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Comments: I am having a lot of trouble uploading Documents!!!!!! I have more files to upload but cannot.

I need some assistance!

I am very worried that South 32 will not comply with everything they say they will do without having an Iron clad contract with all agencies governing mining activities and explicitly outlined restoration policies and procedures. S32 has failed miserably at the Illawarra mine, and subsequently sold it. I tried to upload this AU New South Wales NARA file, but could not so I include it here.

here is the text from one of the docs I cannot upload as a file. On select file ??? then nothing?

Proof S32 does not always follow the rules governing water use and clean water restoration.

<https://www.nrar.nsw.gov.au/about-us/compliance/regulatory-responses/enforceable-undertakings/illawarra>

"On this page

- * Background
- * The alleged breach
- * The undertaking

Illawarra Coal Holdings Pty Ltd (IC) is an Australian company which carries out approved underground coal mining operations and operates associated surface facilities and infrastructure at the Dendrobium Coal Mine, at Kembla Heights, west of Wollongong.

In October 2018, after receiving a complaint, NRAR began investigating alleged unauthorised take of surface water at the mine.

NRAR's investigation confirmed that the underground mining operations caused the incidental take of surface water. The Water Management Act 2000 requires miners to hold a water access licence for any water taken through mining activities.

Although IC held and continues to hold a number of groundwater access licences for its underground operations at the Dendrobium mine, it did not hold any water access licence for its incidental surface water take.

The mine is in an area where the surface water bodies above it are part of Sydney's drinking water catchment. Until March 2023 almost all of the drinking catchment water was allocated to surface water access licences held by Water NSW and licences in this area were not available to other water users, such as IC. Important changes to the licensing framework now mean that the mine can obtain a licence and water allocations to account for surface water taken. IC applied for a licence in March 2023.

Prior to NRAR's investigation, the company sought a solution to account for incidental surface water taken at the Dendrobium Coal Mine. Because surface water taken into the mine's workings mixes with groundwater, the mine bought more groundwater entitlements to account for incidental surface water take. Unfortunately, this mechanism did not bring the mine into compliance with the requirements of the Water Management Act.

The alleged breach

IC did not hold a water licence for surface water take at the Dendrobium Coal Mine for the 2018-2019, 2019-2020, 2020-2021, 2021-2022 and 2022-2023 water years.

This meant that the mine did not directly account for surface water take across those water years, despite holding groundwater access licences. The mine operator was therefore allegedly in breach of section 60A(2) of the Water Management Act 2000, which prohibits the taking of water without a licence. Under section 60I of the same Act, a mine is required to hold an access licence where water is taken during the course of mining.

The undertaking

NRAR entered into an enforceable undertaking (EU) with IC on 30 June 2023. The company acknowledged the

alleged contravention and undertakes to carry out the commitments and preventative measures set out in the EU.

Under the terms of the EU, IC will:

- * Acknowledge the alleged breaches occurred during the 2018-2019, 2019-2020, 2020-2021, 2021-2022 and 2022-2023 water years.

- * Provide a bank guarantee for a monetary contribution of \$2,878,138 for a community project that will improve the health of waterways and/or restore wetlands. The community project proposal must be put forward to NRAR to consider by 30 September 2023.

- * Start delivering the community project within 3 months of NRAR accepting the community project proposal.

- * Consult with local Aboriginal communities and groups connected to the area where the community project will be undertaken.

- * Commit to improved surface water management by investing in and using an array of new and emerging technology and report the results back to NRAR annually.

- * Commit to regular reporting to NRAR about consultation, community project progress, and other aspects of the agreement.

- * Pay NRAR \$70,000 to cover investigation, legal and EU monitoring costs, with the option to increase this sum once the community project proposal is received.

- * Place an agreed media notice in certain agreed publications detailing the undertakings in the EU.

- * Report to NRAR on compliance with all undertakings at agreed intervals.

rra-coal-holdings-dendrobium-mine "

S32 since sold this mine for \$1,65 Billion, but did S32 fulfill the Enforceable Action and restore the Waterways and upgrade the fouled water treatment plants as directed by the Natural Resource Access Regulators outlined? I think you should Check up on that by contacting the NRAR.

I am uploading a document from another study from GermanyWatch. About another S32 mine this one in Columbia where S32 bought an old mine with a lot of problems. The study outlines all the issues and goes on to outline how many of the issues can be handled with more thoroughly defined procedures relating to emissions in the air & water, environmental clean up, and biodiversity restoration. It is apparent to me from this study unless Regulatory agencies stay on top of South 32 and hold them to account they will most likely take advantage of the lack of oversight. And at Cerro Matoso S32 took a lower court decision to the Colombian Supreme Court to get it overturned, which they lost in part and don't have to pay compensation to the injured parties of the surrounding communities, just supply medical assistance for Mining related illnesses.

I urge you to read and study these and other reports to see how S32 does business at its other holdings. I believe South32 should be properly Vetted. They are all smarmy offering money, Grants to all the local nonprofits including NPR Radio. ingratiating themselves. The reality is they are a very strong multinational firm with billions of dollars on net worth and a huge legal department that will tie you all up in the courts all the way to the Supreme court and take their time about it. So beware of every aspect of your negotiations and contractual expectations. In the South Africa mines and Manganese refinery Smanco where they own 60% and are responsible for running the Manganese refinery when sued by employees for work related illness the S32 representative deferred to the Subcontractors they hired were responsible for training and Personal Protective Equipment, not them. You can look at this on the South Africa news reports.

South32 was most recently hit by Cyclone Megan and has closed their GEMCO Mine for a year to effect repairs to their Groot Eylandt Mine and Laid off 1000 workers. While there was damage to the roads and dock, nothing has been said about any flood damage to detention ponds or other possible damage to the environment. Big storms come through here during Monsoon such damage is likely to happen here as well. S32 GEMCO Mine is an open pit mine that has caused a lot of dust to drift over local communities and been in operation for 50 years. There is a study on the small cat like animals Quolls that live only 4 years or so, that found Manganese in their Brains and Testes affecting their ability to move quickly degrading their ability to catch prey, and the sperms were also slowed down affecting reproductive viability. Community members tested have Mn in their hair and

fingernails, but further studies have been balked at by authorities.

Other Studies show that excessive Mn in water will cause brain damage to animals and plants as well as humans. A CDC report stated Cows exposed to too much Mn have reduced growth and mental affects, Dogs are affected as well with impaired gaits, Plants such as cowpea have reduced growth, Wheat is stunted, and Corn is stunted with smaller ears and kernels do not germinate. Tomatoes are affected with reduced productivity as well. Trees leaves are affected by Mn with browning n grey dead spots. S32 plans on releasing used mine waters, but who will be checking the flora and fauna down stream from the release points? The cattle drink water from the stream, Harshaw and Sonoita Creeks. How does South 32 plan to keep animals and Birds from being poisoned by the chemical laden ponds at the Hermosa site? How much Death is acceptable? And How is the National Forest Service going to monitor and protect the animals of the forest in their charge?

The plants, trees and wild creatures must drink from the stream as all the seeps n springs on the mountain will be dry from S32 pumping out all the water 1900 feet down from the Hermosa mine. The whole mountain will be deprived of water, Trees and plants will be dried out and prime fire tender. What is the plan to protect the surrounding dried out Forestland? Who will pay if the forest catches on fire at the S32 Hermosa Project?

In other countries South 32 pays Royalties to the Government and Tribal Councils, What will the forest Service be paid for the use of the land and minerals extracted? South 32 should have to pay for the use of our National lands, and before they go any further demand a very large trust fund for the reclamation and restoration of complete biodiversity and clean water from the site.

Do not trust S32 to do everything they say they will. Be thorough in your Vetting, and all contractual agreements tie everything down, Otherwise you, we and the Mountain will be without protection.

You should watch this video on S32 and the Manganese toxicity it did to the Employees. I think you should see what can happen to those exposed.

https://www.google.com/search?q=South+Africa+Manganese+Road&rlz=1C1GCEB_enUS938US940&oq=South+Africa+Manganese+Road&aqs=chrome..69i57j33i160l4.19273j1j7&sourceid=chrome&ie=UTF-8#