

DRAFT
MINISTERIAL ORDER NO. 00/2001
WITH RESPECT TO
USED OILS MANAGEMENT

The Minister of State for Municipalities & Environment;
In pursuance of Law No. 3/1975 with respect to Public Health as amended;
Decree-Law No. 21/1996 with respect to Environment, as amended by
Decree-Law No. 8/1997;
Decree No. 21/1996 with respect to the Reorganisation of the Ministry of
Housing, Municipalities & Environment;
Order No. 1/1998 with respect to the Environmental Assessment of Projects;
Order No. 10/1998 with respect to the Fees of Permits Issued & Services
Rendered by the Environment Affairs;
Minister of Housing, Municipalities & Environment Order No. 10/1999 with
respect to Environmental Standards (Air and Water); and
In accordance with the recommendation of the Director-General of
Environment Affairs;
Has decided as follows:

CHAPTER ONE

DEFINITIONS

Article 1

In the application of this Order, and unless the context otherwise requires, the following expressions and terms shall have the meaning assigned thereto:

- a) Used Oils: any liquid or semi solid substance containing in part or in whole mineral oils or manufactured hydrocarbons such as the oils leftover from the maintenance of vehicles, engines and other machinery or oils mixed with water resulting from industrial or non-industrial processes, or the oils used for lubricating engines and other machinery or the oils whose original particulars have changed as a result of utilisation.
- b) Producer: any establishment whose activities may produce used oils.
- c) Establishment: any public or private factory or workshop whose activities may produce used oils.

- d) Treatment Unit: a unit in which the chemical characteristics of used oils are altered by means of using various environmental friendly technologies for the purpose of the treatment and reuse of such oils.
- e) Storage: temporary preservation of used oils in special and designated facilities under the conditions specified by the Environment Affairs for the purpose of collecting such oils before transportation or treatment.
- f) Carrier: Any natural or judicial person engaged in transporting business of used oils.
- g) Transportation Form for carrying the used oil from the producer to the treatment unit. Such a form includes the details and conditions specified by the Environment Affairs.
- h) Disposal: the process that does not result in the recovery or reuse of substances, such as permanent storage or burning.
- i) Recycling of Used Oils: processes, such as refining, that allow recovery or reuse of substances as fuels.

CHAPTER TWO

PURPOSE AND SCOPE OF THE ORDER

Article 2

This Order aims at establishing an appropriate control system for the storage, transportation and treatment and disposal of used oils, for the purpose of controlling such oils, of preventing the spread of their effects that are detrimental to public health and of eliminating pollution of the environment.

Article 3

This Order shall be applicable to all activities associated in whole or in part with used oils, which activities shall include the collection, transportation and treatment of such oils. Exempted are the oils containing polychlorinated biphenyls (PCBs).

"The Environment Affairs may exempt any used oils if it is established that they are hazardous or non-recyclable." (Sic!)

Article 4

The Environment Affairs shall be the sole authority to interpret and specify the scope of the articles provided for herein and any future addition or amendment thereto.

Article 5

The Director-General of Environment Affairs shall issue the conditions and controls required for the proper management of used oils and for updating such requirements and controls as may be deemed necessary to ensure effective enforcement.

CHAPTER THREE

RESPONSIBILITIES OF PRODUCERS

Article 6

A producer shall keep the used oils in appropriate vessels or tanks above or underground in accordance with the conditions specified by the Environment Affairs. A producer shall maintain such vessels or tanks in designated safe locations within the establishment. Such locations shall ensure the prevention of any hazards to the environment and to individuals and be subject to the requirements specified by the Environment Affairs.

Article 7

A producer may construct and operate used oil treatment units within his establishment provided that prior consent in writing from the Environment Affairs has been obtained. In such an event, an establishment shall abide by the rules and regulations provided for in Chapter Five herewith respect to the treatment units.

Article 8

Prior to the transportation of used oils outside the establishment, a producer of used oils shall abide by the following rules and regulations:

- a) Ensure that the vessels or tanks utilized for transporting the used oils are safe and comply with the requirements specified by the

EnvironmentAffairs.

- b) No used oils shall be transported outside the establishment without obtaining the appropriate transportation form provided by the EnvironmentAffairs. Such a form shall accompany each shipment at all times.
- c) Used oils may not be mixed with inflammable oils of convertibles or with any liquids containing halogen components or any other materials as may be specified by the Environment Affairs.
- d) No shipment of used oils may be given to carriers not authorised by the Environment Affairs.
- e) Ensure that used oils are handed only to treatment units authorised by the Environment Affairs.
- f) Where a producer is to carry used oils to treatment units, such a producer shall comply with the rules and regulations with respect to the carriers as set forth in Chapter Four herein.
- g) Where a treatment unit has refused to accept used oil, the producer shall comply with the procedures of disposal of used oils, as specified by the Environment Affairs.

Article 9

- a) A producer who has a treatment unit within his establishment shall maintain a special record in which shall be entered the details provided for in Article 20 hereof.
- b) A producer who is not running a treatment unit shall maintain a special record in which shall be entered the type and quantity of the used oils transported outside the establishment, the date of transportation, the name of the carrier and the recipient treatment unit. A producer shall submit appropriate reports to the Environment Affairs on a quarterly basis or as and when so requested by the Environment Affairs. Such reports must be forwarded to the EnvironmentAffairs within a week after each quarter or from the date of the request,

CHAPTER FOUR

RESPONSIBILITIES OF THE CARRIER

Article 10

No natural or judicial person may engage in the business of transporting used oils without licence from the Environment Affairs.

Article 11

An application for the licence referred to in the previous Article may be submitted to the Environment Affairs either by the applicant or by his legal representative on the appropriate form of application and upon the payment of the specified fees. An application must be supported by the following details and documents:

- a) The number of workers employed by the applicant and brief information about their knowledge of or experience in handling used oils.
- b) The precautionary measures of preventing the spill of used oils during transportation and the emergency procedure in the event of an accident or unexpected circumstances, to ensure the protection of public health and environment.
- c) Any other information or documents found necessary by the Environment Affairs.

Article 12

A licence issued to a carrier shall be valid for one year, extendable. Such a licence may not be assigned to a third party without the prior consent in writing of the Environment Affairs.

Article 13

A carrier of used oil shall comply as follows:

- a) No used oil shall be transported without an accompanied completed transportation form.
- b) Used oils of different produces may not be mixed. They shall be kept in separate vessels or tanks during transportation.
- c) No used oil shall be delivered to a treatment unit that is not authorized by the Environment Affairs.
- d) Ensure that the used oils transported are not different from the oils prescribed in the relevant transportation form.
- e) No used oils shall be transported unless they are packed in the manner provided for in Article 6 hereof.
- f) The Used oils may not be stored.
- g) The distinguishing sign specified by the Environment Affairs must be shown on the means of transportation.
- h) Used oils shall be transported in vehicles that fulfill the conditions stipulated by the Environment Affairs.
- i) Used oils and oil sludge resulting from cleaning processes of oil tankers may not be disposed of in the public sewer systems, sea water or inside or on the surface of the soil. Disposal shall be in the manner specified by the Environment Affairs.

Article 14

A carrier of used oils shall retain the transportation form for at least one year

and shall present it to the Environment Affairs within two weeks from the date of requesting him to do so.

Article 15

The Environment Affairs may, by substantiated order, cancel, withdraw or suspend for not more than three months, as the case may be, any licence for any of the following reasons:

- a) If the licence has been issued on the basis of incorrect information.
- b) If the licensee has violated the licensing conditions, or the provisions of this Order or the relevant requirements stipulated by the Environment Affairs.
- c) If the transportation operations have resulted in hazardous environmental effects that were unpredicted at the time of issuing the licence.

CHAPTER FIVE

USED OIL TREATMENT UNITS

Article 16

Subject to the provisions of Decree-Law No. 13/1977 with respect to the Organization of Buildings and the rules of implementation relevant thereto, no used oil treatment units shall be constructed nor shall existing units operated without the consent of the Environment Affairs. A licence for the construction of used oils treatment unit issued with the approval of the Environment Affairs will, unless otherwise provided, be deemed to be a licence for operating such a unit.

Article 17

Request for the approval referred to in the previous Article shall be submitted to the Environment Affairs either by the applicant concerned or by his legal representative on the appropriate form and upon the payment of the specified fees. An application must be supported by the following details and documents:

- a) An Industrial Project Environmental Effects Assessment form duly completed on the standard form designated by the Environment Affairs.
- b) The precautionary measures and emergency plan to be followed for operation and for facing unexpected circumstances in order to ensure the protection of public health and environment.
- c) The number of workers employed by the used oils treatment unit and brief information about their knowledge of or experience in operating such units.

- d) Any other information or documents found necessary by the Environment Affairs.

Article 18

A treatment unit must comply with the requirements and standards specified by the Environment Affairs. In particular, such a unit shall:

- a) Refrain from accepting used oils from a carrier having no licence from the Environment Affairs.
- b) Refrain from accepting used oils without duly completed transportation forms signed by both the producer and the carrier concerned, and ensure that the details in the form are relevant to the shipment concerned.
- c) Dispose of waste and refuse resulting from processing in the locations designated by the Environment Affairs.
- d) Measure, on a quarterly basis, the concentration of pollutants in the industrial effluent water resulting from processes and drained into the sea in accordance with the standards accompanying Order No. 10/1998 with respect to the Environmental Standards (Air and Water) as amended.
- e) Measure the concentration of pollutants in the solid debris and refuse resulting from used oil processing according to the intervals and standards specified by the Environment Affairs.
- f) Notify the Environment Affairs of any change in the ownership and operation of the used oils treatment unit within 15 days from the date of such change.
- g) Measure the concentration of pollutants in the soil underneath the treatment unit in accordance with the intervals and standards specified by the Environment Affairs. If it is found that such concentrations have exceeded the approved standards, the treatment unit must immediately notify the Environment Affairs and bring the concentrations of pollutants in the soil surrounding the treatment unit to the standard determined by the Environment Affairs.
- h) Measure the concentration of pollutants in the **groundwater** at the site of the used oil treatment unit according to the intervals and standards specified by the Environment Affairs.
- i) Furnish the Environment Affairs with any other documents or information that may be requested by the Environment Affairs within two weeks from the date of such a request.

Article 19

Notwithstanding the development of used oil technologies, a treatment unit may use any technology with the prior consent in writing of the Environment Affairs.

Article 20

A treatment unit must retain the used oil transportation forms as well as the records specified by the Environment Affairs for three years. In particular, and for a similar period, a treatment unit must retain an Operation Logbook in which there shall be entered:

- a) A description of the type and quantity of each used oil shipment received, the name of the producer, the name of the carrier, the date of receipt and the date of treatment.
- b) A description of the waste resulting from the treatment unit, the amount of such waste and the method and location of disposal thereof.
- c) Analysis results of the concentration of pollutants in solid debris and waste resulting from treatment.
- d) Analysis results of the concentration of pollutants in the effluent water resulting from treatment and drained into the sea.
- e) Analysis results of the concentration of pollutants in the soil at the site of the treatment unit.
- f) Analysis results of the concentration of pollutants in the underground water at the site of the treatment unit.

Article 21

A treatment unit shall, effective its commissioning date, submit a quarterly report to the Environment Affairs, and if and when so requested by the Environment Affairs. Such reports must include the information, measurements and analyses referred to in the previous Article.

Article 22

The Environment Affairs may, by substantiated order, cancel, withdraw or suspend for not more than three months, as the case may be, any licence for the operation of a treatment unit in any of the following reasons:

- a) If the licensed unit has violated the provisions of this Order or any of the rules and regulations issued in implementation thereof by the Environment Affairs,
- b) If there has been any indication of damage to the ecological systems or to the public health surrounding the unit.
- c) If investigations or measurements have shown that the technology for which the licence has been issued or previously approved by the Environment Affairs is unsuitable or ineffective.

CHAPTER SIX

IMPORT & EXPORT OF USED OILS

Article 23

Subject to international and regional conventions to which Bahrain is a party, no natural or judicial person shall import used oil for processing or disposal within the State of Bahrain. Furthermore, it is prohibited for such oils to enter into or pass through the territories of Bahrain for whatsoever purposes.

Article 24

Unless permitted by the appropriate authorities in co-ordination with the Environment Affairs, no ships carrying used oil shall be allowed to pass through Bahrain's regional waters or adjacent zones. Such authorities shall notify the Environment Affairs about the date of arrival and departure of such ships and the possible environmental pollution that may result from passing through the said areas.

Article 25

No natural or judicial person shall export used oils without appropriate permission from the Environment Affairs.

Article 26

Application for the permission provided for in the previous Article shall be submitted either by the person concerned or by his legal representative to the Environment Affairs on the appropriate form and upon the payment of the specified fees. An application must be supported by the following details and documents:

- i) Type of the used oils to be exported and the recipient party.
- ii) A certificate to the effect that the recipient treatment unit in the importing country has agreed to receive the used oils to be exported.

Article 27

Transportation of used oils through the borders of Bahrain shall be in accordance with the relevant laws and provisions of the respective international and regional conventions in force, especially the 1989 Basel Convention on the Control of **Transboundary** Movements of Hazardous

Wastes and Their Disposal, as ratified by Decree-Law No, 11/1992.

CHAPTER SEVEN

GENERAL PROVISIONS

Article 28

All treatment units subject to this Order and existing on the effective date hereof shall, within a period of two years from the effective date of this Order, adjust their situations to comply with the requirements and standards provided for in the schedules of Order No. 10/1999 with respect to Environmental Standards (Air and Water) and the orders amending it.

Furthermore, such units shall, within a period of not more than six months, prepare the plans necessary for adjusting their situations. Such plans must include their programmes and implementation phases and the time span for the implementation of each phase. The treatment units involved shall notify the Environment Affairs accordingly within the period above.

The Environment Affairs will consider these plans within three months from the date of receiving them and may request those concerned to present any documents or information necessary. The Environment Affairs may make any amendment to such plans. The treatment units concerned shall undertake to commence implementation of the approved plan within one month from the date of notifying them of the approval of the plan by the Environment Affairs.

The treatment units concerned shall notify the Environment Affairs about the completion of each phase and about the completion of the programme entirely. Such notification shall be made within 15 days from the date of such completion of each phase and of the whole programme.

Article 29

Where necessary and upon a request by those concerned or their representatives submitted to the Environment Affairs at least six months before the expiry of the two year period provided for in the previous Article, the Environment Affairs may extend the period set for adjusting situations by an appropriate period. Such a request must include justifications for such extension and the action taken to implement this Order. The Environment Affairs must ascertain the authenticity of the information submitted and the extent of seriousness in adjusting the situations.

Article 30

Notwithstanding the provisions of Article 26 of Decree-Law No.21/1996 with respect to Environment, any person who contravenes the provisions of this Order shall be subject to the penalties provided for in Article 29 of the said Decree-Law.

Article 31

The Director-General of Environment Affairs shall implement this Order which shall into force after six months from the date of its publication in the Official Gazette.

Jawad Salem Al-Ararryid
Minister of State for Municipalities & Environment

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