

LIMPOPO COAL COMPANY (PTY) LTD

BACKGROUND INFORMATION DOCUMENT (BID)

RECTIFICATION OF UNLAWFUL COMMENCEMENT OR CONTINUATION OF ACTIVITIES IDENTIFIED IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS IN TERMS OF SECTION 24G OF NEMA, 1998 (ACT NO. 107 OF 1998), AS AMENDED

PURPOSE OF BID

The purpose of this communication is to inform regarding the application for rectification lodged by Limpopo Coal Company (Pty) Ltd in terms of Section 24(G) and 24(F) of the National Environmental Management Act, 1998. In addition, the granting of the environmental authorisation by DEA for Listed Activities in terms of EIA Regulations, Government Notice R 386 and R 387, of 21 April 2006, promulgated in terms of Section 24 of NEMA.

As part of the public participation process, this document shares basic information on the:-

- Background on the project;
- Commenced activities that triggered the S24G applications, and related potential environmental impacts
- Need for continuation of activities and mitigation measures
- Public participation process;

BACKGROUND OF THE PROJECT

Limpopo Coal Company (Pty) Ltd ("LCC") is a subsidiary of Coal of Africa Limited (CoAL) with a mine currently in the construction phase. The mine, called Vele Colliery, is located within Vhembe District Municipality, +/- 45 km west of Musina town in the Limpopo Province. The mine is operated under a Mining License and an approved Environmental Management Programme (EMP) issued by the Department of Mineral Resources on 19 March 2010 under the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) "the MPRDA". The activities commenced on Portions 3, 4 and 5 of the farm Overvlakte 125 MS, Bergen op Zoom 124 MS and Erfrust 123 MS.

LCC was subsequently issued with a Compliance Notice by the Department of Environmental Affairs for commencement of listed activities within and outside the licensed mining area. These are; Activity 1(m) – a servitude road and road networks within the mining area, Activity 2 – vegetation clearance, Activity 12 – slurry dam construction and, Activity 10 – construction of culverts.

LCC has since lodged a "Class Application" in terms of Section 24G of NEMA to ensure compliance with the DEA notice, which further requires a public participation process to be conducted.

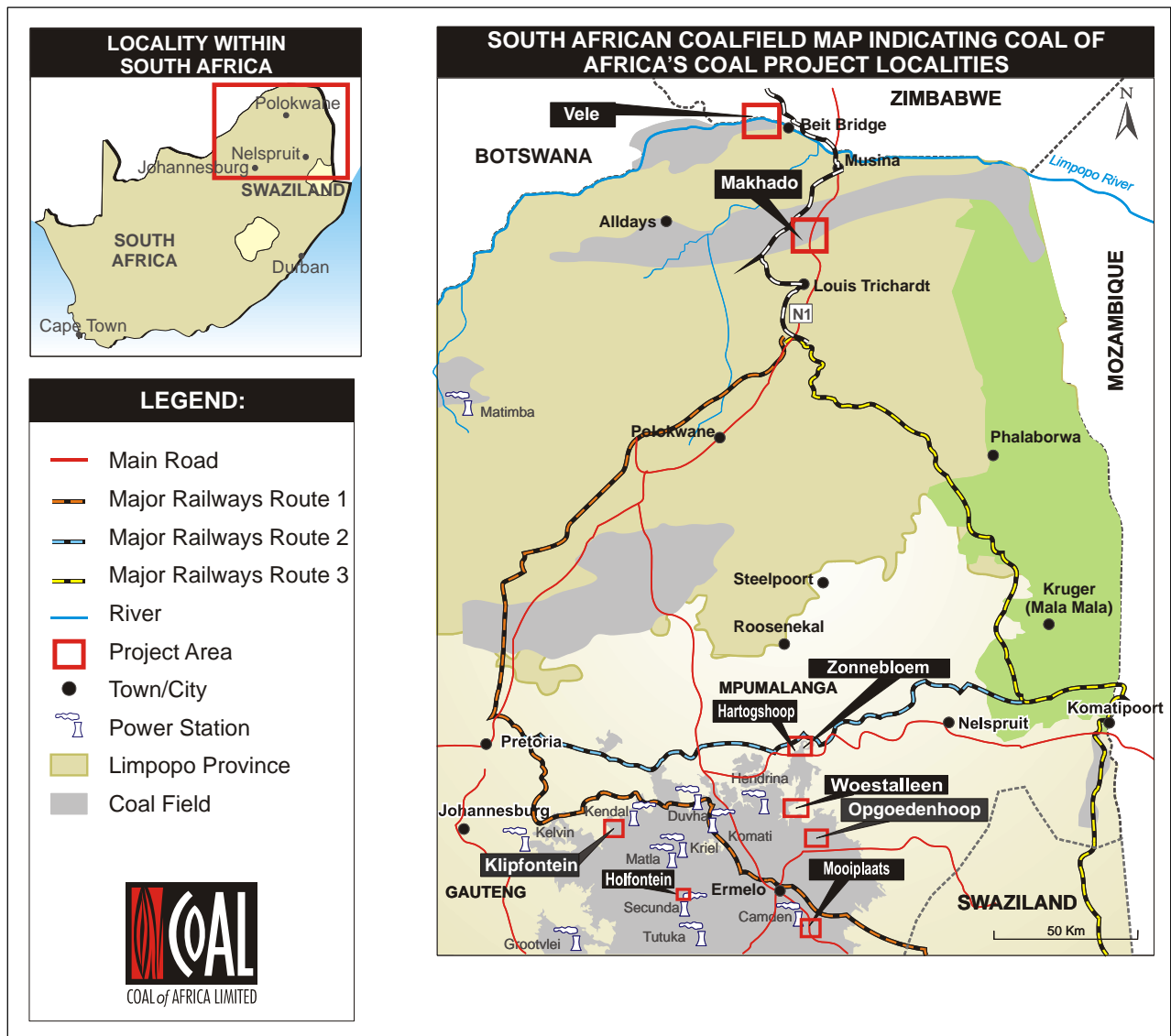
PURPOSE AND NEED FOR THE SECTION 24G APPLICATIONS

The purpose for lodging the S 24G applications is to ensure legal compliance and to create an opportunity for the public and other stakeholders to provide input in the rectification application process.

The information gathered in the process will further enable the regulating authority to make an informed decision on the application.

To fulfil the above requirements, Dyambwini Projects Solutions CC was appointed by LCC as an independent Environmental Assessment Practitioner (EAP) to manage, facilitate and coordinate the Section 24(G) application process. Specialist studies were conducted during the mining licence application process and are available for review and serve as supporting documentation to the application.

The Location of Key CoAL operations



PUBLIC PARTICIPATION PROCESS

Interested and affected parties are provided with an opportunity to raise concerns, issues, give inputs or comments on the impacts and management of the commenced activities. The comments and inputs raised are then assessed, their significance determined for consideration and incorporated into the management plan during the design of mitigation measures. Should you wish to participate in the public participation process phase of the project by raising issues, concerns, inputs or comments, you are requested to please complete the attached I&AP's registration form. Interested and affected parties are requested to provide comments on or before 6 October 2010.

All queries (including directions to the Musina Agricultural Hall venue) should be directed to:

Consultant: Dyambwini Project Solutions
PO Box 624
MUSINA
0900

Telephone: 011 672 4676
Cell: 082 390 4106
Fax: 086 548 3975
E-mail: tshego@intouch-score.co.za

Applicant: Limpopo Coal Company (Pty) Ltd
P O Box 1401
CALVIN
2054

COMMENCED LISTED ACTIVITIES

The following activities commenced without environmental authorisation and triggered the Section 24G application:

- Activity 15 – Construction of a road wider than 4 meters
- Activity 1(m) – Construction of infrastructure in the 1:10 year flood line of a river or system
- Activity 2 – Any development activity where the total area of the development area is, or is intended to be 20 hectares
- Activity 6 – The construction of the dam where the highest part of the dam wall, as measured from the outside toe of the wall, to the highest part of the wall is 5 meters or higher.

IDENTIFIED ENVIRONMENTAL ASPECTS

The Environmental Impact Assessment (EIA) of the EMP will focus on reviewing impacts and their significance related to the following issues:

- Air quality
- Surface and Ground Water
- Vegetation and Fauna
- Soil
- Land Use and Capability
- Archaeology and Cultural
- Aesthetic, Visual, Sensitive Landscapes
- Noise
- Socio-economic.



COMMENT SHEET FORM

Dear Stakeholder

You have an opportunity to raise issues or concerns you would like addressed in the EMP pertaining to the Section 24G applications for the rectification of the unlawful commencement of activities at the above mentioned site. Please complete this form to ensure that your views can be taken into account during the compilation of the EMP.

Once completed, please post, fax or email this form to Dyambwini Projects Solutions using the details provided above. I&APs who participated during the initial Mining Right application should not complete the forms as the EAP still have their details, unless the details has since changed.

Your completed form should reach us within 14 days from the date of this letter so that your comments may be incorporated into the environmental documentation.

1. Contact details

Name: (Title, Full Names and Surname)	
Organisation: (if applicable, otherwise state private individual)	
Telephone number:	
Fax number:	
Cell number:	
Email address:	
Physical address:	
Postal address:	

2. ISSUES OF CONCERN/COMMENTS/QUESTIONS

How do you see S24 (G) application for rectification of unlawful activities listed in terms of EIA Regulations impacting on your individual operations/ well-being / activities or your residence?
<i>What potential impacts do you foresee?</i>
<i>How would you like the potential impacts to be addressed?</i>
<i>How do you perceive this activity in the Study Area?</i>
<i>Are there any other role players that you feel we should consult with (Please state their names and contact details)?</i>
<i>Do you have any other comments to make?</i>