

Our Ref:



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
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Enquiries: Natasha Higgitt
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CaseID: 18879

Date: Wednesday December 14, 2022
Page No: 1

Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: 2 Seam (Pty) Ltd.

The 2 Seam Mine is an existing opencast coal mine. 2 Seam (Pty) Ltd. is in the process of applying, in terms of the Mineral and Petroleum Resources Development Act 2002 (MPRDA) (Act No. 28 of 2002), and the Environmental Impact Assessment Regulations (Listing Notice 1, 2 and 3, 2014 published in Government Notice (GN) No. 983, 984 and 985 of 4 December 2014 and amended in June 2021) under the National Environmental Management Act (Act No. 107 of 1998), and the National Environmental Waste Management Act (Act 56 of 2008) for an Environmental Authorisation and Waste Management Licence, to include a washing plant, tailings facility, associated stormwater management infrastructure, a contractor's yard and an opencast coal pit within the approved mining right boundary over portions 6, 29, 31, and 50 of the Farm Vlakraagte 45 IS and portion RE of the Farm Lourens 472 IS. A Section 102 application in terms of the MPRDA (2002, as amended), will be submitted to the Department of Mineral Resources and Energy (DMRE) for the amendments to the Environmental Management Programme.

Elemental Sustainability has been appointed by 2 Seam (Pty) Ltd to undertake an Environmental Authorisation Application for proposed mining related activities within an existing open-cast coal mine on portions 6, 29, 31, and 50 of the Farm Vlakraagte 45 IS and portion RE of the Farm Lourens 472 IS, near Kriel, Mpumalanga Province (MP 30/5/1/2/3/2/1 (405)).

A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended). The proposed activities include additional access/haul roads, wash plant, additional opencast mining, stormwater management facilities, pipelines, powerlines, tailings facility, pollution control dams, contractors yard and a river diversion. The life of mine will be extended by five years.

It is noted that an existing Heritage Impact Assessment will be updated for the proposed project which will include a palaeontological component.

In an Interim Comment issued on the 14/07/2022, SAHRA requested that the pending assessment of the

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impact to heritage resources comply with section 38(3) of the NHRA as required by section 38(8) of the NHRA. The HIA must include an archaeological and field-based palaeontological component. Since the issuing of the comment, an HIA, PIA and draft EIA has been submitted for review (14/11/2022).

Bamford, M. 2022. Desktop Study: Palaeontological Impact Assessment for the proposed 2 Seam Coal Mine expansion, Farm Vlaklaagte 45, northeast of Kriel, Mpumalanga Province

No site visit was undertaken due to the disturbed nature of the development footprint and no fossils would remain on the surface. A site visit before mining excavations reached 30 m would have been more beneficial. The proposed development area is underlain by the potentially fossiliferous Vryheid Formation that may contain fossil plants. A Fossil Chance Finds Procedure is recommended to be implemented.

Coetzee, T. 2022. Phase 1 Archaeological Impact Assessment for the Proposed Amendment to the Existing 2-Seam Mine on Portions of the Farms Vlaklaagte 45 IS and Lourens 472 IS, Kriel, Mpumalanga

No heritage resources were identified within the proposed development area. A Chance Finds Procedure is recommended to be followed.

Final Comment

The following comments are made as a requirement in terms of section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:

- 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;
- 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;
- 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;
- 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Ngqabutho Madida 012 320 8490), must be alerted immediately as per

2 Seam Mine: Coal Wash Plant, River Diversion, Tailings Facility, Pollution Control Dams and River Diversion

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section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;

- 38(4)d – See section 51(1) of the NHRA regarding offences;
- 38(4)e – The following conditions apply with regards to the appointment of specialists:
 - i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The Final EIA must be submitted to the SAHRIS application for record purposes;
- The decision regarding the EA application and PR application must be submitted to the SAHRIS application for record purposes.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

2 Seam Mine: Coal Wash Plant, River Diversion, Tailings Facility, Pollution Control Dams and River Diversion

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ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/599738>
(DMR, Ref: MP) 30/5/1/2/3/2/1 (405) EM)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.