



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
1st Saveways Crescent Centre, Mandela Drive, Emalahleni, 1035

Enquiries: Ms. N. Ramuhulu: **Email:** nditsheni.ramuhulu@dmre.gov.za

Ref: (MP) 30/5/1/2/3/2/1/ (236) EM

Directorate: Mine Environmental Management: Mpumalanga Region

BY Hand

Seriti Coal (Pty) Ltd
P.O Box 27
Ga Nala
Mpumalanga
2271

Attention: Maphuthi Boloka

Fax: 086 515 0514

APPLICATION FOR AMENDMENT IN RELATION PROPOSED ADDITIONAL OPEN CAST(BLOCK F MINI PIT) , UNDERGROUND MINING, CLEARANCE OF VEGETATION, STOCKPILING OF TOPSOIL AND OVERBURDEN,CONSTRUCTION OF DIRTY WATER CHANNELS AND BERMS AND A RIVER DIVERSION,, ACCESS AND HAUL ROADS IN RESPECT OF THE FARM VLAKLAAGTE 83 IS , SITUATED WITHIN THE MAGISTERIAL DISTRICT OF KRIEL, MPUMALANGA REGION.

With reference to the above-mentioned application, the Department has decided to **grant** the amended environmental authorisation in terms of the National Environmental Management Act (Act 107 of 1998) as amended.

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, of the date of the Department's decision in respect of your application and the provisions regarding the making of appeals 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 and fisheries, within 20 days from the date of notification, and such appeal must be lodged as prescribed by Chapter 2 of the Appeal Regulation of 2014, by means of one of the following methods:

By facsimile : (012) 359 3609

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 and 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 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 and Fisheries.

Kind Regards

M. H. Malapa

CHIEF DIRECTOR

MINERALS AND PETROLEUM REGULATION: NORTHERN REGION

DATE: 11.11.2021

A DEFINITION

“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 and Energy.

“the Regulations” means the Environmental Impact Assessment Regulations, 2014.

B. ENVIRONMENTAL AUTHORISATION

ENVIRONMENTAL AUTHORISATION ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 IN RELATION TO INCLUDE A NEW ADDITIONAL OPENCAST MINING AREA (BLOCK F MINI PIT), AN ADDITIONAL UNDERGROUND MINING AREA AND RELATED ACTIVITIES WHICH WERE NOT PREVIOUSLY INCLUDED IN THE APPROVED BLOCK F EMP, 2014 IN RESPECT OF THE FARM VLAKLAAGTE 83 IS , SITUATED WITHIN THE MAGISTERIAL DISTRICT OF KRIEL, MPUMALANGA REGION.

1. REFERENCE NUMBER: (MP) 30/5/1/2/3/2/1 (236) EA

2. BRIEF DESCRIPTION OF THE ACTIVITIES

The applicant, Seriti Coal, applied for authorisation to carry on the following amendment:

To include a new additional opencast mining area(Block F mini pit), an additional underground mining area and related activities and infrastructures at Block F which were not previously included in the approved Block F EMP

3. LOCATION

The site is located over portions 2 and 4 of the farm Vlaklaagte 83 IS within the Magisterial District of Kriel, Mpumalanga Province. The Kriel Colliery is situated South-West of Kriel (Ga Nala)

4. APPLICANT

Seriti Coal (Pty) Ltd
P.O Box 27
Ga Nala
Mpumalanga
2271

Contact Person: Mr Maphuthi Maboloka

Cell no: (082) 889 4214

Email: maphuthi.Boloka@seritiza.com

5. ENVIRONMENTAL ASSESSMENT PRACTITIONER

Clean Stream Environmental Consultants (Pty) Ltd

Contact Person: **Natalie Lubbe**

Tel No: (012) 993 1361

Cell No: 072 127 8220

Fax No.: (012) 993 1361

6. SITE VISIT

No site visit was conducted.

7. DECISION

Activity 9 –The development of infrastructure exceeding 1000 meters in length for the bulk transportation of water or storm water-with an internal diameter of 0,36 metres or more or with a peak throughput of 120 litres per second or more; excluding where- such infrastructure is for bulk transportation of water or storm water drainage inside a road reserve, or where such development will occur within an urban area.

Activity 10 –The development and related operation of infrastructure exceeding 1000 metres in length for the bulk transportation of sewage , effluent, process water, waste water, return water, industrial discharge or slimes-with an internal diameter of 0,36 metres or more ; or with a peak throughput of 120 litres per second or more; excluding where 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 where such development will occur within an urban area.

Activity 12 -The development of dams or weirs, where the dam or weir , including infrastructure and water surface area exceeds 100 square metres; or infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs within a watercourse, in front of the development setback; or if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development of the port or harbour, where such development are related to the development of a port or harbour , in which case activity 26 in listing notice 2 of 2014 applies; activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in listing notice 3 of 2014 in which the case that activity applies; where such development occurs within an urban area ; or where such development occurs within existing roads , road reserves or railway line reserves .

Activity 19-The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock or more than 5 cubic metres from-a watercourse; the seashore; or the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an 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 purposed undertaken in accordance with a maintenance management plan; or falls within the ambit of activity 21 in this Notice, in which case that activity applies.

Activity 24 - The development of a road for which an environmental authorization 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 a road with a reserve wider than 13,5 meters or where no reserve exists where the road is wider than 8 meters but excluding roads which are identified and included in activity 27 in listing notice 2 of 2014 or roads where the entire road falls within an urban area; or which is 1 kilometer or shorter.

Activity 30- Any process or activity identified in terms of section 53(1) of the National Environment Management: Biodiversity Act, 2004(Act No 10 of 2004).

Activity 34- The expansion of existing facilities or infrastructures for any purposes for any process or activity where such expansion will result in the need for a permit or licence or an amended permit or licence in terms of national or provisional legislation governing the release of emissions, effluent or pollution_The approved WUL for the Kriel Colliery Block F Section will need to be amended and updated to include the proposed additional areas and additional mining activities.

Activity 56 – The widening of a road by more than 6 metres , or the lengthening of a road by more than 1 kilometre where the existing reserve is wider than 13,5 meters or where no reserve exists where the existing road is wider than 8 metres ; excluding where widening or lengthening occur inside urban areas.

Listed in the EIA Regulations GNR 984

Activity 11_ The development of facilities or infrastructure for the transfer of 50 000 cubic metres or more water per day, from and to or between any combination of the following- water catchments, water treatment works: or impoundments excluding treatment works where water is to be treated for drinking water-This is triggered by the clean water diversion channels and transfer of dirty water from the open cast to the existing PCD at Block F.

Activity 15 _The clearance of an area of 20 hectares or more of indigenous vegetation , excluding where such clearance of indigenous vegetation is required for the undertaking of a linear activity or maintenance purposes undertaken in accordance with the maintenance management plan.

Activity 17_ Any activity including the operation of that activity which requires a mining right as contemplated in Section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No.28 of 2002), including associated infrastructure, structures and earth works, directly related to the extraction of a mineral resource including winning, extraction, classifying, concentrating, crushing ,screening or washing; but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in this notice applies.

Activity 21- Any activity including the operation of that activity associated with the primary processing of a petroleum resource including winning, extraction, classifying, concentrating, water removal, but excluding the refining of gas, oil or petroleum products in which case activity 5 in this notice applies.

7.1 BACKGROUND

The applicant, Seriti Coal, applied for authorisation to carry on the following amendment:

To include a new additional opencast mining area(Block F mini pit), an additional underground mining area and related activities and infrastructures at Block F which were not previously included in the approved Block F EMP

Over portions 2 and 4 of the farm Vlaklaagte 83 IS within the Magisterial District of Kriel, Mpumalanga Province.

The applicant appointed Clean Stream Environmental Consultants (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 application form and Environmental Impact Assessment report (EIAR) Environmental Management Programme report (EMPr) dated 11 May 2021.
- b) 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, guidelines and the EIA Regulations of 2014;
- c) Public Participation Process (PPP) attached as Appendix D of the EIAR and EMPr;
- d) The information contained in the specialists studies;
- e) Mitigation measures as proposed in the EIAR and
- f) Layout Plan describing the location of the activities.

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) **Public participation:**

The public participation process involved the placement of newspaper advertisements in the Witbank News on 23 October 2020, site notices placed at visible locations to inform the public of the proposed activity as well as sending letters to Interested and Affected Parties to inform them about the project. A report was made available to the landowners, interested and affected parties for comments.

b) **Financial provision**

- The financial provision for the additional opencast pit and underground mining and other related infrastructures has been determined to the amount of **R 8, 337 470 36**. The company has a financial provision of **R569 366 495** in a form of Trust Fund and **R776 665 953** in a form of Bank Guarantee. The total financial provision which the company has is **R1 346 032 448**. The cost of immediate closure is **R939 319 786.00**. The company has a surplus financial provision to the amount of **R 406,712.662.00**. The funding of new activities has been subtracted from the surplus which leave the company with surplus to the amount of **R 398,375,191.64**.

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 activities were clearly assessed, investigated and mitigation measures were 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:
 - i) Site notices were placed at the project area
 - ii) Newspaper advert was placed in the Witbank News on 23 October 2020
 - iii) Proof of consultation with the landowners, interested and affected parties has been provided.
 - iv) No objections were raised during the meetings; issues raised during the public participation process were adequately addressed and measures have been provided.
 - v) The identified land- owners, interested and affected parties were informed about the availability of reports through letters.
 - vi) Emails were sent to landowners, interested and affected parties.
 - vii) 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 authorized 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** 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 effected. 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.
- 8.1.4** 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.
- 8.1.5** A copy of this authorisation must be kept on site. The Authorisation must be produced to any Governmental official(s) who may requests 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.
- 8.1.6** 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.

8.1.7 After an appeal period has 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 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 to Seriti Coal (Pty) Ltd: Kriel Colliery for the following amendments: To include a new additional opencast mining area(Block F mini pit), an additional underground mining area and related activities and infrastructures at Block F which were not previously included in the approved Block F EMP.

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.

8.2.1.3 The applicant must apply the principle of best practicable environmental option for all technologies used/implemented during mining.

8.2.1.4 Pre-construction Phase

- a) The applicant must appoint an independent Environmental Control Officer (ECO) who will 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 Programme and Environmental Authorisation prior to the mining activities.
- c) All pre-construction phase mitigation measures as outlined in the Environmental Management Programme attached in Environmental Impact Assessment report 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.

8.2.1.5 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 mining operation.

8.2.1.6 Air quality management

- a) Proper measures must be put in place to suppress dust in order to minimize nuisance conditions;
- b) Stockpiles must be at an acceptable height at all time;
- c) A speed restriction of 40km/h must be enforced and monitored on site for all mine vehicles.

8.2.1.7 Proliferation of alien species

- a) All construction/mining equipment and vehicles must be cleaned before entering and leaving the site to reduce the chances of spreading weeds and invasive species,
- b) Alien species must be managed in terms of National Environmental Management: Biodiversity Act.

8.2.1.8 Noise

- a) Construction/ mining activities must be limited to normal working hours (07h00 – 17h00);

- b) Mine vehicles must services as per the manufacture's specifications and be fitted with standard silencers prior to beginning of construction;

8.2.1.9 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;
- c) All surfaces must be managed to minimize and or avoid erosion.

8.2.1.10 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 EA area.

8.2.1.11 Waste management

- a) General waste must be kept in containers which are wind, water 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) All hazardous waste must be disposed of at an official registered site or be removed by registered hazardous waste contractors.
- d) An emergency preparedness plan to address any pollution incidents (e.i such as oil spillage etc) that may occur on site must be developed.

8.2.1.12 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 bunded 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 native vegetation seed naturally occurring on site.

8.2.1.13 Fire prevention and management

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

8.2.1.14 Storm water management

- a) Storm water management plan must be developed in terms of the applicable regulations, and implemented on site.

8.2.1.15 Safety

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

8.2.1.16 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

8.2.1.18 Compliance with other legislation

- a) The National Environmental Management Act, 1998 (Act 107 of 1998), with particular reference to the principles in chapter 2 of the said Act.
- b) 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.
- 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 prospecting 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) 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.
- h) The National Environmental Management: Waste Act (Act No. 59 of 2008) ;

- i) All other legislation, regulations, guidelines or by-laws applicable.

8.2.1.19 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

- a) A copy of an Environmental Authorisation and Environmental Management Programme 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.
- b) The approved Environmental Management Programme (attached to the EIA Report) must be adhered to during the life of the mine.
- c) All duties and responsibilities as outlined in the Environmental Management Programme attached are binding throughout the life of the mine.
- d) Any proposed amendments to the Environmental Management Programme (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 Programme, 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 Environment Control Officer must also monitor the implementation of specific elements of the Environmental Management Programme by contractors.
- d) All duties and responsibilities as outlined in the Environmental Management Programme attached are binding throughout the life of project/ mine.

8.2.4 Site Closure and Decommissioning

- a) 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 the EMPr.
- b) 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.
- c) 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

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

- a) The authorization holder must submit annual an environmental audit report during the operation of the activity, unless otherwise requested by the department. The audit report must convey the following:
 - b) The date in which the audit was carried out,

- c) The outcome of the audit, in relation to the conditions stipulated in the environmental authorization and the EMPr as well as the actions taken to mitigate environmental impacts on site
- d) Records of monitoring and /or auditing must be made available for inspection to this Department and any other relevant authority inspecting the development activities.
- e) 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.
- f) All records relating to the implementation of the Environmental Management Programme must be kept in the office where it is safe and can be retrievable.

8.5 NON-COMPLIANCE

- a) In the event of non-compliance by any contractor during the mining/construction the authorised activity, the holder of this Authorisation will be liable.
- b) The holder shall be responsible for all costs necessary to comply with the above conditions unless otherwise specified.
- c) 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**
- d) 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

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.jbjb

The notification must –

- a) Specify the date on which the Authorisation was issued.
- b) Inform the registered interested and affected parties of the appeal procedure provided for in Chapter 2 of the National Appeal Regulations of 2014.
- c) Advise the interested and affected parties that a copy of the Authorisation and reasons for the decision will be furnished on request.
- d) An appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations of 2014.

Signed on this 11th day of NOVEMBER 2021, at PRETORIA

Mr H. Malapane

CHIEF DIRECTOR:

MINERALS AND PETROLEUM REGULATION: NORTHERN REGION

Acknowledgement of Receipt by: Mr./Ms. Maphuti Boloka

On behalf of the company Seriti Coal – Kriel Colliery

On this 18th day of November 2021, at Emalahleni

[Signature]

Signature: