IMPLEMENTATION RULES FOR MANAGEMENT REGULATIONS FOR MONITORED CHEMICALS

Effective January 1, 2019

These rules replace the Implementation Rules for Monitored Chemical Products issued in March 1997. Major revisions include:

- Improved and clarified regulations regarding implementation subjects, conditions, procedures and timeframes pertaining to special permits for chemicals subject to types 2 and 3 monitoring; chemicals, including phosphorus, sulfur and fluorine, subject to type 4 monitoring; permits for type 2 monitoring related to operations and use.
- Optimized the chemical monitoring data reporting system. Added requirements for the retention of records for chemicals subject to types 2, 3 and 4 monitoring, as well as stipulations regarding cases where production must be halted. All relevant records must be forwarded to and retained by the local supervisory agency.
- Added a definition for “international inspections” and information on the scope of businesses subject to international inspections and related obligations. Local authorities will provide transportation and other safeguards for international inspections.
- Refined management systems pertaining to chemical products subject to type 2 monitoring. Further improved the relevant systems/requirements that producers, users and sellers of chemical products subject to type 2 monitoring must abide by during production, use, sales and production stoppage.
- Eliminated requirements concerning storage and shipment of monitored chemicals.

Note: The regulatory information contained herein is current as of October 2018. The next issue of the China Update will be published in December 2018.
**PROJECT COMPLETION INSPECTION & APPROVAL**

Implemented May 16, 2018

Project Completion Inspection & Approval (PCIA) of Environmental Protection Facilities provides general requirements for inspection and approval procedures, self-inspections, PCIA monitoring plans and report drafting, and monitoring technologies. The technical guidelines apply to PCIA with environmental impacts with existing industry PCIA technical standards to be followed and any areas not covered to follow the guidelines. At present, announcements have already been released for air pollution control projects for several industries.

**SOIL ENVIRONMENT OF INDUSTRIAL AND MINING SITES**

Implemented August 1, 2018

The Administrative Measures for the Soil Environment of Industrial and Mining Sites (Pilot) is the successor to the Brownfield Soil Management Rules (Pilot) and Soil Management Rules for Agricultural Land (Pilot). Together, the regulations constitute a system managing the soil pollution prevention process at the source and managing risk.

The measures apply to several industries which require a pollution discharge permit, including ferrous metals smelting, petroleum processing, chemical coking, electroplating, and tanning; industrial-scale and larger ferrous metals mining and processing and petroleum exploit enterprises; and other enterprises listed in the catalogue.

**ENVIRONMENTAL SOIL QUALITY**

Implemented August 1, 2018

The Soil Pollution Risk Control Standards for Agricultural Land (Pilot) aims to protect the quality and safety of food crops. Screening and management values are established for pollution risk on agricultural lands, as well as requirements for monitoring, implementation and supervision. The standards apply to the screening and classification of soil pollution risk on arable land. Reference may also be made to this standard in the case of gardens and pastures.

The Construction Site Soil Pollution Risk Control Standards stipulate screening and management values for soil pollution on construction sites for the protection of human health and apply to soil pollution risk screening and risk control on construction sites.

**WATER POLLUTION PREVENTION IN HEBEI PROVINCE**

Effective September 10, 2018

The regulations stipulate the basic principles for water pollution prevention, including planning and standards, protection of potable water sources, measures for pollution prevention, emergency response and handling interregional cooperation, supervision and management, and legal responsibility. Damage to, or unauthorized removal of, protective fencing, markers or warning signs within a protected potable water source area will result in a halt order from the environmental protection or water authority until the premise is restored to its original condition. A fine of not less than RMB3,000 or more than RMB10,000 may also be imposed. In serious cases, fines may be between RMB10,000 and RMB30,000.

Companies may also face a rectify or halt order with a fine of RMB200,000 to RMB1 million if one of the following violations occurs:

- Discharge exceeding the water pollutant standards or exceeding the total mass for focus pollutants
- Discharge without obtaining a water pollutant discharge permit
- Intended to discharge water pollutants in circumvention of supervisory
- Failure to pre-treatment as required
- Discharge into wastewater treatment plant of non-compliance industrial wastewater
POLLUTION PREVENTION REGULATIONS IN JIANGSU PROVINCE

Implemented May 1, 2018

Articles 13, 20, 41, 47, 49, 58, 80, 84, 85, 88, 89, 92, 93 and 97 of the Air Pollution Prevention Regulations have been revised. Of these, the original text of Article 13, was revised to read “Enterprises and other operators discharging atmospheric pollutants shall pay an environmental protection tax as provided by law.”

In addition, other local laws and regulations were also revised, including Solid Waste Pollution Prevention Regulations and the Yangtze River Pollution Prevention Regulations.

VOC POLLUTANT PREVENTION WORK PLAN IN TIANJIN CITY

Promulgated April 3, 2018

The Thirteenth Five-Year Plan for Volatile Organic Compounds (VOCs) Pollutant Prevention Work Plan promotes prevention of VOCs emissions from target industries, including petrochemicals, chemical industry, packaging and printing, and industrial coatings, as well as from motor vehicles, and shipment and storage of oil products.

The plan aims to implement a series of key control projects and to enhance the control of VOC emissions, primarily aiming at aromatic hydrocarbons, alkenes, alkynes and aldehydes.

Each district is to hold strictly to the requirements for atmospheric quality and based on analysis of ozone and PM2.5 sources, to determine the key VOCs control. At the same time, control of noxious VOCs such as styrene, methanethiol and dimethyl sulfide are to be emphasized.

By 2020, a system to manage the prevention and control of pollution from VOCs must be in place with the hope of reducing total VOC emissions by 20% compared to 2015 levels.

IN TOUCH

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