

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 Waste Oil) Regulations 2006.

2. In these regulations -

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

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

"carrier", in relation to the conveyance of waste oil, means a person who collects and carries waste oil in excess of 400 litres;

"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 such other material with adequate anti-corrosive protection as may be approved by the enforcing agency;

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

"generator" means any person whose industrial, commercial or other activity generates waste oil;

"licensee" means a person to whom an EIA licence has been issued to treat or dispose of waste oil;

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

"small generator" means a generator whose maximum volume of waste 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 of waste oil;

"waste 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 waste -

- (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 waste thermal oil and waste oil containing polychlorinated biphenyls or polychlorinated terphenyls in excess of 50 parts per million.

3. (1) Subject to paragraph (2), no person shall treat or dispose of waste oil, unless he is a licensee.

(2) Paragraph (1) shall not apply to any person who treats or disposes of waste cooking oil in relation to his household activities.

4. Every generator shall ensure that, within his premises where the waste oil is generated -

- (a) waste 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;
- (b) the container used for storing waste oil is easily accessible to the carrier for the purpose of collection;
- (c) sufficient absorbent materials are readily available to absorb any waste oil, in case of an accidental spill; and

- (d) any container used for storage of waste oil or sludge is labeled in such manner and form as may be approved by the enforcing agency.

5. Every licensee shall -

- (a) ensure that any container used for storage of waste oil or sludge is labelled in such manner and form as may be approved by the enforcing agency;
- (b) at the end of every month, draw up an inventory of the waste oil received and treated by him during that month, in the form specified in the First 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) put in place a contingency plan providing for a prompt response and mitigating measures, in case of an accidental spill on the premises of the treatment facility.

6. Every carrier shall –

- (a) transport waste oil in an authorised vehicle subject to such terms and conditions as may be imposed by the enforcing agency;
- (b) ensure that any container used for storage of waste oil or sludge is labelled in such manner and form as may be approved by the enforcing agency;
- (c) take all precautionary measures during the transfer of waste oil to or from the main container of the carrier so as to avoid any spillage or dripping;
- (d) at the end of every month, draw up an inventory of the waste oil collected by him during that month, to be drawn up in the form specified in the Second Schedule;
- (e) within 15 days of the end of every month, forward a copy of the inventory drawn up under paragraph (d) to the enforcing agency;
- (f) put in place a contingency plan providing for a prompt response and mitigating measures in case of an accidental spill during transportation.

7. (1) Subject to paragraphs (2), (3) and (4), every big generator and every licensee shall store any waste 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 anti-corrosion 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 millimetres 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 waste oil on site 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 waste oil through -

(a) unauthorised dumping and discharge;

(b) burial;

(c) open air burning; or

(d) placing in garbage bins.

(2) No person shall use waste 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. Any person who contravenes these regulations shall commit an offence and shall on -

(a) first conviction, be liable to a fine not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years;

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

11. 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

12. The Environment Protection (Collection, Storage, Treatment, Use and Disposal of Used oil) Regulations 2005 are revoked.

13. These regulations shall come into operation on 1st November 2006.

Made by the Minister on 13th October 2006.

FIRST SCHEDULE
(regulation 5(b))

Licensee's inventory of waste oil

Name of licensee :

Address:

Return for the month of:

Type of waste oil	Quantity received (litres)	Quantity treated (litres)	Remarks
Total (litres)			

Amount of sludge generated *(Please specify unit)*

Please state whether the sludge is stored on-site, treated or disposed of *(Please attach sheet if necessary)*

I/We certify that the above information is correct.

Date:

.....
Name of licensee

.....
Signature

SECOND SCHEDULE
(regulation 6(d))

Carrier's inventory of waste oil

Name of carrier :.....
 Address:
 Return for the month of:

Date	Type of waste oil	Quantity collected (litres)	Source	Remarks
	Total (litres)			

Please give the name and address of the treatment facility or disposal site to which the collected waste oil is sent and the amount of waste oil delivered -

Name of treatment facility/disposal site.....
 Address:
 Amount of waste oil delivered:

I/We certify that the above information is correct.

Date:

.....
Name of carrier

.....
Signature