

## AMENDMENT TO THE LICENCE CONDITIONS

### Invitation to comment and attend public hearings on applications by licensees to amend the licence conditions for the operation of petroleum facilities

The National Energy Regulator (the Energy Regulator) is a regulatory authority established as a juristic person in terms of section 3 of the National Energy Regulator Act, 2004 (Act No. 40 of 2004). The Energy Regulator's mandate is to regulate the electricity, piped-gas and petroleum pipelines industries in terms of the Electricity Regulation Act, 2006 (Act No. 4 of 2006), Gas Act, 2001 (Act No. 48 of 2001) and Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

The Energy Regulator has received the following applications for the amendment to the licence conditions issued to operate petroleum facilities:

| Licensee Name  | Description   | Licence Number      |
|--|---|---------------------|
| BP Southern Africa (Pty) Ltd and Sasol Oil (Pty) Ltd                                 | Application for the second amendment to the conditions of a licence issued for the operation of a petroleum storage facility in Waitloo, Gauteng.                               | PPL.sf.F3/129/2013  |
| Chevron South Africa (Pty) Ltd and Total South Africa (Pty) Ltd                      | Application for the second amendment to the conditions of a licence issued for the operation of a petroleum storage facility in Kroonstad, Free State.                          | PPL.sf.F3/30/1/2006 |
| Chevron South Africa (Pty) Ltd, Engen Petroleum Ltd and Total South Africa (Pty) Ltd | Application for the first amendment to the conditions of a licence issued for the operation of a petroleum storage facility in Port Elizabeth, Eastern Cape.                    | PPL.sf.F3/34/2006   |
| Vopak Durban Terminal (Pty) Ltd  | Application for the fourth amendment to the conditions of a licence issued for the operation of a petroleum storage facility in Farewell and King Sites, Durban, KwaZulu-Natal. | PPL.sf.F3/81/1/2006 |

These applications are available on the Energy Regulator website at <http://www.nersa.org.za> under "Notices/Invitation to comment". The licence conditions issued are also available at <http://www.nersa.org.za> under "Licences".

Stakeholders and members of the public are invited to comment on the applications in writing. Requests for the confidential treatment of information contained in the comments submitted must be made in accordance with rule 4 of the Petroleum Pipelines Act Rules, 2014 (GN R. 1140 in GG 38308 of 12 December 2014) (the Rules). The Rules are also available on the Energy Regulator website at <http://www.nersa.org.za> under "Petroleum Pipelines/Legislation".

Written comments must be sent to the Energy Regulator for the attention of Mr Martin Untiedt at:

**Post:** Petroleum Licensing, Compliance and Dispute Resolution  
The National Energy Regulator

PO Box 40343  
Arcadia  
Pretoria, 0007

**Email:** [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za)

**Fax:** 012 401 4700

**Closing date for comments: 2 October 2017**

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Stakeholders and members of the public are also invited to attend public hearings on the above mentioned applications scheduled as follows:

**Date:** 5 October 2017  
**Venue:** Kulawula House  
526 Madiba Street  
Arcadia, Pretoria  
**Time:** 10h00

Members of the public and stakeholders wishing to attend or present their view at the public hearings must submit their requests by **28 September 2017** to Ms Fay Ncube at:

**Tel No:** 012 401 4789  
**Fax No:** 012 401 4700  
**E-mail:** [publichearing@nersa.org.za](mailto:publichearing@nersa.org.za)

Note:

The public hearing into a specific application will not take place if no party has registered to make representation to the Energy Regulator with regards to that specific application. Persons that have registered to attend will be notified and a notice of cancellation will be published on the Energy Regulator website.



## FORM E

Application for an amendment of a licence in terms of section 23 of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003)

### INSTRUCTIONS

1. Before completing this form, you are advised to read the following documents:
  - (a) the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and its Regulations; and
  - (b) the Rules made in terms of the Petroleum Pipelines Act, specifically rule
2. Please note that this form has five sections (A, B, C, D & E). An applicant must provide all information and supporting documentation required. Incomplete applications will not be accepted.
3. The completed form with supporting documentation must be delivered to the Energy Regulator:
  - (a) by registered mail to: P O Box 40343, Arcadia 0007; or
  - (b) by hand at: Kulawula House, 526 Madiba Street, Arcadia, Pretoria; or
  - (c) electronically to [pipelines@nersa.org.za](mailto:pipelines@nersa.org.za); or
  - (d) by fax to 012 401 4700
4. If you want to request the confidential treatment of certain information in your application, you must do so in accordance with Rule 4 of the Rules made in terms of the Petroleum Pipelines Act.

#### Enquiries:

|             |   |
|-------------|---|
| Contact:    | Executive Manager: Petroleum Pipelines Regulation |
| Contact No: | (012) 401 4600                                    |
| Fax No.:    | (012) 401 4700                                    |

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#### Official Use Only

|                  |       |
|------------------|-------|
| Date received    | _____ |
| Reference number | _____ |

**SECTION A: CATEGORY OF THE APPLICANT**

1. Indicate if you are the licence holder or a party affected by the licence by ticking the appropriate box below:

I am the licence holder

I am a party affected by the licence

**SECTION B: DETAILS OF THE APPLICANT**

2. Full registered name of the applicant...

**Chevron South Africa Pty (Ltd) (Company Registration No: 1911/001154/07);  
Engen Petroleum Limited, (Company Registration No: 1989/003754/06)**

and

**Total South Africa (Pty) Ltd (Company Registration No: 1954/003325/07)**

Trading name of the applicant (if different from the registered name)

**Not applicable**

3. Registration number of company (if applicable) ... Refer section B: 2.
4. Name of mandated representative (if applicable). Attach documentary proof of mandate given to representative...**Donovan Wilson (Chevron South Africa) on behalf of the Joint Venture comprising of Chevron South Africa Pty (Ltd), Engen Petroleum Limited, and Total South Africa (Pty) Ltd. All three companies have provided the required mandated representative letters and authorisation for Chevron to make the application (included in the submission).**
5. Physical address **5 Century Boulevard, Century City, 7441, South Africa**  
Postal address **PO Box 714, Cape Town, 8000**
6. Telephone number **021-4037911**
7. Fax Number **021-4037508**

8. Email address **ddwilson@chevron.com**

9. Details of mandated representative, including:

- (a) designation, **Regional Operations Support Coordinator**
- (b) family name, **Wilson**
- (c) first name, **Donovan**
- (d) telephone number, **021-4037882**
- (e) fax number, and **021-4037508**
- (f) email address. **ddwilson@chevron.com**

**SECTION C: DETAILS OF THE LICENCE**

10. Name of licensee: **Jointly issued to:**

**Chevron South Africa Pty (Ltd) (Company Registration No: 1911/001154/07);  
Engen Petroleum Limited, (Company Registration No: 1989/003754/06)**

**and**

**Total South Africa (Pty) Ltd (Company Registration No: 1954/003325/07)**

11. Type of licence or licensed activity to which this application is applicable

**Licence for the operation of a petroleum storage facility**

12. Location of the facility **Oil Site Complex, Port Elizabeth, Eastern Cape Province**

13. State the licence number (if known) **PPL.sf.F3/34/2006**

**SECTION D: DETAILS OF THE APPLICATION**

14. Clearly indicate the amendments that you seek. Please indicate each amendment sought separately and provide details thereof. If the amendment is to a particular condition, cite the condition. (Add additional page(s), if necessary).

**The amendment application relates to Annexure B (Tank Allocation and Capacities) on the current licence. A replacement for Annexure B is included**

with this application and is the updated Tank Allocation and Capacities for this storage facility.

The following table illustrates the changes in Tank Allocation and Capacities and reasons for the changes are included on the table. Further detailed reasons are included in 15 below. An updated annexure B is provided on page 7.

Current Annexure B

| Tank No.                       | Tank Type             | Products       | Operational Capacity (m <sup>3</sup> ) |
|--------------------------------|-----------------------|----------------|--|
| 383                            | Vertical Floating     | LRP            | 9,791                                  |
| 412                            | Vertical Floating     | ULP            | 2,074                                  |
| 413                            | Vertical Cone         | Not in service | 1,268                                  |
| 414                            | Vertical Cone         | IK             | 1,266                                  |
| 415                            | Vertical Cone         | Not in service | 1,268                                  |
| 416                            | Vertical Cone         | ULP            | 2,441                                  |
| 417                            | Vertical Cone         | ULP            | 1,299                                  |
| 418                            | Vertical Floating     | ULP            | 2,161                                  |
| 419                            | Vertical Cone         | IK             | 4,189                                  |
| 420                            | Vertical Hemispheri   | LRP            | 5,140                                  |
| 421                            | Vertical Cone         | DGO            | 4,192                                  |
| 422                            | Vertical Cone         | DGO            | 4,159                                  |
| 610                            | Horizontal            | ULP (Flushing) | 80                                     |
| 611                            | Horizontal            | ULP            | 80                                     |
| 657                            | Vertical Floating     | ULP            | 6,534                                  |
| 658                            | Vertical Cone         | DGO            | 10,180                                 |
| 696                            | Vertical Floating     | ULP            | 6,391                                  |
| 1081                           | Vertical Cone         | DGO            | 6,300                                  |
| 1495                           | Vertical Cone         | ULP            | 2,045                                  |
| 1506                           | Vertical Cone         | DGO            | 3,857                                  |
| 012T                           | Horizontal            | Not in service | 81                                     |
| 013T                           | Horizontal            | Not in service | 81                                     |
| T5                             | Horizontal            | Slops          | 76                                     |
|                                |                       |                |  |
| <b>Total no. of tanks = 23</b> | <b>Total Capacity</b> |                | <b>74,954</b>                          |

Updated Annexure B

| Products              | Design Capacity (m <sup>3</sup> ) | Operational Capacity (m <sup>3</sup> ) | What has changed?  |
|-----------------------|-----------------------------------|--|--|
| Petrol                | 10596                             | 9310                                   | (1) Design capacity updated; (2) Updated operational capacity      |
| Petrol                | 2254                              | 1862                                   | (1) Design capacity updated; (2) Updated operational capacity      |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Diesel                | 4358                              | 3878                                   | (1) Product; (2) Design capacity updated; (3) operational capacity |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Diesel                | 4289                              | 3851                                   | (1) Design capacity updated; (2) Updated operational capacity      |
| Diesel                | 4375                              | 4010                                   | (1) Design capacity updated; (2) Updated operational capacity      |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Petrol                | 6758                              | 6356                                   | (1) Design capacity updated; (2) Updated operational capacity      |
| Diesel                | 10594                             | 10407                                  | (1) Design capacity updated; (2) Updated operational capacity      |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Diesel                | 6856                              | 6013                                   | (1) Design capacity updated; (2) Updated operational capacity      |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Diesel                | 4137                              | 3469                                   | (1) Design capacity updated; (2) Updated operational capacity      |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
|                       |                                   |  | Tank no longer in service/decommissioned                           |
| Petrol                | 6810                              | 5344                                   | Omitted from the initial licence application                       |
| <b>Total Capacity</b> | <b>61027</b>                      | <b>54500</b>                           |  |

15. Provide detailed reasons and motivation for each of the amendments sought in 16 above (add additional page(s), if necessary).

At the time of licence application, the tank product allocation was for the then market demand and tankage available. With the changes in market demand and tank repair requirements, certain tanks are not economically viable to repair and therefore removed from service. The current active tanks at this storage facility meet the current market demand for the licence holders.

**Outlining some of the changes in the Tank Allocation and Capacities illustrated in 14 above:**

- 1) For the tanks listed as “Tank no longer in service/decommissioned”, a verification letter from the facility’s contracted Engineers is included with this application to confirm that the tanks are permanently removed from service.**
- 2) Tank 419’s product allocation changed from IK to Diesel aligned to the storage required to meet the market demand for the licence holders.**
- 3) Design capacities of all the current active tanks are now included.**
- 4) The tank strapping tables were revalidated and operational capacities recomputed.**
- 5) Tank 1522 was an omission on the initial licence application and should be included as it forms part of the current active tanks at the facility.**

**In summary, the licence holders have reviewed all the tank capacities for the current active tanks and the updated capacities (design and operational) are supported by the current certified strapping tables.**

**16. Substantiate your reasons and motivation in 17 above by submitting documentary proof of your claims.**

**Documentary proof as outlined in 15 are included with this application.**

**17. Where the amendment sought is an amendment to an existing tariff, information listed in rules 12(7) and 12(8) must also be provided.**

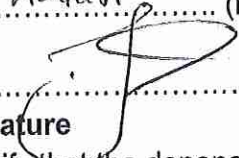
**Not applicable**

**SECTION E: SOLEMN DECLARATION BY APPLICANT OR MANDATED REPRESENTATIVE**

I (full names) DONOVAN DEON WILSON Identity Number. [REDACTED] hereby declare that:

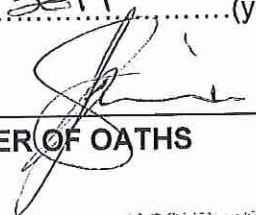
- (a) I am authorised by CHEVRON SOUTH AFRICA (PTY) LTD to make this declaration (attach the authorisation); and
- (b) all information provided herein is within my personal knowledge and is both true and correct.

Signed at CENTURY CITY (place) on this 11<sup>th</sup> day of August (month) 2017 (year).

  
Signature

I certify that the deponent:

- (a) has acknowledged that she/he knows and understands the contents of this application form and its annexures, that she/he has no objection to taking the prescribed oath and that she/he considers the oath binding on her/his conscience; and
- (b) has in the prescribed manner sworn that the contents of this application form and its annexures are true and signed same before me at Century City (place) on this 11<sup>th</sup> day of August (month) 2017 (year).

  
COMMISSIONER OF OATHS

Name: JACQUELINE SMITH  
COMMISSIONER OF OATHS  
Address: ATTORNEY B.S.A.  
CHEVRON SOUTH AFRICA (PTY) LTD  
Capacity: CHEVRON CENTURY CITY  
5 CENTURY BOULEVARD  
CENTURY CITY 7441, CAPE TOWN



**Annexure B:**

| <b>Tank No.</b>                | <b>Tank Type</b>  | <b>Products</b>       | <b>Design Capacity (m<sup>3</sup>)</b> | <b>Operational Capacity (m<sup>3</sup>)</b> |
|--------------------------------|-------------------|-----------------------|--|---|
| <b>383</b>                     | Vertical Floating | Petrol                | 10596                                  | 9310  |
| <b>412</b>                     | Vertical Floating | Petrol                | 2254                                   | 1862  |
| <b>419</b>                     | Vertical Cone     | Diesel                | 4358                                   | 3878  |
| <b>421</b>                     | Vertical Cone     | Diesel                | 4289                                   | 3851  |
| <b>422</b>                     | Vertical Cone     | Diesel                | 4375                                   | 4010  |
| <b>657</b>                     | Vertical Floating | Petrol                | 6758                                   | 6356  |
| <b>658</b>                     | Vertical Cone     | Diesel                | 10594                                  | 10407                                       |
| <b>1081</b>                    | Vertical Cone     | Diesel                | 6856                                   | 6013  |
| <b>1506</b>                    | Vertical Cone     | Diesel                | 4137                                   | 3469  |
| <b>1522</b>                    | Vertical Cone     | Petrol                | 6810                                   | 5344  |
| <b>Total no. of tanks = 10</b> |                   | <b>Total Capacity</b> | <b>61027</b>                           | <b>54500</b>                                |

# **TANK STRAPPING TABLES - CONFIDENTIAL**