

**Mr Jason Gifford**

Chairman  
South African Biogas Industry Association (SABIA)  
36 Meariman Avenue  
Highlands North  
Johannesburg  
2157

**Email:** [chairman@biogasassociation.co.za](mailto:chairman@biogasassociation.co.za)  
[admin@biogasassociation.co.za](mailto:admin@biogasassociation.co.za)  
**Cc:** [davidc@energysystemssa.com](mailto:davidc@energysystemssa.com)

Dear Mr Gifford

**CALL FOR REGISTRATION OF GAS ACTIVITIES (BIOGAS) IN TERMS OF SECTION 28 OF THE GAS ACT, 2001 (ACT NO.48 OF 2001).**

The National Energy Regulator of South Africa (NERSA) is a statutory body established in terms of the National Energy Regulator Act, 2004 (Act No. 4 of 2004). Amongst its functions, NERSA is responsible for regulation of the gas industry in South Africa in terms of the Gas Act, 2001 (Act No. 48 of 2001) ("Gas Act"). Section 28 of the Gas Act requires owners of operations involving the following activities to register such operations with NERSA:

1. production of gas;
2. importation of gas;
3. transmission of gas for own exclusive use; and

---

**Regulator Members:** Mr JRD Modise (Chairperson) Ms MMD Nkomo (Deputy Chairperson) \*Mr C Forlee (Chief Executive Officer)  
Mr Y Adam \*Ms N Maseti \*Mr M Ncetezo Ms KR Mthimunya Mr FK Sibanda  
\*Full-Time Regulator Members

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



4. small biogas projects not connected to the national gas pipeline grid.

The term 'production' is defined in section 1 of the Gas Act as: *"the recovery, processing, treating and gathering of gas from wells in the earth up to the boundary of the mine, or the manufacture of synthetic or artificial gas, or the manufacturing of any gases in the refining process up to the boundary of the factory, and any other activity incidental thereto, and "produce" and "producing" have corresponding meanings."*

Applications for registration of the abovementioned activities must be made in accordance with section 28 of the Gas Act, read together with rule 14 of the Gas Act Rules, 2009 using the form prescribed in Annexure G of the Rules (available on NERSA's website at [www.nersa.org.za](http://www.nersa.org.za) under **Legislation>Piped-Gas> Piped-Gas rules (Annexure G page 75 of 88)**).

The applicant is required to do the following:

- (a) Complete the attached application form (Annexure G );
- (b) Provide all the required information on section 12(a) – (h) of Annexure G for a biogas registration;
- (c) Provide a process flow diagram of the biogas plant and describe each key component of the biogas plant (material of construction, size of each equipment in volume, etc.);
- (d) Provide a detail process description (include amount of feed material, operational conditions, produced gas capacity and specifics); and
- (e) Provide the location (coordinates) of the biogas plant.

Should there be any part of the information that you will want the Energy Regulator to treat as confidential, please indicate this by applying for confidential treatment of such information in terms of the applicable section of the Gas Act or the Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) using the form prescribed in Annexure A of the Rules (available on NERSA's website at [www.nersa.org.za](http://www.nersa.org.za) under **Legislation>Piped-Gas> Piped-Gas rules (Annexure A page 23 of 88)**).

Kind regards,

  
\_\_\_\_\_  
**Chris Forlee**  
**Chief Executive Officer**

Date: 21/9/2017