

MPUMALANGA PROVINCIAL GOVERNMENT

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Department of Economic Development, Environment and Tourism

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Umgangw WezokuThuthukiswa
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Departement van Ekonomiese
Ontwikkeling, Omgewings- en Toerisme

Enquiries: Mr. S.T. Marebane
13 De Jager Street,
Emelo, 2350
Tel: (017) 811 3944,
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Reference: 17/2/4/IGS - 27

Attention: Dr Gail Nussey
Sasol Mining (Pty) Ltd
Private Bag X1015
Secunda
2302

Fax no: (011) 522 9272

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED ESTABLISHMENT OF INFRASTRUCTURE FOR MINING LISTED ACTIVITIES RELATED TO THE CONSTRUCTION OF SHONDONI SHAFT WITHIN THE JURISDICTION OF GOVAN MBEKI LOCAL MUNICIPALITY MPUMALANGA PROVINCE (17/2/4/IGS-27).

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 days of the date of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the regulations.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of receiving this letter, by means of one of the following methods:

By facsimile: (013) 7668 445

By post: Private Bag x 11215
Nelspruit
1200

By hand: Building 4, Government Boulevard,
Riverside Park Extension 2
Nelspruit
1200

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully


MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 18.07.2011

cc: Jasper Müller

JMA

Fax: (013) 665 2364



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Department of Economic Development, Environment and Tourism

Uku Lelekuthutukiswa
Kwincinane, s' mndzozo netoku Vakasha

Umgungu WezokuThuthukiswa
KoMntsho, iBhwaluko nezomi Vakasha

Departement van Ekonomiese
Ontwikkeling, Oorgewing en Toerisme

Environmental Authorisation

Authorisation register number : 17/2/2/2 GS - 08

Holder of Authorisation : Sasol Mining (Pty) Ltd

Location of activity : On portions of the farms kromdraai 128 IS, Leeuwpan 532 IR, Rietkuil 531 IR, Grootspuit 279 IS, Rietkuil 283 IS, Langeverwacht 282 IS, Winkelhaak 135 IS, Driefontein 137 IS, Kinross 133 IS, Ruigtekuilen 129 IS and Brakspruit 359 IR

1. Decision

The Department is satisfied on the basis of the information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity as specified below. Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

2. Activity authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2010, the Department hereby authorises:

Sasol Mining (Pty) Ltd
Private Bag X1015
Secunda
2302

Contact person: Dr Gail Nussey

Tel no: (017) 614 2207 / 072 140 5500

Fax no: (011) 592 9272

To undertake the following activities (hereafter referred to as "the activities"):

The proposed construction of mining infrastructure at the Shondoni shaft. The project entails the construction of:

- Coal stockpile;
- Coal conveyor belt;
- Pollution control dams
- Fuel storage facilities
- Access road;
- Power lines and
- Clearing of vegetation for infrastructure.

The coordinate are:

	Latitude	Longitude
1	26° 27' 55.8444"	29° 03' 08.4785"
2	26° 28' 41.6701"	29° 02' 32.1237"
3	26° 29' 00.0287"	29° 02' 14.8567"
4	26° 29' 54.1093"	29° 01' 59.8127"
5	26° 30' 20.8675"	29° 01' 52.996"
6	26° 30' 36.6423"	29° 01' 52.6902"
7	26° 30' 49.8817"	29° 01' 53.5157"
8	26° 31' 13.1967"	29° 01' 59.4131"
9	26° 31' 28.4805"	29° 02' 05.1223"
10	26° 31' 46.5138"	29° 02' 14.317"
11	26° 32' 13.2829"	29° 02' 29.8051"
12	26° 32' 38.9234"	29° 02' 43.0377"
13	26° 33' 14.4267"	29° 03' 10.0943"
14	26° 33' 48.2379"	29° 03' 29.2513"

15	26° 34' 05.1428"	29° 03' 37.7003"
16	26° 34' 24.8619"	29° 03' 42.4755"
17	26° 34' 42.0463"	29° 03' 46.1247"
18	26° 35' 22.3302"	29° 03' 48.6142"
19	26° 36' 15.8532"	29° 03' 51.652

Items 1(c),1(m), 1 (n),4,,7,12,13,14,15, and 1 (i), 1, 1(e) 1(j) and 2 in terms of Chapter 5 of the National Environmental Management Act, 1998 Government Notice R 544 and R546 of 18 June 2010 respectively).

The granting of this authorisation is subject to the conditions set out below.

3. **Conditions of authorisation**

Scope of Authorisation

- 3.1 Authorisation of the activity is subject to the conditions contained in this authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation
- 3.2 The holder of the authorisation must ensure compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the authorisation.
- 3.3 The activity which is authorised may only be carried out at the property indicated above.
- 3.4 Any changes to, or deviations from the project description set out in this authorisation must be approved in writing by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request further information as it may deem necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further authorisation in terms of the regulations.
- 3.5 These activities must commence within a period of **two (2) years** from the date of issue. If commencement of the activities does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activities to be undertaken.
- 3.6 The Department may change or amend any of the conditions in this authorisation if, in the opinion of the Department is environmentally justified
- 3.7 In the event of any dispute concerning the significance of a particular impact, the opinion of the Department in respect of its significance will prevail.
- 3.8 This authorisation does not negate the holder of the authorisation, responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activities.
- 3.9 The holder of this authorisation is responsible for compliance with the provisions for **Duty of Care and Remediation of Environmental Damage** contained in Section 28 of the National Environmental Management Act, 1998 (Act 107 of 1998).

Appeal of authorisation

- 3.10 The holder of the authorisation must notify every registered interested and affected party, in writing and within 12 days, of receiving notice of the Department's decision to authorise the activities.

The notification referred to above must:

- a) Specify the date on which the authorisation was issued;
- b) Inform the interested and affected parties of the appeal procedure provided for in Chapter 7 of the regulations; and
- c) Advise the interested and affected parties that a copy of the authorisation and reasons for the decision will be furnished on request.

Management and monitoring of the activities

- 3.11 An Environmental Management Plan (EMP) incorporated in the Environmental Impact Report (EIR) must be strictly adhered to throughout the life-cycle of the activities.
- 3.12 The holder of the authorization must submit a post-construction environmental audit report to the Department within 30 (thirty) days after completion of construction activities. The audit report must be compiled by an independent auditor.
- 3.13 The coal stockpile must be operated on a lined surface. Surface run off must be captured and handled as dirty water and be disposed of in pollution control dams.
- 3.14 Monitoring of water quality must be undertaken upstream and downstream of the pollution Control facilities on a quarterly basis.
- 3.15 Dust monitoring must take place on a continuous basis to ensure that coal dust from coal storage areas does not constitute health risk. Measures must be taken if more unacceptable dust levels are recorded.
- 3.16 The Department retains the right to monitor and/ or inspect the proposed project during both construction and operational phases.

Commissioning and operation of the activities.

- 3.17 Fourteen (14) days written notice must be given to the Department that the activities will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activities will commence.
- 3.18 The conditions stipulated in this environmental authorisation, mitigation measures and recommendations contained in the Environmental Impact Assessment Report and Environmental Management Plan shall be a legally binding component of any contract and must therefore be legally enforceable.
- 3.19 The applicant must assign the development to a full time-based team of Environmental Officers/scientists who will ensure among others:

- (a) Strict compliance of the development to the conditions of the Environmental Authorisation as well as the measures contained in the Environmental Management Plan;
 - (b) Discuss and advise contractor on site about the environmental matters before construction takes place;
 - (c) Monitor compliance during construction and operation phases of the activities;
 - (d) Keep records of all environmental audits.
- 3.20 Soil stockpiles must only be located in the designated construction area, not within 100m of any wetlands delineated on site.
- 3.21 Storm water drainage systems must be maintained to ensure effective performance of the systems and to circumvent blockages.
- 3.22 During construction, the site must be demarcated to avoid unauthorized people from entering the site.
- 3.23 The pollution control dams must be designed in such a manner that they prevent seepage of contaminated water from entering and polluting ground water.
- 3.24 The design capacity of the pollution control dams must take into account the expected volumes of water to be pumped to surface into these facilities.
- 3.25 Clean water cut-off system must be constructed upstream of the coal stockpiles.
- 3.26 Pollution control facilities and settling facilities must be constructed prior to the underground workings commencing.
- 3.27 Water use license must be obtained for all the applicable water related activities prior to the commencing of the activity.
- 3.28 Any complaints received from the employees or any one within the immediate vicinity of the site during the construction and operational phases of the activity must be attended to as soon as possible and addressed to the satisfaction of all concerned.
- 3.29 Dust suppression measures must be implemented during the construction phase.
- 3.30 Measures must be implemented to ensure that dust emission at coal storage areas is reduced to acceptable levels.
- 3.31 General waste generated during all phases of the activities must be disposed of at a permitted disposal facility.
- 3.32 The handling and storage of any hazardous waste must comply with the relevant statutory requirements.
- 3.33 The filling area of dangerous goods including fuel oil and diesel must be located on a hard surface to prevent soil and ground water contamination.

- 3.34 Any spilled product must be directed towards a separate, properly lined pit where fuel could be removed and disposed of at a hazardous facility.
 - 3.35 All storage tanks must be located within bunded walls to collect accidental spillages.
 - 3.36 All equipment must be subjected to a noise specification that will reduce the overall noise at the closest receiving environment and ensure that the noise levels do not exceed the legal limits.
 - 3.37 It is the responsibility of the holder of the authorisation to rectify any source of pollution from their undertaking and to take appropriate measures to prevent any pollution of surface as well as ground water.
 - 3.38 The facilities must be operated in accordance with the relevant provisions of Occupation Health and Safety Act (Act No 85 of 1993).
 - 3.39 The conveyor belt must incorporate turnovers to minimize spillage during normal operations. Should spillages occur due to malfunctioning of the conveyor or any other reason, clean up of the spillages must be undertaken as soon as possible.
 - 3.40 The conveyor belt must be boxed in at watercourse crossings to prevent the coal from spilling into the water bodies.
 - 3.41 All clearing activities for the conveyor belt must be limited to the construction servitude as narrow as possible
 - 3.42 The conveyor belt must be constructed in such a way that sufficient space remains underneath the conveyor to allow for free movement of faunal species such as small mammals.
 - 3.43 Suitable fire protection systems must be accessible on site when urgently required to deal with an emergency situation. Such as fire detection and fire fighting systems must be accessible to workers on site.
 - 3.44 Construction personnel must be sensitized to the requirements of the South African Heritage Resources Act. Should any material of cultural or archaeological significance be encountered during construction, all activities must cease immediately and the South African Heritage Resources Agency (SAHRA) must be informed accordingly.
 - 3.45 Appropriate ablution facilities and camp waste disposal bins must be provided to the construction team to prevent pollution of the surrounding environment.
 - 3.46 All heavy vehicles operator and truck drivers must be restricted to designated areas, such as construction sites and roads.
- Site closure and decommissioning**
- 3.47 A Decommissioning and Rehabilitation Plan must be submitted to this Department for approval at least six (6) months prior to the decommissioning phase.

General

- 3.48 A copy of this authorisation must be kept at the property where the activities will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the property.
- 3.49 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/ or telephonic details; the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.50 The holder of the authorisation must notify the Department, in writing and within 24 (twenty four) hours, if conditions of this authorisation are not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.51 Non-compliance with a condition of this authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 and the regulations.
- 3.52 National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:


MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 13.07.2011

ANNEXURE1: REASONS FOR THE DECISION

1. Background

The applicant Sasol Mining (Pty) Ltd applied for Environmental Authorisation for the following:

The proposed construction of mining infrastructure at the Shondoni shaft. The project entails the construction of:

- coal stockpile;
- coal conveyor belt;
- Pollution control dam- located at the main inclined shaft is with the capacity of 25000m³, a PCD to be located at the workshop area. Will the capacity of 800000m³,
- fuel storage facilities and the
- Construction of access road;
- Construction of power lines
- Clearing of vegetation for infrastructural development.

Items 1(c), 1(m), 1 (n), 4, 7, 12, 13, 14, 15, and 1 (l), 1, 1(e) 1(j) and 2 in terms of Chapter 5 of the National Environmental Management Act, 1998 Government Notice R 544 and R546 of 18 June 2010 respectively).

2. The applicant appointed the following Environmental Assessment Practitioner to undertake the Environmental Assessment process:

Consultant Name: JMA Consulting (Pty) Ltd

Address: P.O. Box 883
Delmas
2210

Contact Person: Mr Jasper Müller
Telephone: (013) 665 1788 / 082 495 0160
Fax: (013) 665 2364

3. Information considered in making a decision.

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the Environmental Impact Assessment Report (EIR)
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998).
- c) Findings of the site visit undertaken by Martin Fuwela on 24 February 2011.

4 Key factors considered in making the decision.

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues that, in the Department's views, were of the most significance is set out below:



- a) Impact on aquatic species;
- b) Degradation of the soil;
- c) Fauna and Flora
- d) Public involvement.
- e) Need and desirability

5. Findings

After consideration of the information and factors listed above, the Department made the following findings:

- a) There will be potential impact on aquatic life or downstream users of water within the rivers. Mining activities can potentially alter the PH of the water and create acidic conditions that will result in mobilisation of metals which may then create toxicity of the water. Discharge of water with an increase in electrical conductivity can potentially affect irrigation practices downstream. Water will also become unsuitable for potable use; Monitoring , management and balance of mine water will take place
- b) The activity will lead to habitat destruction, loss of population of threatened plant species, change in physical abiotic condition etc.
- c) The negative cumulative impacts are likely to occur. Loss of vegetation, habitat fragmentation and decrease in water quality are evident. Urbanisation and increased cultivation will cause additional decrease in natural habitat. Pollution originating from the urban areas, roads, farming activities and other mining activities in the catchments have contributory cumulative negative effects on the environment. The development of the mining infrastructure is likely to contribute to significant negative cumulative impact on the environment and terrestrial fauna. Future mining in these areas must carefully assess and consider cumulative impacts.
- d) There are sensitive features in and around the study area. The eastern side of the Leeuwpan is classified as irreplaceable. However there are no major constraints or limitations associated with the activity.
- e) The investigation identified two major grassland plant communities as well as wetland vegetation in drainage lines that are classified as endangered and listed in the draft list of protected ecosystems.
- f) Interested and affected parties were given the opportunity to participate in the decision making process by means of newspaper advertisements, site notices.
- g) No objections were received.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorisation is accordingly granted.