

## Kelly Armstrong

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**From:** exec@nwcminingforum.co.za  
**Sent:** Friday, 19 June 2020 13:11  
**To:** Kelly Armstrong  
**Cc:** nwcminingforum@gmail.com; cupidofilton63@gmail.com; pietklaase63@gmail.com  
**Subject:** Registration - SRK Project No: 548215

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** EOFS PPP

Alert: This message comes from an EXTERNAL source.

Good day Sir/Madam

North Western cape Mining Forum please request to be registered as Interested and Affected Party with regard to the above-mentioned project at Namakwa Sands.

Our contact details are: North Western Cape Mining Forum, Beehive 23, A.A.S. Le Fleur Street, Vredendal North, 8160

Tel/Cell. 0638061277/0726241556

E-mail: [exec@nwcminingforum.co.za](mailto:exec@nwcminingforum.co.za)/info@nwcminingforum.co.za (Preferred method of communication)

The association is a NPO, representing small-scale/artisanal/emerging miners from the historically disadvantaged communities in the North Western Cape and operate in Matzikama municipal area.

We focus on job creation/business development and skills development in the in the mining industry.

Kind regards

Cupido Filton

Secretary

## Kelly Armstrong

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**From:** Nieuwoudt Rassie (BVL) <NieuwoudtR@dws.gov.za>  
**Sent:** Monday, 22 June 2020 15:14  
**To:** Kelly Armstrong  
**Cc:** Torch Thembisa  
**Subject:** RE: DHSWS Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review - The SRK project Number (548215)  
**Attachments:** Thembisa Torch.vcf; Ashton Van Niekerk.vcf

Alert: This message comes from an EXTERNAL source.

Dear Kelly,

Kindly register me as well as Ms. Thembisa Torch as Stakeholders for this project. I will further forward this Draft Scoping Report to Mr. Ashton Van Niekerk (DWS Geohydrology).

<p><b>Thembisa Torch</b> DWS Assistant Director - Institutional Establish...</p> <p>021 941 6236 Work 083 233 9337 Mobile TorchT@dws.gov.za</p>	<p><b>Ashton Van Niekerk</b> DWS Scientist Production Geohydrology</p> <p>021 941 6211 Work VanNiekerkA@dws.gov.za</p>
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1. My details are shown below.
2. Preferred method of notification: **E-mail**
3. I do not have any direct personal, business, financial or other interest in the application or the staff from SRK.
4. I have studied the Draft Scoping Report. My main interest is in the protection and mitigation of impacts on the Surface- and Groundwater and here are comments for further consideration:
  - a. Refer to Par 8 of the Executive Summary: *“Specialists will be required to provide detailed baseline information and to identify and assess the potential impacts of the proposed project within their particular field of study. In addition, specialists will be required to identify practicable mitigation and optimisation measures to avoid or minimise potential negative impact and/or enhance any benefits.”* These specialists also needs to propose suitable monitoring programmes to continuously assess the impacts during operational and closure phases.
  - b. Refer to Par 8 of the Executive Summary: Delete second “you”: **HOW YOU CAN YOU PARTICIPATE IN THE EIA PROCESS**
  - c. Par 3.8.4: The 2<sup>nd</sup> option for return water recovery Penstock intakes – not viable as this alternative requires gravity feed; This needs to be relooked. The topography allows for gravity feed. The reason not viable . What is permeability of the material to be deposited?
  - d. Par 3.9.1.2: “60 Mm” should be “60 Mm<sup>3</sup>”
  - e. Par 3.9.2.4: “Both the internal and external slopes of the walls will be constructed at approximately 26.6° (1:2),”. To be motivated or reconsidered.
  - f. Par 3.10.1: “Top 5cm of topsoil will be harvested with bulldozers before mining takes place ...” ??? It is common practice to strip at least 150mm+ topsoil. Can “windrow” it with a grader but not a bulldozer.
  - g. Par 3.10.5.2: Sand tailings will have 20% moisture content at disposal. This is seawater. The RAS tailings were also processed with seawater. This means that the total salt deposit in the eastern mining area is estimated between 100 000 – 150 000tons???

- h. Refer to Par 4.1.8.3. If “Regionally, the water table contours mimic topography” then there is reason to believe that recharge is from rainfall.

Regards,

*Rassie Nieuwoudt* Pr. Eng. (Chief Engineer)  
Water Resource Management – Berg/Olifants  
Department Human Settlement, Water and Sanitation – WC Region  
Clanwilliam  
8135  
Tel.: 027 482 2233  
Mobile : 060 5446 665

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**From:** Torch Thembisa  
**Sent:** Thursday, 18 June 2020 14:38  
**To:** Nieuwoudt Rassie (BVL)  
**Cc:** Dlaku Zukisa  
**Subject:** FW: DHSWS Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review

Good Day Rassie

Please find the attached Tronox scoping report for your attention

Kindly be mindful of the commenting period

You will send me a copy of comments once finalised

Kind regards  
Thembisa

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**From:** Murovhi Mashudu Justice (BVL)  
**Sent:** 18 June 2020 01:15 PM  
**To:** Torch Thembisa  
**Cc:** Dreyer Warren; Jikumlambo Lungiswa (BVL)  
**Subject:** FW: DHSWS Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review

Dear Ms T and Dreyer,

1. Please note the email below and the attached letter and links for your further attention and comments.
2. Note the commenting time frames. Your comments should note the comments we already made.

Kind Regards,

**Mashudu MUROVHI**

Berg Olifants WMA  
Tel: 021 941 6237  
Cell: 082 370 2739

Email: [murovhim@dws.gov.za](mailto:murovhim@dws.gov.za)

Web: [www.dws.gov.za](http://www.dws.gov.za)



**From:** Matthew Law [<mailto:MLaw@srk.co.za>]

**Sent:** 18 June 2020 12:53 PM

**To:** Murovhi Mashudu Justice (BVL)

**Subject:** DHSWS Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review

Dear Mashudu

Please find attached notice of a new Environmental Authorisation and Waste Management Licence applications for modifications to the residue disposal plan for Namakwa Sands authorised East OFS Project, and the release of the associated Scoping Report for stakeholder comment.

Note that we have initiated the WUL application on the E-wulaas system.

Kind regards,

Matthew

*In light of the lockdown SRK staff will be working remotely using the company's technological infrastructure and resources to ensure that work and project activities proceed as seamlessly as possible. SRK staff will continue to be responsive to client queries and requests during the lockdown period. Our preferred method of communication is email and if unsuccessful I can be contacted on +27 82 471 7544.*

**Matthew Law** Registered EAP, BSc (Hons) MCom - Environmental Economics

Principal Environmental Management Consultant



SRK Consulting (South Africa) (Pty) Ltd.

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**Skype for Business:** [lawm@srk.co.za](https://www.skype.com/people/lawm@srk.co.za)

**Email:** [mlaw@srk.co.za](mailto:mlaw@srk.co.za)

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**DEPARTMENTAL REFERENCES:**

16/3/3/6/4/2/2/F3/8/3092/20 (Development Management)

19/2/5/3/F3/8/WL0038/20 (Waste Management)

19/3/2/4/F3/8 /DDF023/20 (Pollution and Chemicals Management)

19/4/4/BW1– Namakwa Sands East OFS Project (Air Quality Management)

**DATE: 20 JULY 2020**

The Board of Directors  
SRK Consulting (South Africa) (Pty) Ltd  
Post Net Suite #206  
Private Bag X18  
RONDEBOSCH  
7701

**For attention: Mr Matthew Law**

Tel: (021) 659 3060

E-mail: [mlaw@srk.co.za](mailto:mlaw@srk.co.za)

**PER E-MAIL**

Dear Sir

**COMMENT ON THE DRAFT SCOPING REPORT AND PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT FOR THE INTEGRATED ENVIRONMENTAL AUTHORISATION APPLICATION FOR THE MODIFIED EAST ORANGE FELDSPATHIC SAND PROJECT RESIDUE DISPOSAL PLAN ON PORTIONS 1 AND 2 OF THE FARM HARTEBEESTE KOM NO. 156, THE REMAINDER OF PORTION 1 OF THE FARM GRAAUWDUINEN NO. 152, PORTION 1 AND THE REMAINING EXTENT OF RIETFONTEIN EXTENSION NO. 151, AND PORTION 5 OF FARM HOUTKRAAL NO. 143, BRAND-SE-BAAI (PROJECT NO: 548215/3)**

The e-mail notification of 18 June 2020 regarding the availability of the Draft Scoping Report ("DSR"), and the DSR and Plan of Study for Environmental Impact Assessment ("EIA") that was downloaded from the website of the environmental assessment practitioner, refer.

Please find comment from various directorates within the Department on the DSR and Plan of Study for EIA dated June 2020.

1. Directorate: Development Management (Region 1) – Mr Rainer Chambeau ([Rainer.Chambeau@westerncape.gov.za](mailto:Rainer.Chambeau@westerncape.gov.za); Tel: (021) 483 2729):
  - 1.1. A copy of the Screening Report generated from the National Screening Tool must be included in the Final Scoping Report ("FSR") to be submitted to the competent authority.
  - 1.2. Your attention is drawn to Government Notice ("GN") No. 650 of 5 June 2020: Directions regarding measures to address, prevent and combat the spread of COVID-19 relating to National Environmental Management Permits and Licences set out in the Schedule in terms of regulation 4(10) of the Regulations issued in terms of section 27(2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) ("the Directions"). The Directions stipulate that all new applications under Alert Level 3 where a public participation process ("PPP") as contemplated in Chapter 6 of the EIA Regulations, 2014 (as amended) is required, is subject to an agreed public participation plan. A copy of the agreed public participation plan must be included in the FSR and the Draft EIA Report.
  - 1.3. It is noted that the applicant is in possession of an environmental authorisation ("EA") granted in March 2012 for the East Orange Feldspathic Sand ("OFS") project. The DSR states that the EA for the East OFS project authorised the development of three smaller residue storage facilities ("RSFs"); however, subsequent engineering studies conducted by the applicant concluded that these facilities are neither operationally practical, nor sufficient for the management of the fine residue from the East OFS ore body. A single RSF is now proposed for the controlled disposal of all fine residue that will be generated by the East OFS project. Please note that if the EA (assumedly granted by this Directorate during March 2012) is still valid, then an amendment to the EA would be required for the exclusion of the three smaller RSTs, following the granting of an EA for a single RSF by the relevant competent authority.
  - 1.4. The response of Heritage Western Cape ("HWC") on the Notification of Intent to Develop submitted in terms of section 38 of the National Heritage Act, 1999 (Act No. 25 of 1999), must be included in the FSR to be submitted to the competent authority. Should HWC require any assessment such as a heritage, archaeological or palaeontological impact assessment, the Plan of Study for EIA must be amended accordingly to include the undertaking of the specified specialist assessment.
  - 1.5. Proof of the public participation process (PPP) undertaken and copies of all comments provided on the DSR must be included in the FSR to be submitted to the competent authority.
2. Directorate: Biodiversity and Coastal Management – Ms Mercia Liddle ([Mercia.Liddle@westerncape.gov.za](mailto:Mercia.Liddle@westerncape.gov.za); Tel: (021) 483 8341):
  - 2.1. This Directorate will provide comment on the application when the Draft EIA Report is released for public consultation.

3. Directorate: Waste Management – Mr Etienne Roux ([Etienne.Roux@westerncape.gov.za](mailto:Etienne.Roux@westerncape.gov.za); Tel: (021) 483 8378):
  - 3.1. The specified activities referred to in Table 2 of the Executive Summary of the DSR are listed in Category B of GN No. 921 of 29 November 2013 (as amended), promulgated in terms of section 19(2) of National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), and not in Listing Notice 1 (of the EIA Regulations, 2014 (as amended)). Table 2 further incorrectly states that a Basic Assessment process is required. Please note that waste management activities listed in Category B of GN No. 921 (as amended), must be subjected to a Scoping and Environmental Impact Reporting process.
4. Directorate: Pollution and Chemicals Management – Mr Gunther Frantz ([Gunther.Frantz@westerncape.gov.za](mailto:Gunther.Frantz@westerncape.gov.za); Tel: (021) 483 2975):
  - 4.1. This Directorate recommends the lining of the two proposed sand tailing facilities (“STFs”) to prevent the leaching of any pollutants into the groundwater. Consideration of the design and lining material should be provided in the next phase of the application. The design of the STFs should also investigate the addition of a leachate management system to manage any leachate that may arise from the two STFs.
  - 4.2. This Directorate recommends the lining of the RSF to prevent the leaching of any pollutants into the groundwater. Consideration of the design and lining material should be investigated in the next phase of the application. The design of the RSF should also investigate the addition of a leachate management system, to manage any leachate that may arise from the RSF. Groundwater monitoring should be incorporated into the conceptual design of the RSF.
  - 4.3. This Directorate supports the inclusion of a Surface Water Impact Assessment and a Hydrogeology Impact Assessment in the Plan of Study for EIA.
5. Directorate: Air Quality Management – Ms Gavaza Mhlarhi / Mr Peter Harmse ([Gavaza.Mhlarhi@westerncape.gov.za](mailto:Gavaza.Mhlarhi@westerncape.gov.za); [Peter.Harmse@westerncape.gov.za](mailto:Peter.Harmse@westerncape.gov.za); Tel: (021) 483 8343):
  - 5.1. The DSR indicates that the proposed development may result in impacts related to noise and the generation of dust and vehicle exhaust emissions. The Environmental Management Programme to be submitted with the Draft EIA Report must provide management measures to prevent or mitigate noise and air quality impacts.
  - 5.2. In this regard, the proposed development must comply with the following:
    - 5.2.1. National Environmental Management: Air Quality Act No. 39 of 2004 (“NEM: AQA”);
    - 5.2.2. National Dust Control Regulations (GN No. R. 827) of 1 November 2013, promulgated in terms of the NEM: AQA; and
    - 5.2.3. Western Cape Noise Control Regulations (Provincial Notice 200/2013) of 20 June 2013.

6. Please direct any enquiries to the official/s indicated in this correspondence should you require any clarity on any of the comments provided.
7. The Department reserves the right to revise initial comments and request further information based on any information received.

Yours faithfully

A handwritten signature in black ink, appearing to read 'G. van der Merwe', with a horizontal line underneath.

pp **HEAD OF DEPARTMENT**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

**From:** [OCEIA](#)  
**To:** [OCEIA](#); [Matthew Law](#)  
**Subject:** DEFF:O&C Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review  
**Date:** Wednesday, 01 July 2020 20:13:52

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Alert: This message comes from an EXTERNAL source.

Good day

Kindly note, I managed to download the Report.

Kindly use this email going forward for all communication related to EIA applications and queries. I hope you find the above in order, and looking forward to your positive response.

Kind Regards  
Oceans and Coasts EIA

Department of Environment Affairs (DEA)  
Branch: Oceans and Coast  
Directorate: Coastal Conservation and Strategies

Tel: +27-21 819 2432  
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**From:** [Funanani Ditinti](#)  
**To:** [Matthew Law](#)  
**Cc:** [OCEIA](#)  
**Subject:** RE: Release of Scoping Report  
**Date:** Wednesday, 01 July 2020 19:48:33  
**Attachments:** [image001.jpg](#)

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Good day Matthew

Apologies for responding to you so late. Yes you are correct, our offices are closed, but we are trying to work from home as best as we can.

You do not have to send hard copies during this time. You can email electronic copies or a link, if I'm having difficulties retrieving them I'll let you know, then we will take it from there.

Kindly use the [OCEIA@environment.gov.za](mailto:OCEIA@environment.gov.za) email, Cc'd on this email , for any Coastal EIA applications and related matters going forward.

Kindly use [OCEIA@environment.gov.za](mailto:OCEIA@environment.gov.za) email going forward for all communication related to Coastal EIA applications and related queries. I hope you find the above in order, and looking forward to your positive response.

Kind Regards  
Oceans and Coasts EIA

Department of Environment Affairs (DEA)  
Branch: Oceans and Coast  
Directorate: Coastal Conservation and Strategies

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(Physical address)  
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East Pair Road  
Victoria and Alfred Waterfront  
Cape Town  
8000

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**From:** Matthew Law [mailto:MLaw@srk.co.za]  
**Sent:** Wednesday, June 17, 2020 11:21 AM  
**To:** Funanani Ditinti <FDitinti@environment.gov.za>  
**Subject:** Release of Scoping Report

Dear Funanani

We are releasing a Scoping Report this week, including to the DEFF:O&C.

I am told your offices are closed? Please advise where we can send the hard copy, or an alternative notification procedure?

Kind regards,

Matthew

*In light of the lockdown SRK staff will be working remotely using the company's technological infrastructure and resources to ensure that work and project activities proceed as seamlessly as possible. SRK staff will continue to be responsive to client queries and requests during the lockdown period. Our preferred method of communication is email and if unsuccessful I can be contacted on +27 82 471 7544.*

**Matthew Law** Registered EAP, BSc (Hons) MCom - Environmental Economics  
Principal Environmental Management Consultant



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## Matthew Law

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**From:** Devlin Fortuin <Devlin.Fortuin@westerncape.gov.za>  
**Sent:** Monday, 27 July 2020 14:03  
**To:** Matthew Law  
**Cc:** Schalk Carstens; Kelly Armstrong  
**Subject:** Re: DTPW Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review

**EXTERNAL**

Hi Matthew

I have gone through the report. This Branch is mainly affected by Divisional Road 2233 which I think was already addressed in the original EA. As part of the next process we would like to see transport routes of haul trucks and if they at all affect Divisional Road 2233 or if it's all internal haulage.

Regards

**Devlin Fortuin** *PrEng*  
Production Engineer  
**Chief Directorate:** Road Planning  
Transport and Public Works  
WESTERN CAPE GOVERNMENT

**Address:** 9 Dorp Street, Cape Town 8001; Private Bag X9185, Cape Town 8000  
**Tel:** +27 21 483 2012  
**Fax:** +27 21 483 2205  
**E-mail:** [devlin.fortuin@westerncape.gov.za](mailto:devlin.fortuin@westerncape.gov.za)

**Website:** [www.westerncape.gov.za](http://www.westerncape.gov.za)



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**From:** Matthew Law <MLaw@srk.co.za>  
**Date:** Thursday, 23 July 2020 at 17:09  
**To:** Devlin Fortuin <Devlin.Fortuin@westerncape.gov.za>  
**Cc:** Schalk Carstens <Schalk.Carstens@westerncape.gov.za>, Kelly Armstrong <KArmstrong@srk.co.za>

**Subject: RE: DTPW Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review**

Hi Devlin

Yes, there will be another opportunity to formally comment in EIA phase.

We are somewhat handcuffed by legislative timeframes (we need to submit the Final Scoping Report to DMRE in a matter of days), but we would really appreciate having your input on the Scoping Report before the EIA phase (even just by email - so we can make sure your concerns, if any, are addressed before release of the EIA).

The application largely relates to an approved project – please give me a shout to talk through the application (I just tried calling you): 082 471 7544

All my best,

Matthew

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**Matthew Law** Registered EAP, BSc (Hons) MCom - Environmental Economics  
Principal Environmental Management Consultant



SRK Consulting (South Africa) (Pty) Ltd.

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[www.srk.co.za](http://www.srk.co.za)

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**From:** Devlin Fortuin <Devlin.Fortuin@westerncape.gov.za>

**Sent:** Thursday, 23 July 2020 16:54

**To:** Matthew Law <MLaw@srk.co.za>

**Cc:** Schalk Carstens <Schalk.Carstens@westerncape.gov.za>

**Subject:** DTPW Modified Namakwa Sands East OFS Project Residue Disposal Plan: Release of the Draft Scoping Report for Stakeholder Review

**EXTERNAL**

Good Day Matthew

The subject application refers.

Your letter only arrived on the correct desk 2 days ago within the department. This Branch would like the opportunity to provide comment. I know the scoping Report isn't the only opportunity to do so? With DBAR etc.. Could you confirm if there will be additional opportunities to comment if not we would like to provide comment on the current Draft Scoping Report.

Kind Regards

**Devlin Fortuin** *PrEng*  
Production Engineer  
**Chief Directorate:** Road Planning  
Transport and Public Works  
WESTERN CAPE GOVERNMENT

**Address:** 9 Dorp Street, Cape Town 8001; Private Bag X9185, Cape Town 8000

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**Website:** [www.westerncape.gov.za](http://www.westerncape.gov.za)



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