

**ENVIRONMENTAL AUDIT REPORT IN TERMS OF REGULATION 34 OF THE
ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS 2014 PUBLISHED IN TERMS OF
THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT 107 OF 1998**

and

**ANNUAL ENVIRONMENTAL MANAGEMENT PROGRAMME PERFORMANCE
ASSESSMENT IN TERMS OF REGULATION 55 OF THE MINERAL AND PETROLEUM
RESOURCES DEVELOPMENT REGULATIONS 2004 PUBLISHED IN TERMS OF THE
MINERAL AND PETROLEUM RESOURCES DEVELOPMENT ACT 28 OF 2002**

Report: October 2020

EMPR reference number: LP/30/5/1/1/2/2394 PR

PREPARED FOR:

DE BEERS CONSOLIDATED MINES: VENETIA MINE, MUSINA

ENVIRONMENTAL AUDIT IN TERMS OF REGULATION 34 OF THE EIA REGULATIONS 2014 / PERFORMANCE ASSESSMENT IN TERMS OF REGULATION 55 OF THE MPRDA REGULATIONS 2004	
Audit Team:	Project Coordinator and Legal Reviewer: Liezl Sterne Mervyn Taback Incorporated
	Auditor: Erika van der Linde Aquatox Consulting (Pty) Ltd
Audit date:	17/09/2020
Report finalised:	November 2020
Reference number:	DEBE7.LAS4

1. INTRODUCTION

1.1 Mervyn Taback Incorporated (“**Tabacks**”), in conjunction with Aquatox Consulting Pty Ltd (referred to as the “**Audit Team**”), was appointed by De Beers Venetia Mine (“**DVM**”) to undertake an Environmental Audit in terms of regulation 34 of the Environmental Impact Assessment (“**EIA**”) Regulations 2014¹ published in terms of the National Environmental Management Act 107 of 1998 (“**NEMA**”) as well as a Performance Assessment as required in terms of regulation 55 of the Mineral and Petroleum Resources Development Regulations² (“**MPRDA Regulations**”), published in terms of the Mineral and Petroleum Resources Development Act 28 of 2002 (“**MPRDA**”) in respect of DVM’s Environmental Management Programme (“**EMPR**”) in relation to the environmental approval for the Prospecting Operations at Venetia Mine, granted on 14 April 2010. The Environmental Audit and Performance Assessment were undertaken in accordance with the approved Scope of Work dated 17 July 2020.

2. PURPOSE OF THE ENVIRONMENTAL AUDIT AND AUDIT METHODOLOGY

2.1 The purpose of the Environmental Audit as contemplated in regulation 34 read with Appendix 7 of the EIA Regulations 2014 is to determine:

2.1.1 the level of compliance with the conditions of the environmental authorisation and the EMPR, and where applicable, the closure plan; and

2.1.2 the extent to which the avoidance, management and mitigation measures provided for in the EMPR, and where applicable, the closure plan achieves the objectives and outcomes of the EMPR, and closure plan, where applicable.

2.2 In order to achieve the afore-mentioned purpose, the Audit Team followed the following methodology:

2.2.1 Audit preparations documentation and requests forms were distributed to DVM on 3 September 2020;

2.2.2 Due to COVID-19 restrictions and caution the assessment predominantly occurred using remote methods. The review of documentation commenced on 10 September 2020 as part of the remote assessment;

2.2.3 Interviews were conducted with key staff members on 22 and 23 September 2020;

2.2.4 Consideration of documentation provided prior and during the site visit;

¹ Published in GNR 982 of 4 December 2014 (as amended by GN 326 of 7 April 2017)

² Published in GNR 527 on 23 April 2004

- 2.2.5 Assess the level of compliance based on observations made by the independent Audit Team during the site visit and review of the documentation provided. This activity entailed the following:
- 2.2.5.1 An assessment of the status of formal compliance at a site level. That is, determine whether required commitments and management objectives have been met by the site following submission of relevant documented proof;
 - 2.2.5.2 An assessment of the level of actual compliance at the site in respect of specific commitments and management objectives as provided for in the approved EMPR as well as the extent to which the avoidance, management and mitigation measures provided for in the EMPR achieve the objectives and outcomes of the EMPR;
 - 2.2.5.3 Preparation of the Environmental Audit Report and distribution thereof to DVM for consideration and comments.
- 2.2.6 Once the above process has been completed the following actions were undertaken:
- 2.2.6.1 A period of two (2) weeks was granted for review of the factual correctness of the Environmental Audit Report. Once all the information was received and considered the draft Environmental Audit Report was amended, where necessary.
 - 2.2.6.2 The documented final Environmental Audit Report was provided to DVM for submission to the competent authority in accordance with the requirements of regulation 34 of the EIA Regulations 2014 and regulation 55 of the MPRDA Regulations.
- 2.3 The abovementioned purpose of the Environmental Audit is also in line with the requirements of regulation 55 of the MPRDA Regulations. This Environmental Audit Report accordingly serves to comply with the audit requirements provided for in the EIA Regulations 2014 as well as the MPRDA Regulations.

3. ASSUMPTION AND LIMITATIONS

- 3.1 The findings recorded in this Environmental Audit Report are limited to the documents received and verified during the assessment undertaken during September 2020.
- 3.2 The Audit Team's findings as set out in this Report have been prepared with a view of submitting same the Competent Authority in compliance with regulation 34 of the EIA Regulations 2014 as well as regulation 55 of the MPRDA Regulations.

4. AUDIT TEAM AND DECLARATION OF INDEPENDENCE

4.1 Audit Team

4.1.1 Tabacks is a firm of attorneys specialising in, amongst others, environmental law. Tabacks has been appointed by DVM as the project coordinator and for purposes of the environmental-legal component of the Environmental Audit.

2.1.1 The project was coordinated and the legal component of the Environmental Audit was undertaken by Mrs. Liezl Sterne, a Director at Tabacks. Liezl completed her LLB degree with the university of South Africa and was admitted as an attorney in 2011. Liezl specialises exclusively in Safety, Health and Environmental (“**SHE**”) law and has extensive experience in legal interpretation of statutes pertaining to SHE and administrative law and have conducted numerous SHE-legal requirements and compliance audits.

4.1.2 The technical component of the Environmental Audit was undertaken by Ms. Erika van der Linde, a registered EAP (reg. nr. 2020/2247) who graduated with B.Sc, PHED, B.Ed and M.EM (Environmental Management) from the University of the Free State. After 12 years of teaching natural and applied sciences at various secondary and tertiary institutions accredited with the Department of Education, she joined Ferret Mining and Environmental Services (Pty) Ltd from April 2003 to December 2017 as an environmental scientist. In January 2018 Ms van der Linde founded Aquatox Consulting (Pty) Ltd (“Aquatox”). Ms van der Linde is also a registered ISO Systems auditor with TÜV SÜD, Germany and has extensive experience in the following:

4.1.2.1 Specialist contributions to environmental projects, including ecology and biology;

4.1.2.2 Compilation of Environmental Management Programme Reports, Environmental Management Plans, Environmental Impact Assessments and Environmental impact reports, Environmental Management Programme performance assessments and audits;

4.1.2.3 Compiling feasibility studies;

4.1.2.4 Environmental due diligence assessments;

4.1.2.5 Water use license applications and water use registration;

4.1.2.6 Liaison with authorities on the acquisition of mining rights and permits and prospecting rights;

4.1.2.7 Prospecting right, mining permit and mining right applications;

- 4.1.2.8 Compliance evaluations and audits;
- 4.1.2.9 Development and Implementation of ISO 14001 certified Environmental Management Systems;
- 4.1.2.10 Auditing of ISO 14001 based Environmental Management Systems (audit log available on request).

4.2 Declaration of independence

- 4.2.1 Tabacks hereby declares that it is an independent legal advisor and has no business, financial, personal or other interest, except fair remuneration for the undertaking of the Environmental Audit in terms of regulation 34 of the EIA Regulations 2014 published in terms of the NEMA. Tabacks further declares that there are no known circumstances that compromised the objectivity of Tabacks in the undertaking of the Environmental Audit.
- 4.2.2 In addition to the above, Aquatox hereby declares that it is an independent environmental consultant and has no business, financial, personal or other interest, except fair remuneration for the undertaking of the Environmental Audit in terms of regulation 34 of the EIA Regulations 2014 published in terms of the NEMA. Aquatox further declares that there are no known circumstances that compromised the objectivity of Tabacks in the undertaking of the Environmental Audit.

5. ACKNOWLEDGEMENTS

- 5.1 The Audit Team extends its appreciation to DVM, Mrs. N. Ramlal, that provided verbal, visual or documentary assistance during the assessment.

6. AUDIT FINDINGS

- 6.1 In this section of the Report the Audit Team sets out the commitments and/or management objectives as provided for in the approved EMPR and the findings following the assessment of compliance in respect of the aforesaid commitments and/or management objectives. In the Table below reference is made to general observations made during the documentation review/assessment.
- 6.2 The EMPR conditions and our findings in respect of its status of compliance with the EMPR conditions are set out in Table A below.

The following terminology is utilised throughout the Report, of which the following meanings have been assigned thereto:

- “Compliant”** - means that satisfactory evidence was provided during the assessment to illustrate the fulfilment of a specific condition/commitment.
- “Non-compliance”** - means the failure to comply with or satisfy the requirements a condition/commitment.
- “Partial Compliant”** - means that although steps were taken toward fulfilling of a specific condition, at the time of the assessment full compliance had not yet been achieved, and therefore the client is required to instigate further action in order to obtain full compliance with the provision(s) of the condition/commitment.
- “Not relevant”** - means that the condition, although applicable was not relevant to the audit period under review and therefore was not audited for purposes of compliance.
- “Not applicable”** – means that the conditions is not applicable to the activities undertaken by the Mine in respect of the Prospecting Right.
- “Noted”** - means the condition was not audited, if a condition does not require client to take any specific action and as such were only included for information purposes.

7. CONCLUSION

7.1 Following our assessment, we are of the view that:

7.1.1 At the time of the audit, it was confirmed that all prospecting activities had been concluded and that no further drilling would occur on site. During a visit to the site in 2018, where drilling had last occurred in 2017, it was observed that all the drilling holes had been completely covered and the surrounding areas returned to its prior state. This said it is specifically noted that drilling had previously taken place on the upper bench of the DBV pit and as such the closure plan in respect of the EMPR can only be implemented once the open cast mining activities cease.

7.1.2 The generic template used, is evidently not appropriate for the type of prospecting conducted by DBV as most of the conditions are not relevant and/or applicable to the operation, however, based on the systems utilised by DVM, as well as the fact that all prospecting activities had been completed, there is no need for an amendment of the approved EMPR as it is deemed to have been adequate to prevent or minimise the impacts of the DVM activities on the receiving environment and its neighbouring communities during the prospective operation.

TABLE A

No:	Conditions	Compliance Status	Comments
F1.	GENERAL REQUIREMENTS		
F1.1	MAPPING AND SETTING OUT		
F1.1.1	LAYOUT PLAN		
	A copy of the layout plan as provided for in Regulation 2.2 must be available at the prospecting/mining site for scrutiny when required.		<p>Compliant:</p> <p>The layout plan was available during site activities.</p>
	<p>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).</p> <p>A final layout plan must be submitted at closure of the mine or when operations have ceased.</p>		<p>Compliant:</p> <p>Proof of the 9th Annual progress report for the period 15/04/2018 – 15/04/2019 in terms of Regulation 8 of the Regulations to the MPRDA was available upon request.</p> <p>Document ref.:</p> <ul style="list-style-type: none"> • 8th Annual progress report for the period 14/04/2017 – 15/04/2018, dated 11 May 2018; • Proof of Acknowledgement of receipt dated 11 May 2018. • 9th Annual progress report for the period 15/04/2018 – 15/04/2019, dated 30 April 2019.
NOTE: Regulation 2.2 of the regulations promulgated in terms of the Act requires:			
F1.1.2	DEMARCATING THE MINING/ PROSPECTING AREA		
	The mining/ prospecting area must be clearly demarcated by means of beacons at its corners, and along its boundaries if there is no visibility between the corner beacons.		<p>Not relevant:</p> <p>All prospecting activities had been completed at the time of the assessment and the entire are rehabilitated as was verified during our site observations.</p>
	Permanent beacons as indicated on the layout plan or as		<p>Not relevant:</p>

	prescribed by the Regional Manager must be firmly erected and maintained in their correct position throughout the life of the operation.		The prospecting activities occurred inside the mining area, DBV is fenced with access control. Nonetheless, all prospecting activities had been completed at the time of the assessment and the entire area is rehabilitated as was verified during our site observations.
	Mining/ prospecting and resultant operations shall only take place within this demarcated area.		Not relevant: As mentioned above no prospecting activities were in progress during the time of the assessment.
F1.1.3	DEMARCATING THE RIVER CHANNEL AND RIVERINE ENVIRONMENT		
The following is applicable if operations are conducted within the riverine environment (See F 3.2):			
	Beacons as indicated on the layout plan or as prescribed by the Regional Manager must be erected and maintained in their correct position throughout the life of the operation.		Not applicable: No river channel or riverine environment is evident.
	These beacons must be of a permanent nature during the operations and must not be easily removable, especially those in a river channel. The beacons must, however, be removed at the end of the operations.		
	The mining of and prospecting for any mineral shall only take place within this demarcated mining area.		
	If riverine vegetation is present in the form of reeds or wetland vegetation, the presence of these areas must be entered in Part C 1.45 of the EMPlan and indicated on the layout plan.		
	The holder of the mining permit/ prospecting right will also be required to permanently demarcate the areas as specified in F 1.1.2.		
F1.2	RESTRICTIONS ON MINING/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 No prohibitions to this extent was received during the time that prospecting activities were taking place.
	In the case of areas that are excluded from mining or prospecting, no operations shall be conducted within 5 m of		

	these areas.		
F1.3	RESPONSIBILITY		
	The environment affected by the mining/ 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.		Not relevant: During our site observations it was verified that all previous drilling holes have been closed up, however, it is to be noted that as the prospecting site is located inside DBV's active mining area, complete rehab will only commence once the open cast mining activities at DBV cease.
	It is the responsibility of the holder of the mining permit/ 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.		Compliant: As per our previous assessment it was noted that an environmental officer, Ms Sharlom Malangana is appointed to oversee the operation, when drilling takes place. Nonetheless, no drilling took place during the period of 2018 - 2020.
	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 the pollution control measures to be implemented.		Not applicable: The landowner, mining right holder and the prospecting right holder is the same entity.
F2	INFRASTRUCTURAL REQUIREMENTS		
F2.1	TOPSOIL		
	Topsoil shall be removed from all areas where physical disturbance of the surface will occur.		Not applicable: Drilling occurred within the DBV mining area (the upper bench of the pit) as such no topsoil was removed.
	All available topsoil shall be removed after consultation with the Regional Manager prior to the commencement of any operations.		
	The topsoil removed, shall be stored in a bund wall on the high		

	ground side of the mining/prospecting area outside the 1:50 flood level within the boundaries of the mining area/prospecting.		
	Topsoil shall be kept separate from overburden and shall not be used for building or maintenance of access roads.		
	The topsoil stored in the bund wall shall be adequately protected from being blown away or being eroded.		
F2.2	ACCESS TO THE SITE		
F2.2.1	Establishing access roads on the site		
	<p>The access road to the mining/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.</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"> ➤ 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. ➤ Water courses and steep gradients shall be avoided as far as is practicable. ➤ Adequate drainage and erosion protection in the form of cut-off berms or trenches shall be provided where necessary. 		<p>Not applicable: Drilling occurred within the DBV mining area, thus existing roads were used.</p>
	If imported material is used in the construction or upgrading of the access road this must be listed in C 2.17		<p>Not applicable: No roads were upgraded or built during prospecting.</p>
	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 landowner/tenant and maintained throughout the operational period.		<p>Not applicable: The land owner, mining right holder and the prospecting right holder is the same entity.</p>
	No other routes will be used by vehicles or personnel for the		<p>Not applicable:</p>

	purpose of gaining access to the site.		Drilling occurred within the DBV mining area, thus existing roads were used.
	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.		Not applicable: No roads were upgraded or built during prospecting.
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 mining permit/prospecting right.		Noted: The content of this provision is noted.
	Newly constructed access roads shall be adequately maintained so as to minimise dust, erosion or undue surface damage.		Not applicable: No roads were upgraded or built during prospecting.
F2.2.3	Dust control on the access and haul roads		
	The liberation of dust into the surrounding environment shall be effectively controlled by the use of, inter alia, water spraying and/or other 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: Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during the period 2018 - 2020.
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 will no longer be required by the landowner/tenant, shall be removed and/or rehabilitated to the satisfaction of the Regional Manager.		Noted: The content of these provisions is noted.
	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-mining/ prospecting situation.		

	Roads shall be ripped or ploughed, and if necessary, appropriately fertilised (based on a soil analysis) to ensure the regrowth of vegetation. Imported road construction materials which may hamper regrowth of vegetation must be removed and disposed of in an approved manner prior to rehabilitation.		Not applicable: No roads were upgraded or built during prospecting.
	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 mining/prospecting operation, be corrected and the area be seeded with a seed mix to the Regional Manager's specification.		Not applicable: Prospecting occur within an active mining area. Rehabilitation of the road would impede vehicle movement of the mining operation. It was explained that the bore holes would be closed once sampling is completed. Vegetation will not be established on the prospecting area as this area would still be used to continue with mining activities.
F2.3	OFFICES/CAMP SITES		
F2.3.1	Establishing office/ camp site		
	Office and camp sites 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 mining/ prospecting area.		Not applicable: The prospecting occurred within an active mining area.
	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 F 2.1 above		
	No camp or office site shall be located closer than 100 metres from a stream, river, spring, dam or pan.		
	No trees or shrubs will be felled or damaged for the purpose of obtaining firewood, unless agreed to by the landowner/tenant.		
	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.		
	Lighting and noise disturbance or any other form of disturbance that may have an effect on the landowner/tenant/persons lawfully living in the vicinity shall be kept to a minimum.		Noted: The prospecting occurred within an active mining area. Light and noise monitoring forms part of the DBV's EMS monitoring programme.
F2.3.2	Toilet facilities, waste water and refuse disposal		
	As a minimum requirement, the holder of a mining permit/prospecting right shall, at least, provide pit latrines for employees and proper hygiene measures shall be established.		Not applicable: Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during the period 2018 - 2020.
	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: No campsite was used for the prospecting.
	The use of existing facilities must take place in consultation with the landowner/tenant.		Not applicable: The land owner, mining right holder and the prospecting right holder is the same entity.
	In cases where facilities are linked to existing sewerage structures, all necessary regulatory requirements concerning construction and maintenance should be adhered to.		Not applicable: No campsite was used for the prospecting. Furthermore, as the prospecting activities took place inside the active mining area, the management of all risks as a result of the drilling that may negatively impact the environment fell within the scope of the implemented EMS at DBV and was managed accordingly.
	All effluent water from the camp washing facility shall be disposed of in a properly constructed French drain, situated as far as possible, but not less than 200 metres, from any stream, river, pan, dam or borehole.		
	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.		
	Spills should be cleaned up immediately to the satisfaction of the Regional Manager by removing the spillage together with		Not relevant:

	the polluted soil and by disposing of them at a recognised facility.		No drilling took place at the time of the assessment, the areas where previous drilling occurred had been completely covered and there were no signs of spills in the area.
	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.		
	Biodegradable refuse generated from the office/camp site, processing areas vehicle yard, storage area or any other area shall either be 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.		
F2.3.3	Rehabilitation of the office/camp site		
	<p>On completion of operations, all buildings, structures or objects on the camp/office site shall be dealt with in accordance with section 44 of the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002), which states:</p> <p>(1) <i>When a prospecting right, mining right, retention permit or mining permit lapses, is cancelled or is abandoned or when any prospecting or mining operation comes to an end, the holder of any such right or permit may not demolish or remove any building, structure, object -</i></p> <p>(a) <i>which may not be demolished in terms of any other law;</i></p> <p>(b) <i>which has been identified in writing by the Minister for purposes of this section; or</i></p> <p>(c) <i>which is to be retained in terms of an agreement between the holder and the owner or occupier of</i></p>		<p>Not applicable:</p> <p>No campsite was used for the prospecting.</p>

	<p><i>the land, which agreement has been approved by the Minister in writing.</i></p> <p><i>(2) The provision of subsection (1) does not apply to bona fide mining equipment which may be removed</i></p>		
	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 mining/prospecting operation be corrected and the area be seeded with a vegetation seed mix to his or her specification.		<p>Not relevant:</p> <p>As averred to above, there were no drilling activities taking place during the assessment. Previous drilling occurred within upper bench of the DBV pit.</p>
	Photographs of the camp and office sites, before and during the mining/ prospecting operation and after rehabilitation, shall be taken at selected fixed points and kept on record for the information of the Regional Manager.		
F2.4	VEHICLE MAINTENANCE YARD AND SECURED STORAGE AREAS		
F2.4.1	Establishing the vehicle maintenance yard and secured storage areas		
	The vehicle maintenance yard and secured storage area will be established as far as is practicable, outside the flood plain, above the 1 in 50 flood level mark within the boundaries of the mining/prospecting area.		<p>Not applicable:</p> <p>No maintenance yard or secured storage area was established for this prospecting right.</p>
	The area chosen for these purposes shall be the minimum reasonably required and involve the least disturbance to tree and plant life. Topsoil shall be handled as described in F 2.1		

	above.		
	The storage area shall be securely fenced and all hazardous substances and stocks such as diesel, oils, detergents, etc., shall be stored therein. Drip pans, a thin concrete slab or a facility with PVC lining, shall be installed in such storage areas with a view to prevent soil and water pollution.		Not relevant: Compliance in this regard was verified during the assessment undertaken in 2017, however, no drilling had taken place during the period 2018 - 2020.
	The location of both the vehicle maintenance yard and the storage areas are to be indicated on the layout plan.		Not applicable: No maintenance yard or secured storage area was established for this prospecting right.
	No vehicle may be extensively repaired in any place other than in the maintenance yard.		
F2.4.2	Maintenance of vehicles and equipment		
	The maintenance of vehicles and equipment used for any purpose during the mining/prospecting operation will take place only in the maintenance yard area.		Not relevant: Compliance in this regard was verified during the assessment undertaken in 2017, however, no drilling had taken place during the period 2018 - 2020.
	Equipment used in the mining/prospecting process must be adequately maintained so that during operations it does not spill oil, diesel, fuel, or hydraulic fluid.		Noted: The content of these provisions is noted.
	Machinery or equipment used on the mining/prospecting area must not constitute a pollution hazard in respect of the above substances. The Regional Manager shall order such equipment to be repaired or withdrawn from use if he or she considers the equipment or machinery to be polluting and irreparable.		Noted: The content of these provisions is noted.
F2.4.3	Waste Disposal		
	Suitable covered receptacles shall be available at all times and conveniently placed for the disposal of waste.		Not relevant: No drilling took place at the time of the assessment, the areas where previous drilling occurred had been completely covered and there were no signs of spills in the area.
	All used oils, grease or hydraulic fluids shall be placed therein, and these receptacles will be removed from the site on a regular basis for disposal at a registered or licensed disposal facility.		

	All 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.		
F2.4.4	Rehabilitation of vehicle maintenance yard and secured storage areas		
	On completion of mining/prospecting operations, the above areas shall be cleared of any contaminated soil, which must be dumped as referred to in section F 2.4.3 above.		<p>Compliant:</p> <p>During previous site observations undertaken it was verified that all previous drilling holes have been closed up, no evidence of dumping was noted.</p> <p>Nevertheless, it is to be noted that the prospecting site is located inside DBV's active mining area, complete rehab will only commence once the open cast mining activities at DBV cease.</p>
	All buildings, structures or objects on the vehicle maintenance yard and secured storage areas shall be dealt with in accordance with section 44 of the Mineral and Petroleum Resources Development Act, 2002.		<p>Not applicable:</p> <p>Drilling occurred inside the active mine area and therefore no buildings, structures or other facilities were constructed/erected during the drilling activities.</p>
	The surface shall then be ripped or ploughed to a depth of at least 300mm and the topsoil previously stored adjacent the site, shall be spread evenly to its original depth over the whole area. The area shall then be fertilised if necessary (based on a soil analysis).		See above.
	The site shall be seeded with a vegetation seed mix adapted to reflect the local indigenous flora.		The site occur within the pit are of DBV. No rehabilitation with vegetation seed mix is currently anticipated for the drill sites.
	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 mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.		See above.
F3.	OPERATING PROCEDURES IN THE MINING AREA		
F3.1	Limitations on mining/prospecting		

	The mining of or prospecting for precious stones shall take place only within the approved demarcated mining or prospecting area.		Noted: Prospecting for Copper, Cobalt, Zink, Lead, Nickel, Sulphur, Silver and Gold occurs as per the layout plan.
	Mining/ prospecting may be limited to the areas indicated by the Regional Manager on assessment of the application.		Noted: There were no limitations evident in the Prospecting right.
	The holder of the mining permit/ prospecting right shall ensure that operations take place only in the demarcated areas as described in section F 1.1.2 above.		Not applicable: Compliance in this regard was verified during previous assessment, however, no drilling had taken place during the period 2018 - 2020.
	Operations will not be conducted closer than one and a half times the height of the bank from the edge of the river channel and in such manner that the stability of the bank of the river is effected.		Not applicable: There are no river channels within the vicinity of the drill sites.
	Precautions shall also be taken to ensure that the bank of the river is adequately protected from scouring or erosion. Damage to the bank of the river caused by the operations, shall be rehabilitated to a condition acceptable to the Regional Manager at the expense of the holder.		
	Restrictions on the disturbance of riverine vegetation in the form of reeds or wetland vegetation must be adhered to. The presence of these areas must be entered in Part of the programme and indicated on the layout plan.		
F3.2	Mining/ prospecting operations within the riverine environment		
NOTE: The Department of Water Affairs and Forestry may impose additional conditions which must be attached to this EMP. In this regard, please see the Best Practice Guideline for small scale mining developed by DWAF (BPG 2.1) (available from http://www.dwaf.gov.za)			
	The mining of or prospecting for precious stones in the river or the banks of the river will be undertaken only after the Regional Manager has consulted with the Department of Water Affairs and Forestry.		Not applicable: No Section 21 water use requiring a WUL is evident in the drill sites.

	<p>The canalisation of a river will not be undertaken unless the necessary permission has been obtained from the Department of Water Affairs and Forestry. Over and above the conditions imposed by the said Department, which conditions shall form part of this EMPlan, the following will also apply:</p> <ul style="list-style-type: none"> ❖ The canalisation of the flow of the river over different parts of the river bed shall be constructed in such a manner that the following are adhered to at all times: <ul style="list-style-type: none"> ◆ The flow of the river may not be impeded in any way and damming upstream may not occur. ◆ The canalisation of the flow may not result in scouring or erosion of the river-bank. ◆ Well points or extraction pumps in use by other riparian users may not be interfered with and canalisation may not impede the extraction of water at these points. 		
	<p>Access to the riverbed for the purpose of conducting excavations in the river-bed, shall be through the use of only one access at a time. The location of the access to the river channel across the river-bank shall be at a point of the river-bank where the least excavation and damage to vegetation will occur and shall not be wider than is reasonably required. The position of the river access together with all planned future access points, must be indicated on the layout plan.</p>		
F3.2.1	Rehabilitation of access to river bed		
	<p>When rehabilitating the access point, the original profile of the river-bank will be re-established by backfilling the access point with the original material excavated or other suitable material.</p>		<p>Not applicable: No river bed is impacted by the prospecting work programme.</p>
	<p>The topsoil shall then be returned over the whole area to its original depth and if necessary fertilised and the vegetation</p>		

	allowed to grow.		
	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 mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.		
	In the event of damage from an occurrence where high flood waters scour and erode access points in the process of rehabilitation over the river-bank or an access point currently in use, repair of such damage shall be the sole responsibility of the holder of the mining permit or prospecting right.		
	Repair to the river-bank to reinstate its original profile to the satisfaction of the Regional Manager must take place immediately after such event has occurred and the river has subsided to a point where repairs can be undertaken.		
	Final acceptance of rehabilitated river access points will be awarded only after the vegetation has re-established to a point where the Regional Manager is satisfied that the river-bank is stable and that the measures installed are of durable nature and able to withstand high river-flow conditions.		
F3.2.2	Rehabilitation of mining/prospecting area in the bed of the river		
	The goal of rehabilitation with respect to the area where mining/prospecting has taken place in the river-bed is to leave the area level and even, and in a natural state containing no foreign debris or other materials and to ensure the hydrological integrity of the river by not attenuating or diverting any of the natural flow.		Not applicable: Prospecting occurs within the DeBeers Venetia pit. There are no river beds impacted by the prospecting work programme.
	All scrap and other foreign materials will be removed from the bed of the river and disposed of as in the case of other refuse (see section F 2.3.2 above), whether these accrue directly from the mining/prospecting operation or are washed on to the		

	site from upstream.		
	Removal of these materials shall be done on a continuous basis and not only at the start of rehabilitation.		
	Where reeds or other riverine vegetation have been removed from areas, these shall be re-established systematically in the approximate areas where they occurred before mining/prospecting.		
	An effective control programme for the eradication of invader species and other exotic plants, shall be instituted on a regular basis over the entire mining/prospecting area under the control of the holder of the mining permit/ prospecting right, both during mining/prospecting and at the stage of final rehabilitation.		
2.	The Water Use Licence		
	<p>The National Water Act, (Act 36 of 1998), is based on the 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 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.</p> <p><i>NOTE: The Department of Water Affairs and Forestry (DWAF) developed specific Best Practice Guideline for small scale mining that relates to stormwater management, erosion and sediment control and waste management. Copies of these guidelines can be obtained from the regional office of DME and DWAF.</i></p> <p>Applications for a water use licence must be made in good time, such that approval can be granted before a water use activity can begin. The appropriate licence forms for each kind of expected water use should be completed together with</p>		<p>Not applicable:</p> <p>Only drilling was implemented as per the prospecting work programme.</p>

	supporting documentation. The main supporting document required is a technical report. To make the technical report easier, you can refer to sections in this EMPlan, as most of what the technical report requires has already been done in the EMPlan. If you refer to the EMPlan it must be attached to the technical report.		
F3.2.2	Rehabilitation of excavation areas		
	The following operating procedures shall be adhered to:		<p>Not applicable: No excavation sites were created during implementation of the drilling programme.</p>
	The excavated area must serve as a final depositing area for the placement of tailings during processing.		
	Rocks and coarse material removed from the excavation must be dumped into the excavation simultaneously with the tailings.		
	Waste, as described in paragraph F 2.3.2 above, will not be permitted to be deposited in the excavations.		
	Once excavations have been refilled with overburden, rocks and coarse natural materials and profiled with acceptable contours and erosion control measures, the topsoil previously stored, shall be returned to its original depth over the area.		
	The area shall be fertilised if necessary to allow vegetation to establish rapidly. The site shall be seeded with a local or adapted indigenous seed mix in order to propagate the locally or regionally occurring 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 mining/prospecting operation, be corrected and the area be seeded with a vegetation seed mix to his or her specification.		
F3.4	PROCESSING AREAS AND WASTE PILES (DUMPS)		

F 3.4.1	Establishing processing areas and waste piles	
	Processing areas and waste piles shall not be established within 100 metres of the edge of any river channel or other water bodies.	<p>Not applicable: No waste piles were created during this prospecting programme.</p>
	Processing areas should be established, as far as practicable, near the edge of excavations to allow the waste, gravel and coarse material to be processed therein.	
	The areas chosen for this purpose shall be the minimum reasonably required and involve the least disturbance to vegetation.	
	Prior to development of these areas, the topsoil shall be removed and stored as described in paragraph F 2.1 above.	
	The location and dimensions of the areas are to be indicated on the layout plan and once established, the processing of ore containing precious stones shall be confined to these areas and no stockpiling or processing will be permitted on areas not correctly prepared.	
	Tailings from the extraction process must be so treated and/or deposited that it will in no way prevent or delay the rehabilitation process.	
F 3.4.2	Rehabilitation of processing areas	
	Coarse natural material used for the construction of ramps must be removed and dumped into the excavations.	<p>Not applicable: Only drilling was implemented as per the prospecting work programme. Hence no excavations were used to extract minerals as part of the prospecting programme.</p>
	On completion of mining/prospecting operations, the surface of the processing areas especially if compacted due to hauling and dumping operations, shall be scarified to a depth of at least 300mm and graded to an even surface condition and the previously stored topsoil will be returned to its original depth over the area.	

	Prior to replacing the topsoil, the material that was removed from the processing area will be replaced in the same order as it originally occurred.		
	The area shall then be fertilised if necessary to allow vegetation to establish rapidly. The site shall be seeded with a local, adapted indigenous seed mix.		
	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 mining/prospecting operation be corrected and the area be seeded with a seed mix to his or her specification.		
F3.5	TAILINGS DAM(S) (SLIMES DAM)		
	The permission of the Regional Manager must be obtained should a tailings dam be constructed for the purpose of handling the tailings of the mining/prospecting operations. The construction, care and maintenance of tailings dams have been regulated and the relevant regulation is copied herewith, both for your information and as a guideline to the commissioning, management, operation, closing and aftercare of a tailings deposition facility.		Not applicable: No tailings were generated as result of the prospecting work programme.
	Regulation 73 promulgated under the Mineral and Petroleum Resources Development Act, 2002 (Act 28 of 2002) requires the following: <i>Management of residue stockpiles and deposits (Refer to EMP for details)</i>		Not applicable: No stockpiles were created during the current prospecting programme.
F 3.6	FINAL REHABILITATION		
	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: Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during 2018 - 2020.
	Waste material of any description, including receptacles,		Not applicable:

	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.		Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during 2018 - 2020.
	Final rehabilitation shall be completed within a period specified by the Regional Manager.		Noted: Initial rehabilitation has been completed at the drilling sites. However, no instruction to conduct final rehabilitation had been indicated by the Regional Manager.
F 4	MONITORING AND REPORTING		
F 4.1	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.		Not applicable: Compliance in this regard was verified during previous assessments, however, no drilling had taken place during 2018 to 2020.
	Ongoing and regular reporting of the progress of implementation of this programme will be done.		Not applicable: Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during 2018 to 2020.
	Various points of compliance will be identified with regard to the various impacts that the operations will have on the environment.		Not applicable: Compliance in this regard was verified during our previous assessment, however, no drilling had taken place during 2018 to 2020.
	Inspections and monitoring shall be carried out on both the implementation of the programme and the impact on plant and animal life.		Not applicable: During our previous assessment it was verified that no plant or animal life were impacted on during prospecting operations carried out at the DBV pit high wall, however, no drilling had taken place during 2018 to 2020.
	Visual inspections on erosion and physical pollution shall be carried out on a regular basis.		Not applicable: During our previous assessment it was verified that regular inspections are conducted by the environmental officer, however, no drilling had taken place during 2018 to 2020.
Regulation 55 promulgated in terms of the MPRDA requires the following:			
Monitoring and performance assessments of environmental management programme or plan (Refer to EMP for details)			

F 4.2	Compliance reporting/ Submission of information	
	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: Proof of submission of the 8th Annual progress report for the period 14/04/ 207 including layout plans were available upon request thereto. Document ref.:</p> <ul style="list-style-type: none"> 8th Annual progress report for the period 14/04/ 207 – 15 April 2018, dated 11 May 2018; Proof of Acknowledgement of receipt dated 11 May 2018
	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.	<p>Noted: The provisions of these conditions are noted</p>
	Any emergency or unforeseen impact will be reported as soon as possible.	
	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.	
F 5	CLOSURE	
	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 a risk report is contained in Regulation 60 of the Regulations promulgated in terms of the Act and is quoted below:	<p>Noted: Closure of operations have not commenced at the time of the audit. The team involved with rehabilitation of DBV are aware of this requirement.</p>
F 5.1	ENVIRONMENTAL RISK REPORT	
	<i>"An application for a closure certificate must be accompanied by an environmental risk report which must include-</i> (a) <i>the undertaking of a screening level environmental risk assessment where-</i>	<p>Not relevant: The provision of this condition is noted; however, it is not relevant to the period of assessment under review.</p>

	<p>(i) all possible environmental risks are identified, including those which appear to be insignificant;</p> <p>(ii) the process is based on the input from existing data;</p> <p>the issues that are considered are qualitatively ranked as –</p> <p>(aa) a potential significant risk; and/or</p> <p>(bb) a uncertain risk; and/or</p> <p>(cc) an insignificant risk.</p> <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; more realistic assumptions and actual measurements be made; and</p> <p>(ii) a more quantitative risk assessment is undertaken, again classifying issues 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>		
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	<p>(g) <i>agreeing on management measures to be implemented for the potential significant risks which must include-</i></p> <ul style="list-style-type: none"> (i) <i>a description of the management measures to be applied;</i> (ii) <i>a predicted long-term result of the applied management measures;</i> (iii) <i>the residual and latent impact after successful implementation of the management measures;</i> (iii) <i>time frames and schedule for the implementation of the management measures;</i> (iv) <i>responsibilities for implementation and long-term maintenance of the management measures;</i> (v) <i>financial provision for long-term maintenance; and</i> (vi) <i>monitoring programmes to be implemented."</i> 		
F 5.2	CLOSURE OBJECTIVES		
	<p>Closure objectives form part of this EMPlan and must-</p> <ul style="list-style-type: none"> (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 (c) provide proposed closure cost 		<p>Compliant:</p> <p>The closure objective as described in the EMP, i.e. to return the area to current land use (diamond mining) is feasible.</p> <p>Financial guarantees in line with the determined financial provisioning is evident.</p>
F 5.3	CONTENTS OF CLOSURE PLAN		
	A closure plan forms part of the EMP and must include the following:		
	<ul style="list-style-type: none"> (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 generally accepted standards, showing the land or area under closure; 		<p>Compliant:</p> <p>Closure objectives are described in the EMP and forms part of DBV's mine wide closure plan, which will be implemented when all mining operations cease.</p>

	<ul style="list-style-type: none"> (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 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, minimize and manage residual or latent impacts; (g) details of any long-term management and maintenance expected; (h) details of financial provision for monitoring, maintenance and post closure management, if required; (i) a plan or sketch at an appropriate scale describing the final land use proposal and arrangements for the site; (j) a record of interested and affected persons consulted; and (k) technical appendices, if any. 		
F 5.4	TRANSFER OF ENVIRONMENTAL 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>Noted: The contents of these conditions are noted.</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>2) 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 the liabilities and responsibilities is transferred to, have the necessary qualifications pertaining to health and safety and management of potential pollution of water resources.</p>		
F 5.5	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"> * National Monuments Act, 1969 (Act 28 of 1969). * National Parks Act, 1976 (Act 57 of 1976) * Environmental Conservation Act, 1989 (Act 73 of 1989) * National Environmental Management Act, 1998 (Act No. 107 of 1998) * Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965) * The National Water Act, 1998 (Act 36 of 1998) * Mine Safety and Health Act, 1996 (Act 29 of 1996) * The Conservation of Agricultural Resources Act, 1983 (Act 43 		<p>Compliant:</p> <p>Changes in relevant legislation and the impact thereof on the operation is identified and managed through the EMS implemented at the DBV.</p> <p>In addition, DBV conducts an external 24-month environmental legal compliance audits to ensure compliance to environmental-related laws. The last audit was conducted in conjunction with this assessment.</p>	

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