

Mining Operations in Sea Concessions 2C and 3C, Offshore of the West Coast of South Africa

Environmental Audit Report

Report Prepared for

Belton Park Trading 127 (Pty) Ltd

SRK Report Number 609616



Report Prepared by

 **srk** consulting

October 2024

Mining Operations in Sea Concessions 2C and 3C, Offshore of the West Coast of South Africa Environmental Audit Report

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October 2024

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Profile and Expertise of EAPs

SRK Consulting (South Africa) (Pty) Ltd (SRK) has been appointed by Belton Park Trading 127 (Pty) Ltd (BPT) as the independent consultant to undertake an environmental audit, as required in terms of the National Environmental Management Act 107 of 1998 (NEMA), for the Environmental Authorisation granted for offshore mining in Sea Concessions 2C and 3C, off the West Coast of South Africa.

SRK Consulting was established in 1974 and comprises over 1 750 professional staff worldwide, offering wide-ranging expertise in the natural resources and environmental sectors. SRK's Cape Town Environmental, Social and Governance (ESG) Business Unit has a proven track record of managing large, complex environmental and engineering projects in the Western Cape, Africa and internationally. SRK has rigorous quality assurance standards and is ISO 9001 certified.

As required by NEMA, the qualifications and experience of the key independent Environmental Assessment Practitioners (EAPs) undertaking the audit are detailed below.

Project Director: Christopher Dalgliesh, BBusSc (Hons), MPhil (EnvSci)

Registered EAP (no. 2019/413)

Chris Dalgliesh is a Partner and Principal Environmental Consultant with over 37 years' experience, primarily in Southern Africa, West Africa, South America, the Middle East and Asia. Chris has worked on a wide range of projects, notably in the natural resources, Oil & Gas, waste, energy, renewables, infrastructure and industrial sectors. He has directed and managed numerous Environmental and Social Impact Assessments (ESIAs) to international standards (e.g. IFC). He regularly provides high level review of ESIAs, frequently directs Environmental and Social Due Diligence studies, and leads E&S reviews on behalf of financial institutions. He also has a depth of experience in Strategic Environmental Assessment (SEA) and Resource Economics. He holds a BBusSci (Hons) and M Phil (Env) and is a Registered Environmental Assessment Practitioner (EAP).

Project Consultant: Kelly Armstrong, BSocSc (Hons) (Environmental Studies)

Registered EAP (no. 2019/1167)

Kelly Armstrong is an Environmental Consultant at SRK Consulting. She has six years' experience in managing Basic Assessment, Environmental Impact Assessment and Water Use Authorisation processes, Environmental Audits and as an Environmental Control Officer (ECO) in the renewable energy, residential, aquaculture, marine and mining sectors. Kelly holds a BSocSc (Hons) in Environmental and Geographical Studies from the University of Cape Town and is a Registered EAP.

Statement of SRK Independence

Neither SRK nor any of the authors of this Report have any material present or contingent interest in the outcome of this Report, nor do they have any pecuniary or other interest that could be reasonably regarded as being capable of affecting their independence or that of SRK.

SRK has no beneficial interest in the outcome of the audit which is capable of affecting its independence.

Disclaimer

The opinions expressed in this report have been based on the information supplied to SRK by BPT. SRK has exercised all due care in reviewing the supplied information, but conclusions from the audit are reliant on the accuracy and completeness of the supplied data. SRK does not accept responsibility for any errors or omissions in the supplied information and does not accept any consequential liability arising from commercial decisions or actions resulting from them. Opinions presented in this report apply to the site conditions and features as they existed at the time of SRK's investigations, and those reasonably foreseeable. These opinions do not necessarily apply to conditions and features that may arise after the date of this Report, about which SRK had no prior knowledge nor had the opportunity to evaluate.

Mining Operations in Sea Concessions 2C and 3C, Offshore of the West Coast of South Africa Environmental Audit Report: EAP Affirmation

Section 16 (1) (b) (iv), Appendix 1 Section 3 (1) (r), Appendix 2 Sections 2 (i) and (j) and Appendix 3 Section 3 (s) of the Environmental Impact Assessment (EIA) Regulations, 2014 (promulgated in terms of the National Environmental Management Act 107 of 1998, as amended - NEMA), require an undertaking under oath or affirmation by the Environmental Assessment Practitioner (EAP) in relation to the correctness of the information provided in the report.

SRK and the EAPs managing this project hereby affirm that:

- To the best of our knowledge the information provided in the report is correct, and no attempt has been made to manipulate information to achieve a particular outcome. Some information, especially pertaining to the project description, was provided by the applicant and/or their sub-contractors. In this respect, SRK's standard disclaimer (inserted in this report) pertaining to information provided by third parties applies.

Executive Summary

Belton Park Trading 127 (Pty) Ltd (Belton Park or BPT) is the holder of a Mining Right (MR or Right) and an Environmental Authorisation (EA) applicable to the mining of diamonds in Sea Concessions 2C and 3C, located offshore of the West Coast of South Africa.

On 27 February 2017, the (then) Department of Mineral Resources (DMR) issued an EA for mining in Sea Concession 2C in terms of the National Environmental Management Act 107 of 1998 (NEMA)¹. The MR was granted in terms of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) on 19 December 2017 and executed on 5 January 2018.

On 18 March 2019 the DMR issued an amended EA for mining in Sea Concession 3C and additional/expanded mining target areas in Sea Concession 2C. The amended MR was granted on 27 November 2019 and executed on 18 March 2020. Mining operations commenced on 8 August 2018.

In terms of Regulation 34 of the Environmental Impact Assessment (EIA) Regulations, 2014, promulgated in terms of NEMA, the holder of an EA must, for the duration of the EA, ensure that compliance with the conditions of the EA and EMPr is audited and that an Environmental Audit Report containing the information set out in Appendix 7 of the EIA Regulations is submitted to the competent authority at intervals which are indicated in the EA (in this case biennially). Regulation 34 of the EIA Regulations, 2014, also states that the Environmental Audit Report must be prepared by an “independent person with the relevant environmental auditing expertise”.

SRK Consulting (South Africa) (Pty) Ltd (SRK) has been appointed by BPT as the “independent person with relevant environmental auditing expertise” to undertake the 2024 Environmental Audit of the EA and EMPr and to compile the Environmental Audit Report in terms of Regulation 34 of the EIA Regulations, 2014.

The audit found that of the 101 conditions in the EA, 38 are considered Not Applicable or Not Practicable. Of the 63 conditions that are applicable and practicable, BPT is Compliant with 60 (95%) of the conditions, Partially Compliant with two conditions (3%) and Not Compliant with one (2%) condition.

The EMPr comprises 80 mitigation measures, of which 19 were found to be Not Applicable during the audit. Of the 61 mitigation measures applicable, BPT is Compliant with 54 (89%) of the mitigation measures and Partially Compliant with the remaining 7 (11%) mitigation measures. No Non-Compliances were identified.

To address the Non-Compliances the following corrective actions are recommended:

- Provide the name and contact details of the ECO to the Regional Manager within three months of the submission of the Environmental Audit Report to DMPR.

To address the Partial Compliances, SRK recommends that BPT must:

- Annually assess and update the Financial Provision to take account of CPI increases;
- Issue DMPR with the mine programme, contractor details, mining and supply vessel details, SOPEP and Emergency Response Plan within three months of submission of this Environmental Audit Report to DMPR;
- Notify registered IAPs (including DFFE and the key stakeholders listed in the EMPr) that mining operations (including navigational co-ordinates, timing and duration) have (re-)commenced in Sea

¹ EA Reference Number NCS30/5/2/1/2 (10101)

Concessions 2C and/or 3C, within one month of submission of this Environmental Audit Report to DMPR; and

- Retain a hard copy of the EA and EMPr on vessels used for mining operations.

The review of (compliance with) mitigation measures shows that BPT is generally achieving environmental management outcomes, despite partial compliance with some of the mitigation measures. In other words the mitigation measures are effective at delivering management outcomes.

A possible exception is rehabilitation which is not explicitly monitored, in part because it is not possible to monitor underwater rehabilitation in a dynamic marine environment. As a pragmatic proxy, benthic sampling and analysis is required/undertaken.

The audit did not identify new impacts associated with the project, shortcomings of the EMPr or the need for any changes to the EMPr.

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Acronyms and Abbreviations

BPT	Belton Park Trading 127 (Pty) Ltd
C	Compliant
CPI	Consumer Price Index
DMPR	(Current) Department of Mineral and Petroleum Resources
DMR	(Former) Department of Mineral Resources
EA	Environmental Authorisation
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
IAPs	Interested and Affected Parties
IMDSA	International Mining and Dredging South Africa (Pty) Ltd
ISM	International Safety Management
MARPOL	International Convention for the Prevention of Pollution from Ships, 1973
MPRDA	Mineral and Petroleum Resources Development Act 28 of 2002
MR	Mining Right
MV	Maritime Vessel
NA	Not Applicable
NC	Non-Compliant
NEMA	National Environmental Management Act 107 of 1998
NP	Not Practicable
PC	Partially Compliant
SAMSA	South African Maritime Safety Authority
SLR	SLR Consulting (South Africa) (Pty) Ltd
SMC	Safety Management Certificates
SOLAS	International Convention for the Safety of Life at Sea, 1974
SOPEP	Shipboard Oil Pollution Emergency Plan
SRK	SRK Consulting (South Africa) (Pty) Ltd
STS	Ship-to-ship

1 Introduction

Belton Park Trading 127 (Pty) Ltd (Belton Park or BPT) is the holder of a Mining Right (MR or Right) and an Environmental Authorisation (EA) applicable to the mining of diamonds in Sea Concessions 2C and 3C, located offshore of the West Coast of South Africa (Figure 1-1).

On 27 February 2017, the (then) Department of Mineral Resources (DMR) issued an EA for mining in Sea Concession 2C in terms of the National Environmental Management Act 107 of 1998 (NEMA)² (Appendix A). The MR was granted in terms of the Mineral and Petroleum Resources Development Act 28 of 2002 (MPRDA) on 19 December 2017 and executed³ on 5 January 2018 (Appendix B).

In 2018, an EA Amendment Application process was undertaken for Sea Concession 3C and to expand the approved mining target areas in Sea Concession 2C. A separate application to amend the existing MR area, Mining Work Programme and approved Environmental Management Programme (EMPr) was submitted in terms of Section 102 of the MPRDA. On 18 March 2019 the DMR issued the amended EA (Appendix A). The amended MR was granted on 27 November 2019 and executed on 18 March 2020. Mining operations commenced on 8 August 2018 (Appendix B).

1.1 Requirement for and Purpose of the Environmental Audit Report

In terms of Regulation 34 of the Environmental Impact Assessment (EIA) Regulations, 2014, promulgated in terms of NEMA, the holder of an EA must, for the duration of the EA, ensure that compliance with the conditions of the EA and EMPr is audited and that an Environmental Audit Report containing the information set out in Appendix 7 of the EIA Regulations is submitted to the competent authority at intervals which are indicated in the EA. Regulation 34 of the EIA Regulations, 2014, also states that the Environmental Audit Report must be prepared by an “independent person with the relevant environmental auditing expertise”.

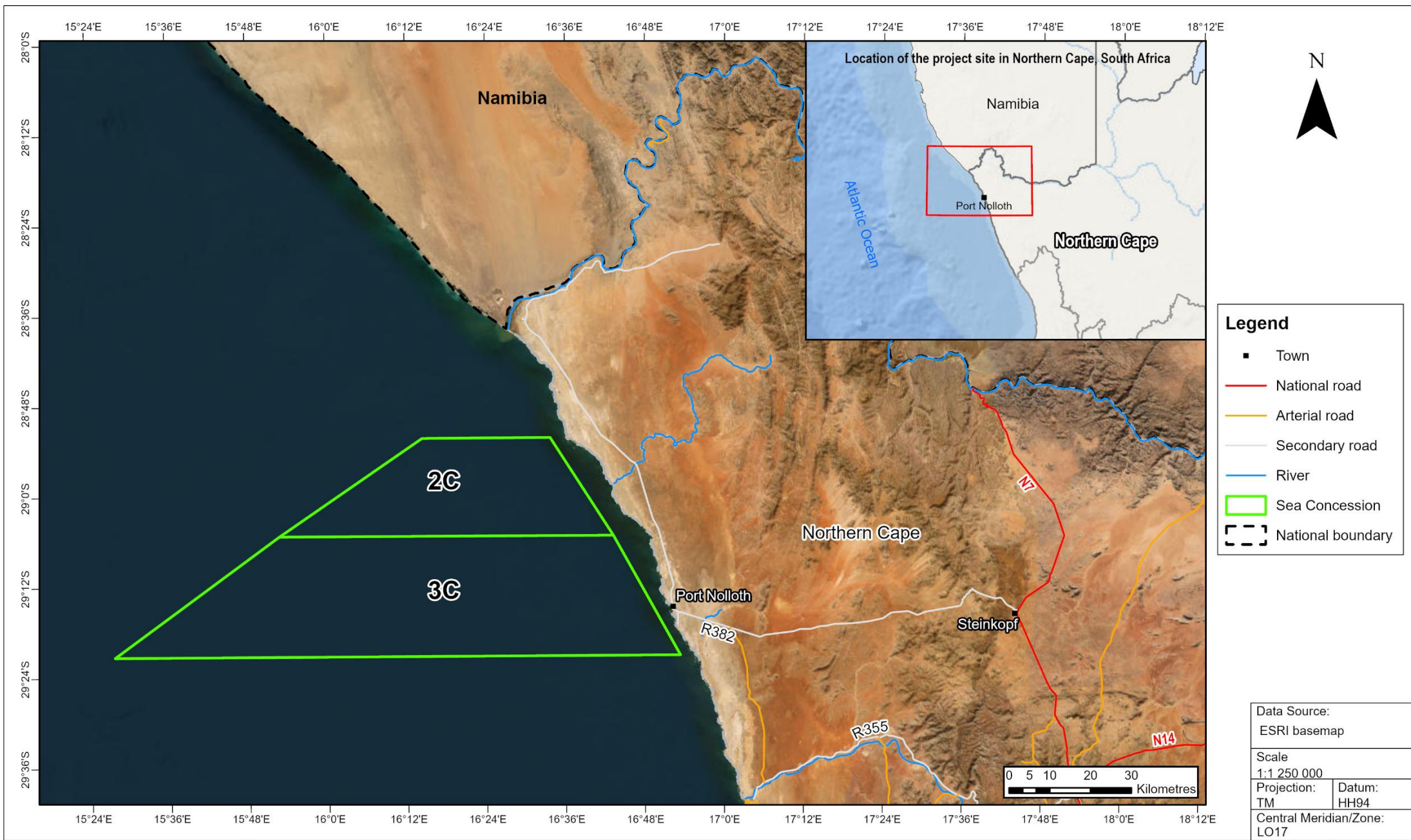
The EA held by BPT states that the holder must commission biennial independent environmental audits in terms of Regulation 34 of the EIA Regulations, 2014, to audit compliance with the requirements of the EA and the EMPr and submit an Environmental Audit Report to the competent authority⁴ within 30 days of the date of completion of the audit.

SRK Consulting (South Africa) (Pty) Ltd (SRK) has been appointed by BPT as the “independent person with relevant environmental auditing expertise” to undertake the 2024 Environmental Audit of the EA and EMPr and to compile the Environmental Audit Report in terms of Regulation 34 of the EIA Regulations, 2014.

² EA Reference Number NCS30/5/2/1/2 (10101)

³ The date on which the Regional Manager and MR holder sign the MR in front of a Notary Public is considered the execution date. The MR must commence with mining operations within one year of the effective date of the executed MR.

⁴ In this case the competent authority is the Department of Mineral and Petroleum Resources (DMPR)



OFFSHORE MINING IN SEA CONCESSION 2C & 3C ENVIRONMENTAL AUDIT REPORT
LOCALITY MAP

Path: G:\609616_Belton_Park_2C_3C_EMPR_Audit_GIS\8GIS\GISPROJ\PRO\609616_Belton_Park_2C_3C_EMPR_Audit_GIS\609616_Belton_Park_2C_3C_EMPR_Audit_GIS.aprx

Figure 1-1: Locality map

1.2 Objectives of the Environmental Audit

In terms of Appendix 7 of the EIA Regulations, 2014 the objectives of this Environmental Audit Report are to:

- Report on compliance with the conditions of the EA and EMPr;
- Report on the extent to which the avoidance, management and mitigation measures provided for in the EMPr achieve the objectives and outcomes of the EMPr;
- Identify and assess any new impacts and risks as a result of undertaking the activity (mining);
- Evaluate the effectiveness of the EMPr;
- Identify shortcomings in the EMPr; and
- Identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr.

This Environmental Audit Report reports on these objectives for the audit period from September 2022 to September 2024.

1.3 Content of Report

Appendix 7 of the EIA Regulations, 2014 prescribes the required content in an Environmental Audit Report. These requirements and the sections of this Environmental Audit Report in which they are addressed, are summarised in Table 1-1.

Table 1-1: Content of Environmental Audit Report as per EIA Regulations, 2014

GN 982, Appendix 7 (3) Ref.:	Item	Section Ref.:
(1) (a)	Details of the -	
(1) (a) (i)	Independent person who prepared the Environmental Audit Report	Page ii
(1) (a) (ii)	Expertise of the independent person that compiled the Environmental Audit Report	Page ii
(1) (b)	A declaration that the independent auditor is independent	Page iii
(1) (c)	The scope of, and the purpose for which, the Environmental Audit Report was prepared	Section 1.1 and 1.2
(1) (d)	A description of the methodology adopted in preparing the Environmental Audit Report	Section 3
(1) (e)	An indication of the ability of the EMPr to -	
(1) (e) (i)	Sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an on-going basis	Section 4.3
(1) (e) (ii)	Sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the closure of the facility	N/A
(1) (a) (iii)	Ensure compliance with the provisions of the EA	Section 4.1 and Table 4-1
1 (f)	A description of any assumptions made, and any uncertainties or gaps in knowledge	Section 1.4
1 (g)	A description of any consultation process that was undertaken during the course of carrying out the Environmental Audit Report	N/A
1 (h)	A summary and copies of any comments that were received during any consultation process	N/A

GN 982, Appendix 7 (3) Ref.:	Item	Section Ref.:
1 (i)	Any other information requested by the competent authority	N/A

1.4 Assumptions and Limitations

As is standard practice, the report is based on a number of assumptions and is subject to certain limitations. These are as follows:

- Information provided by BPT, including information contained in previous reports compiled by other consultants and specialists is assumed to be accurate and correct; and
- Due to the nature of the mining activities occurring offshore, a desktop audit of the relevant documentation and evidence was conducted.

2 Project Background and Description

The authorised mining operations are carried out as described in the EIA Report (CCA Environmental, 2016) and EA Amendment Report (SLR Consulting, 2018) and a summary of which is provided in this section.

2.1 Authorised Activity

The EA was issued for Activity 17 of Listing Notice 2⁵ and authorises BPT to conduct mining operations in Sea Concessions 2C and 3C, offshore of the West Coast of South Africa.

2.2 Description of Offshore Mining Operations

BPT is authorised in terms of the EA and the MR to undertake mining activities in four target areas across Sea Concessions 2C and 3C. The total mining footprint (area of the four target areas) is approximately 3 020 ha (~30 km²), 0.65% of the total 4 613.5 km² extent of Sea Concessions 2C and 3C (SLR Consulting, 2018).

BPT contracted International Mining and Dredging South Africa (Pty) Ltd (IMDSA) to mine, utilising the *Maritime Vessel (MV) Ya Toivo* and a seabed crawler. Once the mining vessel has been anchored over the planned (300 m x 300 m) “mining spread”, the seabed crawler is lowered to the seafloor and remotely controlled from the mining vessel through a power and signal umbilical cord. The seabed crawler can move within a radius of 60 – 100 m of the vessel (Figure 2-1).



Figure 2-1: Photograph of a seabed crawler

Source: (SLR Consulting, 2018)

The seabed crawler can extract seabed sediments to a depth of 5 m in a set path, typically in a mining lane approximately 20 m wide and 60 m long on the seafloor. Upon completion of a mining lane, the crawler creates an additional, adjacent mining lane, thereby accumulating to create a mining block.

⁵ Government Notice (GN) 983 of 2014

This sequence is repeated until the mining spread has been mined. Thereafter, the mining vessel raises anchors and moves to the next mining spread where the mining process is repeated.

As the seabed crawler travels down the mining lane, it agitates and pumps sediment from the seafloor to the mining vessel for primary screening; on average, approximately 90% of the sediment is generally over- or under-sized and is returned as tailings to the sea. The fractions of interest (plant feed) undergo further processing to recover the diamonds. The diamonds are packaged and stored onboard until collected by helicopter for despatch to the onshore facility.

Tailings are returned directly to the sea via the moon pool system. The moon pool system comprises four separate openings from the hull to the water below. Tailings are redeposited to approximately the same location from which they were extracted, and deposition to unmined areas is avoided as far as possible.

Deposition of tailings partially backfills the mined areas, leaving localised depressions where sediment is deposited unevenly, which over time fill with sediment from natural deposition and currents.

As there are no formal backfilling and rehabilitation measures, detailed benthic surveys were required prior to commencement of mining, as well as during and after mining activities, to assess rehabilitation.

Support vessels *MV Good Wind* and *MV The Explorer* are also utilised during mining operations for, *inter alia*, refuelling *MV Ya Toivo* and sampling.

A simplified illustration of mining operations is shown in Figure 2-2.

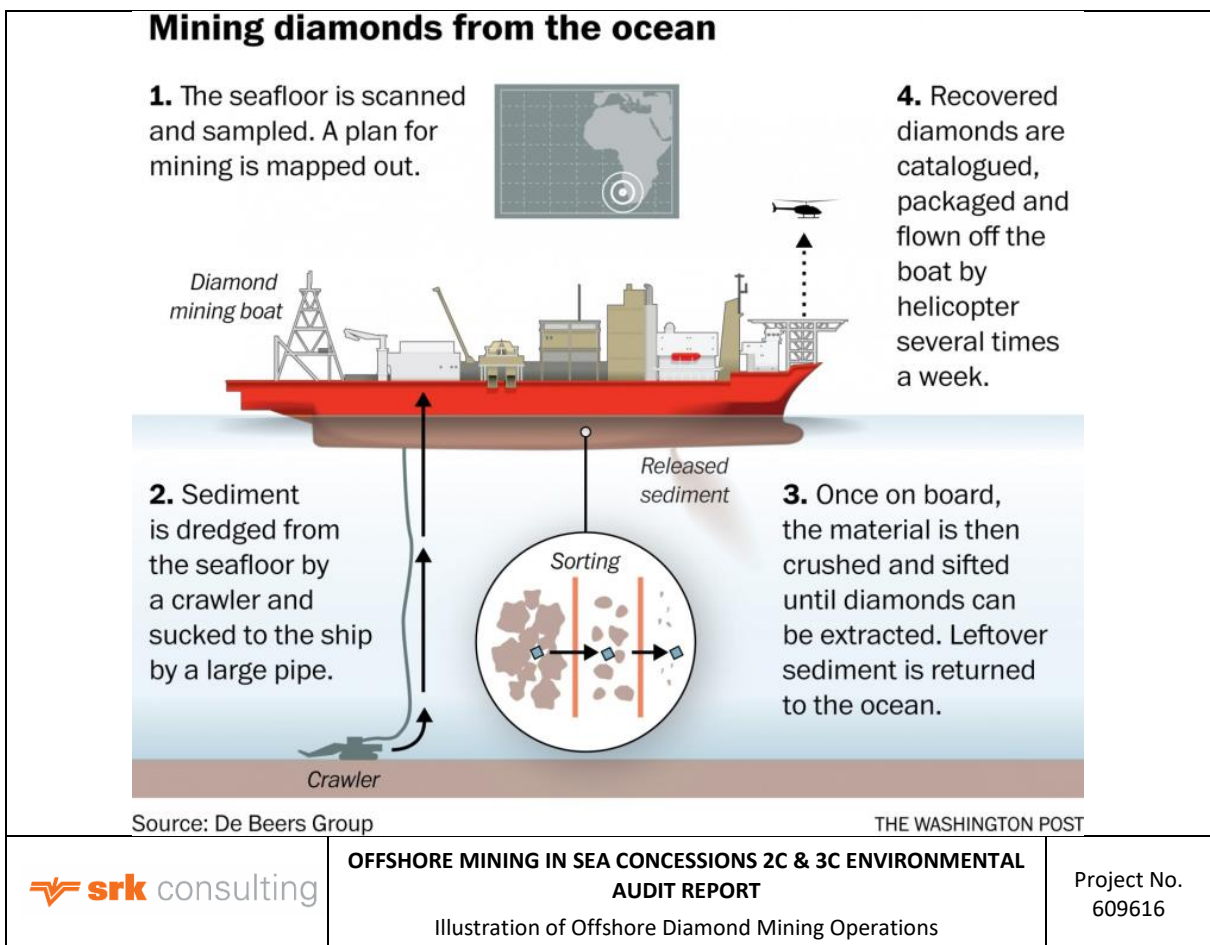


Figure 2-2: Illustration of offshore diamond mining operations

2.3 Summary of Mining Operations

Six mining campaigns in both Sea Concessions 2C and 3C have been undertaken during the audit period (September 2022 - September 2024), using *MV Ya Toivo* over the following periods:

1. 14 August 2022 to 12 November 2022;
2. 14 December 2022 to 31 December 2022;
3. 1 January 2023 to 8 March 2023;
4. 28 June 2023 to 31 December 2023;
5. 1 January 2024 to 11 January 2023; and
6. 12 April 2024 to 30 June 2024.

3 Audit Approach and Methodology

The following activities were undertaken for the audit:

- Prepare for audit, including review of available information and relevant environmental specifications in the EA and EMPr;
- Request and review relevant documents and records from BPT;
- Evaluate compliance with the EMPr and EA based on existing records and discussions with BPT;
- Compile an Environmental Audit Report that:
 - Outlines the procedure and evaluation criteria used;
 - Details the extent of compliance with conditions of the EMPr and EA for the reporting period;
 - Recommends corrective actions (assigning dates and responsibility) to address conformance;
 - Confirms whether corrective actions recommended in previous audits have adequately address non-compliances identified;
 - Evaluate the effectiveness of the EMPr to achieve the management objectives and outcomes in the EMPr; and
- Submit an Environmental Audit Report to DMPR.

3.1 Audit Team

The SRK audit team is presented in Table 3-1.

Table 3-1: SRK project team for BPT Sea Concessions 2C and 3C

Team Member	Role	Specialist Area
Chris Dalgliesh	Reviewer and QA/QC	Environmental Management
Sam Leyde	Technical Advisor	Environmental Management
Kelly Armstrong	Auditor	Environmental Management

3.2 Document Review

Key documents and evidence provided by BPT and which informed the audit include, but are not limited to, the following:

- EAs dated 27 February 2017 and 18 March 2019;
- MRs dated 19 December 2017 and 27 November 2019;
- Approved EMPr (included as part of the final EA Amendment Report dated November 2018, compiled by SLR Consulting (South Africa) (Pty) Ltd (SLR));
- Summary of daily Environmental Monitoring Reports;
- Bunkering permits for the following periods (Appendix C):
 - 24 April 2024 – 2 May 2024;
 - 5 May 2024 – 16 May 2024;
 - 17 June 2024 – 25 June 2024;
 - 13 July 2024 – 5 August 2024;

- The following documents for *MV Ya Toivo*, *MV Good Wind* and *MV The Explorer*:
 - Shipboard Oil Pollution Emergency Plan (SOPEP) (Appendix D);
 - Generic Waste Management Plans;
 - Generic Emergency Manual (Appendix E);
 - Class Standard Certificates (Appendix F);
 - Certificates of Compliance with the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) (Appendix G);
 - Certificates of Compliance with the International Convention for the Safety of Life at Sea, 1974 (SOLAS) (Appendix H); and
 - Waste disposal certificates.

3.3 Audit Work Programme

SRK reviewed documentation and evidence provided by BPT and requested supplementary documents where necessary. After review, the Draft Environmental Audit Report was compiled by SRK and submitted to BPT for comment, whereafter the Final Environmental Audit Report was compiled and submitted to DMPR.

Due to the mining activities occurring offshore, a desktop audit of the relevant documentation and evidence was conducted.

3.4 Audit Methodology

The completed EA and EMPr compliance checklists are presented in Table 4-1, Table 4-2 and Table 4-3. The EA and EMPr compliance checklists list the conditions / measure stipulated in the EA / EMPr, the level of compliance with each condition/measure and additional observations. High level recommendations to address Non-Compliances and/or Partial Compliances are presented in Section 4.1.1 and 4.2.1.

Compliance rating categories employed by SRK are as follows:

- Compliant (C): BPT is fully compliant with the condition stipulated in the EA and EMPr;
- Partially Compliant (PC): BPT has implemented measures toward compliance, but cannot demonstrate full compliance at this time; or where BPT still needs to give attention to reach Compliance. It may also mean that insufficient information was made available to validate Compliance;
- Non-Compliant (NC): BPT is not compliant with the condition stipulated in the EA and EMPr; and
- Not Applicable (NA): if the condition is not currently relevant.

In addition, a "Not Practicable" (NP) category is included which refers to unworkable conditions that cannot be met and will therefore always be recorded as Non-Compliant or Not Applicable in future audits, unless the condition is amended by DMPR.

The (compliance) rating categories are set out in the schematic in Figure 3-1.

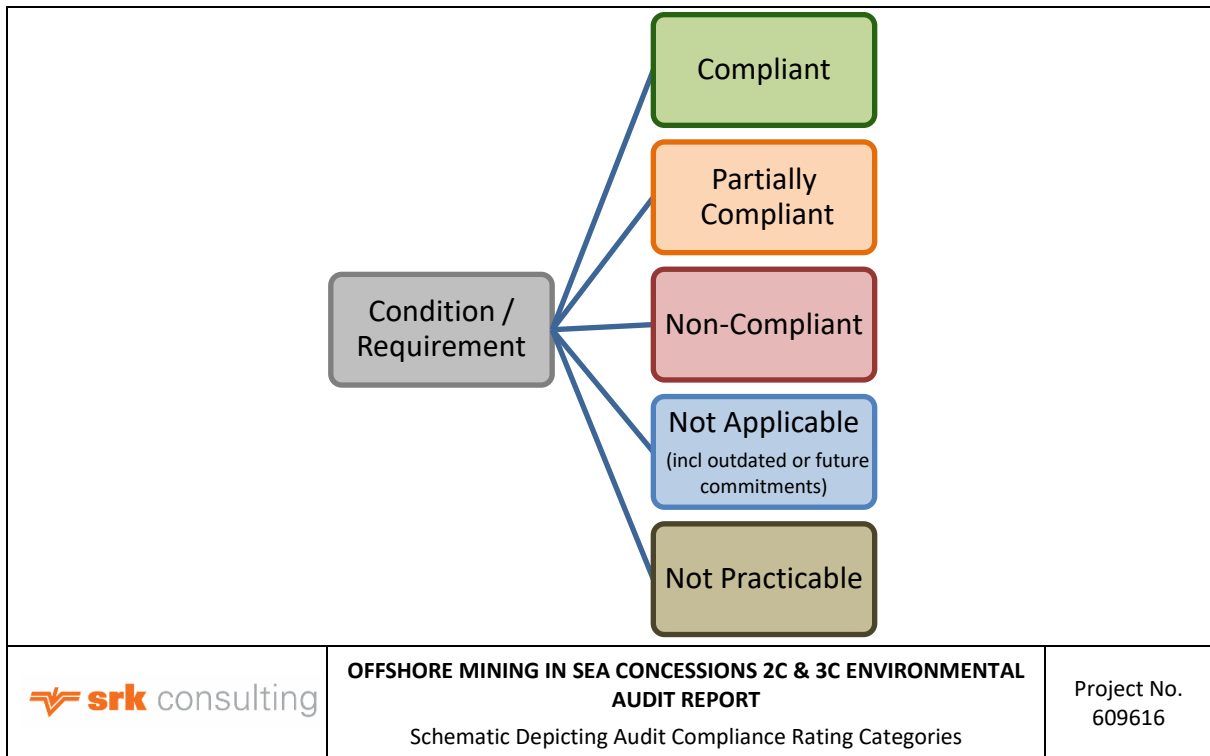


Figure 3-1: Schematic depicting audit compliance rating categories

3.5 EA Audit Stakeholder Engagement

As per Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), all potential and registered Interested and Affected Parties (IAPs) must be notified of the submission of the Environmental Audit Report within seven days of submission to DMPR. The report must also be made available to IAPs on request.

SRK will notify (email) all potential and registered IAPs (on BPT's IAP database) of the submission and availability of the Environmental Audit Report within one week of submission of the Environmental Audit Report to DMPR.

Proof of notification will be provided to DMPR on request.

4 Audit Findings

4.1 Compliance with EA

An assessment of the level of compliance with each of the conditions of the EA is presented in Table 4-1 and Table 4-2.

The audit found that of the 101 conditions in the EA, 38 are considered Not Applicable or Not Practicable. Of the 63 conditions that are applicable and practicable, BPT is Compliant with 60 (95%) of the conditions, Partially Compliant with two conditions (3%) and Not Compliant with one (2%) condition.

The 38 conditions are considered Not Applicable or Not Practicable for the following reasons:

- The condition is Not Applicable to this phase of the project, i.e. is applicable to the decommissioning phase of the project, and is thus not relevant during the operation phase, i.e. mining;
- The condition is a generic DPMR condition and relates to land mining and therefore is not applicable to offshore mining operations; or
- An instance or situation to which the condition relates has not occurred, e.g. the condition relates to the reporting of heritage remains to the relevant Heritage Authority, however no heritage remains have been uncovered during the mining operations.

The audit found BPT is Partially Compliant in relation to the requirement for the Financial Provision to be annually assessed to align with the Consumer Price Index (CPI). In August 2024, BPT appointed SRK to complete the annual assessment of the Financial Provision. Prior to this, no annual assessment was conducted.

The Non-Compliance related to the appointment of an ECO. A designated ECO was not appointed by BPT for the majority of the audit period, but the Vessel Master was (and is) responsible for ensuring compliance with the EA and EMPr and collating the necessary documents. The audit found that BPT is aware of the environmental requirements of the EMPr and EA. However, BPT did not provide the contact details of the Vessel Master to the Regional Manager. BPT intend to appoint a designated ECO by the end of 2024.

4.1.1 Recommendations and Corrective Actions

To address the Non-Compliances, the following corrective actions are recommended:

- Provide the name and contact details of the ECO to the Regional Manager within 30 days of appointment.

To address the Partial Compliances, SRK recommends that BPT must:

- Annually assess and update the Financial Provision to take account of CPI increases.

4.2 Compliance with EMPr

An assessment of the level of compliance with each of the mitigation measures in the EMPr is presented in Table 4-3.

The EMPr comprises 80 mitigation measures, of which 19 were found to be Not Applicable during the audit. Of the 61 mitigation measures applicable, BPT is Compliant with 54 (89%) of the mitigation measures and Partially Compliant with the remaining 7 (11%) mitigation measures. No Non-Compliances were identified.

Mitigation measures found to be Not Applicable relate mostly to mitigation measures that are not relevant to the current phase of the project.

4.2.1 Recommendations and Corrective Actions

To address the Partial Compliances, SRK recommends the following:

- Issue DMPR with the mine programme, contractor details, mining and supply vessel details, SOPEP and Emergency Response Plan within three months of submission of this Environmental Audit Report to DMPR;
- Notify registered IAPs (including DFFE and the key stakeholders listed in the EMPr) that mining operations (including navigational co-ordinates, timing and duration) have (re-)commenced in Sea Concessions 2C and/or 3C, within one month of submission of this Environmental Audit Report to DMPR; and
- Retain a hard copy of the EA and EMPr on vessels used for mining operations.

Table 4-1: Assessment of compliance with conditions of the Original Environmental Authorisation

Item	Conditions of EA	Compliance	Finding
Original EA			
1	This environmental authorisation is conditional upon the implementation of the Environmental Management Programme (EMPr) identified and signed by the Regional Manager on today's date being implemented in full.	C	The audit assesses compliance with measures included in the approved EMPr (Table 4-3) and is summarised in Section 4.2.
2	This environmental authorisation will only be effective in the event that a corresponding Right is issued in terms of the Mineral and Petroleum Resources Development Act, Act 28 of 2002 (as amended) and none of the listed activities in this authorisation may commence without such Right being issued.	C	The Mining Right for Sea Concession 2C was granted by DMR on 19 December 2017. Mining in Sea Concession 2C commenced on 8 August 2018, after the Mining Right was issued.
3	This environmental authorisation does not absolve the holder of its obligation to comply with the requirements of any other applicable legislation.	C	Noted.
4	Subject to the commencement and duration requirements of the Mineral and Petroleum Resources Development Act, Act 28 of 2002 (as amended), the environmental authorisation for the listed mining/prospecting activity is valid for the period for which the aforesaid right is granted provided that this activity must commence within 10 years.	C	Mining operations commenced on 8 August 2018, within 10 years of the granting of the EA. The Mining Right is valid for 20 years, until 18 December 2037.
5	The commissioning and decommissioning of individual activities within the overall listed mining activities must take place within the time periods as set out in the environmental management programme.	C	Mining activities commenced in Sea Concession 2C on 8 August 2018 and are still underway (i.e. within 10 years of issuing the EA – in line with the EA and EMPr). The EIA report estimates the Life of Mine as 43 years.
6	The listed activities, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered Interested and Affected Parties ("I&APs"). In the event that an appeal is lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.	C	As reported in the previous (2022) Environmental Audit, IAPs were notified of the EA decision on 12 May 2017. Although the original EA is dated 27 February 2017, the previous Audit Report notes that the EA was only received by BPT on 26 April 2017. No appeals were received, and mining operations commenced on 8 August 2018.

Item	Conditions of EA	Compliance	Finding
Original EA			
7	<p>The applicant must in writing, within 14 (fourteen) calendar days of the date of this decision and in accordance with Regulation 4(2):</p> <ul style="list-style-type: none"> • Notify all registered Interested and Affected Parties (I&APs) of: <ul style="list-style-type: none"> ○ the outcome of the application; ○ the reasons for the decision as included in Annexure 1; ○ the date of the decision; and ○ the date of issue of the decision. • Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulation, 2014 detailed in Section F below. • Draw the attention of all registered I&APs to the manner in which they may access the decision. • Provide the registered Interested and Affected Parties with: <ul style="list-style-type: none"> ○ Name of the holder (entity) of this Environmental Authorisation; ○ name of the responsible person for this Environmental Authorisation; ○ Postal address of the holder, ○ Telephonic and fax details of the holder; and ○ E-mail address if any. 	C	<p>As reported in the previous (2022) Environmental Audit, IAPs were notified of the EA decision on 12 May 2017.</p> <p>The notification letter to I&APs included all of required information as per the EA.</p>
8	<p>The holder is responsible for ensuring compliance with the conditions by any person acting on their behalf, including an agent sub-contractor, employee or any person rendering a service to the holder.</p>	C	<p>Copies of the EA and EMPr are available and have been provided to all managers and staff in the operational, finance, mining, legal and mineral resource departments.</p>
9	<p>The holder of the EA must implement an emergency preparedness plan and review it bi-annually when conducting audit and after each emergency and major incident. The holder must notify the competent authority in writing, within 24 hours thereof the occurrence.</p>	C	<p>The Emergency Manual was compiled on 31 March 2019 and revised on 3 January 2022. The Emergency Manual is compiled in terms of the International Safety Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) and SOLAS. The Emergency Manual is updated when amendments are made to SOLAS regulations.</p> <p>No emergencies or major incidents have been recorded during the audit period.</p>
10	<p>This environmental authorisation only authorises activities specified in the Environmental Management Programme ("EMPr") and a new authorisation must be applied for in respect of any new activity not specified as part of the EMPr.</p>	C	<p>The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No further amendments or new activities are proposed.</p>

Item	Conditions of EA	Compliance	Finding
Original EA			
11	A copy of the environmental authorisation and the EMPr must be kept at the site where the listed activities will be undertaken. Access to the site must be granted to any authorised official representing a competent authority. The environmental authorisation and EMPr must be available on site to the aforesaid authorised official on request at all times.	C	Mining operations take place offshore. Copies of the EA and EMPr are available to all managers and staff in the operational, finance, mining, legal and mineral resource department.
12	Only activities that are expressly specified in the EMPr that forms part of this authorisation may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority in the form of an amendment or an addendum to the aforesaid EMPr before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, removal or updating of any detail in the aforesaid EMPr.	C	The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C.
13	Whenever any of the applicants contact details, physical or postal address and/ or telephonic details change, the applicant must notify the competent authority in writing to that effect.	C	BPT intend to submit a Part 1 EA Amendment to DMPR to update the applicant's contact details.
14	Non-compliance with a condition of this environmental authorisation or EMPr may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 311 of NEMA	NA	-
15	Should any heritage remains be exposed during excavations or any actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from the Provincial Heritage Resources Authority. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials.	NA	No heritage remains were exposed during mining operations.
16	A qualified maritime archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any physical remains, be human remains, vessel, cargo and so on in accordance with the requirements of the relevant authority.	NA	No heritage remains were exposed during mining operations.
17	The holder of the environmental authorisation must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.	PC	Prior to August 2024, no annual assessment of the Financial Provision was conducted. In August 2024, BPT appointed SRK to complete the annual assessment of the Financial Provision. The annual assessment was submitted to DMPR in October 2024 and is included as Appendix J.

Item	Conditions of EA	Compliance	Finding
Original EA			
18	<p>The holder of the authorisation must appoint an independent auditor to audit the site biannual (every two years). This auditor must compile an audit report documenting the findings of the audit. The audit report must:</p> <ul style="list-style-type: none"> Specifically state whether conditions of this environmental authorisation and EMPr are adhered to; Identify and assess any new impacts and risks as a result of undertaking the activities, if applicable; Identify shortcomings in the EMPr, if applicable; Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMPr; If applicable, specify that the corrective action/s taken for the previous audits non-conformities, was adequate; and Be submitted by the holder to the competent authority within 30 days from the date on Which the auditor finalised the audit. <p>Should any shortcomings in terms of Regulation 34(4) be identified, the holder must submit recommendation to amend the EMPr in order to rectify any shortcomings identified with the aforementioned audit report.</p>	C	<p>The EA was approved on 27 February 2017 and mining operations commenced in Sea Concession 2C on 8 August 2018. In accordance with the biennial requirement for Environmental Audits, audits were undertaken in 2020 and 2022 (and 2024).</p> <p>This Environmental Audit Report has been compiled for the audit period from September 2022 to September 2024 and complies with the requirements of the EA and Regulation 34 of the EIA Regulations, 2014.</p>
19	<p>An integrated waste management approach, which is based on waste minimisation and incorporates reduction, recycling, re-use and disposal, where appropriate, must be employed. Any solid waste must be disposed of at a landfill licensed in terms of the applicable legislation.</p>	C	<p>The vessels used for the mining operations comply with the relevant requirements in terms of MARPOL (see condition 22 below).</p> <p>General waste is removed and disposed at licensed landfills by service providers. Waste disposal certificates from ports/service providers are kept on file.</p>
20	<p>The holder of this EA shall notify all the affected parties (exploration, prospecting, mining right holders, fishery right holders and abalone ranchers) prior the commencement of the activity.</p>	C	<p>Within 20 days of receipt of the EA (on 26 April 2017), IAPs were notified of the EA decision (on 12 May 2017).</p> <p>As reported in the previous (2022) Environmental Audit, stakeholders were notified of the commencement of the mining operations on 17 July 2018, 4 July 2019 and 6 February 2020.</p>
21	<p>The applicable requirements with respect to relevant legislation pertaining to health and Safety must be adhered to.</p>	C	<p>All three vessels used in the mining operations comply with the requirements of the ISM Code and hold Safety Management Certificates (SMCs) issued in terms of SOLAS.</p> <p><i>MV Ya Toivo</i>, <i>MV The Explorer</i> and <i>MV Good Wind</i> hold SMCs' valid until 25 July 2026, 28 September 2024 and 26 March 2027, respectively.</p>

Item	Conditions of EA	Compliance	Finding
Original EA			
22	The holder of this EA shall comply with (MARPOL 73/78) International Convention for the prevention of Pollution from Ships, 1973 as modified by the Protocol of 1978, and other relevant international marine environmental conventions.	C	The three vessels used in the mining operations have valid certificates in terms of MARPOL and other relevant legislation for the following: <ul style="list-style-type: none"> • International Air Pollution Prevention; • International Oil Pollution Prevention; and • International Sewage Pollution Prevention. All three vessels have been refitted and the ballast water tank(s) and system have been removed or are no longer in service. The relevant statements confirming this are held by the holder of the EA.
23	Except to the extent necessary for carrying out the mining activities, benthic flora shall not be removed, damaged or disturbed.	C	Beyond the area mined, there is no removal, damage or disturbance to the benthic flora. During the mining operations the seabed crawler is lowered on to the seafloor and controlled remotely from the vessel. The seabed crawler aggravates seabed sediment and sorts oversized boulders. The mined sediment is pumped to the surface for shipboard processing (SLR Consulting, 2018). Once processed onboard and the diamonds extracted, tailings are redeposited in approximately the same location from where they were removed.
24	Should the holder of the Authorisation ever cease, he/she must take required actions as prescribed by legislation at the time and comply with all the relevant legal requirements administered by any relevant and competent authority at that time.	NA	Mining operations are still underway.
25	The areas where mining activity will take place, a buffer zone shall be created.	C	BPT confirmed that a 2 000 m safety exclusion zone is implemented around the mining vessel during mining operations.
26	Any changes or deviations to the activity set out must be approved in writing by the Department before such changes or deviations maybe effected. In assessing whether to grant such approval or not, the department may request information as it deems necessary to evaluate the significance and impacts of such changes deviations and it may be necessary the EA holder to apply for further authorisation in terms of the regulations.	NA	The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No further changes or deviations to the mining operations have taken place.
27	The owner of this EA shall not refuse access to other users of the area. All the users shall have the same equal economic rights.	C	Other than the temporary 2 000 m safety exclusion zone around the vessel during mining operations, access is not restricted.

Item	Conditions of EA	Compliance	Finding
Original EA			
28	For the sake of mine and safety procedures the EA holder shall enter into an agreement with other users. Any disputes shall be reported the Department of Mineral Resources.	NA	<p>BPT is not aware of any other users of Sea Concessions 2C and 3C.</p> <p>The mining operations in Sea Concessions 2C and 3C take place more than 5 km offshore. BPT does not encounter any small scale fishermen at these distances/depths.</p> <p>No disputes have been lodged during this audit period.</p>

Table 4-2: Assessment of compliance with conditions of the Amended Environmental Authorisation

Item	Conditions of EA	Compliance	Finding
Amended EA			
Site Specific Conditions			
1	This EA will only be applicable to the listed activities applied for. All development footprint areas and areas affected by the proposed development must remain as small as possible and must not encroach onto the surrounding sensitive areas and the associated buffer zones.	C	<p>The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No further changes or deviations to the mining operations have taken place.</p> <p>The mining operations will take place within the approved target areas which represents ~0.65% of the total extent of Sea Concessions 2C and 3C.</p> <p>Buffer zones (of 2 000 m) are implemented around rocky outcrop areas, the historic De Beers monitoring sites and any wrecks identified. These buffer zones are implemented when required by BPT.</p>
2	Highly rare and unique habitans such as coral reefs, seal colonies and nurseries shall not be disturbed. These should be avoided as far as possibly.	C	<p>In line with the EMPr, rocky outcrops in the Sea Concession area are avoided during mining operations as these areas do not contain economic deposit types suitable for BPT's equipment. Furthermore, these areas pose a risk of damaging the seabed crawler.</p> <p>Helicopter flight paths are pre-planned and avoid flight over sensitive areas including MacDougall's Bay coastal reserve, seal colonies at Buchu Twins and Cliff Point, and bird colonies at Boegoeberg Gully, Boegoeberg and north of Cliff Point).</p>
3	For any emissions and discharges to sea, the EA holder shall comply with MARPOL 73/78 standards and any other applicable Convention, legislation and regulations.	C	<p>The three vessels used for mining operations have valid certificates for the following, in terms of MARPOL and other relevant legislation:</p> <ul style="list-style-type: none"> • International Air Pollution Prevention; • International Oil Pollution Prevention; and • International Sewage Pollution Prevention. <p><i>MV Ya Toivo</i>, <i>MV The Explorer</i> and <i>MV Good Wind</i> have been refitted and the ballast water tank(s) and system have been removed or are no longer in service. The relevant statements confirming this are held by the holder of the EA.</p>

Item	Conditions of EA	Compliance	Finding
Amended EA			
4	The ocean spaces consist of various marine resources and they remain significant for the unlocking of further economic development opportunities. Therefore, it is anticipated that there will be an overlap on different economic rights such as abalone ranchers and small-scale fishers. Belton Park Trading 127 (Pty) Ltd has to take cognisance of other right holders' economic development opportunities as they have to protect and fulfil their economic rights.	NA	BPT is not aware of any other users of Sea Concessions 2C and 3C. The mining operations in Sea Concessions 2C and 3C take place more than 5 km offshore. BPT does not encounter any small scale fishermen at these distances/depths. Although the concession overlaps with an Abalone Ranching Zone along the coast adjacent to Holgat, the approved mining target areas do not overlap with suitable abalone habitat (shallower than 10 m) (SLR Consulting, 2018).
5	When necessary, Belton Park Trading 127 (Pty) Ltd shall enter into an agreement with the Abalone Ranchers on the sea concessions on how to access these areas as these right holders should not be denied access to their seeded abalone	NA	As mining operations take place in the approved mining target areas at depths exceeding those suitable for abalone ranching, no agreements have been entered into with Ranchers.
6	Recommendations stipulated in the specialist reports shall be implemented by the EA holder and its contractor.	C	All specialist recommendations were incorporated into the EMPr. Copies of the EMPr have been provided to all managers and staff in the operational, finance, mining, legal and mineral resource departments. Table 4-3 assesses the compliance with the measures in the EMPr.
Annexure 2 Scope of Authorisation			
1.1	The holder of EA shall be responsible for ensuring compliance with the conditions contained in the EA. This includes any person acting on the holder's behalf, including but not limited servant, contractor, subcontractor, employee, consultant or any person rendering a serve to the holder of EA.	C	Copies of the EA are available and have been provided to all managers and staff in the operational, finance, mining, legal and mineral resource departments.
1.2	Any changes to, or deviation from the project description set out in this EA must be approved in writing by this Department before such changes or deviation may be effected. In assessing whether to grant such approval or not, the Department may request such information as is deems necessary to evaluate and impacts of such changes or deviation and it may be necessary for the holder of the EA to apply for further authorisation in terms of the EIA Regulations.	C	The original EA and EMPr were amended to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No changes to or deviation from the project description have occurred since the issuing of the amended EA and EMPr.
1.3	The activities, which are authorised, may only be carried out at the property(ies) indicated the EA and or on the approved EMPr.	C	Mining operations have only taken place in the Sea Concessions 2C and 3C as authorised and shown on the cumulative mining footprint map.
1.4	Where any of the holder of the EA contact details change including name of the responsible person. physical or postal address' or telephonic details, the holder of the EA must notify the Department as soon as the new details become known to the holder of the EA.	C	The applicant contact details included in the EA are still correct.

Item	Conditions of EA	Compliance	Finding
Amended EA			
1.5	The EA does not negate the responsibility of holder to comply my other statutory requirements that may be applicable to the undertaking of such activity (ies).	C	Noted.
1.6	The holder of EA must ensure that all areas where the authorised activities occur have controlled access to ensure safety of people and animals.	C	The vessels used for mining operations are compliant with SOLAS. Access to the vessel is limited to the crew.
Appeal of Authorisation			
2.1	<p>The holder of EA must in writing, within 14 (fourteen) calendar days from the date of this decision and in accordance with EIA Regulation 4(2) do the following:</p> <ul style="list-style-type: none"> • Notify all registered I&APs of: <ul style="list-style-type: none"> ○ The outcome of the application; ○ The date of the decision; ○ The date of issue of the decision and; ○ The reasons for the decision as included in Annexure 1 and Departmental Standard Conditions on Annexure 2. <p>Draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations.</p> <p>Draw the attention of all registered I&APs to the manner in which they may access the decision.</p> <p>Provide the registered I&APs with:</p> <ul style="list-style-type: none"> • Name of the holder (entity) of this EA; • Name of the person responsible for this EA; • Postal address of the holder; • Telephonic and fax details of the holder; and • E-mail address of the holder, if any. 	C	The amended EA was signed on 18 March 2019 and issued by DMR to BPT by email on 20 May 2019. Stakeholders were notified of the EA decision and the opportunity to appeal (within 20 days), i.e. on 20 May 2019.
2.2			
2.3			
2.4			
Commencement of the Activity(ies)			
3.1	In order to ensure safety, all employees must be the necessary personnel protective equipment (PPE).	C	The vessels used during mining operations comply with SOLAS and MARPOL with regards to health and safety aspects and are audited annually.
3.2	This EA must be provided to the site operator and the requirements thereof must be made fully known to him and her.	C	Copies of the EA have been provided to all managers and staff in the operational, finance, mining, legal and mineral resource departments, including the vessel masters.

Item	Conditions of EA	Compliance	Finding
Amended EA			
3.3	Hauling construction vehicles and machinery must be clearly marked and appropriate signalling must be posted to that effect. Furthermore, movement of construction vehicles and machinery must be restricted to areas outside of the drainage line or wet areas.	NP	This general condition does not apply to the scope of the approved activities which take place entirely offshore within Sea Concessions 2C and 3C.
3.4	Appropriate notification sign must be erected at the construction site. Warning the public (residents, visitors etc.) about the hazard around the construction site and presence heavy vehicles and machinery.	NP	
3.5	Construction must include design measures that allow surface subsurface movement of water along the drainage lines to not impede on natural surface and subsurface water flow, and drainage measures must promote the dissipation of storm water runoff.	NP	
3.6	Vegetation clearance must be limited to areas where the individual activities occur, and mitigation measures must be implemented to reduce the risk of erosion and alien species invasion.	NP	
3.7	Construction areas (e.g. materials lay down areas) and topsoil must be protected from contamination or pollution. Stockpiling must not take place in drainage line or areas where it impede surface water runoff.	NP	
3.8	If any soil contamination noted at any phase of the proposed activity (ies), the contaminated soil must be removed to a licensed waste disposal facility and the site must be rehabilitated to the satisfaction of the Department and Department of Water and Sanitation. The opportunity for the onsite remediation and re-use of contaminated soil must be investigated prior the disposal and this Department must be informed in this regard.	NP	
3.9	An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate avoidance, reduction, recycling, treat, reuse and disposal where appropriate. Uncontaminated rubber generated on the premises is can be re-used as back filling material on site. Ensure that no refuse or rubble generated on the premises is placed, dumped or deposited on the adjacent properties or public and open spaces	C	<p>The vessels used for the mining operations comply with the relevant MARPOL requirements (see condition 22 above).</p> <p>General waste is removed and disposed at licensed landfills by service providers. Waste disposal certificates from ports/service providers are kept on file.</p> <p>Conditions relating to rubble and backfilling are not relevant to offshore mining operations.</p>

Item	Conditions of EA	Compliance	Finding
Amended EA			
3.10	In terms of Sections 28 and 30 of NEMA, and sections 19 and 20 of the National Water Act, 1998 (Act No. 36 of 1998), any costs incurred to remedy environmental damage must be borne by the person responsible for the damage. It is therefore imperative that the holder of the EA reads through and understand the legislative requirements pertaining to the project. It is the Applicants responsibility to take reasonable measures which include informing and educating contractors and employees about the environmental risk of their work and training to operate in an environmentally acceptable manner.	C	Noted.
3.11	Construction vehicle must be serviced and maintained in the manner whereby no excessive smokes and noise production is reduced to acceptable levels, to prevent oil leaks. Contaminated soil must be remediated on site or removed to an authorised landfill site.	C	This general condition is typical for construction activities that take place on land rather than offshore mining activities. Nevertheless, the vessels are maintained and comply with the relevant MARPOL pollution standard.
3.12	Residents (if any) on the property (ies) and surrounding areas must be informed if any unusually noisy activities are planned.	NP	This general condition is typical for construction activities that take place on land rather than offshore mining activities. Nevertheless, the vessels are used for offshore mining and will dock at existing ports when necessary, therefore no receptors are expected to experience unusually noisy activity as a result of the mining activities.
3.13	The protection of all historical and pre-historical cultural resources must remain on site and no mining activity (ies) is/are allowed within 100 diameters from those resources. Should any heritage remains be exposed during operation or any actions on the site, the following shall be applied: <ul style="list-style-type: none"> All work at the affected area must cease; These must immediately be reported to the South African Heritage Resource Agency (SAHRA) and or Northern Cape Heritage Resource Agency (in accordance with the applicable legislation). Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained the South African Heritage Resource Agency (SAHRA) and or Northern Cape Heritage Resource Agency (NIHRA); The area should be demarcated in order to prevent any further work there until an investigation has been completed; An archaeologist should be contacted immediately to provide advice on the matter; Should it be a minor issue, the archaeologist will decide on future action. Depending on nature of the find, it may include a site visit; If needed the necessary permit will be applied for with SAHRA. This will be done in conjunction appointed archaeologist; 	NA	No heritage remains were exposed during mining operations.

Item	Conditions of EA	Compliance	Finding
Amended EA			
	<ul style="list-style-type: none"> The removal of such archaeological material will be done by the archaeologist in lieu of the approval given by SAHRA, including any conditions stipulated by the latter. <p>Work on site will only continue after the archaeologist / SAHRA has agreed to such a matter. Heritage remains include: archaeological remains (including fossil bones and fossil shells); coins; maddens, indigenous and/or colonial ceramics; any articles of value or antiquity: marine shell heaps; stone artifacts and bone remains; structures and other built features; rock art and rock engravings; shipwrecks; and graves or unmarked human burials. A qualified archaeologist must be contracted where necessary (at the expense of the applicant and in consultation with the relevant authority) to remove any human remains in accordance with requirements of the relevant authority.</p>		
3.16	Hydraulic fluid chemicals required must be stored in a concrete lined surface with bund walls, designed in such a manner that any spillage can be contained and reclaimed without any impact on the surrounding environment. Should any spills occur it be cleaned immediately by removing spillage together with the polluted solids and dispose it in the authorised disposal site permitted of such waste. The regional office of the Department of Water and Sanitation must be notified within 24 hours an incident that may pollute surface and underground water resources.	C	<p>The vessels used for mining operations are compliance with the requirements of SOLAS and MARPOL.</p> <p>A spill occurring on the vessel is unlikely to pollute surface or underground (fresh)water resources.</p>
3.19	The holder of EA must ensure that rehabilitation of the disturbed areas caused by mining at all times comply with the approved EMPr.	C	<p>Given the nature of mining operations, no formal, engineered backfilling of the removed seabed sediments or rehabilitation of the mined area takes place (or is possible).</p> <p>In terms of the EMPr BPT was required to compile a Rehabilitation Monitoring Plan to demonstrate the natural recovery of the benthic fauna in the disturbed mining footprints.</p> <p>Since commencing with mining operations, BPT has commissioned the following benthic monitoring sampling:</p> <ul style="list-style-type: none"> Pre-mining baseline sample collection conducted by Lwandle Marine Environmental Services between 1 – 5 October 2019 (after mining operation commenced); and Biennial monitoring sampling conducted by CLS Southern Africa between 8 – 14 March 2022. <p>Sampling campaigns were conducted in accordance with a (Sampling) Project Execution Plan.</p> <p>Although an overarching Rehabilitation Monitoring Plan stipulating the methodology and objectives of the requirement for sampling has not been compiled, BPT has committed to conducting benthic sampling biennially and</p>

Item	Conditions of EA	Compliance	Finding
Amended EA			
			is meeting the current objectives of monitoring (i.e. benthic sampling and analysis).
3.20	This EA may be amended or withdrawn at any stage for non-compliance and no relief from the provisions of any other relevant statutory or contractual obligations.	NA	Noted.
3.21	The holder of EA must note that terms Section 20 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), no person may commence, undertake or conduct a waste management activity, except in accordance, the requirements of norms and standards determined in terms of Section 19 (3) for that activity or a waste licence is issued in respect of that activity if licence is required.	C	The vessels used for the mining operations comply with the relevant MARPOL requirements (see condition 22 above). General waste is removed and disposed at licensed landfills by service providers. Waste disposal certificates from ports/service providers are kept on file.
3.22	An appeal under Section 4 (7) of the National Environmental Management Act (NEMA), Act 107 of 1998 (as amended) suspend an EA or exemption or any provisions of conditions attached here to or any directive unless the Minister directs otherwise.	NA	As reported in the previous (2022) Environmental Audit, registered stakeholders were notified of the EA decision and the opportunity to appeal, on 20 May 2019. No appeals were received on the Amended EA.
3.23	Should you be notified by the Minister of a suspension of the authorisation pending appeal procedure, you may not commence with any activity(ies) until such time that the Minister allows you to commence with such activity(ies) in writing.	NA	No appeals were received on the Amended EA. Mining operations in Sea Concession 3C commenced on 24 July 2022.
3.24	The department reserves the right to audit and/or inspect the activity(ies) without prior notification at any reasonable time and at such frequency as may be determined by the Regional Manager.	NA	Noted.
3.25	Subject to the commencement and duration requirements of the MPRDA and NEMA the listed mining activity is valid for the period for which the aforesaid right is granted provided that this activity must commence within 10 years. If the commencement of the proposed activity does not occur within the specified period, the EA lapses and a new application for EA in terms of the NEMA and the EIA Regulations should be made for the activity to be undertaken.	C	Mining operations in the originally authorised areas within Sea Concession 2C commenced on 8 August 2018. In terms of the amended EA, mining operations in Sea Concession 3C commenced on 24 July 2022.
3.26	The commissioning and decommissioning of individual activity within the overall listed mining activity must take place within the phases and timeframes as set out in EMP or EMPr.	C	Mining activities commenced in Sea Concessions 2C and 3C on 8 August 2018 and 24 July 2022, respectively, and are still underway (i.e. within 10 years of issuing the EA – consistent with the EA and EMPr). The EIA report estimates the Life of Mine as 43 years.
3.27	This EA will only be effective in the event that a corresponding right is issued in terms of MPRDA as amended and none of the activities listed in this EA may commence without right.	C	The Mining Right for Sea Concession 2C was granted by DMRE on 19 December 2017 and amended on 27 November 2019. Mining operations in terms of the amended EA and Mining Right commenced on 24 July 2022 (i.e. after the amended Mining Right was issued).

Item	Conditions of EA	Compliance	Finding
Amended EA			
3.28	The listed activity, including site preparation, must not commence within 20 (twenty) calendar days of the date of the notification of the decision being sent to the registered I&APs In the event that an appeal lodged with the appeal administrator, the effect of this environmental authorisation is suspended until such time as the appeal is decided.	C	Mining activities commenced in Sea Concession 3C on 24 July 2022 (i.e. more than 20 days after the notification of decision was issued to IAPs on 20 May 2019). No appeals were received.
3.29	Should there be any conflicting conditions between EA and other approval granted by other authorities, is upon the holder of EA to bring it to the attention of the Department for resolution.	NA	BPT is not aware of any conflicting conditions between the EA and any other approval held.
3.30	Once proposed prospecting areas have been identified these areas, along with the surrounding habitats need to be thoroughly assessed for the presence of sensitive faunal species. If faunal species of conservation importance are recorded on the site then a species-specific impact assessment must be undertaken and appropriate mitigation measures identified.	NP	This condition relates to prospecting activities which is not being conducted by BPT. Nevertheless, baseline benthic sampling and monitoring have taken place to monitor the natural recovery processes within the mined area.
3.31	If any faunal species of conservation importance are recorded during prospecting, activities should temporarily cease and an appropriate specialist should be consulted to identify the correct course of action.	C	This condition relates to prospecting activities which are not being conducted by BPT. All fauna species identified during mining are recorded in the daily environmental logs. Mining does not constrain the movement of fauna. Although, unlikely, should any fauna become entangled with mining equipment, work will cease and the corrective action taken.
3.32	Staff should be educated about the sensitivity of faunal species. The intentional killing of any animals including snakes, lizards, birds or other animals should be strictly prohibited.	C	Environmental awareness training provided to staff includes information relating to the importance of protecting marine animals.
Management of activities			
4.1	A copy of the EA and EMPr must be kept at the property or on-site office where the activities will be undertaken. The EA and EMPr must be produced to any authorised officials of the Department who request to see it and must be made available for inspection by any employee or agent of the holder of the EA who works or undertakes work at the properties.	C	Mining operations take place offshore. Copies of the EA and EMPr are available to all managers and staff in the operational, finance, mining, legal and mineral resource department. <i>BPT must retain a hard copy of the EA and EMPr on vessels used for mining operations.</i>
4.2	The content of the EMPr and its objectives must be made known to all contractors, subcontractors, agent and any other people working on the site, and any updates or amendments to the EMPr must be submitted to the Department for approval.	C	All staff are required to attend weekly environmental awareness training covering various environmental topics and requirements stipulated in the EMPr. No amendments (in addition to the approved amendment issued on 18 March 2019) are required to the EA and EMPr.

Item	Conditions of EA	Compliance	Finding
Amended EA			
4.3	Regular monitoring and maintenance of storm water drainage facilities must be conducted at all times, if damaged as directed by the Department or any other relevant authority.	NP	This condition is not applicable to offshore mining operations.
4.4	A buffer zone of 30 metres between the activity and the residential areas, cemeteries or burial grounds must be clearly demarcated and maintained as per the report by SAHRA.	NP	This condition is not applicable to offshore mining operations.
4.5	The holder of the EA must prevent nuisance conditions or health hazards, or the potential creation of nuisance conditions or health hazards.	NP	This condition is not applicable to offshore mining operations. Nevertheless, the vessels used for mining operations comply with SOLAS and MARPOL requirements.
4.6	The holder of the EA must ensure that all non-recyclable waste are disposed of at waste management facilities licensed to handle such wastes and all recyclable waste are collected by licenced waste management facilities for recycling, reuse or treatment.	C	The vessels used for the mining operations comply with the relevant requirements in terms of MARPOL. General waste is removed and disposed at licensed landfills by service providers. Waste disposal certificates from ports/service providers are kept on file.
4.7	The holder of the EA must ensure that all liquid wastes, whose emissions to water or land could cause pollution are diverted to sewer, after testing water quality and receiving written approval from the relevant local authority.	C	This condition is not applicable to offshore mining operations. Nevertheless, the vessels used for mining operations comply with MARPOL requirements preventing the pollution of the marine environment.
4.8	Non-compliance with any condition of this EA or EMPr may result in the issuing of a directive in terms of section 28 and or a compliance notice in terms of section 31L of NEMA.	NA	Noted. No directives in terms of Section 28 or a compliance notice in terms of Section 31L of NEMA have been issued to BPT.
4.9	This EA only authorises activities specified in the EMPr/closure plan and a new authorisation must be applied for in respect of any new activity not specified as part of the EMPr.	C	The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No further amendments or new activities are proposed.
4.10	Only listed activities that are expressly specified in the EMPr that forms part of this EA may be conducted, and additional or new activities not specified herein must be applied for by the holder and authorised by the competent authority in the form of an amendment to the aforesaid EMPr before such activities may be commenced with. This condition is also applicable in the case of the amendment, addition, substitution, correction, removal or updating of any detail in the aforesaid EMPr.	C	The original EA and EMPr were amended on 18 March 2019 to authorise mining operations within Sea Concession 3C as well as additional target areas within Sea Concession 2C. No further amendments or new activities are proposed.

Item	Conditions of EA	Compliance	Finding
Amended EA			
4.11	Rehabilitation of the disturbed surface caused by operation at all times must comply with the approved EMPr.	C	<p>Given the nature of mining operations, no formal, engineered backfilling of the removed seabed sediments or rehabilitation of the mined area takes place (or is possible).</p> <p>In terms of the EMPr BPT was required to compile a Rehabilitation Monitoring Plan to demonstrate the natural recovery of the benthic fauna in the disturbed mining footprints.</p> <p>Since commencing with mining operations, BPT have commissioned the following benthic monitoring sampling:</p> <ul style="list-style-type: none"> • Pre-mining baseline sample collection conducted by Lwandle Marine Environmental Services between 1 – 5 October 2019 (after mining operation commenced); and • Biennial monitoring sampling conducted by CLS Southern Africa between 8 – 14 March 2022. <p>Sampling campaigns were conducted in accordance with a (Sampling) Project Execution Plan.</p> <p>Although an overarching Rehabilitation Monitoring Plan stipulating the methodology and objectives of the requirement for sampling has not been compiled, BPT has committed to conducting benthic sampling biennially and is meeting the current objectives of monitoring (i.e. benthic sampling and analysis).</p> <p>BPT intend to conduct a third sampling campaign in 2024 (A Larkens, personal communication, 3 July 2024).</p>
4.12	The holder of EA must ensure that the name and contact details of the ECO is made available to the Regional Manager within 30 days of commencement. The holder of EA must also ensure that an ECO is always available on site to ensure that activity (ies) at all times comply with the issued EA and approved EMPr.	NC	<p>A designated ECO was not appointed by BPT for the majority of this audit period, but the Vessel Master was (and is) responsible for ensuring compliance with the EA and EMPr and collating the necessary documents.</p> <p>Nevertheless, BPT intend to appoint a designated ECO.</p> <p><i>Provide the Regional Manager with the name and contact details of the ECO within 30 days of appointment.</i></p>

Item	Conditions of EA	Compliance	Finding
Amended EA			
4.13	<p>The ECO must:</p> <ul style="list-style-type: none"> Keep and maintain a detailed incidents register (including any spillages of fuels, chemicals or any other material). Keep a complaint register on site indicating the complaint and how the issues were addressed, what measures were taken and what the preventative measures were implemented to avoid re- occurrence of complaints. Keep records relating to monitoring and auditing on site and avail them for inspection to any relevant authorised officials. Keep copies of all environmental reports submitted to the Department. Keep the records of all permits, licences and authorisations required by the operation. Compile a monthly monitoring report and make it available to the Department if requested. 	C	Although a designated ECO was not appointed, BPT maintains and retains all required documentation.
4.14	The duties and responsibility of the ECO should not be seen as exempting the holder of the EA from the legal obligations in terms of the NEM:WA and NEMA	C	
Reporting to the Department			
5.1	<p>The holder of EA must:</p> <ul style="list-style-type: none"> Submit an Environmental Audit Report to this Department biannually and such report must be done by qualified Environmental Assessment Practitioner and must the audit report must specify whether conditions of this environmental authorisation and EMP/closure plan are adhered to; Identify and assess any new impacts and risks as a result of undertaking the activity, if applicable; Identify shortcomings in the EMP/closure plan, if applicable; Identify the need, if any, for any changes to the management, avoidance and mitigation measures provided for in the EMP/closure plan; If applicable, specify that the corrective action\s taken for the previous audits non-conformities, was adequate; Specify the name of the auditor; and Be submitted by the holder to the competent authority within 30 days from the date on which the auditor finalised the audit. 	C	<p>This Environmental Audit Report has been compiled in fulfilment of this condition and will be submitted to DMPR in 2024 and within 30 days of the audit having taken place.</p> <p>Table 4-1 and Table 4-3 of this Environmental Audit Report list and report adherence to the measures in the EA and EMP, and corrective action.</p> <p>Section 4 identifies any new impacts and/or risks associated with the activities, any shortcomings of the EMP and whether any change the measures provided for in the EMP is required.</p> <p>The name of the auditor is presented in Table 3-1.</p>
5.2	Should any shortcomings in terms of Regulation 34(4) be identified, the holder must submit recommendation to amend the EMP/closure plan in order to rectify any shortcomings identified with the aforementioned audit report.	C	No shortcomings in terms of Regulation 34(4) have been identified.

Item	Conditions of EA	Compliance	Finding
Amended EA			
5.3	Any complaint received from the I&AP during all phases of the operation must be attended to as soon as possible and addressed to the satisfaction of all concerned interested and affected parties.	NA	No complaints have been received during mining operations.
5.4	The holder of the EA must annually assess the environmental liabilities of the operation by using the master rates in line with the applicable Consumer Price Index (CPI) at the time and address the shortfall on the financial provision submitted in terms of section 24P of NEMA.	PC	Prior to August 2024, no annual assessment of the Financial Provision was conducted by BPT. In August 2024, BPT appointed SRK to complete the annual assessment of the Financial Provision. The annual assessment was submitted to DMPR in October 2024 and is included as Appendix J.
5.5	The holder of the EA must, within 24 hours of incidents occurring, now the Competent Authority of the occurrence or detection of any incident on the site, or incidental to the operation of the site, which has the potential to cause, or has caused pollution of the environment, health risks, nuisance conditions or water pollution.	NA	No incidents have been reported during the audit period.
5.6	The holder of that EA must, within 14 days, or a shorter period of time, if specified by the Competent Authority from the occurrence or detection of any incident referred to in condition 5.5, submit an action plan, which must include a detailed time schedule, and resource allocation signed off by top management, to the satisfaction of the Competent Authority of measures taken to – <ul style="list-style-type: none"> • Correct the impact resulting from the incident; • Prevent the incident from causing any further impact; and • Prevent a recurrence of a similar incident. 	NA	
5.7	In the event that measures have not been implemented within 21 days of the incident referred to in condition 5.6, or measures which have been implemented are inadequate, the Competent Authority may implement the necessary measures at the cost of the holder of the EA.	NA	
Site security and access control			
6.1	The holder of the EA must ensure effective access control on the site to reasonably prevent unauthorised entry. Signs indicating the risks involved in unauthorised entry must be displayed at each entrance.	C	The vessels used for mining are compliant with SOLAS. Access to the vessel is limited to the crew.
6.2	Weatherproof, durable and legible notices in at least three official languages applicable in the area must be displayed at each entrance to the site. These notices must prohibit unauthorised entry and state the hours of operation, the name, address and telephone number of the holder of the EA and the person responsible for the operation of the site.	NP	The approved activities relate to offshore mining off the West Coast of South Africa. Placement of a notice in line with this requirement is not possible.

Item	Conditions of EA	Compliance	Finding
Amended EA			
Emergency Preparedness Plan			
7.1	The holder of the EA must maintain and implement an emergency preparedness plan and review it biennially when conducting audit and after each emergency and or major accident. The plan must, amongst others, include: <ul style="list-style-type: none"> • Site fire; • Spillage; • Natural disasters such as floods; and • Industrial action contact details of police, ambulances and any emergency centre closer to the site. 	C	The Emergency Manual for vessels used during mining is compiled in terms of the ISM Code and SOLAS. The Emergency Manual is updated when amendments are made to SOLAS regulations.
7.2	The holder of EA must ensure that an up to date emergency register is kept during all phases of the operation. This register must be made available upon request by the department.	NA	There is no emergency register as there have not been any emergency events that have occurred during the mining operations.
Investigations			
8.1	If, in the opinion of the Competent Authority, nuisances or health risks may be or is occurring on the site, the holder of the EA must initiate an investigation into the cause of the problem of suspected problem.	NA	Noted. No investigations by the competent authority into nuisance and / or health have been initiated.
8.2	If, in the opinion of the Competent Authority, pollution may be or is occurring, the holder of the EA must initiate an investigation into the cause of the problem or suspected problem. Such investigation must include the monitoring of the water quality variables, at those monitoring points and such frequency as may be specified by the Competent Authority.	NA	Noted. No investigations by the competent authority into pollution have been initiated.
8.3	Investigations carried out in terms of conditions 8.1 and 8.2 above must include the monitoring of the relevant environmental pollution, nuisance and health risks variables, at those monitoring points and such frequency to be determined in consultation with the Competent Authority.	NA	Noted.
8.4	Should the investigation carried out as per conditions 8.1 and 8.2 above reveal any unacceptable levels of pollution, the holder of the EA must submit mitigation measures to the satisfaction of the Competent Authority.	NA	Noted.

Item	Conditions of EA	Compliance	Finding
Amended EA			
Commissioning and Decommissioning			
9.1	The commissioning and decommissioning of individual activity within the overall listed mining activity must take place within the phases and timeframes as set out in EMP or EMPr.	C	Mining activities commenced in Sea Concessions 2C and 3C on 8 August 2018 and 24 July 2022, respectively, and are still underway (i.e. within 10 years of issuing the EA – consistent with the EA and EMPr). The EIA report estimates the Life of Mine as 43 years.
Closures			
10.1	The holder of EA must apply for a closure certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended within 180 days of occurrence of lapsing, abandonment, cancellation, cessation, relinquishment and completion of development.	NA	Mining operations are still underway.
10.2	The application for closure indicated above must be submitted together with all relevant documents as indicated in Section 43 of Mineral and Petroleum Resources Development Act (Act 28 of 2002), as amended.	NA	Mining operations are still underway.
10.3	No exotic plants may be used for rehabilitation purposes only indigenous plant can be utilized for rehabilitation purposes.	NP	No formal rehabilitation of the mined area takes place. Rather the tailings are returned to the mined area and the natural recovery process is monitored through the benthic monitoring programme.
10.4	The holder of EA remains responsible for any environmental liability, pollution or ecological degradation, the pumping and treatment of extraneous water, compliance with the conditions of EA and the management and sustainable closure thereof until the Minister has issued a Closure Certificate in terms of Section 43 of Mineral and Petroleum Resources Development Act (Act 23 of 2002). Where necessary the Minister may retain certain portion of financial provision for residual, health or environmental impacts that might be known in future.	NA	Mining operations are still underway.

Table 4-3: Assessment of compliance with EMPr

Item	EMPr Mitigation Measure	Compliance	Finding
Planning Phase			
1	<p>Ensure the following plans are prepared and in place:</p> <ul style="list-style-type: none"> • Shipboard Oil Pollution Emergency Plan (SOPEP) for the mining vessel and all other vessels, as required by MARPOL; • Emergency Response Plan (including medical evacuation (MEDIVAC) plan); • Waste Management Plan; and • Develop a Rehabilitation Monitoring Plan to demonstrate the natural recovery process by means of pre- and post-mining seabed (side-scan sonar) and benthic faunal community surveys. Use of the historic De Beers monitoring sites could be considered in a component of the monitoring plan. 	C	<p>The vessels used during mining implement the SOPEP, Emergency Manual (including MEDIVAC) and generic waste management plans.</p> <p>Furthermore, the three vessels hold valid certificates of compliance with MARPOL.</p> <p>Although an overarching Rehabilitation Monitoring Plan stipulating the methodology and objectives of the requirement for sampling has not been compiled, BPT has committed to conducting benthic sampling biennially and is meeting the current objectives of monitoring (i.e. benthic sampling and analysis). (See Findings to Condition 3.19 of the original EA in Table 4-1 and Condition 4.11 of the Amended EA in Table 4-2.)</p>
2	<p>In addition to the above, ensure that:</p> <ul style="list-style-type: none"> • An adequate system is in place to address oil pollution incidents; and • The mining and supply vessel's seaworthiness certificate and/or classification stamp are in place. 	C	Each vessel has a SOPEP and valid class (seaworthiness) certificates.
3	<p>Compile the specific details of the mining operation into a Notification and submit to the DMRE. The notification should provide, <i>inter alia</i>, the details on the following:</p> <ul style="list-style-type: none"> • Mine programme (timing, co-ordinates and duration); • Contractor details; • Mining and supply vessel specifications (including relevant certification and insurance); • SOPEP; and • Emergency Response Plan. 	PC	<p>As reported in the previous (2022) Environmental Audit, DMRE and registered I&APs were notified of commencement of mining; however the notification did not include all of the documentation stipulated in the EMPr (e.g. relevant certifications, SOPEP or Emergency Manual).</p> <p><i>BPT must submit with the mine programme, contractor details, mining and supply vessel details, SOPEP and Emergency Response Plan to DMRE within three months of submission of this Environmental Audit Report.</i></p>

Item	EMPr Mitigation Measure	Compliance	Finding
4	Consult the managers of the Department of Forestry, Fisheries and the Environment (DFFE) research survey programmes prior to the commencement of mining activities and when moving to new target areas regarding co-operation of activities. Specifically, this could involve the Department of Agriculture, Forestry and Fisheries (DAFF) adjusting its sampling programme to take place outside actively mined areas or within periods where the mining vessel is off location due to maintenance requirements.	PC	On 17 June 2021 BPT notified registered IAPs (including DMRE and DFFE) that mining would recommence on 20 June 2021 and continue for approximately seven months (until ~January 2022). Numerous mining campaigns have taken place since January 2022, however no further communication regarding recommencement of mining has been issued to registered IAPs.
5	<p>Notify relevant government departments and other key stakeholders of the commencement of mining operations in new target areas (including navigational co-ordinates, timing and duration of proposed activities) and the restrictions related to the operation. Stakeholders include:</p> <ul style="list-style-type: none"> • Fishing industry / associations: <ul style="list-style-type: none"> ○ South African Tuna Association; ○ South African Tuna Long-Line Association; ○ Fresh Tuna Exporters Association; ○ South African West Coast Rock Lobster Fishing Association; ○ South African Commercial Linefish Association; ○ West Coast and Peninsula Commercial Skiboat Association; and ○ Association of Namibian Fishing Industries; and • Local fishing operators, including: <ul style="list-style-type: none"> ○ South African Maritime Authority (SAMSA); ○ South African Navy (SAN) Hydrographic office; ○ Department of Environmental Affairs (DEA); ○ DAFF, including the fisheries research managers; ○ Transnet National Ports Authority (ports of Cape Town and / or Saldanha Bay); and ○ Overlapping and/or adjacent prospecting / mining/ exploration right holders. 	PC	<p>When required, navigational warnings were issued by the vessels' Masters to the relevant authorities.</p> <p><i>BPT must notify registered IAPs (including DFFE and the key stakeholders listed in the EMPr) that mining operations (including navigational co-ordinates, timing and duration) have (re-)commenced in Sea Concessions 2C and/or 3C, within one month of submission of this Environmental Audit Report.</i></p>
6	Any dispute arising with adjacent prospecting / exploration right holders should be referred to the DMR or the Petroleum Agency of South Africa (PASA) for resolution.	NA	During the audit period, BPT has not had a dispute with an adjacent prospecting or exploration right holder.

Item	EMPr Mitigation Measure	Compliance	Finding
7	<p>If necessary, apply to DFFE for an exemption to approach to or remain within 300 m of whales (see note below). The request for an exemption must be submitted to DFFE.</p> <p>Note: In terms of the Marine Living Resources Act 18 of 1998:</p> <ul style="list-style-type: none"> No person may approach within 300 metres of a whale by vessel, aircraft or other means without a permit; A vessel approached by a whale is required to distance itself at 300 m from the whale, unless in possession of a permit; A vessel may not proceed directly through a school of dolphins or porpoises; and No person shall attempt to feed, harass, disturb or kill great white sharks, dolphins, seals or turtles. 	NA	<p>It was not considered necessary to apply for an exemption to approach or remain within 300 m of whales in terms of the Regulations for the Management of Boat Based Whale Watching and Protection of Turtles (GN 747 of 1998) promulgated in terms of the Marine Living Resources Act 18 of 1998, as these regulations primarily relate to the management of boat based whale watching activities and research.</p> <p>Nevertheless, during the Environmental Awareness Training staff are reminded of the importance of avoiding and protecting marine animals.</p>
8	Promote the use of local companies for support services should be promoted (where possible).	C	Where possible local goods and services are procured, however most of the equipment required for the mining operations is specialised and cannot be sourced locally.
9	<p>Ensure that the requirements of NEMA in terms of financial provision for remediation of environmental damage are met by:</p> <ul style="list-style-type: none"> Allocating operational costs to meet EMPr requirements; Maintaining adequate Protection and Indemnity (P&I) Insurance Cover to allow for clean-ups in the event of a hydrocarbon spill and other eventualities; and Providing sufficient funds to execute the EMPr in the event of premature closure or in the event that, on closure, the EMPr has not been successfully executed. 	PC	<p>The Financial Provision for the operational and decommissioning requirements were calculated during the EIA.</p> <p>Prior to August 2024, no annual assessment of the Financial Provision was conducted. In August 2024, BPT appointed SRK to complete the annual assessment of the Financial Provision. The annual assessment was submitted to DMPr in October 2024 and is included as Appendix J.</p>
Establishment Phase			
10	Verify that a copy of the approved EMPr is supplied to the mining contractor and is on board the mining and supply vessels during the operation.	C	<p>Copies of the EA and EMPr are available to all managers and staff in the operational, finance, mining, legal and mineral resource departments.</p> <p><i>Retain a hard copy of the EA and EMPr on vessels used for mining operations.</i></p>
11	Verify procedures and systems for compliance are in place.	C	The vessels' compliance with MARPOL and SOLAS is audited and certificates of compliance are in place.
12	Verify correct equipment and personnel are available to meet the requirements of the EMPr.	C	<p>Biennial external, independent Environmental Audits have also been undertaken since mining commenced.</p> <p>A designated ECO was not appointed by BPT for the majority of this audit period, but the Vessel Master was (and is) responsible for ensuring compliance with the EA and EMPr and collating the necessary documents. Nevertheless, BPT intend to appoint a designated ECO.</p>

Item	EMPr Mitigation Measure	Compliance	Finding
13	Undertake Environmental Awareness Training to ensure the vessel's personnel are appropriately informed of the purpose and requirements of the EMPr, including emergency procedures, spill management, wreck/fossil identification and management, etc.	C	All staff are required to attend weekly environmental awareness training covering various environmental topics and requirements stipulated in the EMPr.
14	Verify responsibilities are allocated to the relevant personnel.	C	Copies of the EA and EMPr are available to all managers and staff in the operational, finance, mining, legal and mineral resource departments.
15	Establish training programmes to ensure that the response activities can be effectively executed.	C	All staff are required to attend weekly environmental awareness covering various environmental topics and requirements stipulated in the EMPr. BPT is also developing an environmental training booklet for staff.
16	Request, in writing, the SAN Hydrographic office to release Radio Navigation Warnings and Notices to Mariners throughout the mining period. The Notice to Mariners should give notice of: <ol style="list-style-type: none"> 1. The co-ordinates of the mining; 2. An indication of the proposed mining timeframes; 3. An indication of the 500 m safety zone around the mining vessel, and 4. Provide details on the movements of support vessels servicing the operation. 	PC	On 17 June 2021 BPT notified registered IAPs (including the Hydrographic Office) that mining would recommence on 20 June 2021 and continue for approximately seven months (until ~January 2022). Numerous mining campaigns have taken place since January 2022, however no further communication regarding recommencement of mining has been issued to registered IAPs. When required, navigational warnings were issued by the vessels' Masters to the relevant authorities.
17	A copy of the Notices to Mariners should be distributed to local fishing operators.	PC	<i>BPT must notify registered IAPs (including DFFE and the key stakeholders listed in the EMPr) that mining operations (including navigational co-ordinates, timing and duration) have (re-)commenced in Sea Concessions 2C and/or 3C, within one month of submission of this Environmental Audit Report.</i>
Operational Phase			
18	Undertake annual Environmental Awareness Training to ensure the vessel's personnel are appropriately informed of the purpose and requirements of the EMPr, including emergency procedures, spill management, wreck/fossil identification and management, etc.	C	All staff are required to attend weekly environmental awareness training covering various environmental topics and requirements stipulated in the EMPr. BPT is also developing an environmental training booklet for staff.
19	Comply fully with the EMPr (compliance would mean that all activities were undertaken successfully and details recorded).	PC	The level of compliance with the EMPr is summarised in Section 4.2.

Item	EMPr Mitigation Measure	Compliance	Finding
20	Undertake appropriate rehabilitation monitoring and track performance against objectives and targets.	C	<p>Since commencing with mining operations, BPT has commissioned the following benthic monitoring sampling:</p> <ul style="list-style-type: none"> • Pre-mining baseline sample collection conducted by Lwandle Marine Environmental Services between 1 – 5 October 2019 (after mining operation commenced); and • Biennial monitoring sampling conducted by CLS Southern Africa between 8 – 14 March 2022. <p>Sampling campaigns were conducted in accordance with a (Sampling) Project Execution Plan.</p> <p>BPT intend to conduct a third sampling campaign in 2024 (A Larkens, personal communication, 3 July 2024).</p> <p>Although an overarching Rehabilitation Monitoring Plan stipulating the methodology and objectives of the requirement for sampling has not been compiled, BPT has committed to conducting benthic sampling biennially and is meeting the current objectives of monitoring (i.e. benthic sampling and analysis).</p>
21	Prevent collisions by ensuring that the mining and supply vessels display correct signals by day and lights by night (including twilight), by visual radar watch and standby vessel(s).	C	All vessels used during mining operations comply with the ISM Code and have valid Safety Management Certificates in terms of SOLAS.
22	Maintain a 500 m safety zone around mining vessel through Notices to Mariners and Navigation Warnings.	C	When required, the vessels' Masters issued navigational warnings to the relevant authorities.
23	Ensure all hazardous materials are correctly labelled, stored, packed and sealed with proper markings for shipping.	C	All vessels used during mining operations comply with the ISM Code and have valid Safety Management Certificates in terms of SOLAS.
24	Establish lines of communication with the following emergency response agencies / facilities: SAMSA, SAN Hydrographic Office (Silvermine), DEA (Directorate of Marine Pollution) and DMR.	C	On 17 June 2021 BPT notified registered IAPs (including the Hydrographic Office) that mining would recommence on 20 June 2021 and continue for approximately seven months (until ~January 2022).
25	Through normal communication channels, Radio Navigation Warnings and Notices to Mariners, keep relevant government departments and other key stakeholders updated on the mining programme.	C	<p>Numerous mining campaigns have taken place since January 2022, however no further communication regarding recommencement of mining has been issued to registered IAPs.</p> <p>When required, navigational warnings were issued by the vessels' Masters to the relevant authorities.</p>

Item	EMPr Mitigation Measure	Compliance	Finding
26	Co-operate with other legitimate users of the sea to minimise disruption to other marine activities.	NA	BPT is not aware of any other users of Sea Concessions 2C and 3C. The mining operations in Sea Concessions 2C and 3C take place more than 5 km offshore and therefore BPT does not encounter any other small scale fishermen at these depths. Although, the concession overlaps with an Abalone Ranching Zone along the coast adjacent to Holgat, the approved mining target areas do not overlap with suitable abalone habitat (shallower than 10 m) (SLR Consulting, 2018). According to the daily environmental reports the three vessels involved in the mining operations did not interact with any other vessels.
27	Keep constant watch for approaching vessels during the mining operation and warn by radio and support vessel, if required.	C	When required, the vessels' Masters issued navigational warnings to the relevant authorities.
28	Keep a record of any interaction with other vessels.	C	The daily environmental reports log the interactions with other vessels. During the audit period, other than the interactions between <i>MV Good Wind</i> , <i>MV Ya Toivo</i> and <i>MV The Explorer</i> , the only other interactions with other vessels recorded were for ship-to-ship (STS) transfer and crew changes.
29	Adhere to obligations regarding other vessels in distress.	NA	The vessels involved in the mining operations did not encounter other vessels in distress during the audit period.
30	Notify SAMSA about wrecked vessels (safety and pollution) and the Department of Finance with regard to salvage, customs and royalties). Provide location details to SAN hydrographer.	NA	No vessels involved in the mining operations were wrecked or witnessed any wrecked vessels during the audit period.

Item	EMPr Mitigation Measure	Compliance	Finding
31	<p>In the event of an oil spill immediately implement emergency plans. In the case of an oil spill to sea with serious potential consequences to marine and human life notify:</p> <ol style="list-style-type: none"> 1. the Principal Officer of the nearest SAMSA office; 2. The DEA's Chief Directorate of Marine & Coastal Pollution Management in Cape Town; and 3. PASA. <p>Information that should be supplied when reporting a spill includes:</p> <ul style="list-style-type: none"> • Name and contact details of person reporting the incident; • The type and circumstances of incident, ship type, port of registry, nearest agent representing the ships company; • Date and time of spill; • Location (co-ordinates), source and cause of pollution; • Type and estimated quantity of oil spilled and the potential and probability of further pollution; • Weather and sea conditions; • Action taken or intended to respond to the incident; and • Supply vessels must have the necessary spill response capability to deal with accidental spills in a safe, rapid, effective and efficient manner. 	NA	No spills have occurred during the audit report period.
32	Where diesel, which evaporates relatively quickly, has been spilled, the water should be agitated or mixed using a propeller boat/dinghy to aid dispersal and evaporation.	NA	No spills have occurred during the audit report period.
33	<p>Dispersants should not be used without authorisation of DEA. Dispersants should not be used:</p> <ul style="list-style-type: none"> • On diesel or light fuel oil; • On heavy fuel oil; • On slicks >0.5 cm thick; • On any oil spills within 5 nautical miles off-shore or in depths less than 30 metres; or • In areas far offshore where there is little likelihood of oil reaching the shore. <p>Dispersants are most effective:</p> <ul style="list-style-type: none"> • On fresh crude oils, under turbulent sea conditions (as effective use of dispersants requires mixing); and • When applied within 12 hours or at a maximum of 24 hours. 	NA	As there have not been any spills during this reporting period, no dispersants have been used
34	The volume of dispersant application should not exceed 20-30% of the oil volume.	NA	

Item	EMPr Mitigation Measure	Compliance	Finding
35	A review of geophysical data should be undertaken to conduct a pre-mining geohazard analysis of the seabed and near-surface substratum to map potentially vulnerable habitats and prevent the overlap of the mining targets with sensitive areas.	C	Geophysical data collected during prospecting was used to conduct a geohazard analysis of the mining target areas. Rocky outcrops are avoided as they are sensitive habitats and pose a risk of damaging the seabed crawler. De Beers benthic monitoring sites are also avoided.
36	Avoid mining in any areas where sensitive habitats, such as rocky outcrops, and any other structural habitat feature are located.	C	Rocky outcrops and other sensitive habitats in the Sea Concession area are avoided during mining operations as these areas do not contain economic deposits suitable for BPT's equipment. Furthermore, these areas pose a risk of damaging the seabed crawler.
37	Establish buffer zones for the proposed mining activities of one mining lane width (22 m) around rocky outcrop areas (or other identified sensitive habitats) and 150 m of the historic De Beers monitoring sites.	C	BPT implements and observes the required buffers around rocky outcrops and historic De Beers benthic monitoring sites.
38	Exclude any shipwrecks or fossil sites identified during prospecting from the mining operation area or mitigate through archaeological mapping and/or excavation (under permit). The buffer around the wreck must be at least 50 m, unless it is identified as sensitive or significant, in which case it should be 200 m.	NA	No shipwrecks are known within the mining target areas. Furthermore, no shipwrecks or heritage resources have been uncovered during mining operations.
39	If shipwreck or shipwreck material is encountered during the course of mining in any of the concession areas, the following mitigation measure should be applied: <ul style="list-style-type: none"> Cease work in the directly affected area if any shipwrecks are encountered during prospecting/mining to avoid damage to the wreck until the SAHRA has been notified and the contractor/BPT127 has complied with any additional mitigation as specified by SAHRA; and Where possible, take photographs of the wrecks and/or material, noting the date, time, location and types of artefacts found. Under no circumstances shall any artefacts be removed, destroyed or interfered on the site, unless under permit from SAHRA. 	NA	
40	Implement a Waste Management Plan. The plan must comply with legal requirements (including MARPOL) for waste management and pollution control (for air and water quality levels at sea) and ensure "good housekeeping" and monitoring practices:	C	A generic waste management plan compliant with the relevant international standards (MARPOL) is available for each vessel. All waste disposal certificates for the disposal of general and hazardous waste from the vessel to landfills are recorded. The relevant certificates of compliance with MARPOL standards are kept on file. No spills have been recorded during the audit period.
40.1	General solid waste: <ul style="list-style-type: none"> Initiate a waste minimisation system; No waste should be disposed overboard; and Ensure on-board solid waste storage is secure. 	C	

Item	EMPr Mitigation Measure	Compliance	Finding
40.2	Galley (food) waste: <ul style="list-style-type: none"> No disposal within 3 nm of the coast; Disposal further than 3 nm of the coast needs to be comminuted to particle sizes smaller than 25 mm⁶; and Minimise the discharge of waste material should obvious attraction of fauna be observed. 	C	
40.3	Deck drainage: <ul style="list-style-type: none"> Deck drainage should be routed to a separate drainage system (oily water catchment system); Ensure all process areas are banded to ensure drainage water flows into the closed drainage system; Use drip trays to collect run-off from equipment that is not contained within a banded area and route contents to the closed drainage system; Ensure that weather decks are kept free of spillage; Mop up any spills immediately; Low-toxicity biodegradable detergents should be used in cleaning of all deck spillage; and Ensure compliance with MARPOL standards. 	C	
40.4	Machinery space drainage – Vessels must comply with international agreed standards regulated under MARPOL. All machinery space drainage would pass through an oil/water filter to reduce the oil in water concentration to less than 15 ppm.	C	
40.5	Sewage: <ul style="list-style-type: none"> Use approved treatment plants to MARPOL standards; No disposal within 4 nm of the coast; and Disposal further than 4 nm of the coast needs to be comminuted and disinfected prior to disposal into the sea; 	C	
40.6	Medical waste: Seal in aseptic containers for appropriate disposal onshore.	C	
40.7	Metal: Send to shore for recycling or disposal.	C	

⁶ It is noted that while there is no requirement in terms of MARPOL to comminute galley waste or treat sewage prior to disposal into the sea beyond 12 nm of the coast, BPT127 has committed to do so.

Item	EMPr Mitigation Measure	Compliance	Finding
40.8	Other waste: Dispose of remaining solid waste at a licensed landfill facility or an alternative approved facility. Ensure waste disposal is carried out in accordance with appropriate laws and ordinances.	C	
40.9	Waste oil: Return used oil to a port with a registered facility for processing or disposal.	C	
40.10	Minor oil spill: Use oil absorbent.	NA	
40.11	Emissions to the atmosphere: <ul style="list-style-type: none"> Properly tune and maintain all engines, motors, generators and all auxiliary power to contain the minimum of soot and unburned diesel; Implement leak detection and repair programmes for valves, flanges, fittings, seals, etc.; and Incineration to comply with Regulation 16 of MARPOL Annex VI and any other conditions of approval, where relevant, stipulated by the competent authority. 	C	
40.12	Other hazardous waste: <ul style="list-style-type: none"> Record types and volumes of chemical and hazardous wastes (e.g. radioactive devices/materials, neon lights, fluorescent tubes, toner cartridges, batteries, etc.) and destination thereof; and Send to designated onshore hazardous disposal site. Retain waste receipts. 	C	
41	Ensure navigational crew is trained in spill management.	C	Spill management is covered in the environmental awareness training provided to all staff.
42	Where possible, attempt the recovery of any items lost overboard.	C	The available records show that only one item was lost overboard (on 17 January 2023). No detail was recorded, nor whether there was an attempt to recover it.
43	Keep a record of lost equipment and all items lost overboard and not recovered.	C	
44	When any items that constitute a seafloor or navigational hazard are lost on the seabed, or in the sea, complete a standard form / record sheet, which records the location, date and cause of loss, details of equipment type, weather, sea state, etc.	NA	The item lost overboard (on 17 January 2023) is considered a seafloor or navigational hazard.
45	Notify SAMSA and SAN Hydrographer of any hazards left on the seabed or floating in the water column.	NA	
46	Request that SAN Hydrographer send out a Notice to Mariners with this information.	NA	
47	Use flight paths that do not pass over coastal reserves (MacDougall's Bay) and seal colonies (Buchu Twins and Cliff Point) and bird colonies (Boegoeberg Gully, Boegoeberg and north of Cliff Point).	C	To avoid sensitive areas and habitats the helicopters fly directly from the shore to vessels.

Item	EMPr Mitigation Measure	Compliance	Finding
48	Report deviations from set flight plans to BPT127.	C	The helicopter pilot communicates the flight path prior to commencing with the flight. If any deviations from the set flight paths (which avoid environmentally sensitive areas) are required, the pilot maintains an altitude of least 2 000 feet.
49	Low altitude coastal flights (< 762 m [2 500 ft] and within 1 nm of the shore) should also be avoided, as far as possible after assessing the safety and metocean conditions (as low cloud cover and fog are common in the region), particularly during the winter/spring (June to November inclusive) whale migration period and during the November to January seal breeding season.	C	Helicopter pilots are aware of and consider the seasonal limitations and the environmental sensitivities on flight paths.
50	The flight path between the onshore logistics base in Springbok and Port Nolloth and mining vessel should be more or less perpendicular to the coast when passing over the coastal zone.	C	BPT confirmed that the helicopters fly directly from the shore to vessels.
51	Brief all pilots on ecological risks associated with flying at a low level along the coast or above marine mammals.	C	Helicopter pilots are aware of environmental sensitivities on flight paths.
52	Comply with aviation and authority guidelines and rules.	C	Cape Town Helicopters (Pty) Ltd (CT Helicopters) are contracted by BPT to conduct helicopter operations. CT Helicopters hold certificates (issued by the South African Civil Aviation Authority) of compliance with the Civil Aviation Regulations, 2011, Air Service Licensing Act 115 of 1990 and the International Air Services Act 60 of 1993.
53	No discharge of any oil whatsoever is permitted.	C	All vessels are compliant with the SOPEP and MARPOL which do not permit the pollution of the marine environment.
54	Offshore bunkering is not permitted within the economic zone (i.e. 200 nm from the coast) without permission from SAMSA.	C	Refuelling takes place as a STS transfer from <i>MV Good Wind</i> to <i>MV Ya Toivo</i> and <i>MV The Explorer</i> . The STS transfers are approved and overseen by South African Maritime Safety Authority (SAMSA). <i>MV Good Wind</i> refuels in port.
55	Inform SAMSA of location, supplier and timing, 5 days prior to refuelling at sea, and comply with any conditions they may impose in the relevant permit.	C	
56	Offshore bunkering should not occur under the following circumstances: <ul style="list-style-type: none"> • Wind force and sea state conditions of 6 or above on the Beaufort Wind Scale; • During any workboat or mobilisation boat operations; • During helicopter operations; • During the transfer of in-sea equipment; and/or • At night or times of low visibility. 	C	Bunkering is conducted in accordance with SAMSA's directives, applicable regulations and the approved bunkering plan.

Item	EMPr Mitigation Measure	Compliance	Finding
57	Ensure support vessels have the necessary spill response capability to deal with accidental spills in a safe, rapid, effective and efficient manner.	C	In terms of the SAMSA STS approval letter, all personnel and equipment required to prevent spills in terms of the SOPEP must be in place prior to commencing with refuelling.
58	Lighting on-board mining vessels should be reduced to the minimum required for safety levels to minimise stranding of pelagic seabirds on the vessels at night.	C	Lighting on-board mining vessels is compliant with SOLAS and other marine requirements.
59	Any stranded seabirds must be retrieved and released during daylight hours.	NA	There are no records of seabirds being stranded during the audit period.
60	Undertake regular audits of the mining operations to determine the level of compliance with the EMPr requirements and conditions of the environmental authorisation.	C	Biennial audits of the EMPr and EA are undertaken by an independent external auditor in terms of Regulation 34 of the EIA Regulations, 2014. A designated ECO was not appointed by BPT for the majority of this audit period, but the Vessel Master was (and is) responsible for ensuring compliance with the EA and EMPr and collating the necessary documents. Nevertheless, BPT intend to appoint a designated ECO. <i>Provide the Regional Manager with the name and contact details of the ECO within 30 days of appointment.</i>
61	The outcome of the above-mentioned audits must be documented in an environmental audit report and submitted to the DMR every two years. The audit report must comply with legal requirements contained in Appendix 7 of the 2014 EIA Regulations (or any amendments thereto).	C	This report is compiled in fulfilment of this condition.
62	Calculate and report on annual and cumulative mined areas.	C	The cumulative mined area is mapped by BPT.
Decommissioning Phase			
63	Ensure that no construction debris or dropped equipment that may be detrimental to environment or other users of the sea is left on the seafloor.	C	Vessels keep a record of equipment lost overboard during mining operations. Daily environmental logs record one item lost overboard during the audit period.
64	Inform all key stakeholders that the mining vessel is off location.	NA	Mining operations are still underway.
65	Dispose all waste retained onboard at a licensed waste site using a licensed waste disposal contractor.	C	Waste disposal certificates for the disposal of general waste generated are kept on file and retained onboard during the mining operations. Licenced waste disposal contractors were used for the collection of waste during the audit period.

Item	EMPr Mitigation Measure	Compliance	Finding
66	Undertake post-mining seabed (side-scan sonar) and benthic faunal community survey as per monitoring programme to demonstrate the natural recovery process of mined areas (refer to the Rehabilitation Monitoring Plan).	C	<p>Mining operations are still underway.</p> <p>Since commencing with mining operations, BPT has commissioned the following benthic monitoring sampling:</p> <ul style="list-style-type: none"> • Pre-mining baseline sample collection conducted by Lwandle Marine Environmental Services between 1 – 5 October 2019 (after mining operation commenced); and • Biennial monitoring sampling conducted by CLS Southern Africa between 8 – 14 March 2022. <p>Sampling campaigns were conducted in accordance with a (Sampling) Project Execution Plan.</p> <p>Although an overarching Rehabilitation Monitoring Plan stipulating the methodology and objectives of the requirement for sampling has not been compiled, BPT has committed to conducting benthic sampling biennially and is meeting the current objectives of monitoring (i.e. benthic sampling and analysis).</p> <p>BPT intend to conduct a third sampling campaign in 2024 (A Larkens, personal communication, 3 July 2024).</p>
67	<p>Apply for closure, submit the following documentation to the DMR:</p> <ul style="list-style-type: none"> • A final layout plan; • A Closure Plan; • An Environmental Risk Report; • A Final Audit Report; and • A completed application form to transfer environmental responsibilities and liabilities, if such transfer has been applied for. 	NA	Mining operations are still underway.
68	Take steps to share non-confidential data collected during the drilling programme (e.g. results of monitoring), if requested, to relevant agencies / regional or national programmes involved in biodiversity conservation / evaluation and management of marine ecosystems (including DEA, South African National Biodiversity Institute and appropriate research institutes).	NA	BPT has not been requested to share the results of the benthic monitoring data. Non-confidential data can be shared with relevant agencies or government departments on request. BPT intend to publish a summary report of the benthic monitoring and rehabilitation of mined areas on their website.

4.3 Effectiveness of the EMPr

4.3.1 Effectiveness of Mitigation Measures to Achieve Management Outcomes

The EMPr comprises mitigation measures that aim to achieve specific environmental management objectives or outcomes. The review of (compliance with) mitigation measures shows that BPT is generally achieving environmental management outcomes, despite partial compliance with some of the mitigation measures. In other words the mitigation measures are effective at delivering management outcomes.

A possible exception is rehabilitation which is not explicitly monitored, in part because it is not possible to monitor underwater rehabilitation in a dynamic marine environment. As a pragmatic proxy, benthic sampling and analysis is required/undertaken.

4.3.2 Identification and Assessment of New Impacts and Risks

No new impacts associated with the project have been identified by the audit.

Although BPT has committed to conducting benthic monitoring sampling and analysis biennially, an overarching Rehabilitation Monitoring Plan outlining the objectives and frequency of rehabilitation monitoring has not been compiled. Nevertheless, BPT is meeting the current objectives of monitoring (i.e. benthic sampling and analysis).

4.3.3 Shortcomings of EMPr

No shortcomings of the EMPr have been identified by the audit.

4.3.4 Need for Changes to EMPr

No further requirements for the EMPr have been identified.

5 Conclusion and Recommendations

Belton Park is the holder of a MR and EA for the mining of diamonds in Sea Concessions 2C and 3C offshore of the West Coast of South Africa. Mining operations commenced on 8 August 2018.

In terms of the EA, BPT is required to commission biennial independent environmental audits to gauge compliance with the requirements of the EA and EMPr, and to submit an Environmental Audit Report to the competent authority. SRK has been appointed to conduct the environmental audit and compile the Environmental Audit Report.

The audit found that of the 101 conditions in the EA, 38 are considered Not Applicable or Not Practicable. Of the 63 conditions that are applicable and practicable, BPT is Compliant with 60 (95%) of the conditions, Partially Compliant with two conditions (3%) and Not Compliant with one (2%) condition.

The EMPr comprises 80 mitigation measures, of which 19 were found to be Not Applicable during the audit. Of the 61 mitigation measures applicable, BPT is Compliant with 54 (89%) of the mitigation measures and Partially Compliant with the remaining 7 (11%) mitigation measures. No Non-Compliances were identified.

To address the Non-Compliances the following corrective actions are recommended:

- Provide the name and contact details of the ECO to the Regional Manager within three months of the submission of the Environmental Audit Report to DMPR.

To address the Partial Compliances, SRK recommends that BPT must:

- Annually assess and update the Financial Provision to take account of CPI increases;
- Issue DMPR with the mine programme, contractor details, mining and supply vessel details, SOPEP and Emergency Response Plan within three months of submission of this Environmental Audit Report to DMPR;
- Notify registered IAPs (including DFFE and the key stakeholders listed in the EMPr) that mining operations (including navigational co-ordinates, timing and duration) have (re-)commenced in Sea Concessions 2C and/or 3C, within one month of submission of this Environmental Audit Report to DMPR; and
- Retain a hard copy of the EA and EMPr on vessels used for mining operations.

The review of (compliance with) mitigation measures shows that BPT is generally achieving environmental management outcomes, despite partial compliance with some of the mitigation measures. In other words the mitigation measures are effective at delivering management outcomes.

A possible exception is rehabilitation which is not explicitly monitored, in part because it is not possible to monitor underwater rehabilitation in a dynamic marine environment. As a pragmatic proxy, benthic sampling and analysis is required/undertaken.

The audit did not identify new impacts associated with the project, shortcomings of the EMPr or the need for any changes to the EMPr.

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Chris Dalgliesh
Partner

All data used as source material plus the text, tables, figures, and attachments of this document have been reviewed and prepared in accordance with generally accepted professional environmental practices.

Appendices

Appendix A

Environmental Authorisation

Appendix B

Mining Right

Appendix C

Bunkering Permits

Appendix D

Shipboard Oil Pollution Emergency Plans

Appendix E

Generic Emergency Plan

Appendix F

Class Standard Certificates

Appendix G

**Certificates of Compliance with the International
Convention for the Prevention of Pollution from Ships,
1973**

Appendix H
**Certificates of Compliance with the International
Convention for the Safety of Life at Sea, 1974**

Appendix I

Waste Disposal Certificates

Appendix J
Updated Rehabilitation, Decommissioning and Closure
Plan for Financial Provision

