

LEGAL NOTICE NO.

THE ENERGY ACT
(Cap. 314)

IN EXERCISE of the powers conferred by section 116 of the Energy Act (Cap. 314), the Cabinet Secretary, Ministry of Energy and Petroleum make the following Regulations—

ENERGY (COAL AND COAL BED METHANE ENVIRONMENTAL, HEALTH AND SAFETY) REGULATIONS, 2026

PART I – PRELIMINARY	
Citation.	1. These Regulations may be cited as the Energy (Coal and Coal Bed Methane Environmental, Health and Safety) Regulations, 2026.
Interpretation.	(2) In these Regulations, unless the context otherwise required— “Act” means the Energy Act; “accident” means an occurrence or event that results in loss of life, personal injury, property damage or environmental damage; “approved standard” means a standard under the Standards Act; “asphyxiant gas” means any gas the release of which may cause suffocation by displacing oxygen; “coal agreement” means the right to exploit coal and coal bed methane resource pursuant to an agreement between the Government and the concessionaire issued under these regulations; “coal facility” means any facility involved in coal and coal bed methane operations; “coal industry” means the industry sector involved in coal operations; “coal operator” means a project proponent, a licensee, coal or coal bed methane permit holder and their agents;

	<p>"coal operations" means the exploration, production, processing, import, export, storage, sale, utilization, common user facilities, transport of coal and coal bed methane and its derivatives;</p> <p>"coal waste" means any byproduct generated from coal operations.</p> <p>"decommissioning" means plugging and abandonment, recovery, removal and disposal, restoration, or if applicable re-deployment of coal facilities, infrastructure and assets related to coal operations;</p> <p>"emergency" means a present or imminent event, outside the scope of normal operations, that requires prompt action and co-ordination of resources to protect the health, safety or welfare of people or to limit damage to property and the environment;</p> <p>"environmental liability policy" means an insurance policy that covers the cost of restoring damage caused by coal operations, resulting in pollution of land, water, air, and biodiversity damage under the Act;</p> <p>"flaring and venting" means controlled processes for the disposal of gas, essential for emergency and safety purposes on gas installations, and in situations where it may not be feasible for the gas to be used, exported or re-injected;</p> <p>"fugitive emissions" means any release of gases or vapours that leak from equipment, seals, pipelines, valves, tanks, open mine faces or during processing, handling or storage of coal or coalbed methane and are not captured by installed emission control systems;</p> <p>"hazardous substance" means any chemical, waste, gas, medicine, drug, plant, animal or microorganism which is likely to be injurious to human health or the environment;</p> <p>"incident" means an unexpected event or occurrence that does not result in serious injury or illness but may result in property or environmental damage;</p> <p>"licence" means any document or instrument in writing granted under Energy Act, to any person authorizing the undertaking of coal and coal bed methane business;</p> <p>"licensee" means a person who is a holder of a licence issued under these Regulations;</p>
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	<p>“permit holder” means a person who is a holder of a permit issued under these Regulations;</p> <p>“risk” means the probability of occurrence of an adverse effect from a substance on people or the environment combined with the magnitude of the consequence of that adverse effect;</p> <p>“safety case” means a document required under these Regulations demonstrating that there are effective means of reducing risk at a facility or during activities to the required level;</p> <p>“safety zone” means a demarcated area established around a facility to protect workers, equipment, the public and the environment from potential hazards associated with coal operations;</p>
Application	<p>These Regulations shall apply to:</p> <ol style="list-style-type: none"> a) Exploration, extraction, production, processing, transportation, storage, exportation, importation and sale of coal bed methane for use in energy production; b) Processing, value addition, transportation, storage, exportation, and importation of coal for use in energy production; c) Upstream coal activities including exploration, extraction and management of sale of coal which relate to the Ongoing Projects listed in paragraph 5 of the Fourth Schedule of the Act; and d) Coal common user and value addition facilities for use in energy production.
PART II – HEALTH AND SAFETY REQUIREMENTS	
Safety Case	
Safety case application and review	<p>2. (1) A coal operator shall formulate a safety case and submit it to the Authority for approval three (3) months prior to any proposed coal activity.</p> <p>(2) An application for the safety case approval referred to in (1) shall be-</p> <ol style="list-style-type: none"> (a) in the Form set out in the First Schedule; (b) accompanied by proof of payment of fees as prescribed in Ninth Schedule.

	<p>(3) The Authority upon receipt of the application in (2) shall acknowledge receipt of the safety case within seven (7) days in writing.</p> <p>(4) The Authority shall consider the application within forty-five (45) days of receipt, and may;</p> <p>(a) require the coal operator to provide additional information related to the safety case or any other matter that the Authority may require in order to properly consider the safety case;</p> <p>(b) Approve safety case with or without condition;</p> <p>(c) Reject the application giving reasons in writing within seven (7) days.</p> <p>(5) Where the Authority requests for more information, the coal operator shall provide the information required within twenty-one (21) days.</p> <p>(6) The time period for processing the approval for safety case shall be paused until the additional information required is provided.</p>
Amendment of a safety case.	<p>4. (1) A coal operator shall notify the Authority in writing of its intent to amend the safety case if—</p> <p>(a) a significant change to the facility is proposed;</p> <p>(b) a particular operation or activity is proposed for which the safety case in force does not adequately consider the risks and the required control measures; or</p> <p>(c) a significant new risk, or a significant increase in an existing risk to safety or health, arises or is likely to arise and is not provided for in the safety case in force.</p> <p>(2) On receipt of a notification under this regulation, the Authority shall communicate in writing prescribing timelines for submission of the amended safety case to the coal operator.</p> <p>(3) A coal operator shall review its safety case and resubmit to the Authority for approval every three (3) years. The resubmission shall be accompanied by proof of payment of fees as prescribed in the Ninth Schedule.</p>
Safety case contents	<p>5. The safety case referred to in regulation 3 shall contain the following information-</p>

	<ul style="list-style-type: none"> (a) the relevant facility description and a description of the processes and activities that will take place at the facility; (b) a risk assessment and systematic identification of hazards; (c) a safety management system; (d) an emergency response plan; (e) established safety zone around the coal facility; (f) measures for performance monitoring and review; and (g) procedures and systems for maintaining accurate records;
<p>Qualifications of safety case personnel</p>	<p>6. A coal operator shall ensure that the safety case is prepared by a person possessing the following qualifications:</p> <ul style="list-style-type: none"> (a) bachelor’s degree in environment, engineering, geology, safety or related field; (b) be approved as a safety advisor by the Directorate of Occupational Safety and Health Services; (c) membership in a relevant professional body and in good standing where applicable; (d) be licensed as a lead Environment Impact Assessment expert by the National Environment Management Authority; and (e) has more than five (5) years’ experience in risk assessment, hazard analysis or safety management.
<p>Risk assessment</p>	<p>7. (1) A risk assessment required in developing a safety case shall—</p> <ul style="list-style-type: none"> (a) identify the likely incidents, hazards or accidents that may occur in relation to the activity or facility; (b) set out a detailed and systematic assessment of the risk associated with each of those hazards, including the likelihood and consequences of each incident; (c) analyse probable consequences of single failures or sequential failures in and connected to the activity or facility; (d) outline the acceptance criteria in relation to the risks being assessed; and (e) identify the measures that are necessary to reduce each of those risks.

	<p>(2) A coal operator shall perform the risk assessment using qualitative, semi-quantitative or quantitative risk assessment method.</p> <p>(3) A coal operator shall provide justification for employing the selected methodology in each case.</p>
Safety management system.	<p>8. (1) The safety management system shall outline risk control measures selected to reduce the risk to an acceptable level and may consist of—</p> <ul style="list-style-type: none"> (a) measures to reduce the probability of accidents or hazardous situations occurring; and (b) measures to mitigate the consequences of accidents or hazardous situations. <p>(2) The control measures selected shall be informed by the most critical event scenario based on realistic severity and the realistic likelihood of occurrence.</p> <p>(3) A coal operator shall systematically follow up the implementation of the risk control measures and reassess the basic assumptions made in the risk assessment to ensure that safety is maintained.</p>
Emergency response plan	<p>9. An emergency response plan in the safety case shall—</p> <ul style="list-style-type: none"> (a) identify the potential emergency scenarios; (b) provide for the roles and responsibilities of persons in the facility and command structure in the event of an emergency; (c) provide for evacuation procedures; (d) provide for first aid and medical assistance services; (e) provide for communication systems in the event of an emergency; (f) provide for equipment availability and mutual aid arrangements; and (g) provide for personnel training and testing of the emergency plan.
Offense and penalty	<p>10. A coal operator who commences coal operations without an approved safety case commits an offence and shall on conviction be liable to the penalties prescribed in Section 115(1)(a) of the Act.</p>

Safety of Coal Facilities	
Duties of a coal operator.	<p>11. (1) A coal operator shall put in place the following measures to ensure safety in the coal facility—</p> <ul style="list-style-type: none"> (a) identify and assess the hazards related to coal operations; (b) minimise any risk to the safety and health of persons or any risk to public safety that may arise from operations and related activities; (c) minimise the effects of any incidents, hazards or accidents on human health and the environment; (d) ensure that adequate and appropriate recovery measures are put in place to deal with the effects of any incidents, hazards or accidents; (e) institute procedures that allow the continuing development of safety practices that reflect technological advancement and advances in best coal industry practices; and (f) adopt and implement necessary environmental protection measures;
Facility management.	<p>12. (1) A coal operator shall ensure there is a safety officer with responsibility for environment, safety and health matters at each manned facility during operations.</p> <p>(2) The safety officer in sub-regulation (1) shall have the following qualifications:</p> <ul style="list-style-type: none"> (a) A minimum of diploma in environmental occupational health and safety or related field; and (b) At least two (2) years' experience in environmental health and safety management in mining or related field. <p>(3) The safety officer shall ensure that—</p> <ul style="list-style-type: none"> (a) the workers perform the operations in a safe manner in line with these regulations and best coal industry standards; (b) all tools and equipment are used in a safe manner; (c) all tools and equipment are maintained in a safe working condition; (d) the designated storage facility or area for tools and equipment is maintained in a safe manner; and

	(e) all tools and equipment are stored in a safe manner while not in use.
Manual of instructions	<p>13. (1) A coal operator shall prepare a manual of instructions for safety of the facility's operations and bring it to the attention of every worker or any other person participating in coal operations.</p> <p>(2) A worker or any other person participating in coal operations shall comply with the requirements of the manual of instructions relevant to his or her duties.</p> <p>(3) A coal operator shall revise and update the manual of instructions for the safety of facility's operations as need arises.</p>
Personnel training	<p>14. (1) A coal operator shall ensure that all workers involved in coal operations have operational and safety training to execute their roles;</p> <p>(2) A coal operator shall annually carry out training needs assessment for their workers;</p> <p>(3) A coal operator shall ensure that workers receive the necessary and specialised training identified in (2);</p> <p>(4) A coal operator shall make all relevant safety and procedural documentation readily available and accessible to workers and to the Authority upon request.</p> <p>(5) A coal operator shall ensure that all workers are informed and trained on updates introduced into the procedures and manuals that may impact—</p> <ul style="list-style-type: none"> (a) operations and maintenance; (b) emergency situations and simulations; (c) escape, evacuation and rescue; (d) machinery safety; (e) materials, products and equipment packaging, identification, storage and handling; (f) results of any safety analysis; (g) codes and signalling; (h) communication and reporting practices; (i) their preparedness and responses to emergencies; and (j) any other matter relevant to operations. <p>(6) A coal operator shall provide training to workers upon employment, any transfer or change of work tasks, the introduction of new work equipment or changes to</p>

	<p>the equipment and upon introduction of new technology that applies to the worker's tasks.</p>
<p>Facility design and construction.</p>	<p>15. (1) A coal operator shall ensure that the design, engineering and construction of any facility is conducted in a manner to ensure the safety and wellbeing of persons present at or near the facility.</p> <p>(2) A coal operator shall ensure that the design, engineering and construction of any facility is undertaken by a professional engineer.</p> <p>(3) A coal operator shall ensure that the design of the facility takes into account, at a minimum, the following considerations—</p> <ul style="list-style-type: none"> (a) the local environment of the facility site; (b) the requirements of Kenya's environmental laws and regulations including the requirements contained in these Regulations; (c) the ability of the facility to withstand abnormal loads; (d) the suitability of equipment and materials for their intended purpose; (e) systems for the relief of excessive pressure; (f) classification of areas at risk of explosion, fire or collapse; (g) the layout and distribution of equipment at the facility; (h) protecting workers from the risks arising from the use of rotating and other hazardous machinery; (i) the characteristics of confined spaces at the facility with respect to maintaining a safe atmosphere and eliminating the risk of ignition; (j) the ventilation of spaces containing coal and, if necessary, equipping them with pressure relief valves and explosion protection panels; (k) adequate lighting for operations in the facility; (l) the use of systems to detect abnormal conditions and reduce the risk of release of hazardous substances and to contain any release; (m) the suitability of the use of automatically operating safety equipment and installations to reduce the incidence and consequences of fire, explosion, escape of gas and other hazards;

	<p>(n) safe and easy access for inspection, testing and maintenance purposes; and</p> <p>(o) any foreseeable changes in future operational conditions.</p>
Testing	<p>16. (1) A coal operator shall ensure that facilities and equipment are sufficiently tested prior to operation to establish their suitability, integrity and durability.</p> <p>(2) A coal operator shall develop a programme of regular testing of facilities and equipment to ensure that the critical components of each system continue to work safely. The regular testing programme shall include instructions on—</p> <p>(a) the required frequency of tests;</p> <p>(b) the required methodology to perform the manner of performance of the tests; and</p> <p>(c) the corrective measures that may be applied, and any other relevant recommendations.</p>
Fire Prevention and Control	<p>17. (1) A coal operator shall-</p> <p>(a) conduct and maintain a fire risk assessment and controls in all facilities in accordance with Occupational Safety and Health (Fire Risk Reduction) Rules and National Fire Protection Association codes;</p> <p>(b) install smoke, heat and fire detection alarm systems; and</p> <p>(c) install and maintain fire suppression systems as recommended by the fire risk assessment undertaken.</p> <p>(2) A coal operator shall ensure that underground facilities have dedicated fire-resistant refuge chambers with oxygen supply.</p> <p>(3) A coal operator shall conduct annual fire audits in all facilities in accordance with Occupational Safety and Health (Fire Risk Reduction) Rules 2007.</p>
Ventilation	<p>18. A coal operator shall ensure that-</p> <p>(a) all indoor facilities have mechanical ventilation and natural cross-ventilation;</p> <p>(b) all underground or confined spaces have forced-air ventilation and continuous gas monitoring for asphyxiant gas levels; and</p> <p>(c) the ventilation systems are active at all times.</p>

Radiation.	<p>19. (1) A coal operator shall ensure that a facility is designed to minimise exposure of workers to radiation and to ensure that primary technical solutions which minimise exposure to radioactive substances are applied.</p> <p>(2) A coal operator shall ensure that appropriate warning signs are present where radioactive substances are discovered, transported, handled, stored and disposed.</p>
Working conditions under hazardous environment	<p>20. A coal operator shall ensure that working hours and shift schedules take into account the need to minimise periods of prolonged exposure of workers to hazardous conditions including exposure to—</p> <ul style="list-style-type: none"> (a) extreme temperatures; (b) noise or vibrations; (c) adverse weather and external atmosphere; (d) dangerous emissions; or confined spaces.
Incident or accident notification and reporting.	<p>21. (1) In the event of any incident or accident-causing loss of life, personal injury, explosion, fire or damage to the environment or property, a coal operator shall notify the Authority and relevant government agencies of the incident or accident and in any case not later than 2 hours after—</p> <ul style="list-style-type: none"> (a) the time of the occurrence of the incident or accident; or (b) the time a coal operator becomes aware of the incident or accident. <p>(2) A notification under sub-regulation (1) may be made electronically using form in the Second Schedule.</p> <p>(3) A coal operator shall submit a written report within forty-eight hours of any incident or accident using the reporting template provided in Third Schedule.</p> <p>(4) The Authority may, by notice in writing, require a coal operator to submit additional information on the reported incident or accident, if the initial report required in this regulation is deemed insufficient.</p> <p>(5) A coal operator shall systematically investigate any incident or accident to find out its causes and report to the Authority and relevant government agencies within thirty (30) days.</p>
Equipment Safety	

<p>Equipment and machinery.</p>	<p>22. (1) A coal operator shall ensure that all tools, equipment and machinery used in coal operations are—</p> <ul style="list-style-type: none"> (a) designed, constructed, tested, installed, inspected and maintained safely in accordance with the approved standards and Coal Industry Best Practices; (b) situated and positioned in the facility safely and appropriately in relation to their intended use and other proximate activities; (c) of sufficient size and strength to withstand imposed stresses and to safely perform the functions for which they are to be used; and (d) operated only by a qualified, trained or competent person. <p>(2) A coal operator shall ensure that—</p> <ul style="list-style-type: none"> (a) machinery, equipment and their components are in a safe condition during operation, repair, maintenance, testing and restart; (b) all exposed and moving parts of machinery are enclosed, screened or railed off to prevent any worker or any other person from coming into contact with them; (c) where power-driven machinery is used, each machine has a stopping device located within easy reach of the worker operating the machinery; (d) every machine which is not individually motor driven is equipped with a clutch or other means of stopping the machine; and (e) starting devices are arranged to prevent an incident, hazard or accident. <p>(3) A coal operator shall ensure that—</p> <ul style="list-style-type: none"> (a) any scaffolding, stage, walkway, working platform, stairway and ladder, whether temporary or permanent, are constructed and maintained in safe condition; and (b) all hand tools are kept in a good state of repair.
<p>Safety zones.</p>	<p>23. (1) The coal operator shall establish safety zones surrounding or within a coal facility.</p> <p>(2) The extent of each safety zone shall be as set out in Fourth Schedule</p>

	<p>(3) No unauthorised person, vehicle or vessel shall enter, pass, stay or operate in the safety zone, without the permission of the coal operator.</p> <p>(4) A coal operator shall ensure that safety zones are fenced and marked with warning signs in English, Swahili and local languages.</p> <p>(5) The Authority may require a coal operator to establish a new safety zone or extend an existing safety zone where this is considered necessary to prevent or limit—</p> <ul style="list-style-type: none"> (a) risk of injury or loss of life; (b) significant damage to facilities or surrounding property; (c) pollution or other environmental damage; or (d) substantial changes to production.
Offshore safety zones.	<p>24. A coal operator of a facility within a safety zone located offshore shall—</p> <ul style="list-style-type: none"> (a) alert a vessel about to enter a safety zone when it has no right to enter such area; (b) alert vessels outside a safety zone if the vessels may constitute a danger to safety of the coal; (c) to the extent possible, refuse to allow an unauthorised vessel entry into the safety zone; (d) request the Kenya Maritime Authority to— <ul style="list-style-type: none"> (i) issue notices to mariners and navigational warnings under section 219 of the Merchant Shipping Act, 2009 about the safety zone; (ii) consent to temporary or permanent aids to navigation established under sub-section 221(2) of the Merchant Shipping Act, 2009 and necessary for the safety zone.
Notification.	<p>25. A coal operator shall within forty-eight (48) hours inform the Authority in writing of any activity in or near a safety zone which may constitute danger to safety of coal operations, facilities, the public and personnel.</p>
Asphyxiant gas.	<p>26. (1) A coal operator shall institute measures to prevent the risk of release and accumulation of asphyxiant gases into a work environment.</p>

	<p>(2) Prevention and control measures to reduce risks of asphyxiant gas release under sub-regulation (1) may include—</p> <ul style="list-style-type: none"> (a) design and placement of asphyxiant gas venting systems according to approved standards and best coal industry practices; (b) installation of an automatic emergency shutdown system which can— <ul style="list-style-type: none"> (i) detect and warn of the uncontrolled release of asphyxiant gases; (ii) initiate forced ventilation; (iii) minimise the duration of releases; and (iv) implementation of confined space entry procedures as may be considered appropriate under best coal industry practices. (c) provision of self-contained breathing apparatus and supplied air respirators for every worker.
<p>Noise and Vibrations.</p>	<p>27. (1) A coal operator shall ensure that a facility is operated in accordance with approved standards and best coal industry practices with respect to the presence of noise and vibrations.</p> <p>(2) A coal operator shall ensure that a facility is operated in a manner that—</p> <ul style="list-style-type: none"> (a) reduces the risk of injury to workers and the public due to exposure to noise and vibrations; (b) ensure that the noise level and acoustics do not preclude communication of significance to safety; and (c) ensures that the noise level in any worker break rooms, accommodation or recreation areas is reduced as much as possible. <p>(3) A coal operator shall continuously monitor and record noise and vibrations levels and shall make all records available to the Authority on request;</p> <p>(4) A coal operator shall provide personal protective equipment at no cost to all persons exposed to hazardous levels of occupational noise and vibrations.</p>

Lighting.	<p>28. (1) A coal operator shall ensure adequate lighting for the performance of all work at the facility.</p> <p>(2) A coal operator shall ensure lighting at the facility complies with applicable national and international standards, taking into account—</p> <ul style="list-style-type: none"> (a) the type of activity; (b) the suitable distribution of lighting appliances; and (c) the harmonisation of light colour with the prevailing context in the facility.
Chemicals and Hazardous Substances	
Notification to the Authority.	<p>29. (1) Where a coal operator intends to use chemicals or hazardous substances, shall provide a copy of the licence issued by the National Environment Management Authority under Environmental Management and Coordination Act (Management of Toxic and Hazardous Chemicals and Materials) Regulations 2024.</p> <p>(2) A coal operator shall notify the Authority of all chemicals or hazardous substances present or likely to be present at facilities or to be used in operations using the form provided in Fifth Schedule—</p> <ul style="list-style-type: none"> (a) thirty (30) days before the commencement of installation or operation of a facility; (b) every six (6) months after the initial notification under subparagraph (a); and (c) in relation to facilities existing at the date of commencement of these Regulations, within sixty (60) days from that date.
Handling of chemicals and hazardous substances	<p>30. (1) A coal operator shall comply with all provisions of Environmental Management and Coordination Act (Management of Toxic and Hazardous Chemicals and Materials) Regulations 2024 and best coal industry practice on the importation, transportation, storage, use and disposal of chemicals, chemical products, chemicals and other hazardous substances.</p> <p>(2) A coal operator shall maintain material safety data sheets for all chemicals and hazardous substances within the facility, following the format provided in the Sixth Schedule.</p>

<p>Operations involving hazardous substances.</p>	<p>31. (1) A coal operator shall maintain an up-to-date inventory of chemicals and other hazardous substances and products stored on premises or used in operations;</p> <p>(2) A coal operator shall adopt measures to protect workers from exposure to chemicals and hazardous substances including—</p> <ul style="list-style-type: none"> (a) displaying signs at appropriate distances warning of the presence of chemicals and other hazardous substances; (b) training workers in the safe use of chemicals and other hazardous substances; (c) providing suitable personal protective equipment; (d) ensuring first aid measures and emergency procedures are adopted in case of accident; and (e) providing toxic gas detection and protection systems with alarms.
<p>Personal Protective Equipment</p>	
<p>Hazard assessment</p>	<p>32. (1) A coal operator shall develop a hazard assessment report which assesses the workplace to determine the nature and extent of likely hazards which necessitate the use of personal protective equipment.</p> <p>(2) The hazard assessment report shall support the selection of personal protective equipment and shall, at a minimum, consider the use of the following—</p> <ul style="list-style-type: none"> (a) head protection; (b) eye and face protection; (c) protective footwear and hand wear; (d) respiratory protection; (e) skin and special clothing; (f) fall-protection systems; (g) protection against drowning; (h) protection from extreme temperatures and (i) protection from excessive noise and vibrations. <p>(3) The hazard assessment report shall be updated at least once every year.</p> <p>(4) A coal operator shall—</p>

	<ul style="list-style-type: none"> (a) ensure that any person within the facility who is likely to be exposed to a hazard uses personal protective equipment in accordance with these regulations; (b) communicate personal protective equipment requirements to the workers; and (c) ensure that personal protective equipment provided to workers properly fit to perform their intended functions; <p>(5) A coal operator who fails to provide their workers with Personal Protective Equipment commits an offense and shall on conviction be liable to a fine of two hundred thousand shillings.</p>
Training.	<p>33. (1) A coal operator shall provide training on personal protective equipment and require workers to demonstrate a proper understanding of at least the following—</p> <ul style="list-style-type: none"> (a) the situations necessitating personal protective equipment; (b) the relevant type of personal protective equipment for each situation; (c) any limitations of the personal protective equipment; (d) the proper use and adjustment of personal protective equipment; and (e) the proper care, maintenance, useful life and disposal of the personal protective equipment. <p>(2) A coal operator shall ensure that training is provided at regular intervals and that additional training is provided in situations where—</p> <ul style="list-style-type: none"> (a) any changes in the work environment or in the nature of personal protective equipment used may necessitate further training to maintain an acceptable level of safety; or (b) a worker demonstrates any insufficiency in knowledge or use of assigned types of personal protective equipment.
Medical Examinations	
Medical facilities and first aid services.	<p>34. (1) A coal operator shall provide adequate first aid and emergency medical facilities to deal with incidents,</p>

	<p>hazards or accidents likely to occur in a facility or during coal operations.</p> <p>(2) A coal operator shall-</p> <ul style="list-style-type: none"> (a) undertake first aid needs assessment and revise it whenever there are changes in the processes; (b) provide a first aid box, first aid station or first aid room as appropriate and affix a notice in every workroom including the name and contact of a person-in-charge of the first aid who shall be readily available during working hours; and (c) provide appropriate first aid training, including refresher training, emphasising the safety of the person giving first aid as well as the safety of the person receiving first aid. <p>(3) A coal operator shall ensure availability of a sufficient number of persons competent in giving first aid.</p> <p>(4) In addition to requirements under sub-regulations (1) and (2), a coal operator shall maintain—</p> <ul style="list-style-type: none"> (a) a portable oxygen inhalation rescue apparatus in the facility or during coal operations; and (b) where the eyes or other parts of the body of a person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.
<p>Medical examinations for workers.</p>	<p>35. (1) A coal operator shall undertake medical examination to all workers before they are assigned work that is likely to have health risks, so that preventive measures can be implemented.</p> <p>(2) A coal operator shall ensure that workers are offered regular medical examinations by a medical professional with training and experience in occupational health and at no cost to the worker to establish any effects or sickness arising from occupational hazards.</p> <p>(3) The medical personnel shall notify a coal operator of any occupational disease or injury, and a coal operator shall not later than twenty-four (24) hours arrange for the necessary medical care to the worker.</p>

	<p>(4) Where it is established that a worker has acquired a health condition due to hazardous exposure in his or her employment, the worker shall be offered treatment at the cost of a coal operator.</p> <p>(5) Not limited to sub-regulations (1) to (4), the coal operator shall comply with other requirements of Factories and Other Places of Work (Medical Examination) Rules, 2005.</p>
Information.	<p>36. (1) A coal operator shall post and keep posted in accessible, conspicuous locations in a workplace, the following—</p> <ul style="list-style-type: none"> (a) information regarding occupational disease or illness likely to be sustained or contracted in the workplace; (b) information regarding the location of first aid attendants, first aid stations and first aid rooms; and (c) A safety score board indicating all near misses, accidents and fatalities that have occurred in respective years in all of the premises held by a Coal operator. <p>(2) A coal operator shall ensure that an up-to-date list of telephone numbers for use in emergencies is available and conspicuous at every telephone location.</p>
Emergency response	<p>37. During coal operations, a coal operator shall provide means for prompt transportation of injured persons to an equipped physician or hospital, or a communication system for contacting a readily available equipped ambulance service.</p>
Transport safety	<p>38. A coal operator engaging in transportation of coal or coal bed methane shall ensure that-</p> <ul style="list-style-type: none"> (a) all vehicles are covered with tarpaulins to prevent windblown coal dust; (b) trucks and wagons are equipped with spill trays, fire extinguishers, and rear reflectors; (c) drivers are trained in hazardous material transport, with certifications retained on transit. (d) conveyors are fitted with emergency stop cables, spill containment skirts, and dust suppression covers; (e) pipelines -

	<ul style="list-style-type: none"> (a) are constructed of non-corrosive materials and buried to a safe depth as per Industry Best Practices. (b) have pressure gauges and leak detection sensors installed at strategic points of the pipeline along the route; (c) have valves remotely accessible and fireproofed.
Health and Safety records	<p>39. (1) A coal operator shall maintain the following Health and Safety records-</p> <ul style="list-style-type: none"> (a) incident and accident registers (b) safety performance and results; (c) medical examinations and medical surveillance records (retained for 20 years) of workers; (d) the outcome of equipment testing and inspections and auditing of safety procedures; (e) emergency response plan; (f) staff training; (g) persons at a facility; (h) Fire drills (i) Personal Protective Equipment (j) risk register; and (k) any other record as the Authority may require. <p>(2) A coal operator shall provide workers and contractors with relevant information for their performance and health.</p>
PART III – ENVIRONMENTAL PROTECTION	
Environmental impact assessment and Environmental Audit	<p>40. (1) A coal operator shall obtain an environmental impact assessment licence from National Environment Management Authority in relation to the proposed project.</p> <p>(2) A coal operator, shall ensure that Environmental Impact Assessment and Environmental Audit is undertaken in accordance with Environmental Management and Coordination (Environmental Impact Assessment and Audits) Regulations 2003.</p>
Climate change obligations.	<p>41. (1) The coal operator shall establish and maintain an emission monitoring system capable of accurately measuring, recording and reporting emissions of air</p>

	<p>pollutants and greenhouse gases associated with coal operations.</p> <p>(2) A coal operator shall submit semi-annual reports to the Authority.</p> <p>(3) A coal operator shall put in place measures to control, minimise or offset greenhouse gases from the facility.</p>
Surface and Groundwater Protection	<p>42. A coal operator shall-</p> <p>(a) conduct baseline hydrogeological studies and submit them to the Authority and Water Resource Authority prior to operations;</p> <p>(b) install upgradient and downgradient monitoring wells to track water quality during and after operations.</p>
Water use and management	<p>43. (1) A coal operator shall ensure that-</p> <p>(a) all processing facilities maintain a water use and conservation plan; and</p> <p>(b) reuse and recycling of process water is prioritized.</p> <p>(2) A coal operator shall ensure that annual water audits are conducted and submitted to Authority and the Water Resources Authority.</p>
Emissions	<p>44. During all coal operations the coal operator shall comply with Environmental Management and Coordination (Air Quality) Regulations 2024, on environmental protection including pollution prevention, air emissions, air quality monitoring and reporting.</p>
Decommissioning.	<p>45. In executing decommissioning operations, a coal operator shall—</p> <p>(a) restore and remediate the relevant area to as near original state as possible or to such state as is otherwise provided in the approved final decommissioning plan;</p> <p>(b) ensure the removal, reuse, recycling and disposal of materials and equipment resulting from the dismantling of facilities; and</p> <p>(c) ensure correct handling, treatment, transport and final disposal of all the waste produced, in compliance with Sustainable Waste Management Act Cap. 387c, Environmental Management and Coordination (Waste Management) Regulations, 2024 and Coal Industry Best Practices.</p>
Environmental restoration bond	<p>46. (1) A coal operator shall provide a deposit bond for the purposes of environmental mitigation and restoration in</p>

	<p>accordance with Environmental Management and Coordination Act Cap.387</p> <p>(2) The Authority may in consultation with NEMA and lead agencies where deemed necessary, coordinate and evaluate the remediation and restoration works before attesting completion and discharging the Coal operator.</p>
Environmental Liability Policy	<p>47. A coal operator shall provide an Environmental Liability Policy in accordance with the Act in the form prescribed in the Seventh Schedule.</p>
Waste Management	
Waste management obligation	<p>48. A coal operator shall ensure that waste deriving from coal operations and any other associated operational wastes is managed in accordance with the Sustainable Waste Management Act Cap. 387c, Environmental Management and Coordination (Waste Management) Regulations, 2024 and best coal industry practice.</p>
Waste management plan.	<p>49. A coal operator shall develop waste management plan in accordance with applicable Waste Management Guidelines recommended by the Authority.</p>
Coal Industry Waste	
Coal Bottom Ash, Slag, and Fly Ash	<p>50. (1) A coal operator shall identify and evaluate feasible options for the reduction, recycling and reuse of coal industry waste generated and implement the most suitable option as part of the facility's waste management plan.</p> <p>(2) A coal operator shall before re-cycling and re-using coal industry waste emanating from the coal industry seek approval from Authority and NEMA.</p>
Coal Storage Sludge and Spent Catalysts	<p>51. A coal operator shall ensure that-</p> <p>(a) coal dust sludge generated from coal operations is dried and reused or recycled where feasible;</p> <p>(b) handling and transport of all sludge be conducted according to the Environmental Management and Coordination (Waste Management) Regulations 2024 and Coal Industry Best Practices; and</p> <p>(c) spent catalysts resulting from catalyst bed replacement be returned back to the manufacturer for regeneration.</p>

Flowback fluids.	<p>52. (1) A coal operator shall ensure that all flowback fluids are managed in accordance with Environmental Management and Coordination (Water Quality) Regulations 2024 and Coal Industry Best Practices.</p> <p>(2) A coal operator shall evaluate and integrate into design feasible alternatives for the management and disposal of flowback fluids different and separate from those of produced water including—</p> <ul style="list-style-type: none"> (a) temporary storage in sealed tanks for reuse in further hydraulic fracturing operations; and (b) temporary storage prior to injection into a suitable disposal well.
Naturally occurring radioactive materials (NORM)	<p>53. (1) A coal operator shall develop a Naturally Occurring Radioactive Materials management plan prior to commencement of coal operations to ensure appropriate handling and management procedures on all aspects of Naturally Occurring Radioactive Materials.</p> <p>(2) A coal operator shall submit for approval to the Authority a Naturally Occurring Radioactive Materials Management Plan.</p> <p>(3) A Naturally Occurring Radioactive Materials Management Plan shall include the following—</p> <ul style="list-style-type: none"> (a) identification, characterisation and assessment of possible Naturally Occurring Radioactive Materials; (b) evaluation of naturally occurring radioactive materials management options for both existing and future Naturally Occurring Radioactive Materials waste and selection of the optimum option; and (c) implementation of the optimum option for each Naturally Occurring Radioactive Materials stream. <p>(4) A coal operator shall retain updated records related to the radiation exposure levels of equipment and the disposal of Naturally Occurring Radioactive Materials waste for a period of not less than ten (10) years.</p>
Industrial Process Wastewater	<p>54. A coal operator shall ensure;</p> <ul style="list-style-type: none"> (a) prevention of accidental releases of liquids through inspections and maintenance of storage and conveyance systems, including stuffing boxes on pumps and valves and other potential leakage

	<p>points, as well as the implementation of spill response plans;</p> <p>(b) provision of sufficient process fluids let-down capacity to maximize recovery into the process and to avoid massive process liquids discharge into the oily water drain system; and</p> <p>(c) design and construction of wastewater and hazardous materials storage containment basins with impervious surfaces to prevent infiltration of contaminated water into soil and groundwater.</p>
Industrial Process Wastewater treatment	<p>55. A coal operator shall ensure that the techniques for treating industrial process wastewater include source segregation and pre-treatment of concentrated wastewater streams in accordance with Environmental Management and Coordination Act (Cap.387) and the Coal Industry best practices.</p>
Coal Washout	<p>56. A coal operator shall put measures to prevent storm water contamination and leachates as a result of contaminations from coal storage areas including;</p> <p>(a) engineered drainage system; and</p> <p>(b) installing sediment traps</p> <p>(c) treatment of washout before discharge</p>
Flaring, Venting and Fugitive Emissions	
Venting and flaring approval.	<p>57. (1) A coal operator shall apply for a permit to vent or flare natural gas in the course of the conduct of coal operations to the Authority.</p> <p>(2) The application in sub-regulation (1) shall be-</p> <p>(a) made in writing at least two (2) months before commencement of operations or of each calendar year;</p> <p>(b) In the form prescribed in the Eighth Schedule.</p> <p>(c) Accompanied with -</p> <p>(a) a fee set out in Ninth Schedule</p> <p>(b) a copy of emissions licence from National Environmental Management Authority</p> <p>(3) The Authority upon receipt of the application shall within thirty (30) days-</p> <p>(a) approve the application;</p> <p>(b) request for more information or documentation to support the application; and</p> <p>(c) reject the application giving reasons to the coal operator.</p>

	<p>(4) Where a coal operator vents or flares natural gas without a permit in sub-regulation (1) due to an emergency or for safety reasons, the coal operator shall-</p> <p>(a) notify the Authority within 24 hours; and</p> <p>(b) provide a written report on the incident within seven (7) days.</p> <p>(5) A coal operator shall not vent or flare natural gas during coal operations except with prior authorization of the Authority in consultation with the National Government agency responsible for environment and safety.</p> <p>(6) A coal operator who contravenes the provisions of this regulation commits an offence and shall upon conviction be liable to a fine of one million shillings.</p>
Amendment of flaring and venting permit	<p>58. Where a coal operator wishes to make any change to the conditions of an existing permit, a coal operator shall apply to the Authority for approval of the changes on flaring and venting permit.</p>
Suspension or termination of flaring and venting permit.	<p>59. (1) The Authority may suspend or terminate permit to flare and vent if—</p> <p>(a) there are changes in the information originally furnished for issuance of the permit;</p> <p>(b) there are substantial violations of the terms and conditions of the permit; or</p> <p>(c) the applicant has misrepresented any material facts during the application process.</p> <p>(2) Where the Authority proposes to suspend or terminate a permit to flare and vent under this regulation, the Authority shall provide fourteen (14) days’ notice to the permit holder to comply with the terms and conditions of the permit.</p> <p>(3) The Authority shall-</p> <p>(a) provide reasons for suspension or termination; and</p> <p>(b) ensure that the permit holder has an opportunity to respond to the Authority’s reasoning for taking the proposed action with respect to the permit.</p>

Fugitive emissions control plan.	<p>60. (1) A coal operator shall submit to the Authority a fugitive emissions control plan approved by the National Environment Management Authority.</p> <p>(2) The Authority may direct a coal operator to carry out additional actions during operations to manage fugitive emissions if the Authority determines that additional actions are necessary to mitigate potential risks to the environment or safety.</p>
Environmental Records	<p>61. (1) A coal operator shall keep and maintain records of-</p> <ul style="list-style-type: none"> (a) all environmental licences, permits and reports; (b) venting and flaring; (c) current analysis report of emission levels; (d) radiation exposure levels and disposal; and (e) solid and liquid waste management
Stakeholder Engagement	<p>62. (1) A coal operator shall ensure Stakeholder engagement is done throughout the project lifecycle, from siting and design to decommissioning as guided by the constitution of Kenya.</p> <p>(2) A coal operator shall prepare a Stakeholder Engagement Plan (SEP) consistent the constitution of Kenya and coal industry best practice.</p> <p>(3) A coal operators shall disclose Environment Health and Safety risks, planned control measures, emergency response plans, and accident reporting protocols in a language and format accessible to stakeholders.</p> <p>(4) A coal operator shall establish a transparent and responsive grievance redress mechanism.</p>
PART IV – INSPECTIONS, CONTROL AND ENFORCEMENT	
Periodic Environment Health and Safety Inspections	<p>63. (1) A coal operator shall conduct internal Environment Health and Safety audits annually.</p> <p>(2) The audit in (1) shall evaluate compliance with these regulations.</p> <p>(3) The Authority shall conduct scheduled and unscheduled inspections.</p> <p>(4) A coal operator shall submit to the Authority a Corrective Action Plan for any non-compliance identified.</p>
Enforcement orders.	<p>64. With the written approval of the Authority, an inspector may issue enforcement orders as provided under Section 11 of the Energy Act—</p>

	<ul style="list-style-type: none"> (a) requiring facility operators to cease activities polluting or likely to pollute the environment in violation of the provisions of these Regulations; (b) requiring facility operators to implement any remedial measures to restore the environment within such reasonable time as determined by the Authority; (c) ordering the closure of facilities polluting or likely to pollute the environment in violation of the provisions of these Regulations; (d) requiring the installation of any equipment on any land, premise, or vehicle for purposes of monitoring compliance with the provisions of these Regulations, upon giving the owner or occupier of the land three (3) months' written notice; and <ul style="list-style-type: none"> (e) revoking permits issued by the Authority in accordance with these Regulations.
Failure to comply with enforcement orders.	65. If a coal operator fails to comply with the enforcement order commits an offence and shall upon conviction be liable to fines as provided for in section 115 of the Act.
PART V- MISCELLANEOUS	
Disputes and Appeals	66. Any person aggrieved by a decision or order of the Authority may appeal to the Tribunal in accordance to Section 24 of the Act.
Grievance Redress	67. Any complaint placed to the Authority shall be addressed to as per the Authority's complaints and dispute regulations on conflicts.

FIRST SCHEDULE

(r.2)

SAFETY CASE APPLICATION FORM

Safety case applications shall follow the guidance given by the Authority and shall be accompanied by this cover sheet.

Facility Details	
Facility Name(s):	
Facility type:	
Key functions:	
Location	

Submission			
Document title:			
Document No.:		Revision:	Issue Date
Development stage:	(e.g. design, construction, modification...)		
Reason for Submission	The reason why the safety case is being submitted including whether it is being submitted for the first time, or is a material change of a previous safety case)		
Supporting documents			
Document title:			
Document No.:		Revision:	Issue Date
Document title:			
Document No.:		Revision:	Issue Date
(repeat rows as necessary)			

Difference from previously submitted Safety Case (if applicable)
Outline the changes made to the safety case or notification from a previously submitted version if relevant

Applicant

Name:		Signature:	
Position:		Date:	
Postal address:			
Email:			
Phone number(s):	(tel.)	(mob.)	
On behalf of:	(Name of operator)		
Coal Agreement:			

The safety case application shall be submitted with one signed original, one additional hard copy and two electronic copies. Electronic documents submitted shall be a single, text searchable, indexed Portable Document Format (PDF) file, which is clearly labelled and in A4 format.

SECOND SCHEDULE
(r.21)
INCIDENT AND ACCIDENT REPORTING TEMPLATE

Initial Report (to be submitted electronically)

A. Reporting Entity Details	
i) Name of Owner/Operator:	
Company Name:	
License Number:	
Environment Liability Policy:	
ii) Incident Reporter	
Name:	
Phone Number	
Mobile Number:	
Designation:	
iii) Contact Project proponent:	
Name:	
Phone Number:	
Email Address:	
Designation:	
B. Incident Details	
Incident Date (dd-mmm-yyyy)	
Incident time (hh:mm)	
Reporting Date (dd-mmm-yyyy)	
Reporting Time (hh:mm)	
Incident Reference Code	
Criteria Triggering the Reporting of the incident*	
A short and General Description of the incident	
Initial response measure undertaken	
Support Required from the Authority/ Government Agency	

* Criteria Triggering the Reporting of the incident

1. Loss of life or personal injury occasioned by entry into land for exploratory, survey, infrastructure development and maintenance activities;
2. Damage to property amounting to approximately Kes 1,000,000 and above, caused by any irregularity, trespass, or other wrongful proceedings occasioned by entry into land for exploratory, survey, infrastructure development and maintenance activities; or

3. Damage to property amounting to approximately Kes 1,000,000 and above, occasioned by the breaking of any coal infrastructure or by reason of any defect in such infrastructure

THIRD SCHEDULE

(r.21)

Incident and Accident Reporting Template: Reported in writing within 48 hours.

Energy (Coal & Coalbed Methane Environment, Health and Safety) Regulations, 2026	
Notice of Accident or Incident	
Date:	
To:	The Director General Energy and Petroleum Regulatory Authority
A. Reporting Entity Details	
i. Name of Owner/Operator:	
Company Name:	
License Number:	
Environment Liability Policy:	
ii. Incident Reporter:	
Name:	
Phone Number	
Mobile Number:	
Designation:	
ii. Contact Project proponent:	
Name:	
Phone Number:	
Mobile Number:	
Designation:	
Contractor Name:	
Name of person filing notice:	
Contact details of person filing notice:	
B. Incident/accident Details	
Date:	Time:
Location:	
Nature of incident/accident	
Description of the incident/accident	
Measures taken to prevent the incident/accident	

Measures taken to mitigate the effects of the incident/accident			
Measures taken to secure the location from further incident/accident			
Injuries (if applicable)			
Injuries incurred?	(Y/N)	Total	
Details of Injuries			
Name of injured person			
Nature of injuries			
First aid application: Person giving first aid: Location: Measures applied (including time):			
Any additional details:			
(Repeat rows as necessary)			
Casualties (if applicable)			
Casualties occurred?	(Y/N)	Total	
Details of casualties			
Names of deceased person			
Nature of injuries sustained			
First aid application: Person giving first aid: Location: Measures applied (including time):			
Any additional details:			
(Repeat rows as necessary)			
Contact details Provide contact information and the current location (e.g. facility, treatment centre etc) for each injured person and current location for interview			

Witness details (if any)
Provide: <ul style="list-style-type: none"> - name(s) of witnesses - contact details for witnesses - copies of any statement given by a witness in relation to the incident or accident
(Repeat rows as necessary)
Signed:

Please attach any information that is relevant to the incident/accident or any other additional information the authority may require.

FOURTH SCHEDULE

(r.23)

Safety Zone Distances – Coal and Coal Bed Methane Facilities.

These safety zone distances shall be maintained between coal and coalbed methane facilities and sensitive receptors to safeguard life, property, and the environment in accordance with Energy Act, Cap.314 (Sections 107–109: safety, technical compliance), Occupational Safety and Health Act, Cap.514, Environmental Management and Coordination Act (EMCA) Cap.387 and Coal Industry Best Practices.

Mandatory Safety Distances

Facility or Hazard Source	Minimum Safety Distance	Applies To
Surface coal mine edge to public infrastructure	300–500 meters	Coal
Coal processing plant to residential areas	500 meters	Coal
Power plants to residential areas	1000 meters	Both
Coalbed Methane wellhead to residential or public buildings	500 meters	Coalbed Methane
Coalbed Methane flare or vent stacks to community areas	1,000 meters	Coalbed Methane
Drilling sites to surface water bodies	300 meters	Coalbed Methane
Coal storage yards to schools or hospitals	300 meters	Coal
Blasting zone from surface mines	500–1,000 meters	Coal
Underground shafts to water bodies	100–300 meters	Coal
Coalbed Methane drilling to existing boreholes or springs	200 meters	Coal Bed Methane

Coal ash or slurry temporal holding site to surface water	500 meters	Coal
Access roads to settlements	100 meters	Both
Explosive storage magazines to settlements	1,000–1,500 meters	Both
High-pressure Coalbed Methane pipelines	300–500 meters	Coalbed Methane
Wastewater or produced water holding ponds	200–500 meters	Both
Coal-fired boiler stacks	500 meters	Coal
Emergency assembly or muster points	50–100 meters	Both
Vehicle fuelling or diesel tanks	100–150 meters	Both
Water abstraction wells	250–300 meters	Both
Power substations or switchyards	100–200 meters	Both
Worker accommodation camps	200–300 meters	Both
Ecologically sensitive areas	500–1,000 meters	Both
Open flare pits or incinerators	300–500 meters	Both
Fault lines or geological hazards	200–500 meters	Both
Seasonal floodplains or water paths	100–300 meters	Both

FIFTH SCHEDULE

(r.29)

Chemical and Hazardous Substances Report Form

Each notification to the Authority concerning all hazardous substances present or likely to be present at the facilities or to be used in operations shall employ the form outlined in this schedule.

NOTIFICATION OF HAZARDOUS SUBSTANCES PRESENT OR LIKELY TO BE PRESENT AT FACILITIES OR TO BE USED IN OPERATIONS

Date:

To: Energy and Petroleum Regulatory Authority

Contractor

Address:

Facility:

	Substance trade name	Harmonized System (HS) code	Quantity of substance	Reason for use of substance	Quantity increased since previous report	Reason for increase
1						
2						
3						
4						
5						
6						...

(add rows as necessary)

Signed:

Name:

Position:

On behalf
of: (name of contractor)

SIXTH SCHEDULE

(r.30)

SAFETY DATA SHEET

Information on SDS should be provided in the order provided below.

1. Identification
2. Hazard identification
3. Composition / information of ingredients
4. First-aid measures
5. Fire-fighting measures
6. Accidental release measures
7. Handling and storage
8. Exposure controls / personal protection
9. Physical and chemical properties
10. Stability and reactivity
11. Toxicological information
12. Ecological information
13. Disposal considerations
14. Transport information

15. Regulatory information

16. Other information.

SEVENTH SCHEDULE

(r.47)

ENVIRONMENT LIABILITY POLICY

(NAME OF COMPANY) is committed to the protection and preservation of the environment. We will continuously improve our performance and initiate additional projects and activities that will further reduce our impacts to the environment.

Our commitment to the environment extends to our customers, our staff and the community from where we operate. We are committed to:

- Complying with all applicable environmental preservation and sustainability legislation;
- Preventing pollution whenever possible through efficient waste management strategies that promote waste minimization, re-use, recovery, recycling, as appropriate;
- Promoting and continually investing in technologies that provide alternatives to business travel and transport;
- Adopting a procurement programme which takes into account the environmental impact of products and services;
- Promoting the protection and enhancement of biodiversity and ecosystems through employee awareness programs and stakeholder engagement;
- Ensuring our staff are aware of the environmental impacts of their work activities and encouraging them through regular awareness and training to minimize those impacts;
- Communicating our environmental commitment and efforts to our customers, staff and the community; and
- Pursuing a programme of continuous improvement by reviewing our Environmental Management System and related objectives and targets, policies and practices.
- Reporting to the relevant State bodies, accidents or incidents causing pollution of the environment, investigating the accidents/incidents and undertaking clean up or restoration of the affected areas.

Signature:

Designation:.....

.....

Stamp/Seal:.....

.

Review date:.....

This policy will be reviewed on a regular basis to evaluate continued relevance and to monitor compliance.

EIGHTH SCHEDULE

(r.57)

APPLICATION FORM FOR VENTING OR FLARING PERMIT

This application is hereby submitted under the Energy (Coal and Coal Bed Methane Environment, Health and Safety) Regulations, 2026, for the venting or flaring permit.
Applicant name: (full corporate name)
Coal Agreement/License name and number:
Address: (full corporate address)
Phone number:
Email address:
Type of permit requested:
Proposed commencement date of the permit:
Proposed termination date of the permit:
Estimated volumes requested to be vented or flared:
Enclosed documents: (tick the boxes as appropriate) <input type="checkbox"/> copy of registration documents <input type="checkbox"/> sources of vented or flared gas <input type="checkbox"/> information supporting need for venting or flaring (safety of venting and impossibility of flaring) <input type="checkbox"/> methodology to measure or estimate vented or flared gas <input type="checkbox"/> all relevant environmental licences and reports as may be required by law; <input type="checkbox"/> other supporting documents (specify)
Declaration: <ol style="list-style-type: none">1. I hereby confirm that the information provided in this application is to my knowledge true and accurate.2. I understand that it is an offence to give false information in an application for a venting and/or flaring approval.

3. I acknowledge that our company shall conduct coal production operations as approved by the Authority and other state bodies of Kenya.
4. I acknowledge that our company shall not commence and conduct any unauthorized venting and/or flaring operations prior to obtaining an approval from the Authority

Date: (dd-mm-yyyy)

Authorised Applicant's representative (full name)

Authorised Signature: (Applicant's representative)

NINTH SCHEDULE

(r.2,4 & 57)

APPLICATION/PERMIT FEES

Regulation	Item	Fee in Ksh.
3	Safety Case Application	10,000,000
4	Safety Case Renewal	5,000,000
57	Flaring and Venting	20,000,000