

SUPPORTING DOCUMENTATION

In terms of the application by PLATMIN's Pilanesberg Platinum Mine, dated March, 2008 and in terms of its Integrated Waste and Water Management Plan (i.e. the technical supporting document for the required integrated water and waste use license application) the proposed water uses that require licensing were:

Water Use Category	Proposed Water Use by PPM
A – Taking water from a water resource	Abstraction of water from boreholes
B – Storing water (clean water)	<ul style="list-style-type: none"> • Storage of ground water in reservoirs • Storage of potable Magalies Water in reservoirs
C – Impeding or Diverting a Watercourse	<ul style="list-style-type: none"> • The Motlhabe and Wilgespruit water course diversions • Removal of the head waters of the Manyedime water course and a tributary of the Motlhabe water course
E – Declared activities (engaging in a controlled activity)	Use of treated sewage sludge to facilitate rehabilitation of the tailings facility
G – Disposing of waste (or water containing waste) in a manner which may detrimentally impact on a water resource	<ul style="list-style-type: none"> • Disposal of tailings onto the tailings dam • Temporary storage of waste rock and overburden and backfilling of mined out pits • Storage of dirty water in a number of settling and Eriksson dams • Storage of process water in the tailings return water facilities and the process water dam • Storage of dirty storm water in various storm water control dams • Storage of treated sewage effluent at the sewage treatment plant
I – Altering the bed, banks, course or characteristics of a watercourse	<ul style="list-style-type: none"> • Various road crossings over water courses • Clean Storm water diversions
J – removing water found underground to allow the efficient continuation of an activity	Removal of water (ground water and rainwater) from the open pits

Exemptions from Regulation 704 were further requested by PPM for all of the following activities:

- Regulation 4a – the tailings dam and temporary waste rock/overburden dumps at the open cast pits, including the waste rock/overburden being backfilled into the opencast pits;

- Regulation 4a – dirty water dams at and upstream of the concentrator plant, the tailings return water and storm water dam, dirty water dams at the open pits
- Regulation 4a – storm water control measures at all four pits, the tailings dam and the concentrator plant
- Regulation 4b – all road crossings associated with the haul road and the various road diversions;
- Regulation 4b – the two proposed river diversions;
- Regulation 4b – the water supply boreholes and borehole pipeline;
- Regulation 4b – the open pits, concentrator plant, and the two main mining contractor complexes;
- Regulation 4c – backfilling open pits with waste rock
- Condition 5 – use of waste rock used for construction of river diversions, storm water controls, dams and roads.

Notwithstanding the requirements in terms of the National Water Act (36 of 1998) and GN 704, the PPM proceeded to commence with its operations since 2009 without a Water Use License and an exemption from GN 704.

The Department of Mineral Resources has subsequently authorised (April, 2012) the amendments to PPM's Closure Plan and the extension of the Tuschenkomst Pit. The Integrated Waste Water Management Plan of March 2008 and the original application for an IWUL therefore no longer have relevancy or validity. The amendment of the PPM's Closure Plan and extension of the Tuschenkomst Pit allow for the re-diversion of the Wilgeriver, the partial backfilling of the Tuschenkomst Pit and the flooding of the Tuschenkomst Pit.

In view of the aforesaid, the FSE alleges that the original IWUL application no longer has relevancy or validity. The FSE furthermore alleges that the PPM's operations since 2009 were unlawful (i.e. its historical and current operations) and that its proposed operations (i.e. future operations), in terms of its revised Closure Plan and extension of the Tuschenkomst Pit, have not been authorised in terms of the National Water Act.