



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X 33, Welkom, 9460, Tel: 057 391 1300, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, First & Second Floors, Welkom, 9459

Enquiries: Mr. TP Monyai Ref No.: FS 30/5/1/2/3/2/1 (012) EM
E-Mail Address: Tuwani.Monyai@dmr.gov.za.
Sub-Directorate: Mine Environmental Management

REGISTERED MAIL

The Directors
De Beers Consolidated Mines (Pty) Ltd
P O Box 1964
Kroonstad
9500

Attention : Mr. Hans Kgasago
Fax : 011 374 5659
Email : hans.kgasago@debeersgroup.com



ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR DECOMMISSIONING AND CLOSURE OF THE VOORSPOED DIAMOND MINE ON FARM VOORSPOED 2480 (CONSOLIDATION OF SUBDIVISION 1 OF THE FARM VOORSPOED 401, SUBDIVISION 1 OF THE FARM GELDENHUYS 1477 AND SUBDIVISION 2 OF THE FARM MORGENSTER 772), VOORSPOED 401, GELDENHUYS 1477 AND MORGENSTER 772, SITUATED MAGISTERIAL DISTRICT OF KROONSTAD: FREE STATE REGION.

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

In terms of regulation 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 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 courtesy copy of such an appeal to the Department of Mineral Resources (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 per prescribed below:

Appeal to the Department of Environmental Affairs

Attention : Directorate Appeals and Legal Review
Email : appealsdirector@environment.gov.za
By post : Private Bag X 447, **PRETORIA**, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, **Pretoria**, 0083

Copy of the lodged appeal to the Department of Mineral Resources

Attention : Regional Manager: Free State Region
By facsimile : (057) 391 1300
E-mail : Mamokete.Mpatane@dmr.gov.za
By post : Private Bag X 33, Welkom, 9460
By hand : The Strip Building, 314 Stateway Street, First & Second Floors, 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, and a copy of the official appeal form can be obtained from the Department of Environmental Affairs.

Yours Sincerely



K. KEWUTI
ACTING REGIONAL MANAGER: MINERAL REGULATION
FREE STATE REGIONAL OFFICE

DATE: 17/02/2020





mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

Private Bag X 33, Welkom, 9460, Tel: 057 391 1300, Fax: 057 357 6003
The Strip Building, 314 Stateway Street, First & Second Floors, Welkom, 9459

GRANTED ENVIRONMENTAL AUTHORISATION FOR DECOMMISSIONING

Reference Number: FS 30/5/1/2/3/2/1 (012) EM

Last amended: First issue

Holder of authorisation: De Beers Consolidated Mines (Pty) Ltd

Location of activity: Farm Voorspoed 2480 (Consolidation of Subdivision 1 of the farm Voorspoed 401, Subdivision 1 of the farm Geldenhuys 1477 and Subdivision 2 of the farm Morgenster 772), Voorspoed 401, Geldenhuys 1477 and Morgenster 772.

DECISION

ACRONYMS

NEMA:	The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
DEPARTMENT:	Department of Mineral Resources.
EA:	Environmental Authorisation.
EMPr:	Environmental Management Programme
BAR:	Basic Assessment Report
I&AP:	Interested and Affected Parties
ECO:	Environmental Control Officer
EIA REGULATIONS:	EIA Regulations, 2014
EIA:	Environmental Impact Assessment.
DEA	Department of Environmental Affairs



The Department is satisfied, on the basis of information availed 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 (ies) 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 Grant an application for EA by De Beers Consolidated Mines (Pty) Ltd with the following contact details –

REGISTERED MAIL

The Directors
De Beers Consolidated Mines (Pty) Ltd
P O Box 1964
Kroonstad
9500

Attention : Mr. Hans Kgasago
Fax : 011 374 5659
Email : hans.kgasago@debeersgroup.com



to undertake the following activities listed in the NEMA EIA Regulation.

NEMA: LISTED ACTIVITIES:

Listed in the EIA Regulations R. 983 of 2014 as:-

Activity 22(ii) - "The decommissioning of any activity requiring –

- (ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure.

The granting of this EA is subject to the conditions set out below (site specific) and in **Annexure 2** (Departmental standard conditions). The Basic Assessment Report and Environmental Management Programme (EMPr) attached as part of reports for the above development submitted as part of the application for an EA is hereby approved and must be adhered to throughout the life cycle of the operation.

The applicant proposed to undertake the following decommissioning works:

- Leaving the pit void as it is and construction of 2m high waste rock barrier at top of remaining ramps, erecting a security fence 10m outside the zone of relaxation, storm water trench and an enviro-berm in balanced cut and fill operation around the open pit, outside the security fence;
- Dismantling and demolition of onsite plant, workshops, offices, roads, powerlines and pipelines;
- Rehabilitation of mining residue facilities on site;
- Rehabilitation of the topsoil stockpiles in the mining area; and,
- The rehabilitation of pans and wetlands within the mining area.

The following alternative to the proposed activities were identified and assessed during the EAI process:

➤ **Option 1: Preferred pit lake alternative.**

This is the preferred decommissioning alternatives which entails the development of a pit lake under current condition. The pit will be left to fill with /re water by ground ingress, rainfall discharge directly into the pit and a local runoff from the pit area with normal evaporation. Different security measures such as the construction of 2m high waste rock barrier at top of remaining ramps, erection a security fence 10m outside the zone of relaxation around the pit, the construction of a storm a 5m deep trench and a 5m high enviro-berm around the open pit, outside the security fence will be implemented in this option. The installation of security cameras and alarms to inform the mine of any trespassing onto the pit. Security guards will also monitor access to the pit until rehabilitation plan is implemented.

➤ **Options 2: Open pit backfilling alternatives:**

This entails the backfilling of the open pit primarily with materials removed from the pit during mining. The remaining residue deposits will therefore be reshaped, covered with cover materials and/or soil and rehabilitated with a vegetation cover. It is stipulated in the BAR that apart from the major difference compared to the preferred option, the rehabilitation, management and monitoring commitments for this option are the same as for the preferred alternatives.

➤ **Option 3: No go alternatives:**

In this option the mine will be abandoned without any rehabilitation of the areas affected by mining activities. It will result in dangerous environment where neither the open pit nor the steep slopes of the mine residue deposits are secured and protected to prevent people from being harmed. The area disturbed by mining will thus degrade overtime through erosion and invader plants invasions, while potential pollutants from the mine residue deposits and other polluted areas such as workshops will be spilled into the surrounding environment resulting in land pollution as well as surface and ground water pollution.

Authorised alternative

After thorough consideration of the above alternatives the Department has decided to authorise **option 2** which entails the backfilling of the open pit primarily with materials removed from the pit during mining. The remaining residue deposits after backfilling must therefore be reshaped, covered with cover materials and/or soil and rehabilitated with a vegetation cover.

Detailed description of authorised activities are as follows:

The holder is hereby authorised to undertake the following decommissioning activities:

- Backfilling of the open pit in the mining right area using primarily materials removed (mining residue deposits) from the pit during operational phase of the mine;
- Reshaping of the remaining residue deposits after backfilling. The residue deposits must be covered with a cover materials and/or soil and rehabilitated with a vegetation cover endemic to the site or region. The remaining residue must be reshaped to blend with the surrounding topography;
- Dismantling of the plant, workshops, offices, roads, power lines, pipelines and other associated infrastructure; and,
- Rehabilitation of pans and wetlands as stipulated in the BAR.



EA SITE SPECIFIC CONDITIONS

1. Dust suppression measures should be implemented in areas susceptible to wind erosion.
2. Noise generating activities should be restricted to between 07h00 and 17h00 Monday to Friday during excavation, unless otherwise approved by the eco in consultation with the potentially affected parties.
3. The contractor should avoid burning of the vegetation cover and waste on site.
4. This EA is only for the decommissioning of a plant, removal of other associated infrastructure from the site, backfilling of the open pit, roads and slopping of the affected area as per the application and Basic assessment report submitted to this Department.
5. All excavation must be backfilled to the natural surface level and if a bulk factor exists it must be accommodated on the total area of disturbance as indicated on condition (g) of the EMPr approval letter.
6. Materials removed from the pit (mining residue) must be prioritised for the pit backfilling and any other materials to be used must not lead to any environmental pollution read with condition (d) of the amended Environmental Management Programme (EMPr) approval letter which state that "*all mine wastes (suitable for rehabilitation) must be taken back to the excavation area for backfilling purpose*".
7. Mining residue deposits must be used for the pit backfilling works and the remaining materials after backfilling must be rehabilitated to blend with the surrounding environment.
8. Waste materials generated during the decommission works must be disposed at registered landfill sites certified to receive such wastes read together with condition (e) of the EMPr approval letter which state that "*the mine waste must not be deposited on the natural drainage lines or erosion gullies*".
9. Indigenous vegetation endemic to the site or region must be planted on the backfilled pit and other areas were decommission works will be undertaken.
10. Storm water berm must be constructed around the quarry to prevent the ingress of water onto the backfilled pit.
11. Temporary security fence must be constructed around the pit for safety purpose.
12. Security guards must be appointed to monitor access to the pit until the rehabilitation plan is implemented.



ANNEXURE 1: REASONS FOR THE DECISION

1. Background

De Beers Consolidated Mines (Pty) Ltd submitted a BAR and EMPr for approval for activities listed in the EIA Regulations of 2014 as:

Listed in the EIA Regulations R. 983 of 2014 as:-

Activity 22(ii) - "The decommissioning of any activity requiring –

- (ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure.

De Beers Consolidated Mines (Pty) Ltd appointed the **University of North West Centre for Environmental Management** to undertake the Basic Assessment process as required by Regulation 19 of the EIA Regulations.

2. Information considered in making the decision

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

- a) Application for Environmental Authorisation submitted by the applicant on **05 July 2019**;
- b) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- c) Public Participation Process (PPP) attached as Appendix 25 to 41 of the BAR and EMPr;
- d) The Environmental Awareness Plan Report attached to the BAR and EMPr;
- e) The information contained in the BAR and EMPr received by the Department on **07 October 2019**;

3. Key factors considered in making the decision

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

- a) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations R 982 of 2014 for public involvement;
- b) The environmental impacts associated with the proposed activity will be addressed by the implementation of proposed mitigation measures outlined in the BAR and EMPr;
- c) Different alternatives for the proposed decommission works were investigated as required by the 2014 EIA regulations and that recommendations on these alternatives were also provided.

- d) The amended Environmental Management Programme approved in 2010 read together with the conditions of approval dated **22 July 2010**.

4. Findings

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

- a) The potential impacts on the proposed activities were clearly investigated and mitigation measures outlined.
- b) Public Participation Process complied with Chapter 6 of the EIA Regulations R.982 of 2014.
- c) Backfilling of the open pit, removal of the processing plant and other associated infrastructure will ensure that the land is made available for other lands uses and that the long term safety of the general public will be attained.
- d) The open pit walls is not stable and the materials from the walls are accumulating onto the pit. It was found that if the pit is not backfilled the continuous failure of the pit walls will continue and this may results severe environmental degradation and public safety issues.
- e) The backfilling of the pit offers a beneficial option towards the social aspects, specifically in terms of public safety and a close re-establishment of the pre-mining environment.
- f) It was also found that if the pit is not backfilled it will remain a safety hazard and pose danger to both human beings and wildlife.



ANNEXURE 2: DEPARTMENTAL STANDARD CONDITIONS

1. SCOPE OF AUTHORISATION

- 1.1. The holder of 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 this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as is 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 activities, which 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 authorised activities occur have controlled access to ensure safety of people and animals.

2 APPEAL OF AUTHORISATION

- 2.1 The holder of EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with EIA Regulation 4(2) 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 and;
 - 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 National Appeals Regulations,
- 2.4 Draw the attention of all registered I&APs to the manner in which 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;
- 2.5.4 Telephonic and fax details of the holder and
- 2.5.5 E-mail address of the holder if any.



3 COMMENCEMENT OF THE ACTIVITY (IES)

- 3.1 In order 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 Hauling routes for vehicles and machinery must be clearly marked and appropriate signaling must be posted to that effect. Furthermore, movement of construction 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 site, warning the public (residents, visitors etc.) about the hazard around the site and presence of heavy vehicles and machinery.
- 3.5 Vegetation clearance must be limited on areas where the individual activities will occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.
- 3.6 The holder of EA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species, 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.
- 3.7 Material lay down areas, topsoil and subsoil during decommission works must be protected from contamination or pollution.
- 3.8 If any soil contamination is noted during decommissioning 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.
- 3.9 An integrated waste management approach must be implemented that is based on waste minimization and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubble generated on the premises can be re-used as back filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited on the adjacent properties or public places and open space.
- 3.10 In terms of sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), 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.

- 3.11 Vehicle must be serviced and maintained in the manner whereby no excessive smokes and noise production is reduced to acceptable levels, and to prevent oil leaks.
- 3.12 Residents (if any) on the property (ies) and surrounding areas must be informed if any unusually noisy activities are planned.
- 3.13 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.
- 3.14 Should any heritage remains be exposed during decommissioning, these must immediately be reported to the South African Heritage Resource Agency (SAHRA) (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).

Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; middens, indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with the requirements of the relevant authority.

- 3.15 Care must be taken to ensure that the soil required for sloping and pit backfilling works are free of contamination from hydrocarbons.
- 3.16 Hydraulic fluid or chemicals required during decommissioning must be stored in a concrete lined surface with bund walls and shall be designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it should be cleaned immediately by removing the spillage together with the polluted solids and dispose it in the authorised disposal site permitted to receive 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 underground water resources.
- 3.17 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 to the environment and must be maintained according to the operating instructions and the content thereof must be disposed of at an authorised waste water treatment works.
- 3.18 This EA does not purport to absolve the holder of EA from its common law obligations towards the owner of the surface of land affected.
- 3.19 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.
- 3.20 The holder of EA must note that in terms Section 20 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), 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 licence is issued in respect of that activity if licence is required.
- 3.21 An appeal under National Appeals Regulation suspend an EA unless the Minister directs otherwise.

<p>DEPARTMENT OF MINERAL RESOURCES MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X33 WELKOM 9459 TEL: 057 391 1300</p> <p style="text-align: center;">17 FEB 2020</p> <p style="text-align: center;">ENVIRONMENTAL AUTHORISATION GRANTED NEMA, 1998 (ACT 107 OF 1998) AS AMENDED</p> <p>REGIONAL MANAGER: FREE STATE REGION</p>
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- 3.22 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.
- 3.23 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.
- 3.24 The waste storage site must have a firm, impermeable, chemical resistant floors and a roof to prevent direct sunlight and rain water from getting in contact with the waste.
- 3.25 The storage of hydrocarbons must have bund walls with adequate capacity to contain the maximum volume that is stored in the area. Uncontaminated storm water must be prevented from coming into contact with the waste and must be diverted away from the storage site.
- 3.26 The proposed activity must commence within 10 years. If the commencement of the proposed activity 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 should be made for the activity to be undertaken.
- 3.27 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. In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.
- 3.28 Should there be any conflicting conditions between this EA and other approval granted by other authorities, it is upon the holder of EA to bring it to the attention of the Department for resolution.

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 Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times, if damaged as directed by the Department or any other relevant authority
- 4.4 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.5 The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licensed to handle such wastes and all recyclable waste are collected by licensed waste management facilities for recycling, reuse or treatment.

<p>DEPARTMENT OF MINERAL RESOURCES MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X33 WELKOM 9459 TEL: 057 391 1300</p> <p style="text-align: center;">17 FEB 2020</p> <p style="text-align: center;">Decision for the Granting of an Environmental Authorisation: Ref No FS 30/5/1/2/3/2/1 (012) EM Page 12 of 15</p> <p style="text-align: center;">ENVIRONMENTAL AUTHORISATION GRANTED NEMA, 1998 (ACT 107 OF 1998) AS AMENDED</p> <p>REGIONAL MANAGER FREE STATE REGION</p>
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- 4.6 The holder of the EA must ensure that all liquid wastes, whose emissions to water or land could cause pollution are diverted to sewer, after testing water quality and receiving written approval from the relevant local authority.
- 4.7 Non-compliance with any condition of this EA or 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.
- 4.8 Only listed activities that are expressly specified in the BAR & EMP 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.

5 REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

- 5.1.1 submit an Environmental Audit Report to this Department annually and such report must be done by qualified Environmental Assessment Practitioner and must specify whether conditions of this environmental authorisation and EMP/closure plan are adhered to;
- 5.1.2 identify and assess any new impacts and risks as a result of undertaking the activity/ies, if applicable;
- 5.1.3 identify shortcomings in the EMPr/closure plan, if applicable;
- 5.1.4 identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr/closure plan;
- 5.1.5 if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate;
- 5.1.6 Specify the name of the auditor and
- 5.1.7 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 Regulation 34(4) be identified, the holder must submit recommendation to amend the EMPr/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.

5.3 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.

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.

DEPARTMENT OF MINERAL RESOURCES
MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X33 WELKOM 9459 TEL: 057 991 1300
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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;
- 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 5.5, 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 on the site to reasonably prevent unauthorized entry. Signs indicating the risks involved in unauthorized entry must be displayed at each entrance.

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 center 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.

DEPARTMENT OF MINERAL RESOURCES
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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 SITE CLOSURE

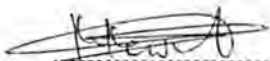
- 9.1 The holder of EA must apply for a closure certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.
- 9.2 The application for closure indicated above must be submitted together with all relevant documents as indicated in Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.
- 9.3 No exotic plants may be used for rehabilitation purposes only indigenous plant can be utilized for rehabilitation purposes.
- 9.4 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 Mineral and Petroleum Resources Development Act (Act 28 of 2002). Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.

10 RECOMMENDATIONS

In view of the above and the NEMA principles, compliance with the conditions stipulated in this EA as well as with the EMP/closure plan, 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.** The holder of the EA must undertake decommissioning work as per the authorised alternative **Option 2**.

Your interest in the future of our environment is appreciated.

Yours Sincerely



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K. KEWUTI
ACTING REGIONAL MANAGER: MINERAL REGULATION
FREE STATE REGIONAL OFFICE
DATE 17/02/2020

