



Licence Number: PPL.sf.F1/110/2011

LICENCE FOR THE CONSTRUCTION OF PETROLEUM FACILITIES

This combined licence is issued by the National Energy Regulator, hereinafter referred to as "NERSA", in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

This licence is issued to

BP SOUTHERN AFRICA (Pty) Ltd

(Company Registration No:1924/002602/07)

hereinafter referred to as "the Licensee".

This licence is only for the purpose of construction of a petroleum storage facility located at:

Air BP, Rand Airport, Germiston, Gauteng

The construction of the petroleum facilities permitted under this licence is subject to the conditions as imposed by NERSA and/or any amendments to these conditions.

Issued at Pretoria on this 13th day of February 2012.



**CHIEF EXECUTIVE OFFICER
NATIONAL ENERGY REGULATOR**





Licence Number: PPL.sf.F1/110/2011

LICENCE FOR THE CONSTRUCTION OF A PETROLEUM STORAGE FACILITY

This licence is issued by the National Energy Regulator, hereinafter referred to as "NERSA", in terms of the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

This licence is issued to

BP SOUTHERN AFRICA (PTY) LTD
(Company Registration No: 1924/002602/07)

hereinafter referred to as "the Licensee".

This licence is only for the purpose of construction of a petroleum storage facility located at:

Air BP, Rand Airport, Germiston, Gauteng

The construction of the petroleum facility permitted under this licence is subject to the terms and conditions as contained in this licence and/or amendments to these conditions as imposed by NERSA.

Issued at Pretoria on this 13th day of February 2012.


CHIEF EXECUTIVE OFFICER

LICENCE FOR THE CONSTRUCTION OF A PETROLEUM STORAGE FACILITY

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DEFINITIONS

In these licence conditions any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, unless the context indicates otherwise:

“Act” means the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003) and includes Regulations;

“authorised person” means authorised person as defined in the Rules;

“commencement date” means the date contemplated in condition 2.

“licensed activity” means the activity contemplated in condition 1 of these conditions;

“Regulations” means Regulations made in terms of sections 33(1) and 33(2) of the Act;

“Rules” means Rules made by NERSA in terms of section 33(3) of the Act.

ACRONYMS/ABBREVIATIONS

“ASTM” means American Society for Testing and Materials

“Avgas” means aviation gasoline or fuel used for propeller aircraft

“Jet A-1” means jet fuel used for jet turbine aircraft

“L/min” means Litres per minute

“m” means meters

“m³” means cubic meters

“SANS” means South African National Standards

CHAPTER ONE: LICENSED ACTIVITY

1. Licensed Activity

1.1. The NERSA grants the BP Southern Africa (Pty) Ltd a licence to construct a petroleum storage facility located at:

Air BP, Rand Airport, Germiston, Gauteng

as follows:

- a) storage tanks comprising of:
 - four (4) above ground tanks with design capacity of 30 m³ each as further detailed in **Annexure B-1: Tank Details of the licensed activity**; and
- b) auxiliary equipment designed to be capable to receive product via road at a rate of 450 L/min maximum, and discharge product at a maximum rate of 95 L/min through fuel hoses as shown in **Annexure B-2: New Avgas and Jet A-1 Installation**; together referred to as "**the facility**".

- 1.1 This licence is issued to the licensee for the construction of the facility contemplated in paragraph 1.1 for the storage of petroleum products only.
- 1.2 The location and overall site layout for the facility is shown in **Annexure A: Site Layout Drawing**.
- 1.3 Details of the facility to be constructed are provided in **Annexure B-1: Tank Details** and **Annexure B-2: New Avgas and Jet A-1 Installation** both contained in **Annexure B: Details of facilities to be constructed**.

2. Commencement and Duration of Licence

- 2.1 This licence commences on the date of issue of this licence.
- 2.2 This licence is valid for a period of 25 (twenty-five) years from the commencement date.
- 2.3 The Licensee may, in accordance with the Act and the Rules, apply for an amendment or renewal of the licence.

CHAPTER TWO: GENERAL CONDITIONS

3. General Conditions of Licence

Sections 20(1) (a), (b), (c), (d), (e), (j), (l), (n), (o), (p), (r), (t), (u), (v), (w), (y), (aa) and (bb) of the Act are conditions of this licence.

4. Compliance with Conditions of Licence

The Licensee must comply with all conditions of this licence.

5. Compliance with Legislation, Operation Codes and Standards

5.1. The Licensee must comply with all applicable legislation, operation codes and standards, including those listed in **Annexure C – Legislation, Operation Codes and Standards**.

6. Amendment of Licence

- 6.1. This licence may only be amended in accordance with the Act and the Rules.
- 6.2. NERSA may temporarily change these licence conditions in an emergency.

7. Revocation of Licence

- 7.1. This licence may only be revoked in accordance with the Act and the Rules.
- 7.2. Should the licensee fail to commence construction of the facility within the time period contemplated in condition 11.1, the licensee must within 15 calendar days of the elapse of that time period, apply to NERSA for the revocation of this licence.

8. Changes in Details of the Licensee

- 8.1. The Licensee must, within 30 (thirty) days of changes in its control as contemplated in section 12(2) of the Competition Act, 1998 (Act No. 89 of 1998), notify NERSA of such changes.
- 8.2. The Licensee must, within 14 (fourteen) days of any change in its registered name, operating or trading name, registered address or other contact details, notify NERSA of such a change.

9. Changes to the Facilities

- 9.1. When approached by interested parties, the Licensee must negotiate for changes in the capacity of the facility to be constructed. The cost of such changes must be shared equitably between the Licensee and the party requesting the change.
- 9.2. Any changes to the facility to be constructed that, in terms of the Act, may require an amendment or revocation of this licence, or a new licence, must not be effected until NERSA has amended or revoked this licence or issued a new licence.
- 9.3. Changes to the facility must be made in accordance with applicable legislation, codes and standards including those listed in **Annexure C - Legislation, Construction Codes and Standards**.

10. Correspondence with NERSA

- 10.1. All official communication with NERSA must be in writing and must be addressed to the Chief Executive Officer and copied to the Regulator Member Primarily Responsible for Petroleum Pipelines Regulation.
- 10.2. The Licensee must, in all correspondence with NERSA, quote the licence number as it appears on the licence certificate.

CHAPTER THREE: SPECIFIC CONDITIONS

11. Commencement and Completion of Construction

- 11.1. Construction of the facility must commence within three (3) calendar months of the date of issue of this licence.
- 11.2. The Licensee must prior to the commencement of the construction of the facility:
 - (a) provide NERSA with the final, revised engineering design drawings for the facility, if any changes took place since the licence application was submitted; and
 - (b) notify NERSA of the date on which construction will commence and provide the revised project schedule (see **Annexure D - Project Schedule**).
- 11.3. The construction of the facility must be completed and ready for operation within twelve (12) months of the commencement of the construction date contemplated in condition 11.2(b).

12. Information for Monitoring Purposes

- 12.1. The Licensee must provide NERSA with progress reports after every four calendar months from the date of issue of the licence.
- 12.2. The reports contemplated in condition 12.1 above, must be submitted within seven (7) days from the last day of every four calendar month period.
- 12.3. The first progress report must be submitted within seven (7) days of the last day of the four calendar months calculated from the date of issue of this licence.

- 12.4. The reports contemplated in condition 12.1 above must provide updates on:
- (a) progress towards and award of all Engineering Procurement and Construction contracts;
 - (b) any negotiations contemplated in sections 20(n) and 20(1)(o) of the Act;
 - (c) progress in the construction of the facility compared to the project plan schedule contained in **Annexure D - Project Schedule, Table D-1** (where there have been changes to the project schedule, the updated project plan must be submitted with the progress report); and
 - (d) proof of compliance to the conditions of the environmental authorisation issued by the relevant authority; and
 - (e) any other related matter.
- 12.5. Upon completion of construction of the facility, the Licensee must:
- (a) provide NERSA with:
 - (i) the as-built maps, drawings, diagrams and schedules, identifying any deviations and differences from **Annexures A, B, C and D**, and must provide reasons for such deviations and differences;
 - (ii) the final audited costs of construction of the facility; and
 - (iii) a certificate or confirmation from a competent authority certifying or confirming that the facility are fit for operation.

13. Regulatory Reporting

The Licensee must comply with volume 1 and volume 4 of NERSA's Regulatory Reporting Manuals published under GN 1118 in *Government Gazette* No. 31392 of 10 September 2008, which may be amended by NERSA from time to time.

14. Entry, Inspection and Gathering of Information

The Licensee must, in a manner prescribed by the Rules, permit any authorised person to enter and inspect any property on which the licensed activity is taking place.

15. Provision of Information to NERSA

The Licensee must on request from NERSA, provide all other information NERSA may require to perform its functions under the Act.

16. Ancillary Obligations

The Licensee is responsible for compliance with these licence conditions regarding any work on the facility or services that are the subject of this licence and/or that are subcontracted to other parties.

17. Whole Licence

This licence constitutes the entire licence and supersedes any prior understandings and agreements between the Licensee and NERSA.

ANNEXURES:

ANNEXURE A: SITE-LAYOUT DRAWING

Site Plan – New Avgas and Jet A-1 Installation

ANNEXURE B: DETAILS OF FACILITY TO BE CONSTRUCTED

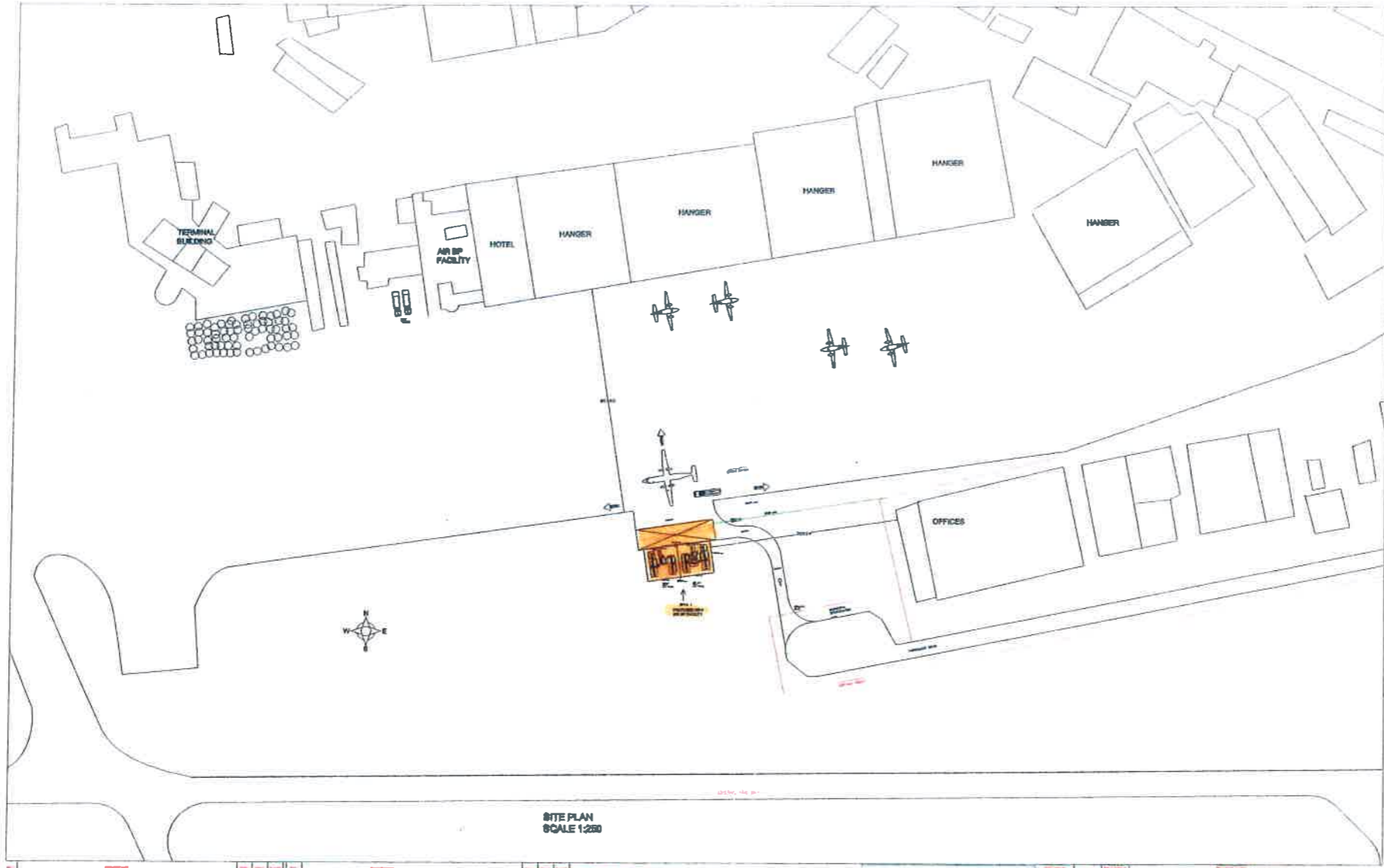
Annexure B-1: Tank Details

Annexure B-2: New Avgas and Jet A-1 Installation

ANNEXURE C: LEGISLATION, CODES AND STANDARDS

ANNEXURE D: PROJECT SCHEDULE

Project Development Programme



SITE PLAN
SCALE 1:250

NO.	REVISION	DATE	BY	APPROVED
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

NO.	REVISION	DATE	BY	APPROVED
1				
2				
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NOTES:
1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
4. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE SPECIFIED.
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NO.	REVISION	DATE	BY	APPROVED
1				
2				
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10				

PROJECT: RAND AIRPORT, JOHANNESBURG
 TITLE: NEW AVIATION AND JET A-1 REINSTALLATION
 DRAWING NO.: PROPOSED A & B-1-1 TARM LAYOUT
 SCALE: (A1) SCALE 1:300 (RAN1112/2009/2009)
 SHEET NO.: 3

ANNEXURE B: DETAILS OF FACILITY TO BE CONSTRUCTED

Annexure B-1: Tank Details

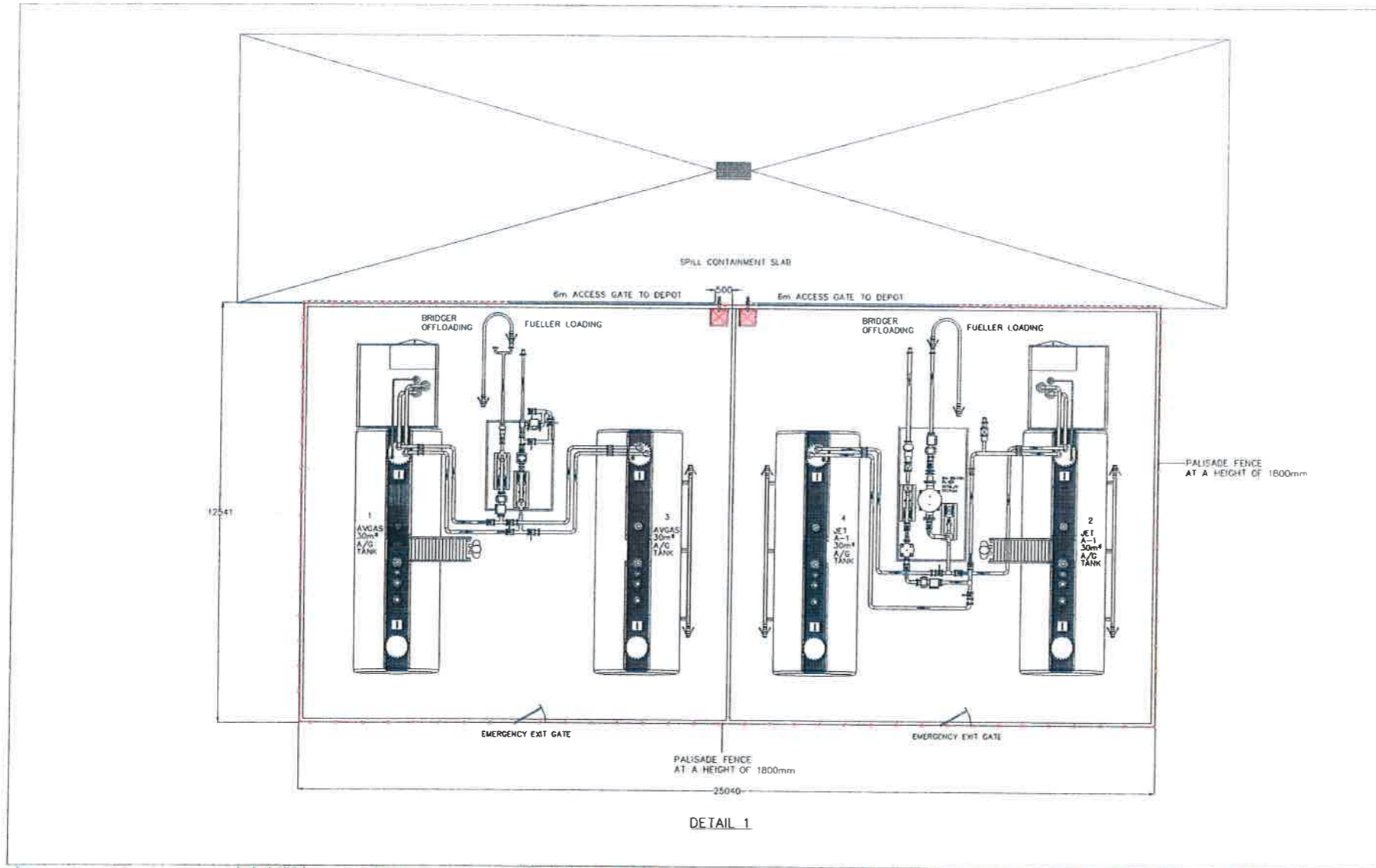
The details relating to the storage tanks to be constructed are:

Table B-1: Tank Details

Tank Number	Tank Type	Product Type	Diam. (m)	Height (m)	Design Capacity (m ³)
1	Double-skinned Ballistic Tank	Avgas	2.591	3.248	30
2	Double-skinned Ballistic Tank	Jet A-1	2.591	3.248	30
3	Double-skinned Ballistic Tank	Avgas	2.591	3.248	30
4	Double-skinned Ballistic Tank	Jet A-1	2.591	3.248	30
Combined capacity:					120

Annexure B-2: New Avgas and Jet A-1 Installation

The details relating to the auxiliary infrastructure and equipment are shown in drawing titled "*New Avgas and Jet A-1 Installation*", drawing number no RAN/012/2000-2999 on the next page.



DETAIL 1

NO.	REV.	DATE	DESCRIPTION	BY	CHECKED	APPROVED
1			ISSUED FOR APPROVAL			
2			ISSUED FOR APPROVAL			
3			ISSUED FOR APPROVAL			
4			ISSUED FOR APPROVAL			
5			ISSUED FOR APPROVAL			
6			ISSUED FOR APPROVAL			
7			ISSUED FOR APPROVAL			
8			ISSUED FOR APPROVAL			
9			ISSUED FOR APPROVAL			
10			ISSUED FOR APPROVAL			



PROJECT	NO.	DATE	REVISION	BY	CHECKED	APPROVED
PRELIM	001	2011/01/01				
TENDER						
CONTR.						
AS BUILT						

PROJECT: RANET AIRPORT JOHANNESBURG
 TITLE: NEW AVGAS AND JET A-1 INSTALLATION
 PROPOSED INSTALLATION OF 4 X 30m³ AVGAS AND JET A-1 DOUBLE 30m³ TANKS ON STAND 8999
 (A1) AS BUILT | 15045122000-2999 | 9

ANNEXURE C: Legislation, Codes and Standards

1. The Licensee must comply with all relevant codes and standards including the following submitted in its licence application:

a. Core Petroleum Industry Standards:

- SANS 10019 – Transportable metal containers for compressed gas;
- SANS 10087-1/2/3/6/7/8/10 - The handling, storage, and distribution of liquefied petroleum gas;
- SANS 10089-1 - The Petroleum industry – Part 1: Storage and distribution petroleum products in above-ground bulk installations;
- SANS 10089-2 -The Petroleum industry – Part 2: Electrical installations in the distribution and marketing sector;
- SANS 10089-3 -The Petroleum industry – Part 3: The installation of underground storage tanks, pumps/dispensers and pipe work at service stations and consumer installations;
- SANS 10131 - Above-ground storage tanks for petroleum products; and

b. Relation to Aviation Facilities:

- Air BP Regulations Fuelling and Quality Control;
- Jet A-1 meeting British Ministry of Defence Standard 91-91;
- Jet A-1 meeting ASTM D 1655;
- Avgas 100LL meeting British Ministry of Defence Standard 91-90;
- All fixed storage and dispensing systems comply with SANS 10089;
- Airports Company South Africa standard D010 004AOM – Refuelling of aircraft (applies at ACSA controlled airports).

2. The Licensee must also comply with all other relevant legislation, including but not limited to the following:
 - a. Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);
 - b. The National Environmental Management Act, 1998 (Act No. 107 of 1998);
 - c. The Environment Conservation Act, 1989 (Act No. 73 of 1989);
 - d. The National Water Act, 1998 (Act No. 36 of 1998);
 - e. The Water Services Act, 1977 (Act No. 108 of 1977);
 - f. National Environmental Management Air Quality Management Act, 2004 (Act No. 39 of 2004);
 - g. The Hazardous Substances Act, 1973 (Act No. 15 of 1973);
 - h. The Health Act, 1977 (Act No. 63 of 1977);
 - i. The National Health Act, 2003 (Act No. 61 of 2003); and
 - j. The National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977).

ANNEXURE D: PROJECT SCHEDULE

Project Development Programme

Phase	Tanks	Combined capacity	Estimated completion date
Phase 1	Tanks No. 1 and 2	60 m ³	31 October 2011
Phase 2	Tanks No. 3 and 4	60 m ³	31 March 2012