staff will travel on same routes during the Balgray project. No additional traffic during operations is therefore anticipated on different routes – will stay the same. The construction phase that will entail a small number of employees of 25 will only (according to the Traffic Impact Assessment) generate insignificant additional traffic for a short period.

10. If they build a compound can you imagine all the cars and traffic going there we will also have prostitutes right on our doorstep and informal trading.

No compounds will be built.

11. I have allergies for dust, where my count should be 70 it is 150 that is more than double what it should be and because of that I have breathing problems. Who is going to pay for that extra medication expenses?

See response above related to dust emissions.

From: [Trevor Hallatt](#)
To: [Pam](#)
Subject: RE: Balgray Meeting Minutes
Date: Wednesday, 30 September 2020 23:21:00

Good day Pam,

Thank you for the comments received. Please see my responses below:

From: Pam <info@talana.co.za>
Sent: Sunday, 20 September 2020 11:07
To: Trevor Hallatt <trevor@exm.co.za>
Subject: RE: Balgray Meeting Minutes

Thank you the copy of the minutes and discussion.
I would like to raise a couple of matters for consideration please.

1. Every year Mpati mountain is subject to extensive and damaging veld fires. The proposed mine project needs to be aware of this and to have a plan to assist in fighting the fires but also to protect the mine and equipment.

The mine will have a dedicated fire fighting team with adequate equipment to deal with potential fires.

2. What community projects does the mine envisage will be linked to the development of this adit?

The mine has an approved Social and Labour Plan that has to be implemented which stipulates specific contribution that must be made to the community, including uplifting projects.

Pam McFadden

Curator

Talana Museum

www.talana.co.za

e-mail:info@talana.co.za

facebook:talanamuseum

From: Trevor Hallatt [<mailto:trevor@exm.co.za>]
Sent: Friday, September 18, 2020 12:53 PM
Subject: Balgray Meeting Minutes

Good day,

Please find attached the draft Balgray meeting minutes. Please submit comments by the 25th of September 2020. The recording can be obtained from the link below.

<https://web.microsoftstream.com/video/e2465bb3-8e34-464e-a6ec-5624c8caff1e>

Regards

1. Damage to environmental and human health. Carbon dioxide can be harmful to people and affect respiratory function. Nitrogen dioxide also reacts in the atmosphere and form nitric acid that can be harmful to animal and plants.

Response: It is not anticipated that the proposed Balgray facility will release significant CO2 emissions. The only CO2 emissions will be related to trucks and machinery

2. Pollution of coal mines can damage water quality, physical and chemical land degradation and air pollution through dust

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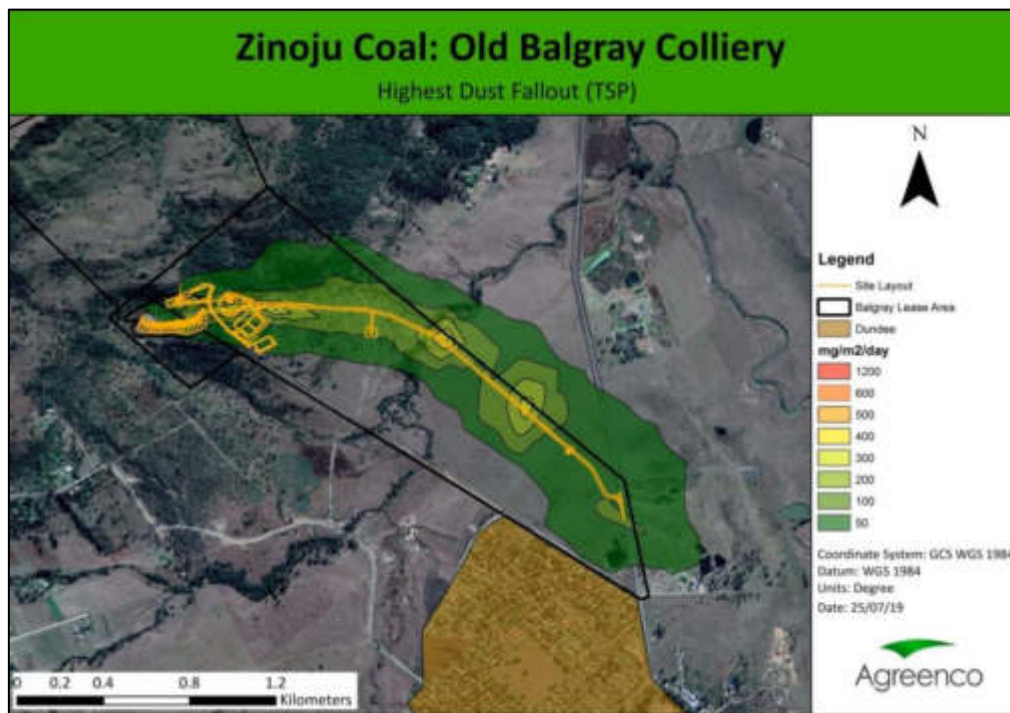
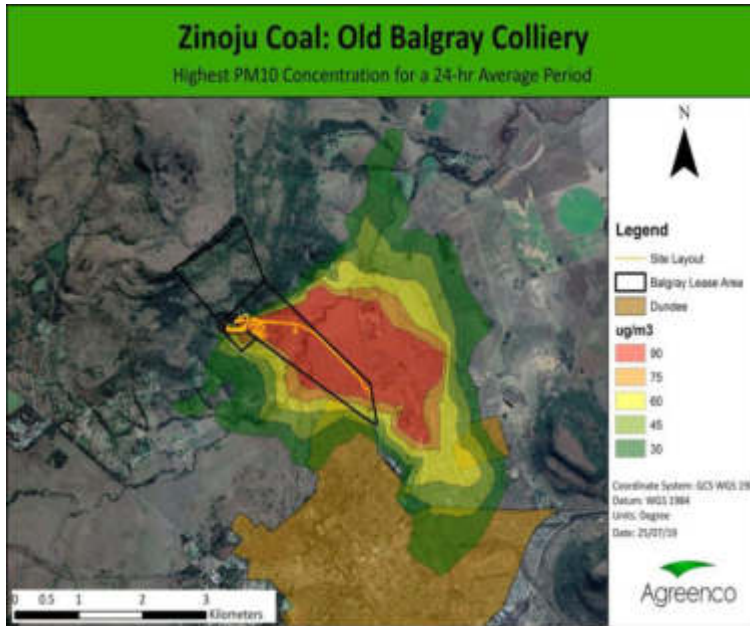


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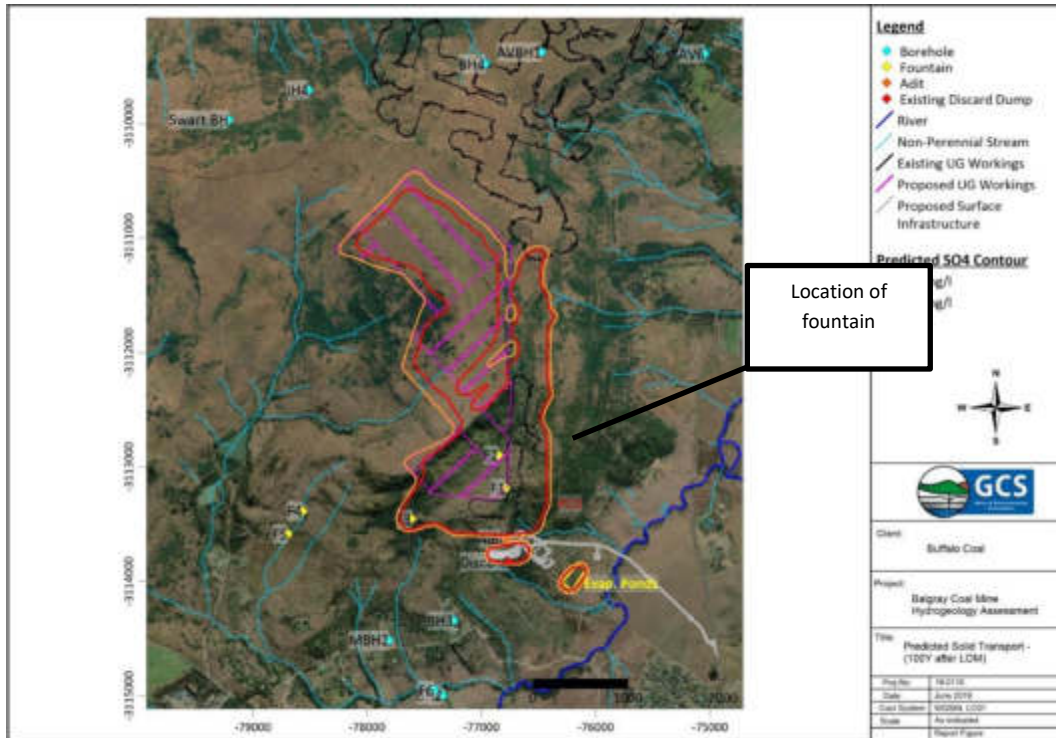


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**environment, forestry
& fisheries**

Department: Environment, Forestry
and Fisheries
REPUBLIC OF SOUTH AFRICA

F 033 342 8783

DEFF

Mr. T. Sibozana

T 033 392 7721

Forestry Regulations & Support

14 September 2020

ThembalakeS@daff.gov.za

P/Bag X9029

Pietermaritzburg 3201

XEXM ADVISORY SERVICES

P.O. Box 684

Dundee

3000

Attention: Trevor Hallatt

**BASIC IMPACT ASSESMENT REPORT AND ENVIRONMENTAL
MANAGEMENT PROGRAMME REPORT FOR ZINOJU COAL (PTY) LTD:
OLD BALGRAY COLLIERY ADIT REFURBISHMENT PROJECT IN DUNDEE,
KWAZULU-NATAL.**

The Department of Environment, Forestry and Fisheries appreciates the opportunity given to register as interested and affected party on the above mentioned project. DEFF through the sub-directorate Forestry Regulations and Support is the authority mandated to implement the National Forests Act No. 84 of 1998 by regulating the use of natural forests and protected trees species in terms of the said Act.

With reference to the document received on 03/07/2020, the proposed project will take place in a woody grassland vegetation type that does not constitute a natural forests. There were no natural forests and protected trees in terms of National Forests Act No.84 of 1998 as amended that will be impacted by the proposed activities. The department recommend that the principle of sustainable development should applied by ensuring that natural resources are used sustainably for the benefit of future generation and the

indigenous trees should be form part of rehabilitation for species diversity. Therefore the department does not have any objection towards the proposed project.

Should any further information be required, please do not hesitate to contact this office. This letter does not exempt you from considering other legislations.


Yours faithfully

T. Sibozana



**Senior Forester: KZN Forestry Management
Forestry Regulations and Support**

**ZINOJU COAL (PTY) LTD
 ENVIRONMENTAL APPROVAL PROCESSES: OLD BALGRAY COLLIERY: ADIT RECOMMISSIONING
 PROJECT DUNDEE, KWAZULU- NATAL**

Name:	Ndumiso Dlamini
Address:	21 Rorke Street, Dundee 3000
Telephone/cell phone:	071 343 1503
Fax:	
E-mail:	mdumela@9zeroseven.com
Date:	16 September 2020
Signature:	

If you know of others who should be informed of this application, please provide us with their contact details:

Name:	
Address:	
Telephone/cell phone:	
Fax:	
E-mail:	

ISSUES, CONCERNS AND QUESTIONS

Having reviewed the BAR and associated specialist studies, as objectively as possible, I could not find points of objection to the project in light of the socio-economic issues within the country and Dundee.

As a resident, concerns about changes in the area will always arise; however, based on the meeting (3rd Sep 2020), it seemed the applicant was committed to carrying out the necessary mitigation measures and a transparent application process.

In this response I act as a resident and I&AP; however, I do acknowledge that my professional experience has placed me in a position to better appreciate specialist studies and understand the findings from the mine. I do believe the project is a necessity and if performed in a responsible manner with regards to the environment and social concerns should cause minimal disturbance to our current lives.

From: [Trevor Hallatt](mailto:Trevor.Hallatt@exm.co.za)
To: mdumela@9zeroseven.com
Subject: RE: Balgray Public Meeting
Date: Wednesday, 16 September 2020 13:44:00
Attachments: [image002.png](#)
[image001.png](#)

Good day Ndumiso,

Thank you for the comments received, I will incorporate the information in my reports.

Kind regards
Trevor

From: mdumela@9zeroseven.com <mdumela@9zeroseven.com>
Sent: Wednesday, 16 September 2020 13:40
To: Trevor Hallatt <trevor@exm.co.za>
Subject: RE: Balgray Public Meeting

Good day Trevor,

Please find attached my comment and response form.

I trust you find all in order.

Regards,

Ndumiso Dlamini (Pr. Sci. Nat)

Senior Environmental Consultant
Ecological Sciences & Water Resources

+27 71 343 1503
mdumela@9zeroseven.com

From: Trevor Hallatt <trevor@exm.co.za>
Sent: Monday, 31 August 2020 15:55
Subject: Balgray Public Meeting

ATTENTION: INTERESTED AND AFFECTED PARTY / COMMENTING AUTHORITY

Please take note that the venue has a capacity limit. Please inform me if you know of any other parties that wish to attend as to make sure that the social distancing capacity is not exceeded. We would like to strictly adhere to the relevant safety requirements.

Kind regards
Trevor

ATTENTION: INTERESTED AND AFFECTED PARTY / COMMENTING AUTHORITY

PROJECT: BASIC IMPACT ASSESSMENT AND WATER USE LICENCE APPLICATION FOR THE OLD BALGRAY COLLIERY ADIT RECOMMISSIONING PROJECT NEAR DUNDEE, KWAZULU-NATAL

As per previous communication, the Balgray public meeting will be conducted on the 3rd of September 2020 at 12:00 to 14:30 at the venue listed below (please arrive at 11:45 for Covid screening).

Venue

Umzinyathi Education Centre
33 Tatham Street
Dundee

Note that there will be a sign pointing to the direction of the area where the meeting will be held. Screening, sanitizing and register signing will be compulsory. Face masks are compulsory and entrance will not be obtained without a wearing a face mask.

Kind regards

Trevor



TREVOR HALLATT
ENVIRONMENTAL SCIENTIST
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From: [Trevor Hallatt](mailto:Trevor.Hallatt)
To: ["info@ecsshop.co.za"](mailto:info@ecsshop.co.za)
Subject: RE: Non opening of mine
Date: Friday, 02 October 2020 08:01:00

Good day,

Thank you for the communication received. It will be incorporated in the reports submitted to the Competent Authority.

Regards
Trevor

From: info@ecsshop.co.za <info@ecsshop.co.za>
Sent: Thursday, 24 September 2020 10:37
To: Trevor Hallatt <trevor@exm.co.za>
Subject: Non opening of mine

Hi I am a resident of time mpathi area . I'd like to formally lodge a complaint and objection to the mine opening up in such close proximity of our residential area due to the dust pollution and other in popsicles that make cuz me and my family to become ill. Not to mention not withstanding the black dust pollution that would settle in the valley in which we reside

Regards disgruntled resident
Mr MZ khan.

Mobile number 071 876 1733
Address 6 chard Street
Dundee

Sent from my Huawei phone

From: [Trevor Hallatt](#)
To: ["Bilal Cassim"](#)
Subject: RE: Opening of Balgray Mine
Date: Friday, 02 October 2020 01:07:00

Good day,

Thank you for the communication received. It will be incorporated in the reports submitted to the Competent Authority.

Regards
Trevor

From: Bilal Cassim <bilalcas@gmail.com>
Sent: Thursday, 24 September 2020 10:33
To: Trevor Hallatt <trevor@exm.co.za>
Subject: Opening of Balgray Mine

Hi

I am a resident at 3 Malva Rd in the Mpati Area. I just want to place on record my objection to the mine opening a short distance from my property. I have concerns regarding the impact on the health of my kids some of who have respiratory problems. Also it will negatively impact the enjoyment of my property.

Regards
BH Cassim