



Meeting with Protect the Vaal (Vaal Oewer Ratepayers Association) to discuss
the Barrage Bulk Sand Mine Section 102 Mining Right Application

21 April 2018

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Welcome and Introduction


Agenda

- Purpose of the Meeting
- Background
- Project Description
- Enviro-Legal Requirements
- Public Participation Process
- Comments raised during consultation
- Way forward



3. The BAR and EMPr has been evaluated and the following matters need to be addressed and the amendments and additional information must be consolidated into a revised BAR and EMPr which include the following:
 - a. You are requested to consult the Vaaloewer Ratepayers Association in Vaal Eden and include proof of consultation in the revised BAR and EMPr. Please note, the association must be given a minimum of 30 days to comment.
4. You should also note that commencement with a listed activity without an environmental authorisation being granted by the competent authority contravenes the provisions of section 24F (1) of NEMA and constitutes an offence in terms of section 49A (1) (a) of said Act.

Yours faithfully

pp. 

REGIONAL MANAGER: MINERAL REGULATION

FREE STATE REGION

DATE... 

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

Background

- Tja Naledi Beafase Investment Holdings (Pty) Ltd, currently holds a Mining Right and approved Environmental Management Programme (EMPR) over portion 4 of the farm Woodlands 407 (437.8330ha), which falls in the Ngwathe Local Municipality in the Fezile Dabi Magisterial District, Free State Province.
- Tja Naledi Barrage Bulk Sand Mine, intends to apply for a Mining Right amendment, to include alluvial diamonds and gravel into the mining right, and to amend the EMPR to include processing.
- Current Mining Right (FS30/5/1/2/2/10020MR) allows for the mining of sand, with no processing of the product – hence the application for the amendment in terms of Section 102 (MPRDA).

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Project Description

Mining Method

- Strip mining.
- Material will be mined, loaded & hauled to a designated area where it will be processed at the crushing and screening plant or stockpiled.
- Relevant earthmoving equipment will be used as deemed necessary by SPH.
- From the plant the material will be loaded directly onto client's trucks.
- The material will be mined in strips (0.5ha each) with two strips being open at any given time.
- The maximum depth of the excavations will be 10 meters in some areas (building sand and gravel) and 5 meters in other areas (plaster sand).
- Aggregate will be crushed and screened before loaded onto client's trucks to remove any debris contained in the aggregate, the aggregate will also be screened to identify any diamonds found in the product.
- All activities to be contained within boundaries of the site.

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Environmental Legal Requirements

Activities applied for:

GMR 326 Amendments to the Environmental Impact Assessment Regulations of 2017

Part 2: Amendments where a change in scope occurs

Amendments to be applied for in terms of Part 2

- 31.** An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the **scope of a valid environmental authorisation** where such change will result in an **increased level or change in the nature of impact** where such level or change in nature of impact was not—
- (a) assessed and included in the initial application for environmental authorisation; or
 - (b) taken into consideration in the initial environmental authorisation; and the change does not, on its own, constitute a listed or specified activity.

Process and consideration of application for amendment

32. (1) The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority—

(a) **Report**, reflecting an assessment of all impacts; advantages and disadvantages associated with the proposed change; and

(iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and

(iv) any changes to the EMPR;

(aa) Subjected to a public participation process, **which had been agreed to by the competent authority**, and which was appropriate to bring the proposed change to the attention of potential and **registered** interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and

(bb) reflects the incorporation of comments received

(b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) **and that the revised report will be subjected to another public participation process of at least 30 days.**

(2) In the event where subregulation (1)(b) applies, the report, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.

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Public Participation Process

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Attendance register

Tja Naledi Beafase Investment Holdings (Pty) Ltd			
Consultation Register			
NAME (print)	Address	Contact details	Signature
P. J. van Rensburg	Woodlands 401	015 915 1151	<i>[Signature]</i>
P. van Rensburg	Woodlands 401 Woods Point	053 944 1110	<i>[Signature]</i>
R.P. Schimpel	Woodlands 401	0745223737	<i>[Signature]</i>
M. van Heerden	Abelbudegats 252 Woodland 401	0533712555	<i>[Signature]</i>
G. van der Merwe	Graustand	032 7541050	<i>[Signature]</i>

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(ACT 28 OF 2002)

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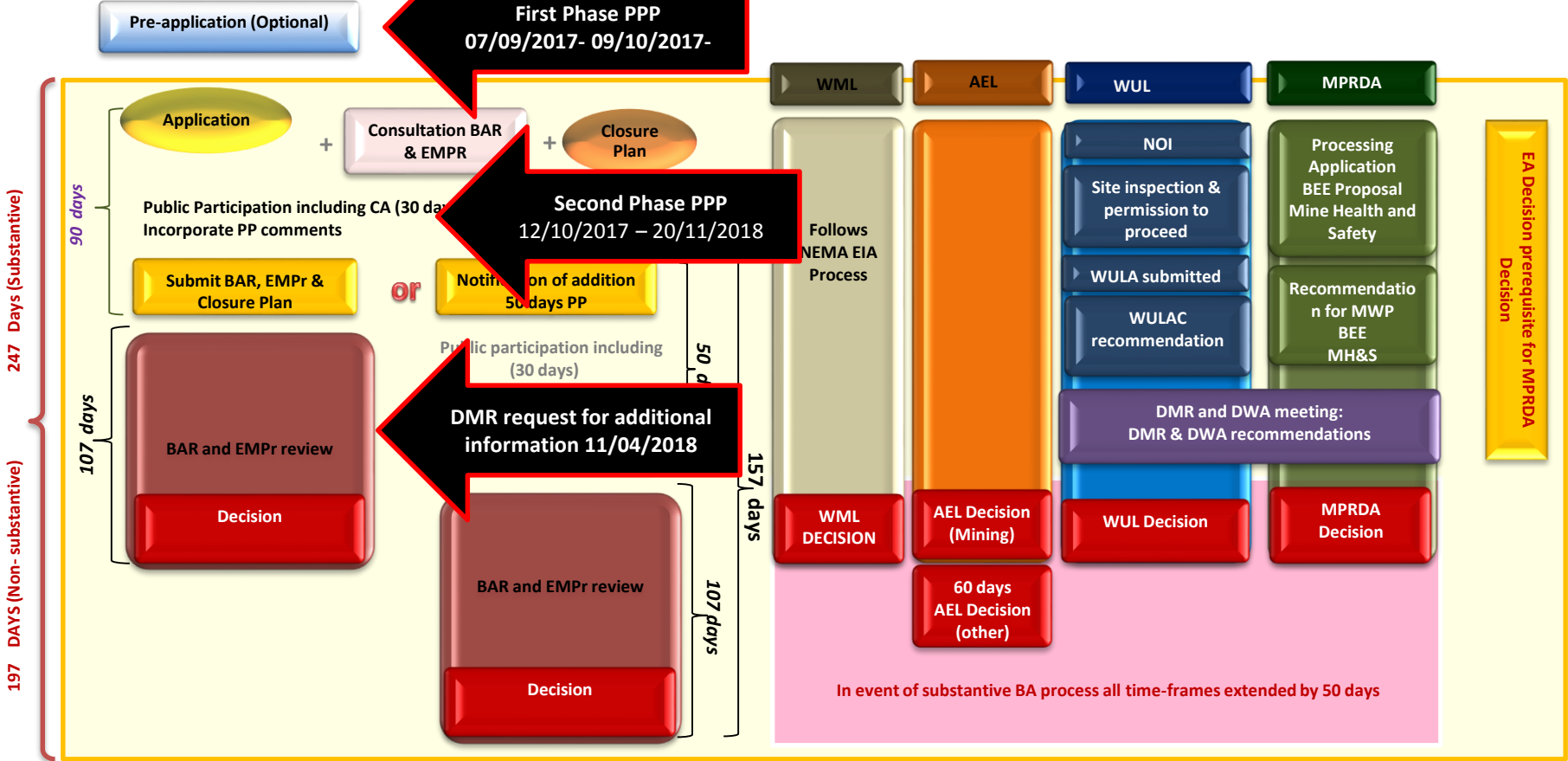
Public Participation Process

Process followed during the Section 102 Amendment

- Section 102 amendment in terms of [MPRDA]
- First Phase PPP (BID Distribution): 7 September - 9 October 2017 (30-day commenting period).
 - During this phase all I&APs (including 2014 registered I&AP's) were contacted or informed of the proposed project through:
 - Telephonic discussions,
 - Direct communication with notification letters,
 - Placement of on-site notices, and
 - Placement of advert in the Parys Gazette
 - Project was advertised
 - on: 7th September 2017 in the Parys Gazette
 - Site Notices where placed
 - on: 7th September 2017
 - at: Site entrance on the Vaal Eden – Barrage road & in Parys at the local public municipality.
 - BID's where send on: 7/8 September 2017
 - BID's where hand delivered on: 7 September 2017
- Second Phase PPP - DBAR submitted for public review: 12 October 2017 - 20 November 2017 (30-day commenting period).
- Comments received on the document was added to the Final Basic Assessment Report (FBAR) for DMR to review.

BA Process

MPRDA Application Accepted



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Comments Raised

- Previous Rehabilitation;
- Dust and Noise;
- Road Integrity; and
- Barrage Bridge Weight Restrictions.

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Comments Raised

Rehabilitation

However, it appears that the rehabilitation did not take place as promised. Further, the scale is proposed to be greatly increased and the highly-stressed Vaal River is being encroached upon. I question the efficacy of the dust mitigation proposal, your statements about noise pollution and whether due diligence has been paid to the road and bridge capacities for transport trucks. Also, has a proper public participation process been followed regarding the rezoning of the land? It would be helpful to receive answers to these questions in advance of any meeting with the Protect Vaal Eden committee or the public”.

- Previously mined areas does not reflect on the Section 102 amendment.
- The previous mined area was mined before Tja naledi applied for their Mining right.
- The rehabilitation for the current mine has not taken place, as the plan is to still mine the area, therefore the Section 102 application was brought to include the screening plant into the Mining Right area.
- Rehabilitation of the mining area will be conducted once mining is complete.
- The new mining right application (Section 102) is for the same property and same size as the current mining area.

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Comments Raised

Dust and Noise

- Dust monitoring is being conducted on a monthly basis with dust suppression on site to minimize the dust in the area.
- The noise in the area will be kept to a minimum during operational hours.
- Barrage Bulk Sand mine have appointed Skeiron Environmental Solutions as their part time Hygienists as per Section 12 of the Mine Health and Safety act 29 of 1996 and also as per the National Dust Control Regulations of The National Environmental: Air Quality Act 2004.
- Dr Kobus Martin does the dust fallout and Monitoring on the property, and Clint Fernandez does the Gravimetric dust and noise monitoring for personal measurements - The reports state that Tja Naledi don't exceed the non-residential dust fallout rate of 1200mg/m²/day.
- Dust control chemicals are being investigated for Barrage Bulk Sand Mine as well as water sprayer systems for the stockpile areas (especially during windy months like August).
- A dedicated dust suppression water truck is permanently on site. Water sprayer systems can be investigated at a later stage if the dust monitoring indicates that the mine operates over the legal limits.

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Comments Raised

Road Integrity

- The mine has not been in operation prior to 2017, therefore there was no need to pay a due diligence to the road and bridge capacities for the transportation of the sand.
- Going forward, together with other sand mines in the area, which will be using the same road (Sweet Sensation and Pure Source Minerals), a strategy will be developed to assist in road repairs once the Section 102 mining right has been approved for Barrage Bulk Sand Mine.
- Roads Department is currently busy with an analysis of the road integrity and the sand mines. Once finalized a negotiated plan between BBSM, Pure Source Minerals, Sweet Sensations and the roads department will be discussed and a plan implemented.
- No road repairs will be conducted until the Section 102 has been approved –road repairs will entail the road from the site up until the Bridge.
- SPH Kundalila will occasionally fill the potholes up with gravel.

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Comments Raised

Barrage Bridge

- The Roads Department (Izak Roux) informed SPH Kundalila that the Barrage Bridge was built to hold the capacity of the heaviest legal load on national roads, as the bridge is built over a national road.
- 120 tons maximum payload

Way Forward

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- All comments and concerns of the Vaal Oewer Ratepayers Association will be addressed and incorporated into the final Basic Assessment Report and submitted to the DMR for final review.
- Commenting Period closes on 14 May 2018 (Commenting Period of 30 days started on 12 April when Vaal Oewer Ratepayers Association provided with the FBAR)