



## Executive Regulations

# For the Environmental Rehabilitation of Degraded Sites and Remediation of Polluted Sites

For the Environmental Law Issued by the Royal Decree

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**\*\*\* Note: In the event of any discrepancy between the Arabic original version of this Executive Regulations and its English translation, the Arabic version prevails \*\*\***





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## **Article (1): Definitions**

The following terms and expressions – wherever they appear in this Executive Regulations – shall have the meanings set forth below, except where it is therein expressly otherwise:

**Law:** Environmental Law.

**Executive Regulations:** The Executive Regulations for the Environmental Law.

**Executive Regulations:** The Executive Regulations for the Environmental Rehabilitation of Degraded Sites and Remediation of Polluted Sites.

**Ministry:** Ministry of Environment, Water and Agriculture.

**Minister:** Minister of Environment, Water and Agriculture.

**Center:** National Center for Environmental Compliance.

**Competent Authority:** The Ministry or any of the national environmental centers, within their jurisdictions.

**Inspectors:** Employees designated by the Minister or the chairman of the Center's board of directors to undertake environmental monitoring and inspections, and to apprehend, investigate, and substantiate violations to the provisions of the law and Executive Regulations.

**Person:** Any public or private natural or legal person.

**Service Provider:** A person licensed by the Center to provide environmental services.

**Activity:** Any industrial, commercial, or service-related facility, project, business, or other activities that are expected to have an environmental impact.

**Permit:** A document issued by the Center to a person before undertaking an activity.

**Environmental Pollution:** Presence of one or more substances or factors, in specific quantities or with specific characteristics, over a period of time, that directly or indirectly cause environmental harm.

**Environmental Degradation:** Severe damage to the environment caused by the depletion of natural resources, or the destruction of habitats, or the extinction of wildlife species, or the pollution of environmental media and the deterioration of air, water, and soil quality.

**Compensation:** Monetary amount paid by the person who causes the damage, pollution, or environmental degradation, to compensate for or eliminate the deterioration resulting from such damage, pollution, or environmental degradation. The compensation includes rehabilitation expenses in the event that rehabilitation was not carried out by the person causing damage, pollution, or environmental degradation.

**Environmentally Sensitive Areas:** Areas that have environmental significance and whose degradation has negative repercussions for the environment. They include protected areas, parks, forests, wetlands, significant bird habitat, mangroves, landscaped sites, watersheds, water catchment, and run-off areas, beaches, waterways, aquifers, or any other area(s) identified or declared as environmentally sensitive areas by the State, the Ministry or national environmental centers.



**Sensitive Receptors:** Receptors that are likely to be severely affected by activity or project due to their geographical proximity or sensitive nature. They include environmental elements, living species, archeological, cultural, and religious sites, and community groups (such as endangered species, hospitals, elder care centers, schools, residential complexes, and others).

**Environmental Rehabilitation:** Any procedure conducted on an environmentally degraded site or one that is affected by environmental damage or pollution, to restore its natural state of environmental balance, in accordance with the standards set by the competent authority.

**Remediation of Polluted Sites:** Any procedure conducted on a polluted site to restore it to its natural state of environmental balance in accordance with the requirements of the competent authority.

**The Polluter-Pays Principle:** The polluter incurs the expenses of field environmental studies, remedial activities, pollution control and reduction, environmental rehabilitation, and the necessary compensation.

## **Article (2): Scope of Application**

The provisions of this Executive Regulations shall apply to all degraded or polluted sites located within the Kingdom's territory.

## **Article (3): The Center's Scope of Work regarding the Environmental Rehabilitation of Degraded Sites and Remediation of Polluted Sites**

The Center shall undertake the tasks related to environmental rehabilitation of degraded sites and remediation of polluted sites, including:

- (1) Setting the requirements and controls for the development of plans for the environmental rehabilitation of degraded sites and remediation of polluted sites.
- (2) Setting the requirements and controls for the implementation of plans for the environmental rehabilitation of degraded sites and remediation of polluted sites.
- (3) Undertaking relevant measures to ensure the application of requirements and controls during the implementation of plans for the environmental rehabilitation of degraded sites, and remediation of polluted sites.
- (4) Publishing a list of service providers licensed by the Center to develop and implement plans for the environmental rehabilitation of degraded sites and remediation of polluted sites.
- (5) Reviewing plans for the environmental rehabilitation of degraded sites and remediation of polluted sites, and issuing relevant decisions.





- (6) Identifying degraded and polluted sites that require environmental rehabilitation or remediation, and determining the scale and type of pollution as well as requirements for remediation or environmental rehabilitation.
- (7) Establishing a database for degraded and polluted sites.
- (8) Coordinating with the relevant authorities with regard to degraded and polluted sites under their supervision to obligate persons responsible for such degradation and pollution, to develop and implement rehabilitation or remediation plans.
- (9) Coordinating with other national environmental centers whenever the submitted plans or the environmental rehabilitation and remediation processes are within their jurisdiction.
- (10) Inspecting, monitoring, and apprehending all violations to this Executive Regulations; and coordinating with the security authorities at the Ministry of the Interior, whenever necessary, to apprehend violators.

#### **Article (4): General Provisions**

- (1) Any person who has engaged in an action or activity that has led to environmental degradation or pollution must cease the pollution source, decontaminate, and conduct environmental rehabilitation and remediation.
- (2) The person, causing environmental damage, pollution, or degradation, must pay compensation under the polluter-pays principle.
- (3) Inspection shall be conducted in accordance with the provisions of the Executive Regulations for Environmental Inspections and Audits as stipulated in this Executive Regulations.

#### **Article (5): Degraded Sites' Environmental Rehabilitation and Polluted Sites' Remediation Plans**

##### **First: Degraded Sites' Environmental Rehabilitation Plan**

- (1) All persons must develop and submit a degraded sites' environmental rehabilitation plan to the Center in the following cases:
  - a. The Center may designate certain activities depending on its decision regarding the environmental classification of the activity prior to issuing the environmental permit for certain category I activities, as set forth in the Executive Regulations for Environmental Permits to Establish and Operate Activities. of environmental





- b. Part of an environmental impact assessment study of the activities of categories 2 and 3, as defined in the Executive Regulations for Environmental Permits to Establish and Operate Activities.
  - c. Whenever any incident that requires the environmental rehabilitation of the damaged site occurs during the activity.
  - d. Upon the Center's request, based on findings from environmental inspections or audits.
- (2) All persons must update the environmental rehabilitation plan in the following cases:
- a. When conducting an environmental audit study and submitting its findings in accordance with the Executive Regulations for Environmental Inspections and Audits.
  - b. When any incident that requires the environmental rehabilitation of the damaged site occurs during the activity.
  - c. Upon the Center's request, based on findings from environmental inspections or audits.
- (3) Appendix (2) exhibits the outline and content of the degraded sites' environmental rehabilitation plan, and the Center may request any additional information in this respect or modify the content and outline of the degraded sites' environmental rehabilitation plan, as needed and without prejudice to the key elements of the plan.

### **Second: Plan for the Remediation of Polluted Sites**

- (1) All persons must develop a plan for the remediation of polluted sites and submit it to the Center in the following cases:
- a. When any environmental pollution incident occurs while the activity is being set up, operated, or closed.
  - b. Upon the Center's request, based on findings from environmental inspections or audits.
- (2) Appendix (3) exhibits the outline and content of the plan for the remediation of polluted sites, and the Center may request any additional information in this respect or modify the content and outline of the plan for the remediation of polluted sites, as needed and without prejudice to the key elements of the plan.

### **Third: Development of Plans**

The plans for environmental rehabilitation of degraded sites and remediation of polluted sites shall be developed by a licensed service provider, while the Center may accept, in exceptional cases, that those plans be developed by entities having high expertise in this field and approved by the Center. The Center shall issue requirements and controls that specify those exceptional cases and the required expertise of the aforementioned entities.





### **Article (6): Mechanism for Handling the Environmental Rehabilitation or Remediation Plans**

- (1) The Center shall review the plan for environmental rehabilitation or remediation of polluted sites in accordance with Appendix (1).
- (2) The Center may visit the site for inspection and verification of the details of the plan for environmental rehabilitation or remediation of polluted sites to confirm the findings of the inspection.
- (3) If the Center approves the plan for environmental rehabilitation or the plan for the remediation of polluted sites, the service provider must implement the plan as per the methodology and timeline specified in their outcomes and recommendations.

### **Article (7): Environmental Rehabilitation or Remediation Plans' Implementation**

- (1) All persons or activities must commit to implementing the plan for environmental rehabilitation and/or plan for the remediation of polluted sites approved by the Center, during the process of environmental rehabilitation and/or remediation of polluted sites. In the event there is a need to amend the plan, the person or activity must first obtain the Center's approval.
- (2) All persons or activities must submit periodic reports to the Center on the progress of environmental rehabilitation and/or remediation of polluted sites – as specified in the Center's approval of the plan – provided that these reports are documented with photographs, findings of analyses, and an updated timeline.
- (3) All persons must promptly notify the Center of any incident occurring during the environmental rehabilitation and/or remediation of polluted sites.
- (4) The Center may inspect the site during the environmental rehabilitation and/or remediation of polluted sites and verify that the details of environmental rehabilitation and/or remediation of polluted sites are consistent with the approved plan.
- (5) The Center may conduct any inspection, examination, measurement, or testing during the site inspection.

### **Article (8) – Violations Apprehension and Penalties Imposition**

Violations of the provisions of the Executive Regulations shall be apprehended, and the penalties set out in Table (1) shall be imposed in accordance with the Executive Regulations for Apprehension of Violations and Imposition of Penalties of environmental Law, taking into account the following:

- (1) For serious violations a penalty shall be prescribed that is proportional to the damage degree, size, and the inherent importance of the damaged site, and the economic and social implications arising therefrom.







- (2) The penalty for significant violations referred to in clause (1) of this article shall be estimated by a committee composed of experts and qualified persons, established by a decision of the Center's CEO.
- (3) Violations shall be deemed serious if they involve any of the following acts:
- Acts stipulated in Article (35) of the law.
  - Acts that lead to environmental degradation.
  - Acts that harm sensitive receptors or environmentally sensitive areas.

**Table (1): Violations and Penalties**

#	Violation	Penalty (in Saudi Riyals)	Comments
1	Submitting to the Center inaccurate information or data in the plan for environmental rehabilitation and/or plan for the remediation of polluted sites.	From 10,000 to 100,000 depending on the size of incorrect information and data, and as determined by the Center	The violator must rectify the violation and be referred to public prosecution
2	Refraining from implementing the plan for environmental rehabilitation and/or plan for the remediation of polluted sites	Category 1: 15,000	The violator must rectify the violation, repair the damage, and pay compensations
		Category 2: 30,000	
		Category 3: 100,000	
3	Failure to comply with the provisions of the Center's approved plan for environmental rehabilitation and/or plan for the remediation of polluted sites	Category 1: 15,000	The violator must rectify the violation, repair the damage, and pay compensations
		Category 2: 30,000	
		Category 3: 100,000	
4	Failure to comply with the requirements for the Center's approval of the implementation of the plan for environmental rehabilitation and/or remediation of polluted sites	From 10,000 to 100,000 per requirement depending on its significance and as determined by the Center	The violator must rectify the violation
5	Failure to inform the Center of the occurrence of any environmental incident during the environmental rehabilitation and/or remediation of polluted sites	Category 1: 10,000	The violator must rectify the violation, repair the damage, and pay compensations
		Category 2: 20,000	





#	Violation	Penalty (in Saudi Riyals)	Comments
		Category 3: 30,000	
6	Failure to update the environmental rehabilitation plan when requested by the Center	Category 2: 20,000	The violator must rectify the violation, repair the damage, and pay compensations
		Category 3: 30,000	
7	Implementing the degraded sites' environmental rehabilitation plan or the remediation of polluted sites' plan without the Center's approval	Category 1: 10,000	The violator must rectify the violation, repair the damage, and pay compensations
		Category 2: 20,000	
		Category 3: 30,000	





## Appendix (1): Mechanism for Reviewing the Environmental Rehabilitation, and Remediation Plans

First: Developing and Updating the Environmental Rehabilitation Plans	
The Center may designate certain activities depending on its decision regarding the environmental classification of the activity prior to issuing the environmental permit for certain category I activities pertaining to section First/(1)/a.) of Article (5) of environmental	<ol style="list-style-type: none"><li>1- The Center grants persons thirty (30) working days, as of the date of the classification decision, to develop and submit an environmental rehabilitation plan.</li><li>2- Within fifteen (15) working days of receiving the plan, the Center reviews it and makes a decision which may include:<ol style="list-style-type: none"><li>a. Approval of the plan.</li><li>b. Request that the plan be rectified or that missing parts be added. The Center reviews the revised plan within five (5) working days and makes an approval decision.</li><li>c. Rejection of the plan provided that the rejection is justifiable, in which case the person must submit a new plan.</li></ol></li><li>3- The person is entitled to object to the decision in accordance with the Executive Regulations for Environmental Permits to Establish and Operate Activities.</li></ol>
Part of an environmental impact assessment study of the activities of categories 2 and 3, as defined in the Executive Regulations for Environmental Permits to Establish and Operate Activities.	<ol style="list-style-type: none"><li>1- The Center reviews the plan enclosed with the environmental impact assessment study and issues the relevant decision during the period specified for reviewing the environmental impact assessment study in accordance with the Executive Regulations for Environmental Permits to Establish and Operate Activities. The decision may include:<ol style="list-style-type: none"><li>a. Approval of the plan.</li><li>b. Request to rectify the plan or add the missing parts. The Center reviews the revised plan during the period assigned for the review, in accordance with the Executive Regulations for Environmental Permits to Establish and Operate Activities, and issues an approval decision.</li><li>c. Rejection of the plan provided that this rejection is justified, in which case the person must submit a new plan.</li></ol></li><li>2- The person is entitled to object in writing to the decision in accordance with the Executive Regulations for Environmental Permits to Establish and Operate Activities.</li></ol>
Whenever conducting an environmental audit study and submitting its findings in accordance with the Executive Regulations for Environmental Inspections and Audits	<ol style="list-style-type: none"><li>1- The Center reviews the plan enclosed with the environmental audit study and issues the relevant decision during the period specified for reviewing the environmental audit study in accordance with the Executive Regulations for Environmental Inspections and Audits. The decision may include:<ol style="list-style-type: none"><li>a. Approval of the plan.</li><li>b. Request to rectify the plan or add the missing parts. The Center reviews the revised plan during the period assigned for the review, in accordance with the Executive Regulations for Environmental Inspections and Audits, and issues an approval decision.</li><li>c. Rejection of the plan provided that this rejection is justified, in which case the person must submit a new plan.</li></ol></li></ol>





	2- The person is entitled to object in writing to the decision in accordance with the Executive Regulations for Environmental Inspections and Audits.
<p>a. When an incident occurs during the activity and leads to environmental degradation</p> <p>b. Upon the Center's request, based on findings from environmental inspections and audits</p>	<p>1- The Center grants persons ten (10) working days to submit or update the environmental rehabilitation plans.</p> <p>2- The Center reviews the plan and issues the relevant decision within five (5) working days, and the decision may include:</p> <ol style="list-style-type: none"> <li>Approval of the plan.</li> <li>Request to rectify the plan or add the missing parts. The Center reviews the revised plan within five (5) working days and issues its decision of approval.</li> <li>Rejection of the plan provided that this rejection is justified, in which case the person must submit a new plan.</li> </ol> <p>3- The person is entitled to object in writing to the Center's decisions within ten (10) working days as of the date of notification, and objections received after the specified period shall not be accepted.</p> <p>4- The Center shall decide on objections within ten (10) working days as of the date of their receipt.</p>

### **Second: Developing the Remediation Plans**

<p>a. When any environmental pollution incident occurs while establishing, operating, or closing the activity</p> <p>b. When the Center requests that, based on the findings of environmental inspections and audits</p>	<p>1- The Center grants persons ten (10) working days to submit the plan for the remediation of polluted sites.</p> <p>2- The Center reviews the plan and issues the relevant decision within ten (10) working days, and the decision may include:</p> <ol style="list-style-type: none"> <li>Approval of the plan.</li> <li>Request to rectify the plan or add the missing parts. The Center reviews the revised plan within five (5) working days and issues its decision.</li> <li>Rejection of the plan provided that this rejection is justified, in which case the person must submit a new plan.</li> </ol> <p>3- The person is entitled to object in writing to the Center's decisions within ten (10) working days as of the date of notification, and objections received after the specified period shall not be accepted.</p> <p>4- The Center shall decide on objections within ten (10) working days as of the date of their receipt.</p>
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### **Appendix (2): Outline and Content of the Degraded Sites' Environmental Rehabilitation Plan**

<b>Chapter Number</b>	<b>Chapter Title</b>	<b>Subtitles</b>
	Table of Contents	
	List of Tables	
	List of Figures	
	Definition of Terms	
	Executive Summary	





Chapter Number	Chapter Title	Subtitles
1	Introduction	(1-1) Scope and Objectives (1-2) Information on the Activity (1-3) Statement of Commitment
2	Regulatory Requirements	
3	Activity Description	(3-1) Suggested and Existing Activities Requiring Environmental Rehabilitation: (3-1-1) Site Location (3-1-2) Activities (3-1-3) Activity Stages (3-1-4) Site Plan (3-2) Abandoned Sites Requiring Environmental Rehabilitation: (3-2-1) Site (3-2-2) Site Plan (3-2-3) Timeline for Environmental Rehabilitation
4	Land Uses Following Environmental Rehabilitation	
5	Site Description	(5-1) Study Area (5-2) Climate (5-3) Land Use (5-4) Topography (5-5) Geology (5-6) Hydrology and Water Resources (5-7) Biological Resources (5-8) Historical and Cultural Features (5-9) History of Site Activities (5-10) Summary of Sensitive Receptors
6	Environmental Rehabilitation Plan	(6-1) Environmental Rehabilitation Objectives (6-2) Land Stability (6-3) Aquifers and Surface Water Recovery (6-4) Restoring Wildlife and Vegetation Cover (6-5) Managing Chemicals and Waste (6-6) Facilities and Equipment (6-7) Public Safety (6-8) Monitoring Plan (6-8-1) Physical Monitoring (6-8-2) Chemical Monitoring (6-8-3) Biological Monitoring (6-8-4) Historical and Cultural Features Monitoring (6-8-5) Summary of environmental Monitoring Plan (6-9) Reporting (6-10) Emergency Management Plan (6-11) Cost of Environmental Rehabilitation and Monitoring
7	Summary and Conclusion	
	Appendices	- References





Chapter Number	Chapter Title	Subtitles
		<ul style="list-style-type: none"><li>- Biographies of Report Authors</li><li>- Relevant Regulatory Documents</li><li>- Maps and Illustrations</li><li>- Other Relevant Documents as Needed</li></ul>





### Appendix (3): Outline and Content of the Remediation of Polluted Sites' Plan

Chapter Number	Chapter Title	Subtitles
	Table of Contents	
	List of Tables	
	List of Figures	
	Definition of Terms	
	Executive Summary	
1	Introduction	(1-1) Pollution (1-2) Scope and Objectives of the Remediation of Polluted Sites (1-3) Information on the Activity (1-4) Suggested Land Use
2	Legal Requirements	
3	Site Description	(3-1) Location (3-2) Site History and Land Use (3-3) Previous Studies (3-4) Data on the Current Status of the Site and Surrounding Environment (3-4-1) Climate (3-4-2) Topography (3-4-3) Geology (3-4-4) Hydrology and Water Resources (3-4-5) Biological Resources (3-4-6) Sensitive Receptors (3-4-7) Other Relevant Data as Needed (3-4-8) Summary of Sensitive Receptors
4	Pollution Assessment	(4-1) Pollution Causes and Source (4-2) Degree of Pollution
5	Management Plan for the Remediation of Polluted Sites	(5-1) Objectives (5-2) Assessment of Options for the Remediation of Polluted Sites (5-3) Measures for the Remediation of Polluted Sites (5-4) Health, Safety, and Environment Management Plan
6	Monitoring Plan	
7	Conclusion and Recommendations	
	Appendices	- References - Biographies of Report Authors - Relevant Regulatory Documents - Maps and Illustrations



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