LIST OF TOXIC AND HAZARDOUS AIR POLLUTANTS (2018)

Issued January 25, 2019

To implement the relevant requirements of the government’s law on the Prevention and Control of Atmospheric Pollution (Atmosphere Law), the Ministry of Ecology and Environment (MEE) has organized the research and formulation of the List of Toxic and Hazardous Air Pollutants (2018) (Air Pollutant List). The Air Pollutant List is comprised of 11 pollutants, including six volatile organic compounds (VOCs), as well as five types of heavy metals and metalloids and their compounds. These 11 pollutants are based on the Priority Control Chemicals List (First Batch) issued by the former Ministry of Environmental Protection (MEP) and relevant ministries and commissions that selected to have national emission standards and monitoring measures, as well as chemical substances emitted from fixed stationary sources that can be effectively controlled.

This is the first edition of the Air Pollutant List. The list will be updated accordingly as relevant changes are made to environmental quality requirements and management knowledge level based on risk assessment results.
GROUNDWATER POLLUTION PREVENTION AND CONTROL IMPLEMENTATION PLAN

Issued March 28, 2019

The MEE, the Ministry of Natural Resources, the Ministry of Housing and Urban-Rural Development, the Ministry of Water Resources and the Ministry of Agriculture and Rural Affairs recently issued the Groundwater Pollution Prevention and Control Implementation Plan.

The plan proposes safeguarding groundwater-drinking water sources; establishing groundwater pollution prevention and control regulatory frame work standards, as well as a nationwide monitoring system; coordinating pollution control of surface water/soil and groundwater in a region and/or an individual site; and implementing the four key tasks identified in the Ten Water Action Plans for Water Pollution Control (published April 16, 2015) that established action on pollution, prevention and control: investigation and evaluation, seepage prevention reconstruction, remediation pilot, and well abandonment.

The plan aims for the worst quality groundwater in the country to be controlled by approximately 15% by 2020. By 2025, the quality of city-level centralized drinking water sources shall be at overall proportion of 85% Class III or above. By 2035, the government will strive to improve the overall quality of groundwater environments and restore ecosystem functions.

The plan puts the onus on provinces to manage their own regional groundwater pollution, and the MEE will carry out central ecological environmental protection inspections.

WORK SAFETY INCIDENT CONTINGENCY REGULATIONS

Implemented April 1, 2019

Work Safety Incident Contingency Regulations support the implementation of the Safety Production Law and the Emergency Response Law. The promulgation and implementation of these regulations will improve governance and the emergency response for workplace incidences.

The regulations define three systems (the contingency planning system, regular emergency drill system and emergency duty system), one mechanism (the emergency first response mechanism) and four aspects of contingency management and safeguarding requirements (requirements for personnel, materials, science and technology, and information technology). They also stipulate legal liability for violations.

Article 8 stipulates that companies managing the production, storage and transportation of hazardous materials should organize at least one production safety emergency rescue plan drill every six months, and that the relevant authorities shall conduct spot checks for the drills. Affected industries include inflammable and explosive materials and hazardous chemicals, mining, metal smelting, urban rail transit and construction, and tourism.

Article 17 states that after an incident occurs, companies should trigger the contingency plan immediately, quickly bring the source of danger under control, rescue any personnel in danger, organize an evacuation, take measures to prevent secondary disasters from occurring, maintain order at the scene and protect the scene and related evidence. Furthermore, if the company’s emergency response capacity is exceeded, they should request support from the relevant authorities or other companies without delay.

The regulations clarify that the employer is the party responsible and accountable for safety in their workplace(s).
FIRE PROTECTION LAW

Amended April 23, 2019

A total of 11 amendments were made to fire protection design including examination, inspection and approval, filing and fire safety inspection of construction projects and to the titles of related functional agencies.

The main points are as follows:

- The local Housing and Urban-Rural Development Bureau shall review proposed construction projects, and impose fines, shutdown and other administrative penalties for violations.
- The Emergency Management Bureau has been given new responsibilities including supervising and managing fire safety; strengthening the approach to fires safety education and communication; key entities subject to fire control; formulating and promulgating policies related to fire safety products; reporting major fire hazards to the government.
- The Public Security Fire Department is now called the Fire Rescue Agency, and the Public Security Fire Brigade is now called the National Comprehensive Fire Rescue Team.
- Fire rescue agencies have retained fire safety supervision.
- Fire safety inspections preceding public gatherings remains a statutory requirement. The fire rescue agency shall order a halt to usage, suspend production, shut down operations and impose a fine of RMB 30,000 to RMB 300,000 for those that have not been inspected or that have failed inspection for carrying out unsafe operations.
- Police departments remain responsible for daily fire safety supervision and inspection and carrying out fire safety education and communication as prescribed by the Ministry of Public Security.

SHANGHAI DOMESTIC WASTE MANAGEMENT REGULATIONS

Implemented July 1, 2019

These regulations clarify the responsibilities of local governments, sub-district offices and other entities, and stipulate specific mandatory actions:

- There should be an overall reduction in product packaging and express delivery packaging.
- Disposable cups are not to be used in the offices of government agencies.
- Hotels are not permitted to provide single-use daily necessities in guest rooms.
- Delivery service providers and are not permitted to provide free disposable chopsticks, spoons or other cutlery.

They also clarify the definition of “domestic waste” as well as collection and transportation methods. Collection and transportation companies must use enclosed vehicles and vessels and are prohibited from using mixed transportation. There is also a supervision mechanism introduced of “non-collection of unsorted and non-disposal of unsorted”, ensuring that complete sorting is achieved.

In 2019, Shanghai will use the implementation of these regulations as an opportunity to achieve full coverage of the Shanghai municipal domestic waste sorting and classification and strive to achieve standardization of sorting in 70% of residential areas. Shanghai will also increase communications, carry out graded training on regulations and establish a volunteer team to cover about 5,800 residence communities.
ZHEJIANG
EIA AGENCY
CREDIT RATING
MANAGEMENT
APPROACH

Implemented February 17, 2019

These measures apply to all environmental impact assessment agencies operating within Zhejiang Province, and are the first to establish assessment requirements for environmental impact assessment (EIA) practitioners.

The EIA agency credit rating comprises of four aspects: construction project environmental impact report and form compilation quality, EIA agency service quality, EIA agency standardization and EIA agency routine supervision.

To practically strengthen the timeliness and effectiveness of the credit rating, a dynamic credit rating was implemented based on the existing annual rating. A quarterly spot check rating has been added, and the EIA report quality and preparation effectiveness approved by the ecology and environment bureau at various levels are evaluated during the previous quarter of the year. Routine supervision scores have been refined and points are added or subtracted in routine environmental impact examinations, such as for not meeting environmental impact quality scores or exceeding time limits. Assessment results will be published when changes to EIA agency credit rating occur and penalties imposed accordingly.

The regulations stipulate that governance of the people and prevention and control of the source must be upheld, and that the management of various environmental pollution factors must be strengthened. The basic requirements for pollution preventive treatment of environmental factors such as air, water, soil, noise, ocean and agriculture are clarified.

Organizations and institutions that discharge pollutants are required to establish a responsibility system for ecological environmental protection, clarify the responsibilities of the people in charge of the company and related personnel, and form a network with the monitoring equipment of the department in charge of ecology and the environment to ensure normal operation and make monitored data public.

TIANJIN
ECOLOGICAL
ENVIRONMENTAL
PROTECTION
REGULATIONS

Implemented March 1, 2019

These regulations clarify government responsibilities and reinforce supervision and management, and each level of government is responsible for ecological environmental quality in their respective administrative region. The achievement of environmental protection objectives is incorporated in relevant municipal government department, district government and their responsible person’s performance assessment and evaluation.

The regulations stipulate that pollution preventive treatment collaboration mechanisms, regular public consultations on major issues, joint inspections and joint law enforcement are discussed, as well. The regulations explicitly encourage and support Tianjin – as well as the areas bordering and related to Beijing and Hebei Provinces – to jointly investigate and manage cross-regional, cross-basin environmental violations and emergency environmental incidents.