



ESD CHINA LIMITED

伊世特中國有限公司

EHS NEWSLETTER

April 2016



Global EHS and
Sustainability
Consultants

- Tracking of Environmental and Energy Legislations in China
- The Latest Information on National and Local Legislation Update and Legislative Initiatives.
- EHS Topic: Risk Management of Confined Space



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Highlight in this Issue

Tianjin issued Interim Measures on the Management of Carbon Emission Right Trading

Tianjin plans to build a mass loading control system and a cap-and-trade system on carbon emission. Municipal Development and Reform Commission would assign inventory for each controlled enterprise based on their annual carbon emission quantity.



Action Plan on the Soil Environment Protection and Pollution Control (Draft)

This Action Plan is also known as Ten-measures Action Plan to Tackle Soil Contamination. It would focus on agricultural and construction lands, to classify soil as non-polluted land, polluting land and polluted land. Risk management would be implemented based on the classification.



Law on Environment Protection Tax (Draft)

This Law is scheduled to go through the first deliberation at the Standing Committee of the National People's Congress in June this year. According to this draft, environmental protection tax would replace the pollutant discharge fee in the future.



Risk Management of Confined Space

Accident frequently occurred due to lack of effective risk management of confined space in China. We have taken the effort to identify 6 key points for our clients to conduct good risk management of confined space.





Part 1

National Legislation Update

Chinese Name	起重机械定期检验规则(TSG Q7015-2016) 起重机械安装改造重大修理监督检验规则(TSG Q7016-2016)
English Translation	Regulation for Periodic Inspection of Lifting Appliances (TSG Q7015-2016) Crane Installation, Modification & Major Repair Supervision Inspection Regulation (TSG Q7016-2016)
Issuance Number	质检总局公告2016年第28号
Issued By	General Administration of Quality Supervision, Inspection and Quarantine (GAQSIQ) of the People's Republic of China
Issued Date	2016/3/23
Effective Date	2016/7/1
Chinese URL	http://www.aqsiq.gov.cn/xxgk_13386/jlgg_12538/zjgg/2016/201604/t20160407_463979.htm

Brief Introduction: The GAQSIQ issued TSG Q 7015-2016 and Q7016-2016 as the replacement of the counterparts issued in 2008. Major requirements on periodic inspection, installation, modification and major repair were specified. Scheduled to come in effect in July 2016.

Chinese Name	关于增补《中国现有化学物质名录》的公告
English Translation	Notice regarding Supplement of Inventory of Existing Chemical Substances in China
Issuance Number	环境保护部公告2016年第20号
Issued By	Ministry of Environmental Protection of the People's Republic of China
Issued Date	2016/3/8
Effective Date	2016/3/8
Chinese URL	http://www.cgszfd.gov.cn/CL0021/763.html

Brief Introduction: As many as 31 registered new chemicals have been added to the Inventory of Existing Chemical Substances in China.

Chinese Name	关于环境部门主管部门不再进行建设项目试生产审批的公告
English Translation	Notice of Environment Protection Administration regarding on Stopping Examination and Approval of Trial Production of Construction projects
Issuance Number	环境保护部公告2016年第29号
Issued By	Ministry of Environmental Protection of the People's Republic of China
Issued Date	2016/4/8
Effective Date	2016/4/8
Chinese URL	http://www.zhb.gov.cn/gkml/hbb/bgg/201604/t20160413_335149.htm

Brief Introduction: According to this Notice, enterprises are no longer required to apply for trial production approval and obtain the permit prior to trial production of construction projects from April 8, 2016. Enterprises can organize the trial production as appropriate.



Part 2

Local Legislation Update

Chinese Name	天津市碳排放权交易管理暂行办法
English Translation	Tianjin Interim Measures on the Management of Carbon Emission Right Trading
Issuance Number	津政办发〔2016〕31号
Issued By	Tianjin Municipality People's Government
Issued Date	2016/3/21
Effective Date	2016/6/1
Chinese URL	http://www.tjzb.gov.cn/2016/system/2016/03/30/010001088.shtml

Brief Introduction: Tianjin plans to build a mass loading control system and a cap-and-trade system on carbon emission. Municipal Development and Reform Commission (MDRC) would assign inventory for each controlled enterprise based on their annual carbon emission quantity. For the controlled enterprises, following requirements should be complied with:

1. write off carbon emission quota by Jun 30 annually;
2. submit carbon emission monitoring plan to MDRC by Nov 30 annually, and monitor carbon emission following the plan;
3. commission licensed enterprises for carbon emission audit.
4. submit carbon emission report, along with audit report by Apr 30 annually.



Chinese Name	四川省生活饮用水卫生监督管理办法
English Translation	Sichuan Measures on the Management and Supervision of Drinking Water Health
Issuance Number	四川省人民政府令第306号
Issued By	Sichuan Provincial People's Government
Issued Date	2016/3/17
Effective Date	2016/5/1
Chinese URL	http://www.sc.gov.cn/10462/11555/11558/2016/4/6/10375066.shtml

Brief Introduction: The Measures apply to the management of central water supply, secondary water supply, fresh-purified drinking water and related products of drinking water. Detailed liabilities of enterprises engaged in water and water related products are specified in the measures.

Chinese Name	四川省辐射污染防治条例
English Translation	Sichuan Regulation on the Prevention and Control of Radiation Pollution
Issuance Number	四川省第十二届人民代表大会常务委员会公告第63号
Issued By	Standing Committee of the Sichuan People's Congress
Issued Date	2016/3/29
Effective Date	2016/6/1
Chinese URL	http://www.schj.gov.cn/cs/zcfg/dfxfg/201604/t20160419_72145.html

Brief Introduction: The Regulation applies to the prevention and control of ionizing radiation and electromagnetic radiation pollution and their supervision and administration within the administrative region of Sichuan Province. Enterprises with corresponding pollution are required to implement responsibility systems and take measures to achieve effective pollution prevention and control.



Chinese Name	湖北省取水许可和水资源费征收管理办法
English Translation	Hubei Management Measures on Water Extracting Permit and Water Resources Fee
Issuance Number	政令第387号
Issued By	Hubei Provincial People's Government
Issued Date	2016/3/2
Effective Date	2016/5/1
Chinese URL	http://www.hubeiwater.gov.cn/policy/zfgz/201603/t20160318_78476.shtml

Brief Introduction: Any entity or individual that draws water resources, with exemption in certain circumstances, shall apply for a license and pay water resource fees.

Hubei adopts the basic principle of combing mass loading control with quota management. For areas exceeding annual water consumption plan, government would stop accepting new water drawing permits. For entities exceeding industrial ratio quota, government would reject the application of their water drawing permits.

Chinese Name	广东省消防安全重点单位管理规定
English Translation	Guangdong Management Regulations on Fire Safety of Key Entities
Issuance Number	粤办函（2016）96号
Issued By	People's Government of Guangdong Province
Issued Date	2016/3/8
Effective Date	2016/4/1
Chinese URL	http://www.gdemo.gov.cn/zwx/zcfg/gdzcwj/swszfwswbgtszfbgtwj/201603/t20160324_226397.htm

Brief Introduction: Key entities of fire safety refer to enterprises with major risks that might cause severe casualties or property loss in fire accidents. 12 types of key entities of fire safety are defined in the Regulation.

According to the Regulation, key entities of fire safety should conduct internal fire prevention inspection monthly and fire prevention patrol daily. Public places with high density of people should conduct fire prevention patrol every 2 hours during operation. Management of key entities of fire safety is integrated in the social credit information system, while management statements would be published periodically.



Chinese Name	广东省使用有机溶剂重点行业领域职业病危害专项治理工作方案
English Translation	Guangdong Special Program on Occupational Hazard Rectification of Key Industries Using Organic Solvent
Issuance Number	粤安监职卫（2016）9号
Issued By	Administration of Work Safety of Guangdong Province
Issued Date	2016/3/21
Effective Date	2016/3/21
Chinese URL	http://www.zyws.com/ajnews/6400.html

Brief Introduction: This Special Program applies to key industries using organic solvents, including footwear, luggage, ship, furniture, electronics and automobile manufacturing as well as electroplating.

This Program aims to achieve four goals. 1) 100% use of PPE; 2) 100% training, 3) 100% regular occupational hazard inspection; 4) 100% occupational health examination and filing.



Part 3

Legislative Initiatives

□ Action Plan on Soil Environment Protection and Pollution Control (Draft) 土壤环境保护和污染治理行动计划

This Action Plan is also known as Ten-measure Action Plan to tackle soil contamination. As spoken publicly by Environment Minister, this action plan is expected to come into effect in the coming few months.

This Action Plan includes requirements on soil pollution control and soil environment protection, funds and remediation measures. The Action Plan would focus on agricultural land and construction land which will be classified into non-polluted land, polluting land and polluted land. Risk management should be implemented based on classification. According to public information, this Action Plan suggested 10% of land transfer income should be extracted for soil pollution control and soil environment protection.



□ Law on Environment Protection Tax (Draft) 环境保护税法 (征求意见)

Law on Environment Protection Tax would go through first hearing at the Standing Committee of the National People's Congress in June, 2016. According to this Law, environmental protection tax would replace pollutant discharge fee in the future.

Collection Range

Tax items include air pollutants, water pollutants, solid waste and noise. Detailed tax items and tax rate would be specified by catalogue. For air pollutants and water pollutants, tax would be measured by each pollutant of each discharge outlet, in the order of their quantity.

Exemption Range

Following pollutant not exceeding national emission standard should be excluded.

1. Pollutant caused by agricultural production, excluding large scale raising;
2. Pollutant caused by motor vehicles, locomotives, non-road motor vehicles, ships and aircrafts;
3. Pollutant caused by WWTP and treatment plant of household garbage

环境税



Management System

Enterprise Declaration
Environment Protection Cooperation

Tax Collection
Information Sharing

□ Regulations on the Administration of Construction Project Environmental Protection (revision) 建设项目环境保护管理条例 (修订)

MEP issued the draft on the revision of Regulations on the Administration of Construction Project Environmental Protection on April 15, 2016. This is the first revision after 18 years application of this Regulation.

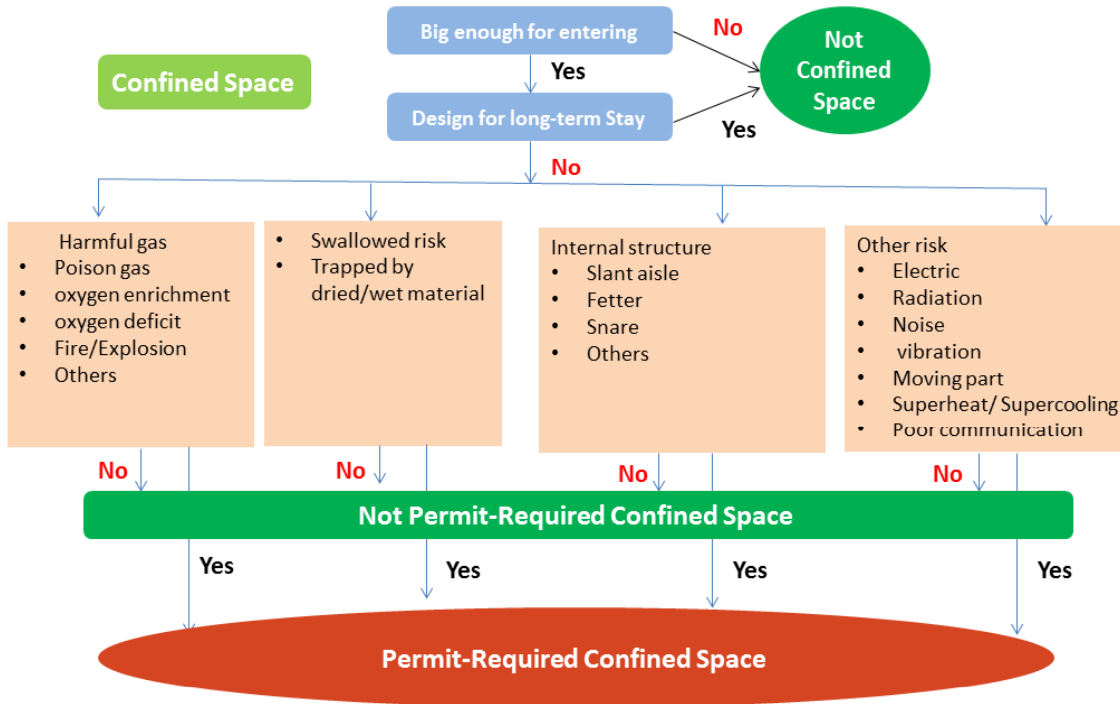
According to the draft, for construction projects that requires pollutant discharge permit, environmental protection acceptance inspection would be replaced by pollutant discharge permit. For construction projects that do not require pollutant discharge permit, construction entities should commission qualified vendors to conduct acceptance inspection assessment and prepare an acceptance inspection report. Subject to acceptance inspection would be adjusted according to the construction projects rather than determined by the environment protection administration.



Part 4

EHS Topic: Risk Management of Confined Space(CS)

• About Confined Space



Permit-Required Confined Space (“Permit Space”):

A confined space has one or more of the following;

- Contains, or has the potential to contain, a hazardous atmosphere;
- Contains a material that has the potential to “engulf” a person inside (a liquid or powder that can cover and suffocate the person);
- Shape and design could trap someone inside (a cone shaped floor, or downward sloping floor or inward sloping walls); or
- Contains any other type of hazard (e.g., mechanical equipment that could cause an injury).



• Risk Management of CS

Six steps could be taken for Risk Management of CS.

I. Identification of Confined Spaces

- Evaluation - A hazard evaluation must be conducted (and documented) to determine Permit Spaces and Non-Permit Spaces
- All Permit Spaces must be identified by stencil, label or sign that indicates “DANGER Confined Space Enter by Permit Only” (or essentially similar language)
- The stencil, label, sign, etc. must be placed at the entrance(s) to the Permit Space and/or in a highly visible location near the Permit Space





II. Entry Permit

- An Entry Permit, or equivalent, must be completed and signed prior to entry into a Permit Space, and signed after the completion of entry.
- Be maintained in a visible location in the Permit Space work area (and protected from weather and other potential damage).
- Be valid for a specific job duration up to a maximum of a single shift.
- The completed Entry Permit must be retained long enough to allow for periodic inspections/audits to take place and as required by local regulations.

III. Isolation of Permit Spaces

Prior to entry into a Permit Space:

- All hazardous materials must be removed from the Permit Space by draining, steaming, purging, or other appropriate means;
- The Permit Space must be protected against the release of energy and material into the space by means described in the Implementing Procedure on Lockout/Tagout (Energy Isolation);
- Pedestrian barriers, vehicle barriers, or other barriers must be provided as necessary to protect entrants from external hazards.



IV. Atmospheric Testing

- Prior to entry, atmosphere must be tested with a direct-reading instrument for oxygen content, for combustible gases and vapors, and for potential toxic air contaminants ;
- Testing instrument must be zeroed and the calibration tested before use - in addition, the instrument shall be periodically maintained and calibrated in accordance with the manufacturer's specifications;
- Atmospheric testing must be conducted and documented on the Entry Permit.



V. Ventilation

- Continuous forced air ventilation must be used for a Permit Space if:
 - I. There is little or no natural ventilation;
 - II. There is a known or potential atmospheric hazard;
 - III. The internal temperature of the Confined Space is elevated; or
 - IV. Atmospheric testing reveals a Hazardous Atmosphere.
- The space shall not be ventilated by plant air or compressed air from a portable compressor (unless the compressor provides breathable quality air and is equipped with applicable filters and alarms)

VI. Rescue and Emergency Services

- Prior to entry into a Permit Space, trained and prepared personnel must be available to respond to a rescue summons in a timely manner (typically within 10 minutes)
- If location employees have been designated to provide rescue and emergency services, the following measures must be taken:
 - a) Two or more members of the rescue team must be on-site and available to respond to an emergency during a confined space entry, with at least one member holding a current certification in first aid and CPR;
 - b) Rescue team members must be provided with personal protective equipment and equipment required for rescue



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:

- 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

More information

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