

Appendix C6:  
Comments Received



# environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
**REPUBLIC OF SOUTH AFRICA**

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DEFF Reference: 14/12/16/3/3/2/401

Enquiries: Mr Lunga Dlova

Telephone: (012) 399 8524 E-mail: [LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)

Ms Jo-Anne Thomas  
Savannah Environmental (Pty) Ltd  
PO Box 148  
**SUNNINGHILL**  
2157

Telephone Number : 011 656 3237  
Email Address : [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

## PER MAIL / E-MAIL

Dear Ms Thomas

### **ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED ZERO WASTE RECOVERY PLANT AND ASSOCIATED INFRASTRUCTURE NEAR KWA-GUQA IN MPUMALANGA PROVINCE.**

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated January 2021 and received by the Department on 08 January 2021, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated January 2021 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(1)(a) of the EIA Regulations, 2014, as amended.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.

In addition, the following amendments and additional information are required for the EIA:

#### **(a) Air Quality**

##### **(i) Atmospheric Emission License –**

- According to the information provided the Atmospheric Emission License will be a new licence for the facility, which must comply with new plant Minimum Emission Standards (MESS) as per AQA for facilities operating in Air Priority Areas.
- Kindly note that these are the preliminary findings, based on the information provided. Therefore, the facility will have an opportunity to make representations on the AEL type during processing of the AEL application.

##### **(iii) Air Quality Dispersion Modelling -**

- Air dispersion modelling exercise must be done in accordance with the Regulations regarding Air Dispersion Modelling – Regulations No.533 of 11 July 2014, issued in terms of the NEM: AQA,

- The dispersion modelling can provide reliable information, if for example, the 1<sup>st</sup> case considers baseline for all current emitters in the surrounding environment (excluding proposed development); the 2<sup>nd</sup> case considers the proposed development in isolation of the current emitters; and the 3<sup>rd</sup> case to combine the baseline plus proposed development (cumulative). The study should have more noticeable impacts.

(iv) Emission Control Technology -

- Detailed information on air pollution abatement equipment to be used in order to comply, including its performance, efficiency, availability and the expected emission concentration in mg/Nm<sup>3</sup> (under normal condition of 273K, 101.3kPa, dry gas) for pollutants such as NO<sub>x</sub>, PM, SO<sub>2</sub>, and some metals, depending on reactions in terms of Section 21 of NEM: AQA (Act 39 of 2004) listed activities.

(v) Health Impact Assessment (Sensitive Receptor focussed) -

- The Health Impact Assessment must be conducted and amongst others must provide of the details:
  - Methodology;
  - Exposure assessment, and
  - Dose exposure assessment.

(vi) Compliance -

- Dust emission is anticipated from both the line and area source, as such the facility should commit to control of dust in terms of section 32 (a); (b) and (c) of the National Environmental Management: Air Quality Act, 2004 (Act No.39 of 2004) and the National Dust Control Regulations of 2013.
- It is recommended that a Fugitive Emission Management Plan for the anticipated fugitive emissions that might occur onsite must be developed.

**(b) Public Participation**

- Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAr. This includes but is not limited to the provincial Department of Agriculture, SANRAL, eMalaheni Local Municipality, the Nkangala District Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Mineral Resources, the Mpumalanga Department of Agriculture, Rural Development, Land and Environmental Affairs, the Department of Rural Development and Land Reform, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation should be submitted via E-mail: [BCAdmin@environment.gov.za](mailto:BCAdmin@environment.gov.za) for attention of Mr Seoka Lekota.
- Public participation process should be carried out in compliance with section 57 (1) (2) (3) (4) of the act.
- It is also advised that complaint register at the local authority be perused for any air quality related complaints in the vicinity of the proposed project.
- The public participation process documents related to Air Quality for review and queries should be submitted to the Directorate: Climate Change & Air Quality Management - Email: [MNgcobo@environment.gov.za](mailto:MNgcobo@environment.gov.za) for attention of Mr Mthobisi Ngcobo.
- Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr. Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.
- A Comments and Response trail report (C&R) must be submitted with the final EIAr. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs

must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.

- Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.
- The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.
- The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAR.

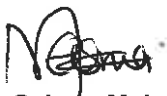
### **General**

- (i) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample for the minimum information required is listed under Annexure 2 below.
- (ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.
- (iii) Should a Water Use License be required, proof of application for a license needs to be submitted.
- (iv) The EAP must provide landowner consent for all farm portions affected by the proposed project, whether the project component is linear or not, i.e. all farm portions where the Zero Waste Recovery Plant and associated infrastructure is to be located.
- (v) A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAR.

The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



**Mr Sabelo Malaza**

**Chief Director: Integrated Environmental Authorisations**

**Department of Environment, Forestry and Fisheries**

**Signed by: Ms Masina Litsoane**

**Designation: Control Environmental Officer: National Infrastructure Projects**

**Date: 18/02/2021**

Cc	Anette Pocock	Anglo African Metals (PTY) Ltd
	Mr Erald Nkabinde	eMaalaheni Local Municipality
	Mr Velile C Makedama	eMaalaheni Local Municipality

**Annexure 1**

Format for Comments and Response Trail Report:

<b>Date of comment, format of comment name of organisation/I&amp;AP</b>	<b>Comment</b>	<b>Response from EAP/Applicant/Specialist</b>
27/01/2016 Email Department of Environment, Forestry and Fisheries: Priority Infrastructure Projects (John Doe)	Please record C&R trail report in this format  Please update the contact details of the provincial environmental authority	EAP: (Noted)The C&R trail report has been updated into the desired format, see Appendix K  EAP: Details of provincial authority have been updated, see page 16 of the Application form

**Annexure 2: Sample of technical details for the proposed facility**

<b>Component</b>	<b>Description / dimensions</b>
Height of PV panels	
Area of PV Array	
Number of inverters required	
Area occupied by inverter / transformer stations / substations	
Capacity of on-site substation	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Length of internal roads	
Width of internal roads	
Proximity to grid connection	
Height of fencing	
Type of fencing	

# SCOPING PHASE

COGTA



co-operative governance  
& traditional affairs

MPUMALANGA PROVINCE  
REPUBLIC OF SOUTH AFRICA

Samora Machel Building, Ext 2, No. 7 Government Boulevard, Riverside Park, Mbombela, 1200, Mpumalanga Province  
Private Bag X11304, Mbombela, 1200. Tel: 013 766 0000, Int Tel: +27 (13) 766 6087, Tel: 013 766 6087  
Tel: 013 766 8252, Int: Fax: +27 (13) 766 8252

Litiko  
Lekubusa  
ngekubambisana  
netebuholi bendzabuko

Departement van  
Koöperatiewe Regering  
en Tradisionele Sake

umNyango  
wezekuBusa  
ngokuHlanganyela  
neeNdaba zamaKhosi

Ref No. : 12/1/4/1/6/2/2/7  
Enq : NT Mathebula  
Tel : [REDACTED]

The Municipal Manager  
Emalahleni Local Municipality  
Private Bag X 3  
Emalahleni  
1035

Mr. Thabani Buthelezi

**SUBJECT: NOTICE OF ENVIRONMENTAL IMPACT ON PORTION 48  
ELANDSFONTEIN 309 JS: DEVELOPMENT OF A PROPOSED WASTE  
RECOVERY PLANT AT HIGHVELD STEEL NEAR WITBANK,  
EMALAHLENI LOCAL MUNICIPALITY, NKANGALA**

1. The application dated 13 November 2020 has reference.
2. This letter serves to confirm that the Department supports the application for development of a waste recovery plant at the Highveld Steel for extracting both vanadium and titanium oxide from slag materials on Portions 48 Elandsfontein 309 JS, subject to:
3. Consent from the Municipality in terms of Spluma By-law be obtained.
4. All other building regulations and streets sizes will be in accordance with the current Land Use Scheme of the Local Municipality.
5. The stipulations of the National Environmental Management Act, 1998 (Act 107 of 1998) must be complied with.





**NOTICE OF ENVIRONMENTAL IMPACT ON PORTION 48 ELANDSFONTEIN 309 JS: DEVELOPMENT OF A PROPOSED WASTE RECOVERY PLANT AT HIGHVELD STEEL NEAR WITBANK, EMALAHLENI LOCAL MUNICIPALITY, NKANGALA**

6. The stipulations of the Environment Hygiene Act, 1992 (Act 121 of 1992) must be complied with.
7. Negative impact at constructing of the waste recovery plant for vanadium and titanium oxides from slag materials on existing high potential agricultural soils must be mitigated.
8. The municipality has a newly approved Land Use Scheme, the rights if granted must after consultation with the applicant be aligned with the appropriate zoning in the new LUS.
9. The proposed farm portion should continue to also be used for "Industrial Plant" and may not be used for any other land use activity unless the local municipality has granted a land use change.
10. The Municipality to make sure that these adequate services (water, electricity, sanitation, access) are available to the proposed development and uses.
11. No building/structure may be built within the 1:100 year floodline.

Yours faithfully,



**MR S. NGUBANE**  
**ACTING HEAD: CO-OPERATIVE GOVERNANCE & TRADITIONAL AFFAIRS**  
DATE 10/12/2020

DEPARTMENT OF PUBLIC WORKS, ROADS &  
TRANSPORT



public works,  
roads & transport

MPUMALANGA PROVINCE  
REPUBLIC OF SOUTH AFRICA

16 Hope Street, Mbombela, 1200, Mpumalanga Province  
Private Bag X11310, Mbombela, 1200, Mpumalanga Province  
Tel I: +27 (13) 766 8525, Fax: +27 (13) 766 8648

TRANSPORT INFRASTRUCTURE

Litiko Letemisebenti Yemphakatsi,  
Temigwaco Netekutfutsa

Departement van Openbare Werke,  
Paaie en Vervoer

UmNyango wezemiSebenzi yomPhakathi,  
zeeNdlela nezokuThutha

Ref: **F09/11/1/1/3-309 JS**  
Enq: **M.J. Mojapelo**

**Savannah Environmental**  
**P.O. Box 148**  
**Sunninghill**  
**2157**

**Attention: Ms Nicolene Venter**

**RE: EIA AUTHORIZATION FOR PROPOSED WASTE RECOVERY PLANT AT EVRAZ HIGHVELD STEEL**

This is with reference to your EIA dated 13 November 2020

We are at this stage, unable to give comprehensive comments as we do not know as yet what the final route to the above will be.

We will be able to give our comments after or towards the finalization of your the EIA.

Regards

  
MC Morolo  
Deputy Director General  
Public Infrastructure

Date: 20.11.2020

DEFF



# environment, forestry & fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia,· PRETORIA

DEA Reference: 14/12/16/3/3/401

Enquiries: Mr Lunga Dlova

Telephone: 012 399 8524 E-mail: [LDlova@environment.gov.za](mailto:LDlova@environment.gov.za)

Ms Jo-Anne Thomas  
Savannah Environmental (Pty) Ltd  
PO Box 148  
SUNNINGHILL  
2157

Telephone Number : 011 656 3237  
Email Address : [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

## PER MAIL / E-MAIL

Dear Ms Thomas

### COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED ZERO WASTE RECOVERY PLANT AND ASSOCIATED INFRASTRUCTURE NEAR KWA-GUQA IN MPUMALANGA PROVINCE

The application for Integrated Environmental Authorisation and draft Scoping Report (SR) dated November 2020 and received by the Department on 20 November 2020, refer.

This letter serves to inform you that the following information must be included to the final Scoping Report:

#### Undertaking under Oath or Affirmation

1. The Department has noted that the undertaking under oath or affirmation from the specialist - Wouter Fourie (from PGS Heritage Pty Limited) is not administered by a Commissioner of Oaths as per Regulation 16(1)(b)(iv) and Appendix 2(2)(1)(i) and (j) of the NEMA EIA Regulations, 2014, as amended.
2. You are required to submit the above with the final Scoping Report and also note that the Department's *undertaking under oath* form can be downloaded from the following link:  
<https://www.environment.gov.za/documents/forms>.

#### Public Participation Process

3. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and as specified in the approved Public Participation Plan.
4. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed and included in the final SR.
5. Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final SR.
6. Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. In terms of Regulation 41 (2) (b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the SR for comment.
7. All issues raised and comments received during the circulation of the draft SR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final

- SR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).
8. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied *verbatim* and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to an I&AP's comments.
  9. The attendance register and minutes of any (virtual) meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final SR.
  10. Please submit a legible copy of the newspaper advert(s).

**Coordinates**

11. You are required to provide coordinate points for the corners of the proposed Zero Waste Recovery Plant and associated infrastructure, and must be in degrees minutes and seconds.

**General**

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

*"If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"*

You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.

Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.

Yours sincerely



**Mr Sabelo Malaza**  
**Chief Director: Integrated Environmental Authorisations**  
**Department of Environment, Forestry and Fisheries**  
**Letter signed by: Dr. Danie Smit**  
**Designation: Deputy Director: National Infrastructure Projects**  
**Date: 05/12/2020**

Cc	Anette Pocock	Anglo African Metals (PTY) Ltd
	Mr Erald Nkabinde	eMalahleni Local Municipality
	Mr Vellie C Makedama	eMalahleni Local Municipality

DEFF

(Biodiversity Conservation Directorate)



environment, forestry  
& fisheries

Department:  
Environment, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447, Pretoria, 0001, Environment House, 473 Steve Biko Road, Pretoria, Tel: +27 12 399 9000, Fax: +27 86 625 1042

**Reference:** Waste Recovery Plant  
**Enquiries:** Ms Aulicia Maifo/ Ms Portia Makitla  
**Telephone:** 012 399 9411 [REDACTED]

Ms. Nicolene Venter  
Savannah Environmental  
P.O. Box 148  
**SUNNINGHILL**  
2147

Telephone Number: +27 (11) 656 3237  
Email Address: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)

**PER E-MAIL**

Dear Ms. Venter

**COMMENTS ON THE DRAFT SCOPING REPORT (DSR) FOR THE PROPOSED DEVELOPMENT OF A WASTE RECOVERY PLANT AT HIGHVELD STEEL NEAR WITBANK, MPUMALANGA PROVINCE**

The Directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report.

According to the Draft Scoping Report, the proposed development site is located within an existing industrialised area surrounded by several heavy industries and mining operations. It is a brownfields site that has already undergone extensive transformation, no natural vegetation remains on the site and the site is currently not protected.

It is the Directorates view that the proposed development will not have adverse environmental impacts on biodiversity that will prevent the project from going ahead to the final EIA stage.

The Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email: [BCAdmin@environment.gov.za](mailto:BCAdmin@environment.gov.za) for attention of Mr. Seoka Lekota.

Yours faithfully

**Mr Seoka Lekota**  
**Control Biodiversity Officer Grade B: Biodiversity Conservation**  
**Department of Environment, Forestry and Fisheries**  
**Date: 11/12/2020**



SANRAL

## Ria Barkhuizen (NR)

---

**From:** Oakley Van Eyk (NR)  
**Sent:** 13 November 2020 12:46 PM  
**To:** NR Statutory Control  
**Cc:** Oakley Van Eyk (NR)  
**Subject:** FW: WASTE RECOVERY PLANT: Notification of Environmental Impact Assessment and the Availability of the Scoping Report for review and comment  
**Attachments:** SE2015-Waste\_Recovery\_Plant\_DSR\_Notification-OoS.pdf; SE2015-Waste\_Recovery\_Plant\_BID.pdf; SE2015-Waste\_Recovery\_Plant\_RegCommForm-FINAL.pdf

1326  
NOU

Sent from my Galaxy

----- Original message -----

**From:** Public Process  
**Date:** 2020/11/13 12:39 (GMT+02:00)  
**To:** "Oakley Van Eyk (NR)"  
**Subject:** WASTE RECOVERY PLANT: Notification of Environmental Impact Assessment and the Availability of the Scoping Report for review and comment

### **DEVELOPMENT OF A WASTE RECOVERY PLANT AT HIGHVELD STEEL NEAR WITBANK, MPUMALANGA PROVINCE**

Dear Stakeholder,

Anglo African Metals (Pty) Ltd is proposing the development a disruptive technology for the economic extraction of valuable minerals from mining ore and waste materials which process offers solutions for simultaneously extracting both vanadium and titanium oxides from slag materials. The technology developed will also extract aluminium as aluminium oxide ( $Al_2O_3$ ), magnesium as magnesium oxide (MgO) and calcium as calcium sulphate/gypsum ( $CaSO_4$ ).

This notification serves to inform you, as an Interested and Affected Party (I&AP), that the Scoping Report is available for a 30-day review and comments from **Friday, 13 November 2020** until **Monday, 14 December 2020**. The Scoping Report can be downloaded from Savannah Environmental's stakeholder engagement platform at <https://www.savannahsa.com/public-documents/other/>

Please find attached the following documents which will provide you with information regarding this project:

- Notification of EIA and Public Participation process and availability of the Scoping Report;
- Background Information Document; and
- Registration and Comment Form.

Reference: N11/1/R-EIA  
Date: 9 December 2020  
Email: [REDACTED]

Contact Person Tumeke Mbulawa  
Direct Line:  
Website: [www.nra.co.za](http://www.nra.co.za)



Savannah Environmental (Pty) Ltd  
PO Ox 148  
Sunninghill  
2157

By email: [publicprocess@savannahsa.com](mailto:publicprocess@savannahsa.com)

Dear Sir / Madam

**DEVELOPMENT OF A WASTE RECOVERY PLANT AT EVRAZ HIGVELD STEEL AND VANADIUM NEAR  
WITBANK, MPUMALANGA PROVINCE**

**NOTICE OF ENVIRONMENTAL IMPACT ASSESSMENT AND AVAILABILITY OF SCOPING REPORT FOR REVIEW  
AND COMMENT**

SANRAL has no objection to the development of a waste recovery plant at Evraz Highveld Steel.

Yours sincerely,

A handwritten signature in black ink, appearing to be a stylized 'S' or similar initial, positioned above a horizontal line.

Statutory Control Officer: Northern Region

Reference: N11/3/3-4/3-11

Date: 7 January 2021

Email: [REDACTED]

Contact Person J. Oliver

Direct Line: [REDACTED]

Website: [www.nra.co.za](http://www.nra.co.za)

**SANRAL**



BUILDING SOUTH AFRICA  
THROUGH BETTER ROADS

Savannah Environmental (Pty) Ltd  
First Floor, Block 2  
5 Woodlands Drive Office Park  
Cnr Woodlands Drive & Western Service Road  
Woodmead  
2191

For attention: Nicolene Venter

Dear Madam

**DEVELOPMENT OF A WASTE RECOVERY PLANT AT EVRAZ HIGHVELD STEEL AND VANADIUM NEAR WITBANK  
MPUMALANGA PROVINCE**

**NOTICE OF ENVIRONMENTAL IMPACT ASSESSMENT PROCESS AND AVAILABILITY OF SCOPING REPORT FOR  
REVIEW AND COMMENT**

Your letter dated 13 November 2020 has relevance.

SANRAL has no objection to the development of a waste recovery plant at Evraz Highveld Steel and Vanadium as no national roads will be affected by such development.

Yours sincerely,

Statutory Control Officer: Northern Region