



## FEDERAL SUBSIDIARY LEGISLATION

### ENVIRONMENTAL QUALITY ACT 1974 [ACT 127]

P.U.(A) 342/77

#### ENVIRONMENTAL QUALITY (PRESCRIBED PREMISES) (CRUDE PALM-OIL) REGULATIONS 1977

*Incorporating latest amendments - P.U.(A) 183/82*

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As provided in Regulation 1 [4th November 1977 & 1st July 1978]

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## **Preamble**

In exercise of the powers conferred by section 51 of the Environmental Quality Act 1974 [Act 127], the Minister, after consultation with the Environmental Quality Council, makes the following regulations:

### **Regulation 1. Citation and commencement.**

(1) These regulations may be cited as the **Environmental Quality (Prescribed Premises) (Crude Palm-Oil) Regulations, 1977.**

(2) Regulations 2, 3 (1), 5, 11, 12, 13, 14, 15, 16 and 17 shall come into force on the 4th November 1977.

(3) Regulations 3 (2), 4, 6, 7, 8, 9, 10 and 18 shall come into force on the 1st July 1978.

### **Regulation 2. Interpretation.**

In these regulations, unless the context otherwise requires -

"B.O.D." stands for biochemical oxygen demand, which is the quantity of oxygen utilized, according to laboratory test, in the biochemical oxidation of the organic matter in effluent during a specified period, which for the purposes of these regulations is three days, and at a specified temperature, which for the purposes of these regulations is 30 degrees Centigrade;

"B.O.D. concentration" is the intensity of the biochemical oxygen demand of effluent, measured by reference to the B.O.D. of a standard unit of volume of the effluent, such as a litre; thus effluent is said to have a B.O.D. concentration of, say, 5,000 milligrammes per litre, or 5,000 mg/l, if, its oxygen-consuming potential is such that one litre of it will, according to laboratory test, utilize, during a period of three days and at a temperature of 30 degrees Centigrade, 5,000 milligrammes of oxygen in the process of its biochemical oxidation;

"B.O.D. load" is the total amount of oxygen that, having regard to its B.O.D. concentration, a given amount of effluent can be expected to utilize, during a period of three days and at a temperature of 30 degrees Centigrade, in the process of its biochemical oxidation;

"effluent" means liquid waste or wastewater produced by reason of the production processes taking place at prescribed premises;

"licence" means a licence in respect of prescribed premises, as required by section 18 of the Act;

"parameter" means any of the factors shown in the first column of the Second Schedule, by reference to which the pollution potential of effluent is determined;

"prescribed premises" means any premises prescribed by the Environmental Quality (Prescribed Premises) (Crude Palm-Oil) Order 1977, being premises occupied or used for the processing of oil-palm fruit or oil-palm fresh-fruit bunches into crude palm-oil, whether as an intermediate or final product;

"watercourse" includes any reservoir, lake, river, stream, canal, drain, spring, or well, any part of the sea abutting on the foreshore, and any other body or natural or artificial surface or subsurface water.

### **Regulation 3. Periods for purposes of section 18 (2) (a) and (c).**

(1) In connexion with the making of application for a licence, the period ending on the 31st March 1978 is prescribed for the purposes of section 18 (2) (a) of the Act.

(2) The period of fourteen days after a person became the occupier of prescribed premises is prescribed for the purposes of section 18 (2) (c) of the Act.

### **Regulation 4. Continuance of existing conditions and restrictions in case of change in occupancy.**

(1) Where a person becomes the occupier of prescribed premises in succession to another person who holds a yet unexpired licence in respect of the premises, then --

(a) for a period of fourteen days after the change in occupancy; or

(b) where the new occupier makes application within that period for the transfer to him of the licence, for the period from the change in occupancy until final determination of his application,

the conditions and restrictions of the licence shall be binding on the new occupier and shall be observed by him, notwithstanding that he is not yet the holder of the licence or that the licence may, during the period specified in sub-paragraph (a) or (b), as the case may be, have expired.

(2) Paragraph (1) shall cease to apply the moment the new occupier holds in his own right a licence in respect of the prescribed premises.

### **Regulation 5. Reporting changes in information furnished for purposes of application.**

An applicant for a licence or for the renewal or transfer of a licence shall, within seven days of the occurrence of any material change in any information furnished in his application or furnished in writing pursuant to a request by the Director General under section 11 (2) of the Act, give the Director General a report in writing of the change.

### **Regulation 6. Making changes that alter quality of effluent.**

(1) An occupier of prescribed premises in respect of which there is a licence shall not make, or cause or permit to be made, any change to the premises or in the manner of running, using, maintaining, or operating the premises or in any operation or process carried on at the premises which change, causes, or is intended or is likely to cause, a material deterioration in the quality characteristics, or a material increase in the quantity, of effluent discharged from the premises, unless prior written approval of the Director General has been obtained for the change.

(2) For the purposes of paragraph (1), changes to prescribed premises include --

(a) any change in the construction, structure, or arrangement of the premises or any building serving the premises;

(b) any change in the construction, structure, arrangement, alignment, direction, or condition of any channelling device, system, or facility serving the premises; and

(c) any change of, to, or in any plant, machine, or equipment used or installed at the premises.

### **Regulation 7. Duty of occupier to provide assistance for action under section 38.**

Every occupier of prescribed premises shall provide the Director General or any other officer duly authorized in writing by him every reasonable assistance or facility available at the premises, including

labour, equipment, appliances, and instruments, that he may require for the purpose of taking any action that he is empowered by section 38 of the Act to take in respect of the premises.

### **Regulation 8. Dilution of effluent.**

No person shall dilute, or cause or permit to be diluted, any effluent, whether raw or treated, at any time or point after it is produced at any prescribed premises unless prior written authorization of the Director General has been obtained for the dilution and the dilution is done according to the terms and conditions of the authorization.

### **Regulation 9. Display of licence.**

Every occupier of prescribed premises shall display his licence, together with every document forming part of the licence, in a prominent position in the principal building of the premises.

### **Regulation 10. Quarterly return.**

(1) For the purposes of this regulation, a quarter means a period of three months commencing on the 1st January, the 1st April, the 1st July, or the 1st October.

(2) Every occupier of prescribed premises shall, within fourteen days after the end of each quarter, submit to the Director General, in the Form in the First Schedule, a quarterly return for that quarter in respect of the prescribed premises.

(3) An occupier of prescribed premises is not required to submit under paragraph (2) a return for any period during which he was not an occupier of the prescribed premises.

(4) Where a person becomes an occupier of prescribed premises on a day other than the first day of a quarter, his first return under paragraph (2) may be submitted within fourteen days after the end of the first full quarter, and in that case the return shall be for the period from the commencement of occupation until the end of the first full quarter.

## **Regulation 11. Guide for imposition of limits for parameters of effluent.**

In the matter of imposing in respect of a licence conditions limiting the parameters of effluent to be discharged from prescribed premises, the Director General shall be guided by regulations 12 and 13.

## **Regulation 12. Limits for parameters of effluent to be discharged into a watercourse.**

(1) This regulation applies in respect of effluent to be discharged into a watercourse.

(2) No condition limiting any parameter shall ordinarily be imposed in respect of effluent to be discharged during the period 1-7-1978 - 30-6-1979, but the Director General may, if he considers it necessary in any particular case so to do, impose such a condition or conditions for all or any of the parameters, and in that event the limits shall ordinarily be as shown in the second column of the Second Schedule.

(3) Every licence issued on or after the 1-7-1979 and every licence issued before but expiring after that date shall contain a condition or conditions limiting the parameters of the effluent to be discharged from the prescribed premises on or after that date and the limits for the respective periods shall ordinarily be as shown in the third, fourth, fifth, sixth, and seven columns of the Second Schedule.

*[Subs. P.U.(A) 183/82]*

(4) The Director General may in any particular case, if he considers it necessary so to do, impose, in respect of effluent to be discharged during any period, a more stringent limit than the applicable limit shown in the Second Schedule, for any parameter.

(5) The Director General may in any particular case impose, in respect of effluent to be discharged during any period after 1-7-1979, a less stringent limit than the applicable limit for a period shown in the Second Schedule, for any parameter, if he is satisfied -

(a) that research on effluent disposal or treatment of a kind or scale that is likely to benefit the cause of environmental protection is being or is to be carried out at the prescribed premises and that such a concession is necessary for the conduct of such research; or

(b) that it would not be practicable for the limit shown in the Second Schedule to be observed at the prescribed premises.

### **Regulation 13. Limits for parameters of effluent to be discharged onto land.**

(1) This regulation applies in respect of effluent to be discharged onto land.

(2) No limit shall ordinarily be imposed for any parameter other than the B.O.D. concentration.

(3) No condition limiting the B.O.D. concentration shall ordinarily be imposed in respect of effluent to be discharged during the period 1-7-1978 -- 30-6-1979, but the Director General may, if he considers it necessary in any particular case so to do, impose such a condition.

(4) Every licence issued on or after 1-7-1979 and every licence issued before but expiring after that date shall ordinarily contain a condition limiting the B.O.D. concentration of effluent to be discharged from the prescribed premises on or after that date and the limit shall ordinarily be 5,000 mg/1 for any period.

(5) The Director General need not impose any condition under paragraph (4) if he is satisfied that the absence of such a condition will not cause any adverse environmental effect in any material degree.

(6) The Director General may in any particular case, if he considers necessary so to do, impose, in respect of effluent to be discharged during any period, a more stringent limit than 5,000 mg/1.

(7) The Director General may in any particular case impose, in respect of effluent to be discharged during any period, a less stringent limit than 5,000 mg/1, if he is satisfied that research on effluent disposal or treatment of a kind or scale that is likely to benefit the cause of environmental protection is being or is to be carried out at the prescribed premises and that such a concession is necessary for the conduct of such research.

### **Regulation 14. Point of discharge.**

(1) In every licence the Director General shall specify, for the purposes of these regulations, the point or points of discharge of effluent for the prescribed premises to which the licence relates.

(2) Wherever the point of discharge is mentioned in these regulations in connection with any prescribed premises, the reference is to the point or points of discharge specified for the prescribed premises pursuant to paragraph (1).



(3) Wherever the B.O.D. concentration or other parameter of effluent discharged or to be discharged is mentioned in these regulations in connection with any prescribed premises, the reference, unless the context otherwise requires, is to the B.O.D. concentration or other parameter as at the point of discharge specified for the prescribed premises pursuant to paragraph (1).

### **Regulation 15. Fee for permission under section 19.**

The fee for a written permission under section 19 of the Act to carry out any work on any premises that would cause those premises to become prescribed premises or to construct on any land any building designed for or used for a purpose that would cause the land or building to become prescribed premises is \$100.00 and shall not be refundable.

### **Regulation 16. Fee for licence, including renewal of licence.**

(1) The fee for a licence, including the renewal of a licence, is \$100.00 plus an effluent-related amount computed according to the method prescribed in the Third Schedule.

(2) The amount of \$100.00 shall accompany the application and shall not be refundable.

(3) The effluent-related amount shall not become due until called for.

### **Regulation 17. Waiver of fee.**

(1) If the Director General is satisfied that research on effluent disposal or treatment of a kind or scale that is likely to benefit the cause of environmental protection is being or to be carried out at any prescribed premises, he may, with the approval of the Minister, completely or partially waive any effluent-related amount payable by virtue of regulation 16(1).

(2) In deciding on the extent of waiver, the Director General shall be guided by a consideration of how much of the amount of effluent discharged or to be discharged is involved in the research and by a consideration of the quality characteristics of the effluent discharged or to be discharged.

**Regulation 18. Fee for transfer of licence.**

The fee for the transfer of a licence is \$30.00.

**FIRST SCHEDULE [Regulation 10(2)]**

**QUARTERLY RETURN FORM**

*(Two copies to be completed)*

SECTION 1 IDENTIFICATION	FOR OFFICE USE.
1. (i) Name and Address of Premises ..... (ii) Name of Licensee ..... (iii) Address of Licensee ..... .....Telephone: ..... (iv) Licence Number ..... (v) File Reference Number .....	
2. (i) Name of Reporting Official ..... (ii) Address of Reporting Official ..... ..... Telephone: .....	
3. (i) Name of Analytical Laboratory ..... (ii) Address of Analytical Laboratory ..... ..... Telephone: ..... (iii) Name of Analyst .....	
4. Quarter of return:  (i) First Quarter . . . . _____ (ii) Second Quarter . . . . _____	
(1-1-19..... to 31-3-19.....)  <span style="float: right;">(1-4-19..... to 30-6-19 .....</span>	
(iii) Third Quarter . . . . _____ (iv) Fourth Quarter . . . . _____	

<p>(1-7-19..... to 30-9-19.....)</p> <p style="text-align: right;">(1-10-19..... to 31-12-19.....)</p>	
<p>SECTION 2</p> <p>QUARTERLY PRODUCTION DATA</p>	
<p>5. (i) Total Crude Palm-Oil Produced . . . . . Metric Tons</p> <p>(ii) Total F.F.B. Processed . . . . . Metric Tons</p> <p>(iii) Total Metered or Estimated Water Consumption . . . . . Cubic Metres (m3).</p>	
<p>SECTION 3</p> <p>QUARTERLY PRODUCTION DATA</p>	
<p>6. Effluent Discharge into Watercourse/Effluent Discharge onto Land. (<i>Delete whichever not applicable</i>).</p> <p>NOTE:</p> <p>(a) The quantity and quality of the effluent must be as determined at the point of discharge in accordance with the procedure and standard methods laid down by the Director General.</p> <p>(b) The sampling and flow measurement of the effluent need be done on any one day only in each of the weeks or months indicated by the columns below. The dates must be shown in the spaces provided. Wherever possible, the sampling and flow measurement should be done in the specified weeks rather than the specified months. The analysis for items (vi), (vii), and (xi) need be done only once in the quarter, on the same sample as that used for the analysis for the other items.</p> <p>The times of sampling for items (iii) to (xi) must also be shown in the spaces provided. The state of the weather at the time of sampling should be recorded as, for example, "dry", "wet", or "heavy rain".</p> <p>(c) If this is a first return for a period covering more than one quarter, as permitted by regulation 10</p>	

(4) of the Environmental Quality (Prescribed Premises) (Crude Palm-Oil) Regulations, 1977, the information required for the period before the first full quarter may be given in a supplementary sheet.

	<i>First Week or First Month</i>	<i>Fifth Week or Second Month</i>	<i>Ninth Week or Third month.</i>
Date . . . . .	.....	.....	.....
Time . . . . .	.....	.....	.....
Weather . . . . .	.....	.....	.....
(i) Total Discharge over 24 Hours; Cubic Metres (m <sup>3</sup> )	.....	.....	.....
(ii) Maximum Discharge over 1 Hour; Cubic Metres (m <sup>3</sup> )	.....	.....	.....
(iii) Temperature (°C)	.....	.....	.....
(iv) pH . . . . .	.....	.....	.....
(v) B.O.D.;(3-day; 30 °C); mg/1	.....	.....	.....
(vi) C.O.D.; mg/1 . . . . .	.....	.....	.....
(vii) Total Solids; mg/1 . . . . .	.....	.....	.....
(viii) Suspended Solids; mg/1	.....	.....	.....
(ix) Oil and Grease; mg/1	.....	.....	.....
(x) Ammoniacal - Nitrogen; mg/1 . . . . .	.....	.....	.....
(xi) Total Nitrogen; mg/1	.....	.....	.....
7. If the disposal of the effluent or any quantity of it is neither into a watercourse nor onto land, state mode of disposal:			

I hereby declare that all information given in this return is to the best of my knowledge and belief true and correct.

Date .....

.....

*Signature of Reporting Official.*

**SECOND SCHEDULE**

**SECOND SCHEDULE**

(Regulation 12(2) and (3))

**PARAMETER LIMITS FOR WATERCOURSE DISCHARGE**

*Parameters*

*Limits according to period of discharge*

	<i>1-7-1978 - 30-6-1979</i>	<i>1-7-1979 - 30-6-1980</i>	<i>1-7-1980 - 30-6-1981</i>	<i>1-7-1981 - 30-6-1982</i>	<i>1-7-1982 - 31-12-1983</i>	<i>1-1-1984 - and thereafter</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Biochemical Oxygen Demand (B.O.D.) 3- day, 30 °C; mg/l . .	5,000	2,000	1000	500	250	100
Chemical Oxygen Demand (C.O.D); mg/l	10,000	4,000	2,000	1,000	—	—

Total Solids; mg/1	4,000	2,500	2,000	1,500	–	–
Suspended Solids; mg/1 . . . . . .	1,200	800	600	400	400	400
Oil and Grease; mg/1	150	100	75	50	50	50
Ammoniacal- Nitrogen; mg/1 . . . . .	25	15	15	10	150*	150*
Total Nitrogen; mg/1	200	100	75	50	300*	200*
pH . . . . .	5.0-9.0	5.0-9.0	5.0-9.0	5.0-9.0	5.0-9.0	5.0-9.0
Temperature; °C	45	45	45	45	45	45

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\* Value of filtered sample.

*[Subs. P.U.(A)183/82]*

### **THIRD SCHEDULE [Regulation 16 (1)]**

#### **METHOD OF COMPUTING EFFLUENT-RELATED AMOUNT OF LICENCE FEE**

1. The amount shall be related to the total amount of effluent to be discharged from the premises, both into a watercourse and onto land, during the period of the licence.
2. (1) Where effluent is to be discharged only into a watercourse, the method of computation in Part A shall apply.

(2) Where the period for the licence is a complete year, and the amount computed according to the method in Part A is \$150.00 or less, the amount to be charged shall be \$150.00.

(3) The minimum amount of \$150.00 shall be proportionately reduced where the period of the licence is less than a complete year.

(4) For the purpose of sub-paragraph (3), any period of licence of less than one month shall be reckoned and charged for as one month.

3. (1) Where effluent is to be discharged only onto land, the method of computation in Part B shall apply.

(2) Where the period of the licence is a complete year, and the amount computed according to the method in Part B is \$150.00 or less, the amount to be charged shall be \$150.00.

(3) The minimum amount of \$150.00 shall be proportionately reduced where the period of the licence is less than a complete year.

(4) For the purpose of subparagraph (3), any period of licence of less than one month shall be reckoned and charged for as one month.

4. (1) Where effluent is to be discharged both into a watercourse and onto land, the method of computation in Part A shall apply in respect of the effluent to be discharged into a watercourse and the method of computation in Part B shall apply in respect of the effluent to be discharged onto land, and the amount to be charged shall be the total of the two amounts thus arrived at.

(2) Where the period of the licence is a complete year, and the total of the two amounts is \$150.00 or less, the amount to be charged shall be \$150.00.

(3) The minimum amount of \$150.00 shall be proportionately reduced where the period of the licence is less than a complete year.

(4) For the purpose of subparagraph (3), any period of licence of less than one month shall be reckoned and charged for as one month.

5. (1) Where no effluent is to be discharged either into a watercourse or onto land during the period of the licence, the amount to be charged shall be \$150.00 per year.

(2) The minimum amount of \$150.00 shall be proportionately reduced where the period of the licence is less than a complete year.

(3) For the purpose of sub-paragraph (2), any period of licence of less than one month shall be reckoned and charged for as one month.

6. In construing this Schedule for the purpose of recovery of fees under Section 17 of the Act, references to effluent to be discharged shall be construed as references to effluent actually, or deemed to have been actually, discharged.

## **PART A**

### **DISCHARGE INTO A WATERCOURSE**

#### **Discharge During Period 1.7.1978 to 30.6.1979.**

I. Where the effluent to be discharged has a B.O.D. concentration of 5,000 milligrammes or less per litre, the amount shall be \$10.00 per metric ton or part of a metric ton of the B.O.D. load of the total amount of effluent to be discharged.

II. Where the effluent to be discharged has a B.O.D. concentration in excess of 5,000 milligrammes per litre, the B.O.D. load of the total amount of effluent to be discharged shall first be determined on the basis of the actual B.O.D. concentration of the effluent; next shall be determined the B.O.D. load of the total amount of effluent to be discharged if the effluent were to have a B.O.D. concentration of 5,000 milligrammes per litre; the amount shall then be ?

(a) \$10.00 per metric ton or part of a metric ton of the second B.O.D. load, plus

(b) \$100.00 per metric ton or part of a metric ton of the difference between the two B.O.D. loads.

III. For the purposes of paragraphs I and II, the B.O.D. concentration and the total amount of effluent to be discharged shall be as represented by the applicant or, where the Director General limits the B.O.D. concentration and the amount by way of condition of licence, as so limited.

#### **Discharge on or after 1.7.1979.**

I. The amount shall be \$10.00 per metric ton or part of a metric ton of the B.O.D. load of the total amount of effluent to be discharged, determined on the basis of the B.O.D. concentration limited by the Director General by way of condition of licence.



II. For the purposes of paragraph I, the total amount of effluent to be discharged shall be as represented by the applicant or, where the Director General limits the amount by way of condition of licence, as so limited.

## **PART B DISCHARGE ONTO LAND**

### **Discharge During Period 1.7.1978 to 30.6.1979.**

I. Where the effluent to be discharged has a B.O.D. concentration of 5,000 milligrammes or less per litre, the amount shall be \$50.00 per thousand metric tons or part of a thousand metric tons of the total amount of effluent to be discharged.

II. Except as provided in paragraph IV, where the effluent to be discharged has a B.O.D. concentration in excess of 5,000 milligrammes per litre, a further amount determined in accordance with paragraph III, shall be charged.

III. The B.O.D. load of the total amount of effluent to be discharged shall first be determined on the basis of the actual B.O.D. concentration of the effluent; next shall be determined the B.O.D. load of the total amount of effluent to be discharged if the effluent were to have a B.O.D. concentration of 5,000 milligrammes per litre; the amount shall then be \$100.00 per metric ton or part of a metric ton of the difference between the two B.O.D. loads.

IV. Where the effluent to be discharged has a B.O.D. concentration in excess of 5,000 milligrammes per litre, and the Director General is satisfied that the discharge of such effluent will not cause any adverse environmental effect in any material degree, he may, with the approval of the Minister, completely or partially waive the amount determined in accordance with paragraph III.

V. For the purposes of paragraphs I, II and III, the B.O.D. concentration and the total amount of effluent to be discharged shall be as represented by the applicant or, where the Director General limits the B.O.D. concentration and the amount by way of condition of licence, as so limited.

### **Discharge on or after 1.7.1979.**

The amount shall be \$50.00 per thousand metric tons or part of a thousand metric tons of the total amount of effluent to be discharged, as represented by the applicant or, where the Director General limits the amount by way of condition of licence, as so limited.

## LIST OF AMENDMENTS

<i>Amending Law</i>	<i>Short title</i>	<i>In force from</i>
<a href="#"><u>P.U.(A) 183/82</u></a>	Environmental Quality (Prescribed Premises) (Crude Palm Oil) (Amendment) Regulations 1982	1-7-1982

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