



ESD CHINA LIMITED

伊世特中國有限公司

EHS NEWSLETTER

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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

Notification on the Implementation Scheme of Pollutant Discharge Permits

The scheme of pollutant discharge permits is a fundamental management system for regulating enterprises to comply with the law. The Scheme is a powerful tool to tackle the long-existing problems pertaining to environmental management, such as unclear mutual working orientation, poor liability confirmation of enterprises in dealing with pollution and weak supervision and responsibility of relevant governing departments.



Administrative Measures on Filing Management of Construction Project Environmental Impact Assessment Registration Forms

According to the Measure, the completion of a registration form (the Form) for environmental impact assessment of construction projects is required to make official filing in local EPB. The entities of construction projects are responsible for ensuring their authenticity, accuracy and integrity, and providing the signatures of principle responsibility bearer.



Decision on the Cancellation of a Number of License of Occupational Qualifications

After research and demonstration, State Council of the PRC has made decision to cancel 114 license of occupational qualifications, so as not only to simplify the management system and optimize professional service, but also to engage in talent development, public innovation and entrepreneurship.



Jiangxi Ordinance of Air Pollution Prevention and Control

Setting the target of improving general air quality, the regulation stated the importance of pollution source control, planning in advanced, prevention incorporating with control management. Led by the guidance of the government, air pollution prevention and control also relied on public participation, cooperative control and responsible entities.



Letter to the Public to Solicit the Opinions of Environmental Impact Assessment for Construction Project Classification and Management (Revised Draft)

Included in the letter, there is a detailed list of construction project (referred to projects that experienced changes in environmental factors by human activities during the process of development, operation and decommissioning) and its classification from the aspect of environmental impact assessment (EIA).





Part 1

National Legislation Update

Chinese Name	关于印发控制污染物排放许可制实施方案的通知
English Translation	Notification on the Implementation Scheme of Pollutant Discharge Permits
Issuance Number	国办发〔2016〕81号
Issued By	General Office of the State Council
Issued Date	2016-11-10
Effective Date	2016-11-10
Chinese URL	http://www.gov.cn/zhengce/content/2016-11/21/content_5135510.htm

Brief Introduction: The scheme of pollutant discharge permits is a fundamental management system in regulating enterprises to comply with the law. Environmental protection department is entitled to issue pollutant discharge permits to enterprises and perform necessary supervision. The Scheme is a powerful tool to tackle the long-existing problems pertaining to environmental management, such as unclear mutual working orientation, poor liability confirmation of enterprises in dealing with pollution as well as weak supervision and responsibility of relevant governing departments. In order to further promote the reform of the basic system of environmental governance, the Scheme is thus produced. Its completion benefits from Environmental Protection Law of the People's Republic of China and General Scheme for the Reform of Ecological Civilization System, and other supporting laws and regulations. The first release of the pollution discharge permit is valid for three years, while renewed permit is valid for five years. The overall goal of the Scheme is, by year 2020, to effectively operate a platform for pollution discharge management and achieve "mono permit" mode of administration.

Chinese Name	建设项目环境影响登记表备案管理办法
English Translation	Administrative Measures on Filing Management of Construction Project Environmental Impact Assessment Registration Forms
Issuance Number	环境保护部令第41号
Issued By	Ministry of Environmental Protection
Issued Date	2016-11-16
Effective Date	2017-01-01
Chinese URL	http://www.mep.gov.cn/gkml/hbb/bl/201611/t20161125_368260.htm

Brief Introduction: According to the Measure, the completion of a registration form (the Form) for environmental impact assessment of construction projects is required to make official filing in local EPB. The entities of construction projects are responsible for ensuring their authenticity, accuracy and integrity, and providing the signatures of principle responsibility bearer. Environmental protection department at municipal levels shall be responsible for such completion and the file management in the region. The Form is expected to be completed online and the Ministry of Environmental Protection contributed to establish online file collection system. However, for those confidential projects, a paper-format (hard copy) form is acceptable. In violation of the provisions of these measures (eg. fake record), construction units are expected to suffer environmental credit loss and confront necessary penalties.



Chinese Name	再生铅行业规范条件
English Translation	Specification Conditions of Renewable Lead Industry
Issuance Number	工业和信息化部公告2016年第60号
Issued By	Ministry of Industry and Information Technology
Issued Date	2016-12-05
Effective Date	2016-12-05
Chinese URL	http://www.miit.gov.cn/n1146295/n1146592/n3917132/n4061768/c5418517/content.html

Brief Introduction: In order to guide the development of lead recycling industry, adjust industrial structure, maximise the energy and material consumption efficiency, and to reduce the negative impact of wasted metal lead, the Conditions were thus stipulated. Governments in collaboration with enterprises should take active measures on recycled lead business, including investment management, supply chain management, energy conservation assessment, financial credit system and etc. based on the current observations.



Chinese Name	国务院关于取消一批职业资格许可和认定事项的决定
English Translation	Decision on the Cancellation of a Number of License of Occupational Qualifications
Issuance Number	国发〔2016〕68号
Issued By	Ministry of Environmental Protection
Issued Date	2016-12-01
Effective Date	2016-12-01
Chinese URL	http://www.gov.cn/zhengce/content/2016-01/22/content_5035351.htm

Brief Introduction: After research and demonstration, State Council of the PRC has made decision to cancel 114 license of occupational qualifications, so as not only to simplify the management system and optimize professional service, but also to engage in talent development, public innovation and entrepreneurship. By such measures, it will continually soften the burden of personnel and institutional costs, stimulate the market and social vitality and create opportunities in start-up companies. These cancelled occupational qualifications involved in multiple departments and associations: Ministry of Transportation, Ministry of Agriculture, Ministry of Industry and Information Technology, Ministry of Culture, Ministry of Land and Resources, Tourist Administration, Water Conservancy, Meteorology Bureau, Human resources, Administration of Cultural Heritage, National Development and Reform Commission, China Railway Corporation, China Textile Industry Association, China Machinery Industry Association, China Iron and Steel Industry Association, China National Forestry Administration, Civil Aviation Administration of China, China Customs, China Petroleum and Chemical Industry Association, National Health and Family Planning Commission, China Electric Power Enterprise Association, China's State Oceanic Administration, China Light Industry Association, China Chamber of Commerce, China Building Materials Association, State Administration of traditional Chinese Medicine and etc. The decision also helps to gradually establish a credit management system of certified personnel, and severely punished misconducted behaviours including certificate renting, accumulation of illegal funds.



Part 2

Local Legislation Update

Chinese Name	福建省核电厂环境辐射防护办法
English Translation	Fujian Measures for Environmental Radiation Protection of Nuclear Power Plants
Issuance Number	福建省政府令第182号
Issued By	Fujian Provincial People's Government
Issued Date	2016-11-25
Effective Date	2017-01-01
Chinese URL	http://www.fujian.gov.cn/zc/flfg/zfgz/201612/t20161202_1261478.htm

Brief Introduction: The Measures are applicable to Fujian provincial nuclear power plants, focusing on radiation supervision, nuclear incidents control and management, public communication and environmental protection. It adhered to the strict principle of safety and prevention come first, cooperating with control measures. Provincial public security, transportation, health, civil affairs and other relevant departments should well prepare for environmental radiation protection supervision and management, and emergency control. Nuclear power plants must strictly comply with national nuclear safety laws and regulations, to take safety and protection measures to prevent the occurrence of various types of radioactive pollution accidents, and to avoid radioactive pollution hazards. An environmental background investigation pertaining to radiation levels at least within two years, is required for new projects. For those existing nuclear power plant projects with subsequent changes, radiation data within one year should be collected. Within the scope of planning and control of nuclear power plant, it is strictly prohibited that the construction of oil refineries, chemical plants, oil depots, the use of blasting methods to work the quarry, flammable and explosive goods warehouses, oil pipelines and other projects. In addition, new or expanded chemical storage docks, typhoon shelter anchorage sites are also prohibited with a radius of 5 km of nuclear power plant adjacent to the sea area.



Chinese Name	江西省大气污染防治条例
English Translation	Jiangxi Ordinance of Air Pollution Prevention and Control
Issuance Number	江西省第十二届人民代表大会常务委员会公告
Issued By	Standing Committee of Jiangxi People's Congress
Issued Date	2016-12-01
Effective Date	2017-03-01
Chinese URL	http://www.gov.cn/xinwen/2016-12/11/content_5146503.htm?allContent

Brief Introduction: Setting the target of improving general air quality, the regulation stated the importance of pollution source control, planning in advanced, prevention incorporating with control management. Led by the guidance of the government, air pollution prevention and control also relied on public participation, cooperative control and responsible entities. To encourage and support social investment and boost financial credit support by certain institutions in such matter are of great importance. Moreover, third party governance and treatment is also contributive to continuously improving air quality. Environmental protection department is expected to have a complaint handling system, including receiving calls, reports and online complaint. According to relevant laws and standards, enterprises and institutions should take effective measures to prevent and reduce air pollution, and be responsible for the existing damage to the atmosphere. Individuals are encouraged to lead a low-carbon life, without contributing too much air pollution.

Chinese Name	河北省发展循环经济条例
English Translation	Hebei Circular Economy Development Ordinance
Issuance Number	河北省第十二届人民代表大会常务委员会公告第104号
Issued By	Standing Committee of Hebei People's Congress
Issued Date	2016-12-02
Effective Date	2017-01-01
Chinese URL	http://www.hb12369.net/hjzw/hbhbzxd/qtxd/201612/t20161205_52413.html

Brief Introduction: Circular economy is referred to general expression of mass loading reduction, reuse and recycling process of production, circulation and consumption. The Ordinance specified that circular economy is part of the annual national economy and social development plan. Its successful implementation should benefit from many competent departments including environmental protection, industry and information technology, land and resources, finance, agriculture, commerce, housing and urban and rural construction, quality and technical supervision, food and drug supervision, science and technology and etc. Scientific research institutions are strongly encouraged to carry out various forms of cooperation, development and application of advanced technology in mass loading reduction, reuse, and other aspects, so as to achieve the final goal of circular economy improvement. Medias should popularize the development of such matters to the public with comprehensive senses and knowledge, while individuals should conscientiously fulfill their obligations to effectively consume resources and reduce resource consumption and waste generation.

Chinese Name	吉林省节约能源条例
English Translation	Jilin Energy Conservation Ordinance
Issuance Number	国办发（2016）81号
Issued By	Standing Committee of Jilin People's Congress
Issued Date	2016-11-17
Effective Date	2017-01-01
Chinese URL	http://www.jlrd.gov.cn/dfxfg/201611/t20161128_2474761.html

Brief Introduction: This Ordinance stipulated the measures to strengthen the management of energy use, and the application of technically feasible and economical approaches towards social and environmental energy saving. From the early stage of energy production to the consumption of various kinds, key attention should be paid upon reducing energy use, energy loss control, waste generation and management, as to consume necessary energy effectively and reasonably. Led by the guidance of government, energy conservation work is also relied on market operation, technology promotion as well as social participation. Energy saving and economic development should be in mutual promotion instead of going into a contradictory path. Specific funds should be allocated by the government to support the innovation of energy-saving products, green construction implementation, advocacy training and information publication, in order to popularize energy conservation concept and appeal the awareness of the society. Moreover, the utilization of green energy including wind energy, solar energy and biomass is encouraged.



Chinese Name	贵州省水资源保护条例
English Translation	Guizhou Water Resources Protection Ordinance
Issuance Number	贵州省第十二届人民代表大会常务委员会公告2016第19号
Issued By	Standing Committee of the Guizhou People's Congress
Issued Date	2016-11-24
Effective Date	2017-01-01
Chinese URL	http://www.gzrd.gov.cn/dffg/sgdfxfg/26035.shtml

Brief Introduction: The Ordinance specified that water resource protection should adhere to the principle of the harmony between nature and human, overall planning, water protection priority, water quality control, pollution prevention and treatment, so as to establish an ecological civilization. Local government should include water resource protection in the national economic and social development plan, and promote the implementation of performance appraisal and assessment. Increase of financial investment in water protection could be another approach. Certain supervision and organization work should be carried out by regional agencies with governmental abilities. The people's governments at or above the county level are responsible for development and reform, environmental protection, housing and urban construction, economic and information technology, transportation, land resources, agriculture, forestry and other relevant departments and administrative region of water resources protection, conservation, development and utilization. Regional government leader is recognized as River Manager, and responsible for provincial water resource management and protection. All units and individuals shall have the obligation to save and protect water resources, and report any destructive deeds discovered.



Chinese Name	济南市水土保持条例
English Translation	Jinan Soil and Water Conservation Ordinance
Issuance Number	济南市人民代表大会常务委员会公告十五届第34号
Issued By	Standing Committee of Jinan People's Congress
Issued Date	2016-11-28
Effective Date	2017-01-01
Chinese URL	http://www.jnrd.gov.cn/channels/ch00005/201612/23ed0094-f443-48fd-8f6e-11f8048a7505.htm

Brief Introduction: The Ordinance proposed specific contents and measures on total amount of water pollution control. It specified that the government should play a leading role in local soil and water conservation. Entities causing damages to the soil and water shall bear the corresponding remediation liabilities required by the main principles. Establishing a joint conference system and coordinating with multiple issues in soil and water conservation is one key duty of government agencies. The authorities should consider integrating relevant conservation plan into annual economic and social development plan, and allocate specific fund from budgetary outlays. Annual evaluation system (rewards and penalties), incorporating with target responsibility system shall be well formed.



Conservation plan shall perform necessary prediction in water and soil loss caused by any construction projects, determine main responsible entities, make implemental measures clarifications and offer treatment plans. Those construction projects without proper water and soil conservation plan and relevant permissions, are not allowed to implement under any circumstances.



Part 3

Interpretation

□ 关于公开征求《建设项目环境影响评价分类管理名录》（修订征求意见稿）意见的函 Letter to the Public to Solicit the Opinions of Environmental Impact Assessment for Construction Project Classification and Management (Revised Draft)

Included in the letter, there is a detailed list of construction project (referred to projects that experienced changes in environmental factors by human activities during the process of development, operation and decommissioning) and its classification from the aspect of environmental impact assessment (EIA). According to regional environmental sensitivity and comprehensive consideration of the construction projects that might bring impact to the surroundings, sorting management in EIA is inevitable. EIA full reports are applicable to those projects involving: 1) Complex environmental impact factors, multiple types of pollution, large generation of toxicity, and hardness of degradation; 2) Significant impact on ecological environment; 3) Ecological protection red line area, natural reserve areas and environmental sensitive regions; 4) Potentially significant environmental risk. EIA forms are required for those projects involving: 1) Simple environmental impact factors, fewer types of pollution, low generation of toxicity; 2) Slight impact on ecological environment; 3) slight impact on environmental sensitivity; 4) Potentially low environmental risk. Sensitive environment included: 1) Nature reserves, scenic spots, world cultural and natural heritage areas, drinking water source protection areas; 2) Important wetlands, natural forests, endangered species existing areas, natural fishing ground, key water and soil erosion control areas, desertification land closure protected areas, closed and semi closed sea areas, ecological protection red line areas; 3) Regions that serve for living, health, culture, education, scientific research, and administrative office. EIA for cross-field construction project shall be conducted according to the top level assessment in the relevant category. The Ministry of Environmental Protection shall be responsible for compiling, interpretation, and revision of such list.



□ 危险化学品安全生产“十三五”规划（征求意见稿） “13th Five-year” Planning of Safe Production of Hazardous Chemicals (Draft for comment)

Due to multiple accidents arise during the past few years, the whole society paid close attention to the safe production of dangerous chemicals, and the urging desire for production safety has become the need of numerous people and a powerful driving force for promotion. The Plan will be used to provide structural reform of the economy and remarkable technology development, therefore boost the adjustment of industry structure by upgrading equipment and professional crews and of course accelerating the elimination of hazardous chemical and outdated technology. Only by implementing the abovementioned measures can help enterprises to maintain a secure production line. By year 2020, it is expected to form a well-established law and regulation system, an optimized governmental supervision method on hazardous chemicals management, and relevant training programmes and etc. entities shall bear responsibility of their own in creating a safer production place, and avoid major accident from happening at any cases. Strengthening the establishment of credit system in safety production of hazardous chemicals, and creating a black list to punish those went outlaws, are effective measures as well. In addition to that, every department must put their efforts, every working unit must be well trained, and every mobilization must be sufficiently assessed, as they share a same goal of ensuring safe and secure production of hazardous chemicals.





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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