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**APPLICATION FOR THE CONSTRUCTION OF A PETROLEUM STORAGE FACILITY IN TERMS OF THE PETROLEUM PIPELINES ACT, NO 60 OF 2003 ("THE ACT")**

**APPLICANT**

FFS Refiners (Pty) Ltd, company registration number: 1986/003962/07 (hereinafter referred to as "the Company").

**SHAREHOLDERS**

The majority shareholder of the Company is Fuelmark Investments (Pty) Ltd with a 51% shareholding and the balance is held by FFS Calpet (Pty) Ltd with 25.1% and FFS Management Company (Pty) Ltd with 23.9% of the shareholding.

**ADDRESS**

104 Umhlatuzana Road

PO Box 25102

Seaview

Seaview

4094

4073

**CONTACT DETAILS OF MANDATED REPRESENTATIVE**

Name and surname: Mr Donald Ainslie Cochran

Designation: Financial Director

Telephone: (031) 459 5300

Fax: (031) 459 5326

Email: [admin@ffs.co.za](mailto:admin@ffs.co.za)

**COMMENCEMENT DATE**

1 July 2010

## **ADDITIONAL INFORMATION**

An application is made for the confidential treatment of information submitted, "Annexure A, pg 15".

Furthermore, application for a storage and pipeline operation license was submitted in March 2008. Reference number PPL.sf.F3/81/2008 was allocated to said application. On 8 January 2010, the Energy Regulator granted permission to the Company to operate storage facilities in Brackenfell, Cape Town Harbour Tank Farm, Patterson Depot and Prospecton Depot as per the letter attached hereto as "Annexure B, pg 16". The permission granted by the Energy Regulator to operate storage facilities in respect of Brackenfell Depot, Patterson Depot and Prospecton Depot are currently in the process of being appealed as per the letter attached hereto as "Annexure C, pg 17".

## **LICENCE CONDITIONS**

The construction of the storage tank will take place at the Company's Cape Town facility which has a storage and petroleum operating license, number PPL.sf.F3/83/10/2008. The proposed 1200m<sup>3</sup> storage tank, for which this construction application is being made, will form an integral part of the Company's manufacturing processes and is for its own use.

Thus, the conditions listed in terms of Section 20(1)(e) to (p) of the Act which may be imposed by the Authority are not applicable to the Company. The Company however does, undertake to comply with the Act and Regulations, as amended, insofar as it applies to them.

## **FUTURE DEVELOPMENT**

The Company intends making application for the leasing of additional land from the Transnet National Ports Authority. In this regard, the additional land will be used for the future development of 5 tanks with a total volume capacity of 8862m<sup>3</sup> in order to accommodate the Company's future expansion.

## **RECORD OF DECISION FROM THE RELEVANT ENVIRONMENTAL AUTHORITIES IN ACCORDANCE WITH THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, NO. 107 OF 1998**

The Company has submitted the scoping report and application forms for the proposed 1200m<sup>3</sup> storage tank to the relevant environmental department. The Company currently awaits the outcome of the environmental department's decision, as per the attached proof of application, marked "Annexure D1 and D2, pg 18-19".

### **CONFIDENTIAL INFORMATION**

Information relating to the site plans as well as the Company's annual financial statement is deemed security and commercially sensitive, thus are not available for public viewing, as per the confidentiality application made under Annexure A, pg 15.

### **DOCUMENTATION**

- Certificate of Incorporation (CM1) ("Annexure E, pg 20");
- Certificate to commence business (CM 46) ("Annexure F, pg 21");
- A copy of the Company's latest annual audited financial statements ("Annexure G, pg 22");
- A copy of the Company's BEE certificate ("Annexure H, pg 23")

### **LIST OF APPLICABLE LEGISLATION**

- **ACTS**

Occupational Safety and Health Act, 85 of 1993, as amended

Environmental Conservation Act, No 73 of 1989

National Environmental Management Act, No 107 of 1998

National Water Act, No 36 of 1998

Marine Pollution Act (Control and Civil Liabilities), No 6 of 1981

National Environmental Management Air Quality Act, No 39 of 2004

National Environmental Management Waste Act, No 59 of 2008

- **REGULATIONS**

EIA Regulations – Government Notice 385 in terms of NEMA

Waste Management Activities GN 718

Various regulations under NEMAQA

- **BY-LAWS (CITY OF CAPE TOWN)**

By-law relating to community fire safety, 2002

By-law relating to air pollution control, 2003,

By-law relating to waste water, 2006

By-law relating to storm water management, 2006

By-law relating to waste management, 2009

By-law relating to environmental health, 2003

- **SOUTH AFRICAN NATIONAL STANDARDS CODES**

SANS 10089-1:2003

BS2654:1997

- **OTHER**

Transnet National Ports Authority, Port of Cape Town, Oil Spill Contingency Plan

**DECLARATION**

I, **DONALD AINSLIE COCHRAN**, identity number ~~XXXXXXXXXX~~, hereby declare that all the information and documentation provided herein is within my personal knowledge and is true and correct.

Signed at DURBAN on this the 13 day of April 2010.



**D A COCHRAN** FCIS  
PROFESSIONAL ACCOUNTANT (SA)

**FINANCIAL DIRECTOR**

I certify that the deponent:

- (i) has acknowledged that he knows and understands the contents of this application and its annexure;
- (ii) has no objection to taking the prescribed oath; and
- (iii) has in the prescribed manner sworn that the contents of this application and its annexure are true.

Sworn before me at DURBAN on this the 13<sup>th</sup> day of APRIL 2010.



**COMMISSIONER OF OATHS**

Name: **NAZEER ESSOP AHMED CA (SA)**  
~~COMMISSIONER OF OATHS (CA)~~  
104 UMHLATUZANA ROAD  
SEAVIEW DURBAN  
REF # 03239693  
Designation: \_\_\_\_\_

**1. TECHNICAL DESCRIPTION OF PROPOSED STORAGE FACILITY TO BE CONSTRUCTED**

- (a) The tank will be situated at the Company's Cape Town Harbour Tank farm site which physical address is Eastern Mole 2, Port of Cape Town. The property is currently leased from Transnet National Ports Authority. Site co-ordinates: 18° 26' 20.19"E 33° 54' 37.91"S;  
18° 26' 22.10"E 33° 54' 39.39"S;  
18° 26' 18.57"E 33° 54' 39.39"S;  
18° 26' 20.53"E 33° 54' 40.88"S.
- (b) A plan layout of the facility indicating where the tank will be constructed is attached hereto "Annexure I, pg 24".
- (c) The height and diameter of the tank is 9.55m x 18.0m (shell).
- (d) The tank type is vertical, above ground with a conical roof.
- (e) The product to be stored in the tank is heavy furnace oil.
- (f) The design capacity is 1200m<sup>3</sup>.
- (g) Kindly refer to points (c) and (f) regarding the physical dimensions and capacity of the storage tank.
- (h) A pipeline will be built which would enable the product to be taken into and out of the tank at a rate of 200m<sup>3</sup> per hour.
- (i) Kindly refer to "Annexure I, pg 24" and "Annexure J, pg 25" in respect of the drawings showing the storage facility design, location, the containment system to prevent overflow and leakage. Furthermore, kindly refer to "Annexure K, pg 26" and "Annexure L, pg 27" for a description of the regular inspection and maintenance procedures and for the handling of contaminated water run-off, respectively.

**2. ELECTION OF ACCESS ARRANGEMENTS CONTEMPLATED IN SECTION 20(1) (n) OF THE ACT**

No access or uncommitted capacity is available for third parties as the intended storage facility is for own use. This is because the Company is currently operating at optimum capacity.

The Energy Regulator will be duly informed in the event of capacity becoming available for third parties.

**3. PROVISIONS FOR METERING, INCLUDING TYPE OF METERS, ACCURACY AND CALIBRATION ARRANGEMENTS**

The metering system will be a Smith Mechanical Temperature Compensation Flowmeter which will be connected to a Metermatic EM-5 Electronic Digital Display and Batch Controller and will be assized according to SANS 10378:2005.

**4. PROPOSED TARIFFS FOR THE FACILITY AND DETAILS REGARDING THE METHODOLOGY USED TO DETERMINE SUCH TARIFF**

This is not applicable as the storage facility is for the Company's own use.

**5. EMERGENCY PLAN AS CONTEMPLATED IN TERMS OF SECTION 20(1)(x) OF THE ACT**

The emergency plan as contemplated in terms of Section 20(1) (x) of the Act is attached hereto, marked "Annexure M, pg 28".

**6. STORAGE FACILITY OPERATIONAL PROCEDURES**

The operational procedures are attached hereto marked "Annexure N, pg 29".

**7. STATUS IN TERMS OF THE NATIONAL KEY POINTS ACT, NO 102 OF 1980**

The storage facility is not classified as a national key point in terms of the National Key Points Act, 103 of 1980.

## **8. EXISTING AND PROPOSED SECURITY ARRANGEMENTS**

In order to gain access to the site, an application for an access permit must be made to the Transnet National Ports Authority.

Furthermore, there is a 24 hour grade B security guard patrolling the site as well as full CCTV surveillance. There is also a security beam surrounding the site.

The gates are access-controlled and visitors to the site need to sign the security register.

## **9. DEVELOPMENT PROGRAMME**

The project value is estimated at R 3.5 million (three point five million Rand).  
The development programme is attached hereto marked "Annexure O, pg 30".

**AN EXTRACT FROM THE MINUTES OF THE ROUND ROBIN MEETING OF  
DIRECTORS OF FFS REFINERS (PROPRIETARY) LIMITED  
REG NO 1986/003962/07 (the "Company") – DATED: 2 MARCH 2009**

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**SIGNING OF CONTRACTS AND DOCUMENTS**

It was noted that the Resolution passed on 8 July 2005 needs to be amended.

**IT IS RESOLVED THAT:**

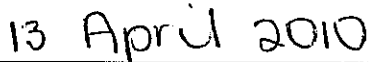
**MR DONALD AINSLIE COCHRAN**, in his capacity as **FINANCIAL DIRECTOR**, and/or  
**MR DONALD WILLIAM HUNTER**, in his capacity as **MANAGING DIRECTOR**, be and are  
hereby authorised to sign all documents and contracts on behalf of the company.

CERTIFIED A TRUE EXTRACT OF THE MINUTES.



---

**M NAICKER B.SOC SC.LLB  
COMPANY SECRETARY**



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DATE



Kulawula House  
526 Vermeulen Street  
Arcadia 0083  
Pretoria, SOUTH AFRICA

PO Box 40343  
Arcadia 0007  
Pretoria  
SOUTH AFRICA

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Fax. +27(0)12 401 4700  
Email. [info@nersa.org.za](mailto:info@nersa.org.za)  
[www.nersa.org.za](http://www.nersa.org.za)

Enquiries: Mr Thabo Ramanamane  
Tel: 012 401 4605  
Fax: 012 401 4767  
Email: [thabo.ramanamane@nersa.org.za](mailto:thabo.ramanamane@nersa.org.za)  
Ref: IDMS 44775  
Date: 16 February 2010

The Company Secretary  
FFS Refiners (Pty) Ltd  
P.O.Box 25102  
Sea View  
4072

Fax No: (031) 459 5326

Dear Ms Nalcker

**LICENCE FOR THE OPERATION OF PETROLEUM STORAGE FACILITIES–  
PPL.sf.F3/81/2006**

We advise that on 8 January 2010, the Energy Regulator granted FFS Refiners (Pty) Ltd storage licences to operate the following four petroleum storage facilities:

- Brackenfell Depot located at Lot 103, Formosa Road, Island View Site 3, Durban;
- Cape Town Harbour Tank Farm located at Port of Cape Town, Western Cape;
- Patterson Depot located at Port Elizabeth, Eastern Cape; and
- Prospecton Depot, 103 Vinter Place, Prospecton, Durban, KwaZulu-Natal.

The remaining facilities applied for do not require licensing due to either being not owned by FFS or being part of a manufacturing facility which falls under the exclusions in the Act.

Accompanying this letter are:

- a copy of the reasons for decision; and
- the licence certificates and associated licence conditions.

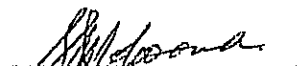
Regulator Members: Ms C Khuzwayo (Chairperson) Mr MJ Lesejana (Deputy Chairperson) \*Mr SS Mokoena (Chief Executive Officer)  
\*Mr T Bukula \*Dr RD Crompton Ms KR Mthimunya \*Ms E Tejleur Ms GN Whittington Banda  
\*Full-time Regulator Members

NERSA is a Regulatory Authority established in terms of the National Energy Regulator Act, 2004 (Act No 40 of 2004)

The Act, the Rules and the Regulations referred to in the licence conditions are available on the NERSA website (<http://www.nersa.org.za>) or on request.

NERSA requests FFS Refiners to indicate any information that it may deem confidential within 14 days from the date of the letter.

Yours sincerely



**Smunda Mokoena**  
Chief Executive Officer



ANNEXURE C

FILE COPY

4 March 2010

Per courier services

Attention: Mr Smunda Mokoena

The Chief Executive Officer  
National Energy Regulator of South Africa  
Kulawula House  
526 Vermeulen Street  
Arcadia  
0083

Dear Sir

**Appeal for the issuing of petroleum storage facilities licences granted in terms of the Petroleum Pipelines Act, No 60 of 2003: reference PPL.sf.F3/81/2008**

Our letter advising of our intention to appeal the Energy Regulator's decision for the issuing of petroleum storage facilities licences in respect of Brackenfell Depot, Prospecton Depot and Patterson Depot dated 3 March 2010 which was faxed and emailed to your offices on the same date refers.

### Facts

On 8 January 2010, the Energy Regulator granted permission to FFS Refiners (Pty) Ltd ("the Applicant") to operate petroleum storage facilities in Brackenfell Depot, Patterson Depot and Prospecton Depot.

---

#### BRANCHES AROUND SOUTH AFRICA

Postal:	HEAD OFFICE P.O. Box 25102 Sea View 4072	EVANDER P.O. Box 1967 Secunda 2302	PMBURG P O Box 22909 Southgate 3200	CAPE TOWN P O Box 36979 Chempet 7442	DURBAN P O Box 25102 Sea View 4072	GAUTENG P O Box 13201 Norkem Park 1631
E-Mail:	ffs@ffs.co.za	evander@ffs.co.za	ffs@pmb.ffs.co.za	ffs@cape.ffs.co.za	ffs@tkwd.ffs.co.za	ffs@chl.ffs.co.za
Tel:	(0) 31 459 5300	(0) 17 632-9100	(0) 33 398-1651	(0) 21 557-4529	(0) 31 465-1466	(0) 11 976-2198
Fax:	(0) 31 459 5326	(0) 17 632-9119	(0) 33 398-1652	(0) 21 557-0667	(0) 31 465-1473	(0) 11 976-4006
Fax Acc:	(0) 31 459 5327					

In terms of the Energy Regulator's reasons for decision, he was of the opinion that in order to "...qualify for an exemption in terms of part (b) of the definition [in the Act], a storage facility must store petroleum product that is intended for the owner's/applicant's own final use." (ROD:point 24:p9). He further contended that "...the interpretation of part (b) of the definition of storage facility which is proposed by the applicant cannot be accepted as it would exclude most storage facilities in the country from application of the Act and regulation by the Energy Regulator." (ROD:point 25:p9).

## **Issues**

The Applicant wishes to appeal the issuing of the petroleum storage facilities operating licenses in respect of the aforementioned sites based on the Energy Regulator's reasoning that the interpretation of part (b) of the definition of storage facility would exclude most storage facilities from the application of the Act and regulation by the Authority.

Alternatively, in terms of Section 20(2)(a) of the Act, the Applicant wishes to delete the licence conditions imposed, namely Section 20(1)(e), (n),(o),(p),(r) and (bb) of the Act as the storage facilities are for the Applicant's own final use and there is no uncommitted capacity or access available for third parties as the sites are operating at optimum capacity.

## **Relevant law**

The objective in the implementation of the Petroleum Pipelines Act, No 60 of 2003, as amended ("the Act") was to promote, regulate and facilitate competition, development and investment of petroleum pipelines, loading facilities and storage facilities, notably in respect of third party access. Furthermore, the Act's objective is also to promote companies owned or controlled by historically disadvantaged South Africans in order to enable them to become competitive within the industry which the Act aims to regulate.

In this regard, the Act defines the following, unless the context indicates otherwise:

**"petroleum"** means *crude oil and petroleum products*;

**"petroleum products"** means *any liquid petroleum, fuel and any lubricant, whether used or unused, and includes any other substance which will be used for a purpose for which any petroleum fuel or any lubricant may be used*;

**"storage facility"** means *any bulk storage facility and its auxiliary equipment that is or is intended to be used for the storage of petroleum and excludes storage facilities:*

- (a) On the premises at which petroleum products are manufactured and where such storage facilities are integral to the process of manufacture;*
- (b) for own final use*[our emphasis];
- (c) used for the retailing of petroleum products to the public;*
- (d) used by an agricultural cooperative exclusively for its members; and*
- (e) used to transport petroleum by road, rail, sea and air.*

Reference is also be made to the Petroleum Products Act, No 120 of 1977, as amended ("the PPA") whose objectives are, *inter alia*, to provide for licensing of persons involved in the manufacturing and sale of certain petroleum products, promote transformation of the South African petroleum and liquid fuels industry, provide measures in the saving of petroleum products and an economy in the cost of the distribution, maintenance and control thereof.

In this regard, the PPA defines "**manufacture**" as being *the manufacture of petroleum products for commercial purposes and includes the blending and re-refining of petroleum products and manufacturer shall be interpreted accordingly*.

## **Application**

In applying the relevant law to the issues set out above, it is important to note that the Act does not provide a definition of "*own final use*". In this regard, in order to ascertain the

intention of the Legislature, one has to read the Act as a whole and place in context what the Act seeks to achieve and the relationship between the individual provisions of the Act. Thus, if the words used are clear, unambiguous and in harmony with the intention of the Legislature, the objectives and individual provisions of the Act, then the ordinary and grammatical meaning of the words are used.

It is therefore clear that the objectives of the Act and intention of the Legislature is to promote, regulate and facilitate companies whose core businesses fall within the objectives and scope of the Act in respect of third party access to petroleum pipelines, storage facilities and loading facilities. It is, thus, submitted that the Act is applicable to companies that operate storage facilities on a commercial basis and whose business is to provide storage space to third parties at a price. It is further apparent that the Legislature intended to exclude facilities intended to be used or is used for the storage of petroleum for *own final use*.

The Energy Regulator's reasoning is therefore incorrect in stating that "*...an interpretation of part (b) of the definition of storage facility which is proposed by the applicant cannot be accepted as it would exclude most storage facilities in the country...*" (ROD:point 25:p9). In considering the ordinary and grammatical meaning of "*own final use*", the intention of the Legislature was not to exclude most storage facilities in the country but rather to exclude companies who have their own storage facilities for the storing of petroleum product intended for their own final use.

The petroleum products stored at the Brackenfell Depot, Prospecton Depot and Patterson Depot are integral in the blending and re-refining processes used by the Applicant for own final use. Thus, the sites should be excluded from the Act as they are not bulk storage facilities in the truest sense of the Act as the core business of the Applicant is not of storage but rather manufacturing. In this regard, the sites actually fall within the scope and objectives provided for in the PPA for the licensing of persons involved in the manufacturing of petroleum products.

## **Conclusion**

It is therefore clear in considering the ordinary, grammatical meaning of "own final use" within the context of the intention of the Legislature, that the Energy Regulator erred in his reasoning for the issuing of licenses for the operation of petroleum storage facilities for Brackenfell Depot, Prospecton Depot and Patterson Depot. The sites should not have been issued licenses as they fall within the exclusion provided for in part (b) of the definition of storage facility.

Should the appeal for the issuing of the licenses not be upheld, in terms of Section 20(2)(a) of the Act, the Applicant requests that the conditions imposed by the Authority, namely Section 20(1)(e), (n),(o),(p),(r) and (bb) of the Act should be deleted as the facilities are for the Applicant's own final use and there is no uncommitted capacity or access available for third parties as the sites are operating at optimum capacity.

Should you require any further information, the writer can be contacted on (031) 459 5311 alternatively [mona@ffs.co.za](mailto:mona@ffs.co.za)

We await the outcome of your decision, in writing, in due course.

Yours faithfully

**M NAICKER**  
**COMPANY SECRETARY**

Verwysing Reference Isalathiso E12/2/2-A2/75-0574/09

Navrae Enquiries Imibuzo TARYN MAART

Datum Date Umhla 21 AUG 2009



Departement van Omgewingsake en Ontwikkelingsbeplanning
Department of Environmental Affairs and Development Planning
ISebe leMicimbi yeNdalo esiNgqongileyo noCwanciso loPhuhliso

The Director
FFS Refiners (Pty) Ltd
PO Box 25102
SEA VIEW
4072

Attention: Ms. Haycock

Tel: (031) 459 5300
Fax:(031) 459 5326

Dear Madam

RE: ACCEPTANCE OF A SCOPING REPORT AND A PLAN OF STUDY FOR ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") FOR THE PROPOSED INSTALLATION OF A 1200m³ STORAGE TANK AT THE EXISTING FFS TANK FARM, CAPE TOWN HARBOUR.

The abovementioned document dated 20 July 2009 and received by the Department on 22 July 2009 refers.

- 1. This letter serves to inform you that the aforementioned document has been accepted by the Department subject to the requirements set out below.
2. You are hereby advised that the Environmental Impact Assessment Report ("EIAR") must contain all the information outlined in regulation 32 (2) of the NEMA EIA regulations. The omission of information may result in the EIA report being rejected.
3. Specialist assessments:

The Department notes the specialist studies/assessments identified to be conducted in the EIA phase. Please ensure that all specialist reports contain all the information specified in regulation 33 (2) of the EIA regulations.

**4. Public Participation:**

You are hereby reminded that the Public Participation process to be followed in the EIA phase must also comply with regulation 56 of the EIA regulations as well as this Department's Guideline on Public Participation (July 2006).

Please be advised that the Draft EIAR must be made available to the public and all State Departments that administer laws relating to a matter affecting the environment for comment, for a period of **40** days. The applicant/EAP is required to inform this Department in writing upon submission of the draft report to the relevant State Departments. Upon receipt of this confirmation, this Department will in accordance with Section 24O (2) & (3) of the NEMA (as amended) inform the relevant State Departments of the commencement date of the 40 day commenting period. You are further advised that a commenting period of 21 days will apply to all requests for comment on any information, documentation or reports other than the draft EIAR unless an alternative commenting period is specified by this Department.

**5. Guidelines:**

You are advised that in compiling the EIAR you must take into account the applicable guidelines developed by the Department. The guidelines are available and can be downloaded from the Department's website (<http://www.capegateway.gov.za/eadp>).

**6. Environmental Management Plan:**

In accordance with Section 24N of the NEMA (as amended) the Department hereby requires the submission of an Environmental Management Programme ("EMP"). The contents of such an EMP must meet the requirements outlined in Section 24N (2) & (3) of the NEMA (as amended) and regulation 34 of the EIA regulations. The EMP must address the potential environmental impacts of the activity throughout the project life cycle including an assessment of the effectiveness of monitoring and management arrangements after implementation (auditing). The Department requires that the EMP be submitted together with the EIAR so that it can be considered simultaneously. The Department would like to advise that in compiling the EMP the Department's Guideline for Environmental Management Plans (available from the Department's website) must be taken into account.

**7. General:**

With reference to Section 1.4.11 (Permit Requirements) of the EIAR, it is indicated that *"in the current project, authorisation will be issued by the Department of Agricultural and Environmental Affairs"*. You are however reminded that the competent authority in this instance is the Department of Environmental Affairs and Development Planning.

In addition to the above, you must clearly show how the proposed development complies with the principles contained in section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

Be advised that should the information requested above not be included in your EIAR, your report may be rejected.

*Department of Environmental Affairs and Development Planning  
Directorate: Integrated Environmental Management (Region B)*

Be advised that in accordance with Regulation 77 of GN No. R. 385 of 21 April 2006 the EIAR must be submitted to this Department within a period of six months from the date of this letter. If you, however, have been complying with the requirements of the Regulations and have progressed with the application process, but for some reason will not be able to submit the EIAR within the six month period, you must inform the Department as such before the end of the six month period. You will be required to submit a concise motivation as to why the EIAR will not be submitted within the six month period. The motivation must include the tasks that have been performed to date, the reasons for the delay in submission and an indication when the EIAR will be submitted to the Department. Such motivation must reach the Department before the end of the six month period. The Department will consider your motivation and inform you of its decision whether or not to continue with the processing of the current application. Should no motivation be provided, your file will be closed for administrative purposes. As such, a new application process will have to be initiated if you wish to again pursue your proposed development.

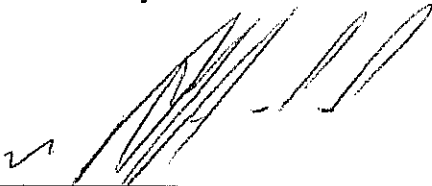
Please note that one printed copy as well as one electronic copy (saved on CD/DVD) of the EIAR must be submitted to the Department.

Please note that the activity may not commence prior to an environmental authorisation being granted by the Department.

This Department reserves the right to revise or withdraw comments or request further information from you based on any information received.

Your interest in the future of our environment is much appreciated.

Yours faithfully



**HEAD OF DEPARTMENT**

Copies to: (1) Ms. K. Seppings (Kerry Seppings Environmental Management Specialists)  
(2) Mr. P. van der Westhuijzen (Landowner)  
(3) Mr. M. Callaghan (City of Cape Town)

Fax: (031) 765 6636  
Fax: (021) 449 3345  
Fax: (021) 425 4448

To: RelayFax via port COM4

From: 0214835124

1/27/2009 11:43:3

ANNEXURE D 2

27/01/2009 11:40 0214835124

Verwysing  
Reference  
Iselathiso E12/2/3/2-A2/75-0574/09

Navrae  
Enqilites  
Imibuzo DIKOBISO MOEKETSE (Lodiy)

Datum  
Date  
Umhla

27 JAN 2009

Departement van Omgewingsake en Ontwikkelingsbeplanning  
Department of Environmental Affairs and Development Planning  
ISEhe leMiclmbi yeNdalo esiNgqongileyo noCwanciso loPhuhliso



The Director  
FFS Refiners (Pty) Ltd  
PO Box 25102  
SEA VIEW  
4072

Attention: Mr. Haycock

Tel: (031) 459 5300

Fax: (031) 459 5326

Dear Sir

**ACKNOWLEDGEMENT OF RECEIPT OF THE APPLICATION FORM FOR THE PROPOSED INSTALLATION OF A 1200M<sup>3</sup> STORAGE TANK AT THE EXISTING FFS TANK FARM, CAPE TOWN HARBOUR.**

The abovementioned document dated 5 January 2009 and received by the Department on 7 January 2009 refers.

1. This letter serves as an acknowledgment of receipt of the aforementioned document on condition that the original documents (containing the original signatures of all the parties) are submitted to the Department within 30 days from the date of this letter.
2. You are hereby advised that only those activities applied for will be considered for authorization. The onus is on the applicant to ensure that all the applicable listed activities are included in the application. Failure to do so may invalidate the application.
3. **Exemption**  
Having considered the information contained in the Application form, it is evident that you do not intend to apply for exemption from any provisions of the Public Participation Process "PPP". Please note that should you fail to meet a requirement of the regulations for which no exemption from that provision was applied for, your Scoping Report will be rejected.
4. **Alternatives**  
Be advised that in terms of the EIA Regulations the investigation of alternatives is mandatory. **All feasible and reasonable alternatives identified must therefore be assessed** as the Department may grant authorization in respect of all or part of the activity applied for as specified in Regulation 36 of GN No. R 385 of 21 April 2006. Alternatives are not limited to activity alternatives, but include layout alternatives, design, activity, operational and technology alternatives. Refer to the Department's Guideline on Alternatives available on the Department's website ([www.capedateway.gov.za/eadp](http://www.capedateway.gov.za/eadp)).

5. EMP

You are reminded that you are required to submit an environmental management plan that complies with regulation 34 of the GN R 385 of April 2006 as well as the Department's Guideline for Environmental Management Plans (obtainable from [www.capegateway.gov.za/eadp](http://www.capegateway.gov.za/eadp)) to be included with the Environmental Impact Assessment Report for the proposed activity. The EMP must address the potential environmental impacts of the proposed activity on the environment throughout the project life cycle, i.e. impacts in respect of the planning and design, pre-construction and construction activities, operation of the activity, rehabilitation of the environment and closure/decommissioning (if applicable). As such, the drafting of the EMP should ideally commence with the commencement of the Scoping process in order to ensure that a comprehensive document is formulated. The EMP must be a consolidated document that addresses all aspects of environmental management for the proposed development.

6. Guidelines

You are further referred to Regulation 29 of GN. R 385 of April 2006 for the requirements with respect to the '*Content of scoping reports*'. You are reminded that in compiling any documentation submitted to the Department, you must take into account the applicable guidelines developed by the Department. All Departmental Guidelines are available on the Departmental website ([www.capegateway.gov.za/eadp](http://www.capegateway.gov.za/eadp)).

7. Specialist Input

Specialist reports must contain all the information specified in regulation 33 (2) of the NEMA EIA regulations (GN No. 385 of 21 April 2006).

8. One of the objectives of the Western Cape Provincial Spatial Development Framework published by this Department is to minimize the consumption of scarce environmental resources such as water, fuel, building materials, mineral resources, electricity and land. To this effect and as part of the efforts to reduce the effects of climate change, you must as part of the EIA process identify energy efficient technologies that could be implemented for the proposed development. Considering that South Africa is a water scarce country and that many catchments in the Western Cape are already water stressed, you must also consider implementing the use of water saving devices and technologies for the proposed development. The above must be reported on in the Scoping Report.

9. In addition to the above, you must clearly show how the proposed development complies with the principles contained in section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.

10. The Department awaits the submission of the Scoping Report as prescribed by the NEMA EIA Regulations, GN. R 385 of April 2006. In accordance with Regulation 77 of GN No. R. 385 of 21 April 2006 the Scoping Report must be submitted to this Department within a period of **six months** from the date of this letter, failing which your file will be closed for administrative purposes.

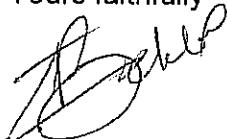
You are required to quote the above-mentioned reference number in any future correspondence in respect of the application.

*Department of Environmental Affairs & Development Planning  
Directorate: Integrated Environmental Management (Region B)*

This Department reserves the right to revise or withdraw comments or request further information from you based on any information that might be received.

Your interest in the future of our environment is greatly appreciated.

Yours faithfully



**HEAD OF DEPARTMENT**

Copies to: Ms. K. Sepping (Kerry Seppings Environment Management Specialists cc)  
Mr. M. Callaghan (City of Cape Town Municipality)  
Mr. J. Claasen (Transnet)

Fax: (031) 765 6632  
Fax: (021) 425 4448  
Fax: (021) 449 3345

Republiek van Suid-Afrika  
Maatskappywet 1973  
(Artikel 64)

Republic of South Africa  
Companies Act 1973  
(Section 64)

Vorm/Form CM 1

Registrasienuommer van Maatskappy/Registration No. of Company

86 03962/07

**Sertifikaat van Inlywing**  
van 'n Maatskappy met 'n aandelekapaal  
**Certificate of Incorporation**  
of a Company having a share capital

Hierby word gesertifiseer dat/This is to certify that

F F S REFINERS (PROPRIETARY) LIMITED

vandag ingelyf is kragtens die Maatskappywet, 1973 (Wet 61 van 1973), en dat die Maatskappy 'n maatskappy is met 'n aandelekapaal.

was this day incorporated under the Companies Act, 1973 (Act 61 of 1973), and that the Company is a company having a share capital.

Geteken en geseël te Pretoria op hede die/Signed and sealed at Pretoria this

3 dag van/day of **OCTOBER** Eenduisend Negehoenderd/

One Thousand Nine Hundred and Eighty Six

  
Registrateur van Maatskappye/Registrar of Companies

Seël van die Registrasiekantoor vir Maatskappye.  
Seal of Companies Registration Office.

Hierdie sertifikaat is nie geldig nie, tensy geseël deur die seël van die Registrasiekantoor vir Maatskappye.  
This certificate is not valid unless sealed by the seal of the Companies Registration Office.

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKAMAATSKAPPYWET, 1973  
COMPANIES ACT, 1973SERTIFIKAAT OM MET BESIGHEID TE BEGIN  
CERTIFICATE TO COMMENCE BUSINESS

(Artikel 172)

(Section 172)

Registrasienommer van Maatskappy  
Registration No. of Company

86 03962107

Ek sertifiseer hierby dat

I hereby certify that F F S REFINERS (PROPRIETARY) LIMITED

wat ingelyf is op die

which was incorporated on the 3

dag van

day of OCTOBER

Eenduisend Negehonderd

One Thousand Nine Hundred and Eighty Sixvoldoen het aan die vereistes van artikel 172 van die Wet, en met ingang van vandag geregtig is om met besigheid te begin.  
has complied with the requirements of Section 172 of the Act and is with effect from this day entitled to commence business.Geteken en geseël te PRETORIA op hede die  
Signed and sealed at PRETORIA this 3

dag van

day of OCTOBER

Eenduisend Negehonderd

One Thousand Nine Hundred and Eighty SixSeël van Registrasiekantoor vir Maatskappye  
Seal of Companies Registration OfficeRegistrateur van Maatskappye  
Registrar of CompaniesBOEKJAAR... END OF  
EACH YEAR... FEBRUARYHierdie sertifikaat is nie geldig nie, tensy geseel deur die Seël van die Registrasiekantoor vir Maatskappye  
This certificate is not valid unless sealed by the Seal of the Companies Registration Office

FFS Refiners (Proprietary) Limited  
(Registration number: 1986/003962/07)  
Annual Financial Statements  
for the year ended 28 February 2009

**REMOVED DUE TO CONFIDENTIAL NATURE**

## Generic Scorecard Verification

### FFS Refiners (Pty) Ltd

Registration Number: 1986/003962/07  
 Address: 104 Umhlatuzana Road, Sea View, 4094

### Level Five Contributor

Scorecard Information	Actual Score	Target Score	Analysis	Results
Ownership	20.12	20.00	Total Score	56.98
Control	0.75	10.00	Procurement Recognition Level	80.00%
Employment Equity	1.90	15.00	Black Ownership	25.10%
Skills Development	3.01	15.00	Black Women Ownership	7.51%
Preferential Procurement	17.60	20.00	VAT Number	48201033-11
Enterprise Development	11.58	15.00	Value Adding Enterprise	Yes
Socio-Economic Development	2.02	5.00	Expiry Date	09 September 2010


  
 For EMPOWERDEX (Pty) Ltd

10 September 2009  
 Issue Date

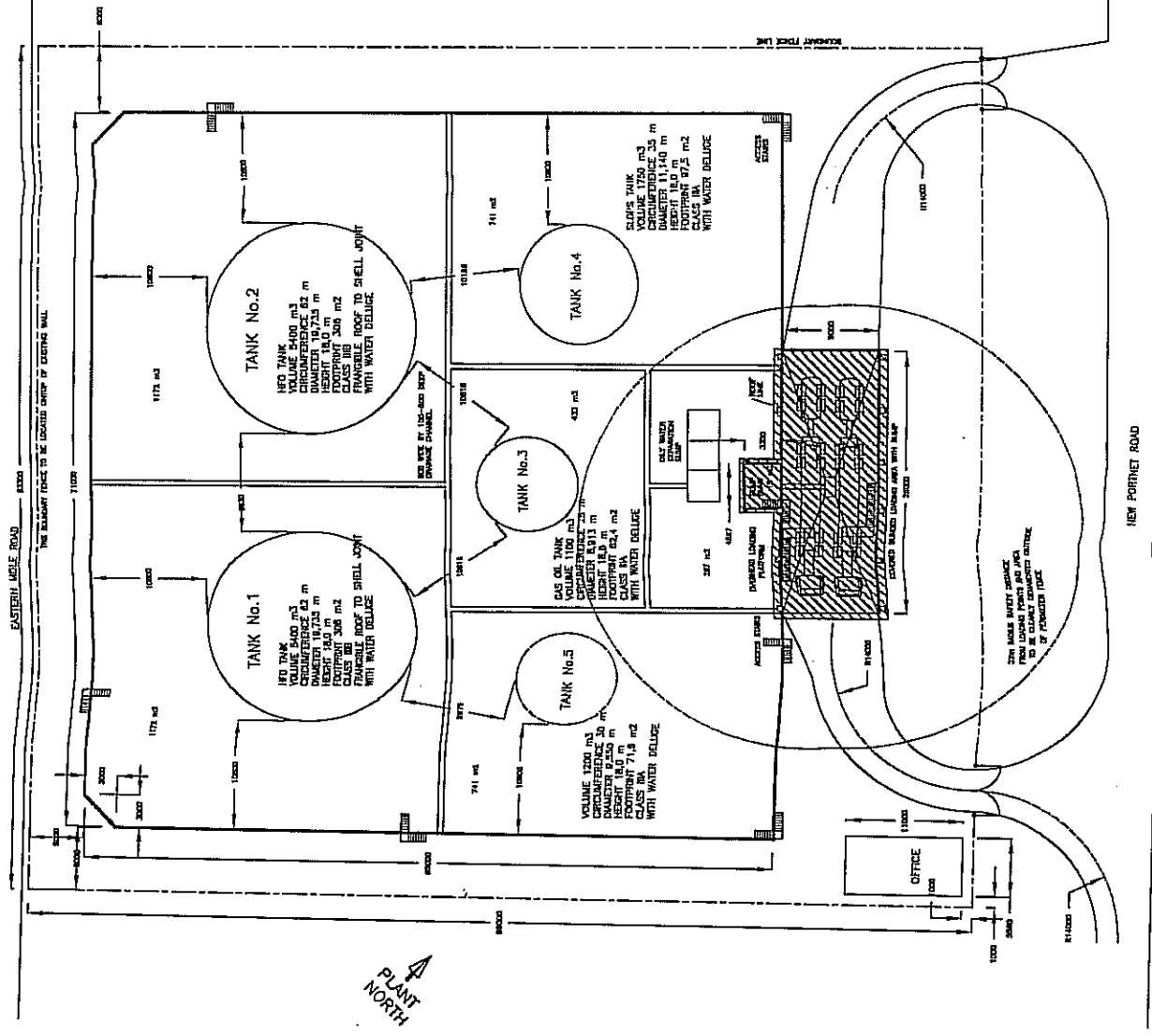
This rating certificate and the verification report are based on information provided to Empowerdex and represent an independent opinion based on the verification and analysis completed by Empowerdex. The calculation of the scores has been determined in accordance with the Department of Trade and Industry's Codes of Good Practice.

Empowerdex (Pty) Ltd Reg. 2001/027963/07  
 Directors: V Jack, CC Wu, B Khoosal,  
 L Ratsoma, J Stumbles.

G09D00039

  
 SANAS  
 SABS Verification Agency  
 BVA 030

  
 Certificate



PLOT AREA = 83.3 x 89 = 7 414 m<sup>2</sup>

NOTES:

1. BUNDING AND TANK SPACING TO SAHS 009-1-2008 & TPA INSTRUCTIONS
2. TANK FOUNDATIONS AND BUND WALLS TO ENGINEERS DETAIL.
3. LIGHTING WILL COMPLY WITH SAHS 080-2 AND SAHS 0114-1
4. VALVES WILL BE CAST STEEL, FIRE SAFE, AND TO PETROLEUM INDUSTRY STANDARD
5. PIPING SCHEDULE 40 ANS B16.10 AND FLANGES ASA 150 TO ANG B16.5
6. BUNDED AREA FLOOR HAND-SURFACED WITH TAR PREMIX ON COMPACTED SOIL.

BUND SIZE:

1. GROSS BUNDED AREA = 4508 m<sup>2</sup>
2. NETT BUNDED AREA = 3725 m<sup>2</sup>
3. GROSS BURIED VOLUME = 6848 m<sup>3</sup>
4. BUND WALL HEIGHT TO BE 1.05 m (INCL. 0.1m FREEBOARD)



**REFINERS (PTY) LTD.**  
104 UMHLATUZANA ROAD, DURBAN 459-5300

SUBJECT CAPE HARBOUR TANK FARM

DESCRIPTION

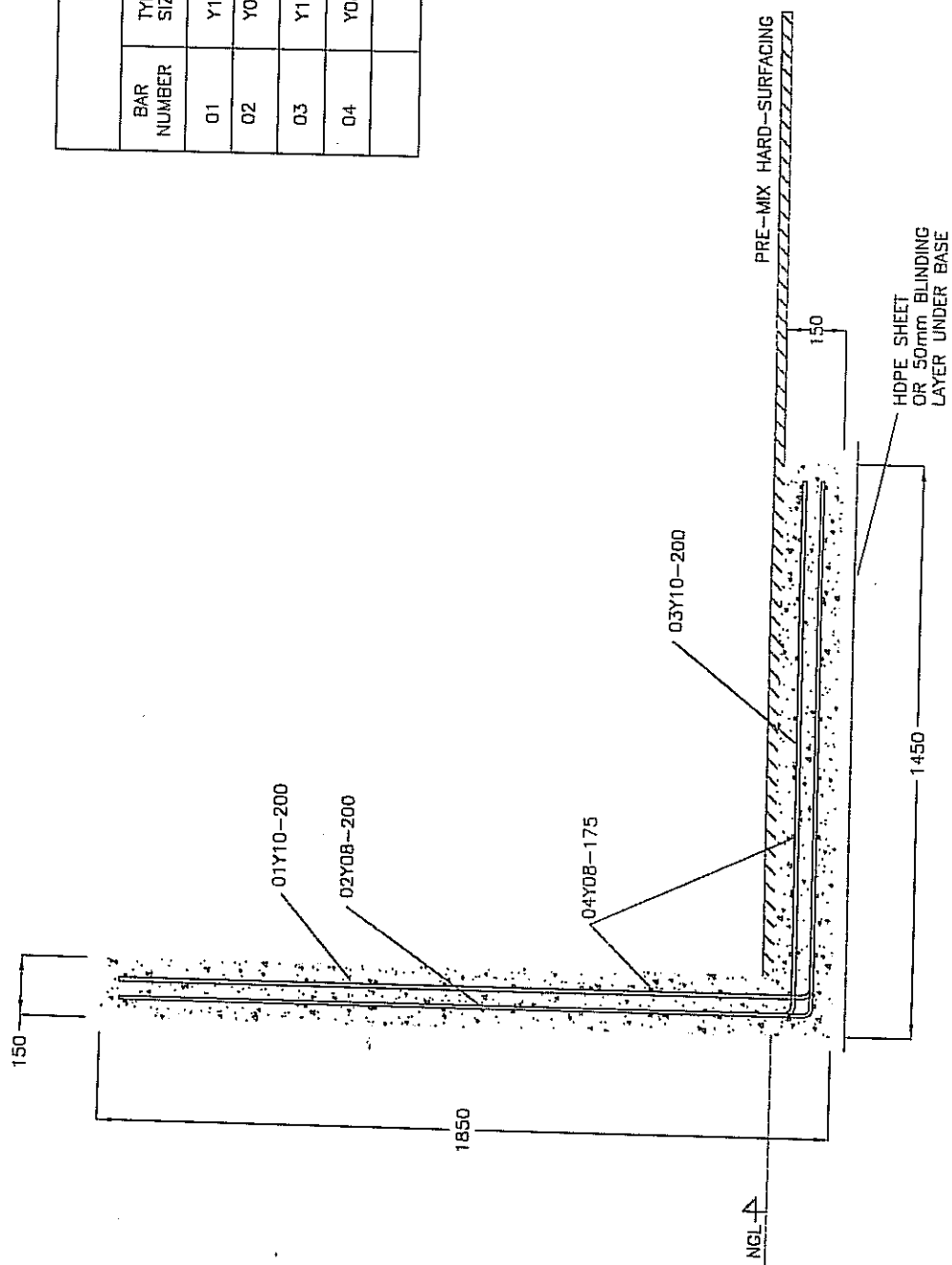
TANK PLOT PLAN & GENERAL ARRANGEMENT

DATE	07/09/2000	DRAWN	DWH	SCALE	NTS
------	------------	-------	-----	-------	-----

REVISIONS:

- Rev 03 07/09/2000 complete re-arrangement
- Rev 04 19/09/00 mods to loading apron/pump bund
- Rev 05 07/10 changed to PORTNET specs.
- Rev 06 12/10 site moved 3m closer to eastern rd
- Rev 07 06/11 Offices relocated





**BAR BENDING SCHEDULE**

BAR NUMBER	TYPE SIZE	SHAPE CODE	Dim "A"	LENGTH	NUMBER OFF	TOTAL LENGTH
01	Y10	34	1 510	1 650	1 400	2310 000
02	Y08	34	1 510	2 850	1 400	3990 000
03	Y10	34	1 360	1 500	1 400	2100 000
04	Y08	20		12 000	840	10 080 000

**NOTES:**  
 CONCRETE TO BE 30 MPa  
 AGGREGATE SIZE < 25 mm  
 COVER TO BE = 40 mm  
 REINFORCING STEEL fy=460 MPa  
 OFF-SHUTTER FINISH  
 CONCRETE TO BE WELL COMPACTED  
 AND FREE OF VOIDS

**DETAIL THRU BUND WALL**

**REFINERS (PTY) LTD.**  
 104 UNHLATZANA ROAD, DURBAN 465-3103

SUBJECT	CAPE HARBOUR TANK FARM
DESCRIPTION	BUND WALL DETAILS
DATE	11/09/2000
DRAWN	DWH
SCALE	NTS

**REVISIONS:**  
 Rev 01 07/10 Sizes and quant.  
 Rev 02 27/11/00 Stem height increased

**NOTES:**

FFS REFINERS (PTY) LTD Environmental Management System	<b>UNDERGRD &amp; ABOVE GRD TANK TESTING</b>		Page #	1 of 3
	Revision	Approved by	Signature	
	8	13/11/08	D.Hunter	

## Procedure 45 Underground and Above Ground Tank Testing

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### Purpose

To provide a means of determining the integrity of underground storage tanks and above ground storage tanks and eliminate leaking. Where possible a hydraulic pressure test should be undertaken. However, with tanks that are difficult to seal or isolate, an ullage test may be done.

Element	Characteristic	Frequency of testing	Method
Flame arrester		every year	Visual
Underground Tanks	Tanks over 5 years old	every year	Hydraulic pressure test or ullage
Above ground tanks	All tanks	every year*	Visual - specifically looking at gland packing. <b>Note:</b> New tanks to be tested using approved method before use.
	Tanks <15m <sup>3</sup>	Every 5 years	Condition Assessment by competent person
	Tanks > 15m <sup>3</sup>	Every 5 years	In service inspection by AIA

\*If pick up problem, tank to be visually inspected more frequently than yearly. May need to do a proper tank test using approved method.

### Tank integrity Assurance (Applicable to Evander only - as per MHI Assessment)

- The integrity of the installation needs to be maintained through scheduled inspections and maintenance of plant, tank and equipment. Tank Inspections should occur as follows:
  - Routine visual inspection of the external of the tank
  - Formal visual inspection of the external of the tank
  - Ultrasonic shell thickness measurements – five years after commissioning, and then once corrosion rate is known continue at intervals which are the smaller of:


Remaining corrosion allowance  
2 x FFS corrosion rate

**OR**

15 years

- Internal inspection within 10 years to determine bottom plate corrosion followed by setting the interval such that the corrosion rate will not be less than 1,2mm at next inspection, but not greater than 20 years.
- Bundling also needs to be monitored in a similar way.

The physical integrity of the pipework circulating hot tar in the FFE also needs to be monitored and maintained

<b>FFS REFINERS (PTY) LTD</b> Environmental Management System	<b>UNDERGRD &amp; ABOVE</b>		Proc #	45
	<b>GRD TANK TESTING</b>		Page #	2 of 3
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8	13/11/08	D.Hunter		Signature 

## Hydraulic Pressure Testing

### Preparation of the tank

- The tank must have a lid that can provide a completely air-tight seal.
- An accurate hydraulic pressure gauge must be installed in the tank.
- An air bleed and valve must be installed in the highest point of the tank.
- An attachment point for the hand pump must be installed in the tank.
- The tank must be empty and clean.

### Hydraulic Testing

- Fill the tank with water up to the brim.
- Ensure that the lid is on and is providing a good seal.
- Connect the hand operated test pump securely to the tank via the attachment point.
- Pump water into the tank and bleed all the air out until there is water coming out of the air bleed. This is very important for a good test.
- Check to ensure that there is no leaking through the lid seal or pump attachment point. If there is leaking seal all leaks before continuing.
- Pump up to a pressure of 1 bar or half of the designed maximum pressure capacity of the tank.
- Stop pumping and check that the pressure holds for at least 5 minutes. During this time conduct leak tests around all seals and vents using soapy water in order to identify possible pressure leakage.

### Possible Results

- If the tank holds pressure as above then there is no leak.
- If there is a big leak it won't be possible to get up to pressure.
- If there is a small leak the pressure will drop immediately you stop pumping. The approximate size of the leak can be determined by simulating the observed pressure drop by opening the air bleed valve and seeing how much water comes out.

### Ullage Testing

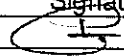
- The tank must be isolated so that no water/product is moving into or out of the tank.
- If the tank is empty, fill the tank with water. If the tank contains oil, leave it as it is.
- Measure distance from tank lid to surface of liquid. Mark measuring point on lid rim.
- Close lid of tank. **Ensure that tank vents are open.**
- Measure distance from tank lid to surface of liquid daily, at the same time every day, and from the same point on the lid for three days. Note down ambient temperature when taking the measurement.

### Possible Results

- If the tank level drops, it is possible that the integrity of the tank has been compromised. The tank should be emptied of oil and refilled with water. Repeat the test, ensuring complete isolation of the tank.
- If tank level rises, it is probable that the tank lid is leaking and allowing water to enter the tank, or the tank has been incorrectly isolated.

## Abandonment of Underground Storage Tanks

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<b>FFS REFINERS (PTY) LTD</b> Environmental Management System	<b>UNDERGRD &amp; ABOVE GRD TANK TESTING</b>		Proc #	45
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If any UST is found to be leaking, it must be taken out of service as soon as reasonably practical. If the leak is repaired, a full leak test must be conducted on the tank after the repair has been completed and before the tank may be put back into use. If the tank is still leaking it may not be used.

If the tank cannot be repaired it must be abandoned. Before any storage tank that is no longer required for use is removed, the following steps shall be carried out successively:

- (a) all Flammable Liquid shall be removed from the tank and from connecting pipes;
- (b) the suction, filler, vent and dipping hole pipes shall be disconnected;
- (c) the tank shall be rendered thoroughly airtight after disconnecting all pipes by blanking off all flanges and screwing in metal gas plugs onto any sockets in the tank. All leakage holes shall be plugged with lead or hardwood plugs.

If tank is removed and soil around tank needs to be rehabilitated refer to EMS Procedure 40.

If the UST is not to be removed as described above, the tank must be filled with sand, liquid concrete or such other substance so as to prevent its future reuse.


If the tank is to be disposed of as scrap, it shall before disposal be retested for explosive vapours and, if necessary, rendered gas-free and a sufficient number of holes or openings shall be made in such tank so as to render it unfit for future use.

**Reporting**

Following the completion of a leakage test, a **Tank Testing Report Form** must be completed and filed in the EMS Filing Cabinet.

If a leak has been detected a **non conformance report** must be initiated.

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FFS REFINERS (PTY) LTD Environmental Management System	<b>PREVENTATIVE MAINTENANCE</b>		<b>ANNEXURE L</b>	
			Page #	1 of 1
	Revision	Approved by	Signature	
2	24-05-06	D.Hunter		

**Procedure 46H**  
**Preventative Maintenance**

**Once a week** a designated person who has the appropriate experience, appointed by the Tank Farm Manager will **inspect the storage areas and the 3 phase separator**.

(a) The following items in the storage areas are to be checked for leaks:-

- Piping
- Pumps
- Pump Glands
- Couplings
- Valves
- Valve stem glands
- Flanges

(b) The 3 phase separator is to be checked to determine whether it is functioning correctly.

Monthly an inspection of all light fittings, tubes and bulbs must be undertaken to ensure that they are regularly serviced and cleaned or replaced when their usefulness has expired.

**Annually:**

- Visually inspect above ground storage tanks
- Pressure test oil pipeline to 1.25 x normal operating pressure
- Fire system-Water fed valves , piping and hoses to be inspected and foam fed systems to be tested for functionality, foam tanks, and foam concentrate testing.

Any observed leaks in the storage areas and or problems with the separator or other items are to be reported to the Tank Farm Manager immediately.

This must be recorded by the designated person in the **Maintenance Log Book** (date, time, problem and area as well as person to fix the problem).

The Tank Farm Manager is to appoint the appropriate person to fix the leak/problem.

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**FFS REFINERS (PTY) LTD**  
Environmental Management System

**Emergency Air  
Pollution Incidents**

Page # 1 of 6

Revision

0 29-07-05

Approved by  
Signature

D Hunter

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**Procedure 64H**  
**Emergency Air Pollution Incidents**

**Purpose**

To ensure that the appropriate procedures are followed when a **major emergency air pollution** incident occurs on site. A major incident is defined as an incident which may have a significant negative impact on the environment, employees or general public.

**Scope**

This procedure covers major incidents such as fire at bulk tanker loading area, electrical fire, fire inside bund, back fire of vehicle in hazardous zone, tank rupture causing air emissions.

**Incidents that may have serious or major Occupational Health, Safety and/or Environmental Impact**

**A. Major Spill at Quayside while transferring HCS (Ship-to-shore) – Ocean Spill (Procedure 6H)**

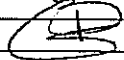
1. Inform ship's engineer to shut down pumps.
2. Call FFS supervisor on duty.
3. Inform Port Control (see number in list) and NPA Marine Pollution Officer (see telephone list L1H).
4. Contain spill if possible until port pollution control personnel and equipment arrive.
5. Recover contaminated HCS for rerefining.
6. Stand down.
7. Notify relevant authorities as per EMS procedure 6H.

**B. Bulk AST overfill resulting in a Major Spill in the Tankfarm Bund (Procedure 6H)**

1. Sound the fire alarm as soon as the fire is noticed (first person on site).
2. Shut off transfer pump (quayside) immediately.
3. Isolate supply line valve.
4. Ensure bund and separator valves are closed.
5. Activate fire pump to generate foam and cover liquid with foam blanket.
6. Notify the FFS supervisor/ manager as soon as possible.
7. Notify Port Control as soon as possible (procedure L1H).
8. Inform immediate neighbours for evacuation purposes if necessary.
9. Ensure all emergency personnel are wearing necessary PPE and issue instructions relevant to the situation.
10. Start spilled product recovery.
11. Stand down.
12. Notify relevant authorities as per EMS procedure 6H.

**C. Major Spill due to Transfer Equipment Failure in Bund (Procedure 6H)**

1. Sound the fire alarm as soon as the fire is noticed (first person on site).
2. Notify the FFS supervisor/ manager as soon as possible
3. Notify Port Control ASAP.

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1	17/03/10	D. Hunter		Signature 

5. Evacuate all staff not involved in emergency to an area not directly exposed to the danger (the greater the separation distance, the better).
6. Activate fire pump to generate foam and cover liquid with foam blanket if the flash point of the product is <60°C.
7. Start spilled product recovery.
8. Stand down.
9. Notify relevant authorities as per procedure 6H.

**D. Major Spill in Tankfarm Bund due to Bulk AST Failure (Procedure 6H)**

1. Sound the fire alarm (first person on site).
2. Notify the FFS supervisor/ manager as soon as possible.
3. Notify Port Control ASAP (Procedure 6H).
4. Activate fire pump to generate foam and cover liquid with foam blanket if the flash point of the product is <60°C..
5. Evacuate all staff not involved in emergency to an area not directly exposed to the danger (the greater the separation distance, the better).
6. Inform immediate neighbours for evacuation purposes if necessary.
7. Start vacuum pump to Vacuum Tank.
8. Contact the Transport Controller at FFS Vissershok for assistance in handling any spills that may occur.
9. Stand down.
10. Notify relevant authorities as per procedure 6H

**E. Chemical Fire (Secondary Incident)**

1. Stop all pumping operations immediately.
2. Isolate all electrical equipment (pumps, lighting, etc).
3. Isolate all valves as required.
4. If a fire has started: Sound fire alarm.
5. Fight fire with hand held extinguishers (BTLR fire).
6. Start fire pumps (bund fire).
7. If any fire cannot be contained within two minutes, press the fire alarm (red box) which is connected to the NPA.
8. Stand down.

**F. Major Spill while transferring HCS at Bulk Truck Loading Rack (BTLR) (Procedure 6H)**

1. Shut off transfer pump.
2. Isolate supply line valve.
3. Contain spill as far as possible with absorbent or similar means if it cannot be contained within the BTLR spill containment area.
4. Clean up contaminated absorbent.
5. Proceed with wash down and neutralizing of contaminated surface.
6. Start vacuum pump.
7. Pump effluent to the vacuum tank.
8. Contact waste disposal contractor and dispose non-recyclable waste at a licensed site.
9. Stand down.

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<b>FFS REFINERS (PTY) LTD</b> Environmental Management System	<b>Emergency Incidents</b>		Proc #	64H
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10. Notify authorities as per procedure 6H.

**G. Electrical Fire (Rotating Machines)**

1. Stop equipment immediately.
2. Isolate electrical power supply.
3. Sound fire alarm and alert supervisor/manager.
4. Fight fire with CO<sub>2</sub> or DPC hand-held fire extinguisher until fire team arrives – DO NOT USE WATER IF AT ALL POSSIBLE.
5. Start clean-up.
6. Stand down.

**H. Accidental Release of HCS from Closed Circuit Containment Drainage: Ocean Spill (Procedure 6H)**

1. Shut bund valves.
2. Call FFS supervisor on duty.
3. Inform Port Control (see number in list) and NPA Marine Pollution Officer.
4. Contain spill if possible until port pollution control personnel and equipment arrive.
5. Recover contaminated HCS for rerefining.
6. Stand down.
7. Notify relevant authorities as per procedure 6H.


**I. Pump Manifold/ BTLR Equipment Failure (possible Fire)**

1. Stop all pumping operations immediately.
2. Isolate all electrical equipment (pumps, lighting, etc).
3. Isolate all valves as required.
4. If a fire has started: Sound fire alarm.
5. Fight fire with hand held extinguishers (BTLR fire).
6. Start fire pumps (bund fire).
7. If any fire cannot be contained within two minutes, call Port Control.
8. Stand down.
9. If necessary notify authorities as per procedure 11H.

**J. Employee injured on site while operating machinery**

1. Stop machinery immediately if necessary.
2. Call supervisor/manager as soon as possible.
3. Make employee comfortable – do not move if it involves a neck or back injury.
4. Supervisor to call first aid team member to assist.
5. First aid team member to apply first aid, or call for further medical assistance.
  1. If serious/major incident (loss of consciousness, lost/broken limb, death)
    - a. Call SAPS as soon as possible;
    - b. Inform Dept of Labour as soon as possible;
    - c. Inform Human Resources Manager FFS Head Office
    - d. Inform visitor's next of kin after consulting FFS -Human Resources Manager Head Office.

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<b>FFS REFINERS (PTY) LTD</b> Environmental Management System	<b>Emergency Incidents</b>		Proc #	64H
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6. Supervisor/ manager to complete necessary incident form for further investigation (and reporting to Dept of Labour if necessary).

**K. Visitor or member of public injured on site**

1. Stop machinery immediately if necessary.
2. Call supervisor/manager as soon as possible.
3. Make person comfortable – do not move if it involves a neck or back injury.
4. Supervisor to call first aid team member to assist.
5. First aid team member to apply first aid, or call for further medical assistance.
6. If serious/major incident (loss of consciousness, lost/broken limb, death):
  - a. Call SAPS as soon as possible;
  - b. Inform Dept of Labour as soon as possible;
  - c. Inform the Human Resources Manager at FFS Head Office
  - d. Inform visitor's next of kin after consulting FFS Human Resources Manager at Head Office.
7. Supervisor/ manager to complete necessary incident form for further investigation (and report to Dept of Labour if necessary).

**2. Other types of Incidents requiring Immediate Response**

**A. Fire on adjacent Property**

1. Inform Port Control (number as per list L1H).
2. Assist if and where possible.
3. Activate Emergency Plan if necessary to prevent the flames from affecting FFS structures and equipment.

**B. Sabotage - Explosive Device (Limpet Mine or similar) found in FFS Area**

1. If a suspicious device/package is identified inform supervisor/ manager immediately – do not tamper or attempt to move it.
2. Call NPA, Local Emergency Services and SAPS immediately (L1H).
3. Evacuate all staff to assembly point or a safe location.
4. Inform Regional Manager of Cape FFS and CEO
5. Inform neighbours to evacuate as soon as possible.

**C. Water supply to FFS's Fire Fighting System is cut off**

1. Report to the NPA without delay (see number listed).

**D. The bunds are flooded after a downpour**

1. Prevent any contamination to land as far as possible.

**Reporting**

Person who notices major incident to report it immediately to supervisor who in turn must report it to the Branch Manager. An abnormal air emission must be reported **by the Branch Manager through the most effective means reasonably available within 24 hours-**

- (a) the nature of the incident;
- (b) any risks posed by the incident to public health, safety and property;
- (c) the toxicity of substances or by-products released by the incident; and

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<b>FFS REFINERS (PTY) LTD</b> Environmental Management System	<b>Emergency Incidents</b>		Proc #	64H
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	1	17/03/10	D. Hunter	

- (d) any steps that should be taken in order to avoid or minimise the effects of the incident on public health and the environment to-
- (i) The Department of Environmental Affairs and Tourism;
  - (ii) The Department of Water Affairs and Forestry and/or the relevant catchment authority if water resource may be impacted;
  - (iii) Municipality;
  - (iv) all persons whose health may be affected by the incident.

**Note that this reporting is a legal requirement under the National Water Act, Environment Conservation Act and National Environmental Management Act.**

- The Management Representative must inform the South African Bureau of Standards of the incident within 48 hours.
- The incident must be reported according to Procedure 27.
- A full and comprehensive report including photographs must be prepared by the Branch Manager and attached to the NCR form. Any reports from the authorities (e.g. the Fire Department) must also be attached to the NCR form.
- If required undertake health & environmental risk assessment.

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**FFS REFINERS (PTY) LTD**  
Operating Procedure

**FUEL STORAGE AND  
TRANSFER**

Doc # OP1H

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Revision

1 26-02-10

Approved by: [Signature] D Hunter

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**OP1 : Fuel Storage and Transfer**

**DRAWINGS**

The following drawings apply to this section:

3456, 3087, 3037, 3086, 3125, 3529, 3566, 3530

**DESCRIPTION**

The storage tanks in the tank farm are listed as:

Tank 1	HFO/Gas Oil	5400m3	Atmospheric
Tank 2	HFO/ Gas Oil	5400 m3	Atmospheric
Tank 3	HFO/ Gas Oil	1100 m3	Atmospheric
Tank 4	HFO/Gas Oil	1700 m3	Atmospheric
Tank 5	HFO/Gas Oil	15 m3	Vacuum

The pumps in the tanks farm are listed as:

HFO 1	250 m3/h	5 bar
HFO 2	150 m3/h	5 bar
Gas oil	85 m3/h	5 bar
Gas oil	85 m3/h	5 bar

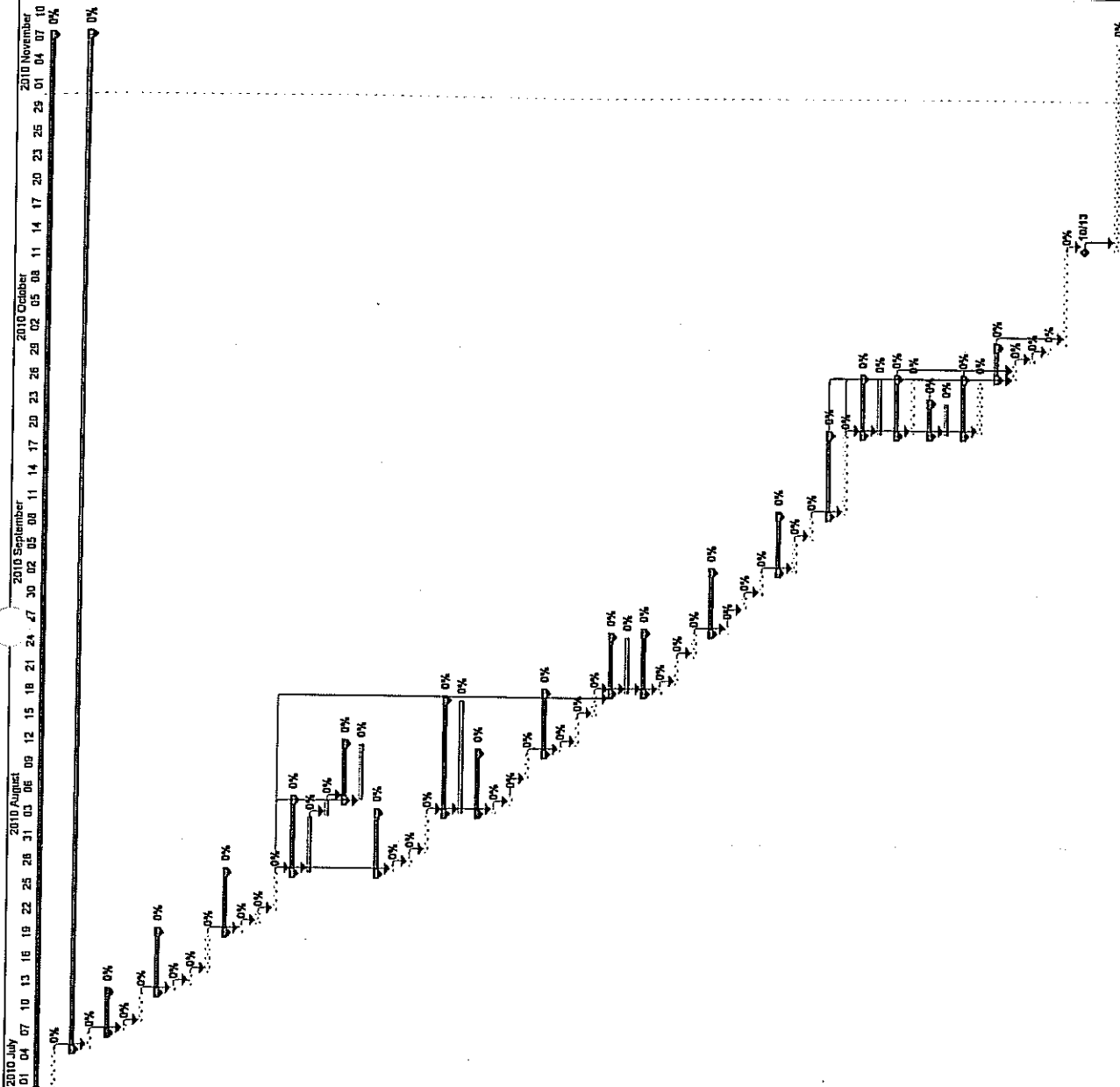
The piping in the tanks farm was constructed in SABS 719 steel & pressure tested to 10 bar, the loading lines to tanks are top entry with an anti-splash leg inside the tank & an anti-siphon vent inside the tank at the top of the pipe.

**TRANSFER LINES**

The piping on the E Mole (EM) & Tanker Basin 1 (TB 1) is as above; with dry break coupling for bunker hose connection & a bunker bin for a drip tray. The piping in the bund has a vacuum stripping connection & the main 500 NB main has a low point for stripping. Compressed air connections are on the terminals for blow back. The Gas oil reticulation is dedicated & the HFO & Slops systems are interchangeable for piping & pumping.

**OPERATIONS**

The system is operated by loading to the HFO/ Gas oil tanks from ship to shore. Bunkering can be done to TB1, EM1 & 2 with HFO/ Gas Oil received from the same. Road tanker loading & unloading is done directly from the loading bay with separate pumps. The weighbridge in the loading bay provides transfer masses recorded in the office. The tanks have level sensors (DP cell) also linked to the office for stock control purposes. Maximum fill heights in the 4 large tanks are 17.3 m. There is access to all roof vents & man ways via a cat ladder.



ID	Task Name	Duration	Start	Finish
1	CHTF 1 x 1250m3 STORAGE TANK	32.5 days	Thu 10/07/01	Mon 10/11/08
2	SITE ESTABLISHMENT	3 days	Thu 10/07/01	Mon 10/07/05
3	TANK TS ERECTION	48.5 days	Tue 10/07/06	Mon 10/11/08
4	Lay tank Bottom	2 days	Tue 10/07/06	Wed 10/07/07
5	Strake 1	3 days	Thu 10/07/08	Mon 10/07/12
6	Erect Strake	1 day	Fri 10/07/09	Mon 10/07/12
7	Weld Verts	2 days	Thu 10/07/08	Mon 10/07/12
8	Strake 2	5.5 days	Tue 10/07/13	Tue 10/07/20
9	Erect Strake	1 day	Wed 10/07/14	Thu 10/07/15
10	Weld Verts	1.5 days	Wed 10/07/14	Thu 10/07/15
11	Tank & Weld Horizontal	3 days	Tue 10/07/15	Tue 10/07/20
12	Strake 3	5.5 days	Tue 10/07/20	Tue 10/07/27
13	Erect Strake	1 day	Tue 10/07/20	Wed 10/07/21
14	Weld Verts	1.5 days	Wed 10/07/21	Thu 10/07/22
15	Tank & Weld Horizontal	3 days	Fri 10/07/23	Tue 10/07/27
16	Tank Floor	7 days	Wed 10/07/28	Thu 10/08/05
17	Weld Floor Complete	5 days	Wed 10/07/28	Thu 10/08/05
18	Vacuum Box Floor	2 days	Wed 10/07/28	Thu 10/08/05
19	Anchor chain	5 days	Wed 10/08/04	Thu 10/08/05
20	Strake 4	5.5 days	Fri 10/08/06	Thu 10/08/12
21	Erect Strake	1 day	Fri 10/08/06	Thu 10/08/12
22	Weld Verts	1.5 days	Wed 10/07/28	Wed 10/08/04
23	Tank & Weld Horizontal	3 days	Thu 10/07/29	Fri 10/07/30
24	Shell Nozzles (incl cleanout door)	10 days	Fri 10/07/30	Wed 10/08/04
25	Install & Weld	5.5 days	Wed 10/08/04	Wed 10/08/12
26	Strake 5	1 day	Wed 10/08/04	Wed 10/08/04
27	Erect Strake	1 day	Wed 10/08/04	Wed 10/08/04
28	Weld Verts	1.5 days	Thu 10/08/05	Thu 10/08/05
29	Tank & Weld Horizontal	3 days	Mon 10/08/09	Wed 10/08/12
30	Strake 6	5.5 days	Thu 10/08/12	Thu 10/08/19
31	Erect Strake	1 day	Thu 10/08/12	Thu 10/08/12
32	Weld Verts	1.5 days	Fri 10/08/13	Mon 10/08/16
33	Tank & Weld Horizontal	3 days	Mon 10/08/16	Mon 10/08/19
34	Cone Roof	8 days	Thu 10/08/19	Thu 10/08/26
35	Assemble & Weld Roof on ground	5.5 days	Thu 10/08/19	Thu 10/08/26
36	Strake 7	1 day	Thu 10/08/19	Thu 10/08/19
37	Erect Strake	1 day	Thu 10/08/19	Thu 10/08/19
38	Weld Verts	1.5 days	Fri 10/08/20	Mon 10/08/23
39	Tank & Weld Horizontal	3 days	Tue 10/08/24	Thu 10/08/26
40	Strake 8	5.5 days	Tue 10/08/24	Thu 10/08/26
41	Erect Strake	1 day	Fri 10/08/27	Fri 10/08/27
42	Weld Verts	1.5 days	Fri 10/08/27	Mon 10/08/31
43	Tank & Weld Horizontal	3 days	Tue 10/08/31	Tue 10/08/31
44	Curb Angle	6 days	Fri 10/08/27	Fri 10/09/01
45	Weld Curb Angle	2 days	Fri 10/08/27	Tue 10/09/04
46	Cone Roof	6 days	Tue 10/08/27	Fri 10/09/01
47	Cat ladder	5 days	Fri 10/08/27	Mon 10/09/04
48	Roof Nozzles	5 days	Mon 10/09/04	Mon 10/09/09
49	Install & Weld	5 days	Mon 10/09/04	Mon 10/09/09
50	Peripheral Roof Handrails	4 days	Mon 10/09/04	Fri 10/09/08
51	Install & Weld	5 days	Mon 10/09/04	Fri 10/09/08
52	Decking ring	5 days	Mon 10/09/04	Mon 10/09/09
53	Hydrotest	4 days	Mon 10/09/09	Mon 10/09/13
54	Allow to stand	2 days	Mon 10/09/13	Fri 10/09/15
55	Empty Tank	1 day	Wed 10/09/29	Thu 10/09/30
56	Allowance for rain delays	8 days	Fri 10/09/01	Wed 10/10/13
57	Mechanical completion	9 days	Wed 10/10/13	Wed 10/10/22
58	Painting (By others)	18 days	Wed 10/10/13	Mon 10/11/05

2010 July 01 04 07 10 13 16 19 22 25 28 31 03 06 09 12 15 18 21 24 27 30 02 05 08 11 14 17 20 23 26 29 01 04 07 10 2010 August 01 04 07 10 13 16 19 22 25 28 31 03 06 09 12 15 18 21 24 27 30 02 05 08 11 14 17 20 23 26 29 01 04 07 10 2010 September 01 04 07 10 13 16 19 22 25 28 31 03 06 09 12 15 18 21 24 27 30 02 05 08 11 14 17 20 23 26 29 01 04 07 10 2010 October 01 04 07 10 13 16 19 22 25 28 31 03 06 09 12 15 18 21 24 27 30 02 05 08 11 14 17 20 23 26 29 01 04 07 10 2010 November 01 04 07 10 13 16 19 22 25 28 31 03 06 09 12 15 18 21 24 27 30 02 05 08 11 14 17 20 23 26 29 01 04 07 10

Project: CHTF 1 x 1250m3 Tank (for m  
Date: Fri 10/02/25

Critical Path  
Critical Split  
Critical Progress

Task  
Split  
Task Progress

Baseline  
Baseline Split  
Baseline Milestone

Milestone  
Summary  
Summary

Project Summary  
External Tasks  
External Milestone

Deadline

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