

EHS NEWSLETTER

April & May 2017



Global EHS and
Sustainability
Consultants

- Tracking of Environmental, Health, Safety and Energy Legislations in China
- The Latest Information on National and Local Legislation Update and Legislative Initiatives.



Highlight in this Issue

Safety of Machinery – Control Methods of Hazardous Energy – Lockout/Tagout

This is the first national standard on the topic of lockout and tagout, specified the requirements on control of the hazardous energy that might cause personnel injuries, including the protection procedures, technology, design, measures and property indexes. It is applicable to design, manufacturing, installation, repair, adjustment, inspection, setting, troubleshooting, testing, cleaning, dismantling and maintenance of the entire life cycle of machines.



Self-monitoring Technology Guidelines for Pollution Sources - General Rule

The guidelines specified the general requirements, monitoring plan establishment, quality assurance and control, record keeping and reporting in the self-monitoring of enterprises with pollution discharge. Enterprises can refer to the guidelines to conduct wastewater, air emission, noise and surrounding environmental quality monitoring during production phases.



Shanghai Measures on Daily Punishment by Administrative Departments of Water Discharge

In case of enterprises & institutes discharging wastewater into the municipal sewage pipelines exceeding national or local standards, being fined and instructed to take corrective actions but refused to comply, the administrative departments of water discharge is entitled to enforce the daily punishment .



Hubei Regulation on Work Safety (2017)

This revised regulation emphasized the entity responsibility of enterprises in implementation the work safety measures. The contents not cleared or defined in upper level laws and regulations are specified in consideration with the local situations of Hubei Province.



Administrative Measures on Compulsive Environmental Contamination Liability Insurance (draft of comments)

The subject matter of the insurance is defined as the liability of damage caused by environmental contamination of enterprises, institutes or other entities engaged in business operation with high environmental risks. The scope of insurance coverage includes the personnel injuries, property damages, emergency response, pollutants disposal and ecological impacts.





Part 1

National Legislation Update

Chinese Name	机械安全 危险能量控制方法 上锁/挂牌
English Translation	Safety of Machinery – Control Methods of Hazardous Energy – Lockout/Tagout
Issuance Number	GB/T 33579-2017
Issued By	State Administration for Quality Supervision and Inspection and Quarantine
Issued Date	2017-05-12
Effective Date	2017-12-01
Chinese URL	http://c.gb688.cn/bzgk/gb/showGb?type=online&hcno=16D1DA57CF32F78752D2E669C40293AB

Brief Introduction: This is the first national standard on the topic of lockout and tagout, specified the requirements on control of the hazardous energy that might cause personnel injuries, including the protection procedures, technology, design, measures and property indexes. It is applicable to design, manufacturing, installation, repair, adjustment, inspection, setting, troubleshooting, testing, cleaning, dismantling, and maintenance of the entire life cycle of machines. It is not applicable to pressure piping conveying systems of water, steam, natural gas or petroleum products.



Chinese Name	充电电气系统与设备安全导则
English Translation	Safety Guide for Charging Electrical System and Equipment
Issuance Number	GB/T 33587-2017
Issued By	State Administration for Quality Supervision and Inspection and Quarantine
Issued Date	2017-05-12
Effective Date	2017-12-01
Chinese URL	http://c.gb688.cn/bzgk/gb/showGb?type=online&hcno=3AA54D2FE35B329C5902F44C65642292

Brief Introduction: This standard is applicable to the charging electrical system and equipment with nominal voltage no more than 1000V of alternating current and 1500V of direct current. Requirements are specified on the use environment, rated value, electrical safety, machinery safety, charging couple, grounding device, operation safety, electromagnetic compatibility and safety information.

Chinese Name	对安全生产领域失信行为开展联合惩戒的实施办法
English Translation	Enforcement Measures on Joint Punishment of Dishonest Behaviors of Work Safety
Issuance Number	安监总办（2017）49号
Issued By	State Administration of Work Safety
Issued Date	2017-05-09
Effective Date	2017-05-09
Chinese URL	http://www.chinasafety.gov.cn/newpage/Contents/Channel_5901/2017/0512/288120/content_288120.htm

Brief Introduction: According to the measures, up to 10 cases of dishonest behaviors of work safety will be subjected to the joint punishment, including 1) safety incidents to the scale of major or higher, or 3 or more general safety incidents with casualties in 1 year; 2) production activities without a valid Work Safety Permit; 3) organizing workers to operate in the environment with identified hidden dangers or severe occupational disease hazards; 4) evading or resisting work safety supervisory inspections by concealing, deceiving or hindering evidences; 5) arbitrary production operations after being instructed to suspend production for rectification; 6) concealing, give false information or delaying the reporting of work safety incidents; 7) production operation without completion acceptance of the safety facilities in industries with high risks; 8) mining exceeding the boundary; 9) damaging the incident scene, forging evidence materials or evading / resisting incident investigation; 10) safety / ODH institutes issuing false reports or selling / lending certificates. Up to 29 joint punishments are specified in the measures, regarding almost all business aspects of an enterprise.



Chinese Name	易制爆危险化学品名录（2017年版）
English Translation	Directory of Hazardous Chemicals of Raw Materials of Explosives
Issuance Number	公安部公告
Issued By	Ministry of Public Security
Issued Date	2017-05-11
Effective Date	2017-05-11
Chinese URL	http://www.gov.cn/xinwen/2017-06/01/content_5198726.htm

Brief Introduction: Compared with the old directory issued in 2011, this new directory is more detailed and precise in the classification, expanding the categories from 6 to 9. Meanwhile, the solutions of the chemicals are included in the directory as well, and meticulously categorized by the concentration in the chemicals for more reasonable management. A few more chemicals were added in the directory, such as guanidine nitrate, hydrazine hydrate and 2,2-bis(hydroxymethyl)-1,3-propanediol.

Chinese Name	排污单位自行监测技术指南 总则
English Translation	Self-monitoring Technology Guidelines for Pollution Sources - General Rule
Issuance Number	HJ 819-2017
Issued By	Ministry of Environmental Protection
Issued Date	2017-04-25
Effective Date	2017-06-01
Chinese URL	http://kjs.mep.gov.cn/hjbhzbz/bzwb/shjbh/xgbzh/201705/t20170511_413871.shtml

Brief Introduction: The guidelines specified the general requirements, monitoring plan establishment, quality assurance and control, record keeping and reporting in the self-monitoring of enterprises with pollution discharge, applicable to enterprises without industrial specific guidelines and the aspects not included in the specific guidelines. Enterprises can refer to the guidelines to conduct wastewater, air emission, noise and surrounding environmental quality monitoring during production phases.

Enterprises are required to conduct a survey over all the pollution sources and determine the major monitoring indexes, so as to establish a feasible monitoring plan. The plan shall include the contents of basic information of the enterprise, monitoring locations and sketch map, indexes, applicable standards and corresponding limits, frequency, sampling and preservation methods, analysis methods and equipment, as well as quality assurance and control. The enterprise shall then conduct the self-monitoring strictly according to the plan. Requirements and recommendations of the contents are specified in the guidelines. It is notable that enterprises with wastewater discharge more than 100t per day shall conduct flow rate monitoring as well.



Chinese Name	排污单位自行监测技术指南 造纸工业
English Translation	Self-monitoring Technology Guidelines for Pollution Sources - Paper Industry
Issuance Number	HJ 821-2017
Issued By	Ministry of Environmental Protection
Issued Date	2017-04-25
Effective Date	2017-06-01
Chinese URL	http://kjs.mep.gov.cn/hjbhzbz/bzwb/shjbh/xgbzh/201705/t20170511_413872.shtml

Brief Introduction: The guidelines specified the general requirements, monitoring establishment, record keeping and reporting in self-monitoring of paper industry, regarding the wastewater, air emission and noise, as well as surrounding environmental quality. The enterprises engaged in paper industry should conduct a survey over all the pollution sources and determine the monitoring indexes, and potential environmental impacts so as to establish a feasible monitoring plan and provide necessary equipment to carry out the plan, conduct the quality assurance and control, record keeping and make monitoring results available to the public. The monitoring locations, indexes and frequency of the wastewater outlets of paper industry enterprises directly discharged into the open water and fugitive air emissions are specified in the guidelines. Enterprises are encouraged to conduct quality monitoring of the surface / sea water receiving the wastewater..



Chinese Name	排污单位自行监测技术指南 火力发电及锅炉
English Translation	Self-monitoring Guidelines for Pollution Sources - Thermal Power Generation and Boiler
Issuance Number	HJ 820-2017
Issued By	Ministry of Environmental Protection
Issued Date	2017-04-25
Effective Date	2017-06-01
Chinese URL	http://kjs.mep.gov.cn/hjbhzbz/bzwb/shjbh/xgbzh/201705/t20170511_413873.shtml

Brief Introduction: The guidelines specified the general requirements, monitoring establishment, record keeping and reporting in the self-monitoring of thermal power plants and boilers of all enterprise, domestic waste and hazardous waste fired plants and boilers excluded. Enterprise with thermal power plants and boilers should conduct a survey over all the pollution sources and determine the monitoring indexes and potential environmental impacts so as to establish a feasible monitoring plan and provide necessary equipment to carry out the plan, conduct the quality assurance and control and record keeping, and make monitoring results available to the public.

Detailed requirements were specified in the guideline, including the monitoring indexes and minimum frequency of air emission stacks, as well as monitoring locations, indexes and frequency of fugitive emissions, wastewater and boundary noise. Regarding the groundwater quality, the power plants should act in accordance with the requirements set forth in the EIA reports and approvals. If the requirements were not specified in the reports and approvals, it shall be done according to HJ/T 164 for at least once a year.

Part 2

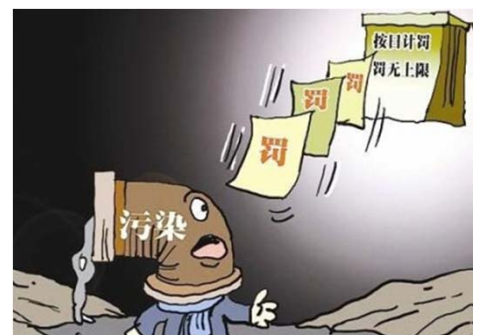
Local Legislation Update

Chinese Name	上海市安全生产行政处罚裁量基准（试行）
English Translation	Shanghai Discretionary Benchmark of Work Safety Administrative Penalties
Issuance Number	沪安监行规（2017）3号
Issued By	Shanghai Administration of Work Safety
Issued Date	2017-05-31
Effective Date	2017-07-01
Chinese URL	http://www.shsafety.gov.cn/gk/xxgk/xxgkml/zcfg/zfwj/29739.htm

Brief Introduction: This regulation is valid from 1 July 2017 to 30 June 2019. It specified the discretionary benchmark of work safety administrative penalties regulated by Shanghai Regulation of Work Safety, Shanghai Administrative Measures on Hazardous Chemical Safety and Shanghai Measures on Work Safety Hidden Danger Inspection and Treatment, detailed to each category of cases. It made governmental departments easy to implement the penalties enabled enterprises to estimate the financial risks regarding to their operations and violations.

Chinese Name	上海市城镇排水主管部门实施按日连续处罚办法
English Translation	Shanghai Measures on Daily Punishment by Administrative Departments of Water Discharge
Issuance Number	沪水务（2017）642号
Issued By	Shanghai Administration of Water
Issued Date	2017-05-25
Effective Date	2017-05-25
Chinese URL	http://shsea.gov.cn/xxgkAction!view.action?par.fileId=243624&sdh.code=002006013

Brief Introduction: The measures are applicable to the daily punishment towards the industrial, construction, catering, medical treatment and other enterprises & institutes by administrative departments of water discharge. The purpose is for the punishment is to push the enterprises & institutes to take corrective actions timely. In case of enterprises & institutes discharging wastewater into the municipal sewage pipelines exceeding national or local standards, being fined and instructed to take corrective actions but refused to comply, the administrative departments of water discharge is entitled to enforce the daily punishment.





Chinese Name	天津市危险化学品企业安全生产轻微违法行为记分管理规定（试行）
English Translation	Tianjin Administrative Regulation on Mark Keeping of Minor Work Safety Infraction Behaviors of Hazardous Chemical Enterprises
Issuance Number	津安监管三（2017）23号
Issued By	Tianjin Administration of Work Safety
Issued Date	2017-04-14
Effective Date	2017-07-01
Chinese URL	http://www.tjsafety.gov.cn/tj/gongwengonggao/shijuwenjian/12507.html

Brief Introduction: Pursuant to the regulation, minor work safety infraction behaviors of hazardous chemical enterprises refer to those did not cause harmful results and not subjected to administrative punishment. These behaviors will be marked and kept in records. The mark keeping cycle is 12 months, from January 1 to December 31. Enterprises with 6 to 12 marks will have to get their principals and work safety personnel to participate in the trainings and pass the exams. Enterprises with 12 marks or more will be considered as key supervisory targets for elevated inspection frequency.

Chinese Name	生产安全事故应急预案管理部分
English Translation	Administrative Measures on Work Safety Incident Emergency Response Plans
Issuance Number	粤安监应急（2017）9号
Issued By	Guangdong Administration of Work Safety
Issued Date	2017-06-12
Effective Date	2017-06-12
Chinese URL	www.gdsafety.gov.cn/gdsafety/gonggao/201612/c4f3fef241cc4070ba487c325b43fe78.shtml

Brief Introduction: The emergency response plans consist of the comprehensive plan, special project plans and field implementation plans. Enterprises with 3 major risks or more are required to establish the comprehensive plan. For each incident risk, there should be a special project plan (can be included in the comprehensive plan). Regarding places, devices or facilities with major risks, there should be corresponding field implementation plans. Enterprises engaged in industrials with great risks will have to organize panel review of the plans result written comments. All enterprises are required to report their emergency response plans to local work safety supervisor departments for records.

Chinese Name	四川省环境保护厅关于推进落实全省排污许可证核发工作的公告
English Translation	Sichuan Proclamation on Enforcement of Pollution Discharge Permit Issuance
Issuance Number	--
Issued By	Sichuan Environmental Protection Bureau
Issued Date	2017-04-06
Effective Date	2017-04-06
Chinese URL	http://www.schj.gov.cn/gsq/qtgs/201704/t20170406_79939.html

Brief Introduction: Enterprises and institutes are required to prepare to apply for the pollution discharge permits in the prescribed period of time. Self-monitoring, record keeping and pollution discharge permit implementation reporting should be conducted and made available to the public. By the time of 2017.7.1, thermal power plants and paper making enterprises and by the time of 2018.1.1, the enterprises of 13 key industries (printing & dyeing, electroplating, petrification, etc.) without pollution discharge permits will be considered illegal and punished or even shut down.

Chinese Name	江西省女职工劳动保护特别规定
English Translation	Jiangxi Special Regulation on Female Worker Protection
Issuance Number	江西省人民政府令第226号
Issued By	Jiangxi People's Government
Issued Date	2017-05-19
Effective Date	2017-07-01
Chinese URL	http://www.jiangxi.gov.cn/zzc/azt/sb/201705/t20170525_1337895.htm

Brief Introduction: This regulation can be considered as the enforcement of the second-child encouragement in Jiangxi Province. Enterprises are prohibited to impose restrictions on female workers regarding their marriage and fertility rights. For labor contracts expired during the pregnancy, maternity and lactation periods, automatic renewal will take place. For female workers with children less than 1 year old, via their application and enterprise's approval, they may take a leave till the children are 1 year old. The salary during the leave can be discussed.



Chinese Name	湖北省安全生产条例（2017年修订）
English Translation	Hubei Regulation on Work Safety (2017)
Issuance Number	--
Issued By	The Standing Committee of Hubei People's government
Issued Date	2017-05-24
Effective Date	2017-09-01
Chinese URL	http://www.whsafety.gov.cn/aqzs/aqzsnews.jsp?itemID=345&newsID=15432

Brief Introduction: This revised regulation emphasized the entity responsibility of enterprises in implementation the work safety measures. The contents not cleared or defined in upper level laws and regulations are specified in consideration with the local situations of Hubei Province. 1) enterprises must provide the 7 prerequisite work safety conditions before production; 2) the whole-staff work safety responsibility system should be implemented for everyone to undertake their own responsibilities, especially the main principals; 3) enterprises should conduction work safety standardization to complete the work safety responsibility system; 4) detailed requirements are specified in key danger source management and hidden danger inspection; 5) the work safety information should be kept integrally and made available to the public; 6) enterprises much purchase the work safety liability insurance. Special requirements are made for high risk industry enterprises to hire safety directors to report great hidden dangers directly to the supervisor departments.

Chinese Name	辽宁省大气污染防治条例（2017年修订）
English Translation	Liaoning Regulation on Air Pollution Prevention and Control
Issuance Number	公告第71号
Issued By	The Standing Committee of Liaoning People's Congress
Issued Date	2017-05-25
Effective Date	2017-08-01
Chinese URL	http://www.qdbgj.cn/83369/zfxxgk/flfg/sbfg/201706/t20170607_76429.html

Brief Introduction: This revised regulation emphasized the entity responsibility of air pollution discharging enterprises. Besides the general requirements of EIA, mass loading control and monitoring, key air emission enterprises are required to establish emergency response plans to deal with heavy air pollution days. A heavy air pollution early warning and emergency response system will be established and enterprises are expected to cooperate if a warning is issued.

The revised regulation dealt with the problem of low law violation cost by raising the cost considerably to operate at the top line of the discretion. Meanwhile, by means of setting up the discretion and punishment system, the regulation is more operative than the last edition.

Part 3

Interpretation

□ 环境污染强制责任保险管理办法（征求意见稿） Administrative Measures on Compulsive Environmental Contamination Liability Insurance (draft of comments)

The subject matter of the compulsive environmental contamination liability insurance is defined in the Measures as the liability of damage caused by environmental contamination of enterprises, institutes or other entities engaged in business operation with high environmental risks. The scope of insurance coverage includes the personnel injuries, property damages, emergency response, pollution disposal and ecological damages caused by abrupt environmental incidents as well as environmental contamination during business operations. As one of the key links, environmental risk assessment and investigation can directly impact the premium rate and the risk management of the insured entity. It is required prior and during the insurance period to serve the precautionary function of insurance.





ESD China Limited

About Us

ESD China Limited (ESD, www.esdchina.com) is a professional environment, energy and engineering service firm. The firm is comprised of highly qualified scientists, engineers and management professionals from North America, Europe, and greater China with high pride of professionalism. We cultivate international and local best practices. In the past decades, we have provided common sense solutions to **Environment+Energy** challenges for leading multinational corporations, governments and international development agencies throughout China and the region.

Globally, we are a member company of Inogen Group (Inogen®, www.inogenet.com), a global corporation owned by environment, energy and sustainability consulting firms originated from the host countries, referred to as Associates. Inogen® Associates lead global environment, health and safety (EHS) management and energy consulting services with proven global expertise, and deliver common sense EHS and energy solutions with local competence beyond the mere brand name. Together, we offer over 4,700 professionals through more than 100 offices worldwide, and have completed numerous projects in over 120 countries.

Our core areas of expertise include soil and groundwater assessment and remediation; energy and industrial engineering, international financing project management, pollution control engineering, socio-environmental impact assessment and industrial environmental, health and safety (EHS) management. Our current services are outlined below:

OUR SERVICES:

- Environmental Impact Assessment
- Corporate Due Diligence
- Risk Management and EHS Compliance Auditing
- Soil & Groundwater Investigation & Remediation
- Regulatory Services
- Supplier Management & Auditing
- Energy Auditing & Industrial Engineering
- Industrial Hygiene Survey (IAQ, Lead & ACMs)
- International Financing Project Management
- Pollution Control Engineering

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