



# **KHWEZELA BOKGONI COLLIERY: WOLWEKRANS PROSPECTING RIGHTS**

## **Environmental Audit Report**

**Submitted as contemplated in section 24N (7) (d) of the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) and Regulation 34 under Part 3 of Chapter 5 of the amended Environmental Impact Assessment Regulations, 2014 (Government Notice No. 982) (EIA Regulations, 2014)**

**DMRE Reference No:**

**MP 30/5/1/1/2(185) PR**

**December 2021**

Report No.: 3772/2021

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Geovicon Environmental (Pty) Limited

(Environmental & Geological Consultants)

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

As of 7 June 2021, following the completion of the demerger of high-quality export thermal coal operations from Anglo American, Thungela has successfully listed on the Johannesburg and London stock exchanges. As such, we will now legally change our name from Anglo Operations Proprietary Limited ("AOPL") to Thungela Operations Proprietary Limited ("TOPL"). Thungela offers investors access to a high-quality thermal coal business with low cash cost and high-margin assets, as well as a strong balance sheet, underpinned by a robust environmental, social and governance ("ESG") framework. Thungela owns interests in and produces thermal coal predominantly from six collieries located in Mpumalanga, South Africa. The business address has changed to **25 Bath Avenue; Rosebank; 2196; South Africa** however, the specific mines addresses remain unchanged. It is important to note that the legal name change from Anglo Operations (Pty) Ltd to Thungela Resources (Pty) Limited will officially be effective early 2022.

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## 1. INTRODUCTION

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The Wolwekrans Prospecting Project of Anglo Operations (Pty) Ltd.'s Coal Division, holds an exploration right for coal in the Witbank Coalfield located near eMalahleni, Mpumalanga Province, South Africa. After obtaining the necessary prospecting permit in 2006, small scale exploration activities were undertaken throughout the exploration area.

The prospecting right for Wolwekrans, Ref No: MP 30/5/1/1/2 (185) PR and the Environmental Management Plan/Program (EMPr, dated 18 May 2005) was signed in November 2006. A renewal application was lodged on 13 July 2011. The application is currently still pending. No drilling activities were undertaken for the review period. Prospecting associated with Wolwekrans is undertaken on the farm Wolwekrans 17 IS which forms part of the Khwezela Coal mining operation.

Anglo Operations (Pty) Ltd appointed Geovicon Environmental (Pty) Limited to assess the compliance of Khwezela Bokgoni Coal mining operation against conditions/commitments of its applicable EAs and EMPs issued and approved in terms of the National Environmental Management Act, 1998 ("NEMA") and the Mineral and Petroleum Resources Development Act, 2002 ("MPRDA"). This report was compiled after completion of both virtual and physical, on-site information and evidence gathering in order to verify whether the Wolwekrans Prospecting Project complies to the applicable compliance obligations as detailed in the EMPr.

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## 2. LEGAL FRAMEWORK

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### 2.1 NATIONAL ENVIRONMENTAL MANAGEMENT ACT (ACT 107 OF 1998) (NEMA)

Regulation 34 of the EIA Regulations, 2014 states that the holder of an environmental authorisation must, for the period during which the EMPr (and EAs) remain valid, ensure that compliance with the conditions of the EMPr is audited and that an environmental audit report, prepared by an independent person, is submitted to the relevant competent authority, which in the case of Khwezela Colliery is the Department of Mineral Resources and Energy, Mpumalanga Regional Office. The above-mentioned environmental audit report must determine the ability of the EMPs to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the mining operation on an ongoing basis and the level of compliance with the provisions of the EMPs.

With the amendment of the EIA Regulations, 2014, on 7 April 2014, Regulation 54A was introduced. Regulation 54A (2) of the EIA Regulations, 2014 which has also been amended, further states that: *"Where a right or permit issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for –*

*(a) prospecting or exploration of a mineral or petroleum resource; or*

*(b) extraction and primary processing of a mineral or petroleum resource;*

*and the associated Environmental Management Programme or Environmental Management Plan approved in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) is still in effect after 8 December 2014, the requirements contained in Part 3 of Chapter 5 of these Regulations apply to such Environmental Management Programmes or Environmental Management Plans and the first environmental audit report must be submitted to the competent authority by a date to be published by Notice in the Government Gazette”.*

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### **3. SCOPE AND PURPOSE OF THE ENVIRONMENTAL AUDIT**

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The *purpose* of this audit was to verify whether Wolwekrans Prospecting Project complies with the requirements outlined in the:

- EMPr, dated 18 May 2005 and approved in November 2006, with DMR Ref No.: MP 30/5/1/1/2(185) PR.

The *scope* of this audit was specifically the Wolwekrans prospecting activities sites allowed for on the property Wolwekrans 17 IS.

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## 4. METHODOLOGY ADOPTED IN PREPARING THE ENVIRONMENTAL AUDIT REPORT AND DECLARATION OF INDEPENDENCE

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### 4.1 AUDIT TEAM

**Auditor:** Mr. Ryan Nawn

**Professional Registration Numbers:**

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**Experience of the Auditor**

Ryan Nawn holds a M.Sc. degree in Environmental Management from the then Rand Afrikaans University (presently University of Johannesburg). He has twenty (20) years' working experience in environmental management. He is vastly experienced in the implementation, maintenance and auditing of Environmental Management Systems (EMS) and has conducted a wide range of environmental audits ranging from company internal audits, environmental authorisation audits, water use license audits, waste license audits and EMS surveillance and certification audits. Ryan is a registered ISO 14001 EMS Lead Auditor with the Southern African Auditor & Training Certification Authority (SAATCA) – one of only limited few in South Africa who is both an Environmental Assessment Practitioner and EMS Auditor. He also facilitates training courses in ISO 14001 – ranging from implementation, transition, and lead auditor courses on behalf of various certification bodies and training institutions.

Ryan has been involved in developing Environmental Management Plans for the green building industry and subsequent audits thereof. Significant experience has been gained in environmental compliance monitoring by working on large linear construction projects such as the Vaal River Eastern Sub-system Augmentation Project (VRESAP); the Olifants River Water Augmentation Project – Phase 2; as well as the Mokolo-Crocodile Water Augmentation Project – Phase 1 (MCWAP) in Lephalale. Relevant experience has also been gained in integrated environmental management processes such as

Environmental Impact Assessments (EIAs) and Basic Assessment processes and Reports (BARs), and the development of EMPs. Mr Nawn has also been actively involved in public participation and community development processes. He has research experience in water quality and catchment management.

Mr. Ryan Nawn contracted in by Geovicon Environmental (Pty) Limited, hereby declares that he is an independent auditor and that Geovicon Environmental (Pty) Limited and himself have no business, financial, personal or other interest in this project in respect of which Geovicon Environmental (Pty) Limited is appointed. Furthermore, no circumstances exist that may compromise the objectivity of Geovicon Environmental (Pty) Limited, excluding fair remuneration for work performed in connection with this environmental audit.

## **4.2 FREQUENCY OF REPORTING**

The Wolwekrans Prospecting Right EMPr is audited on a biennial frequency.

## **4.3 PERIOD THAT APPLIES TO THIS COMPLIANCE ASSESSMENT**

The audit review period for this environmental audit report is May 2019 to April 2021.

## **4.4 PROCEDURE USED DURING THE EXTERNAL AUDIT**

The following was used as a procedure for the compliance assessment:

- Desktop assessment of the approved EMPr. The desktop assessment was used to list all commitments and conditions indicated in the EMPr.
- The Environmental Audit was conducted by reviewing and abstracting the commitments (conditions) from the approved EMPr. The auditor also had extensive interviews with the relevant Khwezela personnel. These interviews were held over a period of two days.
- Site visits were conducted on 15 & 16 April 2021 and was used to assess the compliance with the conditions and commitments of the EMPr. The use of site visits allows the auditors to collect evidence thereby enabling them to verify whether the organisation complies to the audit *criteria*, viz. the relevant conditions of the EMPr.

## **4.5 EVALUATION CRITERIA USED DURING THE COMPLIANCE ASSESSMENT**

Evaluation criteria used during the compliance assessment include the following:

- Are the measures and structures as indicated in the EMPr in place?

- Are the measures adequate and structures maintained, and at what frequency?
- Has the monitoring (if any indicated) been conducted? (Data, reports)
- Is the reported frequency of the monitoring in accordance with the EMPr? (Reports)
- Determining whether any new measures are required to prevent or mitigate the existing environmental impacts and/or other potential impacts.

Evaluation of the appropriateness and adequacy of the EMPr included the following:

- Compliance with relevant laws pertaining to the environment.  
  
Compliance of mining and associated activities with the EMPr. (Is the mine conducting activities that are not provided for in the EMPr?)

#### 4.6 RATING OF FINDINGS

The compliance category was rated as indicated in the table below.

**Table 1: Compliance Categories**

Compliance category	Findings
Condition/mitigation measure/commitment has been achieved with evidence provided in the form of a document.	Compliant
The operation failed to comply with, or satisfy the requirements of an applicable condition, commitment and/or mitigation measure. Non-compliances include instance, where although the current condition or mitigation measure has been achieved, there have been new impacts and risks arising from the activity; whether the current measures are effective and whether there are any shortcomings which need to be address through changes in the systems or amendment of the EA or EMPr.	Non-Compliant
The condition, commitment and/or mitigation measure is not applicable. A "Not Applicable" finding is also noted in events where such condition, commitment and/or mitigation measure is either obsolete, alternative effective measure is utilised or commitment and/or mitigation measure is not yet relevant but remains relevant	Not Applicable



Compliance category	Findings
for future activities.	
The condition, commitment and/or mitigation measure that does not require any specific action.	Noted

## 5. ASSUMPTIONS, UNCERTAINTIES AND GAPS IN KNOWLEDGE

Although all reasonable attempts were made to verify comments made during interviews held with relevant Khwezela Bokgoni personnel as well as the review of documentation, it is assumed that such comments and documents provided are a true and accurate reflection of the audit.

In an event where insufficient information was provided to support the verification of compliance status, the auditors' general approach was to indicate that such commitments/conditions could not be verified, and as such, the findings were noted as non-compliant.

## 6. EMPr RECOMMENDATION REPORT

Regulation 34(4) of the EIA regulation, 2014 state the following:

Where findings of the Environmental Audit Report indicate:

- insufficient mitigation of environmental impacts associated with the undertaking of activity;
- insufficient levels of compliance with the Environmental Authorisation or EMPr and where applicable the closure plan;

the holder must when submitting the environmental audit report to the competent authority in terms of sub regulation (1), submit recommendations to amend the EMPr or closure plan in order to rectify shortcomings identified in the environmental audit report and such recommendations must have been subjected to a public participation process as agreed to by the competent authority.

Recommendations were however not made toward any amendment of the EMPr. The mine must develop action plans for the correction of the identified non-compliances.

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## **7. RESULTS OF THE EXTERNAL AUTHORISATIONS AND EMPR AUDIT**


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The results of the EIA Regulation 34 Environmental Audit are provided in the Table below. The table outlines the EMPr for each of the authorised activities.

**7.1 WOLWEKRANS PROSPECTING ENVIRONMENTAL MANAGEMENT GRANTED NOVEMBER 2006, DMR REF: MP30/5/1/1/2 (185) PR**

Condition number	Condition	Finding	Observation/ Audit Evidence
F1.1.1. Layout Plan	A copy of the layout plan as provided for in Regulation 2.22 must be available at the prospecting site for scrutiny when required.	Compliant	A copy of the layout plan provided for in Regulation 2.2 is available on the mine's server should it be required. The prospecting activities had been conducted approximately 13 years previously, in 2008.
	The plan must be updated on a regular basis with regard to the actual progress of the establishment of surface infrastructure, mining operations and rehabilitation (a copy of the updated plan shall be forwarded to the Regional Manager on a regular basis).	Compliant	<p>The EMPr includes an initial layout plan. A Progress Report in Respect of Prospecting on Wolwekrans KK, is compiled when drilling activities are undertaken. The report includes a map of drilling progress that indicates all boreholes drilled to date. Records ("E-forms") containing information on each borehole drilled is further available upon request. The most recent prospecting activities were undertaken in 2008, at which time an annual progress report was compiled. The following annual progress reports are kept on record:</p> <ul style="list-style-type: none"> <li>• Wolwekrans KK – Annual Prospecting Report – Year 1;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 2;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 3;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 4;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 5; and</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 6.</li> </ul>
	A final layout plan must be submitted at closure of the mine or when operations have ceased.	Not Applicable	The mine has not applied for closure of the Wolwekrans prospecting right. This condition is not yet applicable.
F1.1.2. The prospecting area	Prospecting and resultant operations shall only take place within the boundaries of the prospecting area as illustrated in Annexure A.	Compliant	<p>Borehole grid positions are identified in accordance with procedure <i>Head Office Perform Surface Drilling Preparation, AATC010275</i>, and indicated on the Layout Plan. After obtaining an approved prospecting EMPr, the Mine Geologist informs and arranges with the property owner (in this case the property is a mine owned property) to gain access to the site and clearly marks the prospecting locations with pegs (as per the grid position). A very small deviation is allowed to accommodate fixed structures or sensitive areas (e.g. trees). Within the marked boundary, the prospecting site is then demarcated with tape to limit the footprint of disturbance.</p> <p>No prospecting was undertaken during the review period, with the most recent prospecting undertaken 13 years ago in 2008. A total of six (6) boreholes were drilled within the boundaries of the prospecting area.</p>
F1.1.3. Demarating the river channel and riverine	No prospecting activities will be conducted in the river. See attached map indicating proposed borehole sites – Annexure A.	Noted	<p>Prospecting did not take place in the Olifants River.</p> <p>This condition is noted. No prospecting is undertaken in the river.</p>

Condition number	Condition	Finding	Observation/ Audit Evidence
environment			
F2.1. Restrictions on prospecting	On assessment of the application, the Regional Manager may prohibit the conducting of mining or prospecting operations in vegetated areas or over portions of these areas.	Noted	The mine takes note of this requirement. Should more drilling be required, an amendment to the Prospecting Works Programme will be undertaken and submitted to the DMR for approval prior to implementing. During the review period, no prospecting activities were undertaken.
	In the case of areas that are excluded from mining or prospecting, no operations shall be conducted within 5m of these areas.	Compliant	Locations are pre-determined, but with some small deviation allowed. No areas are excluded from the prospecting area, with all boreholes drilled in the area dedicated to prospecting.
F1.3. Responsibility	The environment affected by the prospecting operations shall be rehabilitated by the holder, as far as is practicable, to its natural state or to a predetermined and agreed to standard or land use which conforms with the concept of sustainable development. The affected environment shall be maintained in a stable condition that will not be detrimental to the safety and health of humans and animals and that will not pollute the environment or lead to the degradation thereof.	Compliant	<p>Rehabilitation of drilling sites were undertaken in accordance with the <i>Head Office Seal Surface Geological Boreholes Procedure, doc no: AATC000737</i>. Rehabilitation measures as implemented by the contractor included:</p> <ul style="list-style-type: none"> <li>(a) Removal of casing and cap;</li> <li>(b) Removing of core material (as will be disposed off-site);</li> <li>(c) Backfilling of sump;</li> <li>(d) Cementing of borehole;</li> <li>(e) Replacing and levelling of topsoil; and</li> <li>(f) Brushback to encourage vegetation growth.</li> </ul> <p>On completion of rehabilitation, the Environmental forms (“E-Forms”) are filled out that cover aspects: borehole number, vehicle movement, surface drilling, nature of damage and action plan.</p> <p>Site observations confirmed that rehabilitation was undertaken successfully with effective re-vegetation of all six (6) prospecting boreholes.</p>  <p><u>One of the six drilling holes sites visited during the audit showing good vegetative cover</u></p>

Condition number	Condition	Finding	Observation/ Audit Evidence
			 <p><u>Another one of the six drilling holes sites with vegetative cover common to its surrounds</u></p>
	It is the responsibility of the holder of the mining right/ prospecting right to ensure that the manager on the site and the employees are capable of complying with all the statutory requirements which must be met in order to mine, which includes the implementation of this EMP.	Not Applicable	<p>During the review period, no drilling activities were undertaken, with the most recent drilling activities undertaken 13 years ago in 2008. Therefore, this mitigation measure is not currently applicable, but will be applicable should drilling activities be undertaken in the future.</p> <p>It should be noted that this EMP condition refers to <i>mining operations</i>, however, the activities associated with this EMP relates to prospecting activities.</p>
	If operations are to be conducted in an area that has already been disturbed, the holder must reach specific agreement with the Regional Manager concerning the responsibilities imposed upon himself/herself pertaining to the rehabilitation of the area and pollution control measures to be implemented.	Not Applicable	This condition is not applicable, as prospecting activities are not undertaken within disturbed areas.
F2.2. Topsoil	Topsoil shall be removed from all areas where physical disturbance of the surface will occur.	Not Applicable	These conditions are noted. During the review period, no drilling activities were undertaken (most recent in 2008), therefore, these mitigation measures are not currently applicable, but will be relevant should drilling activities be undertaken in the future.
	All available topsoil shall be removed after consultation with the Regional Manager prior to the commencement of any operations.		<p>Drilling activities are undertaken in accordance with <i>Head Office Perform Surface Drilling Preparation, AATC010275</i>. When drilling activities are undertaken, a sump is constructed of approximately 0.5 m deep to supply water to the drilling rig. The drilling rig recirculates used water to the sump again. The excavated topsoil is stored separately and backfilled immediately on completion of the drilling activities (2-3 days).</p> <p>No signs of soil disturbance was noted at four of the six sites samples during the audit. Vegetative growth</p>

Condition number	Condition	Finding	Observation/ Audit Evidence
	<p>The topsoil removed, shall be stored in the high ground side of the prospecting area outside the 1:50 flood level within the boundaries of the prospecting area.</p> <p>Topsoil shall be kept separate from overburden and shall not be used for building or maintenance of access roads.</p> <p>The topsoil stored in the bund wall shall be adequately protected from being blown away or being eroded.</p>		was the same as the surrounding area.
F2.2. Access to the site			
F2.2.1. Establishing access roads to the site.	The access road to the prospecting area and the camp-site/site office must be established in consultation with the landowner/tenant and existing roads shall be used as far as practicable.	Not Applicable	<p>No drilling activities were undertaken during the review period, with the most recent drilling activities completed 13 years ago in 2008. These mitigation measures are, therefore, not currently applicable.</p> <p>The prospecting area, as referred to in this condition, is situated on portion 7 of the farm Wolwekrans 17 IS, an Anglo owned property. When drilling activities are undertaken, no access roads are constructed. As far as possible, access to the site is through the use of existing roads.</p>
	<p>Should a portion of the access road be newly constructed the following must be adhered to:</p> <ul style="list-style-type: none"> <li>The route shall be selected that a minimum number of bushes or trees are felled and existing fence lines shall be followed as far as possible.</li> <li>Water courses and steep gradients shall be avoided as far as is practicable.</li> </ul> <p>Adequate drainage and erosion protection in the form of cut-off berms or trenches shall be provided where necessary.</p>		
	If imported material is used in the construction or upgrading of the access road this must be listed in C 2.17.		
	The erection of gates in fence lines and the open or closed status of gates in new and existing positions shall be clarified in consultation with the land owner/tenant and maintained throughout the operation	Not Applicable	<p>No drilling activities were undertaken during the review period, with the most recent drilling activities completed in 2008.</p> <p>When drilling activities are undertaken, no gates in fence lines are erected, as the prospecting site borders the existing mining right of Khwezela Bokgoni Colliery.</p>

Condition number	Condition	Finding	Observation/ Audit Evidence
	period.		
	No other routes will be used by vehicles or personnel for the purpose of gaining access to the site.	Not Applicable	As per the discussion provided above in condition F2.2.1, no construction of access roads has been undertaken.
	NOTE: The design, construction and location of access to provincial roads must be in accordance with the requirements laid down by the Provincial or controlling authority.		
F2.2.2. Maintenance of access roads	In the case of dual or multiple use of access roads by other users, arrangements for multiple responsibility must be made with the other users. If not, the maintenance of access roads will be the responsibility of the holder of the prospecting right.		
	Newly constructed access roads shall be adequately maintained so as to minimise dust, erosion or undue surface damage.		
F2.2.3. Dust control on haul roads	The liberation of dust into the surrounding environment shall be effectively controlled by the use of, <i>inter alia</i> , water spraying and/or dust-allaying agents. The speed of haul trucks and other vehicles must be strictly controlled to avoid dangerous conditions, excessive dust or excessive deterioration of the road being used.	Not Applicable	No access roads to the site have been constructed. The prospecting area borders the existing mining right of Khwezela Bokgoni Colliery.
F2.2.4. Rehabilitation of access roads	Whenever a mining permit/ prospecting right is suspended, cancelled or abandoned or if it lapses and the holder does not wish to renew the permit or right, any access road or portions thereof, constructed by the holder and which no longer be required by the landowner/tenant, shall be removed and/or rehabilitated to the satisfaction of the Regional Manager.	Not Applicable	For the review period, the prospecting right has not been suspended, cancelled or abandoned. As in condition F2.2.1, no construction of access roads is undertaken.
	Any gate or fence erected by the holder which is not required by the landowner/tenant, shall be removed and the situation restored to the pre prospecting situation.	Not Applicable	Refer to previous discussion in condition F2.2.1; no gates or fence lines are erected.
	Roads shall be ripped or ploughed, and if necessary, appropriate fertilised (based on a soil analysis) to ensure the regrowth of vegetation. Imported road		



Condition number	Condition	Finding	Observation/ Audit Evidence
	<p>construction materials which may hamper regrowth of vegetation must be removed and disposed of in an approved manner prior to rehabilitation.</p> <p>If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soils be analysed and any deleterious effects on the soil arising from the prospecting operation, be corrected and the area be seeded with a seed mix to the Regional Manager's specification.</p>	Not Applicable	As per previous discussion in condition F2.2.1, no construction of access roads is undertaken, therefore, rehabilitation measures of access roads are not applicable.
F2.3 Office/Camp sites			
F2.3.1. Establishment of office/camp sites	<p>Office and camp site shall be established, as far as is practicable, outside the flood plain, above the 1 in 50 flood level mark within the boundaries of the prospecting area.</p> <p>The area chosen for these purposes shall be the minimum reasonably required and which will involve the least disturbance to vegetation. Topsoil shall be handled as described in F2.1 above.</p> <p>No camp or office shall be located closer than 100 metres from a stream, river, spring, dam or pan.</p> <p>No trees or shrubs will be felled or damaged for the purpose of obtaining firewood, unless agreed to by the landowner/tenant.</p> <p>Fires will only be allowed in facilities or equipment specially constructed for this purpose. If required by applicable legislation, a fire-break shall be cleared around the perimeter of the camp and office sites.</p> <p>Lighting and noise disturbance and any form of disturbance that may have an effect on the landowner/tenant/persons lawfully living in the vicinity shall be kept to a minimum.</p>	Not Applicable	No exploration office and/or camp sites are constructed, therefore, this condition is not applicable. The existing Anglo Geological Exploration Offices, situated at the Shared Services Offices, are utilised.
F2.3.2. Toilet	As a minimum requirement, the holder of a mining	Not Applicable	No drilling activities were undertaken during the review period, therefore, this condition is not applicable.



Condition number	Condition	Finding	Observation/ Audit Evidence
facilities, waste water and refuse disposal	permit/ prospecting right shall, at least, provide pit latrines for employees and proper hygiene measures shall be established.		Prospecting personnel indicated that when drilling activities are undertaken, portable toilets are provided at the prospecting site.
	Chemical toilet facilities or other approved toilet facilities such as a septic drain shall preferably be used and sited on the camp site in such a way that they do not cause water or other pollution.	Not Applicable	A member of the prospecting team indicated that when drilling activities are undertaken, portable toilets are provided at the prospecting site. Therefore, this condition is not applicable.
	The use of existing facilities must take place in consultation with the landowner/tenant.	Not Applicable	Existing facilities are not used, as portable toilets are provided when drilling activities are undertaken.
	In cases where facilities are linked to existing sewerage structures, all necessary regulatory requirements concerning construction and maintenance should be adhered to	Not Applicable	
	All effluent water from the camp washing facilities shall be disposed of properly, as far as possible, but not less than 200 metres, from any stream, river, pan, dam or borehole.	Not Applicable	No camp site is applicable to the Wolwekrans prospecting site. Prospecting personnel indicated that when drilling activities are undertaken, portable toilets are provided at the prospecting site. Therefore, this condition is not applicable.
	Only domestic type wash water shall be allowed to enter this drain and any effluents containing oil, grease or other industrial substances must be collected in a suitable receptacle and removed from the site, either for resale or for appropriate disposal at a recognised facility.	Not Applicable	This condition is not applicable as no wash water or effluent was generated during the review period.
	Spills should be cleaned up immediately to the satisfaction of the Regional Manager by removing the spillage together with the polluted soil and by disposing of them at a recognised facility.	Not Applicable	No drilling activities were undertaken during the review period.

Condition number	Condition	Finding	Observation/ Audit Evidence
	Non-biodegradable refuse such as glass, bottles, plastic bags, metal scrap, etc., shall be stored in a container at a collecting point and collected on a regular basis and disposed of at a recognised disposal facility. Specific precautions shall be taken to prevent refuse from being dumped on or in the vicinity of the camp site.	Not Applicable	No drilling activities were undertaken during the review period, with the most recent drilling undertaken 13 years ago in 2008. No non-biodegradable refuse was generated during the review period. During drilling, a refuse bin is kept on site and waste removed from site.
	Biodegradable refuse generated from the office/camp site, processing areas, vehicle yard, storage area or any other area shall be either handled as indicated above or be buried in a pit excavated for that purpose and covered with layers of soil, incorporating a final 0.5 metre thick layer of topsoil (where practicable). Provision should be made for future subsidence of the covering.	Not Applicable	No drilling activities were undertaken during the review period, with the most recent drilling undertaken during 2008. No biodegradable refuse was generated during the review period. All waste generated on site is removed off site, not buried.
F2.3.3. Rehabilitation of the office/camp site	<p>On completion of operations, all buildings, structures or objects on the camp/office shall be dealt with in accordance with section 44 of the Mineral and Petroleum Resource Development Act, 2002 (Act 28 of 2002), which states:</p> <p>) When a prospecting right, mining right, retention permit or mining permit lapses, is cancelled or is abandoned or when any prospecting or mining operations comes to an end, the holder of any such right or permit may not demolish or remove any buildings, structures, object –</p> <p>(a) which may not be demolished in terms of any other law;</p> <p>(b) which has been identified in writing by the Minister for purposes of this section; or</p> <p>(c) which is to be retained in terms of an agreement between the holder and the owner or occupier in the land, which agreement has been approved by the Minister in writing.</p> <p>The provision of subsection (1) does not apply to bona</p>	Not Applicable	No camp/office sites have been constructed. Existing Anglo Geological Exploration Offices, situated at the Shared Services Offices, are utilised. For the review period, the prospecting right has not been suspended, cancelled or abandoned. This condition is not applicable.

Condition number	Condition	Finding	Observation/ Audit Evidence
	fide mining equipment which may be removed.		
	Where office/camp sites have been rendered devoid of vegetation/grass or where soils have been compacted owing to traffic, the surface shall be scarified or ripped.		
	Areas containing French drains shall be compacted and covered with a final layer of topsoil to a height of 10cm above the surrounding ground surface.		
	The site shall be seeded with a vegetation seed mix adapted to reflect the local indigenous flora.		
	If a reasonable assessment indicates that the re-establishment of vegetation is unacceptably slow, the Regional Manager may require that the soil be analysed and any deleterious effects on the soil arising from the prospecting operation be corrected and the area seeded with a vegetation seed mix to his or her specification.		
	Photographs of the camp and office sites, before and during the prospecting operation and after rehabilitation, shall be taken at selected fixed points and kept on record for the information of the Regional Manager.	Not Applicable	
F2.4. Vehicle maintenance yard and secured storage areas			
F2.4.1. Establishing the vehicle maintenance yard and secured storage areas	Not applicable to coal prospecting operations.	Noted	This condition is noted.
F2.4.2. Maintenance of vehicles and equipment	Not applicable to coal prospecting operations.	Noted	This condition is noted.
		Noted	

Condition number	Condition	Finding	Observation/ Audit Evidence
F2.4.3. Waste disposal	Not applicable to coal prospecting operations.		This condition is noted.
F2.4.4. Rehabilitation of vehicle maintenance yard and secured storage areas	Not applicable to coal prospecting operations.	Noted	This condition is noted.

**Operating procedures in the mining area**

	Not applicable – this EMPr is for a prospecting right and not a mining permit.	Noted	This condition is noted.
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**The Water Use Licence**

<p>The National Water Act, 1998 (Act 36 of 1998), is based on principles of sustainability, efficiency and equity, meaning that the protection of water resources must be balanced with their development and use.</p> <p>In addition to being issued with a prospecting right</p>	Not applicable: Operations conducted are prospecting and not small-scale mining operations.	Noted	This condition is noted.
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or mining permit a small-scale miner may also need to get a water use licence for the proposed water uses that will take place, except in certain cases.			
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**Excavations**

Condition number	Condition	Finding	Observation/ Audit Evidence
F3.3.1. Establishing the excavation area	<p>Whenever any excavations are undertaken for the purpose of locating and/or extracting ore bodies of all types of minerals, including precious stone-bearing gravels, the following operating procedures shall be adhered to:</p> <ul style="list-style-type: none"> <li>• Topsoil shall, in all cases (except when excavations are made in the river- bed), be handled as described in F2.1 above.</li> <li>• Excavations shall take place only within the approved prospecting area.</li> <li>• Overburden rocks and coarse material shall be placed concurrently in the excavations or stored adjacent to the excavations, if practicable, to be used as backfill material once the ore or gravel has been excavated.</li> <li>• Trenches shall be backfilled immediately if no ore or precious stone-bearing gravel can be located.</li> </ul>	Not Applicable	No prospecting was undertaken during the review period, with the most recent prospecting undertaken during 2008. Therefore, no new boreholes were drilled.
F3.3.2. Rehabilitation of excavated areas	Not applicable	Noted	This condition is noted.

F3.4. Processing areas and waste piles (dumps)			
F3.4.1. Establishing processing areas and waste piles	Not applicable for coal prospecting operations.	Noted	This condition is noted.
F3.4.2. Rehabilitation of processing areas	Not applicable for coal prospecting operations.	Noted	This condition is noted.
<b>F3.5. Tailings dam(s) (slimes)</b>	Not applicable for coal prospecting operations.	Noted	This condition is noted.
<b>F3.6. Final Rehabilitation</b>	All infrastructure, equipment, plant, temporary housing and other items used during the mining period will be removed from the site (section 44 of the MPRDA).	Not Applicable	This condition is not applicable as the EMPr relates to prospecting and not mining activities. No infrastructure, plant or temporary housing was constructed during the review period.
	Waste material of any description, including receptacles, scrap, rubble and tyres, will be removed entirely from the mining area and disposed of at a recognised landfill facility. It will not be permitted to be buried or burned on the site.	Not Applicable	This condition is not applicable as the EMPr relates to prospecting and not mining activities. No waste material was generated during the review period.
	Final rehabilitation shall be completed within a period specified by the Regional Manager.	Not Applicable	A total of six (6) boreholes were drilled and rehabilitated successfully. As the mine has not yet applied for closure of the Prospecting Right EMPr, Wolwekrans KK (48/2007 PR), Ref: No: MP 30/5/1/1/2 (185) PR final rehabilitation is not applicable.

**Monitoring and reporting**

F4.1. Inspections and monitoring	Regular monitoring of all the environmental management measures and components shall be carried out by the holder of the prospecting right, mining permit or reconnaissance permission in order to ensure that the provisions of this programme are adhered to.	Compliant	<p>During the review period, no drilling activities were undertaken (most recent being in 2008).</p> <p>“E-forms” for all six (6) boreholes drilled, were discussed. Together with site observations of four of the six boreholes, these records indicate that on the sites where prospecting drilling activities occurred, the boreholes were sealed, and rehabilitation undertaken.</p> <p>Environmental audits are also conducted on the conditions of the EMPr. The latest audit report <i>Environmental Audit Report of Prospecting Right: Environmental Management Plan (EMP) Wolwekrans</i>, dated September 2019 by Shangoni Management Services, was provided as evidence thereto.</p>
	Ongoing and regular reporting of the progress of implementation of this programme will be done.	Compliant	<p>A <i>Progress Report in Respect of Prospecting on Wolwekrans KK</i>, is compiled when drilling activities are undertaken. The most recent prospecting activities were undertaken in 2008, at which time an annual progress report was compiled. The following annual progress reports were provided:</p> <ul style="list-style-type: none"> <li>• Wolwekrans KK – Annual Prospecting Report – Year 1;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 2;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 3;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 4;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 5; and</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 6.</li> </ul>
	Various points of compliance will be identified with regard to the various impacts that operations will have on the environment.	Compliant	During the review period, no drilling activities were undertaken (most recent in 2008). When drilling activities are undertaken, an E-Form is completed and signed off for every drill site. This monitoring mechanism addresses all identified risks to the environment. Due to the short period of drilling followed immediately thereafter by the implementation of rehabilitation measures, the risk of erosion is very low.
	Inspections and monitoring shall be carried out on both the implementation of the programme and the impact on plant and animal life.		Monitoring on progress with regards to prospecting activities undertaken and compliance with the requirements of the EMPr is undertaken on a continuous basis. Regarding previous discussions, compliance at each prospecting site is monitored during the course and after completion of all activities (for example refer to the compiled E-form). Note that no prospecting was undertaken during the review period.
	Visual inspections on erosion and physical pollution shall be carried out on a regular basis.		Performance assessments are undertaken on a biennial basis. The most recent report <i>Environmental Audit Report of Prospecting Right: Environmental Management Plan (EMP) Wolwekrans</i> , dated September 2019 was compiled by Shangoni Management Services.
	Regulation 55 promulgated in terms of the MPRDA requires the following:		This independent environmental audit as undertaken by Geovicon Environmental serves the purpose of

	<p>Monitoring and performance assessments of environmental management programme plan</p> <p>1) As part of the general terms and conditions for a prospecting right, mining right or mining permit and in order to ensure compliance with an environmental management programme or environmental management plan and to assess the continued appropriateness and adequacy of the environmental management programme or environmental management plan, a holder of such permit or right must-</p> <p>(a) conduct monitoring on a continuous basis;</p> <p>(b) conduct performance assessments of the environmental management plan or environmental management programme as required; and</p> <p>(c) compile and submit a performance assessment report to the Minister to demonstrate adherence to sub-regulation (b).</p> <p>2) The frequency of performance assessment reporting shall be –</p> <p>(a) in accordance with the period specified in the approved environmental management programme or plan; or, if not so specified;</p> <p>(b) as agreed to in writing by the Minister; or</p> <p>(c) Biennially (every two years).</p> <p>3) A performance assessment report, shall be in the format provided in guidelines that will from time to time be published by the Department and shall as a minimum contain-</p> <p>(a) information regarding the period applicable to the performance assessment;</p> <p>(b) the scope of the assessment;</p>		<p>the biennial performance assessment of the EMPr for the period May 2019 – April 2021.</p>
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	<p>(c) the procedure used for the assessment;</p> <p>(d) the interpreted information gained from monitoring the approved environmental management programme or environmental management plan;</p> <p>(e) the evaluation criteria used during the assessment;</p> <p>(f) the results of the assessment; and</p> <p>(g) recommendations on how and when deficiencies that are identified and/or aspects of non-compliance will be rectified.</p> <p>The holder of a prospecting right, mining right or mining permit may appoint an independent qualified person(s) to conduct the performance assessment and compile the performance assessment report provided that no such appointment shall relieve the holder of the responsibilities in terms of these regulations.</p> <p>(5) Subject to section 30(2) of the Act, the performance assessment report submitted by the holder shall be made available by the Minister to any person on request.</p> <p>(6) If upon consideration by the Minister, the performance assessment executed by the holder is found to be unacceptable, the holder must –</p> <p>(a) repeat the whole or relevant parts of the performance assessment and revise and resubmit the report;</p> <p>(b) submit relevant supporting information;</p> <p>(c) appoint an independent competent person(s) to conduct the whole or part of the performance assessment and to compile the report.</p> <p>(7) If a reasonable assessment indicates that the</p>		
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	<p>performance assessment cannot be executed satisfactorily by the holder or a competent person(s) appointed by the holder, the Minister may appoint an independent competent person(s) to conduct such performance assessment and such appointment and execution shall be for the cost of the holder.</p> <p>(8) When the holder of a prospecting right, mining right or mining permit intends closing such operation, a final performance assessment shall be conducted and a report submitted to the Minister to ensure that -</p> <p>(a) the requirements of the relevant legislation have been complied with;</p> <p>(b) the closure objectives as described in the environmental management programme or environmental management plan have been met; and</p> <p>(c) all residual environmental impacts resulting from the holder's operations have been identified and the risks of latent impacts which may occur have been identified, quantified and arrangements for the management thereof have been assessed.</p> <p>(9) The final performance assessment report shall either precede or accompany the application for a closure certificate in terms of the Act.</p>		
F4.2. Compliance and reporting/ submission of information	<p>Layout plans will be updated on a regular basis and updated copies will be submitted on a biennial basis to the Regional Manager.</p>	Compliant	<p><i>A Progress Report in Respect of Prospecting on Wolwekrans KK</i>, is compiled when drilling activities are undertaken. The report includes an updated layout map of the drilling progress that includes all boreholes drilled to date. The most recent prospecting activities were undertaken in 2008, at which time an annual progress report was compiled. The following annual progress reports were provided:</p> <ul style="list-style-type: none"> <li>• Wolwekrans KK – Annual Prospecting Report – Year 1;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 2;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 3;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 4;</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 5; and</li> <li>• Wolwekrans KK – Annual Prospecting Report – Year 6.</li> </ul>

	Reports confirming compliance with various points identified in the environmental management programme will be submitted to the Regional Manager on a regular basis and as decided by the said manager.	Compliant	As biennial performance assessments (now EIA Regulation 34 Audits) of the EMPr are undertaken, it serves as the reports confirming compliance with the various points identified in the environmental management program.  The most recent EMPr assessment report <i>Environmental Audit Report of Prospecting Right: Environmental Management Plan (EMP) Wolwekrans</i> , dated September 2019 and compiled by Shangoni Management Services, was submitted to the Regional Manager of the DMR.
	Any emergency or unforeseen impact will be reported as soon as possible.	Compliant	No emergency incidents or unforeseen impacts have occurred over the period of review that required reporting to the Regional Manager. As previously discussed, measures to control emergency incidents are in place.
	An assessment of environmental impacts that were not properly addressed or were unknown when the programme was compiled shall be carried out and added as a corrective action.	Compliant	There has been no need to undertake a further environmental impact assessment, in addition to what is provided for in the EMPr. As provided in this report, with reference to the site observations, the scale and significance of environmental impacts are low, well controlled with effective rehabilitation evident.

**Closure**

Condition number	Condition	Finding	Observation/ Audit Evidence
When the holder of a prospecting right, mining permit or reconnaissance permission intends closing down his/her operations, an environmental risk report shall accompany the application for closure. The requirements of such risk report is contained in Regulation 60 of the Regulations promulgated in terms of the Act and is quoted below			
F5.1. Environmental risk report	An application for a closure certificate must be accompanied by an environmental risk report that must include-  (a) the undertaking of a screening level environmental risk assessment where-  (i) all possible environmental risks are identified, including those which appear to be insignificant;  (ii) the process is based on the input from existing data;  (iii) the issues that are considered are qualitatively ranked as - (aa) a potential significant risk; and/or  (bb) an uncertain risk; and/or (cc) an insignificant risk;	Not Applicable	This condition is noted. The mine has not applied for closure of Prospecting Right EMPr, Wolwekrans KK (48/2007 PR), Ref: No: MP 30/5/1/1/2 (185) PR.

	<p>(b) the undertaking of a second level risk assessment on issues classified as potential significant risks where-</p> <p>(i) appropriate sampling, data collection and monitoring be carried out;</p> <p>(ii) more realistic assumptions and actual measurements be made; and</p> <p>(iii) a more quantitative risk assessment is undertaken, again classifying risks as posing a potential significant risk or insignificant risk.</p> <p>(c) assessing whether issues classified as posing potential significant risks are acceptable without further mitigation;</p> <p>(d) issues classified as uncertain risks be re-evaluated and re-classified as either posing potential significant risks or insignificant risks;</p> <p>(e) documenting the status of insignificant risks and agree with interested and affected persons;</p> <p>(f) identifying alternative risk prevention or management strategies for potential significant risks which have been identified, quantified and qualified in the second level risk assessment;</p> <p>(g) agreeing on management measures to be implemented for the potential significant risks that must include –</p> <p>(i) a description of the management measures to be applied;</p> <p>(ii) a predicted long-term result of the applied management measures;</p> <p>(iii) the residual and latent impact after successful implementation of the management measures;</p> <p>(iv) time frames and schedule for the implementation of the management measures;</p>		
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	(v) responsibilities for implementation and long-term maintenance of the management measures; (vi) financial provision for long-term maintenance; and (vii) monitoring programmes to be implemented.		
F5.2.  objectives  Closure	Closure objectives form part of this EMPlan and must- (a) identify the key objectives for mine closure to guide the project design, development and management of environmental objectives; (b) provide broad future land use objective(s) for the site; and provide proposed closure cost.	Not Applicable	This condition is noted. As discussed above, this is not yet applicable.
F5.3. Contents of closure plan	A closure plan forms part of the EMP and must include the following: (a) a description of the closure objectives and how these relate to the prospecting or mine operation and its environmental and social setting; (b) a plan contemplated in Regulation 2(2), coordinated according to general accepted standards, showing the land or area under closure; (c) a summary of the regulatory requirements and conditions for closure negotiated and documented in the environmental management programme or plan; (d) a summary of the results of the environmental risk report and details of the identified residual and latent impacts; (e) a summary of the results of progressive rehabilitation undertaken; (f) a description of the methods to decommission each prospecting or mining component and the mitigation or management strategy proposed to avoid,	Noted	This condition is noted. A closure plan will be submitted to the DMR (Witbank) in accordance with the above guidelines when prospecting operations considered in this EMPr cease.

	<p>minimise and manage residual or latent impacts;</p> <p>(g) details of any long-term management and maintenance expected;</p> <p>(h) details of financial provision for monitoring, maintenance and post closure management, if required;</p> <p>(i) a plan or sketch at an appropriate scale describing the final land use proposal and arrangements for the site;</p> <p>(j) a record of interested and affected persons consulted; and technical appendices, if any.</p>		
F5.4. Transfer of liabilities to a competent person	<p>Should the holder of a prospecting right, mining permit or reconnaissance permission wish to transfer any environmental liabilities and responsibilities to another person or persons, the following will pertain:</p> <p>(1) An application to transfer environmental liabilities to a competent person in terms of section 48 of the Act, must be completed on Form O as set out in Annexure 1 to the Regulations and be lodged to the Minister for consideration.</p> <p>The holder of a prospecting right, mining right or mining permit may transfer liabilities and responsibilities as identified in the environmental management plan and the required closure plan to a competent person as contemplated in Regulation 58.</p> <p>(3) When considering the transfer of environmental liabilities and responsibilities in terms of Section 48 of the Act, the Minister must consult with any State department which administers any law relating to matters affecting the environment.</p> <p>(4) No transfer of environmental liabilities and responsibilities to a competent person may be made unless the Chief Inspector of Mines and the Department of Water Affairs and Forestry have confirmed in writing that the person to whom liabilities and responsibilities is transferred to, have the necessary qualifications</p>	Noted	Khwezela Bokgoni Colliery takes note of these requirements. No transfer of environmental liabilities and responsibilities to another person has been done.

	pertaining to health and safety and management of potential pollution of water resources.		
F5.5. Notes on legal provisions	<p>NOTE: The holder of a prospecting right, mining permit or reconnaissance permission must also take cognisance of the provisions of other legislation dealing with matters relating to conservation, and which include, inter alia, the following:</p> <ul style="list-style-type: none"> <li>• National Monuments Act, 1969 (Act 28 of 1969)</li> <li>• National Parks Act, 1976 (Act 57 of 1976)</li> <li>• Environmental Conservation Act, 1989 (Act 73 of 1989)</li> <li>• National Environmental Management Act, 1998 (Act No. 107 of 1998)</li> <li>• Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965)</li> <li>• The National Water Act, 1998 (Act 36 of 1998)</li> <li>• Mine Safety and Health Act, 1996 (Act 29 of 1996)</li> <li>• The Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983).</li> </ul>	Noted	Khwezela Bokgoni Colliery takes note of these requirements. As previously discussed, and supported through site observations, control mechanisms such as the compiled contractor packs, environmental audits and inspections are in place to ensure compliance with the provisions of other legislation dealing with matters relating to conservation. During the site audit, no legal non-compliances were observed.

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## 8. DELIBERATIONS

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### 8.1 ADEQUACY AND COMPLIANCE WITH THE WOLWEKRANS PROSPECTING RIGHT ENVIRONMENTAL MANAGEMENT PROGRAMME REPORT

#### **Adequacy of the Wolwekrans Prospecting Right EMPr**

An assessment was conducted for the determination of the ability of the EMPr to adequately address the impacts that are arising from the Wolwekrans prospecting activities. These drilling activities were last undertaken 13 years ago in 2008 and no impacts of the work was noted on site. The EMPr itself covers all aspects of this type of prospecting work more than adequately.

#### **Compliance with the Wolwekrans Prospecting Right EMPr**

Since the prospecting activities were last conducted 13 years ago and no notable signs of impacts to the environment were observed at four of the six drilling sites, no non-compliances were raised during the audit pertaining to compliance with this EMPr.



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## 9. CONCLUSION

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This environmental audit report was compiled to comply with the relevant legislative requirements specifically the NEMA, with the main objectives to report on the compliance status of the commitments and conditions, as well as the appropriateness and adequacy of the specific EMPr. This audit report will be submitted to the competent authority, being the DMRE. Within 7 days of submission of this Audit Report to the competent authority, Khwezela Coal Mining (Pty) Ltd, Bokgoni Colliery, must notify all potential and registered I&APs of the submission, and make this report immediately available to anyone on request and on a publicly accessible website.

Since no non-compliances were raised, no recommendations have been made.

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## 10. DISCLAIMER

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This report has been produced by Geovicon Environmental (Pty) Limited, with the skill and care normally exercised by a reasonable Environmental Consultant during the rendering of the service. The service provided by Geovicon Environmental (Pty) Limited should not be considered as legal opinion of any kind but shall be a representation of the findings. The work performed was based on the Client's scope of work, time and resources allocations as well as information provided by the Client. Any reference to legislation in this report should not be considered as a substitute for the provisions of such legislation.

Geovicon Environmental (Pty) Limited ensured by all means that information provided by management and/or representative is correct and relevant thus this report is based on information that could have reasonably been sourced within the time period allocated to the audit performed. It should not be assumed that all possible and applicable findings are included in this report as this report represents a sample of the audit. Therefore, should additional information become available, Geovicon Environmental (Pty) Limited reserves the right to amend its findings accordingly.

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## 11. DECLARATION

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I, Ryan Nawn of Geovicon Environmental (Pty) Limited, hereby declare that I am an independent auditor and that Geovicon Environmental (Pty) Limited and myself have no business, financial, personal or other interest in this project in respect of which Geovicon Environmental (Pty) Limited is appointed. Furthermore, no circumstances exist that may compromise the objectivity of Geovicon Environmental (Pty) Limited, excluding fair remuneration for work performed in connection with this EMPr audit.

Signed: 

Date: 2/11/2021

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