Non Official Translation

DEMOCRATIC REPUBLIC OF TIMOR-LESTE

REGULATION NO. 1/2017, of October 27 2017

FIRST AMENDMENT TO ANPM REGULATION NO. 1/2016, OF 2 MARCH 2016 ON INSTALLATION AND OPERATION OF STORAGE FACILITIES

One year after the enactment of Regulation No. 1/2016, of 2 March 2016, on installation and operation of Storage Facilities, and taking into account the experience gathered by the ANPM in its implementation and challenges resulting therefrom, the time has come for the ANPM to make certain amendments and adjustments to the rules set forth therein.

These changes mainly pertain to adjustments to the implementation of the applicable standards due to a better understanding of how they should be applied to storage facilities in the context of Timor-Leste, to ensure the general safety of the population. The ANPM also considers it convenient to review the applicable fees and insurance rules.

The changes on fees are a result, on the one hand, of practical issues and reasonable concerns raised by operators of Storage Facilties and, on the other hand, aimed at preventing the negative impact of high fees on fuel prices charged to final consumers. They also consider the country's current stage of economic development.

The ANPM is certain that the changes now approved will increase the safety standards imposed on Storage Facilties and ensure the steady and balanced development of the Timor-Leste downstream sector.

Now therefore, under the terms of Articles 7.2 (b), 7.2 (c) and 8.1 (c) of Decree-Law No. 1/2012, of 1 February 2012, the Board of Directors of the ANPM approves the following Regulation:

Article 1
Amendment to Regulation No. 1/2016, of 2 March 2016

Articles [1], [3], [4], [5], [8], [9], [12], [14], [15], [16], [17], [19], [21], [22], [25], [26], [27], [28], [35], [37], [38], [39], [40], [41], [47], [50], Annex [I], Annex [II] and Annex [IV] of Regulation No. 1/2016, of 2 March 2016 on Installation and Operation of Storage Facilities, are amended as follows:

"Article [**1**]

[…]

1. […]
2. […]

(a) "*API"*: means the American Petroleum Institute, the U.S trade association for the oil and natural gas industry, which approves standards designed to assist industry professionals improve the efficiency and cost-effectiveness of their operations, comply with legislative and regulatory requirements, safeguard health, and protect the environment. The following API standards are relevant for the purposes of this Regulation:

API 505: Recommended Practice for Classification of Location for Electrical Installation at Petroleum Facilities Classified as Class I, Zone 0, Zone 1, and Zone 2;

API 570: Piping Inspection;

API 610: Centrifugal Pumps for Petroleum, Petrochemical and Natural Gas Industries;

API 620: Design and Construction of Large, Welded, Low Pressure Storage Tanks;

API 650: Welded Tanks for Oil Storage;

API 653: Tank Inspection, Repair, Alteration and Reconstruction;

API 674: Positive Displacement Pumps – Reciprocating;

API 675: Positive Displacement Pumps – Controlled Volume for Petroleum, Chemical and Gas Industry Services;

API 676: Positive Displacement Pumps – Rotary.

API 2000: Venting Atmospheric and Low-Pressure Storage Tanks;

(b) […]

(c) […]

(d) […]

(e) […]

(f) [*Wording of former paragraph g*]

(g) [*Wording of former paragraph h*]

(h) *"ASME*": means the American Society of Mechanical Engineering, an organization, focusing on technical, educational and research issues of the engineering and technology community, which sets internationally recognized industrial and manufacturing codes and standards that enhance public safety. The following ASME standards are relevant for the purposes of this Regulation:

ASME B31: Standard of Pressure Piping;

ANSI/ASME A13.1 Standard for the Identification of Pipes

(i) [*Wording of former paragraph j*]

(j) [*Wording of former paragraph k*]

(k) "*Emergency Relief Vent*": means a device designed to relieve excess tank pressure by opening automatically once a pre-determined pressure has been exceeded.

(l) […]

(m) […]

(n) "*Important Building*"; means a building housing high value contents or critical process equipment and one that is normally occupied;

(o) "*Public Building or Space*": means a building located outside the Property Line of the Storage Facility used for any activity aimed at the general public or certain groups of people, including hospitals, schools, museums, theatres, cinemas, hotels, shopping malls, markets, supermarkets, public transportation passenger terminals and, in general, places where large crowds usually occur;

(p) [*Wording of former paragraph o*]

(q) [*Wording of former paragraph p*]

(r) [*Wording of former paragraph q*]

(s) [*Wording of former paragraph r*]

(t) […]

(u) […]

(v) […]

(w) […]

(x) […]

(y) […]

(z) […]

(aa) "*Property Line That Is or Can Be Built Upon*": means a line beyond which a structure is present or beyond which future construction can be anticipated.

(bb) [*Wording of former paragraph aa*]

(cc) [*Wording of former paragraph bb*]

(dd) *"NFPA":* means the National Fire Protection Association, a global, non-profit organization headquartered in the United States of America, devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. The following NFPA standards are relevant for the purposes of this Regulation:

NFPA 10: Standard for Portable Fire Extinguishers;

NFPA 11: Standard for Low, Medium, and High Expansion Foam.;

NFPA 12: Standard for Carbon Dioxide Extinguishing System;

NFPA 12A: Standard on Halon 1301 Fire Extinguishing Systems;

NFPA 13: Standard for the Installation of Sprinkler Systems;

NFPA 14: Standard for the Installation of Standpipe and Hose Systems;

NFPA 15: Standard for Water Spray Fixed Systems for Fire Protection;

NFPA 16: Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems;

NFPA 17: Standard for Dry Chemical Extinguishing Systems;

NFPA 20: Standard for the Installation of Stationary Pumps for Fire Protection;

NFPA 25: Standard for the Inspection, Testing and Maintenance of water Based Fire Protection System;

NFPA 30: Flammable and Combustible Liquids Code;

NFPA 307: Standard for the Construction and Fire protection of the Marine Piers and Wharves.

(ee) […]

(ff) [*Wording of former paragraph gg*]

(gg) "*Jetty*": means a pier or wharf having structures at the shoreline that has a platform built along and parallel to a body of water with either an open deck or a superstructure;

(hh) […]

(ii) [*Wording of former paragraph ff*]

(jj) [*Wording of former paragraph ii*]

(kk) [*Wording of former paragraph jj*]

(ll) [*Wording of former paragraph kk*]

(mm) [*Wording of former paragraph ll*]

(nn) [*Wording of former paragraph mm*]

(oo) "Floating Roof Tank": means a tank in which the internal or external roof moves with the liquid level in the tank, thereby suppressing vaporisation, and which is suitable for more volatile Fuels storage such as gasoline;

(pp) [*Wording of former paragraph oo*]

(qq) *"Aviation Fuel Tank*": means a tank designed to store aviation fuel;

(rr) "*Gasoline Tank*": means a tank designed to store gasoline fuel;

(ss) "*Vertical Tank*": means steel atmospheric or low-pressure tanks with flat or coned bottoms, cylindrical shell and fixed or floating roof intended for aboveground storage of non-corrosive, stable, flammable, and combustible liquids;

(tt) "*Permit to Work System':,* means a formal written system used to control certain types of work which are potentially hazardous*;*

(uu) [*Wording of former paragraph qq*]

(vv) [*Wording of former paragraph rr*]

(ww) [*Wording of former paragraph ss*]

(xx) [*Wording of former paragraph tt*]

(yy) [*Wording of former paragraph uu*]

(zz) [*Wording of former paragraph vv*]

(aaa) [*Wording of former paragraph ww*]

(bbb) [*Wording of former paragraph xx*]

(ccc) [*Wording of former paragraph yy*]

(ddd) [*Wording of former paragraph zz*]

Article [3]

[…]

1. […]
2. […]
3. […]
4. […]
5. […]
6. […]
7. [*Wording of former paragraph 8*]

Article [4]

[…]

1. […]
   (a) […]
   (b) […]
   (c) […]
   (d) […]
   (e) One or more Stations for Loading and Unloading Fuel to and from the Storage Tanks (including Jetties);
   (f) […]
   (g) […]
   (h) […]
2. […]

CHAPTER [II]

[…]

SECTION [I]

[…]

Article [5]

[…]

1. […]
2. […]
3. […]
4. […]
5. If the ANPM approves the proposal for bringing the facility into compliance with the location rules or for mitigating the risks of non-compliance therewith filed under Article 5.3 above, the operator shall have up to 2 years to implement the proposal. Should the proposal not be implemented in the 2 year deadline, the Storage Facility shall cease operation with immediate effect.
6. […]
7. […]
8. […]
9. […]

Article [8]

[…]

1. […]
2. […]
3. […]
4. […]
5. Without prejudice to Article 8.3 above, Licensees shall take out and maintain at least the following minimum insurance coverage:

	Insurance Coverage	**Minimum Limit**
(i)	General Liability (coverage for bodily injury, personal injury, and property	USD1,000,000 any one claim and in the aggregate (in respect of products

	damage caused by the Licensee's operations, products, or injury that occurs at Licensee's Storage Facilities including environmental impairment liability coverage for liability arising out of leaks and pollution including the costs of cleanup)	liability), and any exceeded amount will be burdened to the Licensee
(ii)	Workers' Accident Compensation (injury, illness, or death due to circumstances related to his or her work related duties or commuting)	USD10,000 or 48 months' salary or as may be statutorily required per employee or covering the Licensee's annual payroll obligations for all employees

SECTION [II]

[…]

Article [9]

[…]

1. […]
2. A geotechnical survey of the proposed location is required to be conducted by a competent authority to confirm that soil bearing characteristics are adequate to support the proposed storage area loading including a safety factor of 2.5. Should the survey indicate that the load bearing characteristics of the sub surface are inadequate, then a procedure to rectify this situation should be included with the application.
3. Location application shall indicate that a ready source of clean fire water (not sea-water) is locally available
4. The layout of Storage Tanks and their spacing should take into consideration the accessibility needed for firefighting and the potential benefits of establishing a Buffer Area between Storage Tanks and Storage Facilities and Public Way, Residential Buildings, Used Buildings and car parks for safety and environmental reasons. Inter tank spacing and separation distances between Storage Tanks and the Property Line as well as other existing or proposed future developments should be considered. Bunding and drainage of the area surrounding the Storage Tanks should be such that spillage from any tank can be contained and also other neighboring tanks protected.

(a) The following minimum separation distances referred to in NFPA 30 should be complied with. Separation distances from fixed roof vertical and horizontal tanks with emergency relief venting limiting pressure to 17 kpa are indicated below:

Fixed Roof Vertical and Horizontal tanks with Emergency Relief Venting limiting pressure to 17kPa gauge		
Tank Capacity (cubic metres)	From Property Line That Is or Can Be Built Upon, Including the Opposite Side of a Public Way	From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property
1 or less	1.50	1.50
1.1 to 3	3.50	1.50
3.1 to 45	5.00	1.50
45.1 to 110	6.50	1.50
111 to 190	9.50	3.50
191 to 380	15.50	5.00
381 to 1900	24.50	8.00
1901 to 3800	30.50	11.00
3801 to 7600	41.50	13.00
7601 to 11400	50.50	17.00
11401 or more	53.50	19.50

(b) Separation distances from fixed roof vertical and horizontal tanks with emergency relief venting limiting pressure to 17 kpa with approved foam or inerting system on tanks of less than 45 metre diameter are indicated below:

Fixed Roof Vertical and Horizontal tanks with Emergency Relief Venting limiting pressure to 17kPa gauge		
With Approve d Foam or Inerting system on tanks of less than 45 metre diameter		
Tank Capacity (cubic metres)	From Property Line That Is or Can Be Built Upon, Including the Opposite Side of a Public Way	From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property
1 or less	1.50	1.50
1.1 to 3	1.50	1.50
3.1 to 45	2.50	1.50
45.1 to 110	3.50	1.50
111 to 190	5.00	1.50
191 to 380	8.00	2.50
381 to 1900	12.50	4.00
1901 to 3800	15.50	5.50
3801 to 7600	21.00	7.00
7601 to 11400	25.50	8.50
11401 or more	27.00	10.00

(c) Separation distances of floating roof tanks are indicated below:

Internal and External Floating Roof Tanks	
Minimum Distance (metre)	
From Property Line That Is or Can be Built Upon, Including the Opposite Side of a Public Way	**From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property**
Diameter of Tank but not greater than 45 metres	1/6 x diameter of tank but not less than 1.5 metres

5. The separation distances used in the above tables are derived from NFPA 30 9th edition 2015 and rounded up to the nearest 0.5 meter.
6. Should the minimum separation distance foreseen in the table above be less than the latest edition of NFPA 30, then the separation distances of the latest NFPA 30 edition shall be used,
7. The distances provided in Article 9.4 are measured linearly and as a straight and horizontal projection from the Storage Tank shell and the buildings and areas located within the Property Line of the Storage Facility as well as to the closest point of the buildings, areas or pathways located outside the Storage Facility.
8. [*Wording of former paragraph* 7]
9. [*Wording of former paragraph* 8]

Article [12]

[Areas and Buildings for Administration and Support]

Within the Property Line of the Storage Facility, the construction of Areas and Buildings for Administration and Support must meet the following conditions:

(a) Construction materials for walls, roofs and floors of any Areas and Buildings for Administration and Support shall be incombustible;

(b) Access to the exterior of any Areas and Buildings for Administration and Support must be done through sliding doors or doors that open to the exterior, and must be internally and externally free of obstructions.

Article [14]

[…]

1. […]
2. […]

3. […]
4. […]
5. […]
6. […]
7. […]
8. […]
9. Fixed roof and horizontal tanks shall incorporate an Emergency Relief Vent.
10. Aviation Fuel tanks shall be internally epoxy lined to all internal services with a low level dewatering sump and a floating suction.
11. Gasoline tanks shall be fitted with emergency relief vent (ERV), PV vent and overfill protection designed to isolate the feed pump at a predetermined level.

12. [*Wording of former paragraph 9*]
13. [*Wording of former paragraph 11*]
14. [*Wording of former paragraph 12*]
15. The design of the Storage Tanks shall comply with API 620, API 650 and API 2000 as referred to in NFPA 30.

Article [15]

[…]

1. […]
   (a) The available capacity of the Diked Area shall be 110% of the content of the largest Storage Tank contained therein. To allow for volume occupied by tanks, the capacity of the Diked Area enclosing more than one Storage Tank shall be calculated after deducting the volume of the tanks other than the largest tank, below the height of the dike;
   (b) […]
   (c) […]
   (d) The Diked Area shall have a sewage system for output of water from rain or washing or from other sources, its outlet shall be completely sealable and its operation shall be controllable from the outside. During normal operation, the valve shall remain closed;
   (e) […]
2. […]

Article 16

(Piping)

1. Piping, valves, joints and fittings for Flammable and Combustible Liquids shall be designed for the working pressures and structural stresses to which they may be subject to and shall comply with ASME B31 and API 570.
2. […]
3. […]
4. […]
   (a) […]
   (b) […]
   (c) […]
5. [...]
6. […]
7. […]

Article [17]

[Tank Vent Manifolding]

1. […]
2. […]
3. […]

Article [19]

[…]

1. […]
2. Pipelines shall have a definite painting colour scheme to indicate the product which is being carried by the respective lines. The colour of pipe for each product shall be in accordance with ANSI/ASME A13.1
3. […]
4. […]

Article [21]

[…]

1. […]
2. […]
3. [*Wording of former paragraph 4*]

Article [22]

[…]

1. […]

2. […]

(a) […]

(i) […]

(ii) […]

(iii) […]

(b) […]

(c) […]

(i) […]

(ii) […]

(iii) […]

(iv) The roof of Storage Tanks for Class I and II Fuels shall be equipped with a roof sprinkler system to be activated whenever there is an abnormal temperature increase, irrespective of its cause. The design of the sprinkler systems should comply with the requirements of the NFPA 15.

(d) […]

(i) […]

(ii) […]

Article [25]

[…]

1. The design and construction of Stations for Loading and Unloading of Fuel to and from Storage Tanks, including Marine Jetties, shall comply with the NFPA 30, NFPA 307 and other internationally recognised codes of practice approved for use of ANPM.
2. The minimum distance from the fuel tank truck loading facility to the storage tanks, Important Buildings and the Property Line shall be:
   (a) Class I fuels 8m
   (b) Class II and III fuels 5m
3. [*Wording of former paragraph 2*]
4. [*Wording of former paragraph 3*]
5. [*Wording of former paragraph 4*]

Article [26]

[…]

1. Storage Facilities should be equipped with a Vapour Recovery system for recovering the vapours of liquid Fuels during loading and unloading of Fuel.

2. […]
3. The application of the rules foreseen in this Article shall be subject to approval of the relevant Technical Specifications and to any legislation implementing emissions to atmosphere monitoring and control.

Article [27]

[…]

1. The Applicant shall provide accredited third party certification to ANPM that equipment including but not limited to Storage Tanks, pumps, pipes, fire protection system and electrical system have been tested in accordance with the requirement of the code under which they were built, and are ready for commissioning.

2. […]

Article [28]

[…]

The Licensee shall conduct all necessary routine and other required maintenance on critical equipment, including but not limited to, Storage Tanks, Pipes, Jetty area, sprinkler systems, pumps, ladders, fire extinguishers and other firefighting equipment, in accordance with manufacturers' requirements and relevant codes of practice including and not limited to API 653, API 570 and NFPA 25.

Article [35]

[…]

1. All Storage Facilities shall have a manager and key personnel who have relevant experience in day to day operation of fuel terminals and have attended training courses from accredited training providers including but not limited to:
   (a) […]
   (b) Storage Tank Management Course
   (c) [*Wording of former paragraph b*]
2. […]
3. […]
4. All staff working in the operations of a Storage Facility must attend training courses from accredited training providers including but not limited to:
   (a) […]
   (b) […]

(c) Firefighting course;

(d) Confined space entry;

(e) Rescue and resuscitation;

(f) Permit to work.

5. […]
6. […]
7. […]
8. […]
9. […]

[Article 37]

[…]

1. […]
2. […]
3. Products with high vapour pressure (RVP > 0.34 bar (abs)) including gasoline shall be loaded into the bottom line (bottom loading).
4. […]
5. […]
6. […]
7. […]
8. […]
9. […]
10. […]
11. During the transfer of Flammable Liquids (Class I), including gasoline, Tank Vehicle motors as well as motors of auxiliary or portable pumps shall be shut down while making and breaking hose connections. If loading or unloading is carried out without requiring the use of the Tank Vehicle's motor, the motor shall be shut down during the transfer operations.
12. […]
13. […]
14. […]
15. […]
16. […]

Article [38]

[…]

1. […]

(a) […]

(b) […]

(c) […]

(d) […]

(e) […]

(f) […]

(g) […]

(h) […]

2. […]
3. […]
4. […]
5. […]
6. […]
7. […]

(a) All works involving confined space entry and hot-work shall be subject to a Permit to Work System;

(b) […]

(c) […]

8. […]
9. […]
10. […]

(a) [...]

(b) [...]

(c) [...]

11. […]
12. […]

Article [39]

[…]

1. […]
2. […]
3. […]
4. Special attention and procedures must be adhered to in the cleaning of Storage Tank sludge which could be flammable, carcinogenic, and may contain pyrophoric iron, which could ignite spontaneously on exposure to air.

Article [40]

[…]

1. […]
2. At least one employee on each shift with first aid knowledge shall be named as the designated ‘First Aider’ and shall be present at all times in Storage Facility.

Article [41]

[…]

1. All notices resulting from or required by this Regulation or the ANPM shall be posted in a clearly visible place and may consist of pictograms and/ or text in legible and indelible characters in each of the official languages of Timor-Leste.
2. […]
   (a) […]
   (b) […]
   (c) Prohibition of possession and use of any source of ignition referred in Article 38.3 within the area of the Storage Facility; and
   (d) […]
3. […]
   (a) […]
   (b) […]
   (c) […]
   (d) […]
   (e) […]

Article [47]

[…]

1. […]
2. […]
3. […]
   (a) […]
   (b) […]
   (c) […]
   (d) […]
   (e) […]
   (f) […]
   (g) […]
   (h) […]

(i) […]

(j) […]

(k) Breach of the rules pertaining to tank vent manifolding set forth in Article 17;

(l) […]

(m) […]

(n) […]

(o) […]

(p) […]

(q) […]

(r) […]

(s) […]

(t) […]

(u) […]

(v) […]

(w) Breach of the facility shutdown obligations set forth in Article 38.12, should no damage be caused to health, safety and assets of any persons and/or to the environment;

(x) […]

(y) […]

4. […]

(a) […]

(b) […]

(c) […]

(d) […]

(e) […]

(f) […]

(g) Failure to inspect and maintain storage tanks, pipelines and fire-fighting equipment to the standard required in Article 28.

(h) [*Wording of former paragraph g*]

(i) [*Wording of former paragraph h*]

(j) [*Wording of former paragraph i*]

(k) [*Wording of former paragraph j*]

(l) Breach of the facility shutdown obligations set forth in Article 38.12, in case of damage to health, safety and assets of any persons and/or to the environment; and

(m) [*Wording of former paragraph l*]

5. […]

Article [50]

[…]

1. As foreseen in Article 23.1 of ANPM Regulation No. 1/2012, as amended by Regulation No. 2/2014, the fees applicable for the Licensing of Storage Facilities under this Regulation are set forth in Annex IV hereto which is deemed a part hereof.
2. The fees set forth in Annex IV may be amended at any time by the ANPM without the need of amending the text of this Regulation, such amendments being effective after the respective publication in the *Jornal da República.*

ANNEX I

APPLICATION FOR THE APPROVAL OF LOCATION OF A STORAGE FACILITY

1. APPLICANT'S IDENTIFICATION		
Name or Company Designation:		
Type of Identification Document:	Identification Document No.:	
Taxpayer Identification No:		
Certificate of registration No.:	Share Capital:	
License to do Business No.:		
Representative:		
Address:		
Municipality:	Sub-District:	Suco: Aldeia:
Telephone:	Fax No.:	
E-mail address:		

2. TYPE OF APPLICATION		
	For ANPM use only Please tick "√" against the appropriate box:	
☐ Existing Storage Facility ☐ New Storage Facility	In case of Existing Storage Facility, has the Applicant submitted this Application within the 90 day deadline set forth under Article 4.3 of this Regulation?	☐ Yes ☐ No

3. BUILDINGS, EQUIPMENT AND PROPOSED USE OF STORAGE FACILITY Please tick "√" against the appropriate box:	
☐ Administration and Support buildings	Proposed use:
☐ Buildings for Handling and Storage Fuels	
☐ Central control room	☐ Commercial use

☐ One or more groups of tanks	☐ Exclusive private use
☐ One or more stations (Including Jetty) for loading and unloading fuel to and from the tanks	☐ Exclusive public use (by a governmental authority or body)
☐ Pumping Stations and manifolds used exclusively for Storage activities	
☐ Fire Protection Facilities	
☐ Power Generation	
☐ Other buildings and/or equipment Please provide details_____ _____	

4. TITLE OVER LAND WHERE THE STORAGE FACILITY IS INSTALLED

Please tick "√" against the appropriate box:

☐ Owned ☐ Leased ☐ Other Please provide details _____ _____ _____ _____	**For ANPM's exclusive use** Please tick "√" against the appropriate box: Has the Applicant submitted land registration documents, copy of executed agreement or Power of Attorney (if the grantor of land rights is acting on the owner's behalf as his/her legal representative)?	☐ Yes ☐ No

Current use of the site:

(Please provide details)

_____
_____
_____
_____

Category of fuels stored or to be stored: Note: if Class I Flammable Liquids are stored or expected to be stored, the minimum distances for such category should be considered	Please tick "√" against the appropriate box: ☐ Class I ☐ Class II ☐ Class III

5. GENERAL CONDITIONS FOR INSTALLATION AND LOCATION OF STORAGE FACILITIES

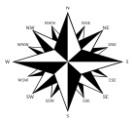
Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:

-	Has the Applicant filed Preliminary Storage Facility Layout	☐ **Yes** ☐ **No**
-	Does the layout foresee adequate provision for vehicle circulation within the facility	☐ **Yes** ☐ **No**
-	Does the layout foresee adequate provision for vehicle parking on and off the facility	☐ **Yes** ☐ **No**
-	Has the Applicant filed Environmental License	☐ **Yes** ☐ **No**
-	Has the Applicant file Geotechnical Analysis	☐ **Yes** ☐ **No**
-	Are settlement mitigation measures required	☐ **Yes** ☐ **No**
-	Is there an adequate provision for fresh water supply	☐ **Yes** ☐ **No**

Nearest Storage Tank's shell to areas outside the Property Line: □ Public Building or Space □ Public Way □ Unused Buildings □ Unused Areas □ Residential Buildings	Distance: _____ **m** _____ **m** _____ **m** _____ **m** _____ **m**
Nearest Storage Tank's shell to the facilities located within the Property Line: □ Non Reinforced Control Room Buildings □ Warehouse □ Laboratory □ Service Buildings for Administration and Support □ Reinforced Control Room Building □ Loading /Unloading Facilities □ Electrical (Overhead Power Lines) □ Electrical (switch house / substation) □ Power Generation Facility □ Boundary Fence	Distance: _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m**
Type of tank to be used	□ Fixed Roof Tank □ Floating Roof Tank

6. MAP

Note: Please show location of site and of other relevant facilities and buildings.



Geographic reference:	

□ Please mark if additional information is provided in Annexes

7. ADDITIONAL ELEMENTS

□ Please mark and provide details if additional documents have been submitted and attached to the present form

Annex No.	Name	Details
□ 1		

□ 2		
□ 3		
□ 4		
□ 5		

8. STATEMENT OF APPLICANT

NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes.

I certify that all of the information contained in this form is complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records which substantiate the information contained herein are available upon request.

Signature: _____

Place: _____ Date: ___/___/_____

To be completed by ANPM

Fees paid: _____

Receipt No. _____

Signature of the individual in charge

_____

9. ANPM's DECISION

For official use only

Final Site approval

☐ Site Approved

☐ Site Not Approved

☐ Deferred / Returned (additional elements required)

Remarks/Requirements/Procedures and respective timing:

_____

_____

_____

Certificate of Approval of Location of a Storage Facility Number _____

Approving Official	**ANPM's Stamp**
Name:	
Position:	
Signature	**Date:** _____
_____	**Valid until:** _____

ANNEX II

APPLICATION FORM FOR THE APPROVAL OF A PROJECT FOR A STORAGE FACILITY

1. APPLICANT'S IDENTIFICATION		
Name or Company Designation:		
Type of Identification Document:	Identification Document No.:	
Taxpayer Identification No.:		
Certificate of registration No.:	Share Capital:	
License to do Business No.:		
Representative:		
Address:		
Municipality:	Sub District:	Suco: Aldeia:
Telephone:	Fax No.:	
E-mail address:		
For ANPM's exclusive use Please tick "√" against the appropriate box:	Has the Applicant submitted a Certificate of Approval of Location of a Storage Facility?	☐ Yes ☐ No

2. BUILDINGS, EQUIPMENT AND PROPOSED USE OF STORAGE FACILITY Please tick "√" against the appropriate box:	
☐ Administration and Support buildings	Proposed use:
☐ Buildings for Handling and Storage of Fuels	
☐ Central control room	☐ Commercial use
☐ One or more Groups of Storage Tanks	☐ Exclusive private use
☐ One or more stations (Including Jetty) for loading and unloading Fuel to and from the tanks	☐ Exclusive public use (by a governmental authority or body)
☐ Pumping Stations and manifolds used exclusively for Storage activities	
☐ Fire Protection Facilities	
☐ Power Generation	
☐ Other buildings and/or equipment	

Please provide details_____ _____	

3. PROJECTS AND DOCUMENTS Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:	Applicant Use	Office Use
General written description of the proposed/existing facilities?	☐ Yes ☐ No	☐ Yes ☐ No
3 sets of plans (preferably in A3 size) drawn to metric scale and signed by Professional/s?	☐ Yes ☐ No	☐ Yes ☐ No
Location plan showing distances from specific and prominent landmarks (preferably to 1:2500 scale), as well as width and conditions of access roads?	☐ Yes ☐ No	☐ Yes ☐ No
Certificate of Approval of Location of a Storage Facility?	☐ Yes ☐ No	☐ Yes ☐ No
Are the measured separation distances required by Location Approval confirmed?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant submitted the document evidencing the financial capability corresponding to the cost of the Project?	☐ Yes ☐ No	☐ Yes ☐ No
Site plan evidencing plot dimensions, layout of buildings with setbacks from all boundaries, access roads, high water marks, parking layout, septic tank/other waste disposal system and any other existing structures (preferably to the scale of 1:200)?	☐ Yes ☐ No	☐ Yes ☐ No
Layout plans of each Storage Tank and associated facilities depicting the location, type and characteristics of the same?	☐ Yes ☐ No	☐ Yes ☐ No
Layout and detailed architectural plans depicting the location, type and characteristics of the proposed areas and buildings used for handling and storage of fuels?	☐ Yes ☐ No	☐ Yes ☐ No
Structural details of existing structures (if applicable)?	☐ Yes ☐ No	☐ Yes ☐ No
Property Certificate/Lease Agreement or any other documents demonstrating the ability to use the site?	☐ Yes ☐ No	☐ Yes ☐ No
Have all plans, layouts or descriptions been signed or prepared by duly qualified consultants i.e. Architect/Draughtsman/Engineer?	☐ Yes ☐ No	☐ Yes ☐ No
Have all Projects, designs, plans and other technical documentation been signed by a duly qualified professional and accompanied by an undertaking by the latter assuming full responsibility for the technical adequacy of the technical solution contained in the documents?	☐ Yes ☐ No	☐ Yes ☐ No
Compliance by the proposed plans, layouts and descriptions with the general standards set forth in the Technical Specifications for Storage Facilities, or other rules and standards approved or adopted by the	☐ Yes ☐ No	☐ Yes ☐ No

ANPM?		
Does the Project comply with all requirements set forth in the Storage Facilities' Regulations, including in Chapter II, Section III?	☐ Yes ☐ No	☐ Yes ☐ No
Is the project schedule to commence within 12 months of the Application date?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant submitted an acceptable Workers Employment Contract?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant submitted proof of insurance cover?	☐ Yes ☐ No	☐ Yes ☐ No
Has any required soil settlement mitigation measures been adequately completed?	☐ Yes ☐ No	☐ Yes ☐ No
Are the boundary walls and fences a minimum of 3m in height?	☐ Yes ☐ No	☐ Yes ☐ No
Is the control room located upwind of the tanks in a Non-hazardous area?	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents Please provide details _____ __ _____ __		

4. INSTALLATION OF EQUIPMENT AND LAYOUT OF STORAGE FACILITIES Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:	**Applicant Use**	**Office Use**
A. Access		
General entrance and exit layouts and schematics	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents Please provide details _____ _____		
B. Storage Tanks and Diked Area		
Has the Applicant filed Storage Tank layouts?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the number of tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the Fuel Type to be used in each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the Tank Capacity of each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No

Do the same detail the Storage Tank Location within the Storage Facility?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tanks mounted to the surface?	☐ Yes ☐ No	☐ Yes ☐ No
Are underground Storage Tanks planned?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tank foundations designed so that they cannot move, deform or be subject to abnormal efforts under the influence of vibrations or impacts provoked by natural or artificial causes?	☐ Yes ☐ No	☐ Yes ☐ No
Is unprotected steel to be used as a support for Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Are the stairways to, and walkways on top of, the Storage Tanks designed to be made of iron or steel?	☐ Yes ☐ No	☐ Yes ☐ No
Does fixed roof and horizontal tanks incorporate an Emergency Relief Vent (ERV)?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of Aviation Fuel Tank fulfill the requirement under Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of Gasoline Tank fulfill the requirement under Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Are all tank vents designed in accordance with API 2000?	☐ Yes ☐ No	☐ Yes ☐ No
Are all Tanks designed to be grounded electrically to permanently moist earth?	☐ Yes ☐ No	☐ Yes ☐ No
Are Storage Tanks designed to be grouped in a dedicated Diked Area according to their respective classification?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of Diked Area comply with Article 15 of this Regulation?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tanks arranged in maximum of two rows?	☐ Yes ☐ No	☐ Yes ☐ No
Have the minimum distances applicable to Storage Tanks detailed in Article 14 of the Storage Facilities' Regulations been complied with?	☐ Yes ☐ No	☐ Yes ☐ No
Are the limits of the Storage Tanks' shell and the distance of same to any Public Building or space, Public Way, Unused Buildings, Unused Areas, Residential Buildings depicted?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of the Storage Tanks comply with the standards foreseen in Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents or information Please provide details _____ _____ _____		
C. Energy and electrical equipment		
Is the energy required for the operation of the Storage Facility provided by the public electricity network?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant filed a request for the installation of private power generation facilities?	☐ Yes ☐ No	☐ Yes ☐ No
Do private power generation facilities (if applicable) comply with the requirements of Article 13 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No

Do electrical equipment, installations, appliances and wiring comply with the requirements of Article 20 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents or information Please provide details _____ _____ _____		
D. Areas and Buildings for Administration and Support		
Does the design of areas and buildings within the property line meet the requirement of Article 12?	☐ Yes ☐ No	☐ Yes ☐ No
E. Water Treatment Systems		
Do the layout plans include references to the installation of a system for treating wastewater contaminated with hydrocarbons, compliant with Article 21 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
F. Gutters, Grills and Sinks		
Do the layout plans include reference to the installation and location of Gutters, Grills and Sinks, and do they comply with applicable requirements?	☐ Yes ☐ No	☐ Yes ☐ No
G. Piping, pumps and pipelines		
Has the Applicant filed any plans indicating the type and characteristics of piping, valves, joints and fittings for Flammable and Combustible Liquids?	☐ Yes ☐ No	☐ Yes ☐ No
Do the piping colours comply with ANSI/ASME A13.1?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant filed any dedicated plans for underground piping?	☐ Yes ☐ No	☐ Yes ☐ No
Do the piping plans and layouts comply with the requirements of Articles16 and 17 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Do pumps and pipelines comply with the requirements of Article19 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
H. Pumping Stations		
Has the Applicant filed any dedicated plans for Pumping Stations?	☐ Yes ☐ No	☐ Yes ☐ No
Do the plans and layouts comply with accepted standards and the requirements of Article 18 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents or information Please provide details _____ _____		
I. Fire Protection System and Firefighting equipment		

Does the design of fire protection system and firefighting equipment comply with NFPA standards foresee under Article 22 of this Regulation?	☐ Yes ☐ No	☐ Yes ☐ No
Does the project layout comply with firefighting equipment foreseen under Article 22 of this Regulation	☐ Yes ☐ No	☐ Yes ☐ No
J. Manholes		
Does the project foresee the existence of manholes for accessing buried equipment?	☐ Yes ☐ No	☐ Yes ☐ No
If the prior answer is yes, does the design of manholes comply with Article 24 of this Regulation?		
K. Station for Loading and Unloading of Fuel		
- Does the design of Stations for Loading and Unloading of Fuel to and from Storage Tank comply with Article 25 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
- Does the company submit the standard adopted for the construction of the Jetty?	☐ Yes ☐ No	☐ Yes ☐ No
L. Safety Zones/Hazardous Area Classification		
Does the proposed layout clearly indicate the existence of Zones of Immediate Risk of Explosion?	☐ Yes ☐ No	☐ Yes ☐ No
Does the proposed layout clearly indicate the existence of Zones of Non-Immediate Risk of Explosion?	☐ Yes ☐ No	☐ Yes ☐ No
M. Visual Identification		
Has the Applicant submitted proof of authorisation to use the proposed Visual Identification?	☐ Yes ☐ No	☐ Yes ☐ No
N. Staffing and Training		
Does the applicant submit a plan describing trainings to be provided to staff according to Article 35?	☐ Yes ☐ No	☐ Yes ☐ No
O. Fuel Transfer, Storing and Mixing Operations?		
Does the applicant intend to carry out fuel transfer, storing and mixing operations?	☐ Yes ☐ No	☐ Yes ☐ No
If Yes, Does the proposed layout comply with Article 36?	☐ Yes ☐ No	☐ Yes ☐ No
P. Operation of Loading and Unloading?		
Does the layout indicate compliance with rules on Fuel Loading and Unloading operations?	☐ Yes ☐ No	☐ Yes ☐ No
Q. Safety Measures		
Does the layout indicate compliance with Safety Measures as required by Article 38?	☐ Yes ☐ No	☐ Yes ☐ No

Does the applicant file a Management System for ANPM's review?	☐ Yes ☐ No	☐ Yes ☐ No
R. First Aid		
Does the layout indicate the location of First Aid Kit as required by Article 40?	☐ Yes ☐ No	☐ Yes ☐ No
S. Notices		
Does the layout foresee all notices as required by Article 41?	☐ Yes ☐ No	☐ Yes ☐ No

☐ Additional documents or information

Please provide details

_____

_____

5. ADDITIONAL ELEMENTS

☐ Please mark and provide details if additional documents have been presented and attached to the present form

Annex No.	Name	Details
☐ 1		
☐ 2		
☐ 3		
☐ 4		
☐ 5		

6. STATEMENT OF APPLICANT

NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes

I certify that all of the information contained in this form is complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records which substantiate the information contained herein are available upon request.

Signature: _____

Place: _____ Date: ___/___/_____

To be completed by ANPM

Fees paid: _____

Receipt No. _____

Signature of the individual in charge

_____

7. ANPM's DECISION

For official use only

☐ Project Approved

☐ Project Not approved

☐ Project Deferred / Returned (additional elements required)

Remarks:

_____

_____

_____

_____

_____

Certificate of Approval of a Project for a Storage Facility _____

Approving Official	**ANPM's Stamp**
Name:	
Position:	
Signature of the individual in charge	
_____	**Date:** _____
	Valid until: _____

ANNEX IV

License Fees

	Annual Fee	**Renewal**	**Late renewal**	**Amendment**	**Transfer**
Fuel Storage Capacity ≤ 200 m^3	USD 14000	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >200 m^3 - 2000 m^3	USD 14000 + USD 60/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >2000 m^3 - 3500 m^3	USD 122000 + USD 50/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >3500 m^3 - 7000 m^3	USD 197000 + USD 40/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >7000 m^3	USD 337000 + USD 30/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee

Article 2

Pending Aplications and Existing Licenses

1. Applications for the issuance or Renewal of Storage Activity Licenses submitted and approved prior to the entry into force of this amendment are subject to the rules

previously in force, but the Licensees shall have 7 years as of the entry into force of this amendment to adapt their facilities to the new rules.

2. Applications that have already been submitted but which approval is pending shall be subject to the rules previously in force, unless the Applicants request that the new rules apply to the pending procedures.

3. Applications for the granting, renewal, transfer or modification of Licenses submitted after the approval of this amendment shall be governed by the new rules now approved.

4. The new fee schedule shall apply as of the entry into force of these amendments; in the case of Licenses which fee payment is pending, the Licensee shall be subject to the new license fee amounts, with any amounts already paid being credited to the payment of the new fees.

Article 3

Republication

The full version of the Regulation No.1/2016, of 2 March 2016 incoporating the amended provisions is republished in its entirety as provided in the annex to this Regulation.

Article 4

Entry into force

This Regulation shall enter into force on the day immediately after its publication in the *Jornal da República.*

Approved by the ANP Board of Directors, on 21 August 2017

Members:

1) Gualdino do Carmo da Silva – Chair .....……..

2) Jorge Martins, Non – Executive ……

3) José Manuel Gonçalves – Executive Board Member ……

4) Emmanuel Angelo Lay - Executive Board Member ……

5) Nelson de Jesus - Executive Board Member …….

Annex

INSTALLATION AND OPERATION OF STORAGE FACILITIES

Under Decree-Law No. 1/2012, of 1 February, the Autoridade Nacional do Petróleo e Minerais (ANPM) has generic powers to approve the technical requirements, principles and conditions to be met in the installation and operation of Storage Facilities for Fuels in Timor-Leste.

With the approval of this Regulation, the ANPM has a legal instrument necessary to regulate and supervise the installation of existing and new Storage Facilities and, renovations or modifications to existing Storage Facilities for Fuels, as well as their operation, thus ensuring the level of health, safety, quality and environmental standards that will support the development of the Storage activity of the Downstream Sector in the Democratic Republic of Timor-Leste.

Now therefore, under the terms of Articles 7.2 (b), 7.2 (c) and 8.1 (c) of Decree-Law No. 1/2012, of 1 February, the Board of Directors of the ANPM approves the following Regulation:

CHAPTER I
GENERAL PROVISIONS

Article 1
(Definitions)

1. The expressions, terms and concepts defined in Article 2 of Decree-Law No. 1/2012, of 1 February shall have herein the same meaning as conferred upon them in the above-mentioned Decree-law.
2. For the purposes of this Regulation:
   (a) "*API*": means the American Petroleum Institute, the U.S trade association for the oil and natural gas industry, which approves standards designed to assist industry professionals improve the efficiency and cost-effectiveness of their operations, comply with legislative and regulatory requirements, safeguard health, and protect the environment. The following API standards are relevant for the purposes of this Regulation:

API 505: Recommended Practice for Classification of Location for Electrical Installation at Petroleum Facilities Classified as Class I, Zone 0, Zone 1, and Zone 2;

API 570: Piping Inspection;

API 610: Centrifugal Pumps for Petroleum, Petrochemical and Natural Gas Industries;

API 620: Design and Construction of Large, Welded, Low Pressure Storage Tanks;

API 650: Welded Tanks for Oil Storage;

API 653: Tank Inspection, Repair, Alteration and Reconstruction;

API 674: Positive Displacement Pumps – Reciprocating;

API 675: Positive Displacement Pumps – Controlled Volume for Petroleum, Chemical and Gas Industry Services;

API 676: Positive Displacement Pumps – Rotary.

API 2000: Venting Atmospheric and Low-Pressure Storage Tanks;

(b) "Diked Area": means the surrounding area around a Storage Tank enclosed by a dike wall or bund wall so as to act as a retention basin in the event of a tank leak;

(c) "Unused Area": means a space vacant of any structure and not used for any type of activity;

(d) "Areas and Buildings for Administration and Support": means building installed for administration and support within the Property Line of a Storage Facility, and in which no activities of handling and storage of fuels take place;

(e) "Areas and Buildings for Handling and Storage of Fuels": means locations and any type of building used for handling and storage of Fuels, for coordination and integration of operations, and for movement of Fuels over short distances, such as Stations for Loading and Unloading Fuels and Pumping Stations, garages, workshops and warehouses;

(f) Storage": means the activity aimed at receiving, collecting, keeping and releasing of Crude Oil, feedstocks for Biofuels or for any other alternative forms of Fuels for processing, as well as Natural Gas, Biofuels and Fuels for commercial purposes, or for exclusive use by the Licensee in its business or public activities or for residential purposes;

(g) "Atypical Kerosene Storage": means Kerosene storage that may be authorized by the ANPM, subject to special requirements, and for special locations as a result of specific market requirements or conditions;

(h) *"ASME"*: means the American Society of Mechanical Engineering, an organization, focusing on technical, educational and research issues of the engineering and technology community, which sets internationally recognized industrial and manufacturing codes and standards that enhance public safety. The following ASME standards are relevant for the purposes of this Regulation:

ASME B31: Standard of Pressure Piping;

ANSI/ASME A13.1 Standard for the Identification of Pipes

(i) "ASTM": means the American Society for Testing and Materials, an international standards organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems and services. The following ASTM standard is relevant for the purposes of this Regulation:

ASTM E119: Standard Test Method for Fire Test of Building Construction and Material;

(j) "Gutter": means a trough or channel used for draining liquids away from a certain point;

(k) "*Emergency Relief Vent*": means a device designed to relieve excess tank pressure by opening automatically once a pre-determined pressure has been exceeded.

(l) "Manifold": means the set of valves used in fluid flow systems, which serves to divide the current flow of fluid into several parts, combine multiple streams into a single flow or to divert the flow to any of several possible destinations;

(m) "Unused Building": means a building which is not used for any type of activity;

(n) "*Important Building*"; means a building housing high value contents or critical process equipment and one that is normally occupied;

(o) "*Public Building or Space*": means a building located outside the Property Line of the Storage Facility used for any activity aimed at the general public or certain groups of people, including hospitals, schools, museums, theatres, cinemas, hotels, shopping malls, markets, supermarkets, public transportation passenger terminals and, in general, places where large crowds usually occur;

(p) "Residential Building": means a building located outside the Property Line of Storage Facilities and used as a residence on a permanent or temporary basis;

(q) "Used Building": means a building or facility located outside the Property Line of Storage Facilities used for professional, commercial or industrial purposes;

(r) “Pumping Station”: means a facility that includes pumps and other equipment for pumping Fuels from one place to another;

(s) “Station for Loading and Unloading Fuel”: means the area, infrastructure and equipment used for loading and unloading Fuel into and from Tank Vehicles, rail tankers, or vessels at Storage Facilities, including jetty’s and gantry’s;

(t) “Ignition Source”: means a source of energy sufficient to ignite a flammable atmosphere consisting of vapours or mixtures of hydrocarbon gases with air, due to naked flames, exposed incandescent material, electric welding arcs, mechanical or static sparks and electrical or mechanical equipment not approved for use in Hazardous Areas;

(u) “Sink”: means a device or place that accepts something;

(v) “Grill”: means a plate with openings for placing on top of holes, channels or gutters;

(w) “Group of Storage Tanks”: means two or more Storage Tanks located within the same Diked Area;

(x) “Visual Identification”: means the visual manifestations of a registered name and logo, applied to the decoration of any structure installed in a Storage Facility, as well as to signage and uniforms;

(y) “Storage Facility”: means the facilities defined in Article 4 of this Regulation;

(z) Property Line”: means the boundary that limits the property where the Storage Facility is located;

(aa) “*Property Line That Is or Can Be Built Upon*”: means a line beyond which a structure is present or beyond which future construction can be anticipated.

(bb) Combustible Liquids” means those Fuels with a Flash Point at or above 37.8°C (Flash Point ≥ 37.8°C), such as Diesel, Biofuels, Jet Fuel, Kerosene, etc. Fuels which are Combustible Liquids are further classified under NFPA 30 as follows:

(i) Class II: liquids with a Flash Point at or greater than 37.8°C and less than 60°C (37.8°C ≤ Flash Point < 60°C), such as Jet fuel, Kerosene etc;

(ii) Class IIIA: liquids with a Flash Point at or greater than 60°C and less than 93°C (60°C ≤ Flash Point < 93°C), such as Diesel, Fuel oils, and Biodiesel;

(iii) Class IIIB: liquids with a Flash Point at or greater than 93°C (Flash Point ≥ 93°C), such as Biofuel;

(cc) “Flammable Liquids” means those Fuels with a Flash Point below 37.8°C (Flash Point < 37.8°C) and a Reid vapour pressure not exceeding an absolute

pressure of 276 kPa at 37.8°C, such as motor gasoline, methanol, ethanol etc. Fuels which are Flammable Liquids are further classified under NFPA 30 as follows:

(i) Class IA liquids with a Flash Point below 22.8°C and a boiling point below 37.8°C, such as gases and ethers, gasoline, certain components of fuel blends (benzene, sulphuric ether, ethyl and methyl alcohol and other similar products), as well as some fuel mixtures that have these properties;

(ii) Class IB liquids with a Flash Point below 22.8°C and a boiling point at or above 37.8°C, such as motor gasoline, and gasoline blends;

(iii) Class IC liquids with a Flash Point at or above 22.8°C and a boiling point equal or greater than 37.8°C.

(dd) *"NFPA":* means the National Fire Protection Association, a global, non-profit organization headquartered in the United States of America, devoted to eliminating death, injury, property and economic loss due to fire, electrical and related hazards. The following NFPA standards are relevant for the purposes of this Regulation:

NFPA 10: Standard for Portable Fire Extinguishers;

NFPA 11: Standard for Low, Medium, and High Expansion Foam.;

NFPA 12: Standard for Carbon Dioxide Extinguishing System;

NFPA 12A: Standard on Halon 1301 Fire Extinguishing Systems;

NFPA 13: Standard for the Installation of Sprinkler Systems;

NFPA 14: Standard for the Installation of Standpipe and Hose Systems;

NFPA 15: Standard for Water Spray Fixed Systems for Fire Protection;

NFPA 16: Standard for the Installation of Foam-Water Sprinkler and Foam-Water Spray Systems;

NFPA 17: Standard for Dry Chemical Extinguishing Systems;

NFPA 20: Standard for the Installation of Stationary Pumps for Fire Protection;

NFPA 25: Standard for the Inspection, Testing and Maintenance of water Based Fire Protection System;

NFPA 30: Flammable and Combustible Liquids Code;

NFPA 307: Standard for the Construction and Fire protection of the Marine Piers and Wharves.

(ee) "OCIMF": means the Oil Companies International Marine Forum, a voluntary association of oil companies having an interest in the shipment and terminalling of crude oil and oil products. The OCIMF International Safety

Guide for Oil Tankers and Terminal (ISGOTT) provides a reference work on the safe operation of oil tankers and terminals;

(ff) "Flash Point": means the minimum temperature of a liquid at which sufficient vapour is given off to form an ignitable mixture with air near the surface of the liquid;

(gg) "*Jetty*": means a pier or wharf having structures at the shoreline that has a platform built along and parallel to a body of water with either an open deck or a superstructure;

(hh) "Manhole": means the top opening to an underground utility vault used to house an access point for making connections or performing maintenance on underground and buried equipment;

(ii) "Reid Vapour Pressure" or "RVP": means the absolute vapour pressure exerted by a liquid at 100 °F (37.8 °C) as determined by the test method ASTM-D-323;

(jj) "First Aid": means the provision of initial care for an illness or injury;

(kk) "Project": means the detailed plans respecting the installation of structures and equipment in a Storage Facility;

(ll) "Applicant": means any physical or legal person that makes a formal request or applies for a License, authorisation or approval from the ANPM;

(mm) "Storage Tank": means a special container to store Fuels at a Storage Facility;

(nn) "Fixed Roof Tank": means a tank in which the cone roof is welded to the tank shell, and which is suitable for less volatile Fuels storage, such as diesel and biodiesel;

(oo) "Floating Roof Tank": means a tank in which the internal or external roof moves with the liquid level in the tank, thereby suppressing vaporisation, and which is suitable for more volatile Fuels storage such as gasoline;

(pp) "Horizontal Tank": means a cylindrical steel tank with flat or dished end operating at atmospheric conditions or at pressure and provided with suitable support saddles intended for aboveground storage of non-corrosive, stable, flammable and combustible liquids;

(qq) *"Aviation Fuel Tank*": means a tank designed to store aviation fuel;

(rr) "*Gasoline Tank*": means a tank designed to store gasoline fuel;

(ss) "*Vertical Tank*": means steel atmospheric or low-pressure tanks with flat or coned bottoms, cylindrical shell and fixed or floating roof intended for aboveground storage of non-corrosive, stable, flammable, and combustible liquids;

(tt) "*Permit to Work System':,* means a formal written system used to control certain types of work which are potentially hazardous*;*

(uu) "Management System": means a system designed to ensure compliance with applicable law, to contribute to ensuring and furthering the quality of the work carried out in Downstream Activities and to ensure effective planning, organisation, control, monitoring and review of necessary preventive and protective measures. The Management System shall include but not be limited to safety procedures and a safety manual based on industry best practice that must be used as a means of managing the risks and ensuring the safe operation of a Storage Facility and ensuring systematic and continuous compliance with all requirements established in this Regulation and applicable law;

(vv) "Water Treatment System": means a system or process that modifies wastewater characteristics to meet effluent standards;

(ww) "Fuel Transfer": means the passage of a product from one tank to another in the same facility through pipes;

(xx) "Tank Vehicle": means a land or sea vehicle for the transportation of Fuels;

(yy) "Public Pathways": means any type of circulation pathways, such as urban or rural roads, water courses and railways, except those existing within the Property Lines of a Storage Facility;

(zz) "Zone of Immediate Risk of Fire or Explosion": means the area so designated by the Licensee in its Project, and accepted by the ANPM, due to characteristics such as Storage Tank volume, type of Fuel stored, respective volatility and any other relevant factors, that make it more susceptible to fire or explosion hazards, as foreseen in API 505;

(aaa) "Zone of Non-Immediate Risk of Fire or Explosion": means the area so designated by the Licensee in its Project, and accepted by the ANPM, due to characteristics such as Storage Tank volume, type of Fuel stored, respective volatility and any other relevant factors, that make it less susceptible to fire or explosion hazards, as foreseen in API 505;

(bbb) "Non-Hazardous Zone": means the area so designated by the Licensee in its Project, and accepted by the ANPM, that due to its characteristics and any other relevant factors, make it not susceptible to fire or explosion hazards, as foreseen in API 505;

(ccc) "Hazardous Area": means an area in which an explosive atmosphere is present or may be expected to be present, in quantities such as to require special

precautions for the construction, installation and use of potential Ignition Sources;

(ddd) “Buffer Area”: means a sterile area which separates the hazard or fire source from the other neighbouring facilities.

Article 2

(Purpose)

This Regulation sets forth the principles, rules and conditions to be complied with in the design, construction, installation, modification, maintenance, operation and decommissioning of Storage Facilities for Fuels and products used in Fuel blending in the territory of Timor-Leste.

Article 3

(Scope)

1. This Regulation shall cover all Storage Facilities for Fuels installed or to be installed in the territory of Timor-Leste, irrespective of the nationality and nature of the entities that own or operate them.
2. This Regulation shall apply to the following Storage Facilities:
   (a) Depots, intended to receive Fuels in bulk, for the establishment of reserves, for own consumption or for sale to Licensees engaged in Trading or Marketing Activities or to other entities, but not for sale to consumers;
   (b) Warehouses, intended for packaged Fuel products, for constituting reserves or stocks for own consumption, or for sale to Licensees engaged in Trading or Marketing Activities or to other entities, but not for sale to consumers.
3. The rules and specifications set forth in this Regulation and the technical specifications issued hereunder shall apply to Storage Facilities used for Supply, Processing, Transport and Marketing activities, unless the regulations applicable to such activities include specific rules on Storage Facilities. The Storage rules and specifications foreseen in the regulations applicable to each such activity shall not be less stringent in terms of safety requirements than the rules set forth herein.
4. The detailed and technical rules to be applied in Projects for the construction and equipment of Storage Facilities may be the object of independent documentation,

called technical specifications for the design, construction, modification, maintenance and decommissioning of Storage Facilities ("Technical Specifications for Storage Facilities"), developed and made available by the ANPM, which may also adopt international standards for the same purpose.

5. The Technical Specifications for Storage Facilities:
   (a) Shall be applicable to new sites and existing sites that are to be modified or renovated;
   (b) Shall provide construction and equipment information, covering civil, mechanical, hydraulic and electrical installation issues for the planning, design, construction, commissioning, modification, maintenance and decommissioning of Storage Facilities;
   (c) Shall provide information aimed at minimizing the risks from fire and explosion, to health and to the environment; and
   (d) Shall describe operational good practices to be implemented by Storage Facility operators.
6. Upon their approval by the ANPM, the Technical Specifications for Storage Facilities shall be attached to this Regulation as an Annex hereto, which may be freely amended by the ANPM without the need of amending the text of this Regulation.
7. The international standards foreseen in this Regulation are subject to the latest edition or amended version.

Article 4

(Storage Facilities)

1. Storage Facilities mean all buildings, constructions, structures, equipment and other infrastructure used for Storage, and any buildings or infrastructure used for activities directly related thereto, notably:
   (a) Areas and Buildings for Administration and Support;
   (b) Areas and Buildings for Handling and Storage of Fuels;
   (c) Central control rooms;
   (d) One or more Groups of Storage Tanks;
   (e) One or more Stations for Loading and Unloading Fuel to and from the Storage Tanks (including Jetties);
   (f) Pumping Stations and Manifolds used exclusively for Storage activities;
   (g) Fire protection facilities including fire water pumps, fire water storage tanks, foam tanks, foam proportionators, foam/water monitors, fire hydrants, fire water sprinklers, automatic deluge systems, fire detectors

and alarm systems, and electrical switchgear room fire suppression systems;

(h) Backup power generation facilities.

2. Storage Facilities may only include underground tanks if formally and expressly authorized by the ANPM, following submittal of a specific Project by the Applicant outlining the grounds for such requirement, or if expressly foreseen in other applicable laws or regulations.

CHAPTER II
GENERAL PRINCIPLES FOR INSTALLATION OF STORAGE FACILITIES

SECTION I
LOCATION, PROJECT AND LICENSING

Article 5
(Approval of Location)

1. The approval of the location of a new or existing Storage Facility must be done independently and prior to the presentation and approval of a Project for the construction of a Storage Facility.
2. The request for approval of the location of a new or existing Storage Facility must be made through the completion and submission to the ANPM of the form included in Annex I to this Regulation, which is an integral part hereof, called the “Application for Approval of Location of a Storage Facility”, which contains an explanation of the procedures to be followed and the documentation to be included in the request.
3. The operators of existing Storage Facilities have 90 days, after the publication of this Regulation, to present to the ANPM an Application for Approval of Location of a Storage Facility. Should the location of an existing Storage Facility not be approved by the ANPM the operator must file a proposal for bringing the facility in compliance with the location rules or for mitigating the risks arising out of such non-compliance, within 180 days of being served notice of the ANPM’s refusal to approve the location.
4. Should the operator not present the proposal provided in Article 5.3 above within the referred deadline, or should the ANPM not approve the proposal, the Storage Facility shall cease to operate within 2 years.
5. If the ANPM approves the proposal for bringing the facility into compliance with the location rules or for mitigating the risks of non-compliance therewith

filed under Article 5.3 above, the operator shall have up to 2 years to implement the proposal. Should the proposal not be implemented in the 2 year deadline, the Storage Facility shall cease operation with immediate effect.

6. The Application for Approval of the Location of a Storage Facility can only be submitted by a licensed or de facto operator, in case of existing Storage Facilities, or by Timor-Leste registered companies, in case of new Storage Facilities.
7. After reviewing the Application for Approval of the Location of a Storage Facility, the ANPM will inform the Applicant of its decision in writing, including of any requirements, procedures and timing for their implementation.
8. In case of approval of the location, the ANPM shall stamp and sign the Application for Approval of Location of a Storage Facility in the respective approval field, and the said Application shall be deemed thereafter a Certificate of Approval of Location of a Storage Facility.
9. The Certificate of Approval of Location of a Storage Facility and the authorization contained therein shall lapse should the Applicant not submit an Application for the Approval of a Project for a Storage Facility within the deadline set forth in Article 6.2, or should 1 year, or such longer period as may be established by the ANPM, elapse from the date of submittal of the same application without the Applicant having completed the implementation of the Project and applied for the respective License under Article 6 below.

Article 6

(Project approval)

1. Projects for new or existing Storage Facilities can only be submitted after obtaining a Certificate of Approval of Location of a Storage Facility.
2. Upon the issuance of the Certificate of Approval of Location of a Storage Facility, operators of new or existing Storage Facilities shall have 90 days to present to the ANPM an “Application for the Approval of a Project of a Storage Facility”, in the form included in Annex II to this Regulation, which contains an explanation of the procedures to be followed, as well as the documentation to be included, which must be in full compliance with the standards detailed in the Technical Specifications for Storage Facilities.
3. The Application for the Approval of a Project for a Storage Facility can only be submitted by the licensed operator in case of existing Storage Facilities, and by Timor-Leste registered companies, in case of new Storage Facilities.

4. The Project application shall include a document evidencing the financial capability corresponding to the Project cost, in case of new Storage Facilities.
5. No future redevelopments, modifications or decommissioning of existing Storage Facilities may be performed without the submittal of a specific Project, following the procedures described in the previous paragraphs of this Article 6.
6. Any variations from the standards detailed in the Technical Specifications for Storage Facilities, must obtain prior written consent of the ANPM and be supported by documentation to prove that an equal or higher standard will be applied and ensured.
7. After review of the Application for the Approval of a Project for a Storage Facility the ANPM may request additional documents it deems necessary to adequately assess the application.
8. The ANPM shall issue a decision on an application within 90 days of the date on which it receives the last of the documents required, informing the Applicant in writing of the decision, and of the procedures and timing for its implementation.
9. Applications for new Storage Facilities will not be considered if the scheduled starting of the implementation of the Project is expected to take more than 12 months.
10. Whenever the ANPM approves a Project for a new or existing Storage Facility, it shall issue a Certificate of Approval of a Project for a Storage Facility, in the form included in Annex III to this Regulation, which is an integral part hereof.
11. The Certificate of Approval of a Project for a Storage Facility and the authorization contained therein shall lapse should the Applicant not conclude the implementation of the Project and apply for the respective License under Article 7 below within 1 year of submittal of its application under Article 6.2 or such longer period as may be established by the ANPM.
12. Prior to commencement of construction works in respect of new Storage Facilities or redevelopment, modification or decommissioning of existing Storage Facilities, the Applicant shall file with the ANPM a copy of the employment contracts of the workers to be employed in such construction activities and the relevant labour accident and occupational illness insurance policies with an annual coverage in accordance with Article 8 of this Regulation.

Article 7

(Licence approval)

1. A License shall be granted to all entities wishing to perform activities respecting the operation of a Storage Facility upon receipt of an application that complies with all the minimum requirements and procedures set out in this Regulation and in ANPM Regulation No. 1/2012 on Administrative Procedures, Requirements and Fees for Granting, Renewal and Modification of Downstream Activities Licenses, as amended by ANPM Regulation No. 2/2014, of 24 October 2014, and performance of an inspection under ANPM Regulation No. 2/2012, of 24 October, and Articles 43 and 44 of this Regulation to confirm that the Storage Facility complies, amongst other aspects, with the Project approved by the ANPM under Article 6 above and all rules and requirements set forth herein.
2. The License shall be in the form set out in Annex I to Decree-Law No. 1/2012, of 1 February on the Downstream Sector.

Article 8

(Insurance)

1. The application referred to in Article 7.1 shall include proof of insurance covering the activity or activities the entities wish to carry out, including coverage against general civil liability including for damages to individuals and assets, accidents at work and occupational illness, and environmental damage.
2. Licensees shall:
   (a) Maintain the insurance referred in Article 8.1 above for such amount and on such terms as the ANPM requires in accordance with Article 8.3;
   (b) Place such insurance with an insurance company licensed by the Banco Central de Timor-Leste or by other competent Timor-Leste Authority; and
   (c) Include ANPM as a named insured and include a waiver of subrogation in favor of ANPM.
3. Licensees shall provide evidence prior to the commencement of business to the ANPM showing that such insurance has come into force and will be maintained during the term of the Downstream License.
4. Entities shall take out and maintain insurance in respect of their potential liability and such other matters as the ANPM requires (including in respect of pollution), for such amount as the ANPM requires from time to time.
5. Without prejudice to Article 8.3 above, Licensees shall take out and maintain at least the following minimum insurance coverage:

	Insurance Coverage	Minimum Limit
(i)	General Liability (coverage for bodily injury, personal injury, and property damage caused by the Licensee's operations, products, or injury that occurs at Licensee's Storage Facilities including environmental impairment liability coverage for liability arising out of leaks and pollution including the costs of cleanup)	USD1,000,000 any one claim and in the aggregate (in respect of products liability), and any exceeded amount will be burdened to the Licensee
(ii)	Workers' Accident Compensation (injury, illness, or death due to circumstances related to his or her work related duties or commuting)	USD10,000 or 48 months' salary or as may be statutorily required per employee or covering the Licensee's annual payroll obligations for all employees

SECTION II
INSTALLATION AND LOCATION OF STORAGE FACILITIES

Article 9
(General conditions)

1. It is forbidden to install Storage Facilities in:
   (a) Locations protected by the laws of Timor-Leste or by rules issued by international organizations of which the State of Timor-Leste is a member;
   (b) Locations subject to frequent flooding;
   (c) Locations that, due to the specific structure of the land or its characteristics, may be subject to the occurrence of landslides or pose risk of any other type of ground instability.
2. A geotechnical survey of the proposed location is required to be conducted by a competent authority to confirm that soil bearing characteristics are adequate to support the proposed storage area loading including a safety factor of 2.5. Should the survey indicate that the load bearing characteristics of the sub surface are inadequate, then a procedure to rectify this situation should be included with the application.

3. Location application shall indicate that a ready source of clean fire water (not sea-water) is locally available.

4. The layout of Storage Tanks and their spacing should take into consideration the accessibility needed for firefighting and the potential benefits of establishing a Buffer Area between Storage Tanks and Storage Facilities and Public Way, Residential Buildings, Used Buildings and car parks for safety and environmental reasons. Inter tank spacing and separation distances between Storage Tanks and the Property Line as well as other existing or proposed future developments should be considered. Bunding and drainage of the area surrounding the Storage Tanks should be such that spillage from any tank can be contained and also other neighboring tanks protected.

   (a) The following minimum separation distances referred to in NFPA 30 should be complied with. Separation distances from fixed roof vertical and horizontal tanks with emergency relief venting limiting pressure to 17 kpa are indicated below:

Fixed Roof Vertical and Horizontal tanks with Emergency Relief Venting limiting pressure to 17kPa gauge		
Tank Capacity (cubic metres)	From Property Line That Is or Can Be Built Upon, Including the Opposite Side of a Public Way	From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property
1 or less	1.50	1.50
1.1 to 3	3.50	1.50
3.1 to 45	5.00	1.50
45.1 to 110	6.50	1.50
111 to 190	9.50	3.50
191 to 380	15.50	5.00
381 to 1900	24.50	8.00
1901 to 3800	30.50	11.00
3801 to 7600	41.50	13.00
7601 to 11400	50.50	17.00
11401 or more	53.50	19.50

   (b) Separation distances from fixed roof vertical and horizontal tanks with emergency relief venting limiting pressure to 17 kpa with approved foam or inerting system on tanks of less than 45 metres diameter are indicated below:

Fixed Roof Vertical and Horizontal tanks with Emergency Relief Venting limiting pressure to 17kPa gauge
With Approved Foam or Inerting system on tanks of less than 45 metres diameter

Tank Capacity (cubic metres)	From Property Line That Is or Can Be Built Upon, Including the Opposite Side of a Public Way	From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property
1 or less	1.50	1.50
1.1 to 3	1.50	1.50
3.1 to 45	2.50	1.50
45.1 to 110	3.50	1.50
111 to 190	5.00	1.50
191 to 380	8.00	2.50
381 to 1900	12.50	4.00
1901 to 3800	15.50	5.50
3801 to 7600	21.00	7.00
7601 to 11400	25.50	8.50
11401 or more	27.00	10.00

(c) Separation distances of floating roof tanks are indicated below:

Internal and External Floating Roof Tanks	
Minimum Distance (metre)	
From Property Line That Is or Can be Built Upon, Including the Opposite Side of a Public Way	**From Nearest Side of Any Public Way or from Nearest Important Building on the Same Property**
Diameter of Tank but not greater than 45 metres	1/6 x diameter of tank but not less than 1.5 metres

5. The separation distances used in the above tables are derived from NFPA 30 9th edition 2015 and rounded up to the nearest 0.5 meter.
6. Should the minimum separation distance foreseen in the table above be less than the latest edition of NFPA 30, then the separation distances of the latest NFPA 30 edition shall be used.
7. The distances provided in Article 9.4 are measured linearly and as a straight and horizontal projection from the Storage Tank shell and the buildings and areas located within the Property Line of the Storage Facility as well as to the closest point of the buildings, areas or pathways located outside the Storage Facility.
8. Storage Facilities must be installed in properties surrounded by walls or fences with a minimum height of 3m, made of incombustible material.
9. Storage Facility control rooms shall be located upwind of the Storage Tanks in a Non-Hazardous Zone.

Article 10

(Accesses)

1. The entry and exit of vehicles into and from Storage Facilities shall be made through one-way accesses, directly from and into Public Pathways, which accesses shall be used exclusively for the activities to be carried out within the Property Lines of the Storage Facility.
2. Parking of vehicles in the entries and exits of Storage Facilities is prohibited.
3. The rules set forth in this Article shall apply to both new and existing Storage Facilities.

SECTION III

CONDITIONS AND MINIMUM REQUIREMENTS FOR THE INSTALLATION OF AREAS, BUILDINGS AND EQUIPMENT IN STORAGE FACILITIES

Article 11

(General rules)

The ANPM may establish Technical Specifications for Storage Facilities, setting forth the technical requirements and conditions for construction and installation of equipment, which must be complied with by all Projects for new Storage Facilities, or for changes to existing Storage Facilities, or adopt international rules and standards such as NFPA to this effect, including for the dimensioning and design of fire protection and firefighting systems.

Article 12

(Areas and Buildings for Administration and Support)

Within the Property Line of the Storage Facility, the construction of Areas and Buildings for Administration and Support must meet the following conditions:

(a) Construction materials for walls, roofs and floors of any Areas and Buildings for Administration and Support shall be incombustible;

(b) Access to the exterior of any Areas and Buildings for Administration and Support must be done through sliding doors or doors that open to the exterior, and must be internally and externally free of obstructions.

Article 13

(Energy)

1. The energy required for the normal operation of Storage Facilities shall be provided by the public electricity network. However, any backup power supply

requirement for critical systems deemed essential shall be provided by the operator.

2. The installation of private power generation facilities may be allowed by the ANPM as backup to the supply from the public electricity network under the following conditions:
   (a) The power generation systems should be installed outside the Zone of Immediate Risk of Fire or Explosion, respecting the distances referred to in Article 12;
   (b) The installation of other power generation engines and equipment, such as thermal engines or steam-generators in the Areas and Buildings for Handling and Storage of Fuels, shall only be allowed provided they only use Class III liquids as Fuel (Diesel, Bio-Diesel, Fuel Oil) and their burners are fitted with automatic closing mechanisms.
3. Combustion engines shall be considered Ignition Sources, unless they meet the following cumulative requirements:
   (a) They use Class III liquids as Fuel;
   (b) They do not require any Ignition Source for start-up or for any other operation;
   (c) No part of the respective equipment, including the exhaust, is expected to generate excessive heat when in operation;
   (d) The exhaust shall be protected against the occurrence of flames and shall lead into open air, in a place that does not offer danger.
4. The buildings where the equipment referred to in this Article 13 is installed shall comply with all construction requirements set forth in Article 12.

Article 14

(Storage Tanks)

1. A Storage Tank in Storage Facilities shall only be mounted to the surface ("Surface Storage Tank"), unless otherwise formally and expressly authorized by the ANPM.
2. Each Storage Tank or Group of Storage Tanks shall be contained within a Diked Area.
3. The foundations for Storage Tanks shall be designed and installed so that they cannot move, deform or be subject to abnormal efforts under the influence of vibrations or impacts provoked by natural or artificial causes.
4. In no case shall unprotected steel be used as a support for Storage Tanks.

5. Stairways to, and walkways on top of, Storage Tanks shall be made of iron or steel.
6. All Storage Tank vents shall be designed in accordance with API 2000. The vents/relief devices shall be designed to prevent any flames from propagating into the Storage Tank vapour space.
7. All tanks shall be grounded electrically to permanently moist earth to prevent any build-up of static electricity.
8. The following rules shall apply to the minimum shell to shell spacing between Storage Tanks, in accordance with NFPA 30, Table 22.4.2.1 as follows:
   The minimum distance between shells of adjacent Storage Tanks for liquid Fuel (Class I, II, III) is as follows:

Tank Diameter (m)	Floating Roof Tank	Fixed Roof, Vertical or Horizontal Tank	
		Class I, II Liquids	Class III Liquids
Diameter less than 45 m	1/6 x sum of adjacent tank diameters	1/6 x sum of adjacent tank diameters	1/6 x sum of adjacent tank diameters
Diameter more than 45 m	1/4 x sum of adjacent tank diameters	1/3 x sum of adjacent tank diameters	1/4 x sum of adjacent tank diameters

9. Fixed roof and horizontal tanks shall incorporate an Emergency Relief Vent.
10. Aviation Fuel tanks shall be internally epoxy lined to all internal services with a low level dewatering sump and a floating suction.
11. Gasoline tanks shall be fitted with emergency relief vent (ERV), PV vent and overfill protection designed to isolate the feed pump at a predetermined level.
12. Storage Tanks should be grouped in a dedicated Diked Area according to their respective classification of Fuel.
13. Liquids which are not Fuels shall be stored in a separate Diked Area and shall not be stored along with Class I, II or III Fuels.
14. Storage Tanks shall be arranged in maximum of two rows so that each tank is approachable from the road surrounding the Diked Area. This stipulation need not be applied to tanks storing liquids which are not Fuels.
15. The design of the Storage Tanks shall comply with API 620, API 650 and API 2000 as referred to in NFPA 30.

Article 15

(Diked Area)

1. The construction of Diked Areas must meet the following standards:
   (a) The available capacity of the Diked Area shall be 110% of the content of the largest Storage Tank contained therein. To allow for volume occupied by tanks, the capacity of the Diked Area enclosing more than one Storage Tank shall be calculated after deducting the volume of the tanks other than the largest tank, below the height of the dike;
   (b) Walls of the Diked Area shall be of steel, concrete or solid masonry designed to be liquid tight and withstand a full hydrostatic head;
   (c) The bottom of the Diked Area shall be watertight or lined by a layer of impermeable material to avoid seepage of any liquid Fuel product to underground water levels;
   (d) The Diked Area shall have a sewage system for output of water from rain or washing or from other sources, its outlet shall be completely sealable and its operation shall be controllable from the outside. During normal operation, the valve shall remain closed;
   (e) To permit access, the outside base of the Diked Area at ground level shall be no closer than 3 metres to any adjacent facility that is or can be built upon.
2. It is strictly prohibited to install any material or equipment in a Diked Area, with the exception of the Storage Tanks or other tanks and its or their fittings and pipes.

Article 16

(Piping)

1. Piping, valves, joints and fittings for Flammable and Combustible Liquids shall be designed for the working pressures and structural stresses to which they may be subject to and shall comply with ASME B31 and API 570.
2. Piping shall be run as directly as possible and proper allowance shall be made for expansion and contraction.
3. Aboveground piping shall be protected against mechanical damage to the extent reasonably possible.
4. Underground piping must comply with the following standards:
   (a) Metallic piping shall not be surrounded or covered by cinders or other material of corrosive effect but preferably should be laid in sand. Where carried in conduit, the openings of such conduit must be sealed to prevent escape of liquid except for vent pipes;

(b) Any metallic parts shall be coated with asphalt or another corrosion resisting material;

(c) Piping buried under roads shall be sealed in conduit and the joints of the conduit shall be sealed to prevent leakage. The pitch of same conduits shall be towards the Diked Area, and a vent pipe shall be provided.

5. Piping systems should be designed to minimize the number of joints and joints may be welded, flanged or threaded.

6. Each pipe attached to a Storage Tank shall be provided with a valve at the tank, with no branches or outlets between the tank and the valve. If two or more Storage Tanks are cross-connected, there shall be a valve at each tank in each cross-connection. Storage Tanks with different classes of Fuels shall not be cross-connected.

7. In addition to any normal valves, there must be an extra valve at each pipeline connection to any Storage Tank below normal liquid level (regardless of when installed), which shall be operated both manually and by an effective heat actuated device which, in case of fire, will automatically close the valve to prevent the flow of liquid from the Storage Tank even if the downstream pipelines are ruptured.

Article 17

(Tank Vent Manifolding)

1. Storage Tank vent piping shall not be manifolded unless required for special purposes such as vapour recovery, vapour conservation or air pollution control.

2. Manifolded vent pipes shall be adequately sized to prevent system pressure limits from being exceeded when manifolded Storage Tanks are subject to the same fire exposure.

3. Vent piping for Storage Tanks storing Class I Fuels shall not be manifolded with vent piping for Storage Tanks storing Class II or III Fuels unless positive means are provided to prevent the vapours from Class I Fuels from entering the Storage Tanks storing Class II or III Fuels.

Article 18

(Pumping Stations)

1. Pumps shall comply with API 610 for centrifugal pumps, API 674, API 675 and API 676 for positive displacement pumps and NFPA 20 for firewater pumps.

2. Motors shall be compatible with public electrical network voltage and frequency, non-sparking or explosion-proof type suitable for the hazardous area

classification, and shall be electrically grounded to permanently moist earth in accordance with NFPA 30 (Section 6.5.4).

3. If the Pumping Station is electrically lighted, lights shall be of the vapour proof type, wiring shall be in sealed conduit, and the light switch shall be of the explosion-proof type, oil bath type, or shall be placed outside the building.
4. Motor starting switches shall be of the explosion-proof type or oil bath type if located in an area where explosive concentration of vapours is suspected of being present.
5. Screened openings of not less than 0,04m² each shall be constructed in opposite corners, at floor line, to provide proper ventilation.
6. All doors of the Pumping Station shall open outward.
7. Doors shall be left open at all times when pumps are in operation.
8. If pumps and motors are located entirely in the open, with no enclosure whatsoever, they may be located at or under the Station for Loading and Unloading Fuel.

Article 19

(Pumps and pipelines)

1. Gasoline shall in no case be handled through the same pump and pipelines as kerosene, jet fuel, diesel and fuel oils. Proper segregation of Fuels should be ensured to prevent contamination.
2. Pipelines shall have a definite painting colour scheme to indicate the product which is being carried by the respective lines. The colour of pipe for each product shall be in accordance with ANSI/ASME A13.1
3. Valves on lines in the Pumping Station shall be tagged to indicate the product handled and controlled by each valve.
4. Pumps delivering to or taking supply from Tank Vehicles shall be provided with valves on both suction and discharge of pump, and such valves shall be marked with the testing and listing symbol for their use with Flammable and Combustible Liquids.

Article 20

(Electrical system)

1. All electrical installations, appliances, equipment, and wiring shall comply with the relevant NFPA or International Electrical Code or equivalent international best practice or industry standards formally and expressly approved by ANPM.

2. All electric lights at the Station for Loading and Unloading Fuel shall be of vapour-proof construction, all electric wiring shall be in sealed conduit at docks, and switches shall be of the explosion-proof type or placed at least 6m from the docks.

Article 21

(Water Treatment Systems)

1. Storage Facilities must be equipped with a system for treating wastewater contaminated with hydrocarbons. Water is deemed suitable for disposal/discharge if the oil in water content is less than 10 mg/l or in accordance with the applicable law in Timor-Leste.
2. The oil separators must be installed in locations easily accessible for inspection and cleaning.
3. The floor of areas where there is the possibility of spills, especially the area dedicated to unloading Fuels from the Fuel Tank Vehicles into the Storage Tanks, and the Storage Tank Diked Areas, shall be impermeable and allow for drainage into the Water Treatment System.

Article 22

(Fire protection systems and firefighting equipment)

1. The design of fire protection systems and firefighting equipment shall be in accordance with the National Fire Protection Association (NFPA) standards. Applicable standards are NFPA 10, NFPA 11, NFPA 12, NFPA 12A, NFPA 13, NFPA 14, NFPA 15, NFPA 16, NFPA 17 and NFPA 20.
2. Notwithstanding Article 22.1 above and any specific requirements imposed by the ANPM due to the specific characteristics of the Project, Storage Facilities must be equipped with the following firefighting equipment:
   (a) Fire extinguishers:
      (i) Zones of Immediate Risk of Fire or Explosion shall be equipped with at least 2 fire extinguishers, or one 9 kg fire extinguisher for each 100m² area, if the fire extinguisher works with inert gas;
      (ii) Zones of Non-Immediate Risk of Fire or Explosion shall be equipped with 1 fire extinguisher, or one 9 kg fire extinguisher for each 200m² area, if the fire extinguisher works with inert gas;
      (iii) Non-Hazardous Zones shall be equipped with the equipment required by the relevant regulatory authority.
   (b) Sand:

The Storage Facility shall be equipped with sand deposits, comprised of buckets and spades, in the quantity of 1 m^3 of sand per 2500 m^2 of uncovered area, or per Area and Building for Handling and Storage of Fuels.

(c) Water:

(i) Whenever possible, the water distribution network for the protection of Storage Facilities shall be segregated from the distribution network for other uses;

(ii) The water distribution network shall have the number of valves and hydrants appropriate for the protection of all areas, buildings and Storage Tanks potentially subject to fires. Such hydrants shall allow direct mounting without distinction of nozzles or portable foam generators;

(iii) The water to be used for firefighting can come from the urban supply network, or if deemed necessary, from a dedicated water tank, in which case the tank must be fitted with independent pumps. Whichever solution is adopted it should comply, in terms of flow rate, pressure and total quantity available, with the NFPA norms used to calculate firefighting systems;

(iv) The roof of Storage Tanks for Class I and II Fuels shall be equipped with a roof sprinkler system to be activated whenever there is an abnormal temperature increase, irrespective of its cause. The design of the sprinkler systems should comply with the requirements of the NFPA 15.

(d) Foam:

(i) Foam generators for extinguishing fires in Storage Facilities shall be of the high-expansion type, and may be fixed or mobile in accordance with NFPA 11;

(ii) The specific model of the foam generators to be installed in a Storage Facility, and their respective number and location shall be approved by the ANPM.

Article 23

(Gutters, Grills and Sinks)

Gutters, Grills and Sinks shall be suitably located, of adequate size, in sufficient quantity and shall have the appropriate resistance for their respective purposes.

Article 24

(Manholes)

1. The Manholes for access to any equipment or infrastructure shall be prefabricated and watertight or with adequate drainage.
2. The covers of the Manholes shall have the required resistance to endure the loads they are expected to be subject to.

Article 25

(Station for Loading and Unloading of Fuel)

1. The design and construction of Stations for Loading and Unloading of Fuel to and from Storage Tanks, including Marine Jetties, shall comply with the NFPA 30, NFPA 307 and other internationally recognised codes of practice approved for use of ANPM.
2. The minimum distance from the fuel tank truck loading facility to the storage tanks, Important Buildings and the Property Line shall be:
   (a) Class I fuels 8m
   (b) Class II and III fuels 5m
3. The operation and safety of marine loading and unloading shall comply with OCIMF *International Safety Guide for Oil Tankers and Terminal*.
4. Pumps and loading devices shall be sized to provide rates of flow appropriate to the design capacity and its safe operation.
5. Loading arms, hoses and meters at a gantry shall be designed to enable the filling of all tank compartments without having to move the vehicle, thus reducing the potential risk of accidents.

Article 26

(Vapour Recovery)

1. Storage Facilities should be equipped with a Vapour Recovery system for recovering the vapours of liquid Fuels during loading and unloading of Fuel.
2. The design of vapour recovery shall comply with NFPA 30.
3. The application of the rules foreseen in this Article shall be subject to approval of the relevant Technical Specifications and to any legislation implementing emissions to atmosphere monitoring and control.

Article 27

(Commissioning of Storage Facility)

1. The Applicant shall provide accredited third party certification to ANPM that equipment including but not limited to Storage Tanks, pumps, pipes, fire protection system and electrical system have been tested in accordance with the requirement of the code under which they were built, and are ready for commissioning.
2. The third party certification shall be filed with the ANPM prior to the preliminary inspection.

Article 28

(Maintenance)

The Licensee shall conduct all necessary routine and other required maintenance on critical equipment, including but not limited to, Storage Tanks, Pipes, Jetty area, sprinkler systems, pumps, ladders, fire extinguishers and other firefighting equipment, in accordance with manufacturers' requirements and relevant codes of practice including and not limited to API 653, API 570 and NFPA 25.

CHAPTER III
SAFETY ZONES / HAZARDOUS AREA CLASSIFICATION

Article 29

(General)

The Hazardous Area classification for Storage Facilities shall be prepared in accordance with API 505. Depending on the inherent risk, the zones are classified as follows:

(a) Zone 0: Flammable mixture is present more than 1000 hours/year;
(b) Zone 1: Flammable mixture is present more than 10 hours/year and less than 1000 hours/year;
(c) Zone 2: : Flammable mixture is present less than 1 hour/year.

Article 30

(Zones of Immediate Risk of Fire or Explosion)

1. In Zone 0 areas, ignitable concentrations of flammable gases or vapours are present for long periods of time.
2. The following rules shall apply to Fixed Roof Storage Tanks containing a Flammable Liquid (Class I):

(a) The vapour space inside the tank above the liquid will be deemed a Zone 0 area;

(b) The tank vent discharge shall be deemed a Zone 0 area for a distance of 0.5 metre radius around the vent;

(c) The Zone 0 area around the vent is surrounded by a Zone 1 concentric area of 1.5 metre radius, and a Zone 2 concentric area of 3m radius.

Article 31

(Zones of Non-Immediate Risk of Fire or Explosion)

1. Zone 1 and Zone 2 areas are typically deemed of lesser risk.
2. The rules applicable to the Hazardous Area contour around Fixed Roof Tanks containing a Flammable Liquid (Class I) and Combustible Liquid (Class II, III) are foreseen in API 505.

Article 32

(Non-hazardous zones)

Unclassified or Non-Hazardous Areas are locations not classified as a Zone 0, Zone 1, or Zone 2.

CHAPTER IV
GENERAL PRINCIPLES FOR THE OPERATION OF STORAGE FACILITIES

Article 33

(General)

1. Storage Facilities shall be authorized to operate by the ANPM, provided they comply with the following requirements:
   (a) Have a valid Certificate of Approval of Location of a Storage Facilities, issued in accordance with Article 5;
   (b) Have a valid Certificate of Approval of a Project for a Storage Facility, issued in accordance with Article 6; and
   (c) Have been approved following an inspection conducted in accordance with the rules and procedures set forth in ANPM Regulation No. 2/2012.
2. The Licensee shall also have a valid Storage activity License issued by the ANPM pursuant to the rules and procedures set forth in Decree-Law No. 1/2012, of 1 February and ANPM Regulation No. 1/2012, as amended by ANPM Regulation No. 2/2014.

Article 34

(Visual Identification)

1. Storage Facilities may display a Visual Identification, from an international, regional or local oil marketing company, or an independent marketing company incorporated with the sole purpose of operating one or more Storage Facilities.
2. The Applicant, as part of the process of submittal of the Application for the Approval of a Project for a Storage Facility, shall provide the ANPM with proof of authorisation to use the Visual Identification of the international, regional or local oil marketing company, or proof of registration of the trademark corresponding to the name and image of the independent or own Visual Identification it intends to use.

Article 35

(Staffing and training)

1. All Storage Facilities shall have a manager and key personnel who have relevant experience in day to day operation of fuel terminals and have attended training courses from accredited training providers including but not limited to:
   (a) Storage Facility management course;
   (b) Storage Tank Management Course
   (c) Health, safety, environment and quality standards for Storage Facilities course.
2. All staff working in the operations of a Storage Facility must be provided with uniformed work wear and personal protection equipment which is adequate and appropriate to the function they carry out, which types and characteristics shall be adopted from best practice industry standard.
3. The Licensee shall provide appropriate and specific training for storage facility operation staff according to their functions.
4. All staff working in the operations of a Storage Facility must attend training courses from accredited training providers including but not limited to:
   (a) First aid course;
   (b) Safety course;
   (c) Firefighting course;
   (d) Confined space entry;
   (e) Rescue and resuscitation;
   (f) Permit to work.

5. The training courses provided in Articles 35.1, 35.3 and 35.4 shall be provided to the respective employees in the 6 months preceding the commencement of performance of their functions.
6. All existing Storage Facility shall have the period established in Article 49 to comply with the staff training requirements set forth in this Article.
7. Storage Facility managers may only be absent from their post due to reasonable and unpredictable reasons and for the shortest period of time possible.
8. Apart from the staff involved in the operations of the Storage Facility, it is compulsory to have sufficient uniformed security staff to control access to the facilities and safeguard people and assets.
9. The training provided in this article shall be provided to the respective staff at least every two years.

Article 36

(Fuel transfer, storing and mixing operations)

1. Fuel Transfer, stocking and mixing operations shall be carried out in well-ventilated areas, separate from other areas and buildings of the facilities by a fence of incombustible and fire resistant material, and shall have separate access.
2. The Storage of containers in the areas provided in Article 36.1 shall only be allowed on a temporary basis and up to the maximum filling capacity of the facilities in two days of regular work. The placement and Storage of such containers shall be carried out in accordance with the following rules:
   (a) Full drums and barrels, when arranged in stacks, shall be placed so that they do not exceed the maximum height of three containers and the stacks shall be stored separated from each other and from the walls, leaving sufficient room so as to allow free movement and the inspection of the recipient system, as well as easy removal of those any leaking containers;
   (b) Empty containers which have been used for Class I or II Fuels shall be kept closed, as if they were full, and shall be stored in areas separated from the areas where full containers are located.

Article 37

(Operation of unloading and loading of Fuels)

1. Prior to commencement of loading operations, Tank Vehicles shall be electrically bonded to the piping by means of a bonding device located at the loading station.
2. The Tank Vehicle shall be electrically grounded prior to commencement of unloading operations, and before any connection or contact is made with piping or other unloading equipment.
3. Products with high vapour pressure (RVP > 0.34 bar (abs)) including gasoline shall be loaded into the bottom line (bottom loading).
4. All connections between Tank Vehicles and piping shall be in good condition to prevent any leakage.
5. Tank Vehicles shall not be left connected to pipelines except during the performance of loading or unloading operations.
6. The use of compressed air to discharge the contents of Tank Vehicles is prohibited. However, the use of a standard system employing an inert gas, such as carbon dioxide or nitrogen, as pressure generating medium for this purpose shall be allowed.
7. At least one member of the Storage Facility's staff shall be present and in charge of operations at all times during loading and unloading of Tank Vehicles.
8. Loading to and unloading from Tank Vehicles by gravity is strictly forbidden, except for fuel oils for heating, which may be unloaded by this means.
9. The loading facility shall be equipped with an emergency shut off valve to prevent overfilling due to hose failure.
10. The driver, operator, or attendant of any Tank Vehicle shall not remain in the same during the respective loading and unloading operations, but in no case shall the vehicle be left unattended.
11. During the transfer of Flammable Liquids (Class I), including gasoline, Tank Vehicle motors as well as motors of auxiliary or portable pumps shall be shut down while making and breaking hose connections. If loading or unloading is carried out without requiring the use of the Tank Vehicle's motor, the motor shall be shut down during the transfer operations.
12. Smoking on or near any Tank Vehicle during loading and unloading operations is strictly forbidden.
13. Extreme care shall be taken during loading and unloading operations to keep fire away from the Tank Vehicle and loading and unloading equipment, and to prevent persons in the vicinity from smoking, lighting matches or carrying any flame or lighted cigar, pipe or cigarette.

14. The presence of flame lanterns, flame switch lights or other exposed flame lights or fires during the process of loading or unloading is strictly prohibited.
15. Unloading from Tank Vehicles to other Tank Vehicles or to any other portable container is strictly prohibited.
16. The access to and circulation of vehicles for loading and unloading Fuels within the Storage Facility must be done through pathways defined and signalled for that purpose.

Article 38

(Safety measures)

1. The operator of the Storage Facilities shall comply with the following safety measures, in relation to fire and explosion prevention and fighting:
   (a) Affix fire and explosion prevention and fighting regulations and contingency plan for each area, building and equipment installed within the Property Lines of the Storage Facility, detailing the role of each staff member in case of fire or explosion, so as to be easily seen by staff;
   (b) Install the firefighting equipment listed in Article 22 and otherwise required considering the specific characteristics of the Storage Facility;
   (c) Keep all firefighting equipment in good working conditions and inspect it frequently;
   (d) Paint all firefighting equipment in red;
   (e) Ensure easy and clear access to firefighting equipment at all times;
   (f) Install an alarm system that simultaneously allows for the identification of the location of the area or building within the premises where the fire or explosion originates, and for direct and automatic communication to the nearest firefighting centre;
   (g) Create firefighting brigades comprised of staff working at the facility, who shall be trained in accordance with Article 35.4;
   (h) Carry out firefighting exercises at least once per month, with the mandatory participation of all staff working, at that moment, in the Storage Facility.
2. Smoking, making fire, sparks or flames is strictly prohibited within the premises of the Storage Facility.
3. Mobile phones and other objects capable of producing electric sparks, as well as matches, lighters and fire guns must be handed over at the entrance of the Storage Facility and can only be returned upon exiting the Storage Facility.
4. Storage Facility operating and maintenance personnel shall wear appropriate protective clothing suitable for the hazard level of the area at all times.

5. As a precaution against static electricity accumulation, all pipes, Storage Tanks and other equipment shall be grounded effectively in accordance with NFPA 30 (Section 6.5.4).
6. Prior to the commencement of pumping operations, the pipe shall be inserted into the dome of the Tank Vehicle.
7. Repairs to be carried out within the Zones of Immediate Risk of Fire or Explosion shall observe the following rules:
   (a) All works involving confined space entry and hot-work shall be subject to a Permit to Work System;
   (b) The use of tools capable of producing sparks or flames is strictly prohibited, under normal operation;
   (c) The introduction of water or any liquid in the Tanks from the top by a metal tube that reaches the bottom of the Tank, or by any means other than the use of the bottom valves is strictly prohibited.
8. The operator of a Storage Facility shall establish a Management System.
9. The Management System as provided in article 38.8 shall be established before the issuance of the Storage Activity License and shall be documented and readily available at the location where the Storage Activity is conducted.
10. The Management System provided in Article 38.8 above shall include but not be limited to:
    (a) Fire contingency plan to be reviewed and approved by the ANPM. The plan shall outline the proposed actions to be undertaken in case of fire or suspicion of fire at the Storage Facility or surrounding areas, as well as the firefighting equipment to be installed at the facility considering its specific characteristics. All employees shall be made aware of the fire contingency plan;
    (b) Emergency Response Plan to be reviewed and approved by the ANPM. The Emergency Response Plan shall describe basic emergency communication, response, and evacuation procedures, notably emergency notification and telephone numbers of relevant local authorities such as firefighters, hospitals and police force, general evacuation procedures, emergency response staff, emergency response kit, emergency roles and responsibilities and emergency response procedures for different emergency scenarios, including but not limited to, earthquakes, floods and other natural disasters, civil disturbances and strikes;

(c) Fuel Spill Contingency Plan (FSCP) outlining facility information, emergency response structure and preparedness, potential spill hazard identification analysis, different scenarios such as small, medium and large-scale spills and its response actions, implementation plan for response, containment, clean up and disposal and description of response training, drills and exercise.

11. The applicant shall submit the plans provided in this Article 38.10 as part of its project document for a Storage Facility.
12. Whenever an accident or event occurs at a Storage Facility that causes a risk to the health, safety, or assets of any person and/or to the environment, the operator of the facility shall immediately proceed to shut down the facility until such a time as the required safety conditions are re-established. The operator shall notify the ANPM of the shutdown and of the measures taken to guarantee the safety of people and assets, as well as any actions required to re-establish safe operating conditions, as soon as reasonably possible, but in no case more than 3 hours after the occurrence of the accident or event.

Article 39

(Cleaning and organization of Storage Facilities)

1. The property where the Storage Facility is located shall be kept free from weeds, high grass, rubbish and litter, and shall be kept neat, clean and orderly throughout.
2. All flammable debris should be destroyed or collected and kept as far as possible from Zones of Immediate Risk of Fire or Explosion.
3. All rags dirty with waste oil or other combustible materials must be collected in metallic boxes and sent for destruction outside the Storage Facility.
4. Special attention and procedures must be adhered to in the cleaning of Storage Tank sludge which could be flammable, carcinogenic, and may contain pyrophoric iron, which could ignite spontaneously on exposure to air.

Article 40

(First Aid)

1. Each area and building of the Storage Facility shall have a first aid kit placed in a visible area, and including, at least, adhesive bandages, regular strength pain medication, gauze and low grade disinfectant. The first aid kit may also include any other supplies and medication deemed necessary or recommendable by

the operator, including emergency supplies and medication for unexpected minor illnesses or accidents.

2. At least one employee on each shift with first aid knowledge shall be named as the designated 'First Aider' and shall be present at all times in Storage Facility.

Article 41

(Notices)

1. All notices resulting from or required by this Regulation or the ANPM shall be posted in a clearly visible place and may consist of pictograms and/ or text in legible and indelible characters in each of the official languages of Timor-Leste.
2. Signs with the following instructions must be posted at the Storage Facility, in such a way as to be easily seen by staff and users:
   (a) Prohibition of Ignition Sources;
   (b) Prohibition of smoking and igniting flames;
   (c) Prohibition of possession and use of any source of ignition referred in Article 38.3 within the area of the Storage Facility; and
   (d) Safety and protection rules and procedures for loading and unloading of Fuels, as set forth in Article 37.
3. The following instructions and information shall be at the Storage Facility and in any buildings existing therein, so that they may be viewed by all staff:
   (a) Measures to be taken in case of accident or incident;
   (b) Accident prevention plan;
   (c) Evacuation plan for all buildings within the Property Lines of the Storage Facility;
   (d) Storage Facility evacuation plan; and
   (e) Fire contingency plan.

CHAPTER V

INSPECTION

Article 42

(General obligations in case of inspection)

1. The Storage Facility manager, or the responsible person in his/her absence, shall fully cooperate with the ANPM Inspectors or any entity accredited by the ANPM that participates in any inspection of the Storage Facilities, including but not limited to, by answering all questions posed, and presenting and/ or delivering all documentation requested.

2. The owner of the Storage Facility may engage a third party to perform a voluntary Storage Facility inspection, in which case the inspection report shall be submitted to the ANPM for review and record.

Article 43

(Inspection of existing Storage Facilities)

1. All existing Storage Facilities which location has been approved by the ANPM shall be subject to a mandatory preliminary inspection upon submission of an Application for the Approval of a Project for a Storage Facility and prior to the issuance of the respective License.
2. The preliminary inspection shall be conducted under the terms set forth in Article 11 of ANPM Regulation No. 2/2012, of 24 October and is aimed at verifying the compliance of the existing installations, facilities, equipment and documentation with the rules and requirements contained in this Regulation and ancillary regulations.
3. When under the terms of Article 11.9 of ANPM Regulation No. 2/2012, of 24 October, the final inspection report contains corrective measures to be undertaken by the Applicant, the preliminary inspection shall be followed by a subsequent inspection to confirm that the said correction measures have been implemented.

Article 44

(Inspection of construction, operation, modification, maintenance and decommissioning of Storage Facilities)

1. A mandatory preliminary inspection must take place prior to the granting, transfer or renewal of a License for, including but not limited to, the construction, operation, modification, and maintenance and decommissioning of Storage Facilities.
2. The preliminary inspection shall be conducted under the terms set forth in Article 11 of ANPM Regulations No. 2/2012, of 24 October, and is aimed at verifying the compliance of the installations, facilities, equipment and documentation with the rules and requirements contained in Decree-Law No. 1/2012, and ancillary regulations, as well as with any specifications, rules and requirements contained in the respective Project.
3. When under the terms of Article 11.9 of ANPM Regulations No. 2/2012, of 24 October, the final inspection report contains corrective measures to be undertaken by the Applicant, the preliminary inspection shall be followed by a

subsequent inspection to confirm that the said correction measures have been implemented within the maximum deadline set by the ANPM for such purpose

Article 45

(Random Inspections)

1. Random inspections to licensed Storage Facilities may take place at any time, pursuant to the ANPM's exercise of its inspection and supervision powers, under the terms of Article 12 of ANPM Regulation No. 2/2012, of 24 October.
2. Following the preparation of a Notice of Offence or an Offence Report, the ANPM shall conduct an offence investigation to the Storage Facility where the offence occurred in order to verify the facts described in the Notice of Offence or Offence Report.

Article 46

(Performance of Inspections)

All inspections shall be conducted under the terms set forth in ANPM Regulation No. 1/2012, as amended by Regulation No. 2/2014 and Regulation No. 2/2012, of 24 October.

CHAPTER VI

OFFENCES

Article 47

(Classification of offences)

1. Offences to this Regulation are classified as very serious, serious and light and are punishable under the terms of Article 57 of Decree-Law No. 1/2012, of 1 February.
2. The following acts are deemed light Offences, subject to a penalty ranging from USD 250 to USD 15,000, in case of physical persons, and USD 1,250 to USD 75,000, in case of legal persons:
   (a) Breach of the mandatory Visual Identification information required under Article 34;
   (b) Breach of the minimum staffing and training requirements set forth in Article 35;
   (c) Breach of the First Aid equipment obligations set forth in Article 40;
   (d) Breach of the notice and signalling obligations set forth in Article 41 and other provisions of this Regulation;

(e) The installation of Manholes for access to any area of the Storage Facilities in breach of the rules set forth in Article 24;

3. The following acts are deemed a serious Offence and subject to a penalty ranging from USD 750 to USD 50,000, in case of physical persons, and USD 10,000 to USD 250,000, in case of legal persons:

(a) The failure by existing operators to file an Application for Approval of Location of a Storage Facility within the deadline set forth in Article 5.3, or an Application for the Approval of a Project for Storage Facilities within the deadline set forth in Article 6.2;

(b) The redevelopment, modification or decommissioning of existing Storage Facilities without the submittal and approval of a specific Project under Article 6.5;

(c) The installation of underground tanks without the prior submission of the specific Project outlining the grounds for such request and the express approval of same by the ANPM, under Article 4.2;

(d) Breach of the insurance rules set forth in Article 8;

(e) Breach of the rules and requirements on accesses and circulation set forth in Article 9;

(f) Breach of the rules on installation of Storage Facilities set forth in Article 12;

(g) Failure to comply with the conditions set forth under Article 20 for the installation of electric equipment;

(h) Breach of the rules on installation of Storage Tanks set forth in Article 14;

(i) Breach of the rules on construction of Diked Areas set forth in Article 15;

(j) The use of piping, valves, joints and fittings for Flammable Liquids and Combustible Liquids with inappropriate characteristics for their respective purpose or in breach of the standards set forth under Articles 16 and 19;

(k) Breach of the rules pertaining to Tank Vent Manifolding set forth in Article 17;

(l) The installation of Pumping Stations in breach of the rules set forth in Article 18;

(m) The inexistence or malfunctioning of Water Treatment Systems for treatment of wastewater contaminated with hydrocarbons, as provided in Article 21.1;

(n) Failure to comply with the Water Treatment Systems installation rules and operation procedures set forth in Articles 21.3 and 21.4;

(o) The installation of oil separators in locations which are not easily accessible for inspection and cleaning, in breach of Article 21.2;

(p) The inexistence or malfunctioning of Water and Foam Firefighting Systems foreseen in Article 22;

(q) The installation of Gutters, Grills and Sinks in breach of the rules set forth in Article 23;

(r) Breach of the Technical Specifications for Storage Facilities approved by the ANPM;

(s) The installation of Storage Facilities in disrespect of the minimum geographical distances set forth in this Regulation, provided the situation is not deemed a light or very serious Offence hereunder;

(t) Installing or operating Storage Facilities in breach of the authorizations set forth under Article 33, provided the situation is not deemed a light or very serious Offence hereunder;

(u) Failure to comply with the obligations set forth in Article 39 on cleaning of Storage Facilities;

(v) Failure to comply with the general obligations in case of inspection set forth in Article 42, in Decree-Law No. 1/2012, of 1 February, in ANPM Regulation No. 2/2012, of 24 October, and ancillary regulations;

(w) Breach of the facility shutdown obligations set forth in Article 38.12, should no damage be caused to health, safety and assets of any persons and/or to the environment;

(x) Breach of the minimum stock obligations set forth in Article 51; and

(y) Failure to comply with any other technical rules or rules of any other nature set forth in this Regulation which are not classified as light or very serious Offences.

4. The following acts are deemed very serious Offences subject to a penalty ranging from USD 2,000 to USD 150,000, in case of physical persons, and USD 50,000 to USD 1,000,000, in case of legal persons:

(a) Operating of Storage Facilities without the necessary location approval under Article 5, or after the deadline for operation in a non-compliant location has elapsed;

(b) Operation of Storage Facilities without the respective License or in breach of the terms and conditions set forth in the same;

(c) The installation of Storage Facilities in breach of the general installation rules set forth in article 9;

(d) The construction of facilities, areas and buildings within the Property Lines of a Storage Facility in breach of the minimum distances set forth under Article 12.2;

(e) Failure to comply with the conditions set forth under Articles 13 and 20 for the installation of energy and electric equipment;

(f) Failure to comply with the firefighting equipment obligations, as set forth under Article 22 and in the approved Project;

(g) Failure to inspect and maintain storage tanks, pipelines and fire-fighting equipment to the standard required in Article 28.;

(h) Carrying out Fuel Transfer, stocking and mixing operations in breach of the rules and procedures set forth under Article 36;

(i) Failure to comply with the design, construction and operation rules set forth herein with a view to avoiding vapour and gas accumulations;

(j) Use of sparking or flammable materials or engines in breach of the rules set forth in this Regulation;

(k) Failure to comply with the obligation of keeping accesses and doors unobstructed within the Storage Facilities;

(l) Breach of the facility shutdown obligations set forth in Article 38.12, in case of damage to health, safety and assets of any persons and/or to the environment; and

(m) Failure to comply with any other technical rules or rules of any other nature set forth in this Regulation which are not classified as light or very serious Offences, and which originate significant danger to the safety of people or property.

5. The offender who commits an offence under this Regulation may also be subject to additional sanctions as provided for in Decree-Law No. 1/2012, of 1 February.

CHAPTER VII
FINAL PROVISIONS

Article 48
(Existing Storage Facilities)

1. Subject to Article 5 of this Regulation, all Storage Facilities existing on the effective date of this Regulation shall have a period of up to seven (7) years to bring their facilities, equipment and operations into compliance with the rules and specifications set forth herein.

2. Notwithstanding Article 48.1, ANPM shall have a transitional period of three (3) years to assess whether **Atypical** Kerosene Storage should be regulated by this Regulation or another specific storage regulation, taking into consideration technical, trading, marketing and the utilisation of kerosene in Timor-Leste. During such transitional period, the ANPM may authorize Atypical Kerosene Storage under a directive on this type of Storage to be approved by the Board of Directors, taking into consideration environmental, health and safety, and other relevant requirements and concerns.
3. After the period referred to in Article 48.2, should ANPM deem it appropriate it shall issue more detailed regulations covering the existing Atypical Kerosene Storage facilities, or amend these Regulations to include provisions thereon.
4. Operators of existing Storage Facilities shall agree with the ANPM an implementation plan to be followed and strictly complied with for purposes of Article 48.1.

Article 49

(Preparation of Projects and Documents)

1. All documents, Projects, designs and plans of a technical nature to be submitted by Applicants under this Regulation, including but not limited those required under Articles 5 and 6, and any other documentation respecting to the equipment, installations, buildings and facilities to be used in the Storage Facilities shall be prepared by duly qualified consultants, to be approved on a case-by-case basis by the ANPM.
2. At its full discretion, the ANPM may exempt companies with proven experience and technical knowledge in constructing and operating Storage Facilities from the requirement set forth in Article 49.1, provided they demonstrate that they have, as part of their staff, duly qualified persons to prepare the referred documentation.
3. Notwithstanding Article 49.2, all documents, Projects, designs, plans and other documentation provided in Article 49.1 to be submitted to or filed with the ANPM under this Regulation must be signed by a duly qualified professional. In the documentation submitted to the ANPM, the said professional shall include an undertaking pursuant to which he or she assumes full responsibility for the correctness and adequacy of the designs and technical solutions contained in the documents.

Article 50

(Fees)

1. As foreseen in Article 23.1 of ANPM Regulation No. 1/2012, as amended by Regulation No. 2/2014, the fees applicable for the Licensing of Storage Facilities under this Regulation are set forth in Annex IV hereto which is deemed a part hereof.
2. The fees set forth in Annex IV may be amended at any time by the ANPM without the need of amending the text of this Regulation, such amendments being effective after the respective publication in the *Jornal da República.*

Article 51

(Minimum stocks)

In order to avoid Fuel supply shortages, all Licensees operating Storage Facilities shall maintain, at all times, a permanent minimum stock of all products allowing them to provide uninterrupted supply at normal levels for at least fifteen (15) days.

Article 52

(Repeal)

All prior statutes or regulations contradicting the provisions of this Regulation are hereby repealed.

Article 53

(Effective Date)

This Regulation is effective on the day following its publication in the *Jornal da República*.

Approved by the ANPM Board of Directors, on 23 October 2015

Members:

1) Gualdino do Carmo da Silva – Chair

2) Jorge Martins, Non – Executive Board Member

3) Verawati Corte Real Oliveira – Executive Board Member

4) Nelson de Jesus – Executive Board Member

ANNEX I

APPLICATION FOR THE APPROVAL OF LOCATION OF A STORAGE FACILITY

1. APPLICANT'S IDENTIFICATION		
Name or Company Designation:		
Type of Identification Document:	Identification Document No.:	
Taxpayer Identification No:		
Certificate of registration No.:	Share Capital:	
License to do Business No.:		
Representative:		
Address:		
Municipality:	Sub-District:	Suco: Aldeia:
Telephone:	Fax No.:	
E-mail address:		

2. TYPE OF APPLICATION		
	For ANPM use only Please tick "√" against the appropriate box:	
☐ Existing Storage Facility ☐ New Storage Facility	In case of Existing Storage Facility, has the Applicant submitted this Application within the 90 day deadline set forth under Article 4.3 of this Regulation?	☐ Yes ☐ No

3. BUILDINGS, EQUIPMENT AND PROPOSED USE OF STORAGE FACILITY
Please tick "√" against the appropriate box:

☐ Administration and Support buildings	Proposed use:
☐ Buildings for Handling and Storage Fuels	
☐ Central control room	☐ Commercial use
☐ One or more groups of tanks	☐ Exclusive private use
☐ One or more stations (Including Jetty) for loading and unloading fuel to and from the tanks	☐ Exclusive public use (by a governmental authority or body)
☐ Pumping Stations and manifolds used exclusively for Storage activities	
☐ Fire Protection Facilities	
☐ Power Generation	
☐ Other buildings and/or equipment Please provide details_____ _____	

4. TITLE OVER LAND WHERE THE STORAGE FACILITY IS INSTALLED

Please tick "√" against the appropriate box:

☐ Owned ☐ Leased ☐ Other Please provide details _____ _____ _____ _____	**For ANPM's exclusive use** Please tick "√" against the appropriate box: Has the Applicant submitted land registration documents, copy of executed agreement or Power of Attorney (if the grantor of land rights is acting on the owner's behalf as his/her legal representative)?	☐ Yes ☐ No

Current use of the site:

(Please provide details)

_____

_____

_____

_____

Category of fuels stored or to be stored: Note: if Class I Flammable Liquids are stored or expected to be stored, the minimum distances for such category should be considered	Please tick "√" against the appropriate box: ☐ class I ☐ Class II ☐ class III

5. GENERAL CONDITIONS FOR INSTALLATION AND LOCATION OF STORAGE FACILITIES

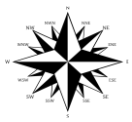
Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:

- Has the Applicant filed Preliminary Storage Facility Layout - Does the layout foresee adequate provision for vehicle circulation within the facility - Does the layout foresee adequate provision for vehicle parking on and off the facility - Has the Applicant filed Environmental License - Has the Applicant file Geotechnical Analysis - Are settlement mitigation measures required - Is there an adequate provision for fresh water supply	□ **Yes** □ **No** □ **Yes** □ **No** □ **Yes** □ **No** □ **Yes** □ **No** □ **Yes** □ **No** □ **Yes** □ **No** □ **Yes** □ **No**
Nearest Storage Tank's shell to areas outside the Property Line: □ Public Building or Space □ Public Way □ Unused Buildings □ Unused Areas □ Residential Buildings	**Distance:** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m**
Nearest Storage Tank's shell to the facilities located within the Property Line: □ Non Reinforced Control Room Buildings □ Warehouse □ Laboratory □ Service Buildings for Administration and Support □ Reinforced Control Room Building □ Loading /Unloading Facilities □ Electrical (Overhead Power Lines) □ Electrical (switch house / substation) □ Power Generation Facility □ Boundary Fence	**Distance:** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m** _____ **m**
Type of tank to be used	□ Fixed Roof Tank

	□ Floating Roof Tank

6. MAP

Note: Please show location of site and of other relevant facilities and buildings.



Geographic reference:	

□ Please mark if additional information is provided in Annexes

7. ADDITIONAL ELEMENTS

□ Please mark and provide details if additional documents have been submitted and attached to the present form

Annex No.	Name	Details
□ 1		
□ 2		
□ 3		
□ 4		
□ 5		

8. STATEMENT OF APPLICANT

NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes.

	To be completed by ANPM
I certify that all of the information contained in this form is complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records which substantiate the information contained herein are available upon request. Signature: _____ Place: _____ Date: ___/___/_____	Fees paid: _____ Receipt No. _____ Signature of the individual in charge _____

9. ANPM's DECISION

For official use only

Final Site approval

☐ Site Approved

☐ Site Not Approved

☐ Deferred / Returned (additional elements required)

Remarks/Requirements/Procedures and respective timing:

_____

_____

_____

Certificate of Approval of Location of a Storage Facility Number _____

Approving Official	**ANPM's Stamp**
Name: **Position:** Signature _____	**Date:** _____ **Valid until:** _____

ANNEX II

APPLICATION FORM FOR THE APPROVAL OF A PROJECT FOR A STORAGE FACILITY

1. APPLICANT'S IDENTIFICATION		
Name or Company Designation:		
Type of Identification Document:	Identification Document No.:	
Taxpayer Identification No.:		
Certificate of registration No.:	Share Capital:	
License to do Business No.:		
Representative:		
Address:		
Municipality:	Sub District:	Suco: Aldeia:
Telephone:	Fax No.:	
E-mail address:		
For ANPM's exclusive use Please tick "√" against the appropriate box:	Has the Applicant submitted a Certificate of Approval of Location of a Storage Facility?	☐ Yes ☐ No

2. BUILDINGS, EQUIPMENT AND PROPOSED USE OF STORAGE FACILITY Please tick "√" against the appropriate box:	
☐ Administration and Support buildings	Proposed use:
☐ Buildings for Handling and Storage of Fuels	
☐ Central control room	☐ Commercial use
☐ One or more Groups of Storage Tanks	☐ Exclusive private use
☐ One or more stations (Including Jetty) for loading and unloading Fuel to and from the tanks	☐ Exclusive public use (by a governmental authority or body)
☐ Pumping Stations and manifolds used exclusively for Storage activities	
☐ Fire Protection Facilities	
☐ Power Generation	

☐ Other buildings and/or equipment Please provide details_____ _____	

3. PROJECTS AND DOCUMENTS Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:	Applicant Use	Office Use
General written description of the proposed/existing facilities?	☐ Yes ☐ No	☐ Yes ☐ No
3 sets of plans (preferably in A3 size) drawn to metric scale and signed by Professional/s?	☐ Yes ☐ No	☐ Yes ☐ No
Location plan showing distances from specific and prominent landmarks (preferably to 1:2500 scale), as well as width and conditions of access roads?	☐ Yes ☐ No	☐ Yes ☐ No
Certificate of Approval of Location of a Storage Facility?	☐ Yes ☐ No	☐ Yes ☐ No
Are the measured separation distances required by Location Approval confirmed?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant submitted the document evidencing the financial capability corresponding to the cost of the Project?	☐ Yes ☐ No	☐ Yes ☐ No
Site plan evidencing plot dimensions, layout of buildings with setbacks from all boundaries, access roads, high water marks, parking layout, septic tank/other waste disposal system and any other existing structures (preferably to the scale of 1:200)?	☐ Yes ☐ No	☐ Yes ☐ No
Layout plans of each Storage Tank and associated facilities depicting the location, type and characteristics of the same?	☐ Yes ☐ No	☐ Yes ☐ No
Layout and detailed architectural plans depicting the location, type and characteristics of the proposed areas and buildings used for handling and storage of fuels?	☐ Yes ☐ No	☐ Yes ☐ No
Structural details of existing structures (if applicable)?	☐ Yes ☐ No	☐ Yes ☐ No

Property Certificate/Lease Agreement or any other documents demonstrating the ability to use the site?	☐ Yes ☐ No	☐ Yes ☐ No
Have all plans, layouts or descriptions been signed or prepared by duly qualified consultants i.e. Architect/Draughtsman/Engineer?	☐ Yes ☐ No	☐ Yes ☐ No
Have all Projects, designs, plans and other technical documentation been signed by a duly qualified professional and accompanied by an undertaking by the latter assuming full responsibility for the technical adequacy of the technical solution contained in the documents?	☐ Yes ☐ No	☐ Yes ☐ No
Compliance by the proposed plans, layouts and descriptions with the general standards set forth in the Technical Specifications for Storage Facilities, or other rules and standards approved or adopted by the ANPM?	☐ Yes ☐ No	☐ Yes ☐ No
Does the Project comply with all requirements set forth in the Storage Facilities' Regulations, including in Chapter II, Section III?	☐ Yes ☐ No	☐ Yes ☐ No
Is the project schedule to commence within 12 months of the Application date?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant submitted an acceptable Workers Employment Contract?	☐ Yes ☐ No	☐ Yes ☐ No
Has the applicant submitted proof of insurance cover?	☐ Yes ☐ No	☐ Yes ☐ No
Has any required soil settlement mitigation measures been adequately completed?	☐ Yes ☐ No	☐ Yes ☐ No
Are the boundary walls and fences a minimum of 3m in height?	☐ Yes ☐ No	☐ Yes ☐ No
Is the control room located upwind of the tanks in a Non-hazardous area?	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents Please provide details _____ __ _____		

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4. INSTALLATION OF EQUIPMENT AND LAYOUT OF STORAGE FACILITIES Please tick "√" against the appropriate box to confirm that Applicant has submitted required documents:	Applicant Use	Office Use
M. Access		
General entrance and exit layouts and schematics	☐ Yes ☐ No	☐ Yes ☐ No
☐ Additional Documents Please provide details _____ _____		
N. Storage Tanks and Diked Area		
Has the Applicant filed Storage Tank layouts?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the number of tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the Fuel Type to be used in each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the Tank Capacity of each of the Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Do the same detail the Storage Tank Location within the Storage Facility?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tanks mounted to the surface?	☐ Yes ☐ No	☐ Yes ☐ No
Are underground Storage Tanks planned?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tank foundations designed so that they cannot move, deform or be subject to abnormal efforts under the influence of vibrations or impacts provoked by natural or artificial causes?	☐ Yes ☐ No	☐ Yes ☐ No
Is unprotected steel to be used as a support for Storage Tanks?	☐ Yes ☐ No	☐ Yes ☐ No
Are the stairways to, and walkways on top of, the Storage Tanks designed to be made of iron or steel?	☐ Yes ☐ No	☐ Yes ☐ No
Does fixed roof and horizontal tanks incorporate an Emergency Relief Vent (ERV)?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of Aviation Fuel Tank fulfill the requirement under Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No

Does the design of Gasoline Tank fulfill the requirement under Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Are all tank vents designed in accordance with API 2000?	☐ Yes ☐ No	☐ Yes ☐ No
Are all Tanks designed to be grounded electrically to permanently moist earth?	☐ Yes ☐ No	☐ Yes ☐ No
Are Storage Tanks designed to be grouped in a dedicated Diked Area according to their respective classification?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of Diked Area comply with Article 15 of this Regulation?	☐ Yes ☐ No	☐ Yes ☐ No
Are the Storage Tanks arranged in maximum of two rows?	☐ Yes ☐ No	☐ Yes ☐ No
Have the minimum distances applicable to Storage Tanks detailed in Article 14 of the Storage Facilities' Regulations been complied with?	☐ Yes ☐ No	☐ Yes ☐ No
Are the limits of the Storage Tanks' shell and the distance of same to any Public Building or space, Public Way, Unused Buildings, Unused Areas, Residential Buildings depicted?	☐ Yes ☐ No	☐ Yes ☐ No
Does the design of the Storage Tanks comply with the standards foreseen in Article 14 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No

☐ Additional Documents or information

Please provide details

_____

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_____

O. Energy and electrical equipment

Is the energy required for the operation of the Storage Facility provided by the public electricity network?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant filed a request for the installation of private power generation facilities?	☐ Yes ☐ No	☐ Yes ☐ No
Do private power generation facilities (if applicable) comply with the requirements of Article 13 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Do electrical equipment, installations, appliances and wiring comply with the requirements of Article 20 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No

☐ Additional Documents or information

Please provide details

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P. Areas and Buildings for Administration and Support		
Does the design of areas and buildings within the property line meet the requirement of Article 12?	☐ Yes ☐ No	☐ Yes ☐ No
Q. Water Treatment Systems		
Do the layout plans include references to the installation of a system for treating wastewater contaminated with hydrocarbons, compliant with Article 21 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
R. Gutters, Grills and Sinks		
Do the layout plans include reference to the installation and location of Gutters, Grills and Sinks, and do they comply with applicable requirements?	☐ Yes ☐ No	☐ Yes ☐ No
S. Piping, pumps and pipelines		
Has the Applicant filed any plans indicating the type and characteristics of piping, valves, joints and fittings for Flammable and Combustible Liquids?	☐ Yes ☐ No	☐ Yes ☐ No
Do the piping colours comply with ANSI/ASME A13.1?	☐ Yes ☐ No	☐ Yes ☐ No
Has the Applicant filed any dedicated plans for underground piping?	☐ Yes ☐ No	☐ Yes ☐ No
Do the piping plans and layouts comply with the requirements of Articles16 and 17 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Do pumps and pipelines comply with the requirements of Article19 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
T. Pumping Stations		
Has the Applicant filed any dedicated plans for Pumping Stations?	☐ Yes ☐ No	☐ Yes ☐ No
Do the plans and layouts comply with accepted standards and the requirements of Article 18 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No

☐ Additional Documents or information

Please provide details

_____

_____

_____

U. Fire Protection System and Firefighting equipment		
Does the design of fire protection system and firefighting equipment comply with NFPA standards foresee under Article 22 of this Regulation?	☐ Yes ☐ No	☐ Yes ☐ No
Does the project layout comply with firefighting equipment foreseen under Article 22 of this Regulation	☐ Yes ☐ No	☐ Yes ☐ No
V. Manholes		
Does the project foresee the existence of manholes for accessing buried equipment?	☐ Yes ☐ No	☐ Yes ☐ No
If the prior answer is yes, does the design of manholes comply with Article 24 of this Regulation?	☐ Yes ☐ No	☐ Yes ☐ No
W. Station for Loading and Unloading of Fuel		
Does the design of Stations for Loading and Unloading of Fuel to and from Storage Tank comply with Article 25 of the Storage Facilities' Regulations?	☐ Yes ☐ No	☐ Yes ☐ No
Does the company submit the standard adopted for the construction of the Jetty?	☐ Yes ☐ No	☐ Yes ☐ No
X. Safety Zones/Hazardous Area Classification		
Does the proposed layout clearly indicate the existence of Zones of Immediate Risk of Explosion?	☐ Yes ☐ No	☐ Yes ☐ No
Does the proposed layout clearly indicate the existence of Zones of Non-Immediate Risk of Explosion?	☐ Yes ☐ No	☐ Yes ☐ No
M. Visual Identification		
Has the Applicant submitted proof of authorisation to use the proposed Visual Identification?	☐ Yes ☐ No	☐ Yes ☐ No
N. Staffing and Training		
Does the applicant submit a plan describing trainings to be provided to staff according to Article 35?	☐ Yes ☐ No	☐ Yes ☐ No
O. Fuel Transfer, Storing and Mixing Operations?		
Does the applicant intend to carry out fuel transfer, storing and mixing operations? If Yes, Does the proposed layout comply with Article 36?	☐ Yes ☐ No ☐ Yes ☐ No	☐ Yes ☐ No ☐ Yes ☐ No

P. Operation of Loading and Unloading?		
Does the layout indicate compliance with rules on Fuel Loading and Unloading operations?	☐ Yes ☐ No	☐ Yes ☐ No
Q. Safety Measures		
Does the layout indicate compliance with Safety Measures as required by Article 38?	☐ Yes ☐ No	☐ Yes ☐ No
Does the applicant file a Management System for ANPM's review?	☐ Yes ☐ No	☐ Yes ☐ No
R. First Aid		
Does the layout indicate the location of First Aid Kit as required by Article 40?	☐ Yes ☐ No	☐ Yes ☐ No
S. Notices		
Does the layout foresee all notices as required by Article 41?	☐ Yes ☐ No	☐ Yes ☐ No

☐ Additional documents or information

Please provide details

_____

_____

_____

5. ADDITIONAL ELEMENTS

☐ Please mark and provide details if additional documents have been presented and attached to the present form

Annex No.	Name	Details
☐ 1		
☐ 2		
☐ 3		
☐ 4		
☐ 5		

6. STATEMENT OF APPLICANT

NOTE: This form and any relevant additional information is of public record and will remain on file. By filing this form you are declaring that you will not use the information you receive now or afterwards for any illegal or unlawful purposes

	To be completed by ANPM
I certify that all of the information contained in this form is complete and accurate. I understand the information provided to the ANPM is subject to review and audit. The detailed records which substantiate the information contained herein are available upon request. Signature: _____ Place: _____ Date: ___/___/_____	Fees paid: _____ Receipt No. _____ Signature of the individual in charge _____

7. ANPM's DECISION

For official use only

☐ Project Approved

☐ Project Not approved

☐ Project Deferred / Returned (additional elements required)

Remarks:

_____

_____

_____

_____

Certificate of Approval of a Project for a Storage Facility _____

Approving Official	**ANPM's Stamp**
Name: **Position:** Signature of the individual in charge _____	**Date:** _____ **Valid until:** _____

ANNEX III

CERTIFICATE OF APPROVAL FOR A PROJECT FOR A STORAGE FACILITY

PROJECT FOR A STORAGE FACILITY

TO WHOM IT MAY CONCERN, THE ANPM, IN ITS CAPACITY OF SUPERVISOR OF THE TIMOR-LESTE DOWNSTREAM SECTOR AND IN THE EXERCISE OF ITS LICENSING POWERS, PURSUANT TO ARTICLE 7.1 OF DECREE-LAW NO. 1/2012, OF 1 FEBRUARY AND ARTICLE 5.c) OF REGULATIONS NO. 1/2012, OF 24 OCTOBER AS AMENDED BY REGULATIONS NO. 2/2014, OF 24 OCTOBER , TO WHOM IT MAY CONCERN, HEREBY STATES AND DECLARES THAT

Name or Company Designation:		
Type of Identification Document:	**Identification Document No.:**	
Taxpayer Identification No.:		
Certificate of registration No.:	**Share Capital:**	
License to do Business No.:		
Address:		
District:	**Sub-District:**	**Suco:**
Telephone:	**E-mail address:**	
Certificate of Approval of Location of a Storage Facility Number _____		

HAS BEEN GRANTED THIS

CERTIFICATE OF APPROVAL OF A PROJECT FOR A STORAGE FACILITY

NO. _____/20__.

THIS CERTIFICATE IS VALID AS OF _____ (insert date) _____ UNTIL _____ (insert date) _____.

Approving Official **Name:** **Position:** Signature of the individual in charge _____	**ANPM's Stamp** **Dated:** _____

ANNEX IV

License Fees

	Annual Fee	**Renewal**	**Late renewal**	**Amendment**	**Transfer**
Fuel Storage Capacity ≤ 200 m^3	USD 14000	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >200 m^3 - 2000 m^3	USD 14000 + USD 60/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >2000 m^3 - 3500 m^3	USD 122000 + USD 50/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >3500 m^3 - 7000 m^3	USD 197000 + USD 40/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee
Fuel Storage Capacity >7000 m^3	USD 337000 + USD 30/ additional m3	Value of Annual License Fee	150% of Annual License Fee	50% of Annual License Fee	50% of Annual License Fee