



mineral resources & energy

Department
Minerals Resources and Energy
REPUBLIC OF SOUTH AFRICA

Private Bag X7279, Emalahleni, 1035, Tel: 013 653 0500, Fax: 013 656 1474
Saveways Crescent Centre, Nelson Mandela Drive, Emalahleni, 1035

Enquiries: Mr. L. Homoyi: Email: Luyolo.Homoyi@dmre.gov.za
Ref: (MP) 30/5/1/2/3/2/1 (169) EA

Directorate: Mine Environmental Management: Mpumalanga Region

BY HAND

Glencore Operations South Africa (Pty) Ltd (Goedgevonden Joint Venture)
Private Bag X17
LERAATSFONTEIN
1038

Attention: Nhlanhla Mkhonto
Fax: 086 6433 881
Email: Nhlanhla.Mkhonto@glencore.co.za

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 FOR MINING RIGHT (DEVELOPMENT OF PROPOSED SOUTH WITBANK PIPELINE) IN RESPECT OF PORTION 2 OF THE FARM GOEDGEVONDEN 10 IS, PORTIONS 1, 7 AND 18 OF THE FARM ZWAAIWATER 11 IS, PORTIONS 2, 9 AND 16 OF THE FARM SPRINGBOKLAAGTE 33 IS, PORTIONS 1, 10, 11 AND 19 OF THE FARM KLIPPOORTJE 32 IS, PORTIONS 0, 12, 13 AND 14 OF THE FARM NOOITGEDACHT 37 IS, SITUATED IN THE MAGISTERIAL DISTRICT OF NKANGALA IN MPUMALANGA REGION.

With reference to the above-mentioned application, please be advised that the Department has decided to **grant** environmental authorisation for 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 Environment, Forestry & Fisheries and a courtesy copy of such an appeal to the Department of Mineral Resources & Energy (Mpumalanga 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 Environment, Forestry & Fisheries

Attention : Directorate Appeals and Legal Review
Email : appealsdirectorale@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 & Energy

Attention : Regional Manager: Mpumalanga Region
By facsimile : (013 656 1474)
E-mail : Lydia.Maphoha@dmre.gov.za
By post : Private Bag X 7279, WITBANK, 1035
By hand : Saveways Crescent Centre, Nelson Mandela Drive, Emalahleni, 1035

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

Kind Regards


CHIEF DIRECTOR: MINERALS & PETROLEUM REGULATION
MPUMALANGA REGIONAL OFFICE
DATE: 24.01.2020

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A. DEFINITIONS

"activity" means an activity identified-

- (a) in Government Notice No. R. 983 of 2014 as a listed activity; or
- (b) in any other notice published by the minister or MEC in terms of Section 24D of the Act as a listed activity or specified activity.

"associated structures or infrastructure" means the building or infrastructure that is necessary for the functioning of a facility or activity or that is used for an ancillary service or use from the facility.

"commence" means the start of any physical activity, including site preparation and any other activity on the site in furtherance of a listed activity or specified activity, but does not include any activity required for purposes of an investigation or feasibility study as long as such investigation or feasibility study does not constitute a listed activity or specified activity.

"construction" means the building, erection or expansion of a facility, structure or infrastructure that is necessary for the undertaking of an activity, but excludes any modification, alteration or upgrading of such facility, structure or infrastructure that does not result in a change to the nature of the activity being undertaken or an increase in the production, storage or transportation capacity of that facility, structure or infrastructure.

"independent", in relation to an EAP or a person compiling a specialist report or undertaking a specialised process or appointed as a member of an appeal panel, means

- a) that such EAP or person has no business, financial, personal or other interest in the activity, application or appeal in respect of which that EAP or person is appointed in terms of these Regulations other than fair remuneration for work performed in connection with that activity, application or appeal; or
- b) that there are no circumstances that may compromise the objectivity of the EAP or person in performing such work.

"public participation process" in relation to the assessment of the environmental impact of any application for an environmental authorisation, means process by which potential interested and affected parties are given an opportunity to comment on, or raise issues relevant to the application, .

"registered interested and affected party", in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of Regulation 42.

"the Act" include the schedule and regulations and any notice issued under the Act.

"the Department" means the Department of Mineral Resources & Energy.

"the Regulations" means the Environmental Impact Assessment Regulations, 2014.

B. ENVIRONMENTAL AUTHORISATION

ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, READ WITH THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS 2014 FOR MINING RIGHT (DEVELOPMENT OF PROPOSED SOUTH WITBANK PIPELINE) IN RESPECT OF PORTION 2 OF THE FARM GOEDGEVONDEN 10 IS, PORTIONS 1, 7 AND 18 OF THE FARM ZWAAIWATER 11 IS, PORTIONS 2, 9 AND 16 OF THE FARM SPRINGBOKLAAGTE 33 IS, PORTIONS 1, 10, 11 AND 19 OF THE FARM KLIPPOORTJE 32 IS, PORTIONS 0, 12, 13 AND 14 OF THE FARM NOOITGEDACHT 37 IS, SITUATED IN THE MAGISTERIAL DISTRICT OF NKANGALA IN MPUMALANGA REGION.

1. REFERENCE NUMBER: (MP) 30/5/1/2/3/2/1/ (169) EM

2. BRIEF DESCRIPTION OF THE ACTIVITIES

Glencore Operations South Africa (Pty) Ltd (Goedgevonden Joint Venture) intends to commence with the development of the South Witbank Pipeline on portion 2 of the farm Goedgevonden 10 IS, portions 1, 7 and 18 of the farm Zwaiiwater 11 IS, portions 2, 9 and 16 of the farm Springboklaagte 33 IS, portions 1, 10, 11 and 19 of the farm Klippoortje 32 IS, portions 0, 12, 13 and 14 of the farm Nooitgedacht 37 IS. The construction of South Witbank Pipeline area is estimated to be 12 km in length. The proposed construction will entail the construction of South Witbank Pipeline.

3. LOCATION

The area is located 10 km North of Ogies on portion 2 of the farm Goedgevonden 10 IS, portions 1, 7 and 18 of the farm Zwaiiwater 11 IS, portions 2, 9 and 16 of the farm Springboklaagte 33 IS, portions 1, 10, 11 and 19 of the farm Klippoortje 32 IS, portions 0, 12, 13 and 14 of the farm Nooitgedacht 37 IS, magisterial district of Nkangala in Mpumalanga Region.

4. APPLICANT

Glencore Operations South Africa (Pty) Ltd (Goedgevonden Joint Venture)
Private Bag X17
LERAATSFONTEIIN
1038

Attention: Nhlanhla Mkhonto
Fax: 086 6433 881
Email: Nhlanhla.Mkhonto@glencore.co.za

5. ENVIRONMENTAL ASSESSMENT PRACTITIONER

Golder Associates Africa (Pty) Ltd
P.O Box 6001
HALFWAY HOUSE
1685

Contact Person: Phillemon Mahlangu
Tel no: 011 2544 800

Email: pmahlangu@golder.co.za

6. SITE VISIT

A site inspection was never conducted.

7. DECISION

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation. An Authorisation is granted in terms of section 24(2) (a) of the National Environmental Management Act, 1998 (Act No. 107 of 1998, as amended), for:

Government Notice Number R. 983 for:

Activity 10- The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage, effluent, process water, wastewater, return water, industrial discharge or slimes-

- (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 bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve; or
 - (b) where such development will occur within an urban area.

Activity 12- "The development of-

- (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs—
 - (a) within a watercourse;
 - (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.

Activity 19- "The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;

but excluding where such infilling, depositing, dredging, excavation, removal or moving—

- (a) will occur behind a development setback;
- (b) is for maintenance purposes undertaken in accordance with a maintenance management plan;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) 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.

7.1. BACKGROUND

The applicant, Glencore Operations South Africa (Pty) Ltd (Goedgevonden Joint Venture), applied for authorisation to carry on the following activity:

to develop the South Witbank Pipeline on portion 2 of the farm Goedgevonden 10 IS, portions 1, 7 and 18 of the farm Zwaiwater 11 IS, portions 2, 9 and 16 of the farm Springboklaagte 33 IS, portions 1, 10, 11 and 19 of the farm Klippootje 32 IS, portions 0, 12, 13 and 14 of the farm Nooitgedacht 37 IS, magisterial district of Nkangala Mpumalanga Region.

The applicant appointed **Golder Associates Africa (Pty) Ltd** to undertake an Environmental Impact Assessment Process.

7.2. 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 BAR and EMPr received by the Department on **07 September 2021**;
- b) The objectives and requirements of the applicable and relevant legislation, policies and guidelines and the EIA Regulations of 2014;
- c) The objectives and requirements of relevant legislation (Section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), other environmental legislation, policies and guidelines.
- d) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA regulations R 41 of 2014 for public involvement.
- e) Rehabilitation Plan and Closure report attached to BAR and EMPr

7.3. 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) A sufficient Public Participation Process (PPP) was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations R982 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 compiled by Golder Associates Africa (Pty) Ltd;
- c) The Closure and Rehabilitation Plan included in the BAR and EMPr dated **07 September 2021**; compiled by Golder Associates Africa (Pty) Ltd;
- d) Financial provision submitted as determined by the EAP to the amount of **R 79 645 974. 00**.

7.4. 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 Public participation process included, *inter-alia*, the following:
 - Site notices were placed at the project area;
 - Newspaper advert was placed in the Witbank News on the 13 November 2020;
 - Proof of consultation with the landowners, interested and affected parties has been provided;
 - It is envisaged that, should the conditions stipulated in this Environmental Authorisation be complied with, the negative environmental impacts of these activities will be minimised.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the authorised activity will not conflict with the general objectives of Integrated Environmental Management 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 authorised activities can be mitigated to acceptable levels.

The granting of this Authorisation is subject to the following conditions set out below:

8. CONDITIONS

8.1 STANDARD CONDITIONS

- 8.1.1 Authorisation of the activity is subject to the conditions contained in this Authorisation, which forms part of the Environmental Authorisation and are binding on the holder of the Authorisation.
- 8.1.2 The holder of the Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the Authorisation.
- 8.1.3 The activity which is authorised may only be carried out at the property indicated above (Point B: 2).
- 8.1.4 This activity must commence within a period of **two (2) years** from the date of issue. If commencement of the activity does not occur within that period, the Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
- 8.1.5 If the proponent anticipates that commencement of the activity would not occur within **two (2) year** period, he / she **must** apply and **show good cause** for an extension of the Environmental Authorisation **three (3) months** prior to its expiry date

- 8.1.6 Any changes to, or deviations from, the project description set out in this Authorisation must be approved, in writing, by the Department before such changes or deviations may be affected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the Authorisation to apply for further Authorisation in terms of the Regulations.
- 8.1.7 Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic details, including the transfer of this authorization, the applicant must in writing notify the Regional manager of this Department, within **fourteen (14) days** of the above specified change.
- 8.1.8 A copy of this authorisation must be kept on site. The Authorisation must be produced to any Governmental official(s) who may request to see it for inspection purposes and must be made available to the contractor(s) /subcontractor(s) authorised to undertake to undertake work at the property.
- 8.1.9 This authorisation does not negate the holder of the Authorisation's responsible to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- 8.1.10 After an appeal period has been expired and no good course to extent the appeal period has been submitted in accordance with Chapter 2 of the National Appeal Regulations of 2014, a **thirty (30) day**-written notice must be given to the Department that the activity will commence. Commencement for purpose for the purpose of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.

8.2 SPECIFIC CONDITIONS

8.2.1 COMMISSIONING OF THE ACTIVITY

- 8.2.1.1 This Authorisation is hereby solely granted for the development of the South Witbank Pipeline on portion 2 of the farm Goedgevonden 10 IS, portions 1, 7 and 18 of the farm Zwaaiwater 11 IS, portions 2, 9 and 16 of the farm Springboklaagte 33 IS, portions 1, 10, 11 and 19 of the farm Klippoortje 32 IS, portions 0, 12, 13 and 14 of the farm Nooitgedacht 37 IS, magisterial district of Nkangala, Mpumalanga Region.
- 8.2.1.2 The activity may not commence without the necessary permits/licenses/approvals and/or service agreements, where it is relevant, from or with the relevant regulatory authorities whether national, provincial or local.
- 8.2.1.8 The applicant must apply the principle of best practicable environmental option for all technologies used/implemented during construction.
- 8.2.1.9 **Pre-construction Phase**

- a) The applicant must appoint an independent Environmental Control Officer (ECO) who must monitor contractors, compliance with EMP and EA (see 8.2.2. Management of the activity for more details).
- b) The applicant must provide all contractors and sub-contractors with a copy of Environmental Management Plan and Environmental Authorisation prior to the mining activities.
- c) All pre-construction phase mitigation measures as outlined in the Environmental Management Plan (EMP) attached in the Basic Assessment Report (BAR) must be adhered to at all times.
- d) In order to ensure safety, all employees must be given the necessary personnel protective equipment (PPE).
- e) 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.
- f) 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.
- g) 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.
- h) 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.

8.2.1.10 Access roads and traffic impact

- a) Necessary signage and traffic measures must be implemented for safe and convenient access to the site from adjacent roads.
- b) Access roads must be well maintained throughout the constructing operation.

8.2.1.11 Air quality management

- a) Proper measures must be put in place to suppress dust.
- b) A speed restriction of 40km/h must be enforced and monitored on site for all constructing vehicles.

8.2.1.12 Proliferation of alien species

- a) All mining/construction equipments and vehicles must be cleaned before entering and leaving the site to reduce the chances of spreading weeds and invasive species.

8.2.1.13 Noise

- a) Mining/construction activity must be limited to normal working hours (7h00 – 17h00).
- b) Mining/construction vehicles must be fitted with standard silencers prior to beginning of construction.

8.2.1.14 Erosion control measures

- a) All soil surfaces compacted as a result of mining/construction activities must be ripped, and imported materials must be removed.
- b) Any erosion channel developed during mining/construction period or during vegetation establishment must be restored to a proper condition.

8.2.1.15 Excavation activities

- a) Topsoil must be stripped and stockpiled prior to excavation in a designated area.
- b) Under no circumstances should material stockpiles be disposed of outside the boundary of the mining area.

8.2.1.16 Waste management

- a) General waste must be kept in containers which are wind and scavenger proof and disposed of at a permitted landfill site. No temporary dumping and littering of waste is allowed on site.
- b) No waste must be disposed of through burying and burning.
- c) An emergency preparedness plan to address any pollution incidents (e.i such as oil spillage etc) that occur on site must be developed.

8.2.1.17 Surface and groundwater contamination must be prevented and/or mitigated by implementation of the following conditions

- a) Specific area must be demarcated for fueling and workshop services. And such area must be banded to reduce the possibility of soil and water contamination.
- b) Irrespective of the nature of a spillage (whether major or minor), all spillages must be cleaned up as soon as they occur.
- c) Spillage of petrochemical products must be avoided. In the case of accidental spillage, contaminated soil must be removed for bioremediation or disposed of at a facility for the substance concerned. Disturbed land must be rehabilitated and seeded with vegetation seed naturally occurring on site.

8.2.1.18 Fire prevention and management

- a) Fire extinguishers that are in good working conditions must be made available at all times for their usage during the occurrence of accidental fires.
- b) Workers must be adequately trained in the handling of fire fighting equipments.
- c) Open fires must strictly be prohibited.
- d) Smoking must be prohibited in the vicinity of flammable substances.
- e) Cooking and heating fires must be permitted only in designated areas with appropriate safety measures.

8.2.1.19 Storm water management

- a) Storm water management plan must be developed and implemented on site.

8.2.1.20 Safety

- a) Potentially hazardous area must be demarcated with danger tape.
- b) Appropriate signage must be placed to caution employees and contractors not to attempt to enter certain structures without being authorised.

8.2.1.23 Emergency Response Plan

- a) An Emergency Response Plan should be available for accidental spills and fire fighting during both construction and operation of the project.
- b) In the event of emergency, the holder must notify the department within 24hrs, and contact relevant emergency services in the area.
- c) All significant pollution incidents must be reported to this Department within **forty eight (48) hours** of occurrences.

8.2.1.24 Compliance with other legislation

- a) The National Water Act, 1998 (Act 36 of 1998), with particular reference to the sections pertaining to mining in the proximity of dams and their catchments areas, rivers, marshes, streams, pans and other water courses.
- b) The Environmental Conservation Act, 1989 (Act 73 of 1989) with particular reference to the requirements of section 20 of the above-mentioned Act.
- c) The National Environmental Management Air Quality Act (Act 36 of 2004), with particular reference to the sections pertaining to the liberation of dust, and other emissions, created by mining activities, into the atmosphere.
- d) The Conservation of Agriculture Resources Act, 1983 (Act 43 of 1983), with particular references to the sections pertaining to soil conservation.

- e) The National Heritage Resources Act, 1989 (Act No 25 of 1999), with particular reference to the protection of all historical and pre-historical cultural remains.
- f) The Mine Health and Safety Act, 1996 (Act 29 of 1996) in conjunction with the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), with particular reference to those sections and regulations pertaining to health and safety at mines; mining within 100 m from structures that must be protected; as well as those sections pertaining to rehabilitation of the surface.
- g) The National Environmental Management Act, 1998 (Act 107 of 1998), with particular reference to the principles in chapter 2 of the said Act.
- h) Firebreaks should be established in terms of the requirements and conditions of the National Veld and Forest Fires Act, 1998 (Act No. 101 of 1998).
- i) All provisions of the Occupational Health and Safety Act, 1993 (Act No.85 of 1993) and any other applicable legislation must be adhered to by the holder of this Authorisation.

8.2.1.25 Liability of the holder of this Authorisation

- a) The competent authority shall not be held responsible for any damages or losses suffered by the holder or his/her successor in title in any instance where mining/ construction or operation subsequent to construction are to be temporarily or permanently stopped for reasons of non-compliance by the holder with conditions of approval as set out in the document or any other subsequent document emanating from this Authorisation. The holder shall be responsible for all the costs necessary to comply with the above condition unless otherwise specified.
- b) Any complaint from the public during the life of mine must be attended to by the holder of this Authorisation as soon as possible to the satisfaction of parties concerned.
- c) The contractor must ensure that serviceable ablution facilities are available for employees. It is the responsibility of the holder of the Authorisation to see to it that this condition is adhered to.

8.2.2 MANAGEMENT OF THE ACTIVITY

- 8.2.2.1 A copy of an Environmental Authorisation and EMP must always be available on site so as to monitor compliance with conditions outlined in both the documents. Both documents must be used as on-site reference document during the life of mine.
- 8.2.2.2 The Environmental Management Plan (EMPr) prepared by Golder Associates Africa (Pty) Ltd (attached to the BAR Report) must be adhered to during the life of the mine.
- 8.2.2.3 All duties and responsibilities as outlined in the EMP attached are binding throughout the life of the mine.

8.2.2.4 Any proposed amendments to the BAR (as a result of this authorisation or otherwise) must be submitted in writing to this Department for approval prior to the amendment being implemented. On approval of the proposed amendment the EMP must be accordingly amended and adhered to.

8.2.3 Appointment of Environment Control Officer

- a) An Environmental Control Officer must be appointed, who will monitor and ensure compliance and correct implementation of all mitigation measures and provisions as stipulated in the Environmental Authorisation and Environmental Management Plan, prior to any commencement of mining activities on site.
- b) The Environment Control Officer appointed must monitor the construction of the infrastructure to ensure that the layout plans are in accordance to the designs and record important findings of the site inspection.
- c) The ECO must also monitor the implementation of specific elements of the Environmental Management Plan by contractors.
- d) All duties and responsibilities as outlined in the EMP attached are binding throughout the life of mine.

8.2.4 SITE CLOSURE AND DECOMMISSIONING

8.2.4.1.1 The commissioning and decommissioning of individual activity within the overall listed construction activity must take place within the phases and timeframes as set out in EMPr.

8.2.4.1.2 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.

8.2.4.1.3 All mitigation measures for the decommissioning phase, as outlined in the EA. 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 the operation.

8.3 MONITORING

8.3.1 This Department reserves the right to monitor and audit the activity to ensure compliance with legislation and the conditions stipulated in this authorisation.

8.3.1 It is the holder of this Authorisation's responsibility to ensure that an ongoing management and monitoring of the impacts of the activity on the environment throughout the life of the mine is put into practice.

8.4 RECORDING AND REPORTING TO THE DEPARTMENT

- 8.4.1 Records of monitoring and /or auditing must be made available for inspection to this Department and any other relevant authority inspecting the development activities.
- 8.4.2 Records relating to compliance and non-compliance with the conditions of this authorisation must be kept in good order. Such records shall be made available to this Department within **seven (7) days** of receipt of a written request by the Department. Environmental compliance will further be monitored through complaints received from the public.
- 8.4.3 All records relating to the implementation of the Environmental Management Plan must be kept in the office where it is safe and can be retrievable.
- 8.5 NON-COMPLIANCE**
- 8.5.1 In the event of non-compliance by any contractor during the mining/construction of the authorised activity, the holder of this Authorisation will be liable.
- 8.5.2 The holder shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
- 8.5.3 The holder must in the event of non-compliance with any condition of this Authorisation inform the Regional Manager of Mpumalanga region of this Department, in writing, within **forty eight (48) hours**.
- 8.5.4 Records relating to compliance and non-compliance with the conditions of this Authorisation must be kept in good order. Such records shall be made available to this Department within **seven (7) days** of receipt of a written request by the Department. Environmental compliance will further be monitored through complaints received from the public.
- 8.5.5 Non-compliance to this authorisation is an offence as provided for in terms of the National Environmental Management Act, 1998, Section 49(a) and Regulation 48. Any conviction of such offence may result in Section 49(a) being enforced.

9. APPEAL OF AUTHORISATION

- 9.1 The holder of the authorisation must notify every registered interested and affected party, in writing and within fourteen (14) days, of receiving the Department's decision.
- 9.2 The notification referred to in 9.1 must –
- 9.2.1 Specify the date on which the Authorisation was issued.
- 9.2.2 Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 2 of the National Appeal Regulations of 2014.
- 9.2.3 Advise the interested and affected parties that a copy of the Authorisation and reasons for the decision will be furnished on request.
- 9.2.4 An appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations of 2014.

Signed on this 24th day of JANUARY 2022, at PRETORIA

U. N. Malapoe
CHIEF DIRECTOR: MINERALS & PETROLEUM REGULATION
MPUMALANGA REGIONAL OFFICE

Acknowledgement of Receipt by: Mr./Ms. MRS TEBOSO CHAUKE

On behalf of the company SIENLORE

On this 27 day of JANUARY 2022, at DMRE


Signature: