

Environment Protection (Collection, Storage, Treatment, Use and Disposal of Used Oil) Regulations 2005

GN No. 4 of 2005

THE ENVIRONMENT PROTECTION ACT 2002

Regulations made by the Minister under section 96 of the Environment Protection Act 2002

1. These regulations may be cited as the **Environment Protection (Collection, Storage, Treatment, Use and Disposal of Used Oil) Regulations 2005**.

2. In these regulations-

"big generator" means a generator whose maximum volume of used oil generated exceeds 600 litres per month;

"carrier", in relation to the conveyance of used oil, means a vehicle designed, and approved by the enforcing agency, for the purpose of collection and transport of used oil from the premises at which it is held to another place for storage, treatment or recovery;

"container" means-

(a) an overground container made of steel or such other material as may be approved by the enforcing agency; or

(b) an underground container made of steel or any material with adequate anti-corrosive protection;

"enforcing agency" means the enforcing agency in relation to solid wastes and hazardous wastes;

"generator" means any person whose industrial, commercial or research activity generates used oil;

"licensee" means a person to whom an EIA licence has been issued to collect, transport, recover and treat used oil;

"sludge" means the residual substance generated from the treatment of used oil by a treatment facility;

"small generator" means a generator whose maximum volume of used oil generated does not exceed 600 litres per month;

"treatment facility" means any site which is used, with the approval of the enforcing agency, by a licensee for the treatment and recovery of used oil;

"used oil" means any oil which has become unfit for use as a result of any permanent change, physical or chemical, in its original composition and properties, and includes used -

- (a) engine and gear oil;
- (b) lubricating oil;
- (c) bilge oil;
- (d) brake oil;
- (e) mineral insulating and heat transmission oil;
- (f) non-chlorinated insulating and heat transmission oil;
- (g) synthetic insulating and heat transmission oil; and
- (h) cooking oil,

but does not include used thermal oil and used oil containing polychlorinated biphenyls or polychlorinated terphenyls in excess of 50 parts per million.

3. (1) Subject to paragraph (2), no person shall collect, transport, recover or dispose of used oil, unless he is a licensee.

(2) Paragraph (1) shall not apply to any person who collects, transports or disposes of cooking oil, in relation to his household activities.
4. Every generator shall ensure that-
 - (a) used oil is segregated from, and not contaminated by, other substances such as solvents, pesticides, brake fluid, antifreeze, paint thinner, engine degreasers and cleaners, water or any liquid other than used oil;
 - (b) the container used for storing used oil is easily accessible to the licensee for the purpose of collection;

- (c) sufficient absorbent materials are readily available to absorb any used oil, in case of an accidental spill; and
- (d) any container used *tot* storage of used oil or sludge is labelled in accordance with the Fifth Schedule to the Environment Protection (Standards for Hazardous Wastes) Regulations 2001.

5. Every licensee shall-

- (a) ensure that any container used for storage of used oil or sludge is labelled in accordance with the Fifth Schedule to the Environment Protection (Standards for Hazardous Wastes) Regulations 2001;
- (b) at the end of every month, draw up an inventory of the quantity and type of used oil collected and stored by him, in the form specified in the Schedule;
- (c) within 15 days of the end of every month, forward a copy of the inventory drawn up under paragraph (b) to the enforcing agency;
- (d) take all precautionary measures during the transfer of used oil to or from the main container of the carrier so as to avoid any spillage or dripping;
- (e) put in place a contingency plan providing for a prompt response and mitigating measures, in case of an accidental spill during transportation or on the premises of the treatment facility.

6. The licensee shall be solely responsible for the transportation of the used oil in a carrier fitted with the appropriate type of bowsers.

7. (1) Subject to paragraphs (2), (3) and (4), every big generator and every licensee shall store any used oil on site in such containers as may be approved by the enforcing agency.

(2) Where the container is made of steel, the big generator, or licensee, shall ensure that the steel is of a thickness of not less than 6 millimetres with adequate anticorrosion protection and facilities for filling and emptying.

(3) Where the container is an overground container with single skin, the big generator, or licensee, shall ensure that it is kept within bund walls and encloses enough space to accommodate the volumetric capacity of the container, in case of accidental spillage.

(4) Where the container is an underground container, the big generator, or licensee, shall ensure that it is -

- (a) double-skinned, with an outer skin of a thickness of not less than 8 millimeters and an internal skin of a thickness of not less than 6 millimetres; and
- (b) equipped with a leakage detection device between the 2 skins.

8. Every small generator shall store any used oil in steel containers of a capacity of not less than 210 litres or in such other container as may be approved by the enforcing agency.

9. (1) No person shall dispose of used oil through-

- (a) unauthorised dumping and discharge;
- (b) burial;
- (c) open air burning; or
- (d) placing in garbage bins.

(2) No person shall use used oil for-

- (a) protection against the formation of rust and corrosion; or
- (b) road oiling,

in a manner that may endanger public health or welfare, or endanger or damage the environment.

10. The Environment Protection (Standards for Hazardous Wastes) Regulations 2001 are amended in the First Schedule, in item 12, in the third column-

(a) by deleting the following words-

- ➡ Bilge oils
- ➡ Engine, gear and lubricating oils
- ➡ Mineral insulating and heat transmission oils

(b) by deleting the following words-

- ➔ Hydraulic oils and brake fluids
- ➔ Non-chlorinated insulating and heat transmission oils and other liquids
- ➔ Synthetic insulating and heat transmission oils and other liquids

and replacing them by the following words respectively-

- ➔ Hydraulic oils
- ➔ Non-chlorinated insulating and heat transmission liquids
- ➔ Synthetic insulating and heat transmission liquids

11. Any person who contravenes these regulations shall commit an offence and shall on-

- (a) a first conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years;
- (b) a second or subsequent conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 8 years.

12. These regulations shall come into operation on 01 October 2005.

Made by the Minister on 28 December 2004.

SCHEDULE

(regulation 5(b))

Inventory of Used Oil Collected and Stored

Name of licensee:.....

Address:.....

Return for the month of:.....

Date	Type of used oil	Quantity collected (litres)	Source	Remarks

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I/We certify that the above information is correct.

Date:.....

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Name of responsible person

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Signature

(On behalf of licensee)