



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

DMR 10

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Ref No.: FS 30/5/1/3/3/2/1 (10292) EM

The Directors

Noma-Thabana General Trading

831 Jonstone Street

Matwabeng

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Attention: Mr. S.W. Thabana

Cc Mr. M.M. Msitsini (EAP: Azatitrax (Pty) Ltd)

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EVALUATION OF AN APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION FOR MINING LODGED IN TERMS OF REGULATION 16 OF THE ENVIRONMENTAL IMPACT ASSESMENT REGULATIONS, 2014 AS AMENDED (HEREIN REFERRED TO AS THE EIA REGULATIONS) IN RESPECT OF PORTION OF THE REMAINING EXTENT OF THE FARM DE PUT 298; SITUATED IN THE MAGISTERIAL DISTRICTS OF SENEKAL IN THE FREE STATE REGION.

1. The abovementioned application received by this office on the 28th of August 2019 refers.
2. The Department hereby acknowledges receipt of an application for NEMA BAR for a mining permit application in terms of regulation 3(6) of the EIA Regulations.
3. You are hereby kindly advised that only those activities listed on the application form will be considered for and environmental authorisation. The onus is on the applicant to ensure that all activities related to the proposed project are included on the application. Your attention is brought to regulation 15 (1)-(3) of the EIA Regulation.

4. Your application has been checked as required in terms of regulation 17 of the EIA Regulations and the following issues which need to be addressed by the **30th of September 2019** by submitting a revised application form have been noted:

- a) The locality map attached is visible and clear, however it does not have all legible legends that appears on the map.
- b) Include all proposed activities (i.e. clearance of vegetation) that will be undertaken on site which are related to mining, as required by item 5 of page 4. This also applies to the table on item 9, assess all activities and provide relevant mitigation measures.
- c) You have referred to dredging of a watercourse as GNR 545, please provide clarity and refer to the current listing notice.
- d) You are requested to provide the correct requested information on item 7 under determination of impact management objectives and outcomes and refrain from referring to other sections.
- e) It is noted that an authorisation is required in terms of the National Water Act, as marked on item No. 8. Kindly provide proof that such application has been submitted to the relevant competent authority.
- f) You have referred to the Northern Cape Ecosystem on the baseline environment, please note that this application falls within the Free State Province.
- g) Provide estimated total amount of rehabilitation cost as required on item 10.
- h) This application does not have an undertaking under oath or affirmation as required. This should be provided on a revised application form to ensure that the application complies with the provisions of regulation 16(1)((b)(iv) of the EIA Regulations. The EAP did not indicate on page 25 whether he has vested interests or not on the proposed activity.

5. Based on paragraph 2 above, you are hereby kindly requested to submit by **30th of September 2019**, a revised application form which addresses all the requirements of regulation 16(b) of the EIA Regulations 2014, putting more focus on the issues raised above. The revised application form should be **uploaded** on the SAMRAD online application system as an Annexure using the same method the initial form was uploaded and one copy should also be submitted **manually** to this office.

6. In view of the aforementioned application form, you are hereby also requested to submit by the **26th of November 2019**, **two (2) copies manually and one (1) electronic copy through SAMRAD**, of a **basic assessment report, inclusive of specialist reports**

and an EMPr which have been subjected to the public participation process of at least 30 days incorporating the comments received, including all comments from the competent authority. Kindly refer to section 24N(2) of National Environmental Management Act, 1998 (Act 107 of 1998) as amended and Appendix 1, 4 and 6 of the EIA Regulations for the minimum requirements set for the aforementioned reports. **The public participation process should be conducted as stipulated in chapter 6 of the EIA Regulations and taking into considerations any guideline applicable for public participation.**

7. You should also take into account the minimum requirements with regard to specific specialist studies which should be undertaken for any development or projects such as a **Heritage Impact Assessment Studies, Biodiversity/Ecological Studies and Wetland delineation**. It is the EAP's responsibility to identify the specialist studies required for this environmental authorisation in order to avoid delay in processing and finalisation of the application.
8. You should also note that commencement with a listed activity without an environmental authorisation contravenes the provisions of section 24F (1) of National Environmental Management Act, 1998 (Act 107 of 1998), as amended (NEMA) and constitutes an offence in terms of section 49A (1) (a) of NEMA.
9. Further note that in terms of regulation 45 of the EIA Regulations; your failure to submit the documents or meet any timeframes prescribed in terms of the said Regulations will result in your application deemed to have lapsed (**refer to paragraph 6 above**). The provisions or regulation 19(1)(b) of the EIA Regulations 2014 should be used where deemed necessary as once this application lapses, the department will not process any documentation submitted outside the prescribed timeframe.

Yours faithfully

Pp.....

ACTING REGIONAL MANAGER: MINERAL REGULATION

FREE STATE REGION

DATE.....05/09/2019

Please quote this office file number as reference for any correspondence regarding this application.