

**ENVIRONMENTAL IMPACT ASSESSMENT FOR THE PROPOSED CONTINUOUS ASHING AT THE EXISTING ASH DISPOSAL FACILITIES, AT MAJUBA
POWER STATION, MPUMALANGA PROVINCE**

COMMENT AND RESPONSES REPORT – DRAFT SCOPING REPORT

SUMMARY OF ENVIRONMENTAL ISSUES/CONCERNS AND SUGGESTIONS RAISED BY INTERESTED AND/OR AFFECTED PARTIES

SEPTEMBER 2012 – NOVEMBER 2012

- This Comments and Responses Report (C&RR) is a record of all the contributed issues raised by Stakeholders ranging across all sectors of society.
- Full record of every issue raised is available from Lidwala Consulting.
- The name, affiliation (as at that time) and date of the commentator are also indicated

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Issue/Comment	Raised By	Response
1. Water (Ground and Surface) Related Comments/ Issues		
<p>In terms of the Tailings Dams and Ash Disposal Facilities– Dam Safety Requirements in terms of Chapter 12 of the National Water Act, 1998:</p> <p>It must also comply with the requirements in Chapter 4 of the National Water Act with respect to the use of water. <u>Pollution control dams and tailings dam / mine residue deposit at mines must also comply with the Regulations on use of water for mining and related activities aimed at the protection of water Resources</u> (Government Gazette 20119, Notice 704), 4 June 1999.</p>	<p>Van den Berg, Leo Department of Water Affairs: Dam Safety Office E-mail: 28 September 2012</p>	<p>Comment noted and forwarded to the Client for their attention as well as to the Legal Specilaist for inclusion in the full legal review.</p>
2. Construction and Maintenance Related Comments/ Issues		
<p>In terms of the Tailings Dams and Ash Disposal Facilities– Dam Safety Requirements in terms of Chapter 12 of the National Water Act, 1998:</p> <ol style="list-style-type: none"> 1. If the operational storage of the free water on top of a tailings dam / mine residue deposit or ash dam does not exceed 50 000 m3, the particular tailings dam or ash dam is not registered or classified as a dam with a safety risk. 2. The requirement that the free water on top of the facility must be reduced to below 50 000 m3, or a more stringent requirement, must be clearly specified in the Operation Manual and /or Code of Practice of the tailings dam / mine residue deposit or ash dam and should be actively enforced throughout the life of the dam. If not, the tailings dam / mine residue deposit or ash dam must be registered as a dam with a safety risk in terms of dam safety legislation. It will then be classified and it must then comply with all the requirements of the dam safety legislation in Chapter 12 of the Water Act and the requirements of dam safety regulations issued in terms of this chapter. 3. If the tailings dam / mine residue deposit or ash dam is part of a mining operation, it must at all times comply with all the applicable 	<p>Mr Leo van den Berg, Pr Eng Dam Safety Office Department of Water Affairs E-mail: 28 September 2012</p>	<p>Comment noted and forwarded to the Client for their attention as well as to the Legal Specilaist for inclusion in the full legal review.</p>

Issue/Comment	Raised By	Response
<p>legislation administered by the Department of Mineral Resources (DMR). The DMR requires that every tailings dam / mine residue deposit must have a Code of Practice. A guideline for such a Code of Practice has been developed by DMR.</p> <p>4. Pollution control dams associated with ash disposal and tailings facilities must however comply with the dam safety requirements of Chapter 12 of the National Water Act if they comply with the size requirements of a dam with a safety risk. Only dams with a maximum wall height that exceeds 5,0 m and with a storage capacity of more than 50 000 m³, or any other dam declared as a dam with a safety risk) are subject to the dam safety legislation in Chapter 12 of the National Water Act and the Dam Safety Regulations in Government Notice R. 139 of 24 February 2012.</p> <p>For more information about dam safety you can visit the Dam Safety Office website (part of the Department of Water Affairs website at: http://www.dwa.gov.za/DSO/)</p>		
3. General Comments/ Issues		
<p>The project team was informed of his new e-mail address and requested that the database be updated accordingly.</p>	<p>Fourie, Wynand E-mail: 27 September 2012</p>	<p>Request noted and executed.</p>
<p>Requested a map of where the proposed activity will take place as the BiD just shows a blank space where the map should've been included.</p>	<p>Whitlow, Liam Environmental Impact Management Services E-mail: 30 October 2012</p>	<p>Request acknowledged and map forwarded.</p>