



## mineral resources

Department:  
Mineral Resources  
REPUBLIC OF SOUTH AFRICA

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From: Mineral Regulation: Gauteng Office Enquiries: [Christinah Ramoelo](mailto:Christinah.Ramoelo@dmr.gov.za)

### **Ezulwini Mining Company (Pty) Ltd**

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**APPLICATION FOR AN ENVIRONMENTAL AUTHORISATION FOR CESSATION OF PUMPING AND ASSOCIATED DECOMMISSIONING OF THE UNDERGROUND WORKINGS OF THE EMC (COOKE 4 SHAFT) LISTED IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) (NEMA): ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 ON THE FARM CLOVERFIELD 75 IR, SITUATED IN THE MAGISTERIAL DISTRICT OF WESTONARIA.**

This office has provisionally evaluated your Basic Assessment Report (BAR) submitted on 12 October 2017 and found that the information provided is not adequate. You are requested to comply with the prescribed 'minimum requirements' of the BAR set out in Appendix 1 of the NEMA EIA Regulations, 2014 by:

1. Providing proof that an application for a closure certificate has been applied for since the listed activity 22 of GN 983 identified on the BAR triggers section 43 of MPRDA. Further note that in terms of the legislation, there is no applicable provision to the so called "partial closure" of the mine.

2. Proving proof of an application for an amended Water Use License for activities that triggers the National Water Act, 1998 (Act No 36 of 1998).
3. Indicating how the issues raised by South Deep Gold Mine were addressed to the satisfaction of both parties, and incorporate such comments and responses in the revised BAR to be submitted.
4. Providing a consent from South Deep Gold Mine that it has the capacity to accommodate and pump extraneous water that could be caused by ceasion of pumping of underground water at EMC. The BAR indicates that South Deep Gold Mine may experience flow through the boundary pillar to an estaimated 7 Ml/day when full hydraulic head is reached.
5. Providing proof of consultation with all neighbouring mining houses regarding the proposed closure and cessation of underground working (specifically re-watering of the mine working).
6. Providing proof of consultation with the Randfontein West City Local Municipality regarding the proposed project as the ground water regime is likely to flow towards the Simunye township and the anticipated decanting point being the gemsbokfontein eye.
7. Providing comments or proof of consultation with every State department that administers a law relating to matters affecting the environment as required in terms of Section 24O(2) of the NEMA. This includes but is not limited to the Provincial Heritage Resources Authority, Gauteng Department of Agriculture and Rural Development (GDARD), Department of Agriculture, Forestry and Fisheries (DAFF).
8. Providing a full public participation report indicating discussions held between South Deep Gold Mine and Waterpan Golf Club (as well as other stakeholders) to of ways to reduce the potential impact of the activity on such stakeholders.
9. Providing clarity as to who must take responsibility for the rewatering risks and that should there not be another fund established for this new period of uncertainty as indicated on the comments and response sheet. Your response to that was Government Task Team on Mine closure and water management can be requested

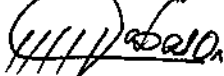
to orchestrate the development of such a fund if deemed necessary. Kindly note that your response to the issue is considered unsatisfactory as section 24N 7 (f) of NEMA indicates that the holder and any person issued with an Environmental Authorisation is responsible for any environmental damage, pollution, pumping and treatment of extraneous water or ecological damage as result of her or his prospecting or mining operations or related mining activities which may occur inside and outside the boundaries of the prospecting area or mining area to which such right or permit relates.

10. Confirming the capacity and integrity of 1 meter pipeline to accommodate extraneous water that is anticipated to decant from the gemsbokfontein eye.
11. Providing the case study of the areas where the same model was tested and became succesfull for the cessation of pumping operations and closure of underground mine workings was successfully done previously.
12. Providing reasons and/ or motivations as to why the proposed activity cannot be conducted in phases in order to test the behavior of the ground water regime at different levels as well as the integrity of the barrier plugs that have been installed between EMC and South Deep Gold Mine.The BAR indicates that various alternatives were investigated as per the geohydrology specialist which one of the alternatives includes pumping of mine water a various levels, however, such alternative were not considered as best options.
13. Providing reasons as to a sustainable project for supply of water cannot be created by brigning the third party on board (e.g Rand Water Board) considering that the country is in serious need of water.
14. Indicating the level of engagement as well as agreements with business to mitigate the anticipated impacts on their business.From a social impact point of view, majority of downstream water users have well established businesses which relied on the discharged water from EMC and such business would be negatively affected by the project.

15. Providing a plan of how the liabilities compensation of the cost by sinkholes and subsidence will be done to the affected affected parties. The BAR indicates that table 3-24 has been updated to include funds to be allocated to remediate and compensate for sinkholes and subsidence, however, it is not clear as to how much money has been allocated for such.
16. Providing contingency plans incases of barrier plugs failures in order to avoide flooding of South Deep underground working as well as to avoid loss of human life due to flooding that could be caused by barrier plug failures.
17. Providing measures to mitigate the impacts on the neighbouring mines. The BAR indicates that there are still more plugs to be installed between Cooke 3 and Ezulwini operations and the dewatering will continue until such process is completed. Kindly be take note that the Department cannot support or approve any closure or ceasion of pumping of underground water until all necessary measure to mitigate the impacts on the neighbouring mines are in place.
18. Indicating a proper plan with timeframes to remove all salvageable infrastructure. The BAR indicates that the salvageable underground infrastructure will be removed on site, however, the plan with timeframe regarding the removal of such has not been provided.
19. Providing contingency plans incases of barrier plugs failures in order to avoide flooding of South Deep underground working as well as to avoid loss of human life due to flooding that could be caused by barrier plug failures and such contingency plans must be agreed to by South Deep Gold Mine.
20. Confirming whether South Deep Gold Mine has sufficient contingency plans incases of barrier plugs failures in order to avoide flooding of South Deep underground working as well as to avoid loss of human life due to flooding that could be caused by barrier plug failures.
21. Confirming whether there is no opportunity for a third party to mine the remaining reserves.

Measures to address the identified issues of concern must be incorporated into an amended BAR which must be submitted on or before 13 April.....2018 failing which a decision will be taken based on the information currently in our possession.

Yours faithfully

A handwritten signature in black ink, appearing to be 'M. M. M. M.', written over a dotted line.

**REGIONAL MANAGER: MINERAL REGULATION**

**GAUTENG REGION**

**DATE** 15/02/2018

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