

NOTICE: BID FOR THEMBATHINA PROJECTS COAL DUMP MINE REHABILITATION APPLICATION FOR ENVIRONMENTAL AUTHORISATION AND MINING RIGHT IN TERMS OF SECTION 24 OF NEMA AND SECTION 22 OF THE MPRDA RESPECTIVELY FOR THE ESTABLISHMENT OF A COAL REHABILITATION MINE AT UTRECHT.

(Emadlangeni Local Municipality, Amajuba Magisterial Municipality, KwaZulu-Natal).

PURPOSE OF THE BACKGROUND INFORMATION DOCUMENT

This Background Information Document aims to provide you with important information regarding:

- ❖ The overview of the proposed coal dump reclamation project;
- ❖ Location of the project area;
- ❖ The Scoping Report process and the Public Participation Process to be followed;
- ❖ Availability of the Draft Scoping Assessment Report; and
- ❖ An Invitation to the public meeting.

PROJECT BACKGROUND AND CONTEXT:

Thembatina Projects (the applicant) is in a process of acquiring a coal reclamation mining right on the following property: Townlands of Utrecht 266 HT, in terms of section 22 of the MPRDA (Act of 2002) and an environmental authorization in terms of section 24 of NEMA. Beyond Green Environmental Services Pty Ltd (referred to BGES here after) has been appointed by Thembatina Projects to assist in preparing and submitting environmental reports, EIA process and undertaking a Landowner and Public Consultation Process, in support of a Mining right application. The application for the Mining Right (MR) was lodged with the Department of Mineral Resources and Energy (KwaZulu Natal Province) on the 11th of September 2020 and the following reference numbers was assigned KZN30/1/1/1/2/1/10099MR.

Thembatina Projects intends to rehabilitate and clean-up derelict and abandoned previously mined-out areas with a hope to reclaim the dump. The project entails rehabilitation of surface dumps that are characterized by remnants of coal deposits

scattered all over the project area as well as old mining infrastructure. The primary objective of the proposed project is to restore an acceptable state of the physical, chemical, and biological quality of land and water regimes disturbed by mining.

PROJECT LOCATION

The mining site is located at Utrecht area under Emadlangeni Local Municipality and Amajuba Magisterial District. The mining project covers an area of approximately 41.5 hectares in total. See figure 1 below, the map showing the location of the proposed mine dump.



Figure 1: Study locality area

DURATION OF ACTIVITY

The rehabilitation of the coal dump is scheduled to take place over a period of 8 years.

APPLICABLE LEGISLATION:

In order to gain permission to carry out the mining activities described above, the following lists of legislation is applicable to the proposed rehabilitation project

Table 1: Applicable Legislation

Activity	
GNR 984, activity 17	Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).
Section 21 of the NWA	Water Use Licence

In terms of the above-mentioned listed activities, a Scoping & Full Environmental Impact Assessment Report will be undertaken in support of the Environmental Authorization and the Mining Right application.

PUBLIC PARTICIPATION PROCESS AND REVIEW OF SCOPING REPORT, EIR & EMPR

The public participation process aims to enable landowners, lawful occupiers, directly affected individuals and or Interested and Affected Parties (I&APs) to raise any issues, comments and or concerns regarding the proposed mining activities.

The project will be announced in the locally distributed newspaper and notices will be placed in the project area to inform people. Notifications will request I&APs to contribute to the identification of potential environmental impacts. Stakeholders will be notified in writing of the project via email, fax or hand delivered letters. Public Information Sessions will be undertaken as part of the consultation process to discuss any issues and concerns. A draft Scoping Report (DSR) will be prepared which lists the potential environmental impacts to focus the EIA Study. I&APs will be provided the opportunity to review and comment on the DSR.

DRAFT SCOPING REPORT AVAILABLE FOR PUBLIC REVIEW

A draft Scoping Report will be made available for public review from Tuesday 08th December 2020 to Monday 29 January 2021 at the following public venues in the project area:

☐ Utrecht Library

☐ It is also available for download from the BGES PTY LTD website: www.beyondges.co.za/documents

I&APs can submit comments in writing on the DSR to BGES PTY LTD. I&APs can comment on the DSR by completing the comment sheet (available on the BGES website and at public venues), writing a letter, sending an email, or contacting BGES as per the given contact details.

SCHEDULED PUBLIC MEETING

A Public Meeting has been scheduled for the 28TH of January 2021 from 2pm – 4pm at the **Utrecht community hall** @ 34 Voor Street, UTRECHT 2980.

The meeting purpose will be to clarify issues and concerns raised with respect to the DSR and to provide information on the EIA Process.

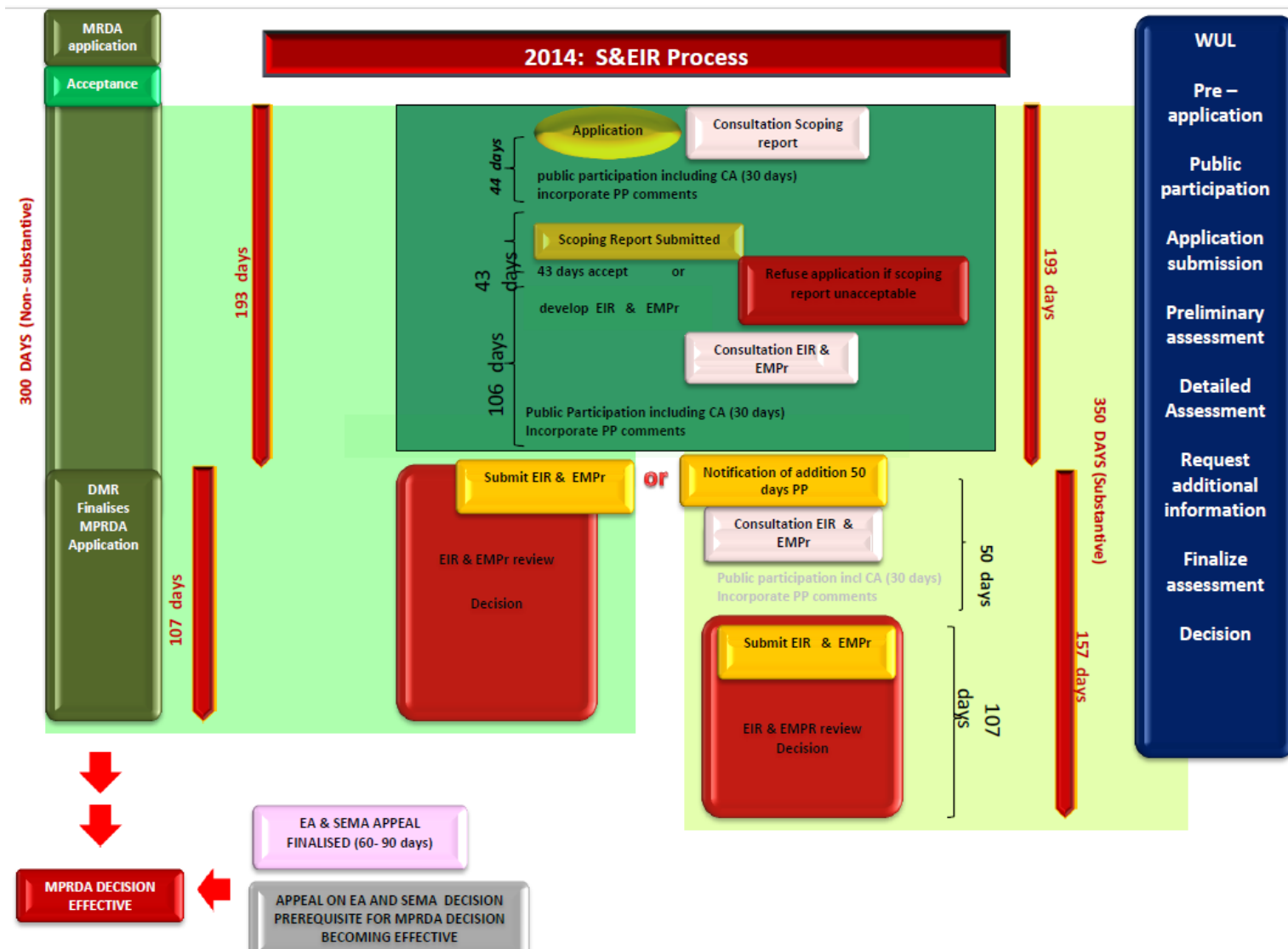
Once the public meeting is concluded and the public review period has lapsed the public inputs received will be incorporated and submitted to the DMR for approval.

DRAFT EIR & EMPr

A mining draft EIR and EMPr will be developed in accordance with the DMR & NEMA Guideline document to ensure that all relevant aspects of the environment are addressed. The significance of identified impacts will be ranked and quantified. The report will provide an overview of the potential impacts expected and prescribe mitigation measures that can be implemented to minimize such impacts to acceptable levels. I&APs will be provided a 30-calendar day public review and comment period on the EIR & EMPr. Public inputs received will be incorporated in the report and submitted to the DMR for decision making. The DMR will have 107 days to reach a decision on the proposed project. I&APs will be notified of the outcome of the decision and would be afforded a 20-day appeal period on the decision.

EIA Process in terms of NEMA in support of Mining Right

Public Participation / consultation will be ongoing throughout the Scoping and EIA Process. Refer to diagramme overleaf which provides a detailed schematic illustration of the steps in the EIA Process.



INVITATION TO REGISTER AS AN INTERESTED AND AFFECTED PARTY (I&AP) AND COMMENT ON DSR

You are hereby invited to register as an I&AP and to participate in the EIA Process and or to submit comments on the DSR by the following means:

- ☐ Registering an as I&AP
- ☐ Reviewing the enclosed Background Information Document
- ☐ Submitting any comments/views on the project on the enclosed Comments and Registration Form;
- ☐ Submitting comments in writing on the DSR to BGES. I&APs can comment on the DSR by completing the comment sheet (available on the BGES website and at public venues), writing a letter, sending an email, or contacting BGES as per the below given details.

☐ Attending the scheduled public meeting

I&APs wanting to obtain further project information, register on the project database and or provide comments on the Scoping Report must provide such together with their name, contact details and interests in the matter on or before 29 January 2021 to Ms. Nonkululeko Mbasane or Mcebo Zulu at the following details:

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