

UNOFFICIAL TRANSLATION.

SULTANATE OF OMAN

MINISTRY OF REGIONAL MUNICIPALITIES

AND

ENVIRONMENT

MINISTERIAL DECISION NO: 37/2001.

REGULATIONS FOR THE CONTROL  
AND MANAGEMENT OF OZONE DEPLETING  
SUBSTANCES (ODS).

FEBRUARY, 2001.

MINISTERIAL DECISION  
NO(37/2001)  
Issuing The Regulations for  
The Control and Management  
of Ozone Depleting Substances (ODS).

Based on the Law of Conservation of Environment and Prevention of Pollution issued by Royal Decree No.(10/82) and its amendments,

And Royal Decree No. (73/98) approving the ratification by the Sultanate of Oman to Vienna Convention for the Protection of the Ozone Layer and Montreal Protocol concerning the Ozone Depleting Substances,  
And according to the requirements of Public interest.

It is decided

- Article (1): The provisions of the attached Regulations for the Control and Management of Ozone Depleting Substances shall be effective.
- Article (2): All laws or regulations that violate or contradict with the provisions of the attached regulations shall be cancelled.
- Article (3): This decision shall be published in the Official Gazette and shall be effective from the date of its publication.

Dr. Khamis Bin Mubarak Bin Essa Al Alawi  
Minister of Regional Municipalities and Environment.

Issued on: 30 Dhu Al Qa'da 1421.  
C.T.: 24 February 2001

Regulations for The Control and  
Management of Ozone Depleting Substances (ODS).

Article (1): During the implementation of the provisions of this Regulations the following words and expressions shall have the meanings set against each of them unless otherwise stated:

The Ministry: Ministry of Regional Municipalities and Environment.

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Permit : An approval issued by the Ministry's concerned section including conditions permitting agencies and companies to import and distribute, the Ozone Depleting Substances (ODS) in the Sultanate of Oman.

Montreal Protocol : The protocol adopted in 1987 at Montreal city, Canada concerning the Ozone Depleting Substances.

Ozone Layer: A layer of atmosphere situated in the stratosphere containing high density of Ozone gas molecules and protecting the earth from the exposure of ultra violet rays.

ODS: Substances controlled by virtue of Montreal Protocol and its amendments listed in Annexes (A), (B), (C) and (D) attached to the protocol and its amendments.

ODP tons: A metric ton of an Ozone Depleting Substance multiplied by its ozone Depletion Potential.

Article (5) Countries: Countries with an annual consumption of ODS less than 0.3kg/capita and have the right of an extra grace period to stop production and handling of such substance in addition to their technical and financial support from the multilateral Fund.

CFC's: Ozone Depleting Substances listed in Annexes (A) and (B) of Montreal Protocol and its amendments.

ODS Mixture: Chemicals which contain two or more ODS or one or more ODS mixed with non-depleting ozone chemicals.

Recycled Substances: ODS recovered from a certain unit for reuse after purification (through filtration, drying or chemical treatment).

Alternative Substances: Chemicals which are free from chlorine and Bromine and as such they are ozone friendly or substances with least Ozone depleting potential (ODP).

SMSE: Small and Medium Scale Enterprises dealing with servicing and maintenance of refrigeration / Air Conditioning equipment.

State Parties to the Montreal Protocol: States which ratified the Montreal Protocol on Ozone Depleting Substances.

MAC: Mobile Air Conditioning Unit containing Ozone Depleting refrigerants.

Ministry's Concerned Section: Air and Noise Pollution Control Section of the Ministry.

Article (2): The Ministry, in coordination with the Ministry of Commerce and Industry and ROP Directorate General of Customs, shall implement the provisions of this Regulations.

Article (3): ODS shall be subject to the phase-out in accordance with the provisions of Montreal Protocol as follows.

(a) Chlorofluoro carbons (CFC's) Compounds:

CFC-11  
CFC-12  
CFC-113  
CFC-114  
CFC-115

(b) Halon's group:

Halon-1211  
Halon-1301  
Halon-2402

(c) Fully halogenated CFC's compounds:

CFC-13  
CFC-111  
CFC-112  
CFC-211  
CFC-212  
CFC-213

CFC-214  
CFC-215  
CFC-216  
CFC-217

- (d) Carbon Tetrachloride (CCl<sub>4</sub>).
- (e) 1,1,1-trichloroethane also known as Methyl Chloroform (C<sub>2</sub> H<sub>3</sub> Cl<sub>3</sub>). It does not include the Isomer 1,1, 2-trichloroethane.
- (f) HBFC's.
- (g) HCFC's
- (h) Methyl Bromide (CH<sub>3</sub> Br).

The above substances whether in pure form, or mixtures or their products re-purified/ re-cycled may be re-exported to the State's parties to the Montreal Protocol after obtaining a prior permit from the Ministry's Concerned Section.

Article (4): A Permit shall be obtained from the Ministry's Concerned Section for the import of any ODS listed in Article(3) above (including mixed substances). The importers shall submit information related to their present and future requirements for such substances according to the phase-out schedule (attached to this Regulations) which may be amended in the future in accordance with Montreal Protocol. The aforementioned shall be provided in the format prepared by the Ministry for this purpose.

Imports of ODS from States non-parties to the Montreal Protocol are prohibited

Article (5): The Ministry, according to an application with justified reasons from the body concerned, may permit the use of ODS in cases of urgent needs such as the use of metered dose inhalers for treatment of bronchial asthma patients, laboratory reagents, critical defence uses and Methyl Bromide uses in quarantine and pre-shipment applications.

Article (6): All importers and distributors of ODS shall keep records of their sales and the Ministry may review the said records prior to further imports of such substances.

Article (7): All importers, distributors, wholesale and retail dealers of ODS shall register themselves with the Ministry according to the format prepared for this purpose.

- Article (8): Clearance of ODS at all ports of entry (Air, Sea or land) shall be according to the clearing format prepared by the Ministry for this purpose.
- Article (9): Emissions of ODS shall be controlled by good equipment design and regular maintenance and use of proper recovery system during service.
- Article (10): Skills of technicians dealing with servicing and maintenance of refrigeration, air conditioning and fire protection equipment or skills of those dealing with recovery/recycling of ODS shall be approved by the Ministry.
- Article (11): The units for recording ODS shall be in kilogram only.
- Article (12): Required reduction in importers' quotas shall be calculated on basis of ODP of chemicals in accordance with the phase-out schedule of Montreal Protocol attached to this Regulations and the information given in the format prepared by the Ministry for this purpose. Importers shall be informed regarding their quotas by the end of each year.
- Article (13): The consumption of ODS shall be calculated on basis of imported quantity plus production minus export.
- Article (14): Transfer of ODS quantities permitted to be imported from one importer to another is possible after the Ministry approval and subject to presentation of the import permit issued by the Ministry and submission of necessary documents, however the transferred quantity shall be deducted from the quota of the original importer.
- Article (15): Trade names, quantities, data of import and country of origin of ODS together with the information of end users shall be provided to the Ministry by each importer every three months.
- Article (16): The importer of re-manufactured/recovered ODS, appliances / equipment / machines in which such substances are used, as well as those using the said substances or the establishment of any enterprises to produce the same is prohibited with the exception of HCFC's groups to be phased-out according to the schedule attached to this Regulations.
- Article (17): Destruction or disposal of currently used ODS or appliances /equipment / machines containing these substances shall be carried out after obtaining prior approval from the Ministry.

