

The Cabinet Resolution No. (33) of 2018 Regarding the Circulation of the Waste Oils

The Cabinet:

- Upon review of the Constitution,
- Federal Law No. (24) of 1999 on the Environment Protection and Development, and amendments thereof,
- Federal Law No. (14) of 2016 concerning the Irregularities and Administrative Sanctions in the Federal Government;
- Based on what has been presented by the Minister of Climate Change and Environment, and the approval of the Cabinet,

Resolves:

Article (1)

Definitions

In application of Provisions of this Resolution, the following words and phrases shall have the meanings assigned to them, unless the context indicates otherwise:

- State** : United Arab Emirates.
- Ministry** : Ministry of Climate Change and Environment.
- Minister** : Minister of Climate Change and Environment.
- Competent Authority** : Local Competent Authority in each Emirate.
- Waste Oils** : Refined oils of crude oils and industrial oils used and became wastes contaminated with chemicals or underwent to a change in the physical properties thereof; thereby, it must be phased out or treated according to Provisions of this Resolution for permitting the reuse thereof.
- Treating Waste Oils (Recirculation)** : Process of preparing waste oils to become usable in production and consumption processes such as refinement or reuse thereof as fuel.

- Circulation of the waste oils** : Any activity related to collection, transport, storage, treating or exporting waste oils or finally phasing it out.
- Facility** : Any legal person whose activity thereof is resulting in the waste oils.
- Treatment Unit** : The Unit in which the chemical and physical properties of waste oils have been changed using environmentally sound technologies in order to reuse thereof.
- Oil Transporter** : the natural or legal person permitted by the competent authority to exercise the activity of waste oil transport from the facility to the collection points, to treatment units or to safe and environmentally sound phasing out sites.
- Collection points of the waste oils** : Any facility permitted by the competent authority to receive, collect or store waste oils, in order to be transported to sites determined to treat or reuse thereof after being treated or finally phasing it out.
- Transport Form** : A document including data indicating date of transport, quantity of waste oils, and data of the facility, transporter, transport vehicle, route and final destination thereof, storage or treatment station or final phasing it out site, as the case may be.
- Halogenated Substances** : Substances whose molecules containing some of the halogen atoms such as chlorine or fluorine atoms that are characterised of the highly toxicity and slow decomposition that may last for decades.
- Oil Sludge** : Semi-solid mixture of the organic substances loaded with bacteria, viruses, heavy toxic metals and chemical substances generated by storage of oils and petroleum products.

Article (2)

Resolution's Objectives

This Resolution is aiming at regulating activities of waste oils circulation and preventing it from polluting the environment or causing harm to public health.

Article (3)

Scope of Application

Provisions of this Resolution shall be applied as follows:

1. For facility and all activities related to waste oils circulation in State including, activities in free zones.
2. All waste oils including oils of machineries, engines, hydraulics and gears, and oils used for lubricating or any combination thereof, excluding oils in which polychlorinated biphenyls (PCBS) exceed (50) ppm or (50) mg/litre and can not be treated and may not be reused.

Article (4)

Licenses and Permits

1. Any activity related to circulation of the waste oils shall be prohibited unless getting a license from the competent authority.
2. An application to get a license to exercise any activity related to circulation of the waste oils shall be submitted to the competent authority attached to documents required for such purpose.
3. An application to get a permit of export or passage (transit) of waste oil shipments shall be submitted to the Ministry attached to documents required for such purpose.

Article (5)

Facility Obligations

Facility must be committed to the following:

1. Waste oils shall not be phased out in any way violating Provisions of this Resolution or any other regulatory resolutions.
2. Waste oils treated shall not be used for generating energy in establishments, factories or houses except after getting prior written approval from competent authority.
3. Waste oils shall be collected in containers or tanks non-leakable and free from cracks, fractures and tightly sealed.
4. Ground of the area allocated for collecting waste oils shall not permit the passage of liquids and has barriers preventing any leakage and shall be protected from any natural effects to prevent

rainwater from reaching it.

5. Putting a label on all containers and tanks indicating that contains thereof are waste oils, in case of using tanks with vertical "column" situation, a label must be put on pipes to show that it is allocated for waste oils transport.
6. Any shipment of the waste oils shall not be transported outside the facility without using the transport form according to model approved by the competent authority; in all cases, such form shall be attached to shipment.
7. Waste oils shall not be mixed with flammable liquids or with any other chemicals containing solvents with halogenated substances.
8. Procedures of phasing out the waste oils shall be followed according to what stipulated by the competent authority, in case treatment unit does not agree to receive it.
9. Limit permitted for emissions shall not be exceeded as determined by relevant federal and local legalisation.
10. Providing materials for leakage and fire control.
11. Keeping a special record for (3) years indicating quantities of waste oils transported outside the facility, date of transport, name of transporter and treatment unit to which waste oils are being transported.
12. If it has a permitted treatment unit, it shall keep a special record registering the following data:
 - a. A description and determination of all waste oils shipments transported to it and treated.
 - b. A description of residues resulting from the treatment, quantity thereof and way and site of phasing it out.

Article (6)

Facility shall not be allowed to do any of the following:

1. Disposing waste oils into drainage systems, soak pits, surface or groundwater sources or into any element in the surrounding environment.
2. Using waste oils to generate energy in establishments producing food products.
3. Using waste oils in spraying roads to reduce dust emission, weed removal or any other uses.

Article (7)

Obligations of Waste Oils Transporters

Transporter of the waste oils must be committed to the following:

1. He shall not transport any waste oils unless being attached to a form including all data contained in the transport form definition in Article (1) of this Resolution.
2. Waste oils shall not be transported from an Emirate to another except after getting approval from competent authorities in the relevant Emirates.
3. Waste oils shall be transported in vehicle licensed to transport dangerous residues and fulfil requirements determined by the competent authority.
4. Waste oils shall not be mixed with each other, and each one shall be kept in separable drums or tanks during transportation.
5. Oils shall be transported in vehicles that can pump out and discharge oils, and in case of using drums, loading and unloading areas must be equipped and adequate ventilation shall be available therein to protect air from pollution.
6. Waste oils shall not be transported except for a treatment unit duly permitted from the competent authority.
7. Shipment shall be in conformity with data recorded in the transport form before the beginning of the transport.
8. Putting markers on the transport mean as determined by the competent authority or relevant bodies including, Directorate General of Civil Defence.
9. Removing residues resulting from leakage of waste oils during transports and phasing it out by methods determined by the competent authority.
10. Phasing out waste oils and sludge oils resulting from cleaning tanks of transports by methods determined by the competent authority.
11. Re-transporting waste oils to the facility in case treatment unit does not agree to receive it; in this case, facility must phase out these oils according to requirements and standards duly approved for such purpose.
12. Keeping the transport form for at least (3) years.
13. Delivering detailed report every three months to the competent authority indicating kinds and quantities of the waste oils transported and loading and unloading areas thereof.

14. Training drivers and assistants on the emergency procedures including, fires and spill incidents, and educating them the proper way to deal therewith.

Article (8)

Obligations of the Owner and Operator of Collection Points of the Waste Oils

1. Owner or operator of collection points of the waste oils shall be committed, as the case may be, to the following:
 - a. Getting the license required from the competent authority.
 - b. Collection points shall be in area determined and permitted by the competent authority.
 - c. Not to receive any waste oils from the transporter except under a permit from the competent authority.
 - d. Not to receive any waste oils from the transporter except under a transport form issued by the facility including data of the transport form defined in Article (1) of this Resolution.
2. In case of conducting any of the simple physical processes such as sediments and separating water from oils, owner or operator of collection points of the waste oils, as the case may be, must be committed to the following:
 - a. Provide materials of removing contaminants in a site near to tanks of collecting waste oils.
 - b. Store waste oils in containers or tanks tightly closed and manufactured of a material appropriate, it shall be in a good condition and free from any cracks, fractures and any other defects contributing in the possibility of any oil leakage or emissions of the gas pollutants from hydrocarbons.
 - c. Abide by a storage period determined of no more than (90) days in any case.
 - d. Put a clear and legible label in English and Arabic on tanks showing that it contains waste oils.
 - e. Abide by any other requirements for tanks of collecting the waste oils determined by the competent authority.
 - f. Develop a plan clear and written to deal with any emergency such as leakage, oils disposal or fire, and approval of the competent authority on such plan shall be taken into account.
 - g. Submit a report to the competent authority including information about the kind of the accident, quantity of residues resulting therefrom, kind thereof and way to deal therewith, in case of any pollution accident due to waste oils.

- h. Keep model of delivering oils for a period of no less than (3) years indicating the basic information that must include name of the facility, data of the oils transporter, quantity of oils received and date of receipt.
- i. Keep records for a period of no less than (3) years indicating quantity of oils received in points of collecting waste oils, name of the facility, data of the oils transporter, quantity of oils received and date of receipt.
- j. Keep records for a period of no less than (3) years indicating quantity of oils received from points of collecting waste oils to site of the treatment units; such records shall include name of the transporter, his address and license, quantity of oils, date of transport it outside the collection point and destination to which it is transported. Further, records to document information related to shipments refused to be received by the treatment unit must be kept.
- k. Provide equipments of fire control inside the site and take all measures and precautions of safety and security.

Obligations of the Treatment Unit

Article (9)

Treatment unit must be committed to requirements and standards determined by the competent authority including, in particular, as follows:

1. Not to accept any waste oils except from a transporter permitted by the competent authority.
2. Not to accept any waste oils unless attached to a transport form including data determined in this Resolution and signed by the facility and transporter, and make sure that shipment is in conformity with data registered in such form.
3. Inform the competent authority of each waste oil shipment in case treatment unit refused to receive it.
4. Inform the competent authority of each change in the ownership, management and operation of the treatment unit.
5. Use cleanest techniques of the environmental production and use kinds of fuels, less polluting and damaging to the environment.
6. Use the method of indirect heating in the boiler used to heat the waste oil.
7. Encircle heaters of the machines by protecting barriers proper to prevent heat stress from reaching

workers.

8. Treat water resulting from the separating vessels used in treating waste oils in order to reuse it in industry.
9. Not to store drums of the waste oils and phase it out as soon as possible to prevent spreading of the contaminants.
10. Abide by international specifications concerning the phase out of sediments and residues resulting from treatment.
11. Inspect and maintain all tanks and pipes periodically.
12. Take all measures and precautions required to protect air from pollution and reduce emissions.
13. Provide areas enclosed and encircled by insulating materials to store waste oils in order to prevent it from reaching the surface and ground water.
14. Provide materials to absorb oils and means of public safety related to dealing with any oil chemical spill to prevent any contaminants from reaching water resources, solid and other environmental elements.

Article (10)

Treatment unit must keep forms and records of transporting waste oils for a period of no less than (3) years, and the following shall be registered therein:

1. A description of each waste oil shipment delivered and determination of name of each facility and transporter, and date of receipt and treatment.
2. A description of residues resulting from the treatment, quantity thereof and way and site of phasing it out.

Article (11)

Treatment unit must submit a biannual report about the activity therein to the competent authority, provided that such report shall include data referred to in Article (10) of this Resolution, starting from the beginning of the operation of the unit and whenever required by the competent authority, and it shall submit such reports according to procedures and within period it determined for that.

Article (12)

Importing and Exporting Waste Oils

1. Any person, whether natural or legal, shall be prohibited to import waste oils to treat or phase it out inside State including, treatment unit and transporter of the waste oils.
2. Passage or export of the waste oils shall be prohibited through territory of State by any method, whether land, sea or air, unless getting a permit allowing that from Ministry.

Article (13)

Residues of Waste Oils

Treatment unit must keep the facility cleaned and keep environment and workers safe from risks of residues of waste oils. For such purpose, requirements and standards determined by the competent authority must be followed when phasing out residues of the dangerous or non-dangerous waste oils, it shall in particular be committed to the following:

1. Residues shall be collected in an area isolated, determined and indicated by an illustrative painting and protected from natural effects such as wind and rains and unnatural such as animals and birds.
2. Residues shall not be stored for more than three months and shall not be collected at high altitudes and shall be phased out actively.
3. Channels covered with a network connected to each other and ended with a tank padded and covered in a proper way shall be provided to dispose and collect effluents till the treatment thereof or phase it out.
4. Residues shall be stored in closed areas with adequate ventilation to control the emissions issued thereof, and it shall not be stored in passages, emergency exits, and areas allocated for treatment activities.
5. Residues in all kinds, solid, liquid and oil sludge including, dangerous and non-dangerous residues, shall be transported using vehicles fulfilling requirements and permitted by the competent authority.
6. Residues in all kinds, solid, liquid and oil sludge, shall be phased out in methods determined by the competent authority.

Article (14)

Violations and Sanctions

Without prejudice to any more severe penalty stipulated in any other legislation, Ministry or competent authority shall impose a sanction or more of the administrative sanctions on any person violating Provisions of this Resolution, as the case may be, as follows:

1. Imposing an administrative penalty as follows:
 - a. Penalty amount to AED one hundred thousand (100000) on each one violating Provisions of any of Articles (4), (5), (7), (8), (9), (10), (11) and (13) of this Resolution.
 - b. Penalty amount to AED two hundred thousand (200000) on each one violating Provisions of any of the two Articles (6) and (12) of this Resolution.
 - c. Penalty referred to in Clauses (A) and (B) of this Articles shall be duplicated in case of repeating the same violation within one year from the date of committing the previous violation.
2. In addition to the administrative sanction stipulated in Clause (1) of this Article, Ministry or competent authority shall impose, in coordination with the relevant body, any of the following administrative sanctions:
 - a. Closing the violating facility administratively for a period of no more than (6) months, and it shall issue a resolution to permit the facility to resume the business thereof before the termination of the administrative closure period, in case of removing the violation.
 - b. Cancelling license of the violating facility.

Article (15)

Complaint Procedures

1. Resolutions issued under Provisions of Article (14) of this Resolution may be complained, provided the commitment to the following:
 - a. Complaint shall be submitted to authority that issued the resolution of imposing the administrative sanction, according to procedures and within periods determined by such authority.
 - b. All documents required for showing the reason of the complaint shall be attached.

2. Authority referred to in Clause (1) of this Article shall issue the resolution it deems proper for complaining within the period it determines, such issued resolution in this respect shall be final.

Final Provisions

Article (16)

Establishments operating in the area of waste oils in State must correct situations thereof in accordance with Provisions of this Resolution within one year from the date it is enforced.

Article (17)

The Minister shall issue the necessary Resolutions to implement the provisions of this Resolution in coordination with competent authority.

Article (18)

Any provision contrary to or inconsistent with the provisions of this Resolution shall be repealed.

Article (19)

This Resolution shall be published in the Official Gazette and shall come into effect from the day following the date of publication thereof.

Mohammed bin Rashid Al Maktoum

Prime Minister

Issued by us:

Date: 20 / Ramadan / 1439 AH

Corresponding to: 05 / June / 2018 AD