

05 February 2025

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Total pages: 4 [5 including annexure]      Our ref: BLC/Penguins1/014  
Your refs: PD/096; PD/104

Dear Advocate Difeto

**RE: LEGAL INTERVENTIONS TO PREVENT FURTHER DECLINE IN AFRICAN PENGUIN NUMBERS IN ALGOA BAY IN LIGHT OF INTENDED RECOMMENCEMENT OF OFFSHORE BUNKERING AND SHIP-TO-SHIP TRANSFER**

1. We refer to our PAIA request dated 1 February 2024 (**PAIA Request**), our correspondence dated 9 September 2024 and your correspondence dated 13 November 2024 and 29 November 2024.
2. In paragraph 6 of our September correspondence, we summarised our requests to the TNPA including following up on our PAIA request dated 1 February 2024; requesting that the Bunkering environmental risk assessment (**ERA**) be made publicly available and shared with all interested and affected parties; as well as referring to specific queries detailed in the letter.
3. Your correspondence dated 13 November 2024, referred to our PAIA request; confirmed that access to the requested information had been granted (subject to redactions); and indicated that Ms Mothibeli would attend to ensuring access to the requested records within five working days. We have, however, not received the requested information. We request that this be remedied urgently.
4. Under cover of your correspondence dated 29 November 2024, you made ERA available to us. We note, however, that to date it has not been made publicly available nor circulated to all interested and affected parties. This is an oversight which also needs urgent remedy.
5. We have had a series of positive engagement with your operational team involved in the ERA as well as with representatives of TNPA in other fora engaged with maritime and port matters. Their support and understanding of the importance of biodiversity mainstreaming, integration of considerations of climate impacts and resilience and willingness to engage with the relevant environmental framework and principles is commendable. It is, accordingly, unfortunate that steps to reinforce the transparency of TNPA's work and facilitate productive and meaningful public participation appear to have been overlooked. We would urge you to remedy this oversight in the interests of supporting your operational team, the goodwill they have fostered to date, and the productive dialogue between the public and TNPA which we have been party to do date.
6. In a similar vein, we are somewhat puzzled by the contents of the letter received on 29 November 2024. It appears to engage with our queries on the assumption that the Biodiversity Law Centre, BirdLife South Africa and SANCCOB are STS operators. Clearly, this is not the case. In doing so, it in fact does not provide responses to our queries summarised in paragraph 6 and detailed at paragraphs 9.8; 10.5; and 11.5.1.
7. Accordingly, we would appreciate your response to the following queries, repeated here for ease of reference:
  - 7.1. Please provide all interested and affected parties with the comments / response report compiled by TNPA's consultants as well as making it publicly available through publication on TNPA's website and at TNPA's offices.

- 7.2. Please provide all interested and affected parties with a final copy of the ERA as well as making it publicly available through publication on TNPA's website and at TNPA's offices.
- 7.3. How are the results of the ERA being used?
- 7.4. What steps has TNPA taken to date following the finalisation of the ERA?
- 7.5. What are the planned next steps arising from the ERA?
- 7.6. Please confirm the status of the Oiled Wildlife Preparedness & Response Plan which was published for comment during the ERA process and make the latest version publicly available through publication on TNPA's website; circulation to all interested and affected parties; and by being made available at TNPA's offices.
- 7.7. Has TNPA has recommenced processing STS Bunkering operator licences?
- 7.8. Has TNPA has engaged with SAMSA regarding the lifting of the moratorium on the processing of new STS Bunkering operator licences? If so, kindly provide details of this engagement.
- 7.9. If TNPA has recommenced processing operator licences, please provide details of applications received and processed to date. In this regard we draw your attention to the news report attached marked "A" regarding the intended commencement of STS Bunkering operations by AMSOL.
- 7.10. Please confirm the reasons for TNPA recommencing the processing and/or issuing of STS Bunkering operator licences.
- 7.11. Please confirm whether Heron Marine South Africa (Pty) Ltd; Heron Mauritius Limited; South African Marine Fuels (Pty) Ltd (or any member of its group) and/or Minerva Bunkering currently possess valid operating permits.
8. We trust that you will respond to our queries and rectify the oversights relating to circulation and publication of the ERA-related documents as well as provision of the documents pertaining to our PAIA Request as a matter of urgency.
9. Kindly note that we have continued to keep the representatives of the wider Transport Cluster in copy in the interests of supporting co-operative governance, transparency and integrated decision-making.
10. We continue to offer our support to TNPA in meeting its environmental and biodiversity obligations and would welcome the opportunity to engage further with you in this regard.

Yours sincerely,



**BIODIVERSITY LAW CENTRE NPC**

**Per Nina Braude**

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Home News & Features EMEA Algoa Bay Bunkering Set to Resume Following Shutdown in Sep 2023

# Algoa Bay Bunkering Set to Resume Following Shutdown in Sep 2023

by Ship & Bunker News Team

Thursday, January 30, 2025

Offshore bunkering service at **South Africa's Algoa Bay** anchorage, a key bunkering hub along global shipping routes, is poised to recommence after a **16-month** suspension.

Ships agency and logistics services provider **LBH** told **Ship & Bunker** it has been advised that **African Marine Solutions South Africa (AMSOL)** will start bunker supply operations at Algoa Bay within the week.

"Currently, AMSOL has one tanker in port (*MT Uhambo*) preparing to supply in the **next few days**," it said.

The bunker tanker will load cargo from the ex-**Astron Energy Cape Town** storage depot.

It said any bunker requirements can be arranged directly through **Astron Energy**.

"As a brief update on the process, LBH has also been informed that all vessel agents will be required to deal directly with AMSOL, which will, in turn, handle all bunkering applications directly with **SAMSA/Port State Control**."

## Revival of South Africa's Bunkering Capacity

Bunkering operations at Algoa Bay came to a near halt in **mid-September 2023** after the **South African Revenue Services (SARS)** detained **five** vessels, including bunker barges. Since then, bunkering operations have been completely halted at what was once the largest bunkering location in the country.



Algoa Bay bunkering came to near halt in September 2023. File Image / Pixabay

## Key Bunker Prices

More

	VLSFO		MGO	
	\$/mt	+/-	\$/mt	+/-
Singapore	580.00	8.50	693.50	10.00
Rotterdam	555.50	3.50	677.50	4.00
Houston	559.50	5.00	722.00	7.50
Fujairah	570.50	8.00	772.00	1.00
EMEA Average	614.00	2.00	779.00	2.00
Global 20 Ports	605.50	4.00	779.00	4.50
Global 4 Ports /	566.50	6.00	716.50	5.50
Global Average	650.50	0.50	829.50	1.50

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In response to the crisis, South African regulators have taken steps to revive operations.

Over the past few months, SARS made certain amendments to bunker regulations and hosted an industry workshop this **Wednesday** to clarify the changes.

Despite geopolitical progress, including a ceasefire agreement between **Israel** and **Hamas** and **Yemen's Houthi** rebels signalling that it will limit attacks to Israeli-linked vessels —major container lines like **AP Moller Maersk** and **CMA CGM** remain cautious.

They continue to avoid Red Sea and Suez Canal transits, opting instead for longer voyages around Africa.

This makes Algoa Bay bunkering still lucrative for ships passing through the region.

**Ship & Bunker News Team**

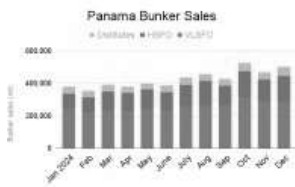
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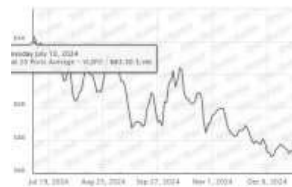
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**BUNKER PRICES: G20-VLSFO Index Slips Despite Rise in Crude**

Ship & Bunker's G20-VLSFO Index lost \$1/mt to \$591.50/mt on Thursday, having reached reaching its highest level since November 11 the previous day.

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