

EHS NEWSLETTER

June-August 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

Regulations on the Administration of Construction Project Environmental Protection (2017 version)



According to the Regulations, some administrative examination and approval procedures have been canceled. Including:

- Qualification administration of environment protection assessment unit has been removed;
- Filing system is applied to EIA forms instead of the examination and approval system;
- Completion inspection and acceptance of environmental protection facilities should be conducted by the construction unit instead of competent authority.

Catalogue of Classification Administration on Environmental Impact Assessment of Construction Projects



This Catalogue newly specified industry categories and project categories of EIA, setting up 50 level-one industries and 192 level-two categories

The filing system would apply to EIA forms instead of the examination and approval system.

Catalogue of Classification Administration on Pollutant Discharge Permit for Stationary Pollution Sources (2017 version)



Enterprises required to hold pollutant discharge permits by this Catalogue should obtain the permits within the specified time. MEP first started with 15 industries in 2017. All required enterprises should obtain pollutant discharge permits by 2020.

Shandong Measures on the Safety Management of Hazardous Chemicals



According to this Measure, hazardous chemical enterprise should be built only in chemical industry park, while safety risk assessment should be conducted every five years, and emergency response plan should be drilled regularly.

Notice on Regulating Completion Inspection and Acceptance of Construction Project Environment Protection Facilities by Construction Unit (Draft for Comments)



Regulations on Administration of Construction Project Environmental Protection revised on July 16 specified that completion inspection and acceptance of environmental protection facilities should be conducted by the construction unit instead of competent authority.

Ministry of Environment Protection issued the draft of this notice to set up corresponding procedure for the construction unit.



Part 1

National Legislation Update

Chinese Name	建设项目环境保护管理条例（2017年修订）
English Translation	Regulations on the Administration of Construction Project Environmental Protection (2017 version)
Issuance Number	国务院令 第682号
Issued By	the State Council
Issued Date	2017/7/16
Effective Date	2017/10/1
Chinese URL	http://www.cq.gov.cn/gwywj/2017/8/1/1519208.shtml

Brief Introduction:

This Regulation was revised pursuant to the revision of EIA Law in 2016 and the revision of Environment Protection Law in 2014. Below are major amendments in this 2017 version.

- Some administrative examination and approval have been canceled. Including:
 - Qualification administration of environment protection assessment unit has been removed;
 - Filing system is apply to EIA forms instead of the examination and approval system;
 - Completion inspection and acceptance of environmental protection facilities should be conducted by the construction unit instead of competent authority.
- EIA procedure has been simplified . EIA examination and approval time would be shortened.
- More specific statements were made on EIA examination and approval. It specifies that EIA would not be approved if it meets any of five conditions in this Measure.
- Beforehand and afterwards administration was strengthen.
- The penalties for violations were increased.

Chinese Name	建设项目环境影响评价分类管理名录
English Translation	Catalogue of Classification Administration on Environmental Impact Assessment of Construction Projects
Issuance Number	环境保护部令 第44号
Issued By	Ministry of Environmental Protection
Issued Date	2017-06-29
Effective Date	2017-09-01
Chinese URL	http://www.mep.gov.cn/gkml/hbb/bl/201707/t20170711_417602.htm

Brief Introduction:

This Catalogue newly specified industry categories and project categories of EIA, setting up 50 level-one industries and 192 level-two categories.

- If the environmental impacts are expected to be significant, an EIA Report of environmental impacts should be developed so as to include an all-round appraisal of the environmental impacts;
- If the environment impacts are expected to be gentle, an EIA Form of environmental impacts should be developed so as to include an analysis or special appraisal for 1~2 environmental factor;
- If environment impacts are expected to very insignificant so that it is not necessary to conduct an appraisal of the impacts, a registration form shall be filled in regarding the environmental impacts.

The filing system would apply to EIA forms instead of the examination and approval system since.

This new Catalogue specified that registration forms applied to all catering service, entertainment and bathing centers, instead of EIA form that was required in some cases in accordance with old version.

Construction unit should conduct environment impact assessment in accordance with this Catalogue, and could not change environment impact assessment type without authorization.



Chinese Name	固定污染源排污许可分类管理名录（2017年版）
English Translation	Catalogue of Classification Administration on Pollutant Discharge Permit for Stationary Pollution Sources (2017 version)
Issuance Number	环境保护部令第45号
Issued By	Ministry of Environmental Protection
Issued Date	2017/7/28
Effective Date	2017/7/28
Chinese URL	http://www.mep.gov.cn/gkml/hbb/bl/201708/t20170803_419132.htm

Brief Introduction: This Catalogue consists of the key management industries listed in the *Action Plan for Preventing and Treatment of Water Pollution and Air Pollution*, covering 82 industries, including 38 main categories and 78 subcategories of *Industrial Classification for National Economic Activities*, and 4 general processes.

Key management of pollutant discharge permit applies to 44 industries, simplified management applies to 8 industries, and key management/simplified management applies to the other 30 industries based on the technology features or scale of production. For those industries not listed in this catalogue, pollutant discharge permit is not required.



Enterprise with pollutant discharge permit required by this Catalogue should obtain pollutant discharge permit within the specified time. MEP first starts the work in 15 industries in 2017, including thermal power, steel, non-ferrous metal smelting, coking, oil refining, chemical, pharmaceuticals, pesticides, nitrogen fertilizer, paper making, textile printing and dyeing, tanning, electroplating, flat glass, and farm and sideline products processing. All required enterprises should obtain pollutant discharge permit by 2020.

Chinese Name	中华人民共和国水污染防治法（2017年修订）
English Translation	Water Pollution Prevention and Control Law of the People's Republic of China (2017 Revision)
Issuance Number	中华人民共和国主席令第七十号
Issued By	Standing Committee of the National People's Congress
Issued Date	2017-06-27
Effective Date	2017-06-27
Chinese URL	http://www.npc.gov.cn/npc/xinwen/2017-06/29/content_2024889.htm

Brief Introduction:

There are 55 major revisions of Water Pollution Prevention and Control Law, involving 'river chief' system, prevention and control of agricultural waste water, drinking water protection and environmental monitoring.

1. River chief system was made into national law. Party and government principals would be the river chiefs;
2. The State would promote the construction of waste water treatment facility and waste treatment facility in rural; Industrial and medical waste water is prohibited to discharge into farms;
3. Risk assessment system would be applied to drinking water. Local government should publish drinking water information quarterly;
4. This revision raise penalty for pollutant discharge by seepage well or seepage pit to one million. Responsible person might be subject to criminal charges if constitute such a crime.



Chinese Name	国务院办公厅关于推进城镇人口密集区危险化学品生产企业搬迁改造的指导意见
English Translation	Guiding Opinion on the Promotion of Relocation and Renovation of Hazardous Chemical Manufacturer in Urban Areas with Dense Population
Issuance Number	国办发〔2017〕77号
Issued By	General Office of the State Council
Issued Date	2017-08-27
Effective Date	2017-08-27
Chinese URL	http://www.gov.cn/zhengce/content/2017-09/04/content_5222566.htm

Brief Introduction: According to this Guiding Opinion, by 2025, hazardous chemical manufacturers in urban areas with dense population that do not comply with safety and sanitary protection distance requirements should either conduct up-to-standard reconstruction, relocate into chemical and industrial park, or simply shut down. According to this guiding opinion 1) For middle and small size enterprises and large-scale enterprises with major risk, reconstruction or relocation should be started before the end of 2018, and finished by the end of 2020; 2) For large-scale enterprises and extra-large enterprises, reconstruction or relocation should be started before the end of 2020, and finished by the end of 2025.



Chinese Name	建设项目危险废物环境影响评价指南
English Translation	Guidelines on the Environment Impact Assessment of Construction Project with Hazardous Waste
Issuance Number	中华人民共和国环境保护部公告2017年第43号
Issued By	Ministry of Environmental Protection
Issued Date	2017-08-29
Effective Date	2017-08-29
Chinese URL	http://www.zhb.gov.cn/gkml/hbb/bgg/201709/t20170913_421401.htm

Brief Introduction: This Guideline specifies requirements on the principle, content and technical requirements of environment impact assessment on construction project with hazardous waste, but not applicable to business unit engaged in the collection, storage, and disposal of hazardous waste.

Part 2 Local Legislation Update

Chinese Name	广东省节约用水办法
English Translation	Guangdong Measures on Water Conservation
Issuance Number	广东省人民政府令第240号
Issued By	Guangdong People's Government
Issued Date	2017-06-07
Effective Date	2017-08-01
Chinese URL	http://zwgk.gd.gov.cn/006939748/201706/t20170616_709530.html?isWap=1

Brief Introduction: According to this Measure, the government would keep monitoring enterprises in the catalogue of key water consumption units, and conduct administration and supervision based on the classification.

Key water consumption units refer to non-agricultural units with 10,000 m³ or more of monthly water consumption.

Key water consumption units should submit water usage plan of next year by December 31 annually. The government would approve the monthly water usage plan every half year or every year and notify water consumption unit. Key water consumption unit should follow on the water usage plan.



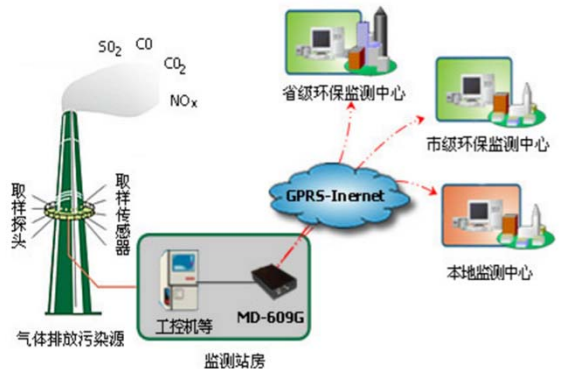
Chinese Name	上海市固定污染源自动监测建设、联网、运维和管理有关规定
English Translation	Shanghai Rules on the Construction, Networking, Operation, Maintenance, and Management of Automatic Monitoring facility of Stationary Pollution Source
Issuance Number	沪环规〔2017〕9号
Issued By	Shanghai Environmental Protection Bureau
Issued Date	2017-06-06
Effective Date	2017-07-15
Chinese URL	http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw41893/u21aw1236881.html

Brief Introduction: This Rule specifies the scope, general requirements, construction and installation, networking and reporting, operation and maintenance, legal liabilities, and enforcement time of automatic monitoring facility of stationary pollution source in Shanghai.

A key pollution emission unit is required to install automatic monitoring equipment.

This Rule specifies monitoring items for units with directly discharging wastewater and Class I wastewater pollutants discharging, wastewater treatment plants, users of boilers and furnaces, incineration facilities of solid waste and VOCs discharging, as well as technical requirements of various monitoring items.

Pollutant discharge units should report pollutant automatic monitoring equipment to local EPA for filing within five days after the acceptance inspection.



Chinese Name	湖南省节能监察办法
English Translation	Hunan Measures on Energy Conservation Supervision
Issuance Number	湘发改节能[2017]477号
Issued By	Hunan Development and Reform Commission
Issued Date	2017-06-16
Effective Date	2017-07-01
Chinese URL	www.hunan.gov.cn/2015xxgk/szfzcbm/tjbm/gfxwj/zcjd/201707/t20170714_4312716.html

Brief Introduction: The Measures specified that energy conservation supervision procedure should include: annual plan issuance, supervision notice issuance, surveillance and compliance performance, supervisory opinion issuance, urge rectification and improvement and irregularity action handling.

Supervision aspects include energy conservation administration, energy statistical analysis report, energy consumption equipment and production process, energy consumption benchmarking and energy administration post employment.

Chinese Name	山东省危险化学品安全管理办法
English Translation	Shandong Measures on the Safety Management of Hazardous Chemicals
Issuance Number	山东省人民政府令第309号
Issued By	Shandong People's Government
Issued Date	2017-06-02
Effective Date	2017-08-01
Chinese URL	http://www.shandong.gov.cn/art/2017/6/6/art_285_13343.html

Brief Introduction: This Measures include eight chapters, forty-seven articles, that specifies production, storage and usage safety of hazardous chemical, pipeline transportation, transportation, supervision and administration, as well as legal liabilities.

According to this Measure, hazardous chemical enterprise should be built only in chemical industry park, while safety risk assessment should be conducted every five years, and emergency response plan should be drilled regularly.



Regional Implementation Plan on the Discharge Permit of Controlled Pollutants

Chinese Name	贵州省控制污染物排放许可制实施方案 内蒙古自治区控制污染物排放许可制实施方案 山西省人民政府办公厅关于印发控制污染物排放许可制实施计划的通知 浙江省排污许可证管理实施方案
English Translation	Guizhou Implementation Plan on the Discharge Permit of Controlled Pollutants Inner Mongolia Implementation Plan on the Discharge Permit of Controlled Pollutants Shanxi Implementation Plan on the Discharge Permit of Controlled Pollutants Zhejiang Implementation Plan on the Discharge Permit of Pollutants
Issuance Number	黔府办发〔2017〕19号 内政办发〔2017〕98号 晋政办发〔2017〕74号 浙政办发[2017]79号
Issued By	Guizhou People's Government Inner Mongolia people's Government Shanxi People's Government Zhejiang People's Government
Issued Date	2017-06-09, 2017-06-06, 2017-06-27, 2017-07-28
Effective Date	2017-06-09, 2017-06-06, 2017-06-27, 2017-09-01
Chinese URL	http://www.gzfzb.gov.cn/xwzx/zwyw/201706/t20170626_2563251.html http://www.nmg.gov.cn/xxgkml/zzqzf/gkml/201706/t20170613_618526.html http://www.shanxigov.cn/sxszfxxgk/sxsrmzfczbm/sxszfbgt/flfg_7203/btgfxwj_7206/201706/t20170629_310366.shtml http://www.zj.gov.cn/art/2017/8/9/art_32432_293905.html

Brief Introduction: Regional implementation plan on the discharge permit of controlled pollutants were formulated in according with *National Implementation Plan on the Discharge Permit of Controlled Pollutants* issued by the State Council in 2016, which requires that enterprises of thermal power plants and papermaking should obtain pollutant discharge permits by the end of June 2017, while enterprises of key industries specified in air pollution and water pollution prevention and control plan, and industries with over capacity should obtain pollutant discharge permits by the end of 2017.



To meet the overall objective of the Implementation plan, Ministry of Environment Protection issued *Classified Administration Catalogue of Pollutant Discharge Permit for Stationary Pollution Sources (2017 version)* on the July 28, 2017. Enterprises consistent with this Catalogue should obtain pollutant discharge permit within the specified time.

Since then, core administration system evolved from environmental impact assessment to pollutant discharge permit. The permits would be the solo administrative licensing of pollutant discharge for an enterprise. Pollutant discharge permit would cover much more information than before, including application for stationary pollution sources, discharge standards, monitoring plans, environment protection facility supervision and violation punishment.

The overall objectives of Guizhou, Inner Mongolia, Shanxi and Zhejiang implementation plans are consistent with the national plan. Besides. Shanxi requires enterprises of waste water treatment, food production, boiler, automobile making to comply with the general process by the end of 2018. Enterprises of stationary pollution source should obtain pollutant discharge permit by the end of 2019. All listed enterprises should obtain pollutant discharge permit by 2020.



Chinese Name	福建省水资源条例
English Translation	Fujian Regulation on Water Resources
Issuance Number	福建省人民代表大会常务委员会公告
Issued By	Fujian People's Congress Standing Committee
Issued Date	2017-07-25
Effective Date	2017-10-01
Chinese URL	http://www.fjrd.gov.cn/ct/63-124562

Brief Introduction: This Regulation specifies requirements on the planning, protection, exploitation, utilization, assignment conservation of water resources.

According to this Regulation, in addition to the river chief system, local governments should establish mass loading control system and efficiency control system of water consumption, as well as pollutant restricted emission system of water functional area. Local governments could stop approving newly added intake, drain outlet and related construction project if emission quantity of key pollutants exceeds the control target or water quality of water functional area does not meet the standards.



Chinese Name	浙江制鞋工业大气污染物排放标准（DB332046-2017）
English Translation	Emission standard of air pollutants for shoe-making industry in Zhejiang Province
Issuance Number	DB33/ 2046—2017
Issued By	Zhejiang People's Government
Issued Date	2017-08-10
Effective Date	2017-11-15
Chinese URL	http://www.xsepb.gov.cn/Info_Show.aspx?ClassID=f3e87133-795d-4696-9c2a-f5e15f1472c1&InfoID=53233bb0-d258-47d4-953f-62f873ee3417

Brief Introduction: This Standard specifies requirements on the emission limits, testing and monitoring, as well as implementation and supervision of air pollutants.

This Standard applies to shoe manufacturing enterprises and production facilities of peripheral products on air pollutant emission, as well as vamp/shoe sole/ heel manufacturing enterprises in Zhejiang Province.

Part 3 Legislative Initiatives

Administrative Measures on the Pollutant Discharge Permit (Draft for Comments)

排污许可管理办法（征求意见稿）

This draft of Management Measures applies to application, issuance, implementation, supervision, and punishment of aspects related to pollutant discharge permit. The following is the key information drawn from the draft.

1. The government conducts classification administration of the pollutant discharge units. Pollutant discharge units would be classified into key administration unit and simplified administration unit.
2. Ministry of environment protection would use unified coding for pollutant discharge units and facilities, pollution treatment facilities and outlets based on the unified social credit code. Pollutant discharge units should keep account on their environmental management activities and keep the records for no less than three years.
3. Ministry of Environment Protection would construct, operate, maintain, manage a National Information System of Pollutant Discharge Permits. Application, acceptance, issuance, adjusting, review, logout and reapplication of pollutant discharge permit would be performed on the system.
4. Pollutant discharge units should prepare monitoring plans when applying for pollutant discharge permits, and conduct afterwards monitoring following the plan.



New Rules on Completion Inspection and Acceptance of Environment Protection

Notice on Regulating Completion Inspection and Acceptance of Construction Project Environment Protection Facilities by Construction Unit (Draft for Comments)

关于规范建设单位自主开展建设项目竣工环境保护验收的通知（征求意见稿）

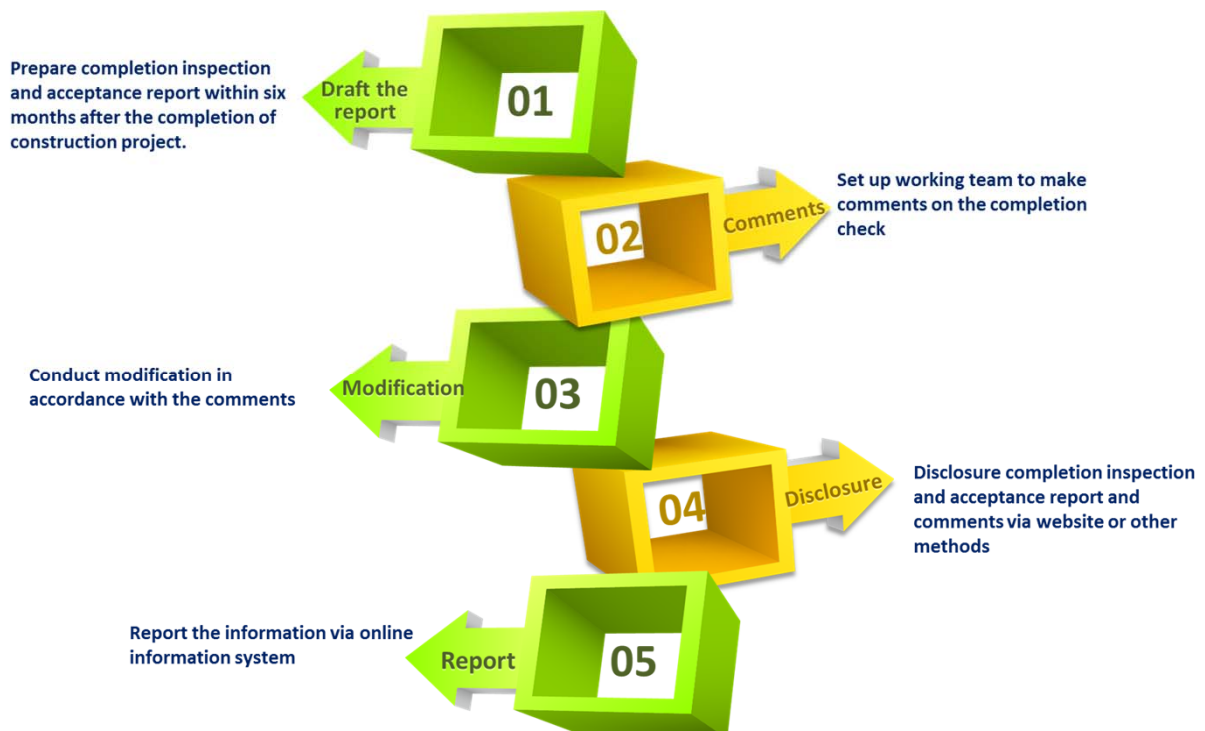
Regulations on Administration of Construction Project Environmental Protection revised on July 16 specified that completion inspection and acceptance of environmental protection facilities would be conducted by construction unit instead of competent authority. Ministry of Environment Protection issued the draft of this notice to set up corresponding standard for the construction unit.

Pursuant to the Notice, completion inspection and acceptance should be performed in line with following steps.

1. Construction unit or third-party commissioned by the construction unit should prepare a completion inspection and acceptance report within six months after the completion of construction project. Drafter of the report would take ever continuing responsibility of the report.
2. After preparation of the report, construction unit should set up a working team of completion inspection. The working team should comment on the completion inspection following relevant regulations and specification.
3. Construction unit should conduct modification in accordance with the comments on the completion inspection. The working team would then issue final comments on the completion inspection and acceptance.

This Notice made clear that completion inspection of environmental protection would not be passed if it meets any of five conditions specified in this Notice.

4. Construction unit should disclose completion inspection and acceptance report and corresponding comments on websites or other methods within five working days after receiving inspection and acceptance opinion for a period no less than one month.
5. After disclosure, the construction unit should report the information via an online information system of the government (under construction). Environment protection authority would conduct random inspection on the construction project registered at the online information system.





ESD China Limited

About Us

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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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