

Report for February 2019

Ongoing legal interventions:

1. Lawful removal of the Tudor Dump
2. Mintails Group

Participation in, as member of:

1. Section 11 Advisory Committee of the South African Human Rights Committee: as member of the Committee the FSE participated in the meeting on the 14th of February, 2019 and submitted oral and written comments.
2. The Water and Sanitation Sector Leadership Group (WSSLG) is the highest non-statutory strategic sector partnership forum for the South African water sector. The WSSLG serves as a think tank for the water sector and prepares an overarching national action agenda for implementing the National Water and Sanitation Resource Strategy 2 (NWSRS2) and ensures that sound policies, laws, strategies, programmes and institutions are developed to achieve the goals outlined in the NWSRS2. The WSSLG also actively facilitates dialogue between the Department of Water and Sanitation, government departments, civil society and the private sector for input, support and contributions to joint strategic and coordinated actions to improve the implementation of water sector policies, strategies and programmes. In its advisory role, the WSSLG provides recommendations on policies, legislation, programmes and strategies and serves as credible forum for stakeholder consultation and involvement in the development of sector policies, legislation, programmes and strategies.

As such, to facilitate the involvement of the water sector in the SDG6 programme the Water Sector Leadership Group: SDG 6 Task Team has been established as one of the SDGWG Task Teams. The FSE is a member of the SDG 6 WSLG Task Team.

The FSE participated in the SDG 6 WSSLG Task Team Meeting on the 6th of February 2019 and submitted oral and written comments.

3. Blesbokspruit Catchment Management Forum meeting (7 February, 2019): Written submissions
4. Rietspruit Catchment Management Forum meeting (12 February, 2019): Written and oral submissions
5. Hex/Eland Catchment Management Forum meeting (22nd February, 2019): Written comments
6. The DWS' Proposed Reserve of Water Resources (Vaal Catchment Area): Submissions

Mining:

1. Middelvlei Minerals (Pty) Ltd (West Rand) Scoping Phase: Middelvlei Mine is an existing mine located in the Rand West City Local Municipality of Gauteng, near the suburbs of Randfontein, Pelzvale and Mohlakeng. Middelvlei Minerals (Pty) Ltd is applying to recommence mining activities on the Remaining Extents (RE) of portions 2 and 3 of Middelvlei 255 IQ.

Prime Resources is the EAP.

Assistance to affected parties of Pelzvale.

2. Mintails Group: Letter of Demand. Not responded to. Litigation is imminent.
3. Comments on the New Kleinfontein Gold Mine, EIA discharge pipeline.
4. Anglo American Coal: Khwezela Colliery – Complaints on behalf of affected land owners; engagements (ongoing); information (supplied)
5. Blyvoor Gold Capital: End land use engagements (information supplied)
6. Anchor Coal (Palmietkuilen) EIA/EMPR: Status of application (supplied)
7. Application for PGM and Chrome: WAAGFONTEIN 89 JQ, BOJANALA PLATINUM DISTRICT MUNICIPALITY, NORTH WEST PROVINCE (NAME OF APPLICANT: KHANYISANI SAMUKELO TRADING AND PROECTS (PTY) LT). (DMR REFERENCE NO: NW 30/5/1/1/1/2/12354 PR) & APPLICATION OF COAL FOR KAHNYISANI SAMUKELO TRADING AND PROJECTS (PTY) LTD SITUATED ON PORTIONS 1, 2, 4 OF THE FARM WAAGFONTEIN 89 JQ, IN THE MAGISTERIAL BOJANALA PLATINUM DISTRICT MUNICIPALITY, ORT WEST PROVINCE (FILE REFERENCE NUMBER SAMRAD: NW 12354 PR): Status of application (not supplied)

Complaints of Pollution Incidents and Requests for Inspections

1. Continental Oil Mills (Randfontein) (investigated, awaiting report)
2. Bauba A Hlabirwa Mining Investments (Pty) Ltd (investigated, awaiting report from DMR and DWS)
3. Mintails Group (Removal of pipeline by liquidators and resultant pollution) (investigated, letter of demand to NNR, DMR, DWS – no official response; imminent litigation)
4. HVH Mine (investigated, awaiting report)

Promotion of Access to Information (PAIA) Applications:

1. Copies of the Water Use License (WUL) and EMPR: Khwezela Colliery (received)
2. Copies of the WUL and Audit and Compliance Reports for 2016, 2017 and 2018 of Continental Oil Mills (not received)
3. Bauba A Hlabirwa Mining Investments (Pty) Ltd: Copies of -
 - a. Water Use Licence (received)
 - b. NEMA and NEM:Waste Act Authorisation (received)
 - c. Application form, acceptance of letter, granting letter and granted right (LP10096MR): received
 - d. EIA and EMPR Report (LP0058 MR/102) (received)
4. Ukufisa Colliery
 - The Record of Decision and signed mining right as well as any conditions pertaining thereto
 - The formal response and outcome of the appeal process lodged by landowners and affected parties
 - The WUL including conditions and discharge standards
 - The Mine Work Plan including a plan defining the mining area
 - The progressive rehabilitation plan
 - Proof of submission of the financial provision for closure and rehabilitation

- The approved rezoning certificate for the mine area
- The Final EMP for the Mine
- The Social and Labour Plan
- The Geo-technical and geohydrological investigation which was not done as part of the EIA and was going to be one prior to the mine becoming operational.

(Not received)

5. Pure Source Minerals: Copy of its WUL (not received)
6. WP Bower Mine: copies of the audit and compliance reports showing compliance with the terms and conditions of its Water Use License (not received)
7. RHYTHM OF THE NATION (PTY) LIMITED. REFERENCE NUMBER: NW30/5/1/2/2/10051MR & 10052MR (June 2018):
 - a. Copies of audits conducted by the Department of Mineral Resources of Rhythm of the Nation (Pty) Ltd's (the Mine) to examine and ascertain the Mine's compliance with its Environmental Management Programme (EMP) since the Mine commenced its operations
 - b. A copy of the Financial Provisions for rehabilitation, which are held in either a trust, or bank- or cash guarantees in terms of the 2015 Regulations for Financial Provision for Prospecting, Exploration, Mining and Production. The current closure costs are assessed at R5, 006, 830.00 which do not make financial provision for latent and residual impacts and the pumping and treatment of extraneous or polluted water
 - c. A copy of the Mine's Certificate of Registration (CoR) in terms of the National Nuclear Regulator Act (47 of 1999).

(Not supplied)

Tours:

1. February 2, 2019: Lecture and Tour with Grade 12 science students of the West Rand – Simunye, Bekkersdal and Wetonaria, sponsored by the South Deep Mine



It's World Water Day on Friday

The 2019 theme is 'leaving no one behind', which means water should be accessible to all. This week we're sharing examples of how our Regions are working to uphold the right to water and ensure business sustainability. Our first story is from South Deep, South Africa:



2019 Leaving no one behind



EMPOWERING THE NEXT GENERATION OF WATER STEWARDS

South Deep's environmental education workshops empower schoolchildren in our communities with the knowledge to protect the environment, including water. They also get to see how we are working to limit our impacts on our shared water resources.

Launched in 2018, the workshops are presented in partnership with the Federation for a Sustainable Environment (FSE), an environmental NGO, and the content is aligned with the national school curriculum.

As part of the workshop they get to compare the historically poor environmental practices of mines in the past, to current best practices - they visit various legacy mining sites where acid mine water drainage has scarred the landscape, and South Deep's Doornpoort tailings storage facility (TSF). This TSF is widely viewed as one of the best in South Africa.



Main photo: Mariette Liefferink, Head of NGO FSE (top left) and community schoolchildren on the environmental tour. Learning about the environment also happens in the classroom (above).



World Water Day focuses on the UN's Sustainable Development Goal 6 (SDG 6): Ensure water and sanitation for all. Gold Fields supports the advancement of the SDGs and is fully aligned to the International Council on Mining & Metals (ICMM) water stewardship guidelines.





GOLD FIELDS





2. Tour of the West Rand gold fields with Bernadette Macquire of Health E-News
3. Tour of the West Rand gold fields with Sheree Bega of Saturday Star

Research Assistance:

1. Miss SA / NGO discussion (Alecia Potgieter) (4 February 2019)
2. Merafong Local Municipality (Waste Water Treatment Plants, sewage and the role of the Department of Water and Sanitation in terms of Co-operative Governance)
3. Bianca Grossett: Absa Settlement
4. Bernadette McGuire of Health E-TV: Research pertaining to Meadowlands
5. Pierre Joubert, professional Landscape Architect pursuant to appointment by the Gauteng Office of the Premier to develop policy regarding the Gauteng mining belt. The FSE received the following feedback: *“The work of your organisation was pivotal in shaping some of our ideas. Pierre Joubert is an environmentalist on our team and recently met with you and we were inspired by the feedback received. On behalf of Cadre Plan (Pty) Ltd we would like to thank you for all the information and time provided. Cadre Plan is in the process of designing a decision-making matrix on the key environmental issues for the provincial policy, so that statutory planners and environmental professionals can use it as an informant. Your consultation on this*

project will be invaluable, and Cadre Plan intends on keeping you in mind for future projects”.

6. Prof Michael Solomon, UCT on matters pertaining to Acid Mine Drainage (AMD) and the proposed Heritage Park within the North West Province.
7. Jacques Lombard re Mintails’ liquidation and impacts on affected parties
8. Hugh Ingpen and John Havenga: Hydrotron water purification

Pollution incidents, submission of complaints and assistance:

1. Hendrik van Wyk Vervoer: pollution of downstream dam as a result of alleged pollution of Continental Oil Mills in Randfontein and Randfontein dysfunctional Waste Water Treatment Works
2. Manenberg Community: Consol’s Kwanza Sands Minerals

Meetings:

1. 19 February 2019: Mr Sunday Mabaso – re Mintails liquidation and alleged failure in duty of care; Tudor Dump removal
2. 18 February 2019: Matthew Havinga (meeting) re Canyon Coal
3. 28 February 2019: Morne de Jager (Noise Expert) re Bauba A Hlabirwa Mining Investments (Pty) Ltd

News Media:

1. Radio Pretoria (Vaal River Pollution)
2. Katia Clarens, Reporter / Réalisatrice
3. SA Mining (March/April 2019 edition) titled: “Tackling environmental mismanagement: FSE on the war path”
4. Saturday Star (23 February 2019): “A battle to hold mining company accountable. Mintails left behind a R460 million ‘environmental mess””

Conferences/Presentations:

1. Presentation at the 10th Alternative Mining Indaba on Closure, Environmental Legislation and Case Studies (attached)