

Minutes

Subject Meeting between DWS and Anglo American Platinum at DWS Lydenburg
Offices: Der Brochen Amendment Project WULA

Date 28 January 2019 at 10h00

Venue DWS Lydenburg

Distribution

SM: Stanford Macevele (DWS)
MM: Marcia Malapane (DWS)
ER: Eunic Ramachela (DWS)
CN: Constance Nthangeni (DWS)
JF: Jaco Fick (AAP)
JB: Jacky Burke (SRK)
TN: Thumo Neluvhalani (SRK)

| ITEM | | ACTION |
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| 1 | Welcome and attendance SM welcomed everyone to DWS. The attendance register is attached at the end of the minutes. | |
| 2 | Purpose of Meeting <ul style="list-style-type: none"> JK: This meeting is the pre-application meeting for the Der Brochen Amendment Project WULA. Anglo will present the proposed Section 21 water uses to DWS and obtain guidance from DWS on the WULA process. SM: indicated that the word “amendment” in the title of the agenda was misleading. He requested clarity on whether the meeting was for the amendment of an issued water use licence (WUL) or for the application of a new WULA. JF and JB provided clarity and agreed that the project name could be changed to expansion to avoid confusion. SM requested that the Lebalelo WUL appeal should not be discussed during this meeting because it is a legal matter underway with the Water Tribunal. JF clarified that the meeting was not related to the Lebalelo WUL appeal and that Lebalelo water supply would only be mentioned if mention of the water balance is required. | AAP/SRK |
| 3 | Overview of Project JF proceeded with the project description as per the meeting handout (attached to the minutes) and A3 layout of proposed new infrastructure. | |
| 4 | New Section 21 Water Uses <ul style="list-style-type: none"> JB presented the proposed water uses as per the meeting handout (attached to the minutes). Section 21 (a) & (j): <ul style="list-style-type: none"> SM requested clarity on whether the Top House proposed borehole and existing stream supply were part of the mining activity. He indicated that the mine was not a water use provider and therefore this supply cannot be seen as Schedule 1 water use. Section 21(a) water use for the stream and borehole water supply sources should be included in the WULA. SM: The Existing Lawful Use Boreholes (ELU BH) might have been incorrectly named in the 2011 WUL as ELU BH as ELU requires a Section | SRK |

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| | <p>33 or 35 process for validation/verification to ensure that the boreholes are lawful. Are these monitoring and production boreholes? JB: Water supply for potable use from these boreholes is monitored at the supply tanks.</p> <ul style="list-style-type: none"> JB: An amendment application to reflect the ELU borehole co-ords in the WUL, as none are currently reflected, is proposed. MM: The proposed amendment can be submitted to the Department. MM: Anglo should decide if the amendment application will be part of the WULA or separate and if the application will be for consolidation of the WULs. JF: The WULA will only be for proposed new activities; the consolidation and amendments will be address separately. <p>Section 21 (b):</p> <ul style="list-style-type: none"> SM: Section 21(b) is only for raw water. Potable water tanks do not need authorisation. Elevated tanks typically contain potable water, but would trigger Section 21(b) water use if raw water (needing treatment before use) was in the tank. <p>Section 21 (c) & (i):</p> <ul style="list-style-type: none"> SM S21(c) and (i) does not authorise the servitude/corridor but the impacts of construction on the watercourse. How the activities in the servitude are authorised depends on the scheduling of construction. JF: The greatest impact will be road construction. SM: It is important to define the impact of each activity. There may be impact of current on biota from powerlines but this knowledge is not available hence powerlines are authorised based on distance of the support structures from the watercourse. SM suggested a 3D topographical model would be useful for officials to assess the WULA. JB: Layout maps showing the contour lines will be submitted with the WULA but the suggestion is noted. JB: Undermining (any mining within 100 m vertical depth of the watercourse) is still to be confirmed. SM: Undermining should be included as GN704 exemption and will only be considered as Section 21 (i) use if there is impact on the watercourse i.e. alteration of the bed due to stability impacts. The rock engineers should provide this detail. <p>Section 21 (g):</p> <ul style="list-style-type: none"> All attendees were comfortable with the proposed water uses and there was no discussion on the proposed uses. | <p>SRK</p> <p>AAP</p> |
| 5 | Status of current water use authorisations | |
| 5.1 | <p>Current WULs</p> <ul style="list-style-type: none"> MM & SM: There is no need to go through the WUL details (refer to handout attached to the minutes). | |
| 5.2 | <p>WUL Amendments:</p> <ul style="list-style-type: none"> MM requested that the 24 July 2018 amendment application for the ELU boreholes, referenced in the handout, be removed because all documents were sent back to Anglo. The amendment process will be discussed with Anglo in the scheduled WARMS meeting on 5 February 2019. JB: Clarity on how the WUL conditions related to construction of the Mareesburg Tailings Storage Facility (MTSF) was requested as a portion of the MTSF has been constructed and is in operation. SM: The DWS only requires notification of completion of construction and as-built drawings when the full extent of the authorised facility is completed as the final design may differ from the approved design. There should be a construction programme that shows the tie-in projects i.e. how the operational sections will tie-in to the areas still under construction. This will be needed for auditing purposes only and is not required by the DWS regional office. | <p>SRK</p> |

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| <ul style="list-style-type: none"> JB: The MTSF clean water diversion is a concreted channel and thus does not comply to the WUL condition requiring a channel that is as natural as possible. JB requested advice on the process for amending Condition 7.3 of Appendix III of the 2017 WUL because the condition will always appear as a non-conformance during audits as the constructed diversion is concrete lined and not made as natural as possible as required by the WUL. SM stated that Anglo must first relook at the initial decision on the submitted designs and reasons for that condition at the time of the approval. JB: Anglo was not provided the comments made by DWS In-stream water use, so was only aware of the decision for this condition when the WUL was issued. SM stated that DWS would have to go back to the source documents in order to provide advice. Anglo should provide the designs approved by DWS Civil Engineering to MM so DWS can provide this advice. SM requested that AAP provide clarity on the following regarding Lebalelo: <ul style="list-style-type: none"> Area(s) where the water is required or will be allocated; Volume predictions and what the predictions/projections were based on; Projections at mine must be very clear and accurate. <p>JB stated that the area and volume information will be reflected in the water balance.</p> | |
| <p>5.3</p> <p>Section 19 mitigation</p> <ul style="list-style-type: none"> JB requested clarity on whether a Section 19 mitigation activity can be applied instead of Section 21(a) authorisation for the pumping of water from the Helena TSF scavenger wells for reuse at the concentrator. SM further stated that Section 19 applies but since water from the wells forms part of the aquifer and an aquifer is a water resource, taking water from a water resource is a Section 21(a) activity and needs to be authorised. Section 20 may also apply where pollution has occurred. Section 19 mitigation can be via a Directive for an emergency but if this triggers a Section 21 (a) activity, then authorisation is needed and a post factor WULA will apply. MM: Limpopo DWS treats scavenger wells differently and only as Section 19 mitigation. SM stated that is wrong and requested that JB send this query in an email so that he can engage at National level and provide a written response. | <p>SRK DWS</p> |
| <p>6</p> <p>WULA</p> <ul style="list-style-type: none"> JB went through the WULA requirements on the meeting handout (attached to the minutes) and queried if the required technical documents for the Twickenham Platinum Mine WULA would also apply for this WULA. SM and MM confirmed that only a Ground Water Report as per the R267 requirements is required and not a separate Ground Water quality report. SM confirmed that a Water Resource Report and Water Supply Technical Report are not critical for a mine. The on-line system is set up for different users and these reports typically apply for municipalities who are water service providers. Requested information can be queried with the responsible official if required. SM confirmed that the water balance should be part of the IWMMP. SM: Additional Lebalelo supply can be included in the WULA but this must be supported with a water supply and demand study. Demand projections are more appropriate for municipal supply than for mining. It is critical that if Lebalelo Water User Association is disestablished that a parallel WULA by the water users is in progress. There is no 'authority bank' of water so a | <p>AAP</p> |

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| | <p>parallel surrender and application to hand from one user to the other is needed.</p> <ul style="list-style-type: none"> MM requested that AAP submit four hard copies (forms and technical report) and do the on-line application. Power and internet interruptions pose challenges for the on-line system so hard copies are also required. | |
| 7 | <p>General No items were discussed.</p> | |
| 8 | <p>Conclusion</p> <ul style="list-style-type: none"> The WULA, WUL amendment and consolidation will be separate processes. Supporting information for the WULA should be according to the Regulations (R267). <p>Way forward</p> <ol style="list-style-type: none"> Remove 'amendment' from the project name to avoid confusion regarding the type of application. <p>WULA</p> <ol style="list-style-type: none"> Include Section 21(a) water use for the Top House stream and borehole water supply in the WULA. Define the impact on the watercourses of each linear activity (road/conveyor/pipeline/ powerline) within the servitudes. Rock engineers to confirm if there may be impact on watercourses due to mining i.e. alteration of the bed due to stability impacts. Submit four hard copies. <p>WUL Amendments</p> <ol style="list-style-type: none"> Remove reference to the 24 July 2018 amendment application for the ELU boreholes because all documents were sent back to Anglo (amendment process will be discussed with Anglo in WARMS meeting on 5 February 2019) Provide the MTSF clean water designs approved by DWS Civil Engineering to MM to advise on the way forward for Condition 7.3. <p>Other</p> <ol style="list-style-type: none"> MTSF: There should be a construction programme that shows the tie-in projects i.e. how the operational sections will tie-in to the areas still under construction. This will be needed for auditing purposes. Send SM an email on clarity requested for whether Section 19 mitigation or Section 21(a) authorisation applies to scavenger wells for pollution control. SM to engage at National level and provide a written response on scavenger wells. | <p>SRK/AAP</p> <p>SRK</p> <p>SRK</p> <p>AAP</p> <p>SRK/AAP</p> <p>Anglo/SRK</p> <p>Anglo/SRK</p> <p>Anglo/SRK</p> <p>SRK</p> <p>DWS</p> |

Minutes taken by Thumo Neluvhalani

Draft minutes distributed: 13 February 2019

Final minutes distributed: 18 March 2019

Minutes






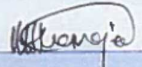
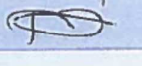


water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

Attendance Register

ANGLO AMERICAN MEETING DEL-ISRUTEN
(28/01/2019)

| No | Title | Name | Surname | Company | E-mail Address & telephone number | Signature |
|----|-------|-----------|-------------|---------|-----------------------------------|---|
| 1 | Mr | Stanford | Macevele | DWS | maceveles@dws.gov.za |  |
| 2 | Ms | MARCIA | MALAPANIE | DWS | malapanie@dws.gov.za |  |
| 3 | Ms | Jacky | Burke | SRK | jburke@srk.co.za |  |
| 4 | Ms | THUMO | NELUVHALANI | SRK | tneluvhalani@srk.co.za |  |
| 5 | Mr. | Jaco | Fick | AAP | jaco.fick@angloamerican.com |  |
| 6 | Ms | Constance | Nthangeni | DWS | Nthangeni.C@dws.gov.za |  |
| 7 | Ms | Ennra | Ramachela | DWS | Ramachela.S@dws.gov.za |  |
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