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Environmental Authorisation

AUTHORISATION NOTICE REGISTER NUMBER	Provincial: ECm1/C/LN2/M/20-2020 NEAS: ECP/EIA/0000947/2020
LAST AMENDED	Not applicable
HOLDER OF AUTHORISATION	Unitainer (Pty) Ltd trading as Newlyn Manganese Terminal
LOCATION OF ACTIVITY	Within Zone 2 & 5 of the Coega Special Economic Zone – See Figure 1.

DEFINITIONS:

The following definitions are applicable to this Environmental Authorisation:

“AEL” – Air Emissions Licence.

“Audit” as used in the context of this Environmental Authorisation refers to an audit of compliance with conditions contained in this Environmental Authorisation and the requirements / stipulations of a Construction and / or Operational Environmental Management Programme and not to an Environmental Audit undertaken in terms of an accredited environmental management system by a certified environmental management systems auditor.

“CDC” – Coega Development Corporation.

“CEMPr” – Final Construction Environmental Management Programme submitted with the FEIR titled “Construction Environmental Management Programme Newlyn Manganese Storage and Conveyor Facility, Coega Special Economic Zone” dated 15 January 2021.

“Coega ELC” – Coega Environmental Liaison Committee.

“Coega EMC” – Coega Environmental Monitoring Committee.

“Coega SEZ” – Coega Special Economic Zone.

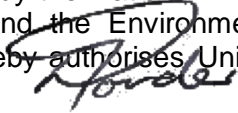
“Commencement” – Any physical activity on site that can be viewed as associated with the establishment of the Manganese Storage and Conveyor Facility inclusive of initial site preparation, vegetation clearing and establishment of a construction site office.

- “DFFE” – The National Department of Forestry, Fisheries and the Environment.
- “DWS” – The National Department of Water & Sanitation.
- “EAP” – The Environmental Assessment Practitioner appointed to undertake the relevant assessments and compile the environmental reports being CEN Integrated Environmental Management Unit.
- “ECO” – Environmental Control Officer.
- “EIA Regulations” - These are the Environmental Impact Assessment Regulations published in Government Notice R982 of 4 December 2014 in terms of Sections 24(5) and 44 of the National Environmental Management Act, Act 107 of 1998 as amended by Government Notice R326 of 7 April 2017.
- “FEIR” – Final Environmental Impact Assessment Report compiled by CEN Integrated Environmental Management Unit dated 15 January 2021 and titled “Final Environmental Impact Assessment Report: Newlyn Manganese Storage and Conveyor Facility in the Coega Special Economic Zone, Nelson Mandela Bay Municipality, Eastern Cape”.
- “FSR” – Final Scoping Report compiled by CEN Integrated Environmental Management Unit dated 19 October 2020 and titled “Final Scoping Report: Newlyn Manganese Storage and Conveyor Facility in the Coega Special Economic Zone, Nelson Mandela Bay Municipality, Eastern Cape”.
- “NEMAQA” – National Environmental Management: Air Quality Act, Act 39 of 2004.
- “NEMBA” – National Environmental Management: Biodiversity Act, Act 10 of 2004.
- “NEMWA” – National Environmental Management: Waste Act, Act 59 of 2008.
- “NMBM” – Nelson Mandela Bay Municipality.
- “OEMPr” – Final Operational Phase Environmental Management Programme submitted with the FEIR titled “ Final Operational Environmental Management Programme Newlyn Manganese Storage and Conveyor Facility, Coega Special Economic Zone” dated 15 January 2021.
- “SANS” – South African National Standard.
- “The Department” – The Department of Economic Development, Environmental Affairs & Tourism, Eastern Cape Province.

1. Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation that the applicant should be allowed to undertake the activity specified below. Details regarding the basis on which the Department reached this decision are set out Section 4 of this Environmental Authorisation.

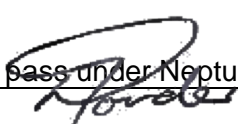
2. Activities and regulations for which authorisation has been granted

By virtue of the powers conferred on it by the National Environmental Management Act, Act 107 of 1998 as amended and the Environmental Impact Assessment Regulations, 2006 the Department hereby authorises Unitainer (Pty) Ltd being the


legal or natural organisation who has applied for this authorisation, with the following contact details:

Name	Unitainer (Pty) Ltd trading as Newlyn Manganese Terminal		
Address	P.O. Box 17354, Congella, Durban / First Floor, 39 Florida Road, Morningside, Durban		
Telephone	031 313 6500	e-mail	rajb@newlyngroup.com
Cell Phone	083 775 2999	Fax	Non provided
Contact	Mr Raj Balmakhun		

To undertake the following activity (hereafter referred to as “the activity”), in terms of the scheduled activities listed in the table below:

Detailed description of activity
<p>Unitainer (Pty) Ltd trading as Newlyn Manganese Terminal proposes to establish a closed storage facility for minerals (Manganese) and a conveyor from the storage site to the Port of Ngqura, where the minerals will be loaded onto ships. The entire process of mineral handling through the facility is a closed process and is designed for near zero dust emission. The Newlyn Manganese Storage and Conveyor Facility will cater for the mines serviced by the rail networks from the Kalahari Manganese Fields.</p> <p>The proposed storage facility will be located in Zone 2 of the Coega Special Economic Zone (SEZ), and the conveyor facility within Zones 2, 5 and 8 of the Coega SEZ,</p> <p>The Newlyn Manganese Storage and Conveyor Facility will have an initial throughput capacity of 5 million tons per annum with a final capacity of 15 million tons per annum. The facility will have a total storage capacity of 1 200 000 tons of manganese that will be stored in 12 closed silos with each silo having a storage capacity of 100 000 tons. It is foreseen that it will take between 5-10 years to reach full capacity. The development will be incremental and would not have defined phases</p> <p>The proposed Newlyn Manganese Storage and Conveyor Facility will consist of the following main aspects:</p> <ol style="list-style-type: none">1. Dry minerals (manganese) arrive via rail and are offloaded via a tippler at a compilation yard at the site.2. Transfer of materials along a conveyor from the tippler to the silos for storage.3. Transfer of materials along a conveyor from the silos to the Port for ship loading.4. Ship loading via ship loaders at the Port of Ngqura. <p>Incoming materials / offloading</p> <p>The fully loaded train arrives at the Newlyn site at the Coega SEZ, and is moved onto a new rail siding, which can move the entire train into the private siding. A full train length is 208 wagons, carrying 13,104 tons of materials. The train is split into 2 lengths of 104 wagons.</p> <p>The rail siding from the main rail line will pass under Neptune Road. The railyard will</p> 

consist of three sidings and capacity for an additional two sidings has been provided should this be required for future use.

The wagons are unloaded two (2) at a time by the tandem tippler. The tippler is fully enclosed in a clad structure. The tippler feeds a belt conveyor via a hopper at the rate of 6,500 tons per hour. The conveyor then feeds one of two (2) belt conveyors.

A dust extraction and collection system is fitted to the tipplers. The dust extraction system is operating continuously while unloading operations are taking place. A closely fitting shroud is installed around the tippler drum with a number of suction pipes at the back or bottom of the shroud, sucking air and also any dust in the air, in from the sides of the tippler drum. The five apron feeders are totally enclosed, each enclosure being fitted with a suction pipe over the discharge point to the conveyor. The tippler is enclosed in a Tippler Building which will require a large dust filter plant to contain the dust from the tippler operation.

It is anticipated that the Tippler Building will go to a depth of 20 meters (m) and to a height of 15m above ground.

Silo Storage

From the tippler, the conveyor belts are enclosed, i.e. totally enclosing the material, traversing the distance between the tippler and transfer tower at 2m above ground. At the transfer tower the material will be diverted to either one of 2 conveyor belts, to access any of the silos, and will have an automated dust control system. The conveyors over the top of the silos are open trough conveyor belts, but completely closed in a housing, to avoid any dust or noise emission. The silo itself does not have any exhaust or ventilation system as the dust is contained within the silo.

Each silo will have a capacity of 100,000 tons. The conveyor belts will fill one silo at a time. The silos will have a funnel flow design that allows the manganese ore to move into and from the silos from the middle of the silo. Thus limited friction along the sides of the silos would occur, compared to a mass flow design where the ore would slide against the sides. The silo walls will be 0.5m thick and will also have a hardening on the walls. The ore will settle evenly within the silos through rotational screw conveyors.

The discharge out of the silo will be initiated through the control system once a ship is ready to receive material. The conveyors at the bottom of each silo are fed via a discharge chute.

The silos will be approximately 50m in height.

All dust captured in the dust extraction systems will be added to the silo storage via a conveyor feed, and will not be disposed of as waste.

Conveyor and Ship Loading (It must be noted that Conveyor Route Alternative 1 as presented in the FEIR is authorised in this Environmental Authorisation).

The outgoing conveyor (10m wide corridor) passes underneath the Neptune Road Bridge (alongside the main railway) and will follow the N2 in a north-easterly direction until the underpass culvert. The conveyor crosses the N2 and main incoming rail line via an underpass culvert, and will continue to the Port of Ngqura in a south-easterly direction.

The outgoing conveyor will require over passes for stormwater infrastructure, non-

perennial watercourses, rail and roads along the route to the berths at the Port. No new culverts or underpasses are anticipated. It is likely that construction within the steep slope areas will be cut and fill operations.

Each belt will transfer at the rate of 5,000 tons per hour. The outgoing conveyor belts are piped or trough conveyors, in closed housing and connected to the Jetty conveyors at the Port, which is a double trough belt conveyor. The jetty conveyor is completely enclosed in a housing structure.

The total length of conveyors from the storage site to the berths is 4.2kms. The conveyor will be located 2m above ground level and transfer towers will be up to 10m above ground level, with support structures going to a depth of 3m.

Each ship loader can load at the rate of 5,000 tons per hour. The two ship loaders can load two ships at 5,000 tons per hour each, or a single ship at 10,000 tons per hour. The ship loader has a special discharge spout into the ship hold, which entrains and contains any dust. The spout is lowered to the top of the ship's stockpile to prevent free fall and dust emissions. A surge bin will be located close to the berths. This is used to provide a buffer for the conveyors, when the ship loader moves from one hatch to another. The conveyors continue to fill a surge bin instead of stopping.

Ancillary facilities

Ancillary facilities for the Newlyn Manganese Storage and Conveyor Facility include the following, and will be located at the Silo Storage site:

- a) Workshop and storage of diesel fuel (20m³) for the locomotives, at the rail yard.
- b) Machine and Electrical Workshops.
- c) Stores.
- d) Offices, Canteen, Ablutions.
- e) MCC and Control Rooms.
- f) Parking.
- g) Stormwater management facilities

Stormwater Management

The off-loading facility and tippler structure is a fully enclosed structure, capable of capturing and diverting all stormwater runoff towards a perimeter concrete apron channel, which is then piped through an underground stormwater pipe to stormwater management facilities (such as evaporation beds). If there is stormwater ingress to the tippler vault and tunnel, this will be collected in sumps and pumped to the stormwater evaporation beds.

The storage silos are completely enclosed and sealed bulk storage facilities and therefore there should not be any stormwater ingress into the silos. However, stormwater drainage will be provided around the silos for dirty / contaminated runoff, which will drain to an underground pipe system which then discharges into the evaporation beds.

The overland piped conveyors are a completely enclosed conveyor system, which seals the transportation of the manganese from stormwater ingress or loss of material. Therefore, no stormwater ingress is expected into the conveyors.

The stormwater evaporation ponds will be designed for a 1:25 year storm event. Clean stormwater (roads/buildings etc.) will be directed to a stormwater attenuation

pond where it will be released into the Coega SEZ bulk system at a pre-development flow rate. The attenuation pond will be sized to withstand a 1:50 year storm, including freeboard (estimated capacity of 350m³/ha). For the evaporation pond (dirty stormwater runoff): the capacity will allow for two successive 1:25 year event storms. The attenuation pond (clean stormwater) is designed for a single storm event as the water is immediately released (at pre-development flow rates) into the Coega IDZ bulk stormwater system. **Note that conditions contained in this Environmental Authorisation requires storm water detention / attenuation ponds to be designed for a 1:100 year storm event.**

All dirty / contaminated stormwater runoff will be captured through an extensive drainage network throughout the site with open, self-cleaning style drainage channels (for aiding maintenance). These open channels will drain to the proposed evaporation beds where the dirty / contaminated runoff will dry, and excess material regularly removed by an approved contractor. In addition, all below ground hopper structures will have drainage sumps and pumps which will drain any dirty / contaminated runoff to the evaporation beds. The evaporation beds will be a fully reinforced concrete structure, to ensure no contamination into the natural ground or potential failure issues with liners or geosynthetics.

Any potential wash bays or spill slabs will not be covered but will be secondarily contained and any rain falling on the hardened surface will go through an oil/water separator. The separator's overflow will be sent to the sewer and the oil will be regularly removed by an approved contractor (Kantey & Templer, 2020).

The stormwater management from the roads, buildings and roofs will be considered clean runoff and directly released into the underground stormwater connection. This in turn will discharge into the stormwater tie-in point provided by the Coega SEZ. Water from areas outside of the main development footprint will not be collected and will drain naturally off site.

Access Roads

Access to the storage site will be gained from extending an existing road under the Neptune Road to the site. The existing road is located at the Neptune Z5-H2 HV substation, to the north east of the site. This new access road will be approximately 540m in length and 8m in width.

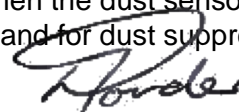
It is anticipated that the conveyor access road will be located adjacent to the conveyor route. The proposed conveyor access road will be approximately 4.2km in length and 4m in width.

Water supply

Water will be obtained from the existing potable water reticulation in the Coega SEZ which will supply fire water and potable water to the facility.

Fire water will be provided through a pressurized fire ring main to all hydrants on the reticulation system and potable water will be supplied to the various buildings.

Now process water is required. It may however been necessary to use water intermittently for dust suppression when the dust sensors are activated. It is estimated that the annual water demand for dust suppression will be approximately 600kl.



Sewage

All domestic wastewater generated (from potable use) will be collected and discharged to the Coega SEZ sewer system for off-site treatment. There will be no other effluent other than contaminated stormwater as addressed above.

Electricity

Electricity will be sourced from a local existing transformer/ sub-station close to the facility supplied by Coega IDZ. The power will be fed to a new on-site substation at 11KV and then stepped down to LV through a transformer located at the new MCC building/container.

Construction Timeframe

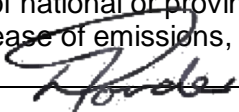
It is anticipated that the construction timeframe for the Newlyn Manganese Storage and Conveyor Facility will be approximately 2 years. This timeframe would be for the initial development for the storage silos, the tippler building, conveyors, railyard and ancillary facilities.

Laydown areas for construction materials, site offices, and areas for stockpiling will be required. This would be in addition to the development footprint areas.

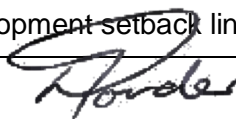
The EIA application is for the full development of 15 million tons per annum, which may take 5-10 years to reach.

Listed Activities applied for in terms of the 2014 EIA Regulations as amended and hereby authorised.

GN R 327 (LN1) Activity 17	Development- (v) if no development setback exists, within a distance of 100 metres inland of the high water mark of the sea or an estuary, whichever is the greater in respect of- (e) infrastructure or structures with a development footprint of 50 square metres or more.
GN R 327 (LN1) Activity 19	The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse.
GN R 327 (LN1) Activity 19A	The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from— (ii) the littoral active zone, an estuary or a distance of 100 metres inland of the high water mark of the sea or an estuary, whichever distance is the greater.
GN R327 (LN1) Activity 27	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required
GN R325 (LN2) Activity 6	The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent.



<p>GN R324 (LN2) Activity 4</p>	<p>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;</p> <p>(hh) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(ii) In an estuarine functional zone.</p>
<p>GN R324 (LN2) Activity 12</p>	<p>The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>a. Eastern Cape</p> <p>ii. Within critical biodiversity areas identified in bioregional plans;</p> <p>iv. Outside urban areas, within 100 metres inland from an estuarine functional zone.</p>
<p>GN R324 (LN2) Activity 14</p>	<p>The development of—</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas:</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</p> <p>(ii) Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</p> <p>(jj) In an estuarine functional zone, excluding areas falling behind the development setback line.</p>



At the locality defined in the Table below, hereafter referred to as “the property” and as depicted in Figure 1:

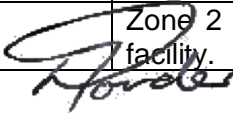
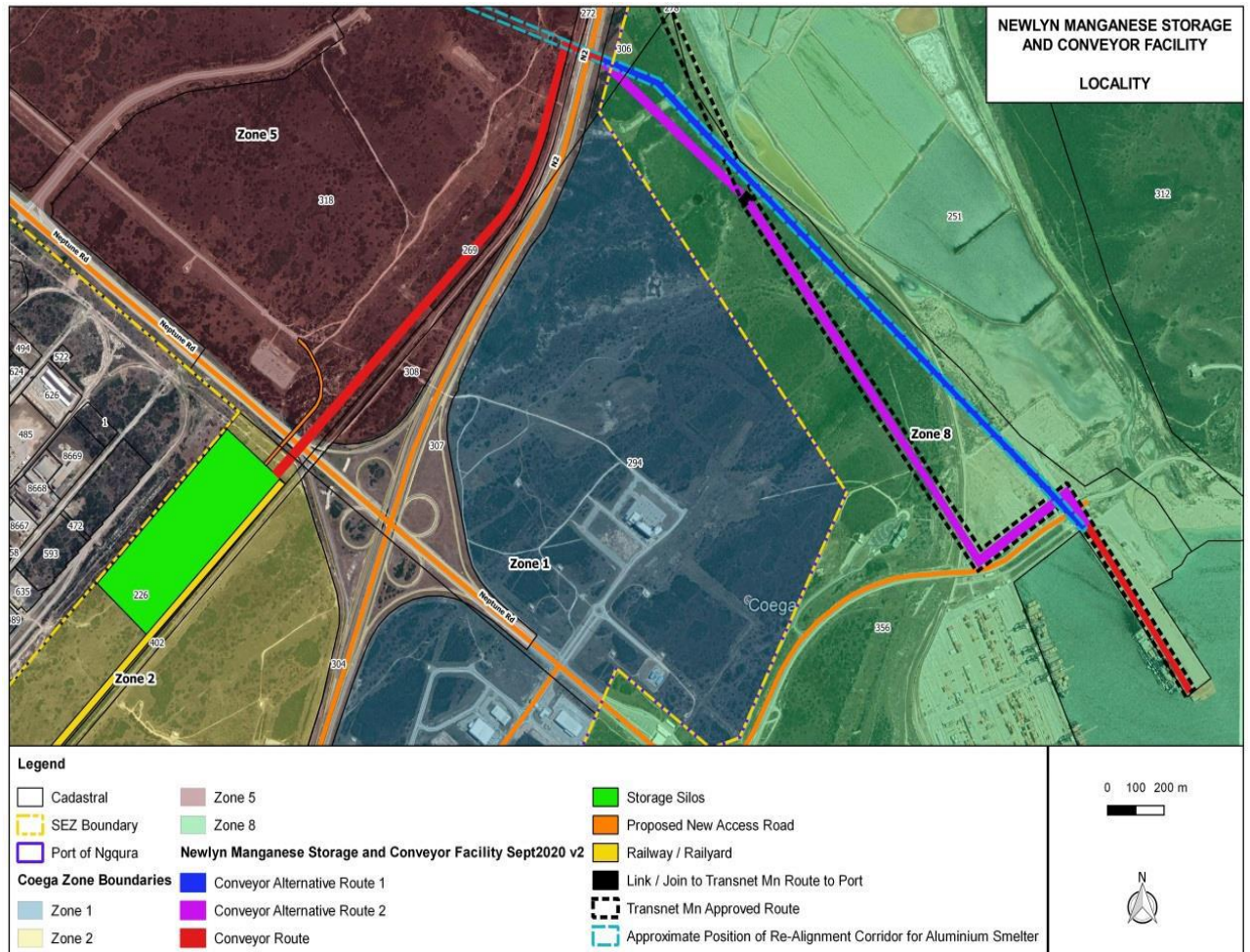
District	Sarah Baartman
Municipal Area	Nelson Mandela Bay Municipality
Farm Name	N/A
Farm Number and Portion	N/A
Erf Number and Township Extension or Suburb	Zones 2 and 5 within the Coega SEZ as depicted in Figure 1.
Coordinates of the site corners	33°47'51.32"S and 25°38'48.77"E
	33°47'57.13"S and 25°38'56.15"E
	33°47'40.66"S and 25°39'14.31"E
	33°47'35.12"S and 25°39'6.48"E
Coordinates of the conveyor route as authorised namely route alternative 1	Conveyor start: 33°47'40.00"S and 25°39'13.54"E
	Conveyor turn 1: 33°47'10.51"S and 25°39'45.49"E
	Conveyor turn 2: 33°46'54.43"S and 25°39'52.53"E
	Conveyor turn 3: 33°46'56.26"S and 25°39'58.10"E
	Conveyor end: 33°48'1.77"S and 25°41'18.94"E
Physical address	Zone 2 in the Coega SEZ – The actual storage facility. 

Figure 1: Proposed locality of the Newlyn Manganese Storage and Conveyor facility within the Coega SEZ (from the FEIR)



This Environmental Authorisation is granted subject to the conditions set out below.

3. Conditions

The Department of Economic Development, Environmental Affairs and Tourism may from time to time review this Environmental Authorisation and on good grounds and after written notice to the holder thereof, suspend or amend such Environmental Authorisation.

3.1. Duration of authorisation

3.1.1. Construction of the Newlyn Manganese Storage and Conveyor Facility as described in Section 2 of this Environmental Authorisation Notice must commence within 36 months of the date of issue of this Environmental Authorisation. Should the activity not have commenced within this time period, this Environmental Authorisation will lapse and the applicant will be required to re-apply for authorisation in terms of the Environmental Impact

Holder

Assessment regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.

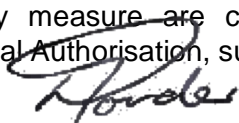
- 3.1.2. Construction of the Newlyn Manganese Storage and Conveyor Facility to be completed within 36 months of commencement of construction.
- 3.1.3. Extension of the Environmental Authorisation may be applied for in writing by means of an amendment of the Environmental Authorisation provided that the Environmental Authorisation is still valid on the date that such application is submitted to the Department. If no amendment requesting extension of the Environmental Authorisation is received prior to the expiry thereof this Environmental Authorisation will be deemed to have lapsed.
- 3.1.4. On receipt of any such application for extension, the Department reserves the right to request such information as it may deem necessary to consider the application for extension which may include but not limited to:
 - 3.1.4.1. An updated CEMP; and
 - 3.1.4.2. Such public participation process as may be deemed necessary at the time of the application for extension.
- 3.1.5. Conditions relating to the operation of the project are valid for the lifetime of the project inclusive of decommissioning.

3.2. Standard conditions

- 3.2.1. This Environmental Authorisation is subject to the conditions contained in this Environmental Authorisation which conditions form part of the Environmental Authorisation and are binding on the holder thereof.
- 3.2.2. This Environmental Authorisation applies only to the activities and property described therein.
- 3.2.3. This Environmental Authorisation does not negate the holder thereof of his/her responsibility to **comply with any other statutory requirements** that may be applicable to the undertaking of the activity, including but not limited to:
 - 3.2.3.1. The National Environmental Management: Air Quality Act, Act 39 of 2004;
 - 3.2.3.2. The National Environmental Management: Waste Act, Act 58 of 2008;
 - 3.2.3.3. The National Water Act, Act 36 of 1998;
 - 3.2.3.4. The Hazardous Substances Act, Act 15 of 1993;
 - 3.2.3.5. The Occupational Health and Safety Act, Act 85 of 1993;
 - 3.2.3.6. The National Environmental Management: Biodiversity Act, Act 10 of 2004; and
 - 3.2.3.7. The National Heritage Resources Act, Act 25 of 1999.
- 3.2.4. The holder of this Environmental Authorisation shall be responsible for ensuring compliance with the conditions by any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of this Environmental Authorisation.
- 3.2.5. Should any environmental damage be detected, that in the opinion of this Department, is the result of the development, then the applicant shall be required to make good that damage to the satisfaction of the said authority at

his/her own expense, this without limiting the generality of the provisions of Section 28 of the National Environmental Management Act, Act 107 of 1998.

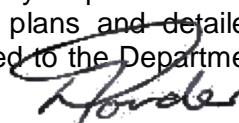
- 3.2.6. In the event of any dispute as to what constitutes environmental damage, this Department's opinion will prevail.
- 3.2.7. This Department reserves the right to impose additional conditions or requirements on the applicant in respect of impacts identified during the EIA process, or withdraw this authorisation, in the event that such impacts exceed its significance as predicted in the FEIR and supporting documentation provided by the EAP.
- 3.2.8. This authorisation applies strictly to the project description as outlined in Section 2 of this Authorisation. Should the applicant wish to amend any component or aspect of the project hereby authorised, then approval will be required from this Department. The Department will advise what information is required as well as the process that must be followed in order to apply for an amendment to this Record of Decision or, if needed, for authorisation in terms of the applicable EIA regulations promulgated in terms of the National Environmental Management Act, Act 107 of 1998.
- 3.2.9. This Environmental Authorisation is issued to the applicant described above. Should the applicant wish to transfer this Environmental Authorisation to another person (whether legal or natural), such transfer is to be affected by means of an amendment to the Environmental Authorisation. Such amendment to be applied for in terms of the relevant provisions contained in the EIA Regulations that may be applicable at the time.
- 3.2.10. This Environmental Authorisation must be made available to any interested and affected party who has registered their interest in the proposed development. The applicant is responsible for ensuring that a copy of this Environmental Authorisation is given to any such interested and affected party within 14 (fourteen) days of receiving this Environmental Authorisation.
- 3.2.11. A certified copy of this Environmental Authorisation must be kept at the property where the activity will be undertaken. The authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the authorisation who works or undertakes work at the site.
- 3.2.12. Where any of the applicant's contact details change, including the name of the responsible person, the physical or postal address and/or telephonic
- 3.2.13. details, the applicant must notify the Department as soon as the new details become known to the applicant.
- 3.2.14. In all cases, the holder of the Environmental Authorisation must notify the Department, in writing, within 30 days if a condition of this authorisation is not adhered to. Any notification in terms of this condition must be accompanied by reasons for the non-compliance.
- 3.2.15. Any recommendations / mitigatory measures contained in the FEIR, its appendixes and any additional information submitted subsequent to submission of the FEIR and not explicitly covered under the conditions contained in this Environmental Authorisation, are regarded as conditions in terms of this Environmental Authorisation. In the event that any such recommendation / mitigatory measure are contradictory to a condition contained in this Environmental Authorisation, such condition will be deemed to take precedence.



- 3.2.16. Further to Condition 3.2.14, Unitainer (Pty) Ltd to compile a detailed record of all Conditions, inclusive of recommendations / mitigatory measures, in tabular format for inclusion in the CEMPr and / or OEMPr as applicable.
- 3.2.17. Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act 107 of 1998 and the regulations.
- 3.2.18. Unitainer (Pty) Ltd will be held liable in the event of non-compliance by any contractor and/or subcontractor involved in this activity.
- 3.2.19. Any upgrading of the Manganese Storage and Conveyor Facility will be subject to further approval from this Department. For the purposes of this condition, upgrading is defined as the enlargement or expansion of the facility, inclusive of its production and or development footprint, but excluding regular or routine maintenance and the replacement of inefficient or old equipment, plants or machinery where such will not result in a detrimental impact on the environment that will be more significant than that predicted in the Final EIR.
- 3.2.20. Furthermore, any approval required in terms of Condition 3.2.18 to be considered in terms of the EIA Regulations applicable at the time if relevant or else by any such process as the Department may prescribe in terms of this condition provided that such process must be in line with the applicable Environmental Assessment Processes prescribed by law.
- 3.2.21. Fourteen days written notice must be given to the Department that the activity will commence. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence.
- 3.2.22. Any conditions of agreement between Unitainer (Pty) Ltd and the CDC, including but not limited to those dealing with potable water, storm water discharge, air quality monitoring, emergency preparedness and sewage effluent must be adhered to. Copies of such agreements to be supplied to the Department.
- 3.2.23. All environmental standards and guidelines for development within the Coega SEZ as set by the CDC to be adhered to.
- 3.2.24. The relevant conditions of this Environmental Authorisation shall form part of any contracts entered into between the applicant and any contractor(s) and or any sub-contractor(s).
- 3.2.25. Further to Condition 3.2.23, a performance based requirement with regard to environmental impact management must be included in all contracts related to any activity relating to this Environmental Authorisation inclusive of incentives and penalties.

3.3. Conditions specific to Establishment and layout

- 3.3.1 A detailed overall site layout plan (inclusive of construction lay down areas) to be submitted to the Department for approval prior to construction commencing on site.
- 3.3.2 Final, detailed design and layout plans to be submitted to the Department on request. General layout plans and detailed plans for all environmental installations to be submitted to the Department prior to construction of such installations.



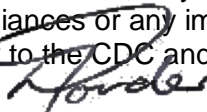
- 3.3.3 With reference to Condition 3.2.3 the following to be obtained by Unitainer (Pty) Ltd:
- 3.3.3.1 An Air Emissions Licence in terms of the NEMAQA prior to construction of the manganese storage and conveyor facility;
 - 3.3.3.2 Water use licence and / or general authorisation in terms of the NWA as may be applicable prior to the commencement of construction of the facility; and
 - 3.3.3.3 Permits for the removal of vegetation in terms of the NEMBA prior to the commencement of any site clearing.
- 3.3.4 Further to Condition 3.3.3.1, this Environmental Authorisation becomes null and void in the event that no Air Emissions Licence is issued for the facility.
- 3.3.5 The design of the facility must comply with all statutory requirements and applicable SANS codes or equivalent international codes of good design and practise relating to manganese storage facilities and transportation of manganese to the Ngqura Harbour via conveyor.
- 3.3.6 Approval of Site Development and Building Plans by the (CDC) and the Nelson Mandela Bay Municipality for storm water management, sewage pipelines, and facilities for storage of flammable or hazardous materials based on the applicable SABS / SANS codes, as well as any other applicable local authority by-laws to be obtained prior to the commencement of construction.

3.4 Conditions specific to construction

- 3.4.1 The CEMPr submitted with the FEIR is be updated and submitted to and approved by the Department prior to the commencement of construction. The CEMPr to include as a minimum:
- 3.4.1.1 Applicable conditions of this Record of Decision;
 - 3.4.1.2 All recommendations, measures, responsibilities, key actions and other provisions contained in the Final EIR (inclusive of all its volumes);
 - 3.4.1.3 Copies of all permits / licences issued to Unitainer (Pty) Ltd that have relevance to the environment;
 - 3.4.1.4 A framework for all contracts associated with the construction phase of the development and the Environmental Method Statements that will be associated with such contracts.
 - 3.4.1.5 A Dust Management Plan specific to the construction phase;
 - 3.4.1.6 A Storm Water Management Plan specific to the construction phase; and
 - 3.4.1.7 A Waste Management Plan specific to the construction phase.
- 3.4.2 The Dust Management Plan contemplated in Condition 3.4.1.5 to include the following key issues:
- 3.4.2.1 Avoidance of unnecessary removal of vegetation;
 - 3.4.2.2 Routine spraying of unpaved site roads and access roads with water;
 - 3.4.2.3 Limiting vehicle-entrained dust from unpaved roads through traffic control measures;
 - 3.4.2.4 Re-vegetation of disturbed areas not occupied by plant infrastructure to take place as soon as possible (This must be done

in accordance with the landscaping plan contemplated in Section 3.10 of these conditions).

- 3.4.3 The Storm Water Management Plan contemplated in Condition 3.4.1.6 to address the reduction of surface water run-off and resultant erosion.
- 3.4.4 A complete materials mass balance and waste inventory for the construction phase to be compiled as part of the Waste Management Plan contemplated in Condition 3.4.1.7.
- 3.4.5 The CEMPr referred to in Condition 3.4.1 to be implemented and strictly adhered to for the duration of the construction phase.
- 3.4.6 Unitainer (Pty) Ltd shall appoint a suitably qualified construction Environmental Control Officer (ECO) who must be based on site for the duration of construction and who will be responsible for ensuring that the CEMPr is implemented and strictly adhered to (inclusive of the relevant conditions contained within this Environmental Authorisation).
- 3.4.7 The ECO referred to in Condition 3.4.6, shall be required to report to the Coega Environmental Committee via the ECO for the SEZ on environmental performance related to the implementation of the CEMPr.
- 3.4.8 Unitainer (Pty) Ltd must ensure that all contracting companies tendering for any work related to the construction of the facility receive a copy of the CEMPr referred to in Condition 3.4.1. Furthermore Unitainer (Pty) Ltd must ensure that all appointed contractors have made appropriate allowance for managing the environmental aspects related to their work in accordance with the provisions of such CEMPr.
- 3.4.9 A pre-commencement audit to be conducted and submitted to the Department prior to the commencement of construction. Such audit to provide for amongst others proof of compliance with Conditions 3.2.3; 3.2.15; 3.2.21; 3.3.1; 3.3.2; 3.3.3; 3.3.6; 3.4.1, and 3.4.6 and must be submitted to the Department at least 30 days prior to the commencement of any construction activities related directly or indirectly to this project.
- 3.4.10 No construction village to be established on the site.
- 3.4.11 The principle of Best Practicable Environmental Option to be applied to all technologies used/implemented during construction.
- 3.4.12 No blanket clearing of vegetation to take place on the site. Vegetation only to be cleared to facilitate the installation of infrastructure and the construction of the various components of the manganese storage and conveyor facility. All indigenous vegetation on areas within the site that are not part of the development footprint to remain intact.
- 3.4.13 The development footprint as contemplated in Condition 3.4.12 to be clearly demarcated with pegs. Construction activities, stockpiling of any building material and the storing of machinery must be accommodated within such demarcated area and in accordance with the relevant provisions of the CEMPr.
- 3.4.14 The ECO must compile monthly progress / audit reports and submit them to the CDC, this Department as well as the ECO for the SEZ within 2 weeks of the end of each month. Furthermore, any significant deviations from the CEMPr, any major non-compliances or any imminent risk to the environment must be reported immediately to the CDC and this Department.



- 3.4.15 A post construction environmental audit to be carried out and the report submitted to this Department within one month of the completion of construction activities. This audit to, as a minimum, consider adherence to the relevant conditions contained in this Environmental Authorisation and the stipulations of the CEMPr.

3.5 Conditions relating to operational management

3.5.1 *Prior to any buildings being occupied in whatsoever manner, the requisite occupancy certificates to be issued by the Nelson Mandela Bay Municipality.*

- 3.5.2 The OEMPr submitted with the FEIR to be updated and submitted to and approved by the Department prior to the commissioning of the manganese storage and conveyor facility. The OEMPr to include as a minimum:

3.5.2.1 The implementation (inclusive of certification and accreditation) of a suitable independently audited, internationally recognised Environmental Management System (EMS) such as ISO 14001, for the operational life of the facility;

3.5.2.2 A comprehensive air emissions management plan;

3.5.2.3 A comprehensive waste management plan;

3.5.2.4 All recommendations, measures, responsibilities, key actions and other provisions relating to operation that are contained in the FEIR (inclusive of all its appendices / volumes); and

3.5.2.5 Applicable conditions contained in the Environmental Authorisation.

- 3.5.3 The EMS referred to in Condition 3.5.2.1 to be in place before start-up of the manganese storage and conveyor facility and to be certified and accredited within a specified period subsequent to start-up, which period will be agreed upon with this Department. For the purposes of interpretation start-up as referenced in this Condition includes testing of equipment.

- 3.5.4 Unitainer (Pty) Ltd shall appoint a suitably qualified Environmental Manager who must be based on site for the duration of the operational life of the facility and who will be responsible for ensuring that the OEMPr (inclusive of the EMS) is implemented and strictly adhered to (inclusive of the relevant conditions contained within this Environmental Authorisation).

- 3.5.5 Proof of compliance with Conditions 3.3.5; 3.5.1; 3.5.2; 3.5.3 and 3.5.4 must be submitted to the Department at least 30 days prior to the commissioning of the facility.

- 3.5.6 The Environmental Manager must compile quarterly reports and submit them to the CDC, this Department and the Coega EMC or any other such body which may replace the Coega EMC in future, within 2 weeks of the end of each quarter. Furthermore, any significant deviations from the OEMPr (inclusive of the EMS), any major non-compliances or any imminent risk to the environment must be reported immediately to the CDC and this Department.

3.6 Conditions specific to materials handling

- 3.6.1 All manganese handling facilities to be enclosed as per the designs and description contained in the FEIR.

- 3.6.2 All storage facilities for hazardous substances to comply with the relevant SANS codes of practice for the handling and storage of hazardous substances, including adequate bunding of such facilities in order to contain possible spillages.
- 3.6.3 All materials handling equipment to be maintained and tested at regular intervals in order to ensure efficient and optimum operation.
- 3.6.4 All materials handling areas to be bunded where applicable in order to contain possible spillages linked to materials handling and waste management.
- 3.6.5 A detailed incident detection and emergency response plan to be compiled and submitted to this Department and the NMBM prior to commissioning of the manganese storage and conveyor facility. Such a plan must amongst others address:
 - 3.6.5.1 A detailed site management plan and layout indicating loading areas, storage areas, all bunded areas and other measures aimed at the containment of spills.
 - 3.6.5.2 Appropriate identification, classification, recording, clean-up and disposal of spillages; and
 - 3.6.5.3 Responsibilities for clean-up and procedures for the training of workers and contractors;
- 3.6.6 A programme for the audit of plant wide spillages.

3.7 Conditions specific to waste management

- 3.7.1 The waste management plan referred to in Condition 3.5.2.3 to address amongst others:
 - 3.7.1.1 The possible treatment of any potential hazardous waste on site in order to allow recycling and/or possible disposal at a general waste disposal site.
 - 3.7.1.2 Minimisation of waste including recycling and re-use of waste.
 - 3.7.1.3 Possible opportunities for recycling and re-use of waste by small, medium and micro enterprises (SMMEs).
- 3.7.2 Unitainer (Pty) Ltd to participate and to subscribe to the implementation of the NMBM Integrated Waste Management Plan.
- 3.7.3 All waste storage areas on site to be designed according to the Minimum Requirements for Waste Storage Facilities as contained in GN 926 of 29 November 2013 published in terms of licensed in terms of NEMWA where applicable.

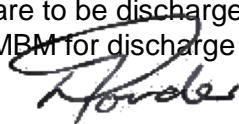
3.8 Emissions to the atmosphere

- 3.8.1 The manganese storage and conveyor facility to be designed to have zero emissions as described in the FEIR.
- 3.8.2 Any requirements that may be stipulated in the Air Quality Licence to be obtained in terms of Condition 3.3.3.1 with regard to emission control and abatement, to be incorporated into the final design and subsequent construction of the manganese storage and conveyor facility.

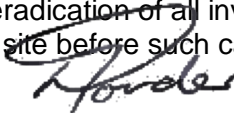
- 3.8.3 In the event that an Air Quality Licence is refused, this Environmental Authorisation becomes null & void.
- 3.8.4 All conditions that may be included in an Air Emissions Licence to be issued by the NMBM for the manganese storage and conveyor facility to be complied with.
- 3.8.5 A comprehensive staff training programme to be designed and implemented to ensure adherence to best practice operating procedures with regard to emission control and abatement.
- 3.8.6 Particulate and other matter trapped in air pollution abatement equipment, such as bag filters, to be identified in the waste inventory and disposal thereof addressed in the waste management plan.
- 3.8.7 The results of any ambient air quality monitoring programme must be used for optimal operational management and immediate corrective action when necessary.
- 3.8.8 Not with-standing any conditions that may be included in the AEL, reporting to the NMBM and this Department with regard to air quality monitoring and management must as a minimum:
- 3.8.8.1 Report on the failure of any equipment for a duration of 30 minutes or more immediately and corrective measures taken stated in a monthly report;
 - 3.8.8.2 Include measures for notification of planned maintenance and downtime at least three days in advance.
 - 3.8.8.3 Report on total particulate matter on a monthly basis;
 - 3.8.8.4 Reflect monitored and modelled ambient air quality results;
 - 3.8.8.5 Report on equipment availability on a monthly basis; and
 - 3.8.8.6 Be summarised in an annual report.
- 3.8.9 A contingency plan to be compiled with details of steps to be taken in the event of a catastrophe and such plan to be submitted to the NMBM and this Department.
- 3.8.10 As a minimum, all emissions from the manganese storage and conveyor facility, inclusive of fugitive emissions and dust must adhere to the minimum emission standards provided for listed Activities in terms of Section 21, Part 3 of the National Environmental Management: Air Quality Act, Act 39 of 2004 as contained in GN 248 of 31 March 2010 or its replacement.

3.9 Conditions relating to water use and storm water management

- 3.9.1 Any water requirements other than for domestic (office) use i.e. for dust suppression and fire-fighting, to be met by means of return effluent if and when such is available in Zone 2 of the SEZ.
- 3.9.2 Any storm water that are to leave the manganese storage and conveyor facility site must conform to the standards to be set by the Coega Development Corporation in order to meet the water quality requirements at the point of release into the environment as specified by the CDC storm water management plan and in terms of CDC's water use license.
- 3.9.3 Any liquid effluent that are to be discharged to sewer must conform to the standards set by the NMBM for discharge to sewer.



- 3.9.4 A Storm and Waste Water Management Plan to be compiled to the satisfaction of this Department, DWS, NMBM and the CDC and to be approved by DWS prior to construction of any permanent storm water infrastructure (for purposes of interpretation waste water include contaminated storm water).
- 3.9.5 The Storm and Waste Water Management Plan must consider amongst others:
- 3.9.5.1 The principles of prevent, separate, concentrate and contain;
 - 3.9.5.2 An assessment of all appropriate management options and mitigatory measures including waste water minimisation, treatment, and contractual aspects;
 - 3.9.5.3 Identification of sources of pollutants reported to contaminate storm water;
 - 3.9.5.4 Mitigation measures of how such sources can be designed and engineered at source so that the potential for pollution is eliminated;
 - 3.9.5.5 Total storm water containment, treatment and re-use on site; and
 - 3.9.5.6 Appropriate site selection and design plans for storm water containment / attenuation structures.
- 3.9.6 The storm water management infrastructure constructed on site must reflect the approved storm water management plan and must be fully functional prior to any process materials being brought on-site.
- 3.9.7 Any storm water attenuation dams/ponds that will be constructed as part of the storm water management infrastructure must be designed to contain runoff from a 1:100 year storm event, and must be registered and licensed in terms of Section 21(g) of the National Water Act, Act 36 of 1998 if such would be required.
- 3.9.8 Construction of the ponds contemplated in Condition 3.9.6 may only commence once licensing of such has been confirmed by DWS if applicable.
- 3.9.9 The storm water management system must be designed and constructed to trap particulates as part of the contaminated storm water stream.
- 3.9.10 Particulate matter captured in the storm water system must be stipulated in the waste inventory and disposal thereof addressed in the Waste Management Plan if and where applicable.
- 3.9.11 Storm water management ponds / attenuation dams must be lined with an appropriate impermeable material/substance to the satisfaction of DWS and this Department.
- 3.9.12 Unitainer (Pty) Ltd to adopt water conservation best practice including but not limited to the following:
- 3.9.12.1 Installation of equipment inclusive of storage facilities, to facilitate rainwater harvesting and the use of such water where feasible and practical to do so;
 - 3.9.12.2 Implement water saving devices for domestic water use at the manganese storage and conveyor facility (e.g. dual flush toilets, automatic shut-off taps, etc.);
 - 3.9.12.3 As a general principle, potable water should not be used for irrigation purposes and landscapes must be designed to absorb rainwater run-off rather than having to carry it off-site in storm water drains;

- 3.9.12.4 Indigenous vegetation to be used for landscaping to minimise watering requirements;
 - 3.9.12.5 Cleaning methods utilised for the cleaning of vehicles, floors etc. must aim to minimise water use;
 - 3.9.12.6 Maintenance of proper pressure within fire water systems to limit water use;
 - 3.9.12.7 Conducting of regular audits of water systems to identify and rectify any possible water leakages; and
 - 3.9.12.8 Implementing a system for the proper metering and measurement of water use and wastewater discharges to enable proper performance review and management.
- 3.9.13 DWS to be kept informed of events/incidents that could lead to water pollution.
- 3.9.14 DWS to be involved in any mitigation/corrective measures undertaken as a result of such events/incidents.
- 3.9.15 A monitoring programme for water related impacts to be compiled and implemented to ensure that the predictions of the FEIR are correct and such monitoring programme to be approved by DWS. Such a monitoring programme must amongst others consider:
- 3.9.15.1 The quality and quantity of storm water;
 - 3.9.15.2 Determination of particulate concentrations of contaminants; and
 - 3.9.15.3 In the event that storm water may leave the property of the manganese storage and conveyor facility, monitoring thereof inclusive of potential contaminants, needs to take place at the point where it leaves the property.
- 3.10 Conditions pertaining to site rehabilitation and landscaping**
- 3.10.1 Vegetation removed during construction to be incorporated into landscaping of the manganese storage and conveyor facility site wherever possible.
- 3.10.2 Topsoil removed during construction to be used wherever possible in site landscaping.
- 3.10.3 A detailed landscaping plan to be compiled to the satisfaction of this Department and landscaping of areas on the site that was disturbed as a result of construction activities to take place in accordance with such an approved plan.
- 3.10.4 The landscaping plan to address/incorporate amongst others but not limited to the following:
- 3.10.4.1 Maximum use of construction rubble in landscaping and site rehabilitation;
 - 3.10.4.2 The use of indigenous vegetation native to the general area in site landscaping and rehabilitation;
 - 3.10.4.3 The controlled removal of all invasive alien plant species evident on the site;
 - 3.10.4.4 The control and eradication of all invasive alien plant species that may colonize the site before such can attain the seed formation stage;
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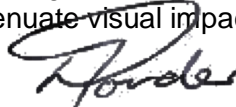
- 3.10.4.5 The addressing of the visual impact of large paved areas by planting vegetation/trees in such areas and through the construction of low walls or screens; and
- 3.10.4.6 The shaping of cut-and-fill slopes to allow for the re-establishment of indigenous vegetation.

3.11 Conditions pertaining to noise

- 3.11.1 Unitainer (Pty) Ltd to adhere to the noise regulations as implemented within the Nelson Mandela Bay Municipal Area.
- 3.11.2 As a minimum, ambient noise levels emanating from the manganese storage and conveyor facility must not exceed 70 dBA at the site boundary.
- 3.11.3 If and when noise generating industries locate adjacent to the manganese storage and conveyor facility, appropriate measures must be implemented by Unitainer (Pty) Ltd in conjunction with such industries to not exceed a maximum combined noise level of 70 dBA at the site boundary.
- 3.11.4 Unitainer (Pty) Ltd to comply with the occupational noise regulations of the Occupational Health and safety Act, Act 85 of 1993.
- 3.11.5 Unitainer (Pty) Ltd to institute a noise monitoring programme that must incorporate sound level metering at key locations during the construction and operation of the manganese storage and conveyor facility.

3.12 Conditions pertaining to visual aspects

- 3.12.1 The CDC guidelines with regard to attenuation of visual impact (choice of colours, type of paint etc) to be applied and appropriate architectural modelling and surface colour treatment of buildings to reduce visual impact of the manganese storage and conveyor facility to be used.
- 3.12.2 The use of primary colours to be limited and only paint that has a non-reflective finish (mat paint) to be used.
- 3.12.3 Visual impact of large paved areas to be avoided by planting vegetation and through construction of low walls or screens.
- 3.12.4 External signage to be minimised.
- 3.12.5 Signage that has a silhouette effect to be avoided.
- 3.12.6 Outdoor lighting with reflectors to be fitted to avoid light spillage and low-level lighting for parking areas to be used (also refer to the CDC guidelines with regard to lighting).
- 3.12.7 Cut-and-fill slopes to be shaped to allow the re-establishment of indigenous vegetation.
- 3.12.8 The final layout plan and architectural design of the manganese storage and conveyor facility must be reviewed to:
 - 3.12.8.1 Ensure that visual mitigation measures have been incorporated into the final documentation for the General Contract Manager; and
 - 3.12.9 Verify that the design satisfies the visual guidelines prepared by the CDC to attenuate visual impact within the SEZ.



3.13 Conditions pertaining to social aspects

- 3.13.1 Contract documentation for the General Construction Manager (GCM) and sub-contractors to include requirements for preferential use of: local labour, designated employees in terms of the Employment Equity Act, goods and services, and SMMEs.
- 3.13.2 Contract documentation for the GCM and subcontractors to include requirements for the multi-skilling of construction workers, as per CDC rules and Zone Labour Agreement.
- 3.13.3 A skills development and training programme to be implemented.
- 3.13.4 A system for public reporting on compliance of the GCM and subcontractors to the EMP for construction to be established.
- 3.13.5 A Corporate Social Investment programme to be developed in consultation with relevant stakeholders.
- 3.13.6 Linkages with existing initiatives within the NMBM to be established in order to support training and SMME development.
- 3.13.7 Opportunities for downstream industries and SMME development to be facilitated.
- 3.13.8 An HIV/AIDS policy and programme to be implemented.
- 3.13.9 Casa Steel to support the community health monitoring undertaken by CDC.

3.14 Conditions relating to decommissioning

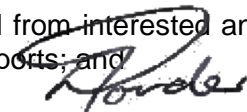
- 3.14.1 A basic decommissioning plan to be compiled and submitted to this Department before startup.
- 3.14.2 The decommissioning plan to be reviewed on a 5 year cycle during the operational phase and immediately prior to actual decommissioning taking place.

4. Reasons for Decision

4.1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration:

- 4.1.1 The information contained in the following documentation:
 - Completed application form dated 11 August 2020 as submitted to the Department on 9 September 2020;
 - Final Scoping Report as submitted to the Department on 19 October 2020;
 - The FEIR and its appendices as submitted to the Department on 15 January 2021; and
 - Confirmation from the NMBM in a letter dated 11 March 2021 that they are in a position to grant a provisional Air Emissions Licence.
- 4.1.2 The comments received from interested and affected parties as contained in the above-mentioned reports; and

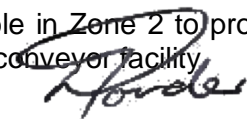


- 4.1.3 The EIA regulations of 2014 as amended and the requirements of relevant legislation, policies and guidelines, including Section 2 of the National Environmental Management Act, Act 107 of 1998.

4.2. Key factors considered in making the decision

- 4.2.1. The Environmental Impact Assessment process undertaken satisfies the procedural requirements of the EIA Regulations and the National Environmental Management Act, Act 107 of 1998.
- 4.2.2. Issues and concerns raised by interested and affected parties were adequately addressed in the Final EIR and supplementary information provided.
- 4.2.3. The Final EIR and its associated specialist studies provide adequate information on which to base an informed decision on the environmental implications of the various elements of the proposed project.
- 4.2.4. The Department is satisfied that, the risks to the natural environment and to humans can be adequately managed if all the conditions contained within this Environmental Authorisation are adhered to.
- 4.2.5. The Department is of the opinion that after implementation of the mitigation measures described in the Construction and Operational EMPs together with the conditions contained within this Authorisation, that the residual impacts and risks to the environment are acceptable.
- 4.2.6. It is estimated that approximately 2000 people will be employed during the construction phase of the project while approximately 300 direct jobs will be created during the operational phase of the manganese storage and conveyor facility.
- 4.2.7. The need and desirability for the facility in general has been determined both from a technical and financial perspective. Furthermore as the Coega SEZ is specifically designed to host facilities such as this it is seen as a very suitable location for the project.
- 4.2.8. The conditions set out in this Environmental Authorisation have been designed to ensure that the negative impacts and risks associated with the project are identified, addressed and/or managed effectively.
- 4.2.9. The manganese storage facility will be constructed in Zone 2 of the Coega SEZ while the conveyor will traverse Zones 5 and 8. The site in Zone 2 on which the Newlyn Manganese Storage and Conveyor will be located (Erf 226) is well suited therefore due to the following:
- The site is easily accessible from the TFR mainline;
 - The land features sufficient length to develop a streamline railway facility capable of accommodating the envisaged 208-wagon manganese trains.;
 - The land is relatively flat hence minimising earthworks at the storage site; and
 - The site allows for modular expansion and efficient logistics.

Services are also available in Zone 2 to provide the required services to the manganese storage and conveyor facility



4.2.10. Emissions to the atmosphere will be managed and controlled through an Air Emissions licence to be issued by the NMBM. In this regard the NMBM has confirmed that the information at their disposal with regard to potential emissions to the atmosphere and the control / abatement thereof is sufficient for them to issue a provisional AEL as contained in their letter to the Department dated 11 March 2021.

Furthermore, it is relevant to take note the manganese storage and conveyor facility is designed and will be constructed as a zero emissions facility. This in itself is deemed to be an extremely positive departure from the normal modus operandi as far as manganese stockpiles are concerned which mostly involve open air storage. Further to this the Cumulative Air Quality Impact Assessment undertaken by Lethabo Air Quality Specialists CC as contained in Appendix F of the FEIR has found that the estimated maximum annual averaged concentrations and maximum 99-percentile concentrations for PM₁₀ which is the only air pollutant associated with the facility will be insignificant when compared to emissions from other sources impacting on the SEZ.

In this regard it must be noted that the dispersion model shows that the impact on air quality associated with Newlyn's emissions, even though overestimated, will be very low indeed. This is due to the stringent dust control measures planned for the facility, i.e. fully enclosed operations, water sprays and dust extraction / filtration measures, etc

4.2.11. Impacts during construction will be managed through the implementation of a comprehensive CEMPr as required in terms of Condition 3.4.1. Implementation of and adherence to this CEMP as well as compliance with the conditions of this Authorisation are to be overseen by a dedicated Environmental Control Officer (ECO) as provided for in Condition 3.4.6.

4.2.12. Impacts during operation will be managed through the implementation of a comprehensive Operational Environmental Management Programme (OEMP) incorporating an internationally recognized Environmental Management System (EMS) as required in Condition 3.5.2. Implementation of and adherence to this OEMP are to be overseen by a dedicated Environmental Manager as provided for in Condition 3.5.4.

4.2.13. In conclusion, this Department is satisfied that the benefits associated with the proposed project outweigh the environmental costs and are consistent with sustainable development principles.

4.2.14. In general the environmental process followed is deemed to be satisfactory. It is the opinion of the Department that the information at hand is sufficient and adequate to make an informed decision. In this regard the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management as laid down in Chapter 5 of the National Environmental Management Act, Act 107 of 1998, and that any potentially detrimental environmental impacts resulting from the proposed activities can be mitigated to acceptable levels.

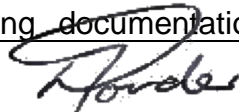
5. Appeal of Environmental Authorisation

5.1. In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within fourteen (14) calendar days of the date

of this letter, of the Department's decision in respect of your application as well as the provisions regarding the making of appeals that are provided for in the 2014 Appeal Regulations.

- 5.2. The notification referred to in 5.1 must:
- 5.2.1. Specify the date on which the Environmental Authorisation was issued;
 - 5.2.2. Inform interested and affected parties of the appeal procedure provided for in the Appeal Regulations published in GN R993 of 8 December 2014 in terms of Section 44 read together with Section 43 of the National Environmental Management Act, Act 107 of 1998 as amended; and
 - 5.2.3. Advise interested and affected parties that a copy of the Environmental Authorisation and reasons for the decision will be furnished on request.
- 5.3. Any appeal against the decision contained in this Authorisation must be addressed in writing, to the MEC for Economic Development, Environmental Affairs & Tourism (hereinafter referred to as "the MEC") in terms of Regulation 4(1) of the NEMA Appeal Regulations 2014 and within 20 (twenty) days after the appellant has been notified in terms of paragraphs 5.1 and 5.2, of the decision.
- 5.4. An Appeal Submission must be made on a form obtainable from the Department Appeal Administrator and/or the Departmental website on www.dedea.gov.za or relevant Regional Office.
- 5.5. The Appellant must also submit a copy of the appeal to the regional office that processed the application.
- 5.6. In the event that an appeal is lodged, copies of such appeal must be served on the applicant (if not the appellant), all registered interested and affected parties as well as juristic state departments (organ of state with interest in the matter) within 20 days of having been notified in accordance with the requirements stipulated in paragraphs 5.1 and 5.2 of the decision.
- Only appeals on environmental grounds can be considered. All appeals should be accompanied by relevant supporting documentation.**
- 5.7. The address to which the **original** of notice of intention to appeal and any subsequent appeal documentation must be mailed is outlined below. Please note that originals may also be delivered per hand or courier.

Department	Economic Development, Environmental Affairs and Tourism
Attention	General Manager: Environmental Affairs
Postal Address	Private Bag X0054, BHISHO , 5605
By Hand	Old Safety and Liaison Building (Global Life Complex) opposite Engen Garage, Bhisho
In order to facilitate efficient administration of appeals copies of any appeal and supporting documentation must also be submitted as	



follows:	
Manager Environmental Affairs: Mr S. Gqalangile by email:	Siyabonga.Gqalangile@dedea.gov.za Phumeza.Gxala@dedea.gov.za
Administrative assistant: Ms P. Gxala	

- 5.8. In the event that an appeal is lodged with regard to this Authorisation, the listed activities described in this Authorisation may not commence prior to the resolution of the appeal and prior to the Department's written confirmation of compliance with all conditions that must be met before construction can commence, whichever event is the latter.



ANDRIES STRUWIG
MANAGER: EQM
CACADU REGION
DATE: 5 May 2021



DAYALAN GOVENDER
REGIONAL MANAGER: ENVIRONMENTAL AFFAIRS
CACADU REGION
DATE: 05 May 2021