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Interested and Affected Parties	Date Comments Received	Issues raised	EAP's response to issues as mandated by the applicant	Consideration Status
			As this option has not been approved by Transnet as yet, the traffic specialist has assessed the impact of additional traffic (related to mine expansion) on the road network (Appendix 11).	
Communities	19 September 2018 (on draft EIA Report)	<i>This branch does not object to the issuing of the Environmental Authorisation.</i>	<i>Your comment has been noted.</i>	<i>Finalised</i>
Dept. Land Affairs		None		
Traditional Leaders		None		
Dept. Environmental Affairs		None		
Adri La Meyer (DEA&DP)	29 May 2017 (on prior Scoping Report), 14 May (on updated Scoping Report) and 18 October 2018 (on the draft EIA Report)	<p>This Department recommends that any future application by MSR not be considered until such time that the matter relating to the unlawfulness of Tormin Mine has been resolved and compliance with all conditions of the environmental authorisation has been presented. In this regard, the competent authority is advised to consider the High Court Judgement delivered on 20 March 2017 in the matter between Mineral Sands Resources (Pty) Ltd v Magistrate for the District of Vredendal, Kroutz No and Others (18701/16).</p> <p>The applicant has further demonstrated its lack of "general duty of care" towards the environment through its unlawful commencement of EIA listed activities, which are now the subject of a rectification application in terms of section 24G of the NEMA. The application for the proposed expansion of Tormin Mine cannot be considered until such time that the rectification application has been finalised and a decision thereto has been made.</p>	<p>In January 2017, MSR applied for EA for the proposed extension of Tormin Mine through an EIA process in terms of NEMA, undertaken by SRK. On 22 November 2017, the DMR refused the EA at the Scoping Phase, citing a requirement to undertake a section 24G process in terms of NEMA for the rectification of unlawful activities. MSR appointed SRK to undertake a s24G application process in terms of NEMA and Government Notice (GN) R698 of 2017 for two activities identified in the EMPr Performance Assessment of Tormin Mine conducted by Jomela Consulting (Pty) Ltd in February 2018:</p> <ul style="list-style-type: none"> <li>• Clearing an additional 3.9 ha area adjacent to the processing (plant) facilities, used for stockpiling; and</li> <li>• Construction of a 2.2 ha dam.</li> </ul> <p>SRK is not aware of a legal provision that prevents the simultaneous consideration of this EA application and the s24G. The</p>	Finalised in terms of this EIA process

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Interested and Affected Parties	Date Comments Received	Issues raised	EAP's response to issues as mandated by the applicant	Consultation Status
		<p>The Draft EIA Report must elaborate on the estimated size of the stockpile areas and provide information on the location and management of the temporary stockpiles.</p>	<p>has confirmed that this stockpile area incorporates slotted drain coils that capture seepage, which decants into a sump and is returned (pumped) to the process water dams.</p> <p>No temporary stockpiles are required for beach mining activities.</p> <p>Refer to Figure 12 (Appendix 5) and Section 3.3.2 for details on the stockpile areas required for inland mining and processing.</p>	Finalised
		<p>Section 3.7.4 of the Scoping Report states that "Studies are underway to determine the most efficient process to extract non-magnetic concentrates from the Magnetic and Garnet Mineral Separation Plant Circuits". Determination and evaluation of the most efficient/appropriate method must be provided in the Draft EIA Report.</p>	<p>This information is provided in Section 3.7 of the EIA Report.</p>	Finalised
		<p>The Lutzville landfill site has been issued with a WML for the closure of the facility and alternative disposal facilities must be investigated and reported on in the Draft EIA Report.</p>	<p>Your comment has been noted.</p>	Finalised
		<p><u>It is not the purpose of section 102 of the MPRDA to authorise new mining areas that were not part of the original mining right application. Whilst the applicant has included Activity 17 of Listing Notice 2 of the EIA Regulations, 2014 (as amended) in its application, the applicant maintains that the process to be followed for the proposed expansion, is a section 102 MPRDA amendment process.</u></p>	<p><u>DMR must advise on whether the pursued Section 102 application approach is feasible.</u></p> <p><u>SRK was appointed to undertake the EIA process for the mine expansion, and does not deal directly with the application in terms of the MPRDA.</u></p>	Finalised
		<p><u>The Department provided comment on the prospecting right applications lodged by the applicant on the proposed mining expansion areas. It is unknown what the status of these prospecting right applications are. It is presumptuous to submit a mining right application when the outcome of the prospecting right applications is unknown.</u></p>	<p><u>MSR is awaiting the outcome of the appeal process on the prospecting right application. Prospecting will provide additional information to contribute to the exploration data already generated by other parties (refer to Section 1.5 of the EIA Report).</u></p>	Finalised

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