



Abu Dhabi EHSMS Regulatory Framework (AD EHSMS RF)

EHS Regulatory Instrument

Code of Practice

**EHS RI – CoP 55.0 – Environmental
Management**

Version 2.0

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With gratitude Abu Dhabi EHS Center acknowledges the great support provided by the Executive Council in facilitating the issuance of Abu Dhabi Emirate Environment, Health and Safety Management System (AD EHSMS) and its implementation at Emirate level.

The issuance of the system would not have been possible without the supervision, diligent efforts and productive recommendations of the AD EHS Center Board of Directors.

These documents (Regulatory Instruments) constitute the efforts of the Abu Dhabi EHS Center and the concerned Sector Regulatory Authorities who worked together to integrate all relevant regulatory requirements under *AD EHSMS RF*. The input, contribution and constructive views of all sectors is highly appreciated.

May these documents prove to be beneficial and helpful in system implementation and in expanding the knowledge in the EHS field.



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Abu Dhabi Environment, Health and Safety Center

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Preface

This Abu Dhabi EHS Regulatory Instrument was developed by the Environment Agency Abu Dhabi as the Competent Authority for this topic to set the minimum mandatory requirements.

Every effort was made in developing this document so that it does not conflict with existing local or federal laws and regulations. In case of conflict, requirements of the existing local and federal laws and regulations shall prevail, and all concerned are obliged to bring the same to the attention of AD EHS Center for resolution.

This AD EHS Regulatory Instrument has been developed, reviewed and approved, following the process as described in *AD EHSMS Implementation Guideline: The Integration of EHS Requirements in the Emirate of Abu Dhabi*, by the following stakeholders:

- Abu Dhabi EHS Higher Committee;
- Abu Dhabi EHS Center;
- Environment Agency Abu Dhabi;
- Department of Municipal Affairs;
 - Abu Dhabi City Municipality;
 - Al Ain City Municipality;
 - Western Region Municipality;
- Department of Transport – Abu Dhabi;
- Abu Dhabi Water and Electricity Authority;
- Health Authority - Abu Dhabi;
- Higher Corporation for Specialized Economic Zones (ZonesCorp);
- Center for Waste Management – Abu Dhabi;
- Abu Dhabi Tourism Authority;
- Abu Dhabi Food Control Authority;
- Abu Dhabi Education Council;
- Regulation and Supervision Bureau; and
- Other Relevant Federal and Local Competent Authorities.

The AD EHSMS consists of the following hierarchy of documents:

- AD EHSMS RF Elements - Mandatory System Requirements

EHS Regulatory Instruments:

- Standards and Guideline Values - Mandatory EHS threshold and exposure levels
- Codes of Practice - Mandatory EHS technical requirements – subject specific
- Mechanisms - Mandatory system implementation processes and procedures

Guidelines:

- Technical Guidelines - Non-mandatory guidance on how to implement an EHS Regulatory Instrument
- AD EHSMS Guidance Documents - Non-mandatory guidance and interpretation of an *AD EHSMS RF* concept and/or principle

Further, this document is not intended to conflict with any contractual obligations in effect at the time of its issuance. However, all future contracts shall adhere to applicable requirements stated herein, and existing long term contracts shall be brought into compliance with its requirements as soon as reasonably practicable as stipulated by relevant subject authorities.

This document will be reviewed periodically as part of the continual improvement cycle.

1. Introduction

- (a) This Code of Practice (CoP) is designed to identify environmental requirements that apply to all employers within Abu Dhabi Emirate. If the requirements in this CoP conflict with those set by another regulatory authority, employers are required to follow the more stringent requirements.
- (b) The primary piece of legislation governing environmental protection is Federal Law No. 24 of 1999. As the Competent Authority, EAD is responsible for implementation of the law. Federal Law No. 24 aims to achieve the following goals:
- (i) protection and conservation of the quality and natural balance of the environment;
 - (ii) control of all forms of pollution and avoidance of any immediate or long-term harmful effects resulting from economic, agricultural, industrial, development, or other programs;
 - (iii) development of natural resources, conservation of biological diversity in the region of the state, and exploitation of such resources with consideration of present and future generations;
 - (iv) protection of society, human health, and the health of other living creatures from activities and acts that are environmentally harmful or impede authorized use of the environmental setting;
 - (v) protection of the environment from the harmful effects of activities undertaken outside the region of the state; and
 - (vi) compliance with international and regional conventions ratified or approved by the state regarding environmental protection, pollution control, and conservation of natural resources.
- (c) Where there is no federal or local environmental law, standard, or procedure regarding a specific topic, employers shall adopt an international best practice as part of their internal management system and justify why it is applicable for use in Abu Dhabi Emirate.

2. Training and Competency

- (a) Employers shall ensure that EHS training complies with the requirements of:
- (i) *AD EHSMS RF – Element 05 – Training and Competency;*
 - (ii) *AD EHS RI – Mechanism 7.0 – AD EHS Professional Entity Registration;* and
 - (iii) *AD EHS RI – Mechanism 8.0 – AD EHS Practitioner Registration.*
- (b) In accordance with *AD EHSMS RF – Element 01 – Roles, Responsibilities and Self-Regulation Section 3.2.5* employers shall ensure employees required to implement the requirements of this CoP are trained in appropriate environmental management and understand the associated risks and the control measures put in place by the employer.

- (c) Employers shall ensure that all persons holding environmental management responsibilities within their organizations are competent to undertake their specific roles and responsibilities as described within all applicable environmental regulations, standard operating procedures (SOPs), Technical Guidance Documents, and technical guidelines.

3. Requirements

3.1 Roles and Responsibilities

3.1.1 Employers

- (a) Employers shall undertake their roles and responsibilities in accordance with the general requirements of *AD EHSMS RF – Element 01 – Roles, Responsibilities and Self-Regulation* Section 3.2.5.

3.1.2 Employees

- (b) Employees shall undertake their roles and responsibilities in accordance with the general requirements of *AD EHSMS RF – Element 01 – Roles, Responsibilities and Self-Regulation* Section 3.2.7.

3.2 Environmental Permitting

- (a) Proponents of development, infrastructure, and industrial projects are advised to contact EAD early in the project planning cycle for information on and identification of applicable environmental permitting requirements. In accordance with Federal Law No. 24 for the Protection and Development of the Environment, various industrial, light industrial, and commercial facilities, as well as certain infrastructure and development projects, require an environmental permit or No Objection Certificate prior to the commencement of site activities. In addition, certain environmental studies may be required to process the permit.
- (b) Employers shall follow the guidance in EAD's Technical Guideline for the Submission of Environmental Applications and Reports for the identification of activities / projects / entities requiring environmental permitting and for the submission of environmental permit applications and environmental studies and reports. Employers shall also comply with all requirements in the following documents from EAD:
- (i) *SoP for Permitting of Development and Infrastructure Projects in Abu Dhabi;*
 - (ii) *SoP for Permitting of Industrial, Commercial, and Light Industrial Projects in Abu Dhabi; and*
 - (iii) *SoP for Permitting of Chemicals and Hazardous Materials in Abu Dhabi.*
- (c) Employers that are required to conduct an environmental audit report shall follow the guidelines in *EAD's Technical Guidance Document for Environmental Audit Reports*.
- (d) Environmental studies and reports required by EAD or the Sector Regulatory Authority shall follow the latest guidance from EAD, including the following:
- (i) *Technical Guidance Document for Preliminary Environmental Review (PER);*
 - (ii) *Technical Guidance Document for Environmental Impact Assessment (EIA);*

- (iii) *Technical Guidance Document for Strategic Environmental Assessment (SEA);*
- (iv) *Technical Guidance Document for Terms of Reference (TOR);*
- (v) *Technical Guidance Document for Construction Environmental Management Plan (CEMP);*
- (vi) *Technical Guidance Document for Operation Environmental Management Plan (OEMP);*
- (vii) *Technical Guidance Document for Decommissioning Environmental Management Plan (DEMP);*
- (viii) *Technical Guidance Document for Environmental Action Plan (EAP);*
- (ix) *Standard Operating Procedure (SOP) for Compliance Monitoring Using Continuous Emissions Monitoring Systems (CEMS);*
- (x) *Air Quality Modeling Guidance;*
- (xi) *Technical Guidance Document for Environmental Audit Reports;*
- (xii) *Technical Guidance Document for Wastewater and Marine Water Quality Monitoring; and*
- (xiii) *Marine Dredging and Reclamation Guidelines and Permitting Requirements In Abu Dhabi Emirate.*

3.3 Compliance with Environmental Requirements

- (a) Employers shall implement appropriate arrangements to maintain compliance with environmental requirements stipulated in:
 - (i) *Federal and Local environmental laws and regulations;*
 - (ii) *Environmental permit conditions issued by or in coordination with EAD;*
 - (iii) *Environmental requirements of relevant Sector Regulatory Authority, if any; and*
 - (iv) *Employer internal EHSMS requirements, including any International Best Management Practices (BMPs) stipulated therein.*
- (b) To insure compliance, activities of employers shall be subject to environmental inspections by:
 - (i) *Qualified staff, as stipulated in employers EHSMS or other internal environmental management arrangements;*
 - (ii) *EHS staff of relevant SRA, where applicable; and*
 - (iii) *EAD, the environment Competent Authority in Abu Dhabi Emirate.*
- (c) Where required, employers shall develop programs / arrangements to monitor their environmental performance, eg. in terms of effluent discharges, air emissions and solid waste management, as per *AD EHSMS RF – Element 07 – Monitoring, Investigation and Reporting.*
- (d) Analysis of sample collected for environmental monitoring purposes shall be conducted by laboratories licenced / accredited / permitted by Emirates Authority for Standardization and Metrology (ESMA).
- (e) Employers shall close non-conformity(s) as soon as reasonably practicable, in coordination with EAD and the concerned SRA, if any, and other relevant authorities.

3.4 Air

- (a) Employers shall comply with the requirements set forth in *Chapter 4: Protection of Air from Pollution of Federal Law No. 24 of 1999*.
- (b) The following sources shall be in compliance with the maximum allowable limits set forth in Decree No. (12) of 2006: *Regulation Concerning Protection of Air from Pollution*:
 - (i) all stationary sources;
 - (ii) all hydrocarbon fuel combustion sources;
 - (iii) all solid waste incinerators; and
 - (iv) all hazardous and medical waste incinerators.
- (c) Employers shall be in compliance with:
 - (i) the maximum allowable limits for dust in working areas and the maximum allowable limits for chemical substances in working areas as set forth in *Decree No. (12) of 2006: Regulation Concerning Protection of Air from Pollution*; and
 - (ii) supplementary requirements on allowable limits for chemical substances in working areas and associated CoP's and technical guidelines issued under *AD EHSMS RF*.
- (d) Employers that are required to operate a Continuous Emissions Monitoring System (CEMS) shall use the guidance provided in *EAD's Standard Operating Procedure for Compliance Monitoring Using Continuous Emissions Monitoring Systems* when evaluating and reporting CEMS data.
- (e) Employers conducting air quality modeling are required to follow the methods described in EAD's document titled *Air Quality Modeling Guidance*.
- (f) Employers shall refer to the EAD's *Handbook on How to Develop a Quality System for an Ambient Air Quality Monitoring Network*.
- (g) Employers shall comply with the relevant requirements of *AD EHSMS RF – Standards and Guideline Values*.

3.5 Water

- (a) Employers shall comply with the requirements set forth in:
 - (i) *Chapter 2, Section 2: Protection of the Marine Environment of Federal Law No. 24 of 1999*;
 - (ii) *Decree No. (37) of 2001: Regulation Concerning Protection of the Marine Environment*;
 - (iii) *Chapter 2, Section 3: Protection of Drinking and Underground Water of Federal Law No. 24 of 1999*;
 - (iv) *EAD's Technical Guidance Document for Wastewater and Marine Water Quality Monitoring*;
 - (v) *EAD's Marine Dredging and Reclamation Guidelines and Permitting Requirements in Abu Dhabi Emirate*; and

- (vi) *Technical Guidance Document Standards and Limits for Pollution to Air and Marine Environments, Occupational Exposure, Pesticides and Chemical Use.*
- (b) All coastal developments shall follow the guidelines in the Abu Dhabi Urban Planning Council's *Interim Coastal Development Guidelines*.

3.6 Land

- (a) Employers shall comply with the requirements set forth in:
 - (i) *Chapter 3: Soil Protection of Federal Law No. 24 of 1999; and*
 - (ii) *Decree No. (37) of 2001: Regulation Concerning Agricultural Pesticides and Fertilizers.*
- (b) In the absence of official EAD standards for soil, employers are required to use the Dutch Soil Standards.

3.7 Noise

- (a) Employers shall be in compliance with:
 - (i) the noise limits in *Decree No. (12) of 2006: Regulation Concerning Protection of Air from Pollution; and*
 - (ii) *AD EHS RI – CoP 3.0 – Occupational Noise.*

3.8 Hazardous Materials and Waste

- (a) Employers shall comply with the requirements in:
 - (i) *Chapter 5: Handling of Hazardous Substances and Hazardous Wastes and Medical Wastes of Federal Law No. 24 of 1999;*
 - (ii) *Decree No. (37) of 2001: Regulation Concerning Handling of Hazardous Substances, Hazardous Wastes and Medical Wastes;*
 - (iii) *Law No. 21 of 2005 for Waste Management in the Emirate of Abu Dhabi;*
 - (iv) *AD EHS RI – CoP 1.0 – Hazardous Materials; and*
 - (v) *AD EHS RI – CoP 54.0 – Waste Management.*

3.9 Climate Change and other Global Issues

- (a) SRA's and relevant government entities shall conform to *Executive Council Decree No (11 Session 35/2010), concerning the usage of Compressed Natural Gas (CNG) and Clean Diesel as alternative fuel by 2012.*
- (b) SRA's shall update the emissions inventory for their relevant sectors every three years, once the relevant EAD Guidelines are issued (currently under development).

4. Record Keeping

- (a) Water, Wastewater, and Electricity Sector entities that hold a license issued in accordance with *Article (82) of Law (2) of 1998 Concerning the Regulation of the Water and Electricity Sector* shall report environmental incidents according to *The*

Incident Reporting Regulations 2008 issued by the Regulation and Supervision Bureau.

- (b) Any employer reporting air data for Continuous Emissions Monitoring Systems (CEMS) shall comply with the reporting templates in EAD's document titled *SOP for Compliance Monitoring Using Continuous Emissions Monitoring Systems (CEMS)*.
- (c) Any employer that is required to provide environmental audit reports to EAD shall comply with EAD's *Technical Guidance Document for Environmental Audit Reports*.
- (d) Any employer that is required to provide water monitoring reports to EAD shall comply with EAD's *Technical Guidance Document for Wastewater and Marine Water Quality Monitoring*.

5. References

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