



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

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Ref: (MP) 30/5/1/2/3/1 (444) EA
Directorate: Mine Environmental Management: Mpumalanga Region

BY HAND

Stuart Coal (Pty) Ltd
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INTERGRATED ENVIRONMENTAL AUTHORISATION ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AND THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 AND GOVERNMENT NOTICE 921 OF 2013 FOR PROPOSED OPEN CAST MINING , TO MINE COAL AND PROPOSED ACTIVITIES ARE AS FOLLOWS,FOR PROCESSING PLANT , FILTER PRESS, WORKSHOP, STOCKPILES, MATERIAL HANDLING, CRUSHING SPIRAL PLANT, THICKENERS, RESERVOIR, SUBSTATION , GENERATOR,, CLEAN PIPELINE, DIRTY WATER PIPELINE , ADDITIONAL INTERNAL ROADS(ACCESS ROADS AND HAUL ROADS), IN RESPECT OF THE REMAINING EXTENT AND PORTION 2 OF THE FARM VANGATFONTEIN 250 IR, THE REMAINING EXTENT OF THE FARM VOGELFONTEIN 222 IR, THE REMAINING EXTENT OF PORTION 7 (A PORTION OF PORTION 1), PORTION 9, 14, 15 (A PORTION OF PORTION 1) AND THE REMAINING EXTENT OF PORTION 24 (A PORTION OF PORTION 7) OF THE FARM MOABVELDEN 248 IR, SITUATED WITHIN THE MAGISTERIAL DISTRICT OF DELMAS MPUMALANGA REGION.

With reference to the above-mentioned application, the Department has decided to **grant** 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.

Stuart Coal (Pty) Ltd

Should you wish to appeal any aspect of the decision, you must submit the appeal to the Minister of Environmental Affairs and a courtesy copy of such an appeal to the Department of Mineral Resources (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 Forestry, Fisheries and the Environment

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 and Energy

Attention : Regional Manager: Mpumalanga Region
By facsimile : (013) 656 1474
E-mail : lydia.maphopha@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 Forestry, Fisheries and the Environment.

Kind Regards



.....
REGIONAL MANAGER: MINERAL REGULATION
MPUMALANGA REGIONAL OFFICE
DATE: 13.08.2024

Clean Stream Environmental Consultants (Pty) Ltd
Contact Person: Natalie Lubbe
P.O.Box 117
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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 Agriculture, Conservation, Environment and Rural Development

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

B. ENVIRONMENTAL AUTHORISATION

INTERGRATED ENVIRONMENTAL AUTHORISATION ISSUED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NEMA) AS AMENDED, THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AND THE NATIONAL ENVIRONMENTAL MANAGEMENT: WASTE ACT, 2008 AND GOVERNMENT NOTICE 921 OF 2013 FOR PROPOSED OPEN CAST MINING , TO MINE COAL AND PROPOSED ACTIVITIES ARE AS FOLLOWS,FOR PROCESSING PLANT , FILTER PRESS, WORKSHOP, STOCKPILES, MATERIAL HANDLING, CRUSHING SPIRAL PLANT, THICKENERS, RESERVOIR, SUBSTATION , GENERATOR,, CLEAN PIPELINE, DIRTY WATER PIPELINE , ADDITIONAL INTERNAL ROADS(ACCESS ROADS AND HAUL ROADS), IN RESPECT OF THE REMAINING EXTENT AND PORTION 2 OF THE FARM VANGATFONTEIN 250 IR, THE REMAINING EXTENT OF THE FARM VOGELFONTEIN 222 IR, THE REMAINING EXTENT OF PORTION 7 (A PORTION OF PORTION 1), PORTION 9, 14, 15 (A PORTION OF PORTION 1) AND THE REMAINING EXTENT OF PORTION 24 (A PORTION OF PORTION 7) OF THE FARM MOABSVELDEN 248 IR,SITUATED WITHIN THE MAGISTERIAL DISTRICT OF DELMAS MPUMALANGA REGION.

1. REFERENCE NUMBER: (MP) 30/5/1/2/3/2/1/ (444) EA

2. BRIEF DESCRIPTION OF THE ACTIVITIES

Stuart Coal(Pty) Ltd (hereinafter referred to as "the company") is the holder of a mining right over various portions, The company has applied for integrated environmental authorization in terms of Section 24 of National Environmental Management Act, 1998 (Act 107 of 1998) and Section 45 of National Environmental Management Waste Act 2008 read with Regulation 21(1) of the Environmental Impact Assessment (EIA) Regulations, 2014.

Stuart Coal -apply for for processing plant , filter press, workshop, stockpiles, material handling, crushing spiral plant, thickeners, reservoir, substation , generator,, clean pipeline, dirty water pipeline , additional internal roads(access roads and haul roads), - .(hereinafter referred to as "the company") in respect of the remaining extent and portion 2 of the farm Vangatfontein 250 IR the remaining extent of the farm Vogelfontein 222 IR, the remaining extent of portion 7 (a portion of portion 1), portion 9, 14, 15 (a portion of portion 1) and the remaining extent of portion 24 (a portion of portion 7) of the farm Moabsvelden 248 IR, situated within the magisterial district of Delmas Mpumalanga region.

LOCATION

remaining extent and portion 2 of the farm Vangatfontein 250 IR the remaining extent of the farm Vogelfontein 222 IR, the remaining extent of portion 7 (a portion of portion 1), portion 9, 14, 15 (a portion of portion 1) and the remaining extent of portion 24 (a portion of portion 7) of the farm Moabsvelden 248 IR, situated within the magisterial district of Delmas Mpumalanga region.

3. APPLICANT

Stuart Coal (Pty) Ltd
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Tel. no. (082 329 2840
Fax no. (013) 665 8932
Email . karlinka@stuartgroup.co.za

4. ENVIRONMENTAL ASSESSMENT PRACTITIONER

Clean Stream Environmental Consultants (Pty) Ltd
Contact Person: **Natalie Lubbe**
P.O.Box 117
Menlyn
0063

Tel No : 012 993 5988
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5. SITE VISIT

A site inspection was never conducted.

6. 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 .

Listed in the EIA Regulations (GNR 983) as:

Activities 9

Activity 9: pipeline from the water abstraction points will be installed. The pipelines will supply abstraction ground water not the tanks and then to the environment (via treatment process only if needed)to allow for the dewatering of the mine at a suitable rate prior to the water being polluted by mining activities.

Activity 24: The clearance of area 1 hectares or more but less than 20 hectares of indigenous vegetation ,except were such clearance of indigenous vegetation is required for :

- (i) undertaking of linear activity or
- (ii) maintenance purposes undertaking in accordance with maintenance management plan

Activity 30: Additional access and haul roads will be constructed on site to link the plant , explosive magazine, workshop , pits and existing(approved) road

Activity 34: A water use license amendment for potentially pollution generating water uses associated with proposed expansions will be required.

Activity :17 The proposed activities on site will take place within the approved mine boundary area for the Stuart South Block Colliery, no new additional mine added, however , coal processing and other support infrastructure will be constructed.

Listed in the Waste Management Activities GNR 921 Category A &B

Category B:

Activity 10: The construction of a facility for a waste management activity listed in category B of this schedule (not in isolation to associated waste management activity)

BACKGROUND

The applicant, Stuart Coal (Pty) Ltd, applied for integrated environmental authorization in terms of Section 24 of National Environmental Management Act, 1998 (Act 107 of 1998) to carry the following activities: processing plant , filter press, workshop, stockpiles, material handling, crushing spiral plant, thickeners, reservoir, substation , generator,, clean pipeline, dirty water pipeline , additional internal roads(access roads and haul roads), remaining extent and portion 2 of the farm Vangatfontein 250 IR the remaining extent of the farm Vogelfontein 222 IR, the remaining extent of portion 7 (a portion of portion 1), portion 9, 14, 15 (a portion of portion 1) and the remaining extent of portion 24 (a portion of portion 7) of the farm Moabsvelden 248 IR, situated within the magisterial district of Delmas..

The applicant appointed Clean Stream Environmental Consultants (Pty) Ltd.to undertake an Environmental Impact Assessment Process.

7.1 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 date 01 October 2020 and Environmental Impact Assessment report (EIAR) Environmental Management Programme report (EMPr) dated.
- 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 4 of the EIAR and EMPr; The comments received from the organs of state and interested and affected parties as included in the EIAR .
- d) The information contained in the specialists studies and Mitigation measures as proposed in the EIAR dated 22 December 2021.

7.2 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) Need and desirability:

According to the Environmental Impact Assessment report titled: Stuart Coal (Pty) Ltd, applied for processing plant, filter press, workshop, stockpiles, material handling, crushing spiral plant, thickeners, reservoir, substation, generator, clean pipeline, dirty water pipeline, additional internal roads (access roads and haul roads), remaining extent and portion 2 of the farm Vangatfontein 250 IR the remaining extent of the farm Vogelfontein 222 IR, the remaining extent of portion 7 (a portion of portion 1), portion 9, 14, 15 (a portion of portion 1) and the remaining extent of portion 24 (a portion of portion 7) of the farm Moabsvelden 248 IR.

Public participation:

The public participation process involves the placement of newspaper advertisements in the Streeknuus News and site notice boards to inform the public of the proposed activity as well as an opportunity for interested and affected parties to register on the database.

b) Air Quality Impact:

Air Quality Specialist Report; compiled by Clean Stream Environmental Consultants (Pty) Ltd and Mining concluded that air quality management measures be implemented to ensure the lowest possible impacts on the surrounding environment from proposed operations.

c) Heritage

Heritage studies were conducted, and heritage resources have been identified site has been identified on site during impact assessment and sufficient mitigation measures were provided.

d) Noise

Dust and noise were amongst others; identified as most significant impacts and sufficient mitigation measures were provided.

e) Heritage Impacts:

Heritage studies were conducted, and no paleontological exposures are evident within mining right area. However the potential for such fossil exist and a management plan has been put into place.

f) Financial provision

Financial provision has been calculated to the amount of **R1 469 435,44** for the purpose of rehabilitation.

7.3 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 Streeknuus News
 - 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.
 - v) 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 This activity must commence within a period of five (5) 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.
- 8.1.4 If the proponent anticipates that commencement of the activity would not occur within five (5) 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

- 8.1.5** 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.
- 8.1.6** 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.
- 8.1.7** 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.
- 8.1.8** 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.
- 8.1.9** 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. processing plant , filter press, workshop, stockpiles, material handling, crushing spiral plant, thickeners, reservoir, substation , generator,, clean pipeline, dirty water pipeline , additional internal roads(access roads and haul roads).
- 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

- 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 Programme (EMP) 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) A speed restriction of 40km/h must be enforced and monitored on site for all mining vehicles.

8.2.17 Proliferation of alien species

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

8.2.18 Noise

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

8.2.19 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.

8.2.20 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.

8.2.21 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) 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 occur on site must be developed.

8.2.22 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.
- a) 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.

- b) Untreated sewage water must not be discharged directly into the natural environment.

8.2.21 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 firefighting equipment.
- 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.

8.2.22 Storm water management

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

8.2.22 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.

8.2.23 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

8.2.24 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 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) 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.

8.2.25 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.

8.2.26 MANAGEMENT OF THE ACTIVITY

- a) 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.
- b) The Environmental Management Plan (EMP) prepared by Stuart Coal (Pty) Ltd, (attached to the EIA Report) must be adhered to during the life of the mine.
- c) All duties and responsibilities as outlined in the EMP attached are binding throughout the life of the mine.

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

8.2.27 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.

8.2.28 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 EMP or 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.

8.2.29 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.

8.2.20 RECORDING AND REPORTING TO THE DEPARTMENT

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:

- a) The date in which the audit was carried out,
- b) The outcome of the audit, in relation to the conditions stipulated in the environmental authorization and the approved EMPr as well as the actions taken to mitigate environmental impacts on site
- c) Records of monitoring and /or auditing must be made available for inspection to this Department and any other relevant authority inspecting the development activities.
- d) 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.
- e) 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.

8.2.21 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) 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.
- e) 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.

8.2.22 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.

The notification referred to in 9.1 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) n appeal against the decision must be lodged in terms of Chapter 2 of the National Appeal Regulations of 2014.

Signed on this... 13TH day of AUGUST 2024 at EMALAHLENI.....


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**REGIONAL MANAGER: MINERAL REGULATION
MPUMALANGA REGIONAL OFFICE**

Acknowledgement of Receipt by: Mr./Ms. Chuchus Bezuckelant

On behalf of the company Stuart Coal

On this 16 day of August 2024, at Welbach DURG


Signature: