

PUBLIC NOTICE

PETROLEUM OUTLETS FOUND OFFERING FOR SALE ADULTERATED OR EXPORT PRODUCTS IN THE MONTH OF JULY, AUGUST AND SEPTEMBER 2013.

The Energy Regulatory Commission (ERC) is established under the Energy Act, No 12 of 2006 (the Act) as the energy sector regulatory agency, with responsibility for economic and technical regulation of electric power, renewable energy and downstream petroleum sub-sectors.

Section 95 of the Energy Act prohibits the storage, transportation and/or sale within Kenya of petroleum products that do not conform to the Kenya Standard or of adulterated petroleum products; the Section also prohibits the sale within Kenya of petroleum products intended for export.

ERC developed a programme of continuous monitoring of the quality of petroleum products being sold throughout the country. During the months of July, August and September 2013, ERC together with Kenya Revenue Authority (KRA), Kenya Bureau of Standards (KEBS) and other government agencies conducted a countrywide monitoring exercise to enforce compliance with the provisions of the Act. During the exercise 1,350 tests were carried out in 426 petroleum outlets and over 98 % were found to be compliant.

However, seventeen (17) tests from thirteen (13) stations were non-compliant. The following is a list of the petroleum outlets which were found offering for sale adulterated products or products intended for export.

	Test Date	County	Physical Location	Nature of Default	Name of Station	Status as at 15 th October 2013
1	9 th July 2013	Busia	Busia Town	Diesel contaminated with Kerosene	Nafuu Filling Station	Station closed
2	10 th July 2013	Bungoma	Sirisia Town	Export dumping & Diesel contaminated with Kerosene	Sirisia Filling Station	Station closed
3	16 th July 2013	Nyeri	Marua Kiganjo road	Export dumping & Diesel contaminated with Kerosene	Paraport Enterprises	Station Closed
4	22 nd July 2013	Machakos	Kyumui - Athi River (along Mombasa Road)	Diesel contaminated with Kerosene	Engen Athi River	Station Closed for 8 days and re-opened after paying penalties amounting to KShs. 1,500,000.00 to KRA
5	22 nd July 2013	Machakos	Machakos Junction	Diesel contaminated with Kerosene	Engen Machakos	Station Closed for 8 days and re-opened after paying penalties amounting to KShs. 750,000.00 to KRA
6	6 th August 2013	Kiambu	Kiambu East	Diesel and Petrol Contaminated with Kerosene	Cheetah Service Station	Station closed
7	14 th August 2013	Homa Bay	Mbita	Export Dumping (Diesel)	Corldori Filling Station	Station closed
8	21 st August 2013	Nairobi	Kibera (Along Ngong Road)	Petrol contaminated with Kerosene	NOCK Ngong Road Service Station (Rasaley)	Station Closed for 12 days and re-opened after paying penalties amounting to KShs. 700,000.00 to KRA
9	9 th September 2013	Makueni	Kibwezi	Diesel and Petrol Contaminated with Kerosene	NOCK, Mito Andei	Station Closed for 7 days and re-opened after paying penalties amounting to KShs. 800,000.00 to KRA
10	11 th September 2013	Mombasa	Kisauni	Diesel Contaminated with Kerosene	Get Wise Filling Station	Station Closed for 9 days and re-opened after paying penalties amounting to KShs. 500,000.00 to KRA
11	11 th September 2013	Mombasa	Kisauni	Export dumping (Diesel)	New City Filling Station	Station Closed for 20 days and re-opened after paying penalties amounting to KShs. 546,129.00 to KRA
12	12 th September 2013	Kwale	Likoni	Export dumping (Diesel)	Mabrouk Filling Station	Station closed
13	13 th September 2013	Kilifi	Malindi	Diesel and Petrol Contaminated with Kerosene	Oilibya Burhaniya Service Station	Station Closed for 20 days and re-opened after paying penalties amounting to KShs. 400,000.00 to KRA

A list of all stations found with adulterated product is available in our website www.erc.go.ke.

The County Commissioners were requested to withdraw the licences of operators of the defaulting outlets and defaulters were further required to pay penalties and taxes prescribed under the applicable tax laws before consideration for resumption of business.

It is notified for public information that ERC together with KRA, KEBS and other government agencies shall continue to carry out the monitoring of petroleum outlets and any that are found to be in contravention of the Act shall be dealt with in accordance with the law.

The Commission maintains a hotline number (0708 444 000), operational during normal working hours, with a view of increasing its engagement with stakeholders to enhance enforcement and compliance activities.

Corporate Communication
Energy Regulatory Commission