

EHS NEWSLETTER

August 2016



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.
- EHS Topic: Brief Introduction to Special Equipment



Highlight in this Issue

Administrative Measures on Food Security Credit Information

The Food Security Credit Information of those engaged in the industry (food market operators & counter lessors, trade fair organizers and third party supplier of internet trades) will be public available on the FDA website as well as newspapers, periodicals, television and internet.



Shanghai Administrative Measures on Public Environmental Monitoring Service Entities

The public environmental monitoring service entities are entitled to provide contracted environmental monitoring or automatic monitoring facility maintenance services, issue monitoring data / results with proof function and take corresponding responsibilities. They are required to file at Shanghai EPB in advance in order to engage in the businesses.



Tianjin Emission Standard of Air Pollutants for Boiler

The revised Standard mainly modified in 2 aspects: pollution control items added and more stringent pollution discharge limits imposed. New limits are specified on mercury and its compounds as well as fugitive dust emission from coal-fired boilers. Requirements on closed operation of coal storage yards are also specified.



Environmental Protection Tax Law (draft)

This draft was put on the official website on China People's Congress for public comments from Sep. 3 to Oct. 5, 2016. According to the draft, environmental protection tax will replace the pollution discharge fee for enterprises discharging air and water pollutants as well as solid waste and boundary noise.



Brief Introduction to Special Equipment

Special Equipment refers to Boilers, Pressure Vessel (Cylinder included), Pressure Piping, Elevator, Hoisting Machine, Passenger Ropeway, Large Recreation Facility and In-plant Vehicle, as well as other facilities that may pose great risk to personal and property safety.





Part 1

National Legislation Update

Chinese Name	食品安全信用信息管理办法
English Translation	Administrative Measures on Food Security Credit Information
Issuance Number	食药监食监二(2016)110号
Issued By	China Food and Drug Administration
Issued Date	2016-08-22
Effective Date	2016-08-22
Chinese URL	http://www.sda.gov.cn/WS01/CL1605/163794.html

Brief Introduction: The Food Security Credit Information refers to the data and documents obtained by food and drug administrative departments that can reveal the security credit status of those engaged in the industry (food market operators & counter lessors, trade fair organizers and third party supplier of internet trades). It would include information of the proprietors, administrative licensing, inspection, surveillance and administrative penalties. The information will be public available on the FDA website as well as newspapers, periodicals, television and internet.



Chinese Name	高耗能老旧通信设备淘汰指导目录(第二批)
English Translation	Guiding Directory of Obsolete Energy Intensive Communication Devices (2 ^{ed} batch)
Issuance Number	工业和信息化部公告2016年第43号
Issued By	Ministry of Industry and Information Technology
Issued Date	2016-08-08
Effective Date	2016-08-08
Chinese URL	http://www.miit.gov.cn/n1146295/n1652858/n1652930/n3757020/c5218344/content.html

Brief Introduction: It is required for all communication enterprises to phase out the devices listed in the guiding directory timely if they are still in use. The communication device manufacturers shall provide necessary assistance in the process.

Part 2

Local Legislation Update

Chinese Name	上海市环境监测社会化服务机构管理办法
English Translation	Shanghai Administrative Measures on Public Environmental Monitoring Service Entities
Issuance Number	沪环保总(2016)284号
Issued By	Shanghai Environmental Protection Bureau
Issued Date	2016-08-05
Effective Date	2016-10-01
Chinese URL	http://www.sepb.gov.cn/fa/cms/upload/uploadFiles/2016-08-09/file2439.pdf

Brief Introduction: The public environmental monitoring service entities refer to the enterprises, originations or other technical institutions that provide contracted environmental monitoring or automatic monitoring facility maintenance services, issue monitoring data / results with proof function and take corresponding responsibilities. The entities are entitled to conduct the following monitoring businesses: 1) pollutant source self-monitoring of pollution discharging entities; 2) pollution discharge situation self-investigation of enterprises and institutes; 3) EIA current conditions monitoring and construction project completion environmental monitoring; 4) environmental nuisance assessment monitoring, contaminated site investigation monitoring, cleaner production audit monitoring and EMS certification monitoring; 5) operation and monitoring of environmental quality / pollutant source automatic monitoring facilities; 6) other monitoring services purchased / required by local EPB. Yet they are required to file at Shanghai EPB in advance in order to engage in the businesses.



Chinese Name	天津市锅炉大气污染物排放标准(DB12/151-2016)
English Translation	Tianjin Emission Standard of Air Pollutants for Boiler
Issuance Number	天津市地方标准发布通告第89号
Issued By	Tianjin Environmental Protection Bureau
Issued Date	2016-07-25
Effective Date	2016-08-01
Chinese URL	http://www.tjhb.gov.cn/root16/mechanism/standard_monitoring_of_the_Department_of_science_and_technology/201607/t20160725_22456.html

Brief Introduction: The revised Standard was mainly modified in 2 aspects: 1) pollution control items added and 2) more stringent pollution discharge limits imposed. In addition to the former items of particles, sulfur dioxide and nitrogen oxides, limits were specified on mercury and its compounds as well as fugitive dust emission from coal-fired boilers. Requirements on closed operation of coal storage yards were also specified. Meanwhile, according to the new standard, the district division was adjusted and the boiler capacity classification was canceled. The pollutant discharge limits were tightened up in full scale.



Chinese Name	天津市餐饮业油烟排放标准(DB12/ 644-2016)
English Translation	Tianjin Emission Standard of Cooking Fume
Issuance Number	天津市地方标准发布通告第89号
Issued By	Tianjin Environmental Protection Bureau
Issued Date	2016-07-25
Effective Date	2016-08-01
Chinese URL	http://www.tjhb.gov.cn/root16/mechanism/standard_monitoring_of_the_Department_of_science_and_technology/201607/t20160725_22457.html

Brief Introduction: The standard explicitly stipulated the requirements on cooking fume control, monitoring and corresponding implementation and supervision. The cooking fume discharge limit was adjusted from 2.0mg/m³ (national standard) to 1.0mg/m³, while requirements on synchronous operation of cooking fume treatment facility and exhaust fans were posed. It is applicable to cooking fume management of local catering service entities during project design, environmental impact assessment, completion acceptance inspection and normal operation phases. It is not applicable to households cooking fume emission.

Chinese Name	山东省挥发性有机物排放标准 第1部分：汽车制造业(DB37/ 2801.1-2016)
English Translation	Shandong Emission Standard of Volatile Organic Compounds - Part 1: Automobile Manufacturing Industry
Issuance Number	鲁质监标发[2016]32号
Issued By	Shandong Environmental Protection Bureau
Issued Date	2016-07-06
Effective Date	2017-01-01
Chinese URL	http://kjygc.sdein.gov.cn/hjbz/dfhjbz/201607/t20160720_297469.html

Brief Introduction: Taking the pollutant toxicity, photochemical reaction characteristics and detectable concentration into consideration, the standard comprehensively selected Benzene, toluene, xylene, benzene series and VOCs as controlled factors. The maximum permeable discharge concentration was based on the economic-technical feasibility. Meanwhile, maximum permeable emission velocity, mass loading of unit coating area and boundary emission concentration limits were specified. Automobiles were classified as M category (passenger), N category (cargo) and special use category. The applicable limit values were slightly different.



Chinese Name	山东省大气污染防治条例
English Translation	Shandong Regulation on Air Pollution Prevention and Control
Issuance Number	山东省人民代表大会常务委员会公告第145号
Issued By	Standing Committee of Shandong People's Congress
Issued Date	2016-07-22
Effective Date	2016-11-01
Chinese URL	http://www.sdein.gov.cn/dtxx/hbyw/201607/t20160726_297830.html

Brief Introduction: In the regulation, a series of supervisory procedures were specified, such as EIA comment seeking procedure from surrounding districts, comprehensive air pollution prevention and control procedure, temporary approval suspension procedure and production peak shifting procedure. The atmosphere ecological compensation system was included in the regulation for the first time. Meanwhile, the regulation comprehensively and systematically specified the pollution prevention and control measures for coal fuel, industry, motor vehicle & vessels, flying dust, agriculture and other cases.

Chinese Name	海南省生态保护红线管理规定
English Translation	Hainan Administrative Regulations on Ecological Protection Red Line
Issuance Number	海南省人民代表大会常务委员会公告第74号
Issued By	Standing Committee of Hainan People's Congress
Issued Date	2016-07-29
Effective Date	2016-09-01
Chinese URL	http://www.hainan.gov.cn/data/law/2016/08/2433/

Brief Introduction: The following five areas are classified as ecological protection red line area: 1). Biodiversity conservation areas such as natural protection areas; Drinking water source conservation and protection areas; Essential water and soil conservation areas; Essential flood controlling areas and etc.; 2). Forest park, wetland park and geologic park and etc. that serve on tourism purpose; 3). Natural coastal shorelines and adjacent water areas; 4). Special marine protection areas: essential estuaries, concentrated mangroves, coral reefs and seagrass beds and lagoons; 5). Other areas with important ecological functions, sensitive and fragile natures: public welfare forest, natural forest, aquatic germplasm resources conservation areas and fishery waters and etc.

In addition, the regulation specified that ecological protection red lined areas should be categorized as two classes. Class I is for ecological service function such as important biodiversity conservation, water and soil conservation and extremely sensitive and fragile coastal shorelines and marine environment. It includes the core region and buffering zone of the natural protection area, first class drinking water source protection area, wild proximal species distribution area, basic points of territorial sea protection areas and etc. Those not included in Class I are identified as Class II.

Chinese Name	四川省标本兼治遏制煤矿重特大事故工作实施意见
English Translation	Sichuan Implementation Comments on Comprehensive Prevention of Major Coal Mine Accidents
Issuance Number	川安监〔2016〕67号
Issued By	Sichuan Administration of Work Safety
Issued Date	2016-08-04
Effective Date	2016-08-04
Chinese URL	http://www.scsafety.gov.cn/Detail_e784a694-c87d-4bbf-8cb7-1c36eaa907c2

Brief Introduction: The comments were aimed at the establishment of dual preventable working mechanism of safety risk ranking control and hidden danger inspection & administration. The Sichuan Administration of Work Safety will work on the further reinforcement of work safety red line awareness, more stringent coal mine safety permission, renovation of major disaster and punishment of violation of laws and rules. Meanwhile, a series of small mines without work safety condition will be closed and the outdated production capacity will be phased out, while a batch of safety technical projects will be conducted so as to improve the coal mine work safety level and prevent major coal mine accidents.





Chinese Name	宁夏回族自治区女职工劳动保护办法
English Translation	Ningxia Measures on Protection of Female Workers
Issuance Number	宁夏回族自治区人民政府令第85号
Issued By	Ningxia People's Government
Issued Date	2016-08-17
Effective Date	2016-10-01
Chinese URL	http://www.nxzgh.org.cn/html/2016-08/10167.html

Brief Introduction: According to the measures, enterprises are responsible for the protection of female workers, including: a). Establishing female worker protection procedures; b). Improving the work safety and health conditions of female workers and providing them with work safety, occupational health and mental health trainings; c). Keeping them away from positions and environment they may contraindicate to; d). Paying the social security fees for them; e). Informing them of the occupational disease hazards and consequences in their work and providing them with corresponding protective measures and financial compensation; f). Ensuring their safety during night shifts; g). If there are considerable amount of female workers, establishing corresponding clinics, pregnant women rest rooms, lactation rooms to solve their physical hygiene and lactation problems;

The following cases were prohibited: 1). Rejecting female workers or raising the hire standard for female workers (those not fit for female worker excluded); 2). Restraining the female workers from marriage or pregnancy in any forms; 3). Lowering down the salary, imposing restrictions on promotion or firing female worker during their marriage or pregnancy.

Part 3 Interpretation

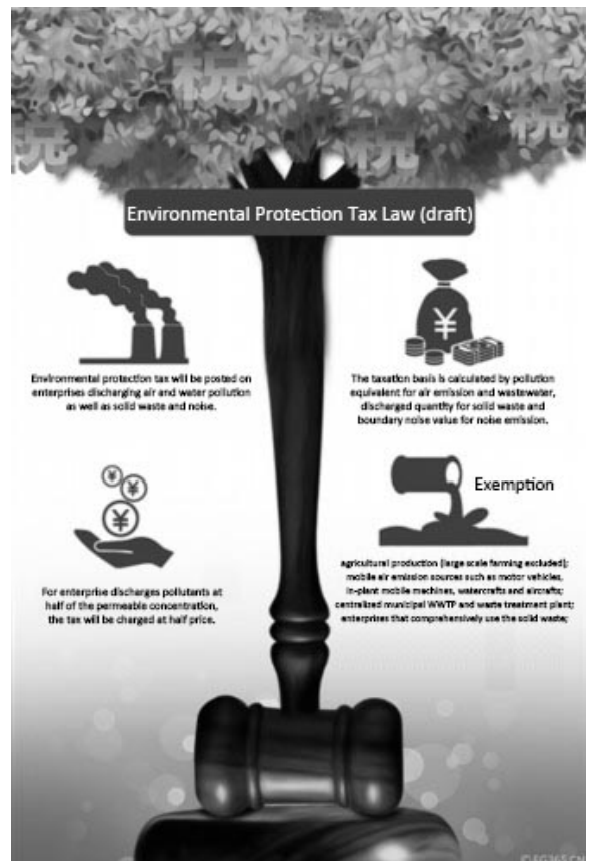
□ Environmental Protection Tax Law (draft) 《环境保护税法（草案）》

This draft was put on the official website on China People's Congress for public comments from Sep. 3 to Oct. 5, 2016.

According to the draft, environmental protection tax will replace the pollution discharge fee for enterprises discharging air and water pollution as well as solid waste and boundary noise. Those discharging pollution / waste to centralized treatment facilities while paying the treatment fee are not included in the tax system, as it is paid by the treatment facilities. The law is not applicable to oceanographic engineering projects.

The taxation basis in the draft is calculated by pollution equivalent for air emission and wastewater, discharged quantity for solid waste and boundary noise value (the part exceeding national standard) for noise emission. If the enterprise discharges pollutants at half of the permeable concentration, the tax will be charged at half price. The following cases are exempted from the tax: 1) agricultural production (large scale farming excluded); 2) mobile air emission sources such as motor vehicles and locomotives, in-plant mobile machines, watercrafts and aircrafts; 3) centralized municipal WWTP and domestic waste treatment plant with pollution discharge in compliance with national and local standards; 4) enterprises that comprehensively use the solid waste in compliance with standards; 5) other cases permitted by the State Council. Enterprises should file at the standing committee of the State Council in order to enjoy exemption.

The taxation cycle can be monthly, a seasonally or even flexible. Yet the taxpayer should conduct tax declaration 15 days prior to the end of each taxation cycle.



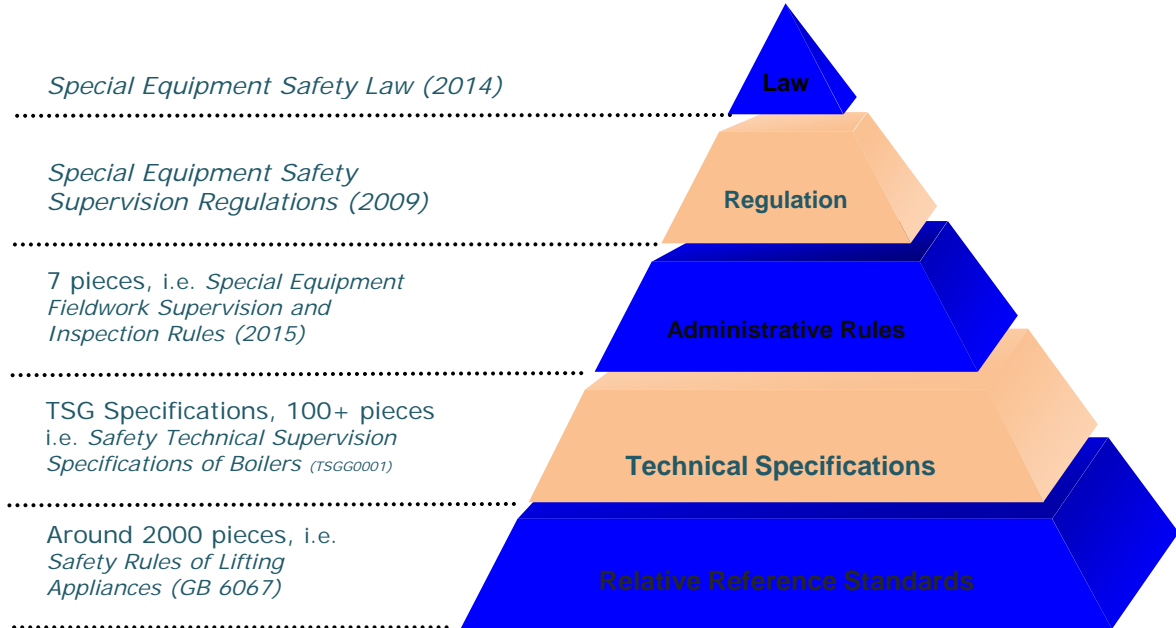


Part 4

EHS Topic: Brief Introduction to Special Equipment

Special Equipment refers to Boilers, Pressure Vessel (Cylinder included), Pressure Piping, Elevator, Hoisting Machine, Passenger Ropeway, Large Recreation Facility and In-plant Vehicle, as well as other facilities that may pose great risk to personal and property safety.

-----Special Equipment Safety Law



Boiler: Facilities that use fuels, electricity or other forms of energy to heat liquid to a certain degree and supply energy by means of medium output. Including:

Steam boiler: designed capacity of 30L or more, with nominal steam pressure equal to or greater than 0.1MPa;

Hot water boiler: output pressure equals to or greater than 0.1MPa, with nominal power of 0.1MW or more;

Organic heat carrier boiler: nominal power of 0.1MW or more



Pressure Vessel: Sealed facility filled with gas or liquid with certain pressure. Including:

Fixed / portable container: holding gas / liquefied gas with top working pressure equal to or greater than 0.1Mpa or liquid with top working temperature equal to or greater than normal boiling point, while the volume is no less than 30L or inner diameter no less than 150mm;

Cylinders: holding gas / liquefied gas with top working pressure equal to or greater than 0.2Mpa while the arithmetic product of the pressure and volume is no less than 1.0MPa•L, or liquid with normal boiling point equal to or lower than 60°C.



Pressure Piping: Pipe shaped facility conveying gas or liquid by means of certain pressure. Including:

Pipelines: conveying gas, liquefied gas, steam or flammable, explosive, toxic, corrosive liquid with top working temperature equal to or greater than nominal boiling point, while the diameter is no less than 50mm;

Exception: pipelines conveying nontoxic, inflammable or noncorrosive gas with diameter less than 150mm and top working pressure less than 1.6MPa;



Hoisting Machine: Electromechanical facility used to move heavy objects vertically or vertically & horizontally. Including:

Lifts: nominal loading capacity equal to or greater than 0.5t;

Cranes: nominal loading capacity equal to or greater than 0.5t while hoisting height no less than 2m;

Mechanical parking facility: number of layers equal to or greater than 2;

Obligation of Special Equipment Manufacturers

- Ensure compliance with safety technical specifications;
- Equip with permissive conditions and obtain corresponding permits;
- Inform local quality supervision, inspection and quarantine department prior to installation, reformation and maintenance;
- Provide completion materials to the users after installation, reformation and maintenance;
- Ensure inspection and supervision during manufacturing, installation, reformation and major maintenance;
- (Cylinder refilling entities) conduct integrity inspection prior to and after refilling;

Obligation of Special Equipment Dealers & Leaser

- Ensure completion of technical materials;
- Keep inspection and sales/lease records;
- Ensure imported special equipment in compliance with national specifications;
- Ensure foreign manufacturers hold permits from China.

Obligation of Special Equipment Users

- Ensure use safety of the special equipment;
- Purchase special equipment from permitted manufacturers only;
- Conduct use registration and post the registration sign on the distinctive place of the special equipment;
- Establish safety technical archive for each special equipment;
- Carry out daily and periodical maintenance;
- Eliminate hidden danger of accidents;
- Scrap and cancel registration of special equipment with severe hidden danger that cannot be repaired;
- Form safety and energy conservation systems as well as emergency response plans;
- Used only licensed management and operation personnel and provide them with regular refresher training;





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

For more information, please contact:

Dr. Allan Zhang
Shanghai Regional Office
21F, 728 Xizangzhong Road
Shanghai 200001, China
Tel : (86-21) 5308 0914
Email: azhang@esdchina.com.cn

Dr. Michael Liang
Guangzhou Regional Office
1302, World Trade Center North Tower
371-375 Huanshidong Road,
Guangzhou 510075, China
Tel : (86-20) 8760 6313
Email: mjliang@esdchina.com.cn

Dr. Gong Yuyang
Beijing Regional Office
Suite 1008, Block B, 6 Futong East St.
Focus Square, Beijing 100102, China
Tel : (86-10) 8478 3339
Email: gong@esdchina.com.cn