SOIL POLLUTION PREVENTION AND CONTROL LAW

Effective January 1, 2019

The Soil Pollution Prevention and Control Law clarifies basic systems and rules for items such as soil pollution prevention plans, soil pollution risk management standards, soil pollution surveys and monitoring and remediation.

The environmental authorities will implement a soil environmental monitoring system which sets protocols and a monitoring network while also working with several authorities, including the Ministry of Agriculture and Rural Affairs, Ministry of Natural Resources, Ministry of Housing and Urban-Rural Development, and Bureau of Forestry and Grassland, to perform a national soil pollution survey at least once every ten years.

Violators of the law will incur a maximum fine set at not less than RMB 200,000 or more than RMB 2 million. In serious cases, 5 to 10 days detention may also be ordered. Public security authorities will sanction actions in violation of public safety. In cases of a criminal offense, the matter will be turned over for a legal investigation of criminal liability.
**PUBLIC PARTICIPATION DURING EIA**

Effective January 1, 2019

The measures provide a comprehensive revision to regulations concerning public participation during environmental impact assessment (EIA) for construction projects. They further clarify that construction companies have liability and are responsible for the veracity and results of public participation. Based on the *Environmental Protection Law*, the range of people whose opinions are to be heard include individual persons, legal persons (eg corporations) and other organizations within the scope of the EIA, with precedence given to protecting the interests of affected persons who are participating.

Construction companies are encouraged to hear opinions from the public outside that scope and guarantee broader public participation and rights.

Information disclosure is specified as dissemination through internet, newspaper and poster announcements.

The measures clarify the function of public opinion, optimize public opinion survey methods, establish a comprehensive method for acceptance of public opinion or feedback on the non-acceptance of such opinion, and propose sanctions for fraudulent practices. Detailed procedures for participation are optimized and a classification system will be implemented to help improve efficiency of the process.

**EIA GUIDELINES: ATMOSPHERIC ENVIRONMENT**

Implemented December 1, 2018

The *EIA Guidelines: Atmospheric Environment* (HJ2.2-2018) provide detailed, systematic rules concerning predictive models, parameters, computing methods and assessment content for environmental impact, and add EIA requirements for both compliant and non-compliant. They greatly improve the scientific and operational value of atmospheric impact assessments and will provide better guidance for atmospheric EIA work for current and planned construction and masterplan project. These revised guidelines will satisfy both requirements of the pollution discharge permit and EIA systems.

**NEAR-SURFACE DISPOSAL RADIOACTIVE SOLID WASTE**

Effective January 1, 2019

The *Safety Requirements for Near-Surface Disposal of Low- and Medium-Level Radioactive Solid Waste* (GB 9132-2018) has been approved as the standard for the prevention of radioactive pollution by both the Ministry of Ecology and Environment (MEE) and the State Administration for Market Regulation. From the date of implementation, the *Regulations for Near-Surface Disposal of Low- and Medium-Level Radioactive Waste* (GB 9132-1988) and the *Acceptance Criteria for Near-Surface Disposal of Radioactive Waste* (GB 16933-1997) will be abolished.

**EIA OF SURFACE WATER ENVIRONMENT**

Effective March 1, 2019

The main revisions of the *Technical Guidelines for Environmental Impact Assessment of Surface Water Environment* (HJ 2.3-2018) include:

- The concept of a safety margin and methods for calculating water pollution discharge quantities
- The enhancement of normative, scientific and operational elements, including regulating surface water status-quo environment survey content and assessment results, bringing in advanced water quality predictive models, and improving the specificity of focus of impact prediction
- Simplification of the assessment process to increase efficiency, enhance the use of existing hydrological and water testing data, and reduce the workload for projects with indirect wastewater discharge, while simultaneously enhancing environmental impact prediction requirements on projects with direct discharge of wastewater

**EIA: SOIL ENVIRONMENT**

Effective July 1, 2019

The *Guidelines for EIA: Soil Environment (Pilot)* (HJ964-2018) has been approved and released as a national environmental protection standard.
ENVIRONMENTAL RISK ASSESSMENT FOR CONSTRUCTION PROJECTS

Effective March 1, 2019

The Technical Guidelines for Environmental Risk Assessment for Construction Projects (HJ169-2018) set out general principles, content, procedures and methods for construction project environmental risk assessments. The technical guidelines from 2004 will be abolished once the revised guidelines are implemented.

Revisions include:

• Adjusted scope of applicability to keep step with the restructured EIA guidance system
• Adjusted and supplemented relevant technical terms and definitions
• Added initial judgments of potential risk and improved methods used to classify risk levels
• Codified risk identification and source analysis content and methods
• Optimized and adjusted risk prediction and assessment content for air and groundwater
• Added technical requirements for groundwater risk prediction and assessment
• Adjusted and refined risk prevention scope, measures and content
• Added chapters on assessment results and recommendations
• Expanded and improved appendices, added drafting requirements for additional figures and tables

THE SHANGHAI MUNICIPAL CLEAN AIR ACTION PLAN (2018–2022)

The major objectives of this iteration of the Clean Air Action Plan are that, by 2020, the annual average PM$_{2.5}$ concentrations should drop to 37 µg/m$^3$ or less, the air quality index (AQI) for an above average level should reach approximately 80%, and heavy pollution episodes should essentially be eliminated. By 2022, annual average PM$_{2.5}$ concentrations should drop to below 35 µg/m$^3$, and AQI should be further improved.

The action plan particularly focuses on further emphasis on coordinated controls on PM$_{2.5}$ and ozone pollution; more emphasis on source prevention and control, enhanced structural adjustment of industry, transportation and energy; and greater emphasis on refinement of management.

• Unification of planning for energy, construction, residential and agricultural areas, comprehensively deepening air pollution prevention and control work
• Implementation of a dual control on total quantities of energy and coal consumption, quicker structural adjustment to focus areas and focus industries, and optimization of the transportation systems, as well as establishment of a system for control of total quantity of volatile organics
• Refinements of particulates, NOx and VOCs as focuses for control, while simultaneously controlling ozone pollution and promoting various types of coordinated control and reduction in emissions for air pollutants

HEBEI PROVINCE WATER EXTRACTION PERMITTING

Implemented September 1, 2018

The Hebei Province Water Extraction Permit Administrative Measures will further enhance the protection of water sources in the province while strictly controlling groundwater extraction and standardize the approval process for water extraction and fight against illegal water withdrawal.

IN TOUCH

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