

# EHS NEWSLETTER

## March 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

### Directory of Heavy Pollution Fuels

This directory listed the fuels considered necessary for strengthened management based on their qualities, use styles and environmental impacts. It is only applicable to designated districts with heavy pollution fuel prohibition. The fuels were classified in Categories I, II and III. Municipal governments may select a specific category to apply to their districts with high pollution fuel prohibition.



### Administrative Regulation on Registered Fire Safety Engineer

Certain fire safety technical documents should be signed by fire safety engineers so as to take effect: 1) written conclusion of fire safety technical consultation, fire safety assessment and fire incident technical analysis; 2) annual fire safety comprehensive reports of key fire safety entities; 3) written conclusion of fire safety facility maintenance, repair and testing; 4) maintenance certificate of fire extinguishers; 5) other fire safety technical documents required by laws and regulations.



### Technical Guideline on Groundwater Contamination Prevention and Control of Gas Stations (Trial)

For groundwater contamination prevention and control, gasoline stations are required to use double-wall storage tanks or impervious barrier and carry out groundwater monitoring. In case of oil leakage incidents or any pollution index exceeding standards, the gasoline station is obligated to conduct groundwater environmental investigation to identify if there is any contamination or how the contamination goes.



### Shanghai Enforcement Regulation on Pollution Discharge Permit Management

In comparison with the national Interim Administrative Regulation on Pollution Discharge Permits, this enforcement regulation is more focused on the local situations of Shanghai. Four distinctive characteristics of Shanghai features were be noted.



### Administrative List of Excluded Hazardous Wastes (draft of comments)

A List of Excluded Hazardous Wastes is added to the Inventory of Hazardous Wastes in addition to the Exempted Management of Hazardous Waste. It will function as an important support in the management of hazardous wastes.





## Part 1

## National Legislation Update

<b>Chinese Name</b>	高污染燃料目录
<b>English Translation</b>	Directory of Heavy Pollution Fuels
<b>Issuance Number</b>	国环规大气[2017]2号
<b>Issued By</b>	Ministry of Environmental Protection
<b>Issued Date</b>	2017-03-27
<b>Effective Date</b>	2017-03-27
<b>Chinese URL</b>	<a href="http://www.zhb.gov.cn/gkml/hbb/qt/201704/t20170401_409216.htm">http://www.zhb.gov.cn/gkml/hbb/qt/201704/t20170401_409216.htm</a>

**Brief Introduction:** This directory listed the fuels considered necessary for strengthened management based on their qualities, use styles and environmental impacts. It is only applicable to designated districts with heavy pollution fuel prohibition.

Based on the control stringency, the fuel combination was classified in Categories I, II and III from general to strict management. Municipal governments may select a specific category to apply to their districts with high pollution fuel prohibition according to their ambient air quality requirements, energy consumption structure and economical affordability.

Regarding the fuels, petroleum coke, oil shale, crude oil, heavy oil, residual oil and coal tar oil are included in all 3 categories due to their heavy air pollution during direct combustion. Coal is controlled in different degrees in the categories as it's still the main energy source in China. Biomass briquette is only controlled in Category III for its use style as to be fired in designated boilers with efficient dust removal installations.



<b>Chinese Name</b>	国家重点节能低碳技术推广目录（2017年本低碳部分）
<b>English Translation</b>	National Promotion Directory of Key Energy-saving Low-carbon Technologies
<b>Issuance Number</b>	国家发展和改革委员会公告2017年第3号
<b>Issued By</b>	National Development and Reform Commission
<b>Issued Date</b>	2017-03-17
<b>Effective Date</b>	2017-03-17
<b>Chinese URL</b>	<a href="http://www.sdpc.gov.cn/gzdt/201704/t20170401_843306.html">http://www.sdpc.gov.cn/gzdt/201704/t20170401_843306.html</a>

**Brief Introduction:** The National Development and Reform Commission issued this directory as the continuation of the two batches issued in August 2014 and December 2015 so as to gradually achieve the objectives of the GHG control action plan. This directory included 27 national key low-carbon technologies, covering the fields of non-CO2 emission reduction, carbon capture use & storage and carbon sink of non-fossil energy and fuel & raw material replacement & processing. It is for the use of related departments, institutes and enterprises.

<b>Chinese Name</b>	注册消防工程师管理规定
<b>English Translation</b>	Administrative Regulation on Registered Fire Safety Engineer
<b>Issuance Number</b>	中华人民共和国公安部令第143号
<b>Issued By</b>	Ministry of Public Security
<b>Issued Date</b>	2017-03-16
<b>Effective Date</b>	2017-10-01
<b>Chinese URL</b>	<a href="http://www.nxga.gov.cn/info/1099/7513.htm">http://www.nxga.gov.cn/info/1099/7513.htm</a>

**Brief Introduction:** According to the Regulation, Level I fire safety engineers are permitted to practice nationwide while Level II fire safety engineers are permitted to practice within the registered province. The following fire safety technical documents should be signed by corresponding safety engineers so as to take effect: 1) written conclusion of fire safety technical consultation, fire safety assessment and fire incident technical analysis; 2) Annual fire safety comprehensive reports of key fire safety entities; 3) written conclusion of fire safety facility maintenance, repair and testing; 4) maintenance certificate of fire extinguishers; 5) other fire safety technical documents required by laws and regulations.



<b>Chinese Name</b>	加油站地下水污染防治技术指南(试行)
<b>English Translation</b>	Technical Guideline on Groundwater Contamination Prevention and Control of Gasoline Stations (Trial)
<b>Issuance Number</b>	环办水体函[2017]323号
<b>Issued By</b>	General Office of Ministry of Public Security
<b>Issued Date</b>	2017-03-09
<b>Effective Date</b>	2017-03-09
<b>Chinese URL</b>	<a href="http://www.zhb.gov.cn/gkml/hbb/bgth/201703/t20170324_408758.htm">http://www.zhb.gov.cn/gkml/hbb/bgth/201703/t20170324_408758.htm</a>

**Brief Introduction:** For groundwater contamination prevention and control, gasoline stations are required to use double-wall storage tanks or impervious barrier and carry out groundwater monitoring. In case of oil leakage incidents or any pollution index exceeding standards, the gasoline station is obligated to conduct groundwater environmental investigation to identify if there is any contamination or how the contamination goes. If any characteristic indexes of the groundwater exceed Class III Limit of Quality Standard for Ground Water (GB/T 14848) or Standard for Groundwater Quality (DZ/T 0290), or detection of any characteristic indexes not included in these standards, the gasoline station must conduct groundwater contamination health risk assessment. If the carcinogenic risk or hazard level is beyond acceptable, the station should establish a control and remediation target and take corresponding actions.



<b>Chinese Name</b>	建设项目职业病防护设施“三同时”监督管理办法
<b>English Translation</b>	Administrative Measures on ‘Three Synchronies’ Supervision of Occupational Disease Protective Facilities of Construction Projects
<b>Issuance Number</b>	国家安全生产监督管理总局令第90号
<b>Issued By</b>	State Administration for Quality Supervision and Inspection and Quarantine
<b>Issued Date</b>	2017-03-09
<b>Effective Date</b>	2017-05-01
<b>Chinese URL</b>	<a href="http://www.chinasafety.gov.cn/newpage/Contents/Channel_20697/2012/0504/171616/content_171616.htm">http://www.chinasafety.gov.cn/newpage/Contents/Channel_20697/2012/0504/171616/content_171616.htm</a>

**Brief Introduction:** This amendment was made to adapt the changes of laws and regulations of higher levels. Pursuant to the new measures, the ‘Three Synchronies’ of occupational disease protective facilities can be conducted along with the safety facilities. The construction project owner may combine the contents of occupational disease hazard and the safety pre-assessment reports, facility designs, assessment reports and completion acceptance reports. Meanwhile, written reports should be prepared and submitted to local work safety supervisory bureaus during the processes of occupational disease hazard pre-assessments and protective facility designs. The occupational disease hazard completion acceptance plan should be submitted 20 days prior to the completion acceptance inspection and the written report of completion acceptance is required within 20 days after the inspection for projects with severe occupational diseases hazards.

<b>Chinese Name</b>	企业投资项目核准和备案管理办法
<b>English Translation</b>	Administrative Measures on Authorization and Archival Filing of Enterprise Invested Projects
<b>Issuance Number</b>	国家发展和改革委员会令第2号
<b>Issued By</b>	National Development and Reform Commission
<b>Issued Date</b>	2017-03-08
<b>Effective Date</b>	2017-04-08
<b>Chinese URL</b>	<a href="http://www.sdpc.gov.cn/zcfb/zcfbl/201703/t20170322_841714.html">http://www.sdpc.gov.cn/zcfb/zcfbl/201703/t20170322_841714.html</a>

**Brief Introduction:** According to the Measures, EIA approvals, site selection comments, land use inquiries and energy conservation inspections no longer serve as the preconditions of project approvals since 8 April 2017. Only the projects involving national security, allocation of key productive forces, strategic resource development and key public advantages will require approvals. Other projects will only have to file on record for reference. For the projects already filed on record, if there are considerable changes in project information, the enterprise is obligated to inform the record-filing authority timely. Meanwhile, if the authority identified the filed projects pertaining to the prohibited investigation field or the approval required category, the authority will inform the enterprise to conduct corresponding procedures.



<b>Chinese Name</b>	关于《水泥包装袋》等1077项强制性国家标准转化为推荐性国家标准的公告
<b>English Translation</b>	Announcement on 1077 Mandatory National Standards such as Sacks of Packing Cements to be converted to Recommended National Standards
<b>Issuance Number</b>	国家标准公告2017年第7号
<b>Issued By</b>	State Administration for Quality Supervision and Inspection and Quarantine
<b>Issued Date</b>	2017-03-23
<b>Effective Date</b>	2017-03-23
<b>Chinese URL</b>	<a href="http://www.sac.gov.cn/gzfw/ggcx/gjbzgg/201707/">http://www.sac.gov.cn/gzfw/ggcx/gjbzgg/201707/</a>

**Brief Introduction:** In this Announcement specified a list of 1077 mandatory national standards to be converted to recommended national standards, effective since the date of issuance. The code name of GB is replaced by GB/T. In the list, a number of health and safety related standards were included, such as GB 150.1~4 pressure vessel related standards, GB 3883.1~22 safety standards of hand-held motor operated electric tools, GB 13960.3~13 safety standards for transportable motor operated electric tools, GB 17888.1~4 safety standards of machines as well as the sanitary prevention distance related standards (GB 11654.1, GB 11655.1, GB 11655.6, and GB 11657~11666). The application of these standards is not mandatory any more. Enterprises can have more degrees of freedom in such fields. However, for the health and safety concerns, some contents shall still be followed.

<b>Chinese Name</b>	关于废止《微波和超短波通信设备辐射安全要求》等396项强制性国家标准的公告
<b>English Translation</b>	Announcement on Annulment of 396 Mandatory National Standards such as Safety Requirement of Radiation for Microwave and Ultrashort Wave Communication Equipment
<b>Issuance Number</b>	国家标准公告2017年第6号
<b>Issued By</b>	State Administration for Quality Supervision and Inspection and Quarantine
<b>Issued Date</b>	2017-03-23
<b>Effective Date</b>	2017-03-23
<b>Chinese URL</b>	<a href="http://www.sac.gov.cn/gzfw/ggcx/gjbzgg/201706/">http://www.sac.gov.cn/gzfw/ggcx/gjbzgg/201706/</a>

**Brief Introduction:** This Announcement specified the annulment list of 396 mandatory national standards, effective since the date of issuance. Plenty of health related standards issued between 1987 and 2001 were included in the list. Particularly, the series of diagnostic criteria and principles of management of occupational diseases and poisoning (GB 7794 -7808, 8784- 8792 11502-11514 16370-16394 & 17056-17059) and occupational exposure limits in the air of workplaces (GB 8774-8779, 10328-10439, 11516-16250, 17052-17055 & 18528-18563). Attention should be paid to this list by related enterprises and institutes.



<b>Chinese Name</b>	关于修改和废止部分规章及规范性文件的决定
<b>English Translation</b>	Decision on Amendment and Repeal of a few Departmental Rules and Normative Documents
<b>Issuance Number</b>	国家安全生产监督管理总局令第89号
<b>Issued By</b>	State Administration of Work Safety
<b>Issued Date</b>	2017-03-06
<b>Effective Date</b>	2017-03-06
<b>Chinese URL</b>	<a href="http://www.chinasafety.gov.cn/newpage/Contents/Channel_22243/2017/0323/286051/content_286051.htm">http://www.chinasafety.gov.cn/newpage/Contents/Channel_22243/2017/0323/286051/content_286051.htm</a>

**Brief Introduction:** The amendment of the three departmental rules was very minor, merely a change of a few terminologies altered in higher-level laws. The repealed normative documents on the other hand, used to be important supplementary requirements of former laws and regulations. Along with the amendments of health and safety laws and regulations in the past few years, corresponding contents were incorporated. Therefore, these normative documents are no longer necessary. It is notable that new normative documents will continue to be issued, serving the same purpose as the supplement of laws and regulations.



<b>Chinese Name</b>	关于修改和废止部分行政法规的决定
<b>English Translation</b>	Decision on Amendment and Repeal of a few Administrative Regulations
<b>Issuance Number</b>	国务院令 第676号
<b>Issued By</b>	the State Council
<b>Issued Date</b>	2017-03-01
<b>Effective Date</b>	2017-03-01
<b>Chinese URL</b>	<a href="http://www.gov.cn/zhengce/content/2017-03/21/content_5179305.htm">http://www.gov.cn/zhengce/content/2017-03/21/content_5179305.htm</a>

**Brief Introduction:** Of all the 36 amended administrative regulation, only four are environmental related. And three of the four were for the protection of marine environment. Regarding general enterprises, we are merely interested in Administrative Regulation on Water Abstraction Permit and Collection of Water Resource Fee. The amendment of Article 11 means that water resource demonstration no longer needs to be conducted by licensed entities. The amendment of Article 21 and 47 cancelled the water abstraction permits as the precondition of project approval. This simplified the administrative approval procedures for projects with water abstraction.

## Part 2

## Local Legislation Update

<b>Chinese Name</b>	上海市排污许可证管理实施细则
<b>English Translation</b>	Shanghai Enforcement Regulation on Pollution Discharge Permit Management
<b>Issuance Number</b>	沪环规（2017）6号
<b>Issued By</b>	Shanghai Environmental Protection Bureau
<b>Issued Date</b>	2017-03-31
<b>Effective Date</b>	2017-04-30
<b>Chinese URL</b>	<a href="http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw51879.html">http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw51879.html</a>

**Brief Introduction:** In comparison with the national Interim Administrative Regulation on Pollution Discharge Permits, this enforcement regulation is more focused on the local situations of Shanghai. The characteristics are as followed.

1. In addition to the water and air pollutants required by the national regulation, this local enforcement included solid waste and noise in the pollution discharge permitting system as well, so as to achieve 'One Permit' comprehensive permitting management.
2. Besides the pollution discharge permitting organization and supervision work specified in the national regulation, the local enforcement assigned the permit issuance and administration of coal-fired power plants, largescale state-owned enterprises and enterprises within the chemical industrial park to the provincial EPB.
3. The local enforcement adopted historical emission method to check and ratify the permitted mass loading instead of the industrial emissions performance method recommended in the national regulation. It is more stringent and more favorable to the emission reduction and environmental quality improvement.
4. Different management requirements were specified on pollution control in winter. Monthly permitted mass loading and special requirements of worst case meteorological conditions in winter were regulated.





<b>Chinese Name</b>	上海市工业污染源全面达标排放计划实施方案
<b>English Translation</b>	Shanghai Enforcement Measures on Full-scale Standardized Discharge Plan of Industrial Pollution Sources
<b>Issuance Number</b>	沪环保总〔2017〕83号
<b>Issued By</b>	Shanghai Environmental Protection Bureau
<b>Issued Date</b>	2017-03-01
<b>Effective Date</b>	2017-03-01
<b>Chinese URL</b>	<a href="http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw51558.html">http://www.shanghai.gov.cn/nw2/nw2314/nw2319/nw12344/u26aw51558.html</a>

**Brief Introduction:** The working targets specified in this Enforcement Measures are accurate to each year till 2020. Firstly, by then end of 2017, complete the pollution discharge condition assessment and rectification of 8 major industries, including iron & steel, thermal power, cement, coal, papermaking, dyeing, wastewater treatment plants and waste incineration plants. Secondly, by the end of 2018, complete the pollution discharge condition assessment of other industries as well as pollution discharge rectification of key industries with VOC emission and electroplating process. Thirdly, by the end of 2019, complete the pollution discharge rectification of all industries within the administrative region, along with improved environmental law enforcement and supervision mechanism. Lastly, by the end of 2020, ensure full-scale coverage of pollution discharge permitting management to achieve continual standardized pollution discharge of all industries as well as continual pollutant mass loading reduction. Elevated administration and supervision will be enforced on enterprises of all industries with pollution discharge.

<b>Chinese Name</b>	广西节约用水管理办法
<b>English Translation</b>	Guangxi Administrative Measures on Water Conservation
<b>Issuance Number</b>	桂政办发〔2017〕31号
<b>Issued By</b>	Guangxi People's Government
<b>Issued Date</b>	2017-03-06
<b>Effective Date</b>	2017-03-06
<b>Chinese URL</b>	<a href="http://www.gxzf.gov.cn/zwgk/zfwj/zzqrmzfbgtwj/2017gzbwj/201703/t20170316_495338.htm">www.gxzf.gov.cn/zwgk/zfwj/zzqrmzfbgtwj/2017gzbwj/201703/t20170316_495338.htm</a>

**Brief Introduction:** The Measures specified local requirements in aspects of water conservation principles, departmental responsibilities, water conservation management and measures as well as stimulation and assurance measures. The Measures required strict control of both water resource consumption mass loading and intensity. Governmental departments of water administration, development and reform, housing and urban-rural construction, Industry and Information, agriculture and commerce will all participate in the work of water conservation. Requirements on water conservation management and measure in industries, agriculture, services and municipal administration were specified. Stimulation measures such as water conservation project encouragement policy, water efficiency leading action, water performance contracting, water price differentiation and information disclosure will be taken.



<b>Chinese Name</b>	关于印发2017年安全生产工作要点的通知
<b>English Translation</b>	Notice on Key Focuses of Work Safety in 2017
<b>Issuance Number</b>	浙安监管办〔2017〕19号
<b>Issued By</b>	Zhejiang Administration of Work Safety
<b>Issued Date</b>	2017-03-17
<b>Effective Date</b>	2017-03-17
<b>Chinese URL</b>	<a href="http://www.zjsafety.gov.cn/cn/zxwj/278299.shtml">http://www.zjsafety.gov.cn/cn/zxwj/278299.shtml</a>

**Brief Introduction:** Zhejiang AWS issued this notice for the purpose of work safety condition improvement in 2017. Actions will be taken to reinforce the control and inspection of work safety risks and hidden danger so as to keep major incidents within limits. Meanwhile, comprehensive technical and management measures will be taken to improve the work safety risk control abilities. During the progress, improvement of work safety infrastructure and assurance capability is the key. Enterprises are expected to cooperate with the governmental departments to work out these key focuses.



## Part 3

## Interpretation

### □ 环境与健康工作办法（试行）（征求意见稿） Working Procedures of Environment and Health (draft of comments)

The draft measures consist of four major aspects of contents besides general principles and supplementary provisions, including health impact investigation of environmental pollution, environment and health risk monitoring, assessment and management.

Articles 7 - 9 specified the requirements on environment and health risk monitoring, including the scope of work, responsibility of the EPB and use of the monitoring results.

Articles 10 - 13 specified the requirements on health impact investigation of environmental pollution, including the investigation content, initiation trigger, handling and application of the results.

Articles 14 - 19 specified the requirements on environment and health risk assessment, including the scope of work and detailed specifications.

Articles 20 - 24 specified the requirements on environment and health risk management, including administrative supervision, information disclosure, public engagement and education.

The draft is considered as the expansion of Article 39 of the Environmental Protection Law that 'the government establishes and improves the system of environment and health monitoring, investigation and risk assessment'.

### □ 危险废物排除管理清单（征求意见稿） Administrative List of Excluded Hazardous Wastes (draft of comments)

A List of Excluded Hazardous Wastes is added to the Inventory of Hazardous Wastes in addition to the Exempted Management of Hazardous Waste. It will function as an important support in the management of hazardous wastes.

Some of the listed wastes were assessed by various qualified facilities and proven not hazardous. However, according to the current management framework, enterprises dealing with these wastes have to submit their own assessment report that says they are non-hazardous. This causes repeated work and wastes money for these enterprises. On the other hand, some of the listed wastes are still managed as hazardous wastes in some areas due to outdated assessment methods. This is also a waste of the authority's enforcement power. So the introduction of the exclusion list is supposed to both relieve the industry's burden and increase the authority's management efficiency.

At present 6 types of hazardous wastes are included in the exclusion list and more will be added dynamically. Solid wastes that are already regarded as non-hazardous will not be included, such as desulfurized gypsum and blast furnace slags.







# ESD China Limited

## About Us

ESD China Limited (ESD, [www.esdchina.com](http://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](http://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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