



Jones & Wagener

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The Acting Regional Manager
Mineral Development – Gauteng Region
Department of Mineral Resources
Private Bag X5
Braamfontein
2017

17 July, 2017

Our Ref: **F925**
Your Ref:

F925_LET_DMR Reg3(7)_ProcessExt2_20170717

Attention: Ms Mashudu Maduka

Dear Madam

REQUEST FOR AN EXTENSION IN TERMS OF REGULATION 3(7) OF GN R 982 OF THE 2014 EIA REGULATIONS (AS AMENDED): BASIC ASSESSMENT PROCESS OF THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CESSATION OF PUMPING AND ASSOCIATED DECOMMISSIONING OF THE UNDERGROUND WORKINGS OF SIBANYE'S EZULWINI COOKE 4 SHAFT

We refer to the Consultation Basic Assessment Report (CBAR) and associated documentation in the abovementioned application, which was submitted to the Department of Mineral Resources on 31 March 2017 and circulated to I&APs for comment from 3 April 2017 to 7 May 2017. Pursuant to our letter to the Department dated 3 May 2017, the public participation process was extended to 21 May 2017.

As per our notification letter to you of 13 June 2017 (**Appendix A**) and the Department's response of 28 June 2017 (**Appendix B**), the submission date of the Final Basic Assessment Report (FBAR) has been extended by 50 days, resulting in a submission date for the FBAR of 18 August 2017 (i.e. 140 days from the date of application).

As mentioned in the letter of 13 June 2017, a technical workshop has since been held between the South Deep Mine (Gold Fields), Sibanye Gold and each parties' technical review teams to discuss and attempt to address the concerns raised by Gold Fields' South Deep regarding the proposed cessation of pumping and associated decommissioning of the underground workings of Sibanye's Ezulwini Cooke 4 Shaft. This workshop resulted in an undertaking by Sibanye's technical specialists to refine and supplement their studies and/or provide expansions and explanations on their studies to address the South Deep concerns. An agreement was also made to include South Deep and their technical team in a risk evaluation workshop relating to the proposed cessation of pumping and associated decommissioning of the underground workings of Sibanye's Ezulwini Cooke 4 Shaft.

These changes and actions will inform our assessment process in a significant way and must be included in a revised CBAR. These new actions require a substantial amount of time and could not have been anticipated by us at the outset of the process. The original extension of 50 days will not therefore be sufficient to include the revised technical assessments which form a fundamental component of the BAR and to address all of the comments raised in the updated

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CBAR and to conduct a second public participation process of 30 days before submitting the revised CBAR and/or the FBAR.

Therefore, J&W hereby respectfully requests a further extension of the Basic Assessment process of two months in terms of Regulation 3(7) of GN R 982 of the 2014 EIA Regulations (as amended). J&W proposes, on behalf of Sibanye Gold, to submit the FBAR to the Department of Mineral Resources department by **mid-October 2017**.

We trust that the DMR will appreciate the depth of assessment and reporting that is required in these exceptional circumstances and will favourably consider this request for a two month extension of the Basic Assessment process. We confirm that this request is being made prior to the lapsing of the current prescribed time period which expires on 18 August 2017. We respectfully request that you revert to us with your queries, comments and response as soon as possible, but **before the end of July 2017** at the latest, in view of the fact that the current time period expires on **18 August 2017**.

Please do not hesitate to contact Marius van Zyl (Tel: 082 880 1250; Email: vanzyl@jaws.co.za) or Gina Martin (Tel: 072 997 8935; Email: gina@jaws.co.za) should you require any further information in this regard.

Yours faithfully,



Marius van Zyl Pr Sci Nat 400171/87
for Jones & Wagener

Gina Martin

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APPENDIX A

Letter to the DMR – 13 June 2017



Jones & Wagener

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Department of Mineral Resources
Private Bag X5
Braamfontein
2017

13 June, 2017

Our Ref: **F925**

Your Ref:

F925_LET_Rev1_gm_MvZ_CW_ProcessExtension_20170
613

Attention: Ms Mashudu Maduka

Dear Madam

NOTIFICATION IN TERMS OF SECTION 19(1)(B) OF GN R 982 OF THE 2014 EIA REGULATIONS: BASIC ASSESSMENT PROCESS OF THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CESSATION OF PUMPING AND ASSOCIATED DECOMMISSIONING OF THE UNDERGROUND WORKINGS OF SIBANYE'S EZULWINI COOKE 4 SHAFT

We refer to the Consultation Basic Assessment Report (CBAR) and associated documentation in the abovementioned application, which was submitted to your Department on 31 March 2017 and circulated to I&APs for comment from 3 April 2017 to 7 May 2017. Pursuant to our letter to you dated 3 May 2017, the public participation process was extended to 21 May 2017.

Originally, the Final Basic Assessment Report (FBAR) and associated documentation in the Basic Assessment Environmental Authorisation application process for the proposed cessation of pumping and associated closure of the underground workings of Sibanye Gold Limited's (Sibanye) Ezulwini operations (Cooke 4 Shaft) was planned to be submitted for public and authority review on 14 June 2017. According to the legislated timeframes, the last date for submission of the FBAR is 4 July 2017 (90 days from submission of the application document on 31 March 2017).

During the public review period of the Consultation documentation (CBAR, Draft Environmental Management Programme amendment and Draft Closure Plan), Gold Field's South Deep Gold Mine (South Deep), an adjacent landowner and Interested and Affected Party (I&AP), provided detailed and substantial comments of more than 60 pages on the consultation documentation for the project on 22 May 2017. These comments need to be considered and responded to by each of the specialists and in certain instances they are likely to make changes to their specialist studies, which in turn will require changes to the content of the Basic Assessment Report, the EMPr and the Closure Plan. The revised reports will then need to be subjected to another public participation process of at least 30 days. Gold Fields has also since sent a letter (dated 9 June 2017) to Jones & Wagener (Pty) Ltd (J&W), Sibanye Gold Limited and the Department of Mineral Resources (DMR), inter alia, requesting an extension of the public review period of the FBAR by at least 30 days in terms of Regulation 19 (1)(b).

The 50 day extension in terms of Regulation 19(1) (b) will allow time for new information to be added and for amendments to be made to the BAR, EMPr and Closure Plan. We also need to

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be in a position to provide meaningful responses to South Deep's questions and comments. A technical workshop is also being planned between the South Deep and Ezulwini specialists to discuss and attempt to address the concerns raised, where possible.

J&W therefore hereby notifies the DMR that the BAR, EMPr and Closure Plan will be submitted within 140 days of receipt of the application by the DMR in accordance with regulation 19(1)(b) of GN R 982 of the 2014 EIA Regulations, resulting in an approximate 50 day extension period.

Should we not hear from you by 19 June 2017, we will assume that the DMR, as the competent authority, has no concerns regarding the extension of the Basic Assessment process in accordance with regulation 19(1)(b) of GN R 982 of the 2014 EIA Regulations.

Please do not hesitate to contact Marius van Zyl (Tel: 082 880 1250; Email: vanzyl@jaws.co.za) or Gina Martin (Tel: 072 997 8935; Email: gina@jaws.co.za) should you require any further information in this regard.

Yours faithfully,



Marius van Zyl Pr Sci Nat 400171/87
for Jones & Wagener



Gina Martin

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APPENDIX B

DMR Response – 28 June 2017



mineral resources

Department:
Mineral Resources
REPUBLIC OF SOUTH AFRICA

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Tel: 011 358 970 Email: Christinah.ramoelo@dmr.gov.za Ref No: GP30/5/1/2/3/2/1(38) EM / GP30/5/1/2/2(38) MR

From: Mineral Regulation: Gauteng Office Enquiries: Christinah Ramoelo

Ezulwini Mining Company (Pty) Ltd

P. O. Box 82

Westonaria

1780

Attention: Frederik Adriaan du Preez

Fax: 011 519 0201

Email: Frik.duPreez@sibanyegold.co.za

RE: NOTIFICATION IN TERMS OF SECTION 19(1)(B) OF GN R 982 OF THE 2014 EIA REGULATIONS: BASIC ASSESSMENT PROCESS OF THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED CESSATION OF PUMPING AND ASSOCIATED DECOMMISSIONING OF THE UNDERGROUND WORKINGS OF SIBANYE' S EZULWINI COOKE 4 SHAFT.

Your letter dated 23 June 2017 has reference.

The Department has assessed the reason for your notification and noted that the changes are deemed to be of substantial nature. Therefore the 90 days period to submit the BAR will be extended by 50 days (thus BAR must be submitted within 140 days from date of application).

Yours faithfully

REGIONAL MANAGER

GAUTENG REGION

DATE: 28/06/2017