

MPUMALANGA PROVINCIAL GOVERNMENT

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South Africa



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Department of Economic Development, Environment and Tourism

Litiko Letekutfutrukiswa
Kwetemnotfo, Simondzwo netekuVakasha

Umgango Wezoku Thuthukiswa
KoMnotho, iBhoduluko nezamaVakatjho

Departement van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Enquiries : Martha Seshweni
Telephone : (013) 690 2595
Reference No. : 17/2/2NK-29
NEAS Ref. No. : MPP/EIA/14275/2011

Mr. Conrad Van Deventer
Arnot Coal
Private Bag X 3
Rietkuil
0197

Fax : (013) 297 8005
Email : Conrad.vandeventer@exxaro.com

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: THE PROPOSED EXPANSION OF THE MOOIFONTEIN OPENCAST MINE ON PORTIONS 1, 6 AND 7 OF THE FARM MOOIFONTEIN 448 JS, MPUMALANGA PROVINCE

With reference to the abovementioned application, please be advised that the Department has decided to grant authorisation. The environmental authorisation and reasons for the decision are attached herewith.

In terms of Regulation 10(2) of the Environmental Impact Assessment Regulations, 2010, you are instructed to notify all registered interested and affected parties, in writing and within 12 (twelve) days of the date of this letter, of the Department's decision in respect of your application. Such notification must comply with the requirements of Regulations 10(2)(a)-(d) and must draw the attention of registered interested and affected parties to the fact that an appeal may be lodged against the decision in terms of Chapter 7 of the EIA Regulations, 2010.

Your attention is drawn to Chapter 7 of the Regulations, which regulates appeal procedures. Should you wish to appeal any aspect of the decision, you must, *inter alia*, lodge a notice of intention to appeal with the MEC, within 20 days of the date of this letter, by means of one of the following methods:

By facsimile: (013) 766 4614

By post: Private Bag x 11215
Nelspruit
1200



17/2/2012-29



By hand: Building 4, No. 7 Government Boulevard,
Riverside Park Extension
Nelspruit
1200

Should you decide to appeal, you must serve a copy of your notice of intention to appeal on all registered interested and affected parties as well as a notice indicating where, and for what period, the appeal submission will be available for inspection.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'S.S. Maluleka'.

MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 06.08.2012

cc: Mr Nyundo George Armitage
Golder Associate Africa (Pty) Ltd
Fax no: 011 672 0008
Email: narmitage@golder.co.za



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Departemen van Ekonomiese
Ontwikkeling, Omgewing en Toerisme

Environmental Authorisation

Application number: 17/2/2/2-29

Holder of Authorisation: Arnot Coal, a subsidiary of
Exxaro Resources (Pty)Ltd

NEAS reference number: MPP/EIA/14275/2011

Location of activity: Portion 1, 6, and 7 of the
farm Mooifontein 448 JS.





1. Decision

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

2. Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act 107 of 1998) and the Environmental Impact Assessment Regulations 2006, the Department hereby authorises:

Arnot Coal
Private Bag x 3
Rietkuil
0197

Attention: Mr. Conrad Van Deventer
Fax no: 013 297 8005
Tell no: 011 254 4954
Email: Conrad.vandeventer@exxaro.com

To undertake the following activity (hereafter referred to as "the activity"):

Phase 1

- Expansion of the existing boxcut.
- Expansion of the opencast mining.
- Office and diesel storage facilities.
- A small Satellite office.
- Conveyor belts.
- A semi-mobile crushing and a de-stoning plant.
- One 6.6 kV overhead power line.
- Raw water supply.
- Potable water supply.
- New topsoil, subsoil and overburden stockpiles.
- A new storm water management system.

Phase 2

- A new boxcut.
- A new access road.
- Expansion of the newly constructed overhead 6.6 kv powerline.
- New haul road.
- Diesel generators.
- One new pollution control dam.
- New water pipeline.
- Conveyor belt.
- Semi-mobile crushing and de-stoning plant.
- A new storm water management system.
- Diesel storage facility.
- Site office.





- 3.2. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the applicant or his successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the applicant with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

ENVIRONMENTAL AUTHORISATION APPROVED BY:

A handwritten signature in black ink, appearing to read 'S.S. Maluleka'.

MR. S.S. MALULEKA
CHIEF DIRECTOR: ENVIRONMENTAL SERVICES
DATE: 06.08.2012





Annexure 1: Reasons for the Decision

1. Background

1.1 The applicant, Arnot Coal applied for authorisation to carry out the following activity:

To undertake the following activity (hereafter referred to as "the activity"):

Phase 1

- Expansion of the existing boxcut.
- Expansion of the opencast mining.
- Office and diesel storage facilities.
- A small Satellite office.
- Conveyor belts.
- A semi-mobile crushing and a de-stoning plant.
- One 6.6 kV overhead power line.
- Raw water supply.
- Potable water supply.
- New topsoil, subsoil and overburden stockpiles.
- A new storm water management system.

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- A new boxcut.
- A new access road.
- Expansion of the newly constructed overhead 6.6 kv power line.
- New haul road.
- Diesel generators.
- One new pollution control dam.
- New water pipeline.
- Conveyor belt.
- Semi-mobile crushing and de-stoning plant.
- A new storm water management system.
- Diesel storage facility.
- Site office.

On Portions 1, 6, 7 and REM of Mooifontein 448 JS, Steve TShwete Local Municipality, Mpumalanga Province at the co-ordinates, 29° 45'.0" E and 25° 52.' 0"S: (Activity 1(k) (c) (i) (n), 15, 7 and 26 of Government Notice R 386 of 2006) and Activity 1(e) (n), 2 of Government Notice R 387 of 2006.

1.2 The applicant appointed the following Environmental Assessment Practitioner (EAP) to undertake a basic assessment process:

Mr. Nyundo George
Golder Associated Africa (Pty) Ltd
P.O. Box 6001
Halfway House
1685





Contact person: Mr. Nyundo George Armitage
Tel: 011 254 4954
Fax: 011 254 4954
Email: narmitage@golder.co.za

2. Information considered in making the decision.

In reaching its decision, the Department took the following into consideration:

- a) The information contained in the Environmental Impact Report and the EMPr.
- b) The objective and requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998); and
- c) The findings of the site visit undertaken by Thulisile Nkonyane on 26th July 2011.

3. Key factors considered in making the decision.

All information presented to the Department was taken into account in 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 Basic Assessment Report indicates that the proposed project is as a result of the coal reserves on portion 5 of Mooifontein opencast being depleted in November 2010 and being critical to mining the proposed portions 1, 6 and 7 in order to supply sufficient coal to Arnot Power station. It is further indicated that if the portions are not mined this might have a major impact on the national electricity supply which may in turn have a significant impact on the economy of South Africa.
- b) The BAR also highlights that there are already impacts on the existing system due to the existing opencast activities on Portion 5 of Mooifontein and the intensive agriculture and farm dams within the catchment.
- c) The client will be responsible for all cost regarding upgrading of the permanent way.
- d) During the construction phase of the proposed development, jobs will be created and thus reduce the unemployment rate in the area.
- e) Employment and work related wage benefits for construction workers and their associated communities will be uplifted.

4. Findings

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

- a) According to the Environmental Impact report, all necessary services at the capacity required by the proposed development are available on site.
- b) According to the Environmental Impact report, the proposed development is considered to be environmentally and economically sustainable.
- c) No significant detrimental environmental impacts are anticipated, should the mitigation measures stipulated in the Environmental Impact report and conditions of this environmental authorisation be implemented and adhered to.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated for to acceptable levels. Authorisation is accordingly granted.



