



mineral resources & energy

DMRE 11

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

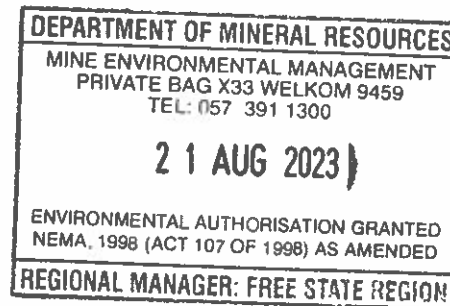
Private Bag X33, Welkom, 9460, Tel: 057 391 1323, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, Welkom, 9459

Enquiries: Mr. T.P. Monyai Ref: FS 30/5/1/3/3/2/1 (10355) EM
E-Mail Address: Tuwani.Monyai@dmre.gov.za
Sub-Directorate: Mine Environmental Management
Registered Environmental Assessment Practitioner: Number 2019/978

BY REGISTERED MAIL

The Member (s)
Mime Logistics CC
P.O Box 66450
Riebeeckstad
9469

Attention : Mr. R. Botes
Cell : 084 880 9177
Tel : 051 430 1748
Fax : 086 556 2568
E-mail : ryan@josan.co.za



ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014 AS AMENDED FOR AGGREGATE, GRAVEL, AND SAND MINING ON A PORTION OF PORTION 26 OF THE FARM BRYAN 561, SITUATED IN THE MAGISTERIAL DISTRICT OF WELKOM: FREE STATE REGION.

With reference to the abovementioned application, please be advised that the Department has decided to grant an environmental authorisation in terms of the National Environmental Management Act, 1998 (Act 107 of 1998). The environmental authorisation and reasons for the decision are attached herewith.

In terms of section 4(2) of the Environmental Impact Assessment Regulations of 2014, you are instructed to notify all registered interested and affected parties, in writing within 14 (Fourteen) calendar days, from the date of the Department's decision in respect of your application and the relevant provisions regarding the lodgement of an appeal must be provided for in terms of the National Appeal Regulations of 2014.

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of Environmental Affairs and a copy of such appeal to the Department of Mineral Resources and Energy (Free State Regional Office), within 20 days from the date of notification, and such appeal must be lodged as prescribed in chapter 2 of the National Appeal Regulations of 2014, by means of the methods as prescribed below:

Appeal must be submitted in writing to the Department of Forestry, Fisheries and the Environment.

Attention : Acting Director: Appeals and legal Review
Email : appeals@environment.gov.za
Tel : (012) 399 9626
By post : Private Bag X447, Pretoria, 0001
By hand : Environmental House, (473 Steve Biko) Corner Steve Biko and
Soutpansberg Street, Arcadia, Pretoria, 0083

Copy of the lodged appeal to the Department of Mineral Resources and Energy.

Attention : Regional Manager: Free State Region
By facsimile : 057 357 6003
E-mail : Mamokete.Mpatane@dmre.gov.za
By post : Private Bag X33, Welkom, 9460
By hand : The Strip Building, 314 Stateway Street, Welkom, 9459

Should you decide to appeal, you must comply with the National Appeal Regulation of 2014 in relation to notification of all registered interested and affected parties, and a copy of the official appeal form can be obtained from the Department of Forestry, Fisheries and the Environment.

Yours Faithfully



.....
K. KEWUTI
REGIONAL MANAGER: MINERAL AND PETROLEUM REGULATION
FREE STATE REGION
DATE: 21/08/2023





Private Bag X33, Welkom, 9460, Tel: 057 391 1323, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, Welkom, 9459

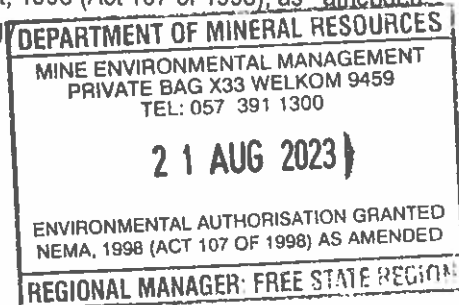
GRANTED ENVIRONMENTAL AUTHORISATION

Reference number : FS 30/5/1/3/3/2/1 (10355) EM
Last amended : First Issue
Holder of Authorisation : Mime Logistics CC
Location of activity : portion of portion 26 of the farm Bryan 561 in the Magisterial District of Welkom.

DECISION

ACRONYMS

NEMA : The National Environmental Management Act, 1998 (Act 107 of 1998), as amended.
DEPARTMENT : Department of Mineral Resources and Energy
EA : Environmental Authorisation
IEA : Integrated Environmental Authorisation
EMPr : Environmental Management Programme
BAR : Basic Assessment Report
I&AP : Interested and Affected Parties
ECO : Environmental Control Officer
SAHRA : South African Heritage Resources Agency
EIA REGULATIONS: EIA Regulations, 2014 as amended
MPRDA : Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
NEM: WA : National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
NWA : National Water Act, 1998 (Act 36 of 1998) as amended
EIA : Environmental Impact Assessment.
FINANCIAL PROVISIONING REGULATIONS: The National Environmental Management Act, 1998 (Act 107 of 1998), Regulations Pertaining to the Financial Provision for prospecting, Exploration, mining, or Production operations



The Department is satisfied, based on information available to it and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake NEMA EIA listed activity specified below. Details regarding the basis on which the Department reached this granting decision are set out in Annexure "1" and "2" of this environmental authorisation.

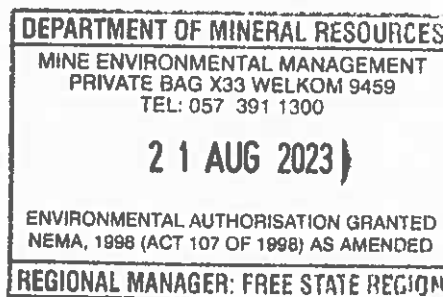
ACTIVITY APPLIED FOR

By virtue of the powers conferred on it by NEMA, the Department hereby Grants an EA to Mime Logistics CC with the following contact details –

The Members

Mime Logistics CC
P.O Box 66450
Riebeeckstad
9469

Attention : Mr. R. Botes
Cell : 084 880 9177
Tel : 051 430 1748
Fax : 086 556 2568
E-mail : ryan@josan.co.za



to undertake the following activity listed in the EIA Regulations.

LISTED ACTIVITIES AUTHORISED:

Listed Activities	Activity and/or project description
Activity 21 of Government notice No. R 983 as amended. <i>Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, as well as other applicable activity as contained in this listing notice or in listing notice 3 of 2014 required to exercise the mining permit.</i>	The proposed activities involve aggregate, gravel and sand mining activities in an area of 5 hectares on a portion of portion 26 of the farm Bryan 561 situated in the Magisterial District of Welkom. Mining will be conducted as outlined on the BAR and EMPr.

Detailed description of the activity are as follows:

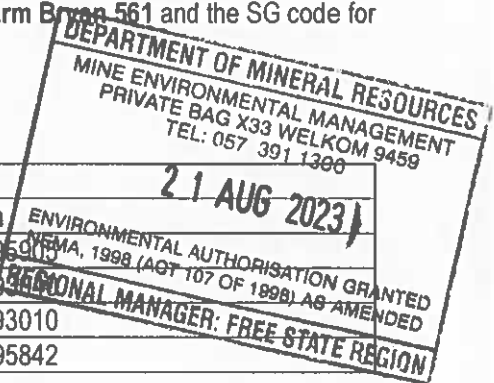
- To conduct **aggregate, gravel and sand** mining activities on a portion of portion 26 of the farm Bryan 561 situated in the Magisterial District of Welkom as described on the BAR and EMPr in line with the above listed activity as well as other applicable activity as contained in this listing notice or in listing notice 3 of 2014 required to exercise the mining permit.

Site description and location:

The mining activities will be conducted on a portion of portion 26 of the farm Bryan 561 and the SG code for the farm portion is F03300000000056100026.

GPS coordinates of the site are as follows:

Mining footprint points	GPS coordinates of the site	
	East	South
A	26.348732	-29.195003
B	26.348640	-29.193010
C	26.347290	-29.193010
D	26.347260	-29.195842



The granting of this EA is subject to the conditions set out below (EA site specific conditions) and in Annexure 2 (departmental standard conditions). The Environmental Management Programme (EMPr) attached as part of the reports for the above development submitted as part of the application for an EA complies with section 24N of NEMA, Appendix 4 of the EIA Regulations, 2014 and is hereby approved and must be adhered to throughout the life cycle of the operation.

EA SITE SPECIFIC CONDITIONS

1. Mining activities must be conducted in accordance with the approved Environmental Management Programme and this EA.
2. All the mitigation measure to prevent negative environmental impacts must be implemented as stipulated on the approved annual rehabilitation, the BAR and EMPr.
3. The mining area must be fenced off and lockable gates must be installed to restrict unauthorised access to the site.
4. Mining activities inclusive of mineral processing and stockpiling must strictly be conducted within the approved mining area demarcated for such purpose.
5. Mineral processing plant must be situated within the mining permit area and mist sprays must be installed at the tipping point to ensure that dust liberation is contained.
6. Access to the mine must be strictly controlled and measures must be put in place to ensure the safety of animals/wildlife and the public.
7. Taking into consideration that the area has been mined previous and that rehabilitation was not done satisfactorily, the applicant will therefore be responsible with environmental liability of the previous mining activities.
8. Recommendations made by specialists must be adhered to during mining activities.
9. No activity is to occur within wetlands and their 100m buffer zones, within rivers and their 100m buffer zones/ 1: 100-year flood line without the necessary authorization under NEMA and NWA.
10. A 9m pillar buffer between the mining permit boundary and the actual mining area must be demarcated and maintained for the duration of the mining activities. Mining activities within the 9m pillar is prohibited.

11. Should there be any grave in close proximity to the mining area a buffer zone of 100m must be demarcated between the grave and the mining area.
12. Rehabilitation of the mining area must be conducted in accordance with the approved EMPr and the approved annual rehabilitation plan and the approved BAR&EMPr.
13. Hazardous waste generated within the mining area must be kept in closed containers or bins on a bunded area with roof to ensure that they are not exposed to rainfall and the sun. The hazardous waste must be removed to an authorized landfill site certified to handle such wastes.
14. At least 50cm of topsoil must be stripped before mining commences and stockpiled to be used during rehabilitation of the mined area.
15. Topsoil must be stored within the approved mining area. The management of topsoil must be done as per the approved EMPr and this EA.
16. The stockpiled topsoil must be protected from and/ or against losses by water and wind erosion. Driving over topsoil stockpile is prohibited.
17. After mining, steep slopes at the edges of excavations must be reduced to a slope of 1:3.
18. Minerals leaving the site must be covered with a tarpaulin cloth during transportation to prevent the minerals from being blown away by wind and causing pollution nuisance and hazard to other road users and the public.
19. Dumping of waste within the mining area is strictly prohibited.
20. Alien vegetation must be cleared on an ongoing basis during mining activities and after rehabilitation of the mined area. Alien plants mitigation management must be undertaken until a closure certificate is issued by the Department.
21. Dust suppression measures must be implemented during mining activities, and this may include spraying the mining area and access road with water and/or an environmentally friendly dust-allaying agent.



21 AUG 2023

ENVIRONMENTAL AUTHORISATION GRANTED
NEMA, 1998 (ACT 107 OF 1998) AS AMENDED

REGIONAL MANAGER: FREE STATE REGION

ANNEXURE 1: REASONS FOR THE DECISION

1. Background

Mime Logistics CC lodged an application for EA for activities listed in the 2014 EIA Regulations as amended. Amongst the listed activities triggered by the mining activities include the following:

Listed activities triggered by the project were as follows:

Listed Activities	Activity and/or project description
Activity 21 of Government notice No. R 983 as amended. <i>Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, as well as other applicable activities as contained in this listing notice or in listing notice 3 of 2014 required to exercise the mining permit.</i>	The proposed activities involve aggregate, gravel and sand mining activities in an area of 5 hectares on a portion of portion 26 of the farm Bryan 561 situated in the Magisterial District of Welkom. Mining will be conducted as outlined on the BAR and EMPr.

Mime Logistics CC appointed Engedi Minerals and Energy represented by Mr. T. Mulaudzi to undertake the Environmental Impact Assessment process as required by the 2014 EIA Regulations as amended. Basic assessment process as contemplated on section 19 of the 2014 EIA Regulations as amended was followed.

2. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the environmental authorisation application form uploaded on SAMRAD onto and manually received by this Department on **08 November 2022** as well as the environmental authorisation (EA) application form acknowledgement letter signed on **24 November 2022**.
- b) The information contained in the approved rehabilitation plan, final rehabilitation, decommissioning and mine closure plan, environmental risk assessment report, the BAR & EMPr received by the Department on **06th of March 2023**.
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations.
- d) Public Participation Process (PPP) attached in the revised BAR and EMPr.
- e) Relevant information contained in the Departmental information database, including, the Department's circular on the One Environmental Management System dated 8 December 2014.
- f) The comments received from "I&APs" and the responses provided thereon, as included in the BAR and EMPr received by the Department on **06th of March 2023**.
- g) The sense of balance of the negative and positive impacts and mitigation measures.
- h) The applicant complied with Section 24P of the National Environmental Management Act, 1998 (Act 107 of 1998) read together with regulation 5, 6 and 10 of the 2015 Financial Provisioning Regulations and

determined the financial provision for the management of environmental impacts which may emanate from mining activities.

- i) The applicant determined and made financial provision to guarantee the availability of sufficient funds to undertake rehabilitation and remediation of the adverse environmental impacts of mining operations, as contemplated in the Act and to the satisfaction of the Minister responsible for mineral resources.

3. Key factors considered in making the decision.

All the information presented to the Department was considered upon the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a. The procedure that has been followed is in accordance with NEMA as amended and the EIA Regulations, 2014 as amended.
- b) A sufficient PPP was undertaken, and the company has satisfied the minimum requirements as prescribed in the EIA Regulations for public involvement.
- c) The environmental impacts associated with the activity will be addressed by the implementation of the mitigation measures outlined in the BAR and EMPr as well as the annual rehabilitation plan, final rehabilitation, decommissioning and mine closure plan and an environmental risk assessment report compiled by Mr. T. Mulaudzi from Engedi Minerals and Energy and submitted to the Department on the **06th of March 2023**.
- d) The applicant complied with the NEMA, the Financial Provisioning Regulations, 2015 and the 2014 EIA Regulations provisions during the EIA process.

4. Findings

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

- a) The potential impacts on the site were clearly investigated and mitigation measures outlined.
- b) The proposed mining area has been previously mined and the proposed mining will be a continuation of the previous mining on the quarry. The applicant will be responsible with environmental liability of the previous mining activities.
- c) The BAR and EMPr, the annual rehabilitation plan, final rehabilitation, decommissioning and mine closure plan and an environmental risk assessment report compiled by Mr. T. Mulaudzi from Engedi Minerals and Energy and submitted to the Department on the **06th of March 2023** will be sufficient in ensuring that the rehabilitation and remediation of the adverse environmental impacts of mining operations is adequate.
- d) The PPP complied with Chapter 6 of the EIA Regulations GNR 982. The PPP included, *inter-alia*, the following:
 - Identification of and engagement with I&APs.
 - Fixing of a notice board at the site where the listed activity is to be undertaken.
 - Giving a written notice to the owners and occupiers of land including the owners and occupiers of the land adjacent to the site where listed activity is to be undertaken, the municipality, and the various Organs of State having jurisdiction in respect of the listed activity.
 - The newspaper advertisement was placed as stipulated on chapter 6 of the 2014 EIA Regulations as amended.

DEPARTMENT OF MINERAL RESOURCES
MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X33 WELKOM 9459 TEL: 057 391 1300
ENVIRONMENTAL AUTHORISATION GRANTED NEMA, 1998 (ACT 107 OF 1998) AS AMENDED
REGIONAL MANAGER: FREE STATE REGION

21 AUG 2023

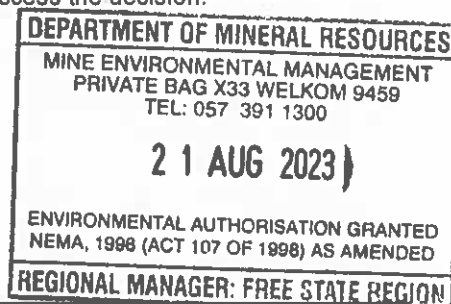
ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1 The holder of the EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited to an agent, servant, contractor, subcontractor, employee, consultant, or any person rendering a service to the holder of EA.
- 1.2 Any changes to, or deviation from the project description set out in this EA must be approved in writing by the Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information deemed necessary to evaluate the significance and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorisation in terms of the EIA Regulations.
- 1.3 The activity (ies), which is/are authorised, may only be carried out at the property (ies) indicated in the EA and or on the approved EMPr.
- 1.4 Where any of the holder of the EA contact details change including name of the responsible person, physical or postal address/ or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.
- 1.5 The EA does not negate the responsibility of the holder to comply with any other statutory requirements that may be applicable to the undertaking of such activity (ies).
- 1.6 The holder of EA must ensure that all areas where the authorized activities occur have controlled access to ensure safety of people and animals.

2. APPEAL OF AUTHORISATION

- 2.1 The holder of the EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with section 4(2) of the EIA Regulation do the following:
- 2.2 Notify all registered I&APs of –
 - 2.2.1 The outcome of the application.
 - 2.2.2 The date of the decision.
 - 2.2.3 The date of issue of the decision.
 - 2.2.4 The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions in Annexure 2.
- 2.3 Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the NEMA: National Appeals Regulations.
- 2.4 Draw the attention of all registered I&APs to the way they may access the decision.
- 2.5 Provide the registered I&APs with:
 - 2.5.1 Name of the holder (entity) of this EA.
 - 2.5.2 Name of the responsible person for this EA.
 - 2.5.3 Postal address of the holder.
 - 2.5.5 Telephonic and fax details of the holder.





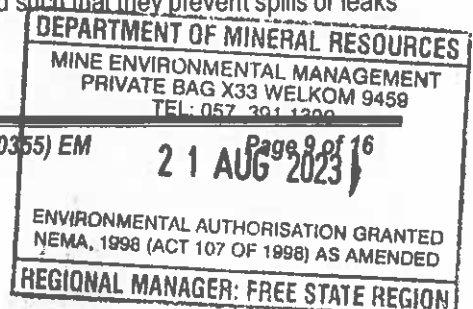
2.5.6 E-mail address of the holder if any.

3. COMMENCEMENT OF THE ACTIVITY (IES)

- 3.1 To ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- 3.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him or her.
- 3.3 Access routes for mining vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Furthermore, movement of the mining vehicles and machinery must be restricted to areas outside of the drainage line or wet areas.
- 3.4 Appropriate notification sign must be erected at the mining site, warning the public (residents, visitors etc.) about the hazard around the mining area and presence of heavy vehicles and machinery.
- 3.5 Vegetation clearance must be limited to the actual mining footprint in accordance with the approved mine layout plan, and mitigation measures stipulated in the approved EMPr and the annual rehabilitation plan must be implemented to reduce the risk of erosion and alien species invasion.
- 3.6 Mining and all related activities must be limited to daytime hours on Mondays to Saturdays and no work must be undertaken on Sundays and public holidays.
- 3.7 Noise abatement equipment such as mufflers on diesel engines must be maintained in good condition.
- 3.8 Mining must include design measures that allow surface and subsurface movement of water along the drainage lines so as not to impede natural surface and subsurface water flow.
- 3.9 The holder of the EA must note that in terms of the National Forest Act, 1998 (Act No.84 of 1998) protected plant species, also listed in the said act must not be cut, disturbed, damaged, destroyed and their products must not be possessed, collected, removed, transported, exported, donated, purchased, or sold unless permission is granted by the Department of Agriculture, Forestry and fisheries.
- 3.10 An active search for floral and faunal Species of Conservation Concern (SCC) must be conducted in areas where mining activities are planned prior to such activities taking place, the anticipated mining footprint along with all access roads and the immediate vicinity must be investigated.
- 3.11 The mining activity footprint must fall outside the 1:100-year flood line of the watercourse or 100m from the edge of the feature, whichever distance is the greatest.
- 3.12 The construction of site camp is not permitted.
- 3.13 Mining vehicles and machinery must be serviced and maintained in the manner whereby no excessive smokes are produced, and noise production is reduced to acceptable levels, and to prevent oil leaks.
- 3.14 Maintenance of machineries must be done at specified area within the mining area to minimize soil contamination. Contaminated soil must be remediated on site or removed to an authorized landfill site.
- 3.15 Drip trays must be placed underneath stationery or breakdown vehicles or machinery (under maintenance) to prevent pollution of the soil.

- 3.16 If any soil contamination is noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. The opportunity for the onsite remediation and re-use of contaminated soil must be investigated prior to the disposal and this Department must be informed in this regard.
- 3.17 An integrated waste management approach that is based on waste minimization (waste management hierarchy) must be implemented and must incorporate avoidance, reduction, recycling, treat, reuse, and disposal where appropriate. Ensure that no refuse generated in the mining area is placed, buried, dumped, or deposited on the adjacent properties or public places and open space.
- 3.18 The waste generated during mining activities must be stored in animal proof containers and must be removed from site and disposed of at a registered disposal facility. Proof of disposal at a registered disposal facility must be kept and produced to any official of this department on request.
- 3.19 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the NWA, any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the project. It is the holder of EA responsibility to take reasonable measures which include informing and educating contractors and employees about environmental risks of their work and training them to operate in an environmentally acceptable manner.
- 3.20 Residents (if any) on the property (ies) and surrounding areas must be informed if any unusual noisy activities are planned.
- 3.21 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 3.22 Refueling of machinery and construction vehicles must be done through a mobile bowser. Should any spills occur, it must be cleaned immediately by removing spillage together with the polluted soil and dispose it at authorized disposal site permitted for the disposal of such waste. The regional office of the Department of Water and Sanitation must be notified within 24 hours of an incident that may pollute surface and ground water resources.
- 3.23 Hydraulic fluid or chemicals required during mining must be brought to site daily or stored in the mobile office within the mining area. Should any spills occur, it should be cleaned immediately by removing spillage together with the polluted solids and dispose it in the authorized disposal site permitted of such waste.
- 3.24 Spill kit must be available on each site where mining activities will be taking place.
- 3.25 Should any heritage remains be exposed during operation or any actions on the site, these must immediately be reported to the South African Heritage Resource Agency (SAHRA) and/or the provincial heritage agency (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the South African Heritage Resource Agency (SAHRA) and or provincial heritage agency).
- 3.24 Chemical sanitation facilities or system such as toilets that do not rely on the seepage of liquids must be provided with a ratio of 1 for every 15 workers. These must be placed such that they prevent spills or leaks

Environmental Authorisation for file reference number FS 30/5/1/3/3/2/1 (10355) EM



to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorised wastewater treatment works.

- 3.25 The holder of EA must ensure that any water uses listed in terms of section 21 of National Water Act is authorized by the Department of Water and Sanitation prior to the commencement of such activity (ies).
- 3.26 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the surface land affected.
- 3.27 The holder of EA must ensure that rehabilitation of the disturbed areas caused by mining operation always comply with the approved annual rehabilitation plan and the EMPr.
- 3.28 This EA may be amended or withdrawn at any stage for non-compliance and provides no relief from the provisions of any other relevant statutory or contractual obligations.
- 3.29 The holder of the EA must note that in terms of section 43A of NEM: WA, residue stockpile and residue deposit must be deposited and managed in a prescribed manner on any site demarcated for that purpose in the Environmental Management Plan or EMPr. No person may temporary or permanently deposits residue stockpile or residue deposit on any area or site other than on site indicated on the Environmental Management Plan or EMPr.
- 3.30 The holder of EA must note that in terms section 20 of the NEM: WA, no person may commence, undertake or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste management license is issued in respect of that activity if license is required.
- 3.31 An appeal under Section 43 (7) of NEMA suspend an EA or exemption or any provisions of conditions attached hereto, or any directive unless the Minister directs otherwise.
- 3.32 Should you be notified by the Minister of a suspension of the authorisation pending appeal procedure, you may not commence with the activity (ies) until such time that the Minister allows you to commence with such activity (ies) in writing.
- 3.33 The Department reserves the right to audit and/or inspect the activity (ies) without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.
- 3.34 Subject to the commencement and duration requirements of the MPRDA and NEMA for the listed mining activities, this EA is valid for the period for which the aforesaid Mining Permit is granted provided that this activity commences within 5 years. If the commencement of the proposed activities does not occur within the specified period, the EA lapses, and a new application for EA in terms of the NEMA and the EIA Regulations must be made for the activity to be undertaken.
- 3.35 This EA will only be effective on the event that a corresponding Permits or rights is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without the mining permit.
- 3.36 The listed activity (ies), including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs. If an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.

DEPARTMENT OF MINERAL RESOURCES MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X33 WELKOM 9459 TEL: 057 391 1300
ENVIRONMENTAL AUTHORISATION GRANTED NEMA, 1998 (ACT 107 OF 1998) AS AMENDED
REGIONAL MANAGER: FREE STATE REGION

Environmental Authorisation for file reference number FS 30/5/1/3/3/2/1 (10355) EM

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3.37 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is the EA holder's responsibility to bring it to the attention of the Department for resolution.

3.38 Should any Species of Conservation Concern (SCC) or other protected floral and faunal species be encountered within the mining area, the following must be done:

- ❖ If any threatened species will be disturbed, ensure effective relocation of individuals to suitable offset areas
- ❖ Permit applications must be obtained from the relevant authorities where applicable; and
- ❖ A qualified specialist must oversee all rescue and relocation plans.

4. MANAGEMENT OF ACTIVITY (IES)

4.1 A copy of the EA and EMPr must be kept at the property or on-site office where the activity (ies) will be undertaken. The EA and EMPr must be produced to any authorised officials of the Department who request to see it and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the property (ies).

4.2 The content of the EMPr and its objectives must be made known to all contractors, subcontractors, agent and any other people working on the site, and any updates or amendments to the EMPr must be submitted to the Department for approval.

4.3 Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.

4.7 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.

4.8 The holder of the EA must ensure that all non-recyclable waste is disposed of at a waste management facility licensed to handle such wastes and all recyclable waste are collected by licensed waste management facilities for recycling, reuse or treatment.

4.9 All watercourses in the vicinity of the mining area must be regarded as a no-go area. All mining activities including driving of mining vehicle is prohibited.

4.10 All sanitary facilities provided onsite must be emptied on a weekly basis and be maintained in a good hygienically condition. Proof of sanitary facilities emptying, and maintenance must be kept at the mine and be produced to an official of this Department upon request.

4.11 No fire is permitted in or near the mining area

4.12 Alien and invasive vegetation control must take place throughout the duration of the mining activities.

4.13 Alien species within the mining area must be eradicated and controlled to prevent their spread beyond the footprint area.

4.14 Collection of plant material for any purpose is prohibited.

4.15 No hunting or trapping of fauna is allowed.

4.16 Existing farm roads must be utilised, no new access roads must be established



- 4.17 All vehicles must be regularly inspected for leaks.
- 4.18 The footprint of the activity (ies) must be limited on the areas authorised for the actual mining works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.
- 4.19 The holder of the EA must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations to minimize the risk involved. Records of training and verification of competence must be kept by the holder of the EA.
- 4.20 To prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled.
- 4.21 In the event of vehicle breakdown, maintenance must be done with care. Drip trays must be placed underneath the vehicles or machinery to control oil spillages.
- 4.22 All oil spillages must be immediately cleaned up and treated accordingly.
- 4.23 Sheet runoff from access roads must be slowed down by the strategic placement of berms
- 4.24 The holder of the EA must ensure that all liquid wastes, whose exposure to water or land could cause pollution are stored in containers specifically designed to store such waste. Proof of disposal at a registered disposal facility must be kept and produced to any official of this department on request.
- 4.25 Non-compliance with any condition of this EA or the approved EMPr may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.
- 4.26 Only listed activities that are expressly specified in the approved EMPr that forms part of this EA may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority in the form of an amendment to the aforesaid EMPr before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, and removal or updating of any detail in the aforesaid EMPr.
- 4.27 Rehabilitation of the disturbed surface caused by operation must always comply with the approved EMPr and the annual rehabilitation plan.
- 4.28 The holder of the EA must appoint an Environmental Control Officer (ECO) before commencement of the mining activities to monitor the implementation of the EA, annual rehabilitation plan and the EMPr for the duration of mining activities. The Holder of EA must ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of EA must also ensure that an ECO is available on site to ensure that the activity (ies) comply with the issued EA and approved EMPr.
- 4.29 **The ECO must:**
- 4.29.1 Keep and maintain a detailed incidents register including any spillages of fuels, chemicals, or any other material.
- 4.29.2 Keep a complaint register on site indicating the complaint and how the issues were addressed, what measures were taken and what the preventative measures were implemented to avoid re-occurrence of complaints.
- 4.29.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.

- 4.29.4 Keep copies of all environmental reports submitted to the Department.
 - 4.29.5 Keep the records of all permits, licences and authorisations required by the operation.
 - 4.29.6 Compile a monthly monitoring report and make it available to the Department if requested.
- 4.30 The duties and responsibility of the ECO should not be seen as exempting the holder of the EA from the legal obligations in terms of NEMA and the EIA Regulations.

5. REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

- 5.1.2 Submit an Environmental Audit Report to this Department annually and such report must be done by qualified Environmental Assessment Practitioner and the audit report must specify whether conditions of this environmental authorisation and the approved EMPr are adhered to.
 - 5.1.3 Identify and assess any new impacts and risks as a result of undertaking the activity/ies, if applicable.
 - 5.1.4 Identify shortcomings in the EMPr, if applicable.
 - 5.1.5 Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr/closure plan.
 - 5.1.6 if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate.
 - 5.1.7 Specify the name of the auditor.
 - 5.1.8 Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit.
- 5.2 Should any shortcomings in terms of section 34(4) of the EIA Regulations be identified, the holder must submit recommendation to amend the approved EMPr to rectify any shortcomings identified with the audit report.
- 5.3 The holder of the EA must annually assess the environmental liabilities of the operation as contemplated in the Financial Provisioning Regulations, 2015 read together with section 24P of the NEMA and address the shortfall on the financial provision as outlined on regulation 11 of the Financial Provisioning Regulations.
- 5.4 The holder of the EA must, within 24 hours of incidents occurring, notify the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.
- 5.5 The holder of the EA must, within 14 days, or a shorter period of time, if specified by the Competent Authority from the occurrence or detection of any incident referred to in condition 5.4, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Competent Authority of measures taken to –

- 5.5.1 Correct the impact resulting from the incident.

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5.5.2 Prevent the incident from causing any further impact; and

5.5.3 Prevent a recurrence of a similar incident.

5.6 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.4, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost of the holder of the EA.

6 SITE SECURITY AND ACCESS CONTROL

6.1 The holder of the EA must ensure effective access control to the site to reasonably prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.

6.2 The mining area must be fenced off and lockable gates must be installed to restrict unauthorised access to the site.

6.3 Weatherproof, durable, and legible notices in at least three official languages applicable in the area must be displayed at each entrance to the Site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address, and telephone number of the holder of the EA and the person responsible for the operation of the site.

7 EMERGENCY PREPAREDNESS PLAN

7.1 The holder of the EA must maintain and implement an emergency preparedness plan and review it biennially when conducting audit and after each emergency and or major accident. The plan must, amongst others, include:

7.1.1 Site Fire.

7.1.2 Spillage.

7.1.3 Natural disasters such as floods.

7.1.4 Industrial action.

7.1.5 Contact details of police, ambulances, and any emergency centre closer to the site.

7.2 The holder of EA must ensure that an up-to-date emergency register is kept during all phases of the operation. This register must be made available upon request by the department.

8 INVESTIGATIONS

8.1 If, in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem.

8.2 If, in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by the Competent Authority.

8.3 Investigations carried out in terms of conditions 8.1 and 8.2 above must include the monitoring of the relevant environmental pollution, nuisance, and health risk variables, at those monitoring points and such frequency to be determined in consultation with the Competent Authority.

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8.4. Should the investigation carried out as per conditions 8.1 and 8.2 above reveal any unacceptable levels of pollution, the holder of the EA must submit mitigation measures to the satisfaction of the Competent Authority.

9 COMMISSIONING AND DECOMMISSIONING

9.1 The commissioning and decommissioning of individual activity within the overall listed mining activity (ies) must take place within the phases and timeframes as set out in EMPr.

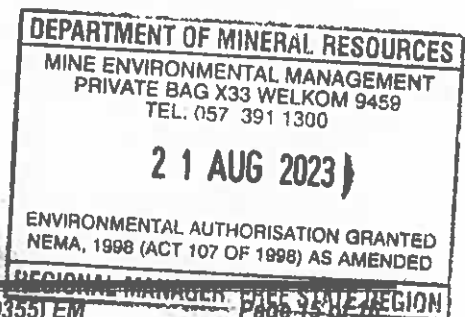
10 SITE CLOSURE

- 10.1 The holder of EA must apply for a closure certificate in terms of section 43 of the MPRDA within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment, and completion of development.
- 10.2 The application for closure indicated above must be submitted together with all relevant documents as indicated in section 43 of the of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.
- 10.3 No exotic plants may be used for rehabilitation purposes only indigenous plant can be utilized for rehabilitation purposes.
- 10.4 The holder of EA remains responsible for any environmental liability, pollution or ecological degradation, the pumping and treatment of extraneous water, compliance with the conditions of EA and the management and sustainable closure thereof until the Minister has issued a closure certificate in terms of Section 43 of the MPRDA. Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.

11 NEMA PRINCIPLES

The NEMA Principles (set out in Section 2 of NEMA, which apply to the actions of all organs of state) serve as guidelines by reference to which any organs of state must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account.
- the consideration, assessment, and evaluation of the social, economic, and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment.
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment.
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.



12. DISCLAIMER

The Department, in terms of the conditions of this environmental authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

13. RECOMMENDATIONS

In view of the above, the NEMA principles, compliance with the conditions stipulated in this EA, and compliance with the EMPr, the competent authority is satisfied that the proposed listed activity/ies will not conflict with the general objectives of Integrated Environmental Management stipulated in chapter 5 of NEMA, and that any potentially detrimental environmental impacts resulting from the listed activity/ies can be mitigated to acceptable levels. **The authorisation is accordingly granted.**

Your interest in the future of our environment is appreciated

Yours Faithfully



K. KEWUTI

REGIONAL MANAGER: MINERAL AND PETROLEUM REGULATION

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DATE: 21/08/2023

