

Ministerial Decision No. (200/2000)
Issuing Regulations for Crushers, Quarries and Transport
of Sand from Coasts, Beaches and Wadis

- Based on the Law on Conservation of the Environment and Prevention of Pollution issued by Royal Decree No. (10/82) and its amendments,
- And the Law Regulating the Regional Municipalities issued by Royal Decree No. (96/2000),
- And Royal Decree No. (18/99) specifying the Responsibilities of the Ministry of Regional Municipalities and Environment and approving its organizational chart,
- And the Ministerial Decisions No. (120,298,300/93) and (209/95),
- And according to the requirements of public interest.

Have decided

- Article (1) :** The provisions of the attached Regulations for Crushers, Quarries and Transport of Sand from Coasts, Beaches and Wadis shall come into force.
- Article (2) :** The Director General of Environmental Affairs, the Director General of Environment - Dhofar Governorate, Directors of Environment Departments and Environment Controllers and inspectors - each within the scope of his authority - shall have the legal powers in implementing the provisions of the attached regulations.
- Article (3) :** The Ministerial Decision (No. 120, 298/93) and all other provisions contradicting or contravening this decision shall be considered void.
- Article (4) :** This decision shall be published in the Official Gazette and shall come into effect on the date of its publication.

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

Regulation for
Crushers, Quarries and Transport of Sand from
Coasts, Beaches and Wadis
Part One
General Provisions

Article (1) : In the application of the provisions of these regulations, the words and phrases shall have the following meanings unless stipulated otherwise :

Ministry : The Ministry of Regional Municipalities and Environment.

Quarry : The place where raw materials are extracted from the earth to a depth not exceeding one and a half meter.

Crusher : The equipment used in crushing raw materials.

Screen : The equipment separating extracted raw materials

Coast : The shore area extending one kilometer from the high tide point towards the mainland.

Beach : The area falling between low and high level of the seawater.

Part Two
Crushers and Quarries

Article (2) : It is prohibited to use crushers or quarries' sites without obtaining an environmental permit to ensure that the project requesting a permit is sound from an environmental point of view and according to the approved standards. The permit shall be issued by the Ministry after application is made on the prescribed form and required documents enclosed and approvals issued by the competent authorities, particularly the following :

(a) the Ministry of Commerce and Industry approval

for establishment of the project together with site coordinates shown on the map.

- (b) environmental impact study for projects requiring such.
- (c) relevant project's plans, drawings and production processes flow diagrams.

Article (3) : The location of the proposed crushers and quarries' sites shall be far from populated areas, archaeological, tourism and agricultural areas, main graded and tarmac roads, nature reserves, areas of recharge dams, water and wadi's courses. In addition, the following environmental conditions must be considered:

- (a) the topography and hydrology of the area.
- (b) climate conditions.
- (c) the local conditions, residential plans, roads and economic activities.
- (d) the conditions and operation specifications of the establishment, and concession duration.
- (e) precautionary and mitigation measures.

An environmental permit may be granted to use sites adjacent to the aforementioned areas after an environmental impact assessment study prepared by an approved consultant and accepted by the Ministry is submitted by the project owner who, in this case, shall be responsible for any disparities between the study and the operation outcome.

Article (4) : It is not permitted to use radioactive or chemical sources or equipment containing radioactive sources unless after obtaining the prescribed permit from the Ministry.

Article (5) : The environmental permit shall be valid for one renewable year and the application for renewal shall be submitted at least two months prior to the permit expiry date.

Article (6) : Owners of crushers and quarries shall pay attention to the

various environmental conditions particularly the ones related to minimization and control of dust emissions during crushing operations according to the following :

- (a) control of dust emitted from loading and transport of earth and stones.
- (b) the use of bag filters and water sprays or a combination of both to control dust emitted from crushing operations.
- (c) Enclosure of hoppers on all sides except material entry side with the use of water spray to control dust emitted during loading of raw materials in the hoppers.
- (d) Enclosure of transfer belts with the use of water sprays at drop off points and spray of crusher floors.

Article (7) : The project owner following expiry of the permit shall level the site and remove spoils and waste as required by the Ministry in this respect. The project owner shall deposit a bank guarantee of an amount of R.O. "5000" (Five Thousands Omani Rials) payable to the account of the Ministry of Regional Municipalities and Environment issued by a bank approved by the Sultanate and valid for (4) months after the expiry date of the permit; this guarantee shall be renewed in the event of renewal of the permit.

Part Three

Conservation of Coasts, Beaches and Wadis

Article (8) : It is not permitted to make any excavations or remove sand from coasts, beaches or wadis other than places determined by the Ministry. In addition, it is not permitted to excavate any part of a hill without obtaining the necessary permit issued by the concerned authority.

Article (9) : Every municipality shall install fixed boards along its coasts, beaches and wadis stating, in both Arabic and English languages, this prohibition.

Article (10) : Everyone permitted to excavate or transport sand from

coasts, beaches and wadis shall adhere to the following conditions :

- (a) Not to change wadis and gorges' courses and not to deepen excavation other than the depth stated in the permit.
- (b) Not to cut down trees and maintenance of a distance of not less than five (5) meters around trees from the trees growing within the excavation area.
- (c) The excavated quarry sites and wadi's courses following expiry of the permit should be reinstated and the profile of the site shall be reestablished as required by the Ministry.

Article (11) : Without prejudice to any strict penalty stipulated in the rules and regulations in force in the Sultanate, everyone violating the provisions of these Regulations shall be subject to a fine not less than R.O. (50) and not exceeding R.O. (300) with removal of violation at the expense of the offender. In addition

- 1. A fine not less than R.O. (50) and not exceeding R.O. (100) in case the first or second violation.
- 2. A fine not less than R.O. (200) and not exceeding R.O. (300) in case of committing of the same violation for the third time.
- 3. A daily fine of R.O. (50) for every day of continuous violation for a period not exceeding three weeks after which the offender should be referred to the penal court.
- 4. The offender, in any case, shall reinstate the site to the required environmental status or the Ministry shall undertake the same at the expense of the offender.

Article (12) : The Crusher or quarry operation shall be suspended in the event of the following :

- (a) If the Environmental Permit was not obtained.
- (b) If the environmental conditions of the permit were not adhered to.
- (c) If the environmental permit was not renewed.
- (d) If the bank guarantee was not renewed.
- (e) If the boundaries of the site are not clearly marked by pegs.
- (g) If the company operates outside the area allocated for the crusher or the quarry.