



mineral resources & energy

Department:
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X 9467, Polokwane, 0700, Tel: 015 287 4700, Fax: 086 608 2273
DMR Building, 101 Dorp Street, Polokwane, 0699

Enquiries: Ms. N.S. Ref: LP30/5/1/2/3/2/1 (10140) EM
E-Mail Address: Nkhesani.Twala@dmr.gov.za
Sub-Directorate: Mine Environmental Management

BY HAND

The Manager
Lephalale Coal Mines (Pty) Ltd
P.O. Box 639
Northlands
2116

Attention: Banzi Giyose

Fax no: (086) 581 0868



ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 of 1998) AS AMENDED (NEMA), AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR THE OPENCAST MINING RIGHT OF COAL, PSEUDOCOAL, TORBANITE OILSHALE MINERALS, ON THE FARMS HONINGSHADE 427 LQ, GARIBALDI 480 LQ , PRETORIA 483 LQ , WELLINGTON 432 LQ ,FORFARSHIRE 419 LQ,STUTGARD 420 LQ ,SEBRIGHT 205 LQ, SEBRIGHT 205 LQ PORTION 1 & 2 , BOTMANSDRIFT 423 LQ, BILLIARDS 428 LQ; BILLIARDS 428 LQ PORTION 1; FRANSCHOEK 207 LQ; GROOTGENOEG 426 LQ; GROOTGENOEG 426 LQ PORTION 1; WELTEVREDEN 482 LQ ; AND WELTEVREDEN 482 LQ PORTION 1 , WITHIN THE MAGISTERIAL DISTRICT OF LEPHALALE : LIMPOPO REGION.

APPLICANT: LEPHALALE COAL MINES (PTY) LTD

With reference to the abovementioned application, please be advised that the Department has decided to **grant** an 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 copy of such appeal to the Department of Mineral Resources (Limpopo Regional Office), within 20 days from the date of notification, and such appeal must be lodged as prescribed in by 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

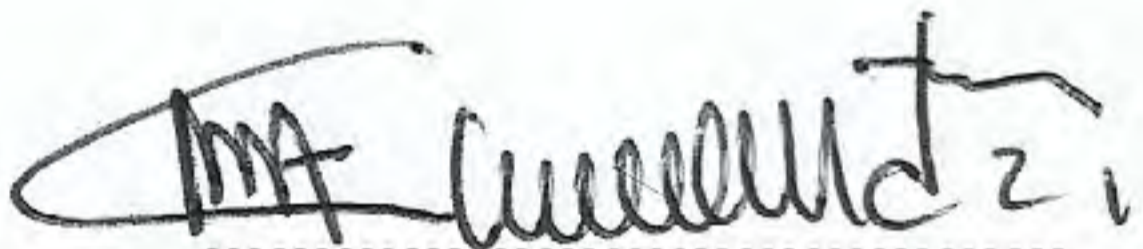
Attention : Directorate Appeals and Legal Review
Email : appeals@environment.gov.za
By post : Private Bag X 447, PRETORIA, 0001
By hand : Environmental House, Corner Steve Biko and Soutpansberg Street, Arcadia, Pretoria, 0083

Copy of the lodged appeal to the Department of Mineral Resources

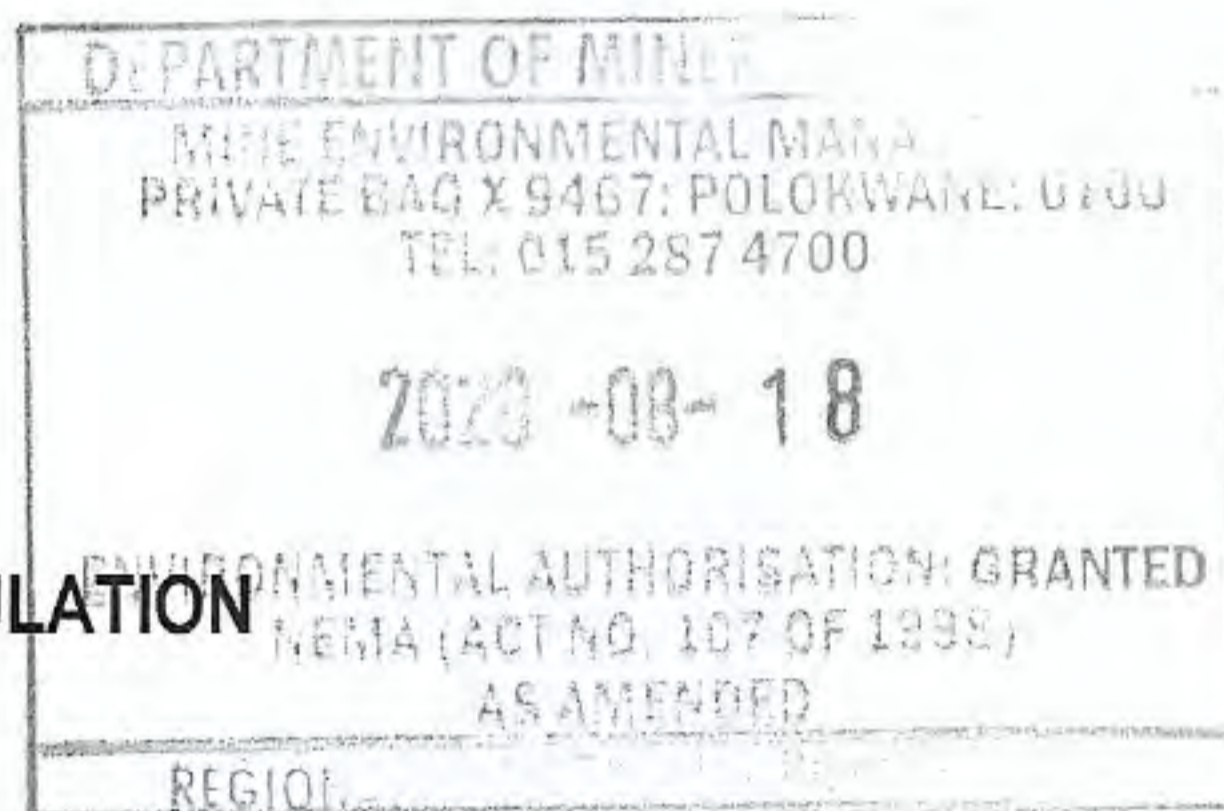
Attention : Regional Manager: Limpopo Region
By facsimile : (015) 297 7230
E-mail : tebogo.mangaba@dmr.gov.za
By post : Private Bag X 9467, POLOKWANE, 0700
By hand : DMR Building, 101 Dorp Street, Polokwane, 0699

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.

Kind Regards



REGIONAL MANAGER: MINERAL REGULATION
LIMPOPO REGIONAL OFFICE
DATE: 18/08/2020





mineral resources & energy

Department
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X 9467, Polokwane, 0700, Tel: 015 287 4700, Fax: 086 608 7322
DMR Building, 101 Dorp Street, Polokwane, 0699

INTERGRATED ENVIRONMENTAL AUTHORISATION

DEPARTMENT OF MINERAL RESOURCES MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X 9467, POLOKWANE: 0700 TEL: 015 287 4700
2020-08-18
LP30/5/1/2/3/2/1 (10140) EM
ENVIRONMENTAL AUTHORISATION: GRANTED NEMA (ACT NO. 107 OF 1998) AS AMENDED
REGIONAL MANAGER: LIMPOPO REGION

Reference number:

LP30/5/1/2/3/2/1 (10140) EM

Last amended:

First issue

Holder of authorisation:

Lephalale Coal Mines (Pty) Ltd

Location of activities:

ON THE FARMS HONINGSHADE 427 LQ,
GARIBALDI 480 LQ , PRETORIA 483 LQ ,
WELLINGTON 432 LQ ,FORFARSHIRE 419
LQ,STUTGARD 420 LQ ,SEBRIGHT 205 LQ,
SEBRIGHT 205 LQ PORTION 1 & 2 ,
BOTMANSDRIFT 423 LQ, BILLIARDS 428 LQ;
BILLIARDS 428 LQ PORTION 1; FRANSCHOEK
207 LQ; GROOTGENOEG 426 LQ;
GROOTGENOEG 426LQ PORTION 1;
WELTEVREDEN 482 LQ ; AND WELTEVREDEN
482 LQ PORTION 1 , WITHIN THE MAGISTERIAL
DISTRICT OF LEPHALALE

DECISION

ACRONYMS

NEMA: The National Environmental Management Act, 1998 (Act 107 of 1998), as amended
DEPARTMENT: Department of Mineral Resources.

EA:	Environmental Authorisation.
IEA	Integrated Environmental Authorisation.
EMPr:	Environmental Management Programme
BAR:	Basic Assessment Report
S&EIR:	Scoping and Environmental Impact Report
I&AP:	Interested and Affected Parties
ECO:	Environmental Control Officer
LIHRA:	Limpopo Heritage Resource Agency
SAHRA:	South African Heritage Resources Agency
EIA REGULATIONS:	EIA Regulations, 2014
MPRDA:	Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), as amended
NEMA:WA:	National Environmental Management: Waste Act, 2008 (Act 59 of 2008), as amended
EIA:	Environmental Impact Assessment.

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 "I" of this integrated environmental authorisation.

ACTIVITY APPLIED FOR

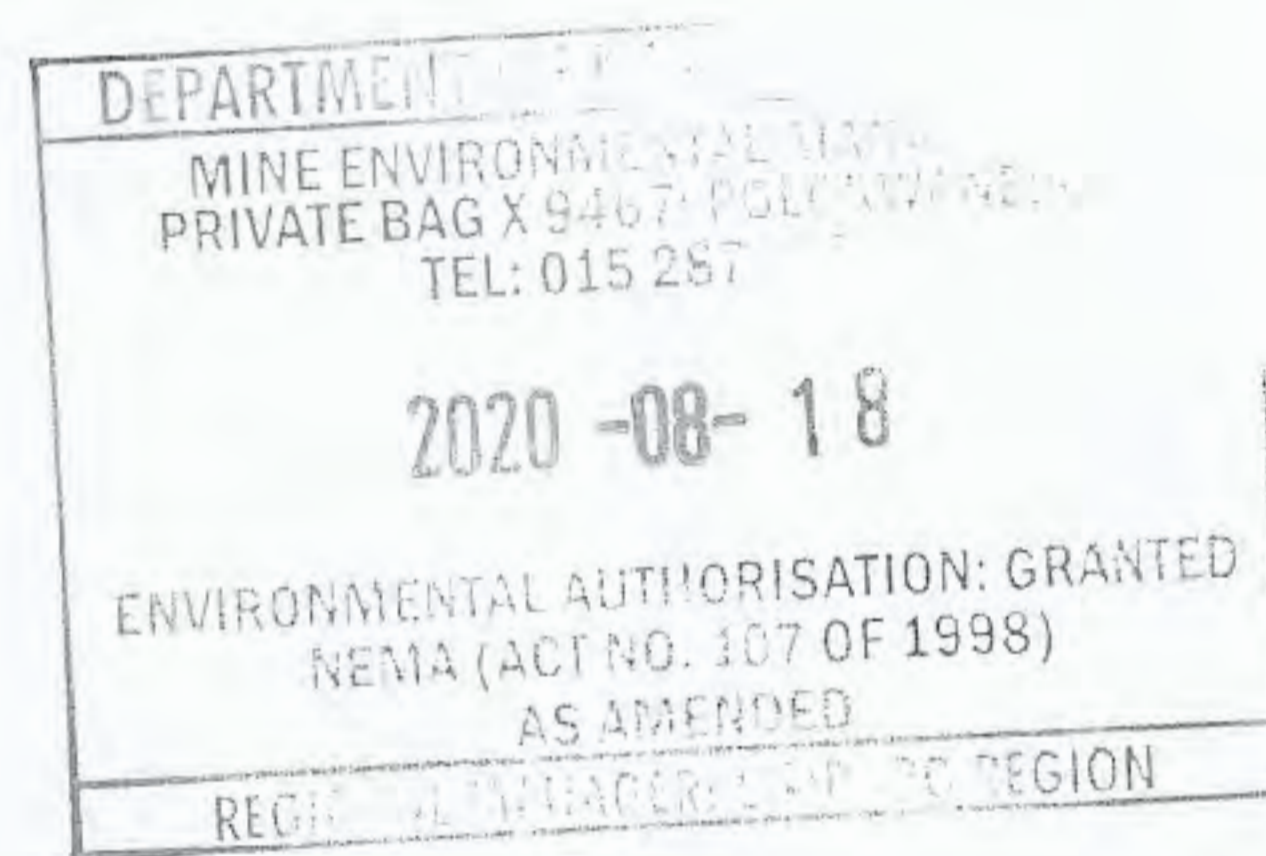
By virtue of the powers conferred on it by NEMA, the Department hereby grant an application for EA by **Lephalale Coal Mines (Pty) Ltd** with the following contact details –

The Manager
Lephalale Coal Mines (Pty) Ltd
P O BOX 639,
NORTHLANDS,
2116

Tel no: (010) 822 1590

Mobile: (083) 877 5924

Fax no: (086) 581 0868



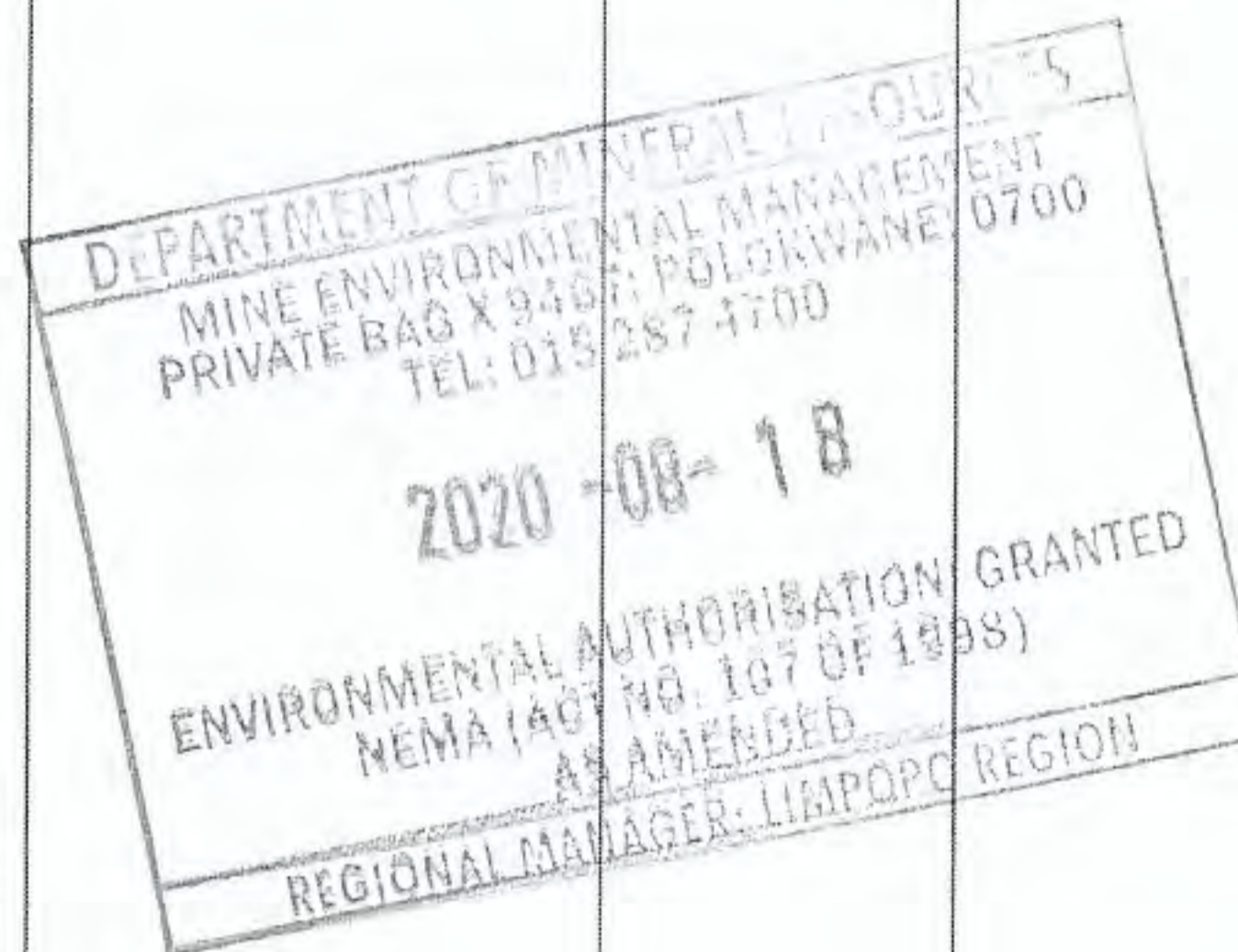
to undertake the following activities listed in the NEMA EIA Regulation.

NEMA: LISTED ACTIVITIES:

Listed in the EIA Regulations R. 983 of 2014 as Ammended (GNR 327 OF 2017):-

NAME OF ACTIVITY TO BE UNDERTAKEN	AERIAL EXTENT	LISTING NOTICE
The infilling or depositing of any material of more than [5] 10 cubic metres into, or the		19

<p>dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than [5] 10 cubic metres from</p> <p>[—(i)] a watercourse;</p> <p>[(ii) the seashore; or</p> <p>(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or estuary, whichever distance is the greater—] but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>will occur behind a development setback; is for maintenance purposes undertaken in accordance with a maintenance management plan; [or]</p> <p>falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>			
<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>			27
<p>The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where—</p> <p>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</p> <p>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare.</p>			2
<p>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p>			09



<p>(ii) with a peak throughput of 120 litres per second or more; excluding where—</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>			
<p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes —</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more; excluding where—</p> <p>(a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>			10
<p>The development of facilities or infrastructure for the transmission and distribution of electricity—</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</p> <p>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more; excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —</p> <p>(a) temporarily required to allow for maintenance of existing infrastructure;</p> <p>(b) 2 kilometres or shorter in length;</p> <p>(c) within an existing transmission line servitude; and</p> <p>(d) will be removed within 18 months of the commencement of development</p>			11

DEPARTMENT OF MINERAL RESOURCES AND ENERGY
MINE ENVIRONMENTAL MANAGEMENT
PRIVATE BAG X 9467, POLOKwane: 0700
TEL: 015 287 1124

2020-08-18

ENVIRONMENTAL AUTHORISATION: GRANTED
NEMA (ACT NO. 107 OF 1998)
AS AMENDED
REGISTERED MANAGER: LIMPOPO REGION

<p>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</p>		<p>14</p>
<p>The development of a road— (i) [a road] for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or (ii) [a road] with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road— (a) [roads] which [are] is identified and included in activity 27 in Listing Notice 2 of 2014; (b) [roads] where the entire road falls within an urban area; or (c) which is 1 kilometre or shorter.</p>		<p>24</p>
<p>The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2 000 cubic metres but less than 15 000 cubic metres.</p>		<p>25</p>

DEPARTMENT OF MINERAL RESOURCES
 MINE ENVIRONMENTAL MANAGEMENT
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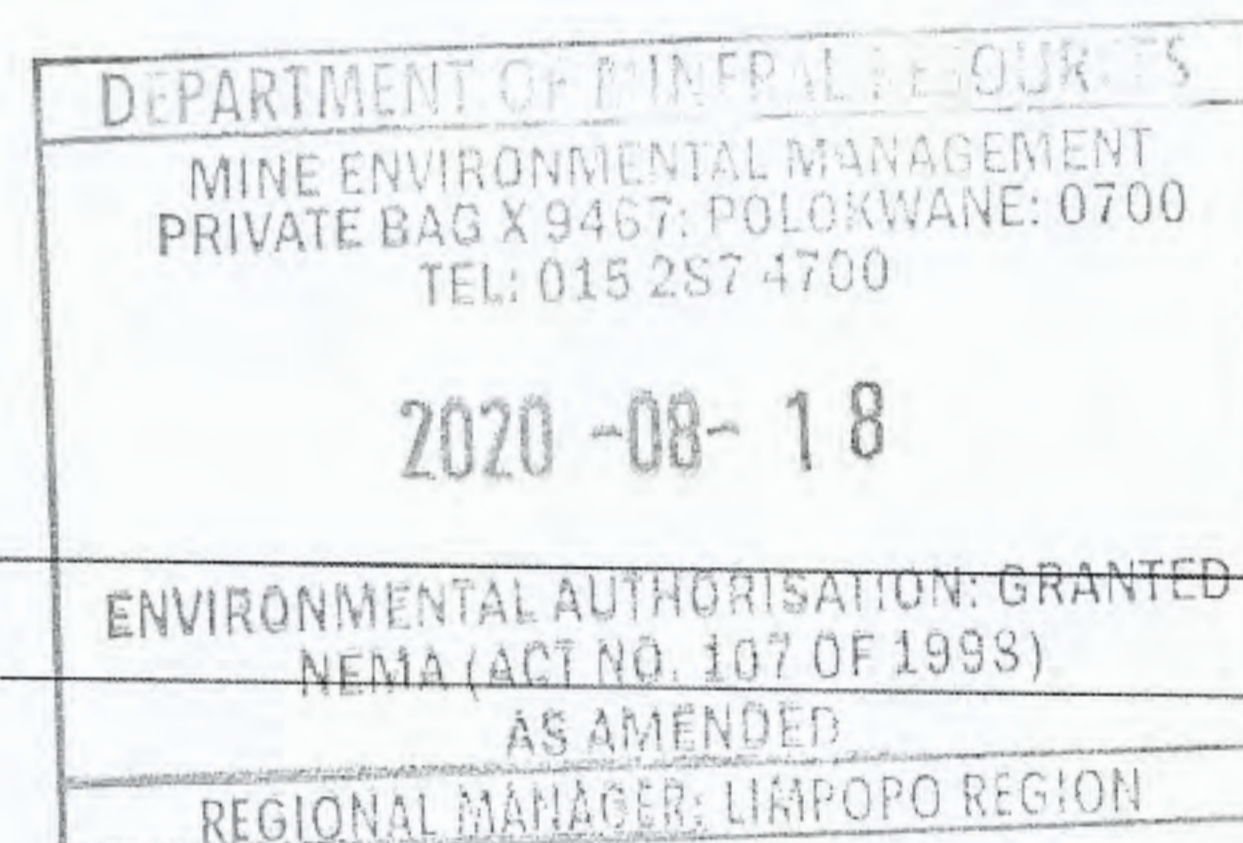
Notice	Activity number	Notice description
Listing Notice 1 of 2014 (GN 983),	12	The development of (i) canals exceeding 100 m ² in size (ii) channels exceeding 100 m ² in size (iii) bridges exceeding 100 m ² in size (iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 m ² in size (v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 m ² in size (vi) bulk storm water outlet structures exceeding 100 m ² in size (vii) marinas exceeding 100 m ² in size (viii) jetties exceeding 100 m ² in size (ix) slipways exceeding 100 m ² in size (x) buildings exceeding 100 m ² in size (xi) boardwalks exceeding 100 m ² in size; or <u>(xii) infrastructure or structures with a physical footprint of 100 m² or more; where such development occurs</u> (a) within a watercourse (b) in front of a development setback; or <u>(c) if no development setback exists, within 32 m of a watercourse, measured from the edge of a watercourse</u>
Listing Notice 1 of 2014 (GN 983),	13	The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50000 m ³ or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014
Listing Notice 2 of 2014 (GN 984),	25	The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or

Notice	Activity number	Notice description
		sewage with a daily throughput capacity of more than 2000 m ³ but less than 15 000m ³
Listing Notice 1 of 2014 (GN 983),	27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan
Listing Notice 2 of 2014 (GN 984)	6	The development of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding activities which are identified and included in Listing Notice 1 of 2014 activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or the development of facilities or infrastructure for the treatment of effluent, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less
Listing Notice 2 of 2014 (GN 984)	7	The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods— (i) in gas form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 700 tons per day; (ii) in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or (iii) in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day.
Listing Notice 2 of 2014 (GN 984)	9	The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex excluding the development of bypass infrastructure for the transmission and distribution of

DEPARTMENT OF MINERALS AND ENERGY
 MINE SAFETY AND HEALTH
 MINE REGISTRATION AND MANAGEMENT
 TEL: 015 287 4700
 2020-08-18
 ENVIRONMENTAL AUTHORIZATION: GRANTED
 (ACT NO. 107 OF 1998)
 AS AMENDED
 REGIONAL OFFICE

Notice	Activity number	Notice description
		electricity where such bypass infrastructure is — (a) temporarily required to allow for maintenance of existing infrastructure; (b) 2 kilometres or shorter in length; (c) within an existing transmission line servitude; and (d) will be removed within 18 months of the commencement of development.
Listing Notice 2 of 2014 (GN 984)	4	The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.
Listing Notice 2 of 2014 (GN 984)	15	The clearance of an area of 20 ha or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for: (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan
Listing Notice 2 of 2014 (GN 984)	16	The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the highwater mark of the dam covers an area of 10 hectares or more.
Listing Notice 2 of 2014 (GN 984)	17	Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the MPRDA including associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the MPRDA
Listing Notice 2 of 2014 (GN 984)	21	Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.
Listing Notice 3 of 2014 (GN 985)	12	The clearance of an area of 300 m ² or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces: On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning

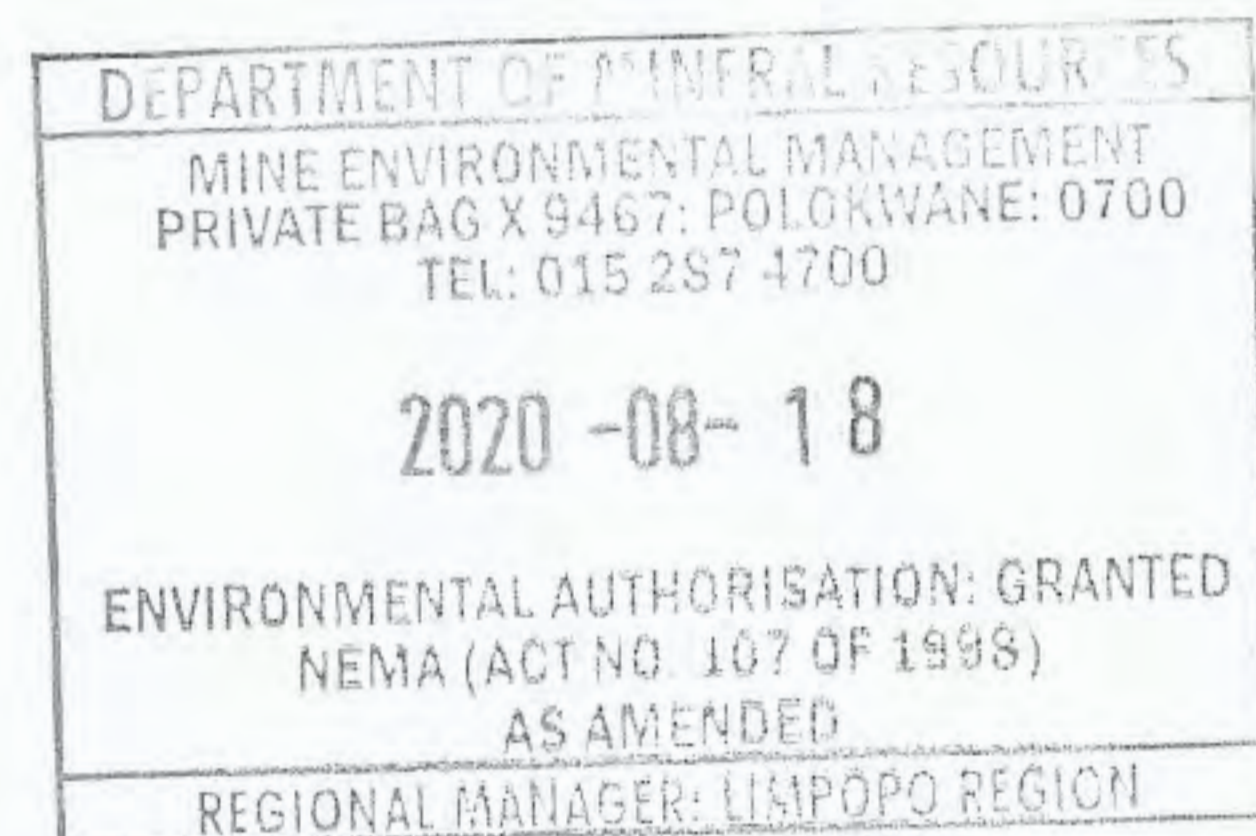
Notice	Activity number	Notice description
Listing Notice 3 of 2014 (GN 985)	2	The development of reservoirs, [for bulk water supply] excluding dams, with a capacity of more than 250 cubic metres.
Listing Notice 3 of 2014 (GN 985)	10	The development and related operation of facilities or infrastructure for the storage, or where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres storage and handling of a dangerous good,
Listing Notice 3 of 2014 (GN 985)	12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.



The proposed mining project will entails the construction of the following infrastructural activities:

- Opencast mining ,including portal area and central surface area
- Vegetation clearing
- Box cut
- Open Pit
- Topsoil and subsoil stripping
- Topsoil Stockpile
- Blasting
- Overburden (Waste rock Residue deposits)

- Processing plant and tailings storage facilities
- Construction of surface infrastructure and workshop
- Opencast mining
- Construction of access roads and bridges
- Raw Material stockpiles
- Establishment of footprint of the tailings storage facilities
- Support infrastructure (including roads, workshops but excluding portal area and central surface area)
- Mining related surface support infrastructure (included in plants supporting infrastructure)
- Building Infrastructure
- Fencing
- Gate house complex
- Entrance /exit and 2x weighbridges
- Workers turnstile access control and induction
- Office complex
- Helicopter landing pad
- Change houses
- Clinic
- Canteen
- Fire control facility
- Gas store
- General workshop
- Chemical store flammable store
- Hazardous material store
- Electrical workshop
- Instrumentation workshop
- Welding shop
- Combined stores
- Light duty vehicle (LDV) /Heavy duty Vehicle (HDV) Workshop
- LDV/HDV wash bay
- LDV /HDV fuel storage and refuelling
- Oil discard tanks
- Under crane warehouse
- HDV tyre storage
- HDV Tyre change assembly station .



Detailed specifications of the activity are as follows:

Proposed Waste Rock Dump details are as follows:
Area to be transformed – 11822 ha
The pit volume is as follows: proposed Coal , Pseudococao and Torbanite/ Oil Shale processing plants excavation areas: The extent (11822 ha) applicable for the whole project.
Coordinates: (Proposed pit ZK4) 25°97702'.55" E -94576.99" S

2599180.75	E	-94192.74	S
2600341.15	E	-94644.18	S
2603141.97	E	-9461513.	S
2603414.47	E	-9389488	S
260348.20	E	-91298.91	S
2601334.77	E	-93926.11	S
2601477.74	E	-93937.88	S
2600714.88	E	-88667.37	S
2601591.24	E	-97083.13	S
2601735.23	E	-97129.86	S
2601384.08	E	-97092.53	S
2602350.10	E	-96038.58	S

2604061.27	E	-88178.41	S
2604857.13	E	-96777.28	S
2605590.08	E	-96773.48	S
2606439.13	E	-96858.95	S
2605864.39	E	-95834.02	S
2605138.33	E	-94435.47	S
2604913.12	E	-90267.98	S
2605972.65	E	-90705.48	S
2609079.93	E	-89340.85	S
2609233.70	E	-89347.50	S
2610098.98	E	-89710.51	S
2610731.31	E	-90716.08	S



- additional proposed pits are as follows as per the list of co-ordinates provided on the volume 4 of 4 of the Final Environmental Impact Assessment to the Department of Mineral Resources on the 02 May 2017:

The granting of this EA is subject to the conditions set out below (site specific) and in **Annexure 2** (Departmental standard conditions). The 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.

EA SITE SPECIFIC CONDITIONS

1. Protected plant species must not be removed (disturbed, cut and destroy their products which may not be possessed, collected, removed, transported, exported, donated, purchased or sold) unless the necessary permission is granted by the Department of Agriculture, Forestry and Fisheries (DAFF).
2. All development footprint areas and areas affected by the proposed development must remain as small as possible and must not encroach onto the surrounding sensitive areas and the associated buffer zones

3. The pits must be backfilled with course waste rock as soon as this rock has been worked out. Barriers such as fencing or berms will be required to ensure that no humans or animals fall into the pits. Trenches for the laying of pipelines could be hazardous must be backfilled as soon as possible.
4. Rehabilitation of the environment affected by the any activities undertaken must be done as committed on the approved EMPR.

ANNEXURE 1: REASONS FOR THE DECISION

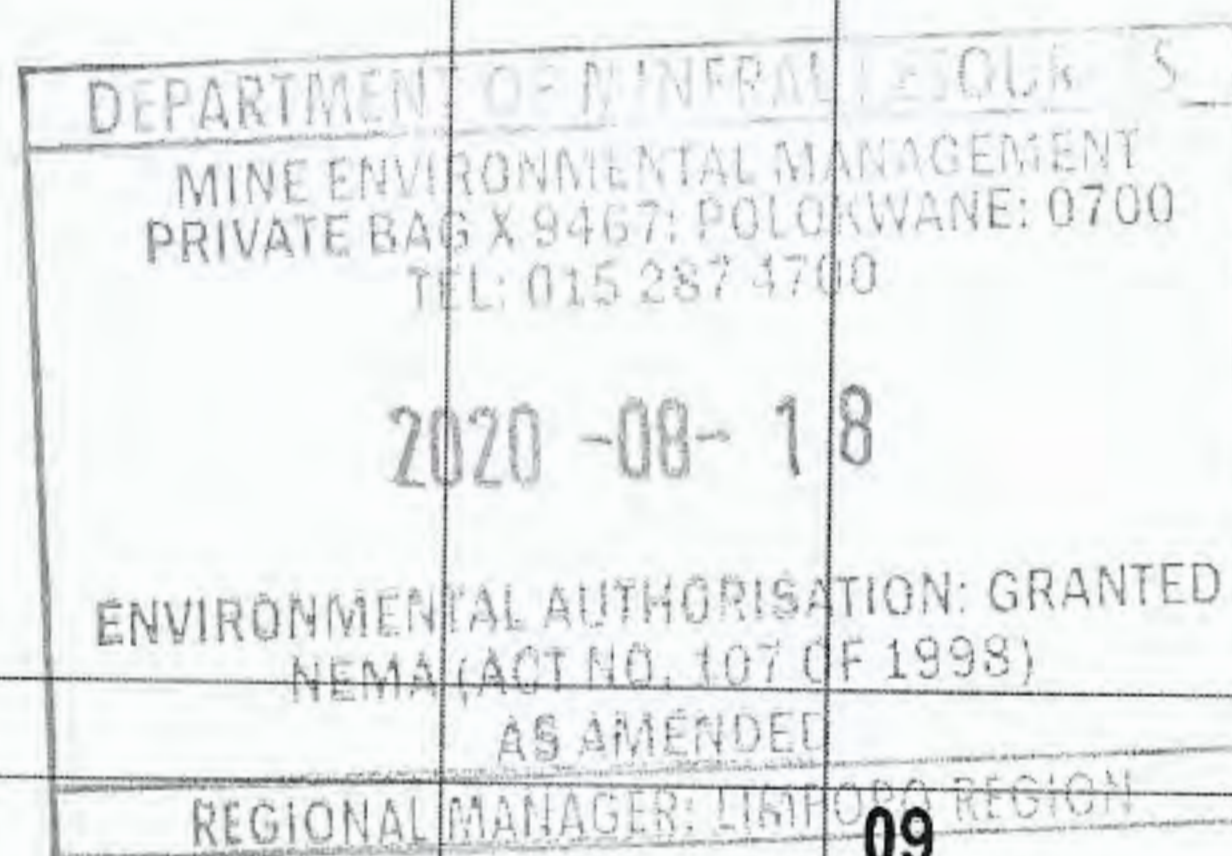
1. Background

Lephalale Coal Mines (Pty) Ltd submitted an application for an EA for activities listed in the EIA Regulations Listed Activities of National Environmental Management as:

Listed activities to be undertaken: EIA Regulations R. 983 of 2014 as:-

<p>The infilling or depositing of any material of more than [5] 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than [5] 10 cubic metres from [—(i)] a watercourse; [(ii) the seashore; or (iii)the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or estuary, whichever distance is the greater—] but excluding where such infilling, depositing, dredging, excavation, removal or moving— will occur behind a development setback; is for maintenance purposes undertaken in accordance with a maintenance management plan; [or]</p>		<p>19</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: fit-content;"> <p style="text-align: center; font-size: small;">DEPARTMENT OF MINERAL RESOURCES MINE ENVIRONMENTAL MANAGEMENT PRIVATE BAG X 94671 POLOKWANE: 0700 TEL: 015 287 4700</p> <p style="text-align: center; font-size: x-large; font-weight: bold;">2020-08-18</p> <p style="text-align: center; font-size: small;">ENVIRONMENTAL AUTHORISATION: GRANTED NEMA (ACT NO. 107 OF 1998) AS AMENDED REGIONAL MANAGER: LIMPOPO REGION</p> </div>
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<p>falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</p>			
<p>The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—</p> <p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>			27
<p>The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where—</p> <p>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</p> <p>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare.</p>			2
<p>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more;</p> <p>excluding where—</p> <p>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area.</p>			09
<p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes —</p>			10



<p>(i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more; excluding where— (a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or (b) where such development will occur within an urban area.</p>			
<p>The development of facilities or infrastructure for the transmission and distribution of electricity— (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or (ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more; excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is — (a) temporarily required to allow for maintenance of existing infrastructure; (b) 2 kilometres or shorter in length; (c) within an existing transmission line servitude; and (d) will be removed within 18 months of the commencement of development</p>			11
<p>The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</p>			14
<p>The development of a road— (i) [a road] for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</p>			24

DEPARTMENT OF MINERAL RESOURCES
MINE ENVIRONMENTAL MANAGEMENT
PRIVATE BAG X 9467, POLOKWANE: 0700
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NEMA (ACT NO. 107 OF 1998)
AS AMENDED

REGIONAL MANAGER: LIMPOPO REGION

<p>(ii) [a road] with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres; but excluding a road—</p> <p>(a) [roads] which [are] is identified and included in activity 27 in Listing Notice 2 of 2014;</p> <p>(b) [roads] where the entire road falls within an urban area; or</p> <p>(c) which is 1 kilometre or shorter.</p>			
<p>The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2 000 cubic metres but less than 15 000 cubic metres.</p>			25

DEPARTMENT OF MINERAL RESOURCES
MINE ENVIRONMENTAL MANAGEMENT
PRIVATE BAG X 9467, POLOKWANE: 0700
TEL: 015 287 4700

2020 -08- 18

ENVIRONMENTAL AUTHORISATION: GRANTED
NEMA (ACT NO. 107 OF 1998)
AS AMENDED

REGIONAL MANAGER: LIMPOPO REGION

1 of 2014 (GN 983),		hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan
		2020-08-18 ENVIRONMENTAL AUTHORIZATION: GRANTED NEMA (ACT NO. 107 OF 1998) AS AMENDED
Listing Notice 2 of 2014 (GN 984)	6	The development of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding activities which are identified and included in Listing Notice 1 of 2014 activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or the development of facilities or infrastructure for the treatment of effluent, wastewater or sewage where such facilities have a daily throughput capacity of 2 000 cubic metres or less
Listing Notice 2 of 2014 (GN 984)	7	The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods— (i) in gas form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 700 tons per day; (ii) in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or (iii) in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons per day.
Listing Notice 2 of 2014 (GN 984)	9	The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is — (a) temporarily required to allow for maintenance of existing infrastructure; (b) 2 kilometres or shorter in length; (c) within an existing transmission line servitude; and (d) will be removed within 18 months of the commencement of development.

Listing Notice 2 of 2014 (GN 984)	4	The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.
Listing Notice 2 of 2014 (GN 984)	15	The clearance of an area of 20 ha or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for: (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan
Listing Notice 2 of 2014 (GN 984)	16	The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the highwater mark of the dam covers an area of 10 hectares or more.
Listing Notice 2 of 2014 (GN 984)	17	Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the MPRDA including associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource, including activities for which an exemption has been issued in terms of section 106 of the MPRDA
Listing Notice 2 of 2014 (GN 984)	21	Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.
Listing Notice 3 of 2014 (GN 985)	12	The clearance of an area of 300 m ² or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. In Eastern Cape, Free State, Gauteng, Limpopo, North West and Western Cape provinces: On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning
Listing Notice 3 of 2014 (GN 985)	2	The development of reservoirs, [for bulk water supply] excluding dams, with a capacity of more than 250 cubic metres.

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PRIVATE BAG X 9467, POLOKWANE: 0700
TEL: 015 287-1700

2020-08-18

ENVIRONMENTAL AUTHORISATION: GRANTED
NEMA (ACT NO. 107 OF 1998)
AS AMENDED

REGIONAL MANAGER

Listing Notice 3 of 2014 (GN 985)	10	The development and related operation of facilities or infrastructure for the storage, or where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres storage and handling of a dangerous good,
Listing Notice 3 of 2014 (GN 985)	12	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.



2. Information considered in making the decision

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

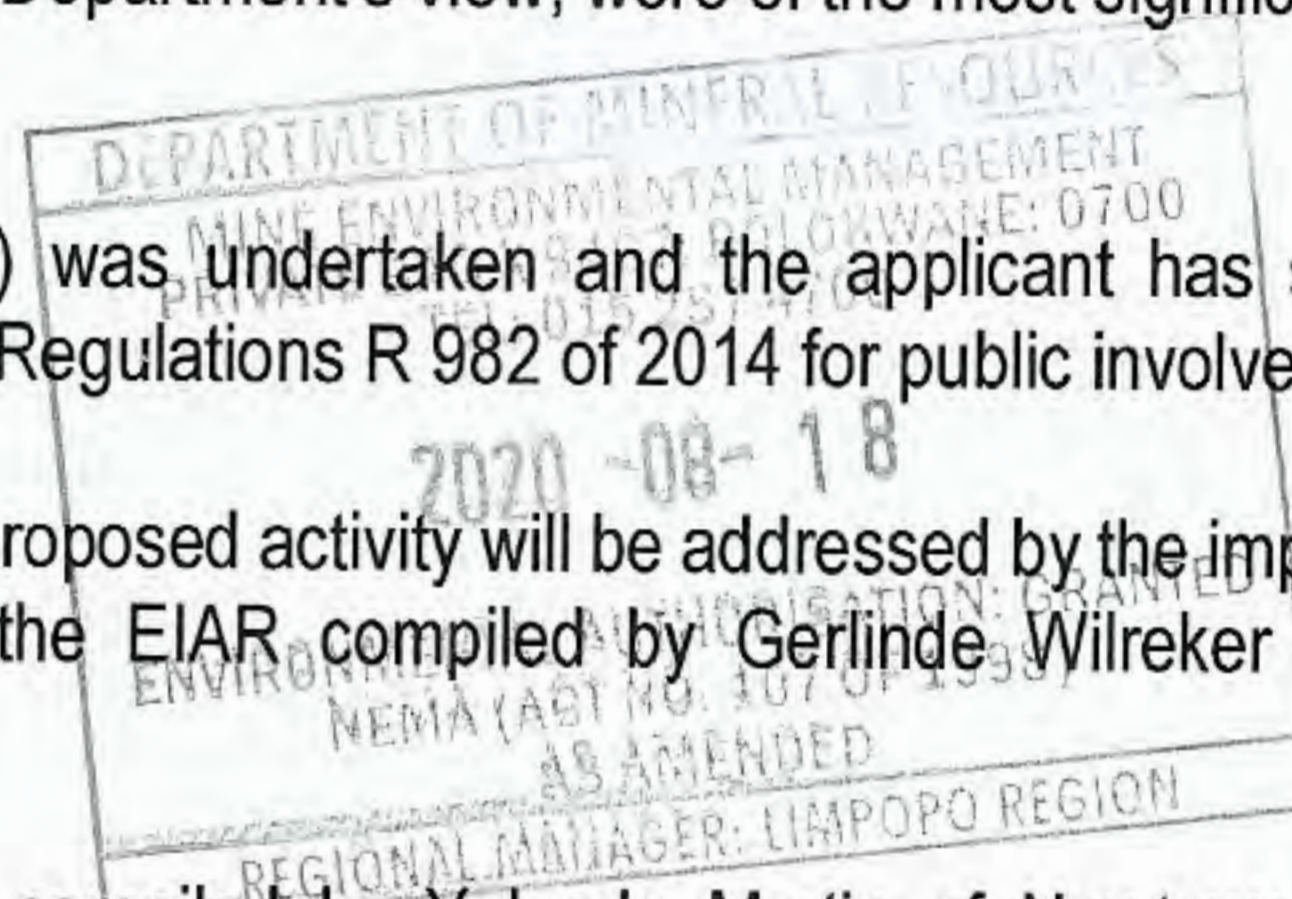
- a) The information contained in the application form received by the Department on 18 April 2017;
- b) The information contained in the EIAR received by the Department on 03 November 2017;
- c) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- d) Public Participation Process (PPP) attached in Appendix C & D of the EIAR;
- e) Air Quality Assessment Report for the Lephalale Coal Mines (Pty) Ltd attached to the EIAR Appendix E.
- f) (Heritage) Archaeological Impact Assessment Report appendix E
- g) Geochemical Investigation report outlined on appendix E
- h) Geohydrological specialist report outlined on appendix E
- i) Ecological impact assessment outlined under appendix E
- j) Wetland Delineation and impact Assessment Report outlined under appendix E

- k) The Visual Specialist Report attached to the EIAR as appendix E
- l)
- m) Closure plan specialist outlined on appendix appendix E
- n)
- o) The Soils, Land Use and Land Capability Specialist report attached to the EIAR as appendix E
- p) The Surface Water Specialist Report attached to the EIAR as appendix E
- q) The Noise Specialist Report attached to the EIAR as appendix E
- r) The Environmental Emergency Plan on page 541-543 of the EIAR (Appendix A);
- s) The Environmental Awareness Plan t on page 539 of the EIAR (Appendix A);

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 EIAR compiled by Gerlinde Wilreker of Kongiwe Environmental;
- c) The Visual specialist report dated July 2017; compiled by Yolanda Martin of Newtown Landscape Architects CC concluded by indicating that the visibility of the project was rated as moderate and will only be high for viewers located on an elevated areas.this is mainly due to the flat topography and the dense bushveld vegetation .although the scenic value of the area was rated as moderate, the proposed project will be out of place and will be visually intrusive to the study area. The project will completely change the character of the study area and will have a high impact on the sense of place of area .the overall intensity of the Lephalale Coal and power project (Pty) Ltd was regarded as high.
- d) The Soils, Land Use and Land Capability Specialist Report dated 23 July 2017; compiled by BB Mcleroth of Red Earth CC and the specialist indicates that the applicant must further comply with the commendation for mitigation ,management and monitoring as contained in the EMP of this report and as stated in the conditional acceptance of the impacts as stated above .theapproval is subject to the development of the proposed 'New Project Site 'being sited in accordance with the approximate proposed location of such site (provided) and should these proposed location be shifted slightly for any reason , that these shifted sites do not intrude outside of the current proposed Operational Area .any future proposed activities outside of the current proposed Operational Area will require another Baseline / EIA/EMP process to be conducted ,together with the associated licences and approval .



- e) The Air Quality Specialist Report dated 08th October 2017, compiled by D Fletcher of Gondwana Environmental Solutions indicated that a comprehensive mitigation programme is required to limit the emission ,furthermore a comprehensive continuous air quality monitoring programme is recommended in order to ensure that mitigation measures are applied at all the times to keep emissions within the NAAQS. The impact on the environment immediately surrounding the proposed mine is high both without and with mitigation measures. Nevertheless, emissions should be significantly reduced by means of stringent mitigation measures.
- f) The Biodiversity Assessment Report Dated July 2017 , compiled by Magnus Van Rooyen of JG Africa(Pty) Ltd recommends that the compilation of an Alien Invasive Management plan to be implemented for the duration of the life of mine .compilation of a Rehabilitation plan to be implemented for the duration of the life of mine ,this plan must make provision for continuous rehabilitation and upon closure of mine.it is also recommended that compilation of revegetation plan be implemented for the life of mine . This plan must make provision for revegetation during the continuous rehabilitation process that must be implemented during the operation of mine.

Capture and relocation plan for the larger game species to be applied.in conclusion the Specialist concluded that none of the biodiversity impacts identified during this assessment are considered to be "fatal flaws "to the development of the project. It is therefore the opinion of the specialist that there are no biodiversity associated for EA to be Authorised .the severity of all impacts can be successfully managed and mitigated and to a large degree overturned with the implementation of the management and mitigation measures contained in the assessment. This outcome must be considered during the mining planning as this will ensure that provision for achieving these will be made from the initial of mine.

- g) The Heritage Specialist Report dated 26th June 2016; compiled by Mr Wouter Fourie of PGS Heritage concluded that the fieldwork of the HIA identified 8 heritage resources with different heritage significance rating. These site consist of 6 ruined homesteads and two burial grounds .of this eight resources only two with heritage significance (low heritage significance) and High Heritage significance will be directly impacted by the project activities.
- h) The Noise Specialist Report dated 18th July 2017, compiled by Ben Van Zyl Acoustic Consulting Engineer indicates that the Primary Sources or noise embodies in the processing plant are the primary ,Secondary and Tertiary Crushers ,the Screening plant and DMS plant .two practical effective measures which may be considered to significantly reduce noise emission from plants are : Acoustic Enclosure .II)Acoustic Screening & Walls maybe employed as noise Screens ,provided certain pitfalls are circumvented by careful design . Recommendations for the design and construction of effective noise berms are made.
- i) The Geohydrological Specialist Report dated June 2017, compiled by Lucas Smith of ASST (Pty) Ltd recommended that operate on local groundwater resources. Furthermore groundwater investigation in the area is required to identify sustainable local water resources outside the pit dewatering impact zone to potentially supply domestic and dust depression requirements. it is likely that water will need to be imported to operate the mine . The only viable potential source is MCWAP-12. It is understood LCM have already expressed a commitment to obtaining water from the MCWAP- 2A. The best available technology and management practices will be required to minimise water losses and maximise water recovery.

it is also recommended that additional samples be taken across the project area , focussing on the proposed pit areas to provide more complete understanding of the acid generating potential for the area.

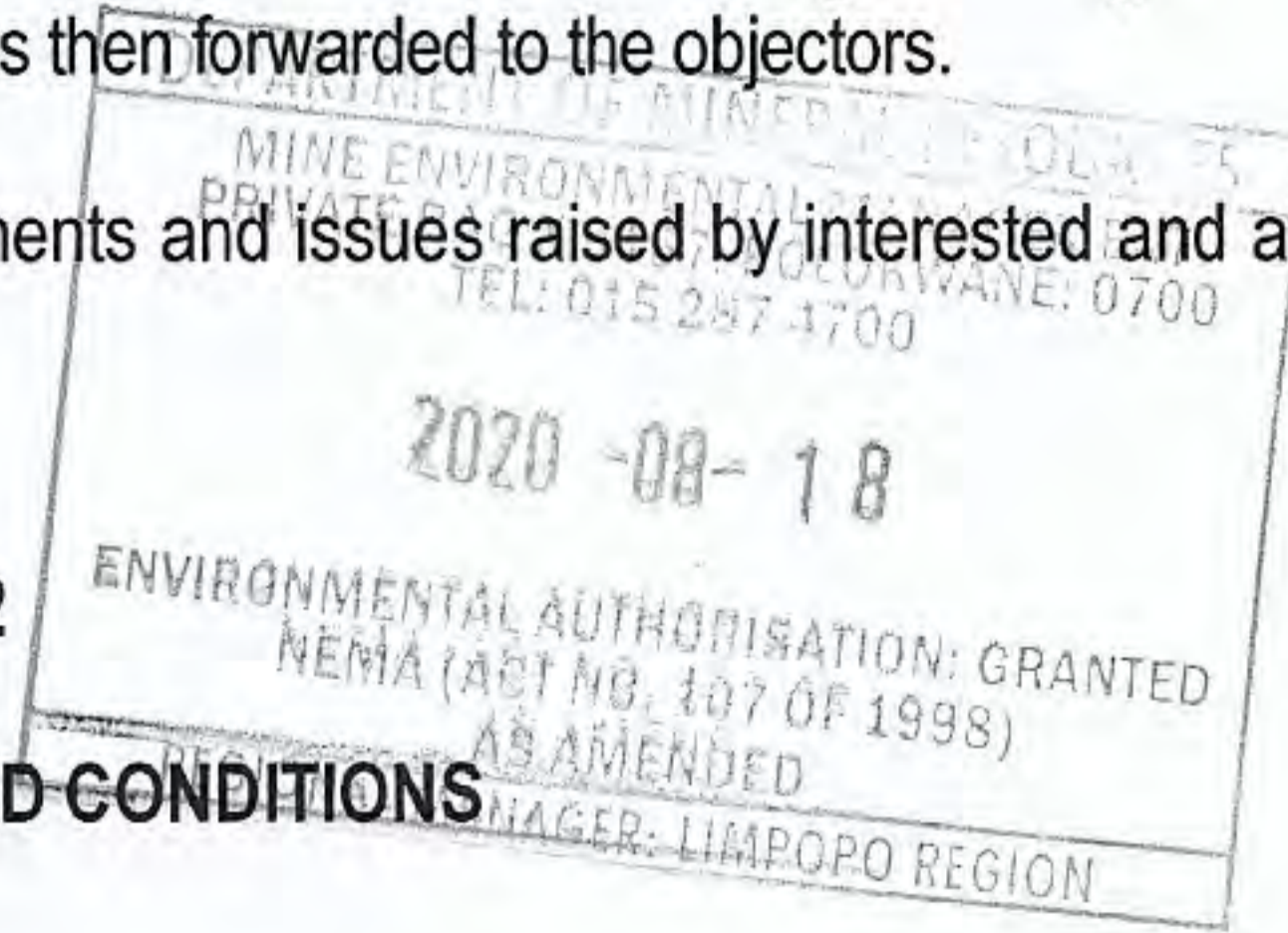
- j) The Social Impact Assessment report dated July 2017, compiled by Pam Taylor Dedicoal concluded that it is recognised that although it is Government constitutional responsibility to oversee and provide for the development of the population, partnership with private sector can be beneficial where challenges are extreme. The aspects listed below and linked to the operations of the mine, contribute to increased vulnerability of the communities and their possible social disintegration. the communities will not be able to absorb the changes imposed by the opening of mine without comprehensive support) IN –Migration of job-seekers and labour increasing the demand for accommodation, increase rental demand & housing densification.II) IN-Migration of unemployed.III) Social behaviour change.
- k) The Environmental Emergency Plan outlined on page 541 of the EIAR (Appendix A);
- l) The Environmental Awareness Plant outlined on page 539 of the EIAR (Appendix A);
- m) Closure plan and closure liability is outlined page 544 of the EIAR (Appendix A);
- n) The company commit to provide the financial provision to the amount of **R13 887 666.03** to this Department in the form of bank guarantee once granted.

4. Findings

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

- a) The potential impacts on the proposed site were clearly investigated and mitigation measures outlined.
- b) Public Participation Process complied with Chapter 6 of the EIA Regulations R.982 of 2014. The PPP included, *inter-alia*, the following:
 - A newspaper advertisement was placed in the local newspaper “14th April 2017;
 - Notices were placed at the project site ;
 - Notices were sent to all key stakeholders and the registered interested and affected parties;
 - Authorities meetings (attendance register and minutes of the meetings attached);
 - Registration on a database for Background Information Documents (BID);on the 18th April 2017
 - According to the correspondence that was sent to the DMR all the issues raised on the Objection was resolved through the correspondence letters sent on the 23/09/2015 and another letter was sent on the 12 October 2015 .
 - And further the issues were addressed by the applicant and the consultant through meeting held on 28 January 2016 and the minutes of the meeting was then forwarded to the objectors.

Public meetings were held on 17 May 2017; and comments and issues raised by interested and affected parties were adequately addressed.



ANNEXURE 2

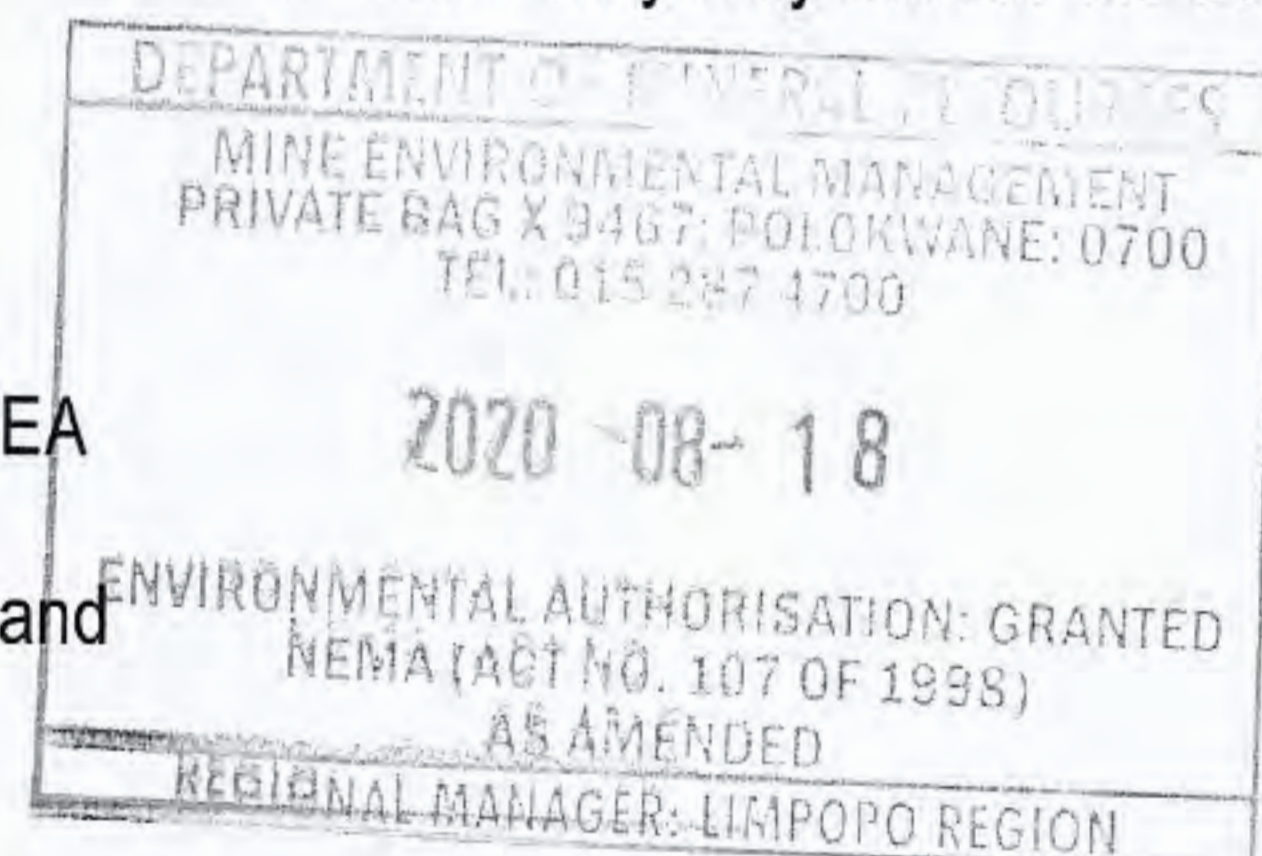
DEPARTMENTAL STANDARD CONDITIONS

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.

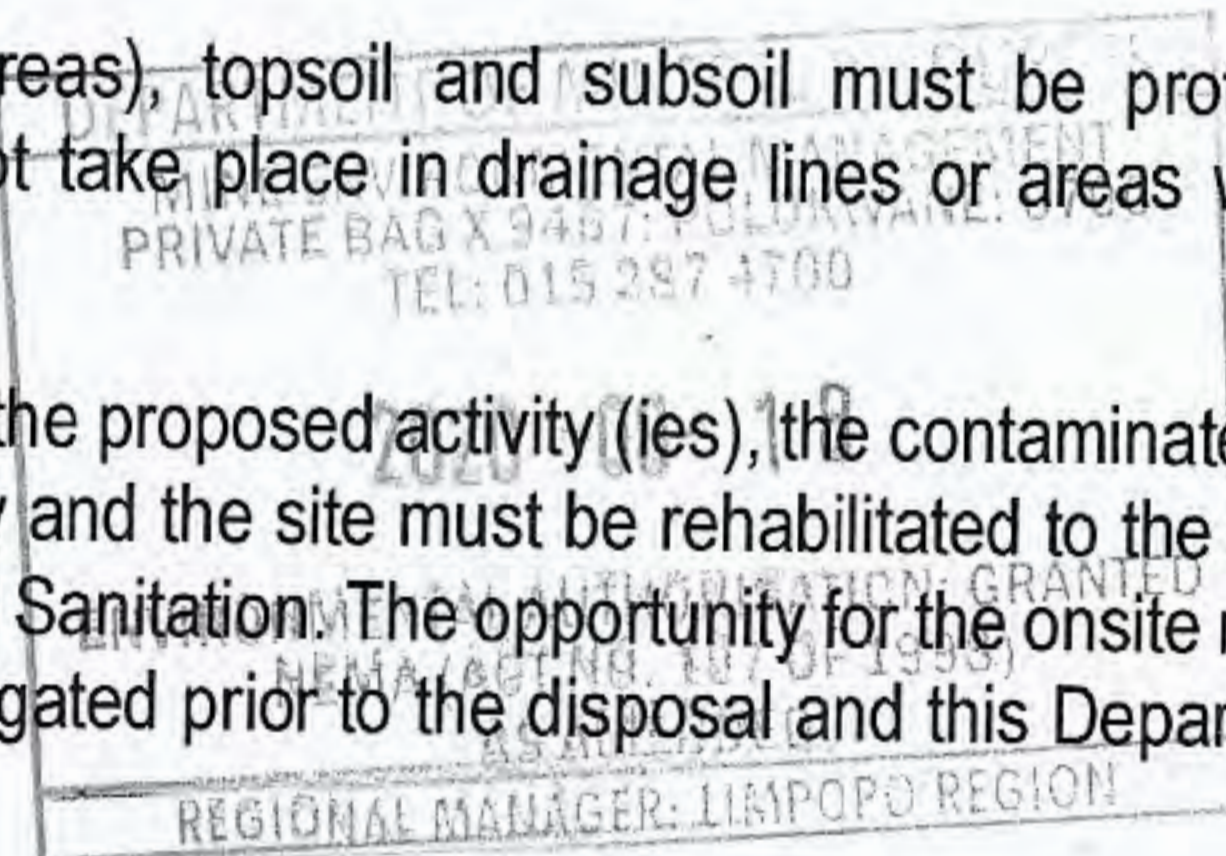
2 APPEAL OF AUTHORISATION

- 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.

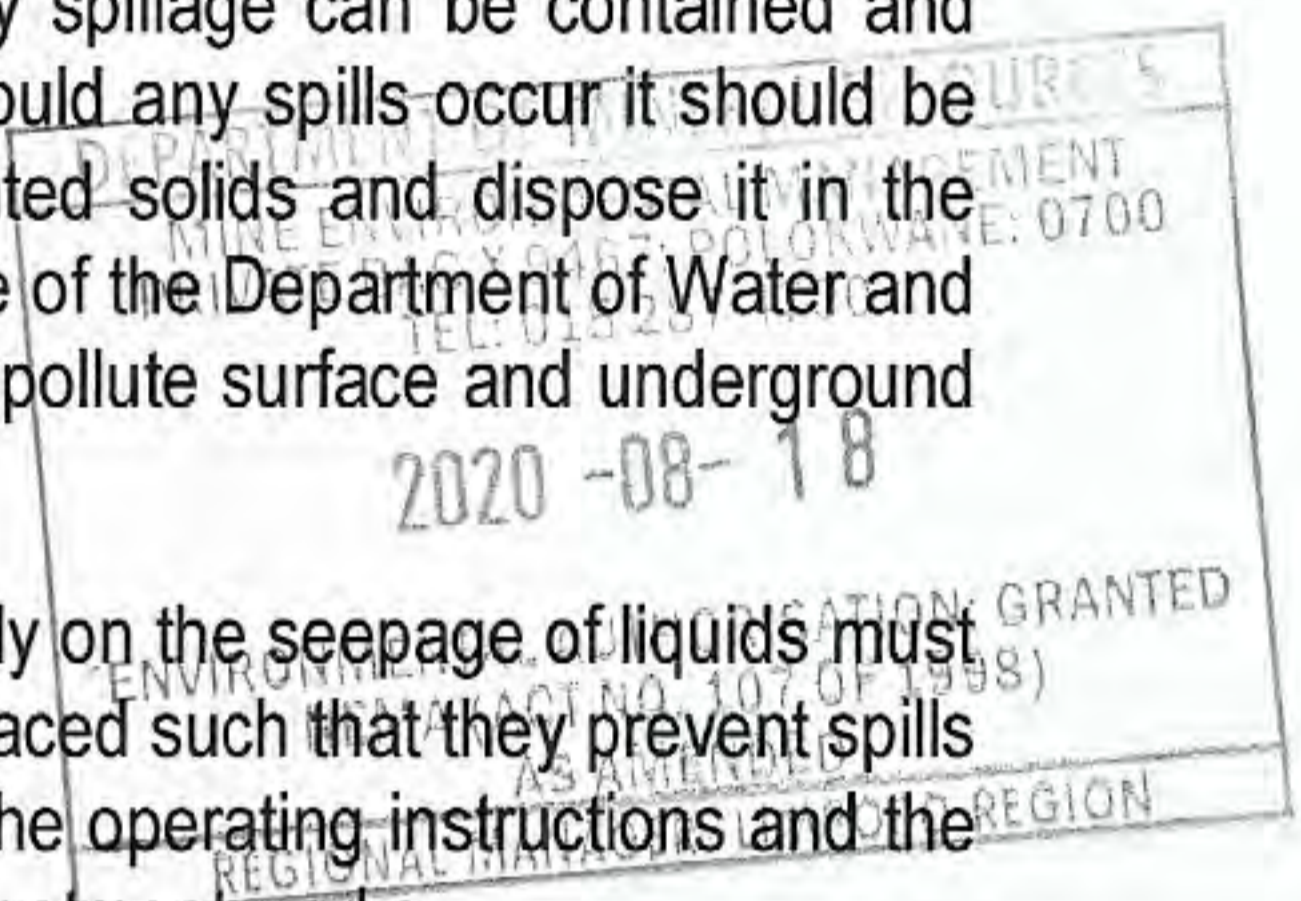


3 COMMENCEMENT OF THE ACTIVITY (IES)

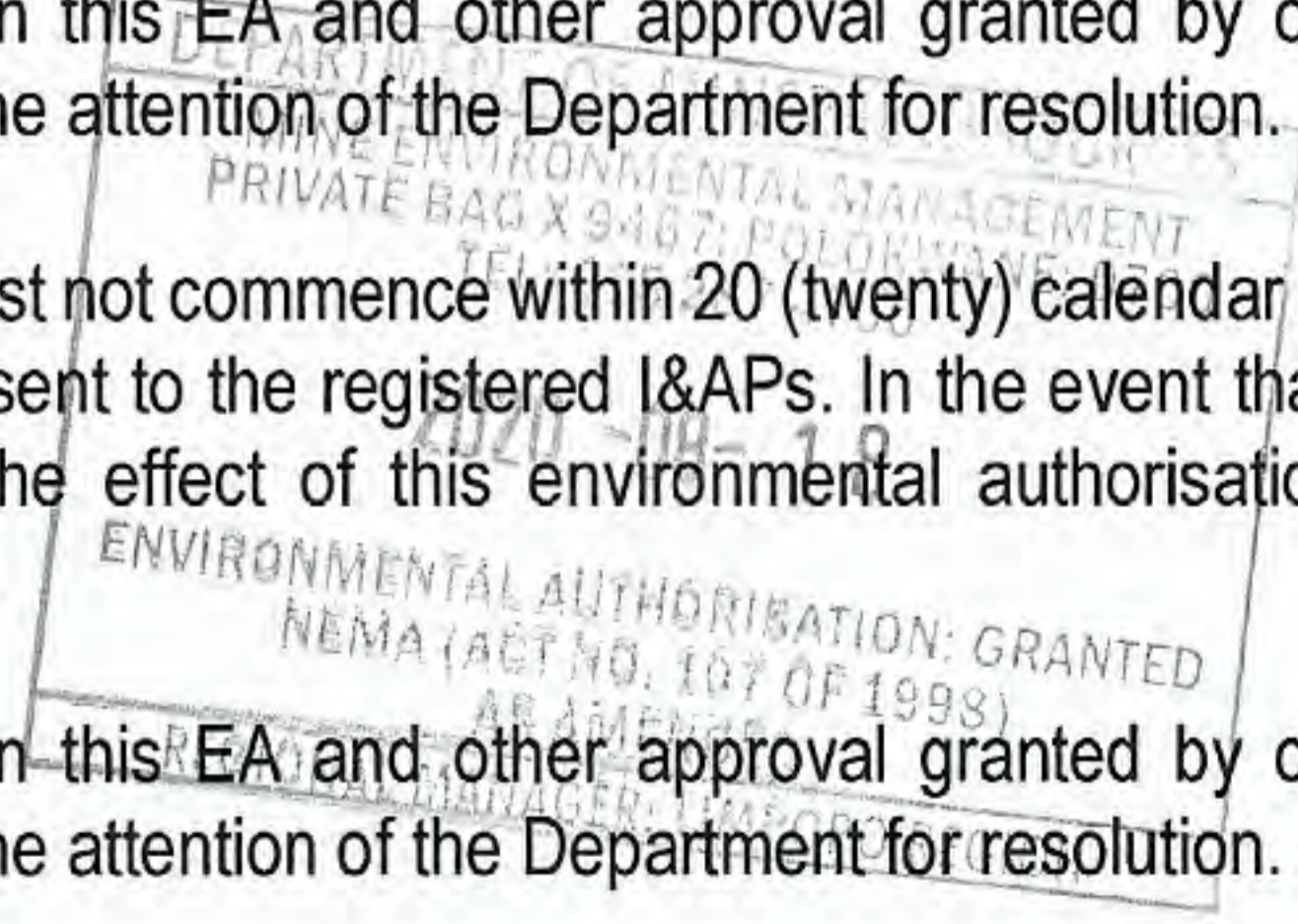
- 3.1 In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- 3.2 This EA must be provided to the site operator and the requirements thereof must be made fully known to him or her.
- 3.3 Hauling routes for construction vehicles and machinery must be clearly marked and appropriate signalling 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 construction site, warning the public (residents, visitors etc.) about the hazard around the construction site and presence of heavy vehicles and machinery.
- 3.5 Construction 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, and drainage measures must promote the dissipation of storm water runoff.
- 3.6 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.
- 3.7 The holder of EA must note that in terms of the National Forest Act (Act No.84 of 1998) protected plant species, also listed in Limpopo Environmental Management Act (Act no.7 of 2003) 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.
- 3.8 Construction areas (e.g. material lay down areas), topsoil and subsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage lines or areas where it will impede surface water runoff.
- 3.9 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.
- 3.11 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.
- 3.12 Construction 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. Contaminated soil must be remediated on site or removed to an authorised landfill site.
- 3.13 Residents (if any) on the property (ies) and surrounding areas must be informed if any unusually noisy activities are planned.
- 3.14 Dust suppression measures must be implemented on all exposed surface to minimize and control airborne dust.



- 3.15 Mixing of cement, concrete, paints, solvent, sealants and adhesive must be done in specified areas on concrete aprons or on protected plastic linings to contain spillage or overflow onto soil to avoid contamination of underground water and environmental damage.
- 3.16 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 Limpopo Heritage Resource Agency (LIHRA) (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 Limpopo Heritage Resource Agency (LIHRA).
- 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.
- 3.17 Care must be taken to ensure that the material and excavated soil required for backfilling are free of contamination from hydrocarbons.
- 3.18 Hydraulic fluid or chemicals required during construction 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 spillage together with the polluted solids and dispose it in the authorised disposal site permitted 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 underground water resources.
- 3.19 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.
- 3.20 The holder of EA must ensure that any water uses listed in terms of Section 21 of National Water Act must get authorization from Department of Water and Sanitation prior to the commencement of such activity (ies).
- 3.21. 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.
- 3.22. The holder of EA must ensure that rehabilitation of the disturbed areas caused by operation at all times comply with the approved EMPr.
- 3.23. 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.
- 3.24. The holder of EA must note that in terms Section 43A of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), residue deposit 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 Environmental Management Programme. 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 Environmental Management Programme.



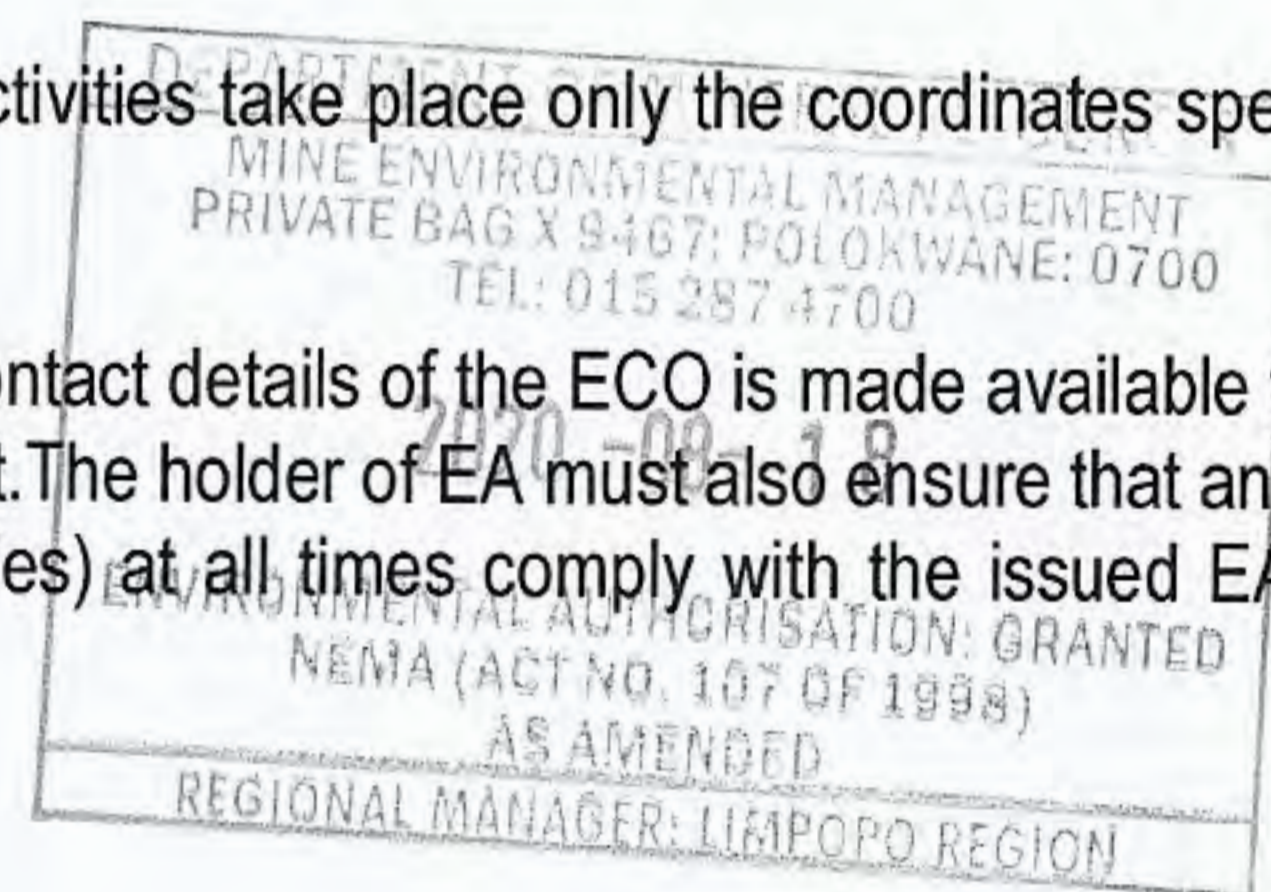
- 3.25. The holder of EA must note that in terms Section 20 of the National Environmental Management: Waste Act, 2008 (Act No.59 of 2008), no person may commence, undertake or conduct a waste management activity, except in accordance, with the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste management licence is issued in respect of that activity if licence is required.
- 3.26. An appeal under Section 43 (7) of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended) suspend an EA or exemption or any provisions of conditions attached hereto, or any directive unless the Minister directs otherwise.
- 3.27. 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.
- 3.28 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.
- 3.29 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.
- 3.30 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.
- 3.31 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.
- 3.32. 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..33 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.
- 3.34 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..35 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 EIAR must be kept at the property or on site office where the activity (lies) will be undertaken. The EA and EIAR 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 EIAR 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 EIAR must be submitted to the Department for approval.
- 4.4 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.
- 4.5 A buffer zone of 100 metres between the activity (ies) and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained.
- 4.6 The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.
- 4.7 The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licenced to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment.
- 4.8 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.
- 4.9 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.
- 4.10 Only listed activities that are expressly specified in the 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.
- 4.11 The Holder of EA must ensure that the proposed activities take place only the coordinates specified on the EIAR .
- 4.12 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 always available on site to ensure that activity (ies) at all times comply with the issued EA and approved EMPr.
- 4.13 The ECO must:
- 4.16.1. Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material
 - 4.16.2. 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.
 - 4.16.3 Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials.
 - 4.16.4. Keep copies of all environmental reports submitted to the Department.
 - 4.16.5. Keep the records of all permits, licences and authorisations required by the operation.



- 4.16.6. Compile a monthly monitoring report and make it available to the Department if requested.
- 4.14 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 the NEMA
- 4.15 The footprint of the activity (ies) must be limited on the areas authorised for the actual construction works and operational activities and all areas outside of the footprint must be regarded as a "no go" areas.
- 4.16. Erosion and soil loss must be prevented by minimizing the construction site exposed to surface water run-off. Where necessary erosion stabilizing action such as gabions or re-vegetation must be implemented to prevent further habitat deterioration.
- 4.17. The holder of the EA must ensure that all personnel who work with hazardous waste are trained to deal with these potential hazardous situations so as to minimise the risk involved. Records of training and verification of competence must be kept by the holder EA.
- 4.18. In order to prevent nuisance conditions, the holder of the EA must ensure that all storage skips and bins are not overfilled.

5 REPORTING TO THE DEPARTMENT

5.1 The holder of EA must:

5.1.1 submit an Environmental Audit Report to this Department biennially and such report must be done by qualified Environmental Assessment Practitioner and must specify whether conditions of this environmental authorisation and EMPr/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;

5.1.2.1 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;

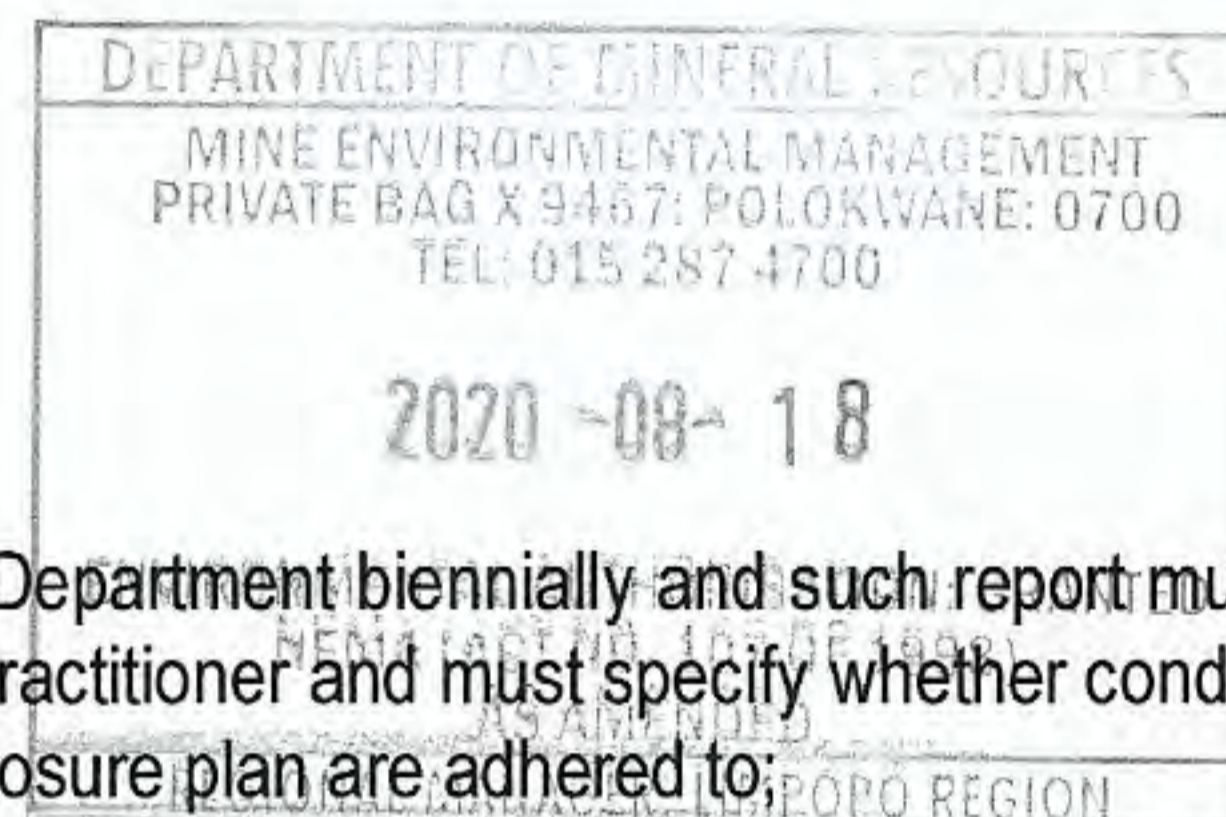
5.1.5 if applicable, specify that the corrective action/s taken for the previous audit's non-conformities, was adequate;

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.

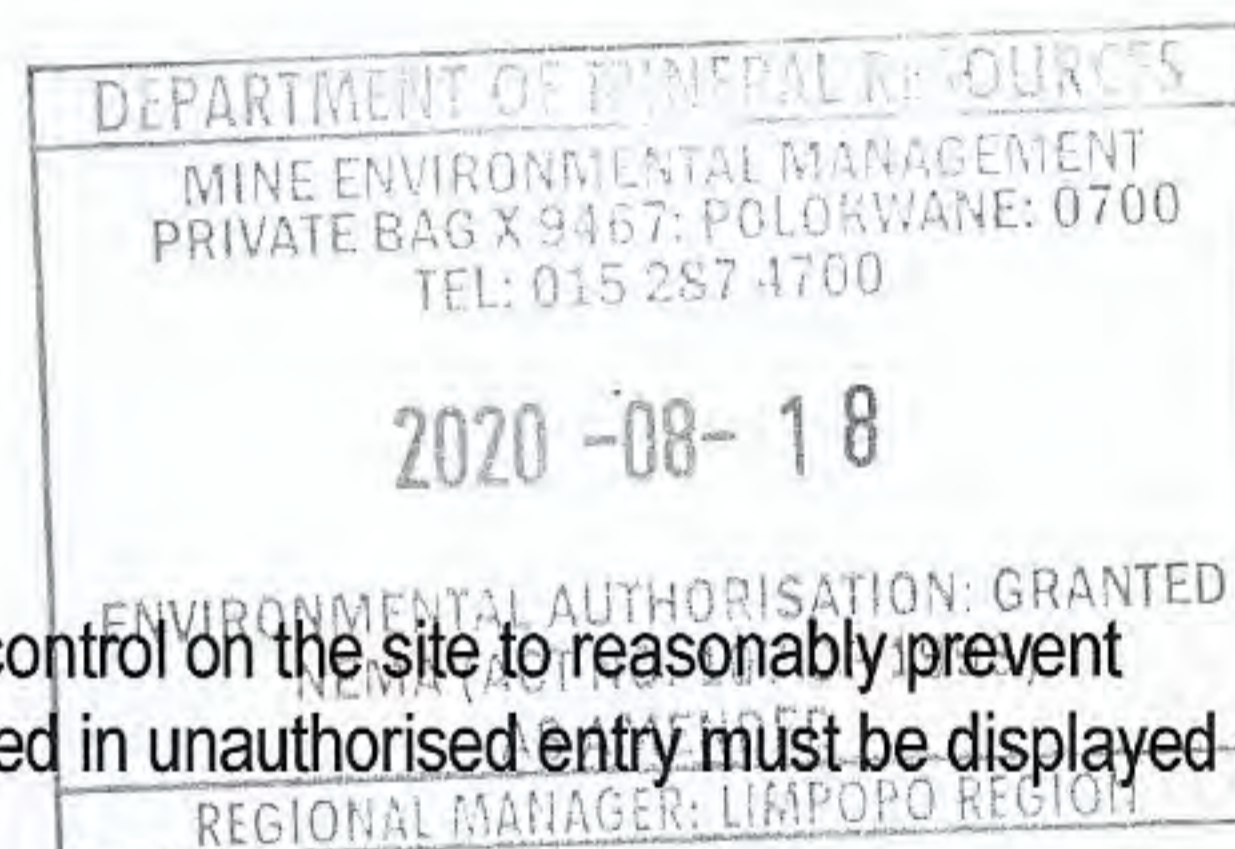
5.3 Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.



- 5.4 The holder of the EA must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.
- 5.5 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.
- 5.6 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 5.5, 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 –
- 5.6.1.1 Correct the impact resulting from the incident;
- 5.6.1.2 Prevent the incident from causing any further impact; and
- 5.6.1.3 Prevent a recurrence of a similar incident.
- 5.7 In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.6, 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 unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.
- 6.2 Weather proof, 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 IEA 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
- 7.1.3 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.

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 must take place within the phases and timeframes as set out in EMP or EMPn.

10. SITE CLOSURE

10.1 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.

10.2 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.

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 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.

