



GUIDELINES FOR SITING OF FILLING STATIONS

FIRST REVISION

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1.0 INTRODUCTION

One of the functions of the Energy Regulation Board (ERB) as stipulated in the Energy Regulation Act Cap 436 of the Laws of Zambia is to regulate the location of energy infrastructure. These guidelines specify the procedures for approval of the location of filling stations.

2.0 ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

Any person or undertaking intending to construct a new or rehabilitate an existing filling station shall submit to the Zambia Environmental Management Agency (ZEMA), an Environmental Project Brief (EPB) for approval in accordance with the provisions of the Environmental Impact Assessment Regulations as read with the Environmental Management Act of 2011. As part of the decision making process, ZEMA consults other stakeholders including but not restricted to local authorities and the Energy Regulation Board for comment on all proposed energy projects. In this regard, developers should contact ZEMA for further guidance.

3.0 ERB'S CRITERIA FOR REVIEWING OF THE EPBS

In reviewing EPBS, the ERB's primary concern is to establish if the proposed development is in conformity with but not restricted to the following Zambian Petroleum Infrastructure standards:

- i) ZS 385 Part 2: Electrical installations in the distribution and marketing sector;
- ii) ZS 385 Part 3: The installation of underground storage tanks, pumps/dispensers and pipework at service stations and consumer installations;
- iii) ZS 703 – Rural Filling Stations: Code of Practice;
- iv) ZS 402: THE CLASSIFICATION OF HAZARDOUS LOCATIONS AND THE SELECTION OF ELECTRICAL APPARATUS FOR USE IN SUCH LOCATIONS - Code of Practice;
- v) ZS 392 Part 1: THE STORAGE AND HANDLING OF LIQUID FUEL – Code of Practice : Small Consumer Installations; and
- vi) ZS 392 Part 2: THE STORAGE AND HANDLING OF LIQUID FUEL – Code of Practice: Large Consumer Installations.

Prior to coming up with an institutional position on the planned development, the ERB inspects the proposed site to assess its suitability for the intended purpose and to verify absence of any incompatible activities within the vicinity. Besides the aforesaid, the ERB will **NOT** recommend to ZEMA for approval, construction of any filling station on the following grounds:

- i) If the proposed site is located within a radius of **500m** of an operational filling station in urban, built-up or residential area unless it can be clearly demonstrated

that the need exists otherwise and no significant impacts will occur. Examples of special cases include but are not restricted to the following:

- If the new filling station will be located on a one way road whose traffic flows in one particular direction only and the nearest existing site located on another road with traffic flowing in the opposite direction; and
- If the road has an island between the lanes;
- If the locality's security of supply is considered to be vulnerable by the ERB.

In all the above situations, Safety Health, Product Quality or Environment will not be compromised.

- ii) If the proposed site is located within a radius of **50m** from any public institutions which are normally over crowded such as but not restricted to schools, churches, markets, bus stops, public libraries, auditoriums, stadiums, hospitals, public playgrounds and any other place as may be prescribed by the ERB. If the station is to be part of a shopping complex, it should be located in the isolated part of the development **50m** away, which distance can be reduced if the developer can clearly demonstrate that need exists otherwise and that no significant impacts (including congestion of the forecourt) will occur during the operations stage;
- iii) If the proposed site is located within a sensitive area as declared by the Zambia Environmental Management Agency as provided for by the Environmental Management Act of 2011.

Upon completion of the review of the EPB, the ERB will communicate the recommendation to ZEMA giving conditions for approvals and reasons for disapprovals. The main condition for approval shall be that the developer applies for a construction licence from the ERB prior to commencement of the construction of the filling station.

4.0 APPLICATION FOR CONSTRUCTION LICENCE

The developer shall apply for a Construction Licence (in writing) to the ERB. In this regard, the following documents shall be a prerequisite for issuance of the licence:

- i) Decision letter from ZEMA;
- ii) Two (02) copies of complete, consistent and properly referenced site layout drawings indicating all safety distances and position of other important provisions such as tank farm, drainage system, offloading points, oil interceptor, vent pipes and egress/ingress. The site layout should comply with ZS 385 Part 3 and other ERB requirements;

- iii) Two (02) copies of complete, consistent and properly referenced detailed engineering and structural drawings of the following; tank farm, oil interceptor, canopy and price display. The said drawings should be consistent with the site layout and should comply with ZS 385 Part 3 and other ERB requirements;
- iv) Zoning approval from the Local authority;
- v) Approval from the Road Development Agency or its designated agent;
- vi) Valid practicing certificate for the Registered Engineering Professional that will supervise the project. The said certificate is issued by the Engineers Registration Board in accordance with the provisions of the Engineering Institution Act; and
- vii) Documentary evidence of the Registered Engineering professional's commitment to the project on the said location. Such commitment could be in form of acceptance letter from the Registered Engineer or a contract signed by both parties.

In order to inhibit speculation, the ERB may request for additional information such as Two (02) copies of construction schedule or Gantt chart and proof of financial capacity to complete the construction within the tenure of the licence. The aforesaid document should be signed by a duly authorised representative of the developer;

Upon approval, one copy of the detailed site plans, structural and engineering drawings and construction schedule or Gantt chart (where applicable) will be stamped and approved by the ERB's Executive Director's office and attached to the conditions of the Construction Licence. The said copies will form the basis for subsequent pre-burial and pre-commissioning inspections. The Construction Licence, which shall be specific to a site, shall be valid for a period of one (01) year from the date of effect and may be renewed at the Board's discretion. In this regard, the developer will need to show cause why the renewal should be granted.