



Environmental Laws & Regulations in China and Rules of WTO

(A Chinese-English Version 汉英对照文本)

中国环保法规与世贸组织规则

国家环境保护总局政策法规司 编



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Edited by
Department of Policy and Law
State Environmental Protection Administration



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内容简介

环境法规和贸易规则具有相互影响。本书以汉英双语对照形式，集中收录了中国现行对贸易、投资、建设项目等具有直接和间接影响的环境法律、法规和其他规范性文件，世界贸易组织协定中对环境保护具有影响的各项规则；同时还摘要收录了有关国际环境条约中的贸易条款，以及中国加入世界贸易组织法律文件中的环境保护规定。

本书由国家环境保护总局政策法规司编纂和组织翻译，可以作为国际贸易和投资者了解和遵守中国环境法规的指南，同时也是国内环保系统和有关各界理解和运用世贸组织规则，特别是其中环境保护相关规定的重要工具书。

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ABSTRACTION

Environmental regulation and the rules on trade are impacting one another. This compilation, in the form of bilingual Chinese-English version, has collected the major environmental laws, regulations and other regulatory instruments, which having direct or indirect impact on trade, investment and development projects, the rules of various WTO agreements with impact on environmental protection. The trade-related provisions in major international environmental treaties and the environment-related provisions in the legal instruments on China's accession into WTO are also included.

This compilation was organized by the Department of Policy & Law of the State environmental Protection Administration, it could be used as the guideline for international traders and investors to get familiar with and comply with the Chinese environmental laws and regulations, it could also be used as the indispensable deskbook for those in the environmental departments and other related sectors to understand and apply the rules of WTO, especially those provisions related to the environmental protection.

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《中国环保法规与世贸组织规则》

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Chinese-English Version

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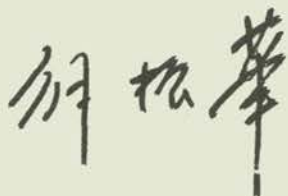
历经 15 年的艰苦谈判，中国终于在 2001 年 12 月加入了世界贸易组织。环境保护和贸易自由化之间有着重大而密切的关系。在可持续发展这一共同理念指导下，环保法规与贸易措施应该而且可以实现相互协调和支持。

中国已经制定了一系列环境法律法规，其中有相当多的规定与国际贸易和投资直接或者间接相关。世贸组织的非歧视原则、市场准入原则、透明度原则、法制统一等基本原则，以及“环境例外”、发展中国家差别和优惠待遇等规定，已经并正在融入中国环境法的制定和实施中。

为了适应中国加入世界贸易组织的进程，促进中国环境法律法规的广泛传播和理解，为遵守和实施世贸组织有关环境保护的规则提供便利，国家环保总局政策法规司组织编纂了汉英双语对照的《中国环保法规与世贸组织规则》。

我相信，本书的适时出版，有利于增强中国环境法规的公开性和透明度，便于外商和国际投资者了解并遵守中国环境法规；同时也有利于增进国内有关各界对世贸组织规则特别是环境保护相关规定的理解和把握，促进中国与世界各国在贸易和环境领域的交流与合作。

国家环境保护总局局长



二〇〇二年二月六日

PREFACE

After 15 years of arduous negotiations, China has finally acceded to the World Trade Organization (WTO) in December 2001. There exists a profound and close relationship between environmental protection and trade liberalization. Under the common goal of sustainable development, environmental regulations and trade measures should be coordinated with each other and could also be mutually supportive.

Thus far, China has formulated a fairly comprehensive system of environmental laws and regulations. Many provisions in these laws and regulations directly or indirectly pertain to or affect trade in goods, services and investment. Fundamental principles such as non-discrimination, market access, transparency, uniform application, and provisions regarding environmental exceptions and differential and more favorable treatment for developing countries, have been integrated or are being integrated into the formulation and implementation of various Chinese environmental laws.

With the aim of responding to China's landmark accession to the WTO, promoting broader dissemination and understanding of Chinese environmental laws and regulations, facilitating compliance with and implementation of relevant rules in the WTO provisions, the Department of Policy and Law of the State Environmental Protection Administration has prepared this bilingual English-Chinese compilation entitled "Environmental Laws & Regulations in China and Rules of WTO."

I believe that the timely publication of this book will contribute to enhancing the openness and transparency of the Chinese environmental laws and regulations, so as to enhance familiarity and compliance with Chinese environmental laws and regulations by foreign businesspersons and other investors. I also believe that this publication will help increase the general public's understanding and application of key WTO provisions, particularly those rules that affect environmental protection, so as to promote further exchanges and cooperative programs between China and other countries in the field of trade and environment.

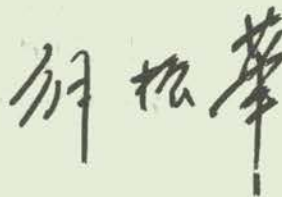
Xie Zhen Hua

Minister

State Environmental

Protection Administration

February 6, 2002



编辑说明

为适应市场经济体制和加入 WTO 的进程，中国在过去几年中，对环境保护法律、行政法规、部门规章及其他规范性文件进行了修订、补充和全面清理。在此基础上，我们选择对投资、贸易等具有直接和间接影响的环保法规，组织译为英文；同时，我们还摘选了 WTO 有关协定中与环境保护密切相关的部分规则，将其结集为《中国环保法规与世贸组织规则》，并以汉英双语文本形式出版。

一、文本内容

全书分为四编，共收录各类法律文件 200 余篇，收录日期截止 2002 年 2 月底。

第一编为中国环境保护法规，集中收录了环境保护的各项主要法律、行政法规、部门规章及其他规范性文件。此外，还收录与环境保护相关的产业和投资政策、环保产品与环保技术的政策性文件，以及宪法、刑法、民法和贸易、投资、税收等法律中的环境保护条款。该编共收文 150 余篇。

第二编为国际环境条约中的贸易措施规定，收录了中国批准或签署的主要多边环境协定（MEAs）中的贸易措施规定，以及其他有关重要国际环境法律文件中关于环境与贸易的规定。该编共收文近 20 篇。

第三编为中国入世法律文件中的环境保护规定，收录了全国人大常委会关于中国加入 WTO 的决定、WTO 多哈会议关于接纳中国加入的决定和中国加入 WTO 的议定书，并摘录了该议定书各附件中有关环保产品的关税减让表和环境服务贸易具体承诺减让表，同时还摘录了 WTO 中国加入工作组报告书中的环保内容。该编共收文 12 篇。

第四编为世贸组织规则与环境保护，收录了该组织的各主要法律文件，包括马拉喀什协定、关税及贸易总协定 1947/1994，并摘录了其中有关环境保护的规定；此外还全文收录了《关于服务贸易与环境的决定》、《关于贸易与环境的决定》等决定。该编共收文 20 篇。

EDITORS' NOTES

To adapt to the market-economy system and the obligations set forth in World Trade Organization (WTO) agreements, China has reviewed relevant environmental statutes, regulations and other regulatory instruments. As a result of this review, China has repealed, revised and drafted a number of these laws and regulations in recent years. In this regard, the editors have collected key environmental laws that pertain to or affect trade in goods, services and investment, directly or indirectly, and have arranged for the translation of these laws and regulations from Chinese into English. Additionally, the editors selected WTO provisions of key relevance for environmental protection regimes and then included these with the selection of key Chinese environmental laws and regulations. Together, the editors entitled the bilingual collection "**Environmental Laws & Regulations in China and Rules of WTO**".

1. Contents of Texts

The compilation is composed of four parts, including almost 200 legal documents. The compilation covers laws & regulations issued during the period December 1989 to February 2002.

Part I: Environmental Laws and Regulations in China. Approximately 150 environmental regulatory instruments, including major environmental laws adopted by the National People's Congress or its Standing Committee, administrative regulations approved by the State Council, ministerial regulations adopted by the national environmental authority, and other regulatory documents, are included within this Part. Additionally, relevant policies on industrial development, policies on trade and investment that affect environmental protection initiatives, policy documents on environmental products and technology, and environment-related provisions in the Constitution, Criminal Law, Civil Law and other laws on trade, investment and taxation, are also included in this Part.

Part II: Trade-related Provisions in Multilateral Environmental Agreements (MEAs). Trade-related measures from nearly 20 major MEAs, which have been ratified or signed by China, have been included in this Part.

Part III: Environment-related Provisions in the Legal Instruments on China's Accession into WTO. The Decision, the Protocol and its major annexes and the Report of the Working Group on China's Accession into WTO, are included, and the environment-related provisions in the schedule on trade in goods, schedule of specific commitments on services are also excerpted. This part has collected 12 documents.

Part IV: Rules of WTO Agreements Affecting Environmental Protection. Roughly 20 WTO provisions, including the General Agreement on Tariffs and Trade (1994) and provisions from major WTO/GATT agreements are included in this Part, along with the full texts of certain major Decisions on trade and environment.

2. Legal Effect of the Different Linguistic Texts

In accordance with the Law of the People's Republic of China on the National Written and Spoken Language, the Chinese language is the legally binding language. As a result, the Chinese government only deems authentic the original-language version of Chinese environmental laws and regulations. The English texts of the Chinese environmental laws and the administrative regulations collected in this book have ever been reviewed respectively by the Commission of Legislative Affairs of the

二、语言文本的效力

根据《中华人民共和国通用语言文字法》，汉语为中国法定通用公务用语文字，因此中国环境法律法规的汉语文本是标准文本。本书所收环境法律和行政法规的英译文本，分别采用了全国人大常委会法制工作委员会和国务院法制办公室审定的文本，环境部门规章的英译文本为国家环保总局政策法规司组织翻译，供对照之用。

根据世界贸易组织的规定，英文文本是其中的作准文本，中文译本供对照之用。其中，有关世贸组织协定和中国人世法律文件的中文译本采用了对外贸易经济合作部的译本。

三、特别鸣谢

本书编纂得到了国务院法制办公室环保司和译审司、对外贸易经济合作部条法司的指导；北京中绿垂地环境技术开发有限公司提供了部分资助，在此一并致谢。

我们愿向国内各位译校者慎重致谢，他们均为国内著名大学的法学教授或语言专家，正是由于他们的贡献，本书的译校才得以顺利完成。

我们还愿特别提及美国律师事务所 Beveridge & Diamond, P. C. 的合伙人、比较环境法专家 Richard J. Ferris 先生，英国律师事务所 Sullivan & Cromwell 律师、环境法专家 Benjamin Liebman 先生，荷兰 Leiden 大学法学院中国环境法专家 Benjamin van Rooij 先生。他们为本书英文译本的审校提供了宝贵的协助，在此谨向他们表示感谢。

本书是国家环境保护总局政策法规司组织编译的第一本汉英对照的中国环境保护法规汇编，受时间和经验的限制，错误在所难免，以后将适时予以修正、增补和更新。

国家环境保护总局政策法规司

Standing Committee of the NPC and the Office of Legislative Affairs of the State Council. The translation of environmental ministerial regulations from Chinese into English is organized by the Department of Laws and Regulations of the State Environmental Protection Administration for the convenience of comparison. For the purpose of compliance with the Chinese environmental laws and regulations, the readers are strongly advised to refer to the Chinese versions thereof.

As for the WTO agreements included in this compilation, the English texts thereof are authentic. Therefore, the Chinese translations of these agreements are provided for informational purposes. The Chinese texts of the WTO agreements and the legal documents on China's accession into WTO are based on texts provided by the Ministry of Foreign Trade and Economic Cooperation (MOFTEC).

3. Acknowledgements

During the process of compilation, we received valuable guidance from the Environmental Protection Department of the Office of Legislative Affairs of the State Council and the Department of Treaty and Law of MOFTEC. The Beijing China-Green Tredi Environmental Technology Development Co. Ltd. provided part of the financial support for this publication.

We would like to thank the domestic translators and reviewers, they are all professors of law or linguistic experts from prestigious universities or institutions, it was because their efforts that contributed to the smoothly completion of the related translation and review.

Additionally, we would like to extend our gratitude to a number of experts. In particular, we would like to extend our appreciation to Mr. Richard J. Ferris, a leading expert on comparative environmental law and a partner of the U. S. law firm, Beveridge & Diamond, P. C. in Washington, D. C. . We would also like to extend our thanks to Mr. Benjamin Liebman, a Barrister of the British law firm, Sullivan & Cromwell in London; Mr. Benjamin Van Rooij, an expert on Chinese environmental law in the Law School of Leiden University, Netherlands. Among other things, these experts have provided valuable assistance in reviewing the translated English drafts.

This book is the first bilingual compilation on Chinese environmental laws and regulations organized by the Department of Policy and Laws of the State Environmental Protection Administration. Because of our limited time available for preparation of this compilation, the book may contain unavoidable errors. We apologize in advance for any such oversights and promise to publish a revision in due time.

Department of Policy and Law
State Environmental Protection Administration

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第一编

中国环境保护法律法规

PART I

Environmental Laws and Regulations in China

一、宪法

I Constitutional Provisions

中华人民共和国宪法（环境保护条款摘录）

(1982年12月4日第五届全国人民代表大会第五次会议通过, 1988年4月12日
《中华人民共和国宪法修正案》第一次修正, 1993年3月29日
《中华人民共和国宪法修正案》第二次修正, 1999年3月15日
《中华人民共和国宪法修正案》第三次修正)

第一章 总纲

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第九条 矿藏、水流、森林、山岭、草原、荒地、滩涂等自然资源, 都属于国家所有, 即全民所有; 由法律规定属于集体所有的森林和山岭、草原、荒地、滩涂除外。

国家保障自然资源的合理利用, 保护珍贵的动物和植物。禁止任何组织或者个人用任何手段侵占或者破坏自然资源。

第十条 城市的土地属于国家所有。

农村和城市郊区的土地, 除由法律规定属于国家所有的以外, 属于集体所有; 宅基地和自留地、自留山, 也属于集体所有。

国家为了公共利益的需要, 可以依照法律规定对土地实行征用。

任何组织或者个人不得侵占、买卖或者以其他形式非法转让土地。土地的使用权可以依照法律的规定转让。

一切使用土地的组织和个人必须合理地利用土地。

.....

第二十二条 国家发展为人民服务、为社会主义服务的文学艺术事业、新闻广播电视事业、出版发行事业、图书馆博物馆文化馆和其他文化事业, 开展群众性的文化活动。

国家保护名胜古迹、珍贵文物和其他重要历史文化遗产。

第二十六条 国家保护和改善生活环境和生态环境, 防治污染和其他公害。国家组织和鼓励植树造林, 保护林木。

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Constitution of the People's Republic of China (excerpts of environment related articles)

(Adopted at the Fifth Session of the Fifth National People's Congress on December 4, 1982
amended at the First Session of the Seventh National People's Congress on April 12, 1988
and amended for the second time at the First Session of the Eighth National People's Congress on
March 29, 1993 and amended for the third time at the Second Session of the Ninth
National People's Congress on March 15, 1999)

Chapter I General Principles

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Article 9 All mineral resources, waters, forests, mountains, grasslands, unreclaimed land, beaches, and other natural resources are owned by the state, that is, by the whole people, with the exception of the forest, mountains, grasslands and unreclaimed land and beaches that are owned by collectives in accordance with the law.

The state ensures the rational use of natural resources and protects rare animals and plants. Appropriation or damaging natural resources by any organization or individual by whatever means is prohibited.

Article 10 Land in cities is owned by the state.

Land in the rural and suburban areas is owned by collectives except for those portions which belong to the state in accordance with the law; house sites and privately farmed plots of cropland and hilly land are also owned by collectives. The state may, in the public interest, requisition land for its use in accordance with the law.

No organization or individual may appropriate, buy, sell or unlawfully transfer land in other ways. The right to the use of the land may be transferred in accordance with the law.

All organizations and individuals using land must ensure its rational use.

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Article 22 The state promotes the development of art and literature, the press, radio and television broadcasting, publishing and distribution services, libraries, museums, cultural centers and other cultural undertakings that serve the people and socialism, and it sponsors mass cultural activities.

The state protects sites of scenic and historical interest, valuable cultural monuments and relics and other significant items of China's historical and cultural heritage.

.....

Article 26 The state protects and improves the living environment of the people and the ecological environment. It prevents and controls pollution and other public hazards.

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二、综合性环境法律法规

II Framework Provisions

中华人民共和国环境保护法

(1989年12月26日第七届全国人民代表大会常务委员会第十一次会议通过，同日中华人民共和国主席令第二十二号公布，自同日起施行)

目 录

- 第一章 总则
- 第二章 环境监督管理
- 第三章 保护和改善环境
- 第四章 防治环境污染和其他公害
- 第五章 法律责任

第一章 总 则

第一条 为保护和改善生活环境与生态环境，防治污染和其他公害，保障人体健康，促进社会主义现代化建设的发展，制定本法。

第二条 本法所称环境，是指影响人类生存和发展的各种天然的和经过人工改造的自然因素的总体，包括大气、水、海洋、土地、矿藏、森林、草原、野生生物、自然遗迹、人文遗迹、自然保护区、风景名胜区、城市和乡村等。

第三条 本法适用于中华人民共和国领域和中华人民共和国管辖的其他海域。

第四条 国家制定的环境保护规划必须纳入国民经济和社会发展规划，国家采取有利于环境保护的经济、技术政策和措施，使环境保护工作同经济建设和社会发展相协调。

第五条 国家鼓励环境保护科学教育事业的发展，加强环境保护科学技术的研究和开发，提高环境保护科学技术水平，普及环境保护的科学知识。

第六条 一切单位和个人都有保护环境的义务，并有权对污染和破坏环境的单位和个人进行检举和控告。

第七条 国务院环境保护行政主管部门，对全国环境保护工作实施统一监督管理。

县级以上地方人民政府环境保护行政主管部门，对本辖区的环境保护工作实施统一监督管理。

国家海洋行政主管部门、港务监督、渔政渔港监督、军队环境保护部门和各级公安、交通、铁道、民航管理部门，依照有关法律的规定对污染防治实施监督管理。

Environmental Protection Law

(Adopted at the 11th Meeting of the Standing Committee of the Seventh National People's Congress on December 26, 1989, promulgated by Order No. 22 of the President of the People's Republic of China on December 26, 1989 and effective on the date of promulgation)

Contents

Chapter I	General Provisions
Chapter II	Supervision and Management of the Environment
Chapter III	Protection and Improvement of the Environment
Chapter IV	Prevention and Control of Environmental Pollution and Other Public Hazards
Chapter V	Legal Liabilities
Chapter VI	Supplementary Provisions

Chapter I General Provisions

Article 1 This Law is formulated for the purpose of protecting and improving people's environment and the ecological environment, preventing and controlling pollution and other public hazards, safeguarding human health and facilitating the development of socialist modernization.

Article 2 "Environment" as used in this Law refers to the total body of all natural elements and artificially transformed natural elements affecting human existence and development, which includes the atmosphere, water, seas, land, minerals, forests, grasslands, wildlife, natural and human remains, nature reserves, historic sites and scenic spots, and urban and rural areas.

Article 3 This Law shall apply to the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

Article 4 The plans for environmental protection formulated by the state must be incorporated into the national economic and social development plans; the state shall adopt economic and technological policies and measures favourable for environmental protection so as to coordinate the work of environmental protection with economic construction and social development.

Article 5 The state shall encourage the development of education in the science of environmental protection, strengthen the study and development of the science and technology of environmental protection, raise the scientific and technological level of environmental protection and popularize scientific knowledge of environmental protection.

Article 6 All units and individuals shall have the obligation to protect the environment and shall have the right to report on or file charges against units or individuals that cause pollution or damage to the environment.

Article 7 The competent department of environmental protection administration under the State Council shall conduct unified supervision and management of the environmental protection work throughout the country.

The competent departments of environmental protection administration of the local people's governments at or above the county level shall conduct unified supervision and management of the environmental protection work within areas under their jurisdiction.

The state administrative department of marine affairs, the harbour superintendency administration, the fisheries administration and fishing harbour superintendency agencies, the environmental protection department of the armed forces and the administrative departments of public security, transpor-

县级以上人民政府的土地、矿产、林业、农业、水利行政主管部门，依照有关法律的规定对资源的保护实施监督管理。

第八条 对保护和改善环境有显著成绩的单位和个人，由人民政府给予奖励。

第二章 环境监督管理

第九条 国务院环境保护行政主管部门制定国家环境质量标准。

省、自治区、直辖市人民政府对国家环境质量标准中未作规定的项目，可以制定地方环境质量标准，并报国务院环境保护行政主管部门备案。

第十条 国务院环境保护行政主管部门根据国家环境质量标准和国家经济、技术条件，制定国家污染物排放标准。

省、自治区、直辖市人民政府对国家污染物排放标准中未作规定的项目，可以制定地方污染物排放标准；对国家污染物排放标准中已作规定的项目，可以制定严于国家污染物排放标准的地方污染物排放标准。地方污染物排放标准须报国务院环境保护行政主管部门备案。

凡是向已有地方污染物排放标准的区域排放污染物的，应当执行地方污染物排放标准。

第十一条 国务院环境保护行政主管部门建立监测制度，制定监测规范，会同有关部门组织监测网络，加强对环境监测的管理。

国务院和省、自治区、直辖市人民政府的环境保护行政主管部门，应当定期发布环境状况公报。

第十二条 县级以上人民政府环境保护行政主管部门，应当会同有关部门对管辖范围内的环境状况进行调查和评价，拟订环境保护规划，经计划部门综合平衡后，报同级人民政府批准实施。

第十三条 建设污染环境的项目，必须遵守国家有关建设项目环境保护管理的规定。

建设项目的环境影响报告书，必须对建设项目产生的污染和对环境的影响作出评价，规定防治措施，经项目主管部门预审并依照规定的程序报环境保护行政主管部门批准。环境影响报告书经批准后，计划部门方可批准建设项目设计任务书。

第十四条 县级以上人民政府环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门，有权对管辖范围内的排污单位进行现场检查。被检查的单位应当如实反映情况，提供必要的资料。检查机关应当为被检查的单位保守技术秘密和业务秘密。

第十五条 跨行政区的环境污染和环境破坏的防治工作，由有关地方人民政府协商解决，或者由上级人民政府协调解决，作出决定。

tation, railways and civil aviation at various levels shall, in accordance with the provisions of relevant laws, conduct supervision and management of the prevention and control of environmental pollution. The competent administrative departments of land, minerals, forestry, agriculture and water conservancy of the people's governments at or above the county level shall, in accordance with the provisions of relevant laws, conduct supervision and management of the protection of natural resources.

Article 8 The people's government shall give awards to units and individuals that have made outstanding achievements in protecting and improving the environment.

Chapter II Supervision and Management of the Environment

Article 9 The competent department of environmental protection administration under the State Council shall establish the national standards for environment quality.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may establish their local standards for environment quality for items not specified in the national standards for environment quality and shall report them to the competent department of environmental protection administration under the State Council for the record.

Article 10 The competent department of environmental protection administration under the State Council shall, in accordance with the national standards for environment quality and the country's economic and technological conditions, establish the national standards for the discharge of pollutants.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may establish their local standards for the discharge of pollutants for items not specified in the national standards; with regard to items already specified in the national standards, they may set local standards which are more stringent than the national standards and report the same to the competent department of environmental protection administration under the State Council for the record.

Units that discharge pollutants in areas where the local standards for the discharge of pollutants have been established shall observe such local standards.

Article 11 The competent department of environmental protection administration under the State Council shall establish a monitoring system, formulate the monitoring norm and, in conjunction with relevant departments, organize a monitoring network and strengthen the management of environmental monitoring.

The competent departments of environmental protection administration under the State Council and governments of provinces, autonomous regions and municipalities directly under the Central Government shall regularly issue bulletins on environmental situations.

Article 12 The competent departments of environmental protection administration of the people's governments at or above the county level shall, in conjunction with relevant departments, make an investigation and an assessment of the environmental situation within areas under their jurisdiction, draw up plans for environmental protection which shall, subject to overall balancing by the department of planning, be submitted to the people's government at the same level for approval before implementation.

Article 13 Units constructing projects that cause pollution to the environment must observe the state provisions concerning environmental protection for such construction projects.

The environmental impact statement on a construction project must assess the pollution the projects is likely to produce and its impact on the environment and stipulate the preventive and curative measures; the statement shall, after initial examination by the authorities in charge of the construction project, be submitted by specified procedure to the competent department of environmental protection administration for approval. The department of planning shall not ratify the design plan descriptions of the construction project until after the environmental impact statement on the construction project is approved.

第三章 保护和改善环境

第十六条 地方各级人民政府，应当对本辖区的环境质量负责，采取措施改善环境质量。

第十七条 各级人民政府对具有代表性的各种类型的自然生态系统区域，珍稀、濒危的野生动植物自然分布区域，重要的水源涵养区域，具有重大科学文化价值的地质构造、著名溶洞和化石分布区、冰川、火山、温泉等自然遗迹，以及人文遗迹、古树名木，应当采取措施加以保护，严禁破坏。

第十八条 在国务院、国务院有关主管部门和省、自治区、直辖市人民政府划定的风景名胜区、自然保护区和其他需要特别保护的区域内，不得建设污染环境的工业生产设施；建设其他设施，其污染物排放不得超过规定的排放标准。已经建成的设施，其污染物排放超过规定的排放标准的，限期治理。

第十九条 开发利用自然资源，必须采取措施保护生态环境。

第二十条 各级人民政府应当加强对农业环境的保护，防治土壤污染、土地沙化、盐渍化、贫瘠化、沼泽化、地面沉降和防治植被破坏、水土流失、水源枯竭、种源灭绝以及其他生态失调现象的发生和发展，推广植物病虫害的综合防治，合理使用化肥、农药及植物生长激素。

第二十一条 国务院和沿海地方各级人民政府应当加强对海洋环境的保护，向海洋排放污染物、倾倒废弃物，进行海岸工程建设和海洋石油勘探开发，必须依照法律的规定，防止对海洋环境的污染损害。

第二十二条 制定城市规划，应当确定保护和改善环境的目标和任务。

第二十三条 城乡建设应当结合当地自然环境的特点，保护植被、水域和自然景观，加强城市园林、绿地和风景名胜区的建设。

Article 14 The competent departments of environmental protection administration of the people's governments at or above the county level or other departments invested by law with power to conduct environmental supervision and management shall be empowered to make on-site inspections of units under their jurisdiction that discharge pollutants. The units being inspected shall truthfully report the situation to them and provide them with the necessary information. The inspecting authorities shall keep confidential the technological know-how and business secrets of the units inspected.

Article 15 Work for the prevention and control of the environmental pollution and damage that involves various administrative areas shall be conducted by the relevant local people's governments through negotiation, or by decision of the people's government at a higher level through mediation.

Chapter III Protection and Improvement of the Environment

Article 16 The local people's governments at various levels shall be responsible for the environment quality of areas under their jurisdiction and take measures to improve the environment quality.

Article 17 The people's governments at various levels shall take measures to protect regions representing various types of natural ecological systems, regions with a natural distribution of rare and endangered wild animals and plants, regions where major sources of water are conserved, geological structures of major scientific and cultural value, famous regions where karst caves and fossil deposits are distributed, traces of glaciers, volcanos and hot springs, traces of human history, and ancient and precious trees. Damage to the above shall be strictly forbidden.

Article 18 Within the scenic spots or historic sites, nature reserves and other zones that need special protection, as designated by the State Council, the relevant competent department under the State Council, and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government, no industrial production installations that cause environmental pollution shall be built; other installations to be built in these areas must not exceed the prescribed standards for the discharge of pollutants. If the installations that have been built discharge more pollutants than those are specified by the prescribed discharge standards, such pollution shall be eliminated or controlled within a prescribed period of time.

Article 19 Measures must be taken to protect the ecological environment while natural resources are being developed or utilized.

Article 20 The people's governments at various levels shall provide better protection for the agricultural environment by preventing and controlling soil pollution, the desertification and alkalization of land, the impoverishment of soil, the deterioration of land into marshes, earth subsidence, the damage of vegetation, soil erosion, the drying up of sources of water, the extinction of species and the occurrence and development of other ecological imbalances, by extending the scale of a comprehensive prevention and control of plant diseases and insect pests, and by promoting a rational application of chemical fertilizers, pesticides and plant growth hormone.

Article 21 The State Council and the people's governments at various levels in coastal areas shall provide better protection for the marine environment. The discharge of pollutants and the dumping of wastes into the seas, the construction of coastal projects, and the exploration and exploitation of offshore oil must be conducted in compliance with legal provisions so as to guard against the pollution and damage of the marine environment.

Article 22 The targets and tasks for protecting and improving the environment shall be defined in urban planning.

Article 23 In urban and rural construction, vegetation, waters and the natural landscape shall be protected and attention paid to the construction of gardens, green land and historic sites and scenic spots in the cities in the light of the special features of the local natural environment.

第四章 防治环境污染和其他公害

第二十四条 产生环境污染和其他公害的单位，必须把环境保护工作纳入计划，建立环境保护责任制度；采取有效措施，防治在生产建设或者其他活动中产生的废气、废水、废渣、粉尘、恶臭气体、放射性物质以及噪声、振动、电磁波辐射等对环境的污染和危害。

第二十五条 新建工业企业和现有企业的技术改造，应当采用资源利用率高、污染物排放量少的设备和工艺，采用经济合理的废弃物综合利用技术和污染物处理技术。

第二十六条 建设项目中防治污染的设施，必须与主体工程同时设计、同时施工、同时投产使用。防治污染的设施必须经原审批环境影响报告书的环境保护行政主管部门验收合格后，该建设项目方可投入生产或者使用。

防治污染的设施不得擅自拆除或者闲置，确有必要拆除或者闲置的，必须征得所在地环境保护行政主管部门同意。

第二十七条 排放污染物的企业事业单位，必须依照国务院环境保护行政主管部门的规定申报登记。

第二十八条 排放污染物超过国家或者地方规定的污染物排放标准的企业事业单位，依照国家规定缴纳超标排污费，并负责治理。水污染防治法另有规定的，依照水污染防治法的规定执行。

征收的超标排污费必须用于污染的防治，不得挪作他用，具体使用办法由国务院规定。

第二十九条 对造成环境严重污染的企业事业单位，限期治理。

中央或者省、自治区、直辖市人民政府直接管辖的企业事业单位的限期治理，由省、自治区、直辖市人民政府决定。市、县或者市、县以下人民政府管辖的企业事业单位的限期治理，由市、县人民政府决定。被限期治理的企业事业单位必须如期完成治理任务。

第三十条 禁止引进不符合我国环境保护规定要求的技术和设备。

第三十一条 因发生事故或者其他突然性事件，造成或者可能造成污染事故的单位，必须立即采取措施处理，及时通报可能受到污染危害的单位和居民，并向当地环境保护行政主管部门和有关部门报告，接受调查处理。

可能发生重大污染事故的企业事业单位，应当采取措施，加强防范。

第三十二条 县级以上地方人民政府环境保护行政主管部门，在环境受到严重污染威胁居民财产安全时，必须立即向当地人民政府报告，由人民政府采取有效措施，解除或者减轻危害。

第三十三条 生产、储存、运输、销售、使用有毒化学物品和含有放射性物质的物品，必须遵守国家有关规定，防止污染环境。

Chapter IV Prevention and Control of Environmental Pollution and Other Public Hazards

Article 24 Units that cause environmental pollution and other public hazards shall incorporate the work of environmental protection into their plans and establish a responsibility system for environmental protection, and must adopt effective measures to prevent and control the pollution and harms caused to the environment by waste gas, waste water, waste residues, dust, malodorous gases, radioactive substances, noise, vibration and electromagnetic radiation generated in the course of production, construction or other activities.

Article 25 For the technological transformation of newly-built industrial enterprises and existing industrial enterprises, facilities and processes that effect a high rate of the utilization of resources and a low rate of the discharge of pollutants shall be used, along with economical and rational technology for the comprehensive utilization of waste materials and the treatment of pollutants.

Article 26 Installations for the prevention and control of pollution at a construction project must be designed, built and commissioned together with the principal part of the project. No permission shall be given for a construction project to be commissioned or used, until its installations for the prevention and control of pollution are examined and considered up to the standard by the competent department of environmental protection administration that examined and approved the environmental impact statement.

Installations for the prevention and control of pollution shall not be dismantled or left idle without authorization. If it is really necessary to dismantle such installations or leave them idle, prior approval shall be obtained from the competent department of environmental protection administration in the locality.

Article 27 Enterprises and institutions discharging pollutants must report to and register with the relevant authorities in accordance with the provisions of the competent department of environmental protection administration under the State Council.

Article 28 Enterprises and institutions discharging pollutants in excess of the prescribed national or local discharge standards shall pay a fee for excessive discharge according to state provisions and shall assume responsibility for eliminating and controlling the pollution. The provisions of the Law on Prevention and Control of Water Pollution shall be complied with where they are applicable.

The income derived from the fee levied for the excessive discharge of pollutants must be used for the prevention and control of pollution and shall not be appropriated for other purposes. The specific measures thereof shall be prescribed by the State Council.

Article 29 If an enterprise or institution has caused severe environmental pollution, it shall be required to eliminate and control the pollution within a certain period of time.

For enterprises and institutions directly under the jurisdiction of the Central Government or the people's government of a province, an autonomous region, or a municipality directly under the Central Government, the decision on a deadline for the elimination or control of pollution shall be made by the people's government of the province, autonomous region and the municipality directly under the Central Government. For enterprises and institutions under the jurisdiction of a people's government at or below the city or county level, such decision shall be made by the people's government of the city or county. Such enterprises and institutions shall accomplish the elimination or control of pollution within the specified period of time.

Article 30 A ban shall be imposed on the importation of any technology or facility that fails to meet the requirements specified in the regulations of our country concerning environmental protection.

Article 31 Any unit that, as a result of an accident or any other exigency, has caused or threatens to cause an accident of pollution, must promptly take measures to prevent and control the pollution hazards, make the situation known to such units and inhabitants as are likely to be endangered by such hazards, report the case to the competent department of environmental protection administration of the

第三十四条 任何单位不得将产生严重污染的生产设备转移给没有污染防治能力的单位使用。

第五章 法律责任

第三十五条 违反本法规定，有下列行为之一的，环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门可以根据不同情节，给予警告或者处以罚款：

(一) 拒绝环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门现场检查或者在被检查时弄虚作假的；

(二) 拒报或者谎报国务院环境保护行政主管部门规定的有关污染物排放申报事项的；

(三) 不按国家规定缴纳超标准排污费的；

(四) 引进不符合我国环境保护规定要求的技术和设备的；

(五) 将产生严重污染的生产设备转移给没有污染防治能力的单位使用的。

第三十六条 建设项目的防治污染设施没有建成或者没有达到国家规定的要求，投入生产或者使用的，由批准该建设项目的环境影响报告书的环境保护行政主管部门责令停止生产或者使用，可以并处罚款。

第三十七条 未经环境保护行政主管部门同意，擅自拆除或者闲置防治污染的设施，污染物排放超过规定的排放标准的，由环境保护行政主管部门责令重新安装使用，并处罚款。

第三十八条 对违反本法规定，造成环境污染事故的企业事业单位，由环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门根据所造成的危害后果处以罚款；情节较重的，对有关责任人员由其所在单位或者政府主管机关给予行政处分。

第三十九条 对经限期治理逾期未完成治理任务的企业事业单位，除依照国家规定加收超标准排污费外，可以根据所造成的危害后果处以罚款，或者责令停业、关闭。

前款规定的罚款由环境保护行政主管部门决定。责令停业、关闭，由作出限期治理决定的人民政府决定；责令中央直接管辖的企业事业单位停业、关闭，须报国务院批准。

第四十条 当事人对行政处罚决定不服的，可以在接到处罚通知之日起十五日内，向作出处罚决定的机关的上一级机关申请复议；对复议决定不服的，可以在接到复议决定之日起十五日内，向人民法院起诉。当事人也可以在接到处罚通知十五日内，直接向人民法院起诉。当事人逾期不申请复议、也不向人民法院起诉、又不履行处罚决定的，由作出处罚决定的机关申请人民法院强制执行。

第四十一条 造成环境污染危害的，有责任排除危害，并对直接受到损害的单

locality and the departments concerned and accept their investigation and decision.

Enterprises and institutions that are likely to cause severe pollution accidents shall adopt measures for effective prevention.

Article 32 If the safety of the lives and property of inhabitants is endangered by severe environmental pollution, the competent department of environmental protection administration of the local people's government at or above the county level must promptly report to the local people's government. The people's government concerned shall take effective measures to remove or alleviate the hazard.

Article 33 The production, storage, transportation, sale and use of toxic chemicals and materials containing radioactive substances must comply with the relevant state provisions so as to prevent environmental pollution.

Article 34 No unit shall be permitted to transfer a production facility that causes severe pollution for use by a unit that is unable to prevent and control pollution.

Chapter V Legal Liabilities

Article 35 Any violator of this Law shall, according to the circumstances of the case, be warned or fined by the competent department of environmental protection administration or another department invested by law with power to conduct environmental supervision and management for any of the following acts:

(1) refusing an on-site inspection by the competent department of environmental protection administration or another department invested by law with power to conduct environmental supervision and management, or resorting to trickery and fraud while undergoing inspection;

(2) refusing to report or submitting a false report on items for which declaration is required by the competent department of environmental protection administration under the State Council;

(3) failing to pay, as provided for by the state, the fee for the excessive discharge of pollutants;

(4) importing technology or a facility that fails to meet the requirements specified in the state provisions concerning environmental protection; or

(5) transferring a production facility that causes severe pollution for use by a unit that is unable to prevent and control pollution.

Article 36 When a construction project is commissioned or put to use in circumstances where facilities for the prevention and control of pollution either have not been completed or fail to meet the requirements specified in state provisions, the competent department of environmental protection administration responsible for the approval of the environmental impact statement on the construction project shall order the suspension of its operations or use and may concurrently impose a fine.

Article 37 A unit which dismantles or leaves idle the installations for the prevention and control of pollution without prior approval by the competent department of environmental protection administration, thereby discharging pollutants in excess of the prescribed discharge standards, shall be ordered by the competent department of environmental protection administration to set up the installations or put them to use again, and shall concurrently be fined.

Article 38 An enterprise or institution which violates this Law, thereby causing an environmental pollution accident, shall be fined by the competent department of environmental protection administration or another department invested by law with power to conduct environmental supervision and management in accordance with the consequent damage; in a serious case, the persons responsible shall be subject to administrative sanction by the unit to which they belong or by the competent department of the government.

Article 39 An enterprise or institution that has failed to eliminate or control pollution by the deadline as required shall, as provided for by the state, pay a fee for excessive discharge; in addition, a fine may be imposed on it on the basis of the damage incurred, or the enterprise or institution may be ordered to suspend its operations or close down.

位或者个人赔偿损失。

赔偿责任和赔偿金额的纠纷，可以根据当事人的请求，由环境保护行政主管部门或者其他依照法律规定行使环境监督管理权的部门处理；当事人对处理决定不服的，可以向人民法院起诉。当事人也可以直接向人民法院起诉。

完全由于不可抗拒的自然灾害，并经及时采取合理措施，仍然不能避免造成环境污染损害的，免于承担责任。

第四十二条 因环境污染损害赔偿提起诉讼的时效期间为三年，从当事人知道或者应当知道受到污染损害时起计算。

第四十三条 违反本法规定，造成重大环境污染事故，导致公私财产重大损失或者人身伤亡的严重后果的，对直接责任人员依法追究刑事责任。

第四十四条 违反本法规定，造成土地、森林、草原、水、矿产、渔业、野生动植物等资源的破坏的，依照有关法律的规定承担法律责任。

第四十五条 环境保护监督管理人员滥用职权、玩忽职守、徇私舞弊的，由其所在单位或者上级主管机关给予行政处分；构成犯罪的，依法追究刑事责任。

第六章 附 则

第四十六条 中华人民共和国缔结或者参加的与环境保护有关的国际条约，同中华人民共和国的法律有不同规定的，适用国际条约的规定，但中华人民共和国声明保留的条款除外。

第四十七条 本法自公布之日起施行。《中华人民共和国环境保护法（试研）》同时废止。

The fine as specified in the preceding paragraph shall be decided by the competent department of environmental protection administrations. An order for the suspension of operations or shut-down of an enterprise or institution shall be issued by the people's government that set the deadline for the elimination or control of pollution. An order for the suspension of operations or shut-down of an enterprise or institution directly under the jurisdiction of the Central Government shall be submitted to and approved by the State Council.

Article 40 A party refusing to accept the decision on administrative sanction may, within 15 days of receiving the notification on such a decision, apply for reconsideration to the department next higher to the authorities that imposed the sanction; if the party refuses to accept the decision of reconsideration, it may, within 15 days of receiving the reconsideration decision, bring a suit before a people's court. A party may also bring a suit directly before a people's court within 15 days of receiving the notification on the sanction. If, upon the expiration of this period, the party has not applied for reconsideration or has neither brought a suit before a people's court nor complied with the sanction, the authorities that imposed the sanction may apply to the people's court for compulsory enforcement.

Article 41 A unit that has caused an environmental pollution damage shall have the obligation to eliminate it and make compensation to the unit or individual that suffered direct losses.

A dispute over the liability to make compensation or the amount of compensation may, at the request of the parties, be settled by the competent department of environmental protection administration or another department invested by law with power to conduct environmental supervision and management. If a party refuses to accept the decision on the settlement, it may bring a suit before a people's court. The party may also directly bring a suit before the people's court.

If environmental pollution losses result solely from irresistible natural disasters which cannot be averted even after the prompt adoption of reasonable measures, the party concerned shall be exempted from liability.

Article 42 The limitation period for prosecution with respect to compensation for environmental pollution losses shall be three years, counted from the time when the party becomes aware of or should become aware of the pollution losses.

Article 43 If a violation of this Law causes a serious environmental pollution accident, leading to the grave consequences of heavy losses of public or private property or human injuries or deaths of persons, the persons directly responsible for such an accident shall be investigated for criminal responsibility according to law.

Article 44 Whoever, in violation of this Law, causes damage to natural resources like land, forests, grasslands, water, minerals, fish, wild animals and wild plants shall bear legal liability in accordance with the provisions of relevant laws.

Article 45 Any person conducting supervision and management of environmental protection who abuses his power, neglects his duty or engages in malpractices for personal gains shall be given administrative sanction by the unit to which he belongs or the competent higher authorities; if his act constitutes a crime, he shall be investigated for criminal responsibility according to law.

Chapter VI Supplementary Provisions

Article 46 If an international treaty regarding environmental protection concluded or acceded to by the People's Republic of China contains provisions differing from those contained in the laws of the People's Republic of China, the provisions of the international treaty shall apply, unless the provisions are ones on which the People's Republic of China has announced reservations.

Article 47 This Law shall enter into force on the date of promulgation. The Environmental Protection Law of the People's Republic of China (for Trial Implementation) shall be abrogated therefrom.

国务院关于环境保护若干问题的决定

(1996年8月3日)

为进一步落实环境保护基本国策，实施可持续发展战略，贯彻《中华人民共和国国民经济和社会发展“九五”计划和2010年远景目标纲要》，实现到2000年力争使环境污染和生态破坏加剧的趋势得到基本控制，部分城市和地区的环境质量有所改善的环境保护目标，特作如下决定。

一、明确目标，实行环境质量行政领导负责制

要实施污染物排放总量控制，抓紧建立全国主要污染物排放总量指标体系和定期公布的制度。

到2000年，全国所有工业污染源排放污染物要达到国家或地方规定的标准；各省、自治区、直辖市要使本辖区主要污染物排放总量控制在国家规定的排放总量指标内，环境污染和生态破坏加剧的趋势得到基本控制；直辖市及省会城市、经济特区城市、沿海开放城市和重点旅游城市的环境空气、地面水环境质量，按功能分区分别达到国家规定的有关标准；淮河、太湖要实现水体变清；海河、辽河、滇池、巢湖的地面水水质应有明显改善。

地方各级人民政府对本辖区环境质量负责，实行环境质量行政领导负责制。要根据上述目标，制订本辖区切实控制主要污染物排放量、改善环境质量的具体目标和措施，并报上级人民政府备案。

地方各级人民政府及其主要领导人要依法履行环境保护的职责，坚决执行环境保护法律、法规和政策。要将辖区环境质量作为考核政府主要领导人工作的重要内容。

各级人民政府要把环境保护工作摆上重要议事日程，定期研究和及时解决环境保护问题，并形成制度。

二、突出重点，认真解决区域环境问题

地方各级人民政府要坚决贯彻执行《中华人民共和国水污染防治法》，切实加强水污染防治工作，确保工农业生产和人民生活用水安全。要重点保护好与人民生活

Decision of the State Council on Several Issues Concerning Environmental Protection

(August 3, 1996)

With a view to further carrying out the basic state policy of environmental protection, implementing the strategy of sustainable development, executing the Ninth Five-Year Plan of the People's Republic of China on National Economy and Social Development and Outlines of Objectives in Perspective of the Year 2010, and realizing the environmental protection objectives of bringing the worsening tendency of environmental pollution and ecological deterioration under control and improving to certain extent environmental quality of some cities and regions by the year 2000, the following decision is hereby made:

1. Specifying Objectives and Adopting Procedures through Which Administrative Officials shall be Held Responsible for Environmental Quality

Discharge of pollutants should be subject to control of maximum quantity. A national and systemic maximum quantity index of major pollutants and a practice of regular publication thereof should be adopted in real earnest.

By the year 2000, industrial pollution sources all over the country shall meet national or local standards on discharge of pollutants; different provinces, autonomous regions and municipalities directly under the central government should control maximum discharge of major pollutants under their respective jurisdiction within the maximum discharge quantity index laid down by the state. The worsening tendency of environmental pollution and ecological disruption could be generally brought under control. Municipalities directly under the central government, capital cities of provinces, cities within special economic zones, coastal open cities, and key tourist cities should all keep environmental air and environmental quality of surface water up to the corresponding national standards in terms of their functional categories. The Huaihe River and the Taihu Lake should have waters cleared. The Haihe River, the Liaohe River, the Dianchi Lake and the Chaohu Lake should have the quality of surface water markedly improved.

Local people's governments at different levels should adopt a policy of administrative officials being held responsible for environmental quality under their jurisdiction. They should, according to the above-mentioned objectives, set local objectives and measures for control over discharge quantity of major pollutants and for improvement of environmental quality, and should submit them to people's governments at higher levels for the record.

Local people's governments at different levels and leading officials thereof shall perform their duties of environmental protection according to law, and shall resolutely enforce environmental protection laws, regulations and policies. Environmental quality within jurisdiction should be an important item for evaluation of principal leading officials of government.

People's governments at different levels should include environmental protection on their working agendas as an important item, regularly deliberate and solve in time issues concerning environmental protection and make such conducts compulsory practices.

密切相关的饮用水源，依法划定生活饮用水源保护区并严格管理。要加强流域水污染防治工作，对实现水污染物达标排放仍不能达到国家规定的水环境质量标准的水体，应依法实施重点污染物排放的总量控制制度和核定制度。要重点治理淮河、海河、辽河和太湖、巢湖、滇池的水污染。要加强其他河流、湖泊、水库和近海海域的水污染防治工作。

地方各级人民政府要按照《中华人民共和国大气污染防治法》，做好大气污染防治工作，重点防治燃煤产生的大气污染，控制二氧化硫和酸雨污染加重的趋势。国家环保局要尽快会同有关部门依法提出酸雨控制区和二氧化硫污染控制区的划定意见和目标要求，报国务院批准后执行。

城市人民政府要加强城市环境综合整治工作，重点防治废水、废气、废渣和噪声污染。“九五”期间，设市城市，特别是非农业人口 50 万以上的城市，要多方筹措和集中建设资金，因地制宜建设城市污水集中处理设施。认真解决城市水环境污染问题。采暖地区城市要推行集中供热等清洁供热方式，不得再建分散的供热锅炉房。进一步提高城市燃气化率，替代直接燃用原煤。到 2000 年，大、中城市要实现市区内民用炉灶燃用固硫型煤或其他清洁燃料，要优先发展各种形式的城市公共交通。鼓励采用机动车清洁燃料等措施，减轻车辆尾气污染。大、中城市要逐步推行城市生活垃圾袋装，实现分类收集、贮存、运输和无害化处置。要采取积极措施控制环境噪声污染，减少噪声扰民。

地方各级人民政府要按照国务院的有关规定采取切实措施，加强乡镇企业环境管理。要全面规划、合理布局、分类指导，因地制宜地发展少污染或无污染的产业，并与村镇建设相结合，相对集中建设乡镇企业，大幅度提高乡镇企业处理污染能力，根本扭转乡镇企业对环境污染和生态破坏加剧的状况。责成国家环保局会同农业部、国家计委、国家经贸委等部门抓紧制订有关加强乡镇企业环境保护工作的具体规定。

2. Stressing on Key Points and Solving Regional Environmental Problems in Real Earnest

Local people's governments at different levels should resolutely enforce the law of the People's Republic of China on the Prevention and Control of Water Pollution, effectively strengthen the prevention and control of water pollution so as to ensure safety in industrial and agricultural production and people's daily use of water. Drinking water sources, which closely concerns people's livelihood, shall be well protected as key points. Drinking water sources protective zones shall be delimited and placed under rigorous supervision. The prevention and control of water pollution in valleys shall be strengthened. The system of maximum quantity control and the verification procedure for control over discharge of major pollutants shall be applied, according to law, where attempts to control discharged water pollutants within prescribed standards still fail to meet national prescribed standards for water environment quality. Water pollution in rivers of Huaihe, Haihe, Liaohe, and lakes of Taihu, Chaohu and Dianchi shall be controlled as key points. The prevention and control on water pollution in other rivers, lakes, reservoirs and coastal waters shall also be strengthened.

Local people's governments at different levels shall, according to the Law of the People's Republic of China on the Prevention and Control of Air Pollution, do proper work to prevent and control air pollution, put stress on air pollution by fuel coal, and bring under control the worsening of pollution by sulphur dioxide and acid rain. The State Administration for Environmental Protection shall, as soon as possible and in consultation with relevant departments, put forward opinions on delimitation of acid rain control zones and sulphur dioxide pollution control zones and propose required objectives for their control, then submit them to the State Council for approval before their enforcement.

People's governments of cities shall strengthen comprehensive control over city environment, put emphasis on control of waste water, waste gas, waste residue and noise pollution. During the Ninth Five-Year Plan period, cities with a municipal government, particularly cities with more than 500,000 non-agricultural population, shall, through a variety of channels, raise and collect funds for the construction of sewage disposal facilities suited to city conditions so that water environmental pollution in cities could be alleviated in real earnest. Municipalities which are located in heating areas shall spread use of clean heating systems such as centralized heating, and may not establish new boiler rooms scattered around. Gas burning areas in cities shall be enlarged and raw coal shall be replaced. By the year 2000, large- and medium-sized cities shall have only sulphur-fixing shaped coal or other clean fuels used for urban residents' kitchen ranges. Priority shall be given to development of different forms of urban public transit. Motor vehicles shall be encouraged to use clean fuels, and similar other measures shall be adopted so as to reduce air pollution by tail gas of vehicles. Large- and medium-sized cities shall, step by step, expand using of bags for urban residential refuse that shall then be sorted out, collected, stored, removed, and processed for harmless conversion. Rigorous measures shall be taken to control environmental noise pollution so as to reduce its disturbance to citizens.

Local people's governments at different levels shall, according to relevant regulations of the State Council, take effective measures to strengthen environmental management in countryside and township enterprises. The governments shall make comprehensive designing for reasonable layouts, offer instructions in light of special situations, and develop low-pollution or non-pollution industries that are suited to localities, and combined with overall countryside and township development. The construction of countryside and township enterprises shall be relatively concentrated so that their ability to dispose of pollution could be markedly raised and the worsening of environmental pollution and ecological deterioration caused by countryside and township enterprises could be thoroughly reversed. The National Environmental Protection Agency shall be instructed to closely attend to formulating, in consultation with the Ministry of Agriculture, the State Planning Commission, and the State Economic and Trade Commission, detailed rules on strengthening the environmental protection work of countryside and township enterprises.

三、严格把关，坚决控制新污染

所有大、中、小型新建、扩建、改建和技术改造项目（以下简称建设项目），要提高技术起点，采用能耗物耗小、污染物产生量少的清洁生产工艺，严禁采用国家明令禁止的设备和工艺。建设对环境有影响的项目必须依法严格执行环境影响评价制度和环境保护设施与主体工程同时设计、同时施工、同时投产的“三同时”制度。在建设项目总投资中，必须确保有关环境保护设施建设的投资。建设项目建成投入生产或使用后，必须确保稳定达到国家或地方规定的污染物排放标准。要把环境容量，作为建设项目环境影响评价的重要依据。在污染严重的地区，应实行“以新带老”，确保污染物排放总量的减少。

在建设项目审批和竣工验收过程中，对不符合环境保护标准和要求的建设项目，环境保护行政主管部门不得批准建设项目环境影响报告书或环境保护设施竣工验收报告，其他各有关审批机关一律不得批准建设或投产使用；有关银行不予贷款。各级环境保护行政主管部门要严格建设项目的环境保护管理和日常监督监测工作，对建设项目环境影响评价审批、环境保护设施“三同时”审查和验收负全部责任。各级计划、经贸、建设、工商、土地管理和其他有关部门要按照各自职责严把项目审批、登记、规划、用地、设计、竣工验收关。地方各级人民政府的领导干部不得违反国家有关建设项目环境保护管理的法规，擅自批准建设未经环境影响评价的项目。凡违反规定的，必须追究有关审批机关和审批人员的责任。

行政监察部门要依照本部门职责和有关规定，加强对政府及环境保护行政主管部门等有关部门贯彻执行环境保护法规的工作情况进行执法监察，并就发现的问题提出相应的监察建议和处理意见。

自本决定发布之日起，对没有执行环境影响评价制度，擅自建设或投资使用的新建项目，由县级以上环境保护行政主管部门提出处理意见，报县级以上人民政府责令其停止建设或停止投产使用；对验收时达标，但投入生产或使用后不能稳定达到国家或地方规定的污染物排放标准的新项目，由县级以上环境保护行政主管部门责令其停止超标排放污染物，同时报请县级以上人民政府责令其停产整顿。

3. Making Strict Checks and Resolutely Controlling New Pollution

All large-, medium- or small-sized construction projects, expanded construction projects or reconstruction projects, and all technological renovation engineering (hereinafter referred to as construction projects for short) shall start from a raised technological level, adopt clean productive technology with low energy consumption, low materials consumption and low pollutants discharge quantity, and shall be strictly prohibited from using equipment or technology precisely banned by the state. Construction projects that influence on environment shall, in strict accordance with the law, conform with the environmental impact assessment provisions and the "three-stage simultaneous" requirement, according to which environmental protection facilities shall be designed, constructed and put into production simultaneously with main construction structures. Total construction investments should contain capital for construction of environmental protection facilities. Construction projects after being completed and put into production or use shall steadily attain the standards on discharge of pollutants prescribed by the state or localities. Environmental capacity shall be an important criterion for environmental impact assessment of construction projects. Where pollution is serious, new construction projects shall be supposed to offset old ones in calculating environmental capacity so as to ensure a decrease of total quantity of pollutants discharge.

When a construction project is found to fail to meet environmental protection standards at the stage of examination for approval or at the stage of acceptance after completion, the administrative department in charge of environmental protection may not grant approval to the environmental impact statement of the construction project or the acceptance report on environmental protection facilities. Other relevant approval departments may not approve its construction or use in production. The interested bank may not release loans. The administrative departments in charge of environmental protection at different levels shall exercise rigorous environmental protection management of construction projects and strictly conduct daily monitoring, and shall take overall responsibility for examination and approval of environmental impact assessment of construction projects and for acceptance of environmental protection facilities according to the "three-stage simultaneous" requirement. Departments in charge of planning, economy and trade, construction, industry and commerce, and land administration at different levels and other relevant departments shall, within the scope of their respective responsibility, conduct rigorous checks at the stage of examination for approval, registration, planning, review of land use, design and acceptance of construction projects. Leading officials of local people's governments at different levels may not arbitrarily approve construction projects without prior environmental impact assessment by violating relevant state laws and regulations regarding environmental protection of construction projects. In case of violation, the approval organ and persons who have conducted the examination and granted approval shall be investigated for responsibility.

Administrative supervisory departments shall, according to their duties and relevant provisions, strengthen the supervision over enforcement of environmental protection laws and regulations by the governments, environmental protection departments and other relevant departments, and shall put forward supervisory comments on disposal of problems they discovered.

Ever from the date of promulgation of the present Decision, for any construction project which has already been arbitrarily started or put in production or use without going through the procedure of environmental impact assessment, the administrative department of environmental protection at or above the county level shall put forward suggestions on handling the case, and submit them to the people's government at or above the county level, who may then accordingly order suspension of the construction project or stop using it in production. For any construction project which has been accepted after inspection but fails to steadily keep to national or local standards on discharge of pollutants after being put in production or use, the administrative department of environmental protection at or above the county level shall order it to stop the discharge of pollutants in excess of prescribed standards and at the same time report the case to the people's government at or above the county level for an or-

四、限期达标，加快治理老污染

自本决定发布之日起，现有排污单位超标排放污染物的，由县级以上人民政府或其委托的环境保护行政主管部门依法责令限期治理。限期治理的期限可视不同情况定为1至3年；对逾期未完成治理任务的，由县级以上人民政府依法责令其关闭、停业或转产。国家环保局、国家计委、国家经贸委要对重点限期治理项目进行指导、监督、检查。

排污单位必须保证环境保护设施的正常运行。未经环境保护行政主管部门批准，随意停止或闲置环境保护设施造成污染物排放超标的，由环境保护行政主管部门责令其恢复正常运行，并依法予以处罚。

在1996年9月30日以前，对现有年产5000吨以下的造纸厂、年产折牛皮3万张以下的制革厂、年产500吨以下的染料厂，以及采用“坑式”和“萍乡式”、“天地罐”和“敞开式”等落后方式炼焦、炼硫的企业，由县级以上人民政府责令取缔；对土法炼砷、炼汞、炼铅锌、炼油、选金和农药、漂染、电镀以及生产石棉制品、放射性制品等企业，由县级以上地方人民政府责令其关闭或停产。对逾期未按规定取缔、关闭或停产的，要追究有关地方人民政府主要领导人及有关企业负责人的责任。

五、采取有效措施，禁止转嫁废物污染

依据《控制危险废物越境转移及其处置巴塞尔公约》的规定，我国禁止境外危险废物向境内转移。各级环境保护、外经贸、海关等部门要依照《中华人民共和国固体废物污染环境防治法》等有关规定，严格把住进口关，坚决禁止境外危险废物和生活垃圾向我国转移；确需进口作为原料的其他废物，必须符合国家规定，经审查许可，方可进口。对违反国家规定，擅自批准、验放和未经批准擅自进口废物的单位和个人，要依法从严惩处。国内废物需要跨省、自治区、直辖市贮存和处置的，须经移出地和接收地省级环境保护行政主管部门批准。放射性固体废物需要跨省、自治区、直辖市贮存和处置的，由国家环境保护局批准。

der to suspend production for rectification.

4. Prescribing A Time Limit for Meeting Standards and Facilitating Control over Existing Pollution

Ever from the date of promulgation of the present Decision, for any unit that discharges pollutants in excess of prescribed standards, local people's governments at or above the county level or the administrative departments of environmental protection authorized thereby shall order the unit to control the situation within a prescribed time limit ranging from one to three years depending on circumstances. Those units that fail to control the situation within the prescribed time limit shall be ordered by the people's government at or above the county level to close down, suspend production or convert to other line of production. The National Environmental Protection Agency, the State Planning Commission and the State Economic and Trade Commission shall give instructions to and exercise supervision and check over major projects to be rectified within a prescribed time limit.

Units discharging pollutants shall ensure the normal operation of environmental protection facilities. In case that environmental protection facilities are, without authorization by the administrative department of environmental protection, arbitrarily stopped working or left unused resulting in discharge of pollutants in excess of standards, the administrative department of environmental protection shall order a resumption of their normal operation and impose punishment according to law.

By the date of September 30, 1996, the people's governments at or above the county level shall ban the following factories, plants and enterprises: all papermaking factories with annual output of less than 5,000 tons paper; leather processing plants with annual output of less than 30,000 pieces of oxide; dyestuff making plants with annual output of less than 500 tons; and all enterprises that coke or refine sulphur through backward approaches known as "pits", "Pingxiang Style", "High Pot" and "Open Air Style". Local people's governments at or above the county level shall order the following enterprises to close down or stop production within the above-mentioned time limit: plants that are using indigenous methods to refine arsenic, mercury, or smelt lead, zinc, or extract oil, or pan gold, or to make agricultural chemicals, bleach and dye, make electroplates, or make asbestos products or radioactive products. In case such enterprises have not been banned, or do not close down or stop production within the prescribed time limit, concerned principal leading officials of local people's governments and enterprise managers shall be investigated for legal liability.

5. Taking Effective Measures to Prohibit Transfer of Wastes

According to the provisions of the Basel Convention on the Control of the Transboundary Movement of Hazardous Wastes and Their Disposal, our country forbids transfer of foreign dangerous wastes into our territory. Departments at different levels in charge of environmental protection, foreign economic cooperation and trade, and customs, etc., shall, according to the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes and other relevant provisions, make rigorous check upon importation and persistently forbid transfer of external hazardous wastes and residential refuse into our country. If importation of other wastes as raw materials is really necessary, such importation shall conform to the state provisions and shall be subject to prior examination and approval. Any unit or individual who, in violation of the state provisions, arbitrarily approves, lets pass or conducts without authorization importation of wastes shall be severely punished according to law. In case domestic wastes need to be transferred for disposal to another province, autonomous region or municipality, the transfer shall be subject to approval of the administrative departments at the provincial level of both the original place and the destination place. In case solid radioactive wastes need transfer for disposal to another province, autonomous region or municipality, the transfer shall be subject to approval of the National Environmental Protection Agency.

六、维护生态平衡，保护和合理开发自然资源

地方各级人民政府要切实加强淡水、土地、森林、草原、矿产、海洋、动植物、气候等自然资源和国土生态环境的保护，在维护生态平衡的前提下合理进行开发利用。要发展生态农业，控制农药、化肥、农膜等对农田和水源的污染；加强矿区等废弃土地的复垦和生态环境的治理；大力开展植树造林，坚决制止乱砍滥伐，努力提高森林覆盖率，加快水土流失地区的综合治理；恢复发展草原植被，防止过量放牧，禁止在草原和沙化地区砍挖灌木、药材及其他固沙植物，积极采用防沙、固沙技术，防止土地荒漠化。

积极保护生物多样性。发展自然保护区和风景名胜区及城市园林绿地并加强保护、建设和管理。坚决取缔自然保护区和风景名胜区内各种破坏自然资源和环境的非法开发建设活动。

要加强污染事故和灾害的预警和应急工作，努力减少对生态环境的影响和对人民生命财产造成的损失。

七、完善环境经济政策，切实增加环境保护投入

国务院有关部门要按照“污染者付费、利用者补偿、开发者保护、破坏者恢复”的原则，在基本建设、技术改造、综合利用、财政税收、金融信贷及引进外资等方面，抓紧制订、完善促进环境保护、防止环境污染和生态破坏的经济政策和措施。在制订区域和资源开发、城市发展和行业发展规划，调整产业结构和生产布局等经济建设和社会发展重大决策时，必须综合考虑经济、社会和环境效益，进行环境影响论证。各省、自治区、直辖市应遵循经济建设、城乡建设、环境建设同步规划、同步实施、同步发展的方针，切实增加环境保护投入，逐步提高环境污染防治投入占本地区同期国民生产总值的比重，并建立相应的考核检查制度。

国务院有关部门要尽快制订限制氯氟化碳、哈龙、含铅汽油生产、进口和使用的有关政策，建立并完善有偿使用自然资源和恢复生态环境的经济补偿机制。要按照“排污费高于污染治理成本”的原则，提高现行排污收费标准，促使排污单位积极治理污染。要加强排污费征收、使用和管理。各级环境保护行政主管部门和地方各级人民政府要足额征收排污费。对征收的排污费、罚没收入要严格实行“收支两条线”的管理制度，按规定使用，不得挪用、截留。建设城市污水集中处理设施的城市，可按照国家规定向排污者收取污水处理费。

6. Preserving Ecological Balance, and Protecting and Rationally Exploiting Natural Resources

Local People's Governments at different levels shall effectively strengthen the protection of natural resources such as fresh water, land, forest, grassland, minerals, the sea, animals and plants and climate and the protection of national ecological environment. On condition that ecological balance is maintained, those resources can be exploited and utilized in a rational way. Development of ecological agriculture shall be encouraged. Pollution of farmland and water resources by pesticides, fertilizers and farm plastic films shall be brought under control. Reclamation of waste land and control over ecological environment within mining areas shall be strengthened. Vigorous effort shall be made to carry out tree planting and afforestation. Indiscriminate and excessive felling of trees shall be restrained. The forest-covered area shall be enlarged through efforts. Comprehensive control over soil erosion shall be facilitated. Vegetation of grassland shall be restored and developed. Overgrazing shall be prevented. Shrubs, medicinal herbs or other sand-fixation plants growing in grassland or desertized areas shall be protected from felling or digging. Technology for prevention and fixation of sand shall be actively applied so as to protect land from further desertization.

Biological diversity shall be actively protected. Nature reserves, historic sites and scenic spots, city gardens and green land shall be developed and strictly placed under protection and management. All illegal exploitation and construction activities within nature reserves or historic sites and scenic spots which damage natural resources and environment shall be firmly banned.

Arrangements for early warning of and emergency measures against pollution accidents and calamities shall be strengthened so as to reduce their influence upon ecological environment and loss of people's lives and property.

7. Perfecting Economic Policies on Environment and Effectively Increasing Investment in Environmental Protection

According to the principle "whoever pollutes, exploits, develops or damages the environment shall be respectively responsible for payment for discharging pollutants, compensation, protection and restoration", the relevant departments of the State Council shall, in terms of infrastructure construction, technical renovation, comprehensive utilization, finance and taxation, banking and credit, and absorption of foreign investment, closely attend to formulating and improving economic policies and measures for promoting environmental protection, preventing environmental pollution and control of ecological damaging. When important decisions on economic construction and social development are made such as designing of regional development or resources exploitation, programming of city development or trade progress and restructuring of industry or productivity layout, overall consideration shall be given to economic, social and environmental benefits, and environmental assessment shall be made. All provinces, autonomous regions and municipalities directly under the central government shall comply with the guideline that economic construction, rural and urban construction and environmental construction shall be simultaneously designed, conducted and progressed. Investment in environmental protection shall be substantially increased. The proportion of investment in environmental pollution prevention and control in total GNP in a locality over the period shall be raised gradually. A corresponding test and check system shall also be established.

The relevant departments of the State Council shall as soon as possible formulate policies imposing restrictions upon production, import and application of carbon-fluoride-chloride, halon and leaded gasoline, and establish and perfect a reimbursement mechanism for non-gratuitous exploitation of natural resources and restoration of ecological environment. Current standards for pollutant discharge fees shall be raised according to the principle of "pollutant discharge fees being higher than cost on pollution control" so that pollutant discharging units could be urged to take vigorous measures for control of pollution. Collection, use and management of pollutant discharge fees shall be strengthened. The admin-

八、严格环保执法，强化环境监督管理

各级环境保护行政主管部门必须切实履行环境保护工作统一监督管理的职能，加强环境监理执法队伍建设，严格环保执法，规范执法行为，完善执法程序，提高执法水平。县级以上人民政府应设立环境保护监督管理机构，独立行使环境保护的统一监督管理职责。地方各级环境保护行政主管部门主要负责人的任免，应征求上一级环境保护行政主管部门的意见。

县级以上人民政府的有关部门，要依照有关法律的规定，实施对环境污染防治和资源保护的监督管理。

要进一步健全环境保护的法律法规体系和管理体系，开展经常性的环境保护行政执法检查活动，严肃查处有法不依、执法不严、违法不究和以言代法、以权代法、以罚代刑等违法违纪行为。构成犯罪的，应依法追究其刑事责任。

九、积极开展环境科学研究， 大力发展环境保护产业

国家、地方和有关部门的各项中长期科技发展规划和年度计划，应优先安排环境保护科学技术研究及开发工作。要重点研究节能降耗、清洁生产、污染防治、生物多样性和生态保护等重大环境科研课题，努力采用高新技术及实用技术。加强基础环境科学和环境标准及监测技术的研究，大力推广应用科技成果。

要继续认真贯彻《国务院办公厅转发国务院环境保护委员会关于积极发展环境保护产业若干意见的通知》（国办发〔1990〕64号），制订鼓励和优惠政策，大力发展环境保护产业。要提高环境保护产品和环境工程的质量和技术水平，对生产性能先进可靠、经济高效的环境保护产品的企业，在固定资产投资等方面优先予以扶持，促进环境保护产业形成规模。

istrative departments in charge of environmental protection and local people's governments at different levels shall collect pollutant discharge fees in full. Fees so collected and income from confiscation and pecuniary penalties shall be managed along separate lines of receipts and payments, shall be used according to provisions and may not be embezzled for other use or detained. Cities which have installed centralized facilities for disposal of sewage may levy sewage disposal fees upon those who discharge sewage.

8. Resolutely Enforcing Environmental Protection Laws and Strengthening Supervision and Management of Environment

The administrative departments in charge of environmental protection at different levels shall perform in real earnest their duty of unified supervision and management of environmental protection, strengthen the development of environmental supervision and law enforcement personnel, reinforce the enforcement of environmental protection laws, perfect procedures governing law enforcement and improve skills in law enforcement. People's governments at or above the county level shall set up environmental protection supervisory institutions, which shall independently perform the duty of unified supervision and management of environmental protection. Appointment and removal of leading officials of local administrative departments of environmental protection at different levels shall be subject to opinions of the administrative departments of environmental protection at higher levels.

The relevant departments of people's governments at or above the county level shall, according to the relevant provisions of law, exercise the supervision and management over prevention and control of environmental pollution and resources protection.

A legislative framework and management system regarding environmental protection shall be improved further. Administrative enforcement of environmental protection laws shall be subjected to frequent checks. Whenever law is not observed, strictly enforced or violation of law is not punished, or in case law is subordinated by words or power, criminal sentence is replaced by administrative sanction, etc., such cases shall all be investigated for punishment. If a crime is constituted, criminal responsibility shall be investigated according to law.

9. Vigorously Conducting Environmental Scientific Research and Developing Environmental Protection Industries

The state, localities and relevant departments shall give priority to environmental protection scientific research and technological development projects when making medium- or long-term plans or annual programmes on science and technology development. Major environmental scientific research subjects such as saving of energy, reduction of consumption, cleaner production, prevention and control of pollution, biological diversity and ecological protection, etc., shall be studied as key ones. New and High technology and pragmatic technology shall be applied actively. Researches on basic environmental sciences, environmental standards and monitoring techniques shall be strengthened. Application of scientific and technological achievements shall be spread vigorously.

The Circular of the General Office of the State Council on Transmitting Suggestions of the State Council Environmental Protection Commission on Actively Developing Environmental Protection Industries (promulgated by Guobanfa No. (1990)64), shall be carried out in real earnest. Encouraging and preferential policies shall be drafted in order to substantially develop environmental protection industries. Quality of environmental protection products and environmental projects and technology involved shall be advanced. Enterprises producing environmental protection products with advanced, stable performance and high efficiency shall enjoy priority in terms of fixed assets investment so that environmental protection industries could be pushed to certain scope.

十、加强宣传教育，提高全民环境意识

环境保护关系到全民族的生存和发展，保护环境实质上就是保护生产力。各地区、各部门都要进一步提高对环境保护工作重要性的认识，进一步加强环境保护宣传教育，广泛普及和宣传环境科学知识和法律知识，切实增强全民族的环境意识和法制观念。

各地区、各部门必须把环境保护法律知识作为干部和职工培训的重要内容，提高各级领导干部和人民群众遵守环境保护法律法规的自觉性。大、中、小学要开展环境教育。建立公众参与机制，发挥社会团体的作用，鼓励公众参与环境保护工作，检查和揭发各种违反环境保护法律法规的行为。

报纸、广播、电视等新闻媒介，应当及时报道和表彰环境保护工作中的先进典型，公开揭露和批评污染、破坏生态环境的违法行为。对严重污染、破坏生态环境的单位和个人予以曝光，发挥新闻舆论的监督作用。

各地区、各部门在参加有关国际活动时，应认真贯彻和积极宣传我国政府关于全球性环境问题的原则立场，维护我国和发展中国家的权益。

国务院责成国家环境保护局会同监察部等有关部门监督检查本决定的贯彻执行情况，向国务院作出报告。

10. Strengthening Publicity and Education and Raising Environmental Awareness of the General Public

Environmental protection concerns the existence and progress of the whole nation. To protect environment is to protect productive forces in nature. All localities and departments shall enhance their awareness of the significance of environmental protection, further strengthen environmental publicity and education, widely disseminate and popularize knowledge of environmental sciences and relevant laws and regulations and effectively reinforce environmental awareness and related sense of legality of the whole nation.

All localities and departments shall include environmental protection laws as an important content in training of cadres and staff members and improve the consciousness of cadres at different levels and the people for observance of environmental protection laws and regulations. Higher, middle and primary schools shall develop environmental education. A mechanism for public involvement shall be established. Social organizations shall be given play to their role. The public shall be encouraged to involve in environmental protection and to charge against or disclose any kind of illegal activities of violating environmental protection laws and regulations.

Mass media such as newspaper, broadcasting and television shall in due course report and praise advanced or model units or individuals of environmental protection and openly disclose and criticize illegal activities of polluting and damaging ecological environment. The press shall play the role of supervision and monitoring and shall expose to the public any unit or individual who has seriously polluted or damaged ecological environment.

All localities and departments, when attending relevant international events, shall conscientiously observe and publicize our government's principle stand on the global environmental problem, and safeguard rights and interests of our country and other developing countries.

The State Council shall instruct the National Environmental Protection Agency to supervise and inspect the implementation of the present Decision in consultation with the Ministry of Supervision and other relevant departments and submit a report to the State Council.

三、水污染防治

III Prevention and Control of Water Pollution

中华人民共和国水污染防治法

(1984年5月11日第六届全国人民代表大会常务委员会第五次会议通过
根据1996年5月15日《全国人民代表大会常务委员会
关于修改〈中华人民共和国水污染防治法〉的决定》修正)

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- 第一章 总则
- 第二章 水环境质量和污染物排放标准的制定
- 第三章 水污染防治的监督管理
- 第四章 防止地表水污染
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- 第六章 法律责任
- 第七章 附则

第一章 总 则

第一条 为防治水污染,保护和改善环境,以保障人体健康,保证水资源的有效利用,促进社会主义现代化建设的发展,特制定本法。

第二条 本法适用于中华人民共和国领域内的江河、湖泊、运河、渠道、水库等地表水体以及地下水体的污染防治。

海洋污染防治另由法律规定,不适用本法。

第三条 国务院有关部门和地方各级人民政府,必须将水环境保护工作纳入计划,采取防治水污染的对策和措施。

第四条 各级人民政府的环境保护部门是对水污染防治实施统一监督管理的机关。

各级交通部门的航政机关是对船舶污染实施监督管理的机关。

各级人民政府的水利管理部门、卫生行政部门、地质矿产部门、市政管理部门、重要江河的水源保护机构,结合各自的职责、协同环境保护部门对水污染防治实施监督管理。

第五条 一切单位和个人都有责任保护水环境,并有权对污染损害水环境的行为进行监督和检举。

因水污染危害直接受到损失的单位和个人,有权要求致害者排除危害和赔偿损失。

Law on the Prevention and Control of Water Pollution

(Adopted at the fifth session of the Standing Committee of the Sixth National People's Congress on May 11, 1984 and revised according to the Decision Regarding the Revision of the Law of the People's Republic of China on the Prevention and Control of Water Pollution adopted at the 19th session of the Standing Committee of the Eighth National People's Congress on May 15, 1996)

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Chapter I General Provisions

Article 1 This Law is formulated for the purpose of preventing and controlling water pollution, protecting and improving the environment, safeguarding human health, ensuring the effective use of water resources and facilitating the development of socialist modernization.

Article 2 This Law shall apply to the prevention and control of pollution of rivers, lakes, canals, irrigation channels, reservoirs and other surface water bodies and of groundwater within the territory of the People's Republic of China.

This Law is not applicable to the prevention and control of marine pollution, which is provided for by a separate law.

Article 3 Competent departments under the State Council and local people's governments at various levels shall incorporate the protection of the water environment into their plans and adopt ways and measures to prevent and control water pollution.

Article 4 The environmental protection departments of the people's governments at all levels shall be the organs exercising unified supervision and management of the prevention and control of water pollution.

Navigation administrative offices of transportation departments at various levels shall be the organs exercising supervision and management of pollution from ships.

Water conservancy administration departments, public health administration departments, geological and mining departments, municipal administration departments and water sources protection agencies on major rivers of people's governments at various levels shall, through performing their respective functions and in conjunction with environmental protection departments, implement supervision and management of the prevention and control of water pollution.

Article 5 All units and individuals shall have the duty to protect the water environment and the right to supervise any act that pollutes or damages the water environment and to inform against the polluter.

Any unit or individual that has suffered losses directly from a water pollution hazard shall have the right to claim damages from and demand the elimination of the hazard by the polluter.

第二章 水环境质量和污染物排放标准的制定

第六条 国务院环境保护部门制定国家水环境质量标准。

省、自治区、直辖市人民政府可以对国家水环境质量标准中未规定的项目，制定地方补充标准，并报国务院环境保护部门备案。

第七条 国务院环境保护部门根据国家水环境质量标准和国家经济、技术条件，制定国家污染物排放标准。

省、自治区、直辖市人民政府对国家水污染物排放标准中未作规定的项目，可以制定地方水污染物排放标准；对国家水污染物排放标准中已作规定的项目，可以制定严于国家水污染物排放标准的地区水污染物排放标准。地方水污染物排放标准须报国务院环境保护部门备案。

凡是向已有地方污染物排放标准的水体排放污染物的，应当执行地方污染物排放标准。

第八条 国务院环境保护部门和省、自治区、直辖市人民政府，应当根据水污染防治的要求和国家经济、技术条件，适时修订水环境质量和污染物排放标准。

第三章 水污染防治的监督管理

第九条 国务院有关部门和地方各级人民政府在开发、利用和调节、调度水资源的时候，应当统筹兼顾，维护江河的合理流量和湖泊、水库以及地下水体的合理水位，维护水体的自然净化能力。

第十条 防治水污染应当按流域或者按区域进行统一规划。国家确定的重要江河的流域水污染防治规划，由国务院环境保护部门会同计划主管部门、水利管理部门等有关部门和有关省、自治区、直辖市人民政府编制，报国务院批准。

其他跨省、跨县江河的流域水污染防治规划，根据国家确定的重要江河的流域水污染防治规划和本地实际情况，由省级以上人民政府环境保护部门会同水利管理部门等有关部门和有关地方人民政府编制，报国务院或者省级人民政府批准。跨县不跨省的其他江河的流域水污染防治规划由该省级人民政府报国务院备案。

经批准的水污染防治规划是防治水污染的基本依据，规划的修订须经原批准机关的批准。

县级以上人民政府，应当根据依法批准的江河流域水污染防治规划，组织制定本行政区域的水污染防治规划，并纳入本行政区域的国民经济和社会发展中长期和年度计划。

第十一条 国务院有关部门和地方各级人民政府应当合理规划工业布局，对造成水污染的企业进行整顿和技术改造，采取综合防治措施，提高水的重复利用率，合理利用资源，减少废水和污染物排放量。

Chapter II Establishment of Water Environment Quality Standards and Pollutant Discharge Standards

Article 6 The environmental protection department of the State Council shall establish national water environment quality standards.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may establish their own local, supplementary standards for those items not specified in the national water environment quality standards and report the same to the environmental protection department of the State Council for the record.

Article 7 The environmental protection department of the State Council shall, in accordance with the national water environment quality standards and the country's economic and technological conditions, establish national pollutant discharge standards.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may establish its local standards for the discharge of water pollutants for items not specified in the national standards; with regard to items already specified in the national standards, it may set local standards which are more stringent than the national standards. The local standards for the discharge of water pollutants must be reported to the environmental protection department of the State Council for the record.

Those who discharge pollutants into any water body where local pollutant discharge standards have been established shall observe such local standards.

Article 8 The environmental protection department of the State Council and the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall amend in due time their respective water environment quality standards and pollutant discharge standards in accordance with the requirements of water pollution prevention and control and with the country's economic and technological conditions.

Chapter III Supervision and Management of the Prevention and Control of Water Pollution

Article 9 Competent departments under the State Council and local people's governments at various levels shall, in the process of developing, utilizing, regulating and allocating water resources, make integrated plans for maintaining proper river flows, proper water levels of lakes and reservoirs and proper groundwater tables, in order to sustain the natural purification capacity of water bodies.

Article 10 The prevention and control of water pollution shall be planned in a unified way on the basis of river basins or regions. Water pollution prevention and control plans for major river basins designated by the state shall be drawn up by the environmental protection department of the State Council in consultation with the competent planning department, the water conservancy administration department and other competent departments under the State Council, and the people's governments of involved provinces, autonomous regions and municipalities under the Central Government, and shall be reported to the State Council for approval.

Water pollution prevention and control plans for other river basins involving two or more provinces or counties shall, in accordance with the plans for major river basins designated by the state and with the local practical situations, be drawn up by the environmental protection department in consultation with the water conservancy administration department and other competent departments of the people's government at or above the provincial level, and the local people's governments involved, and shall be reported to the State Council or the people's government at the provincial level for approval. Plans for other river basins involving two or more counties but not involving different provinces shall be reported by the people's government of the province to the State Council for the record.

The approved plans shall serve as the bases for the prevention and control of water pollution. Any amendment to an approved plan must be approved by the original approving department.

第十二条 县级以上人民政府可以对风景名胜区水体、重要渔业水体和其他具有特殊经济文化价值的水体，划定保护区，并采取措施，保证保护区的水质符合规定用途的水质标准。

第十三条 新建、扩建、改建直接或者间接向水体排放污染物的建设项目和其他水上设施，必须遵守国家有关建设项目环境保护管理的规定。

建设项目的环境影响报告书，必须对建设项目可能产生的水污染和对生态环境的影响作出评价，规定防治的措施，按照规定的程序报经有关环境保护部门审查批准。在运河、渠道、水库等水利工程内设置排污口，应当经过有关水利管理部门同意。

建设项目中防治水污染的设施，必须与主体工程同时设计，同时施工，同时投产使用。防治水污染的设施必须经过环境保护部门检验，达不到规定要求的，该建设项目不准投入生产或者使用。

环境影响报告书中，应当有该建设项目所在地单位和居民的意见。

第十四条 直接或者间接向水体排放污染物的企业事业单位，应当按照国务院环境保护部门的规定，向所在地的环境保护部门申报登记拥有的污染物排放设施、处理设施和正常作业条件下排放污染物的种类、数量和浓度，并提供防治水污染方面的有关技术资料。

前款规定的排污单位排放水污染物的种类、数量、和浓度有重大改变的，应当及时申报；其水污染物处理设施必须保持正常作用，拆除或者闲置水污染物处理设施的，必须事先报经所在地县级以上地方人民政府环境保护部门批准。

第十五条 企业事业单位向水体排放污染物的，按照国家规定缴纳排污费；超过国家或者地方规定的污染物排放标准的，按照国家规定缴纳超标准排污费。

排污费和超标准排污费必须用于污染的防治，不得挪作他用。

超标准排污的企业事业单位必须制定规划，进行治理，并将治理规划报所在地的县级以上地方人民政府环境保护部门备案。

第十六条 省级以上人民政府对实现水污染物达标排放仍不能达到国家规定的水环境质量标准的水体，可以实施重点污染物排放的总量控制制度，并对有排污量削减任务的企业实施该重点污染物排放量的核定制度。具体办法由国务院规定。

第十七条 国务院环境保护部门会同国务院水利管理部门和有关省级人民政府，可以根据国家确定的重要江河流域水体的使用功能以及有关地区的经济、技术条件，确定该重要江河流域的省界水体适用的水环境质量标准，报国务院批准后施行。

第十八条 国家确定的重要江河流域的水资源保护工作机构，负责监测其所在流域的省界水体的水环境质量状况，并将监测结果及时报国务院环境保护部门和国务院水利管理部门；有经国务院批准成立的流域水资源保护领导机构的，应当将监测结果及时报告流域水资源保护领导机构。

第十九条 城市污水应当进行集中处理。

Local people's governments at or above the county level shall, in accordance with the water pollution prevention and control plans for river basins already approved according to law, organize to formulate plans for the prevention and control of water pollution within their respective administrative areas, and shall incorporate such plans into the medium- and long-term plans and annual plans for the national economy and social development of their respective administrative areas.

Article 11 Competent departments under the State Council and local people's governments at various levels shall make rational plans for the placement of industry, and see to it that enterprises causing water pollution are modified and technically renovated, adopting comprehensive prevention and control measures, raising the frequency of water reuse, utilizing resources rationally and reducing the quantity of waste water and pollutants discharged.

Article 12 For water bodies at scenic or historic sites, important fishery water bodies and other water bodies of special economic or cultural value, people's governments at or above the county level may delineate protected zones and take measures to ensure that the water quality in those protected zones complies with the standards for their designated uses.

Article 13 New construction projects, extensions, or reconstruction projects which discharge pollutants into water bodies directly or indirectly and installations on water shall be subject to the state provisions concerning environmental protection for such projects.

The environmental impact statement of a construction project shall assess the water pollution hazards the project is likely to produce and its impact on the ecosystem, with prevention and control measures provided therein; the statement shall be submitted, according to the specified procedure, to the environmental protection department concerned for review and approval. The setting up of sewage outfalls within any water conservancy projects such as canals, irrigation channels and reservoirs shall be approved by the relevant department in charge of water conservancy.

Facilities for the prevention and control of water pollution at a construction project must be designed, built and commissioned together with the principal part of the project. Such facilities must be inspected by the environmental protection department; if they do not conform to the specified requirements, the said project shall not be permitted to be put into operation or to use.

The environmental impact statement shall include views of units and residents where the construction project is to be located.

Article 14 Enterprises and institutions that discharge pollutants directly or indirectly into a water body shall, pursuant to the provisions of the environmental protection department of the State Council, report to and register with their local environmental protection department their existing treatment and discharge facilities for pollutants and the categories, quantities and concentrations of pollutants discharged under their normal operating conditions and also submit to the same department the relevant technical information concerning the prevention and control of water pollution.

The pollutant discharging units mentioned in the preceding paragraph shall report in time if any substantial change occurs in the categories, quantities or concentrations of the water pollutants discharged. Their water pollutant treatment facilities must be kept in normal use. When such facilities are to be dismantled or left idle, prior approval must be obtained from the environmental protection department of the local people's government at or above the county level.

Article 15 Enterprises and institutions discharging pollutants into a water body shall pay a discharge fee as provided for by the state. If the discharge of pollutants exceeds the limits set by national or local standards, they shall pay a fee for excess discharge according to state provisions.

The income derived from the discharge fee and the fee for excess discharge must be used for the prevention and control of pollution and shall not be appropriated for other purposes.

Enterprises and institutions discharging pollutants in excess of the prescribed standards must work out a programme to eliminate and control the pollution, and report such programme to the environmental protection department of the local people's government at or above the county level for the record.

Article 16 Where the water pollutant discharge standards have been reached but cannot ensure

国务院有关部门和地方各级人民政府必须把保护城市水源和防治城市水污染纳入城市建设规划，建设和完善城市排水管网，有计划地建设城市污水集中处理设施，加强城市水环境的综合整治。

城市污水集中处理设施按照国家规定向排污者提供污水处理的有偿服务，收取污水处理费用，以保证污水集中处理设施的正常运行。向城市污水集中处理设施排放污水、缴纳污水处理费用的，不再缴纳排污费。收取的污水处理费用必须用于城市污水集中处理设施的建设和运行，不得挪作他用。

城市污水集中处理设施的污水处理收费、管理以及使用的具体办法，由国务院规定。

第二十条 省级以上人民政府可以依法划定生活饮用水地表水源保护区。生活饮用水地表水源保护区分为一级保护区和其他等级保护区。在生活饮用水地表水源取水口附近可以划定一定的水域和陆域为一级保护区。在生活饮用水地表水源一级保护区外，可以划定一定的水域和陆域为其他等级保护区。各级保护区应当有明确的地理界线。

禁止向生活饮用水地表水源一级保护区的水体排放污水。

禁止在生活饮用水地表水源一级保护区内从事旅游、游泳和其他可能污染生活饮用水水体的活动。

禁止在生活饮用水地表水源一级保护区内新建、扩建与供水设施和保护水源无关的建设项目。

在生活饮用水地表水源一级保护区内已设置的排污口，由县级以上人民政府按照国务院规定的权限责令限期拆除或者限期治理。

对生活饮用水地下水源应当加强保护。

对生活饮用水水源保护的具体办法由国务院规定。

第二十一条 在生活饮用水源受到严重污染，威胁供水安全等紧急情况下，环境保护部门应当报经同级人民政府批准，采取强制性的应急措施，包括责令有关企业事业单位减少或者停止排放污染物。

第二十二条 企业应当采用原材料利用效率高、污染物排放量少的清洁生产工艺，并加强管理，减少水污染物的产生。

国家对严重污染水环境的落后生产工艺和严重污染水环境的落后设备实行淘汰制度。

国务院经济综合主管部门会同国务院有关部门公布限制禁止采用的严重污染水环境的工艺名录和限期禁止生产、禁止销售、禁止进口、禁止使用的严重污染水环境的设备名录。

生产者、销售者、进口者或者使用者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内分别停止生产、销售、进口或者使用列入前款规定的名录中的设备。生产工艺的采用者必须在国务院经济综合主管部门会同国务院有关部门

the attainment of the water environment quality standards for water bodies, the people's governments at or above the provincial level may establish a system for controlling the total quantity of major pollutants discharged, and practise a system for determining the quantity of such major pollutants discharged among enterprises which are responsible for reducing the quantity of pollutants discharged. The State Council shall formulate specified measures therefor.

Article 17 The environmental protection department of the State Council may, in consultation with the water conservancy administration department under the State Council and the relevant people's government at the provincial level, and in accordance with uses and functions of water bodies of major river basins designated by the state and with local economic and technological conditions, set the water environmental quality standards applicable to provincial boundary water bodies of such major river basins, and report to the State Council and implement them after approval.

Article 18 The working organs for water resource protection of major river basins designated by the state shall be responsible for monitoring the state of environmental quality of provincial boundary water bodies within their respective river basin areas, and report the monitoring results in time to the environmental protection department and the water conservancy administration department of the State Council; if a leading organ for water resource protection of the river basin has been established with the approval of the State Council, the monitoring results shall in time be reported thereto.

Article 19 Urban sewage shall be disposed of in a centralized way.

Competent departments under the State Council and local people's governments at various levels must incorporate into their plans of municipal construction the protection of urban water sources and the prevention and control of urban water pollution, construct and perfect municipal drainage systems, and construct urban sewage treatment facilities in a planned way, in order to strengthen the comprehensive improvement of urban water environment.

Urban sewage treatment facilities shall, according to the state provisions, be used to provide paid service of sewage treatment for pollutant dischargers, and the fee for sewage treatment shall be collected to ensure the normal operation of sewage treatment facilities. Where sewage is discharged into urban sewage treatment facilities and the fee for sewage treatment has been paid therefor, the discharge fee shall not be levied. The income derived from the fee for sewage treatment so collected must be used for the construction and operation of urban sewage treatment facilities and may not be appropriated for other purposes.

The State Council shall formulate specific measures for the collection of the sewage treatment fee, and for the management and utilization of urban sewage treatment facilities.

Article 20 People's governments at or above the provincial level may delineate protected zones for surface sources of domestic and drinking water according to law. Such protected zones include the first and other classes protected zones. Specific water and land areas in the vicinity of intakes at a surface source for domestic and drinking water may be delineated as a first class protected zone, and those water and land areas outside the first class protected zone be delineated as other class protected zone. Various classes protected zones shall have their definite geographical boundaries.

The discharge of waste water into water bodies at the first class protected zones for surface sources of domestic and drinking water shall be prohibited.

Tours, swims and other activities which might cause pollution to domestic and drinking water bodies within the first class protected zones shall be prohibited.

Any new construction project or expansion unrelated to water supply facilities and to the protection of water sources within the first class protected zones for surface sources of domestic and drinking water shall be prohibited.

People's governments at or above the county level shall, according to their limits of authorities specified by the State Council, order to dismantle or improve within a prescribed time period those sewage outfalls already set up within the first class protected zones for surface sources of domestic and drinking water.

The protection of domestic and drinking groundwater sources shall be strengthened.

规定的期限内停止采用列入前款规定的名录中的工艺。

依照前两款规定被淘汰的设备，不得转让给他人使用。

第二十三条 国家禁止新建无水污染防治措施的小型化学制纸浆、印染、染料、制革、电镀、炼油、农药以及其他严重污染水环境的企业。

第二十四条 对造成水体严重污染的排污单位，限期治理。

中央或者省、自治区、直辖市人民政府直接管辖的企业事业单位的限期治理，由省、自治区、直辖市人民政府的环境保护部门提出意见，报同级人民政府决定。市、县或者市、县以下人民政府管辖的企业事业单位的限期治理，由市、县人民政府的环境保护部门提出意见，报同级人民政府决定。排污单位应当如期完成治理任务。

第二十五条 各级人民政府的环境保护部门和有关的监督管理部门，有权对管辖范围内的排污单位进行现场检查，被检查的单位必须如实反映情况，提供必要的资料。检查机关有责任为被检查的单位保守技术秘密和业务秘密。

第二十六条 跨行政区域的水污染纠纷，由有关地方人民政府协商解决，或者由其共同的上级人民政府协调解决。

The State Council shall formulate specific measures for the protection of domestic and drinking water sources.

Article 21 In case of emergency, such as the severe pollution of a domestic and drinking water source which threatens safe water supply, the relevant environmental protection department shall, with the approval of the people's government at the corresponding level, take compulsory emergency measures, including ordering the enterprises or institutions concerned to reduce or stop the discharge of pollutants.

Article 22 Enterprises shall adopt clean production techniques which are efficient in the use of raw materials and discharge small quantity of pollutants, and shall strengthen the management to reduce the water pollutants generated.

The state establishes a system for eliminating those backward production techniques and equipment, which cause severe pollution to water environment.

The competent comprehensive administrative department of economy under the State Council shall, in consultation with departments concerned under the State Council, announce a catalogue of techniques which cause severe pollution to water environment and of which the adoption is to be prohibited upon the expiration of a prescribed time period, as well as a catalogue of equipment which causes severe pollution to water environment and of which the production, sale, importation and use are to be prohibited upon the expiration of a prescribed time period.

Producers, marketers, importers or users must, within the time limit specified by the competent comprehensive administrative department of economy in consultation with departments concerned under the State Council, stop respectively the production, sale, importation or use of equipment listed in the catalogue mentioned in the preceding paragraph. Adopters of production techniques must, within the time limit specified by the competent comprehensive administrative department of economy in consultation with departments concerned under the State Council, stop the adoption of techniques listed in the catalogue mentioned in the preceding paragraph.

Equipment already eliminated according to the provisions in two preceding paragraphs may not be transferred to others for use.

Article 23 The state prohibits the establishment of any new small-size enterprise engaging in chemical paper pulp making, printing and dyeing, dyestuff, hide processing, electroplating, oil refining or agricultural chemical without measures for the prevention and control of water pollution, and other enterprises which may cause severe pollution to water environment.

Article 24 If a unit discharging pollutants has caused severe pollution of a water body, it shall be ordered to eliminate and control the pollution within a certain period.

For enterprises and institutions directly under the jurisdiction of the Central Government or the people's government of a province, autonomous region, or municipality directly under the Central Government, the determination of a deadline for elimination or control of pollution shall be recommended by the environmental protection department of the people's government of the province, autonomous region or municipality, and be reported to the people's government at the corresponding level for decision. For enterprises and institutions under the jurisdiction of a people's government at or below the city or county level, such recommendation shall be made by the environmental protection department of the people's government at the corresponding level for decision. The pollutant discharging units shall accomplish the elimination or control of pollution within the specified period.

Article 25 Environmental protection departments and relevant supervisory and management departments of people's governments at various levels shall be empowered to make on-site inspections of units under their jurisdiction that discharge pollutants. The units being inspected shall report the situation truthfully and provide the necessary information. The inspecting authorities shall have the obligation to keep the technological and trade secrets of the units inspected.

Article 26 Water pollution disputes involving different administrative areas shall be settled through negotiation between or among local people's governments involved therein, or through co-ordination by their common higher people's government.

第四章 防止地表水污染

第二十七条 在生活饮用水源地、风景名胜区水体、重要渔业水体和其他有特殊经济文化价值的水体的保护区内，不得新建排污口。在保护区附近新建排污口，必须保证保护区水体不受污染。

本法公布前已有的排污口，排放污染物超过国家或者地方标准的，应当治理；危害饮用水源的排污口，应当搬迁。

第二十八条 排污单位发生事故或者其他突然性事件，排放污染物超过正常排放量，造成或者可能造成水污染事故的，必须立即采取应急措施，通报可能受到水污染危害和损害的单位，并向当地环境保护部门报告。船舶造成污染事故的，应当向就近的航政机关报告，接受调查处理。

造成渔业污染事故的，应当接受渔政监督管理机构的调查处理。

第二十九条 禁止向水体排放油类、酸液、碱液或者剧毒废液。

第三十条 禁止在水体清洗装贮过油类或者有毒污染物的车辆和容器。

第三十一条 禁止将含有汞、镉、砷、铬、铅、氰化物、黄磷等的可溶性剧毒废渣向水体排放、倾倒或者直接埋入地下。

存放可溶性剧毒废渣的场所，必须采取防水、防渗漏、防流失的措施。

第三十二条 禁止向水体排放、倾倒工业废渣、城市垃圾和其他废弃物。

第三十三条 禁止在江河、湖泊、运河、渠道、水库最高水位线以下的滩地和岸坡堆放、存贮固体废弃物和其他污染物。

第三十四条 禁止向水体排放或者倾倒放射性固体废弃物或者含有高放射性和中放射性物质的废水。

向水体排放含低放射性物质的废水，必须符合国家有关放射防护的规定和标准。

第三十五条 向水体排放含热废水，应当采取措施，保证水体的水温符合水环境质量标准，防止热污染危害。

第三十六条 排放含病原体的污水，必须经过消毒处理；符合国家有关标准后，方准排放。

第三十七条 向农田灌溉渠道排放工业废水和城市污水，应当保证其下游最近的灌溉取水点水质符合农田灌溉水质标准。

利用工业废水和城市污水进行灌溉，应当防止污染土壤、地下水和农产品。

第三十八条 使用农药，应当符合国家有关农药安全使用的规定和标准。

运输、存贮农药和处置过期失效农药，必须加强管理，防止造成水污染。

第三十九条 县级以上地方人民政府的农业管理部门和其他有关部门，应当采取措施，指导农业生产者科学、合理地施用化肥和农药，控制化肥和农药的过量使用，防止造成水污染。

第四十条 船舶排放含油污水、生活污水，必须符合船舶污染物排放标准。从

Chapter IV Prevention of Surface Water Pollution

Article 27 No new sewage outfalls shall be set up in the protected zones for domestic and drinking water sources, water bodies at scenic or historic sites, important fishery water bodies and other water bodies of special economic or cultural value. When new sewage outfalls are set up in the vicinity of such protected zones, the water bodies within those zones must be ensured against pollution.

Measures for the elimination or control of pollution shall be taken for any sewage outfall which was established before the promulgation of this Law and which discharges pollutants in excess of the limits set by national or local standards. Outfalls endangering drinking water sources shall be relocated.

Article 28 Where any pollutant discharging unit, as a result of an accident or other exigency, discharges pollutants in excess of normal quantities, thereby causing or threatening to cause a water pollution accident, it shall immediately take emergency measures, inform such units as are likely to be endangered or damaged by the water pollution and report the case to the local environmental protection department. Ships that have caused any pollution accident shall report the case to the nearest navigation administration office for its investigation and disposal.

In the case of any pollution accident caused to fisheries, the fisheries administrative and superintendency agencies shall be responsible for its investigation and disposal.

Article 29 The discharge of any oil, acid or alkaline solutions or deadly toxic liquid waste into any water body shall be prohibited.

Article 30 The washing in any water body of vehicles or containers which have been used for storing oil or toxic pollutant shall be prohibited.

Article 31 The discharge or dumping into any water body, or the direct underground burying of deadly toxic soluble slag, tailings, etc., containing such substances as mercury, cadmium, arsenic, chromium, lead, cyanide and yellow phosphorus, is prohibited.

Sites for depositing deadly toxic soluble slag, tailings, etc., shall be made waterproof and protected against seepage and leaking.

Article 32 The discharge or dumping of industrial waste residues, urban refuse or other wastes into any water body shall be prohibited.

Article 33 The piling or depositing of solid wastes and other pollutants on beaches and bank slopes below the highest water level of rivers, lakes, canals, irrigation channels and reservoirs shall be prohibited.

Article 34 The discharge or dumping of radioactive solid wastes or of waste water containing any high- or medium- level radioactive substances into any water body shall be prohibited.

The discharge of waste water containing low-level radioactive substances shall comply with the relevant national provisions and standards for radioactive protection.

Article 35 Where discharge of heated waste water into any water body is to be made, measures shall be taken to ensure that the temperature of the water body conforms to the water environment quality standards, so as to prevent any heat pollution hazard.

Article 36 Pathogen-contaminated sewage can be discharged only after it is disinfected to meet the relevant national standards.

Article 37 The discharge of industrial waste water or urban sewage into agricultural irrigation channels shall be made only with the assurance that the water quality at the nearest irrigation intake downstream conforms to the agricultural irrigation water quality standards.

When industrial waste water or urban sewage is used for irrigation, attention shall be paid to guarding against pollution of the soil, groundwater or agricultural products.

Article 38 The application of pesticides shall comply with the state provisions and standards for their safe use.

Transportation and storage of pesticides and disposal of expired or ineffective pesticides shall be

事海洋航运的船舶，进入内河和港口的，应当遵守内河的船舶污染物排放标准。

船舶的残油、废油必须回收，禁止排入水体。

禁止向水体倾倒船舶垃圾。

船舶装载运输油类或者有毒货物，必须采取防止溢流和渗漏的措施，防止货物落水造成水污染。

第五章 防止地下水污染

第四十一条 禁止企业事业单位利用渗井、渗坑、裂隙和溶洞排放、倾倒含有毒污染物的废水、含病原体的污水和其他废弃物。

第四十二条 在无良好隔渗地层，禁止企业事业单位使用无防止渗漏措施的沟渠、坑塘等输送或者存贮含有毒污染物的废水、含病原体的污水和其他废弃物。

第四十三条 在开采多层地下水的时候，如果各含水层的水质差异大，应当分层开采；对已受污染的潜水和承压水，不得混合开采。

第四十四条 兴建地下工程设施或者进行地下勘探、采矿等活动，应当采取防护性措施，防止地下水污染。

第四十五条 人工回灌补给地下水，不得恶化地下水水质。

第六章 法律责任

第四十六条 违反本法规定，有下列行为之一的，环境保护部门或者交通部门的航政机关可以根据不同情节，给予警告或者处以罚款：

(一) 拒报或者谎报国务院环境保护部门规定的有关污染物排放申报登记事项的；

(二) 拒绝环境保护部门或者有关的监督管理部门现场检查，或者弄虚作假的；

(三) 违反本法第四章、第五章有关规定，贮存、堆放、弃置、倾倒、排放污染物、废弃物的；

(四) 不按国家规定缴纳排污费或者超标准排污费的。

罚款的办法和数额由本法实施细则规定。

第四十七条 违反本法第十三条第三款规定，建设项目的水污染防治设施没有建成或者没有达到国家规定的要求，即投入生产或者使用的，由批准该建设项目的环境影响报告书的环境保护部门责令停止生产或者使用，可以并处罚款。

第四十八条 违反本法第十四条第二款规定，排污单位故意不正常使用水污染物处理设施，或者未经环境保护部门批准，擅自拆除、闲置水污染物处理设施，排

strictly controlled to prevent water pollution.

Article 39 The agricultural administration department and other relevant departments of a local people's government at or above the county level shall take measures to instruct agricultural producers to apply chemical fertilizers and pesticides in a scientific and rational manner, and control the excessive use of chemical fertilizers and pesticides, so as to prevent water pollution therefrom.

Article 40 The discharge of oil-bearing waste water or domestic sewage from ships shall comply with ship pollutant discharge standards. Ocean navigating ships, on entering inland rivers or harbours, shall observe ship pollutant discharge standards for inland rivers.

Residual oil or waste oil of ships must be recovered, and its discharge into any water body shall be prohibited.

The dumping of ship refuse into any water body shall be prohibited.

In the process of loading and transporting oils or toxic cargoes, ships must be safeguarded against spillage and leakage and against such cargoes falling into the water, so as to prevent water pollution therefrom.

Chapter V Prevention of Groundwater Pollution

Article 41 Enterprises and institutions shall be prohibited from discharging waste water containing toxic pollutants or pathogens or dumping other wastes into seepage wells, cesspools, crevices or karst caves.

Article 42 At places where no satisfactory impervious strata exist, enterprises and institutions shall be prohibited from using ditches, pits or ponds which are without safeguards against seepage for conveyance or storage of waste water containing toxic pollutants or pathogens, or of other wastes.

Article 43 In exploiting groundwater from multiple aquifers, layered exploitation shall be resorted to if water quality differs greatly from one aquifer to another. Combined exploitation of artesian water and polluted phreatic water shall not be permitted.

Article 44 While constructing underground engineering facilities or carrying out prospecting, mining or other underground activities, protective measures shall be taken for prevention of groundwater pollution.

Article 45 Artificial recharge of groundwater shall not be deleterious to groundwater quality.

Chapter VI Legal Liabilities

Article 46 Any violator of this Law shall, according to the circumstances of the case, be warned or fined by the competent environmental protection department or the navigation office of the competent transportations department for any of the following:

(1) refusing to report or submitting a false report on items for which registration is required by the environmental protection department of the State Council for the discharge of pollutants;

(2) refusing an on-site inspection by the competent environmental protection department or supervisory and management department, or resorting to deception;

(3) storing, piling, abandoning, dumping or discharging any pollutant or waste in violation of Chapters IV and V of this Law; or

(4) failing to pay, as provided for by the state, the fee for pollutant discharge or for excess discharge.

The amount of the fine and the procedure for its imposition shall be stipulated in the rules for the implementation of this Law.

Article 47 If, in violation of the provisions of the third paragraph of Article 13 in this Law, a construction project is put into operation or to use when its facilities for the prevention and control of water pollution have not completed or fail to meet the state specified requirements, the environmental protection department that approved the environmental impact statement of the said project shall order the violator to stop the operation or use of the project and may concurrently impose a fine.

放污染物超过规定标准的，由县级以上地方人民政府环境保护部门责令恢复正常使用或者限期重新安装使用，并处罚款。

第四十九条 违反本法第二十条第四款规定，在生活饮用水地表水源一级保护区新建、扩建与供水设施和保护水源无关的建设项目的，由县级以上人民政府按照国务院规定的权限责令停业或者关闭。

第五十条 违反本法第二十二条规定，生产、销售、进口或者使用禁止生产、销售、进口、使用的设备，或者采用禁止采用的工艺的，由县级以上人民政府经济综合主管部门责令改正；情节严重的，由县级以上人民政府经济综合主管部门提出意见，报请同级人民政府按照国务院规定的权限责令停业、关闭。

第五十一条 违反本法第二十三条规定，建设无水污染防治措施的小型企业，严重污染水环境的，由所在地的市、县人民政府或者上级人民政府责令关闭。

第五十二条 造成水体严重污染的企业事业单位，经限期治理，逾期未完成治理任务的，除按照国家规定征收两倍以上的超标准排污费外，可以根据所造成的危害和损失处以罚款，或者责令其停业或者关闭。

罚款由环境保护部门决定。责令企业事业单位停业或者关闭，由作出限期治理决定的地方人民政府决定；责令中央直接管辖的企业事业单位停业或者关闭的，须报经国务院批准。

第五十三条 违反本法规定，造成水污染事故的排污单位，由事故发生地的县级以上地方人民政府环境保护部门根据所造成的危害和损失处以罚款。

造成渔业污染事故或者船舶造成水污染事故的，分别由事故发生地的渔政监督管理机构或者交通部门的航政机关根据所造成的危害和损失处以罚款。

造成水污染事故，情节严重的，对有关责任人员，由其所在单位或者上级主管机关给予行政处分。

第五十四条 当事人对行政处罚决定不服的，可以在收到通知之日起十五日内，向人民法院起诉；期满不起诉又不履行的，由作出处罚决定的机关申请人民法院强制执行。

第五十五条 造成水污染危害的单位，有责任排除危害，并对直接受到损失的单位或者个人赔偿损失。

赔偿责任和赔偿金额的纠纷，可以根据当事人的请求，由环境保护部门或者交通部门的航政机关处理；当事人对处理决定不服的，可以向人民法院起诉。当事人也可以直接向人民法院起诉。

水污染损失由第三者故意或者过失所引起的，第三者应当承担赔偿责任。

Article 48 If a pollutant discharging unit, in violation of the provisions of the second paragraph of Article 14 in this Law, intentionally does not keep its water pollutant treatment facilities in normal use, or dismantles or leaves idle such facilities without approval of the environmental protection department, thereby discharging pollutants in excess of prescribed standards, the environmental protection department of a local people's government at or above the county level shall order it to restore such facilities to the normal use, or set a time limit for it to reinstall and reuse such facilities, and concurrently impose a fine.

Article 49 If anyone, in violation of the provisions of the fourth paragraph of Article 20 in this Law, establishes within the first class protected zones for surface source of domestic and drinking water any new construction or expansion project unrelated to water supply facilities and to the protection of water sources, the people's government at or above the county level shall, according to its limit of authorities specified by the State Council, order the violator to suspend operations or close down.

Article 50 If anyone, in violation of the provisions of Article 22 in this Law, produces, sells, imports or uses equipment, or adopts techniques, which have already been prohibited, the competent comprehensive administrative department of economy of the people's government at or above the county level shall order the violator to make correction; if the circumstances are serious, the said department shall propose and report to the people's government at the corresponding level for an order of suspension of operations or shutdown issued within its limit of authorities specified by the State Council.

Article 51 If anyone, in violation of the provisions of Article 23 in this Law, establishes any small-size enterprise without measures for the prevention and control of water pollution, thereby causing severe pollution to water environment, the local people's government at the city or county level or the higher people's government shall order to shut down such enterprise.

Article 52 An enterprise or institution which has caused severe pollution to water bodies but has failed to accomplish its elimination by the deadline as required shall, as provided for by the state, pay twice or more the fee for excess discharge; in addition, a fine may be imposed in accordance with the consequent damage and loss, or the said enterprise or institution may be ordered to suspend operations or close down.

The fine shall be decided by the competent environmental protection department. Orders for the suspension of operations or the shutdown of enterprises and institutions shall be issued by the local people's government which set the deadline for the elimination of pollution. Orders for the suspension of operations or shutdown of enterprises and institutions under the jurisdiction of the Central Government shall be submitted to and approved by the State Council.

Article 53 A pollutant discharging unit which violates this Law, thereby causing a water pollution accident, shall be fined according to the consequent damage and loss by the competent environmental protection department of the local people's government at or above the county level in the place where the accident takes place.

In the case of a pollution accident caused to fisheries or caused by vessels, the competent fisheries administration and superintendency agency or the navigation office of the competent transportation department in the place where the accident takes place shall impose a fine respectively according to the consequent damage and loss.

If the circumstances are serious in a water pollution accident, the persons responsible shall be subject to disciplinary sanction by the unit to which they belong or by a higher competent authority.

Article 54 A party refusing to accept the decision of administrative sanction may bring suit before a people's court within 15 days from the date of receiving the notification. If upon the expiration of the period the party neither brings suit nor complies with the decision, the organ which imposed the sanction may apply to the people's court for compulsory enforcement.

Article 55 The unit which has caused a water pollution hazard has the responsibility to eliminate it and make compensation to the unit or individual that suffered direct losses.

A dispute over liability to make compensation or the amount of compensation may, at the request of the parties, be settled by the competent environmental protection department or by the navigation

水污染损失由受害者自身的责任所引起的，排污单位不承担责任。

第五十六条 完全由于不可抗拒的自然灾害，并经及时采取合理措施，仍然不能避免造成水污染损失的，免于承担责任。

第五十七条 违反本法规定，造成重大水污染事故，导致公私财产重大损失或者人身伤亡的严重后果的，对有关责任人员可以比照刑法第一百一十五条或者第一百八十七条的规定，追究刑事责任。

第五十八条 环境保护监督管理人员和其他有关国家工作人员滥用职权、玩忽职守、徇私舞弊的，由其所在单位或者上级主管机关给予行政处分；构成犯罪的，依法追究刑事责任。

第七章 附 则

第五十九条 对个体工商户向水体排放污染物，污染严重的，由省、自治区、直辖市人民代表大会常务委员会参照本法规定的原则制定管理办法。

第六十条 本法中下列用语的含义是：

(一)“水污染”是指水体因某种物质的介入，而导致其化学、物理、生物或者放射性等方面特性的改变，从而影响水的有效利用，危害人体健康或者破坏生态环境，造成水质恶化的现象。

(二)“污染物”是指能导致水污染的物质。

(三)“有毒污染物”是指那些直接或者间接为生物摄入体内后，导致该生物或者其后代发病、行为反常、遗传异变、生理机能失常、机体变形或者死亡的污染物。

(四)“油类”是指任何类型的油及其炼制品。

(五)“渔业水体”是指划定的鱼虾类的产卵场、索饵场、越冬场、回游通道和鱼虾贝藻类的养殖场。

第六十一条 国务院环境保护部门根据本法制定实施细则，报国务院批准后施行。

第六十二条 本法自一九八四年十一月一日起施行。

office of the competent communications department. If a party refuses to accept the decision, he may bring suit before a people's court. The party may also bring suit before the people's court directly.

If the water pollution losses are caused by a third party intentionally or negligently, the third party shall be liable to make compensation.

The unit discharging pollutants shall bear no liability for water pollution losses occasioned by the victim's own fault.

Article 56 If water pollution losses result entirely from irresistible natural disasters which cannot be averted even after reasonable measures have been promptly taken, the party concerned shall be exempted from liability.

Article 57 Should any violation of this Law give rise to a serious water pollution accident leading to any grave consequence of heavy public or private property losses or serious personal injury or death, the person responsible for such violation may be investigated for criminal liability by application of Article 115 or 187 of the Criminal Law.

Article 58 Personnel conducting supervision and management of environmental protection or other relevant state personnel who abuses his power, neglects his duty or engages in malpractices for personal gains shall be given disciplinary sanction by the unit to which he belongs or the competent higher authorities: if his act constitutes a crime, he shall be investigated for criminal responsibility according to law.

Chapter VII Supplementary Provisions

Article 59 With regard to individual businesses that discharge pollutants into water bodies and cause severe pollution, standing committees of the people's congresses of the provinces, autonomous regions and municipalities directly under the Central Government shall formulate measures therefor in accordance with the principles in the provisions of this Law.

Article 60 For the purpose of this Law, the definitions of the following terms are:

(1) "Water pollution" means the introduction into a water body of any substance which alters the chemical, physical, biological or radioactive properties of the water in such a way as to affect its effective use, endanger human health, damage the ecosystem or be deleterious to water quality.

(2) "Pollutant" means a substance that is capable of causing water pollution.

(3) "Toxic pollutant" means a pollutant that, when ingested by organisms directly or indirectly, leads to diseases, abnormal behaviour, genetic mutation, physiological functional disturbance, organism deformity or death of the organisms themselves or their offspring.

(4) "Oil" means any kind of oil or its refined products.

(5) "Fishery water bodies" means those parts of water bodies designated for the spawning, feeding, wintering or migratory passage of fish or shrimp, and for breeding fish, shrimp or shellfish or growing algae.

Article 61 The environmental protection department of the State Council shall, on the basis of this Law, formulate rules for its implementation, which shall be put into effect after being submitted to and approved by the State Council.

Article 62 This Law shall come into force on November 1, 1984.

中华人民共和国水污染防治法实施细则

中华人民共和国国务院令

第 284 号

现发布《中华人民共和国水污染防治法实施细则》，自发布之日起施行。

总 理 朱 镕 基

二〇〇〇年三月二十日

第一章 总 则

第一条 根据《中华人民共和国水污染防治法》（以下简称水污染防治法），制定本实施细则。

第二章 水污染防治的监督管理

第二条 依照水污染防治法第十条规定编制的流域水污染防治规划，应当包括下列内容：

- （一）水体的环境功能要求；
- （二）分阶段达到的水质目标及时限；
- （三）水污染防治的重点控制区域和重点污染源，以及具体实施措施；
- （四）流域城市排水与污水处理设施建设规划。

第三条 县级以上人民政府水行政主管部门在确定大、中型水库坝下最小泄流量时，应当维护下游水体的自然净化能力，并征求同级人民政府环境保护部门的意见。

第四条 向水体排放污染物的企业事业单位，必须向所在地的县级以上地方人民政府环境保护部门提交《排污申报登记表》。

企业事业单位超过国家规定的或者地方规定的污染物排放标准排放污染物的，在提交《排污申报登记表》时，还应当写明超过污染物排放标准的原因及限期治理措施。

第五条 企业事业单位需要拆除或者闲置污染物处理设施的，必须事先向所在

Implementing Rules on the Law on the Prevention and Control of Water Pollution

Decree of the State Council

No. 284

Implementing Rules on the Law on the Prevention and Control of Water Pollution is hereby promulgated and shall enter into force as of the date of promulgation.

Premier Zhu Rongji

March 20, 2000

Chapter I General Provisions

Article 1 This Rules is formulated pursuant to the Law of the People's Republic of China on the Prevention and Control of Water Pollution (hereinafter referred to as the Water Pollution Prevention and Control Law).

Chapter II Supervision over the Prevention of Water Pollution

Article 2 Plans, formulated in accordance with Article 10 of the Water Pollution Prevention and Control Law, to prevent and control water pollution of basins of rivers shall include the following points:

- (1) Environmental function requirements of the water body concerned;
- (2) Water quality target to be reached in stages and the time limits;
- (3) Key control areas and key pollution sources in prevention and control of water pollution, as well as specific implementation measures;
- (4) Plans for the Construction of facilities for urban runoff and waste water treatment within the water basin.

Article 3 Where the minimum runoff from a large or medium-sized reservoir is determined, the competent department of water administration of the people's government at or above the county level shall retain the natural purification capacity of the downstream water body, and shall consult with the environmental protection department of the people's government at the same level.

Article 4 An enterprise or institution that discharges pollutants into a water body shall submit the Pollutants Discharge Report and Registration Form to the environmental protection department of the local people's government at or above the county level. If an enterprise or institution discharges pollutants in excess of the limits set by the national or local standards, it shall, while submitting the Pollutants Discharge Report and Registration Form, state clear the reason for the excessive discharge and elimination and control measures to be taken within the prescribed time limit.

Article 5 If it is necessary for an enterprise or institution to dismantle or leave idle pollutants treatment installations, a report with clearly stated reason shall be submitted to the environmental protection department of the local people's government at or above the county level in advance. The environmental protection department shall, within a month upon receiving the report, make decision to approve it or not, and shall reply in written form. If the report is not replied within the above time limit, it shall be deemed approved.

Article 6 With regard to water bodies where the standards for water quality established by the

地的县级以上地方人民政府环境保护部门申报，并写明理由。环境保护部门应当自收到申报之日起1个月内作出同意或者不同意的决定，并予以批复；逾期不批复的，视为同意。

第六条 对实现水污染物达标排放仍不能达到国家规定的水环境质量标准的水体，可以实施重点污染物排放总量控制制度。

国家确定的重要江河流域的总量控制计划，由国务院环境保护部门会同国务院有关部门商有关省、自治区、直辖市人民政府编制，报国务院批准。其他水体的总量控制计划，由省、自治区、直辖市人民政府环境保护部门会同同级有关部门商有关地方人民政府编制，报省、自治区、直辖市人民政府批准；其中，跨省、自治区、直辖市的水体的总量控制计划，由有关省、自治区、直辖市人民政府协商确定。

第七条 总量控制计划应当包括总量控制区域、重点污染物的种类及排放总量、需要削减的排污量及削减时限。

第八条 对依法实施重点污染物排放总量控制的水体，县级以上地方人民政府应当依据总量控制计划分配的排放总量控制指标，组织制定本行政区域内该水体的总量控制实施方案。

总量控制实施方案应当确定需要削减排污量的单位、每一排污单位重点污染物的种类及排放总量控制指标、需要削减的排污量以及削减时限要求。

第九条 分配重点污染物排放总量控制指标，应当遵循公开、公平、公正的原则，并按照科学、统一的标准执行。总量控制指标分配办法由国务院环境保护部门商国务院有关部门制定。

第十条 县级以上地方人民政府环境保护部门根据总量控制实施方案，审核本行政区域内向该水体排污的单位的重点污染物排放量，对不超过排放总量控制指标的，发给排污许可证；对超过排放总量控制指标的，限期治理，限期治理期间，发给临时排污许可证。具体办法由国务院环境保护部门制定。

第十一条 总量控制实施方案确定的削减污染物排放量的单位，必须按照国务院环境保护部门的规定设置排污口，并安装总量控制的监测设备。

第十二条 国家确定的重要江河流域所在地的省、自治区、直辖市人民政府，应当执行国务院批准的省界水体适用的水环境质量标准。

第十三条 国家确定的重要江河流域的省界水体的水环境质量状况监测，必须按照国务院环境保护部门制定的水环境质量监测规范执行。

第十四条 城市建设管理部门应当根据城市总体规划，组织编制城市排水和污水处理专业规划，并按照规划的要求组织建设城市污水集中处理设施。

State still may not be attained although the discharge of water pollutants has conformed to the discharge standards, a system for control of total discharge of major pollutants may be instituted.

Total discharge control plans for major river basins designated by the State shall be formulated by the environmental protection department under the State Council together with other relevant departments under the State Council and in consultation with people's governments of relevant provinces, autonomous regions and municipalities directly under the Central Government, and shall be submitted to the State Council for approval. Total discharge control plans for other water bodies shall be formulated by the environmental protection department of the people's government of the province, autonomous region or municipality directly under the Central Government together with other departments at the same level, and in consultation with relevant local governments, and shall be submitted to people's government of the province, autonomous region or municipality directly under the Central Government for approval; Among these plans, total discharge control plans for water bodies that cross multiple provinces, autonomous regions and municipalities directly under the Central Government shall be decided by people's governments of relevant provinces, autonomous regions and municipalities directly under the Central Government after negotiation.

Article 7 A total discharge control plan shall include total discharge control areas, categories of major pollutants and total discharge, discharge to be reduced and the time limit for the reduction.

Article 8 For a water body where control of total discharge of major pollutants is pursuant to the law, the local people's government at or above the county level shall, in accordance with the total discharge control target designated in the total discharge control plan, formulate implementation plans of total discharge control for the water bodies within its jurisdiction.

A total discharge control implementation plan shall determine the units required to reduce pollutant discharge, categories of major pollutants discharged by each unit and total discharge control target for each unit, discharge to be reduced, and time limits for the reduction.

Article 9 Allocation of control targets for the total discharge of major pollutants shall follow the principles of openness, fairness and justness, and shall be implemented according to the scientific and uniformed criteria. The environmental protection department under the State Council shall formulate the rules for the allocation of total discharge control targets after consultation with other relevant departments under the State Council.

Article 10 An environmental protection department of the local people's government at or above the county level shall, pursuant to the implementation plans of total discharge control, examine the amount of major pollutants discharged into the water bodies by pollutant discharging units within its jurisdiction, and shall grant pollutants discharge licenses to units whose discharge of pollutants do not exceed the prescribed total discharge control targets; Units that discharge pollutants in excess of the prescribed control targets shall be ordered to take elimination and control measures before a deadline, and during this time, provisional pollutants discharge licenses shall be granted. The environmental protection department under the State Council shall formulate specific rules on this.

Article 11 Units listed in total implementation plans of total discharge control to reduce discharge, shall set pollutants discharge outlets and install total discharge control monitoring equipment pursuant to the requirements of the environmental protection department under the State Council.

Article 12 The people's governments of provinces, autonomous regions and municipalities directly under the Central Government located along major river basins designated by the State shall implement the water quality standards applicable to water bodies within provincial boundaries as approved by the State.

Article 13 Monitoring of water quality of water bodies within relevant provincial boundaries along major river basins designated by the State shall be carried out in accordance with the codes for water quality monitoring formulated by the environmental protection department under the State Council.

Article 14 The administrative department for urban construction shall, in accordance with the overall plan for urban construction, organize the formulation of professional plans for urban runoff and

第十五条 城市污水集中处理设施出水水质，按照国家规定的或者地方规定的污染物排放标准执行。

城市污水集中处理的营运单位，应当对城市污水集中处理设施的出水水质负责。环境保护部门应当对城市污水集中处理设施的出水水质和水量进行抽测检查。

第十六条 被责令限期治理的排污单位，应当向作出限期治理决定的人民政府的环境保护部门提交治理计划，并定期报告治理进度。

作出限期治理决定的人民政府的环境保护部门，应当检查被责令限期治理的排污单位的治理情况，对完成限期治理的项目进行验收。

被责令限期治理的排污单位，必须按期完成治理任务；因不可抗力不能在规定的期限内完成治理任务的，必须在不可抗力情形发生后1个月内，向作出限期治理决定的人民政府的环境保护部门提出延长治理期限申请，由作出限期治理决定的人民政府审查决定。

第十七条 环境保护部门和海事、渔政管理机构对管辖范围内向水体排放污染物的单位进行现场检查时，应当出示行政执法证件或者佩戴行政执法标志。

第十八条 环境保护部门和海事、渔政管理机构进行现场检查时，根据需要，可以要求被检查单位提供下列情况和资料：

- (一) 污染物排放情况；
- (二) 污染物治理设施及其运行、操作和管理情况；
- (三) 监测仪器、仪表、设备的型号和规格以及检定、校验情况；
- (四) 采用的监测分析方法和监测记录；
- (五) 限期治理进展情况；
- (六) 事故情况及有关记录；
- (七) 与污染有关的生产工艺、原材料使用的资料；
- (八) 与水污染防治有关的其他情况和资料。

第十九条 企业事业单位造成水污染事故时，必须立即采取措施，停止或者减少排污，并在事故发生后48小时内，向当地环境保护部门作出事故发生的时间、地点、类型和排放污染物的种类、数量、经济损失、人员受害及应急措施等情况的初步报告；事故查清后，应当向当地环境保护部门作出事故发生的原因、过程、危害、采取的措施、处理结果以及事故潜在危害或者间接危害、社会影响、遗留问题和防范措施等情况的书面报告，并附有关证明文件。

环境保护部门收到水污染事故的初步报告后，应当立即向本级人民政府和上一级人民政府环境保护部门报告，有关地方人民政府应当组织有关部门对事故发生的

sewage treatment, and shall organize the construction of centralized facilities for treatment of urban sewage after the plans.

Article 15 Water quality of runoff from the centralized urban sewage treatment facilities shall be managed in accordance with pollutants discharge standards stipulated by the State or by the local governments.

Operators of facilities for central treatment of urban sewage shall be responsible for the water quality of runoff from the facilities.

The environmental protection departments shall sample and test on the quality and quantity of runoff from facilities for central treatment of urban sewage.

Article 16 A pollutants discharging unit that is ordered to eliminate and control pollution before a deadline shall submit elimination and control plans and regularly report the progress of elimination and control to the environmental department of the people's government that makes the decision for the elimination and control.

Environmental protection department of the people's government that decides the elimination and control shall inspect the progress of the elimination and control, and shall check and accept the elimination and control project that is completed before the deadline.

A pollutants discharging unit that is ordered to eliminate and control pollution before a deadline shall accomplish the elimination and control task before the deadline; A unit that fails to accomplish the elimination and control task before the deadline due to force majeure shall submit put forward an application for an extension of the time limit to the environmental protection department of the people's government that decides the elimination and control within one month of the occurrence of the event, and the people's government that decides the elimination and control shall examine the application and decide whether to approve it.

Article 17 Environmental protection departments and administrative agencies in charge of maritime affairs and fishery management, while conducting on-site inspections of units discharging pollutants into water bodies within their jurisdiction, shall show the law enforcing papers or wear law enforcing badges.

Article 18 Environmental protection departments and administrative agencies in charge of maritime affairs and fishery management, while conducting on-site inspections, are authorized to require units under inspection to provide the following information and data as necessary:

- (1) status of pollutants discharge;
- (2) facilities for pollutants treatment and their status of running, operation and management;
- (3) models and specifications of the monitoring instruments, meters and equipment, and their status of examination and calibration;
- (4) monitoring and analysis methods, and monitoring records;
- (5) progress of pollution elimination and control before a deadline;
- (6) accidental events and relevant records;
- (7) information about the use of manufacture techniques and raw materials related to pollution;
- (8) other information and data related to the prevention and control of water pollution.

Article 19 An enterprise or institution that causes a water pollution accident shall promptly take actions to stop or reduce pollutants discharge, and shall within 48 hours of the accident submit an initial reports to the local environmental protection department about the time, place and type of the accident, categories and quantities of pollutants discharged, economic losses, casualties and emergency measures taken, etc; Upon thorough investigation of the accident, the unit shall submit a written report to the local environmental protection department about the cause, process and damage of the accident, measures taken and result of settlement, as well as the potential damage or indirect damages, social influence, aftermath and preventive measures, with proof documents attached.

Upon receiving the initial report about the water pollution accident, the environmental protection department shall promptly report to the people's government at the same level and the environmental protection department at the next higher level. The local people's government shall organize relevant

原因进行调查,并采取有效措施,减轻或者消除污染。县级以上人民政府环境保护部门应当组织对事故可能影响的水域进行监测,并对事故进行调查处理。

船舶造成水污染事故时,必须立即向就近的海事管理机构报告。造成渔业水体污染事故的,必须立即向事故发生地的渔政管理机构报告。海事或者渔政管理机构接到报告后,应当立即向本级人民政府的环境保护部门通报情况,并及时开展调查处理工作。

水污染事故发生或者可能发生跨行政区域危害或者损害的,事故发生地的县级以上地方人民政府应当及时向受到或者可能受到事故危害或者损害的有关地方人民政府通报事故发生的时间、地点、类型和排放污染物的种类、数量以及需要采取的防范措施等情况。

第三章 防止地表水污染

第二十条 跨省、自治区、直辖市的生活饮用水地表水源保护区,由有关省、自治区、直辖市人民政府协商划定;协商不成的,由国务院环境保护部门会同国务院水利、国土资源、卫生、建设等有关部门提出划定方案,报国务院批准。

其他生活饮用水地表水源保护区的划定,由有关市、县人民政府协商提出划定方案,报省、自治区、直辖市人民政府批准;协商不成的,由省、自治区、直辖市人民政府环境保护部门会同同级水利、国土资源、卫生、建设等有关部门提出划定方案,报省、自治区、直辖市人民政府批准。

生活饮用水地表水源保护区分为一级保护区和二级保护区。

第二十一条 生活饮用水地表水源一级保护区内的水质,适用国家《地面水环境质量标准》Ⅱ类标准;二级保护区内的水质,适用国家《地面水环境质量标准》Ⅲ类标准。

第二十二条 生活饮用水地表水源一级保护区的保护,依照水污染防治法第二十条的规定执行。

第二十三条 禁止在生活饮用水地表水源二级保护区内新建、扩建向水体排放污染物的建设项目。在生活饮用水地表水源二级保护区内改建项目,必须削减污染物排放量。

禁止在生活饮用水地表水源二级保护区内超过国家规定的或者地方规定的污染物排放标准排放污染物。

禁止在生活饮用水地表水源二级保护区内设立装卸垃圾、油类及其他有毒有害

departments to investigate into causes of the accident and take effective measures to reduce or eliminate the pollution. The environmental protection department of the people's government at or above the county level shall organize the monitoring of the water bodies that may be affected by the accident, and shall investigate into and settle the event.

A vessel that causes water pollution shall promptly report to the closest maritime affairs agency. If the accident causes fishery water body pollution, the pollutor shall promptly report to the local fishery management agency. Upon receiving such a report, the agencies in charge of maritime affairs or fishery management shall promptly inform the environmental protection department of the people's governments at the same level, and shall promptly start investigation into and settlement of the accident.

If a water pollution accident has caused or might cause harm or damage to multiple administrative areas, the local people's government at or above the county level at the site of the accident shall promptly inform relevant people's governments of areas that are or might be affected or damaged by the accident about the time, place and type of the accident, categories and quantities of pollutants discharged, and necessary measures to be taken, etc.

Chapter III Prevention of Surface Water Pollution

Article 20 Protection zones for domestic and drinking water surface sources that cover multiple provinces, autonomous regions and municipalities directly under the Central Government shall be delineated by the people's governments of the relevant provinces, autonomous regions and municipalities directly under the Central Government upon negotiation. In the case no consensus may be reached after negotiation, the environmental protection department under the State Council together with departments in charge of water conservancy, territory and resources, public health, construction and other relevant departments under the State Council shall formulate the delineation plans and submit the plans to the State Council for approval.

In delineation of other protection zones for domestic and drinking water surface sources, people's government of the relevant municipalities and counties shall formulate delineation plans upon negotiation, and submit the plans to the people's governments of provinces, autonomous regions and municipalities directly under the Central Government for approval. In the case no consensus may be reached after negotiation, the environmental protection departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government together with departments in charge of water conservancy, territory and resources, public health and construction and other relevant departments at the same level shall formulate the delineation plans and submit the plans to the people's governments of provinces, autonomous regions and municipalities directly under the Central Government for approval.

Protection zones for domestic and drinking water surface sources are classified into the first-grade protection zones and second-grade protection zones.

Article 21 Standards Class II of the National Standards for the Environmental Quality of Surface Water is applicable to the water quality of first-grade protection zones for domestic and drinking water surface sources; while Standards Class III of the National Standards for the Environmental Quality of Surface Water is applicable to water quality in second-grade protection zones for domestic and drinking water surface sources.

Article 22 Protection of first-grade protection zones for domestic and drinking water surface sources shall be conducted in accordance with Article 20 of the Water Pollution Prevention and Control Law.

Article 23 No new or expansion construction projects that discharges pollutants into the water bodies shall be allowed in second-grade protection zones for domestic and drinking water surface sources. Reconstruction projects in second-grade protection zones for domestic and drinking water surface sources shall reduce the quantities of pollutants discharged.

Discharge of pollutants in excess of pollutants discharge standards prescribed by the State or by lo-

物品的码头。

第二十四条 利用工业废水和城市污水进行灌溉的，县级以上地方人民政府农业行政主管部门应当组织对用于灌溉的水质及灌溉后的土壤、农产品进行定期监测，并采取相应措施，防止污染土壤、地下水和农产品。

第二十五条 在内河航行的船舶，应当配置符合国家规定的防污设备，并持有船舶检验部门签发的合格证书。

船舶无防污设备或者防污设备不符合国家规定的，应当限期达到规定的标准。

第二十六条 在内河航行的船舶，必须持有海事管理机构规定的防污文书或者记录文书。在内河航行的 150 总吨以上的油轮和 400 总吨以上的非油轮，必须持有油类记录本。

第二十七条 港口或者码头应当配备含油污水和垃圾的接收与处理设施。接收与处理设施由港口经营单位负责建设、管理和维护。

在内河航行的船舶不得向水体排放废油、残油和垃圾。在内河航行的客运、旅游船舶，必须建立垃圾管理制度。

第二十八条 在港口的船舶进行下列作业，必须事先向海事管理机构提出申请，经批准后，在指定的区域内进行：

- (一) 冲洗载运有毒货物、有粉尘的散装货物的船舶甲板和舱室；
- (二) 排放压舱、洗舱和机舱污水以及其他残余物质；
- (三) 使用化学消油剂。

第二十九条 船舶在港口或者码头装卸油类及其他有毒有害、腐蚀性、放射性货物时，船方和作业单位必须采取预防措施，防止污染水体。

第三十条 船舶发生事故，造成或者可能造成水体污染的，海事管理机构应当组织强制打捞清除或者强制拖航，由此支付的费用由肇事船方承担。

第三十一条 造船、修船、拆船、打捞船舶的单位，必须配备防污设备和器材；进行作业时，应当采取预防措施，防止油类、油性混合物和其他废弃物污染水体。

第四章 防止地下水污染

第三十二条 生活饮用水地下水源保护区，由县级以上地方人民政府环境保护部门会同同级水利、国土资源、卫生、建设等有关行政主管部门，根据饮用水水源地所处的地理位置、水文地质条件、供水量、开采方式和污染源的分布提出划定方案，报本级人民政府批准。

cal governments shall not be allowed in second-grade protection zones for domestic and drinking water surface sources.

No dock for loading and unloading of rubbish, oil, toxic and hazardous goods is allowed to be built in second-grade protection zones for domestic and drinking water surface sources.

Article 24 Where industrial waste water or urban sewage is used for irrigation, agricultural administrative department of the people's government at or above the county level shall organize regular monitor of the quality of the irrigation water, the irrigated soil and the agricultural products, and take effective measures to prevent soil, ground water and agricultural products pollution.

Article 25 Vessels navigating in inland waters shall be equipped with pollution prevention equipment as required by the State, and possess certificates issued by vessel inspection agencies.

Vessels without pollution prevention equipment or the equipment fail to meet the requirements of the State shall be ordered to reach the required standards within a limited time.

Article 26 Vessels navigating in inland waters shall possess pollution prevention documents or records as required by the maritime affairs agency. Oil tankers over 150 total tons and non-oil-tankers over 400 total tons navigating in inland waters shall possess oil record books.

Article 27 Harbors and docks shall be equipped with facilities for the collecting and treatment of waste water containing oil and garbage. The collecting and treatment facilities shall be built, operated and maintained by the units running the harbor.

Vessels navigating in inland waters shall not discharge waste oil, residual oil, or garbage into water bodies. Passenger vessels and tourist vessels navigating in inland waters shall establish garbage management systems.

Article 28 Before conducting the following operations, vessels in a harbor shall submit application to the maritime affairs agency concerned, and conduct the operation within the designated areas after the application is approved:

- (1) washing decks and cabins of bulk vessels conveying toxic goods and dusts;
- (2) discharging ballasting water, water used to wash cabins, engine rooms sewage and other remains; and
- (3) using chemical oil-elimination reagents.

Article 29 When a vessel loads or unloads oil or other toxic, hazardous or radioactive goods at a harbor or a dock, the owner of the vessel and the operating unit shall take preventive measures to prevent water pollution.

Article 30 If a vessel causes or might cause water pollution after an accident, the maritime affairs agency shall organize compulsive salvage, cleaning or tugging. Expenses resulted from these actions shall be afforded by the owner of the vessel that causes the trouble.

Article 31 Units involved in building, repairing, dismantling and towing of ships shall be equipped with pollution prevention equipment; in operation, the units shall take precautions to prevent water pollution by oil, oil mixtures and other waste materials.

Chapter IV Prevention of Ground Water Pollution

Article 32 In delineation of protection zones for domestic and drinking water underground sources, the environmental protection departments of the people's governments at or above the county level together with departments in charge of water conservancy, territory and resources, public health construction, and other relevant departments at the same level, shall formulate the delineation plans based on the geographical location of the drinking water sources, hydrological and geological conditions, quantities of water supply, exploitation methods and distribution of pollution sources, and submit the plans to the local people's governments at the same level for approval.

Standards Class II of National Standards for the Environmental Quality of Ground Water is applicable to water quality in protection zones for domestic and drinking water underground sources.

Article 33 The following activities shall be prohibited in protection zones for domestic and drink-

生活饮用水地下水源保护区的水质，适用国家《地下水水质标准》Ⅱ类标准。

第三十三条 禁止在生活饮用水地下水源保护区内从事下列活动：

- (一) 利用污水灌溉；
- (二) 利用含有毒污染物的污泥作肥料；
- (三) 使用剧毒和高残留农药；
- (四) 利用储水层孔隙、裂隙、溶洞及废弃矿坑储存石油、放射性物质、有毒化学品、农药等。

第三十四条 开采多层地下水时，对下列含水层应当分层开采，不得混合开采：

- (一) 半咸水、咸水、卤水层；
- (二) 已受到污染的含水层；
- (三) 含有毒有害元素并超过生活饮用水卫生标准的水层；
- (四) 有医疗价值和特殊经济价值的地下热水、温泉水和矿泉水。

第三十五条 揭露和穿透含水层的勘探工程，必须按照有关规范要求，严格做好分层止水和封孔工作。

第三十六条 矿井、矿坑排放有毒有害废水，应当在矿床外围设置集水工程，并采取有效措施，防止污染地下水。

第三十七条 人工回灌补给地下饮用水的水质，应当符合生活饮用水水源的水质标准，并经县级以上地方人民政府卫生行政主管部门批准。

第五章 法律责任

第三十八条 依照水污染防治法第四十六条第一款第（一）项、第（二）项、第（四）项规定处以罚款的，按照下列规定执行：

（一）拒报或者谎报国务院环境保护部门规定的有关污染物排放申报登记事项的，可以处 1 万元以下的罚款；

（二）拒绝环境保护部门或者海事、渔政管理机构现场检查，或者弄虚作假的，可以处 1 万元以下的罚款；

（三）不按照国家规定缴纳排污费或者超标排污费的，除追缴排污费或者超标排污费及滞纳金外，可以处应缴数额 50% 以下的罚款。

第三十九条 依照水污染防治法第四十六条第一款第（三）项规定处以罚款的，按照下列规定执行：

（一）向水体排放剧毒废液，或者将含有汞、镉、砷、铬、氰化物、黄磷等可溶性剧毒废渣向水体排放、倾倒或者直接埋入地下的，可以处 10 万元以下的罚款；

ing water underground sources:

- (1) irrigation with waste water;
- (2) utilization of sludge containing toxic substances for fertilizer;
- (3) utilization of virulent and long-remaining pesticides; and
- (4) using holes and crevices in aquifers, karst caves and abandoned mineral caves for storage of petroleum, radioactive substances, toxic chemicals and pesticides.

Article 34 In exploiting ground water from multiple aquifers, the following aquifers shall be exploited separately, while no combined exploitation shall be allowed:

- (1) aquifers of half salt water, salt water and brine;
 - (2) polluted aquifers;
 - (3) aquifers containing toxic and hazardous elements in excess of the drinking water sanitary standard; and
 - (4) hot ground water, hot spring and mineral water with medical values and special economic values.
- Article 35** While carrying out prospecting project that uncover or pierce aquifers, measures to separate water in different aquifers shall be taken and holes shall be sealed in accordance with the requirements of the relevant specifications.

Article 36 For mines and pits that discharge toxic and hazardous waste water, water collection installations shall be set up around the mineral deposits, and effective measures shall be taken to prevent ground water pollution.

Article 37 Quality of water used for artificial recharge for ground drinking water shall meet the water quality standards for domestic and drinking water sources, and shall be approved by the administrative department of public health of local people's government at or above the county level.

Chapter V Legal Liabilities

Article 38 Fine imposed in accordance with Clauses 1(1), (2) or (4) of Article 46 of the Water Pollution Prevention and Control Law shall follow these rules:

- (1) For those refusing to report or submitting a false report on items for which registration is required by the environmental protection department under the State Council, a fine not exceeding 10,000 Yuan may be imposed;
- (2) For those refusing an on-site inspection by the environmental protection department or the agencies in charge of maritime affairs or fishery management or resorting to trickery or fraud while under inspection, a fine not exceeding 10,000 Yuan may be imposed; and
- (3) For those failing to pay, as provided for by the State, the fee for pollutant discharge or for excess discharge, besides the discharge or excessive discharge fee and the late fee, a fine not exceeding 50 percent of the due payment may be imposed.

Article 39 Fine imposed in accordance with Clause 1(3) of Article 46 of the Water Pollution Prevention and Control Law shall follow these rules:

- (1) For those discharging deadly toxic liquid waste into the water body or discharging, dumping or directly burying soluble slag, tailings, etc containing such substances as mercury, cadmium, arsenic, chromium, cyanide and yellow phosphorus into the water body, or directly burying them, a fine not exceeding 100,000 Yuan may be imposed;
- (2) For those discharging or dumping into the water body radioactive solid wastes, oils, acid or alkaline solutions or waste water containing high- or medium-level radioactive substances, a fine not exceeding 50,000 Yuan may be imposed;
- (3) For those discharging residual oil and waste oil from vessels into a water body, or cleaning in a water body vehicles and containers that is once used to store oil or toxic pollutants, a fine not exceeding 10,000 Yuan may be imposed;
- (4) For those discharging or dumping industrial waste residues and urban refuse into a water body or depositing solid wastes on beaches and bank slopes below the highest water level of rivers, lakes,

(二) 向水体排放、倾倒放射性固体废弃物、油类、酸液、碱液或者含有高、中放射性物质的废水的，可以处 5 万元以下的罚款；

(三) 向水体排放船舶的残油、废油、或者在水体清洗装贮过油类、有毒污染物的车辆和容器的，可以处 1 万元以下的罚款。

(四) 向水体排放、倾倒工业废渣、城市生活垃圾，或者在江河、湖泊、运河、渠道、水库最高水位线以下的滩地和岸坡存贮固体废弃物的，可以处 1 万元以下的罚款；

(五) 向水体倾倒船舶垃圾的，可以处 2000 元以下的罚款；

(六) 企业事业单位利用溶洞排放、倾倒含病原体的污水或者其他废弃物的，可以处 2 万元以下的罚款；利用渗井、渗坑、裂隙排放含有毒污染物的废水的，可以处 5 万元以下罚款；

(七) 企业事业单位使用无防止渗漏措施的沟渠、坑塘等输送或者存贮含病原体的污水或者其他废弃物的，可以处 1 万元以下的罚款；使用无防止渗漏措施的沟渠、坑塘等输送或者存贮含有毒污染物的废水的，可以处 2 万元以下的罚款。

第四十条 依照水污染防治法第四十七条规定处以罚款的，可以处 10 万以下的罚款。

第四十一条 依照水污染防治法第四十八条规定处以罚款的，可以处 10 万元以下的罚款。

第四十二条 依照水污染防治法第五十二条第一款处以罚款的，可以处 20 万元以下的罚款。

第四十三条 依照水污染防治法第五十三条规定处以罚款的，按照下列规定执行：

(一) 对造成水污染事故的企业事业单位，按照直接损失的 20% 计算罚款，但是最高不得超过 20 万元；

(二) 对造成重大经济损失的，按照直接损失的 30% 计算罚款，但是最高不得超过 100 万元。

第四十四条 不按照排污许可证或者临时排污许可证的规定排放污染物的，由颁发许可证的环境保护部门责令限期改正，可以处 5 万元以下的罚款；情节严重的，并可以吊销排污许可证或者临时排污许可证。

第四十五条 违反本细则第十一条的规定，未按照规定设置排污口、安装总量控制监测设备的，由环境保护部门责令限期改正，可以处 1 万元以下的罚款。

第四十六条 违反本细则第二十三条第一款的规定，在生活饮用水地表水源二级保护区内新建、扩建向水体排放污染物的建设项目的，或者改建项目未削减污染

mayals, irrigation channels or reservoirs, a fine not exceeding 10,000 Yuan may be imposed;

(5) For those dumping ship refuse into a water body, a fine not exceeding 2,000 Yuan may be imposed;

(6) For enterprises or institutions using karst caves to discharge or dump polluted water containing pathogens or other waste materials, a fine not exceeding 20,000 Yuan shall be imposed; for those discharging waste water containing toxic pollutants into seepage wells, pits or crevices, a fine not exceeding 50,000 Yuan may be imposed; and

(7) For enterprises or institutions, at places where no satisfactory impervious strata exist, using ditches, pits or ponds devoid of safeguards against seepage for conveyance or storage of waste water containing toxic pollutants, a fine not exceeding 10,000 Yuan shall be imposed; for those using mayals, ditches and dikes to transport or store waste water containing toxic pollutants without taking actions to prevent seepage, a fine not exceeding 20,000 Yuan may be imposed.

Article 40 A fine not exceeding 100,000 Yuan may be imposed in accordance with Article 47 of the Water Pollution Prevention and Control Law.

Article 41 A fine not exceeding 100,000 Yuan may be imposed in accordance with Article 48 of the Water Pollution Prevention and Control Law.

Article 42 A fine not exceeding 200,000 Yuan may be imposed in accordance with Clause 1 of Article 52 of the Water Pollution Prevention and Control Law.

Article 43 A fine imposed in accordance with Article 53 of the Water Pollution Prevention and Control Law shall follow these rules:

(1) For an enterprise or institution that causes water pollution accidents, a fine shall be imposed as of 20 percent of the direct losses incurred, but shall not exceed 200,000 Yuan; and

(2) For those incurring severe economic losses, a fine shall be imposed as of 30 percent of the direct losses incurred, but shall not exceed 1,000,000 Yuan.

Article 44 Those discharging pollutants in violation of the rules of the pollutants discharge license or the temporary pollutants discharge license shall be ordered by the environmental protection department issuing the license to put right the violation within a limited time, and may be concurrently imposed a fine not exceeding 50,000 Yuan; for those constituting serious violation, the pollutants discharge license or temporary pollutants discharge license may be rescinded concurrently.

Article 45 Those, in violation of Article 11 of this Rules, failing to set up pollutants discharge outlets or install the total discharge control monitoring equipment as required, shall be ordered by the environmental protection department to put right the violation within a limited time, and may be imposed a fine not exceeding 10,000 Yuan concurrently.

Article 46 Those, in violation of Clause 1 of Article 23 of this Rules, building new or expansion construction projects in second-grade protection zones for domestic and drinking water surface sources, or the reconstruction projects failing to reduce quantities of pollutants discharge, shall be ordered to stop operation or close down by the people's governments at or above the county level in accordance with its authority.

Those, in violation of Clause 2 of Article 23 of this Rules, discharging pollutants in excess of the standard stipulated by the State or the local government in second-grade protection zones for domestic and drinking water surface sources, shall be ordered to eliminate and control pollution before a deadline by the people's governments at or above the county level, and may be imposed a fine not exceeding 100,000 Yuan; those failing to eliminate and control pollution before the deadline shall be ordered to stop operation or close down by the people's governments at or above the county level in accordance with its authority.

Those, in violation of Clause 3 of Article 23 of this Rules, building dock for loading and unloading of rubbish, oil, toxic and hazardous goods in second-grade protection zones for domestic and drinking water surface sources, shall be ordered by the environmental protection departments of the people's governments at or above the county level to dismantle the docks within a limited time, and may be imposed a fine not exceeding 100,000 Yuan.

物排放量的，由县级以上人民政府按照规定的权限责令停业或者关闭。

违反本细则第二十三条第二款的规定，在生活饮用水地表水源二级保护区内，超过国家规定的或者地方规定的污染物排放标准排放污染物的，由县级以上人民政府责令限期治理，可以处 10 万元以下的罚款；逾期未完成治理任务的，由县级以上人民政府按照规定的权限责令停业或者关闭。

违反本细则第二十三条第三款的规定，在生活饮用水地表水源二级保护区内，设立装卸垃圾、油类及其他有毒有害物品码头的，由县级以上人民政府环境保护部门责令限期拆除，可以处 10 万元以下的罚款。

第四十七条 违反本细则第三十三条第（四）项的规定，利用储水层孔隙、裂隙、溶洞及废弃矿坑储存石油、放射性物质、有毒化学品、农药的，由县级以上地方人民政府环境保护部门责令改正，可以处 10 万元以下的罚款。

第四十八条 缴纳排污费、超标排污费或者被处以警告、罚款的单位，不免除其消除污染、排除危害和赔偿损失的责任。

第六章 附 则

第四十九条 本细则自发布之日起施行。1989 年 7 月 12 日国务院批准、国家环保局发布的《中华人民共和国水污染防治法实施细则》同时废止。

Article 47 Those, in violation of Clause 4 of Article 33 of this Rules, using holes and crevices in aquifers, karst caves and abandoned mineral caves for storage of petroleum, radioactive substances, toxic chemicals and pesticides, shall be ordered by the environmental protection departments of the people's governments at or above the county level to put right the violation, and may be imposed a fine not exceeding 100,000 Yuan.

Article 48 A unit that pays pollutants discharge fee, excess pollutants discharge fee or is imposed a disciplinary warning or a fine, is not exempted from the duty to eliminate pollution, remove the harm and compensate for the losses.

Chapter VI Supplementary Provision

Article 49 This Rules shall enter into force on the date of promulgation. The Rules for the Implementation of the Law of the People's Republic of China on the Prevention and Control of Water Pollution approved by the State Council and promulgated by the National Environmental Protection Agency on July 12, 1989, shall be abrogated at the time.

国务院关于加强城市供水节水和水污染防治工作的通知

(2000年11月7日, 国发[2000]36号)

我国是水资源短缺的国家, 城市缺水问题尤为突出。随着经济发展和城市化进程的加快, 当前相当部分城市水资源短缺, 城市缺水范围不断扩大, 缺水程度日趋严重; 与此同时, 水价不合理、节水措施不落实和水污染严重等问题也比较突出。为切实加强和改进城市供水、节水和水污染防治工作, 促进经济社会的可持续发展, 现就有关问题通知如下:

一、提高认识、统一思想

(一) 水资源可持续利用是我国经济社会发展的战略问题, 核心是提高用水效率。解决城市缺水的问题, 直接关系到人民群众的生活, 关系到社会的稳定, 关系到城市的可持续发展。这既是我国当前经济社会发展的一项紧迫任务, 也是关系现代化建设长远发展的重大问题。各地区、各部门要高度重视, 采取切实有力的措施, 认真做好城市供水、节水和水污染防治工作。

(二) 做好城市供水、节水和水污染防治工作, 必须坚持开源与节流并重、节流优先、治污为本、科学开源、综合利用的原则, 为城市建设和经济发展提供安全可靠的供水保障和良好的水环境, 以水资源的可持续利用, 支持和保障城市经济社会的可持续发展。

二、统一规划, 优化配置, 多渠道保障城市供水

(一) 各地区研究制定流域和区域水资源规划, 要优先考虑和安排城市用水。要依据流域和区域水资源规划, 尽快组织制定城市水资源综合利用规划, 并将其作为城市总体规划的组成部分, 纳入城市经济和社会发展规划。城市水资源综合利用规划应包括水资源中长期供求、供水水源、节水、污水资源化、水资源保护等专项规划。水资源极度短缺的城市, 要在综合考虑当地水资源挖潜、大力节水和水污染治理的基础上, 依据流域水资源规划实施跨流域调水。

(二) 加强城市水资源的统一规划和管理, 重点加强地下水资源开发利用的统一管理。要科学确定供水水源次序, 城市用水要做到先地表水、后地下水, 先当地水、后过境水。逐步改变过去一个水系、一个水库、一条河道的单一水源向城市供水的

Circular of the State Council on Urban Water Supply, Saving Water and Water Pollution Control

(Issued by the State Council on November 7, 2000)

China is a country deficient in water resources and problems of water deficiency in cities is especially serious. With the economy developing and urbanization process being sped up, at present a quite number of cities are lacking in water resources, the scope of urban water shortage is constantly expanding and the degree of water shortage is increasingly serious. Meanwhile, problems relevant to the unreasonable pricing of water consumption, failure in fulfilling measures to save water and serious water pollution are comparatively very outstanding. To strengthen and improve the work of urban water supply, water-saving, prevention and control of water pollution and promote the sustainable economic and social development, now the circular on the relative issues is as following:

1. Raising Understanding Awareness and Unifying Thinking

(1) The sustainable usage of water resources is the strategic issue of China's economic and social development, its core is to raise efficiency of water usage. To resolve problems of urban water shortage directly bears on the people's life, social stability and urban sustainable development. This is not only an urgent task of China's present economic and social development, but also a major problem concerning the long term development of modernization construction. All the regions and departments should pay high attention to this issue, adopt practical and forceful measures and seriously do the best job in urban water supply, saving water and preventing water pollution.

(2) In doing the best job of urban water supply, saving water and preventing water from being polluted, it is necessary to persist in principles of putting the same stress on broadening water resources and saving water, preventing water from being polluted as the foundation, scientifically broadening water resources and comprehensively using water so as to provide a guarantee for the safe and reliable water supply and good water environment, and to support and ensure the sustainable development of urban economic and social development by the sustainable usage of water resources.

2. Unifying Planning, Optimizing Disposition and Multi-Channel Ensuring of Urban Water Supply

(1) All the regions shall put consideration and arrangement of urban water supply in priority in studying of and working out plans for valleys and regional water resources. Based on plans of valleys and regional water resources, the programmes of comprehensively using urban water resources shall be worked out as quickly as possible and incorporated them as integral components into the overall plans of urban economic and social development. The plans of comprehensively using urban water resources shall comprise plans on middle and long-term supply and demand, water resources of water supply, saving water, turning sewage into resources and protection of water resources. For cities with particularly water resources shortage shall practice to transfer water from cross-regions on the basis of comprehensively considering water resource potential, doing their utmost to save water and control of water pollution and according to the implementation of plans of valley water resources.

(2) To strengthen unified plans and management of urban water resources, and take the strengthening of the unified management of exploiting and using water resources as main point. It is necessary to scientifically define the order of water resources of water supply. The water used in the cities shall be to use ground water first and then underground water, to use local water first and then cross-regional water. Measures on gradually change the pattern of urban water supply from one water

方式，采取“多库串联，水系联网，地表水与地下水联调，优化配置水资源”的方式。建立枯水期及连续枯水期应急管理制度，编制供水应急预案，提高城市供水保证率。严格控制并逐步减少地下水的开采量，建立河湖闸坝放水调控制度，保证城市河湖环境用水。严格限制城市自来水可供区域内的各种自备水源。今后，在城市公共供水管网覆盖范围内，原则上不再批准新建自备水源，对原有的自备水源要提高水资源费征收额度，逐步递减许可取水量直至完全取消。地下水已严重超采的城市，严禁新建任何取用地下水的供水设施，不再新批并逐步压减地下水取水单位和取水量。

(三) 大力提倡城市污水回用等非传统水资源的开发利用，并纳入水资源的统一管理和调配。干旱缺水地区的城市要重视雨水、洪水和微咸水的开发利用，沿海城市要重视海水淡化处理和直接利用。

三、坚持把节约用水放在首位，努力建设节水型城市

(一) 城市建设和工农业生产布局要充分考虑水资源的承受能力。各地区特别是设市城市的人民政府要根据本地区水资源状况、水环境容量和城市功能，合理确定城市规模，调整优化城市经济结构和产业布局。要以创建节水型城市为目标，大力开展城市节约用水活动。城市节约用水要做到“三同时、四到位”，即建设项目的主体工程与节水措施同时设计、同时施工、同时投入使用；取水用水单位必须做到用水计划到位、节水目标到位、节水措施到位、管水制度到位。有条件的城市要逐步建立行业万元国内生产总值用水量的参照体系，促进产业结构调整 and 节水技术的推广应用。缺水城市要限期关停并转一批耗水量大的工业企业，严格限制高耗水型工业项目建设和农业粗放型用水，尽快形成节水型经济结构。工业用水重复利用率低于40%的城市，在达标之前不得新增工业用水量，并限制其新建供水工程项目。

(二) 加大国家有关节水技术政策和技术标准的贯彻执行力度，制定并推行节水型用水器具的强制性标准。积极推广节水型用水器具的应用，提高生活用水效率，节约水资源。要制定政策，鼓励居民家庭更换使用节水型器具，尽快淘汰不符合节水标准的生活用水器具。所有新建、改建、扩建的公共和民用建筑中，均不得继续使用不符合节水标准的用水器具；凡达不到节水标准的，经城市人民政府批准，可不予供水。各单位现有房屋建筑中安装使用的不符合节水标准的用水器具，必须在2005年以前全部更换为节水型器具。

system, one reservoir, one river course to the pattern of "connecting many reservoirs, netting the water systems, jointly transferring ground water and underground water and optimizing imposition of water resources" shall be adopted. It is necessary to set up an emergency management system at the dry season and successive dry seasons, compile emergency plan in advance and enhance the guarantee rate of urban water supply. It is necessary to strictly control and gradually reduce the exploitation quota of underground water and establish the coordination and control system of drawing water off from the rivers, lakes, brakes and dams in order to guarantee environmental water supply for the urban rivers and lakes. In the future within the recovery scope of urban water supply pipes and net, the establishment of new self-reserved water resources will not be approved. As for the original self-reserved water resources the levied fees of water resource will be raised and then quota of water which may be taken will be reduced and till completely cancelled. In the cities whose underground water is seriously exploited it is strictly forbidden to build any new water supply facilities to take underground water, and it is also strictly forbidden to approve but to gradually reduce the number of institutions and quota of using underground water.

(3) It is to vigorously advocate the exploitation and use of non-traditional water supply such as recovery and usage of sewage and incorporate them into the unified management and allocation of water resources. In the cities with a serious water shortage during the dry seasons measures to exploitation and usage of rainy water, floodwater and slight saltwater shall be put into attention and in the coastal cities it is necessary to pay attention to desalination treatment of sea water and direct use of it.

3. Persisting to Give Priority to Saving Water and Striving to Build Water-Saving Cities

(1) While engaging in urban construction and distribution of industrial and agricultural production, it is necessary to fully consider the bearing capacity of water resources. All the regions and particularly the people's governments of cities should reasonably define the scale of their own cities, readjust and optimize urban economic structure and production layout according to the local water resources, water environmental capacity and urban functions. To launch greatly activities to save water with building up water-saving cities as the target. To save water, the cities shall accomplish "three simultaneousnesses and four implementations", i. e., simultaneously design, build and put into operation the main body of construction projects and water-saving measures; the institutions which take and use water must work out the plans of using water, define the target of saving water, adopt water-saving measures and the system of managing water. The cities having conditions will gradually establish a reference system for different industrial trades the water consumption index per every 10,000 yuan (renminbi) GDP so as to promote the readjustment of production structure and spread and application of water-saving technology. The cities lacking in water shall close, stop, merge and transfer a batch of industrial enterprises which consume a great deal of water within the limit time and shall strictly limit the construction of industrial projects with high water consumption and agricultural extensive use of water and set up water-saving economic structure as quickly as possible. The cities where the repeated usage rate of water is lower than 40 percent are not allowed to again increase amount of water used by the industry and limit the new construction of water-supply projects.

(2) It is to energetically implement the national water-saving technological policies and technological standard and work out enforcement standards of applying water-saving utensils. It is to actively popularize the application of water-saving utensils, raise the usage efficiency of water for the daily life and save water resources. It is necessary to work out the water-saving policy to encourage the households to replace water-saving utensils and disuse utensils which do not conform to the standard of water for daily use. The utensils of using water which do not conform to the water-saving standard will not be allowed to be continuously used in the new, reconstructed and extension buildings; all the buildings which do not reach the standard will not be supplied with water after the approval by the urban people's governments. The utensils installed by all the institutions in their buildings which do not conform to the water-saving standards must be replaced by water-saving ones before 2005.

(三) 采取有效措施, 加快城市供水管网技术改造, 降低管网漏失率。20 万人口以上城市要在 2002 年底前, 完成对供水管网的全面普查, 建立完备的供水管网技术档案, 制定管网改造计划。对运行使用年限超过 50 年, 以及旧城区严重老化的供水管网, 争取在 2005 年前完成更新改造工作。

四、坚决治理水污染, 加强水环境保护

(一) 认真贯彻执行《中华人民共和国水污染防治法》, 限期改善地表水水质。严格按照有关规定和城市总体规划的有关要求, 组织编制水污染防治规划, 划分水功能区, 确定污染物排放容量, 实行水污染物总量控制, 并分解到排污单位。各直辖市、省会城市、经济特区城市、沿海开放城市及重点旅游城市的地表水水环境质量, 必须达到国家规定的标准。“十五”期间, 所有设市城市都要制定改善水质的计划, 并实施跨地区河流水质达标管理制度。要组织制定饮用水源保护规划, 依法划定饮用水源保护区, 严禁在饮用水源保护区内进行各项开发建设活动, 禁止一切排污行为, 重点保护好城市生活饮用水水源地。20 万人口以上城市应在 2002 年底前, 建立实施供水水源地水质旬报制度, 并在北京、上海等 47 个环保重点城市实施生活饮用水水源地水环境质量公报制度。

(二) 加强对地下水资源的保护。因地下水资源超采出现大范围地面沉降或海咸水倒灌的城市, 要划定超采区范围, 向社会公布, 并规划建设替代水源和地下水人工回灌工程。城市绿地建设、河道砌衬和非道路覆盖等, 应兼顾自然水生态系统循环的需要。要积极开展农业面源污染防治, 特别是畜禽和水产养殖污染的综合治理。要严格执行《中华人民共和国水法》和《中华人民共和国防洪法》, 严禁向湖滨、河岸、水体倾倒固体废弃物, 并限期整治和清理河道。

(三) 积极推行清洁生产, 进一步削减污染排放量, 加大对工业污染源的治理。工业污染防治是城市水污染防治工作的一项重要任务。要大力推行清洁生产, 加快工业污染防治从以末端治理为主向生产全过程控制的转变。进一步加大“一控双达标”工作力度。对不能达标排放的企业, 要责令其限期停产整顿或关闭。“十五”期间, 要使工业企业由主要污染物达标排放转向全面达标排放。

(四) “十五”期间, 所有设市城市都必须建设污水处理设施。到 2005 年, 50 万以上人口的城市, 污水处理率应达到 60% 以上; 到 2010 年, 所有设市城市的污水处理率应不低于 60%, 直辖市、省会城市、计划单列市以及重点风景旅游城市的污水处理率不低于 70%。今后, 城市在新建供水设施的同时, 要规划建设相应的污水处理设施; 缺水地区在规划建设城市污水处理设施时, 还要同时安排污水回用设施的建设; 城市大型公共建筑和公共供水管网覆盖范围外的自备水源单位, 都应当建立

(3) The effective measures must be adopted in order to speed up the technological innovation of water-supply pipes and nets and decrease the rate of leaking water from pipes and nets. The cities with over 200,000 people will accomplish the comprehensive survey of water supply pipes and nets before 2002, establish completely technological archives of water supply pipes and nets and work out reform plans of pipes and nets. The water supply pipes and nets which have been used for more than 50 years and the aging ones in the old city districts will be replaced with the new ones and reformed before 2005.

4. Resolutely Controlling Sewerage and Strengthening Water Environmental Protection

(1) It is necessary to seriously carry out the Law on Prevention and Control of Sewage of the People's Republic of China and improve ground water quality within the limit time. Strictly according to the relevant regulations and requirements of the urban total plan, the programme of preventing water from being polluted will be organized and compiled, the water functional areas divided, the capacity of pollutants discharge decided, the total amount of water pollutants controlled and allocated to the institutions of pollutants discharge. The ground water quality in the municipalities directly under the Central Government, provincial capitals, cities of the special economic zones, coastal open cities and major tourist ones must reach to the standard stipulated by the state. During the Tenth Five-Year Plan all the cities shall work out programmes for improvement of water quality and implement the management system of transregional valley water quality which will reach to the standard. They shall organize and formulate plans for protecting drinking water, divide and decide the protection zones of drinking water resources, strictly forbid all the activities to develop and build in the protection zones of drinking water resources and mainly protect the places of water resources for the urban drinking water of daily life. The cities with population of over 200,000 shall establish the system of 10-day report on water quality of water resource places before 2002 and the commune system of water environment of drinking water for daily use in Beijing, Shanghai and other 45 major environmental protection cities will be carried out.

(2) Strengthening protection of underground water resources. Because of the overextraction of underground water, the cities with large-scale earth subsidence or sea saltwater flowing backward have appeared. The range of overextraction shall be defined and made public to the society and the projects shall be built to replace water sources and artificial reirrigation of underground water. While building urban green belts, lining the river course and cover non-roads, the need of circulation of natural water ecological system shall be taken into consideration. It is to actively launch prevention of pollution in the agricultural surface resources and comprehensively control the pollution of livestock, birds and aquatic planting. The Law on Water of the People's Republic of China and Law on Flood Control of the People's Republic of China must be strictly implemented, to dump solid waste materials into the lake-sides, river banks and water bodies must be strictly forbidden and the river courses must be controlled and cleaned up within a limit time.

(3) It is to actively carry out the clean production, further reduce amount of pollutants discharge and intensify to control the pollution sources. To prevent and control the industrial pollution is an important task of preventing and controlling the pollution of urban water. It is necessary to intensify clean production and speed up the transformation from the main prevention and control of industrial pollution at the end into the control of whole production process. The dynamic of work of "reaching two standards and one control" shall be greatly strengthened. Those enterprises which cannot reach to the standard of discharge are ordered to stop production or close down within a limit time. During the Tenth Five-Year Plan, the industrial enterprises shall shift themselves from reach to the standard of main pollutants discharge to comprehensively reach the standard of total discharge.

(4) During the Tenth Five-Year Plan all the cities as municipalities must build sewage treatment facilities. By 2005 the sewage treatment rate in the cities with the population of over half a million shall reach over 60 percent; by 2010 the sewage treatment rate in the cities as municipalities shall be

中水系统，并在试点基础上逐步扩大居住小区中水系统建设。要加强对城市污水处理设施和回用设施运营的监督管理。

五、健全机制，加快水价改革步伐

(一) 积极引入市场机制，拓展融资渠道，鼓励和吸引社会资金和外资投向城市污水处理和回用设施项目的建设和运营，加快城市污水处理设施的建设步伐。国家将采取积极有效的措施筹集建设资金，进一步加大建设投资力度，对小城镇及西部地区污水处理设施建设给予资金倾斜；对各地收取的污水处理费，免征增值税；对城市供水和污水处理工程所购置的设备可加速折旧。各地要继续落实好国家投资的城市污水处理工程项目的配套资金；对收取的污水处理费实行专款专用、滚动使用，采取有效措施，确保城市污水处理设施的正常运营和建设贷款及债券本息的偿还。

(二) 逐步提高水价是节约用水的最有效措施。要加快城市水价改革步伐，尽快理顺供水价格，逐步建立激励节约用水的科学、完善的水价机制。要提高地下水资源费征收标准，控制地下水开采量。地方各级人民政府特别是城市人民政府要根据国家有关规定，尽快制订本行政区域内的用水定额和城市水价调整方案，并结合本地区经济发展水平和水资源的供求情况，适时调整。在逐步提高水价的同时，可继续实行计划用水和定额管理，对超计划和超定额用水要实行累进加价收费制度；缺水城市，要实行高额累进加价制度。

(三) 全国所有设市城市都要按照有关规定尽快开征污水处理费。各地在调整城市供水价格和污水处理费标准时，要优先将污水处理费的征收标准调整到保本微利的水平，满足污水处理设施建设和运营的需要。供水和污水处理企业也要不断深化改革，转换经济机制，加强管理，降低成本。国务院有关部门要抓紧研究确定回用污水的合理价格，促进和鼓励污水的再利用。

六、加强领导，完善法规，提高城市供水、节水和水污染防治工作水平

(一) 各地区、各有关部门要切实加强对城市供水、节水和水污染防治工作的组织领导，把这项工作纳入国民经济和社会发展规划，统筹安排，综合部署。地方各级人民政府的主要领导，特别是城市人民政府的主要领导，要对城市供水、节水和水污染防治工作负总责。国务院各有关部门要严格按照国家有关法律法规规定的程序和职责分工，加强协作，密切配合，及时协调解决工作中遇到的矛盾和问题。

not less than 60 percent and the sewage treatment rate in the municipalities directly under the Central Government, capital cities of province, independent accounting municipalities and main scenic and tourist cities not less than 70 percent. While building new water-supply facilities in the future, the cities shall plan to build corresponding sewage treatment facilities, and in cities lacking in water resources the construction of reusage facilities of sewage shall be arranged at the same time of planning to construct sewage treatment facilities. The urban big-and medium-size public buildings and the institutions which have their water sources outside the cover of public water-supply nets shall build medium-sized systems and gradually expand the construction of medium-sized systems in small residential areas. The supervision and management of the operation of urban sewage treatment facilities and reusage facilities shall be strengthened.

5, Perfecting Mechanism and Speeding up the Pace of Water Price Reform

(1) It is to actively introduce market mechanism, open up channel of financing, encourage and attract social funds and foreign funds into construction and operation of urban sewage treatment facilities and projects of reusage so as to speed up steps of building urban sewage treatment facilities. The State will adopt effective measures to collect funds for construction, further increase input of funds into construction and give more funds to the sewage treatment facilities in small cities and towns and western regions of China; the State will exempt value-added taxes for sewage treatment fees collected by all the places; and to expedite the depreciation of equipment bought for city water supply and sewage treatment engineerings. All the places shall carry out necessary funds for urban sewage treatment projects invested by the State; the collected sewage treatment fee will be specially used for specified purpose only and used in a rolling way. The effective measures will be taken to guarantee repayment of loans for regular operation and construction of urban sewage treatment facilities and principal plus interest of bonds.

(2) To gradually raise water price is the effective measure to save water. It is to speed up the pace of water price reform, rationalize price of supplying water as quickly as possible and set a scientific and perfect mechanism of water price to encourage saving of water step by step. It is to raise the standard of levying fee for underground water resources and control the amount of exploiting underground water. The people's governments at all levels and particularly the urban people's governments shall formulate quota system of using water in their regions and readjustment plans of urban water price as quickly as possible according to the relevant stipulations of the State and timely readjust them in accordance with their regional economic development level and supply and demand of their water sources. While gradually raising water price, the planning use of water and quota management shall be continuously implemented and the system of accumulatively increasing fee will be carried out for using water beyond the plan and above the quota; in cities lacking in water resources shall implement a system of high accumulatively increasing price system.

(3) All the cities as municipalities shall begin to levy sewage treatment fee as quickly as possible according to the stipulations of the State. While readjusting price of urban water supply and standard of sewage treatment fee, all the places shall give priority to readjust the level of ensuring cost and winning slight profits in order to meet demand of construction and operation of sewage treatment facilities. The enterprises which supply water and treat sewage shall also constantly deepen the reform, change economic mechanism, strengthen management and decrease the cost. The relevant departments of the State Council shall pay attention to studying and deciding the reasonable price of reusing sewage, promoting and encouraging the reusage of sewage.

6, Strengthening the Leadership, Perfecting Law and Regulations, Increasing Urban Water Supply and Enhancing Work Level of Water-Saving and Prevention and Control of Water Pollution

(1) All the regions and departments should practically strengthen organizational leadership, incorporate this work into the national economic and social development plan, unify to arrange and com-

(二)各地区、各有关部门在制定和实施水资源规划中,要明确目标,优化项目,落实措施,协调行动。要把有关水资源的保护、开发、利用等各个环节协调统一起来,统筹考虑城市防洪、排涝、供水、节水、治理水污染、污水回收利用,以及城市水环境保护等各种水的问题,妥善安排居民生活、工农业生产和生态环境等不同的用水需求,处理好各种用水矛盾。

(三)强化取水许可和排污许可制度,建立建设项目水资源论证制度和用水、节水评估制度。各地要加强取水许可监督管理和年审工作,严格取水许可审批,凡需要办理取水许可的建设项目都必须进行水资源论证。今后城市新建和改扩建的工程项目,在项目可行性研究报告中,应有用水、节水评估的内容。要严格执行环境影响评价制度,实行污染物排放总量控制及排污许可制度,排污必须经过许可。

(四)按照社会主义市场经济发展和加强城市供水、节水和水污染防治工作的要求,加快立法步伐,进一步补充、修改和完善有关法律法规,尽快建立起符合我国国情的、科学的城市供水、节水和水污染防治法律法规体系。各地区、各有关部门要坚决依法办事,严格执法,进一步加大执法监督力度,逐步将城市供水、节水和水污染防治工作纳入法制化、规范化轨道。

(五)各地区、各部门和各新闻单位要采取各种有效形式,开展广泛、深入、持久的宣传教育,使全体公民掌握科学的水知识,树立正确的水观念。加强水资源严重短缺的国情教育,增强全社会对水的忧患意识,使广大群众懂得保护水资源、水环境是每个公民的责任。转变落后的用水观念和用水习惯,把建设节水防污型城市目标变成广大干部群众共同的自觉行动。要加强舆论监督,对浪费水、破坏水质的行为公开曝光。同时,大力宣传和推广科学用水、节约用水的好方法,在全社会形成节约用水、合理用水、防治水污染、保护水资源良好的生产和生活方式。

prehensively deploy it. The main leaders of the people's governments at all local levels and especially the main leaders of urban people's governments shall be comprehensively responsible for water supply, water-saving and work of preventing and controlling water pollution. The relevant departments of the State Council shall strengthen cooperation, closely coordinate and timely coordinate and resolve contradictions and issues to meet in their work strictly according to the procedure and divisions of duties stipulated by the relevant laws and regulations of the state.

(2) While working out and implementing plans of water resources, all the regions and departments shall have clear goals, optimize projects, implement measures and coordinate their actions. They shall coordinate and unify various links of protecting, exploiting and using water resources, consider about issues of urban flood control, flood drainage, water supply, water-saving, control of water pollution, recovery and use of sewage and protection of urban water environment, properly arrange water for the inhabitants' life, industry, agriculture and ecological environment and handle all the contradictions of using water.

(3) It is necessary to strengthen the license system of taking water and pollutants discharge and establish the demonstrative system of water resources of the construction projects and appraisal one of using and saving water. All the places shall strengthen the supervision, management and annual examination of the license system of taking water and strictly approve the license of taking water. All the construction projects which need to handle licenses of taking water must make demonstrations on water resources. In the future new and extension projects in the cities shall have the contents of using water and appraising water-saving in their feasibly study reports. It is necessary to strictly carry out the appraisal system of environmental influence, implement the system of controlling total amount of pollutants discharge and permitting discharge of pollutants, and all discharging of pollutants must be subject to permission.

(4) According to the requirements of socialist market economic development and strengthening urban water supply, water-saving and prevention and control of water pollution, it is necessary to speed up the pace of legislation, further complement, revise and perfect relevant laws and regulations and establish the systems of laws and regulations on scientific urban water supply, water-saving and prevention and control of water pollution in accordance with China's national conditions. All the regions and departments shall run matters strictly according to the law, strictly implement the law, further strengthen the dynamic of implementation of the law and supervision and gradually incorporate the work of urban water supply, water-saving and prevention and control of water pollution into the track of legalization and standardization.

(5) All the regions, departments and press units shall adopt effective forms to launch broad, deep and sustained propaganda and education to make all the citizens to master scientific water knowledge and set up a correct concept of water. It is necessary to strengthen the education of national condition on serious deficiency in water resources, increase the sense of the whole society concerning about water and make the broad masses to understand that protection of water resources and environment is the responsibility of every citizen. It is to change backward concept and habit of using water and turn the construction of water-saving and pollution-preventive cities into the common conscious action of cadres and masses. It is necessary to strengthen the supervision of public opinion and publicly expose actions of wasting water and damaging water quality. Meanwhile, it is necessary to extensively propagate and spread good methods of scientific usage of water and water-saving. The good production and way of life of saving water, rationally using water, preventing and controlling water pollution and protecting water resources shall be formed in the whole society.

水污染物排放许可证管理暂行办法

(1988年3月20日, 国家环境保护局发布)

第一章 总 则

第一条 为有效控制水污染, 加强对水污染源的监督管理, 根据《中华人民共和国水污染防治法》和《中华人民共和国海洋环境保护法》制定本办法。

第二条 在污染物排放浓度控制管理的基础上, 通过排污申报登记, 发放水污染物《排放许可证》, 逐步实施污染物排放总量控制。

第三条 本办法适用于直接或间接向水体排放污染物的企业、事业单位(以下简称: 排污单位)。

第四条 本办法由国务院环境保护行政主管部门和各级人民政府的环境保护行政主管部门组织实施和统一监督管理。

第二章 排污申报登记制度

第五条 排污单位必须在指定时间内, 向当地环境保护行政主管部门办理排污申报登记手续, 并提供防治水污染方面的有关技术资料。

第六条 排污单位必须如实填写申报登记表, 经本单位主管部门核实后, 报当地环境保护行政主管部门审批。

第七条 企业、事业单位的新建和技改项目, 试产前三个月内按第六条规定向当地环境保护行政主管部门进行排污申报登记。

第八条 排污单位排放污染物的种类、数量、浓度有重大变化或改变排放方式、排放去向时, 应提前15天向当地环境保护行政主管部门申请, 履行变更登记手续。

第三章 排放许可证制度

第九条 各地环境保护行政主管部门结合本地区的实际情况, 在申报登记的基础上, 分期分批对重点污染源和重点污染物实行排放许可证制度。

第十条 排污单位必须在规定的时间内, 持当地环境保护行政主管部门批准的排污申报登记表申请《排放许可证》。

Interim Measures on the Management of Water Pollutants Discharge Permit

(Promulgated by the National Environmental Protection Agency on March 20, 1988)

Chapter I General Provisions

Article 1 These Measures are formulated pursuant to the Law of the People's Republic of China on the Prevention and Control of Water Pollution and the Marine Environmental Protection Law of the People's Republic of China for the purpose of effectively controlling water pollution and strengthening management and supervision of water pollution sources.

Article 2 On the basis of concentrated control management of pollutant discharges, through a report and registration system and the issuance of water pollutants discharge licenses, total discharge control of pollutant discharges shall be gradually implemented.

Article 3 These Measures are applicable to enterprises and institutions (hereinafter referred to as pollutant discharging units) that directly or indirectly discharge pollutants into water bodies.

Article 4 These Measures shall be implemented by the competent department of environmental protection administration under the State Council and the competent departments of environmental protection administration of the people's governments at all levels, and these agencies shall be responsible for integrated supervision and management of the Measures.

Chapter II Pollutant Discharge Report and Registration System

Article 5 Pollutant discharging units shall, within a specified time, report to the local competent departments of environmental protection administration for pollutant discharge registration, and at the same time provide relevant technical information on environmental pollution prevention.

Article 6 Pollutant discharging units shall truthfully complete the registration forms and, after verification by their own competent departments, submit the forms to the local competent departments of environmental protection administrative for approval.

Article 7 Enterprises and institutions engaging in new construction projects and technical renovation projects shall, within the first three months of the trial production, report to and register with the local competent departments of environmental protection administration as required by Article 6 of these Measures.

Article 8 When the categories, quantities or concentrations of pollutants discharged by the pollutant discharging units have changed substantially, or the discharge methods of the pollutants have changed, these units shall, within 15 days prior to the change(s), report to the local competent departments of environmental protection administration for amendment of the registration information.

Chapter III Discharge Permit System

Article 9 Local competent departments of environmental protection administration shall, in accordance with the local conditions and on the basis of report and registration, carry out a discharge license system for major pollution sources and pollutants by stages and in batches.

Article 10 Pollutant discharging units shall, within a specified time, apply for pollutant discharge licenses and submit the pollutant discharge registration forms approved by the local competent departments of environmental protection administration.

第十一条 地方环境保护行政主管部门在本地区内实行污染物排放总量控制，应根据水体功能或水质目标的要求进行总量分配，根据水污染和污染物排放现状，确定污染物削减量。

第十二条 地方环境保护行政主管部门，根据当地污染排放总量控制的指标核准排污单位的排放量。

对不超出排污总量控制指标的排污单位，颁发《排放许可证》。

对超出排污总量控制指标的排污单位，颁发《临时排放许可证》，并限期削减排放量。

第十三条 有下列情形之一者，《排放许可证》和《临时排放许可证》须报国务院环境保护行政主管部门审查核准污染物排放量：

(一) 跨越省、自治区、直辖市界区的排污单位；

(二) 特殊性质的排污单位（如核设施、绝密工程等）；

(三) 特大型（投资2亿元以上）的建设项目（报国务院审批）。

第十四条 《排放许可证》的有效期限，由当地环境保护行政主管部门规定。《排放许可证》的有效期限最长不得超过5年；《临时排放许可证》的有效期限最长不得超过2年。

《排放许可证》在有效期满前3个月，排污单位必须重新申请换证。

第十五条 持有《排放许可证》或《临时排放许可证》的排污单位，不免除缴纳排污费和其他法律规定的责任。

第四章 监督与管理

第十六条 排污单位必须严格按照排放许可证的规定排放污染物，禁止无证排放。

第十七条 重点排污单位应配备监测人员和监测设备，对本单位排放的污染物按国家规定的统一方法进行监测。

排污单位必须按规定向当地环境保护行政主管部门报告本单位的排污情况。

第十八条 排污单位的排污口必须编号，设立标志，并按环境保护行政主管部门的要求配备计量装置。

所有的排污口都必须具备采样和测流条件。

第十九条 持有《临时排放许可证》的单位，必须定期向当地环境保护行政主管部门报告削减排放量的进度情况。

经削减达到排污总量控制指标的单位，可向当地环境保护行政主管部门申请《排放许可证》。

第二十条 违反《排放许可证》规定额度超量排污的，当地环境保护行政主管部门根据情节，有权中止或吊销其《排放许可证》。

被中止排放许可证的单位，在规定时间内达到排放许可证要求的，由当地环境

Article 11 Local competent departments of environmental protection administration that carry out the total discharge control system in their own regions, shall allocate the total discharge in accordance with the functions of the water body or the requirements of the water quality targets, and decide on the amount of pollutant reduction according to the current status of water pollution and pollutant discharge.

Article 12 Local competent departments of environmental protection administration shall verify and decide whether to approve the discharge of a pollutant discharging unit according to the local total discharge control targets.

Pollutant discharging units that do not exceed the pollutant total discharge control targets shall be granted pollutant discharge licenses.

Pollutant discharging units that exceed the pollutant total discharge control targets shall be granted provisional pollutant discharge licenses, and shall be ordered to reduce their discharges within a limited time.

Article 13 In the following cases, the discharge and provisional discharge licenses shall be submitted to the competent department of environmental protection administration under the State Council for verification of the discharges:

(1) Pollutant discharging units that cross the borders of provinces, autonomous regions and municipalities directly under the Central Government;

(2) Special pollutant discharging units, such as nuclear facilities and top - secret projects; and

(3) Construction projects comprising a more than 200 million Yuan investment (approved by the State Council).

Article 14 The validity period of the discharge licenses shall be decided by the local competent departments of environmental protection administration. The validity period of the discharge licenses shall not exceed five years, and the validity period of the provisional discharge licenses shall not exceed two years.

Within three months before expiration, the pollutant discharging units shall apply for re - certification of the licenses.

Article 15 Pollutant discharging units holding discharge licenses or provisional discharge licenses are not exempted from paying pollutant discharge fees and other duties stipulated under relevant laws.

Chapter IV Supervision and Management

Article 16 Pollutant discharging units shall discharge pollutants in accordance with provisions of the licenses, and discharges without pollutant discharge licenses is forbidden.

Article 17 Major pollutant discharging units shall be equipped with monitoring personnel and monitoring equipment, and shall use standard methods as stipulated by the State to monitor pollutants discharged by them.

Pollutant discharging units shall report to the local competent departments of environmental protection administration regarding their pollutants discharge status as required.

Article 18 Pollutant discharge outlets shall be numbered, marked and equipped with measurement devices as required by the competent departments of environmental protection administration.

All pollutant discharge outlets shall be outfitted for taking samples and gauging runoff.

Article 19 Units holding provisional discharge licenses shall regularly report to the local competent departments of environmental protection administration about the progress of discharge reduction.

Units that meet the pollutant total discharge control targets after reduction can apply to the local competent departments of environmental protection administration for discharge licenses.

Article 20 Local competent departments of environmental protection administration are authorized to suspend or rescind the discharge licenses of units that discharge pollutants in excess of the amount(s) specified by the licenses.

Local competent departments of environmental protection administration shall revive the suspend-

保护行政主管部门恢复其被中止的排放许可证。

被吊销排放许可证的单位，必须重新申请《排放许可证》。

第二十一条 水污染排放总量控制指标，可以在本地区的排污单位间互相调剂。但必须由当地环境保护行政主管部门批准。

对跨地区或跨省界的水体进行污染物排放总量控制时，应由上一级环境保护行政主管部门按水质规划的要求，统一协调。

第二十二条 当地环境保护行政主管部门有权对管辖区内已颁发《排放许可证》的企业事业单位进行现场抽测、检查，被检查的排污单位应如实反映情况，并提供有关资料。

检查人员有责任为被检查单位保守技术秘密和业务秘密。

第五章 罚 则

第二十三条 违反本办法规定有下列行为之一的，由环境保护行政主管部门根据不同情节，给予警告或处以罚款：

(一) 逾期未申报登记或谎报的，给予警告处分和处以 5000 元以下（含 5000 元）罚款。

在拒报或谎报期间，追缴 1 至 2 倍的排污费。

(二) 逾期未完成污染物削减量以及超出《排放许可证》规定的污染物排放量的，处以 1 万元以下（含 1 万元）罚款，并加倍收缴排污费。

(三) 拒绝办理排污申报登记或拒领《排放许可证》的，处以 5 万元以下（含 5 万元）罚款，并加倍收缴排污费。

被中止或吊销《排放许可证》的单位，在中止或吊销《排放许可证》期间仍排放污染物的，按无证排放处理。

第二十四条 如本办法第二十三条所述行为系在排污单位的法人代表纵容、授意下或直接责任人员所致的，处以法人代表或直接责任人员月工资的百分之三十的罚款。

第二十五条 排污单位或个人接到缴纳排污费和罚款通知书后，应按规定的日期缴付，逾期未缴付的，每天追加千分之一滞纳金。

第六章 附 则

第二十六条 排污申报登记表、《排放许可证》、《临时排放许可证》由国务院环境保护行政主管部门统一制定。

第二十七条 地方环境保护行政主管部门，可根据本办法制定地方实施办法。

第二十八条 本办法由国务院环境保护行政主管部门负责解释。

第二十九条 本办法自公布之日起施行。

ed licenses when the units whose licenses are suspended meet the requirements of the discharge licenses within a specified time.

Units whose discharge licenses are rescinded shall apply for the discharge licenses anew.

Article 21 The water pollutant total discharge control targets can be transferred between pollutant discharging units within the region, but the transfer shall be approved by the local competent departments of environmental protection administration.

While pollutant total discharge control is carried out in water bodies that cross the borders of regions and provinces, the competent departments of environmental protection administration at the next higher level shall conduct integrated coordination in accordance with the requirements of the water quality plans.

Article 22 Local competent departments of environmental protection administration are authorized to conduct selective on-site examination and inspection of enterprises and institutions holding licenses within their jurisdiction, and the pollutant discharging units under inspection shall truthfully report the situation and provide relevant information.

The inspection personnel maintain the confidentiality of the technological and business secrets of the units under inspection.

Chapter V Liability Provisions

Article 23 Violators of these Measures shall be warned or fined by the competent departments of environmental protection administration according to the circumstances of the case:

(1) Those failing to report and register before the specified time or submitting a false report shall be imposed a disciplinary warning and a fine not exceeding 5,000 Yuan.

During the time of refusing to report or submitting a false report, the pollutant discharge fee shall be doubled or tripled.

(2) Those failing to reduce pollutants before the specified time or discharging pollutants in excess of the amount stipulated by the discharge licenses shall be imposed a fine not exceeding 10,000 Yuan, and the pollutant discharge fee shall be doubled.

(3) Those refusing to conduct pollutant discharge reporting and registration or refusing to accept discharge licenses shall be subject to a fine not exceeding 50,000 Yuan, and the pollutant discharge fee shall be doubled.

Units whose discharge licenses are suspended or rescinded and continue to discharge pollutants during this period shall be treated as discharging without licenses.

Article 24 In cases where the violations described in Article 23 are conducted as part of a conspiracy involving or inciting involvement of the legal representatives of the pollutant discharging units or by other directly responsible persons, the legal representatives or the directly responsible persons shall be subject to fines of 30 percent of their monthly salaries.

Article 25 On receiving a notice to pay a pollutant discharge fee or fine, the pollutant discharging units or individuals shall pay before the specified date. Those failing to pay before the specified date shall be imposed a late fee of 0.1 percent of the sum total each day.

Chapter VI Supplementary Provisions

Article 26 The pollutant discharge report and registration forms, discharge licenses and provisional discharge licenses shall be uniformly formulated by the competent department of environmental protection administration under the State Council.

Article 27 Local competent departments of environmental protection administration may formulate local implementation rules for these Measures.

Article 28 These Measures shall be interpreted by the competent department of environmental protection administration under the State Council.

Article 29 These Measures shall enter into force on the date of promulgation.

污水处理设施环境保护监督管理办法

(1988年5月9日, 国家环境保护局发布)

第一条 为了加强污水处理设施的管理, 充分发挥其效益, 保护水环境, 根据《中华人民共和国水污染防治法》制定本办法。

第二条 本办法适用于一切单位(包括中外合资、中外合作、外商独资企业)的污水处理设施。

第三条 污水处理设施包括: 工业废水净化设施; 污水综合利用、重复利用和闭路循环设施; 城市污水处理设施; 医疗污水处理设施; 饭店、宾馆污水处理设施等。

第四条 拥有污水处理设施的单位, 必须做到:

一、经设施处理后的水质应达到国家或地方规定的排放标准或指标;

二、设施处理水量不得低于相应生产系统应处理的水量;

三、污水处理所产生的污泥, 应妥善处理或处置;

四、设施的管理应纳入本单位管理体系, 配备专门操作人员及管理人员, 并建立健全岗位责任、操作规程、运行费用核算、监视监测等各项规章制度。

第五条 污水处理设施, 有下列情况之一者, 必须报经当地环境保护部门审查和批准:

一、须暂停运转的;

二、须拆除或者闲置的;

三、须改造、更新的。

环境保护行政主管部门自接到报送文件之日起, 须暂停运转的在5日内, 其他在一个月予以批复。逾期不批复, 可视其已被批准。

第六条 污水处理设施因事故停止运转, 应立即采取措施, 停止废水排放, 并及时报告当地环境保护行政主管部门。

第七条 各级人民政府的环境保护行政主管部门负责对污水处理设施进行监督管理, 负责对设施运行情况的考核。

第八条 各级人民政府的环境保护行政主管部门有权对污水处理设施的运转和使用情况进行检查和监测, 被检查单位必须如实反映情况, 提供有关资料, 不得拒绝或妨碍检查工作的正常进行。

第九条 有下列行为之一者, 环境保护行政主管部门除按规定征收排污费外,

Measures on the Supervision of Sewage Treatment Facilities for Environmental Protection

(Promulgated by the National Environmental Protection Agency on May 9, 1988)

Article 1 Pursuant to the Law of the People's Republic of China on the Prevention and Control of Water Pollution, this Measures is formulated for the purpose of strengthening the management of sewage treatment facilities, bringing their efficiency into full play and protecting the water environment.

Article 2 This Measures is applicable to sewage treatment facilities of all units including those of Sino-foreign joint ventures, Sino-foreign cooperative and foreign sole investment enterprises.

Article 3 Sewage treatment facilities include industrial wastewater purification facilities; facilities for sewage comprehensive utilization, repeated utilization and closed circulation; urban sewage treatment facilities; medical sewage treatment facilities; and sewage treatment facilities of restaurants and hotels.

Article 4 Units that own the sewage treatment facilities shall ensure that:

(1) Quality of the water after treatment by the facilities shall meet the state or local discharge standards or targets;

(2) Quantity of the water treated by the facilities shall not be less than what the corresponding production system shall treat;

(3) Sludge resulted from the sewage treatment shall be properly treated and disposed of; and

(4) Management of the facilities shall be incorporate into the management system of the unit, special operators and management staff shall be allotted, and rules of post responsibility, operation regulations, accounting of operation cost, supervision and monitoring established and perfected.

Article 5 Sewage treatment facilities with any of the following situations shall be reported to the local environmental protection departments for examination and approval:

(1) Its operation shall be temporarily suspended;

(2) It shall be dismantled or left idle; or

(3) It shall be reconstructed or updated.

The competent departments of environmental protection administration shall, within five days upon receiving the report for temporary suspense and one month for others, reply to the application. In the case that no reply is made after this time, it can be deemed that the application is approved.

Article 6 In the case that operation of the sewage treatment facilities suspends as a result of accident, measures shall be taken promptly, and discharge of wastewater suspended, and the case shall be promptly reported to the local competent department of environmental protection administration.

Article 7 The competent departments of environmental protection administration of the people's governments at all levels are responsible for the supervision and management of the sewage treatment facilities, and shall carry out examination of the operation of the facilities.

Article 8 The competent departments of environmental protection administration of the people's governments at all levels are authorized to carry out inspection and monitoring of the operation and utilization of the sewage treatment facilities, and the units under inspection shall truthful report the situation, provide relevant data, and shall not refuse the inspection or hinder its execution.

Article 9 The competent departments of environmental protection administration can collect pollution discharging fee as stipulated in relevant rules from units with any of the following misdeeds, and can impose a fine not exceeding 5,000 yuan at the same time in accordance with the circumstances:

(1) The sewage treatment facilities have been required to be improved within a limited time, and

还可根据不同情节，处以 5000 元以下罚款：

- 一、限期完善的污水处理设施，逾期未完成的；
- 二、设施处理水量低于相应生产系统应处理水量的；
- 三、污泥未妥善处理或处置的；
- 四、拒报或谎报污水处理设施情况的；
- 五、擅自拆除或闲置处理设施的；
- 六、拒绝环境保护部门现场检查或弄虚作假的；
- 七、设施停运，造成污染和危害未报当地环境保护部门的。

第十条 具有下列情形之一的单位和个人，由环境保护行政主管部门给予表彰和奖励：

- 一、对污水处理设施提出合理化建议和技术改造效果显著的；
- 二、设计、制造污水处理设施有创新或发明，效益显著的；
- 三、对污水处理设施工艺和设备进行科学研究有创造发明的。

第十一条 本办法由国家环境保护局负责解释。

第十二条 本办法自颁布之日起实行。

this is not accomplished before the deadline comes;

(2) Quantity of water treated by the facilities is less than what the corresponding production system shall treat;

(3) Sludge resulted from the treatment is not properly treated or disposed of;

(4) Refusing to report or submitting a false report on the condition of the sewage treatment facilities;

(5) Dismantling or leaving idle the facilities without approval;

(6) Refusing on-the-spot inspection by the environmental protection departments or resorting to fraud or trickery in the inspection; or

(7) Stopping the operation of the facilities and causing pollution and damages without reporting to the environmental protection departments.

Article 10 The competent departments of environmental protection administration shall give praise and reward to units and individuals in following circumstances:

(1) Putting forward improvement proposals or carrying out technical reform of the sewage treatment facilities and achieving obvious benefits;

(2) Coming up with innovation or invention in the design or manufacture of sewage treatment facilities, and achieving obvious benefits; or

(3) Coming up with innovation or invention in the scientific research of the technology and equipment of sewage treatment facilities.

Article 11 This Measures shall be interpreted by the National Environmental Protection Agency.

Article 12 This Measures shall enter into force on the date of promulgation.

饮用水水源保护区污染防治管理规定

(1989年7月10日,国家环境保护局、卫生部、建设部、水利部、地矿部发布)

第一章 总 则

第一条 为保障人民身体健康和经济建设发展,必须保护好饮用水水源。根据《中华人民共和国水污染防治法》特制订本规定。

第二条 本规定适用于全国所有集中式供水的饮用水地表水源和地下水源的污染防治管理。

第三条 按照不同的水质标准和防护要求分级划分饮用水水源保护区。饮用水水源保护区一般划分为一级保护区和二级保护区,必要时可增设准保护区。各级保护区应有明确的地理界线。

第四条 饮用水水源各级保护区及准保护区均应规定明确的水质标准并限期达标。

第五条 饮用水水源保护区的设置和污染防治应纳入当地的经济和社会发展规划和水污染防治规划。跨地区的饮用水水源保护区的设置和污染防治应纳入有关流域、区域、城市的经济和社会发展规划和水污染防治规划。

第六条 跨地区的河流、湖泊、水库、输水渠道,其上游地区不得影响下游饮用水水源保护区对水质标准的要求。

第二章 饮用水地表水源保护区的划分和防护

第七条 饮用水地表水源保护区包括一定的水域和陆域,其范围应按照不同水域特点进行水质定量预测并考虑当地具体条件加以确定,保证在规划设计的水文条件和污染负荷下,供应规划水量时,保护区的水质能满足相应的标准。

第八条 在饮用水地表水源取水口附近划定一定的水域和陆域作为饮用水地表水源一级保护区。一级保护区的水质标准不得低于国家规定的《GB 3838—88 地面水环境质量标准》Ⅱ类标准,并须符合国家规定的《GB 5749—85 生活饮用水卫生

Provisions on the Administration of the Prevention and Control of Pollution in Protected Areas for Drinking Water Sources

(Promulgated by the National Environmental Protection Agency, Ministry of Public Health, Ministry of Construction, Ministry of Water Conservancy and Ministry of Geology and Mineral on July 10, 1989)

Chapter I General Provisions

Article 1 To safeguard the people's health and the development of the economic construction, drinking water sources shall be protected. This Provisions is formulated pursuant to the Law of the People's Republic of China on the Prevention and Control of Water Pollution.

Article 2 This Provisions is applicable to the management of prevention and control of pollution in domestic and drinking water surface and ground sources for centralized water supply throughout the country.

Article 3 Protection zones for domestic and drinking water sources are classified according to the water quality standards and the requirements for protection. Protection zones for domestic and drinking water sources are generally classified into first-grade protection zones and second-grade protection zones, and when it is necessary, quasi-protection zones may be added. Protection zones at all grades shall have clear geographical demarcations.

Article 4 In the protection zones for domestic and drinking water sources and quasi-protection zones, the water quality standards shall be clearly prescribed and the standards shall be met within a limited time.

Article 5 The establishment of protection zones for domestic and drinking water sources and pollution prevention and control in these zones shall be incorporated into the local economic and social development plans and plans for the prevention and control of water pollution. The establishment of protection zones for domestic and drinking water sources that cover different regions and prevention and control of pollution in these zones shall be incorporated into the local economic and social development plans and plans for the prevention and control of water pollution of the relevant river basins, regions and cities.

Article 6 For rivers, lakes, reservoirs and water channels that cross the borders of different regions, those in the upper reaches shall not impair the requirements for water quality standards of protection zones for domestic and drinking water sources in the lower reaches.

Chapter II Delineation and Protection of Protection Zones for Domestic and Drinking Water Surface Sources

Article 7 A protection zone for domestic and drinking water surface sources shall include water and land-based areas. Its boundary shall be demarcated after quantitative estimation of the water quality based on the characteristics of different water areas and the concrete local conditions, ensuring the water quality standards in the protection zone being met while planned amount of water is supplied under the hydrologic and pollution load as designated in the plan.

Article 8 Certain water and land-based areas near the intake of a domestic and drinking water surface source shall be delineated as the first-grade protection zone for domestic and drinking water surface source. Water quality standard in the first-grade protection zone shall not be lower than category II of the GB 3838-88 Standards for the Environmental Quality of Surface Water stipulated by the State, and shall meet the requirements of the GB 5749-85 Drinking Water Health Standards stipulated

标准》的要求。

第九条 在饮用水地表水源一级保护区外划定一定的水域和陆域作为饮用水地表水源二级保护区。二级保护区的水质标准不得低于国家规定的《GB 3838—88 地面水环境质量标准》Ⅲ类标准，应保证一级保护区的水质能满足规定的标准。

第十条 根据需要可在饮用水地表水源二级保护区外划定一定的水域及陆域作为饮用水地表水源准保护区。准保护区的水质标准应保证二级保护区的水质能满足规定的标准。

第十一条 饮用水地表水源各级保护区及准保护区内均必须遵守下列规定：

一、禁止一切破坏水生态环境平衡的活动以及破坏水源林、护岸林、与水源保护相关植被的活动。

二、禁止向水域倾倒工业废渣、城市垃圾、粪便及其他废弃物。

三、运输有毒有害物质、油类、粪便的船舶和车辆一般不准进入保护区，必须进入者应事先申请并经有关部门批准、登记并设置防渗、防溢、防漏设施。

四、禁止使用剧毒和高残留农药，不得滥用化肥，不得使用炸药、毒品捕杀鱼类。

第十二条 饮用水地表水源各级保护区及准保护区内必须分别遵守下列规定：

一、一级保护区内

禁止新建、扩建与供水设施和保护水源无关的建设项目；

禁止向水域排放污水，已设置的排污口必须拆除；

不得设置与供水需要无关的码头，禁止停靠船舶；

禁止堆置和存放工业废渣、城市垃圾、粪便和其他废弃物；

禁止设置油库；

禁止从事种植、放养禽畜，严格控制网箱养殖活动；

禁止可能污染水源的旅游活动和其他活动。

二、二级保护区内

不准新建、扩建向水体排放污染物的建设项目。改建项目必须削减污染物排放量；

原有排污口必须削减污水排放量，保证保护区内水质满足规定的水质标准；

禁止设立装卸垃圾、粪便、油类和有毒物品的码头。

三、准保护区内

直接或间接向水域排放废水，必须符合国家及地方规定的废水排放标准。当排放总量不能保证保护区内水质满足规定的标准时，必须削减排污负荷。

by the State.

Article 9 Certain water and land-based areas beyond a first-grade protection zone for domestic and drinking water surface source shall be delineated as the second-grade protection zone for domestic and drinking water surface source. Water quality standards in the second-grade protection zone shall not be lower than category III of the GB 3838-88 Standards for the Environmental Quality of Surface Water stipulated by the State, and shall guarantee that the water quality in the first-grade protection zone will meet the prescribed standards.

Article 10 Certain water and land-based areas beyond a second-grade protection zone for domestic and drinking water surface source shall be delineated as the quasi protection zone for domestic and drinking water surface source. Water quality standards in the quasi protection zone shall guarantee that the water quality in the second-grade protection zone will meet the prescribed standards.

Article 11 These rules shall be followed in the protection zones for domestic and drinking water surface sources and the quasi-protection zones:

(1) All activities destructive to the ecological balance of water environment and forest at the water sources, along the embankments and vegetation related to the protection of water sources are forbidden;

(2) Dumping of industrial residues, urban wastes, dejection and other wastes into the water body is forbidden;

(3) Vessels and vehicles conveying toxic and harmful materials, oil, dejection are generally forbidden to enter the protection zones. Where the entrance is a must, prior application shall be submitted to the relevant department for approval and register, and measures shall be taken to prevent seepage, spillage and leakage; and

(4) Usage of deadly toxic and long remaining pesticides, abusive usage of chemical fertilizer and usage of the explosives and poisons to catch fishes are forbidden.

Article 12 These rules shall be followed in the protection zones for domestic and drinking water surface sources and the quasi-protection zones:

(1) In first-grade protection zones:

New and expansion construction projects irrelevant to water supply and water source protection shall be forbidden.

Dumping of waste water into the water body is forbidden and existing outlets for pollutants discharge shall be removed;

Docks irrelevant to water supply shall not be constructed and vessels are forbidden to berth;

Piling and depositing of industrial residues, urban wastes, dejection and other wastes are forbidden;

Mounting of oil depots is forbidden; and

Planting and breeding of domestic fowls and animals are forbidden; net- and box-breeding activities shall be strictly controlled.

(2) In second-grade protection zones:

New and expansion construction projects discharging pollutants into the water body are forbidden. Reconstruction projects shall reduce the amount of pollutants discharged;

Existing outlets for pollutants discharge shall reduce the amount of pollutants discharged to guarantee that water quality in the protection zone meets the prescribed water quality standard; and

Construction of docks for loading and unloading wastes, dejection, oil and other toxic materials is forbidden.

(3) In quasi-protection zones:

Direct or indirect discharge of waste water into the water bodies shall meet the standards stipulated by the State and the local governments. When the total discharge fails to meet the required water quality standard in the protection zones, the pollutants discharge shall be reduced.

第三章 饮用水地下水源保护区的划分和防护

第十三条 饮用水地下水源保护区应根据饮用水水源地所处的地理位置、水文地质条件、供水的数量、开采方式和污染源的分布划定。

第十四条 饮用水地下水源保护区的水质均应达到国家规定的《GB 5749—85 生活饮用水卫生标准》的要求。各级地下水源保护区的范围应根据当地的水文地质条件确定，并保证开采规划水量时能达到所要求的水质标准。

第十五条 饮用水地下水源一级保护区位于开采井的周围，其作用是保证集水有一定滞后时间，以防止一般病原菌的污染。直接影响开采井水质的补给区地段，必要时也可划为一级保护区。

第十六条 饮用水地下水源二级保护区位于饮用水地下水源一级保护区外，其作用是保证集水有足够的滞后时间，以防止病原菌以外的其他污染。

第十七条 饮用水地下水源准保护区位于饮用水地下水源二级保护区外的主要补给区，其作用是保护水源地的补给水源水量和水质。

第十八条 饮用水地下水源各级保护区及准保护区内均必须遵守下列规定：

一、禁止利用渗坑、渗井、裂隙、溶洞等排放污水和其他有害废弃物。

二、禁止利用透水层孔隙、裂隙、溶洞及废弃矿坑储存石油、天然气、放射性物质、有毒有害化工原料、农药等。

三、实行人工回灌地下水时不得污染当地地下水源。

第十九条 饮用水地下水源各级保护区及准保护区内必须遵守下列规定：

一、一级保护区内

禁止建设与取水设施无关的建筑物；

禁止从事农牧业活动；

禁止倾倒、堆放工业废渣及城市垃圾、粪便和其他有害废弃物；

禁止输送污水的渠道、管道及输油管道通过本区；

禁止建设油库；

禁止建立墓地。

二、二级保护区内

(一) 对于潜水含水层地下水水源地

禁止建设化工、电镀、皮革、造纸、制浆、冶炼、放射性、印染、染料、炼焦、炼油及其他有严重污染的企业，已建成的要限期治理，转产或搬迁；

Chapter III Delineation and Protection of Protection Zones for Domestic and Drinking Water Ground Sources

Article 13 Protection zones for domestic and drinking water ground sources shall be demarcated according to the geographical location, hydrological and geological conditions, quantity of water supply and means of exploration and distribution of the pollution sources.

Article 14 Water quality in protection zones for domestic and drinking water ground sources shall meet the GB 5749-85 Drinking Water Health Standards stipulated by the State. Boundary of each protection zone for ground water source shall be demarcated according to the local hydrological and geological conditions, and shall guarantee that the required water quality standards are met while planned amount of water is being extracted.

Article 15 A first-grade protection zone for domestic and drinking water ground source shall be located around the extraction wells, and this guarantees the detention time of the congregation of the water in order to prevent pollution by ordinary pathogens. Recharge areas directly influencing water quality of the extraction wells can also be delineated as first-grade protection zones for domestic and drinking water ground sources when necessary.

Article 16 A second-grade protection zone for domestic and drinking water ground source shall be located beyond the first-grade protection zone for domestic and drinking water ground source, and this guarantees enough detention time of the congregation of the water in order to prevent pollution by elements other than pathogens.

Article 17 A quasi-protection zone for domestic and drinking water ground source is located in the main recharge areas beyond the second-grade protection zone for domestic and drinking ground source, and this is to protect the quantity and quality of recharge water from the water source area.

Article 18 These rules shall be followed in the protection zones for domestic and drinking water surface sources and the quasi-protection zones:

(1) Discharging of waste water and other pollutants through seepage wells, pits, crevices and karst caves is forbidden;

(2) Storage of petroleum, natural gas, radioactive substances, toxic and hazardous chemical raw materials and pesticides with holes in the permeable strata, crevices, karst caves and abandoned mines is forbidden;

(3) In artificial recharge of the ground water, the local ground water shall not be polluted.

Article 19 These rules shall be followed in the protection zones for domestic and drinking water ground sources and quasi-protection zones:

(1) In first-grade protection zones

Construction of projects irrelevant to water extraction facilities is forbidden;

Agricultural and stock-raising activities are forbidden;

Piling and depositing of industrial residues, urban wastes, dejection and other hazardous wastes are forbidden;

Passage of sewage conveyance channels, pipelines and oil pipelines through the zone is forbidden;

Construction of oil depots is forbidden; and

Construction of graveyards is forbidden.

(2) In the second-grade protection zones

(i) For ground water sources where aquifers are perched water

Establishment of chemical, electroplate, leather, paper-making, pulp-making, smelting, radioactive, printing and dyeing, dyestuff, coking and oil refining and other severely polluting enterprises are forbidden, and those existing shall be ordered to eliminate pollution within a limited time, transfer to other business or move to other places;

Construction of piling sites and transfer posts of urban wastes, dejection, eutectic, toxic and hazardous wastes is forbidden, and those existing shall be ordered to move to other places;

禁止设置城市垃圾、粪便和易溶、有毒有害废弃物堆放场和转运站，已有的上述场站要限期搬迁；

禁止利用未经净化的污水灌溉农田，已有的污灌农田要限期改用清水灌溉；

化工原料、矿物油类及有毒有害矿产品的堆放场所必须有防雨、防渗措施。

(二) 对于承压含水层地下水水源地

禁止承压水和潜水的混合开采，作好潜水的止水措施。

三、准保护区内

禁止建设城市垃圾、粪便和易溶、有毒有害废弃物的堆放场站，因特殊需要设立转运站的，必须经有关部门批准，并采取防渗漏措施；

当补给源为地表水体时，该地表水体水质不应低于《GB 3838—88 地面水环境质量标准》Ⅲ类标准；

不得使用不符合《GB 5084—85 农田灌溉水质标准》的污水进行灌溉，合理使用化肥。

保护水源林，禁止毁林开荒，禁止非更新砍伐水源林。

第四章 饮用水水源保护区污染防治的监督管理

第二十条 各级人民政府的环境保护部门会同有关部门作好饮用水水源保护区的污染防治工作并根据当地人民政府的要求制定和颁布地方饮用水水源保护区污染防治管理规定。

第二十一条 饮用水水源保护区由地方环境保护部门会同水利、地质矿产、卫生、建设等有关部门共同划定，报经县级以上人民政府批准。跨省、市、县的饮用水水源保护区，其位置划定和管理办法，由保护区范围内的各级人民政府共同商定并报经上一级人民政府批准。

第二十二条 环境保护、水利、地质矿产、卫生、建设等部门应结合各自的职责。对饮用水水源保护区污染防治实施监督管理。

第二十三条 因突发性事故造成或可能造成饮用水水源污染时，事故责任者应立即采取措施消除污染并报告当地城市供水、卫生防疫、环境保护、水利、地质矿产等部门和本单位主管部门。由环境保护部门根据当地人民政府的要求组织有关部门调查处理，必要时经当地人民政府批准后采取强制性措施以减轻损失。

第五章 奖励与惩罚

第二十四条 对执行本规定保护饮用水水源有显著成绩和贡献的单位或个人给

Usage of unpurified waste water to irrigate farmland shall be forbidden, and existing waste water irrigation farmland shall be order to use clean water for irrigation; and

Piling sites for chemical raw materials, minerals and oils and other toxic and hazardous mineral products shall take measures to prevent pollution caused by rain and seepage.

(ii) For ground water sources where aquifers are artesian water

The combined extraction of artesian and paretic water is forbidden and measures shall be taken to stop the paretic water.

(3) In quasi-protection zones:

Construction of piling sites for urban wastes, dejection, eutectic, toxic and hazardous wastes is forbidden, and when there is the particular need to set up the transfer posts, approval from relevant departments is required and measures shall be taken to prevent seepage and leakage;

When the recharge source is surface water body, water quality of the surface water body shall not be lower than category III of the GB 3838-88 Standards for the Environmental Quality of Surface Water stipulated by the State.

Irrigation with waste water that fails to meet the GB 5084-85 Standards for the of Irrigation Water Quality Farmland shall not be permitted, and chemical fertilizer shall be rationally used; and

Water source forests shall be protected, and destroying forest to open up wasteland and felling trees in a water source forest for reasons other than renewal is forbidden.

Chapter IV Supervision and Management of Prevention and Control of Pollution in Protection Zones for Domestic and Drinking Water Sources

Article 20 Environmental protection departments of the people's governments at all levels together with other relevant departments shall be responsible for the prevention and control of pollution in protection zones for domestic and drinking water sources, and shall formulate and promulgate local rules for the prevention and control of pollution in drinking water protection zones as required by the local people's governments.

Article 21 Protection zones for domestic and drinking water sources shall be delineated jointly by local environmental protection departments and departments of water conservancy, geology and minerals, health and construction and other relevant departments, and the delineation plan shall be submitted to the people's governments at or above the county level for approval. For a protection zone that crosses the borders of provinces, municipalities and counties, the people's governments within its range shall negotiate about its locations and the management rules, and report to the people's government at the next higher level for approval.

Article 22 The departments of environmental protection, water conservancy, geology and minerals, health and construction shall conduct supervision and management of pollution prevention in protection zones for domestic and drinking water sources in accordance with their responsibilities.

Article 23 In case of emergency, when an accident causes or might cause drinking water source pollution, the one responsible for the accident shall promptly take measures to eliminate pollution and report to local departments of urban water supply, health and epidemic prevention, environmental protection, water conservancy and geology and minerals and other departments as well as departments in charge of the one. The environmental protection department shall organize relevant departments to investigate into and settle the matter as required by the local people's government, and take compulsory measures with approval of the local people's government to relieve the losses when necessary.

Chapter V Rewards and Punishments

Article 24 Units or individuals who have made outstanding achievements and contributions to the implementation of this Rules in the protection of the protection zones for domestic and drinking water sources shall be commended and rewarded. The rewarding methods shall be formulated by the environmental departments at or above the municipal level (including the municipal level) and reported

予表扬和奖励。其奖励办法由市级以上（含市级）环境保护部门制定，报经当地人民政府批准实施。

第二十五条 对违反本规定的单位或个人，应根据《中华人民共和国水污染防治法》及其实施细则的有关规定进行处罚。

第六章 附 则

第二十六条 本规定由国家环境保护部门负责解释。

第二十七条 本规定自公布之日起实施。

to the local people's governments for approval before implementation.

Article 25 Units or individuals who violate this Rules shall be punished according to relevant provisions in the Law of the People's Republic of China on the Prevention and Control of Water Pollution and its Rules for Implementation.

Chapter VI Supplementary Provisions

Article 26 This Provisions shall be interpreted by the national environmental protection departments.

Article 27 This Provisions shall come into force as of the date of promulgation.

关于淮河流域城市污水处理收费试点有关问题的通知

(1997年6月4日,经国务院批准,财政部、国家计委、建设部、
国家环保局发布 财综字〔1997〕111号
太湖、滇池、海河流域和长江上游参照本通知执行)

〔编者注〕 根据《国务院关于淮河流域水污染防治规划及“九五”计划的批复》等有关规定,经国务院同意,财政部、国家计委、建设部和国家环保局于1997年6月4日联合发布了《关于淮河流域城市污水处理收费试点有关问题的通知》(财综字〔1997〕111号),对淮河流域城市污水处理费的征收、管理和使用问题作了具体规定。

另据《国务院关于太湖流域水污染防治“九五”计划及2010年规划的批复》第六条、《国务院关于滇池流域水污染防治“九五”计划及2010年规划的批复》第五条、《国务院办公厅关于批准海河流域水污染防治规划的通知》第四条和《国务院关于长江上游水污染整治规划的批复》第四条的明确规定,太湖流域和滇池流域城市污水处理收费的具体办法,参照财综字〔1997〕111号通告执行。因此,财综字〔1997〕111号通知关于城市污水处理收费的规定,不仅适用于淮河流域,而且还适用于太湖、滇池、海河流域和长江上游。

下面是财综字〔1997〕111号通知全文。

为了加快淮河流域城市污水集中处理设施建设,保障其正常运行,根据《中华人民共和国水污染防治法》、《淮河流域水污染防治暂行条例》和《国务院关于淮河流域水污染防治规划及“九五”计划的批复》(国函〔1996〕52号)的有关规定,经国务院同意,现就淮河流域城市污水处理收费试点有关问题通知如下:

一、淮河流域的河南、安徽、江苏、山东四省的有关城市(以下简称城市)凡已建成城市污水处理厂、在建城市污水处理厂或按基本建设程序已批准城市污水处理厂建设项目可行性研究报告(或已批准项目建议书)的,经本省人民政府批准,可进行城市污水处理收费试点。

二、凡向城市污水处理厂和排水设施排放污水的单位和个人,均应交纳城市污水处理费。

开征城市污水处理费后,对向城市污水处理厂和排水设施排放污水的单位,不再征收排水设施有偿使用费和污水排污费。超标排放污水的,仍依法征收超标排污

Circular on Issues Concerning Experimental Collecting of Urban Sewage Treatment Fee in the Huaihe River Valley

(Approved by the State Council and jointly issued by the Ministry of Finance, the state Planning Commission, the Ministry of Construction and the National Environmental Protection Agency on June 4, 1997.)

[**Editor's Note**] In accordance with the "the Comments made by the State Council on the plan of prevention and control of Water Pollution in the Huaihe River Valley and the 'Ninth Five-year Plan' and other relevant regulations and with the approval of the State Council, the Ministry of Finance, the state Planning Commission, the Ministry of Construction and the National Environmental Protection Agency have jointly issued Circular On Experimental Collecting of Urban Sewage Treatment Fees in the Huaihe River Valley (hereinafter referred to as Circular) in which concrete stipulations have been set forth on the collecting, administering and using of urban sewage treatment fee in the Huaihe River Valley.

Also according to the explicit stipulations in clause 6 of 'the State Council's Comments on Prevention and Control of Water Pollution in the Taihu Lake Valley and Plan for the Year 2010', in clause 5 of the State Council's Comments on Prevention and Control of Water Pollution in the Dianchi Lake Valley and Plan for the year 2010, in clause 4 of the Circular issued by the General Office of the State Council for Approval of the Plan on Prevention and Control of Water Pollution in the Haihe River Valley, in clause 4 of the State Council's Comments on the Plan of Prevention and Control of Water Pollution in the Upper Reaches of the Changjiang River and 'Reply to Liaoning Province on Collecting Urban Sewage Treatment Fee and other questions' jointly issued by the Ministry of Finance, the state Planning Commission, the Ministry of Construction and the State Environmental Protection Administration, this Circular shall apply to areas covered by the Taihu Lake Valley, the Dianchi Lake Valley, the Haihe River Valley, the upper reaches of Changjiang River Valley and Liaohe River Valley in the Province of Liaoning.

Therefore, regulations on collecting urban sewage treatment fee set forth in the Circular shall apply not only to the Huaihe River Valley, but to the Taihu Lake Valley, the Dianchi Lake Valley, the Haihe River Valley, upper reaches of Changjiang River and the Liaohe River Valley in Liaoning Province and other cities.

Following is the full text of the Circular:

In order to speed up the construction of centralized treatment facilities of urban sewage in the Huaihe River Valley and ensure their normal operation, in accordance with relevant stipulations in the Law of the People's Republic of China on the Prevention and Control of Water Pollution, Interim Regulations on Prevention and Control of Water Pollution in the Huaihe River Valley and Comments by the State Council On Plan to Prevent and Control Water Pollution in the Huaihe River Valley and Ninth Five-year Plan, The present Circular on the questions about collecting urban sewage treatment fee in the Huaihe River Valley is hereby issued with the approval of the State Council:

1. Any of the relevant cities (hereinafter called the cities) of the four provinces of Henan, Anhui, Jiangsu and Shandong in the Huaihe River Valley where urban sewage treatment plants have already been built, or are being built, or the feasibility report on the construction of urban sewage treatment plant has been approved in accordance with capital construction procedures (or project proposal has been approved), upon approval of the provincial government to which it belongs, may collect urban sewage treatment fee on an experimental basis.

2. Any unit or individual discharges sewage to a sewage treatment plant or drainage system shall pay urban sewage treatment fee.

After collecting urban sewage treatment fee, governments shall stop collecting other fees previously charged for using these facilities from those who discharge waste water to the sewage treatment plant and the drainage system. Those who discharge waste water exceeding the set quota shall still be fined for excessive discharging in accordance with the regulations.

Standards for urban sewage treatment fees shall be specified by the municipal governments taking

费。

城市污水处理费征收标准，可根据城市污水处理厂、排水设施的运行维护成本和部分建设费用，并考虑企业、居民等的承受能力制定，由城市人民政府提出具体方案，报省人民政府批准后实施。

三、城市污水处理费由城市建设主管部门委托自来水公司在收取水费时，按规定范围和标准一并征收。有关部门执收时必须使用省级财政部门统一印制或监制的收费票据。城市建设主管部门可以向代收单位适当支付手续费，但支付数额不得超过征收城市污水处理费总额的0.2%，具体标准由城市人民政府确定。

四、城市污水处理费作为城市污水处理设施建设和运作的资金来源之一，可用于：

(一) 城市污水处理厂、排水设施的运行和维护。

(二) 城市污水处理厂、排水设施建设资金不足的补助。

(三) 城市污水处理厂尚未建成的城市，其收取的城市污水处理费暂作为城市污水处理厂建设的资本金。

五、城市污水处理费收入按照《国务院关于加强预算外资金管理的决定》(国发[1996] 29号)的有关规定，纳入同级财政专户管理，收入金额缴入同级财政专户，支出按计划 and 规定用途拨付，专款专用，不得挪作他用，收支结余可结转下年度专项使用。

财政、计划(物价)和审计等部门要加强对城市污水处理费收支的监督检查，保证专款专用。城市污水处理厂应加强内部管理，提高污水处理质量，确保处理后的污水达到国家规定的排放标准。城市污水处理厂排出的污水，超过国家排放标准的，环保部门应按国家有关规定征收其超标排污费。

六、省级人民政府已批准收取污水处理厂建设费的城市，在污水处理厂正式投入运行前，不得再收取城市污水处理费。对已按基本建设程序批准城市污水处理厂建设项目可行性研究报告(或已批准项目建议书)的城市，在城市污水处理费征收半年后，城市污水处理厂仍不能正式开工建设的，省人民政府应取消其试点的资格。

七、淮河流域四省人民政府可按照本通知的精神，制定具体实施细则，并报财政部、国家计委备案。试点过程中如遇国家有关政策调整，按有关规定执行。

into consideration of the costs of operation and maintenance of sewage treatment plants and other sewage facilities, and part of their construction cost as well as the ability to bear of the local enterprises and residents. These standards shall take effect upon approval by respective provincial government.

3. The municipal construction administration shall entrust the local water supplying company to collect the urban sewage treatment fee in keeping with approved coverage and standards. While collecting fees the department concerned shall use bills uniformly printed by the provincial financial department or printed under its supervision. The municipal construction administration may pay an appropriate amount not exceeding 0.2% of the total amount collected to the unit collecting on its behalf. Exact standard is to be specified by municipal governments.

4. Urban sewage treatment fee as a source of funds for construction and operation of urban sewage treatment facilities, may be used :

- (1) in operating and maintaining urban sewage treatment plants and drainage system;
- (2) in making up the deficiency of funds for construction of urban sewage treatment plants and drainage system;
- (3) as funds for constructing urban sewage treatment plant where construction of such facilities has not yet been completed.

5. Revenue from collecting urban sewage treatment fee shall be incorporated into the special fiscal account at the same level in accordance with relevant regulations in the State Council's Decision on Strengthening the Management of Non-budget Funds, and shall be allocated only as planned and for particular purpose and must not be used otherwise. Surplus from balance may be transferred to the next year for the use of same special item.

Departments of finance, planning(price) and audit shall strengthen supervision of the revenue and expenditure of urban sewage treatment fee to ensure its proper use. The management of urban sewage treatment plants shall be improved to raise the quality of water treated and to ensure that the waste water after treatment meets the national standard for discharge. Environment administration shall fine urban sewage treatment plants for releasing water exceeding the standards stipulated in the relevant national regulations.

6. Any city, which has been approved by the provincial government to collect urban sewage treatment plant construction fee, must not collect urban sewage treatment fee prior to the plant being put into operation. If a city where feasibility study report on the construction of urban sewage treatment plant has been approved in accordance with capital construction procedures (or the project proposal has been approved), is still unable to start the construction of the sewage treatment plant after collecting urban sewage treatment fee for half a year, the provincial government shall disqualify the city from having the pilot project.

7. The four provincial governments along the Huaihe River Valley may formulate rules for implementation in compliance with this Circular and present them to the Ministry of Finance and the state Planning Commission for the record. During the experimental process, any adjustment of the related national policy shall be applicable.

关于加大污水处理费的征收力度，建立城市污水排放和集中处理良性运行机制的通知

(国家计委、建设部、国家环保总局 1999 年 9 月 6 日发布，
计价格 [1999] 1192 号)

根据《水污染防治法》的有关规定，目前全国已有部分城市向用户包括居民收取污水处理费，用于污水集中处理设施的建设和运行，对于减少污染，保护环境发挥了重要作用。但是，现行污水集中处理率低，多数城市还没有收取污水处理费；已经收取污水处理费的城市，大部分收费标准偏低，难以补偿污水集中处理设施的运行维护费用；在征收过程中，欠费和漏收问题比较严重；污水处理费收入的管理不规范，截留、挪用等问题也亟需得到解决。为贯彻落实有关加大对污水处理费征收力度的精神，加快污水集中治理的步伐，促进环境保护产业的发展，现就在水价上加收污水处理费的有关问题通知如下：

一、在供水价格上加收污水处理费，建立污水排放和集中处理的良性运行机制

污水处理费是水价的重要组成部分。根据用户用水数量（包括从城市供水企业取水、自备井和从江河湖泊取水），各城市要在供水价格上加收污水处理费，以补偿城市排污和污水处理成本，建立污水集中处理良性运行机制。污水处理企业（单位）要实行企业化管理，独立核算，自负盈亏，照章纳税。

污水处理费由城市供水企业在收取水费中一并征收，按月划拨给排水和污水处理企业（单位），用于城市排污管网和污水处理厂的运行、维护。没有建成污水处理厂的城市，加收的污水处理费，经当地人民政府批准，可以用于补充排污管网和污水处理厂的建设资金，但必须在 3 年内建成污水处理厂，并投入运行。

二、污水处理费标准的核定原则和权限

污水处理费应按照补偿排污管网和污水处理设施的运行维护成本，并合理盈利的原则核定。运行维护成本主要包括污水排放和集中处理过程中发生的动力费、材料费、输排费、维修费、折旧费、人工工资及福利费和税金等。

Circular on Strengthening the Collection of the Sewage Treatment Fee and Establishing a Sound Operational Mechanism for Urban Sewage Discharge and Centralized Treatment

(Issued by the State Development and Planning Commission, the Ministry of Construction, the State Environmental Protection Administration on September 6, 1999)

In accordance with the Law on the Prevention and Control of Water Pollution, some cities are collecting the sewage treatment fee from users, including residents, and the fee is used for the construction and operation of sewage central treatment facilities. This is an important measure to reduce pollution and to protect the environment. However, the percentage of sewage that is centrally treated is low and the majority of cities are not collecting the sewage treatment fee; in cities that collect the sewage treatment fee, the rate of the fee is mostly too low to make up for the operation and maintenance cost of the sewage central treatment facilities; in the collection of the fee, the problem of default and evasion of payment is serious; management of the collected sewage treatment fee is not institutionalized, and withholding and misappropriation of the fee are very common. For the purposes of strengthening the collection of the sewage treatment fee, speeding up the central treatment of sewage and promoting the development of the environmental protection industry, hereby is promulgated the notice on several issues related to the collection of the sewage treatment fee in addition to and on the basis of the water rate.

1. To collect the sewage treatment fee in addition to and on the basis of the water rate and establish a sound operational mechanism of sewage discharge and central treatment.

The sewage treatment fee is an important component of the water rate. Cities shall, with consideration of the quantity of the water used by the users (including water taken from urban water supply enterprises, self-provide wells and rivers and lakes), collect the sewage treatment fee in addition to and on the basis of the water rate, so as to make up for the cost of urban water discharge and sewage treatment, and to establish a sound operational mechanism of sewage central treatment. The sewage treatment enterprises (units) shall be run in the fashion of enterprises, keep separate accounts, assume sole responsibility for its profits and losses, and pay taxes in accordance with the laws.

The sewage treatment fee shall be collected along with the water rate by urban water supply enterprises, and monthly appropriated to the sewage treatment enterprises (units) for the operation and maintenance of the urban sewage drainpipe network and sewage treatment plants. In cities where the sewage treatment plants have not been constructed, with approval of the local people's government, the sewage treatment fee can be used to make up for the investment in the construction of the sewage drainpipe network and the sewage treatment plants; however, the sewage treatment plants must be completed within three years and put into use.

2. Principles and authorities of deciding the rate of the Sewage Treatment fee

The rate of the sewage treatment fee shall be decided in accordance with the principle of making up for the operation and maintenance cost of the sewage drainpipe network and sewage treatment facilities and making moderate profits at the same time. The operation and maintenance cost mainly includes the cost of motive power, materials, transmission and discharge, maintenance, depreciation, wages and welfare, and taxation occurred in sewage discharge and central treatment.

The rate of the sewage treatment fee shall be raised in stages according to the bearing capacity of local users. By 1999, in seriously polluted cities, such as those in the "three rivers" (Huai River, Hai River and Liaohe River) and the "three lakes" (Tai Lake, Chao Lake and Dianchi Lake) river basins,

污水处理费标准，可以根据当地各方面的承受能力，分步到位。1999年，“三河”（淮河、海河、辽河）和“三湖”（太湖、巢湖、滇池）流域等污染严重的城市征收的污水处理费标准，应达到排污管网和污水集中处理设施的运行维护成本。

三、建立健全对污水处理费的征收管理和污水处理厂运行情况的监督制约机制

要加强污水处理费的征管工作，提高污水处理费的征收率，防止跑、冒、滴、漏，努力作到足额征收。任何部门和单位都不得擅自减免污水处理费。对严重亏损的企业，经当地人民政府批准后可以缓交污水处理费，但不得免交。

城市污水处理厂要按责、权一致的原则，确保正常运行和运行质量，做到达标排放。各级建设行政主管部门应加强对污水处理企业（单位）运行情况的监督检查，对擅自停止运行或不满负荷运行的，应责令其纠正，并追究企业（单位）的法人责任。环保部门要加强对城市污水处理企业（单位）处理过的水质的监测，发现水质超标的，除按规定征收超标排污费外，应责令其整改，直至达标排放。

四、切实做好征收污水处理费的各项工作

对排水环节的收费要进行全面清理。收取污水处理费后，要取消在排水环节征收的建设费、运行费、增容费和建设性基础及其它违反法律、法规规定的收费。征收污水处理费后，依照《水污染防治法》的规定，环保部门不再向排入城市排污管网和污水集中处理设施污水的单位征收污水排污费，同时取消建设部门征收的城市排水设施使用费。各地物价、建设等部门要通力合作，密切配合，共同努力，切实做好污水处理费的收取、管理工作，促进城市污水处理事业的发展。

the rate of the fee shall meet the operation and maintenance cost of the sewage drainpipe network and sewage central treatment facilities.

The specific rate of the sewage treatment fee shall be decided in accordance with the administrative authority of the urban water supply rate.

3. To establish and perfect the supervisory mechanism of the collection and management of the sewage treatment fee and the operation of sewage treatment plants

It is necessary to strengthen the collection and management of the sewage treatment fee, increase the rate of collection, avoid dodging and evasion, and endeavor towards the goal of maximum acquisition of the sum. No departments or units are allowed to derate the fee without approval. For enterprises that suffer serious deficits, upon approval by the local people's government, payment of the sewage treatment fee can be deferred, but shall not be exempted.

Urban sewage treatment plants shall, on the principle of consistency of responsibility with authority, guarantee its normal operation and quality of operation, and discharge in accordance with the standards. The competent departments of construction administrations at all levels shall strengthen the supervision and inspection of the operation of the sewage treatment enterprises (units) and, for those that stop operation or fail to operate at a full load without approval, order them to put right the wrong actions, and investigate into the liability of the legal person. The environmental protection departments shall strengthen the monitoring of the quality of the water treated by the urban sewage treatment enterprises (units), and on the occasion of finding the water quality failing the standards, in addition to collecting the over-discharging fee, order the enterprises (units) to rectify it until it meets the standards.

4. To accomplish every aspects of work in the collection of the sewage treatment fee

It is necessary to conduct an overall examination of the fees collected for drainage. Upon collection of the sewage treatment fee, the construction fee, operational fee, system expansion fee, construction funds and other charges that violates laws and regulations shall be cancelled. Upon collection of the sewage treatment fee, pursuant to the Law on the Prevention and Control of Water Pollution, the environmental protection departments should no longer collect the sewage discharge fee from units that discharge sewage into the urban sewage drainpipe network and the sewage central treatment facilities. At the same time, the fee for using the urban drainage facilities collected by the construction departments shall be cancelled. The local price, construction and other departments shall cooperate in their effort of strengthening the collection and management of the sewage treatment fee and promote the development of urban sewage treatment.

淮河流域水污染防治暂行条例

(1995年8月8日,国务院令第183号发布)

第一条 为了加强淮河流域水污染防治,保护和改善水质,保障人体健康和人民生活、生产用水,制定本条例。

第二条 本条例适用于淮河流域的河流、湖泊、水库、渠道等地表水体的污染防治。

第三条 淮河流域水污染防治的目标:1997年实现全流域工业污染源达标排放;2000年淮河流域各主要河段、湖泊、水库的水质达到淮河流域水污染防治规划的要求,实现淮河水体变清。

第四条 淮河流域水资源保护领导小组(以下简称领导小组),负责协调、解决有关淮河流域水资源保护和水污染防治的重大问题,监督、检查淮河流域水污染防治工作,并行使国务院授予的其他职权。

领导小组办公室设在淮河流域水资源保护局。

第五条 河南、安徽、江苏、山东四省(以下简称四省)人民政府各对本省淮河流域水环境质量负责,必须采取措施确保本省淮河流域水污染防治目标的实现。

四省人民政府应当将淮河流域水污染治理任务分解到有关市(地)、县,签订目标责任书,限期完成,并将该项工作作为考核有关干部政绩的重要内容。

第六条 淮河流域县级以上地方人民政府,应当定期向本级人民代表大会常务委员会报告本行政区域内淮河流域水污染防治工作进展情况。

第七条 国家对淮河流域水污染防治实行优惠、扶持政策。

第八条 四省人民政府应当妥善做好淮河流域关、停企业的职工安置工作。

第九条 国家对淮河流域实行水污染物排放总量(以下简称排污总量)控制制度。

Interim Regulations on the Prevention of Water Pollution in the Huai River Valley

(Promulgated by Decree No. 183 of the State Council of the People's Republic of China on August 8, 1995)

Article 1 These Regulations are enacted for the purpose of strengthening the prevention and control of water pollution within the territory of the Huaihe River Valley, protecting and improving water quality, safeguarding human health and ensuring a water supply for people's daily life and for production.

Article 2 These Regulations shall apply to the prevention and control of pollution of rivers, lakes, reservoirs, canals and other surface water bodies within the territory of the Huaihe River Valley.

Article 3 The aim of the prevention and control of water pollution within the territory of the Huaihe River Valley is: the discharge of pollutants from industrial pollution sources within the whole territory shall meet the discharge standards by 1997, and by 2000 the quality of water in the major part of rivers, lakes or reservoirs shall meet the demands stipulated in the program for prevention and control of water pollution within the territory of the Huaihe River Valley so as to clear the water in Huaihe River.

Article 4 The Leading Group for Protecting Water Resources within the Territory of the Huaihe River Valley (hereinafter referred to as "the Leading Group") shall be responsible for coordinating and settling any significant affairs concerning the protection of water resources and the prevention and control of water pollution within the territory of the Huaihe River Valley, and for supervising and inspecting the work of prevention and control of water pollution within the territory of the Huaihe River Valley, and also for exercising other functions and powers as the State Council may assign to it.

The Office of the Leading Group shall be established in Bureau of Protection of Water Resources within the Territory of the Huaihe River Valley.

Article 5 The people's governments of Henan Province, Anhui Province, Jiangsu Province and Shandong Province (hereinafter referred to as "the four provinces") shall be responsible, in their respective regions, for the water environment quality within the territory of the Huaihe River Valley, and must take measures to realize their respective aims of prevention and control of water pollution within the territory of the Huaihe River Valley.

The people's governments of the four provinces shall resolve and assign the task of harnessing the water pollution within the territory of the Huaihe River Valley to related cities (prefectures) or counties, sign goal-related responsibility documents of prevention and control with related cities (prefectures) or counties and ask them to fulfill assigned tasks in a given time, and shall consider this job as an important part in examining the achievements in related cadres' official careers.

Article 6 The local people's governments at or above the county level within the territory of the Huaihe River Valley shall regularly report to the standing committees of the people's congresses at the corresponding levels concerning the development in prevention and control of water pollution in their administrative areas within the territory of the Huaihe River Valley.

Article 7 The State shall carry out preferential and support policies for the prevention and control of water pollution within the territory of the Huaihe River Valley.

Article 8 The people's governments of the four provinces shall make appropriate arrangements for workers and staff members in closed down or suspended enterprises.

Article 9 The State shall practice a system of controlling the total amount of discharged water

第十条 国务院环境保护行政主管部门会同国务院计划部门、水行政主管部门商四省人民政府，根据淮河流域水污染防治目标，拟订淮河流域水污染防治规划和排污总量控制计划，经由领导小组报国务院批准后执行。

第十一条 淮河流域县级以上地方人民政府，根据上级人民政府制定的淮河流域水污染防治规划和排污总量控制计划，组织制定本行政区域内淮河流域水污染防治规划和排污总量控制计划，并纳入本行政区域的国民经济和社会发展中长期规划和年度计划。

第十二条 淮河流域排污总量控制计划，应当包括确定的排污总量控制区域、排污总量、排污削减量和削减时限要求，以及应当实行重点排污控制的区域和重点排污控制区域处的重点排污单位名单等内容。

第十三条 向淮河流域水体排污的企业事业单位和个体工商户（以下简称排污单位），凡纳入排污总量控制的，由环境保护行政主管部门商同级有关行业主管部门，根据排污总量控制计划、建设项目环境影响报告书和排污申报量，确定其排污总量控制指标。

排污单位的排污总量控制指标的削减量以及削减时限要求，由下达指标的环境保护行政主管部门根据本级人民政府的规定，商同级有关行业主管部门核定。

超过排污总量控制指标排污的，由有关县级以上地方人民政府责令限期治理。

第十四条 在淮河流域排污总量控制计划确定的重点排污控制区域内的排污单位和重点排污控制区域外的重点排污单位，必须按照国家有关规定申请领取排污许可证，并在排污口安装污水排放计量器具。

第十五条 国务院环境保护行政主管部门商国务院水行政主管部门，根据淮河流域排污总量控制计划以及四省的经济技术条件，制定淮河流域省界水质标准，报国务院批准后施行。

pollutants (hereinafter referred to as "the total amount of discharged pollutants") within the territory of the Huaihe River Valley.

Article 10 In accordance with the aim of prevention and control of water pollution within the territory of the Huaihe River Valley, the competent department of environmental protection administration under the State Council, in concert with the planning department and the competent department of water administration under the State Council, shall consult with the people's governments of the four provinces, map out a program for preventing and controlling water pollution and a plan for controlling the total amount of discharged pollutants within the territory of the Huaihe River Valley, which shall be submitted by the Leading Group to the State Council and shall be exercised after its approval.

Article 11 In accordance with the program for prevention and control of water pollution and the plan for controlling the total amount of discharged pollutants that are enacted by local people's governments at higher levels, the people's governments at or above the county level within the territory of the Huaihe River Valley shall organize to enact programs for the prevention and control of water pollution and plans for controlling the total amount of discharged pollutants in their administrative areas within the territory of the Huaihe River Valley, and also shall incorporate the aforesaid programs and plans into a middleterm or long-term program and an annual plan for national economic and social development in their administrative areas.

Article 12 The plan for controlling the total amount of discharged pollutants within the territory of the Huaihe River Valley shall include such contents as the exact area in which the total amount of discharged pollutants shall be controlled, the total amount of discharged pollutants, the amount of reduction of discharged pollutants and the time limit for such reduction, and shall also include the areas in which the control of discharged pollutants shall be centered on, lists of key units discharging pollutants out of the aforesaid areas and other contents.

Article 13 For enterprises, institutions and individual businesses discharging pollutants into a water body within the territory of the Huaihe River Valley (hereinafter referred to as "the units discharging pollutants") which are incorporated into plans for controlling the total amount of discharged pollutants, the control index of the total amount of discharged pollutants shall be decided on the basis of plans for controlling the total amount of discharged pollutants, environmental impact statements for construction projects and declared amounts of discharged pollutants, by competent departments of environmental protection administration in consultation with other related competent departments at the corresponding levels.

The amount of the reduction and the time limit required for such reduction of the control index of the total amount of discharged pollutants shall, in accordance with provisions stipulated by the people's governments at respective levels and in consultation with other related competent departments at the corresponding levels, be appraised and decided by the competent departments of environmental protection administration that issue the aforesaid control index to lower levels.

If a unit discharging pollutants exceeds the limits of the control index of the total amount of discharged pollutants, it shall be ordered by the local people's governments at or above the county level to eliminate and control the pollution within a certain period.

Article 14 The unit discharging pollutants within the major controlling area of discharging pollutants or the key unit discharging pollutants out of the major controlling area of discharging pollutants, which are defined in plans for controlling the total amount of discharged pollutants within the territory of the Huaihe River Valley, must file an application in accordance with related State-stipulated provisions for license for discharging pollutants, and also shall install measuring instruments of discharged sewage at sewage outfalls.

Article 15 The competent department of environmental protection administration under the State Council, in consultation with the competent department of water administration under the State Council, shall establish water quality standards for the provincial boundaries within the territory of the Huaihe River Valley in accordance with the plans for controlling the total amount of discharged polluta-

第十六条 淮河流域水资源保护局负责监测四省省界水质，并将监测结果及时报领导小组。

第十七条 淮河流域重点排污单位超标排放水污染物的，责令限期治理。

市、县或者市、县以下人民政府管辖的企业事业单位的限期治理，由有关市、县人民政府决定。中央或者省级人民政府管辖的企业事业单位的限期治理，由省级人民政府决定。

限期治理的重点排污单位名单，由国务院环境保护行政主管部门商四省人民政府拟订，经领导小组审核同意后公布。

第十八条 自1998年1月1日起，禁止一切工业企业向淮河流域水体超标排放水污染物。

第十九条 淮河流域排污单位必须采取措施按期完成污染治理任务，保证水污染物的排放符合国家制定的和地方制定的排放标准。持有排污许可证的单位应当保证其排污总量不超过排污许可证规定的排污总量控制指标。

未按期完成污染治理任务的排污单位，应当集中资金尽快完成治理任务；完成治理任务前，不得建设扩大生产规模的项目。

第二十条 淮河流域县级以上地方人民政府环境保护行政主管部门征收的排污费，必须按照国家有关规定，全部用于污染治理，不得挪作他用。

审计部门应当对排污费的使用情况依法进行审计，并由四省人民政府审计部门将审计结果报领导小组。

第二十一条 在淮河流域河流、湖泊、水库、渠道等管理范围内设置或者扩大排污口的，必须依法报经水行政主管部门同意。

第二十二条 禁止在淮河流域新建化学制浆造纸企业。

禁止在淮河流域新建制革、化工、印染、电镀、酿造等污染严重的小型企业。

严格限制在淮河流域新建前款所列大中型项目或者其他污染严重的项目；建设该类项目的，必须事先征得有关省人民政府环境保护行政主管部门的同意，并报国务院环境保护行政主管部门备案。

禁止和严格限制的产业、产品名录，由国务院环境保护行政主管部门商国务院有关行业主管部门拟订，经领导小组审核同意，报国务院批准后公布施行。

nts within the territory of the Huaihe River Valley and with the four provinces' economic and technological conditions. The aforesaid water quality standards shall go into effect after being approved by the State Council.

Article 16 The Bureau of Protection of Water Resources within the Territory of the Huaihe River Valley shall be responsible for monitoring the water quality of the provincial boundaries of the four provinces, and shall report without delay the monitoring results to the Leading Group.

Article 17 If the discharge of water pollutants by a key unit discharging pollutants within the territory of the Huaihe River Valley exceeds the prescribed standards, it shall be ordered to eliminate and control the pollution within a certain period.

For enterprises and institutions under the jurisdiction of a people's government at or below the city or county level, a deadline for the elimination and control of pollution shall be determined by the relevant people's governments at the city or county level. For enterprises and institutions directly under the jurisdiction of the central government or the people's government at the provincial level, such deadline shall be determined by the people's government at the provincial level.

A list of key units discharging pollutants that have been ordered to eliminate and control the pollution within a certain period shall be drafted, in consultation with the people's governments of the four provinces, by the competent department of environmental protection administration under the State Council. The list shall be promulgated after the verification and consent of the Leading Group.

Article 18 The excess discharge of water pollutants into a water body within the Huaihe River Valley by any industrial enterprise shall be prohibited as of Jan. 1, 1998.

Article 19 Any pollutant discharging unit within the territory of the Huaihe River Valley must take measures to accomplish the elimination and control of pollution within the specified period and to ensure that the discharge of water pollutants shall conform to the limits set by national or local standards. Any pollutant discharging unit with a license for discharging pollutants shall ensure that its total amount of discharged pollutants does not exceed the control index of the total amount of discharged pollutants as stipulated by the license for discharging pollutants.

Any pollutant discharging unit that has not completed the elimination and control of pollution within the specified period shall centralize its funds to accomplish the elimination and control of pollution as soon as possible; before the elimination and control of pollution has been completed, new construction projects aimed at enlarging the production scale are prohibited.

Article 20 All discharge fees, which are to be collected by the competent departments of environmental protection administration under the local people's governments at or above the county level, must be spent as provided by the state on the elimination and control of pollution and may not be appropriated for other purposes.

The auditing bodies shall supervise through auditing, in accordance with the law, the usage of discharge fees, and the auditing results shall be reported to the Leading Group by the auditing bodies of the people's governments of the four provinces.

Article 21 The installation or enlargement of a sewage outfall within administrative areas such as rivers, lakes, reservoirs, canals, etc., which are located in the territory of the Huaihe River Valley, must be reported, in accordance with the law, to the competent department of water administration for approval.

Article 22 No new chemical pulp paper making enterprises shall be established within the territory of the Huaihe River Valley.

No new small-scale enterprises engaging in hide processing, chemical industry, printing and dyeing, electroplating, brewing, or other activities which may cause severe pollution shall be established within the territory of the Huaihe River Valley.

Construction of new large- or medium-scale projects listed in the preceding paragraph or other projects which may cause severe pollution is to be strictly controlled; new construction of such projects must be subject to the approval of the competent department of environmental protection administration under the related people's governments at the provincial level, and shall be reported to the compe-

第二十三条 淮河流域县级以上地方人民政府环境保护行政主管部门审批向水体排放污染物的建设项目的环境影响报告书时，不得突破本行政区域排污总量控制指标。

第二十四条 淮河流域县级以上地方人民政府应当按照淮河流域水污染防治规划的要求，建设城镇污水集中处理设施。

第二十五条 淮河流域水闸应当在保证防汛、抗旱的前提下，兼顾上游下游水质，制定防污调控方案，避免闸控河道蓄积的污水集中下泄。

领导小组确定的重要水闸，由淮河水利委员会会同有关省人民政府水行政主管部门制定防污调控方案，报领导小组批准后施行。

第二十六条 领导小组办公室应当组织四省人民政府环境保护行政主管部门、水行政主管部门等采取下列措施，开展枯水期水污染联合防治工作。

(一) 加强对主要河道、湖泊、水库的水质、水情的动态监测，并及时通报监测资料；

(二) 根据枯水期的水环境最大容量，商四省人民政府环境保护行政主管部门规定各省枯水期污染源限排总量，由四省人民政府环境保护行政主管部门逐级分解到排污单位，使其按照枯水期污染源限排方案限量排污；

(三) 根据水闸防污调控方案，调度水闸。

第二十七条 淮河流域发生水污染事故时，必须及时向环境保护行政主管部门报告。环境保护行政主管部门应当在接到事故报告时起 24 小时内，向本级人民政府、上级环境保护行政主管部门和领导小组办公室报告，并向相邻上游和下游的环境保护行政主管部门、水行政主管部门通报。当地人民政府应当采取应急措施，消除或者减轻污染危害。

第二十八条 淮河流域省际水污染纠纷，由领导小组办公室进行调查、监测，提出解决方案，报领导小组协调处理。

tent department of environmental protection administration under the State Council for the record.

A list of prohibited or strictly controlled industries or products shall be drafted, in consultation with other related competent departments under the State Council, by the competent department of environmental protection administration under the State Council. Such list, after being examined and ratified by the Leading Group and reported to the State Council for approval, shall come into effect after the approval of the State Council.

Article 23 A competent department of environmental protection administration under the people's governments at or above the county level within the territory of the Huaihe River Valley shall not, in the process of examining and approving the environmental impact statement on a construction project's discharge of pollutants into a water body, surpass the limit of the control index of the total amount of discharged pollutants set for its administrative area.

Article 24 The local people's governments at or above the county level within the territory of the Huaihe River Valley shall, in accordance with the requirements in the program for prevention and control of water pollution within the territory of the Huaihe River Valley, construct sewage treatment facilities in cities or towns.

Article 25 Sluices within the territory of the Huaihe River Valley shall, presupposing the ensuring of flood control or drought relief, give consideration to the quality of water in both the upper and lower reaches of a river. An adjustment and control program for preventing pollution shall be enacted to avoid the discharge of sewage stored in a sluice-controlled river course.

For a sluice deemed as important by the Leading Group, the adjustment and control program for preventing pollution shall be enacted by the Water Conservancy Committee of the Huaihe River in concert with the competent department of water administration under the people's government of the relevant province. The aforesaid program shall be reported to the Leading Group and shall go into effect after its approval.

Article 26 The office of the Leading Group shall, by organizing the competent departments of environmental protection administration and the competent departments of water administration or other relevant departments under the people's governments of the four provinces, take the following measures to carry out the combined work of prevention and control of water pollution in the dry season:

(1) Strengthen the dynamic monitoring of the quality or situation of the water in major river courses, lakes or reservoirs, and circulate a notice of the monitoring results without delay;

(2) In accordance with the maximum capacity of the water environment and in consultation with the competent departments of environmental protection administration under the people's governments of the four provinces, establish for each province the maximum amount of pollutants discharged from pollution sources during the dry season. Said amount shall be allotted by levels to pollutant discharging units by the competent departments of environmental protection administration under the people's governments of the four provinces, and the pollutant discharging units shall discharge pollutants within the quantitative limits in accordance with the program for the control of pollutants discharged from pollution sources during the dry season; and

(3) Manage sluices as described in the adjustment and control program for preventing pollution.

Article 27 Water pollution accidents within the territory of the Huaihe River Valley shall be promptly reported to the competent department of environmental protection administration. The competent department of environmental protection administration shall, within 24 hours of receiving the aforesaid accident report, report the pollution accident to the people's government at the corresponding level, the competent department of environmental protection administration at a higher level and the office of the Leading Group, and shall also circulate the aforesaid pollution accident to the competent department of environmental protection administration and the competent department of water administration within the neighboring territories of the upper or lower reaches of a river. The local people's governments shall take emergency measures to remove or alleviate the pollution hazards.

Article 28 Inter-provincial water pollution disputes within the territory of the Huaihe River Val-

第二十九条 领导小组办公室根据领导小组的授权，可以组织四省人民政府环境保护行政主管部门、水行政主管部门等检查淮河流域水污染防治工作。被检查单位必须如实反映情况，提供必要的资料。

第三十条 排污单位有下列情形之一的，由有关县级以上人民政府责令关闭或者停业：

- (一) 造成严重污染，又没有治理价值的；
- (二) 自1998年1月1日起，工业企业仍然超标排污的。

第三十一条 在限期治理期限内，未完成治理任务的，由县级以上地方人民政府环境保护行政主管部门责令限量排污，可以处10万元以下的罚款；情节严重的，由有关县级以上人民政府责令关闭或者停业。

第三十二条 擅自在河流、湖泊、水库、渠道管理范围内设置或者扩大排污口，由有关县级以上地方人民政府环境保护行政主管部门或者水行政主管部门责令纠正，可以处5万元以下的罚款。

第三十三条 自本条例施行之日起，新建化学制浆造纸企业和制革、化工、印染、电镀、酿造等污染严重的小型企业或者未经批准建设属于严格限制的项目的，由有关县级人民政府责令停止建设或者关闭，环境保护行政主管部门可以处20万元以下的罚款。

第三十四条 环境保护行政主管部门超过本行政区域的排污总量控制指标，批准建设项目环境影响报告书的，对负有直接责任的主管人员和其他直接责任人员依法给予行政处分；构成犯罪的，依法追究刑事责任。

第三十五条 违反枯水期污染源限排方案超量排污的，由有关县级以上地方人民政府环境保护行政主管部门责令纠正，可以处10万元以下的罚款；情节严重的，由有关县级以上人民政府责令关闭或者停业；对负有直接责任的主管人员和其他直接责任人员，依法给予行政处分。

第三十六条 本条例规定的责令企业事业单位停止建设或者停业、关闭，由作出限期治理决定的人民政府决定；责令中央管辖的企业事业单位停止建设或者停业、关闭，须报国务院批准。

第三十七条 县级人民政府环境保护行政主管部门或者水行政主管部门决定的罚款额，以不超过1万元为限，超过1万元的，应当报上一级环境保护行政主管部门或者水行政主管部门批准。

设区的市人民政府环境保护行政主管部门决定的罚款额，以不超过5万元为限；超过5万元的，应当报上一级环境保护行政主管部门批准。

ley shall be investigated and monitored by the office of the Leading Group so as to put forward a resolution program, and shall be reported to the Leading Group for its settlement.

Article 29 The office of the Leading Group may, in accordance with the authorization of the Leading Group, organize the competent departments of environmental protection administration and the competent departments of water administration or other departments under the people's governments of the four provinces to inspect the work of prevention or control of water pollution. The units being inspected shall truthfully report on their situations and provide any necessary information.

Article 30 Under any one of the following circumstances, any unit discharging pollutants shall be ordered to close down or suspend its operations by the relevant people's government at or above the county level:

- (1) Causing severe pollution and not worth the cost of elimination and control; or
- (2) Discharge of pollutants by an industrial enterprise which still exceeds the limits after Jan. 1, 1998.

Article 31 Any unit that has failed to complete elimination and control by the required deadline shall be ordered by the competent department of environmental protection administration under the local people's governments at or above the county level to discharge pollutants in a limited amount, and may also be subject to a fine of up to 100,000 yuan; if the circumstances are serious, the aforesaid unit shall be ordered by the relevant people's governments at or above the county level to close down or suspend its operations.

Article 32 Any unauthorized establishment or enlargement of a sewage outfall within the administrative areas of rivers, lakes, reservoirs or canals shall be ordered to be dismantled by the competent department of environmental protection administration or the competent department of water administration under the local people's government at or above the county level, and may also be subject to a fine of up to 50,000 yuan.

Article 33 Newly constructed chemical pulp paper making enterprises, small enterprises engaged in hide processing, chemical industry, printing and dyeing, electroplating, brewing or other activities which may cause severe pollution, or strictly limited projects which are constructed without approval, shall be ordered by the relevant people's government at or above the county level to suspend construction or close down, and the competent department of environmental protection administration may impose a fine of up to 200,000 yuan.

Article 34 Where the competent department of environmental protection administration exceeds the control index of the total amount of discharged pollutants set for its administrative area to approve an environmental impact statement for a construction project, disciplinary sanctions shall be imposed on leading members and other personnel bearing direct responsibilities as described in laws or regulations. If any action constitutes a crime, criminal responsibility shall be investigated according to law.

Article 35 Where pollutants are excessively discharged in violation of the program for controlling the discharge of pollutants from pollution sources in the dry season, the competent department of environmental protection administration under the people's government at or above the county level shall order the unit discharging pollutants to make amends, and may also impose a fine of up to 100,000 yuan; if the circumstances are serious, the relevant people's government at or above the county level shall order the unit discharging pollutants to suspend its operations or close down, and disciplinary sanctions shall be imposed on leading members and other personnel bearing direct responsibilities as described in laws or regulations.

Article 36 An order for the suspension of construction or operation or the shut-down of an enterprise or institution, as described in these Regulations, shall be issued by the people's government which set the deadline for the elimination and control of pollution. An order for the suspension of construction or operation or the shut-down of an enterprise or institution directly under the jurisdiction of the central government shall be submitted to and approved by the State Council.

Article 37 The maximum fine which may be imposed by the competent department of environmental protection administration or the competent department of water administration under the

第三十八条 违反水闸防污调控方案调度水闸的，由县级以上人民政府水行政主管部门责令纠正；对负有直接责任的主管人员和其他直接责任人员，依法给予行政处分。

第三十九条 因发生水污染事故，造成重大经济损失或者人员伤亡，负有直接责任的主管人员和其他直接责任人员构成犯罪的，依法追究刑事责任。

第四十条 拒绝、阻碍承担本条例规定职责的国家工作人员依法执行职务，违反治安管理的，依照《中华人民共和国治安管理处罚条例》的规定处罚；构成犯罪的，依法追究刑事责任。

第四十一条 承担本条例规定职责的国家工作人员滥用职权，徇私舞弊，玩忽职守，或者拒不履行义务，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

第四十二条 四省人民政府可以根据本条例分别制定实施办法。

第四十三条 本条例自 1995 年 8 月 8 日起施行。

people's government at the county level shall not exceed 10,000 yuan; the imposition of a fine of more than 10,000 yuan shall be reported to and approved by the competent department of environmental protection administration or the competent department of water administration at the next higher level.

The maximum fine which may be imposed by the competent department of environmental protection administration under the people's government of a districted city shall not exceed 50,000 yuan; the imposition of a fine of more than 50,000 yuan shall be reported to and approved by the competent department of environmental protection administration at the next higher level.

Article 38 Management of a sluice which violates the adjustment and control program for preventing pollution shall be ordered to be corrected by the competent department of water administration under the people's government at or above the county level; disciplinary sanctions shall be imposed on leading members and other personnel bearing direct responsibilities as described in laws or regulations.

Article 39 Should a water pollution accident occur that leads to heavy economic losses or personal injuries or deaths, the leading member and other personnel bearing direct responsibilities for such an accident, whose acts constitute a crime, shall be investigated for criminal responsibility according to law.

Article 40 Those who, in violation of the public order, refuse or obstruct state functionaries bearing the responsibilities prescribed in these Regulations from performing their legal duties shall be punished pursuant to the provisions of the Regulations of the People's Republic of China Concerning Administrative Penalties for Public Security; if their acts constitute a crime, criminal responsibility shall be investigated according to law.

Article 41 Any state functionary bearing the responsibilities prescribed in these Regulation who abuses his authority, plays favouritism and commits irregularities, or is negligent of his duties or who refuses to perform his duties, if the act constitutes a crime, shall be investigated for criminal responsibility according to law; if such act does not constitute a crime, the state functionary in question shall be subject to disciplinary sanctions.

Article 42 The people's governments of the four provinces may respectively formulate their own implementation measures based on these Regulations.

Article 43 These Regulations shall come into force as of August 8, 1995.

四、大气污染防治

IV Prevention and Control of Air Pollution

中华人民共和国大气污染防治法

中华人民共和国第九届全国人民代表大会常务委员会第十五次会议
于2000年4月29日修订通过，自2000年9月1日起施行。

目 录

- 第一章 总则
- 第二章 大气污染防治的监督管理
- 第三章 防治燃煤产生的大气污染
- 第四章 防治机动车船排放污染
- 第五章 防治废气、尘和恶臭污染
- 第六章 法律责任
- 第七章 附则

第一章 总 则

第一条 为防治大气污染，保护和改善生活环境和生态环境，保障人体健康，促进经济和社会的可持续发展，制定本法。

第二条 国务院和地方各级人民政府，必须将大气环境保护工作纳入国民经济和社会发展规划，合理规划工业布局，加强防治大气污染的科学研究，采取防治大气污染的措施，保护和改善大气环境。

第三条 国家采取措施，有计划地控制或者逐步削减各地方主要大气污染物的排放总量。

地方各级人民政府对本辖区的大气环境质量负责，制定规划，采取措施，使本辖区的大气环境质量达到规定的标准。

第四条 县级以上人民政府环境保护行政主管部门对大气污染防治实施统一监督管理。

各级公安、交通、铁道、渔业管理部门根据各自的职责，对机动车船污染大气实施监督管理。

县级以上人民政府其他有关主管部门在各自职责范围内对大气污染防治实施监督管理。

Law on the Prevention and Control of Air Pollution

(Adopted at the Fifteenth Meeting of Standing Committee of the Ninth National People's Congress on April 29, 2000; promulgated by the President of the People's Republic of China on the same date, effective as of September 1, 2000.)

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Chapter I General Provisions

Article 1 This Law is formulated for preventing and controlling air pollution and for protecting and improving living-environment and ecological environment in order to safeguard human health and promote the sustainable economic and social development.

Article 2 The State Council and local people's governments at various levels shall incorporate the air environmental protection work into the national economic and social development plans, make rational plans for the placement of industry, strengthen the scientific research on air pollution prevention and control, undertake measures for preventing and controlling air pollution, protect and improve the air environment.

Article 3 The State shall adopt measures to control or gradually eliminate the total emission amount of air pollutants all across the country in a planned way.

The local people's governments at all levels shall be responsible for the air environmental quality in the area under their jurisdiction, formulate plans and adopt measures to ensure the air environmental quality in the area under their jurisdiction to reach the defined standards.

Article 4 The administrative departments of environmental protection in the people's governments at county or above levels shall exercise unified supervision and management on the prevention and control of air pollution.

The administrative departments of public security, traffic, railway and fishery at all levels shall, according to their respective functions, be responsible for the supervision and management on air pollution by motor vehicles and vessels.

Other administrative departments in the people's governments at country or above levels shall, according to their respective functions, be responsible for supervision and management on the prevention and control of air pollution.

Article 5 All units and individuals shall have the duty to protect the air environment and the right to inform against and to accuse any unit and individual causing air environmental pollution.

第五条 任何单位和个人都有保护大气环境的义务，并有权对污染大气环境的单位和个人进行检举和控告。

第六条 国务院环境保护行政主管部门制定国家大气环境质量标准。省、自治区、直辖市人民政府对国家大气环境质量标准中未作规定的项目，可以制定地方标准，并报国务院环境保护行政主管部门备案。

第七条 国务院环境保护行政主管部门根据国家大气环境质量标准和国家经济、技术条件制定国家大气污染物排放标准。

省、自治区、直辖市人民政府对国家大气污染物排放标准中未作规定的项目，可以制定地方排放标准；对国家大气污染物排放标准中已作规定的项目，可以制定严于国家排放标准的地方排放标准。地方排放标准须报国务院环境保护行政主管部门备案。

省、自治区、直辖市人民政府制定机动车船大气污染物地方排放标准严于国家排放标准的，须报经国务院批准。

凡是向已有地方排放标准的区域排放大气污染物的，应当执行地方排放标准。

第八条 国家采取有利于大气污染防治以及相关的综合利用活动的经济、技术政策和措施。

在防治大气污染、保护和改善大气环境方面成绩显著的单位和个人，由各级人民政府给予奖励。

第九条 国家鼓励和支持大气污染防治的科学技术研究，推广先进适用的大气污染防治技术；鼓励和支持开发、利用太阳能、风能、水能等清洁能源。

国家鼓励和支持环境保护产业的发展。

第十条 各级人民政府应当加强植树种草、城乡绿化工作，因地制宜地采取有效措施做好防沙治沙工作，改善大气环境质量。

第二章 大气污染防治的监督管理

第十一条 新建、扩建、改建向大气排放污染物的项目，必须遵守国家有关建设项目环境保护管理的规定。

建设项目的环境影响报告书，必须对建设项目可能产生的大气污染和对生态环境的影响作出评价，规定防治措施，并按照规定的程序报环境保护行政主管部门审查批准。

建设项目投入生产或者使用之前，其大气污染防治设施必须经过环境保护行政主管部门验收，达不到国家有关建设项目环境保护管理规定的要求的建设项目，不得投入生产或者使用。

第十二条 向大气排放污染物的单位，必须按照国务院环境保护行政主管部门的规定向所在地的环境保护行政主管部门申报拥有的污染物排放设施、处理设施和

Article 6 The environmental protection department of the State Council shall establish national ambient air quality standards. The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may establish their own local, supplementary standards for those items not specified in the national ambient air quality standards and report to the environmental protection department of the State Council for the record.

Article 7 The environmental protection department of the State Council shall, in accordance with the national ambient air quality standards and the nation's economic and technological conditions, establish national air pollutant emission standards.

The people's governments of provinces, autonomous regions and municipalities under the Central Government may establish their own local air pollutant emission standards for those items not specified in the national air pollutant emission standards. They may set more stringent standards than the national emission standards. Local emission standards should be reported to the environmental protection department of the State Council for the record.

For all emissions of air pollutant to regions where local emission standards have been established, the local emission standards shall be applied.

Article 8 The State shall adopt economic and technological policies and measures that are beneficial to the prevention and control of air pollution and related comprehensive utilization activities.

Any unit and individual making outstanding achievement in the prevention and control of air pollution, as well as in the protection and improvement of air environment, shall be encouraged and rewarded by the people's governments at all levels.

Article 9 The State shall encourage and support the scientific and technological research on the prevention and control of air pollution and promote the advanced and suitable technologies for the prevention and control of air pollution; shall encourage and support the development and utilization of clean energy resources as solar energy, wind energy, and hydraulic energy.

The State shall encourage and support the development of environmental protection industry.

Article 10 The people's government at all levels shall strengthen the tree and grass planting and the work for afforestation in cities and adopt effective measures suitable to local conditions to prevent and control of sands in order to improve the air environmental quality.

Chapter II Supervision and Management of the Prevention and Control of Air Pollution

Article 11 New construction, expansion, or reconstruction projects that emit air pollutant into the air shall be subject to the state provisions concerning the environmental protection for such projects.

The environmental impact statement of a construction project shall assess the air pollution that the project is likely to produce and its impact on the ecological environment, stipulate the prevention and control measure to be taken, and be submitted, according to specified procedures, to the environmental protection department for review and approval.

When a construction project is to be put into operation or to use, its air pollution prevention and control facilities must be inspected by the environmental protection department. If the facilities do not conform to the specified requirements, the project in question shall not be permitted to be put into operation or to use.

Article 12 Units that emit air pollutants into the air shall, pursuant to the provisions of the environmental protection department of the State Council, report to and register with their local environmental protection department their existing emitting and treatment facilities for pollutants and the categories, quantities and concentrations of pollutants under their normal operating conditions, and also submit the relevant technical information concerning the prevention and control of air pollution.

Units shall make a timely report when any substantial change occurs in the categories, quantities or concentrations of the pollutant emitted. The air pollutant treatment facilities must be kept in normal operation. When pollutant treatment facilities are to be dismantled or left idle, permission from the lo-

在正常作业条件下排放污染物的种类、数量、浓度，并提供防治大气污染方面的有关技术资料。

前款规定的排污单位排放大气污染物的种类、数量、浓度有重大改变的，应当及时申报；其大气污染物处理设施必须保持正常使用，拆除或者闲置大气污染物处理设施的，必须事先报经所在地的县级以上地方人民政府环境保护行政主管部门批准。

第十三条 向大气排放污染物的，其污染物排放浓度不得超过国家和地方规定的排放标准。

第十四条 国家实行按照向大气排放污染物的种类和数量征收排污费的制度，根据加强大气污染防治的要求和国家的经济、技术条件合理制定排污费的征收标准。

征收排污费必须遵守国家规定的标准，具体办法和实施步骤由国务院规定。

征收的排污费一律上缴财政，按照国务院的规定用于大气污染防治，不得挪作他用，并由审计机关依法实施审计监督。

第十五条 国务院和省、自治区、直辖市人民政府对尚未达到规定的大气环境质量标准的区域和国务院批准划定的酸雨控制区、二氧化硫污染控制区，可以划定为主要大气污染物排放总量控制区。主要大气污染物排放总量控制的具体办法由国务院规定。

大气污染物总量控制区内有关地方人民政府依照国务院规定的条件和程序，按照公开、公平、公正的原则，核定企业事业单位的主要大气污染物排放总量，核发主要大气污染物排放许可证。

有大气污染物总量控制任务的企业事业单位，必须按照核定的主要大气污染物排放总量和许可证规定的排放条件排放污染物。

第十六条 在国务院和省、自治区、直辖市人民政府划定的风景名胜区、自然保护区、文物保护单位附近地区和其他需要特别保护的区域内，不得建设污染环境的工业生产设施；建设其他设施，其污染物排放不得超过规定的排放标准。在本法施行前企业事业单位已经建成的设施，其污染物排放超过规定的排放标准的，依照本法第四十八条的规定限期治理。

第十七条 国务院按照城市总体规划、环境保护规划目标和城市大气环境质量状况，划定大气污染防治重点城市。

直辖市、省会城市、沿海开放城市和重点旅游城市应当列入大气污染防治重点城市。

未达到大气环境质量标准的大气污染防治重点城市，应当按照国务院或者国务院环境保护行政主管部门规定的期限，达到大气环境质量标准。该城市人民政府应当制定限期达标规划，并可以根据国务院的授权或者规定，采取更加严格的措施，按期实现达标规划。

第十八条 国务院环境保护行政主管部门会同国务院有关部门，根据气象、地

cal environmental protection department of the people's government at county or above level must be obtained.

Article 13 The concentration of air pollutants emitted to the air must not exceeding the limits set by national and local emission standards.

Article 14 The State shall implement the fee levy system for pollutant emissions based upon categories and quantities of air pollutants emitted to the air.

The levy of pollutant emission fees must comply with the standards set by the State. The specific approach and implementing procedures shall be formulated by the State Council.

All the levied pollutant emission fees must be turned in the financial treasurer and be used, in line with the provisions set by the State Council, on the prevention and control of air pollution. No diverting use of such fund for other purposes shall be allowed. The auditing department shall audit and supervise in accordance with laws on this aspect.

Article 15 The State Council and the people's governments of provinces, autonomous regions and municipalities under the Central Government may designate the areas in which the air quality has not reached the specified standards, as well as the acid rain control areas and the sulfur dioxides control areas demarcated by the State Council, to be the total amount control areas for major air pollutant emissions. The specific approach to the total amount control of major air pollutant emissions shall be formulated by the State Council.

The local people's governments in the areas of total amount control of air pollutants shall, in line with the requirements and procedures regulated by the State Council and in accordance with the principles of open, justice and equity, inspect and determine the total amounts of major air pollutant emission by enterprises or institutions, and issue the permits for emission of major air pollutants.

Any enterprise or institution subject to total amount control of air pollutant emissions must emit pollutants in accordance with the total amount of major air pollutant emission checked and determined and in line with the requirements defined by the emission permit.

Article 16 No industrial production facilities causing environmental pollution shall be allowed to be set up within scenic or historical sites, natural reserves, protected culture relic areas and other specially protected areas designated by the State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government. In case to construct other facilities, air pollutants emitted shall not exceed specified emission standards. The enterprises or institutions having facilities build before the effective day of this law and emitting pollutants in excess of the standards shall be ordered to control and eliminate air pollution, in line with Article 48 of this law, within a certain period.

Article 17 The State Council shall designate key cities for air pollution prevention and control in accordance with the overall urban planning, targets of environmental protection planning and the status of urban air environmental quality.

The municipalities directly under the Central Government, capital cities of provinces, open coastal cities and key tourist cities should be designated as key cities for air pollution prevention and control.

The key cities that have not yet reached the air environmental quality standards should make their air quality reach the standards within the time limit determined by the State Council or the environmental protection department of the State Council. The people's governments of such cities should establish plans for reaching the air quality standards within the time limit and may adopt more stringent measures, authorized by the State Council or in line with the provisions of the State Council, to realize the objectives for reaching the standards.

Article 18 The environmental protection department of the State Council shall jointly with other departments of the State Council, according to the natural meteorological, geographical and soil conditions, designate those areas that have already had or may likely have acid rains or severe sulfur dioxides pollution to be the acid rain control areas or sulfur dioxides areas after obtaining approval from the State Council.

Article 19 Enterprises should give priority to the adoption of cleaner production processes that

形、土壤等自然条件，可以对已经产生、可能产生酸雨的地区或者其他二氧化硫污染严重的地区，经国务院批准后，划定为酸雨控制区或者二氧化硫污染控制区。

第十九条 企业应当优先采用能源利用效率高、污染物排放量少的清洁生产工艺，减少大气污染物的产生。

国家对严重污染大气环境的落后生产工艺和严重污染大气环境的落后设备实行淘汰制度。

国务院经济综合主管部门会同国务院有关部门公布限期禁止采用的严重污染大气环境的工艺名录和限期禁止生产、禁止销售、禁止进口、禁止使用的严重污染大气环境的设备名录。

生产者、销售者、进口者或者使用者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内分别停止生产、销售、进口或者使用列入前款规定的名录中的设备。生产工艺的采用者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内停止采用列入前款规定的名录中的工艺。

依照前两款规定被淘汰的设备，不得转让给他人使用。

第二十条 单位因发生事故或者其他突然性事件，排放和泄漏有毒有害气体和放射性物质，造成或者可能造成大气污染事故、危害人体健康的，必须立即采取防治大气污染危害的应急措施，通报可能受到大气污染危害的单位和居民，并报告当地环境保护行政主管部门，接受调查处理。

在大气受到严重污染，危害人体健康和安全的紧急情况下，当地人民政府应当及时向当地居民公告，采取强制性应急措施，包括责令有关排污单位停止排放污染物。

第二十一条 环境保护行政主管部门和其他监督管理部门有权对管辖范围内的排污单位进行现场检查，被检查单位必须如实反映情况，提供必要的资料。检查部门有义务为被检查单位保守技术秘密和业务秘密。

第二十二条 国务院环境保护行政主管部门建立大气污染监测制度，组织监测网络，制定统一的监测方法。

第二十三条 大、中城市人民政府环境保护行政主管部门应当定期发布大气环境质量状况公报，并逐步开展大气环境质量预报工作。

大气环境质量状况公报应当包括城市大气环境污染特征、主要污染物的种类及污染危害程度等内容。

第三章 防治燃煤产生的大气污染

第二十四条 国家推行煤炭洗选加工，降低煤的硫份和灰份，限制高硫份、高灰份煤炭的开采。新建的所采煤炭属于高硫份、高灰份的煤矿，必须建设配套的煤炭洗选设施，使煤炭中的含硫份、含灰份达到规定的标准。

have high efficiency of energy utilization and low emission of pollutants in order to reduce the generation of air pollutants.

The State shall implement the system for phaseout of the behindhand production processes and equipment that severely pollute the air environment.

The comprehensive economic administrative department of the State Council shall, jointly with other related departments of the State Council, announce the list of processes causing severe pollution to the air environment to be phased out in a certain period and the list of equipment causing severe pollution to the air environment to be prohibited for production, sale, import, and use.

The producers, sellers, importers and users must stop their production, sale, import or using of the listed equipment regulated above within the time limit defined by the comprehensive economic administrative department of the State Council jointly with other related departments of the State Council. The user of the listed processes as regulated above must stop the adoption of such processes within the time limit defined by the comprehensive economic administrative department of the State Council jointly with other related departments of the State Council.

The equipment phased out in accordance with the above two paragraphs is not allowed to be transferred to others for use.

Article 20 Where any unit, due to an accident or other unexpected incident, emits or leaks toxic harmful gases or radioactive substances, thereby causing or threatening to cause an air pollution accident harmful to human health, it shall immediately take emergency measures to prevent and control the air pollution hazards, inform such unit and individuals as are likely to be endangered or damaged by the air pollution, and report the case to the local environmental protection department for investigation and disposition.

In case of emergency of severe air pollution that threatens human health and safety, the local people's government must inform the local residents timely and take compulsory emergency measures, including ordering the pollutant emitting units concerned to stop the emission of pollutants.

Article 21 The environmental protection departments and other supervision and administrative departments are empowered to carry out on-site inspections of pollutant emitting units within their jurisdiction. An unit being inspected must report the situation truthfully and furnish the necessary information. The inspecting department shall have the duty to maintain the secrecy of the technical and business secrets of and for the inspected units.

Article 22 The environmental protection department of the State Council shall set up an air pollution monitoring system, organize a monitoring network and establish an unified monitoring methodology.

Article 23 The environmental protection departments of the people's governments of large and medium-sized cities shall publicly announce the report of air quality status regularly, and gradually develop the work of air quality forecasting.

The report of air quality status shall include the characteristics of the urban air pollution, major categories of the pollutants and the extent of harmfulness of the pollution.

Chapter III Prevention and Control of Air Pollution Caused by Coal Combustion

Article 24 The State shall promote coal washing to reduce the contents of sulfur and ash in the coal and restrict the exploitation of the coal with high sulfur and ash contents. Newly constructed coal mines in which the coal contains high contents of sulfur and ash must construct accordingly the coal washing facilities in order to make the sulfur and ash contents reach the defined standards.

The existing coal mines in which the coal contains high contents of sulfur and ash shall, in accordance with the planning approved by the State Council, construct accordingly the coal washing facilities within a certain period of time.

It is prohibited to exploit the coal that contains radioactive and other toxic and harmful substances like Arsenic.

对已建成的所采煤炭属于高硫份、高灰份的煤矿，应当按照国务院批准的规划，限期建成配套的煤炭洗选设施。

禁止开采含放射性和砷等有毒有害物质超过规定标准的煤炭。

第二十五条 国务院有关部门和地方各级人民政府应当采取措施，改进城市能源结构，推广清洁能源的生产和使用。

大气污染防治重点城市人民政府可以在本辖区内划定禁止销售、使用国务院环境保护行政主管部门规定的高污染燃料的区域。该区域内的单位和个人应当在当地人民政府规定的期限内停止燃用高污染燃料，改用天然气、液化石油气、电或者其他清洁能源。

第二十六条 国家采取有利于煤炭清洁利用的经济、技术政策和措施，鼓励和支持使用低硫份、低灰份的优质煤炭，鼓励和支持洁净煤技术的开发和推广。

第二十七条 国务院有关主管部门应当根据国家规定的锅炉大气污染物排放标准，在锅炉产品质量标准中规定相应的要求；达不到规定要求的锅炉，不得制造、销售或者进口。

第二十八条 城市建设应当统筹规划，在燃煤供热地区，统一解决热源，发展集中供热。在集中供热管网覆盖的地区，不得新建燃煤供热锅炉。

第二十九条 大、中城市人民政府应当制定规划，对饮食服务企业限期使用天然气、液化石油气、电或者其他清洁能源。

对未划定为禁止使用高污染燃料区域的大、中城市市区内的其他民用炉灶，限期改用固硫型煤或者使用其他清洁能源。

第三十条 新建、扩建排放二氧化硫的火电厂和其他大中型企业，超过规定的污染物排放标准或者总量控制指标的，必须建设配套脱硫、除尘装置或者采取其他控制二氧化硫排放、除尘的措施。

在酸雨控制区和二氧化硫污染控制区内，属于已建企业超过规定的污染物排放大气污染物的，依照本法第四十八条的规定限期治理。

国家鼓励企业采用先进的脱硫、除尘技术。

企业应当对燃料燃烧过程中产生的氮氧化物采取控制措施。

第三十一条 在人口集中地区存放煤炭、煤矸石、煤渣、煤灰、砂石、灰土等物料，必须采取防燃、防尘措施，防止污染大气。

第四章 防治机动车船排放污染

第三十二条 机动车船向大气排放污染物不得超过规定的排放标准。

任何单位和个人不得制造、销售或者进口污染物排放超过规定排放标准的机动车船。

第三十三条 在用机动车不符合制造当时的在用机动车污染物排放标准的，不

Article 25 Related departments of the State Council and local people's governments at all levels shall take measures to improve the urban energy resource structure and promote the production and use of clean energy resources.

The people's governments of key cities for the prevention and control of air pollution may designate, within their jurisdiction, the areas in which the highly polluting fuels regulated by the environmental protection department of the State Council are prohibited for sale and use. The units and individuals in such areas concerned shall stop using the highly polluting fuels within the time limit regulated by the local people's governments to use natural gas, liquefied petroleum gas, electricity or other clean energy resources instead.

Article 26 The State shall adopt economic and technological policies and measures beneficial to the clean utilization of coal, encourage and support the use of high quality coal that contains low contents of sulfur and ash, and encourage and support the development and promotion of clean coal technologies.

Article 27 The relevant competent departments of the State Council shall, in accordance with the national standards of boiler air pollutant emission, stipulate corresponding requirements in the boiler quality standards. No boiler that does not satisfy the prescribed requirements is allowed to be manufactured, sold or imported.

Article 28 Overall plans for municipal construction shall be worked out to build heating sources uniformly by developing central heating systems in areas using coal for heating. No new heating boiler using coal is allowed to be constructed in areas that are covered by centralized heating network.

Article 29 The people's governments of large- and medium-sized cities shall work out plans to make the food enterprises to use natural gas, liquefied petroleum gas, electricity or other clean energy resources.

Other domestic stoves in urban areas in large- and medium-sized cities that have not been designated to ban the use of highly polluting coal shall be required to turn to use sulfur-removed shaped coal or other clean energy resources within a certain period of time.

Article 30 Newly constructed or expanded thermal power plants and other large- and medium-sized enterprises that emit sulfur dioxides exceeding the pollutant emission standards or total amount control targets shall construct facilities correspondingly for sulfur and dust removal, or adopt other measures to control sulfur dioxides emission and remove dusts.

In acid rain control areas and sulfur dioxides control areas, the existing enterprises that emit air pollutants exceeding the pollutant emission standards shall be required to control pollution in a certain time period in accordance with Article 48 of this law.

The State shall encourage the enterprises to use advanced sulfur removing and dust removing technologies.

The enterprises shall adopt control measures on the nitrogen oxides generated during the fuel combustion.

Article 31 When storing coal, coal gangue, coal cinder, coal ashes and lime in densely populated areas, burning-proof and dust-proof measures must be taken in order to prevent air pollution.

Chapter IV Prevention and Control of Pollution Caused by Emissions from Motorized Vehicles and Vessels

Article 32 The pollutant emission from motorized vehicles and vessels is not allowed to exceed the regulated emission standards.

No unit or individual is allowed to manufacture, sell or import any motorized vehicle and vessel that emit pollutants exceeding the regulated emission standards.

Article 33 No in-use motorized vehicle not meeting the emission standards for motorized vehicles at the time of its manufacturing shall be allowed to go on roads.

Any implementation of new pollutant emission standards and retrofitting on in-use motorized vehi-

得上路行驶。

省、自治区、直辖市人民政府规定对在用机动车实行新的污染物排放标准并对其进行改造的，须报经国务院批准。

机动车维修单位，应当按照防治大气污染的要求和国家有关技术规范进行维修，使在用机动车达到规定的污染物排放标准。

第三十四条 国家鼓励生产和消费使用清洁能源的机动车船。

国家鼓励和支持生产、使用优质燃料油，采取措施减少燃料油中有害物质对大气环境的污染。单位和个人应当按照国务院规定的期限，停止生产、进口、销售含铅汽油。

第三十五条 省、自治区、直辖市人民政府环境保护行政主管部门可以委托已取得公安机关资质认定的承担机动车年检的单位，按照规范对机动车排气污染进行年度检测。

交通、渔政等有监督管理权的部门可以委托已取得有关主管部门资质认定的承担机动船舶年检的单位，按照规范对机动船舶排气污染进行年度检测。

县级以上地方人民政府环境保护行政主管部门可以在机动车停放地对在用机动车的污染物排放状况进行监督抽测。

第五章 防治废气、粉尘和恶臭污染

第三十六条 向大气排放粉尘的排污单位，必须采取除尘措施。

严格限制向大气排放含有毒物质的废气和粉尘；确需排放的，必须经过净化处理，不超过规定的排放标准。

第三十七条 工业生产中产生的可燃性气体应当回收利用，不具备回收利用条件而向大气排放的，应当进行防治污染处理。

向大气排放转炉气、电石气、电炉法黄磷尾气、有机烃类尾气的，须报经当地环境保护行政主管部门批准。

可燃性气体回收利用装置不能正常作业的，应当及时修复或者更新。在回收利用装置不能正常作业期间确需排放可燃性气体的，应当将排放的可燃性气体充分燃烧或者采取其他减轻大气污染的措施。

第三十八条 炼制石油、生产合成氨、煤气和燃煤焦化、有色金属冶炼过程中排放含有硫化物气体的，应当配备脱硫装置或者采取其他脱硫措施。

第三十九条 向大气排放含放射性物质的气体和气溶胶，必须符合国家有关放射性防护的规定，不得超过规定的排放标准。

第四十条 向大气排放恶臭气体的排污单位，必须采取措施防止周围居民区受

cles by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall be reported to and approved by the State Council.

The units servicing the motorized vehicles shall, in accordance with the requirements of the prevention and control of air pollution and the relevant technical codes, service the motorized vehicles in order to make the emission from the motorized vehicles meet the regulated pollutant emission standards.

Article 34 The State shall encourage the production and consumption of the motorized vehicles and vessels that use clean energy resources.

The State shall encourage and support the production and use of high-quality fuel oil and adopt measures to reduce the air pollution caused by the hazardous substances contained in the fuel oil. The units and individuals shall, in line with the time limits set by the State Council, stop the production, import, and sales of leaded gasoline.

Article 35 The environmental protection departments of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may entrust the units responsible for annual inspection on motorized vehicles that have obtained qualification certification from the public security departments to, in accordance with related codes, perform annual inspection on emission pollution of the motorized vehicles.

Transportation and fishery departments having rights of supervision and management may entrust units responsible for annual inspection on motorized vessels that have obtained qualification certification from related departments in charge to, in accordance with related codes, perform annual inspection on emission pollution of the motorized vessels.

The environmental protection departments of local people's governments at above county levels may selectively inspect the pollutant emission status of the in-use motorized vehicles at the places of their parking.

Chapter V Prevention and Control of Waste-gas, Dust and Malodorous Substances

Article 36 Any unit emitting dusts into the air must take dust-removing measures.

It is strictly restricted to emit waste-gas and dust containing toxic substances into the air. In case such emission is not avoidable, the gas the dust must be undergone purification treatment and shall not be emitted in excess of prescribed emission standards.

Article 37 Inflammable gas engendered during industrial production shall be recovered for use. When such gas has to be emitted into the air due to absence of means of recovery for use, the measures of prevention and control of pollution shall be undertaken.

The emission into the air of converter gas, acetylene, phosphoric tail gas engendered by electric furnace and organic hydrocarbon tail gas must report to and get permitted by the environmental protection department of the local people's government.

In case of a malfunctioning of the recovery and reuse facilities, timely repairing or replacement of concerned facilities shall be undertaken. When it is really not avoidable to emit inflammable gas into the air due to a malfunctioning of the recovery and reuse facilities, the inflammable gas to be emitted shall be fully combusted and other air pollution abating measures shall be taken.

Article 38 Units emitting gas containing sulfide during the cause of petroleum refining, synthetic ammonia producing, coal gas production, coal coke making and non-ferrous metal refining must install desulphurization facilities or adopt other measures of desulphurization.

Article 39 Emission of gas and aerosol containing radioactive substance into the air must comply with the radioactive protection regulations issued by the State and must not exceed the prescribed emission standards.

Article 40 Units emitting malodorous gas into the air must take measures to prevent the neighboring residential areas from pollution.

Article 41 In densely inhabited areas and other areas requiring special protection as prescribed by

到污染。

第四十一条 在人口集中地区和其他依法需要特殊保护的区域内，禁止焚烧沥青、油毡、橡胶、塑料、皮革、垃圾以及其他产生有毒有害烟尘和恶臭气体的物质。

禁止在人口集中地区、机场周围、交通干线附近以及当地人民政府划定的区域露天焚烧秸秆、落叶等产生烟尘污染的物质。

除前两款外，城市人民政府还可以根据实际情况，采取防治烟尘污染的其他措施。

第四十二条 运输、装卸、贮存能够散发有毒有害气体或者粉尘物质的，必须采取密闭措施或者其他防护措施。

第四十三条 城市人民政府应当采取绿化责任制、加强建设施工管理、扩大地面铺装面积、控制渣土堆放和清洁运输等措施，提高人均占有绿地面积，减少市区裸露地面和地面尘土，防治城市扬尘污染。

在城市市区进行建设施工或者从事其他产生扬尘污染活动的单位，必须按照当地环境保护的规定，采取防治扬尘污染的措施。

国务院有关行政主管部门应当将城市扬尘污染的控制状况作为城市环境综合整治考核的依据之一。

第四十四条 城市饮食服务业的经营者，必须采取措施，防治油烟对附近居民的居住环境造成污染。

第四十五条 国家鼓励、支持消耗臭氧层物质替代品的生产和使用，逐步减少消耗臭氧层物质的产量，直至停止消耗臭氧层物质的生产和使用。

在国家规定的期限内，生产、进口消耗臭氧层物质的单位必须按照国务院有关行政主管部门核定的配额进行生产、进口。

第六章 法律责任

第四十六条 违反本法规定，有下列行为之一的，环境保护行政主管部门或者本法第四条第二款规定的监督管理部门可以根据不同情节，责令停止违法行为，限期改正，给予警告或者处以五万元以下罚款：

(一) 拒报或者谎报国务院环境保护行政主管部门规定的有关污染物排放申报事项的；

(二) 拒绝环境保护行政主管部门或者其他监督管理部门现场检查或者在被检查时弄虚作假的；

(三) 排污单位不正常使用大气污染物处理设施，或者未经环境保护行政主管部门批准，擅自拆除、闲置大气污染物处理设施的；

(四) 未采取防燃、防尘措施，在人口集中地区存放煤炭、炭矸石、煤渣、煤灰、砂石、灰土等物料的。

第四十七条 违反本法第十一条规定，建设项目的大气污染防治设施没有建成

laws, it is prohibited to burn asphalt, asphalt felt, rubber, plastic, leather, rubbish and other materials that may produce toxic or harmful smoke, dust or malodorous gas.

It is prohibited to burn openly the stalk, leaves and other materials that may produce smoke and dust pollution in densely inhabited areas, around the airports, near the main transport roads and the areas designated by local people's governments.

Besides the above two paragraphs, the municipal people's governments may, in accordance with the local situation, take other measures to prevent and control of smoke and dust pollution.

Article 42 Transporting, loading and unloading, and storing the materials that send out toxic or harmful gas or dust must take sealing or other protection measures.

Article 43 The municipal people's governments shall adopt the responsibility system for greening the cities and take measures to strengthen the management of the construction projects, to expand the land surface covering area and to control the muck stacking and clean transportation. The per capita green area shall be enlarged to reduce the uncovered land in cities and the surface dusts for prevention and control of fly dust pollution in the cities.

Units undertaking construction or other activities generating fly dust pollution in urban areas must, in line with the local regulations for environmental protection, take measures to prevent and control fly dust pollution.

Relevant administrative departments of the State Council shall take the control of urban fly dust pollution as one of the basis to examine the urban environmental comprehensive renovation.

Article 44 Enterprises providing food services in cities must adopt measures to control and prevent the oil smoke from causing pollution to the living environment of the neighboring residents.

Article 45 The State shall encourage and support the production and use of substitutes of ozone depleting substances and gradually reduce the production output of the ozone depleting substances until the final stop of the production and consumption of the ozone depleting substances.

Any units that produce or import the ozone depleting substances must, within the time period prescribed by the State, produce or import the concerned substances in accordance with quotas verified by related administrative departments of the State Council.

Chapter VI Legal Liabilities

Article 46 Any violator of this law shall, as the case may be, be ordered to stop the violation, requested for correction within definite time, warned, or fined not exceeding 50,000 RMB Yuan by the competent environmental administrative department or other supervision or administrative departments in accordance with the second paragraph of Article 4 of this law, for any of the following:

(1) refusing to report or submitting a false report on items for which registration is required by the environmental protection administrative department of the State Council for emission of air pollutants;

(2) refusing an on-site inspection by the competent environmental protection administrative department or other supervision or administrative department, or restoring to deception;

(3) operating the air pollutant treatment facility improperly, or dismantling or idling of air pollutant treatment facilities without the approval from the environmental protection administrative department;

(4) storing materials such as coal, coal gangue, coal cinder, coal ashes, sand and stones, and dirt, etc., without taking burning-proof and dust-proof measures.

Article 47 Any unit or individual that, in violation of Article 11 of this law, puts into operation or uses a construction project whose air pollution prevention and control facilities either have not been completed or fail to meet the requirements specified in state regulations on environmental protection management for construction projects shall be ordered to stop the operation or use by the environmental protection administrative department that approves the environmental impact statement of the project, and may be imposed as well a fine more than 10,000 but not exceeding 100,000 RMB Yuan.

或者没有达到国家有关建设项目环境保护管理的规定的要求，投入生产或者使用的，由审批该建设项目的环境影响报告书的环境保护行政主管部门责令停止生产或者使用，可以并处一万元以上十万元以下罚款。

第四十八条 违反本法规定，向大气排放污染物超过国家和地方规定排放标准的，应当限期治理，并由所在地县级以上地方人民政府环境保护行政主管部门处一万元以上十万元以下罚款。限期治理的决定权限和违反限期治理要求的行政处罚由国务院规定。

第四十九条 违反本法第十九条规定，生产、销售、进口或者使用禁止生产、销售、进口、使用的设备，或者采用禁止采用的工艺的，由县级以上人民政府经济综合主管部门责令改正；情节严重的，由县级以上人民政府经济综合主管部门提出意见，报请同级人民政府按照国务院规定的权限责令停业、关闭。

将淘汰的设备转让给他人使用的，由转让者所在地县级以上地方人民政府环境保护行政主管部门或者其他依法行使监督管理权的部门没收转让者的违法所得，并处违法所得两倍以下罚款。

第五十条 违反本法第二十四条第三款规定，开采含放射性和砷等有毒有害物质超过规定标准的煤炭的，由县级以上人民政府按照国务院规定的权限责令关闭。

第五十一条 违反本法第二十五条第二款或者第二十九条第一款的规定，在当地人民政府规定的期限届满后继续燃用高污染燃料的，由所在地县级以上地方人民政府环境保护行政主管部门责令拆除或者没收燃用高污染燃料的设施。

第五十二条 违反本法第二十八条规定，在城市集中供热管网覆盖地区新建燃煤供热锅炉的，由县级以上地方人民政府环境保护行政主管部门责令停止违法行为或者限期改正，可以处五万元以下罚款。

第五十三条 违反本法第三十二条规定，制造、销售或者进口超过污染物排放标准的机动车船的，由依法行使监督管理权的部门责令停止违法行为，没收违法所得，可以并处违法所得一倍以下的罚款；对无法达到规定的污染物排放标准的机动车船，没收销毁。

第五十四条 违反本法第三十四条第二款规定，未按照国务院规定的期限停止生产、进口或者销售含铅汽油的，由所在地县级以上地方人民政府环境保护行政主管部门或者其他依法行使监督管理权的部门责令停止违法行为，没收所生产、进口、销售的含铅汽油和违法所得。

第五十五条 违反本法第三十五条第一款或者第二款规定，未取得所在地省、自治区、直辖市人民政府环境保护行政主管部门或者交通、渔政等依法行使监督管理权的部门的委托进行机动车船排气污染检测的，或者在检测中弄虚作假的，由县级以上人民政府环境保护行政主管部门或者交通、渔政等依法行使监督管理权的部

Article 48 Any unit or individual that, in violation of this law, emits air pollutants in excess of the state or local emission standards shall be requested to undertake treatment within a certain time period and be imposed a fine more than 10,000 but not exceeding 100,000 RMB Yuan by the environmental protection administrative department of the local people's government above county level. The limit of authority for decision-making on the treatment within a certain time period and the administrative penalty for violation of the treatment requirement within a certain period shall be decided by the State Council.

Article 49 Any unit or individual that, in violation of Article 19 of this law, produces, sells, imports or uses the equipment prohibited for production, sale, import and use, or adopts a production process that is prohibited, shall be ordered for correction by the economic comprehensive administrative department of the people's government above the county level; In case of serious violation, the economic comprehensive administrative department of the people's government above county level shall raise comments to report to and request the people's government at the same level to give the order to stop the business of or close down the violator.

For any transfer of a phased out equipment to others for use, the unlawful income from the transfer shall be confiscated by the environmental protection administrative department or other departments performing legal supervision and management functions of the people's government above country level at the place where the violator is located, and the violator shall be fined not exceeding two times of its unlawful income.

Article 50 Any unit or individual that, in violation of paragraph 3 of Article 24 of this law, exploits coal containing radioactive substances, arsenic, and other toxic and harmful substances in excess of prescribed standards shall be ordered to close down by the people's government above county level in accordance with the limits of authority designated by the State Council.

Article 51 Any unit or individual that, in violation of paragraph 2 of Article 25 or paragraph 1 of Article 29 of this law, continues to use highly polluting fuels after the deadline prescribed by the local people's government shall be ordered to dismantle the facilities using highly polluting fuels, or the facilities shall be confiscated, by the environmental protection administrative department of the local people's government above county level.

Article 52 Any unit that, in violation of Article 28, constructs a new heating boiler using coal in the area with urban centralized heating supply network shall be ordered to stop the violation of the law or to correct in a definite period, and may be fined not exceeding 50,000 RMB Yuan, by the environmental protection administrative department of the local people's government above county level.

Article 53 Any unit or individual that, in violation of Article 32 of this law, manufactures, sells or imports any motorized vehicle or vessel in excess of pollutant emission standards shall be ordered to stop the law violation with the unlawful income confiscated, and may be fined not exceeding one time of the unlawful income by the department undertaking legally the supervision and administrative functions; Any motorized vehicle or vessel not able to reach the prescribed pollutant emission standards shall be confiscated and destroyed.

Article 54 Any unit or individual that, in violation of paragraph 2 of Article 34 of this law, fails to stop its production, import or sale of leaded gasoline within the time period regulated by the State Council shall be ordered to stop its law violation and the unlawful income from the production, import and sale of leaded gasoline shall be confiscated by the environmental protection administrative department or other departments undertaking legally the supervision and administrative functions.

Article 55 Any unit that performs, in violation of paragraph 1 or paragraph 2 of Article 35 of this law, inspection and test of emission pollution of motorized vehicles and vessels without being entrusted by the environmental protection administrative department or the transportation or fishery administrative departments undertaking legally supervision and administrative functions of the people's government of the province, autonomous region or municipality directly under the Central Government where the violator is located, or making falsification during the inspection and test, shall be ordered to stop its law violation and to correct in a certain period, and may be fined not exceeding 50,000 RMB

门责令停止违法行为，限期改正，可以处五万元以下罚款；情节严重的，由负责资质认定的部门取消承担机动车船年检的资格。

第五十六条 违反本法规定，有下列行为之一的，由县级以上地方人民政府环境保护行政主管部门或者其他依法行使监督管理权的部门责令停止违法行为，限期改正，可以处五万元以下罚款：

(一) 未采取有效污染防治措施，向大气排放粉尘、恶臭气体或者其他含有有毒物质气体的；

(二) 未经当地环境保护行政主管部门批准，向大气排放转炉气、电石气、电炉法黄磷尾气、有机烃类尾气的；

(三) 未采取密闭措施或者其他防护措施，运输、装卸或者贮存能够散发有毒有害气体或者粉尘物质的；

(四) 城市饮食服务业的经营者未采取有效污染防治措施，致使排放的油烟对附近居民的居住环境造成污染的。

第五十七条 违反本法第四十一条第一款规定，在人口集中地区和其他依法需要特殊保护的区域内，焚烧沥青、油毡、橡胶、塑料、皮革、垃圾以及其他产生有毒有害烟尘和恶臭气体的物质的，由所在地县级以上地方人民政府环境保护行政主管部门责令停止违法行为，处二万元以下罚款。

违反本法第四十一条第二款规定，在人口集中地区、机场周围、交通干线附近以及当地人民政府划定的区域内露天焚烧秸秆、落叶等产生烟尘污染的物质的，由所在地县级以上地方人民政府环境保护行政主管部门责令停止违法行为；情节严重的，可以处二百元以下罚款。

第五十八条 违反本法第四十三条第二款规定，在城市市区进行建设施工或者从事其他产生扬尘污染的活动，未采取有效扬尘防治措施，致使大气环境受到污染的，限期改正，处二万元以下罚款；对逾期仍未达到当地环境保护规定要求的，可以责令其停工整顿。

前款规定的对因建设施工造成扬尘污染的处罚，由县级以上地方人民政府建设行政主管部门决定；对其他造成扬尘污染的处罚，由县级以上地方人民政府指定的有关主管部门决定。

第五十九条 违反本法第四十五条第二款规定，在国家规定的期限内，生产或者进口消耗臭氧层物质超过国务院有关行政主管部门核定配额的，由所在地省、自治区、直辖市人民政府有关行政主管部门处二万元以上二十万元以下罚款；情节严重的，由国务院有关行政主管部门取消生产、进口配额。

第六十条 违反本法规定，有下列行为之一的，由县级以上人民政府环境保护行政主管部门责令限期建设配套设施，可以处二万元以上二十万元以下罚款：

Yuan by the environmental protection administrative department or the transportation or fishery administrative department undertaking legally the supervision and administrative functions of the local people's government above county level; In case of serious violation, the department responsible for qualification certification shall cancel the violator's qualification for undertaking inspection and test on motorized vehicles and vessels.

Article 56 Any violator of this law shall be ordered to stop violation and to correct within a certain period, and may be fined not exceeding 50,000 RMB Yuan, by the environmental protection administrative department or other department undertaking legally the supervision and administrative functions of the local people's government above county level, for any of the following:

(1) emitting dust, malodorous gas or other gas containing toxic substances into the air without taking effective measures for pollution prevention and control;

(2) emitting converter gas, acetylene, phosphoric tail gas engendered by electric furnace and organic hydrocarbon tail gas into the air without approval by the local environmental protection administrative department;

(3) transporting, loading and unloading, or storing substances that send out toxic and harmful gas or dust without taking sealing or other protective measures;

(4) causing pollution to the living environment of the neighboring residents due to emission of oil smoke with no effective pollution prevention and control measures being taken by the food servicing proprietor.

Article 57 Any unit or individual that, in violation of paragraph 1 of Article 41, burns asphalt, asphalt felt, rubber, plastic, leather, rubbish or other substance generating toxic and harmful smoke dust and malodorous gas shall be ordered to stop its law violation and be fined not exceeding 20,000 RMB Yuan by the environmental protection administrative department of the local people's government above county level.

Any unit or individual that, in violation of paragraph 2 of Article 41, burn openly the stalk, leaves and other materials that may produce smoke and dust pollution in densely inhabited areas, around the airports, near the main transport roads and the areas designated by local people's government shall be ordered to stop the law violation by the environmental protection administrative department of the local people's government above county level; In case of serious violation, a fine not exceeding 200 RMB Yuan shall be imposed.

Article 58 Any unit that, in violation of paragraph 2 of Article 43, conducts a construction project or other activity generating fly dust pollution without effective measures to prevent and control fly dust, thereby causing pollution to the air environment, shall be requested to correct the violation in a certain period and be fined not exceeding 20,000 RMB Yuan; In case of not satisfying the requirement of the local environmental protection regulations by the deadline, the project in question shall be ordered to stop for rectification.

The penalty prescribed in the above paragraph for fly dust pollution caused by a construction project shall be decided by the construction administrative department of the local people's government above county level; The penalty for fly dust pollution caused by other reasons shall be decided by related administrative department designated by the local people's government above county level.

Article 59 Any unit that, in violation of paragraph 2 of Article 45, produces or imports ozone depleting substances in excess of the quota verified by the related administrative department of the State Council in the period prescribed by the State, shall be fined more than 20,000 RMB Yuan and not exceeding 200,000 RMB Yuan by the related administrative department of the people's government of the province, autonomous region, municipality directly under the Central Government where the violator is located; In case of serious violation, the related administrative department of the State Council shall cancel the violator's quota of production and import.

Article 60 Any violator of this law shall be ordered to construct corresponding facilities in a certain period and may be fined more than 20,000 RMB Yuan and not exceeding 200,000 RMB Yuan by the environmental protection administrative department of the local people's government above county

(一)新建的所采煤炭属于高硫份、高灰份的煤矿，不按照国家有关规定建设配套的煤炭洗选设施的；

(二)排放含有硫化物气体的石油炼制、合成氨生产、煤气和燃煤焦化以及有色金属冶炼的企业，不按照国家有关规定建设配套脱硫装置或者未采取其他脱硫措施的。

第六十一条 对违反本法规定，造成大气污染事故的企业事业单位，由所在地县级以上地方人民政府环境保护行政主管部门根据所造成的危害后果处直接经济损失百分之五十以下罚款，但最高不超过五十万元；情节较重的，对直接负责的主管人员和其他直接责任人员，由所在单位或者上级主管机关依法给予行政处分或者纪律处分；造成重大大气污染事故，导致公私财产重大损失或者人身伤亡的严重后果，构成犯罪的，依法追究刑事责任。

第六十二条 造成大气污染危害的单位，有责任排除危害，并对直接遭受损失的单位或者个人赔偿损失。

赔偿责任和赔偿金额的纠纷，可以根据当事人的请求，由环境保护行政主管部门调解处理；调解不成的，当事人可以向人民法院起诉。当事人也可以直接向人民法院起诉。

第六十三条 完全由于不可抗拒的自然灾害，并经及时采取合理措施，仍然不能避免造成大气污染损失的，免于承担责任。

第六十四条 环境保护行政主管部门或者其他有关部门违反本法第十四条第三款的规定，将征收的排污费挪作他用的，由审计机关或者监察机关责令退回挪用款项或者采取其他措施予以追回，对直接负责的主管人员和其他直接责任人员依法给予行政处分。

第六十五条 环境保护监督管理人员滥用职权、玩忽职守的，给予行政处分；构成犯罪的，依法追究刑事责任。

第七章 附 则

第六十六条 本法自 2000 的 9 月 1 日起施行。

level, for any of the following:

(1) not installing corresponding coal washing facilities in line with the relevant state regulations in the newly constructed coal mine containing coal with high-contents of sulfur and ash;

(2) not installing corresponding sulfur-removing facilities or not adopting other sulfur-removing measures in line with the relevant state regulations in a enterprise of petroleum refining, synthetic ammonia producing, coal gas generating, coal coke making or non-ferrous metal refining that emits gas containing sulfides.

Article 61 Any enterprise or institution that violates this law, thereby causing an air pollution accident, shall be fined, in accordance with the consequent damage, not exceeding fifty percent of the direct economic loss by the competent environmental protection administrative department of the local people's government above county level. In a serious case, the direct responsible persons in charge and other direct responsible persons shall be subject to administrative or disciplinary penalty by the unit to which they belong or by a higher competent authority; In case of a severe air pollution accident, thereby causing severe consequent loss of public or private owned assets or human casualty, a criminal responsibility shall be imposed.

Article 62 The unit that has caused an air pollution hazard has the obligation to eliminate it and make compensation to the unit or individual that suffered losses.

A dispute over liability to make compensation or the amount of compensation may, at the request of the parties, be settled by the competent environmental protection administrative department; In case of fail of such settlement, the parties may bring lawsuit before a people's court. The parties may also bring lawsuit before the people's court directly.

Article 63 If the air pollution losses result entirely from irresistible natural disasters beyond human control and can not be avoided in spite of the reasonable measures have been promptly taken, the polluter, in question, shall be exempt from liability.

Article 64 Any environmental protection administrative department or other relevant department that, in violation of paragraph 3 of Article 14, abuses the levied pollutant discharge fee for any other purpose shall be ordered by the auditing department or supervision and inspection department to withdraw the abused amount or to recover by other means. The direct responsible persons in charge and other direct responsible persons shall be subject to administrative penalties in line with the laws.

Article 65 Any official for environmental protection supervision and administration who commits abuse of authority or dereliction shall be imposed disciplinary penalty. If his act constitutes a crime, he shall be put under investigation pursuant to law for criminal liability.

Chapter VII Supplementary Provisions

Article 66 This Law shall go into effect on September 1, 2000.

关于公布第一批严重污染环境（大气）的 淘汰工艺与设备名录的通知

（1997年6月5日，国家经贸委、国家环保局、
机械工业部 国经贸资〔1997〕367号）

根据《中华人民共和国大气污染防治法》和全国人大环境与资源保护委员会关于落实修改后的《大气污染防治法》的有关要求，现公布第一批严重污染环境（大气）的淘汰工艺与设备名录共15项，并就有关事项通知如下：

一、所有生产、销售、进口或者使用淘汰名录中所列设备的单位或个人，必须在规定的期限内停止生产、销售、进口或者使用淘汰名录中的设备；淘汰生产工艺的采用者必须在规定期限内停止使用。

任何单位和个人不得以任何形式易地建设或转让给他人使用淘汰工艺和设备。

二、新建、改建、扩建及技术改造工程，一律不得选用国家公布名录中的淘汰工艺和设备。

自本通知印发之日起，建设单位、设计部门在项目规划、设计中仍采用国家已公布的淘汰工艺与设备的，项目审批单位不予立项，设计审查单位不予批准设计方案，有关部门不得批准开工；对采用淘汰工艺与设备的新建项目，有关部门不予竣工验收，违者追究责任。

本通知印发前已经批准的在建项目中使用了淘汰工艺和设备的，应积极采取措施，及时修改建设方案。

三、对在规定淘汰期限之后仍继续生产、销售、进口和使用淘汰设备以及继续采用淘汰工艺的企、事业单位和个人，各地经贸委会同环保局及行业主管部门依法责令其停止生产、销售、进口和使用淘汰设备，停止采用淘汰工艺；银行停发其贷款，工商行政管理机关吊销其营业执照，没收其全部非法收入，并视其情节轻重予以罚款；主管部门对企事业负责人和直接责任者给予行政处分；对屡令不止的，由司法机关追究其法律责任。

四、自本通知印发之日起，各地经贸委要会同环保局和机械工业管理部门，加强对限期淘汰工作的领导，建立层层目标责任制，责任落实到人。

五、本着“谁污染，谁负担”的原则，各地要组织有关企业积极筹措资金，实施转产改造工作，有关部门在政策、技术和资金上应给予必要的支持。

六、各地要制定年度淘汰计划，并将淘汰计划完成情况及时上报国家经贸委，

Circular on Publishing the First Catalogue of the Eliminated Technologies and Equipment Causing Serious Air Pollution

(Promulgated by the State Economic and Trade Commission, the National Environmental Protection Agency, and the Ministry of Machinery Industry on June 5, 1997)

In accordance with the Law of the People's Republic of China on Prevention and Control of Air Pollution, and related requirements of the amended Law on Prevention and Control of Air Pollution set by the Environmental and Resources Protection Committee of the National People's Congress, this is to publish the first name list of eliminated technologies and equipment causing serious pollution in the environment (the air) that includes 15 items. Related matters are as follows:

I. All the units and individuals producing, selling, importing or using the equipment listed in the name list shall, before the deadline, stop producing, selling, importing or using. Those who adopt the equipment must stop using within the time limit.

No units or individuals are allowed to produce the eliminated equipment in any form in other places or transfer the equipment to others.

II. The eliminated technologies and equipment listed in the name list are not allowed to be used in construction, reconstruction, expansion or technical renovation projects.

If the eliminated technologies and equipment are still adopted in plans or designs by construction units and designing departments, units authorized to make examinations and approval should, from the day of the issue of the notice, not approve the setting up of the projects, units authorized to examine designs should not approve the designs, and relevant departments shall not approve the operation of the projects. Construction projects adopting the eliminated technologies and equipment should not be accepted by the relevant departments after completion. Violators will be investigated and be held accountable.

For those projects involving eliminated technologies and equipment that were approved before issue of the notice, active measures shall be taken to amend the construction plans.

III. For those enterprises, institutions and individuals that continue to produce, sell, import and use the eliminated technologies and equipment after the time limit, local economic and trade commissions, environmental protection bureaus and competent departments of the related trades shall order them to stop according to law. Banks shall suspend their loans; industrial and commercial administrative departments shall withdraw their licenses, confiscate their illegal income, and impose fines in accordance with the circumstances of the cases. The relevant departments shall give responsible persons and the person who bears the responsibility directly disciplinary sanction. For those who refuse to cooperate after repeated notices, judicial authority shall investigate and fix their legal responsibility.

IV. From the day the notice is issued, local economic and trade commissions should, in conjunction with local environmental protection bureaus and management departments of machinery industry, strengthen leadership, set up accountability systems to meet the target at various levels and fulfill the responsibility down to every related person.

V. Based on the principle that those who cause contamination should bear economic responsibility, related enterprises shall be organized to collect capital, switch to another line of products and renovate the old production line. Related departments should give necessary support in terms of technology and capital.

VI. Annual plans of elimination shall be drawn up, and implementation of the plan shall be reported to the State Economic and Trade Commission timely, and to the National Environmental Protection Agency, the Ministry of Machinery Industry and other competent departments of the related

同时抄报国家环保局、机械工业部及国家有关行业主管部门。

已经制定严于国家公布淘汰目录要求的淘汰计划的地方，可继续执行地方淘汰计划。

七、国家经贸委将会同有关部门不定期组织执法检查团，对各地执行本通知情况进行检查，对不执行本通知规定的将依法予以惩处。

trades in the meanwhile.

Where elimination plans have already been made more stringent than the State's requirements, the local plans shall continue to be implemented.

VII. The State Economic and Trade Commission shall, together with relevant departments, organize unscheduled inspection teams to examine the enforcement of the plans. Those who do not follow the stipulations of the notice shall be punished according to law.

第一批严重污染（大气）环境的淘汰工艺与设备名录

序号	工艺或设备名称	淘汰期限	可替代工艺及设备	备注
1	75 型、89 型改良型焦炉	1999 年底	碳化室高度不低于 2.8 米，年产焦 20 万吨及以上的机焦炉，配套煤气净化系统	
2	土（蛋）窑生产水泥	自本通知公布之日起	不需要进行替代	
3	普通水泥立窑	自本通知公布之日起	不需要进行替代	
4	窑径小于 2 米（含 2 米），即年生产能力 3 万吨以下的水泥机械化立窑	1997 年底	不需要进行替代	老少边穷地区淘汰期限可推迟到 2000 年底
5	窑径小于 2.2 米（含 2.2 米），即年生产能力 4.4 万吨以下的水泥机械化立窑	2000 年底	根据“上大改小”的原则，以 700 吨/日及以上新型干法水泥生产线进行改造	老少边穷地区淘汰期限可推迟到 2005 年底
6	20 万重量箱以下（含 20 万重量箱）小平拉玻璃生产线	1997 年底	浮法玻璃生产工业	
7	土窑烧砖	自本通知公布之日起	隧道窑	
8	1800 千伏安以下（不含 1800 千伏安）铁合金电炉	2000 年底	3600 千伏安以上的铁合金电炉	老少边穷地区淘汰期限可推迟到 2005 年底
9	叠轧薄板	2005 年底	热连轧薄板	
10	化铁炼钢	2005 年底	利用铁水直接炼钢	
11	平炉炼钢	2005 年底	转炉或电炉炼钢	
12	铅烧结锅	2000 年底	鼓风烧结机	
13	铅吸风烧结机	1997 年底	鼓风烧结机	
14	横罐炼锌	1997 年底	湿法炼锌、密闭鼓风炉	
15	使用 CFCs 生产气溶胶产品工艺	1997 年底	用液化石油气或二甲醚替代气溶胶产品生产中使用的 CFC-11 或 CFC-12	医用部分及不能用液化石油气或二甲醚替代部分除外

**The First Catalogue of the Eliminated Technologies and Equipment
Causing Serious Air Pollution**

Serial number	Name of technologies and equipment	Deadline to eliminate	Substitute technologies and equipment	Remarks
1	75 # and 87 # evolutionary coke oven	End of 1999	Height of charring room not lower than 2.8 meters, mechanical coke-oven with clarification system, producing not lower than 200,000 tons of coke annually	
2	Cement produced from earth (egg-shaped) kiln	From the day the notice is issued	No need to replace	
3	Ordinary cement shaft kiln	Ditto	Ditto	
4	Cement mechanized shaft kiln, with diameter not greater than 2 meters, or with the annual production capacity less than 30,000 tons	End of 1997	Ditto	The deadline can be extended to the end of 2000 for early liberated, minority-inhabited, border and poverty-stricken areas.
5	Cement mechanized shaft kiln, with diameter not greater than 2.2 meters, or with the annual production capacity less than 44,000 tons	End of 2000	In accordance with the principle of "building large production lines and renovating small ones", new dry cement production lines that produce not less than 700 tons of cement per day the renovation should use.	The deadline can be extended to the end of 2005 for early liberated, minority-inhabited, border and poverty-stricken areas.
6	Traverse glass production line of not greater than 200,000 tons of crates End of 1997	Float glass production industry.		
7	Brick-producing earth kiln	From the day the notice is issued.	Tunnel kiln	
8	Ferroalloy electric stove, below 1, 800KVA	End of 2000	Ferroalloy electric stove above 3, 600KVA.	The deadline can be extended to the end of 2005 for early liberated, minority-inhabited, border and poverty-stricken areas.
9	Lamination	End of 2005	Hot-rolling plate	
10	Cupola steel-making	Ditto	Make steel by directly making use of hot metal.	
11	Open-hearth steel process	Ditto	Make steel by converter or electric stove	
12	Lead sintering pot	End of 2000	Updraft sintering machine	
13	Down-draft lead sintering machine	End of 1997	Ditto	
14	Zinc metallurgy in transverse jar	Ditto	Zinc metallurgy using wet-process in sealed blast furnace	
15	Technology using CFCs to produce aerosol products	Ditto	Using liquefied petroleum gas or dimethyl ether to replace CFC-11 or CFC-12 used in production of aerosol products	Except for medical parts and parts that cannot be replaced by liquefied petroleum gas or dimethyl ether.

国务院关于酸雨控制区和二氧化硫污染控制区有关问题的批复

(1998年1月12日, 国务院 国函[1998]5号)

你局《关于呈报审批酸雨控制区和二氧化硫污染控制区划分方案的请示》(环发[1997]634号)收悉, 现批复如下:

一、原则同意《酸雨控制区和二氧化硫污染控制区划分方案》, 由你局发布。同意酸雨控制区和二氧化硫污染控制区(以下简称两控区)划定范围(具体范围附后)。

二、两控区控制目标为: 到2000年, 排放二氧化硫的工业污染源达标排放, 并实行二氧化硫排放总量控制; 有关直辖市、省会城市、经济特区城市、沿海开放城市及重点旅游城市环境空气二氧化硫浓度达到国家环境质量标准, 酸雨控制区酸雨恶化的趋势得到缓解。到2010年, 二氧化硫排放总量控制在2000年排放水平以内; 城市环境空气二氧化硫浓度达到国家环境质量标准, 酸雨控制区降水pH值小于4.5的面积比2000年有明显减少。

三、禁止新建煤层含硫份大于3%的矿井, 建成的生产煤层含硫份大于3%的矿井, 逐步实行限产或关停。新建、改造含硫份大于1.5%的煤矿, 应当配套建设相应规模的煤炭洗选设施。现有煤矿应按照规划的要求分期分批补建煤炭洗选设施。城市燃用的煤炭和燃料重油的含硫量, 必须符合当地城市人民政府的规定。

四、除以热定电的热电厂外, 禁止在大中城市城区及近郊区新建燃煤火电厂。新建、改造燃煤含硫量大于1%的电厂, 必须建设脱硫设施。现有燃煤含硫量大于1%的电厂, 要在2000年前采取减排二氧化硫的措施, 在2010年前分期分批建成脱硫设施或采取其他具有相应效果的减排二氧化硫的措施。化工、冶金、建材、有色等污染严重的企业, 必须建设工艺废气处理设施或采取其他减排措施。

五、要结合产业和产品结构的调整, 大力推行清洁生产, 加强技术改造, 促进资源节约和综合利用, 切实降低二氧化硫排放水平。

Official Reply of the State Council Concerning Acid Rain Control Zones and Sulphur Dioxide Pollution Control Zones

(Promulgated by the State Council on January 12, 1998)

We have received the Request of your Agency for Approval of the Plan for Delimiting Acid Rain Control Zones and Sulphur Dioxide Pollution Control Zones (Huanfa [1997] No. 634). Our reply is hereby sent to you as follows:

1. We have approved the Plan for Delimiting Acid Rain Control Zones and Sulphur Dioxide Pollution Control Zones in principle and Your Bureau can promulgate the plan. We also approve the delimitation of acid rain control zones and sulphur dioxide pollution control zones (Hereinafter referred to "the two types of control zones". See the appendices for the details).

2. The objectives of the two types of control zones: By the year 2000, the industrial pollution sources discharging sulphur dioxide will have attained the standard for discharging sulphur dioxide and a system for controlling the total amount of discharged sulphur dioxide will have been practised; in municipalities directly under the Central Government, capital cities of provinces, cities as special economic zones, open coastal cities and major tourist cities which are polluted by sulphur dioxide, the density of sulphur dioxide in the environment air will have attained the national environmental quality standards and the worsening of acid rain in the acid rain control zones will have been alleviated. By the year 2010, the total amount of discharged sulphur dioxide shall be controlled under the level of sulphur dioxide discharged in 2000; the density of sulphur dioxide in the environment air in cities shall have reached the national environmental quality standards and sections of the acid rain control zones in which the precipitation has pH value below 4.5 shall be obviously decreased by comparing with those in 2000.

3. It is prohibited to establish new mines with the coal bed having above three percent sulphur contents. Those having already been established with the coal bed having above three percent sulphur contents shall be step by step ordered to cut down the output, suspend the production or close up. For the construction or transformation of coal mines with above 1.5 percent sulphur contents, coal washing facilities shall be set up correspondingly. Existing coal mines shall be according to planning fitted with coal washing facilities by stages and in groups. The sulphur contents of fuel coal and fuel heavy oil in cities shall conform to the prescriptions of the local people's governments of cities.

4. Construction of any new coal-burning thermal power plant in urban zones and suburbs of large or medium-sized cities is prohibited except for those heat and power plants generating power by producing heat. For the construction and transformation of power plants with fuel coal having above one percent sulphur contents, desulphurization equipment shall be set up correspondingly. Existing power plants with fuel coal having above one percent sulphur contents shall take measures to reduce the discharge of sulphur dioxide before the year 2000, and shall be fitted with desulphurization equipment by stages and in groups or take other similarly effective measures to reduce the discharge of sulphur dioxide before the year 2010. Enterprises engaged in chemical industry, metallurgical industry, building materials industry, nonferrous metal industry and other industries causing serious pollution must be fitted with technical facilities for treatment of waste gas or take other measures to reduce the discharge of waste gas.

5. At the time of readjusting the industrial structure and the structure of products, great effort shall be made to carry out cleaning production, strengthen technological transformation, promote the saving and comprehensive utilization of resources and lower the level of discharged sulphur dioxide in real earnest.

六、要按照《国务院关于二氧化硫排污收费扩大试点工作有关问题的批复》（国函〔1996〕24号）要求，认真做好二氧化硫排污费的征收、管理和使用工作，其中用于重点排污单位专项治理二氧化硫污染的资金比例不得低于90%。

七、有关地方人民政府和电力、煤炭等有关部门要按照本批复的要求，制定有关规划及计划，采取有效措施，确保两控区目标和要求的落实。你局要认真做好两控区污染防治的指导工作，加强环境监测和监督检查。

- 附件：1. 酸雨控制区范围
2. 二氧化硫污染控制区范围

6. The collection, administration and use of fees for discharging sulphur dioxide shall be conducted conscientiously as required by the Reply of the State Council Concerning Expanding Experiments of Collecting Fees for Discharging Sulphur Dioxide (Guohan [1996] No. 24). Special funds for major pollutant-discharging units to treat sulphur dioxide pollution shall not be less than 90 percent of the discharge fees.

7. Local people's governments concerned and departments concerned in charge of electric power and coal shall, in accordance with the requirement of this Reply, work out relevant planning and plans and take effective measures in order to realize objectives and requirements of the two types of control zones. Your Bureau should ensure the guidance over the prevention and control of pollution in the two types of control zones and strengthen the environmental monitoring, supervision and inspection.

Appendix I: The Scope of Acid Rain Control Zones

Appendix II: The Scope of Sulphur Dioxide Pollution Control Zones

附件 1

酸雨控制区范围

省、自治区、直辖市	控制区范围（国家重点扶持的贫困县除外）
上海市	上海市
江苏省	南京市、扬州市、南通市、镇江市、常州市、无锡市、苏州市、泰州市
浙江省	杭州市、宁波市、温州市（市区及瑞安市、永嘉县、苍南县）、嘉兴市、湖州市、绍兴市、金华市、衢州市（市区及江山市、衢县、龙游县）、台州市
安徽省	芜湖市、铜陵市、马鞍山市、黄山市、巢湖地区、宣城地区
福建省	福州市、厦门市、三明市、泉州市、漳州市、龙岩市
江西省	南昌市、萍乡市、九江市、鹰潭市、抚州地区、吉安市、赣州市
湖北省	武汉市、黄石市、荆州市、宜昌市、荆门市、鄂州市、潜江市、咸宁地区
湖南省	长沙市、株洲市、湘潭市、衡阳市、岳阳市、常德市、张家界市、郴州市、益阳市、娄底地区、怀化市、吉首市
广东省	广州市、深圳市、珠海市、汕头市、韶关市、惠州市、汕尾市、东莞市、中山市、江门市、佛山市、湛江市、肇庆市、云浮市、清远市、潮州市、揭阳市
广西壮族自治区	南宁市、柳州市、桂林市、梧州市、玉林市、贵港市、南宁地区（上林县、崇左县、宾阳县、横县）、柳州地区（合山市、来宾县、鹿寨县）、桂林地区（灵川县、全州县、兴安县、荔浦县、永福县）、贺州地区（贺州市、钟山县）、河池地区（河池市、宜州市）
重庆市	渝中区、江北区、沙坪坝区、南岸区、九龙坡区、大渡口区、渝北区、北碚区、巴南区及万盛区、双桥区、涪陵区、永川市、合川市、江津市、长寿县、荣昌县、大足县、綦江县、璧山县、铜梁县、潼南县
四川省	成都市、自贡市、攀枝花市、泸州市、德阳市、绵阳市、遂宁市、内江市、乐山市、南充市、宜宾市、广安地区、眉山地区
贵州省	贵阳市、遵义市、安顺地区、兴义市、凯里市、都匀市
云南省	昆明市、曲靖市、玉溪市、昭通市、个旧市、开远市、楚雄市

Attachment I

The Scope of Acid Rain Control Zones

Provinces, autonomous regions and municipalities	Scope of the control zones (not including major poor counties with the state support)
Shanghai	Shanghai
Jiangsu Province	Nanjing, Yangzhou, Nantong, Zhenjiang, Changzhou, Wuxi, Suzhou, Taizhou
Zhejiang Province	Hangzhou, Ningbo, Wenzhou (urban zones, Ruian, Yongjia and Cangnan counties), Jiaxing, Huzhou, Shaoxing, Jinhua, Quzhou (urban zones and Jiangshan, Quxian and Longyou counties), Taizhou
Anhui Province	Wuhu, Tongling, Maanshan, Huangshan, Chaochu, Xuancheng Prefecture
Fujian Province	Fuzhou, Xiamen, Sanming, Quanzhou, Zhangzhou, Longyan
Jiangxi Province	Nanchang, Pingxiang, Jiujiang, Yingtan, Fuzhou, Jian, Gongzhou
Hubei Province	Wuhan, Huangshi, Jingzhou, Yichang, Jingmen, Ezhou, Qianjiang, Xianning
Hunan Province	Changsha, Zhuzhou, Xiangtan, Hengyang, Yueyang, Changde, Zhangjiajie, Chenzhou, Yiyang, Loudi Prefecture, Huaihua, Jishou
Guangdong Province	Guangzhou, Shenzhen, Zhuhai, Shantou, Shaoguan, Huizhou, Shanwei, Dongguan, Zhongshan, Jiangmen, Foshan, Zhanjiang, Zhaoqing, Yunfu, Qingyuan, Chaozhou, Jieyang
Guangxi Zhuang Autonomous Region	Nanning, Liuzhou, Guilin, Wuzhou, Yulin, Guigang, Nanning Prefecture (Shanlin, Chongzuo, Binyang and Hengxian counties), Liuzhou Prefecture (Heshan, Laibin and Luzhai counties), Guilin Prefecture (Lingchuan, Quanzhou, Xingan, Lipu and Yongfu counties), Hezhou Prefecture (Hezhou, Zhongshan County), Hechi Prefecture (Hechi, Yizhou)
Chongqing	Yuzhong, Jiangbei, Shapingba, Nanan, Jiulongpo, Dadukou, Yubei, Beibei, Banan, Wansheng, Shuangqiao and Fuling districts, Yongchuan, Hechuan, Jiangjin, Changshou, Rongchang, Dazu, Qijiang, Bishan, Tongliang and Tongnan counties
Sichuan Province	Chengdu, Zigong, Panzhihua, Luzhou, Deyang, Mianyang, Zunning, Neijiang, Leshan, Nanchong, Yibin, Guangan and Meishan prefectures
Guizhou Province	Guiyang, Zunyi, Anshun, Xingyi, Kaili, Duyun
Yunnan Province	Kunming, Qujing, Yuxi, Zhaotong, Gejiu, Kaiyuan, Chuyong

附件 2

二氧化硫污染控制区范围

省、自治区、直辖市	控制区范围 (国家重点扶持的贫困县除外)
北京市	东城区、西城区、宣武区、崇文区、朝阳区、海淀区、丰台区、石景山区及门头沟区、通州区、房山区、昌平区、大兴县
天津市	市区
河北省	石家庄市市区及辛集市、藁城市、晋州市、新乐市、鹿泉市 邯郸市市区及武安市 邢台市市区及南宫市、沙河市 保定市市区及涿州市、定州市、安国市、高碑店市 张家口市市区 承德市市区 唐山市市区及遵化市、丰南市 衡水市市区
山西省	太原市市区及古交市 大同市市区 阳泉市市区 朔州市市区 忻州市 榆次市 临汾市 运城市
内蒙古自治区	呼和浩特市市区 包头市市区及石拐矿区、土默特右旗 乌海市市区 赤峰市市区
辽宁省	沈阳市市区及新民市 大连市市区 鞍山市市区及海城市 抚顺市市区 本溪市市区 锦州市市区及凌海市 葫芦岛市市区及兴城市 阜新市市区 辽阳市市区
吉林省	吉林市市区及桦甸市、蛟河市、舒兰市 四平市市区及公主岭市 通化市市区及梅河口市、集安市 延吉市

Attachment II

The Scope of Sulfur Dioxide Control Zones

Provinces, autonomous regions and municipalities	Scope of control zones (not including major poor counties with state support)
Beijing	Dongcheng, Xicheng, Xuanwu, Chongwen, Chaoyang, Haidian, Fengtai, Shijingshan, Mentougou, Tongzhou, Fangshan, Changping and Daxing counties
Tianjin	Urban zones
Hebei Province	Urban zones of Shijiazhuang, Xinji, Gaocheng, Jinzhou, Xinle, Luquan; Urban zones of Handan, Wuan; Urban zones of Xingtai, Nangong, Shahe; Urban zones of Baoding, Zuozhou, Dingzhou, Anguo, Gaobeidian; Urban zones of Zhangjiakou and Chengde; Urban zones of Tangshan, Zunhua, Fengnan; Urban zones of Hengshui
Shanxi Province	Urban zones of Taiyuan and Gujiao; Urban zones of Datong; Urban zones of Yangquan; Urban zones of Suzhou; Xinzhou, Yuchi, Linfen, Yuncheng
Inner Mongolia Autonomous Region	Urban zones of Huhhot; Urban zones of Baotou, Shiguai mining are and Tumd Right Banner; Urban zones of Wuhai; Urban zones of Chifeng
Liaoning Province	Urban zones of Shenyang, Xinmin; Urban zones of Dalian; Urban zones of Anshan and Haicheng; Urban zones of Wushun; Urban zones of Benxi; Urban zones of Jinzhou, Linghai; Urban zones of Huludao, Xingcheng; Urban zones of Fuxin; Urban zones of Liaoyang
Jilin Province	Urban zones of Jilin, Huadian, Jiaohe, Shulan; Urban zones of Siping, Gongzhiling; Urban zones of Tonghua, Meihekou, Jian; Yanji

省、自治区、直辖市	控制区范围（国家重点扶持的贫困县除外）
江苏省	徐州市市区及邳州市、新沂市
山东省	济南市市区及章丘市 青岛市市区及胶南市、胶州市、莱西市 淄博市市区 枣庄市市区及滕州市 潍坊市市区及青州市、高密市、昌邑市 烟台市市区及龙口市、莱阳市、莱州市、招远市、海阳市 济宁市市区及曲阜市、兖州市、邹城市 泰安市市区及新泰市、肥城市 莱芜市市区 德州市市区及乐陵市、禹城市
河南省	郑州市市区及巩义市 洛阳市市区及偃师市、孟津县 焦作市市区及沁阳市、孟州市、修武县、温县、武陟县、博爱县 安阳市市区及林州市 三门峡市市区及义马市、灵宝市 济源市市区
陕西省	西安市市区 铜川市市区 渭南市市区及韩城市、华阴市 商州市
甘肃省	兰州市市区 金昌市市区 白银市市区 张掖市
宁夏回族自治区	银川市市区 石嘴山市市区
新疆维吾尔自治区	乌鲁木齐市市区

Provinces, autonomous regions and municipalities	Scope of control zones (not including major poor counties with state support)
Jiangsu Province	Urban zones of Xuzhou, Peizhou, Xinyi
Shandong Province	Urban zones of Jinan, Zhangqiu; Urban zones of Qingdao, Jiaonan, Jiaozhou, Laixi; Urban zones of Zibo; Urban zones of Zaozhuang, Tengzhou; Urban zones of Weifang, Qingzhou, Gaomi, Changyi; Urban zones of Yantai, Longkou, Laiyang, Laizhou, Zhaoyuan, Haiyang; Urban zones of Jining, Qufu, Yanzhou, Zoucheng; Urban zones of Taian, Xintai, Feicheng; Urban zones of Laiwu; Urban zones of Dezhou, Leling, Yucheng;
Henan Province	Urban zones of Zhengzhou, Gongyi; Urban zones of Luoyang, Yanshi, Mengjin County; Urban zones of Jiaozuo, Xinyang, Mengzhou, Xiuwu, Wenxian, Wuzhi and Boai counties; Urban zones of Anyang, Linzhou; Urban zones of Sanmenxia, Yima, Linbao; Urban zones of Jiyuan
Shanxi Province	Urban zones of Xian; Urban zones of Tongchuan; Urban zones of Weinan, Hancheng, Huayin; Shangzhou
Gansu Province	Urban zones of Lanzhou; Urban zones of Jinchang; Urban zones of Baiyin; Zhangye
Ningxia Hui Autonomous Region	Urban zones of Yinchuan; Urban zones of Shizuishan
Xinjiang Uygur Autonomous Region	Urban areas of Urumqi

对《关于向大气排放污染物征收 排污费有关问题的函》的复函

(2000年10月1日, 国务院法制办公室 国法函〔2000〕128号)

你局《关于向大气排放污染物征收排污费有关问题的函》收悉。经报国务院领导同志批准, 同意在国务院根据新修订的《大气污染防治法》对征收排污费的具体办法和实施步骤作出明确规定之前, 仍按照现行办法征收大气污染排污费, 即: 对向大气排放除二氧化硫以外的污染物的, 继续按照国务院发布的《征收排污费暂行办法》(国发〔82〕21号)的规定征收超标排污费; 对在国务院划定的酸雨控制区和二氧化硫污染控制区内排放二氧化硫的, 继续按照国务院《关于二氧化硫排污费扩大试点工作有关问题的批复》(国函〔1996〕24号)和国家环保总局、国家计委、财政部、国家经贸委《关于在酸雨控制区和二氧化硫污染控制区开展征收二氧化硫排污费扩大试点的通知》(环发〔1998〕6号)的规定, 即按照排污即收费的原则征收二氧化硫排污费。

Official Reply of the Legislative Affair Office of the State Council to the Official Letter on Relevant Issues Concerning Collection of Pollution Discharge Fee for Air Pollutant Discharge

(Issued by the Regislative Affair Office of the State Council on October 1,2000)

Your Official Letter on Relevant Issues Concerning Collection of Pollution Discharge Fee for Pollutant Discharge to the Air has been received. With the approval of the leading comrade of the State Council, it is agreed that before the State Council makes clear provisions for the concrete measures and steps for implementation of collecting pollution discharge expenses in accordance with the revised Law on the Prevention and Control of Air Pollution, pollution discharge Fees shall be collected in line with the existing measures. That is:

* As for those who discharge pollutants other than sulfur dioxide to the atmosphere, discharge Fees in excess of the standard shall continue to be collected in accordance with the Interim Measures on Pollution Discharge Fees (Guo Fa [82] No. 21) issued by the State Council;

As for those who discharge sulfur dioxide in the acid rain and sulfur dioxide controlled zones designated by the State Council, sulfur dioxide discharge Fees shall continue to be collected in accordance with the Reply of the State Council on Relevant Issues Concerning the Expanded Experiment With Sulfur Dioxide Pollution Discharge Fees (Guo Han [1996] No. 24) and provisions of the Circular on the Expanded Experiment With the Collection of Sulfur Dioxide Pollution Discharge Expenses in the Acid Rain and Sulfur Dioxide Controlled Zones (Huan Fa [1998] No. 6) of the State Environmental Protection Administration, the State Development Planning Commission, the Ministry of Finance and the State Economic and Trade Commission, on the principle of those who discharge pollution shall pay the Fess.

汽车排气污染监督管理办法

(1990年8月15日, 国家环境保护局、公安部、
国家进出口商品检验局、中国人民解放军总后勤部、交通部、
中国汽车工业总公司发布)

第一章 总 则

第一条 为加强对汽车排气污染的监督管理, 防治大气污染, 制定本办法。

第二条 一切生产、改装、使用、维修、进口汽车及其发动机的单位和个人, 必须执行本办法。

第三条 各级人民政府的环境保护行政主管部门是对汽车排气污染实施统一监督管理的机关, 指导、协调各汽车排气污染监督管理部门的工作。

各省、自治区、直辖市及省辖市人民政府的环境保护行政主管部门对其所辖地区汽车生产企业生产的汽车及其发动机产品的排气污染实施监督管理。

各级人民政府的公安交通管理部门根据国家环境保护法规对在用汽车排气污染实施具体的监督管理。

国家进出口商品检验部门及其设在各地的商检机构根据国家环境保护法规对进口汽车排气污染实施具体的监督管理。

军队车辆管理部门根据国家环境保护法规对军用车辆排气污染实施具体的监督管理。

第四条 各级人民政府的有关部门应将汽车排气污染防治工作纳入国民经济和社会发展计划, 加强汽车排气污染防治的科学研究, 采取措施控制汽车排气污染, 保护大气环境。

第五条 各级人民政府的汽车生产主管部门必须将汽车排气污染控制工作纳入生产建设计划, 采取技术措施, 将汽车及其发动机排放指标纳入产品质量指标, 保证汽车及其发动机产品稳定达到国家规定的排放标准。

第六条 各级人民政府的汽车维修主管部门, 必须采取有效技术措施, 将排放指标纳入汽车维修质量标准, 保护汽车及其发动机的维修质量稳定地达到国家规定的排放标准。

第七条 对控制汽车排气污染有贡献的单位或个人, 应给予表彰、奖励。

Measures on Supervision of Exhaust Pollution from Automobiles

(Issued by the National Environmental Protection Agency, the Ministry of Public Security, the State Administration for the Inspection of Import and Export Commodities, General Logistics Department of the People's Liberation Army, the Ministry of Communications, and the China National Automotive Industry Corp., on August 15, 1990)

Chapter I General Provisions

Article 1 The Measures are formulated to strengthen the supervision and administration of exhaust pollution of automobiles, and to prevent and control air pollution.

Article 2 All individuals and units, who produce, modify, use, and repair imported automobiles or engines, must implement these Measures.

Article 3 Departments in charge of environmental protection administration of people's governments at all levels are departments that shall implement uniform supervision and administration of the exhaust pollution of automobiles. They shall guide and coordinate all departments to supervise and administer exhaust pollution of automobiles.

Departments in charge of environmental protection administration of people's governments of provinces, autonomous regions and municipalities shall conduct supervision and administration of exhaust pollution of automobiles and their engine products produced by enterprises in zones under their jurisdiction.

Departments of public security and traffic controlling of people's governments at all levels shall implement specific supervision and administration for exhaust pollution of automobiles in use, based on State rules and regulations on environmental protection. State Administration for Import and Export Commodity Inspection and local import and export commodity inspection authorities shall, in accordance with State rules and regulations on environmental protection, implement specific supervision and administration for exhaust pollution discharged by imported automobiles.

Automobile administration departments of the army shall implement specific supervision and administration for exhaust pollution discharged by military-use vehicles, in accordance with State rules and regulations on environmental protection.

Article 4 Relevant departments of the people's governments at all levels shall incorporate the prevention and control of exhaust pollution of automobiles into the national economy and social development plan, strengthen scientific research for the prevention and control of exhaust pollution of automobiles, and adopt measures to control this kind of pollution, so as to protect the air environment.

Article 5 Administrative departments of automobile production of the people's governments at all levels shall incorporate the control of exhaust pollution of automobiles into production and construction plan, and adopt technical measures to make the exhaust index of automobiles and their engines as one of quality indexes of products, so as to ensure that the emission of automobiles and their engines will eventually reach the national standard of discharged pollutants.

Article 6 Administrative departments of automobile maintenance should adopt effective technical measures to incorporate emission standards into the quality standard of automobile maintenance, so as to ensure the maintenance quality of automobiles and engines to eventually reach the national standard of pollution emission.

Article 7 Units and individuals that have made contributions in controlling exhaust pollution of automobiles should be commended and awarded.

第二章 汽车及其发动机产品的监督管理

第八条 汽车及其发动机产品生产主管部门对出厂汽车及发动机产品的排气污染，实行业务监督管理。

第九条 汽车及其发动机产品生产主管部门必须将汽车及其发动机产品排气污染指标纳入产品质量指标。汽车及其发动机生产企业必须具备出厂检验所必需的排气污染检测手段，其质量检验单位应按标准要求对出厂产品严格检验，达不到国家规定的排放标准的产品不得出厂。

第十条 汽车及其发动机新产品（不包括采用已定型的汽车底盘改装的新车）的定型，必须包括排气污染指标，并将有关资料报主管本企业的省、自治区、直辖市及省辖市的环境保护行政主管部门备案。

第十一条 汽车及其发动机产品的排放情况，应由各省、自治区、直辖市环境保护行政主管部门认可的监督检测机构进行抽测，抽测频率每季度不得多于一次，每年不得少于两次。达不到国家规定的排放标准的产品，不得出厂。

第十二条 汽车及其发动机产品达不到或不能稳定达到国家规定的排放标准的企业，应限期稳定达到国家规定的排放标准。

第十三条 国务院有关部门或各省、自治区、直辖市人民政府直接管辖的企业的汽车排气限期稳定达到国家规定的排放标准，由省、自治区、直辖市人民政府环境保护行政主管部门提出意见，报同级人民政府决定。市、县和市、县以下人民政府管辖的企业的汽车排气限期稳定达到国家规定的排放标准，由市、县人民政府的环境保护行政主管部门提出意见，报同级人民政府决定。

第三章 在用汽车的监督管理

第十四条 在用汽车排气污染必须达到国家规定的排放标准。

第十五条 公安交通管理部门必须将汽车排气污染检验纳入初次检验、年度检验及道路行驶抽检内容。初次检验达不到国家规定的排放标准的汽车不发牌证；年检达不到国家规定的排放标准的汽车，不得继续行驶。对抽检的车辆，其排气达不到国家规定的排放标准的，由公安交通管理部门按《中华人民共和国道路交通管理条例》有关规定给予处罚。

第十六条 军队和人民武装警察部队车辆管理部门，必须将汽车排气污染检验纳入初次检验、年度检验及抽检内容，初次检验不合格的不发牌证，年检达不到国家规定的排放标准的汽车，不得继续行驶。

Chapter II Supervision and Administration for Automobiles and their Engines

Article 8 Administrative departments of the production of automobiles and their engines shall conduct supervision and administration of emission pollution of automobiles and their engines leaving the factory. **Article 9** Administrative of production of automobiles and their engines must put the emission pollution index of the automobiles and their engines as one of product quality indexes. Enterprises producing automobiles and their engines must be equipped with necessary facilities of testing the emission pollution, and examining section of the enterprise shall, in accordance with the standard, conduct strict inspection of products leaving the factory, and products failing to meet national standards shall not be allowed to leave the factory.

Article 10 The finalized design of new automobiles and their engines (not including those re-assembled new automobiles adopting the set automobile chassis) must include emission pollution index, and related materials shall be submitted to the department administrating the enterprise and in charge of environmental protection administration in the province, autonomous region or municipality for record.

Article 11 Emission of automobiles and their engines shall be sampled and tested by inspecting and examining institutions approved by administrative departments of the environmental protection of provinces, autonomous regions and municipalities. The time of sampling and testing shall not be more than once each quarter, and less than twice each year. Products failing to meet the national emission standard must not be allowed to leave the factory.

Article 12 Enterprises whose automobile and engine products fail to meet or fail to meet stably the national emission standard shall be ordered to meet the national standard stably within a limited time.

Article 13 For enterprises directly under the administration of different departments of the State Council or under the administration of people's governments of provinces, autonomous regions and municipalities, the time limit for their automobile emission reaching the national standard stably shall be proposed by departments in charge of environmental protection administration of the people's governments at provincial, autonomous region and municipality levels, and be reported to the people's government at the same level for decision. For enterprises under the administration of governments at city and county levels, and under county level, the time limit for their automobile emission \ on reaching the national standard stably shall be proposed by the relevant departments of environmental protection administration of the people's governments at city and county levels, and be reported to the government at the same level for decision.

Chapter III Supervision and Administration for Automobiles In Use

Article 14 Automobiles in use must meet the national standard for the discharge of pollutants.

Article 15 Public security and traffic controlling departments shall incorporate the testing for exhaust pollution of automobiles into initial testing, annual testing and sampling testing for road-worthy automobiles. Automobiles failing to meet the national standard for the discharge of exhaust in the initial testing shall not be issued the license tag. Automobiles failing to meet the national standard for the discharge of exhaust in annual testing shall be banned from further travelling. Vehicles failing to meet the national standard in sampling testing shall be punished as conducted by the security and traffic controlling departments according to the Regulations of the People's Republic of China Governing Road and Traffic Control.

Article 16 Administrative departments of automobiles of the army and the people's armed police forces shall incorporate the testing for exhaust pollution of automobiles into initial testing, annual testing, and sampling testing. Automobiles failing in the initial testing shall not be issued the license tags, and those failing to meet the national standard for the discharge of exhaust shall be banned from further running.

第十七条 凡年检排气合格的汽车跨省、市行驶时，所到地区不再进行抽检。

第十八条 排气污染控制装置定型投产前，必须经国家环境保护行政主管部门指定的检测机构认定，并由环境保护行政主管部门实施质量监督。

各级汽车排气污染监督管理部门，不得强制推销汽车排气污染控制装置。

第四章 汽车维修的监督管理

第十九条 汽车维修主管部门，对所维修的汽车排气污染实行业务监督管理。

第二十条 汽车维修主管部门必须将汽车排气污染指标纳入维修质量考核内容。经维修的汽车其排气必须达到国家规定的排放标准。

第二十一条 汽车维修主管部门负责组织制定防治汽车排气污染维修规范和维修质量管理人员的业务培训。

第二十二条 凡从事汽车大修、发动机总成维修的企业，必须具备符合规范的汽车排气污染检测手段，车辆维修后的排气状况必须经过自检合格方可出厂。

第二十三条 凡承担汽车排气污染控制装置的安装、更换和调整等业务的维修企业，必须经汽车维修主管部门审查核发专修许可证，并报当地环境保护行政主管部门备案。

第二十四条 市级以上环境保护行政主管部门对大修竣工、发动机总成大修及车辆排气专修出厂的汽车，进行排气污染抽测，达不到国家规定的排放标准的，不得出厂。

第五章 进口汽车监督管理

第二十五条 各级商检部门对进口汽车实施质量许可制度和法定检验。进口汽车的单位或个人必须遵守商检法规，并根据国家规定的排放标准将其纳入订货合同，排气污染达不到国家规定标准的不得进口。

第二十六条 对未将国家规定的排放标准纳入订货合同的进口汽车的单位或个人，由商检部门按《中华人民共和国进出口商品检验法》和其他法律、法规及有关法规给予处罚。

第六章 汽车排气污染检测的管理

第二十七条 公安交通管理部门汽车排气检测设备能力不能满足汽车排气年检需要的地方，由环境保护行政主管部门监测机构承担汽车排气年检工作。

第二十八条 市级以上环境保护行政主管部门对保有汽车的单位进行汽车排气污染的不定期抽检。

Article 17 Automobiles passing the annual testing may not be further sampling tested in localities they reached when they are making inter-provincial/municipal travelling.

Article 18 Before finalizing the design and putting into production, the device controlling emission pollution must be identified by the testing institutions appointed by the departments in charge of environmental protection administration of the State. The departments in charge of environmental protection administration will be responsible for the quality supervision.

Departments supervising and administrating exhaust pollution of automobiles at all levels shall not be allowed to force the promotion of the sale of devices that control exhaust pollution of automobiles.

Chapter IV Supervision and Administration for Maintenance of Automobiles

Article 19 Administrating departments of automobile maintenance shall conduct the supervision and administration for automobiles that are repaired.

Article 20 Administrating departments of automobile maintenance shall incorporate indexes of emission pollution of automobiles into the examinations of maintenance quality. Automobiles after repair their exhausts must meet the national standard.

Article 21 Administrating departments of automobile maintenance shall be responsible for formulating the maintenance code of preventing and controlling exhaust pollution of automobiles, and professional training for managerial personnel of maintenance quality.

Article 22 Enterprises engaging in automobiles' general overhaul and engines' assembly repair must be equipped with the specified testing facilities to test exhaust pollution of automobiles. The state of emission of automobiles after repair must be tested to prove being qualified by the enterprise itself before leaving the work.

Article 23 Maintenance enterprises responsible for the installation, changing and regulation of the devices controlling exhaust pollution, must be examined and be issued the certificate of special maintenance by administrative departments of automobile maintenance, and report to local administrative departments of environmental protection for the record.

Article 24 Administrative departments of environmental protection at and higher than municipality level shall conduct sampling tests for exhaust pollution of such automobiles leaving the work after general overhaul and engine assembly repair, and have such emission devices repaired. Products failing to meet the standard of emission shall not be allowed to leave the work.

Chapter V Supervision and Administration on Imported Automobiles

Article 25 Commodity inspection departments shall conduct quality licensing systems and legal examinations for imported automobiles. Individuals and units importing automobiles must abide by the rules and regulations of commodity inspections, and incorporate the standard of emission as regulated by the State into the goods purchasing contract. Automobiles failing to meet the national standard for the discharge of exhaust shall not be allowed to be imported.

Article 26 For those units and individuals failing to incorporate the emission standard set by the State into the contract of goods purchasing, commodity inspection departments shall impose punishment on them, in accordance with the Law of the People's Republic of China on Import and Export Commodity Inspection, and other laws, rules and related regulations.

Chapter VI Administration for Exhaust Pollution Testing of Automobiles

Article 27 For public security and traffic control departments whose testing equipment capability to test emission of automobiles fails to satisfy the requirements of annual test, the supervising institutions of departments in charge of environmental protection administration shall undertake the annual test on emission of automobiles.

Article 28 Administrative departments of environmental protection administration at and higher

第二十九条 市级以上环境保护行政主管部门负责汽车排气检测仪器设备的抽检和业务指导。对不符合规范要求的检测单位和个人，环境保护行政主管部门应停止其检测工作，直到合格。

第三十条 承担汽车排气污染检测的单位必须按要求向当地环境保护行政主管部门定期报送检测的统计数据。

第三十一条 汽车排气污染的初检、年检和对汽车生产企业的抽检，按当地物价部门核定的标准收取检测工本费。对汽车排气污染的路检，对汽车保有单位的抽检以及对维修厂维修后汽车的抽检，凡不超标者不收检测费。

第七章 附 则

第三十二条 本办法所指排气污染物，包括发动机排气管废气、曲轴箱泄漏、油箱及燃料系统的燃料蒸发的排放物。

发动机排气管废气污染物排放标准已于1983年颁布，按标准规定的日期进行检测。

曲轴箱排放物测量方法及限值标准已于1989年颁布，按标准规定的日期进行检测。

油箱及燃油系统燃料蒸发污染物待排放标准颁布后，按标准规定的日期进行检测。

第三十三条 本办法同样适用于摩托车排气污染监督管理。

第三十四条 本办法由国家环境保护局负责解释。

第三十五条 本办法自公布之日起施行。

第三十六条 国务院颁布机动车船监督管理办法后，本办法即行废止。

than the municipality level shall conduct random sampling examinations on exhaust pollution of automobiles in enterprises promoting automobiles.

Article 29 Departments in charge of environmental protection administration at and higher than the municipality level are responsible for sampling examinations on automobile emission testing instruments and equipment and relevant professional guidance. . For individuals and units failing to meet specific requirements, the departments in charge of environmental protection administration shall order them not to do the testing professions until they are qualified.

Article 30 Units undertaking the examination and testing on exhaust pollution of automobiles must, according to the requirements, regularly submit statistical data of the test to local administrative departments of environmental protection .

Article 31 Costs of initial, annual and sampling tests for automobile producers shall be charged according to criteria set by local price management departments. During road-worthy testing, sampling testing in the units owning automobiles and sampling testing of automobiles after maintenance in the factory, the charge will be exempted if the result of testing proves that the automobile tested is not exceeding the national standards for the discharge of exhaust.

Chapter VII Supplementary Provisions

Article 32 Pollutants discharged as referred in these Measures include waste gas discharged from exhaust pipes of engines, leakage of crankshaft boxes, pollutants discharged from evaporation of fuel tank and fuel systems.

The Standard for pollutants discharged from exhaust pipes of engines was issued in 1983 and testing shall be carried out in accordance with the dates stipulated in the Standard.

The Standard of measuring methods and limiting values of pollutants discharged by crankshaft box was issued in 1989, and testing shall be carried out in accordance with the dates stipulated in the Standard.

Upon issuing of the standard for pollutants discharged from evaporation of fuel tank and fuel system, testing shall be carried out in accordance with the dates stipulated in the Standard.

Article 33 These Measures are also applicable to the supervision and administration for exhaust pollution of motorcycles.

Article 34 The National Environmental Protection Agency is responsible for the interpretation of these Measures .

Article 35 These Measures shall come into force on the date of promulgation.

Article 36 On the promulgation of Administration Measures on Motor Vehicle and Ship by the State Council, these Measures shall in the meantime be abrogated.

关于加强新生产机动车排气污染 监督管理的通知

(1998年6月2日, 国家环保总局 环发〔1998〕83号)

随着机动车数量的增加, 我国的机动车排气污染日趋严重。为控制机动车排气污染, 改善空气环境质量, 现就进一步加强对新生产机动车排气污染的监督管理, 认真执行新生产机动车排气污染物排放标准的有关问题通知如下:

一、所有机动车生产企业每年应向所在省(自治区、直辖市)环境保护行政主管部门申报本年度所生产机动车的污染排放情况, 并附每种车型的排气污染物检测报告。各省(自治区、直辖市)环境保护行政主管部门对企业申报情况进行核查后, 于每年12月15日前向我局上报机动车生产企业生产的机动车产品排气污染达标情况, 并附工况法排气污染物检测报告。

二、我局组织检测单位对机动车生产企业所生产机动车产品的排气污染状况进行抽检, 并根据抽检情况及省(自治区、直辖市)环境保护行政主管部门上报的结果, 公布排气污染物达标的机动车名录。对未列入名录的超标机动车, 企业不得生产和销售, 生产企业所在地市以上环境保护行政主管部门负责监督。

三、销售新机动车的单位, 要依法销售符合国家排放标准的机动车, 所销售的机动车必须附有排气污染物达标证明资料。各省(自治区、直辖市)环境保护行政主管部门负责组织地方环保部门对所辖区域内销售新车的单位进行监督检查。

Circular on Strengthening the Supervision and Administration of Pollution by Exhaust from Newly-Manufactured Motor Vehicles

(Promulgated by the State Environmental Protection Administration on June 2, 1998)

With the increase in the number of motor vehicles, pollution by exhaust from motor vehicles in our country is becoming more and more serious. To control the pollution and improve the air quality, these points are hereby made clear as to several issues on further strengthening the supervision and management of pollution by exhaust from newly-manufactured motor vehicles and serious implementation of the exhaust pollutants discharge standards for newly-manufactured motor vehicles:

1. All motor vehicle manufacturers shall annually report to the competent departments of environmental protection administration of the local People's governments of provinces (autonomous regions and municipalities directly under the Central Government) about the pollutants discharge condition of motor vehicles produced in the year, and enclosed with the report shall be the testing report on exhaust pollutants of each type of vehicle. The competent departments of environmental protection administration of the people's governments of provinces (autonomous regions and municipalities directly under the Central Government) shall, after verification of the reports submitted by the enterprises, report to the SEPA about the exhaust pollution discharge condition of motor vehicle products manufactured by the motor vehicle manufacturers before December 15 of the year, and enclose with the report the testing report on exhaust pollutants of each type of vehicle.

2. The State Environmental Protection Administration (SEPA) will organize testing units to conduct spot test on the exhaust pollutants of motor vehicle products manufactured by motor vehicle manufacturers. The SEPA will issue the directory of motor vehicles that meet the exhaust pollutants discharge standards, based on the result of spot tests and the report of the competent departments of environmental protection administration of the people's governments of provinces (autonomous regions and municipalities directly under the Central Government). Enterprises shall not manufacture or sale motor vehicles that are not listed on the directory; for these motor vehicles, the competent departments of environmental protection administration at or above the municipality level shall be responsible for supervision over local motor manufacturers for their product.

3. Units that sale newly manufactured motor vehicles, shall sale motor vehicles that meet the State pollutants discharge standards. Motor vehicles that are sold shall be furnished with materials to certify that the exhaust pollutants meet the discharge standards. The competent departments of environmental protection administration of the people's governments of provinces (autonomous regions and municipalities directly under the Central Government) shall be responsible for organizing local environmental protection departments to carry out supervision and inspection of units within their administration that sale newly manufactured motor vehicles.

汽车报废标准

(1997年7月15日,国务院批准,国家经贸委、国家计委、内贸部、机械部、公安部、国家环保局发布国经贸经〔1997〕456号)

凡在我国境内注册的民用汽车,属下列情况之一的应当报废:

一、轻、微型载货汽车(含越野型)、矿山作业专用车累计行驶30万公里,重、中型载货汽车(含越野型)累计行驶40万公里,特大、大、中、轻、微型客车(含越野型)、轿车累计行驶50万公里,其他车辆累计行驶45万公里;

二、轻、微型载货汽车(含越野型)、带拖挂的载货汽车、矿山作业专用车及各类出租汽车使用8年,其他车辆使用10年;

三、因各种原因造成车辆严重损坏或技术状况低劣,无法修复的;

四、车型淘汰,已无配件来源的;

五、汽车经长期使用,耗油量超过国家定型车出厂标准规定值百分之十五的;

六、经修理和调整仍达不到国家对机动车运行安全技术条件要求的;

七、经修理和调整或采用排气污染控制技术后,排放污染物仍超过国家规定的汽车排放标准的。

除19座以下出租车和轻、微型载货汽车(含越野型)外,对达到上述使用年限的客、货车辆,经公安车辆管理部门依据国家机动车安全排放有关规定严格检验,性能符合规定的,可延缓报废,但延长期不得超过本标准第二条规定年限的一半。对于吊车、消防车、钻探车等从事专门作业的车辆,还可根据实际使用和检验情况,再延长使用年限。所有延长使用年限的车辆,都需按公安部规定的增加检验次数,不符合国家有关汽车安全排放规定的应当强制报废。

八、本标准自发布之日起施行。在本标准发布前已达到本标准规定报废条件的车辆,允许在本标准发布后12个月之内报废。本标准由全国汽车更新领导小组办公室负责解释。

Standard on the Elimination of Outdated Automobiles

(With approved of the State Council, promulgated by the State Economic and Trade Commission, the State Planning Commission, the Ministry of Domestic Trade, the Ministry of Machinery, the Ministry of Public Security and the National Environmental Protection Agency on July 15, 1997)

Civil automobiles registered in China shall be rejected in the following circumstances:

1. Light and mini freight cars (including offroad freight cars) and cars specially designed for mining operation that have traveled 300,000 kilometers in total; heavy and medium-sized freight cars (including offroad freight cars) that have traveled 400,000 kilometers in total. Super large, large, medium, light and mini passenger cars (including offroad passenger cars) and saloon cars that have traveled 500,000 kilometers in total; other vehicles that have traveled 450,000 kilometers in total;

2. Light and mini freight cars (including offroad freight cars), freight cars with trailers, cars specially designed for mining operation and all kinds of taxis that have been in service for 8 years; other vehicles that have been in service for 10 years;

3. The vehicles is seriously damaged due to any reasons or is in poor technical conditions and cannot be repaired;

4. The type of the vehicle has been discarded and the replacement components are unavailable;

5. After a long time in service, its fuel oil consumption is 15% in excess of the standards prescribed by the state for such vehicle models on leaving factory;

6. After repair and adjustment, the vehicle fails to meet the technical requirements for the safe operation of motor vehicles stipulated by the state;

7. After repair and adjustment and adoption of the emission pollution control technologies, the vehicle discharges pollutants in excess of the nation standards for emission of motor vehicles.

Except for taxis with 19 or less seats, light and mini freight cars (including offroad cars), for passenger and freight cars that reach the above mentioned years of service, after strict examination by the vehicle management organs of the public security departments pursuant to relevant provisions of the state concerning the safe emission of motor vehicles. When its performance meets the requirements, the term of service of the vehicle can be extended; however, the term of extension shall not exceed half of the time stipulated in article two of this Standard. For vehicles engaged in special operations such as cranes, fire engines and drilling cars, the term can be extended again according to their actual conditions of use and the result of the examination. For vehicles with extended term of service, the vehicles shall be examined more frequently as required by the Ministry of Public Security. For those failing to meet the requirements of the State for safe emission, the vehicles shall be rejected compulsorily.

8. This Standard shall enter into force as of the date of promulgation. Vehicles that meet the conditions of rejection prescribed in this Standard before its promulgation are allowed to be rejected within 12 months after its promulgation. This Standard shall be interpreted by the Office of the National Leading Team for the Renewal of Automobiles.

关于调整汽车报废标准若干规定的通知

(国家经济贸易委员会、国家发展计划委员会、公安部和
国家环境保护总局 2000 年 12 月 18 日联合发布，
国经贸资源 [2000] 1201 号)

为了鼓励技术进步、节约资源，促进汽车消费，现决定将 1997 年制定的汽车报废标准中非营运载客汽车和旅游载客汽车的使用年限及办理延缓的报废标准调整为：

一、9 座（含 9 座）以下非营运载客汽车（包括轿车、含越野型）使用 15 年。

二、旅游载客汽车和 9 座以上非营运客载汽车使用 10 年。

三、上述车辆达到报废年限后需继续使用的，必须依据国家机动车安全、污染物排放有关规定进行严格检验，检验合格后可延长使用年限。但旅游载客汽车和 9 座以上非营运载客汽车可延长使用年限最长不超过 10 年。

四、对延长使用年限的车辆，应当按照公安交通管理部门和环境保护部门的规定，增加检验次数。一个检验周期内连续三次检验不符合要求的，应注销登记，不允许再上路行驶。

五、营运车辆转为非营运车辆或非营运车辆转为营运车辆，一律按营运车辆的规定报废。

六、本通知没有调整的内容和其他类型的汽车（包括右置方向盘汽车），仍按照国家经贸委等部门《关于发布〈汽车报废标准〉的通知》（国经贸经 [1997] 456 号）和《关于调整轻型载货汽车报废标准的通知》（国经贸经 [1998] 407 号）执行。

七、本通知所称非营运载客汽车是指：单位和个人不以获取运输利润为目的的自用载客汽车；旅游载客汽车是指：经各级旅游主管部门批准的旅行社专门运载游客的自用载客汽车。

八、本通知自发布之日起施行。

Circular on Adjusting Several Provisions on the Standards on the Elimination of Outdated Automobiles

(Jointly issued by the State Economic and Trade Commission, the State Development Planning Commission, the Ministry of Public Security and the State Environmental Protection Administration on Dec. 18th, 2000)

In order to encourage technical progress, save resources and stimulate automobile consumption, now we decide to adjust the phased out standards for the limited number of using years and deferment transaction of non-commercial passenger cars and tourist passenger cars in the automobile phased out standards which were formulated in 1997:

1. Using-year number of non-commercial passenger cars (including saloon cars, contain off-road type) with seat number below 9 (contain 9 seats) is 15 years;

2. Using-year number of tourist passenger cars and non-commercial passenger cars with seat number over 9 is 10 years;

3. If cars mentioned above have reached their limited number of using years but still want to be used, they must undergo strict tests according to related regulations of the state on automobile safety and emissions, and the using years can be extended. But the limited number of prolonged using years of tourist passenger cars and non-commercial passenger could not exceed 10 years.

4. For automobiles whose limited number of years has been extended, the number of tests should be increased according to regulations of public security traffic administration and environment protection department. In case of failing to pass the test on three occasions within a test period in succession, registration of the cars should be canceled and the cars are not allowed to set out on a journey.

5. For non-commercial cars transferred from commercial cars or commercial cars transferred from non-commercial cars, they should be phased out according to regulations on commercial cars.

6. Contents not adjusted in this notice and automobiles of other types (including right-steer vehicles) should still be executed according to departments such as the State Economic and Trade Commission A Circular on Issuing Standards for Phasing out of Automobiles (Guo Jing Mao Jing[1997] No. 456) and A Circular on Adjusting Phase out Standards for Light Trucks (Guo Jing Mao Jing[1998] No. 407).

7. The so-called non-commercial passenger cars in this notice refer to: passenger cars which are used by units or individuals themselves and are not used for acquiring transport profits; tourist passenger cars refer to: self-used passenger cars belonging to travel agencies authorized by the tourist administrations at all levels, which are specialized for tourists transportation.

8. This Circular will take effect from the date of its promulgation.

关于调整轻型载货汽车报废标准的通知

(国家经济贸易委员会、国家发展计划委员会、公安部和国家环境保护总局 1998 年 7 月 7 日联合发布，
国经贸经 [1998] 407 号)

为了鼓励技术进步、节约资源、保护环境及公平竞争，现决定将《汽车报废标准》(1997 年修订)中轻型载货汽车(含越野型)的行驶里程、使用年限及办理延缓的报废标准调整为：

- 一、累计行驶 40 万公里；
 - 二、使用 10 年；
 - 三、达到使用年限，汽车性能仍符合有关规定的，允许办理最长不超过 5 年的延缓报废。延缓报废的审定工作，按国经贸经 [1997] 456 号文件的有关规定办理。
- 轻型载货汽车是指厂家最大总质量大于 1.8 吨、小于等于 6 吨的载货汽车。
请遵照执行。

Circular on Adjusting the Standard on the Elimination of Light Trucks

(Jointly issued by the State Economic and Trade Commission, the State Development Planning Commission, the Ministry of Public Security and the State Environmental Protection Administration on July 7th)

In order to encourage technical progress, save resources, protect environment and take part in competitions in a fair way, now we decide to adjust the phased out standards for light truck's driving mileage, the limited number of using years, deferment transacting in Phased Out Standard of Automobiles (1997 Edition) as follows:

1. Accumulative total 400,000km driving mileage;
2. 10 years in use;
3. Although a limited number of using years has been achieved, the truck's performance could still accord with relevant regulations. It is allowed to handle no longer than five year deferment of phasing out. The transaction of examination and approval should be handled according to relevant regulations of the Document of Guo Jing Mao Jing[1997]No. 456.

Light trucks refer to trucks whose factory prescribed maximum mass is within the range of 1.8 tons to 6 tons.

Please act in accordance with the Circular.

国务院办公厅关于限期停止生产 销售使用含铅汽油的通知

(1998年9月12日,国务院批准,国务院办公厅发布
国办发[1998]129号)

《中华人民共和国大气污染防治法》公布以来,我国的大气污染防治工作取得了一定成效。但是,随着车辆的增加,使用车用含铅汽油的大气污染越来越严重,对人体健康特别是对儿童身体健康造成了严重的危害。为了防治机动车辆排气污染,保护生态环境和人体健康,国务院决定在全国范围内限期停止生产、销售和使用车用含铅汽油,实现车用汽油无铅化。经国务院批准,现就有关问题通知如下:

一、自2000年1月1日起,全国所有汽油生产企业一律停止生产车用含铅汽油,改产无铅汽油。车用无铅汽油是指牌号90号及90号以上、含铅量每升不超过0.013克的汽油。在生产无铅汽油的过程中,对无铅汽油的其他有害物质的含量也应当控制,具体控制标准由国家环境保护总局会同国家质量技术监督局制定,并于1999年7月1日前公布,2000年1月1日起实施。

二、自1999年7月1日起,各直辖市及省会城市、经济特区城市、沿海开放城市和重点旅游城市的所有加油站一律停止销售车用含铅汽油,改售无铅汽油。自2000年7月1日起,全国所有加油站一律停止销售车用含铅汽油,改用无铅汽油。

三、自2000年7月1日起,全国所有汽车一律停止使用含铅汽油,改用无铅汽油。

四、自本通知下发之日起,各汽油生产企业应当逐步增加无铅汽油生产量,减少含铅汽油生产,直到规定期限完全停止车用含铅汽油生产;要合理调整汽油组份,安排高辛烷值汽油组份生产装置的改造、扩建和新建。汽油生产行业主管部门要加强对汽油生产企业的指导和监督,确保无铅汽油生产的各项措施到位。

五、自2000年1月1日起,汽车制造企业生产的所有汽油车都要适合使用无铅汽油。新生产的轿车要采用电子喷射装置并安装排气净化装置。自本通知下发之日起,对不适合使用无铅汽油的汽车(包括已出厂和未出厂的汽车),都要由汽车制造

Circular of the General Office of the State Council on Limiting and Stopping the Production, Sales and Use of Leaded Fuel

(Promulgated by the General Office of the State Council
on September 12, 1998, and effective as of September 12, 1998)

Since the promulgation of the Law on the Prevention and Control of Air Pollution of the People's Republic of China, certain effectiveness has been achieved in the work of the prevention and control of air pollution in China. However along with the increase of vehicles, the motor leaded fuel causes more and more air pollution, which does serious harm to the health of human health especially child health. The State Council decided to stop producing, selling and using the motor leaded fuel in the allotted time to realize that motor unleaded fuel will be used in the whole country. It is approved by the State Council hereby to give notice on related problems as follows:

1. From the beginning of January 1, 2000, all refineries producing leaded fuel in the whole country must produce unleaded motor fuel instead of motor leaded fuel without exception. Motor unleaded fuel refers to that of grade 90 and above with less than 0.013 gram of lead per liter. During the production of unleaded fuel, the content of other harmful materials in the unleaded fuel should be also controlled, the detailed standards on the control of harmful materials will be formulated by the State Environmental Protection Administration jointly with the State Quality and Technical Supervision Bureau. They will be promulgated before July 1, 1999 and effective as of January 1, 2000.

2. From the beginning of July 1, 1999, all filling stations must sell motor unleaded fuel instead of leaded fuel without exception in each municipality directly under the Central Government, the capital of each province, the cities in each special economic zone, the open cities along the coast and key tourist cities. From the beginning of July 1, 2000, all filling stations must sell motor unleaded fuel instead of leaded fuel without exception in the whole country.

3. From the beginning of July 1, 2000, all vehicles must use unleaded fuel instead of leaded fuel without exception in the whole country.

4. From the date when the notice is dispatched, each refinery should increase its production capacity of unleaded fuel and decrease the capacity of leaded fuel step by step and totally stop producing motor leaded fuel within the fixed time. The components of fuel should be rationally adjusted; the transformation, extension and new construction of production facilities producing fuel with antiknock component should be arranged. The department in charge in the gasoline industry should strengthen its guidance and supervision of the refineries to ensure various measures for producing unleaded fuel to be implemented.

5. From the beginning of January 1, 2000, all fuel vehicles produced by automobile factories must be suitable to unleaded fuel. The electric injection apparatus should be adopted and the exhaust staticiser should be installed in newly produced buses. From the date when this notice is dispatched, necessary transformation should be made by automobile factories for all vehicles which are not suitable to unleaded fuel (involving in-factory and ex-factory ones). Clean energy resources, such as natural gas, electricity, etc. should be adopted progressively by motorbuses. The scrapping and replacement of active vehicles must be carried out in accordance with the related stipulations.

6. The State Petroleum and Chemical Industry Bureau should organize China National Petroleum and Chemical Industry Corporation and China National Petroleum Corporation to dovetail production, transportation and marketing of unleaded fuel based on the arrangement by the State Development Planning Commission for the equilibrium of total supply and demand for finished fuel in the whole country. The transportation, storage and marketing management should be further normalized in the fuel

企业负责进行必要的改造。公共汽车要逐步采用天然气、电力等清洁能源。在用汽车必须按照有关规定报废更新。

六、国家石油和化学工业局要组织中国石油化工集团公司和中国石油天然气集团公司，根据国家发展计划委员会对全社会成品油供需总量的平衡安排，做好无铅汽油的产运销衔接工作。汽油销售系统要进一步规范汽油的运输、储存和销售管理，保障供油质量；在汽油无铅化的过渡期间，实行不同牌号的汽油、有铅和无铅汽油分别储存和运输，并合理设置销售网点，完善销售网络，为用户提供更加便利的加油条件。

七、为保证淘汰车用含铅汽油工作目标的如期实现，自1999年1月1日起，提高车用含铅汽油的消费税税率，调整车用含铅汽油的价格，使车用含铅汽油的销售价不低于无铅汽油的销售价。税率调整的具体办法由财政部会同国家税务总局制定，价格调整的具体办法由国家发展计划委员会会同有关部门制定。

八、继续贯彻执行《国务院关于环境保护若干问题的决定》（国发〔1996〕31号），坚决取缔、关闭土法炼油企业，对逾期未按规定取缔、关闭或停产的，要追究有关地方人民政府主要领导人及有关企业负责人的责任。

九、停止生产、销售和使用车用含铅汽油，实施车用汽油无铅化，是适应环境保护要求的一项重要的产业政策，涉及面广，影响较大。各省、自治区、直辖市人民政府和国务院有关部门一定要高度重视这项工作，各司其责，密切配合，抓好有关政策措施的落实。各级环境保护部门要会同工商行政管理、质量技术监督等部门切实加强对汽油生产企业和汽油销售市场的监督检查。对违反本通知规定的，要依照有关法律法规进行查处。

marketing system to guarantee the quality of fuel supply. During the transient period from leaded fuel to unleaded fuel, different grades of fuel coexist, leaded fuel and unleaded fuel should be separately transported and stored, and rational marketing points should be set up to perfect a marketing network in order to provide more convenient filling conditions for users.

7. From the beginning of January 1, 1999, in order to guarantee to realize the targets of eliminating motor leaded fuel, its consumption tax rate will be raised, its price will be adjusted to make it not lower than the price of unleaded fuel. The detailed methods for tax rate adjustment will be worked out by the Ministry of Finance jointly with the State Taxation Administration; the detailed methods for price adjustment will be formulated by the State Development Planning Commission jointly with the departments concerned.

8. The Decision On Environmental Protection Problems of the State Council (No. 31, Guofa [1996] should be continuously implemented, the refineries with local methods should be banned or closed, the responsibilities of the chief leaders of the people's governments in the related localities and the persons in charge of related refineries should be investigated and affixed for those unclosed or un-stopped refineries in the allotted time.

9. Stopping producing, selling and using motor leaded fuel to realize the utilization of unleaded fuel is an important industrial policy adapting the requirements of environmental protection, which covers a lot of aspects and has relatively great influences. The people's governments of each province, autonomous region, municipality directly under the State Council and the related departments of the State Council must attach great importance to the work, each performs its own functions and they should hand in glove with each other to do a good job of the implementation of related policies and measures. The supervision and inspection of refineries and fuel markets must be strengthened by the environmental protection departments at each level jointly with the administrations of industry and commerce, the quality and technical supervision departments, etc. Those violating the stipulations in the notice should be investigated and treated in accordance with the laws and regulations.

汽车工业产业政策（摘录）

（1994年3月12日，国务院发布 国发〔1994〕17号）

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第四章 产业技术政策

第十五条 国家鼓励推广使用汽车电子技术及新工艺、新材料，生产节能和低污染的汽车产品，研究开发新型燃料和新型动力的汽车。

第十六条 汽车工业企业的项目建设要保证其产品的先进性，对原有产品的改进和自我开发的产品要达到国际90年代初期水平，引进技术的产品要达到国际90年代同期水平。

第十七条 总质量不超过3.5吨的载客车和载货车在2000年前要逐步采用90号以上汽油作为燃料；总质量不超过2吨的载客车全部采用无铅汽油；总质量超过5吨的载客车和载货车2000年后主要采用柴油作为燃料。

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第四十五条 国家鼓励使用节能和低污染汽车产品。

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第四十七条 国家鼓励个人购买汽车，并将根据汽车工业的发展和市场消费结构的变化适时制定具体政策。

.....

第五十二条 铁路、交通、邮电、电力、环保等部门，要采取有力措施，与汽车工业企业密切联系，做好配套服务工作，支持汽车这一支柱产业的发展。

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Industrial Policy on Automobile
(excerpts of environment-related articles)

(Promulgated by the State Council on March 12, 1994)

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Chapter IV Technical Policy of the Industry

Article 15 The state encourages the popularization of automobile electronic technologies, new techniques and new materials, encourages the manufacture of automobile products that economize on energy and cause little pollution, and encourages the research and development of automobiles that employ new types of fuels and powers.

Article 16 Construction projects of automobile enterprises shall guarantee that the products are advanced. Improvement on existing products and self-innovated products shall meet the international standards in early 1990s; products of introduced technologies shall meet the international standards in mid-1990s.

Article 17 Passenger car and freight cars with a total mass at or below 3.5 tons shall take steps to use grade 90 gasoline as fuel before 2000; passenger cars with a total mass at or below 2 tons shall use lead-free gasoline; passenger cars and freight cars with a total mass over 5 tons shall mainly use diesel oil as fuel after 2000.

....

Article 45 The state encourages the use of automobile products that economize on energy and cause little pollution.

...

Article 47 The state encourages the purchase of car by individuals and will timely formulate concrete policies based on the development of the automobile industry and the changes in the consumption structure of the market.

....

Article 52 The administrative departments of railway, communications, postal services and telecommunication, electric power and environmental protection shall take effective measures, keep close contact with automobile enterprises, provide supporting services, and promote the development of this backbone industry of automobile.

机动车排放污染防治技术政策

(国家环保总局、科技部、国家机械工业局
1999年5月28日 环发[1999]134号)

一、总则和控制目标

1.1 为保护大气环境，防治机动车排放污染，根据《中华人民共和国大气污染防治法》，制定本技术政策。

1.2 本技术政策的适用范围是，我国境内所有新生产汽车（含柴油车）、摩托车（含助动车）、车用发动机产品，和在我国登记上牌照的所有在用汽车（含柴油车）、摩托车（含助动车）。

1.3 机动车排放除造成一氧化碳（CO）、碳氢化合物（HC）和氮氧化物（NO_x）污染外，柴油车还排放有致癌作用的细微颗粒物。此外，汽车空调用的氟里昂是破坏平流层臭氧的主要物质。因此，对机动车应同时考虑降低一氧化碳（CO）、碳氢化合物（HC）、氮氧化物（NO_x）和柴油车颗粒物的排放，汽车空调用的氟里昂应逐步取代。

1.4 汽车、摩托车和车用发动机产品均应向低污染、低能耗的方向发展。

1.5 轿车的排放控制水平，2000年达到相当于欧洲第一阶段水平；最大总质量不大于3.5吨的其他轻型汽车（包括柴油车）型式认证产品的排放控制水平，2000年以后达到相当于欧洲第一阶段水平；所有轻型汽车（含轿车）的排放控制水平，应于2004年前后达到相当于欧洲第二阶段水平，2010年前后争取与国际排放控制水平接轨；重型汽车（最大总质量大于3.5吨）与摩托车的排放控制水平，2001年前后达到相当于欧洲第一阶段水平，2005年前后柴油车达到相当于欧洲第二阶段水平，2010年前后争取与国际排放控制水平接轨。

1.6 根据中国环境保护远景目标纲要，重点城市应达到国家大气环境质量二级标准。为尽快改善城市环境空气质量，依据各城市大气污染分担率，在控制城市固定污染源排放的同时，应加强对流动污染源的控制。由于绝大多数机动车集中于城

Technical Policy on the Prevention and Control of Pollution by Motor Vehicle Emissions

(Promulgated by the State Environmental Protection Administration, the Ministry of Science and Technology, and the National Machinery and Industry Bureau on May 28, 1999)

1. General Principles and Objectives of Control

1.1 Pursuant to the Law of the People's Republic of China on the Prevention and Control of Air Pollution, this Technical Policy is formulated for the protection of the air environment and the prevention and control of pollution by motor vehicle emissions.

1.2 This Technical Policy is applicable to all newly produced automobiles (including diesel motor vehicles), motorcycles (including auxiliary motor vehicles), and motor vehicle engine products within the territory of the People's Republic of China, and all automobiles (including diesel motor vehicles) and motorcycles (including auxiliary motor vehicles) currently in use within the territory of the People's Republic of China.

1.3 Besides the CO, HC and NO_x pollution caused by motor vehicle emissions, diesel motor vehicles also emit carcinogenic particles. More than this, Freon used in automobile air conditioners is the major substance that damages the ozone layer in the stratosphere. Therefore, for motor vehicles, the emission of CO, HC, NO_x and particles from diesel motor vehicles shall be reduced together, and Freon used in automobile air conditioners shall be gradually replaced.

1.4 Automobiles, motorcycles and engine products for automobile vehicle use shall evolve in the direction of low pollution and low energy consumption.

1.5 By 2000, the emission control standards for saloon cars shall be up to that of the first stage in Europe; for other light automobiles (including diesel motor vehicles) that have passed model authentication and with a maximum gross mass of 3.5 Tons or less, the emission control standards shall be up to that of the first stage in Europe after 2000; for all light automobiles (including saloon cars), the emission control standards shall be up to that of the second stage in Europe around 2004 and, shall keep up with the international emission control standards around 2010; for heavy automobiles (with a maximum gross mass over 3.5 Tons) and motorcycles, the emission control standards shall be up to that of the first stage in Europe around 2001, and for diesel motor vehicles, the emission control standards shall be up to that of the second stage in Europe around 2005 and shall keep up with the international emission control standards around 2010.

1.6 Pursuant to the sketch of China's long-range objectives of environmental protection, the major cities shall reach the level two of the national air environmental quality standards. In order to improve the air quality in cities in a short time, based on the contribution rate of the cities to air pollution, besides the control of the emission of fixed pollution sources, the control of movable pollution sources shall be strengthened. Since the majority of the motor vehicles concentrate in cities, emission pollution by motor vehicles in cities shall be expressly controlled.

2. Newly Produced Automobiles, Motorcycles and Engine Products

2.1 The emission standards of new model products manufactured by automobile and motorcycle manufacturers shall constantly meet the requirements of the national standards. New model products that fail to meet the requirements of the national standards shall not be manufactured, sold, registered or used.

市，应重点控制城市机动车的排放污染。

二、新生产汽车、摩托车及其发动机产品

2.1 汽车、摩托车生产企业出厂的新定型产品，其排放水平必须稳定达到国家排放标准的要求。不符合国家标准要求的新定型产品，不得生产、销售、注册和使用。

2.2 汽车、摩托车及其发动机生产企业，应在其质量保证体系中，根据国家排放标准对生产一致性的要求，建立其产品排放性能及其耐久性的控制内容。并在产品开发、生产质量控制、售后服务等各个阶段，加强对其产品的排放性能管理，使其产品在国家规定的使用期限内排放性能稳定达到国家标准的要求。

2.3 汽车、摩托车及其发动机生产企业，应在其产品使用说明书中，专门列出维护排放水平的内容，详细说明车辆的使用条件和日常保养项目、有关零部件更换周期、维修保养操作规程以及生产企业认可的零部件厂牌等，为在用车的检查维护制度（I/M）提供技术支持。

2.4 鼓励汽车、摩托车及其发动机生产企业，采用先进的排放控制技术，提前达到国家制订的排放控制目标和排放标准。

2.5 鼓励汽车生产企业研究开发专门燃用压缩天然气（CNG）和液化石油气（LPG）为燃料的汽车，提供给部分有条件使用这类燃料的地区和运行线路相对固定的车型使用。代用燃料车的排放性能也必须达到国家排放标准的要求。

2.6 对于污染物排放较高的摩托车产品，应该逐步加严其排放标准。

2.7 鼓励发展油耗低、排放性能好的小排量汽车和微型汽车。鼓励新开发的车型逐步采用车载诊断系统（OBD），对车辆上与排放相关的部件的运行状况进行实时监控，确保实际运行中的汽车稳定达到设计的排放削减效果，并为在用车的检查维护制度（I/M）提供新的支持技术。鼓励研究开发电动车、混合动力车辆和燃料电池车技术，为未来超低排放车辆作技术储备。

2.8 鼓励研究开发稀燃条件下降低氮氧化物（NO_x）的催化转化技术、摩托车氧化催化转化技术以及再生能力良好的颗粒捕集技术。

三、在用汽车、摩托车

3.1 在用机动车在规定的耐久性期限内要稳定达到出厂时的国家标准要求。加强车辆维修、保养，使其保持良好的技术状态，是控制在用车污染排放的基本原则。

3.2 在用车的排放控制，应以强化检查/维护（I/M）制度为主，并根据各城市

2.2 Automobile, motorcycle and engine manufacturers shall incorporate into their quality guarantee system contents of emission performance and durability control based on the requirements of the national emission standards for the consistence of production, and shall strengthen the management of the emission performance of their products in the stages of products development, production quality control, after service, etc, so that the emission performance of their products will constantly meet the requirements of the national standards within the terms of service stipulated by the state.

2.3 Automobile, motorcycle and engine manufacturers shall, in the specification of their products, expressly provide contents on the maintenance of the emission performance, and elaborate on precautions in the use of the vehicles, items of routine maintenance, replacement cycle of the components, operational rules in the maintenance, and the providers and brands of the replacement parts acknowledged by the manufacturers, etc. so as to provide technical support for the inspection and maintenance (I/M) system of automobiles in use.

2.4 Automobile, motorcycle and engine manufacturers are encouraged to adopt advanced emission control technologies and reach the national emission control objectives and emission standards ahead of the schedule.

2.5 Automobile manufacturers are encouraged to research and develop automobiles that specially use compressed natural gas (CNG) and liquified petroleum gas (LPG) as fuels, and provide such automobiles in zones with suitable conditions and for models of automobiles running relatively fixed routes. The emission performance of vehicles using substitute fuels shall also meet the requirements of the national emission standards.

2.6 For motorcycle products that emit pollutants at a relatively high level, the emission standards shall be raised gradually.

2.7 The development of low-emission automobiles and mini-automobiles with low fuel consumption and better emission performance is encouraged. Newly developed models are encouraged to gradually adopt the on-board diagnostic system (OBD) to carry out real time monitoring of the operation of the component parts related to emission in order to make sure that the automobiles in actual operation will constantly achieve the desired emission reduction effects and provide updated technical support for the investigation and maintenance (I/M) system of the automobiles in use. The research and development of technologies in electromobility, combination powers vehicles and battery fuel automobiles are encouraged to accumulate technical reserves for the ultra-low emission vehicles in the future.

2.8 The research and development of the catalysis and conversion technology for the reduction of NO_x under conditions of rarefied gas mixture combustion, the motorcycle oxidation, catalysis and conversion technology, and the particles capture technology with excellent regeneration capability are encouraged.

3. Automobiles and Motorcycles in Use

3.1 Motor vehicles in use shall, within the term of durability, constantly meet the requirements of the national standards on leaving factory. To stress maintenance and to keep the vehicles in sound technical conditions is a basic principle in the control of pollution by emissions from vehicles in use.

3.2 In the control of emissions from vehicles in use, the emphasis shall be put on the Investigation/Maintenance (I/M) system, and proper measures shall be adopted to encourage the washing out and renewal of vehicles based on actual situations of the city. The I/M management system for vehicles in use in cities shall be perfected, the buildup of the monitoring capability and the networks shall be strengthened, monitoring of the emission performance of vehicles in use shall be stressed, and vehicles failing to meet the standards shall undergo regular maintenance compulsorily so as to guarantee that the engines will maintain the normal technical conditions.

3.3 The authentication system and quality guarantee system of the automobile maintenance enterprises shall be established gradually. Such enterprises shall be equipped with the necessary motor vehicle emissions monitoring and diagnosis measures. The monitoring and diagnosis instruments shall be

的具体情况，采取适宜的鼓励车辆淘汰和更新措施。完善城市在用车检查/维护（I/M）管理制度，加强检测能力和网络的建设，强化对在用车的排放性能检测，强制不达标车辆进行正常维修保养，保证车辆发动机处于正常技术状态。

3.3 逐步建立汽车维修企业的认可制度和质量保证体系，使其配备必要的机动车排放检测和诊断手段，并完善和正确使用各检测诊断仪器，提高维修、保养技术水平，保证维修后的车辆排放污染物达到国家规定的标准要求。

3.4 对1993年以后车型的在用汽油车（曲轴箱作为进气系统的发动机除外），进行曲轴箱通风装置和燃油蒸发控制装置的功能检查，确保其处于正常工作状态。

3.5 在用车排放检测方法及要求应该与新车排放标准相对应，除目前采用的怠速法或自由加速法控制外，对安装了闭环控制和三元催化净化系统，达到更加严格的排放标准的车辆，应采用双怠速法控制，并逐步以简易工况法（如ASM加速模拟工况）代替。

3.6 有排放性能耐久性要求的车型，在规定的耐久性期限内，应以工况法排放检测结果作为是否达标的最终判定依据。

3.7 在用车进行排放控制技术改造，是一种补救措施，必须首先详细研究分析该城市或地区的大气污染状况和分担率，确定进行改造的必要性和应重点改造的车型。针对要改造的车型，必须进行系统的匹配研究和一定规模的改造示范，并经整车工况法检测确可达到明显的有效性或更严格的排放标准，经国家环境保护行政主管部门会同有关部门进行技术认证后，方可由该车型的原生产厂或其指定的代表，进行一定规模的推广改造。

3.8 在用车改造为燃用天然气或液化石油气的双燃料车，是一种过渡技术，最终应向单燃料并匹配专用催化净化技术的燃气新车方向发展。在有气源气质供应和配套设施保障的地区，可对固定路线的车种（公交车和重型车）进行一定规模的改造，必须在整车上进行细致的匹配工作后，方可按3.7条的规定进行推广。

四、车用燃料

4.1 2000年后全国生产的所有车用汽油必须无铅化。

4.2 2000年后国家禁止进口、生产和销售作为汽油添加剂的四乙基铅。

4.3 积极发展优质无铅汽油和低硫柴油，其品质必须达到国家标准规定的要求。当汽车排放标准加严时，车用油品的品质标准也应相应提高，为新的排放控制技术的应用和保障车辆排放性能的耐久性提供必需的支持条件。

4.4 应确保车用燃料中不含有标准不允许的其他添加剂。

4.5 制订车用代用燃料品质标准，保证代用燃料质量达到相应标准的规定要

completed and appropriately mastered so as to improve the technical standards of the maintenance service, and to guarantee that the pollutants emission of vehicles after maintenance will meet the requirements of the national standards.

3.4 For models of gasoline motor vehicles designed after 1993 and still in use now (except for engines using crankbox as the inlet system), examination shall be made as to the performance of the crankbox ventilation devices and the fuel evaporation control system so as to make sure that they are in the normal working conditions.

3.5 The motor vehicle emissions monitoring methods and the requirements shall correspond with the emission standards of newly produced vehicles. Apart from the currently adopted idle speed control or free acceleration control, the dual idle speed control shall be applied to vehicles equipped with close circuit control and 3-way catalytic converters and which meet the more strict emission standards, and these methods shall be gradually replaced by the simple operating mode methods (e.g. ASM accelerating simulation operation mode).

3.6 For vehicles that require the durability of the emission performance, within the stipulated terms of durability, the results of the monitoring adopting the operation mode methods shall be used as the final evidence in judging whether the standards are met.

3.7 It is a remedial measure to conduct technical reform on the emission control of vehicles in use. During this process, detailed research and analysis shall be carried out as of the status of the air pollution and the contribution rate in the city or the region before decisions are made as to the necessity of the reform and the vehicle models that shall be given the priority in the reform. For the vehicle models to be reformed, systematic matching research and sampling reform in certain scale shall be carried out, and the reform shall achieve apparent effect or the vehicle shall meet the more strict emission standards in the monitoring adopting the entire car operating mode method. After the technical verification organized by the national competent department of environmental protection administration in cooperation with relevant departments, the reform can be popularized in certain scale by the original manufacturer of the vehicle models or its appointed representatives.

3.8 It is a transitional technology to reform the vehicles in use to adopt both gasoline and natural gas or liquidated petroleum gas as fuels, and finally it will evolve toward the new model adopting fuel gas as the single fuel and being equipped with special catalytic conversion technology. In zones with gas supply and matching facilities, reform on vehicles running fixed routes (buses and heavy vehicles) can be carried out in certain scale, and only after the careful work of matching has been done on the entire vehicle, can the popularization be pushed forward pursuant to the rules stipulated in clause 3.7.

4. Vehicle Fuel

4.1 All vehicle gasoline produced in China after 2000 shall be free of gas.

4.2 The state prohibits the importation, production and sales of tetraethyl-lead as gasoline additive after 2000.

4.3 The development of high quality lead-free gasoline and low-sulphur diesel oil shall be encouraged, and the quality of these fuels shall meet the requirements of the national standards. When the automobile emission standards is raised, the quality standards of the vehicle fuels for shall be raised accordingly, so as to provide necessary support for the application of the new emission control technologies and guarantee the durability of the emission performance of the vehicles.

4.4 No additives prohibited by the standards shall be included in the vehicle fuels.

4.5 The quality standards for substitute vehicle fuels shall be formulated to make sure that the quality of the substitute fuels will meet the requirements of the corresponding standards.

4.6 The reliability and security of fuels in transportation, storage and sales shall be guaranteed in order to prevent environmental pollution caused by accidents in these processes, e.g. volatilization of the fuel into the air and, ground water pollution caused by leakage of the oil tank.

4.7 Automobiles and motorcycles shall use fuels that meet the designed requirements and the na-

求。

4.6 应保证油料运输、储存、销售等环节的可靠性和安全性，防止由于上述环节的失误造成对环境的污染，如向大气的挥发排放，储油罐泄露污染地下水等。

4.7 汽车、摩托车应该使用符合设计要求、达到国家燃料品质标准的燃料。

4.8 应加强对车用燃料进口和销售环节的管理，加大对加油站的监控力度，确保加油站的油品质量达到国家标准的规定要求。

4.9 为防止电控喷射发动机的喷嘴堵塞和气缸内积炭，在汽油无铅化基础上，应采用科学配比的燃料清净剂，按照规范的方法在炼油厂或储运站统一添加到车用汽油中，以保证电嘴车辆的正常使用。

4.10 对油料中含氧化物的使用，如 MTDE、甲醇混合燃料等，应根据不同地区的情况制订具体的规范。

五、排放控制装置和测试设备

5.1 应加快车用催化净化器等排放控制装置的研究开发和国产化，并建立动态跟踪管理制度。

5.2 汽车、摩托车生产企业应配备完整的排放检测设备，为生产一致性检查和排放控制技术的研究开发服务。

5.3 应加速汽车排放污染物分析仪器、测试设备的开发和引进技术的国产化。

5.4 在用车排放污染控制装置应与整车进行技术匹配，形成成套技术并经过国家有关部门的技术认证后方可推广使用。

5.5 怠速法和自由加速法检测只能作为在用车检查/维护 (I/M) 制度的检测手段，不能作为判定排放控制装置实际削减效果的依据。

5.6 汽车排放分析仪器、测试设备应达到国家汽车、摩托车排放标准规定的技术要求。

tional fuel quality standards.

4.8 Management of the importation and sales of the vehicle fuels shall be strengthened, so shall the monitoring and supervision of the gas stations, so as to guarantee that the quality of the oil provided by the gas station will meet the requirements of the national standards.

4.9 In order to prevent the block of the injection nozzle of the electronic fuel injection (EFI) engines and the accumulation of carbon in the cylinders, on the basis of the adoption of lead-free gasoline, fuel cleansers that are scientifically proportioned shall be adopted and added into gasoline in oil refineries or storage stations pursuant to the standards so as to guarantee the normal operation of the EFI vehicles.

4.10 As for the use of oxides in the fuel, e.g. MTDE, carbinol mixture fuel, etc, specific standards shall be formulated in accordance with the situation of different zones.

5. Emission Control Devices and Testing Equipment

5.1 The research, development and nationalization of the vehicle catalytic converters and other emission control devices shall be accelerated, and management systems of dynamic follow-up shall be established.

5.2 Automobile and motorcycle manufacturers shall be equipped with complete emissions testing equipment for the examination of the consistency of production and the research and development of the emission control technologies.

5.3 The development of the vehicle pollutants analysis instruments and the testing equipment shall be accelerated and so shall the nationalization of the technologies introduced from foreign countries.

5.4 The emissions pollution control equipment of the vehicles in use shall technologically match with the entire vehicles, and together form a complete set of technologies that shall pass the technical authentication of relevant departments of the state before being popularized.

5.5 The idle speed and free acceleration testing methods can only be used as testing measures for the investigation/maintenance (I/M) system of the vehicles in use, and shall not be used as basis for judging the actual effects of the reduction of the emission control equipment.

5.6 The automobile emission analysis instruments and the testing equipment shall meet the technical requirements of the national emission standards of automobiles and motorcycles.

关于安装汽车污染控制产品有关问题的通知

(1998年7月3日, 国家环保总局办公厅 环办[1998]164号)

汽车排放污染问题日益引起社会各界关注, 各地陆续加强了汽车排气污染治理工作, 许多地方对排气不达标的在用车采取了安装净化装置的措施。为了指导、规范汽车污染控制产品的使用, 特作如下通知。

一、各地应按照原国家环境保护局等六部委发布的《汽车排气污染监督管理办法》([90]环管字第359号)的规定, 对汽车污染控制产品定型生产进行监督管理。

二、各地应按照原国家环境保护局发布的《环境保护产品认定管理暂行办法》(环科[1997]251号)的规定, 对汽车污染控制产品进行认定。

对已列入国家级认定目录的产品, 各地环保部门不得再进行重复认定。

三、各地环保部门在推广使用汽车污染控制产品工作中, 不得强制指定使用某种产品。

四、各地环保部门应会同机动车维修行业主管部门, 对进行机动车排气污染治理的维修单位进行认定, 并组织维修人员进行污染治理的技术培训。

五、各地环保部门应要求汽车污染控制产品的生产单位, 如实向用户提供其产品的安装使用条件、适用的车型车况、净化效果、使用寿命、使用维护注意事项等情况, 并对使用维护提供相应的质量保证。

六、各地应对已使用的汽车排气污染控制产品进行质量跟踪, 发现在有效期内、正常使用条件下不能达到产品标准的, 要及时上报我局, 以取消该产品认定资格。

附件:

汽车污染控制产品适用条件

国家环境保护总局现开展了汽车曲轴箱强制通风装置(PCV阀), 汽油车燃油蒸发污染物控制装置, 汽油车尾气催化净化器, 汽车电子点火器和汽车磁化净化器等5种产品的认定工作。这5种产品的控制对象、控制方式不同, 具体效果不一样。这些产品之间不能相互替代, 应根据车辆的具体情况安装使用。

Circular on Related Issues Concerning Installing Pollution-Control Products on Motor Vehicles

(Promulgated by the General Office of the State Environmental Protection Administration on July 3, 1998)

Pollutant discharged by vehicles has drawn attention from all circles of society. Pollution controlling is being strengthened in succession, and measures have been taken to install purification devices for vehicles that exceed pollutant discharge standard. To guide and standardize the use of pollution-control products on vehicles, note the following:

I. The production pattern of pollution-control products for vehicles shall be inspected and managed in accordance with the Measures on Supervision of Exhaust Pollution from Automobiles (No. 359 [90] of Huan Guan Zi), issued by six ministries and commissions, including the original National Environmental Protection Agency.

II. Certification shall be made for vehicle pollution-control products, in line with the stipulations of the Interim Measures for the Certification Management of Environmental Protection Products (No. 251 [1997] of Huan Ke) issued by the original National Environmental Protection Agency.

Local environmental protection departments shall not make redundant certification for the products listed in the category that has been identified by the State-level institutions.

III. Environmental protection departments shall not advocate using a certain product while popularizing the use of pollution-control products for vehicles.

IV. Environmental protection departments should, in conjunction with managerial departments of vehicle maintenance, certify maintenance units that treat vehicle exhaust pollution, and conduct technical training on pollution control for maintenance workers.

V. Environmental protection departments shall require producers of pollution-control products to provide truthfully for users information about the properties of the products, such as conditions of use and installation, appropriate car models and circumstances, purification results, operation life, matters requiring attention in use and maintenance, and relevant quality guarantees for use and maintenance.

VI. Quality follow-ups shall be conducted with the exhaust pollution controlling products in use. Products that do not meet the standard under normal use and within effective time shall be reported to the State Environmental Protection Administration in time, so as to cancel their qualification.

Attachment:

Conditions of Application for Vehicle Pollution-Control Products

The State Environmental Protection Administration has launched certification for five products: vehicle crankcase forced ventilation device (PCV valve), evaporated pollution-control device for gasoline-drive vehicles, tail gas catalytic cleaner for gasoline-drive vehicles, vehicles' electronic ignition device and vehicles' magnetized cleaner. Due to different targets and methods of pollution control, the five products yield different results. These products cannot be substituted for each other and should be installed and used in accordance with the specific circumstances.

产品类型	净化效果	控制对象	适用条件
汽车曲轴箱强制通风装置 (PCV)	减少曲轴箱废气泄漏 削减汽车 HC 总排放量的 20—25% 削减汽车 CO 总排放量的 1—2%	汽车曲轴箱系统	按《汽车曲轴箱污染物排放标准》(GB14761.4) 的规定自 1989 年起全部新生产汽车必须安装, 排放达标按《汽车曲轴箱污染物测量方法》(GB/T11340) 测量。
汽油车燃油蒸发污染控制装置	减少汽油蒸发污染物 削减汽车 HC 总排放量的 15—20%	汽车供油系统	按《汽油车燃油蒸发污染物排放标准》(GB14761.3) 的规定, 自 1996 年 7 月 1 日起, 全部新生产汽油车必须安装。对此之前生产的汽油车当供油系统密封后方能安装。排放达标按《汽油车燃油蒸发污染物的测量收集法》(GB/T14763) 测量。
汽油车尾气催化净化器	削减排气中 $CO \geq 70\%$ $HC \geq 70\%$	汽车排气系统	适用: 1. 汽油车; 2. 使用无铅汽油; 3. 汽车空燃比在 14.5 左右, 波动不能太大; 4. 车辆状况要正常, 不能有断火、烧机油等故障, 否则会产生严重后果; 5. 不同车型应使用相应配套产品。
汽车电子点火器	削减排气中 $(HC + CO) / 2 \geq 10\%$	汽车点火系统	适用: 1. 汽油车点火系统; 2. 电子点火器应与车辆配套。电子点火器对发动机性能有所改善, 原车点火系统性能较差时, 效果较好。
汽车磁化净化器	削减排气中 $(HC + CO) / 2 \geq 20\%$	汽车供油系统	适用: 汽油车供油油路。不同车辆车况安装后效果有差异, 有关原理需进一步研究。

Modals of Products	Purification Results	Targets	Conditions of Application
Vehicle crankcase forced ventilation device (PCV valve)	reduced waste gas leakage in crankcase, total discharge of HC and CO by the vehicle reduced by 20-25% and 1-2% respectively.	Vehicles' crankcase system	According to the Effluent Standard of Crankcase's Pollutants of Vehicles (GB14761.4), all newly manufactured vehicles, from 1989 on, shall install this product, and the effluent standard shall be measured according to the Measuring Method of Vehicles' Crankcase Pollutants (GBT11340).
Pollutant evaporation control device for gasoline-driven vehicles	Pollutant evaporation from gasoline reduced; total discharged HC cut by 15-20%	Oil-supply system of vehicles	According to the Effluent Standard of Evaporated Pollutants of Gasoline-Driven Vehicles (GB14761.3), all newly manufactured gasoline-driven vehicles must, from July 1, 1996, install the product. Vehicles manufactured before this date should have their oil-supply systems well-sealed before installation. Effluent standards shall be measured in accordance with the Measuring and Collection Methods of Evaporated Pollutants of Gasoline-Driven Vehicles (GB/T14763).
Tail gas catalytic cleaner for gasoline-driven vehicles	Exhaust reduction: CO \geq 70% HC \geq 70%	Effluent system of vehicles	Applicable conditions: 1. Gasoline-driven vehicles; 2. Non-leaded gasoline; 3. Air-fuel ratio about 14.5, with little fluctuation; 4. Vehicles should be normal, no such troubles as cutoff or burning of engine oil. Otherwise, results will be seriously critical. 5. Different types of vehicles should use their corresponding supporting products.
Vehicles' electronic ignition device	Exhaust reduction: (HC + CO)/2 \geq 10%	Vehicle ignition system	Applicable conditions: 1. Ignition system of gasoline-driven vehicles. 2. Electronic ignition devices should match the vehicles. Electronic ignition device will improve to some extent the property of the engine. Good results can be obtained if the original ignition system works fairly poor.
Vehicle's magnetized cleaner	Exhaust reduction: (HC + CO)/2 \geq 20%	Vehicle's oil-supply system	Applicable conditions: Oil line of gasoline-driven vehicles. Results of different vehicles vary. Further research is needed for related principles.

关于对低污染排放小汽车减征消费税的通知

(财政部、国家税务总局 2000年6月7日 财税[2000]26号)

为保护生态环境,促进低污染排放汽车的生产和消费,推进汽车工业技术进步,经国务院批准,对低污染排放汽车实行减征消费税的政策。现通知如下:

一、对生产销售达到低污染排放限值的小轿车、越野车和小客车减征30%的消费税。

计算公式为:减征税额=按法定税率计算的消费税额 \times 30%

应征税额=按法定税率计算的消费税额-减征税额

低污染排放限值是指相当于欧盟指令94/12/EC、96/69/EC排放标准(简称“欧洲II号标准”)。

二、汽车生产企业直接向财政部和国家税务总局申请减征消费税,同时抄报国家机械工业局和国家环境保护总局。由财政部和国家税务总局会同国家机械工业局和国家环境保护总局进行审核认定;对经审核确实达到低污染排放限值的车型,由财政部、国家税务总局联合下发执行文件,抄送国家机械工业局、国家环境保护总局和相关汽车生产企业。

对《全国汽车、民用改装车和摩托车生产企业及产品目录》未列名汽车生产企业的申请,不予受理。

三、申请减征消费税必须提交的材料

(一)书面申请报告。

(二)财政部、国家税务总局、国家机械工业局、国家环境保护总局共同认定的汽车质量检验机构出具的汽车样品达到低污染排放检验报告。

(三)国家汽车行业主管部门会同国家环境保护总局认定的汽车企业达到低污染排放限值生产一致性合格报告。

(四)财政部和国家税务总局根据具体情况,要求企业增报的其他材料。

四、达标检验

(一)样品检验

财政部、国家税务总局、国家机械工业局、国家环境保护总局认定国家轿车质

Circular on Reducing Taxation of Consumption Tax on Sedan Cars with Low Pollution Discharge

(Issued by the Ministry of Finance and the State Taxation Administration on June 7, 2000)

In order to protect ecological environment, promote the production and consumption of automobiles with low pollution discharge and encourage the progress of technology of the automobile industry, with the approval of the State Council, a policy for reducing taxation of the consumption tax on sedan cars with low pollution discharge is to be implemented. Issues relevant are notified as follows:

1. The consumption tax on the production and sales of sedan cars, cross-country vehicles and passenger cars which have attained the limited value of pollution discharge shall be reduced by 30 percent.

The computing formula: The reduced tax amount = the amount of the consumption tax calculated in line with the legal tariff rate \times 30 %

The dutiable amount = The consumption tax amount calculated in accordance with the legal tax rates - the reduced tax amount

The limited value of low pollution discharge is equivalent to the 94/12/EC, 96/69/EC discharge standard instructed by the European Communities ("the European No. II Standard" for short).

2. Automobile production enterprises shall directly file an application to the Ministry of Finance and the State Administration Taxation for the reduction of the consumption tax and, at the same time, submit the application to the State Machine-Building Industry Bureau and the State Environmental Protection Administration. The Ministry of Finance and the State Taxation Administration shall, together with the State Machine-Building Industry Bureau and the State Environmental Protection Administration, examine, verify and identify the application; if the type of the car has indeed reached the limited value of low pollution discharge upon examination and verification, the implementation document shall be jointly issued by the Ministry of Finance and the State Taxation Administration and the duplicate shall be sent to the State Machine-Building Industry Bureau, the State Environmental Protection Administration and relevant automobile production enterprises.

The applications of the automobile production enterprises which have not been listed in the National Production Enterprises and Catalog of Automobiles, Refitted Cars for Civilian Use and Motorcycles shall not be accepted.

3. Materials that must be submitted for applying for reducing the consumption tax are follows:

(1) The written application.

(2) The survey report on the automobile samples that have attained the target for low pollution discharge issued by the quality inspection organization jointly accepted by the Ministry of Finance, the State of Taxation Administration, the State Machine-Building Industry Bureau and the State Environmental Protection Administration.

(3) The production uniformity qualification report for the automobile production enterprises that have attained the limited value of low pollution discharge approved by the state automobile industry administrative department and the State Environmental Protection Administration .

(4) Other materials the enterprises are asked to submit in addition by the Ministry of Finance and the State Taxation Administration in line with the specific conditions.

4. Inspection of Meeting the Standard

(1) Sample Inspection

The Ministry of Finance, the State Taxation Administration, the State Machine-Building Indus-

量监督检验中心、国家汽车质量监督检验中心、国家汽车质量监督检验中心（襄樊）为小汽车低污染排放限值质量检验机构（以下简称“检验机构”）。

汽车生产企业可在上述3家检验机构中有自愿选择一家不存在关联关系的检验机构进行样品检验，否则，检验机构出具的样品检验合格报告无效。

存在关联关系是指，汽车质量检验机构与汽车生产企业在资金、经营、购销等方面存在直接、间接拥有或控制关系，或者存在直接、间接地同为第三者所拥有或控制关系，或存在其他利益上具有相关联关系的。

（二）生产一致性检验

财政部和国家税务总局委托国家机械工业局会同国家环境保护总局组织生产一致性认证机构和有关专家，对申请减征消费税的汽车生产企业进行生产一致性审查检验。

生产一致性检验申报和审查程序由国家机械工业局会商财政部、国家税务总局和国家环境保护总局另行制定。

（三）国家机械工业局于检验完毕10个工作日内，会同国家环境保护总局将检验合格的企业与车型清单，送交财政部和国家税务总局。

五、税务管理及处罚

（一）负责实施减征小汽车消费税的国家税务局主管税务机关、要严格把关，认真执行政策，做好监管工作。各省（市）国家税务局应于每年1月30日之前，将上一年度低排放车型的销售额、销售数量和减税金额汇总上报国家税务总局和财政部。

（二）汽车生产企业应当单独核算批准减征消费税车型的销售数量 and 销售额。否则，税务机关不予减征消费税。

（三）财政部和国家税务总局可以组织或委托有关机构对享受减征消费税政策的低污染排放汽车的污染排放值进行检查，对不符合规定的，取消其减征消费税资格。

对于被取消减征消费税资格的汽车，生产企业需重新申请并按上述检验和批准程序后方可享受减征消费税政策。

（四）检验机构参与作假的，取消其低污染排放汽车的检验资格，并提请国家有关部门依法对其进行处罚。

（五）汽车生产企业采取不当手段骗取国家减征消费税政策的，一经查实，由主管税务机关依照《中华人民共和国税收征收管理法》及相关法规的有关规定追回减征的税款，并予以处罚。

六、本通知自2000年1月1日起执行。

try Bureau and the State Environmental Protection Administration accept the State Sedan Quality Supervision and Inspection Center, the State Automobile Quality Supervision and Inspection Center and the State Automobile Quality Supervision and Inspection Center (Xiangfan) as the quality inspection authorities for the limited value of low pollution discharge of sedan cars ("inspection authorities").

The automobile production enterprises can choose by themselves one of the three above-mentioned inspection authorities without any affiliated relations for the inspection of their samples. Otherwise, the qualified report made by the inspection authorities will be invalid.

The affiliated relations refer to direct and indirect holding or controlling relations in funds, business and purchase and sales between the automobile quality inspection authority and the automobile production enterprise, or have the direct and indirect relations held or controlled by a the third party, or have the related affiliated relations in other interests.

(2) Inspection of Production Uniformity

The Ministry of Finance and the State Taxation Administration entrust the State Machine-Building Industry Bureau and the State Environmental Protection Administration to organize the production uniformity certification authorities and relevant experts for the examination, verification and inspection of production uniformity of the automobile production enterprises that apply for the reduction of the consumption tax.

The production uniformity inspection report and the examination procedures shall be formulated separately by the State Machine-Building Industry Bureau through consultations with the Ministry of Finance, the State Taxation Administration and the State Environmental Protection Administration.

(3) The State Machine-Building Industry Bureau and the State Environmental Protection Administration shall, within ten days upon completion of the inspection, submit the list of the enterprises and car types whose inspection has been up to the standard to the Ministry of Finance and the State Taxation Administration.

5. Tax Administration and Punishment

(1) The competent authorities of the State Bureau of Taxation in charge of implementing the reduction of the consumption tax on sedans shall check on strictly, earnestly implement the policy and make a good job of supervision and management. The state bureaus of taxation in various provinces (cities) shall, before January 30 each year, collect the sales volume, quantity of sales and the amount of the reduced tax of the car types with low pollution discharge of the preceding year for the State Bureau of Taxation Administration and the Ministry of Finance.

(2) The automobile production enterprises shall keep separately the sales amount and the sales value of the car types with the approved reduction of the consumption tax. Otherwise, the tax authorities will not reduce the consumption tax.

(3) The Ministry of Finance and the State Bureau of Taxation may organize or entrust relevant authorities to inspect the pollution discharge value of low pollution discharge of automobiles that enjoy the reduced consumption tax policy. If they fail to meet the requirement, their qualification for the reduction of the consumption tax will be cancelled.

As for the vehicles whose qualification for the reduction of the consumption tax has been cancelled, the production enterprises may enjoy the policy for the reduction of the consumption tax after reapplication in accordance with the above inspection and approval procedures.

(4) If the inspection authorities are involved in falsification, their qualification for inspecting the vehicles with low pollution discharge shall be cancelled and they shall be punished by the relevant department of the State according to law.

(5) If the automobile production enterprises adopt illegal means to gain benefits of the policy of the State by cheating for the reduction of the consumption tax, once the enterprises are found out after a thorough investigation, the competent tax authorities shall, in accordance with the Law of the People's Republic of China on the Management of Tax Collection and relevant provisions of relevant rules and regulations, recover the reduced tax amount and punish them.

6. The Circular shall go into effect from January 1, 2000.

五、固体废物管理

V Soild Waste

中华人民共和国固体废物污染环境防治法

(1995年10月30日第八届全国人民代表大会
常务委员会第十六次会议通过，同日公布)

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- 附：刑法有关条款

第一章 总 则

第一条 为了防治固体废物污染环境，保障人体健康，促进社会主义现代化建设的发展，制定本法。

第二条 本法适用于中华人民共和国境内固体废物污染环境的防治。

固体废物污染海洋环境的防治和放射性固体废物污染环境的防治不适用本法。

第三条 国家对固体废物污染环境的防治，实行减少固体废物的产生、充分合理利用固体废物和无害化处置固体废物的原则。

第四条 国家鼓励、支持开展清洁生产，减少固体废物的产生量。

国家鼓励、支持综合利用资源，对固体废物实行充分回收和合理利用，并采取有利于固体废物综合利用活动的经济、技术政策和措施。

第五条 国家鼓励、支持有利于保护环境的集中处置固体废物的措施。

第六条 县级以上人民政府应当将固体废物污染环境防治工作纳入环境保护规划，并采取有利于固体废物污染环境防治的经济、技术政策和措施。

Law on Prevention of Environmental Pollution Caused by Solid Waste

(Adopted by the 16th Meeting of the Standing Committee of the Eighth National People's Congress on October 30, 1995, promulgated by Order No. 58 of the President of the People's Republic of China on October 30, 1995, to be effective as of April 1, 1996)

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Chapter I General Principles

Article 1 To prevent the pollution of the environment by solid waste, ensure the good health of the public, and promote the development of socialist modernization, the following law is hereby established.

Article 2 This law applies to the prevention of environmental pollution caused by solid waste within the boundaries of the People's Republic of China.

It does not apply to the prevention of marine environmental pollution caused by solid waste or of environmental pollution caused by radioactive solid waste.

Article 3 To prevent pollution of the environment by solid waste, the state shall carry out a principle of reducing the production of solid waste, making full and rational use of solid waste, and safely disposing of solid waste.

Article 4 The state shall encourage and support clean production to reduce the creation of solid waste.

The state shall encourage and support the comprehensive utilization of resources, the full recovery and rational usage of solid waste, and the adoption of economic and technological policies and measures conducive to making comprehensive use of solid waste.

Article 5 The state shall encourage and support measures for the centralized disposal of solid waste that are conducive to environmental protection.

Article 6 The people's governments at the county level or above shall coordinate the prevention of environmental pollution caused by solid waste with environmental protection plans and shall adopt economic and technological policies and measures conducive to the prevention of environmental pollution caused by solid waste.

Article 7 The state shall encourage and support scientific research and technological development for the prevention of environmental pollution caused by solid waste, the promotion of advanced techn-

第七条 国家鼓励、支持固体废物污染环境防治的科学研究、技术开发、推广先进的防治技术和普及固体废物污染环境防治的科学知识。

第八条 各级人民政府对在固体废物污染环境防治工作以及相关的综合利用活动中作出显著成绩的单位和个人给予奖励。

第九条 任何单位和个人都有保护环境的义务，并有权对造成固体废物污染环境的单位和个人进行检举和控告。

第十条 国务院环境保护行政主管部门对全国固体废物污染环境防治工作实施统一监督管理。国务院有关部门在各自的职责范围内负责固体废物污染环境防治的监督管理工作。

县级以上地方人民政府环境保护行政主管部门对本行政区域内固体废物污染环境的防治工作实施统一监督管理。县级以上地方人民政府有关部门在各自的职责范围内负责固体废物污染环境防治的监督管理工作。

国务院建设行政主管部门和县级以上地方人民政府环境卫生行政主管部门负责城市生活垃圾清扫、收集、贮存、运输和处置的监督管理工作。

第二章 固体废物污染环境防治的 监督管理

第十一条 国务院环境保护行政主管部门建立固体废物污染环境监测制度，制定统一的监测规范，并会同有关部门组织监测网络。

第十二条 建设产生工业固体废物的项目以及建设贮存、处置固体废物的项目，必须遵守国家有关建设项目环境保护管理的规定。

建设项目的环境影响报告书，必须对建设项目产生的固体废物对环境的污染和影响作出评价，规定防治环境污染的措施，并按照国家规定的程序报环境保护行政主管部门批准。环境影响报告书经批准后，审批建设项目的主管部门方可批准该建设项目的可行性研究报告或者设计任务书。

第十三条 建设项目的环境影响报告书确定需要配套建设的固体废物污染环境防治设施，必须与主体工程同时设计、同时施工、同时投产使用。固体废物污染环境防治设施必须经原审批环境影响报告书的环境保护行政主管部门验收合格后，该建设项目方可投入生产或者使用。对固体废物污染环境防治设施的验收应当与对主体工程的验收同时进行。

第十四条 县级以上人民政府环境保护行政主管部门和其他固体废物污染环境防治工作的监督管理部门，有权依据各自的职责对管辖范围内与固体废物污染环境

ologies for prevention, as well as the popularization of scientific knowledge for the prevention of environmental pollution caused by solid waste.

Article 8 The people's governments at different levels shall give awards to those units or individuals that make remarkable contributions to the prevention of environmental pollution caused by solid waste as well as in the related activities of making comprehensive use of solid waste.

Article 9 Every unit or individual has an obligation to protect the environment and has the right to report or bring charges against those units or individuals that are responsible for environmental pollution caused by solid waste.

Article 10 The administrative department under the State Council in charge of environmental protection shall exercise unified supervision and administration throughout the whole country over the prevention of environmental pollution caused by solid waste. The relevant departments under the State Council shall be in charge of the supervision and administration of the prevention of environmental pollution caused by solid waste within the limits of their own responsibilities.

The administrative departments under the local people's governments at the county level or above shall exercise unified supervision and administration over the prevention of environmental pollution caused by solid waste within the boundaries of the corresponding administrative division. The departments concerned under the people's governments at the county level or above shall be in charge of the supervision and administration of the prevention of environmental pollution caused by solid waste within the limits of their own responsibilities.

The administrative department under the State Council in charge of construction and the administrative departments in charge of the environment and public health under the local people's governments at the county level or above shall be in charge of the supervision and administration of the cleaning, collection, storage, transportation, and disposal of urban residential refuse.

Chapter II Supervision and Administration of Prevention of Environmental Pollution Caused by Solid Wastes

Article 11 The administrative department under the State Council in charge of environmental protection shall establish a monitoring system for environmental pollution caused by solid waste, formulate unified monitoring standards, and organize a monitoring network in conjunction with other relevant departments.

Article 12 In constructing those projects that may produce industrial solid waste as well as those for storage and disposal of solid waste, the state administrative regulations for environmental protection in construction projects must be abided by.

Reports on the effects of a construction project on the environment shall include an estimation of the pollution and other effects on the environment caused by the solid waste that is produced by the construction project, as well as the stipulation of measures for the prevention of environmental pollution, and shall be submitted to the administrative department in charge of environmental protection for approval in accordance with the procedures that are stipulated by the state. After the report on the environmental effects is ratified, the department in charge of examining and approving construction projects shall approve a feasibility study report or a design responsibility report for the project.

Article 13 A report on the effects of a construction project on the environment shall stipulate that the necessary facilities for the prevention of environmental pollution caused by solid waste must be designed, constructed, and put into operation in coordination with the principal part of the project. A construction project shall begin operation or use only after the facilities for the prevention of environmental pollution caused by solid waste are inspected and approved by the same department that examined and approved the report on the environmental effects. The facilities for the prevention of environmental pollution caused by solid waste shall be inspected and approved together with the principal part of the project.

Article 14 The administrative departments under the people's governments at the county level or

防治有关的单位进行现场检查。被检查的单位应当如实反映情况，提供必要的资料。检查机关应当为被检查的单位保守技术秘密和业务秘密。

检查人员进行现场检查，应当出示证件。

第三章 固体废物污染环境的防治

第一节 一般规定

第十五条 产生固体废物的单位和个人，应当采取措施，防止或者减少固体废物对环境的污染。

第十六条 收集、贮存、运输、利用、处置固体废物的单位和个人，必须采取防扬散、防流失、防渗漏或者其他防止污染环境的措施。

不得在运输过程中沿途丢弃、遗撒固体废物。

第十七条 产品应当采用易回收利用、易处置或者在环境中易消纳的包装物。

产品生产者、销售者、使用者应当按照国家有关规定对可以回收利用的产品包装物和容器等回收利用。

第十八条 国家鼓励科研、生产单位，研究、生产易回收利用、易处置或者在环境中易消纳的农用薄膜。

使用农用薄膜的单位和个人，应当采取回收利用等措施，防止或者减少农用薄膜对环境的污染。

第十九条 对收集、贮存、运输、处置固体废物的设施、设备和场所，应当加强管理和维护，保证其正常运行和使用。

第二十条 禁止擅自关闭、闲置或者拆除工业固体废物污染环境防治设施、场所；确有必要关闭、闲置或者拆除的，必须经所在地县级以上地方人民政府环境保护行政主管部门核准，并采取措施，防止污染环境。

第二十一条 对造成固体废物严重污染环境的企业事业单位，限期治理。被限期治理的企业事业单位必须按期完成治理任务。限期治理由县级以上人民政府按照国务院规定的权限决定。

第二十二条 在国务院和国务院有关主管部门及省、自治区、直辖市人民政府划定的自然保护区、风景名胜区、生活饮用水源地和其他需要特别保护的区域内，禁止建设工业固体废物集中贮存、处置设施、场所和生活垃圾填埋场。

第二十三条 转移固体废物出省、自治区、直辖市行政区域贮存、处置的，应当向固体废物移出地的省级人民政府环境保护行政主管部门报告，并经固体废物接受地的省级人民政府环境保护行政主管部门许可。

above in charge of environmental protection and other supervisory and administrative departments in charge of the prevention of environmental pollution caused by solid waste shall have the right to conduct on-the-spot inspections of the units concerned with the prevention of environmental pollution caused by solid waste within their jurisdiction in accordance with their own responsibilities. The inspected units shall report the situation accurately and shall provide any necessary materials. The inspecting institutions shall maintain the technological and operational secrecy of the inspected units.

The inspecting personnel shall show their credentials while conducting on-the-spot inspections.

Chapter III Prevention of Environmental Pollution Caused by Solid Wastes

Section 1 General Stipulations

Article 15 The units and individuals that produce solid waste shall take measures to prevent or reduce the environmental pollution caused by solid waste.

Article 16 The units and individuals that collect, store, transport, utilize, or dispose of solid waste shall take precautions against the spread, loss, and leakage of the solid waste as well as other measures for preventing the solid waste from polluting the environment.

The abandonment or spread of solid waste during transportation is forbidden.

Article 17 Products shall use packing materials which are easily recycled, disposed of, or assimilated by the environment.

The product manufacturer, retailer, or consumer shall recycle those product packages and containers that can be recycled in accordance with the relative regulations of the state.

Article 18 The state shall encourage scientific research institutions and production units to study and produce thin films for agricultural use that are easily recycled, disposed of, or assimilated by the environment.

Those units and individuals that utilize thin films for agricultural use shall take measures such as recycling to prevent or reduce environmental pollution caused by the thin films.

Article 19 The administration and maintenance of the facilities, equipment, and sites for the collection, storage, transportation and disposal of solid waste shall be strengthened in order to guarantee their normal operation and use.

Article 20 It is forbidden to close, disuse, or dismantle without authorization the facilities and sites for preventing environmental pollution caused by industrial solid waste. Those facilities and sites that require closure, disuse, or dismantling must be examined and approved by the administrative departments in charge of environmental protection under the local people's governments at the county level or above, and measures shall be taken to prevent environmental pollution.

Article 21 Those enterprises and institutions that produce solid waste which causes serious environmental pollution shall be ordered to bring their pollution under control within a specified period of time. Those subject to such an order shall accomplish the task on schedule. The order shall be made by the people's government at the county level or above according to the authority granted them by the State Council.

Article 22 It shall be forbidden to construct facilities or sites for the centralized storage and disposal of industrial solid waste or burial sites for residential refuse in nature preserves, scenic spots, historic sites, drinking water sources, and other places of special protection designated by the State Council and the people's governments at the provincial, municipal, or autonomous regional levels.

Article 23 In the event that solid waste is transferred to other provinces, municipalities, or autonomous regions for storage or disposal, a report must be submitted to the administrative department in charge of environmental protection under the people's government of the province from which the solid waste will be transferred, and approval must be granted by the administrative department in charge of environmental protection under the people's government of the province to which the solid waste will be transferred.

Article 24 Within the territory of the People's Republic of China, it is forbidden to dump, pile,

第二十四条 禁止中国境外的固体废物进境倾倒、堆放、处置。

第二十五条 国家禁止进口不能用作原料的固体废物；限制进口可以用作原料的固体废物。

国务院环境保护行政主管部门会同国务院对外经济贸易主管部门制定、调整并公布可以用作原料进口的固体废物的目录，未列入该目录的固体废物禁止进口。

确有必要进口列入前款规定目录中的固体废物用作原料的，必须经国务院环境保护行政主管部门会同国务院对外经济贸易主管部门审查许可，方可进口。

具体办法，由国务院规定。

第二节 工业固体废物污染环境的防治

第二十六条 国务院环境保护行政主管部门应当会同国务院经济综合主管部门和其他有关部门对工业固体废物对环境的污染作出界定，制定防治工业固体废物污染环境的技术政策，组织推广先进的防治工业固体废物污染环境的生产工艺和设备。

第二十七条 国务院经济综合主管部门应当会同国务院有关部门组织研究、开发和推广减少工业固体废物产生量的生产工艺和设备，公布限期淘汰产生严重污染环境的工业固体废物的落后生产工艺、落后设备和名录。

生产者、销售者、进口者或者使用者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内分别停止生产、销售、进口或者使用列入前款规定的名录中的设备。生产工艺的采用者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内停止采用列入前款规定的名录中的工艺。

依照前两款规定被淘汰的设备，不得转让给他人使用。

第二十八条 县级以上人民政府有关部门应当制定工业固体废物污染环境防治工作规划，推广能够减少工业固体废物产生量的先进生产工艺和设备，推动工业固体废物污染环境防治工作。

第二十九条 产生工业固体废物的单位应当建立、健全污染环境防治责任制度，采取防治工业固体废物污染环境的措施。

第三十条 企业事业单位应当合理选择和利用原材料、能源和其他资源，采用先进的生产工艺和设备，减少工业固体废物产生量。

第三十一条 国家实行工业固体废物申报登记制度。

产生工业固体废物的单位必须按照国务院环境保护行政主管部门的规定，向所在地县级以上地方人民政府环境保护行政主管部门提供工业固体废物的产生量、流

or dispose of solid waste from outside the People's Republic of China.

Article 25 The state shall forbid the import of solid waste which cannot be used as a raw material and shall restrict the import of solid waste that can be used as raw material.

The administrative department in charge of environmental protection, together with the department in charge of foreign trade and economic cooperation under the State Council shall stipulate, adjust, and announce the list of solid wastes which can be imported for use as raw materials; the import of those kinds of solid waste that are not listed shall be forbidden.

Those that require the import of solid wastes listed in the list stipulated in the preceding paragraph for use as raw materials must acquire approval through examination by the administrative department in charge of environmental protection and the department in charge of foreign trade and economic cooperation under the State Council.

Specific measures shall be formulated by the State Council.

Section 2 Prevention of Environmental Pollution Caused by Industrial Solid Waste

Article 26 The administrative department in charge of environmental protection together with the department in charge of comprehensive economic affairs under the State Council and other departments concerned shall designate the environmental pollution caused by industrial solid waste, formulate policies on technologies for the prevention of environmental pollution caused by industrial solid waste, and organize the spread of advanced production technologies and equipment for the prevention of environmental pollution caused by industrial solid waste.

Article 27 The department in charge of comprehensive economic affairs together with other departments concerned under the State Council shall organize the research, development, and popularization of production technologies and equipment for reducing the amount of industrial solid waste, and shall promulgate a catalogue of backward production technologies and equipment that are responsible for industrial solid waste resulting in serious environmental pollution and that are to be eliminated within a specified time.

The manufacturer, retailer, importer, or consumer must stop respectively producing, marketing, importing, or utilizing the equipment listed in the catalogue stipulated in the preceding paragraph within the specified time granted by the department in charge of comprehensive economic affairs and other departments concerned under the State Council. The applier of production technologies must cease use of those technologies listed in the catalogue stipulated in the preceding paragraph within the specified time granted by the department in charge of comprehensive economic affairs and other departments concerned under the State Council.

Any equipment required to be eliminated in accordance with the stipulations in the two preceding paragraphs shall not be transferred to others for use.

Article 28 The departments concerned under the people's governments at the county level or above shall formulate a plan for the prevention of environmental pollution caused by industrial solid waste, the popularization of advanced production technologies and equipment for reducing the amount of industrial solid waste, and the promotion of work on the prevention of environmental pollution caused by industrial solid waste.

Article 29 Those units that produce industrial solid waste shall establish and amplify a responsibility system for the prevention of environmental pollution and take measures for preventing environmental pollution caused by industrial solid waste.

Article 30 Enterprises and institutions shall rationally choose and utilize raw materials, energy and other resources, apply advanced production technologies and equipment, and reduce the amount of industrial solid waste.

Article 31 The state shall implement a reporting and registration system for industrial solid waste.

Those units which produce industrial solid waste shall present data concerning the volume of waste

向、贮存、处置等有关资料。

第三十二条 企业事业单位对其产生的不能利用或者暂时不利用的工业固体废物，必须按照国务院环境保护行政主管部门的规定建设贮存或者处置的设施、场所。

第三十三条 露天贮存冶炼渣、化工渣、燃煤灰渣、废矿石、尾矿和其他工业固体废物的，应当设置专用的贮存设施、场所。

第三十四条 建设工业固体废物贮存、处置的设施、场所，必须符合国务院环境保护行政主管部门规定的环境保护标准。

本法施行前产生工业固体废物的单位，没有依照本法第三十二条规定建设工业固体废物贮存或者处置的设施、场所，或者工业固体废物贮存、处置的设施、场所不符合环境保护标准的，必须限期建成或者改造；在限期内，对新产生的污染环境的工业固体废物，应当缴纳排污费或者采取其他措施。采取缴纳排污费措施的单位在限期内提前建成工业固体废物贮存或者处置的设施、场所或者经改造使其符合环境保护标准的，自建成或者改造完成之日起，不再缴纳排污费；在限期内未建成或者经改造仍不符合环境保护标准的，继续缴纳排污费，直至建成或者经改造符合环境保护标准为止。具体办法由国务院规定。排污费用于环境污染的防治，不得挪作他用。

第三节 城市生活垃圾污染环境的防治

第三十五条 任何单位和个人应当遵守城市人民政府环境卫生行政主管部门的规定，在指定的地点倾倒、堆放城市生活垃圾，不得随意扔撒或者堆放。

第三十六条 贮存、运输、处置城市生活垃圾，应当遵守国家有关环境保护和城市环境卫生的规定，防止污染环境。

第三十七条 城市生活垃圾应当及时清运，并积极开展合理利用和无害化处置。

城市生活垃圾应当逐步做到分类收集、贮存、运输和处置。

第三十八条 城市人民政府应当有计划地改进燃料结构，发展城市煤气、天然气、液化气和其他清洁能源。

城市人民政府有关部门应当组织净菜进城，减少城市生活垃圾。

城市人民政府有关部门应当统筹规划，合理安排收购网点，促进废弃物的回收利用工作。

第三十九条 城市人民政府应当配套建设城市生活垃圾清扫、收集、贮存、运

they produce, its direction of flow, and the methods of storage and disposal to the administrative departments in charge of environmental protection under the people's governments at the county level or above in that locality, in accordance with the regulations of the administrative department in charge of environmental protection under the State Council.

Article 32 All enterprises or institutions which produce industrial solid waste that cannot be utilized, whether at all or temporarily, must, in accordance with the regulations of the administrative departments in charge of environmental protection under the State Council, construct facilities or sites for its storage or disposal.

Article 33 Those who store smelting residue, chemical residue, coal ash residue, discarded ore, tail ore, or other industrial solid waste out-of-doors shall construct special facilities or sites for its storage.

Article 34 Construction of the facilities and sites for the storage and disposal of industrial solid waste shall be in accordance with the environmental protection standards that have been stipulated by the administrative department in charge of environmental protection under the State Council.

As to those units which produce industrial solid waste before this Law is implemented, if they fail to construct facilities or sites for the storage or disposal of industrial solid waste in accordance with the regulations of Article 32 of this Law, or if the facilities or sites they have already constructed do not conform to environmental protection standards, they shall carry out such construction or reconstruction within a specified period of time. During this time period, waste-discharge fees or other measures shall be implemented for any newly-produced industrial solid waste from the above-mentioned units which pollutes the environment. Those units which complete within the specified time period construction of the facilities or sites for storage or disposal of industrial solid waste, or make them conform with the environmental protection standards through reconstruction, may cease payment of waste-discharge fees from the day when the construction or reconstruction is completed. Those units which fail to complete construction before the deadline or which still cannot meet the standards after reconstruction shall continue to pay waste-discharge fees until the construction is completed or the standards are met through reconstruction. The relevant specific means shall be stipulated by the State Council. The waste-discharge fees shall be reserved for the prevention and amelioration of environmental pollution and shall not be appropriated for any other use.

Section 3 Prevention of Environmental Pollution Caused by Urban Residential Refuse

Article 35 All units and individuals shall obey the regulations of the administrative departments in charge of environment under urban people's governments by emptying and piling urban residential refuse at designated places. Throwing or piling rubbish outside these designated places is forbidden.

Article 36 The storage, transport, and disposal of urban residential refuse shall, with the purpose of preventing environmental pollution, comply with the regulations of the state concerning environmental protection and urban environment.

Article 37 Urban residential refuse shall be cleared and carried away without delay. Reasonable utilization and neutralization shall be actively conducted.

The separate collection, storage, transport, and disposal of urban residential refuse of different classifications shall be gradually implemented.

Article 38 The urban people's governments shall make plans for improving the fuel structure and developing urban coal gas, natural gas, liquefied petroleum gas, and other clean energy resources.

The relevant departments under the urban people's governments shall arrange for clean vegetables to enter cities to reduce urban residential refuse.

The relevant departments under the urban people's governments shall make comprehensive plans to reasonably arrange a purchasing network and promote the recycling of waste.

Article 39 The urban people's governments shall construct supporting facilities for the cleaning, collection, storage, transport, and disposal of urban residential refuse.

输、处置设施。

第四十条 建设城市生活垃圾处置设施、场所，必须符合国务院环境保护行政主管部门和国务院建设行政主管部门规定的环境保护和城市环境卫生标准。

禁止擅自关闭、闲置或者拆除城市生活垃圾处置设施、场所；确有必要关闭、闲置或者拆除的，必须经所在地县级以上地方人民政府环境卫生行政主管部门和环境保护行政主管部门核准，并采取措施，防止污染环境。

第四十一条 施工单位应当及时清运、处置建筑施工过程中产生的垃圾，并采取措施，防止污染环境。

第四章 危险废物污染环境防治的 特别规定

第四十二条 危险废物污染环境的防治，适用本章规定；本章未作规定的，适用本法其他有关规定。

第四十三条 国务院环境保护行政主管部门应当会同国务院有关部门制定国家危险废物名录，规定统一的危险废物鉴别标准、鉴别方法和识别标志。

第四十四条 对危险废物的容器和包装物以及收集、贮存、运输、处置危险废物的设施、场所，必须设置危险废物识别标志。

第四十五条 产生危险废物的单位，必须按照国家有关规定申报登记。

第四十六条 产生危险废物的单位，必须按照国家有关规定处置；不处置的，由所在地县级以上地方人民政府环境保护行政主管部门责令限期改正；逾期不处置或者处置不符合国家有关规定的，由所在地县级以上地方人民政府环境保护行政主管部门指定单位按照国家有关规定代为处置，处置费用由产生危险废物的单位承担。

第四十七条 城市人民政府应当组织建设对危险废物进行集中处置的设施。

第四十八条 以填埋方式处置危险废物不符合国务院环境保护行政主管部门的规定的，应当缴纳危险废物排污费。危险废物排污费征收的具体办法由国务院规定。

危险废物排污费用于危险废物污染环境的防治，不得挪作他用。

第四十九条 从事收集、贮存、处置危险废物经营活动的单位，必须向县级以上人民政府环境保护行政主管部门申请领取经营许可证，具体管理办法由国务院规定。

禁止无经营许可证或者不按照经营许可证规定从事危险废物收集、贮存、处置的经营活动。

Article 40 The construction of the facilities and sites for the disposal of urban residential refuse shall be in accordance with the standards of environmental protection and urban environment stipulated by the administrative department in charge of environmental protection and the department in charge of construction under the State Council.

Unauthorized closure, disuse, or dismantling of the facilities or sites for the disposal of urban residential refuse is forbidden; for those that require closure, disuse, or dismantling, inspection and approval must be made by the administrative department in charge of environmental sanitation as well as the department in charge of environmental protection under the people's governments at the county level or above in that locality; meanwhile, other measures shall be adopted to prevent environmental pollution.

Article 41 Those units carrying out construction shall, without delay, remove and dispose of refuse and shall adopt some measures to prevent environmental pollution.

Chapter IV Special Stipulations on the Prevention of Environmental Pollution Caused by Dangerous Waste

Article 42 The regulations in this Chapter apply to the prevention and cure of environmental pollution caused by dangerous waste. Those not mentioned in this Chapter shall accord with the other regulations of this Law.

Article 43 The administrative department in charge of environmental protection under the State Council shall draw up a national list of dangerous waste in conjunction with relevant departments under the State Council, and stipulate unified differentiating standards, methods, and identification marks for dangerous waste.

Article 44 Identification marks shall be placed on the containers and packing materials for dangerous waste and posted at the facilities and sites for the collection, storage, transport, and disposal of dangerous waste.

Article 45 Those units which produce dangerous waste shall report and register in accordance with the relevant regulations of the state.

Article 46 Those units which produce dangerous waste shall dispose of them in accordance with the relevant regulations of the state. Those who fail to properly dispose of the waste will be required to make rectifications within a specified time period by the administrative department in charge of environmental protection under the people's governments at the county level or above in that locality; as to those units which fail to dispose of the waste before the deadline or which do not carry out disposal in accordance with the relevant regulations of the state, designated units of the administrative department in charge of environmental protection under the people's government at the county level or above in that locality shall undertake to dispose of the waste for them, and all expenses for disposal shall be born by those units which have produced the dangerous waste.

Article 47 The urban people's governments shall organize the construction of the facilities for the centralized disposal of dangerous waste.

Article 48 Those who adopt the disposal method of burying dangerous waste but fail to conform to the regulations of the administrative department in charge of environmental protection under the State Council shall pay waste-discharge fees for dangerous waste. The specific means for levying the discharge fees for dangerous waste shall be stipulated by the State Council.

The discharge fees for dangerous waste shall be reserved for the prevention and amelioration of environmental pollution caused by dangerous waste and shall not be appropriated for any other use.

Article 49 Those units which engage in operational activities concerning the collection, storage, and disposal of dangerous waste shall submit applications for operational licenses to the administrative department in charge of environmental protection under the people's government at the county level or above. The specific means for doing this shall be stipulated by the State Council.

No unit may engage in operational activities concerning collection, storage, and disposal of dan-

禁止将危险废物提供或者委托给无经营许可证的单位从事收集、贮存、处置的经营活动。

第五十条 收集、贮存危险废物，必须按照危险废物特性分类进行。禁止混合收集、贮存、运输、处置性质不相容而未经安全性处置的危险废物。

禁止将危险废物混入非危险废物中贮存。

第五十一条 转移危险废物的，必须按照国家有关规定填写危险废物转移联单，并向危险废物移出地和接受地的县级以上地方人民政府环境保护行政主管部门报告。

第五十二条 运输危险废物，必须采取防止污染环境的措施，并遵守国家有关危险货物运输管理的规定。

禁止将危险废物与旅客在同一运输工具上载运。

第五十三条 收集、贮存、运输、处置危险废物的场所、设施、设备和容器、包装物及其他物品转作他用时，必须经过消除污染的处理，方可使用。

第五十四条 直接从事收集、贮存、运输、利用、处置危险废物的人员，应当接受专业培训，经考核合格，方可从事该项工作。

第五十五条 产生、收集、贮存、运输、利用、处置危险废物的单位，应当制定在发生意外事故时采取的应急措施和防范措施，并向所在地县级以上地方人民政府环境保护行政主管部门报告；环境保护行政主管部门应当进行检查。

第五十六条 因发生事故或者其他突发性事件，造成危险废物严重污染环境的单位，必须立即采取措施消除或者减轻对环境的污染危害，及时通报可能受到污染危害的单位和居民，并向所在地县级以上地方人民政府环境保护行政主管部门和有关部门报告，接受调查处理。

第五十七条 在发生危险废物严重污染环境、威胁居民生命财产安全时，县级以上地方人民政府环境保护行政主管部门必须立即向本级人民政府报告，由人民政府采取有效措施，解除或者减轻危害。

第五十八条 禁止经中华人民共和国过境转移危险废物。

第五章 法律责任

第五十九条 违反本法规定，有下列行为之一的，由县级以上人民政府环境保护行政主管部门责令限期改正，并处罚款；

(一) 不按照国家规定申报登记工业固体废物或者危险废物，或者在申报登记时弄虚作假的；

gerous waste without a operational license or fail to be in accordance with the regulations of the license.

No unit may supply or consign dangerous waste to those units without operational licenses to engage in any operational activities concerning collecting, storage, and disposal of dangerous waste.

Article 50 Dangerous waste of different classifications shall be collected and stored separately according to their properties. Mixed collection, storage, transport, and disposal shall be forbidden for different dangerous waste materials which are not compatible and which have not undergone safety processing.

Mixed storage of dangerous waste with non-dangerous waste is forbidden.

Article 51 Those who require the transfer of dangerous waste shall fill in forms for the transference of dangerous waste in accordance with relevant state regulations and shall report to the administrative departments in charge of environmental protection under the local people's governments at the county level or above in the area from which the waste is being transferred and in the area which is receiving the waste.

Article 52 Measures for the prevention of environmental pollution shall be adopted during transport of dangerous waste; meanwhile, the state regulations concerning management of the transport of dangerous waste shall be obeyed.

Transport of dangerous waste in a passenger vehicle is forbidden.

Article 53 The sites, facilities, equipment, containers, packagings, and other items used for the collection, storage, transport, or disposal of dangerous waste shall be treated to eliminate pollution before they are diverted for other use.

Article 54 Those workers who will engage in the collection, storage, transport, recycling, and disposal of dangerous waste shall undergo professional training and testing before being assigned such posts.

Article 55 Those units which produce, collect, store, transport, recycle, and dispose of dangerous waste shall draw up emergency measures and preventive measures in the event of accidents, and shall report to the administrative department in charge of environmental protection under the people's governments at the county level or above in that locality, for a relevant examination to be conducted by that department.

Article 56 Those units that cause serious environmental pollution due to accidents or emergencies involving dangerous waste shall without delay take measures to eliminate or decrease the environmental pollution, inform the units or residents that may suffer from the pollution, and report to the administrative department in charge of environmental protection and other relevant departments under the people's governments at the county level or above in that locality and await investigation and handling.

Article 57 The administrative departments in charge of environmental protection under the local people's governments at the county level or above shall report without delay to the people's governments at their own level in the event that dangerous waste seriously pollutes the environment or imperils the security of residents' lives or property. The people's governments shall adopt effective measures to eliminate or decrease the harm.

Article 58 Transit of dangerous waste passing through the territory of the People's Republic of China is forbidden.

Chapter V Legal Liabilities

Article 59 Those who violate the regulations of this Law by engaging in any one of the following actions shall be required to make rectifications within a specified period of time by the administrative department in charge of environmental protection under the local people's governments at the county level or above and shall be subject to a fine.

(1) failure to report and register industrial solid waste or dangerous waste in accordance with state regulations, or guilt of fraud in reporting or registration;

(2) refusing an on-the-spot inspection by the administrative department in charge of environmen-

- (二) 拒绝环境保护行政主管部门现场检查，或者在被检查时弄虚作假的；
- (三) 不按照国家规定缴纳排污费的；
- (四) 将列入限期淘汰名录淘汰的设备转让给他人使用的；
- (五) 擅自关闭、闲置或者拆除固体废物污染环境防治设施、场所的；
- (六) 在自然保护区、风景名胜区、生活饮用水源地和其他需要特别保护的区域内，建设工业固体废物集中贮存、处置设施、场所或者生活垃圾填埋场的；
- (七) 擅自转移固体废物出省、自治区、直辖市行政区域贮存、处置的。

有前款第（一）项、第（二）项行为的，处一万元以下的罚款；有前款第（三）项行为的，处应缴纳排污费金额百分之五十以下的罚款；有前款第（四）项、第（五）项、第（六）项、第（七）项行为之一的，处五万元以下的罚款。

第六十条 违反本法规定，生产、销售、进口或者使用淘汰的设备，或者采用淘汰的生产工艺的，由县级以上人民政府经济综合主管部门责令改正；情节严重的，由县级以上人民政府经济综合主管部门提出意见，报请同级人民政府按照国务院规定的权限责令停业、关闭。

第六十一条 建设项目中需要配套建设的固体废物污染环境防治设施未建成或者未经验收合格即投入生产或者使用的，由审批该建设项目的环境影响报告书的环境保护行政主管部门责令停止生产或者使用，可以并处十万元以下的罚款。

第六十二条 对经限期治理逾期未完成治理任务的企业事业单位，可以根据所造成的危害后果处十万元以下的罚款，或者责令停业、关闭。

前款规定的罚款由环境保护行政主管部门决定。责令停业、关闭，由县级以上人民政府按照国务院规定的权限决定。

第六十三条 贮存、运输、处置城市生活垃圾违反本法规定的，按照国务院关于环境保护和城市环境卫生的有关规定予以处罚。

第六十四条 违反本法有关危险废物污染环境防治的规定，有下列行为之一的，由县级以上人民政府环境保护行政主管部门责令停止违法行为、限期改正，并处五万元以下的罚款：

- (一) 不设置危险废物识别标志的；
- (二) 将危险废物提供或者委托给无经营许可证的单位收集、贮存、处置的；
- (三) 转移危险废物，不按照国家规定填写危险废物转移联单或者未向移出地和接受地的县级以上地方人民政府环境保护行政主管部门报告的；

tal protection, or guilt of fraud in the course of inspection;

(3) failure to pay waste-discharge fees in accordance with state regulations;

(4) transferring to others equipment which has been included in the list of equipment to be eliminated within a definite time;

(5) unauthorized closure, disuse, or dismantling of the facilities or sites for prevention and amelioration of environmental pollution caused by solid waste;

(6) constructing facilities or sites for the centralized storage or disposal of industrial solid waste or the burial sites for residential refuse in nature preserves, scenic spots, historic sites, drinking water sources, or other places which require special protection; or

(7) unauthorized transference of solid waste for storage and disposal out of the administrative territories of their own provinces, autonomous regions, or municipalities directly under the Central Government.

Those who engage in actions mentioned in Items 1 or 2 of the preceding paragraph shall be subject to a fine of up to 10,000 yuan; those engaging in actions mentioned in Item 3 of the preceding paragraph shall be subject to a fine of up to 50 percent of the amount of the waste-discharge fees paid; those engaging in actions mentioned in Items 4, 5, 6, or 7 of the preceding paragraph shall be subject to a fine of up to 50,000 yuan.

Article 60 Those who violate the regulations in this Law by producing, selling, importing, or using outmoded equipment or by applying outmoded productive technology shall be required to make rectifications by the department in charge of comprehensive economic affairs under the people's government at the county level or above; if the case is serious, the said department shall submit an opinion to the people's government at the same level and order to terminate business or shut down according to the powers granted by the State Council.

Article 61 For construction projects needing supplementary construction for the prevention and amelioration of solid waste pollution, if the supplementary construction is put into operation or use before being completed or before passing the acceptance inspection, the administrative department in charge of environmental protection which examined the report of the effects of said construction project on the environment shall order production or operation to cease, and may levy a fine of up to 10,000 yuan.

Article 62 If those enterprises and institutions which have been ordered to bring their pollution under control within a specified period of time, do not accomplish the task within the time limit, they shall be subject to a fine of up to 100,000 yuan, to be determined according to the detrimental effects they have caused; or they shall be ordered to terminate business or shut down.

The fine in the preceding paragraph shall be determined by the administrative department in charge of environmental protection, and the order to terminate business and shut down shall be made by the people's government at the county level or above according to the authority granted them by the State Council.

Article 63 Those who violate the regulations of this Law during the storage, transport, or disposal of urban residential refuse shall be penalized according to the State Council's regulations on environmental protection and urban sanitation.

Article 64 Those who violate the regulations in this Law concerning the prevention of dangerous waste pollution, if engaged in any one of the following actions, the administrative department in charge of environmental protection under the people's government at the county level or above shall order to cease said actions and make rectifications within a limited time, and a fine of up to 50,000 yuan shall be levied.

(1) failure to install identification marks for dangerous waste;

(2) supplying or consigning dangerous waste to units that have no operational license for the collection, storage, or disposal of said waste;

(3) when transferring dangerous waste, failure to fill in the form for the transference of dangerous waste according to state regulations, or failure to make a report to the administrative department in

(四) 将危险废物混入非危险废物中贮存的；

(五) 未经安全性处置，混合收集、贮存、运输、处置具有不相容性质的危险废物的；

(六) 将危险废物和旅客在同一运输工具上载运的；

(七) 危险废物产生者不处置其产生的危险废物或者不承担依法应当承担的处置费用的；

(八) 未经消除污染的处理将收集、贮存、运输、处置危险废物的场所、设施、设备和容器、包装物及其他物品转作他用的。

第六十五条 无经营许可证或者不按照经营许可证规定从事收集、贮存、处置危险废物经营活动的，由县级以上地方人民政府环境保护行政主管部门责令停止违法行为，没收违法所得，可以并处违法所得一倍以下的罚款。

不按照经营许可证规定从事前款活动的，还可以由发证机关吊销经营许可证。

第六十六条 违反本法规定，将中国境外的固体废物进境倾倒、堆放、处置，或者未经国务院有关主管部门许可擅自进口固体废物用作原料的，由海关责令退运该固体废物，可以并处十万元以上一百万元以下的罚款。逃避海关监管，构成走私罪的，依法追究刑事责任。

以原料利用为名，进口不能用作原料的固体废物的，依照前款规定处罚。

第六十七条 违反本法规定，经中华人民共和国过境转移危险废物的，由海关责令退运该危险废物，可以并处五万元以上五十万元以下的罚款。

第六十八条 对已经非法入境的固体废物，由省级以上人民政府环境保护行政主管部门依法向海关提出处理意见，海关应当依照本法第六十六条的规定作出处罚决定；已经造成环境污染的，由省级以上人民政府环境保护行政主管部门责令进口者消除污染。

第六十九条 违反本法规定，造成固体废物污染环境事故的，由县级以上人民政府环境保护行政主管部门处十万元以下的罚款；造成重大损失的，按照直接损失的百分之三十计算罚款，但是最高不超过五十万元；对负有直接责任的主管人员和其他直接责任人员，由其所在单位或者政府主管机关给予行政处分。

第七十条 罚款一律上交国库，任何单位和个人不得截留。

第七十一条 受到固体废物污染损害的单位和个人，有权要求依法赔偿损失。

赔偿责任和赔偿金额的纠纷，可以根据当事人的请求，由环境保护行政主管部门或者其他固体废物污染环境防治工作的监督管理部门调解处理；调解不成的，当事人可以向人民法院提起诉讼。当事人也可以直接向人民法院提起诉讼。

charge of environmental protection under the people's government at the county level or above either in the area from which the waste is being transferred or in the area which is receiving the waste;

(4) mixed storage of dangerous waste with non-dangerous waste;

(5) collecting, storing, transporting, or disposing mixtures of dangerous waste which are not compatible and which have not undergone safety processing;

(6) transportation of dangerous waste in a vehicle carrying travelers or passengers;

(7) failure to dispose of dangerous waste produced or failure to bear disposal fees according to law; or

(8) shifting use of sites, facilities, equipment, containers, packagings, or other items used for the collection, storage, transport, or disposal of dangerous waste without first eliminating all pollutants.

Article 65 For those engaged in the collection, storage, or disposal of dangerous waste without an operating license or in contradiction to the operating license, the administrative department in charge of environmental protection under the people's government at the county level or above shall order the cessation of any illegal activity, confiscate any illegal gains, and may impose a fine of up to the amount of the illegal gains.

Violation of the regulations of the operating license and engaging in the activities of the preceding paragraph may result in the cancellation of the operating license by the license-issuing agency.

Article 66 Those who, in violation of the regulations of this Law, ship solid waste from outside China and dump, store, or dispose of the waste inside the country, and those who import solid waste for use as a raw material without permission from the relevant authoritative department under the State Council, shall be ordered by the customs office to ship the solid waste back, and may be subject to a fine between of 100,000 and 1,000,000 yuan. Evasion of customs office supervision constitutes smuggling and shall be prosecuted as a criminal act.

Those who, under the pretext of raw materials utilization, import solid waste that cannot be utilized as a raw material shall be penalized according to the regulations of preceding paragraph.

Article 67 Those who, in violation of the regulations of this Law, transport dangerous waste through the territory of the People's Republic of China, shall be ordered by the customs house to ship the dangerous waste back, and may be subject to a fine of between 50,000 and 500,000 yuan.

Article 68 For solid waste that enters the border illegally, the administrative department in charge of environmental protection under the people's government at the provincial level or above shall, according to law, submit suggestions for the handling of the waste to the customs office, and the customs office shall make a decision concerning punishment according to Article 66 of this Law. If environmental pollution has been produced, the administrative department in charge of environmental protection under the people's government at the provincial level or above shall order the importer to eliminate the pollution.

Article 69 Those who, in violation of the regulations of this Law, create solid waste pollution, shall be subject to a fine of up to 100,000 yuan by the administrative department in charge of environmental protection under the people's government at the county level or above. If heavy losses have occurred, the fine shall be 30 percent of the direct losses, but shall not exceed 500,000 yuan. The person in charge and other personnel of the polluting unit who have direct responsibility for the losses shall be subject to disciplinary actions by the unit to which they belong, or by the authoritative government department.

Article 70 All fines shall be handed in to the State Treasury, and may not be withheld by any unit or individual.

Article 71 Any unit or person suffering injury from solid waste pollution has the right to demand, according to law, compensation for losses.

Disputes concerning the responsibility for and amount of compensation shall be mediated, at the request of the parties concerned, by the administrative department in charge of environmental protection or other supervisory and administrative departments in charge of the prevention of environmental

第七十二条 违反本法规定，收集、贮存、处置危险废物，造成重大环境污染事故，导致公私财产重大损失或者人身伤亡的严重后果的，比照刑法第一百一十五条或者第一百八十七条的规定追究刑事责任。

单位犯本条罪的，处以罚金，并对直接负责的主管人员和其他直接责任人员依照前款规定追究刑事责任。

第七十三条 固体废物污染环境防治监督管理人员滥用职权、玩忽职守、徇私舞弊，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

第六章 附 则

第七十四条 本法中下列用语的含义：

(一) 固体废物，是指在生产建设、日常生活和其他活动中产生的污染环境的固态、半固态废弃物质。

(二) 工业固体废物，是指在工业、交通等生产活动中产生的固体废物。

(三) 城市生活垃圾，是指在城市日常生活中或者为城市日常生活提供服务的活动中产生的固体废物以及法律、行政法规规定视为城市生活垃圾的固体废物。

(四) 危险废物，是指列入国家危险废物名录或者根据国家规定的危险废物鉴别标准和鉴别方法认定的具有危险特性的废物。

(五) 处置，是指将固体废物焚烧和用其他改变固体废物的物理、化学、生物特性的方法，达到减少已产生的固体废物数量、缩小固体废物体积、减少或者消除其危险成份的活动，或者将固体废物最终置于符合环境保护规定要求的场所或者设施并不再回取的活动。

第七十五条 液态废物和置于容器中的气态废物的污染防治，适用本法；但是，排入水体的废水和排入大气的废气的污染防治适用有关法律，不适用本法。

第七十六条 中华人民共和国缔结或者参加的与固体废物污染环境防治有关的国际条约与本法有不同规定的，适用国际条约的规定；但是，中华人民共和国声明保留的条款除外。

第七十七条 本法自 1996 年 4 月 1 日起施行。

附：刑法有关条款

第一百一十五条 违反爆炸性、易燃性、放射性、毒害性、腐蚀性物品的管理规定，在生产、储存、运输、使用中发生重大事故，造成严重后果的，处三年以下有期徒刑或者拘役；后果特别严重的，处三年以上七年以下有期徒刑。

第一百八十七条 国家工作人员由于玩忽职守，致使公共财产、国家和人民利益遭受重大损失的，处五年以下有期徒刑或者拘役。

pollution caused by solid waste. In the case of unsuccessful mediation the parties concerned may present the case to the people's court, or the parties concerned may present the lawsuit directly to the people's court without prior mediation.

Article 72 Those who, in violation of the regulations of this Law, collect, store, or dispose of dangerous waste resulting in serious environmental pollution with serious consequences such as heavy losses to state or private property or personal injury, shall be prosecuted for criminal liability according to Article 115 or Article 187 of the Criminal Law.

Any unit which violates this Article shall be subject to a fine, and the person in charge and other personnel who are directly responsible for the losses shall be prosecuted for criminal liability according to the regulations of the preceding paragraph.

Article 73 If the supervisors and managerial staff for the prevention and remedy of solid waste pollution abuse their authority, neglect their duties, play favoritism, or commit irregularities to such a degree as to constitute criminal action, they shall be prosecuted for criminal liability. Those whose actions do not constitute a crime shall be subject to disciplinary action.

Chapter VI Supplementary Articles

Article 74 Clarification of terminology included in this Law:

(1) "Solid waste" refers to solid or semi-solid waste materials that are produced during production or construction activities, daily life, or other activities, and which pollute the environment.

(2) "Industrial solid waste" refers to the solid waste produced by industry, transportation, etc.

(3) "Urban residential refuse" refers to the solid waste produced in urban daily life, or which results from the activities that serve urban daily life. It also includes those solid wastes that are specified by laws and administrative regulations as urban residential refuse.

(4) "Dangerous waste" refers to the dangerous waste material which is placed on the national list of dangerous waste, or which is specified as dangerous waste by the differentiating standards and methods established by the state.

(5) "Disposal" refers to such activities that burn or alter the physical, chemical, or biological qualities of solid waste so as to reduce the amount and the volume of the solid waste which has been produced, or reduce or eliminate its dangerous components. Disposal also refers to such activities which ultimately deposit, with no intent to reclaim, the solid waste in sites or facilities which meet environmental protection standards.

Article 75 This Law also applies to the prevention of pollution by liquid waste and gas waste which is stored in containers, but not to waste water which is discharged into water, nor to waste gas emitted into the air.

Article 76 If an international treaty concerning protection of the environment against solid waste pollution to which the People's Republic of China is a signatory is at variance with this Law, the former shall be taken as the standard, except for those provisions for which the People's Republic of China has declared reservations.

Article 77 This Law will come into force on April 1, 1996.

Appendix Related Articles in the Criminal Law

Article 115 Violations of the regulations concerning the management of explosive, inflammable, radioactive, poisonous, or corrosive substances, which result in serious accidents or heavy losses during the process of production, storage, transportation, or handling of said substances shall be subject to up to three year's imprisonment or criminal detention; if the case is very serious, it shall be subject to imprisonment between three and seven years.

Article 187 Neglect of duty by government personnel which results in heavy losses to public property or to the interests of the state or the people shall be subject to up to five year's imprisonment or criminal detention.

城市生活垃圾处理及污染防治技术政策

(建设部、国家环保总局和科技部, 2000年5月29日)

一、总 则

1.1 为了引导城市生活垃圾处理及污染防治技术发展, 提高城市生活垃圾处理水平, 促进社会、经济 and 环境的可持续发展, 根据《中华人民共和国固体废物污染环境防治法》和国家相关法律、法规, 制定本技术政策。

1.2 城市生活垃圾(以下简称垃圾), 是指在城市日常生活中或者为城市日常生活提供服务的活动中产生的固体废物以及法律、行政法规规定视为城市生活垃圾的固体废物。

1.3 本技术政策适用于垃圾从收集、运输, 到处置全过程的管理和技术选择应用, 指导垃圾处理设施的规划、立项、设计、建设、运行和管理, 引导相关产业的发展。

1.4 应在城市总体规划和环境保护规划指导下, 制订与垃圾处理相关的专业规划, 合理确定垃圾处理设施的布局 and 规模。有条件的地区, 鼓励进行区域性设施规划和垃圾集中处理。

1.5 应按照减量化、资源化、无害化的原则, 加强对垃圾产生的全过程管理, 从源头减少垃圾的产生。对已经产生的垃圾, 要积极进行无害化处理和回收利用, 防止污染环境。

1.6 卫生填埋、焚烧、堆肥、回收利用等垃圾处理技术及设备都有相应的适用条件, 在坚持因地制宜、技术可行、设备可靠、适度规模、综合治理和利用的原则下, 可以合理选择其中之一, 或者多项技术适当组合。在具备卫生填埋场地资源和自然条件适宜的城市, 以卫生填埋作为垃圾处理的基本方案; 在具备经济条件、垃圾热值条件和缺乏卫生填埋场地资源的城市, 可发展焚烧处理技术; 积极发展适宜的生物处理技术, 鼓励采用综合处理方式。禁止垃圾随意倾倒和无控制堆放。

1.7 垃圾处理设施的建设应严格按照基本建设程序 and 环境影响评价的要求执行, 加强垃圾处理设施的验收 and 垃圾处理设施运行过程中污染排放的监督。

1.8 鼓励垃圾处理设施建设投资多元化、运营市场化、设备标准化 and 监控自动化。鼓励社会各界积极参与垃圾减量、分类收集和回收利用。

Technical Policies for the Municipality Refuse Disposal and the Prevention and Control of Pollution

(Promulgated by the Ministry of Construction, the Ministry of Science and Technology, the State Environmental Protection Administration on May 29, 2000)

I. General Provisions

1.1 The Technological Policies are formulated for the purpose of guiding the technological development for the disposal of urban consumer waste and prevention and control of pollution, enhancing the level of the Municipality Refuse disposal and promoting sustainable growth of the social, economic and environmental sectors in accordance with the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes and relevant laws and regulations of the State.

1.2 The (hereinafter referred to as refuse) means the solid wastes from urban everyday life or created in the activities of providing services for the urban everyday life, and the solid wastes which are deemed as urban consumer waste specified in the law and other administrative regulations.

1.3 The Technological Policies are applicable to the management and technical selection and application of the whole process of refuse collection, transport and disposal and give guidance to the planning, establishment of project, design, construction and management of the installations for refuse disposal and to the growth of related industries.

1.4 Under the guidance of the overall plan and the environmental protection plan for the cities, specialized plans in connection with the refuse disposal shall be formulated so as to rationally determine the layout and scale of the installations for the refuse disposal. Plans for regional installations and centralized disposal of refuse shall be encouraged in the regions where the conditions exist.

1.5 The whole process management of the creation of refuse shall be strengthened in line with the principle of decrement, resources and innocuity so as to reduce the creation of refuse from the beginning. The created refuse shall be actively and innocuously treated, recovered and utilized so as to prevent environmental pollution.

1.6 The disposal technology and installations of refuse for sanitary land fill, incineration and compost are with corresponding applicable conditions. On the principle of acting according to circumstances, feasible technology, reliable equipment, appropriate scale, and comprehensive treatment and utilization, one of the disposal technology and installations of refuse may be rationally selected or they may be appropriately composed. Cities with ground resources for sanitary land fill and proper natural conditions shall regard the sanitary land fill as the basic plan for refuse disposal; cities with the economic and refuse heat value conditions, but a lack of the sanitary landfill resources may develop the incineration disposal technology. Appropriate biological disposal technology shall be actively developed and a comprehensive disposal method shall be encouraged to be adopted. To dump at will and uncontrolled heap of refuse are forbidden.

1.7 The construction of the installations for refuse disposal shall be strictly implemented in accordance with the procedures for capital construction and the environmental impact treatment. The acceptance of the installations for refuse disposal and the supervision of contamination discharge in the course of the operation of the installations shall be tightened up.

1.8 Diversified investment, market operation, standardized equipment and automated monitor are encouraged for the construction of the installations for refuse disposal. People from all walks of life are encouraged to actively participate in the decrement, classified collection, recovery and utilization of

1.9 垃圾处理技术的发展必须依靠科学技术进步，要积极研究新技术、应用新工艺、选用新设备和新材料，加强技术集成，逐步提高垃圾处理技术装备水平。

二、垃圾减量

2.1 限制过度包装，建立消费品包装物回收体系，减少一次性消费品产生的垃圾。

2.2 通过改变城市资料结构，提高燃气普及率和集中供热率，减少煤灰垃圾产生量。

2.3 鼓励净菜上市，减少厨房残余垃圾产生量。

三、垃圾综合利用

3.1 积极发展综合利用技术，鼓励开展对废纸、废金属、废玻璃、废塑料等的回收利用，逐步建立和完善废旧物资回收网络。

3.2 鼓励垃圾焚烧余热利用和填埋气体的回收利用，以及有机垃圾的高温堆肥和制造沼气等。

3.3 在垃圾回收与综合利用过程中，要避免和控制二次污染。

四、垃圾收集和运输

4.1 积极开展垃圾分类收集。垃圾分类收集应与分类处理相结合，并根据处理方式进行分类。

4.2 垃圾收集和运输应密闭化，防止暴露、散落和滴漏。鼓励采用压缩式收集和运输方式。尽快淘汰敞开式收集和运输方式。

4.3 结合资源回收和利用，加强对大件垃圾的收集、运输和处理。

4.4 禁止危险废物进入生活垃圾。逐步建立独立系统，专门收集、运输和处理废电池、日光灯管、杀虫剂容器等危险废物。

五、卫生填埋处理

5.1 卫生填埋是垃圾处理必不可少的最终处理手段，也是现阶段我国垃圾处理的主要方式。

5.2 卫生填埋场的规划、设计、建设、运行和管理应严格按照《城市生活垃圾卫生填埋技术标准》、《生活垃圾填埋污染控制标准》和《生活垃圾填埋场环境监测技术标准》等要求执行。

5.3 科学合理地选择卫生填埋场场址，以利于减少卫生填埋对环境的影响。

5.4 场址的自然条件符合标准要求的，可采用天然防渗方式；不具备天然防渗

refuse.

1.9 The development of the refuse disposal technology must rely on the scientific and technological progress. It is necessary to actively study new technology, employ new techniques, select new equipment and materials, strengthen technical integration and gradually enhance the level of technical equipment for refuse disposal.

II. Refuse Decrement

2.1 Restrict over-package, establish the recovery system of the wrapping materials for consumer goods and reduce the refuse from the disposables .

2.2 Raise gas popularization rate and central heating rate and reduce the amount of coal dust refuse by means of changing of the fuel structure in cities.

2.3 Encourage to sell clean vegetables on markets and cut down the amount of the residual refuse from kitchens.

III. Comprehensive Utilization of Refuse

3.1 Actively develop the comprehensive utilization technology, encourage the recovery and utilization of waste paper, metals, glass and plastics ,and gradually establish and improve the recovery networks of waste materials.

3.2 Utilization of residual heat from refuse incineration, recovery and utilization of gas from land filled refuse, high-temperature compost of organic refuse and utilization of methane by anaerobic digestion shall be encouraged.

3.3 The secondary pollution shall be avoided and controlled in the course of recovering and comprehensively utilizing refuse.

IV. Collection and Transport of Refuse

4.1 Actively carry out an activity of collecting refuse. The classified collection shall be combined with classified disposal and the classification shall be conducted in line with the method of disposal.

4.2 Collection and transport of refuse shall be conducted in a tightly closed way so as to prevent the refuse from exposing , spilling and dripping . The method of compression collection and transport is encouraged. The method of open collection and transport of refuse shall be eliminated as quickly as possible.

4.3 Strengthen the collection, transport and disposal of massive refuse in combination with recovery and utilization of resources.

4.4 No dangerous wastes shall be allowed to get into consumer waste. An independent system for collecting, transporting and treating waste batteries, fluorescent tubes and containers for pesticides shall be gradually established.

V. Sanitary Landfill Disposal

5.1 The sanitary land fill is an indispensable and ultimate means for refuse disposal and is also a major method for refuse disposal at present in China.

5.2 The plan, design, construction, operation and management of the sanitary land fill grounds shall be implemented strictly in accordance with the requirements of the Technical Standards for the Sanitary Landfill of municipal refuse, the Standards for the Pollution Control of the Sanitary Landfill of municipal refuse and the Environmental Monitoring Technical Standards for the Landfill Grounds of Consumer waste.

5.3 Scientifically and rationally select the sites for sanitary landfill grounds so as to be beneficial for reducing the impact of sanitary landfill on the environment.

5.4 If the natural conditions of the sanitary land fill grounds meet the standards, the natural leak-

条件的，应采用人工防渗技术措施。

5.5 场内应实行雨水与污水分流，减少运行过程中的渗沥水（渗滤液）产生量。

5.6 设置渗沥水收集系统，鼓励将经过适当处理的垃圾渗沥水排入城市污水处理系统。不具备上述条件的，应单独建设处理设施，达到排放标准后方可排入水体。渗沥水也可以进行回流处理，以减少处理量，降低处理负荷，加快卫生填埋场稳定化。

5.7 应设置填埋气体导排系统，采取工程措施，防止填埋气体侧向迁移引发的安全事故。尽可能对填埋气体进行回收和利用；对难以回收和无利用价值的，可将其导出处理后排放。

5.8 填埋时应实行单元分层作业，做好压实和每日覆盖。

5.9 填埋终止后，要进行封场处理和生态环境恢复，继续引导和处理渗沥水、填埋气体。在卫生填埋场稳定以前，应对地下水、地表水、大气进行定期监测。

5.10 卫生填埋场稳定后，经监测、论证和有关部门审定后，可以对土地进行适宜的开发利用，但不宜用作建筑用地。

六、焚烧处理

6.1 焚烧适用于进炉垃圾平均低位热值高于 5000kJ/kg、卫生填埋场地缺乏和经济发达的地区。

6.2 垃圾焚烧目前宜采用以炉排炉为基础的成熟技术，审慎采用其它炉型的焚烧炉。禁止使用不能达到控制标准的焚烧炉。

6.3 垃圾应在焚烧炉内充分燃烧，烟气在后燃室应在不低于 850℃ 的条件下停留不少于 2 秒。

6.4 垃圾焚烧产生的热能应尽量回收利用，以减少热污染。

6.5 垃圾焚烧应严格按照《生活垃圾焚烧污染控制标准》等有关标准要求，对烟气、污水、炉渣、飞灰、臭气和噪声等进行控制和处理，防止对环境的污染。

6.6 应采用先进和可靠的技术及设备，严格控制垃圾焚烧的烟气排放。烟气处理宜采用半干法加布袋除尘工艺。

6.7 应对垃圾贮坑内的渗沥水和生产过程的废水进行预处理和单独处理，达到排放标准后排放。

6.8 垃圾焚烧产生的炉渣经鉴别不属于危险废物的，可回收利用或直接填埋。属于危险废物的炉渣和飞灰，必须作为危险废物处置。

age-proof method shall be adopted; if the grounds fail to satisfy the natural leakage-proof conditions, the man-made technical measures for leak protection shall be taken.

5.5 Rain water and sewage shall be separately drained on the sanitary land fill grounds so as to cut down the amount of percolating water (percolated liquid) in the course of operation.

5.6 A collection system for percolating water shall be established and drain the appropriately treated percolating water into the urban sewage disposal system is encouraged. If the above conditions are not satisfied, individual installations shall be established for treating the percolating water and only when the percolating water has been up to the standard, it can be drained into the water body. The percolating water can also be refluxed so as to reduce the amount of treatment, cut down the treatment load and speed up stabilization of the sanitary land fill grounds.

5.7 A leading out and discharge system for the gases from sanitary land fill grounds shall be set up. Engineering measures shall be adopted to prevent accidents caused by the sideways lateral migration of the gases. Such gases shall be recovered and utilized as far as possible and for those gases that are hard to be recovered and without any utilization value shall be led out and discharged upon being treated.

5.8 Refuses shall be filled in layer by layer in a certain thickness, well compacted and covered daily.

5.9 After the completion of the sanitary land fill, sealing treatment, restoration of ecological environment shall be required and leading out percolating water and gas treatment shall be continuously carried out. Prior to the steadiness of the sanitary land fill grounds, ground water, surface water and the atmosphere shall be monitored regularly.

5.10 After the steadiness of the sanitary land fill grounds and upon monitoring and demonstration and the examination and approval of the department concerned, the land can be appropriately developed and utilized but cannot be used for construction.

VI. Incineration Disposal

6.1 Incineration is applicable to the regions where the average low heat value of refuse in the incinerator is higher than 5000kj/kg, where there is a lack of sanitary land fill grounds and where the economy is fairly developed.

6.2 It is appropriate to adopt ripe technique based on grate furnaces for refuse incineration and other types of incinerators shall be adopted with circumspection. Any incinerators that fail to be up to the standard of control are not allowed to be used.

6.3 Refuse shall be thoroughly burnt in the incinerators and keep smoke at least 2 seconds in the afterburner for at least 2 seconds at a temperature of no less than 850°C.

6.4 The heat energy generated from refuse incineration shall be recovered as far as possible so as to reduce heat pollution.

6.5 Any smoke, sewage, slags, flying ashes, unpleasant odours and noise from refuse incineration shall be controlled and treated strictly in accordance with the requirements as stipulated in the Standards for Pollution Control of municipal refuse Incineration and other relevant standards so as to prevent the surroundings from being polluted.

6.6. Advanced and reliable techniques and equipment shall be adopted and the smoke from the incineration of refuse shall be strictly controlled. It is appropriate to adopt the technology of the semidry method plus bag-type dust removal for smoke treatment.

6.7 Percolating water from the dump pit and waste water generated in the course of production shall be pre-treated and individually disposed. If they are up to discharge standard, they are allowed to be discharged.

6.8 If slags from refuse incineration do not belong to hazardous waste matter upon discrimination, they can be recovered and utilized or directly filled in. If the slags and flying ashes from hazardous waste, they must be disposed as hazardous waste matter.

七、堆肥处理

7.1 垃圾堆肥适用于可生物降解的有机物含量大于40%的垃圾。鼓励在垃圾分类收集的基础上进行高温堆肥处理。

7.2 高温堆肥过程要保证堆体内物料温度在55℃以上保持5~7天。

7.3 垃圾堆肥厂的运行和维护应遵循《城市生活垃圾堆肥处理厂运行、维护及其安全技术规程》的规定。

7.4 垃圾堆肥过程中产生的渗沥水可用于堆肥物料水分调节。向外排放的，经处理应达到《污水综合排放标准》和《城市生活垃圾堆肥处理厂技术评价指标》要求。

7.5 应采取措施对堆肥过程中产生的臭气进行处理，达到《恶臭污染物排放标准》要求。

7.6 堆肥产品应符合《城镇垃圾农用控制标准》、《城市生活垃圾堆肥处理厂技术评价指标》及《粪便无害化卫生标准》有关规定，加强堆肥产品中重金属的检测和控制。

7.7 堆肥过程中产生的残余物可进行焚烧处理或卫生填埋处置。

VII. Compost Disposal

7.1 Refuse compost is applicable to the refuse which can be biodegraded and the organic matter content of such refuse is higher than 40%. High-temperature compost disposal is encouraged on the basis of collection of classified refuse.

7.2 The temperature inside the refuse of the heap shall be guaranteed over 55°C for 5~7 days in the process of high-temperature compost.

7.3 The operation and maintenance of a refuse compost plant shall comply with the provisions of the Operation, Maintenance and Safety Technical Rules for Municipal refuse Urban Consumer waste Compost Disposal Plants.

7.4 Percolating water generated in the course of refuse compost can be used for the needs of regulating the moisture of refuse in the compost. If it is to be drained away, it shall be treated and up to the requirements of the Sewage Comprehensive Discharge Standard and the Technical Appraisal Targets of Municipal refuse Compost Disposal Plants in Cities.

7.5 Measures shall be taken to treat the odours generated in the course of compost. The treated odours shall be up to the requirements as set in the Standards for the Discharge of Malodorous Pollutants.

7.6 Compost products shall be in accordance with the relevant provisions on the Control Criteria for Municipal refuse for Agricultural Purposes, the Technical Appraisal Targets of Municipal refuse Compost Disposal Plants and the Sanitary Standards for Harmless Night Soil. The tests and control of heavy metals in compost products shall be strengthened.

7.7 Residua generated in the course of compost can be treated either by incineration or sanitary land fill.

关于加强重点交通干线、流域及旅游景区 塑料包装废物管理的若干意见

(1998年9月22日,经国务院同意,国家环境保护总局、
建设部、铁道部、交通部、国家旅游局发布 环发〔1998〕317号)

为了迅速改变目前重点交通干线、流域及旅游景区(景点)“白色污染”泛滥的局面,保护自然景观和生态环境,根据国务院领导加强对塑料包装废物管理的指示,现对加强重点交通干线、流域及旅游景区塑料包装废物管理提出以下意见:

一、要加强对“白色污染”防治工作的领导,充分认识治理“白色污染”的紧迫性和严峻性,找出问题,提出对策,统一规划,组织实施;要实行主要领导亲自抓,负总责,层层落实,确保措施到位。城建、交通、铁路、旅游、环保部门要各负其责,加强对塑料包装废物的管理。

二、禁止在铁路车站和旅客列车、长江及太湖等内河水域航运的客船和旅游船上使用不可降解的一次性发泡塑料餐具。

三、杜绝塑料包装废物及其他固体废物在河流、湖泊中及沿岸乱扔和堆积。长江、太湖、重点旅游景区(景点)和其他内河水域,已经在水中漂浮和岸边堆积的塑料包装废物,3个月内在辖区地方人民政府统一领导下负责组织清理干净。

四、禁止在铁路沿线、长江、太湖流域沿岸倾倒垃圾。铁路沿线、长江、太湖流域沿岸已形成的临时垃圾堆放点,6个月内在辖区地方人民政府领导下负责组织清除,进行综合整治。

五、各级交通部门要加强对船舶垃圾的管理。各类船舶要依据有关法律、法规配备《船舶垃圾记录簿》、《船舶垃圾管理计划》和“告示牌”,配备足够的垃圾储存容器,对垃圾分类收集,并排入垃圾接收设施。禁止船员和乘客向江(湖)中抛弃垃圾和货物残余物等。港航监督部门要加强检查监督工作。各港口、码头必须设置足够的船舶垃圾接受设施,并与城市生活垃圾收集、处置系统相衔接。

六、各级旅游景区(景点)的主管部门负责对所辖景区内(景点)塑料包装废物的管理进行监督和检查。各景区(景点)应配备足够的垃圾收集容器,方便游客投放垃圾。旅游景区(景点)的管理单位要设置专人清扫和收运垃圾,维护垃圾收贮设施。

Proposals on Strengthening the Management of the Plastic Package Wastes along Main Roads, in River Basins and at Tourist Attractions

(Approved by the State Council and promulgated by the State Environmental Protection Administration, the Ministry of Construction, the Ministry of Railway, the Ministry of Communications and the state Tourist Administration on September 22, 1998)

To rapidly change the present situation that the main roads, river basins and tourist attractions (scenic spots) are overflowed by "White Pollution", and to protect the natural sceneries and the ecological environment, we put forward following suggestions on strengthening the management of the plastic package wastes along main roads, in river basins and at tourist attractions inspired by the instructions of leaders of the State Council:

1. We shall strengthen the prevention and control of the "White Pollution", fully understand the urgency and seriousness of the elimination and control of the "White Pollution", find out the problems, provide solutions, work out unified plans and arrange for their implementation. The chief leaders shall personally intervene into the matter, take the general responsibility, assign duties to the organs and personnel at different administration levels, and make sure the implementation of these measures. Departments of urban construction, communications, railway, tourism and environmental protection shall take their respective responsibilities and strengthen the management of the plastic package wastes.

2. It is prohibited to use non-degradable one-off vesicant plastic tableware at railway stations, aboard passenger trains, and aboard passenger ships and excursion ships sailing in inland waters such as the Changjiang River, the Tai Lake, etc.

3. It is prohibited to litter or deposit plastic package wastes or other solid wastes into rivers, lakes and or on their banks. In the Changjiang River, the Tai Lake, the major tourist attractions (scenic spots) and other inland waters, the local people's governments shall, within three months, organize the cleaning of the plastic package wastes floating in the water or deposited on the banks.

4. It is prohibited to dump rubbish along the railways and on the banks in the Changjiang River and the Tai Lake river basins. For the temporary rubbish deposit sites along the railways and on the banks in the Changjiang River and the Tai Lake river basins, the local people's governments shall, within six months, organize for their clearing away and carry out comprehensive management of the zones.

5. The departments of communications at different levels shall strengthen the management of ship rubbish. All ships shall be equipped with the Ship Rubbish Register, the Ship Rubbish Management Plan, the bulletin boards and enough containers to store rubbish as required by relevant laws and regulations. The rubbish shall be sorted and collected, and discharged into rubbish receiving facilities. Crewmembers and passengers are prohibited to discard rubbish, remains of cargo, etc into rivers or lakes. The organs in charge of the supervision of ports and navigation shall strengthen the inspection and supervision. Ports and docks shall be equipped with enough facilities to receive rubbish from ships, and the facilities shall be connect to the systems for the collection and treatment of municiple refuses.

6. The departments in charge of the tourist attractions (scenic spots) are responsible for the supervision and inspection of the management of the plastic package wastes in the tourist attractions (scenic spots) with their administration. The tourist attractions (scenic spots) shall be equipped with enough rubbish bins for the convenience of the tourists. The units that manage the tourist attractions (scenic spots) shall assign special personnel for the cleaning, collecting and carrying away of the rubbish and the maintenance of the rubbish storage facilities.

七、各级铁路部门要巩固已取得的成果，进一步完善列车和车站垃圾收贮设施并严格监督管理。杜绝列车客运人员及乘客向铁路沿线随意抛弃倾倒垃圾的现象。

八、各级城建环卫部门应按照国务院颁布的《城市市容和环境卫生管理条例》确定的原则做好航运、铁路和旅游景点垃圾的接收和处理处置工作，不得将收运的垃圾堆放在江、河、湖岸边。城镇生活垃圾处理场的建设、运行必须按照国家地方的有关规定和标准执行。禁止在水域沿岸设置垃圾填埋场、堆放场。

九、各级地方环境保护部门要在当地政府领导下，加强防治塑料包装废物污染环境的统一监督管理，严厉打击那些违反环保法规、破坏生态环境的行为。

十、各地区、各部门要广泛宣传“白色污染”的危害性，普及防治塑料包装废物的知识，提高全民的环境保护意识。要在列车、轮船、旅游景区（景点）设立宣传牌、公告牌。报纸、广播、电视等新闻媒介要进行宣传。

7. The departments of railway at different levels shall maintain the progress achieved and improve the management of rubbish storage facilities aboard trains or at railway stations, and carry out strict supervision and management. Stewards and passengers shall not litter along the railways.

8. The departments of urban construction and environmental sanitation at different levels shall well manage the acceptance, treatment and disposal of rubbish from navigation, railways and tourist attractions pursuant to the principles stipulated in the Regulation on the Management of Urban Appearance and Environmental Sanitation promulgated by the State Council, and shall not deposit rubbish on river or lake banks. The construction and operation of the treatment factories formunicipiple refuses shall follow the rules and standards stipulated by the state or the local governments. Rubbish landfills and deposit fields shall not be located along water banks.

9. The departments of environmental protection at different levels shall, under the leadership of the local people's governments, strengthen the unified supervision and management of the prevention of pollution by the plastic package wastes, and take stern actions against behaviors that violate the environmental protection laws and regulations and cause damages to the ecological environment.

10. Every locality and department shall extensively publicize the harms of the "White Pollution", spread knowledge on the prevention and control of pollution by the plastic package wastes, and enhance the environmental awareness of the mass. And columns and bulletin boards shall be set up aboard trains, ships and at tourist attraction (scenic spots). Newspaper, broadcasting, television and other new media shall engage in such publicity activities.

危险废物转移联单管理办法

国家环境保护总局令

第 5 号

《危险废物转移联单管理办法》已于 1999 年 5 月 31 日经国家环境保护总局局务会议讨论通过，现予发布，1999 年 10 月 1 日起施行。

国家环境保护总局局长 解振华

1999 年 6 月 22 日

第一条 为加强对危险废物转移的有效监督，实施危险废物转移联单制度，根据《中华人民共和国固体废物污染环境防治法》有关规定，制定本办法。

第二条 本办法适用于在中华人民共和国境内从事危险废物转移活动的单位。

第三条 国务院环境保护行政主管部门对全国危险废物转移联单（以下简称联单）实施统一监督管理。

各省、自治区人民政府环境保护行政主管部门对本行政区域内的联单实施监督管理。

省辖市级人民政府环境保护行政主管部门对本行政区域内联单具体实施监督管理；在直辖市行政区域和设有地区行政公署的行政区域，由直辖市人民政府和地区行政公署环境保护行政主管部门具体实施监督管理。

前款规定的省辖市级人民政府、直辖市人民政府和地区行政公署环境保护行政主管部门，本办法以下统一简称为“环境保护行政主管部门”。

第四条 危险废物产生单位在转移危险废物前，须按照国家有关规定报批危险废物转移计划；经批准后，产生单位应当向移出地环境保护行政主管部门申请领取联单。

产生单位应当在危险废物转移前三日内报告移出地环境保护行政主管部门，并将同时预期到达时间报告接受地环境保护行政主管部门。

Measures on the Management of Hazardous Waste Manifests

**Decree of the State Environmental Protection Administration
No. 5**

The Measures on the Management of Hazardous Waste Manifests was adopted upon the discussion at the Executive Session of the State Environmental Protection Administration on May 31, 1999 and is hereby promulgated and shall go into effect as of October 1, 1999.

**Minister Xie Zhenhua
June 22, 1999
State Environmental protection Administration**

Article 1 These Measures are formulated for the purpose of strengthening effective supervision of the transfer of hazardous waste and implementing a manifest system for transfer of hazardous waste in accordance with relevant provisions of the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste.

Article 2 These Measures shall apply to units that are engaged in transferring hazardous wastes within the territory of the People's Republic of China.

Article 3 The competent department of the environmental protection administration under the State Council shall implement unified supervision and management of the manifests for the transfer of hazardous waste (hereinafter referred to as the forms) throughout the country.

The competent departments of environmental protection administration of the people's governments in various provinces and autonomous regions shall enforce the supervision and management of the forms in their administrative zones.

The competent departments of environmental protection administration of the people's governments at the municipal level under the jurisdiction of provinces shall specifically implement the supervision and management of the forms in their administrative zones; in the administrative zones of the municipalities directly under the Central Government and in the administrative zones where district administration has been established, the competent departments of environmental protection administration of the people's governments of the municipality and the district administration shall specifically execute supervision and management.

The competent departments of environmental protection administration of the people's governments in the cities directly under the province, in the municipalities directly under the Central Government and in the regional administrative offices stipulated in the preceding paragraph shall hereinafter be collectively referred to as the "competent departments of environmental protection administration."

Article 4 Prior to the transfer of hazardous waste, units discharging hazardous waste shall report the plan for the transfer of hazardous waste for approval in accordance with relevant provisions of the State; upon approval, the discharging units shall apply for the forms to the competent department of the environmental protection administration at the place where the hazardous wastes are transferred.

The discharging units shall, within three days prior to the transfer of the hazardous waste, report to the competent department of the environmental protection administration at the place from where

第五条 危险废物产生单位每转移一车、船（次）同类危险废物，应当填写一份联单。

每车、船（次）有多类危险废物的，应当按每一类危险废物填写一份联单。

第六条 危险废物产生单位应当如实填写联单中产生单位栏目，并加盖公章，经交付危险废物运输单位核实验收签字后，将联单第一联副联自留存档，将联单第二联交移出地环境保护行政主管部门，联单第一联正联及其余各联交付运输单位随危险废物转移运行。

第七条 危险废物运输单位应当如实填写联单的运输单位栏目，按照国家有关危险物品运输的规定，将危险废物安全运抵联单载明的接受地点，并将联单第一联、第二联副联、第三联、第四联、第五联随转移的危险废物交付危险废物接受单位。

第八条 危险废物接受单位应当按照联单填写的内容对危险废物核实验收，如实填写联单中接受单位栏目并加盖公章。

接受单位应当将联单第一联、第二联副联自接受危险废物之日起十日内交付产生单位，联单第一联由产生单位自留存档，联单第二联副联由产生单位在二日内报送移出地环境保护行政主管部门；接受单位将联单第三联交付运输单位存档；将联单第四联自留存档；将联单第五联自接受危险废物之日起二日内报送接受地环境保护行政主管部门。

第九条 危险废物接受单位验收发现危险废物的名称、数量、特性、形态、包装方式与联单填写内容不符的，应当及时向接受地环境保护行政主管部门报告，并通知产生单位。

第十条 联单保存期限为五年；贮存危险废物的，其联单保存期限与危险废物贮存期限相同。

环境保护行政主管部门认为有必要延长联单保存期限的，产生单位、运输单位和接受单位应当按照要求延期保存联单。

第十一条 省辖市级以上人民政府环境保护行政主管部门有权检查联单运行的情况，也可以委托县级人民政府环境保护行政主管部门检查联单运行的情况。

被检查单位应当接受检查，如实汇报情况。

第十二条 转移危险废物采用联运方式的，前一运输单位须将联单各联交付后一运输单位随危险废物转移运行，后一运输单位必须按照联单的要求核对联单产生单位栏目事项和前一运输单位填写的运输单位栏目事项，经核对无误后填写联单的运输单位栏目并签字。经后一运输单位签字的联单第三联的复印件由前一运输单位自留存档，经接受单位签字的联单第三联由最后一运输单位自留存档。

the hazardous waste is transferred and at the same time report the expected date and time of arrival of the hazardous waste to the competent department of the environmental protection administration at the place where the hazardous waste is accepted.

Article 5 Copies of the forms shall be completed for each vehicle or each vessel (for each time) for which hazardous waste of the same kind is transferred by the unit discharging hazardous waste.

Where different kinds of hazardous wastes are transferred in each vehicle or vessel (for each time), copies of the forms for each kind of hazardous waste shall be completed.

Article 6 The unit discharging hazardous waste shall accurately complete all columns in the forms and stamp its official seal on the form as required. The duplicate of the first page of the forms shall be kept by the unit for the record upon the verification, acceptance and signature by the transporter.

The second page of the form shall be submitted to the competent department of environmental protection administration at the place from where the hazardous waste is transferred, and the first page together with the rest for the pages of the form shall be submitted to the transporter and be transferred along with the hazardous waste.

Article 7 The transporter shall accurately complete all columns for the transporter as required. The transporter shall safely transfer the hazardous waste to the place of acceptance as stated in the forms according to relevant provisions of the State for transporting hazardous waste and submit the first page, and duplicates of the second, third, fourth and fifth pages of the forms along with the hazardous waste to be transferred to the unit accepting hazardous waste.

Article 8 The unit accepting hazardous waste shall check the forms and verify the hazardous waste according to the items in the forms before accepting the waste, and then accurately complete the columns for the accepting unit as required and affix its official seal to the form.

The accepting unit shall submit the first page and a duplicate of the second page of the forms to the discharging unit within ten (10) days of the date of the receipt of the hazardous waste. The first page of the forms shall be kept by the discharging unit for record, a duplicate of the second page of the forms shall be reported and sent within two days by the unit of discharging to the competent department of the environmental protection administration at the place from where the hazardous waste is transferred; the accepting unit shall submit the third page of the forms to the transporter for the record; the fourth page of the forms shall be kept by the accepting unit for record; the fifth page of the forms shall be submitted to the competent department of the environmental protection administration at the place where the hazardous waste is accepted within two days from the date of receipt of the hazardous waste.

Article 9 Where the unit accepting the hazardous waste discovers that the name, quantity, features, shape and the packing method of the hazardous waste are not in conformity with the items written in the forms at the time of acceptance, it shall report without delay to the competent department of the environmental protection administration at the place where the hazardous waste is accepted and inform the discharging unit.

Article 10 The forms shall be kept for a period of five years. If the hazardous waste is kept in storage, the forms shall be kept as long as the storage period of the hazardous waste.

Where the competent department of the environmental protection administration deems it necessary to extend the period for keeping the forms, the discharging unit, transporter and accepting unit shall keep the forms as long as required.

Article 11 The competent departments of environmental protection administration of the people's governments above the municipal level under the jurisdiction of the province shall have the right to inspect the forms operations and may also entrust the competent departments of environmental protection administration at the county level with the inspection of the forms operations.

The unit being inspected shall accept such inspection and report the situation accurately.

Article 12 Where a "through transport" method is adopted for the transfer of hazardous waste, the first transporter shall submit all pages of the forms to the next transporter along with the hazardous

第十三条 违反本办法有下列行为之一的，由省辖市级以上地方人民政府环境保护行政主管部门责令限期改正，并处以罚款：

- (一) 未按规定申领、填写联单的；
- (二) 未按规定运行联单的；
- (三) 未按规定期限向环境保护行政主管部门报送联单的；
- (四) 未在规定的存档期限保管联单的；
- (五) 拒绝接受有管辖权的环境保护行政主管部门对联单运行情况进行检查的。

有前款第（一）项、第（三）项行为之一的，依据《中华人民共和国固体废物污染环境防治法》有关规定，处五万元以下罚款；有前款第（二）项、第（四）项行为之一的，处三万元以下罚款；有前款第（五）项行为的，依据《中华人民共和国固体废物污染环境防治法》有关规定，处一万元以下罚款。

第十四条 联单由国务院环境保护行政主管部门统一制定，由省、自治区、直辖市人民政府环境保护行政主管部门印刷。

联单共分五联，颜色分别为：第一联，白色；第二联，红色；第三联，黄色；第四联，蓝色；第五联，绿色。

联单编号由十位阿拉伯数字组成。第一位、第二位数字为省级行政区划代码，第三位、第四位数字为省辖市级行政区划代码，第五位、第六位数字为危险废物类别代码，其余四位数字由发放空白联单的危险废物移出地省辖市级人民政府环境保护行政主管部门按照危险废物转移流水号依次编制。联单由直辖市人民政府环境保护行政主管部门发放的，其编号第三位、第四位数字为零。

第十五条 本办法由国务院环境保护行政主管部门负责解释。

第十六条 本办法自一九九九年十月一日起施行。

waste. The next transporter shall verify the items on the columns of the forms completed by the discharging unit and the items on the columns of the form completed by the first transporter as required by the forms and, upon verification that no mistakes exist, complete the columns of the forms to be filled in by the transporter and affix its signature. The duplicate of the third page of the forms with the signature of the next transporter shall be kept by the first transporter for record and the third page of the forms with the signature of the accepting unit shall be kept by the last transporter for record.

Article 13 Where anyone, in violation of these Measures, commits any of the following acts, the competent department of the environmental protection administration of the local people's government at the municipal level under the jurisdiction of the province shall order him to rectify the acts within a specified time and impose a penalty on the violator:

- (1) Failing to apply for the forms and complete the forms as prescribed in these Measures;
- (2) Failing form operations as prescribed in these Measures;
- (3) Failing to report and send the forms to the competent department of the environmental protection administration within a specified time limit;
- (4) Failing to retain the forms for the specified filing period; or
- (5) Refusing the inspection of the form operations by the competent department of environmental protection administration having jurisdiction over the matter.

Anyone who commits either act specified in subsections (1) or (3) of the preceding paragraph shall be subject to a penalty of not more than 50,000 Yuan in accordance with the relevant provisions of the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes; anyone who commits either act specified in subsections (2) or (4) of the preceding paragraph shall be subject to a penalty of not more than 30,000 Yuan; anyone who commits the act specified in subsection (5) of the preceding paragraph shall be subject to a penalty of not more than 10,000 Yuan in accordance with relevant provisions of the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Wastes.

Article 14 The forms shall be formulated in a uniform basis by the competent department of environmental protection administration under the State Council and printed by the competent departments of environmental protection administration of the people's governments at the provincial and autonomous region level and at the level of municipality directly under the Central Government.

The forms consist of five pages. The colors of each page are in sequence as follows: the first page is white; the second red; the third yellow; the fourth blue and the fifth green.

The number of the forms consists of 10-digit Arabic numerals. The first and second digits refer to the code of the provincial administrative area, the third and fourth digits represent the code of the municipal administrative area under the jurisdiction of the province, and the fifth and sixth digits represent the code of hazardous waste. The remaining four digits are left for the unit issuing the blank forms, namely the competent department of environmental protection administration of the municipal people's government under the jurisdiction of the province at the place from where the hazardous waste is transferred so as to provide the numbers in sequence in accordance with the serial number of the transferred hazardous waste. If the form is issued by the competent department of the environmental protection administration of the people's government of the municipality directly under the Central Government, the third and fourth digits of the serial number shall be zero.

Article 15 The competent department of the environmental protection administration under the State Council shall be responsible for the interpretation of these Measures.

Article 16 These Measures shall enter into effect as of October 1, 1999.

危险废物转移联单 编号 _____

第一部分：废物产生单位填写		
产生单位 _____	单位盖章 _____	电话 _____
通讯地址 _____	邮编 _____	
运输单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
接受单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
废物名称 _____	类别编号 _____	数量 _____
废物特性： _____ 形态 _____ 包装方式 _____		
外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>		
主要危险成分 _____ 禁忌与应急措施 _____		
发运人 _____	运达地 _____	转移时间 _____ 年 _____ 月 _____ 日 _____
第二部分：废物运输单位填写		
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，有权拒绝接受。		
第一承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第二承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第三部分：废物接受单位填写		
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。		
经营许可证号 _____	接收人 _____	接收日期 _____
废物处置方式： 利用 <input type="checkbox"/> 贮存 <input type="checkbox"/> 焚烧 <input type="checkbox"/> 安全填埋 <input type="checkbox"/> 其他 <input type="checkbox"/>		
单位负责人签字 _____	单位盖章 _____	日期 _____

第一联 产生单位

Manifests for Transferring Hazardous Waste

No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____ Quantity _____
Features of the waste _____	Form _____ Package _____
Transport purpose: Transit storage _____ Utilization _____ Treatment _____ Disposal _____	
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____ Transfer date _____
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____ Date of acceptance _____
Way of disposal : Utilization _____ Storage _____ Incineration _____ Safe land fill _____ Others _____	
Signature of unit's head _____	Seal of the unit _____ date _____

The first page for the unit generating hazardous waste

危险废物转移联单 编号 _____

第一部分：废物产生单位填写	
产生单位 _____	单位盖章 _____ 电话 _____
通讯地址 _____	邮编 _____
运输单位 _____	电话 _____
通讯地址 _____	邮编 _____
接受单位 _____	电话 _____
通讯地址 _____	邮编 _____
废物名称 _____ 类别编号 _____ 数量 _____	
废物特性： _____ 形态 _____ 包装方式 _____	
外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>	
主要危险成分 _____ 禁忌与应急措施 _____	
发运人 _____ 运达地 _____ 转移时间 _____ 年 _____ 月 _____ 日	
第二部分：废物运输单位填写	
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，无权拒绝接受。	
第一承运人 _____ 运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____ 牌号 _____ 道路运输证号 _____	
运输起点 _____ 经由地 _____ 运输终点 _____ 运输人签字 _____	
第二承运人 _____ 运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____ 牌号 _____ 道路运输证号 _____	
运输起点 _____ 经由地 _____ 运输终点 _____ 运输人签字 _____	
第三部分：废物接受单位填写	
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。	

第一联副联 产生单位

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____ Quantity _____
Features of the waste _____	Form _____ Package _____
Transport purpose: Transit storage _____ Utilization _____ Treatment _____ Disposal _____	
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____ Transfer date _____
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____ Date of acceptance _____
Way of disposal : Utilization _____ Storage _____ Incineration _____ Safe land fill _____ Others _____	
Signature of unit's head _____	Seal of the unit date _____

The duplicate of the first page for the unit generating hazardous waste

危险废物转移联单 编号 _____

第一部分：废物产生单位填写		
产生单位 _____	单位盖章 _____	电话 _____
通讯地址 _____	邮编 _____	
运输单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
接受单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
废物名称 _____	类别编号 _____	数量 _____
废物特性： _____ 形态 _____ 包装方式 _____		
外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>		
主要危险成分 _____ 禁忌与应急措施 _____		
发运人 _____	运达地 _____	转移时间 _____ 年 _____ 月 _____ 日
第二部分：废物运输单位填写		
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，无权拒绝接受。		
第一承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第二承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第三部分：废物接受单位填写		
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。		
经营许可证号 _____	接收人 _____	接收日期 _____
废物处置方式： 利用 <input type="checkbox"/> 贮存 <input type="checkbox"/> 焚烧 <input type="checkbox"/> 安全填埋 <input type="checkbox"/> 其他 <input type="checkbox"/>		
单位负责人签字 _____	单位盖章 _____	日期 _____

第二联 移出地环保局

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____ Quantity _____
Features of the waste _____	Form _____ Package _____
Transport purpose: Transit storage _____	Utilization _____ Treatment _____ Disposal _____
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____ Transfer date _____
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____ Date of acceptance _____
Way of disposal : Utilization _____ Storage _____ Incineration _____ Safe land fill _____ Others _____	
Signature of unit's head _____	Seal of the unit date _____

The second page _____ for the environmental protection administration at the place from where the hazardous waste is transferred

危险废物转移联单 编号 _____

第一部分：废物产生单位填写	
产生单位 _____	单位盖章 _____ 电话 _____
通讯地址 _____	邮编 _____
运输单位 _____	电话 _____
通讯地址 _____	邮编 _____
接受单位 _____	电话 _____
通讯地址 _____	邮编 _____
废物名称 _____ 类别编号 _____ 数量 _____ 废物特性： _____ 形态 _____ 包装方式 _____ 外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/> 主要危险成分 _____ 禁忌与应急措施 _____ 发运人 _____ 运达地 _____ 转移时间 _____ 年 _____ 月 _____ 日	
第二部分：废物运输单位填写	
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，无权拒绝接受。	
第一承运人 _____	运输日期 _____ 年 _____ 月 _____ 日
车（船）型： _____	牌号 _____ 道路运输证号 _____
运输起点 _____	经由地 _____ 运输终点 _____ 运输人签字 _____
第二承运人 _____	运输日期 _____ 年 _____ 月 _____ 日
车（船）型： _____	牌号 _____ 道路运输证号 _____
运输起点 _____	经由地 _____ 运输终点 _____ 运输人签字 _____
第三部分：废物接受单位填写	
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。	

第二联副联 移出地环保局

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____ Quantity _____
Features of the waste _____	Form _____ Package _____
Transport purpose: Transit storage _____	Utilization _____ Treatment _____ Disposal _____
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____ Transfer date _____
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____ Date of acceptance _____
Way of disposal : Utilization _____ Storage _____ Incineration _____ Safe land fill _____ Others _____	
Signature of unit's head _____	Seal of the unit date _____

The duplicate of the second page for the environmental protection administration at the place from where the hazardous waste is transferred

危险废物转移联单 编号 _____

第一部分：废物产生单位填写		
产生单位 _____	单位盖章 _____	电话 _____
通讯地址 _____	邮编 _____	
运输单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
接受单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
废物名称 _____ 类别编号 _____ 数量 _____		
废物特性： _____ 形态 _____ 包装方式 _____		
外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>		
主要危险成分 _____ 禁忌与应急措施 _____		
发运人 _____ 运达地 _____ 转移时间 _____ 年 _____ 月 _____ 日 _____		
第二部分：废物运输单位填写		
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，无权拒绝接受。		
第一承运人 _____ 运输日期 _____ 年 _____ 月 _____ 日		
车（船）型： _____ 牌号 _____ 道路运输证号 _____		
运输起点 _____ 经由地 _____ 运输终点 _____ 运输人签字 _____		
第二承运人 _____ 运输日期 _____ 年 _____ 月 _____ 日		
车（船）型： _____ 牌号 _____ 道路运输证号 _____		
运输起点 _____ 经由地 _____ 运输终点 _____ 运输人签字 _____		
第三部分：废物接受单位填写		
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。		
经营许可证号 _____ 接收人 _____ 接收日期 _____		
废物处置方式： 利用 <input type="checkbox"/> 贮存 <input type="checkbox"/> 焚烧 <input type="checkbox"/> 安全填埋 <input type="checkbox"/> 其他 <input type="checkbox"/>		
单位负责人签字 _____ 单位盖章 _____ 日期 _____		

第三联 运输单位

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste		
Unit generating hazardous waste _____	Seal _____	Tel. _____
Add _____	Post code _____	
Transporter _____	Tel. _____	
Add _____	Postcode _____	
Unit of acceptance _____	Tel _____	
Add _____	Postcode _____	
Name of the waste _____	Category No. _____	Quantity _____
Features of the waste _____	Form _____	Package _____
Transport purpose: Transit storage _____	Utilization _____	Treatment _____ Disposal _____
Major hazardous composition _____		
Prohibitions, and emergency measures _____		
Sender _____	Destination _____	Transfer date _____
Part II: To be filled in by transporter		
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.		
The first consignee _____	Date of transportation _____	
Type of vehicle (vessel): _____	License plate No. _____	
Transport permit No. _____		
Starting place _____	Via _____	Destination _____
Signature of the transporter _____		
The second consignee _____	Transport date _____	
Type of vehicle (vessel): _____	License plate No. _____	
Transport permit No. _____		
Starting place _____	Via _____	Destination _____
Signature of the transporter _____		
Part III: To be filled in by unit of acceptance		
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.		
License No. _____	Acceptor _____	Date of acceptance _____
Way of disposal : Utilization _____ Storage _____ Incineration _____ Safe land fill _____ Others _____		
Signature of unit's head _____	Seal of the unit _____	date _____

The third page for the transporter

危险废物转移联单 编号 _____

第一部分：废物产生单位填写		
产生单位 _____	单位盖章 _____	电话 _____
通讯地址 _____	邮编 _____	
运输单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
接受单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
废物名称 _____	类别编号 _____	数量 _____
废物特性： _____ 形态 _____ 包装方式 _____		
外运目的： 中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>		
主要危险成分 _____ 禁忌与应急措施 _____		
发运人 _____	运达地 _____	转移时间 _____ 年 _____ 月 _____ 日
第二部分：废物运输单位填写		
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，无权拒绝接受。		
第一承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第二承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第三部分：废物接受单位填写		
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。		
经营许可证号 _____	接收人 _____	接收日期 _____
废物处置方式： 利用 <input type="checkbox"/> 贮存 <input type="checkbox"/> 焚烧 <input type="checkbox"/> 安全填埋 <input type="checkbox"/> 其他 <input type="checkbox"/>		
单位负责人签字 _____	单位盖章 _____	日期 _____

第四联 接受单位

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____
Quantity _____	
Features of the waste _____	Form _____
Package _____	
Transport purpose: Transit storage _____	Utilization _____
Treatment _____	Disposal _____
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____
Transfer date _____	
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____
Destination _____	
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____
Destination _____	
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____
Date of acceptance _____	
Way of disposal: Utilization _____	Storage _____
Incineration _____	Safe land fill _____
Others _____	
Signature of unit's head _____	Seal of the unit _____
date _____	

The fourth page for the unit of acceptance

危险废物转移联单 编号 _____

第一部分：废物产生单位填写		
产生单位 _____	单位盖章 _____	电话 _____
通讯地址 _____	邮编 _____	
运输单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
接受单位 _____	电话 _____	
通讯地址 _____	邮编 _____	
废物名称 _____	类别编号 _____	数量 _____
废物特性： _____	形态 _____	包装方式 _____
外运目的：中转贮存 <input type="checkbox"/> 利用 <input type="checkbox"/> 处理 <input type="checkbox"/> 处置 <input type="checkbox"/>		
主要危险成分 _____ 禁忌与应急措施 _____		
发运人 _____	运达地 _____	转移时间 _____ 年 _____ 月 _____ 日
第二部分：废物运输单位填写		
运输者须知：你必须核对以上栏目事项，当与实际情况不相符时，有权拒绝接受。		
第一承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第二承运人 _____	运输日期 _____ 年 _____ 月 _____ 日	
车（船）型： _____	牌号 _____	道路运输证号 _____
运输起点 _____	经由地 _____	运输终点 _____ 运输人签字 _____
第三部分：废物接受单位填写		
接受者须知：你必须核实以上栏目内容，当与实际情况不符时，有权拒绝接受。		
经营许可证号 _____	接收人 _____	接收日期 _____
废物处置方式：利用 <input type="checkbox"/> 贮存 <input type="checkbox"/> 焚烧 <input type="checkbox"/> 安全填埋 <input type="checkbox"/> 其他 <input type="checkbox"/>		
单位负责人签字 _____	单位盖章 _____	日期 _____

第五联 接受地环保局

Manifests for Transferring Hazardous Waste No. _____

Part I: To be filled in by the unit generating hazardous waste	
Unit generating hazardous waste _____	Seal Tel. _____
Add _____	Post code _____
Transporter _____	Tel. _____
Add _____	Postcode _____
Unit of acceptance _____	Tel _____
Add _____	Postcode _____
Name of the waste _____	Category No. _____ Quantity _____
Features of the waste _____	Form _____ Package _____
Transport purpose: Transit storage _____	Utilization _____ Treatment _____ Disposal _____
Major hazardous composition _____	
Prohibitions, and emergency measures _____	
Sender _____	Destination _____ Transfer date _____
Part II: To be filled in by transporter	
Notice to transporter: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
The first consignee _____	Date of transportation _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
The second consignee _____	Transport date _____
Type of vehicle (vessel): _____	License plate No. _____
Transport permit No. _____	
Starting place _____	Via _____ Destination _____
Signature of the transporter _____	
Part III: To be filled in by unit of acceptance	
Notice to acceptor: You should check items above. You have the right to refuse in case the items are inconsistent with the waste.	
License No. _____	Acceptor _____ Date of acceptance _____
Way of disposal ; Utilization ___ Storage ___ Incineration ___ Safe land fill ___ Others ___	
Signature of unit's head _____	Seal of the unit date _____

The fifth page for the environmental protection administration at the place where the hazardous waste is accepted

国家危险废物名录

(1998年1月4日, 国家环保局、国家经贸委、外经贸部、公安部颁布, 1998年7月1日实施 环发[1998]089号)

国家危险废物名录说明

一、为防止危险废物对环境的污染, 加强对危险废物的管理, 保护环境和保障人民身体健康, 根据《中华人民共和国固体废物污染环境防治法》, 制定《国家危险废物名录》。

二、国家制定《危险废物鉴别标准》。凡《名录》中所列废物类别高于鉴别标准的属危险废物, 列入国家危险废物管理范围; 低于鉴别标准的, 不列入国家危险废物管理。

三、对需要制定危险废物鉴别标准的废物类别, 在其鉴别标准颁布以前, 仅作为危险废物登记使用。

四、危险废物的管理按照《中华人民共和国固体废物污染环境防治法》中有关危险废物的管理条款执行。

五、本次公布的《国家危险废物名录》为第一批执行《名录》。随着经济和科学技术的发展, 《国家危险废物名录》将不定期修订。

六、本《名录》由国家环境保护局负责解释。

编号	废物类别	废物来源	常见危害组分或废物名称
HW01	医院临床废物	从医院、医疗中心和诊所的医疗服务 中产生的临床废物 ——手术、包扎残余物 ——生物培养、动物试验残余物 ——化验检查残余物 ——传染性废物 ——废水处理污泥	手术残物, 敷料、化验废物, 传染性废物, 动物试验废物

National Catalogue of Hazardous Wastes

(Promulgated by the National Environmental Protection Agency,
the State of Economy and Trade Commission,
the Ministry of Foreign Trade and Economic Cooperation,
the Ministry of Public Security on January 4, 1998, and effective as July 1, 1998)

The National Catalogue Of Hazardous Wastes Explanatory Notes

1. In order to prevent environmental pollution by hazardous wastes, strengthen the management of hazardous wastes, protect the environment and safeguard the health of the public, The National Catalogue Of Hazardous Wastes is formulated in accordance with The Law Of The People's Republic of China On the Prevention and Control by Solid Wastes To The Environment

2. The State formulate "Identification Standard for Hazardous Wastes". Those wastes whose identification values are higher than The Identification Standard are classified as hazardous wastes; lower than the Identification Standard are classified as non-hazardous wastes.

3. The wastes that need formulating The Identification Standard for Hazardous Wastes are used for the hazardous wastes registration only before the Identification Standard is promulgated.

4. Hazardous wastes shall be managed in line with the relevant provisions in the Law of People's Republic of China on the Prevention and Control by Solid Wastes To The Environment.

5. The National Catalogue Of Hazardous Wastes published this time is the first catalogue to be implemented. The Catalogue will be revised occasionally further along with the development of economy, science and technology.

6. The Catalogue is explained by the National Environmental Protection Agency of China.

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW01	Clinical wastes	Clinical wastes from medical care in hospitals, medical centers and clinics —residues in operation and binding —residues in biological culture and animal experiment —residues in laboratory test —infectious wastes —sludge from wastewater treatment	Operation residues, dressing and laboratory testing wastes, Infectious wastes, animal experiment wastes

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW02	医药废物	<p>从医用药品的生产制作过程中产生的废物，包括兽药产品（不含中药类废物）</p> <p>——蒸馏及反应残余物</p> <p>——高浓度母液及反应基或培养基废物</p> <p>——脱色过滤（包括载体）物</p> <p>——用过废弃的吸附剂、催化剂、溶剂</p> <p>从生产中产生的报废药品及过期原料</p>	<p>废抗菌药、甾类药、抗组织胺类药、镇痛药、心血管药、神经系统药、杂药，基因类废物</p>
HW03	废药物、药品	<p>过期、报废的无标签的及多种混杂的药物、药品（不包括 HW01、HW02 类中的废药品）</p> <p>——生产中产生的报废药品（包括药品废原料和中间体反应物）</p> <p>——使用单位（科研、监测、学校、医疗单位、化验室等）积压或报废的药品（物）</p> <p>——经营部门过期的报废药品（物）</p>	<p>废化学试剂，废药品，废药物</p>
HW04	农药废物	<p>来自杀虫、灭菌、除草、灭鼠和植物生长调节剂的生产、经销、配制和使用过程中产生的废物</p> <p>——蒸馏及反应残余物</p> <p>——生产过程母液及（反应罐及容器）清洗液</p> <p>——吸附过滤物（包括载体，吸附剂，催化剂）</p> <p>——废水处理污泥</p> <p>——生产、配制过程中的过期原料</p> <p>——生产、销售、使用过程中的过期和淘汰产品</p> <p>——沾有农药及除草剂的包装物及容器</p>	<p>废有机磷杀虫剂、有机氯杀虫剂、有机氮杀虫剂、氨基甲酸酯类杀虫剂、拟除虫菊酯类杀虫剂、杀螨剂、有机磷杀菌剂、有机氯杀菌剂、有机硫杀菌剂、有机锡杀菌剂、有机氮杀菌剂、醌类杀菌剂、无机杀菌剂、有机肿杀菌剂、氨基甲酸酯类除草剂、醚类除草剂、酚类除草剂、酰胺类除草剂、取代脲类除草剂、苯氧羧酸类除草剂、均三氮苯类除草剂、无机除草剂</p>

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW02	Pharmaceutical wastes	<p>Wastes from the production and preparation of pharmaceutical products, including veterinary medicine product (excluding Chinese medicine wastes)</p> <ul style="list-style-type: none"> —residues in distillation and reaction —waste high concentrated mother liquor and or culture medium —decolored and filtered substances (including carriers) —used and abandoned absorbent, catalysts and solvent —waste medicine and overdue raw material arising from production 	Waste antibiotics, steroid medicine, anti-histaminic medicine, paregoric, cardiotoxic, nerve system medicine, miscellaneous medicine, gene waste
HW03	Waste pharmaceuticals, drugs and medicines	<p>Overdue waste, unlabeled and confounding pharmaceuticals, drugs and medicines (excluding waste pharmaceuticals in HW01 and HW02)</p> <ul style="list-style-type: none"> —waste pharmaceuticals arising from production (including pharmaceutical waste raw material and intermediate product reacting substances) —overstocked or discarded pharmaceuticals, drugs and medicines in research units, monitoring units, schools and medical units and laboratories 	Waste chemical agents, waste medicine and waste pharmaceutical
HW04	Pesticide wastes	<p>Wastes from the production, selling, formulation and use of insecticide, bactericide, herbicide, deratizing agent and plant growth regulator</p> <ul style="list-style-type: none"> —residues from distillation and reaction —production mother liquor and (reactors and containers) cleaning liquor —absorbed and filtered substances (including carriers, absorbents and catalysts) —wastewater treatment sludge —overdue raw material from production and formulation —overdue and culled products from production, selling and use —package and containers contaminated by pesticide and herbicide 	Waste organophosphorous insecticide, organo-chlorine insecticide, organonitrogenous insecticide, carbamate insecticide, pyrethroid insecticide, miticide, organophosphorous bactericide, organo-chlorine bactericide, organosulfur bactericide, organotin bactericide, organonitrogenous bactericide, quinone bactericide, inorganic bactericide, organoarsenic bactericide, carbamate herbicides, ether-derivative herbicides, phenol-derivative herbicides, acetamide-group herbicides, phenyl urea-group herbicides, phenoxy carboxylic acid herbicides, triazine-group herbicides, inorganic herbicides

编号	废物类别	废物来源	常见危害组分或废物名称
HW05	木材防腐 剂废物	从木材防腐化学品的生产、配制和使用中产生的废物（不包括与 HW04 类重复的废物） ——生产单位生产中产生的废水处理污泥、工艺反应残余物、吸附过滤物及载体 ——使用单位积压、报废或配制过剩的木材防腐化学品 ——销售经营部门报废的木材防腐化学品	含五氯酚，苯酚，2-氯酚，甲酚，对氯间甲酚，三氯酚，屈萘，四氯酚，杂酚油，萤葱，苯并 a 芘，2，4-二甲酚，2，4-二硝基酚，苯并 (b) 萤葱，苯并 (a) 葱，二苯并 (a) 葱的废物
HW06	有机溶剂废物	从有机溶剂生产、配制和使用过程中产生的废物（不包括 HW42 类的废有机溶剂） ——有机溶剂的合成、裂解、分离、脱色、催化、沉淀、精馏等过程中产生的反应残余物，吸附过滤物及载体 ——配制和使用过程中产生的含有机溶剂的清洗杂物	废催化剂，清洗剥离物，反应残渣及滤渣，吸附物与载体废物
HW07	热处理 含氰废物	从含有氰化物热处理和退火作业中产生的废物 ——金属含氰热处理 ——含氰热处理回火池冷却 ——含氰热处理炉维修 ——热处理渗碳炉	含氰热处理钎渣，含氰污泥及冷却液，含氰热处理炉内衬，热处理渗碳氰渣
HW08	废矿物油	不适合原来用途的废矿物油 ——来自于石油开采和炼制产生的油泥和油脚 ——矿物油类仓贮过程中产生的沉积物 ——机械、动力、运输等设备的更换油及清洗油（泥） ——金属轧制、机械加工过程中产生的废油（渣） ——含油废水处理过程中产生的废油及油泥 ——油加工和油再生过程中产生的油渣及过滤介质	废机油、原油、液压油、真空泵油、柴油、汽油、重油、煤油、热处理油、樟脑油、润滑油（脂）、冷却油

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW05	Wastes containing wood preserving chemicals	<p>Wastes from the manufacture, formulation and use of wood preserving chemicals (excluding the waste duplicated with those in HW04)</p> <p>—wastewater treatment sludge, process reaction residues, absorbed and filtered substances and carriers arising from manufacturers</p> <p>—overstocked, disabled and excess wood preserving chemicals in using units</p> <p>—disabled wood preserving chemicals from the selling departments</p>	<p>Wastes containing pentachlorophenol, phenyl hydroxide, 2-chlorophenol, oxytoluol, parachlor-meta-oxytoluol, trichlorophenol, chrysenenaphthalene, tetrochlorophenol, creasote, fluoranthene, benzo (a) pyrene, 2,4-dimethyl phenol, 2,4-dinitro phenol, benzo (a) anthracene, dibenz(a)anthracene</p>
HW06	Organic solvent wastes	<p>Wastes from the production, formulation and use of organic solvents(excluding the waste organic solvents in HW42)</p> <p>—reaction residues, absorbed substances and carriers arising from synthesisation, fragmentation, separation, decolorization, catalysis, deposition and refinery of organic solvents</p> <p>—cleaning substances containing organic solvents arising from formulation and use</p>	<p>Waste catalyst, cleaning and peeled substances, reaction and filtration residues, absorbed substances and carriers wastes</p>
HW07	Cyanides wastes	<p>Wastes from heat treatment and tempering operations containing cyanides</p> <p>—metal heat treatment containing cyanides</p> <p>—cooling of tempering tank for heat treatment containing cyanides</p> <p>—maintenance of heat treatment furnace containing cyanides</p> <p>—cementation furnace of heat treatment</p>	<p>Barium residue from heat treatment containing cyanides, sludge containing cyanides and cooling liquor, inner liner of heat treatment furnace containing cyanides, cyanides residues from cementation of heat treatment</p>
HW08	Waste mineral oils	<p>Waste mineral oils unfit for their originally intended use</p> <p>—oil sludge and oil foot arising from oil development and refining</p> <p>—deposit from storage of mineral oils</p> <p>—replaced oil and cleaning oil/sludge from mechanical, power and transporting equipment</p> <p>—waste oil(residue)arising from Metal rolling and mechanical processing</p> <p>—waste oil and oil sludge arising from treatment of oily wastewater</p> <p>—oil residue and filter medium arising from refining and regeneration of oil</p>	<p>Waste engine oil, raw oil, hydraulic oil, vacuum pump oil, diesel oil, gasoline, heavy oil, kerosene oil, thermal treatment oil, camphorated oil, lubricating oil or grease lubricant, coolant oil</p>

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW09	废乳化液	<p>从机械加工、设备清洗等过程中产生的废乳化液、废油水混合物</p> <p>——生产、配制、使用过程中产生的过剩乳化液（膏）</p> <p>——机械加工、金属切削和冷拔过程产生的废乳化剂</p> <p>——清洗油罐、油件过程中产生的油水、烃水混合物</p> <p>——来自于（乳化液）水压机定期更换的乳化废液</p>	<p>废皂液、乳化油/水、烃/水混合物、乳化液（膏）、切削剂、冷却剂、润滑剂、拔丝剂</p>
HW10	含多氯联苯废物	<p>含有或沾染多氯联苯（PCB_s），多氯三联苯（PCT_s）、多溴联苯（PBB_s）的废物质和废物品</p> <p>——过剩的、废弃的、封存的、待替换的含有 PCB_s、PBB_s 的和 PCT_s 电力设备（电容器、变压器）</p> <p>——从含有 PCB_s、PBB_s 或 PCT_s 的电力设备中倾倒出的介质油、绝缘油、冷却油及传热油</p> <p>——来自含有 PCB_s、PBB_s 和 PCT_s 或被这些物质污染的电力设备的拆装过程中的清洗液</p> <p>——被 PCB_s、PBB_s 和 PCT_s 污染的土壤及包装物</p>	<p>含多氯联苯（PCB_s），多溴联苯（PBB_s）、多氯三联苯（PCT_s）废物</p>
HW11	精（蒸）馏残渣	<p>从精炼、蒸馏和任何热解处理中产生的废焦油状残留物</p> <p>——煤气生产过程中产生的焦油渣</p> <p>——原油蒸馏过程中产生的焦油残余物</p> <p>——原油精制过程中产生的沥青状焦油及酸焦油</p> <p>——化学品生产过程中产生的蒸馏残渣和蒸馏釜底物</p> <p>——化学品原料生产的热解过程中产生的焦油状残余物</p> <p>——被工业生产过程中产生的焦油或蒸馏残余物所污染的土壤</p> <p>——盛装过焦油状残余物的包装和容器</p>	<p>沥青渣、焦油渣，废酸焦油，酚渣，蒸馏釜残渣，精馏釜残渣，甲苯渣，液化石油气残液（含苯并（a）芘、屈蒽、萤蒽、多环芳烃类废物）</p>

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW09	Waste emulsion	Waste emulsion and waste oil/water mixture arising from mechanical and equipment rinsing —excess emulsion and/or emulsible paste arising from production, formulation and use —waste emulsion arising from mechanical processing, metal cutting and cold drawing —oil/water and hydrocarbon/water mixture arising from cleaning oil tank and oil articles —waste emulsion from regular replace of (meulsion)hydraulic machine	Waste soap liquor, emulsible oil/water, mixture of hydrocarbon and water, emulsion or emulsible paste, coolant, cooler, lubricants and wire drawing agent
HW10	Polychlorobiphenyl wastes	Waste substances and articles containing or contaminated with polychlorobiphenyl (PCBs), polychlorinated terphenyls (PCTs) and/or polybrominated biphenyls (PBBs) —excess, abandoned, sealed up and ready to be replaced power equipment (capacitors and transformers) containing PCBs, PBBs, and PCTs —medium oil, insulating oil, cooling oil and heat-transfer oil poured from power equipment that contain PCBs, PBBs, or PCTs or contaminated by them —soil or package material contaminated by PCBs, PBBs, and/or PCTs	Polychlorobiphenyl (PCBs), polybrominated biphenyls (PBBs), polychlorinated terphenyls (PCTs) wastes
HW11	Residues of refinery or distillation	Waste tarry residues arising from refining, distillation and any pyrolytic treatment —tar residues arising from production of coal gas —tar residues arising from distillation of raw oil —pitch like tar and acid tar arising from fine purification of raw oil —distillation residues and substances at the bottom of distillation of distillation caldron arising from production of chemicals —tarry residues arising from pyrolyzation in production of chemical material —soil contaminated by tar or distillation residues arising from industrial production —package and containers that once contained tarry residues	Asphalt residues, tar residues, waste acid tar, phenolic residues, distillation residues in caldrons, rectified residues in caldrons, methyl benzene residues, liquefied petroleum gas residues (contain such wastes as benzo (a) pyrene, chrysenenaphthalene, fluoranthene, multiring hydrocarbon)

编号	废物类别	废物来源	常见危害组分或废物名称
HW12	染料、 涂料废物	从油墨、染料、颜料、油漆、真漆、罩光漆的生产配制和使用过程中产生的废物 ——生产过程中产生的废弃的颜料、染料、涂料和不合格产品 ——染料、颜料生产硝化、氧化、还原、磺化、重氮化、卤化等化学反应中产生的废母液、残渣、中间体废物 ——油漆、油墨生产、配制和使用过程中产生的含颜料、油墨的有机溶剂废物 ——使用酸、碱或有机溶剂清洗容器设备产生的污泥状剥离物 ——含有染料、颜料、油墨、油漆残余物的废弃包装物 ——废水处理污泥	废酸性染料、碱性染料、媒染染料、偶氮染料、直接染料、冰染染料、还原染料、硫化染料、活性染料、醇酸树脂涂料、丙烯酸树脂涂料、聚氨酯树脂涂料、聚乙烯树脂涂料、环氧树脂涂料、双组份涂料、油墨、重金属颜料
HW13	有机树脂 类废物	从树脂、胶乳、增塑剂、胶水/胶合剂的生产、配制和使用过程中产生的废物 ——生产、配制、使用过程中产生不合格产品、废副产物 ——在合成、酯化、缩合等反应中产生的废催化剂、高浓度废液 ——精馏、分离、粗制过程中产生的釜残液、过滤介质和残渣 ——使用溶剂或酸、碱清洗容器设备剥离下的树脂状、黏稠杂物 ——废水处理污泥	含邻苯二甲酸酯类，脂肪酸二元酸酯类，磷酸酯类，环氧化合物类，偏苯三甲酸酯类，聚酯类，氯化石蜡，二元醇和多元醇酯类，磺酸衍生物的废物
HW14	新化学品 废物	从研究和开发或教学活动中产生的尚未鉴定的和（或）新的并对人类和（或）环境的影响未明的化学废物	新化学品研制中产生的废物

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW12	Waste dyes and paints	<p>Wastes from production, formulation and use of printing ink, dyes, pigments, oil varnish, lacquer and finish-coat paint</p> <ul style="list-style-type: none"> —waste pigments, dyes, paints and unqualified products arising from production —waste mother liquor, residue and intermediate product waste arising from production of dyes and pigments in such reactions as nitration, oxidation, reduction, sulfonation, halogen-hydroxylation and halogenation —abandoned organic solvent which contain pigment and printing ink arising from the production, formulation and use of paint and ink —sludge like substances arising from rinsing container with acid, basic or organic solvent —waste packing material that contain dyes, pigments, printing ink and oil varnish residue —sludge from wastewater treatment 	Waste acid dyes, basic dyes, mordant dyes, azoic dyes, direct dyes, ice dyes, reduction dyes, sulfur dyes, reactive dyes, alkyd resin paints, acrylic resin paints, polyaminoresin paints, polyethylene resin paints, epoxide resin paints, bicomponent paints, printing ink, heavy metal pigments
HW13	Organic resins wastes	<p>Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives</p> <ul style="list-style-type: none"> —unqualified products and byproducts arising from production, formulation and use —waste catalysts and high concentration waste liquid from the process as synthesis, esterification and condensation —residue in tank, filtering medium and filtered substances arising from rectification, separation and refining —peeled esters and bondants from articles and inside of containers by using solvent or acid or base —sludge arising from wastewater treatment 	Wastes containing phthalic esters, fatty dihydric acid esters, phosphoesters, epoxy compounds, trimellitic esters, polyesters, chlorparaffins, dihydric/polybasic alcohol esters, derivative of sulfonic acid
HW14	New chemical wastes	Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known	Wastes arising from research and production of new chemicals

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW15	爆炸性废物	<p>在生产、销售、使用爆炸物品过程中产生的次品、废品及具有爆炸性质的废物</p> <p>——不稳定，在无爆震时容易发生剧烈变化的废物</p> <p>——能和水形成爆炸性混合物</p> <p>——经过发热、吸湿、自发的化学变化具有着火倾向的废物</p> <p>——在有引发源或加热时能爆震或爆炸的废物</p>	<p>含叠氮乙酰，硝酸乙酰酯，叠氮铵，氯酸铵，六硝基高钴酸铵，硝酸铵，氯化铵，过磺酸铵，高锰酸铵，苦味酸铵，四过氧铬酸铵，叠氮羰基胍，叠氮钡，氯化重氮苯，苯并三唑，亚硝基胍，硝化甘油，四硝基戊四醇，三硝基氯苯，聚乙烯硝酸酯，硝酸钾，叠氮化银，氯化银，三硝基苯间二酚银，四氮烯银，无烟火药，叠氮化钠，苦味酸钠，四硝基甲烷、四氯化四硒，四氯化四硫，四氮烯，氯化铊，二氯化三铅，二氯化三汞，三硝基苯，氯酸钾，雷汞，雷银，三硝基甲苯，三硝基间苯二酚的废物</p>
HW16	感光材料废物	<p>从摄影化学品、感光材料的生产、配制、使用中产生的废物</p> <p>——生产过程中产生的不合格产品和过期产品</p> <p>——生产过程中产生的残渣及废水污泥</p> <p>——出版社、报社、印刷厂、电影厂在使用和经营活动中产生的废显（定）影液、胶片及废像纸</p> <p>——社会照像部、冲洗部在使用和经营活动中产生的废显（定）影液、胶片及废像纸</p> <p>——医疗院所的 X 光和 CT 检查中产生的废显（定）影液及胶片</p>	<p>废显影液、定影液、正负胶片、像纸、感光原料及药品</p>

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW15	Explosive wastes	<p>Unqualified products, waste products and explosive wastes arising from the production, selling and use of explosive materials</p> <ul style="list-style-type: none"> —unstable, easy to change violently even without knock —To form explosive mixture when mixed with water —flammable tendency exists when temperature raised, moisture absorbed and spontaneous chemical changes occurred —vibration or explosion occurs when heated or in the existence of initiator 	<p>Wastes containing azidoacetyl, acetyl nitrate, ammonium acid, ammonium chlorate, cobaltic ammonium hexamitrite, ammonium nitrate, ammonium nitride, ammonium periodate, ammonium permanganate, ammonium picrate, ammonium perchromate, guanidine azidocarbonyl, barium azide, chlorinated diazobenzene, azimido-benzene, nitrowoguanidine, nitroglycerine, tetranitropentioic tetrahydroxy alcohol, trinitrochlorobenzene, polyvinyl nitric acid eater, potassium nitrate, silver azide, silver nitride, silver trinitro-resorcinate, silver tetrazene, anthraxite gunpowder, sodium azide, sodium picrete, tetranitromethane, tetrazotized tetraselenid, tetrazotized tetrasulfur, tetrazene, thallium nitride, dinitri-trilead, dinitritrimercury, trinitrobenzene, potassiu, chlorate, trinitrotoluene, trinitro-resoreinol, mercuric fulminate, silver fulminate</p>
HW16	Photographic chemical wastes	<p>Wastes from production, formulation and use of photographic chemicals and processing material</p> <ul style="list-style-type: none"> —unqualified and overdue product arising from production —residue and sludge of wastewater arising from production —waste developing and fixer solution, film and waste photographic paper arising from use and business by publishing houses, newspaper offices, printing plants and film studios —waste developing and fixer solution, film and waste photographic paper arising from <p>Use and business by photo studios and developing shops</p> <ul style="list-style-type: none"> — waste developing and fixer solution arising from X-ray and CT examination in hospitals and relevant medical establishment 	<p>Waste developing solution, fixing bath, positive and negative film, photographic paper, raw photographic material and chemicals</p>

编号	废物类别	废物来源	常见危害组分或废物名称
HW17	表面处理废物	从金属和塑料表面处理过程中产生的废物 ——电镀行业的电镀槽渣, 槽液及水处理污泥 ——金属和塑料表面酸(碱)洗、除油、除锈、洗涤工艺产生的腐蚀液、洗涤液和污泥 ——金属和塑料表面磷化、出光、化抛过程中产生的残渣(液)及污泥 ——镀层剥除过程中产生的废液及残渣	废电镀溶液, 镀槽淤渣, 电镀水处理污泥, 表面处理酸碱渣, 氧化槽渣, 磷化渣, 亚硝酸盐废渣
HW18	焚烧处置残渣	从工业废物处置作业中产生的残余物	焚烧处置残渣及灰尘
HW19	含金属羰基化合物废物	在金属羰基化合物制造以有使用过程中产生的含有羰基化合物成份的废物 ——精细化工产品生产 ——金属有机化合物的合成	金属羰基化合物(五羰基铁, 八羰基二钴, 羰基镍, 三羰基钴, 氢氧化四羰基钴)废物
HW20	含铍废物	含铍及其化合物的废物 ——稀有金属冶炼 ——铍化合物生产	含铍, 硼氢化铍, 溴化铍, 氢氧化铍, 碘化铍, 碳酸铍, 硝酸铍, 氧化铍, 硫酸铍, 氟化铍, 氯化铍, 硫化铍的废物
HW21	含铬废物	含有六价铬化合物的废物 ——化工(铬化合物)生产 ——皮革加工(鞣革)业 ——金属、塑料电镀 ——酸性媒介染料染色 ——颜料生产与使用 ——金属铬冶炼(铁合金)	含铬酸酐, (重)铬酸钾, (重)铬酸钠, 铬酸, 重铬酸, 三氧化铬, 铬酸锌, 铬酸钾, 铬酸钙, 铬酸银, 铬酸铅, 铬酸钡的废物
HW22	含铜废物	含有铜化合物的废物 ——有色金属采选和冶炼 ——金属、塑料电镀 ——铜化合物生产	含溴化(亚)铜, 氢氧化铜, 硫酸(亚)铜, 磺化(亚)铜, 碳酸铜, 硝酸铜, 硫化铜, 氟化铜, 硫化(亚)铜, 氯化(亚)铜, 醋酸铜, 氧化铜钾、磷酸铜, 二水合氯化铜铵的废物

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW17	Wastes from surface treatment	Wastes resulting from surface treatment of metals and plastics — residues and wastewater from plating tanks and sludge from wastewater treatment of plating industries — corroding liquid, scrub solution and sludge arising from such processes as acid or base washing of metal and plastic surfaces, oil removal, rust removal and scrubbing. — Residues and sludge arising from phosphatization and polishing of metal and plastic surfaces — Liquid waste and residues arising from peeling the plating coat	Waste electroplating solvent, plating tank sludge, sludge arising from treatment of electroplating wastewater, acid or basic residue from surface treatment, residue from oxidation tank, phosphatization residue and nitrite residue
HW18	Residues of incinerating disposal	Residues arising from industrial waste disposal operations	Residues and ashes from incinerating disposal
HW19	Metal carbonyl compound wastes	Wastes from the production and use of metal carbonyl compound — products of fine chemical industry — Synthetization of metal organic compound	Metal carbonyl compound wastes (iron pentacarbonyl, cobalt tetracarbonyl, carbonyl nickel, cobalt tricarbonyl, cobaltic hydroxytetracarbonyl)
HW20	Beryllium wastes	Wastes of beryllium and its compounds — smelting of rare metal — production of beryllium	Wastes containing beryllium, beryllium borohydride, beryllium bromide, beryllium hydroxide, beryllium iodide, beryllium carbonate, beryllium oxide, beryllium nitrate, beryllium
HW21	Chromium wastes	Wastes of hexa valent chromium compounds — chemical production of chromium compounds — leather processing(tanning) — electroplating of metal and plastics — colouring of acid medium dyestuff — production and use of pigment — smelting of chrome iron	Wastes containing chromic acid anhydride, potassium chromate, potassium dichromate, sodium chromate, sodium dichromate, chromic acid, dichromic acid, chromic acid, chromic anhydride, zinc chromate, potassium chromic, calcium chromate, silver chromate lead chromate, barium chromate
HW22	Copper wastes	Wastes of copper compounds — mining and smelting of nonferrous metal — electroplating of metal and plastics — production of copper compounds	Wastes containing copper bromide, cuprous bromide, copper hydroxide, copper sulfate, cuprous sulfate, copper iodide, cuprous iodide, copper carbonate, copper nitrate, copper sulfide, copper fluoride, cuprous sulfide, copper chloride, cuprous chloride, copper acetate, copper potassium oxide, copper phosphate, dihydrate copper ammonium chloride

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW23	含锌废物	含有锌化合物的废物 ——有色金属采选及冶炼 ——金属、塑料电镀 ——颜料、油漆、橡胶加工 ——锌化合物生产 ——含锌电池制造业	含溴化锌，碘化锌，硝酸锌，硫酸锌，氟化锌，硫化锌，过氧化锌，高锰酸锌，醋酸锌，草酸锌，铬酸锌，溴酸锌，磷酸锌，焦磷酸锌，磷化锌的废物
HW24	含砷废物	含砷及砷化合物的废物 ——有色金属采选及冶炼 ——砷及其化合物的生产 ——石油化工 ——农药生产 ——染料和制革业	含砷，三氧化二砷，亚砷酐，五氧化二砷，五硫化二砷，硫化亚砷，砷化锌，乙酰基砷铜，砷化钙，砷化铁，砷化铜，砷化铅，砷化银，乙基二氯化砷，(亚)砷酸，三氯化砷，砷酸锌，砷酸铵，砷酸钙，砷酸铁，砷酸钠，砷酸汞，砷酸铅，砷酸镁，三氯化砷，二硫化砷，砷酸钾，砷化(三)氢的废物
HW25	含硒废物	含硒及硒化合物废物 ——有色金属冶炼及电解 ——硒化合物生产 ——颜料、橡胶、玻璃生产	含硒，二氧化硒，三氧化硒，四氯化硒，六氯化硒，二氯化二硒，四氯化硒，亚硒酸，硒化氢，硒化钠，(亚)硒酸钠，二硫化硒，硒化亚铁，亚硒酸钡，硒酸，二甲基硒的废物
HW26	含镉废物	含镉及其化合物废物 ——有色金属采选及冶炼 ——镉化合物生产 ——电池制造业 ——电镀行业	含镉，溴化镉，碘化镉，氢氧化镉，碳酸镉，硝酸镉，硫酸镉，硫化镉，氯化镉，氟化镉，醋酸镉，氧化镉，二甲基镉的废物

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW23	Zinc wastes	<p>Wastes of zinc compounds</p> <ul style="list-style-type: none"> — mining and smelting of nonferrous metal — electroplating of metal and plastics — Processing of pigment, paint and rubber — Production of zinc compounds — Manufacturing industry of zinc battery 	<p>Wastes containing zinc bromide, zinc iodide, zinc nitrate, zinc sulfate, zinc fluoride, zinc sulfide, zinc peroxide, zinc permanganate, zinc acetate, zinc oxalate, zinc chromate, zinc bromate, zinc phosphate, zinc pyrophosphate, pyrophosphate, zinc phosphide</p>
HW24	Arsenic wastes	<p>Wastes of arsenic and its compounds</p> <ul style="list-style-type: none"> — mining and smelting of nonferrous metal — production of arsenic and arsenic compounds — petrochemistry — production of pesticide — tanning and dyestuff industry 	<p>Wastes containing arsenic, arsenic trioxide, arsenous acid anhydride, arsenic oxide, arsenic pentasulfide, arsenous sulfide, arsenical zinc, arsenical lead, arsenical iron, copper arsenide, calcium arsenide, silver arsenide, arsenic acid, arsenous acid, arsenous acid arsenic trifluoride, zinc arsenate, ammonium arsenate, calcium arsenate, ferric arsenate, sodium arsenate, mercuric arsenate, lead arsenate, magnesium arsenate, arsenic trichloride, selenium disulfide, potassium arsenate, hydrogen arsenide, ethyl dichloroarsine, arseniuretted hydrogen, copper aceto-arsenite</p>
HW25	Selenium	<p>Wastes of selenium and its compounds</p> <ul style="list-style-type: none"> — smelting and electrolysis of nonferrous metal — production of selenide — production of pigment, rubber and glass 	<p>Wastes containing selenium, selenium dioxide, selenium trioxide, selenic fluoride, selenium hexafluoride, selenious chloride, selenic chloride, selenious acid, hydrogen selenide, sodium selenide, sodium selenate, sodium selenite selenium disulfide, ferrous selenide, barium selenite, selenic acid, selenium dimethyl</p>
HW26	Cadmium wastes	<p>Wastes of cadmium and its compounds</p> <ul style="list-style-type: none"> — mining and smelting nonferrous metal — production of Cadmic Compounds — battery process industry — electroplating 	<p>Wastes containing cadmium, cadmium bromide, cadmium iodide, cadmium hydroxide, cadmium carbonate, cadmium nitrate, cadmium sulfate, cadmium sulfide, cadmium chloride, cadmium fluoride, cadmium acetate, cadmium oxide, cadmium methide</p>

编号	废物类别	废物来源	常见危害组分或废物名称
HW27	含铈废物	含铈及其化合物废物 ——有色金属冶炼 ——铈化合物生产和使用	含铈，二氧化二铈，亚铈酐，五氧化二铈，硫化亚铈，硫化铈，氟化亚铈，氟化铈，氯化（亚）铈，三氯化铈，铈酸钠，铈酸铅，乳酸铈，亚铈酸钠的废物
HW28	含碲废物	含碲及其化合物废物 ——有色金属冶炼及电解 ——碲化合物生产和使用	含碲，四溴化碲，四碘化碲，三氧化碲，六氟化碲，四氯化碲，亚碲酸，碲化氢，碲酸，二乙基碲，二甲基碲的废物
HW29	含汞废物	含汞及其化合物废物 ——化学工业含汞催化剂制造与使用 ——含汞电池制造业 ——汞冶炼及汞回收工业 ——有机汞和无机汞化合物生产 ——农药及制药业 ——荧光屏及汞灯制造及使用 ——含汞玻璃计器制造及使用 ——汞法烧碱生产产生的含汞盐泥	含汞、溴化（亚）汞，碘化（亚）汞，硝酸（亚）汞，氧化汞，硫酸（亚）汞，氯化（亚）汞，硫化汞，氯化乙基汞，氯化汞铵，氯化甲基汞，醋酸（亚）汞，二甲基汞，二乙基汞，氯化高汞的废物
HW30	含铊废物	含铊及其化合物废物 ——有色金属冶炼及农药生产 ——铊化合物生产及使用	含铊，溴化亚铊，氢氧化（亚）铊，碘化亚铊，硝酸亚铊，碳酸亚铊，硫酸亚铊，氧化亚铊，硫化亚铊，三氧化二铊，三硫化二铊，氟化亚铊，氯化（亚）铊，铬酸铊，氯酸铊，醋酸铊的废物

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW31	含铅废物	含铅及其化合物废物 ——铅冶炼及电解过程中的残渣及铅尘 ——铅(酸)蓄电池生产中产生的废铅渣及铅酸(污泥) ——报废的铅蓄电池 ——铅铸造业及制品业的废铅渣及水处理污泥 ——铅化合物制造和使用过程中产生的废物	含铅, 乙酸铅, 溴化铅, 氢氧化铅, 碘化铅, 碳酸铅, 硝酸铅, 氧化铅, 硫酸铅, 铬酸铅, 氯化铅, 氟化铅, 硫化铅, 高氯酸铅, 碱性硅酸铅, 四烷基铅, 四氧化铅, 二氧化铅的废物
HW32	无机氟化物废物	含无机氯化物的废物(不包括氟化钙、氟化镁)	含氟化铯, 氟硼酸, 氟硅酸锌, 氢氟酸, 氟硅酸, 六氟化硫, 氟化钠, 五氟化硫, 二氟磷酸, 氟硫酸, 氟硼酸铵, 氟硅酸铵, 氟化铵, 氟化钾, 氟化铬, 五氟化碘, 氟氢化钾, 氟氢化钠, 氟硅酸钠的废物
HW33	无机氰化物废物	从无机氰化物生产、使用过程中产生的含无机氰化物的废物(不包括HW07类热处理含氰废物) ——金属制品业的电解除油、表面硬化化学工艺中产生的含氰废物 ——电镀业和电子零件制造业中电镀工艺、镀层剥除工艺中产生的含氰废物 ——金矿开采与筛选过程中产生的含氰废物 ——首饰加工的化学抛光工艺产生的含氰废物 ——其他生产、实验、化验分析过程中产生的含氰废物及包装物	含氢氰酸、氰化钠, 氰化钾, 氰化锂, 氰化汞, 氰化铅, 氰化铜, 氰化锌, 氰化钡, 氰化钙, 氰化亚铜, 氰化银, 氰溶体, 汞氰化钾, 氰化镍, 铜氰化钠, 铜氰化钾, 镍氰化钾, 溴化氰, 氰化钴的废物
HW34	废酸	从工业生产、配制、使用过程中产生的废酸液、固态酸及酸渣($\text{pH} \leq 2$ 的液态酸) ——工业化学品制造 ——化学分析及测试 ——金属及其他制品的酸蚀、出光、除锈(油)及清洗 ——废水处理 ——纺织印染前处理	废硫酸、硝酸、盐酸、磷酸、(次)氯酸、溴酸、氢氟酸、氢溴酸、硼酸、砷酸、硒酸、氰酸、氯磺酸、碘酸、王水

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW31	Lead wastes	<p>Wastes of lead and its compounds</p> <ul style="list-style-type: none"> — slag and dust from lead smelting and electrolyzation — slag and sludge from lead acid batteries production — wasted lead batteries — slag and sludge from lead casting and manufacture — waste from production and use of lead compounds 	<p>Wastes containing lead, lead acetate, lead bromide, lead hydrate, lead fluoride, lead iodide, lead carbonate, lead nitrate, lead oxide, lead sulfate, lead chromate, lead sulfide, lead chloride, lead tetraalkyl, lead tetraoxide, lead peroxide, basic lead metasilicate, lead</p>
HW32	Inorganic fluoride wastes	<p>Wastes of inorganic fluoride (excluding calcium fluoride, magnesium)</p>	<p>Wastes containing cesium fluoride, fluorhydric acid, fluoroborate, fluorosilicic acid, fluorophosphoric acid, ammonium fluoroborate, ammonium fluosilicate, ammonium fluoride, potassium fluoride, chromic fluoride, iodine pentafluoride, potassium hydrogen, sodium bifluoride, sodium fluorosilicate, zinc fluorosilicate, sulfur hexafluoride, sulfur pentafluoride, sodium fluoride, fluorosulfuric acid</p>
HW33	Inorganic cyanide wastes	<p>Wastes from production and use of inorganic cyanide (excluding those wastes in HW07)</p> <ul style="list-style-type: none"> — electrolyzation oil removal in metal product industry, and face-harden chemical technology — wastes including cyanide from electroplating and getting rid of cladding material from electroplating and production of electronic part. — Wastes from mining aurum ore and preparation by screening — Wastes from chemical lapping technology of process — Wastes and packing compose of cyanide from others including production, experiment and chemical analysis 	<p>Wastes containing hydrocyanic acid, sodium cyanide, potassium cyanide, lithium cyanide, mercuric cyanide, lead cyanide, cupric cyanide, zinc cyanide, barium cyanide, calcium cyanide, cuprous cyanide, silver cyanide, cyanogen bromide, nickel cyanide, cobaltous cyanide, mercury potassium cyanide, copper sodium cyanide, copper potassium cyanide, nickel potassium cyanide, cyanide solution</p>
HW34	Waste acid	<p>Waste acid liquor, acid solid and acid slag(acid liquor $\text{pH} \leq 2$) from industry production, formulation and use</p> <ul style="list-style-type: none"> — production of chemical products — chemical analysis and test — acid corrosion, polishing, rust and oil removal, cleaning — wastewater treatment — pretreatment of textile printing 	<p>Wastes containing sulfuric acid, nitric acid, hydrochloric acid, phosphoric acid, hypochloric acid, chloric acid, bromic acid, hydrofluoric acid, hydrobromic acid, boric acid, arsenic acid, selenic acid, cyanic acid. Chlorosulfonic acid, iodic acid, aqua acid</p>

编号	废物类别	废物来源	常见危害组分或废物名称
HW35	废碱	从工业生产、配制使用过程中产生的废碱液、固态碱及碱渣 (pH≥12.5 的液态碱) ——工业化学品制造 ——化学分析及测试 ——金属及其他制品的碱蚀、出光、除锈(油)及清洗 ——废水处理 ——纺织印染前处理 ——造纸废液	废氢氧化钠、氢氧化钾、氢氧化钙、氢氧化锂、碳酸(氢)钠、碳酸(氢)钾、硼砂、(次)氯酸钠、(次)氯酸钾、(次)氯酸钙、磷酸钠
HW36	石棉废物	从生产和使用过程中产生的石棉废物 ——石棉矿开采及其石棉产品加工 ——石棉建材生产 ——含石棉设施的保养(石棉隔膜, 热绝缘体等) ——车辆制动器衬片的生产与更换	石棉尘, 石棉废纤维, 废石棉绒, 石棉隔热废料, 石棉尾矿渣
HW37	有机磷化合物废物	从农药以外其他有机磷化合物生产、配制和使用过程中产生的含有机磷废物 ——生产过程中产生的反应残余物 ——生产过程中过滤物、催化剂(包括载体)及废弃的吸附剂 ——废水处理污泥 ——配制, 使用过程中的过剩物、残渣及其包装物	含氯硫磷, 硫磷嗪, 磷酰胺, 丙基磷酸四乙酯, 四磷酸六乙酯, 硝基硫磷酯, 苯腈磷, 磷酰酯类化合物, 苯硫磷, 异丙磷, 三氯氧磷, 磷酸三丁酯的废物
HW38	有机氰化物废物	从生产、配制和使用过程中产生的含有机氰化物的废物 ——在合成、缩合等反应中产生的高浓度废液和及反应残余物 ——在催化、精馏、过滤过程中产生的废催化剂、釜残及过滤介质物 ——生产、配制过程中产生的不合格产品 ——废水处理污泥	含乙腈, 丙烯腈, 己二腈, 氨丙腈, 氯丙烯腈, 氰基乙酸, 氰基氯戊烷, 乙醇腈, 丙腈, 四甲基琥珀腈, 溴苯甲腈, 苯腈, 乳酸腈, 丙酮腈, 丁基腈, 苯基异丙酸酯, 氰酸酯类的废物

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW35	Waste alkali	Waste alkali liquor, alkali solid and alkali slag (alkali liquor $\text{pH} \geq 12.5$) from industry production, formulation and use — production of chemical products — chemical analysis and test — alkali corrosion, polishing, rust and oil removal, cleaning — wastewater treatment — pretreatment of textile printing waste liquor from papermaking	Wastes containing sodium hydroxide, potassium hydroxide, calcium hydroxide, lithium hydroxide, sodium carbonate, sodium hydrogen carbonate, borax, sodium hypochlorite, sodium chlorate, potassium chlorate, potassium hypochlorite, calcium chlorate, calcium hypochlorite, sodium orthophosphate, potassium carbonate, potassium hydrogen carbonate
HW36	Asbestic wastes	Wastes from production and use of Asbestic — asbestic ore mining and asbestic product processing — production of building materials — maintaining asbestic facilities (heat insulation, heat insulator) — production and changing of brake lining	Asbestos dust, waste asbestos fiber, asbestos float, waste heat insulation and tailing of asbestos
HW37	Organic phosphorus wastes	Wastes from the production, formulation and use of organic phosphorus compounds excluding organic phosphorus pesticides — reactionary residua from the production — depleted filter residua, catalysts, carrier and absorbents from the production — sludge from the wastewater treatment — residua, sediments and their wrapping materials from the formulation and utilization	Wastes containing chlorothion, thionazin, tetraethyl propylphosphate, phosphoamide, hexaethyl tetraphosphate, nitro thiophosphate, furecide, phosphates, ethyl-p-nitrophenyl phenyl phosphonothionate (EPN), isopropyl phosphorus phosphorus oxychloride and tributyl phosphate
HW38	Organic cyanide wastes	Wastes from the production, formulation and use of organic cyanides — high concentration waste liquid and reactionary residua from the process as synthetic reaction and condensation reaction — waste catalysts, autoclave-treated residua and filters from the catalytic, refining and filtering processes — unqualified products from the production and formulation — sludge from the wastewater treatment	Wastes containing acetonitrile, acrylonitrile, dicyanobutane, aminoethyl cyanide, chloroacrylonitrile, cyanoacetic acid, cyano chloropentane, hydroxyacetonitrile, ethyl cyanide, tetramethyl succinonitrile, bromophenyl cyanide, phenyl cyanide, lactonitrile, pyruvonitrile, butyl cyanide, phenylisopropionate and cyanates

编号	废物类别	废物来源	常见危害组分或废物名称
HW39	含酚废物	<p>酚、酚化合物的废物（包括氯酚类和硝基酚类）</p> <p>二氯酚，二硝基苯酚，对苯二酚，三羟——生产过程中产生的高浓度废液及反应残余物</p> <p>——生产过程中产生的吸附过滤物，废催化剂，精馏釜残液（包括石油、化工、煤气生产中产生的含酚类化合物废物）</p>	<p>含氨基苯酚，溴酚，氯甲苯酚，煤焦油，二氯酚、二硝基苯酚，对苯二酚，三羟基苯，五氯酚（钠），硝基苯酚，三氯酚，氯酚，甲酚，硝基苯甲酚，苦味酸，二硝基苯酚钠，苯酚胺的废物</p>
HW40	含醚废物	<p>从生产、配制和使用过程中产生的含醚废物</p> <p>——生产、配制过程中产生的醚类残液、反应残余物、水处理污泥及过滤渣</p> <p>——配制、使用过程中产生的含醚类有机混合溶剂</p>	<p>含苯甲醚，乙二醇单丁醚，甲乙醚，丙烯醚，二氯乙醚，苯乙基醚，二苯醚，二氧基乙醇乙醚，乙二醇甲基醚，乙二醇醚，异丙醚，二氯二甲醚，甲基氯甲醚，丙醚，四氯丙醚，三硝基苯甲醚，乙二醇二乙醚，亚乙基二醇丁基醚，二甲醚，丙烯基苯基醚，甲基丙基醚，乙二醇异丙基醚，乙二醇苯醚，乙二醇戊基醚；氯甲基乙醚，丁醚，乙醚，二甘醇二乙基醚，乙二醇二甲基醚，乙二醇单乙醚的废物</p>
HW41	废卤化有机溶剂	<p>从卤化有机溶剂生产、配制、使用过程中产生的废溶剂</p> <p>——生活、配制过程中产生的高浓度残液、吸附过滤物、反应残渣、水处理污泥及废载体</p> <p>——生产、配制过程中产生的报废产品</p> <p>——生产、配制、使用过程中产生的废物卤化有机溶剂。包括化学分析，塑料橡胶制品制造，电子零件清洗、化工产品制造、印染涂料调配、商业干洗、家庭装饰使用的废溶剂</p>	<p>含二氯甲烷，氯仿，四氯化碳，二氯乙烷，二氯乙烯，氯苯，二氯二氟甲烷，溴仿，二氯丁烷，三氯苯，二氯丙烷，二溴乙烷，四氯乙烷，三氯乙烷，三氯乙烯，三氯三氟乙烷，四氯乙烯，五氯乙烷，溴乙烷，溴苯，三氯氟甲烷的废物</p>

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW39	Phenols wastes	<p>Wastes of phenol and its compounds, including chlorophenols and nitrophenols</p> <p>— high concentration waste liquid and reactionary residua from the production</p> <p>— absorbed filtrate, wasted catalysts, refined autoclaved-treated residua (including phenol compounds from petroleum, chemical industrial and gas production)</p>	<p>Wastes containing aminophenol, bromophenol, chloromethylphenol, coal tar, dichlorophenol, dinitrophenol, hydroquinone, trihydroxybenzene, sodium pentachlorophenoxide, nitrophenol, trichlorophenol, chlorophenol, cresol, nitro-cresol, picric acid, sodium dinitrophenoxide and aminophenol</p>
HW40	Ethers wastes	<p>Wastes from the production, formulation and use of ethers</p> <p>— liquid residua, reactionary residua from the production and formulation of ethers, sludge from the wastewater treatment and filtered sludge</p> <p>— organic mixed solvents containing ethers from the formulation and utilization</p>	<p>Wastes containing methyl-phenate, ethylene glycol butyl ether, ethylene methyl ether, diallylether, dichloroethyl ether, phenetole, diphenylether, ethylene glycol methyl ether, ethylene glycol ether, isopropyl ether, chloro-methylether, chloromethyl methyl ether, propyl ether, tetrachloro propyl ether methyl-trinitrophenoxide, ethylene glycol diethyl ether, ethylene glycol butyl ether, dimethyl ether, allyl phenyl ether, methyl propyl ether, ethylene glycol isopropylether, ethylene glycol-phenoxide, ethylene glycol pentyl ether, chloromethyl ethyl ether, butyl ether, ethyl ether, diethylene glycol diethyl ether, ethylene glycol dimethyl ether and ethylene glycol ethyl ether</p>
HW41	Waste halogenated organic solvent	<p>Waste organic solvents from the production, formulation and use of the halogenated organic solvents</p> <p>— high concentration residua, absorbed filtrate, reactionary</p> <p>Residua from the production and formulation, sludge from the Wastewater treatment and wasted carrier</p> <p>—unqualified products from the production and formulation</p> <p>—wasted halogenated organic solvents from the production, formulation and utilization, including chemical analysis, production of plastic rubber products, cleaning of electron parts, production of chemical industrial products, formulation of printing and dyeing, and use of business dry-clean and home decoration</p>	<p>Wastes containing methylene chloride, chloroform, tetrachloro-methane, dichloroethane, dichloroethylene, chlorobenzene, dichloro difluoro-methane, bromoform, dichlorobutane, trichlorobenzene, dichloropropane, dibromoethane, tetrachloroethane, trichloroethane, trichloroethylee, trichloro trifluoroethane, tetrachloroethylene, pentachloroethane, bromoethane, bromobenzene and trichlorofluoromethane</p>

编号	废物类别	废物来源	常见危害组分或废物名称
HW42	废有机溶剂	<p>从有机溶剂的生产、配制和使用中产生的其他废有机溶剂（不包括 HW41 类的卤化有机溶剂）</p> <p>——生产、配制和使用过程中产生的废溶剂和残余物。包括化学分析、塑料橡胶制品制造、电子零件清洗、化工产品制造、印染染料调配，商业干洗和家庭装饰使用过的废溶剂</p>	<p>含糠醛，环己烷，石脑油，苯，甲苯，二甲苯，四氢呋喃，乙酸丁酯，乙酸甲酯，硝基苯，甲基异丁基酮，环己酮，二乙基酮，乙酸异丁酯，丙烯醛二聚物，异丁醇，乙二醇，甲醇，苯乙酮，异戊烷，环戊酮，环戊醇，丙醛，二丙基酮，苯甲酸乙酯，丁酸，丁酸丁酯，丁酸乙酯，丁酸甲酯，异丙醇，N，N-二甲基乙酰胺，甲醛，二乙基酮，丙烯醛，乙醛，乙酸乙酯，丙酮，甲基乙基酮，甲基乙烯酮，甲基丁酮，甲基丁醇，苯甲醇的废物</p>
HW43	含多氯苯并呋喃类废物	含任何多氯苯并呋喃类同系物的废物	多氯苯并呋喃同系物废物
HW44	含多氯苯并二恶英废物	含任何多氯苯并二恶英同系物的废物	多氯苯并二恶英同系物废物
HW45	含有机卤化物废物	<p>从其他有机卤化物的生产、配制、使用过程中产生的废物（不包括上述 HW39，HW41，HW42，HW43，HW44 类别的废物）</p> <p>——生产、配制过程中产生的高浓度残液、吸附过滤物、反应残渣，水处理污泥及废催化剂、废产品</p> <p>——生产、配制过程中产生的报废产品</p> <p>——化学分析、塑料橡胶制品制造、电子零件清洗，化工产品制造、印染染料调配，商业、家庭使用产生的卤化有机废物</p>	<p>含苯基氯，苯甲酰氯，三氯乙醛，1-氯辛烷，氯代二硝基苯，氯乙酸，氯硝基苯，2-氯丙酸，3-氯丙烯酸，氯甲苯胺，乙酰溴，乙酰氯，二溴甲烷，苯基溴，1-溴-2-氯乙烷，二氯乙酰甲酯，氟乙酰胺，二氯萘醌，二氯醋酸，二溴氯丙烷，溴萘酚，碘代甲烷，2，4，5-三氯苯酚，三氯酚，1，4-二氯丁烷，2，4，6-三溴苯酚，二氯丁胺，1-氨基-4 溴蒽醌-2-磺酸的废物</p>

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW42	Waste organic solvents	Waste organic solvents from the production, formulation and use of other organic solvents (excluding halogenated organic solvents in HW41) — wasted solvents and residua from the production, formulation and use of the organic solvents, including chemical analysis, production of plastic rubber products, cleaning of electron parts, production of chemical industrial products, formulation of printing and dyeing, and use of business dry-clean and home decoration	Wastes containing furfural, cyclohexane, napha, benzene, toluene, xylene, tetra hydrofuran, butyl acetate, methyl acetate, nitrobenzene, isobutyl methyl ketone, cyclohexanone, diethyl ketone, isobutyl acetate, acrolein dimer, isobutanol, ethylene glycol, methanol, acetophenone, isopentane, cyclopentanone, cyclopentanol, propanol, dipropyl ketone, ethylene benzoate, butyric acid, butyl butyrate, ethylbutyrate, methyl butyrate, isopropanol, N, N-dimethylacetamide, formaldehyde, diethyl ketone, acrolein, acetaldehyde, ethyl acetate, acetone, ethyl methyl ketone, methylvinyl ketone, methyl propyl ketone, methyl butanol and benzyl alcohol
HW43	Any congener compound of polychlorinated dibenzo-furan	Wastes from any congener compounds of polychlorinated dibenzo-furan	Polychlorobenzofuran and its congener wastes
HW44	Any congener compound of polychlorinated dibenzo-p-dioxin	Wastes from any congener compounds of polychlorinated dibenzo-p-dioxin	Polychlorobenzodioxin and its congener wastes
HW45	Organohalogen compounds	Wastes from the production, formulation and use of other organohalogen compounds (excluding those wastes in HW39, HW41, HW42, HW43 and HW44) — High concentration residua, absorbed filtrate, reactionary residua from the production and formulation, sludge from the wastewater treatment and wasted catalysts and unqualified products — Unqualified products from the production and formulation — Organohalogen compounds wastes from chemical analysis, production of plastic rubber products, cleaning of electron parts, production of chemical industrial products, formulation of printing and dyeing, and use of business dry-clean and home decoration	Wastes containing benzyl chloride, benzoyl chloride, trichloro acetaldehyde, lchlorooctane, chlorodinitrobenzene, chloro-acetic acid, chloro nitrobenzene, 2-chloro propanoic acid, 3-chloro acroleic acid, chloromethylaniline, acetyl bromide, acetyl chloride, methylene bromide, benzyl bromide, 1-bromo-2 chloroethane, methyl dichloroacetate, fluoroacetylamine, dichloro naphthaquinone, dichloro acetic acid, dibromo chloro propane, bromonaphthol, methyl iodide, 2,4,5-trichlorophenol, trichlorophenol, 1,4-dichlorobutane, 2,4,6-tribromophenol, dichlorobutylamine and 1-amino-4-bromoanthraquinone-2-sulfonic acid

国家危险废物名录

编号	废物类别	废物来源	常见危害组分或废物名称
HW46	含镍废物	含镍化合物的废物 ——镍化合物生产过程中产生的反应残余物及废品 ——使用报废的镍催化剂 ——电镀工艺中产生的镍残渣及槽液 ——分析、化验、测试过程中产生的含镍废物	含溴化镍，硝酸镍，硫酸镍，氟化镍，一硫化镍，一氧化镍，氧化镍，氢氧化镍，氢氧化高镍的废物
HW47	含钡废物	含钡化合物的废物（不包括硫酸钡） ——钡化合物生产过程中产生的反应残余物及其废品 ——热处理工艺中的盐浴渣 ——分析、化验、测试中产生的含钡废物	含溴酸钡，氢氧化钡，硝酸钡，碳酸钡，氯化钡，氟化钡，硫化钡，氧化钡，氟硅酸钡，氯酸钡，醋酸钡，过氧化钡，碘酸钡，叠氮钡，多硫化钡的废物

National Catalogue of Hazardous Wastes

Code	Categories of the Waste	Sources of the Waste	The Common Hazardous Components or Name of Wastes
HW46	Nickel compound wastes	Wastes of nickel compounds — reactionary residua and unqualified products from the production	Wastes containing nickelous bromide, nickelous nitrate, nickelous sulfate, nickelous chloride, nickelous sulfide,
		— overdue nickel catalysts — nickel residua and tank liquid from the electroplating process — wasted nickel compounds from analysis, chemical examination and testing	Nickelous oxide, nickelic oxide, nickelous hydroxide and nickelic hydroxide
HW47	Barium compound wastes	Wastes of barium compounds excluding barium sulfate — reactionary residua and unqualified products from the production of barium compounds — salt bath residua from the heat treatment process — wasted barium compounds from analysis, chemical examination and testing	Wastes containing barium bromate, barium hydroxide, barium nitrate, barium carbonate, barium chloride, barium fluoride, barium sulfide, barium oxide, barium fluosilicate, barium chlorate, barium acetate, barium peroxide barium iodate, barium azide and barium polysulphide

国务院办公厅关于坚决控制境外废物向我国转移的紧急通知

(根据国务院决定, 国务院办公厅 1995 年 11 月 7 日发布)

近年来, 一些发达国家和地区出于自身利益, 通过各种手段和途径将大量废物向发展中国家出口, 转移污染。为保护环境, 党中央、国务院三令五申决不能把我国作为境外有害废物倾倒、堆放的场所, 但仍有一些单位见利忘义, 采取非法手段从国外进口有害废物, 严重危害了我国的环境, 威胁人民身体健康, 为此, 必须采取坚决措施予以制止。根据国务院的决定, 现紧急通知如下:

一、保护环境是我国的一项基本国策, 各级政府和有关部门必须高度重视, 要坚决贯彻党中央、国务院的指示, 严格执法, 切实加强对废物进口的管理, 决不允许把我国作为发达国家和地区倾倒、堆放有害废物的场所。

二、切实加强对废物进口的管理。对废物进口分两类进行管理: 一类是禁止进口的废物; 一类是可作为原料但必须严格限制进口的废物。

(一) 对我国禁止进口的废物, 任何单位和个人都不准从事此类废物的进口贸易以及其他经营活动, 各有关部门必须严格把关, 坚决禁止进口。

(二) 对可作为原料但必须严格限制进口的废物, 由国家环保局统一审批, 其他任何部门和地方各级人民政府均无权审批, 国家环保局要严格把关。业务主管部门和工商行政管理部门凭国家环保局批准的文件才能批准有关企业经营此项业务或办理企业注册登记手续, 海关凭批准文件放行进口。

(三) 对可作为原料但必须严格限制进口的废物, 由国家商检机构列入强制性检验商品目录实行强制检验。国家商检局要会同国家环保局抓紧制定强制检验的标准(在检验标准发布实施前, 商检部门要加强检查, 发现问题, 及时通知、移交环保部门和海关处理)。

对废物进口实行分类管理的暂行名录, 由国家环保局会同外经贸部、海关总署等部门制定并立即公布。

三、对境外非法向我国转移废物的, 国务院各有关部门要密切配合, 充分运用国际的和国内的法律法规, 向出口国和地区严正交涉, 制止此种行为, 并要求其立即退运。

Circular of the General Office of the State Council on the Strict Control on Transboundary Movements of Foreign Waste to China

(Issued by the General Office of the state Council on November 7, 1995)

In recent years, some countries and regions, out of their own interests, have been transferring pollution by exporting large quantities of waste by various means and channels. In order to protect the environment, the Party Central Committee and the State Council have repeatedly warned that it is forbidden to consider China as a storehouse where foreign waste may be dumped or piled. In spite of this ban, some units, in pursuit of profit, have illegally imported harmful waste from abroad and have thus seriously jeopardized the environment of China and impaired the health of the Chinese people. Therefore, firm measures shall be adopted to stop such actions. A circular is hereby issued on the basis of the decision of the State Council:

1. The protection of the environment is one of the basic state policies of the Chinese Government. Governments at all levels and relevant departments shall attach great importance to this policy, firmly implement the instructions of the Party Central Committee and the State Council, strictly enforce the law, strengthen practical administration over the import of foreign waste, and forbid China to be considered as a storehouse where harmful waste may be dumped or piled.

2. Practical administration concerning the import of foreign waste shall be strengthened. The import of foreign waste shall be administered in two categories: first, waste that is forbidden to be imported; and second, waste that can be used as a raw material but the import of which shall be under strict control.

(1) For waste that is forbidden to be imported, no unit or individual shall be permitted to engage in the import or other business activities involving such waste. All departments concerned shall strictly check on and resolutely forbid the import of such waste.

(2) Imports of waste that can be used as a raw material but the import of which is under strict control shall be examined and approved exclusively by the National Environmental Protection Agency; no other department or local people's government shall have this authority. The National Environmental Protection Agency shall make strict inspections. The departments in charge and the industrial and commercial administrations shall not permit the enterprises concerned to deal in such imports or go through the registration formalities without documents approved by the National Environmental Protection Agency. Customs shall not permit such imports without approved documents.

(3) For waste that can be used as a raw material but the import of which is under strict control, The State Commodity Inspection Institution shall include it in the directory of commodities requiring mandatory inspection and shall conduct mandatory inspections. The National Agency for the Inspection of Import and Export Commodities shall, in conjunction with the National Environmental Protection Agency, work out the standards for mandatory inspection as soon as possible (before the standards for inspection are issued and implemented, the commodity inspection departments shall strengthen their examinations and shall, in the event any problem is found, without delay notify and transfer the case to the environmental protection departments and customs for disposal).

The provisional directory for the classification administration over the import of waste shall be worked out and issued immediately by the National Environmental Protection Agency in conjunction with the Ministry of Foreign Trade and Economic Cooperation and the General Administration of Customs.

3. For countries or regions that illegally transfer waste to China, the departments concerned under the State Council shall act in close coordination and make full use of domestic and international laws and regulations to solemnly negotiate with said countries or regions in order to stop their actions and

四、对非法进口废物的单位和个人，海关、环保、工商、外经贸、商检等部门要根据各自职责，严加惩处；对构成犯罪的，要移送司法机关，依法追究违法者的刑事责任。对违法批准、放行废物进口的机关及有关责任人员，要依法予以严肃查处。

五、对以进口废物为名偷税漏税、骗取出口退税的单位和个人，一经发现，要坚决依法从严惩处。

六、立即对已从事进口或经营、使用进口废物的企业进行清理整顿。对已非法进口、经营、使用禁止进口废物的单位，由工商行政管理部门坚决予以取缔；对已进口、经营、使用可作为原料但必须严格限制进口的废物的单位，限今年年底前向国家环保局补办审批手续，逾期未补办批准手续的，海关对其进口废物不予放行，外经贸部门取消其进口经营权，工商行政管理部门吊销其营业执照。

七、由国家环保局牵头，有关部门参加，立即组织联合调查组，坚决查处非法进口废物事件，依法惩处违法者。要大力加强宣传教育，造成强大的社会舆论，依靠全社会的力量进行监督。

八、国家环保局要会同外经贸部、海关总署等部门抓紧制定并公布执行进口废物的具体管理办法。

demand the immediate transport of the waste back to the place of origin.

4. Units and individuals that illegally import waste shall be severely punished in accordance with the respective duties of customs and the departments of environmental protection, industry and commerce, foreign trade and economic cooperation; and commodity inspection; those cases which constitute crimes shall be transferred to judicial organs and prosecuted for any criminal liability. Organs and concerned personnel that illegally approve and permit the import of waste shall be subject to serious investigation and handling.

5. Units and individuals that evade taxes or gain export refunds by cheating, once discovered, shall be severely punished in conformity with legal provisions.

6. Enterprises that have been engaged in importing, dealing in, or using foreign waste shall be immediately cleaned up and rectified. Units that have been illegally engaged in importing, dealing in, or using foreign waste that has been prohibited to be imported shall be firmly banned by the industrial and commercial administrations; units that have been engaged in importing, dealing in, or using waste that can be used as a raw material but the import of which shall be under strict control shall retroactively go through the formalities of inspection and approval with the National Environmental Protection Agency before the end of 1995; those who do not complete the formalities by the deadline shall be forbidden by customs to import waste, shall be deprived of the authority to import by the department of foreign economic and trade cooperation, and shall have their business licenses revoked by the industrial and commercial administration.

7. The National Environmental Protection Agency shall take the lead in organizing an allied investigative group with participation of the departments concerned in order to strictly investigate and handle the illegal import of waste and punish the law-breakers in conformity with legal provisions. Vigorous propaganda and education shall be conducted, powerful public opinion shall be aroused, and all social strength shall be relied on for supervision.

8. The National Environmental Protection Agency shall, in conjunction with the Ministry of Foreign Economic and Trade Cooperation and the General Administration of Customs, work out, issue, and implement as soon as possible specific managerial methods for the import of waste.

废物进口环境保护管理暂行规定

(1996年3月1日, 国家环保局、对外贸易经济合作部、
海关总署、国家工商局和国家商检局发布)

第一章 总 则

第一条 为加强对废物进口的环境管理, 防止废物进口污染环境, 依照《中华人民共和国固体废物污染环境防治法》和有关法律, 制定本规定。

第二条 本规定适用于中华人民共和国领域内从事废物进口的活动及其环境监督管理。

第三条 禁止进口境外废物在境内倾倒、堆放、处置。

限制进口可以用作原料的废物, 确有必要进口的, 必须按本规定执行。

第四条 任何单位和个人都有权向环境保护行政主管部门、对外经济贸易主管部门、海关、进出口商品检验部门、工商行政管理部门和司法机关检举违法进口废物的单位。

第五条 国家环境保护局对全国废物进口实施监督管理。

地方各级人民政府环境保护行政主管部门依照本规定对本辖区内进口废物实施监督管理, 并有权对从事进口废物经营活动的单位进行现场检查。

第六条 国家环境保护局会同对外贸易经济合作部、海关总署制定、调整和发布《国家限制进口的可用作原料的废物目录》(附件一)。

国家进出口商品检验局会同国家环境保护局制定进口废物的强制检验的标准。

第七条 对外经济贸易主管部门、海关、进出口商品检验部门和工商行政管理部门在各自的职责范围内, 对进口废物及其经营活动实施监督管理。

Interim Provisions on the Administration of Environmental Protection of Waste Imports

(Promulgated on March 1, 1996 by the National Environmental Protection Agency, the General Administration of Customs, the Ministry of Foreign Trade and Economic Cooperation, the State Administration for Industry and Commerce, the State Administration for Import and Export Commodity Inspection and come into effect as of April 1, 1996)

Chapter I General Provisions

Article 1 These Provisions are formulated in accordance with the Law of the People's Republic of China on Prevention and Control of Environmental Pollution by Solid Waste and other relevant laws in order to strengthen the environmental management of waste importation and to prevent environmental pollution caused by imported waste materials.

Article 2 These Provisions shall apply to any waste import activities conducted within the territory of the People's Republic of China, and the supervision and control of environmental pollution caused by such waste.

Article 3 A ban shall be imposed on dumping, storage and disposal of imported waste materials within the territory of the People's Republic of China.

A restriction is imposed on the importation of waste materials that can be used as raw materials. In case import of such materials are necessary for use as raw materials, the importation of such materials shall be conducted in accordance with the provisions of these Provisions.

Article 4 Any units and individuals have the right to file charges with the competent departments of environmental protection administration, the competent departments of foreign trade and economic cooperation, customs, departments for import and export commodity inspection, administrative departments for industry and commerce and judicial organs against any units that import waste in contravention of law.

Article 5 The National Environment Protection Agency shall exercise supervision and management over nationwide waste importation activities.

The competent departments of environmental protection administration of the local people's governments at various levels shall exercise supervision and management authority over imported waste under their jurisdiction in accordance with the provisions of these Provisions, and shall be empowered to make on-site inspections of units that are engaged in waste import activities.

Article 6 The List of Waste that Can be Used as Raw Materials and Are Restricted in Importation by the State (Annex I) shall be formulated, adjusted and promulgated by National Environmental Protection Agency in conjunction with the Ministry of Foreign Trade and Economic Cooperation and the General Administration of Customs.

The Standard for Compulsory Inspection of Imported Waste shall be formulated by the State Administration for Import and Export Commodity Inspection together with the National Environmental Protection Agency.

Article 7 The competent departments of foreign trade and economic cooperation, customs, departments for import and export commodity inspection and the departments for industry and commerce administration shall exercise supervision and management authority over imported waste within their respective spheres of competence.

Chapter II Environmental Management of Imported Waste

Article 8 The importation of any waste listed in Annex I hereof shall be subject to examination and approval by the National Environmental Protection Agency.

第二章 进口废物的环境管理

第八条 列入附件一的任何废物，必须经国家环境保护局审查批准，才可进口。凡未列入本规定附件一的所有废物（废物范围见第三十二条），禁止进口。

第九条 进口废物的申请和审批程序如下：

（一）申请进口附件一所列六第类废物中的 7204·1000、7204·2100、7204·2900、7204·3000、7204·4100、7204·4900 以及 7204·5000 号废物（简称 7204·1000 至 7204·5000 号废物）的，由废物进口单位或者废物利用单位直接向国家环境保护局提出废物进口申请，由国家环境保护局审批。

（二）申请进口附件一所列其他废物的，由废物进口单位或者废物利用单位向废物利用单位所在地市级人民政府环境保护行政主管部门（简称市级环境保护行政主管部门）提出废物进口申请，经所在地市级环境保护行政主管部门和省、自治区、直辖市人民政府环境保护行政主管部门（简称省级环境保护行政主管部门）审查同意后，报国家环境保护局审批。

第十条 申请进口废物必须符合以下条件：

（一）申请进口废物作原料利用的单位必须是依法成立的企业法人，并具有利用进口废物的能力和相应的污染防治设备；

（二）申请进口的废物已被列入《国家限制进口的可用作原料的废物目录》。

第十一条 申请进口附件一所列废物的单位或者利用废物的单位，必须提交如下申请材料：

（一）《进口废物申请书》《附件二》；

（二）《进口废物作原料利用环境风险报告书》或者《进口废物作原料利用环境风险报告表》。

上述申请材料必须一式三份。

第十二条 受理进口废物申请的环境保护行政主管部门应当在收到进口废物申请材料之日起 5 个工作日内，对进口废物申请分别作出如下处理：

（一）进口废物申请符合本规定第九条、第十条的，应予受理；

（二）进口废物申请不符合本规定第十条内容之一的，裁定不予受理，并告之理由；

（三）申请人未提交本规定第十一条规定的申请材料之一的，应通知申请人限期补证。逾期未补证的，视为未申请。

第十三条 申请进口附件一所列第六类废物中的 7204·1000 至 7204·5000 号废物的单位或者废物利用单位，必须对拟进口作原料利用的废物及其贮存、运输和利用过程中的环境风险进行评价，并填写《进口废物环境风险报告表》，直接报国家环

The importation of any waste that are not listed in Annex I hereof (For scope of waste, see Article 32) is banned by the state.

Article 9 The application and approval procedures for waste import are as follows:

(1) For those who intent to import waste Nos. 7204.1000, 7204.2100, 7204.2900, 7204.3000, 7204.4100, 7204.4900 and waste Ons. 7204.5000 (hereinafter referred to as waste No. 7204-1000 to 7204-5000) as listed in Category 6 of Annex I, an application for importing such waste shall be submitted by the waste importer or waste user directly to the National Environmental Protection Agency for approval .

(2) For those who intend to import other waste listed in Annex I, an application for importing such waste shall be submitted by the waste importer or the waste user to the competent departments of environmental protection administration under the municipal people's government at the area where the user of such waste is located (hereinafter referred to as the competent departments of environmental protection administration at municipal level), and then the said application shall be submitted to the National Environmental Protection Agency for approval upon examination and consent given by the local competent departments of environmental protection administration at municipal level and the competent departments of environmental protection administration at all level of province, autonomous region and municipality (hereinafter referred to as the competent departments of environmental protection at provincial level) .

Article 10 The application for waste importation must meet the following criteria:

(1) The unit applying for importing waste and using them as raw materials shall be an incorporated enterprise established according to law, and shall have the ability to use such imported waste and be equipped with the corresponding pollution control facilities;

(2) The waste being applied for importation shall be those contained in the List of Waste that Can Be Used as Raw Materials and are Restricted in Importation by the State.

Article 11 The unit applying for importing the waste listed in Annex I or the user of such waste shall submit the following application materials:

(1) "Application for Waste Importation" (Annex II)

(2) "Statement on Environmental Risk Involved in Using Imported Waste as Raw Materials" or "Reporting Form on Environment Risk Involved in Using Imported Waste as Raw Materials";

The above-mentioned application materials shall be made in triplicate form.

Article 12 The competent departments of environmental protection which are responsible for accepting waste import applications shall process the applications separately within 5 days from the date of receipt of the applications per the following provisions:

(1) Waste importation applications which are in conformity with Articles 9 and 10 of these Provisions shall be accepted;

(2) Waste importation applications which are not in conformity with any one of the items of Article 10 hereof shall be refused and the applicant shall be informed of the reason for refusal.

(3) Applicants who fail to submit any of the application materials as provided in Article 11 hereof shall be notified to make supplements and corrections within a specified time. Where no required supplements and corrections are made within the specified time, the application shall be treated as it has ever been made.

Article 13 The unit applying for importation waste Nos. 7204.1000 to 7204.5000 as listed in Category 6 of Annex I or the user of such waste shall make evaluations as to the environmental risks involved in the waste which are to be imported and used as raw materials and the risks involved in the process of their storage, transportation and utilization, and shall fill in the "Reporting Form on Environmental Risk Involved in Waste Importation" and then submit the Form to the National Environmental Protection Agency directly for approval.

Article 14 The unit applying for importing waste listed in Categories II, VII, VIII and 9 of Annex I or the user of such waste shall make evaluations as to the environmental risks involved in the waste to be imported and used as raw materials and in the process of their storage, transportation and utilization, and shall prepare the "Statement on Environmental Risk Involved in Waste Importation" and

境保护局审查。

第十四条 申请进口附件一所列第二类、第七类、第八类、第九类废物的单位或者废物利用单位，必须对拟进口作原料利用的废物及其贮存、运输和利用过程中的环境风险进行评价，编制《进口废物环境风险报告书》，并按国家环境保护局的有关规定，报环境保护行政主管部门审查。

第十五条 申请进口附件一所列第一类、第三类、第四类、第五类和第六类废物中除 7204·1000 至 7204·5000 号废物以外的废物的单位或者废物利用单位，或者申请再次进口已批准过的第十四条所指废物的单位必须对拟进口作原料利用的废物及其贮存、运输和利用过程中的环境风险进行评价，填写《进口废物环境风险报告表》，并连同《进口废物申请书》，按本规定第九条第（二）款规定的程序，报有关环境保护行政主管部门审查。

第十六条 进口废物环境风险评价的技术要求和审查程序，由国家环境保护局另行规定。

承担进口废物环境风险评价的单位，必须取得国家环境保护局核发的《进口废物环境风险评价资格证书》。

第十七条 受理进口废物申请的市级环境保护行政主管部门和省级环境保护行政主管部门应当分别在收到进口废物申请材料之日起的 10 个工作日内，签署审查意见，并通知申请人。

第十八条 国家环境保护局在收到直接受理的进口废物申请材料或者经由省级环境保护行政主管部门上报的进口废物申请材料之日起 10 个工作日内，作出批准或者不批准的决定，并通知申请人。

对批准的进口废物申请，国家环境保护局签发《进口废物批准证书》（附件三）。

第十九条 国家环境保护局在审查进口废物申请材料的过程中，必要时可组织专家论证或者征求有关部门的意见。

第二十条 国家环境保护局签发的《进口废物批准证书》有效期为一年。

第二十一条 对附件一所列废物，海关一律凭国家环境保护局签发的《进口废物批准证书》和口岸所在地进出口商品检验机构的检查合格证明验收。

第二十二条 废物进口单位和废物利用单位必须就每季度进口的废物填写《进口废物报告单》（附件四），报废物利用单位所在地市级环境保护行政主管部门。

废物利用单位必须按照《进口废物环境风险报告书》或者《进口废物环境风险报告表》的要求，防治进口废物污染环境。

第二十三条 进出口商品检验机构在对进口的废物进行检验的过程中发现可能

submit the statement to the competent departments of environment protection administration for examination in accordance with the relevant stipulations of the National Environmental Protection Agency.

Article 15 The unit applying for importing waste Nos. 7204.1000 to Nos. 7204.5000 as listed in Categories I, III, IV, V and VI of Annex I or the user of such waste, or the unit reapplying for importing the waste which have ever been approved referred to in Article 14, shall make evaluations as to the environmental risks involved in the waste to be imported and used as raw materials and in the process of their storage, transportation and utilization, and shall fill out the "Form on Environmental Risks Involved in Waste Importation" and then submit the Form together with the "Application for Waste Importation" to the competent departments of environment protection administration for examination in accordance with the procedures as provided in Clause (2) Article 9 of these Provisions.

Article 16 The technical requirements and the examination procedure for evaluating the environmental risks involved in waste importation shall be formulated separately by the National environmental Protection Agency.

The unit undertaking the evaluation of environmental risks involved in waste importation shall have acquired the "Qualification Certificate for Evaluating Environmental Risks Involved in Waste Importation" approved and issued by the National Environmental Protection Agency.

Article 17 The competent departments of environmental protection administration at municipal level and those at provincial level who accept the waste importation applications shall write and submit their examination comments and notify the applicant within 10 working days from the date of receipt of the application materials for waste importation.

Article 18 The decision on whether to approve the applications for waste importation shall be made by the National Environmental Protection Agency and shall be notified to the applicant within 10 working days from the date on which the application materials for waste importation are accepted directly by the National Environmental Protection Agency or submitted to the Agency by the competent departments of environmental protection administration at provincial level.

As for the approved applications for waste importation, the "Approval Certificate for Waste Importation" (Annex III) shall be issued by the National Environmental Protection Agency.

Article 19 In examining the application materials for waste importation, the National Environment Protection Agency may organize experts to make verifications on the application materials or seek advice from relevant departments when it is deemed necessary.

Article 20 The term of validity of the "Approval Certificate for Waste Importation" issued by the National Environment Protection Agency is one year.

Article 21 As for the waste listed in Annex I hereof, the customs shall make inspection and clear customs for such waste against the "Approval Certificate for Waste Importation" issued by the National Environmental Protection Agency and the Certificate of Inspection issued by import and export commodity inspection agency at the area where the port is located.

Article 22 Waste importers and users must fill out the "Reporting Form of Waste Importation" (Annex IV) with regard to the waste imported each quarter of the year, and shall submit the Form to the competent departments of environmental protection administration at municipal level in the area where the user of the waste is located.

Waste users shall take measures to prevent and control the environmental pollution caused by imported waste in accordance with the requirements as set in "Statement on Environmental Risks Involved in Waste Importation" or "Form of Environmental Risks Involved in Waste Importation".

Article 23 Where the department for import and export commodity inspection discover any issue which is likely to cause environmental pollution in the course of its inspection of imported waste, it shall inform and hand over the issue to the local competent departments of environmental protection administration and customs for settlement according to law.

Article 24 With regard to the processing and production projects which use imported waste as construction raw materials, the construction units shall make evaluation of environmental risks involved and prepare the "Statement on Environmental Risks Involved in Waste Importation", and submit the statement to the National Environment Protection Agency for examination, after the compe-

污染环境的问题，应及时通知和移交当地环境保护行政主管部门和海关依法处理。

第二十四条 建设利用进口废物作原料的加工生产项目的，建设单位必须进行环境风险评价，编制《进口废物环境风险报告书》，并经建设项目所在地市级和省级环境保护行政主管部门签署意见后，报国家环境保护局审查。

第二十五条 从事附件一所列第七类废物加工利用的单位，必须是经国家环境保护局核定的废物定点加工利用单位。

第二十六条 凡申请从事附件一所列废物进口、经营或者加工利用的企业，必须提交国家环境保护局的批准文件，未提交国家环境保护局的批准文件的，工商行政管理机关不予核准登记。

本规定施行之前已从事进口废物经营活动的企业，必须按照国务院办公厅国办发〔1995〕54号文件的规定，向国家环境保护局申请补办审批手续。

第三章 罚 则

第二十七条 违反本规定将境外废物进境倾倒、堆放、处置，或者未经国家环境保护局批准，擅自进口废物用作原料的，按《中华人民共和国固体废物污染环境防治法》第六十六条处罚。

以原料利用为名，进口不能用作原料的废物的，依照前款规定处罚。

第二十八条 对已经非法入境的固体废物，按《中华人民共和国固体废物污染环境防治法》第六十八条执行。

第二十九条 伪造、变造国家环境保护局《进口废物批准证书》的，由国家环境保护总局处以3万元以下的罚款，同时移送司法机关依法追究刑事责任。

第三十条 违反本规定第二十六条第二款的规定，逾期未向国家环境保护局补办进口废物经营审批手续，并继续从事进口废物经营活动，海关对其进口废物不予放行，并责令退运，对外经济贸易主管部门依法取消其进口经营权，工商行政管理部门依法吊销其营业执照。

第三十一条 进出口废物监督管理人员滥用职权、玩忽职守、徇私舞弊，尚不构成犯罪的，给予行政处分；构成犯罪的，依法追究刑事责任。

tent departments of environmental protection administration at municipal and provincial levels in the area where the construction project is carried out have written and signed their comment on the statement.

Article 25 Units which are engaged in the processing and utilization of waste listed in Category VII of Annex I shall be the waste processing and utilization units designated and approved by the National Environmental Protection Agency.

Article 26 Any enterprise applying for approval to import, operate or process the waste listed in Annex I shall submit an approval application document to the National Environmental Protection Agency. Those who fail to submit said document will not receive or registration approval from the departments of industry and commerce administration.

Enterprises which have already engaged in waste importation and processing activities prior to the entry into force of these Provisions shall file a supplementary application with the National Environmental Protection Agency for examination and approval in accordance with the provisions of the Urgent Circular on the Strict Control of the transfer of the Transfer of Foreign Waste to China issued by the General Office of the State Council in 1995.

Chapter III Provisions for Penalty

Article 27 Where waste from foreign countries are imported for dumping, storage and discharging within the territory of the People's Republic of China in violation of the provisions of these Provisions, or where waste are imported and used as raw materials without approval and authorization of the National Environmental Protection Agency, the violator shall be punished in accordance with Article 66 of the "Law of the People's Republic of China on Prevention and Control of Environmental Pollution by Solid Waste".

Those who import waste which can not be used as raw materials in the name of raw material utilization, shall be punished according to the foregoing paragraph.

Article 28 With regard to the solid waste which have already been imported into the territory of the People's Republic of China, Article 68 of the "Law of the People's Republic of China on Prevention and Control of Environmental Pollution by Solid Waste" shall apply.

Article 29 Those who forge or alter the "Approval Certificate for Waste Importation" issued by the National Environmental Protection Agency shall be imposed a fine ranging from RMB 50,000 to 500,000 yuan by the Agency, and the case shall also be referred judicial organs for investigating criminal liabilities.

Article 30 For those who failed to go through supplementary procedures with the National Environmental Protection Agency for approving their business in waste importation within specified period of time by violating the provisions of Clause 2, Article 26 of these Provisions and continue to conduct waste importation business, the customs shall give no customs clearance to the waste imported and shall order the importer to ship the waste back. The competent departments of foreign trade and economic cooperation shall deprive them of their rights for import operations according to law, and the departments of industry and commerce administration shall suspend their business licences.

Article 31 Any person conducting waste import superintendency and administration abuses his power, neglects his duties and engages in malpractice for private gains, shall be given a disciplinary sanction in case where his act does not constitute a crime; and criminal sanctions shall be imposed according to law in case where his act constitutes a crime.

Chapter IV Supplementary Provisions

Article 32 The terms as used in these Provisions are defined as follows:

(1) Scope of waste:

"Solid waste" refers to the solid and semi-solid discarded materials which cause pollution to environment and are generated from production and construction, daily life and other activities.

"Industrial solid waste" refers to the solid waste generated from production activities in sectors

第四章 附 则

第三十二条 本规定下列用语的含义：

(一) 废物的范围：

固体废物，是指在生产建设、日常生活和其他活动中产生的污染环境的固态、半固态废弃物物质。

工业固体废物，是指在工业、交通等生产活动中产生的固体废物。

城市生活垃圾，是指在城市日常生活中或者为城市日常生活提供服务的活动中产生的固体废物以及法律、行政法规规定视为城市生活垃圾的固体废物。

危险废物，是指列入国家危险废物名录或者根据国家规定的危险废物鉴别标准和鉴别方法认定的具有危险特性的废物。

(二) 废物进口单位是指从事废物进口的对外贸易经营单位。

(三) 废物利用单位是指实际从事进口废物加工利用的单位。

第三十三条 本规定颁布之前国家环境保护局单独或者与有关部门联合发布的有关进口废物环境管理规定，与本规定相抵触者，停止执行。

第三十四条 本规定由国家环境保护局会同有关部门共同解释。

第三十五条 本规定自 1996 年 4 月 1 日起施行。

附：

附件：国家限制进口的可用作原料的废物目录

(1996 年 3 月 1 日公布，1996 年 10 月 15 日修改)

类 别	海关商品编码	废 物 名 称
第一类		动物废料
	0506. 9010	骨废料
第二类		冶炼渣
	2619. 0000	冶炼钢铁所产生的熔渣、浮渣（包括钒渣等），氧化皮及其他废料
第三类		木、木制品废料
	4401. 3000	锯末、木废料及碎片，不论是否粘结成圆木段、块、片或类似形状
	4501. 900	软木废料；碎的、粒状的、或粉状的软木
第四类		回收（废碎）纸或纸板
	4707. 1000	回收（废碎）的未漂白牛皮纸或纸板及回收（废碎）的瓦楞纸或纸板
	4707. 2000	回收（废碎）的主要由漂白化学浆制未经本体染色的其他纸和纸板
	4707. 3000	回收（废碎）的主要由机构浆制纸或纸板
		（例如，报纸、杂志及类似印刷品）

such as industry and transportation.

"Urban domestic garbage" refers to the solid waste generated from urban daily life or from activities providing services to the daily life of urban zones, as well as the solid waste being deemed as urban domestic garbage by laws and administrative rules and Provisions.

"Hazardous waste" refers to those waste listed in the National Directory of Hazardous Waste or the waste which have been identified with hazardous characteristics by applying the national standards and methods for hazardous waste identification.

(2) "Waste import units" refers to the foreign trading units engaged in waste importation.

(3) "Waste users" refers to the units actually engaged in the processing and utilization of imported waste.

Article 33 Any regulations on the administration of waste importation promulgated by the National Environmental Protection Agency independently or in conjunction with relevant departments before the date of promulgation of these Provisions shall be ceased implementation in case where they contain provisions differing from these Provisions.

Article 34 These Provisions shall be interpreted by the National Environmental Protection Agency in conjunction with other relevant departments.

Article 35 These Provisions shall come into force on April 1, 1996.

Attachment:

Relevant provisions of the Law of the People's Republic of China on Prevention and Control of Environmental Protection by Solid Waste.

Article 66 In case where the solid waste are imported in the territory of the People's Republic of China for dumping, storage and disposal in violation of the provisions of this Law, or solid waste are imported into the territory of the People's Republic of China without permission and authorization of the competent departments under the State Council, the customs shall order the importer to ship the solid waste back and a fine ranging from RMB 100,000 to 1,000,000 yuan shall be imposed. Those who commit an offence of smuggling by evading the customs superintendency shall be prosecuted for criminal liabilities.

Those who import waste which cannot be used as raw materials, but are imported in the name of raw material utilization shall be punished according to the foregoing provisions.

Article 68 with regard to the solid waste which have already been imported into the territory of the People's Republic of China, the competent departments of environmental protection administration under the people's governments above provincial level shall put forth its opinion on the settlement of the issue, and the customs shall make a decision punishment according to Article 66 of this Law; In case where environmental pollution has already been caused, the competent departments of environmental protection under the people's government above provincial level shall order the importer to eliminate the pollution caused.

Annex:

List of Wastes Used as Raw Materials and Restricted in Importation

(Promulgated on March 1, 1996, as amended on October 15, 1996)

Category	Commodity code	Description
1		Animal wastes
	0506.9010	Wastes of bones
2		Smelt slag
	2619.0000	Slag, dross (other than granulated slag). Scaling and other wastes from the manufacture of iron or steel. This entry covers the use of such slag as a source of titanium dioxide and vanadium
3		Wood and wood articles wastes
	4401.3000	Sawdust and wood waste and scrap, whether or no-agglomerated in logs, briquettes pellets or similar forms

	4707. 9000	回收(废碎)的其他纸及纸板, 包括未分选的
第五类		纺织品废物
	5202. 1000	废棉纱线(包括废棉线)
	5202. 9900	其他废棉
	5505. 1000	合成纤维废料
	5505. 2000	人造纤维废料
第六类		贱金属及其制品的废碎料
	7204. 1000	铸铁废碎料
	7204. 2100	不锈钢废碎料
	7204. 2900	其他合金钢废碎料
	7204. 3000	镀锡钢铁废碎料
	7204. 4100	车、刨、铣、磨、锯、锉、剪、冲加工过程中产生的钢铁废料, 不论是否成捆
	7204. 4900	未列名钢铁废碎料(含废铁轨、废钢轨等)
	7204. 5000	供再熔的碎料钢铁锭(含废机床、废机车、废机车头等)
	7401. 1000	铜铈
	7401. 2000	沉积铜(泥铜)
	7404. 0000	铜废碎料
	7503. 0000	镍废碎料
	7602. 0000	铝废碎料
	7902. 0000	锌废碎料
	8002. 0000	锡废碎料
	8103. 1000	钽废碎料
第七类		各种废旧五金、电机、电器产品
		废电机
		废电线、电缆
		废五金电器
第八类		废运输设备
	8908. 0000	供拆卸的船舶及其他浮动结构体
第九类		特殊需进口的废物
第十类		塑料的废碎料及下脚料
	3915. 1000	乙烯聚合物的废碎料及下脚料
	3915. 2000	苯乙烯聚合物的废碎料及下脚料
	3915. 3000	氯乙烯聚合物的废碎料及下脚料
	3915. 9000	其他塑料的废碎料及下脚料

Interim Provisions on the Import of Waste Materials

Category	Commodity code	Description
4	4501.9000	Waste cork, crushed, granulated or ground cork tableware and kitchenware, of wood
		Waste and scrap of paper or paperboard
	4707.1000	Of unbleached kraft paper or paperboard or of corrugated paper or paperboard
	4707.2000	Of other paper or paperboard make mainly of bleached chemical pulp, not colored in the mass
	4707.3000	Of paper or paperboard make mainly of mechanical pulp (for example, newspapers, journals and similar printed matters)
5	4707.9000	Waste and scrap of other paper or paperboard
		Textile wastes
	5202.1000	Yarn waste (including thread waste)
	5202.9000	Other yarn waste
	5505.1000	Synthetic fabric scrap
6	5505.2000	Man-made fabric scrap
		Base metals and articles of base metal waste
	7204.1000	Waste and scrap of cast iron
	7204.2100	Waste and scrap of stainless steel
	7204.2900	Waste and scrap of other alloy steel
	7204.3000	Waste and scrap of tinned iron steel
	7204.4100	Turnings, shavings, chips, milling waste, sawdust, filings, trimmings, and stampings, whether or not in bundles
	7204.4900	Other waste and scrap of iron and steel
	7204.5000	Remelting scrap ingots
	7401.1000	Copper mattes
	7401.2000	Cement copper (precipitated copper)
	7404.0000	Copper waste and scrap
	7503.0000	Nickel waste and scrap
	7602.0000	Aluminum waste and scrap
	7902.0000	Zinc waste and scrap
8002.0000	Tin waste and scrap	
8103.1000	Tantalum waste and scrap	
7		Waste electric motors, electrical scraps and waste wires and cables
		Waste electric motors
		Waste wires and cables
		Waste electric scraps
8		Waste transportation equipment
	8908.0000	Vessels and other floating structures for breaking up
9		Wastes that special needed for importation
10		Scrap and leftover pit and piece of plastics
	3915.1000	Scrap and leftover pit and piece of polyethylene
	3915.2000	Scrap and leftover pit and piece of polyphenylethylene
	3915.3000	Scrap and leftover pit and piece of polychloroethylene
	3915.9000	Scrap and leftover pit and piece of other plastics

关于废物进口环境保护管理暂行规定的补充规定

(1996年7月26日, 国家环境保护局、对外贸易经济合作部、
海关总署、国家工商局和国家商检局发布)

为了更进一步加强废物进口的环境保护管理, 防止境外垃圾进入我国, 现对《废物进口环境保护管理暂行规定》(环控[1996]204号, 以下简称“暂行规定”)做如下补充规定:

一、废物进口是指一切废物(含废料)以任何贸易方式和无偿提供、捐赠等方式进入中华人民共和国境内。

二、国家进出口商品检验局(下简称国家商检局)统一管理全国进口废物检验工作。对国家允许进口的废物必须实施装运前检验, 具体管理办法由国家商检局制定后实施。

三、进口废物必须符合我国有关强制性标准的要求。废物进口单位与境外贸易关系人签订的进口废物合同中, 必须订明进口废物的品质和装运前检验条款, 注明严禁夹带生活垃圾和《控制危险废物越境转移及其处置巴塞尔公约》控制的危险废物和其他废物, 约定进口废物必须由中国商检机构或国家商检局指定或认可的其他检验机构实施装运前检验, 检验合格后方可装运。

四、对外贸易运输部门在接受进口废物的承运申请时, 除要求申请人提供国家环境保护局核发的《进口废物批准证书》外, 还需提供中国商检机构或中国国家商检局指定或认可的检验机构签发的进口废物装运前检验合格证明。禁止以“凭指示交货”(TO ORDER)方式承运废物进境。

五、废物进口单位应于进口的废物抵达口岸十天之前通知口岸的商检机构以备检查。

六、进口废物运抵我国口岸后, 收货人应持《进口废物批准证书》第一联和报关单等有关单据(除商检证外)先向海关申报, 然后收货人持《进口废物批准证书》和装运前检验合格证明以及其他必要单证向口岸商检机构报验。口岸商检机构对进口废物实施检验, 检验合格的, 出具《检验情况通知单》, 海关凭此放行; 发现问题及时通知海关和当地环境保护行政主管部门依法处理。

七、未取得《进口废物批准证书》的进口废物一律不得存入保税仓库。

八、任何企业不得进行废物的转口贸易。

Supplementary Provisions to the "Interim Provisions on the Administration of Environmental Protection regarding the Import of Waste Materials"

(Promulgated by the National Environmental Protection Agency, the Ministry of Foreign Trade and Economic Cooperation, the General Administration of Customs, the State Administration for Industry and Commerce, the State Administration for the Inspection of Import and Export Commodities on July 26, 1996)

In order to further strengthen the administration of environmental protection against the imported wastes and to prevent the overseas wastes from entering into China we hereby issue the following supplementary provisions to the "Interim Provisions on the Administration of Imported Wastes and Environmental Protection" (H. K. [1996] No. 204, hereinafter referred to as the Interim Provisions):

1. The import of wastes refers to the entering of all wastes (including scraps) into the territory of the People's Republic of China in any forms of trade, grant or donation, etc..

2. The nationwide inspection of imported wastes shall fall under the unified administration of the State Administration for the Inspection of Import and Export Commodities (hereinafter referred to as "SAIIEC"). The wastes allowed by the State for import shall undergo pre-shipment inspection. The specific measures of which shall be implemented after their formulation by the SAIIEC.

3. Import of wastes shall be conducted in conformity with the relevant mandatory standards stipulated by the State. The contracts concluded between the importing units and their business partners outside of China shall specify the quality of the wastes to be imported, and their pre-shipment inspection clauses, and state that smuggling of the domestic wastes and the hazardous wastes which are specified in the "Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal", and other wastes shall be strictly forbidden, and agree that the pre-shipment inspection of the wastes to be imported shall be conducted by an inspection unit designated or approved by China's inspection organs on commodities or the SAIIEC, and that the shipment of which shall not be conducted until requirements for inspection are met.

4. Upon receipt of application for shipment of the imported wastes, the transport unit in foreign trade shall require the applicant to present the Approved Certificate of Pre-shipment Inspection unit designated or approved by the SAIIEC, in addition to the Certificate of Approval for the Import of Wastes issued by The National Environmental Protection Agency. Wastes are prohibited from entering into China through the "To Order" Consignment.

5. The importing unit of wastes shall, 10 days prior to the arrival of the imported wastes at the destination port, notify the inspection organs on commodities for inspection.

6. Upon arrival of the imported wastes at the port of China, the consignee shall declare at the customs by presenting the first copy of the "Certificate of Approval for the Import of Wastes" the "Customs Declaration" and the other relevant documents (Certificate of Inspection on Commodities). And then he shall submit the Certificate of Approval for the Import of Wastes, the Approved Certificate of Pre-shipment Inspection and the other required documents to the inspection organ on communities at the port for examination. The inspection of the wastes shall be conducted and a "Note on the Results of the Inspection" be issued by the inspection organ for the wastes which meet the requirements against which the customs shall grant clearance; Any problem found during this process, shall be made known to the customs and the local administration for environmental protection, and be dealt with by the same according to the law.

7. No imported wastes shall be stored in the bonded warehouse without the "Certificate of Approval for the Import of Wastes"

8. No enterprise shall be engaged in the transit trade of wastes.

九、企业以加工贸易方式进口废物，应持国家环境保护局签发的《进口废物批准证书》向海关办理加工贸易合同的登记备案手续。

十、“暂行规定”附件三《进口废物批准证书》将予修改。正面增加“进口口岸”栏目，在背面将“到达港口”改为“本次进口数量”，“数量”改为“尚未进口数量”。原《进口废物批准证书》第三联改为对外运输承运人存档。

十一、转让或者倒卖国家环境保护局《进口废物批准证书》的，由国家环境保护总局收回《进口废物批准证书》或者宣布作废，并暂停或取消其废物进口、加工利用的资格。

十二、本规定自 1996 年 8 月 1 日起施行。

9. Enterprises which import wastes through the processing trade shall have their processing contracts registered with the customs for record by presenting the "Certificate of Approval for the Import of Wastes" issued by the National Environmental Protection Agency.

10. Amendments are to be made to the "Certificate of Approval for the Import of Wastes", Appendix 3 to the "Interim Provisions". On the front, an item of "port of import" shall be added; and on the back, "destination port" shall be substituted for "quantity of import for this time" and "quantity" for "quantity of commodities not yet imported". And the third copy of the original Certificate of Approval for the Import of Wastes shall be substituted by the "foreign transport consignee file".

11. Any unit involved in the transferring or illegal trafficking of the "Certificate of Approval for the Import of Wastes" issued by the National Environmental Protection Agency, shall be revoked by the same bureau and the status of that unit in importing and processing wastes shall be suspended or annulled.

12. This provision shall take effect beginning from August 1, 1996.

六、海洋环境管理

VI Marine Environment

中华人民共和国海洋环境保护法

(1982年8月23日第五届全国人大常委会第二十四次会议通过
1999年12月25日第九届全国人大常委会第十三次会议修订，
中华人民共和国主席令第26号发布)

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第一章 总 则

第一条 为了保护和改善海洋环境，保护海洋资源，防治污染损害，维护生态平衡，保障人体健康，促进经济和社会的可持续发展，制定本法。

第二条 本法适用于中华人民共和国内水、领海、毗连区、专属经济区、大陆架以及中华人民共和国管辖的其他海域。

在中华人民共和国管辖海域内从事航行、勘探、开发、生产、旅游、科学研究及其他活动，或者在沿海陆域内从事影响海洋环境活动的任何单位和个人，都必须遵守本法。

在中华人民共和国管辖海域以外，造成中华人民共和国管辖海域环境的，也适用本法。

第三条 国家建立并实施重点海域排污总量控制制度，确定主要环境物排海总量控制指标，并对主要环境源分配排放控制数量。具体办法由国务院制定。

Marine Environmental Protection Law

(Adopted at the 24th session of the Standing Committee of the Fifth National People's Congress on August 23, 1982 and revised at the 13th session of the Standing Committee of the Ninth National People's Congress on December 25, 1999, promulgated by Order No. 26 of the President of the People's Republic of China on December 25, 1999)

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Chapter I General Provisions

Article 1 This law is enacted to protect and improve the marine environment, conserve marine resources, prevent pollution damages, maintain ecological balance, safeguard human health and promote sustainable economic and social development.

Article 2 This law shall apply to the internal waters, territorial seas and the contiguous zones, exclusive economic zones and continental shelves of the People's Republic of China and all other sea areas under the jurisdiction of the People's Republic of China.

All units and individuals engaged in navigation, exploration, exploitation, production, tourism, scientific research and other operations in the sea areas under the jurisdiction of the People's Republic of China, or engaged in operations in the coastal areas which have impact on the marine environment shall comply with this law.

This law shall also apply to areas beyond the sea areas under the jurisdiction of the People's Republic of China that cause pollution to the sea areas under the jurisdiction of the People's Republic of China.

Article 3 The State shall establish and put into practice the system to control the total pollution load for sea disposal in key sea areas, determine the standards to control the total load of key pollutants for sea disposal and control the pollution load for sea disposal assigned for key pollution sources. Specific measures for the implementation shall be formulated by the State Council.

Article 4 All units and individuals shall have the obligation to protect the marine environment and have the right to watch for and report on actions causing pollution damages to the marine environ-

第四条 一切单位和个人都有保护海洋环境的义务，并有权对环境损害海洋环境的单位和个人，以及海洋环境监督管理人员的违法失职行为进行监督和检举。

第五条 国务院环境保护行政主管部门作为对全国环境保护工作统一监督管理的部门，对全国海洋环境保护工作实施指导、协调和监督，并负责全国防治陆源环境物和海岸工程建设项目对海洋环境损害的环境保护工作。

国家海洋行政主管部门负责海洋环境的监督管理，组织海洋环境的调查、监测、监视、评价和科学研究，负责全国防治海洋工程建设项目和海洋倾废废弃物对海洋环境损害的环境保护工作。

国家海事行政主管部门负责所辖港区水域内非军事船舶和港区水域外非渔业、非军事船舶环境海洋环境的监督管理，并负责环境事故的调查处理；对在中华人民共和国管辖海域航行、停泊和作业的外国籍船舶造成的环境事故登轮检查处理。船舶环境事故给渔业造成损害的，应当吸收渔业行政主管部门参与调查处理。

国家渔业行政主管部门负责渔港水域内非军事船舶和渔港水域外渔业船舶环境海洋环境的监督管理，负责保护渔业水域生态环境工作，并调查处理前款规定的环境事故以外的渔业环境事故。

军队环境保护部门负责军事船舶环境海洋环境的监督管理及环境事故的调查处理。

沿海县级以上地方人民政府行使海洋环境监督管理权的部门的职责，由省、自治区、直辖市人民政府根据本法及国务院有关规定确定。

第二章 海洋环境监督管理

第六条 国家海洋行政主管部门会同国务院有关部门和沿海省、自治区、直辖市人民政府拟定全国海洋功能区划，报国务院批准。

沿海地方各级人民政府应当根据全国和地方海洋功能区划，科学合理地使用海域。

第七条 国家根据海洋功能区划制定全国海洋环境保护规划和重点海域区域性海洋环境保护规划。

ment by any unit and individual, as well as on the act of transgression of the law and neglect of duty by marine environment supervision and administration personnel.

Article 5 The competent administrative department in charge of environment protection under the State Council, as a department to exercise unified supervision and administration over nation-wide marine environment protection work, shall render guidance, co-ordination and supervision and be responsible for nation-wide environment protection work to prevent and control marine pollution damages caused by land-based pollutants and coastal construction projects.

The competent State Oceanic administrative department in charge of marine affairs shall be responsible for the supervision and administration of the marine environment, organize survey, surveillance, supervision, assessment and scientific research of the marine environment and be responsible for nation-wide environment protection work to prevent and control marine pollution damages caused by marine construction projects and dumping of wastes in the sea.

The competent State administrative department in charge of maritime affairs shall be responsible for the supervision and administration of marine environment pollution caused by non-military vessels inside the port waters and non-fishery vessels and non-military vessels outside the port waters under their jurisdiction, and be responsible for the investigation and handling of the pollution accidents. In the event of a pollution caused by a foreign vessel navigating, berthing and anchoring and operating in the sea area under the jurisdiction of the People's Republic of China, officers in charge shall board the vessel in question to examine and handle the case. Should a pollution accident caused by vessels result in fishery damages, the competent administrative department in charge of fisheries shall be invited to take part in the investigation and handling of the accident.

The competent State administrative department in charge of fisheries shall be responsible for the supervision and administration of marine environment pollution used by non-military vessels inside the fishing port waters and the fishing vessels outside the fishing port waters, and be responsible for the protection of ecological environment in the fishing zones and examine and handle fishery pollution cases beyond the pollution accidents mentioned in the previous clause.

The environmental protection department of the Armed Forces shall be responsible for the supervision and administration of marine pollution caused by military vessels and for the investigation and handling of the pollution cases.

The functions and responsibilities of the departments invested by the law with power to conduct marine environment supervision and administration of the coastal local People's Governments above the county level shall be determined by the People's Governments of the Provinces, Autonomous Regions and Municipalities directly under the Central Government in accordance with this law and relevant regulations of the State Council.

Chapter II Supervision and Administration of the Marine Environment

Article 6 The competent State administrative department in charge of marine affairs, in conjunction with relevant departments of the State Council and the People's Governments of the provinces, Autonomous Regions and Municipalities directly under the Central Government in the coastal areas, shall work out national marine functional zonation scheme and submit to the State Council for approval.

The coastal local People's Governments shall, in accordance with the national and local marine functional zonation scheme, make good use of the sea areas in a scientific and rational way.

Article 7 The State shall draw up, in accordance with the marine functional zonation scheme,

A national marine environment protection plan and regional marine environment protection plans in key areas.

The relevant People's Governments of the Provinces, Autonomous Regions and Municipalities directly

under the law with power to conduct marine environment supervision and administration may set up regional marine environment protection plans in key sea areas adjacent to key sea areas and the departments invested by the

毗邻重点海域的有关沿海省、自治区、直辖市人民政府及行使海洋环境监督管理权的部门，可以建立海洋环境保护区域合作组织，负责实施重点海域区域性海洋环境保护规划、海洋环境环境的防治和海洋生态保护工作。

第八条 跨区域的海洋环境保护工作，由有关沿海地方人民政府协商解决，或者由上级人民政府协调解决。

跨部门的重大海洋环境保护工作，由国务院环境保护行政主管部门协调；协调未能解决的，由国务院作出决定。

第九条 国家根据海洋环境质量状况和国家经济、技术条件，制定国家海洋环境质量标准。

沿海省、自治区、直辖市人民政府对国家海洋环境质量标准中未作规定的项目，可以制定地方海洋环境质量标准。

沿海地方各级人民政府根据国家和地方海洋环境质量标准的规定和本行政区近岸海域环境质量状况，确定海洋环境保护的目标和任务，并纳入人民政府工作计划，按相应的海洋环境质量标准实施管理。

第十条 国家和地方水环境物排放标准的制定，应当将国家和地方海洋环境质量标准作为重要依据之一。在国家建立并实施排污总量控制制度的重点海域，水环境物排放标准的制定，还应当将主要环境物排海总量控制指标作为重要依据。

第十一条 直接向海洋排放环境物的单位和个人，必须按照国家规定缴纳排污费。

向海洋倾倒废弃物，必须按照国家规定缴纳倾倒费。

根据本法规定征收的排污费、倾倒费，必须其中海洋环境环境的整治，不得挪作他用。具体办法由国务院规定。

第十二条 对超过环境物排放标准的，或者在规定的期限内未完成环境物排放削减任务的，或者造成海洋环境严重环境损害的，应当限期治理。

限期治理按照国务院规定的权限决定。

第十三条 国家加强防治海洋环境环境损害的科学技术的研究和开发，对严重环境海洋环境的落后生产工艺和落后设备，实行淘汰制度。

企业应当优先使用清洁能源，采用资源利用率高、环境物排放量少的清洁生产工艺，防止对海洋环境的环境。
生产

第十四条 国家海洋行政主管部门按照国家环境监测、监视规范和标准，全国海洋环境的调查、监测、监视，制定具体的实施办法，会同有关部门组管理
海洋环境监测、监视网络，定期评价海洋环境质量，发布海洋巡航监视通报。
织全国

gional co-operation organization in marine environment protection, responsible for the implementation of regional marine environment protection plans in key sea areas, prevention and control of marine environment pollution and marine geological conservation work.

Article 8 Trans-regional marine environment protection work shall be implemented through consultation by relevant coastal local People's Governments or to be implemented through consultation by the People's governments at the upper level.

Major trans-department marine environment protection work shall be co-ordinated by the competent administrative department in charge of environment protection under the State Council. Those unable to be settled through co-ordination shall be subject to the State Council for decision.

Article 9 The State shall work out national marine environment quality standards in accordance with the state of affairs of the marine environment quality and the conditions of economic and technological levels.

The People's Governments of coastal Provinces, Autonomous Regions and Municipalities directly under the Central Government may work out local marine environment quality standards for items not specified in the national marine environment quality standards.

The coastal local People's Governments at various levels shall, in accordance with the stipulations laid down in the national and local marine environment quality standards and state of coastal sea area environment quality of their respective administrative areas, work out targets and tasks in the field of marine environment protection, channel? into the work plan of the People's Governments and exercise administration in accordance with corresponding marine environment quality standards.

Article 10 National and local marine environment quality standards shall be one of the important foundations in working out national and local water pollutant discharge standards. In the key sea areas where the State has established and put into practice the system to control the total pollution load for sea disposal, the determination of water pollutant discharge standards shall also take the control standards of the standards to control the total load of key pollutants for sea disposal as an important basis.

Article 11 All units and individuals practicing direct discharge of pollutants into the sea shall, in accordance with the State regulations, pay pollutant discharge fees.

Those dumping wastes in the sea shall, in accordance with the State regulations, pay dumping fees.

Pollutant discharge fees and dumping fees levied in accordance with the provisions of this law must be used for the prevention and control of marine environment pollution and shall not be appropriated for any other purposes. Specific measures shall be formulated by the State Council.

Article 12 For those in excess of pollutant discharge standards, or failing to accomplish pollutant discharge reducing tasks within a specified period of time, or resulting in serious marine environment pollution damages, a deadline shall be set for the elimination or control of the pollution within a certain period of time.

The setting of a deadline shall be determined in accordance with the jurisdiction prescribed by the State Council.

Article 13 The State shall strengthen the research and development of science and technology in the field of prevention and control of marine environment pollution damages and shall put into practice the elimination system of those out-of-date production techniques and out-of-date equipment which cause serious marine environment pollution damages.

Enterprises shall give priority in introducing clean energies and adopting clean production technology with higher resources utilization ratio and less pollutant discharges, so as to prevent pollution to the marine environment.

Article 14 The competent State administrative department in charge of marine affairs shall, in accordance with State environmental monitoring and supervisory norms and standards, administer the investigation, monitoring and supervision of nation-wide marine environment, work out specific measures of implementation, organize nation-wide marine environment monitoring and supervision network in conjunction with relevant departments, handle assessment of marine environment quality at regular

依照本法规定行使海洋环境监督管理权的部门分别负责各自所辖水域的监测、监视。

其他有关部门根据全国海洋环境监测网的分工，分别负责对人海河口、主要排污口的监测。

第十五条 国务院有关部门应当向国务院环境保护行政主管部门提供编制全国环境质量公报所必需的海洋环境监测资料。

环境保护行政主管部门应当向有关部门提供与海洋环境监督管理有关的资料。

第十六条 国家海洋行政主管部门按照国家制定的环境监测、监视信息管理制度，负责管理海洋综合信息系统，为海洋环境保护监督管理提供服务。

第十七条 因发生事故或者其他突发性事件，造成或者可能造成海洋环境环境事故的单位和个人，必须立即采取有效措施，及时向可能受到危害者通报，并向依照本法规定行使海洋环境监督管理权的部门报告，接受调查处理。

沿海县级以上地方人民政府在本行政区域近岸海域的环境受到严重环境时，必须采取有效措施，解除或者减轻危害。

第十八条 国家根据防止海洋环境环境的需要，制定国家重大海上环境事故应急计划。

国家海洋行政主管部门负责制定全国海洋石油勘探开发重大海上溢油应急计划，报国务院环境保护行政主管部门备案。

国家海事行政主管部门负责制定全国船舶重大海上溢油环境事故应急计划，报国务院环境保护行政主管部门备案。

沿海可能发生重大海洋环境环境事故的单位，应当依照国家的规定，制定环境事故应急计划，并向当地环境保护行政主管部门、海洋行政主管部门备案。

沿海县级以上地方人民政府及其有关部门在发生重大海上环境事故时，必须按照应急计划解除或者减轻危害。

第十九条 依照本法规定行使海洋环境监督管理权的部门可以在海上实行联合执法，在巡航监视中发现海上环境事故或者违反本法规定的行为时，应当予以制止并调查取证，必要时有权采取有效措施，防止环境事态的扩大，并报告有关主管部门处理。

依照本法规定行使海洋环境监督管理权的部门，有权对管辖范围内排放环境物的单位和个人进行现场检查。被检查者应当如实反映情况，提供必要的资料。

intervals and release sea cruise supervision dispatches.

Departments invested by this law with power to conduct marine environment supervision and administration shall be responsible for the monitoring and supervision of the water areas under their respective jurisdiction.

Other relevant departments shall, in accordance with the division of work of nation-wide marine environment monitoring network, be respectively responsible for the mouths of rivers that empty into the sea and main pollutant discharge outlets.

Article 15 Relevant departments of the State Council shall provide the competent administrative department in charge of environment protection under the State Council with necessary marine environment monitoring data for the compilation of national environment quality bulletins. The competent administrative department in charge of environment protection shall provide relevant departments with data relating to marine environment supervision and administration.

Article 16 The competent State administrative department in charge of marine affairs shall, in accordance with environment monitoring and supervision information management system formulated by the State, be responsible for the management of comprehensive marine information system and render services to the supervision and administration of marine environment protection.

Article 17 Any unit and individual causing or potentially resulting in marine environment pollution because of accidents or other contingency must immediately adopt effective measures, timely inform those potentially endangered, report to the department invested by this law with power to conduct marine environment supervision and administration and be subject to investigation and handling.

Coastal local People's Governments above the County level must, at a time when the offshore environment within their administration endangered by serious pollution, adopt effective measures to eliminate or decrease pollution damage.

Article 18 The State shall, in accordance with the necessity to prevent marine environment pollution, draw up State contingency plans to deal with major Marine pollution accidents.

The competent State administrative department in charge of marine affairs shall be responsible for drawing up State contingency plans to deal with major oil spill accidents on the sea caused by offshore oil exploration and exploitation and submit the plans to the competent administrative department in charge of environment protection in the State Council for the record.

The competent State administrative department in charge of maritime affairs shall be responsible for drawing up the contingency plans to deal with nation-wide major vessel oil spill accidents on the sea and report to the competent administrative department in charge of environment protection under the State Council for the record.

All units in the coastal areas where potential marine environment pollution accident may happen shall, in accordance with the State regulations, draw up contingency plans to deal with pollution accidents and submit the plans to the local administrative department in charge of environment protection and marine affairs for the record.

The coastal people's governments above county level and their departments shall eliminate or reduce hazards in accordance with the contingency plans in case of major marine pollution incidents.

Article 19 Departments invested by this law with power to conduct marine environment supervision and administration in accordance may conduct joint law enforcement operations on the sea. In the course of monitoring, whenever marine pollution accidents or act of violation of the provisions of this law are discovered, they should strive to stop it, conduct on-the-spot investigation and collect evidence, and have the right to adopt effective measures if necessary to prevent the spread of pollution, in the meantime report to relevant competent department to handle the case.

Departments invested by this law with power to conduct marine environment supervision and administration have the right to conduct on-the-spot inspections of the units and individuals discharging pollutants within the sphere of their jurisdiction. Those inspected shall report the situation accurately and provide necessary data.

Inspection departments should keep confidential the technical secrets and business secrets of those

检查机关应当为被检查者保守技术秘密和业务秘密。

第三章 海洋生态保护

第二十条 国务院和沿海地方各级人民政府应当采取有效措施，保护红树林、珊瑚礁、滨海湿地、海岛、海湾、入海河口、重要渔业水域等具有典型性、代表性的海洋生态系统，珍稀、濒危海洋生物的天然集中分布区，具有重要经济价值的海洋生物生存区域及有重大科学文化价值的海洋自然历史遗迹和自然景观。

对具有重要经济、社会价值的已遭到破坏的海洋生态，应当进行整治和恢复。

第二十一条 国务院有关部门和沿海省级人民政府应当根据保护海洋生态的需要，选划、建立海洋自然保护区。

国家级海洋自然保护区的建立，须经国务院批准。

第二十二条 凡具有下列条件之一的，应当建立海洋自然保护区：

(一) 典型的海洋自然地理区域、有代表性的自然生态区域，以及遭受破坏但经保护能恢复的海洋自然生态区域；

(二) 海洋生物物种高度丰富的区域，或者珍稀、濒危海洋生物物种的天然集中分布区域；

(三) 具有特殊保护价值的海域、海岸、岛屿、滨海湿地、入海河口和海湾等；

(四) 具有重大科学文化价值的海洋自然遗迹所在区域；

(五) 其他需要予以特殊保护的区域。

第二十三条 凡具有特殊地理条件、生态系统、生物与非生物资源及海洋开发利用特殊需要的区域，可以建立海洋特别保护区，采取有效的保护措施和科学的开发方式进行特殊管理。

第二十四条 开发利用海洋资源，应当根据海洋功能区划合理布局，不得造成海洋生态环境破坏。

第二十五条 引进海洋动植物物种，应当进行科学论证，避免对海洋生态系统造成危害。

第二十六条 开发海岛及周围海域的资源，应当采取严格的生态保护措施，不得造成海岛地形、岸滩、植被以及海岛周围海域生态环境的破坏。

第二十七条 沿海地方各级人民政府应当结合当地自然环境的特点，建设海岸防护设施、沿海防护林、沿海城镇园林和绿地，对海岸侵蚀和海水入侵地区进行综合治理。

禁止毁坏海岸防护设施、沿海防护林、沿海城镇园林和绿地。

第二十八条 国家鼓励发展生态渔业建设，推广多种生态渔业生产方式。

inspected.

Chapter III Marine Ecological Conservation

Article 20 The State Council and local People's Governments at the Provincial level shall adopt effective measures to protect such typical and representative marine ecosystems as mangroves, coral reefs, coastal wetlands, islands, bays, estuaries important fishery waters, etc, sea areas where rare and endangered marine organisms are naturally and densely distributed; marine organisms existence habitats with important economic value and marine natural historic relics and natural landscapes with great scientific and cultural significance.

For marine ecosystems with important economic and social values that have been damaged, efforts shall be made to renovate and restore them.

Article 21 Relevant departments of the State Council and coastal People's Governments of Provincial level shall, in accordance with the need for marine ecosystem conservation, delimit and establish marine nature reserves.

The establishment of national marine nature reserves shall be subject to the State Council for approval.

Article 22 In an area that possesses one of the following characteristics, a marine nature reserve may be established:

1. Typical marine physiographic areas, representative natural ecosystem areas, as well as areas within which natural ecosystems have been damaged to some extent, but may be recovered through efforts of protection;

2. The areas with higher marine bio-diversity, or the areas where rare and endangered marine species are naturally and densely distributed;

3. Sea areas, seashores, islands, coastal wetlands, estuaries, bays and the like with special protection values;

4. Areas where marine natural remains of great scientific and cultural values are located, and

5. Other areas which call for special protection.

Article 23 Areas with special geographic conditions, ecosystems, living or non-living resources and areas which call for special need in marine development may establish marine special reserves, and special management shall be implemented by adopting effective protection measures and scientific development methods.

Article 24 Exploration and exploitation of marine resources shall be rationally distributed in accordance with marine functional zonation scheme and shall not bring about damages to marine ecological environment.

Article 25 The introduction of marine biological species shall subject to scientific assessment to avoid damages to marine ecosystems.

Article 26 The exploitation of resources of islands and surrounding sea areas shall adopt strict ecological protection measures and shall not bring about damages to island topography, shore and beach, vegetation and ecological environment of the surrounding sea areas of the islands.

Article 27 Coastal local People's Governments at various levels shall, in accordance with the characteristics of respective local natural environments, construct shore protection installations, coastal dune belts, gardens and green land in the coastal cities and towns, and undertake comprehensive management over the area with coastal erosion and saline water intrusion.

Destruction of shore protection installations, coastal shelter belts and gardens and green land in the coastal cities and towns are forbidden.

Article 28 The State shall encourage the development of ecological fisheries, popularize multi-cultive ecological fisheries production methods and improve marine ecological conditions.

Environmental impact assessment shall be conducted in the new construction, reconstruction and measures of mariculture.

海洋生态状况。

新建、改建、扩建海水养殖场，应当进行环境影响评价。

海水养殖应当科学确定养殖密度，并应当合理投饵、施肥，正确使用药物，防止造成海洋环境的环境。

第四章 防治陆源环境物对 海洋环境的环境损害

第二十九条 向海域排放陆源环境物，必须严格执行国家或者地方规定的标准和有关规定。

第三十条 入海排污口位置的选择，应当根据海洋功能区划、海水动力条件和有关规定，经科学论证后，报设区的市级以上人民政府环境保护行政主管部门审查批准。

环境保护行政主管部门在批准设置入海排污口之前，必须征求海洋、海事、渔业行政主管部门和军队环境保护部门的意见。

在海洋自然保护区、重要渔业水域、海滨风景名胜区和需要特别保护的区域，不得新建排污口。

在有利条件的地区，应当将排污口深海设置，实行离岸排放。设置陆源环境物深海离岸排放排污口，应当根据海洋功能区划、海水动力条件和海底工程设施的有关情况确定，具体办法由国务院规定。

第三十一条 省、自治区、直辖市环境保护行政主管部门和水行政主管部门应当按照水环境防治有关法律的规定，加强入海河流管理，防治环境，使入海河口水质的水质处于良好状态。

第三十二条 排放陆源环境物的单位，必须向环境保护行政主管部门申报拥有的陆源环境物排放设施、处理设施和正常作业条件下排放陆源环境物的种类、数量和浓度，并提供防治海洋环境环境方面的有关技术和资料。

排放陆源环境物的种类、数量和浓度有重大改变的，必须及时申报。

拆除或者闲置陆源环境物处理设施的，必须事先征得环境保护行政主管部门同意。

第三十三条 禁止向海域排放油类、酸液、碱液、剧毒废液和高、中水平放射性废水。

严格限制向海域排放低水平放射性废水；确需排放的，必须严格执行国家防护规定。

严格控制向海域排放含有不易降解的有机物和重金属的废水。

Mariculture shall determine breeding density in a scientific way, rationally feeding and apply manure and accurately use medicines, so as to prevent pollution to the marine environment.

Chapter IV Prevention and Control of pollution Damage to the Marine Environment by Land-Based Pollutants

Article 29 The discharge of land-based pollutants into the sea shall strictly be conducted in compliance with the standards and relevant stipulations laid down by the State and Localities.

Article 30 The sewage sea disposal project shall be determined in accordance with marine functional zonation scheme, marine dynamic conditions and relevant regulations, and shall, after scientific assessment, report to the competent administrative departments in charge of environment protection under the People's Governments above the level of the City where the siting is made for examination and approval.

The competent administrative departments in charge of environment protection must, in approving the setting up of pollutant discharging outlets into the sea, seek the opinions of the competent administrative departments in charge of maritime affairs and fisheries as well as environment protection department of the Armed Forces.

No additional pollutant discharging outlets shall be allowed within marine nature reserves, important fishery waters, coastal historic sites and scenic spots, and areas which call for special protection.

In areas with conditions, pollution discharging outlets shall be built in the deep sea to practise offshore discharging.

In the areas where natural conditions permit, the sea disposal outlet should be sited in deep waters offshore. The installation of land-based pollutant disposal outlets in deep waters offshore shall be determined in accordance with marine functional zonation scheme, marine dynamic conditions and seabed conditions for engineering facilities. Specific measures shall be formulated by the State Council.

Article 31 The competent administrative departments in charge of environment protection and the competent administrative departments in charge of water under the People's Governments of the Provinces, Autonomous Regions and Municipalities directly under the Central Government shall, in accordance with relevant laws on the prevention and control of water pollution, strengthen their control over rivers that empty into the sea to prevent them from being polluted and ensure good water quality in the estuaries.

Article 32 Units discharging land-based pollutants shall report to the competent administrative department in charge of environment protection land-based pollutant discharging facilities and treatment facilities under their possession, the kinds, quantities and density of the discharged land-based pollutants under normal operation conditions, and shall provide relevant techniques and data related to the prevention and control of marine environment pollution.

In case of any major changes in the kinds, quantities and density of the discharged land-based pollutants, timely report shall be made.

Prior agreement of the competent administrative department in charge of environment protection must be obtained in dismantling or laying idle land-based pollutant treatment installations.

Article 33 It is prohibited to discharge oils, acid liquids, alkaline liquids, hypertoxic waste liquids and waste water containing with high and medium radioactivity into the sea.

The discharge of waste water containing with low radioactivity into the sea shall be strictly controlled; in case of a necessity to discharge, it shall be conducted in strict compliance with the State regulations concerning radiation prevention.

The discharge of waste water containing persistent organic matters and waste water containing heavy metals shall be strictly controlled.

Article 34 No medical sewage carrying pathogens, domestic sewage and industrial waste water shall be discharged into sea areas before properly treated in keeping with relevant discharge standards of

第三十四条 含病原体的医疗污水、生活污水和工业废水必须经过处理，符合国家有关排放标准后，方能排入海域。

第三十五条 含有机物和营养物质的工业废水、生活污水，应当严格控制向海湾、半封闭海及其他自净能力较差的海域排放。

第三十六条 向海域排放含热废水，必须采取有效措施，保证邻近渔业水域的水温符合国家海洋环境质量标准，避免热环境对水产资源的危害。

第三十七条 沿海农田、林场施用化学农药，必须执行国家农药安全使用的规定和标准。

沿海农田、林场应当合理使用化肥和植物生长调节剂。

第三十八条 在岸滩弃置、堆放和处理尾矿、矿渣、煤炭渣、垃圾和其他固体废物的，依照《中华人民共和国固体废物环境防治法》的有关规定执行。

第三十九条 禁止经中华人民共和国内水、领海转移危险废物。

经中华人民共和国管辖的其他海域转移危险废物的，必须事先取得国务院环境保护行政主管部门的书面同意。

第四十条 沿海城市人民政府应当建设和完善城市排水管网，有计划地建设城市污水处理厂或者其他污水集中处理设施，加强城市污水的综合整治。

建设污水海洋处置工程，必须符合国家有关规定。

第四十一条 国家采取必要措施，防止、减少和控制来自大气层或者通过大气层造成的海洋环境环境损害。

第五章 防治海岸工程建设项目 对海洋环境的环境损害

第四十二条 新建、改建、扩建海岸工程建设项目，必须遵守国家有关建设项目环境保护管理的规定，并把防治环境所需资金纳入建设项目投资计划。

在依法划定的海洋自然保护区、海滨风景名胜区、重要渔业水域及其他需要特别保护的区域，不得从事环境环境、破坏景观的海岸工程项目建设或者其他活动。

第四十三条 海岸工程建设项目的单位，必须在建设项目可行性研究阶段对海洋环境进行科学调查，根据自然条件和社会条件，合理选址，编报环境影响报告书。环境影响报告书经海洋行政主管部门提出审核意见后，报环境保护行政主管部门审查批准。

环境保护行政主管部门在批准环境影响报告书之前，必须征求海事、渔

Article 35 The discharge of industrial waste water and domestic sewage containing organic and nutrient matters into bays, semi-closed seas and other sea areas with low capacities of self-purification shall be strictly controlled.

Article 36 In discharging thermal waste water into sea areas, effective measures shall be taken to ensure that the water temperature in the adjacent fishing areas is kept within marine environment standards of the State in order to avoid damage to fishery resources by thermal pollution.

Article 37 The use of chemical pesticides in coastal farmlands and forest farms shall conform to the State provisions and standards governing the use of pesticides.

Coastal farmlands and forest farms shall use chemical fertilizer and plant growth regulators in a rational way.

Article 38 The abandoning, piling up and disposal of mining tailing, waste ores, cinders, garbage and other solid wastes along shore and beach shall be conducted in accordance with relevant provisions of the "Law of the People's Republic of China on the Prevention and Control of Environment Pollution Caused by Solid Wastes."

Article 39 It is prohibited to transport dangerous wastes through the passage of internal waters and territorial seas of the People's Republic of China.

Prior written agreement shall be obtained from the competent administrative department in charge of environment protection under the State Council for the transportation of dangerous wastes through the passage of other sea areas under the jurisdiction of the People's Republic of China.

Article 40 People's Governments of coastal Cities shall construct and build urban sewage treatment plants or other facilities for concentrated sewage treatment in a planned way city sewage treatment plants or other sewage concentrated treatment facilities in a planned way and strengthen comprehensive control and management of urban sewage.

Construction of marine sewage treatment engineering facilities shall be conducted in compliance with relevant regulations of the State.

Article 41 The State shall adopt necessary measures to prevent, reduce and control marine environment pollution damage from or through the atmosphere.

Chapter V Prevention and Control of Pollution Damage to the Marine Environment by Coastal Construction Projects

Article 42 New coastal construction projects, extensions or reconstruction projects must be conducted in compliance with relevant State regulations governing environment protection in construction projects and shall channel the capital needed for the prevention and control of pollution into construction project investment plan.

Within marine nature reserves, coastal historic sites and scenic spots, important fishery waters and other areas which call for special protection that are delimited according to relevant laws, undertaking of coastal construction projects or any other operations that may cause pollution to environment and damage to landscape shall be forbidden.

Article 43 Units in charge of coastal construction projects must, at the project feasibility study stage, conduct scientific surveys of the marine environment, select suitable sites in the light of natural and social conditions and formulate and submit environmental impact assessment. The environmental impact assessment shall, after deliberation by the competent administrative department in charge of maritime affairs, be subject to the examination and approval by the competent administrative department in charge of environment protection.

Before approval, the competent administrative department in charge of environment protection must, before approval,

After the environmental impact assessment, seek the opinions of the competent administrative department in charge of maritime affairs and fisheries as well as the environment protection department of the Stateed Forces.

主管部门和军队环境保护部门的意见。

第四十四条 海岸工程建设项目的环境保护设施，必须与主体工程同时设计、同时施工、同时投产使用。环境保护设施未经环境保护行政主管部门检查批准，建设项目不得试运行；环境保护设施未经环境保护行政主管部门验收，或者经验收不合格的，建设项目不得投入生产或者使用。

第四十五条 禁止在沿海陆域内新建不具备有效治理措施的化学制浆造纸、化工、印染、制革、电镀、酿造、炼油、岸边冲滩拆船以及其他严重环境海洋环境的工业生产项目。

第四十六条 兴建海岸工程项目，必须采取有效措施，保护国家和地方重点保护的野生动植物及其生存环境和海洋水产资源。

严格限制在海岸采挖砂石。露天开采海滨砂矿和从岸上打井开采海底矿产资源，必须采取有效措施，防止环境海洋环境。

第六章 防治海洋工程项目 对海洋环境的环境损害

第四十七条 海洋工程项目必须符合海洋功能区划、海洋环境保护规划和国家有关环境保护标准，在可行性研究阶段，编报海洋环境影响报告书，由海洋行政主管部门核准，并报环境保护行政主管部门备案，接受环境保护行政主管部门监督。

海洋行政主管部门在核准海洋环境影响报告书之前，必须征求海事、渔业行政主管部门和军队环境保护部门的意见。

第四十八条 海洋工程建设项目的环境保护设施，必须与主体工程同时设计、同时施工、同时投产使用。环境保护设施未经海洋行政主管部门检查批准，建设项目不得试运行；环境保护设施未经海洋行政主管部门验收，或者经验收不合格的，建设项目不得投入生产或者使用。

拆除或者闲置环境保护设施，必须事先征得海洋行政主管部门的同意。

第四十九条 海洋工程项目，不得使用含超标准放射性物质或者易溶、剧毒有害物质的材料。

第五十条 海洋工程项目需要爆破作业时，必须采取有效措施，保护海洋资源。

Article 44 Environment protection installations of the coastal construction projects shall be designed, built and commissioned together with the principle part of the construction project. No permission shall be given to the construction projects to be put into test (trial) operation until the environment protection installations are examined and approved by the competent administrative department in charge of environment protection; and no permission shall be given to the construction projects to be commissioned or used until the environment protection installations are checked and accepted by the competent administrative department in charge of environment protection or considered to be up to standards after having been checked and accepted.

Article 45 It is prohibited to construct new industrial projects that do not possess effective pollution treatment measures in the coastal land areas, such as chemical pulp and paper mill, chemical plant, printing and dyeing mill, tannery, electroplating mill, brewery, oil refinery, beach ship-dismembering as well as other projects which cause serious marine environment pollution.

Article 46 In building coastal construction projects, effective measures must be taken to protect wild animals and plants and their living environment as well as marine fishery, resources under State and local particular protection.

It is strictly prohibited to mine sand and gravel along the shore

In conducting open air the mining of placer and well drilling on the coast to exploit seabed mineral resources, effective measures must be taken to prevent pollution to the marine environment.

Chapter VI Prevention and Control of Pollution Damage to the Marine Environment by Marine Construction Projects

Article 47 Marine construction projects must conform with marine functional zonation scheme, marine environment protection plan and relevant State environment protection standards. At the project feasibility study period, marine environmental impact assessment statements shall be formulated and submitted to the competent administrative department in charge of marine affairs for examination and approval; in the meantime, report to the competent administrative department in charge of environment protection for the record and accept the supervision of the competent administrative department in charge of environment protection.

The competent administrative department in charge of marine affairs must, before the examination and approval of the marine environmental impact assessment statements, seek the opinions of the competent administrative departments in charge of maritime affairs and fisheries as well as the environment protection department of the Armed Forces.

Article 48 Environment protection installations of marine construction projects shall be designed, built and commissioned together with the principle part of the construction projects. No permission shall be given to the construction projects to be put into trial operation until the environment protection installations are examined and approved by the competent administrative department in charge of environment protection; and no permission shall be given to the construction projects to be commissioned and used until the environment protection installations are checked and accepted by the competent administrative department in charge of environment protection or considered to be up to standards after having been checked and accepted.

Prior agreement must be obtained from the competent administrative department in charge of environment protection to dismantle or lay idle the environment protection installations.

Article 49 The building of marine construction projects must not use materials containing radioactivity in excess of standards or materials containing toxic and harmful substance easy to dissolve in character.

Article 50 In case construction of marine construction projects involves explosive operations, effective measures must be taken to protect marine resources.

The course of offshore oil exploration and exploitation as well as transportation of oil, effective measures must be taken to avoid occurrence of oil spill.

海洋石油勘探开发及输油过程中，必须采取有效措施，避免溢油事故的发生。

第五十一条 海洋石油钻井船、钻井平台和采油平台的含油污水和油性混合物，必须经过处理达标后排放；残油、废油必须予以回收，不得排放入海。经回收处理后排放的，其含油量不得超过国家规定的标准。

钻井所使用的油基泥浆和其他有毒复合泥浆不得排放入海。水基泥浆和无毒复合泥浆及钻屑的排放，必须符合国家有关规定。

第五十二条 海洋石油钻井船、钻井平台和采油平台及其有关海上设施，不得向海域处置含油的工业垃圾。处置其他工业垃圾，不得造成海洋环境环境。

第五十三条 海上试油时，应当确保油气充分燃烧，油和油性混合物不得排放入海。

第五十四条 勘探开发海洋石油，必须按有关规定编制溢油应急计划，报国家海洋行政主管部门审查批准。

第七章 防治倾倒废弃物 对海洋环境的环境损害

第五十五条 任何单位未经国家海洋行政主管部门批准，不得向中华人民共和国管辖海域倾倒任何废弃物。

需要倾倒废弃物的单位，必须向国家海洋行政主管部门提出书面申请，经国家海洋行政主管部门审查批准，发给许可证后，方可倾倒。

禁止中华人民共和国境外的废弃物在中华人民共和国管辖海域倾倒。

第五十六条 国家海洋行政主管部门根据废弃物的毒性、有毒物质含量和对海洋环境影响程度，制定海洋倾倒废弃物评价程序和标准。

向海洋倾倒废弃物，应当按照废弃物的类别和数量实行分级管理。

可以向海洋倾倒的废弃物名录，由国家海洋行政主管部门拟定，经国务院环境保护行政主管部门提出审核意见后，报国务院批准。

第五十七条 国家海洋行政主管部门按照科学、合理、经济、安全的原则，划出海洋倾倒区，经国务院环境保护行政主管部门提出审核意见后，报国务院批准。

临时性海洋倾倒区由国家海洋行政主管部门批准，并报国务院环境保护行政主管部门备案。

国家海洋行政主管部门在选划海洋倾倒区和批准临时性海洋倾倒区之前，征求国家海事、渔业行政主管部门的意见。

Article 51 Oily waste water and oil mixtures from offshore oil drilling vessels and platforms for oil drilling and extraction may be discharged into the sea only after proper treatment and up to discharge standards. Residual and waste oil shall be recovered and must not be discharged into the sea. When they are discharged after treatment, the oil content of the discharged may not exceed the standards laid down by the State.

Oil-based mud and toxic compound mud used in drilling must not be disposed in the sea. The disposal in the sea of water-based mud, other non-toxic compound mud and drilling breaks must conform with relevant provisions of the State.

Article 52 Offshore oil rigs, drilling platforms, oil extraction platforms and other relevant installations on the sea shall not dispose oil-containing industrial garbage in the sea. The disposal of other industrial garbage must not cause pollution to the marine environment.

Article 53 In the event of offshore well testing, the oil and gas shall be thoroughly burned. Oil and oil mixtures must not be discharged into the sea.

Article 54 Those engaged in the exploration and exploitation of offshore oil must formulate contingency plans to control oil spill and submit them to the competent State administrative department in charge of marine affairs for examination and approval.

Chapter VII Prevention and Control of Pollution Damage to the Marine Environment by Dumping of Wastes

Article 55 No unit is permitted, without approval of the competent State administrative department in charge of marine affairs, to dump any wastes into the sea areas under the jurisdiction of the People's Republic of China.

Units that need to dump wastes in the sea must submit a written application to the competent State administrative department in charge of marine affairs for its examination and approval and shall not proceed the dumping before a permit is granted by the said department.

Wastes from outside the boundaries of the People's Republic of China are prohibited to dump into the sea areas under the jurisdiction of the People's Republic of China.

Article 56 The competent State administrative department in charge of marine affairs shall, in accordance with the toxicity of the wastes, the content of poisonous substances and the degree of impact to marine environment, work out assessing procedures and standards regarding dumping of wastes into the sea.

Dumping of wastes into the sea shall practise classified management in accordance with the categories and quantities of the wastes.

The competent State administrative department in charge of marine affairs shall work out the list of wastes allowed to be dumped into the sea and the competent administrative department in charge of environment protection under the State Council shall put forward opinions of deliberation, then submit to the State Council for approval.

Article 57 The competent State administrative department in charge of marine affairs shall, in accordance with scientific, rational, economic and safety principles, select and dumping sites in the sea and the competent administrative department in charge of environment protection under the State Council shall put forward opinions of deliberation, then submit to the State Council for approval.

Temporary dumping sites in the sea should be approved by the competent State administrative department in charge of marine affairs and should be reported to the competent administrative department in charge of environment protection under the State Council for the record.

The competent State administrative department in charge of marine affairs must, in selection of dumping sites in the sea and before approving temporary dumping sites in the sea, seek the opinions of the competent State administrative departments in charge of maritime affairs and fisheries.

Article 58 The competent State administrative department in charge of marine affairs shall exercise supervision and management over the use of dumping sites and organize environmental monitoring

第五十八条 国家海洋行政主管部门监督管理倾倒区的使用，组织倾倒区的环境监测。对经确认不宜继续使用的倾倒区，国家海洋行政主管部门应当予以封闭，终止在该倾倒区的一切倾倒活动，并报国务院备案。

第五十九条 获准倾倒废弃物的单位，必须按照许可证注明的期限及条件，到指定的区域进行倾倒。废弃物装载之后，批准部门应当予以核实。

第六十条 获准倾倒废弃物的单位，应当详细记录倾倒的情况，并在倾倒后向批准部门作出书面报告。倾倒废弃物的船舶必须向驶出港的海事行政主管部门作出书面报告。

第六十一条 禁止在海上焚烧废弃物。

禁止在海上处置放射性废弃物或者其他放射性物质。废弃物中的放射性物质的豁免浓度由国务院制定。

第八章 防治船舶及有关作业活动 对海洋环境的环境损害

第六十二条 在中华人民共和国管辖海域，任何船舶及相关作业不得违反本法规定向海洋排放环境物、废弃物和压载水、船舶垃圾及其他有害物质。

从事船舶环境物、废弃物、船舶垃圾接收、船舶清舱、洗舱作业活动的，必须具备相应的接收处理能力。

第六十三条 船舶必须按照有关规定持有防止海洋环境环境的证书与文书，在进行涉及环境物排放及操作时，应当如实记录。

第六十四条 船舶必须配置相应的防污设备和器材。

载运具有环境危害性货物的船舶，其结构与设备应当能够防止或者减轻所载货物对海洋环境的环境。

第六十五条 船舶应当遵守海上交通安全法律、法规的规定，防止因碰撞、触礁、搁浅、火灾或者爆炸等引起的海难事故，造成海洋环境的环境。

第六十六条 国家完善并实施船舶油污损害民事赔偿责任制度；按照船舶油污损害赔偿任由船东和货主共同承担风险的原则，建立船舶油污保险、油污损害赔偿基金制度。

实施船舶油污保险、油污损害赔偿基金制度的具体办法由国务院规定。

第六十七条 载运具有环境危害性货物进出港口的船舶，其承运人、货物所有人或者代理人，必须事先向海事行政主管部门申报。经批准后，方可进出港口、过境停留或者装卸作业。

第六十八条 交付船舶装运环境危害性货物的单证、包装、标志、数量限制等，必须符合对所装货物的有关规定。

of the dumping sites. When a dumping site is no longer suitable to be used, the competent state administrative department in charge of marine affairs shall close it down upon confirmation, stop all dumping activities in the dumping sites and report to the State Council for the record.

Article 59 Units permitted by grant to dump wastes must act in accordance with the time limit and conditions set down in the permit and carry out dumping in the designated area. After the wastes have been loaded for shipment, the approval department shall check for verification.

Article 60 Units permitted by grant to dump wastes shall record down the details of dumping and submit a written report to the approval department after dumping. The vessels loading wastes for the dumping must report to the competent administrative department in charge of maritime affairs of the departure port.

Article 61 Sea incineration of waste is forbidden.

Disposal of wastes with radioactivity and other radioactive substances on the sea is forbidden. Exempt level of radioactive substances at the wastes shall be determined by the State Council.

Chapter VIII Prevention and Control of Pollution Damage to the Marine Environment by Vessels and Their Related Operations

Article 62 No vessels and their related operations shall, in the sea areas under the jurisdiction of the People's Republic of China, discharge pollutants, wastes, ballast water, vessel garbage and other harmful substances into the sea in violation of the provisions of this law.

Those engaged in the business of collection of the pollutants. Wastes and garbage from vessels and the operation of vessel cabin cleaning and washing must possess corresponding capabilities of pollutant collection and treatment.

Article 63 Vessels must, in accordance with relevant regulations, possess certificates and documents for the prevention of pollution to marine environment and make factual records in conducting pollutant discharging and other operations.

Article 64 Vessels must be equipped with corresponding pollution prevention facilities and equipment.

For vessels loaded with cargoes containing pollution damages, the structures and equipment of which shall be able to prevent or reduce pollution to the marine environment by the loaded cargoes.

Article 65 Vessels shall comply with the stipulations of the marine traffic laws and regulations and prevent marine environment pollution from incidents resulting from collision, running on rocks, stranding, fire or explosion and the like.

Article 66 The State shall make perfect and put into practice responsibility system of civil liability compensation for vessel-induced oil pollution, and shall establish vessel-induced oil pollution insurance, oil pollution compensation fund system in accordance with the principles of owners of the vessel and the cargoes jointly undertaking liabilities for vessel-induced oil pollution compensations.

Specific measures for the implementation of vessel-induced oil pollution insurance and oil pollution compensation fund system shall be formulated by the State Council.

Article 67 For vessels loaded with pollution damage cargoes sailing in and out of the port, the carrier, owner of the cargo or his agent must declare to the competent administrative department in charge of maritime affairs. The vessels may, upon approval, sail in and out of the port for transit berthing or conduct loading and unloading handling.

Article 68 Vouchers, packages, marks and quantities, etc. of the pollution damage cargoes delivered to the vessels for shipping must be in conformity with relevant regulations governing the cargoes being shipped.

In case it is necessary for shipping cargoes, assessment should be made beforehand in accordance with relevant regulations.

In undertaking loading and unloading operations of oil, toxic and harmful cargoes, the two parties of the vessel and the port should both comply with relevant operation rules and regulations to ensure

需要船舶装运环境危害性不明的货物，应当按照有关规定事先进行评估。

装卸油类及有毒有害货物的作业，船岸双方必须遵守安全防污操作规程。

第六十九条 港口、码头、装卸站和船舶修造厂必须按照有关规定备有足够的其中处理船舶环境物、废弃物的接收设施，并使该设施处于良好状态。

装卸油类的港口、码头、装卸站和船舶必须编制溢油环境应急计划，并配备相应的溢油环境应急设备和器材。

第七十条 进行下列活动，应当事先按照有关规定报经有关部门批准或者核准：

- (一) 船舶在港区水域内使用焚烧炉；
- (二) 船舶在港区水域内进行洗船、清舱、驱气、排放压载水、残油、含油污水接收、舷外拷铲及油漆等作业；
- (三) 船舶、码头、设施使用化学消油剂；
- (四) 船舶冲洗沾有环境物、有毒有害物质的甲板；
- (五) 船舶进行散装液体环境危害性货物的过驳作业；
- (六) 从事船舶水上拆解、打捞、修造和其他水上、水下船舶施工作业。

第七十一条 船舶发生海难事故，造成或者可能造成海洋环境重大环境损害的，国家海事行政主管部门有权强制采取避免或者减少环境损害的措施。

对在公海上因发生海难事故，造成中华人民共和国管辖海域重大环境损害后果或者具有环境威胁的船舶、海上设施，国家海事行政主管部门有权采取与实际的或者可能发生的损害相称的必要措施。

第七十二条 所有船舶均有监视海上环境的义务，在发现海上环境事故或者违反本法规定的行为时，必须立即向就近的依照本法规定行使海洋环境监督管理权的部门报告。

民用航空器材发现海上排污或者环境事件，必须及时向就近的民用航空空中交通管制单位报告。接到报告的单位，应当立即向依照本法规定行使海洋环境监督管理权的部门通报。

第九章 法律责任

第七十三条 违反本法有关规定，有下列行为之一的，由依照本法规定行使海洋环境监督管理权的部门责令限期改正，并处以罚款：

- (一) 向海域排放本法禁止排放的环境物或者其他物质的；
- (二) 不按照本法规定向海洋排放环境物，或者超过标准排放环境物的；
- (三) 未取得海洋倾废许可证，向海洋倾废废弃物的；
- (四) 因发生事故或者其他突发性事件，造成海洋环境环境事故，不立即采取处理措施的。

safety and pollution prevention.

Article 69 Ports, docks, loading and unloading spots and shipyards must, in accordance with relevant regulations, be equipped with proper facilities to accommodate and deal with vessel-induced pollutants and wastes, and shall keep these facilities in good conditions.

Ports, docks, loading and unloading spots and shipyards must draw up contingency plans to deal with oil spill pollution and shall be equipped with corresponding contingency equipment and devices to deal with oil spill.

Article 70 To undertake following operations shall, in accordance with relevant regulations, report to relevant department for approval or permission beforehand:

1. Vessels using incinerators in the port waters;
2. Vessels conducting such operations as cabin washing, cabin cleaning, gas discharging, ballast water and residual oil discharging, oily water collecting, gunwale rust-eradicating and paint coating, etc. in the port waters.
3. Use of oil detergent chemicals in the vessels, docks and facilities.
4. Vessels cleaning decks contaminated by pollutants, toxic and harmful substances;
5. Vessels undertaking operations of ship-to-ship transfer of bulk liquid cargoes with pollution damages;
6. Engaged in ship dismembering in the sea, ship salvaging, ship repairing and other surface and under-water operations.

Article 71 For vessels involved in maritime incidents causing or possibly resulting in major pollution damages to the marine environment, the competent State administrative department in charge of maritime affairs shall have the right to adopt forcible measures to avoid or reduce pollution damage.

For maritime incidents on the high seas resulting in consequences of causing major pollution damage to the sea areas under the jurisdiction of the People's Republic of China or vessels and facilities on the sea possessing pollution threat, the competent State administrative department in charge of maritime affairs shall have the right to adopt necessary measures corresponding with pollution which have actually happened or may possibly happen.

Article 72 All vessels shall have the obligation to supervise pollution on the sea and, upon discovering pollution accidents on the sea or uncovering act of violation of the provisions of this law, must immediately report to the department invested by this law with power to conduct marine environment supervision and administration in the vicinity.

Civil aviation vehicles, upon discovering discharge of pollutants or pollution accidents on the sea, must timely report to the civil aviation air traffic control unit in the vicinity. The unit shall, upon receiving such report, immediately notify the department invested by this law with power to conduct marine environment supervision and administration.

Chapter IX Legal Liabilities

Article 73 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be ordered to remedy the damage within a certain period of time and be fined by the competent department invested by law with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

- (1) discharging pollutants or other substances into the sea prohibited by this law to discharge;
- (2) discharging pollutants into the sea not in conformity with the provisions of this law, or discharging pollutants in excess of standards;
- (3) dumping wastes in the sea without obtaining certificate of permit for dumping;
- (4) in the event of an accident or any other contingent event causing pollution to the marine environment, no proper treatment measures having been taken immediately;

Whoever commits any of the following acts mentioned in previous clause (1) and (3), shall be fined not less than 30,000 yuan but no more than 200,000 yuan; whoever commits any of the follow-

有前款第（一）、（三）项行为之一的，处三万元以上二十万元以下的罚款；有前款第（二）、（四）项行为之一的，处二万元以上十万元以下的罚款。

第七十四条 违反本法有关规定，有下列行为之一的，由依照本法规定行使海洋环境监督管理权的部门予以警告，或者处以罚款：

（一）不按照规定申报，甚至拒报环境物排放有关事项，或者在申报时弄虚作假的；

（二）发生事故或者其他突发性事件不按照规定报告的；

（三）不按照规定记录倾倒情况，或者不按照规定提交倾倒报告的；

（四）拒报或者谎报船舶载运环境危害性货物申报事项的。

有前款第（一）、（三）项行为之一的，处二万元以下的罚款；有前款第（二）、（四）项行为之一的，处五万元以下的罚款。

第七十五条 违反本法第十九第二款的规定，拒绝现场检查，或者在被检查时弄虚作假的，由依照本法规定行使海洋环境监督管理权的部门予以警告，并处二万元以下的罚款。

第七十六条 违反本法规定，造成珊瑚礁、红树林等海洋生态系统及海洋水产资源、海洋保护区破坏的，由依照本法规定行使海洋环境监督管理权的部门责令限期改正和采取补救措施，并处一万元以上十万元以下的罚款；有违法所得的，没收其违法所得。

第七十七条 违反本法第三十条第一款、第三款规定设置入海排污口的，由县级以上地方人民政府环境保护行政主管部门责令其关闭，并处二万元以上十万元以下的罚款。

第七十八条 违反本法第三十二条第三款的规定，擅自拆除、闲置环境保护设施的，由县级以上人民政府环境保护行政主管部门责令重新安装使用，并处一万元以上十万元以下的罚款。

第七十九条 违反本法第三十九条第二款的规定，经中华人民共和国管辖海域，转移危险废物的，由国家海事行政主管部门责令非法运输该危险废物的船舶退出中华人民共和国管辖海域，并处五万元以上五十万元以下的罚款。

第八十条 违反本法第四十三条第一款的规定，未持有经审核和批准的环境影响报告书，兴建海岸建设工程项目的，由县级以上地方人民政府环境保护行政主管部门责令其停止违法行为和采取补救措施，并处五万元以上二十万元以下的罚款；或者按照管理权限，由县级以上地方人民政府责令其限期拆除。

ing acts mentioned in previous clause (2) and (4), shall be fined not less than 20,000 yuan but no more than 100,000 yuan;

Article 74 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be warned or fined by the competent department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

(1) failing to report in accordance with relevant provisions, or even refusing to report on matters related to the discharge of pollutants or resorting to trickery and fraud in filing a report;

(2) failing to report in accordance with relevant provisions in the event of an accident or contingency;

(3) failing to make records of dumping in accordance with relevant provisions or failing to submit a report of dumping in accordance with relevant provisions;

(4) refusing to report or filing a false report on matters related to the transportation of cargoes with pollution damages by vessels.

Whoever commits any of the following acts mentioned in previous clause (1) and (3), shall be fined no more than 20,000 yuan; whoever commits any of the following acts mentioned in previous clause (2) and (4), shall be fined no more than 50,000 yuan.

Article 75 Whoever, in violation of the provisions of second clause of Article 19 of this law, refuses an on-site inspection or resorts to trickery and fraud while undergoing inspection, shall be warned by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law and be fined no more than 20,000 yuan.

Article 76 Whoever, in violation of the provisions of this law, causes damage to marine ecosystems such as coral reefs, mangroves, etc., marine fishery resources and marine protected areas, shall be ordered by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law to remedy the damage within a certain period of time and adopt remedial measures, and be fined not less than 10,000 yuan and no more than 100,000 yuan; in case of having any illegal income, the illegal income shall be confiscated.

Article 77 Whoever, in violation of the provisions of first clause and third clause of Article 30 of this law, installs pollutant discharge outlet into the sea, shall be ordered to have it shut down by the competent department in charge of environment protection under the local People's Government above the County level and be fined not less than 20,000 yuan and no more than 100,000 yuan.

Article 78 Whoever, in violation of the provisions of third clause of Article 32 of this law, dismantles or lays idle without authorization environment protection installations, shall be ordered to have it rebuilt and put into use by the competent department in charge of environment protection under the local People's Government above the County level, and be fined not less than 10,000 yuan and no more than 100,000 yuan.

Article 79 Whoever, in violation of the provisions of second clause of Article 39 of this law, transfers dangerous wastes through the passage of sea areas under the jurisdiction of the People's Republic of China, shall be ordered by the State administrative department in charge of maritime affairs to have the vessel illegally transporting dangerous wastes withdrawn from the sea areas under the jurisdiction of the People's Republic of China, and be fined not less than 50,000 yuan and no more than 500,000 yuan.

Article 80 Whoever, in violation of the provisions of first clause of Article 43 of this law, builds coastal construction project without possessing environmental impact assessment properly examined and approved, shall be ordered to stop the construction in violation of the law and adopt remedial measures by the competent department in charge of environment protection under the local People's Government above the County level, and be fined not less than 50,000 yuan and no more than 200,000 yuan; or be ordered to have it removed within a certain period of time by the local People's Government above the County level in accordance with the limits of authority of administration.

Article 81 Whoever, in violation of the provisions of Article 44 of this law, puts into commission or use of coastal construction project without completing the construction of environment protection

第八十一条 违反本法第四十四条规定，海岸工程建设项目未建成环境保护设施，或者环境保护设施未达到规定要求即投入生产、使用的，由环境保护行政主管部门责令其停止生产或者使用，并处二万元以上十万元以下的罚款。

第八十二条 违反本法第四十五条的规定，新建严重环境海洋环境的工业生产建设项目的，按照管理权限，由县级以上人民政府责令关闭。

第八十三条 违反本法第四十七条第一款、第四十八条的规定，进行海洋工程建设项目，或者海洋工程建设项目未建成环境保护设施、环境保护设施未达到规定要求即投入生产、使用的，由海洋行政主管部门责令其停止施工或者生产、使用，并处二万元以上二十万元以下的罚款。

第八十四条 违反本法第四十九条的规定，使用含超标准放射性物质或者易溶出有毒有害物质材料的，由海洋行政主管部门处五万元以下的罚款，并责令其停止该建设项目的运行，直到消除环境危害。

第八十五条 违反本法规定进行海洋石油勘探开发活动，造成海洋环境环境的，由国家海洋行政主管部门予以警告，并处二万元以上二十万元以下的罚款。

第八十六条 违反本法规定，不按照许可证的规定倾倒，或者向已经封闭的倾倒区倾倒废弃物的，由海洋行政主管部门予以警告，并处三万元以上二十万元以下的罚款；对情节严重的，可以暂扣或者吊销许可证。

第八十七条 违反本法第五十五条第三款的规定，将中华人民共和国境外废弃物运进中华人民共和国管辖海域倾倒的，由国家海洋行政主管部门予以警告，并根据造成或者可能造成的危害后果，处十万元以上一百万元以下的罚款。

第八十八条 违反本法规定，有下列行为之一的，由依照本法规定行使海洋环境监督管理权的部门予以警告，或者处以罚款：

- (一) 港口、码头、装卸站及船舶未配备防污设施、器材的；
- (二) 船舶未持有防污证书、防污文书，或者不按照规定记载排污记录的；
- (三) 从事水上和港区水域拆船、旧船改装、打捞和其他水上、水下施工作业造成海洋环境环境损害的；
- (四) 船舶载运的货物不具备防污适运条件的。

有前款第（一）、（四）项行为之一的，处二万元以上十万元以下的罚款；有前款第（二）项行为的，处二万元以下的罚款；有前款第（三）项行为的，处五万元以上二十万元以下的罚款。

ion installations or environment protection installations not up to the demanded requirements, shall be ordered to stop the production and use of the project by the competent administrative department in charge of environment protection and be fined not less than 20,000 yuan and no more than 100,000 yuan.

Article 82 Whoever, in violation of the provisions of Article 45 of this law, builds new industrial construction project that causes serious pollution to the marine environment, shall be ordered to have it shut down by the People's Government above the County level in accordance with the limits of authority of administration.

Article 83 Whoever, in violation of the provisions of first clause of Article 47 and Article 48 of this law, undertakes to build marine construction project, or marine construction project put into commission and use without completing the construction of environment protection installations or environment protection installations not up to the demanded requirements, shall be ordered to stop construction or stop the production and use of the project, and be fined not less than 50,000 yuan and no more than 200,000 yuan.

Article 84 Whoever, in violation of the provisions of Article 49 of this law, uses materials containing radioactive substance in excess of standards or toxic and harmful substances easy to dissolve in the water, shall be fined no more than 50,000 yuan by the competent administrative department in charge of marine affairs and be ordered to stop the operation of the construction project until pollution damage is eliminated.

Article 85 Whoever, in violation of the provisions of this law, undertakes to conduct offshore oil exploration and exploitation causing pollution damage to the marine environment, shall be warned by the competent State administrative department in charge of marine affairs and be fined not less than 20,000 yuan and no more than 200,000 yuan.

Article 86 Whoever, in violation of the provisions of this law, undertakes to conduct dumping of wastes in disregard of the stipulations of certificate of permit, or conduct dumping of wastes in the dumping zone already closed down, shall be warned by the competent administrative department in charge of marine affairs and be fined not less than 30,000 yuan and no more than 200,000 yuan; in the event of a serious case, the certificate of permit may be detained or revoked.

Article 87 Whoever, in violation of the provisions of third clause of Article 55 of this law, undertakes to transport wastes from outside the boundaries of the People's Republic of China to be dumped in the sea areas under the jurisdiction of the People's Republic of China, shall be warned by the competent State administrative department in charge of marine affairs and be fined, in accordance with the consequences of pollution damage caused or possibly caused, not less than 100,000 yuan and no more than 1,000,000 yuan.

Article 88 Whoever, in violation of the provisions of this law, commits any of the following acts, shall be warned or fined by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law:

- (1) ports, docks, loading and unloading spots and vessels which are not equipped with pollution prevention facilities and devices;
- (2) vessels not in possession of pollution prevention certificate and pollution prevention document, or do not take records of pollutant discharge in accordance with relevant provisions;
- (3) engaged in surface and port water area ship dismantling, old vessel refitting, salvaging and other surface and underwater operations which cause pollution damage to the marine environment;
- (4) cargoes carried by vessels do not meet pollution prevention and transportation requirements.

Whoever commits any of the following acts mentioned in previous clause (1) and (4), shall be fined not less than 20,000 yuan and no more than 100,000 yuan; act mentioned in previous clause (2) shall be fined no more than 20,000 yuan; and act mentioned in previous clause (3) shall be fined not less than 50,000 yuan and no more than 100,000 yuan.

Article 89 Vessels, oil platforms as well as ports, docks, loading and unloading spots which conduct loading and unloading operations of oils, failing to formulate contingency plans to deal with oil

第八十九条 违反本法规定，船舶、石油平台和装卸油类的港口、码头、装卸站不编制溢油应急计划的，由依照本法规定行使海洋环境监督管理权的部门予以警告，或者责令限期改正。

第九十条 造成海洋环境环境损害的责任者，应当排除危害，并赔偿损失；完全由于第三者的故意或者过失，造成海洋环境环境损害的，由第三者排除危害，并承担赔偿责任。

对破坏海洋生态、海洋水产资源、海洋保护区，给国家造成重大损失的，由依照本法规定行使海洋环境监督管理权的部门代表国家对责任者提出损害赔偿要求。

第九十一条 对违反本法规定，造成海洋环境环境事故的单位，由依照本法规定行使海洋环境监督管理权的部门根据所造成的危害和损失处以罚款；负有直接责任的主管人员和其他直接责任人员属于国家工作人员的，依法给予行政处分。

前款规定的罚款数额按照直接损失的百分之三十计算，但最高不得超过三十万元。

对造成重大海洋环境环境事故，致使公私财产遭受重大损失或者人身伤亡严重后果的，依法追究刑事责任。

第九十二条 完全属于下列情形之一，经过及时采取合理措施，仍然不能避免对海洋环境造成环境损害的，造成环境损害的有关责任者免于承担责任：

(一) 战争；

(二) 不可抗拒的自然灾害；

(三) 负责灯塔或者其他助航设备的主管部门，在执行职责时的疏忽，或者其他过失行为。

第九十三条 对违反本法第十一条、第十二条有关缴纳排污费、倾倒费和期限治理规定的行政处罚，由国务院规定。

第九十四条 海洋环境监督管理人员滥用职权、玩忽职守、徇私舞弊，造成海洋环境环境损害的，依法给予行政处分；构成犯罪的，依法追究刑事责任。

第十章 附 则

第九十五条 本法中下列用语的含义是：

(一) 海洋环境环境损害，是指直接或者间接地把物质或者能量引入海洋环境，产生损害海洋生物资源、危害人体健康、妨害渔业和海上其他合法活动、损害海水使用素质和减损环境质量等有害影响。

(二) 内水，是指我国领海基线向内陆一侧的所有海域。

(三) 滨海湿地，是指低潮时水深浅于六米的水域及其沿岸浸湿地带，包括水深

spill in violation of the provisions of this law, shall be warned by the department invested with power to conduct marine environment supervision and administration in accordance with the provisions of this law, or be ordered to remedy the fault within a certain period of time.

Article 90 Whoever causes pollution damage to the marine environment shall remove the pollution and compensate the losses; in case of pollution damage to the marine environment resulting entirely from the intentional act or fault of a third party, that third party shall remove the pollution and be liable for the compensation.

For damages to marine ecosystems, marine fishery resources and marine protected areas which cause heavy losses to the State, the department invested with power by the provisions of this law to conduct marine environment supervision and administration shall, on behalf of the State, put forward compensation demand to those held responsible for the damages.

Article 91 Any unit, in violation of the provisions of this law, causes pollution accident to the marine environment, shall be fined in accordance with the damage and losses incurred by the department invested with power by the provisions of this law to conduct marine environment supervision and administration; the competent personnel directly responsible for the accident and other directly responsible personnel who are State functionaries shall be given administrative sanctions pursuant to the provisions of the law.

The amount of fine mentioned in previous clause shall be calculated according to 30 per cent of the direct losses, but no more than 300,000 yuan.

Whoever causes major marine environment pollution accident resulting in grave consequences of heavy losses of public and private property human injuries and deaths of persons, shall be investigated for criminal responsibility according to law.

Article 92 Liability of those who cause pollution damage may be exempted if pollution damage to the marine environment can not be avoided, despite prompt and reasonable measures taken, when the pollution damage is caused by any of the following circumstances:

- (1) war;
- (2) irresistible natural calamities; or
- (3) negligence or other wrongful acts in the exercise of functions of competent departments responsible for the maintenance of beacons or other navigation aids.

Article 93 Administrative penalties related to the payment of pollutant discharge fees, dumping fees and pollution removal within a certain period of time in violation of the provisions of Article 21 and Article 22 of this law shall be formulated by the State Council.

Article 94 Any person in charge of marine environment supervision and administration who abuses his power, neglects his duty or engaged in malpractice for personal gains resulting in pollution damage to the marine environment, shall be given administrative sanctions pursuant to the law; if his conduct constitutes a crime, he shall be persecuted for criminal responsibility according to law.

Chapter X Supplementary Provisions

Article 95 For the purpose of this law, the definitions of the following terms are:

(1) "pollution damage to the marine environment" means any direct or indirect introduction of substances or energy into the marine environment which results in deleterious effects such as harm to marine living resources, hazards to human health, hindrance to fishing and other legitimate operations at sea, impairment of the useful quality of sea water and degradation of environment quality.

(2) "internal waters" means all sea areas on the land-ward side of the baseline of the territorial sea of our country.

(3) "coastal wetland" means water areas where the depth of water is less than 6 meters at low tides and its coastal flooded and wet areas, including the permanent water areas, the intertidal zone and other coastal low land less than 6 meters.

(4) "marine functional zonation scheme" means delimitation of dominant functions and scope in

不超过六米的永久性水域、潮间带（或洪泛地带）和沿海低地等。

（四）海洋功能区划，是指依据海洋自然属性和社会属性，以及自然资源和环境特定条件，界定海洋利用的主导功能和使用范畴。

（五）渔业水域，是指鱼虾类的产卵场、索饵场、越冬场、洄游通道和鱼虾贝藻类的养殖场。

（六）油类，是指任何类型的油及其炼制品。

（七）油性混合物，是指任何含有油份的混合物。

（八）排放，是指把环境物排入海洋的行为，包括泵出、溢出、泄出、喷出和倒出。

（九）陆地环境源（简称陆源），是指从陆地向海域排放环境物，造成或者可能造成海洋环境环境的场所、设施等。

（十）陆源环境物，是指由陆地环境源排放的环境物。

（十一）倾倒，是指通过船舶、航空器、平台或者其他载运工具，向海洋处置废弃物和其他有害物质的行为，包括弃置船舶、航空器、平台及其辅助设施和其他浮动工具的行为。

（十二）沿海陆域，是指与海岸相连，或者通过管道、沟渠、设施，直接或者间接向海洋排放环境物及其相关活动的一带区域。

（十三）海上焚烧，是指以热摧毁为目的，在海上焚烧设施上，故意焚烧废弃物或者其他物质的行为，但船舶、平台或者其他人工构造物正常操作中，所附带发生的行为除外。

第九十六条 涉及海洋环境监督管理的有关部门的具体职权划分，本法未作规定的，由国务院规定。

第九十七条 中华人民共和国缔结或者参加的与海洋环境保护有关的国际条约与本法有不同规定的，适用国际条约的规定；但是，中华人民共和国声明保留的条款除外。

第九十八条 本法自2000年4月1日起施行。

marine utilization in the light of marine natural attributes and social attributes as well as natural resources and specified environment conditions.

(5) "fishing areas" means spawning grounds, feeding grounds, wintering grounds and migration channels of fishes and shrimps, and the mariculture waters of fishes, shrimps shellfishes and algae.

(6) "Oils" means any kind of oil and its refined products.

(7) "Oily mixtures" means any mixtures containing oil.

(8) "Discharge" means acts to drain pollutants into the sea including pumping, spilling, releasing, gushing and pouring.

(9) "Land based pollution sources" refer to the sites or facilities that discharge from land into the sea pollutants which causes or potentially cause marine environment pollution.

(10) "Land-based pollutant" means pollutant discharged from land-based sources.

(11) "Dumping" means to dispose of wastes or other harmful substances into the sea from vessels, airborne vehicles, platforms or other means of transport, including the abandonment of vessels, airborne vehicles, platforms and other floating apparatus.

(12) "coastal land areas" means areas connected with coast line or areas directly or indirectly discharging pollutants into the sea through pipelines, channels, installations or conducting related operations.

(13) "Incineration at the sea" means intentional act of burning pollutants or other substances on the burning devices at the sea with aim of destruction by heat, however, related happenings in the operation of vessels, platforms or other artificial structures shall be excluded.

Article 96 Specific division of functions and powers of relevant departments involved in marine environment supervision and administration which are not defined in this law shall be determined by the State Council.

Article 97 If an international treaty regarding environment protection concluded or acceded to by the People's Republic of China contains provisions differing from those contained in this law, the provisions of the international treaty shall apply, unless the provisions are ones which the People's Republic of China has announced reservations.

Article 98 This Law shall come into force as of April 1, 2000.

中华人民共和国防治陆源环境物环境损害海洋环境管理条例

(1990年5月25日国务院第六十一次常务会议通过，同年6月22日
中华人民共和国国务院令第六十一号公布，同年8月1日起施行)

第一条 为加强对陆地环境源的监督管理，防治陆源环境物环境损害海洋环境，根据《中华人民共和国海洋环境保护法》，制定本条例。

第二条 本条例所称陆地环境源（简称陆源），是指从陆地向海域排放环境物，造成或者可能造成海洋环境环境损害的场所、设施等。

本条例所称陆源环境物是指由前款陆源排放的环境物。

第三条 本条例适其中在中华人民共和国境内向海域排放陆源环境物的一切单位和个人。

防止拆船环境损害海洋环境，依照《防止拆船环境管理条例》执行。

第四条 国务院环境保护行政主管部门，主管全国防治陆源环境物环境损害海洋环境工作。

沿海县级以上地方人民政府环境保护行政主管部门，主管本行政区域内防治陆源环境物环境损害海洋环境工作。

第五条 任何单位和个人向海域排放陆源环境物，必须执行国家和地方发布的环境物排放标准和有关规定。

第六条 任何单位和个人向海域排放陆源环境物，必须向其所在地环境保护行政主管部门申报登记拥有的环境物排放设施、处理设施和正常作业条件下排放环境物的种类、数量和浓度，提供防治陆源环境物环境损害海洋环境的资料，并将上述事项和资料抄送海洋行政主管部门。

排放环境物的种类、数量和浓度有重大改变或者拆除、闲置环境物处理设施的，应当征得所在地环境保护行政主管部门同意并经原审批部门批准。

第七条 任何单位和个人向海域排放陆源环境物，超过国家和地方环境物排放标准的，必须缴纳超标准排污费，并负责治理。

第八条 任何单位和个人，不得在海洋特别保护区、海上自然保护区、海滨风景名胜游览区、盐场保护区、海水浴场、重要渔业水域和其他需要特殊保护的区域内兴建排污口。

Regulations on the Prevention of Pollution Damage to the Marine Environment by Land-based Pollutants

(Adopted at the 61st Executive Meeting of the State Council on May 25, 1990, promulgated by Decree No. 61 of the State Council of the People's Republic of China on June 22, 1990 and effective as of August 1, 1990)

Article 1 These Regulations are formulated in accordance with the Marine Environment Protection Law of the People's Republic of China and for the purposes of strengthening the supervision and administration of land pollution sources and preventing pollution damage to the marine environment by land-sourced pollutants.

Article 2 "Land pollution sources" (hereinafter referred to as "land sources") mentioned in these Regulations refer to places or installations in or by which to discharge pollutants from the land into the sea thereby causes or may cause pollution damage to the marine environment.

"Land-sourced pollutants" mentioned in these Regulations refer to pollutants discharged from "land sources" stipulated in the preceding paragraph.

Article 3 These Regulations apply to all organizations and individuals who discharge land-sourced pollutants into the sea within the territory of the People's Republic of China.

With respect to the prevention of pollution damage to the marine environment by ship scrapping, the Regulations on the Prevention of Environmental Pollution by Ship Scrapping shall apply.

Article 4 The environmental protection department under the State Council shall be in charge of the prevention of pollution damage to the marine environment by land-sourced pollutants of the whole country.

The environmental protection departments of the coastal local people's governments at county level and above shall be in charge of the prevention of pollution damage to the marine environment by land-sourced pollutants in their respective administrative areas.

Article 5 The discharge of land-sourced pollutants into the sea by any organization or individual must be conducted in compliance with the standards for discharge of pollutants and the relevant regulations promulgated by the state or the localities.

Article 6 Any organization or individual who has to discharge land-sourced pollutants into the sea must report to and register with the environmental protection department in the place where it or he is located with respect to the pollutant discharging and treating facilities that it or he possesses and the kind(s), quantity and density of the pollutants to be discharged under normal operational conditions, and must provide with materials regarding the prevention of pollution damage to the marine environment by land-sourced pollutants. A copy of registrations and materials mentioned above shall be sent to the administrative department of marine affairs.

If major changes have taken place in the kind(s), quantity and density of the pollutants to be discharged, or pollutant treating facilities are dismantled or left idle, prior approval shall be obtained from the environmental protection department in the locality as well as the original examining and approving department.

Article 7 Any organization or individual discharging land-sourced pollutants into the sea in excess of the national or local discharge standards shall pay a fee for excessive discharge and shall assume responsibility for eliminating and controlling the pollution.

Article 8 No organization or individual may establish outlets for discharging sewage within special marine reserves, marine sanctuaries, seashore scenic and tourist areas, saltworks reserves, bathing beaches, important fishing areas and other areas which need special protection.

对在前款区域内已建的排污口，排放环境物超过国家和地方排放标准的，限期治理。

第九条 对向海域排放陆源环境物造成海洋环境严重环境损害的企业事业单位，限期治理。

第十条 国务院各部门或者省、自治区、直辖市人民政府直接管辖的企业事业单位的限期治理，由省、自治区、直辖市人民政府的环境保护行政主管部门提出意见，报同级人民政府决定。市、县或者市、县以下人民政府管辖的企业事业单位的限期治理，由市、县人民政府环境保护行政主管部门提出意见，报同级人民政府决定。被限期治理的企业事业单位必须如期完成治理任务。

第十一条 禁止在岸滩擅自堆放、弃置和处理固体废弃物。确需临时堆放、处理固体废弃物的，必须按照沿海省、自治区、直辖市人民政府环境保护行政主管部门规定的审批程序，提出书面申请。其主要内容包括：

- (一) 申请单位的名称、地址；
- (二) 堆放、处理的地点和占地面积；
- (三) 固体废弃物的种类、成分、年堆放量、处理量，积存堆放、处理的总量和堆放高度；
- (四) 固体废弃物堆放、处理的期限，最终处置方式；
- (五) 堆放、处理固体废弃物可能对海洋环境造成的环境损害；
- (六) 防止堆放、处理固体废弃物环境损害海洋环境的技术和措施；
- (七) 审批机关认为需要说明的其他事项。

现有的固体废弃物临时堆放、处理场地，未经县级以上地方人民政府环境保护行政主管部门批准的，由县级以上地方人民政府环境保护行政主管部门责令限期补办审批手续。

第十二条 被批准设置废弃物堆放场、处理场的单位和个人，必须建造防护堤和防渗漏、防扬尘等设施，经批准设置废弃物堆放场、处理场的环境保护行政主管部门验收合格后方可使用。

在批准使用的废弃物堆放场、处理场内，不得擅自堆放、弃置未经批准的其他种类的废弃物。不得露天堆放含剧毒、放射性、易溶解和易挥发性物质的废弃物；非露天堆放上述废弃物，不得作为最终处置方式。

第十三条 禁止在岸滩采用不正当的稀释、渗透方式排放有毒、有害废水。

第十四条 禁止向海域排放含高、中放射性物质的废水。

向海域排放含低放射性物质的废水，必须执行国家有关放射防护的规定和标准。

Those outlets already established within the areas stipulated in the preceding paragraph, where the discharge of pollutants is in excess of the national or local discharge standards, shall be improved within a prescribed period of time.

Article 9 If an enterprise or institution discharges land-sourced pollutants into the sea and has thereby caused severe environmental pollution, it shall be required to eliminate and control the pollution within a prescribed period of time.

Article 10 For enterprises and institutions directly under the jurisdiction of a department under the State Council or a people's government of a province, an autonomous region, or a municipality directly under the central government, the proposal for a deadline for the elimination or control of pollution shall be made by the environmental protection department of the people's government of the province, autonomous region, or municipality directly under the central government, and shall be reported to the people's government at the same level for the decision. For enterprises and institutions under the jurisdiction of a people's government at city or county level or below, such proposal shall be made by the environmental protection department of the people's government of the city or county, and shall be reported to the people's government at the same level. Such enterprises and institutions shall accomplish the elimination or control of pollution within the prescribed period of time.

Article 11 It is prohibited to pile up, discard, or dispose of solid wastes along seashores and beaches without approval. If it is really necessary to pile up or dispose of solid wastes for the time being, a written application shall be submitted according to the examining and approving procedures stipulated by the environmental protection departments of the coastal provinces, autonomous regions, and municipalities directly under the central government. The application shall mainly include the following contents:

- (1) the name and address of the applicant;
- (2) the place and covering area of solid wastes to be piled up and disposed of;
- (3) the types and composition of solid wastes, amount of solid wastes to be piled up and disposed of per year, total amount of solid wastes to be stockpiled up and disposed of and the height of solid wastes to be piled up;
- (4) the time of period within which to pile up and dispose of solid wastes and final means of disposal of them;
- (5) the pollution damage to the marine environment possibly caused by piling up and disposing of solid wastes;
- (6) technology and measures for preventing the marine environment from pollution damage caused by piling up and disposing of solid wastes; and
- (7) other matters required to be explained by the examining and approving organ.

The environmental protection department of the local people's government at county level or above shall order the completion of the examining and approving procedures within a time limit for those existing sites in which solid wastes are temporarily piled up and disposed of without its approval.

Article 12 Any organization or individual who has been approved to set up waste yards and treatment facilities shall build dikes and facilities against raising dust and leakage of wastes. Prior to their use, the dikes and facilities shall pass the inspection by the environmental protection department that approved the establishment of the waste yards and treatment facilities.

It is prohibited to pile up and discard wastes of other types which have not been approved in the waste yards and treatment facilities which have been used with approval. It is prohibited to pile up wastes containing hypertoxic, radioactive, soluble or volatile substance out of doors. Piling up not out of doors shall not be carried out as final means of disposal of the above-mentioned wastes.

Article 13 It is prohibited to discharge toxic and harmful waste water along seashores and beaches by improper means of dilution or permeation.

Article 14 It is prohibited to discharge waste water containing high-level or middle-level radioactive substance into the sea.

Any discharge of waste water containing low-level radioactive substance into the sea shall be car-

第十五条 禁止向海域排放油类、酸液、碱液和毒液。

向海域排放含油废水、含有害重金属废水和其他工业废水，必须经过处理，符合国家和地方规定的排放标准和有关规定。处理后的残渣不得弃置入海。

第十六条 向海域排放含病原体的废水，必须经过处理，符合国家和地方规定的排放标准和有关规定。

第十七条 向海域排放含热废水的水湿应当符合国家有关规定。

第十八条 向自净能力较差的海域排放含有机物和营养物质的工业废水和生活废水，应当控制排放量；排污口应当设置在海水交换良好处，并采用合理的排放方式，防止海水富营养化。

第十九条 禁止将失效或者禁用的药物及药具弃置岸滩。

第二十条 入海河口处发生陆源环境物环境损害海洋环境事故，确有证据证明是由河流携带环境物造成的，由入海河口处所在地的省、自治区、直辖市人民政府环境保护行政主管部门调查处理；河流跨越省、自治区、直辖市的，由入海河口处所在省、自治区、直辖市人民政府环境保护行政主管部门和水利部门会同有关省、自治区、直辖市人民政府环境保护行政主管部门、水利部门和流域管理机构调查处理。

第二十一条 沿海相邻或者相向地区向同一海域排放陆源环境物的，由有关地方人民政府协商制定共同防治陆源环境物环境损害海洋环境的措施。

第二十二条 一切单位和个人造成陆源环境物环境损害海洋环境事故时，必须立即采取措施处理，并在事故发生后 48 小时内，向当地人民政府环境保护行政主管部门作出事故发生的时间、地点、类型和排放环境物的数量、经济损失、人员受害等情况的初步报告，并抄送有关部门。事故查清后，应当向当地人民政府环境保护行政主管部门作出书面报告，并附有关证明文件。

各级人民政府环境保护行政主管部门接到陆源环境物环境损害海洋环境事故的初步报告后，应当立即会同有关部门采取措施，消除或者减轻环境，并由县级以上人民政府环境保护行政主管部门会同有关部门或者由县级以上人民政府环境保护行政主管部门授权的部门对事故进行调查处理。

第二十三条 县级以上人民政府环境保护行政主管部门，按照项目管理权限，可以会同项目主管部门对排放陆源环境物的单位和个人进行现场检查，被检查者必须如实反映情况、提供资料。检查者有责任为被检查者保守技术秘密和业务秘密。法律法规另有规定的除外。

ried out in strict compliance with the state provisions and standards concerning radioactive protection.

Article 15 It is prohibited to discharge oils, acid liquid, alkaline liquid or toxic liquid into the sea.

No oil-polluted water, waste water containing harmful heavy metals or industrial waste water of other types may be discharged into the sea before it has been properly treated and conforms to the standards for discharge of pollutants and the relevant regulations stipulated by the state or the localities. Residual dregs after treatment shall not be cast off into the sea.

Article 16 No waste water carrying pathogens may be discharged into the sea before it has been properly treated and conforms to the standards for discharge of pollutants and the relevant regulations stipulated by the state or the localities.

Article 17 In case of the discharge of heated waste water into the sea, the water temperature shall be in compliance with the relevant provisions of the state.

Article 18 The discharge of industrial waste water and domestic sewage containing organic and nutrient substance into sea areas with low capacities of self-purification shall be controlled in scale. The outlets for discharging sewage shall be set up in sea areas suitable for current exchange and rational means of discharge shall be carried out to prevent eutrophication of the sea water.

Article 19 It is prohibited to discard medicines and medical instruments having lost efficacy or use of which is prohibited along seashores and beaches.

Article 20 The environmental protection departments of provinces, autonomous regions and municipalities directly under the central government in the estuaries shall be in charge of the investigation and dealing with of accidents of pollution damage to the marine environment by land-sourced pollutants which occur in the estuaries and are conclusively proved to be caused by river waters carrying pollutants. If the river flows across different provinces, autonomous regions or municipalities directly under the central government, the environmental protection department and the water conservancy department of the people's government at provincial, autonomous regional and municipal level in the estuary shall cooperate with the environmental protection department and water conservancy department of the people's government of involved provinces, autonomous regions and municipalities and the river basin administrative department in investigating and dealing with the accident.

Article 21 With respect to those coastal regions adjacent or opposite to one another discharging land-sourced pollutants into the same sea area, the relevant local people's governments shall jointly formulate measures for the prevention of pollution damage to the marine environment by land-sourced pollutants.

Article 22 Any organization or individual who causes an accident of pollution damage to the marine environment by land-sourced pollutants shall promptly take measures to deal with the accident and shall, within 48 hours after the happening of the accident, report to the environmental protection department of the local people's government on the time, place, type of the accident, the amount of pollutants discharged, economic losses, victims and other preliminary information and a copy of the preliminary report shall be sent to each of the relevant departments. Upon the investigation of the accident, a written report accompanied with relevant documentary evidence shall be sent to the environmental protection department of the local people's government.

The environmental protection department of the people's government at various levels shall, upon the receipt of the preliminary report on an accident of pollution damage to the marine environment by land-sourced pollutants, take measures promptly in consultation with the relevant departments to eliminate or reduce the pollution. The accident shall be investigated and dealt with by the environmental protection department of the people's government at county level or above together with the relevant departments, or by a department authorized by the environmental protection department of the people's government at county level or above itself.

Article 23 The environmental protection department of the people's government at county level or above together with the department in charge of the project shall, according to its scope of powers to project administration, conduct an on-the-spot inspection of the organization or individual discharging

第二十四条 违反本条例规定，具有下列情形之一的，由县级以上人民政府环境保护行政主管部门责令改正，并可处以 300 元以上 3000 元以下的罚款：

- (一) 拒报或者谎报排污申报登记事项的；
- (二) 拒绝、阻挠环境保护行政主管部门现场检查，或者在被检查中弄虚作假的。

第二十五条 废弃物堆放场、处理场的防环境设施未经环境保护行政主管部门验收或者验收不合格而强行使用的，由环境保护行政主管部门责令改正，并可处以 5000 元以上 2 万元以下的罚款。

第二十六条 违反本条例规定，具有下列情形之一的，由县级以上人民政府环境保护行政主管部门责令改正，并可处以 5000 元以上 10 万元以下的罚款：

- (一) 未经所在地环境保护行政主管部门同意和原批准部门批准，擅自改变环境物排放的种类，增加环境物排放的数量、浓度或者拆除、闲置环境物处理设施的；
- (二) 在本条例第八条第一款规定的区域内兴建排污口的。

第二十七条 违反本条例规定，具有下列情形之一的，由县级以上人民政府环境保护行政主管部门责令改正，并可处以 1000 元以上 2 万元以下的罚款；情节严重的，可处以 2 万元以上 10 万元以下的罚款：

- (一) 在岸滩采用不正当的稀释、渗透方式排放有毒、有害废水的；
- (二) 向海域排放含高、中放射性物质的废水的；
- (三) 向海域排放油类、酸液、碱液和毒液的；
- (四) 向岸滩弃置失效或者禁用的药物和药具的；
- (五) 向海域排放含油废水、含病原体废水、含热废水、含低放射性物质废水、含有害重金属废水和其他工业废水超过国家和地方规定的排放标准和有关规定或者将处理后的残渣弃置入海的；
- (六) 未经县级以上地方人民政府环境保护行政主管部门批准，擅自在岸滩堆放、弃置和处理废弃物或者在废弃物堆放场、处理场内，擅自堆放、处理未经批准的其他种类的废弃物或者露天堆放含剧毒、放射性、易溶解和易挥发性物质的废弃物的。

第二十八条 对逾期未完成限期治理任务的企业事业单位，征收两倍的超标准排污费，并可根据危害和损失后果，处以 1 万元以上 10 万元以下的罚款，或者责令停业、关闭。

land-sourced pollutants. The inspection receiver shall truthfully report information and provide materials and the inspectors shall be responsible for keeping technical and business secrets for the inspection receiver. If otherwise provided for in the laws and regulations, the provisions stipulated above in this article shall not apply.

Article 24 Where anyone violates these Regulations under any of the following circumstances, the environmental protection department of the people's government at county level or above shall order the correction and may concurrently fine an amount of not less than 300 yuan but not more than 3,000 yuan.

(1) refusing to report or falsely reporting on registrations for discharge of pollutants; or

(2) refusing or obstructing the environmental protection department that is conducting an on-the-spot inspection, or practising fraud in the on-the-spot inspection.

Article 25 Where anyone forces in use facilities against pollution set up in waste yards and treatment facilities which have not been inspected and accepted by the environmental protection department or have not passed the inspection, the environmental protection department shall order the correction and may concurrently fine an amount of not less than 5,000 yuan but not more than 20,000 yuan.

Article 26 Where anyone violates these Regulations under any of the following circumstances, the environmental protection department of the people's government at county level or above shall order the correction and may concurrently fine an amount of not less than 5,000 yuan but not more than 100,000 yuan.

(1) changing the kind(s) of pollutants to be discharged, or increasing the quantity and density or dismantling or leaving idle pollutant treating facilities without the approval of the environmental protection department in the locality and the original examining and approving department; or

(2) establishing outlets for discharging sewage within the areas stipulated in the first paragraph of Article 8 of these Regulations.

Article 27 Where anyone violates these Regulations under any of the following circumstances, the environmental protection department of the people's government at county level or above shall order the correction and may concurrently fine an amount of not less than 1,000 yuan but not more than 20,000 yuan; if the circumstances are serious, a fine of not less than 20,000 yuan but not more than 100,000 yuan may be imposed upon.

(1) discharging toxic and harmful waste water along seashores and beaches by improper means of dilution or permeation;

(2) discharging waste water containing high-level or middle-level radioactive substance into the sea;

(3) discharging oils, acid liquid, alkaline liquid or toxic liquid into the sea;

(4) discarding medicines and medical instruments having lost efficacy or use of which is prohibited along seashores and beaches;

(5) failing to comply with the standards for discharge of pollutants and the relevant regulations stipulated by the state or the localities when discharging oil-polluted water, waste water carrying pathogens, heated waste water, waste water containing low-level radioactive substance, waste water containing harmful heavy metals or industrial waste water of other types into the sea, or casting off residual dregs after treatment into the sea; or

(6) without the approval of the environmental protection department of the local people's government at county level or above, piling up, discarding, or disposing of solid wastes along seashores and beaches, or piling up and disposing of wastes of other types which have not been approved in the waste yards and treatment facilities, or piling up wastes containing hypertoxic, radioactive, soluble or volatile substance out of doors.

Article 28 Where an enterprise or institution fail to eliminate and control the pollution within a time limit as stipulated, it shall pay an amount of two times the fee for excessive discharge, and may be concurrently fined an amount of not less than 10,000 yuan but not more than 100,000 yuan according to the seriousness of damage and loss, or be ordered the suspension of business or closing down.

罚款由环境保护行政主管部门决定。责令停业、关闭，由作出限期治理决定的人民政府决定；责令国务院各部门直接管辖的企业事业单位停业、关闭，须报国务院批准。

第二十九条 不按规定缴纳超标准排污费的，除追缴超标准排污费及滞纳金外，并可由县级以上人民政府环境保护行政主管部门处以 1000 元以上 1 万元以下的罚款。

第三十条 对造成陆源环境物环境损害海洋环境事故，导致重大经济损失的，由县级以上人民政府环境保护行政主管部门按照直接损失 30% 计算罚款，但最高不得超过 20 万元。

第三十一条 县级人民政府环境保护行政主管部门可处以 1 万元以下的罚款，超过 1 万元的罚款，报上级环境保护行政主管部门批准。

省辖市级人民政府环境保护行政主管部门可处以 5 万元以下的罚款，超过 5 万元的罚款，报上级环境保护行政主管部门批准。

省、自治区、直辖市人民政府环境保护行政主管部门可处以 20 万元以下的罚款。

罚款全部上交国库，任何单位和个人不得截留、分成。

第三十二条 缴纳超标准排污费或者被处以罚款的单位、个人，并不免除消除环境、排除危害和赔偿损失的责任。

第三十三条 当事人对行政处罚决定不服的，可以在接到处罚通知之日起 15 日内，依法申请复议；对复议决定不服的，可以在接到复议决定之日起 15 日内，向人民法院起诉。当事人也可以在接到处罚通知之日起 15 日内，直接向人民法院起诉。当事人逾期不申请复议、也不向人民法院起诉、又不履行处罚决定的，由作出处罚决定的机关申请人民法院强制执行。

第三十四条 环境保护行政主管部门工作人员滥用职权、玩忽职守、徇私舞弊的，由其所在单位或者上级主管机关给予行政处分；构成犯罪的，依法追究刑事责任。

第三十五条 沿海省、自治区、直辖市人民政府，可以根据本条例制定实施办法。

第三十六条 本条例由国务院环境保护行政主管部门负责解释。

第三十七条 本条例自一九九〇年八月一日起施行。

The environmental protection department shall decide on a fine. The people's government that decides on a deadline for the elimination and control of pollution shall decide on the suspension of business or closing down; the suspension of business or closing down of an enterprise or institution directly under the jurisdiction of a department under the State Council shall be subject to the approval of the State Council.

Article 29 Where anyone fails to pay the fee for excessive discharge according to the provisions, the environmental protection department of the people's government at county level or above shall, in addition to recovering the fee and a late payment fine, impose a fine of not less than 1,000 yuan but not more than 10,000 yuan.

Article 30 Where anyone causes an accident of pollution damage to the marine environment by land-sourced pollutants and has thereby caused major economic losses, the environmental protection department of the people's government at county level or above shall impose a fine of an amount of percent 30 of the direct losses but not exceeding a maximum of 200,000 yuan.

Article 31 The environmental protection department of the people's government at county level may decide on a fine of not more than 10,000 yuan and shall report a fine exceeding 10,000 yuan to the higher level's environmental protection department for an approval.

The environmental protection department of the people's government at the level analogous to a city directly under a provincial government may decide on a fine of not more than 50,000 yuan and shall report a fine exceeding 50,000 yuan to the higher level's environmental protection department for an approval.

The environmental protection department of the people's government at the level of province, autonomous region and municipality directly under the central government may decide on a fine of not more than 200,000 yuan.

All fines shall be handed over to the national treasury and neither organization nor individual may retain or divide them up.

Article 32 An organization or individual who has paid a fee for excessive discharge or has been imposed upon a fine shall not be exempted from responsibilities for eliminating pollution, removing damage and compensation.

Article 33 If a party involved does not agree with a decision on administrative penalty, he may, within 15 days as from the date of receiving the notification on the penalty, apply for reconsideration according to law; if he does not agree with the decision of consideration, he may, within 15 days as from the date of receiving the decision of consideration, bring a lawsuit before a people's court. A party may directly bring a lawsuit before a people's court within 15 days as from the date of receiving the notification on the penalty. If, upon the expiration of the period, the party has not applied for reconsideration or has neither brought a lawsuit before a people's court nor performed the decision on penalty, the department that imposed the penalty shall apply to the people's court for compulsory enforcement.

Article 34 Where a staff member of the environmental protection department abuses his powers, neglects his duties or engages in malpractice for his personal interests, the department to which he belongs or the higher level's department shall impose disciplinary sanction upon him; if a crime has been constituted, he shall be investigated for criminal responsibility according to law.

Article 35 The people's governments of the coastal provinces, autonomous regions and municipalities directly under the central government may formulate measures for the implementation in accordance with these Regulations.

Article 36 The environmental protection department under the State Council shall be responsible for the interpretation of these Regulations.

Article 37 These Regulations shall come into force as of August 1, 1990.

中华人民共和国海洋石油勘探开发环境保护管理条例

(1983年12月29日国务院发布)

第一条 为实施《中华人民共和国海洋环境保护法》，防止海洋石油勘探开发对海洋环境的环境损害，特制定本条例。

第二条 本条例适用于在中华人民共和国管辖海域从事石油勘探开发的企业、事业单位、作业者和个人，以及他们所使用的固定式和移动式平台及其他有关设施。

第三条 海洋石油勘探开发环境保护管理的主管部门是中华人民共和国国家海洋局及其派出机构，以下称“主管部门”。

第四条 企业或作业者在编制油（气）田总体开发方案的同时，必须编制海洋环境影响报告书，报中华人民共和国城乡建设环境保护部。城乡建设环境保护部会同国家海洋局和石油工业部，按照国家基本建设项目环境保护管理的规定组织审批。

第五条 海洋环境影响报告书应包括以下内容：

- (一) 油田名称、地理位置、规模；
- (二) 油田所处海域的自然环境和海洋资源状况；
- (三) 油田开发中需要排放的废弃物种类、成分、数量、处理方式；
- (四) 对海洋环境影响评价；海洋石油开发对周围海域自然环境、海洋资源可能产生的影响；对海洋渔业、航运、其他海上活动可能产生的影响；为避免、减轻各种有害影响，拟采取的环境保护措施；
- (五) 最终不可避免的影响、影响程度及原因；
- (六) 防范重大油环境事故的措施：防范组织，人员配备，技术装备，通信联络等。

第六条 企业、事业单位、作业者应具备防治油环境事故的应急能力，制定应急计划，配备与其所从事的海洋石油勘探开发规模相适应的油回收设施和围油、消油器材。

配备化学消油剂，应将其牌号、成分报告主管部门核准。

第七条 固定式和移动式平台的防污设备的要求：

- (一) 应设置油水分离设备；

Regulations on the Administration of Environmental Protection in the Exploration and Development of Offshore Petroleum

(Promulgated by the State Council on December 29, 1983)

Article 1 These Regulations are formulated in order to implement the Marine Environmental Protection Law of the People's Republic of China and prevent pollution damage to marine environment resulting from offshore petroleum exploration and development.

Article 2 These Regulations are applicable to enterprises, institutions, operators and individuals engaged in the exploration and development of petroleum in the sea areas under the jurisdiction of the People's Republic of China, and the stationary and mobile platforms and other relevant facilities they use.

Article 3 The departments in charge of environmental protection in exploration and development of offshore petroleum are the State Oceanographic Bureau of the People's Republic of China and its agencies, hereinafter referred to as the "competent departments".

Article 4 Enterprises or operators, while compiling the overall programs for developing oil (gas) fields, must compile a marine environmental impact report and submit it to the Ministry of Urban and Rural Construction and Environmental Protection of the People's Republic of China. The Ministry of Urban and Rural Construction and Environmental Protection, in conjunction with the State Oceanographic Bureau and the Ministry of Petroleum Industry, is to organize examination and approval in accordance with the stipulations governing the administration of environmental protection over the projects of state capital construction.

Article 5 The marine environmental impact report shall include the following:

- (1) the name, geographical position and size of the oil field;
- (2) the natural environment and the conditions of marine resources of the sea areas where the oil field is located;
- (3) the types, composition, amount and the means of disposal of the waste materials to be discharged in developing the oil field;
- (4) an assessment of the impact on the marine environment; the possible impact from development of offshore petroleum on the natural environment and marine resources of the surrounding sea areas; the possible impact on the sea fishery, shipping and other sea activities; measures for environmental protection to be adopted to avoid and reduce various types of harmful impact;
- (5) the impact that can not be avoided in the final outcome and the gravity and causes of the impact;
- (6) measures for preventing major oil pollution accidents; the organization of prevention, provision of personnel, technical equipment and communications and liaison.

Article 6 Enterprises, institutions and operators shall have the capacity of dealing with emergencies with regard to the prevention and control of oil pollution accidents, formulate emergency plans, have oil recovery facilities and equipment for containing oil and eliminating oil commensurate with the scale of exploration and development of offshore petroleum in which they are engaged.

If oil-eliminating chemical agents are to be used, their brand names and composition shall be reported to the competent departments for verification and approval.

Article 7 The requirements for the pollution-prevention equipment of the stationary and mobile platforms are:

- (1) oil and water separation equipment shall be fitted;
- (2) the oil extraction platforms shall be fitted with the equipment for treating oil-polluted water;

(二) 采油平台应设置含油污水处理设备, 该设备处理后的污水含油量应达到国家排放标准;

(三) 应设置排油监控装置;

(四) 应设置残油、废油回收设施;

(五) 应设置垃圾粉碎设备;

(六) 上述设备应经中华人民共和国船舶检验机关检验合格, 并获得有效证书。

第八条 1983年3月1日以前, 已经在中华人民共和国管辖海域从事石油勘探开发的固定式和移动式平台, 防污设备达不到规定要求的, 应采取有效措施, 防止环境, 并在本条例颁布后三年内使防污设备达到规定的要求。

第九条 企业、事业单位和作业者应具有有关环境损害民事责任保险或其他财务保证。

第十条 固定式和移动式平台应备有由主管部门批准格式的防污记录簿。

第十一条 固定式和移动式平台的含油污水, 不得直接或稀释排放。经过处理后排放的污水, 含油量必须符合国家有关含油污水排放标准。

第十二条 对其他废弃物的管理要求:

(一) 残油、废油、油基泥浆、含油垃圾和其他有毒残液残渣, 必须回收, 不得排放或弃置入海;

(二) 大量工业垃圾的弃置, 按照海洋倾废的规定管理; 零星工业垃圾, 不得投弃于渔业水域和航道;

(三) 生活垃圾, 需要在距最近陆地十二海里以内投弃的, 应经粉碎处理, 粒径应小于二十五毫米。

第十三条 海洋石油勘探开发需要在重要渔业水域进行炸药爆破或其他对渔业资源有损害的作业时, 应采取有效措施, 避开主要经济鱼虾类的产卵、繁殖和捕捞季节, 作业前报告主管部门, 作业时并应有明显的标志、信号。

主管部门接到报告后, 应及时将作业地点、时间等通告有关单位。

第十四条 海上储油设施、输油管线应符合防渗、防漏、防腐蚀的要求, 并应经常检查, 保护良好状态, 防止发生漏油事故。

第十五条 海上试油应使油气通过燃烧器充分燃烧。对试油中落海的油类和油性混合物, 应采取有效措施处理, 并如实记录。

第十六条 企业、事业单位及作业者在作业中发生溢油、漏油等环境事故, 应迅速采取围油、回收油的措施, 控制、减轻和消除环境。

发生大量溢油、漏油和井喷等重大环境事故, 应立即报告主管部门, 并采取有效措施, 控制和消除油环境, 接受主管部门的调查处理。

第十七条 化学消油剂要控制使用:

(一) 在发生油环境事故时, 应采取回收措施, 对少量确实无法回收的油, 准许

the oil content of the polluted water, after treatment by this equipment, shall reach the discharge standards set by the State;

(3) devices for monitoring and control of oil discharge shall be fitted;

(4) facilities for retrieving residual oil and waste oil shall be fitted;

(5) equipment for garbage pulverization shall be fitted;

(6) the above equipment shall go through the examination by the shipping inspection agencies of the People's Republic of China and must satisfy the standards before efficacy certificates are issued.

Article 8 The stationary and mobile platforms that already started petroleum exploration and development in the sea areas under the jurisdiction of the People's Republic of China before March 1, 1983, if their pollution-prevention equipment do not meet the stipulated requirements, shall adopt effective measures to prevent pollution, and their pollution-prevention facilities are to satisfy the stipulated requirements within three years of the promulgation of these Regulations.

Article 9 The enterprises, institutions and operators shall possess civil liability insurance or other financial guarantees to cover pollution damage.

Article 10 The stationary and mobile platforms shall be fitted with anti-pollution record books in the format approved by the competent departments.

Article 11 The oil-polluted water of stationary and mobile platforms may not be directly discharged or after dilution. The oil content of the oil-polluted water discharged after treatment must meet the State's relevant standards of discharging oil-polluted water.

Article 12 Requirements of control for other waste materials:

(1) residual oil, waste oil, oil-based mud, garbage containing oil and other toxic residual liquid and dregs must be recovered, and may not be discharged or cast off into the sea;

(2) the dumping of industrial garbage in large quantities is to be managed in accordance with the stipulations of marine dumping of waste materials; fragmentary industrial garbage may not be discarded into the fishery waters and sea-lanes;

(3) domestic garbage that need to be discharged within 12 nautical miles from the nearest land shall undergo pulverization treatment with the granules less than 25 millimetres in diameter.

Article 13 Where exploration and development of offshore petroleum require explosive demolitions by using explosives or other operations that are harmful to fishery resources in the important fishery waters, effective measures shall be adopted to avoid the spawning, breeding and fishing seasons of the major fishes and shrimps of economic value; a report is to be made to the competent departments before the operations and there shall be clear signs and signals when the operations are under way.

The competent departments, on receiving the report, shall notify the relevant units of the place and time of the operations in good time.

Article 14 Marine oil storage facilities and pipelines for the conveyance of oil shall conform to anti-seepage, anti-leakage and anti-rotting requirements, and shall constantly be checked and maintained in good condition, so as to prevent oil leakage.

Article 15 In testing oil on the sea, oil and gas shall be fully burned out in the combustion devices. With regard to the oils and oil-based mixtures falling into the sea in the course of testing oil, effective measures shall be adopted to treat them, and accurate records are to be kept.

Article 16 Enterprises, institutions and operators shall, immediately upon detection of the occurrence of pollution accidents such as oil overflow and oil leakage in operation, adopt measures for containing oil and oil recovery to control, reduce and remove the pollution.

In case of occurrence of major pollution accidents such as oil overflow, oil leakage and well blow-out in large quantities, report shall immediately be made to the competent departments, and effective measures are to be adopted to control and remove the pollution, and the matter shall be subject to investigation and handling by the competent departments.

Article 17 The use of oil-eliminating chemical agents shall be controlled:

(1) When oil pollution accidents occur, measures for recovery shall be adopted; with regard to the small amount of oil that is actually beyond recovery, it is permitted to use a small amount of oil-eliminating

使用少量的化学消油剂。

(二) 一次性使用化学消油剂的数量(包括溶剂在内),应根据不同海域等情况,由主管部门另做具体规定。作业者应按规定向主管部门报告,经准许后方可使用。

(三) 在海面浮油可能发生火灾或者严重危及人命和财产安全,又无法使用回收方法处理,而使用化学消油剂可以减轻环境和避免扩大事故后果的紧急情况下,使用化学消油剂的数量和报告程序可不受本条例(二)项规定限制。但事后,应将事故情况和使用化学消油剂情况详细报告主管部门。

(四) 必须使用经主管部门核准的化学消油剂。

第十八条 作业者应将下列情况详细地、如实地记载于平台防污记录簿:

- (一) 防污设备、设施的运行情况;
- (二) 含油污水处理和排放情况;
- (三) 其他废弃物的处理、排放和投弃情况;
- (四) 发生溢油、漏油、井喷等油环境事故及处理情况;
- (五) 进行爆破作业情况;
- (六) 使用化学消油剂的情况;
- (七) 主管部门规定的其他事故。

第十九条 企业和作业者在每季度末后十五日内,应按主管部门批准的格式,向主管部门综合报告该季度预防环境情况及环境事故的情况。

固定式平台和移动式平台的位置,应及时通知主管部门。

第二十条 主管部门的公务人员或指派的人员,有权登临固定式和移动式平台以及其他有关设施,进行监测和检查。包括:

- (一) 采集各类样品;
- (二) 检查各种防污设备、设施和器材的装备、运行或使用情况;
- (三) 检查有关的文书、证件;
- (四) 检查防污记录簿及有关的操作记录,必要时可进行复制和摘录,并要求平台负责人签证该复制和摘录件为正确无误的副本;
- (五) 向有关人员调查环境事故;
- (六) 其他有关的事项。

第二十一条 主管部门的公务船舶应有明显标志,公务人员或指派的人员执行公务时,必须穿着公务制服,携带证件。

被检查者应为上述公务船舶、公务人员和指派人员提供方便,并如实提供材料,陈述情况。

第二十二条 受到海洋石油勘探开发环境损害,要求赔偿的单位和个人,应依照《中华人民共和国环境保护法》第三十二条的规定及《中华人民共和国海洋环境保护法》第四十二条的规定,申请主管部门处理,要求造成环境损害的一方赔偿损

nating chemical agents.

(2) With regard to the amount of irretrievable oil-eliminating chemical agents (including the solvent) to be used, separate specific stipulations shall be worked out by the competent departments according to different conditions in different sea areas. The operators shall report to the competent departments according to stipulations, and may only use these chemical agents after approval has been obtained.

(3) In emergencies where oil floating on the surface of the sea may cause fire or may gravely endanger human lives and property, and the matter is unable to be handled with the method of recovery, but, by using oil-eliminating chemical agents, pollution can be reduced and the consequences of the accidents be contained, the amount of oil-eliminating chemical agents used and the reporting procedures may go beyond the restrictions as stipulated in paragraph (2) of this Article. However, a detailed report on the circumstances of the accident and the circumstances of using oil-eliminating agents shall be made to the competent departments afterwards.

(4) Only those oil-eliminating chemical agents which have been verified and approved by the competent departments may be used.

Article 18 The operators shall make detailed and accurate entries of the following circumstances in the anti-pollution record books of the platform:

- (1) the operation of the anti-pollution equipment and facilities;
- (2) the treatment and discharge of the oil-polluted water;
- (3) the treatment, discharge and disposal of other waste materials;
- (4) the occurrence of oil-pollution accidents such as oil spill, oil leakage and well blowout and the handling;
- (5) the details about the demolition operations;
- (6) details about the use of oil-eliminating chemical agents;
- (7) other items stipulated by the competent departments.

Article 19 The enterprises and operators shall, within 15 days from the end of each quarter of the year, make a comprehensive report in the format approved by the competent departments on anti-pollution and the circumstances of pollution accidents of that quarter.

The competent departments shall be informed in good time of the positions of the stationary and mobile platforms.

Article 20 Government functionaries of the competent departments or the personnel designated by them may board the stationary and mobile platforms and other relevant facilities to conduct monitoring and investigation, including:

- (1) collecting various kinds of samples;
- (2) inspecting the fitting out, operating and using of various anti-pollution equipment, facilities and materials;
- (3) inspecting relevant documents and certification papers;
- (4) checking up on the anti-pollution record books and the relevant operation records, making copies and extracts when necessary, and demanding that the responsible persons of the platform sign their names in confirmation of the copies and extracts in question as correct duplicates;
- (5) gathering information about pollution accidents among the persons concerned;
- (6) other related matters.

Article 21 The ships that conduct official business of the competent departments shall have clear signs. Government functionaries or the designated personnel, in carrying out official affairs, must wear official uniforms and carry identity papers.

Those who are investigated shall provide facility for the aforesaid ships, government functionaries and the designated personnel, and provide accurate information and statements about the accidents.

Article 22 Units and individuals that have suffered pollution damage caused by exploration and development of offshore petroleum and are to claim compensation shall, in accordance with the stipulation of Article 32 of the Environmental Protection Law of the People's Republic of China and the stipu-

失。受损害一方应提交环境损害索赔报告书，报告书应包括以下内容：

(一) 受石油勘探开发环境损害的时间、地点、范围、对象；

(二) 受环境损害的损失清单，包括品名、数量、单价、计算方法，以及养殖或自然等情况；

(三) 有关科研部门鉴定或公证机关对损害情况的鉴证；

(四) 尽可能提供受环境损害的原始单证，有关情况的照片，其他有关索赔的证明单据、材料。

第二十三条 因清除海洋石油勘探开发环境物，需要索取清除环境物费用的单位和个人（有商业合同者除外），在申请主管部门处理时，应向主管部门提交索取清除费用报告书。该报告书应包括以下内容：

(一) 清除环境物的时间、地点、对象；

(二) 投入的人力、机具、船只、清除材料的数量、单价、计算方法；

(三) 组织清除的管理费、交通费及其他有关费用；

(四) 清除效果及情况；

(五) 其他有关的证据和证明材料。

第二十四条 由于不可抗力发生环境损害事故的企业、事业单位、作业者，要求免于承担赔偿责任的，应向主管部门提交报告。该报告应能证实环境损害确实属于《中华人民共和国海洋环境保护法》第四十三条所列的情况之一，并经过及时采取合理措施仍不能避免的。

第二十五条 主管部门受理的海洋石油勘探开发环境损害赔偿责任和赔偿金额纠纷，在调查了解的基础上，可以进行调解处理。

当事人不愿调解或对主管部门的调解处理不服的，可以按《中华人民共和国海洋环境保护法》第四十二条的规定办理。

第二十六条 主管部门对违反《中华人民共和国海洋环境保护法》和本条例的企业、事业单位、作业者，可以责令其限期治理，支付消除环境费用，赔偿国家损失；超过标准排放环境物的，可以责令其交纳排污费。

第二十七条 主管部门对违反《中华人民共和国海洋环境保护法》和本条例的企业、事业单位、作业者和个人，可视其情节轻重，予以警告或罚款处分。

罚款分为以下几种：

(一) 对造成海洋环境环境的企业、事业单位、作业者的罚款，最高额为人民币10万元；

lation of Article 42 of the Marine Environmental Protection Law of the People's Republic of China, apply for handling to the competent departments and claim compensation for the losses from the party that is responsible for the pollution damage. The claimant shall submit a report on claiming compensation for damage sustained; this report shall include the following:

(1) the time, place, scope and the objects of the pollution damage caused by the exploration and development of offshore petroleum;

(2) a detailed list of the losses caused by pollution damage, including the names of objects, quantity, unit price, method of calculating, and such matters as the breeding or natural conditions;

(3) an appraisal by the relevant scientific research department or endorsement by a notary office in confirmation of the damage actually sustained;

(4) the original documents of evidence of the pollution damage, the photographs of the related circumstances and other documents and materials of testimony relevant to the claim for compensation shall be provided as complete as possible.

Article 23 Units and individuals (those having commercial contracts excluded) that demand reimbursement of the expenses for removing pollutants stemming from the exploration and development of offshore petroleum shall, in applying to the competent departments for attention to the case, submit a report of claiming reimbursement of the expenses for removal to the competent departments. This report shall include the following:

(1) the time, place and objects of the elimination of pollutants;

(2) the manpower, machines and tools and vessels employed, and the quantities, the unit price and the method of calculating of the materials used in effecting the removal;

(3) the administrative expenses, transport cost, and other relevant expenses in organizing the removal effort;

(4) the results of and the situation after the removal;

(5) other relevant evidence and certification papers.

Article 24 Where devastating pollution accidents have occurred due to force majeure, the enterprises, institutions and operators wishing to free themselves from the indemnity liabilities thereof shall submit to the competent departments a report which must be able to testify that the damage resulting from the pollution accident falls under one of the circumstances described in Article 43 of the Marine Environmental Protection Law of the People's Republic of China, and that the accident remained unavoidable despite rational measures promptly taken.

Article 25 In handling cases of disputes concerning liability for compensation and the amount of compensation for the pollution damage in the exploration and development of offshore petroleum, the competent departments shall, on the basis of investigation and finding out the facts, resort to mediation.

If a party does not want mediation or does not agree to handling of the matter through mediation by the competent departments, the matter may be handled in accordance with the stipulation of Article 42 of the Marine Environmental Protection Law of the People's Republic of China.

Article 26 Where enterprises, institutions and operators violate the Marine Environmental Protection Law of the People's Republic of China and these Regulations, the competent departments may order that they take remedial measures to rectify the situation within a given period of time, pay the removal costs, and compensate the State for the damage; in cases of discharge of pollutants in excess of the standard, the payment of a pollutant discharge fee may be demanded.

Article 27 In cases where enterprises, institutions, operators and individuals violate the Marine Environmental Protection Law of the People's Republic of China and these Regulations, the competent departments may punish the violators by giving warnings or imposing fines according to the seriousness of the case.

Fines fall into the following categories:

(1) The maximum amount of a fine imposed on an enterprise, institution or operator that has caused marine environmental pollution is 100,000 RMB yuan.

(二) 对企业、事业单位、作业者的下列违法行为，罚款最高额为人民币 5000 元；

1. 不按规定向主管部门报告重大油环境事故；
2. 不按规定使用化学消油剂；

(三) 对企业、事业单位、作业者的下列违法行为，罚款最高额为人民币 1000 元；

1. 不按规定配备防污记录簿；
2. 防污记录簿的记载非正规化或者伪造；
3. 不按规定报告或通知有关情况；
4. 阻挠公务人员或指派人员执行公务。

(四) 对有直接责任的个人，可根据情节轻重，酌情处以罚款。

第二十八条 当事人对主管部门的处罚决定不服的，按《中华人民共和国海洋环境保护法》第四十一条的规定处理。

第二十九条 主管部门对主动检举、揭发企业、事业单位、作业者匿报石油勘探开发环境损害事故，或者提供证据，或者采取措施减轻环境损害的单位和个人，给予表扬或奖励。

第三十条 本条例中下列用语的含义是：

(一) “固定式和移动式平台”，即《中华人民共和国海洋环境保护法》中所称的钻井船、钻井平台和采油平台，并包括其他平台。

(二) “海洋石油勘探开发”，是指海洋石油勘探、开发、生产储存和管线输送等作业活动。

(三) “作业者”，是指实施海洋石油勘探开发作业的实体。

第三十一条 本条例自颁布之日起施行。

(2) The maximum amount of a fine imposed on an enterprise, institution and operator that has contravened the relevant rules and regulations in the following ways is 5,000 RMB yuan:

a. not reporting a major oil-pollution accident to the competent departments according to stipulations;

b. using oil-eliminating chemical agents not according to stipulations.

(3) The maximum amount of a fine imposed on an enterprise, institution or operator that has contravened the relevant rules and regulations in the following ways is 1,000 RMB yuan:

a. not having the anti-pollution record book equipped according to stipulations;

b. the entries in the anti-pollution record book are irregular or false;

c. not reporting to or informing the competent departments of their real situation according to stipulations;

d. obstructing the government functionaries or the designated personnel from performing their official duties.

(4) With regard to the directly responsible persons, fines may be imposed according to the seriousness of the case.

Article 28 If a party does not agree to the penalty by the competent departments, the matter shall be handled in accordance with the stipulations of Article 41 of the Marine Environmental Law of the People's Republic of China.

Article 29 The competent departments shall grant commendations and rewards to the units and individuals that on their own initiative report and expose enterprises, institutions and operators that have concealed pollution accidents in the exploration and development of offshore petroleum, or provide evidence, or adopt measures to reduce the damage arising therefrom.

Article 30 The meanings of the following terms in these Regulations are:

(1) "Stationary and mobile platforms" refers to the well drilling ships, well drilling platforms and oil extraction platforms referred to in the Marine Environmental Protection Law of the People's Republic of China, and includes other platforms.

(2) "Exploration and development of offshore petroleum" refers to such operational activities as exploration, development, production, storage and pipeline conveyance.

(3) "Operators" refers to the entities that perform the operations of exploration and development of offshore petroleum.

Article 31 These Regulations shall go into effect as of the date of promulgation.

中华人民共和国防止船舶环境海域管理条例

(1983年12月29日国务院发布)

第一章 总 则

第一条 为实施《中华人民共和国海洋环境保护法》，防止船舶环境海域，维护海域生态环境，特制定本条例。

第二条 本条例适其中在中华人民共和国管辖海域、海港内的一切中国籍船舶、外国籍船舶及船舶所有人和其他个人。

第三条 防止船舶环境海域环境的主管机关，是中华人民共和国港务监督（以下简称港务监督）。

第二章 一般规定

第四条 在中华人民共和国管辖海域、海港内的一切船舶，不得违反《中华人民共和国海洋环境保护法》和本条例的规定排放油类、油性混合物、废弃物和其他有毒害物质。

第五条 任何船舶不得向河口附近的港口淡水水域、海洋特别保护区和海上自然保护区排放油类、油性混合物、废弃物和其他有毒害物质。

第六条 船舶发生油类、油性混合物和其他有毒害物质造成环境海域事故，应立即采取措施，控制和消除环境，并尽快向就近的港务监督提交书面报告，接受调查处理。

第七条 船舶发生海损事故造成或者可能造成海洋环境重大环境损害的，港务监督有权强制采取避免或减少这种环境损害的措施，包括强制清除或强制拖航的措施。由此发生的一切费用，由肇事船方承担。

第八条 船舶在中华人民共和国管辖海域自己发生或发现其他船舶环境海域情事或违章行为的，应按《中华人民共和国海洋环境保护法》第三十六条、第三十七条规定办理。

第九条 船舶需要在港内进行洗舱作业，必须采取安全和防止环境海域措施，并事先向港务监督申请，经批准后，方可进行。

第十条 为保证油轮的安全引航、靠泊和防止海域环境，所有进港的空载油轮留存的压舱水不得少于该油轮载重量的四分之一。港务监督对于不按规定留足压舱

Regulations on the Prevention of Vessel-induced Sea Pollution

(Promulgated by the State Council on December 29, 1983)

Chapter I General Principles

Article 1 These Regulations are formulated with a view to implementing the Marine Environmental Protection Law of the People's Republic of China, preventing sea pollution by ships and maintaining the marine ecological environment.

Article 2 These Regulations are applicable to all Chinese and foreign vessels, shipowners and other individuals within the sea areas and harbors under the jurisdiction of the People's Republic of China.

Article 3 The organs in charge of the prevention of vessel-induced pollution of the marine environment are the harbor superintendency administration of the People's Republic of China (hereinafter referred to as the "harbor superintendencies").

Chapter II General Provisions

Article 4 All vessels in the sea areas and harbors under the jurisdiction of the People's Republic of China shall in no case discharge oils, oil-based mixtures, waste materials and other toxic substances in violation of the stipulations of the Marine Environmental Protection Law of the People's Republic of China and these Regulations.

Article 5 No vessel shall discharge oils, oil-based mixtures, waste materials and other toxic substances into the freshwater of harbors close to river mouths, special marine reserves and natural marine protection areas.

Article 6 When accidents of pollution occur in the sea areas caused by oil, oil based mixtures and other toxic substances from vessels, measures shall be immediately adopted to control and eliminate the pollution and a written report shall be made to a nearby harbor superintendency administration as quickly as possible for investigation and treatment.

Article 7 In cases where marine accidents have caused, or are likely to cause, major pollution damage to the marine environment, the harbor superintendency administration shall have the power to compel the adoption of measures to avoid or reduce this pollution damage, including measures of compulsory elimination of pollution or compulsory towing of the vessels. The vessels causing the problems shall bear all the costs arising therefrom.

Article 8 When vessels cause or find other vessels cause pollution or violate the relevant regulations in the sea areas under the jurisdiction of the People's Republic of China, the matter shall be handled in accordance with the stipulations of Articles 36 and 37 of the Marine Environmental Protection Law of the People's Republic of China.

Article 9 Vessels which need to conduct cabin-washing operations in the harbor must adopt measures for safety and for preventing pollution damage to the sea areas. Applications shall be submitted in advance to the harbor superintendency administration, and the operation may proceed only with approval.

Article 10 To ensure safe pilotage and docking of oil tankers and to prevent pollution of the sea areas, the ballast water kept in all empty oil tankers entering the harbor must be no less than one-fourth of the deadweight capacity of the oil tanker in question. In cases where an oil tanker does not keep sufficient ballast water as stipulated, the harbor superintendency administration shall investigate

水的油轮，要调查其压舱水的去向，并视情况进行处理。

第十一条 船舶在发生油污事故或违章排油后，不得擅自使用化学消油剂。如必需使用时，应事先用电话或书面向港务监督申请，说明消油剂的牌号、计划用量和使用地点，经批准后，方可使用。

第十二条 发生环境事故，或违章排污的船舶，其被处以罚款或需负担清除、赔偿等经济责任的船舶所有人或肇事人，必须在开航前办妥有关款项的财务担保和缴纳手续。

第十三条 航行国际航线、载运 2000 吨以上的散装货油的船舶，除执行本条例规定外，并适其中我国参加的《1969 年国际油污损害民事责任公约》。

第三章 船舶防污文书及防污设备

第十四条 船舶防污文书：

(一) 150 总吨以上的油轮、400 总吨以上的非油轮和载运 2000 吨以上的散装货油的船舶，必须分别备有《中华人民共和国海洋环境保护法》第二十八条规定的相应的船舶防污文书；

(二) 船舶还应备齐港务监督要求的其他防污文书。

第十五条 对 150 总吨以上的油轮和 400 总吨以上的非油轮，防止油环境设备应符合下列要求：

(一) 机舱污水和压载水分别使用不同的管系；

(二) 设置污油储存舱；

(三) 装设标准排放接头；

(四) 装设油水分离设备或过滤系统，并满足在距最近陆地 12 海里以内排放含油污水时，经处理的油污水排放含油量不超过 15 毫克/升，在距最近陆地 12 海里以外排放含油污水时，经处理的油污水排放含油量不超过 100 毫克/升的要求；

(五) 1 万总吨以上的船舶，除满足本条上述各项规定外，还应装有排油监控装置；

(六) 船舶装设的其他防污设备，应符合国家船舶防污结构与设备规范的有关规定。

现有船舶防污设备达不到上述要求的，应在本条例实施后三年内达到规定的要求。

第十六条 不足 150 总吨的油轮和不足 400 总吨的非油轮，应设有专用容器，回收残油、废油。该容器应能将残油、废油排入港口接收设备，并应具备有本条例第十五条第（三）、（六）项规定的设备。

第四章 船舶油类作业及油污水的排放

第十七条 船舶进行油类作业，必须遵守下列规定：

the whereabouts of its ballast water and handle the matter according to the circumstances therearound.

Article 11 After oil pollution accidents or discharges of oil in violation of the regulations have occurred, the vessels involved may not use oil-eliminating chemicals at their own discretion. If oil-eliminating chemicals have to be used, applications by telephone or in written form shall be made to the harbor superintendencies in advance, with the brand names, amounts and the areas for the application of the oil-eliminating agents stated, and they may be used only with approval.

Article 12 In cases pollution accidents or pollutant discharges in violation of the regulations occur, the owners of the vessels involved or the persons who have caused the problems and who are found or held economically liable for the cleaning and compensation must complete the procedures of the financial guarantee for or the payment of the relevant sums of money before the vessels set sail.

Article 13 Vessels carrying 2,000 tons or more of bulk oil or cargoes navigating on international navigation lines shall, in addition to implementing the stipulations of these Regulations, abide by the International Pact of 1969 on Civil Liability for Harm from Oil Pollution, to which China has acceded.

Chapter III Documents and Equipment for the Prevention of Vessel-induced Pollution

Article 14 Documents for the prevention of vessel-induced pollution:

(1) oil tankers of 150 gross tonnage or more, non-oil tankers of 400 gross tonnage or more and vessels carrying 2,000 tons or more of bulk oil and cargoes shall be respectively equipped with the corresponding documents for the prevention of pollution by vessels as stipulated in Article 28 of the Marine Environmental Protection Law of the People's Republic of China;

(2) vessels shall also be equipped with all the other documents for the prevention of pollution as demanded by the harbor superintendencies.

Article 15 With regard to oil tankers of 150 gross tonnage or more and non-oil tankers of 400 gross tonnage or more, the equipment on board for the prevention of pollution shall meet the following requirements:

(1) separate piping systems are used for the polluted water in the engine room and the ballast tank water;

(2) foul oil storage tanks are installed;

(3) standard discharge connections are used;

(4) oil and water separation equipment or filtering system is installed and it is ensured that the discharged oil content of the treated oil-polluted water does not exceed 15 mg/liter, when discharged within 12 nautical miles of the nearest land and not exceed 100 mg/liter, when discharged beyond 12 nautical miles from the nearest land;

(5) ships of 10,000 tonnage or more shall, in addition to satisfying the afore-mentioned requirements as stipulated in this Article, also be equipped with monitoring and control devices for oil discharge;

(6) other pollution-prevention equipment installed on board the vessels shall conform to the relevant stipulations of the state for vessels' pollution-prevention structures and equipment standards.

The existing pollution-prevention equipment that is not up to the above requirements shall be brought up to the stipulated requirements within 3 years of the implementation of these Regulations.

Article 16 Oil tankers of under 150 gross tonnage and non-oil tankers of under 400 gross tonnage shall be fitted out with specialized containers for retrieving residue oil and waste oil. These containers shall be able to discharge residue oil and waste oil to the receptacles at harbors and shall be equipped as stipulated in Clauses (3) and (6) of Article 15 of these Regulations.

Chapter IV Oil Operations and Discharge of Oil-polluted Water by Vessels

Article 17 When performing oil loading or unloading operations, vessels must observe the following stipulations:

(一) 作业前, 必须检查管路、阀门, 作好准备工作, 堵好甲板排水孔, 关好有关通海阀;

(二) 检查油类作业的有关设备, 使其处于良好状态;

(三) 对可能发生溢漏的地方, 要设置集油容器;

(四) 供油、受油双方商定的联系信号, 以受方为主, 双方均应切实执行;

(五) 作业中, 要有足够人员值班; 当班人员要坚守岗位, 严格执行操作规程, 掌握作业进度, 防止跑油、漏油;

(六) 停止作业时, 必须关好有关阀门;

(七) 收解输油软管时, 必须事先用盲板将软管封好, 或采取其他有效措施, 防止软管存油倒流入海;

(八) 油轮应将油类作业情况, 准确地记入《油类记录簿》; 非油轮应记入《轮机日志》或值班记录簿。

第十八条 船舶在进行油类作业的过程中, 如发生跑油、漏油事故, 应及时采取清除措施, 防止扩大油环境, 同时向港务监督报告。查明原因后, 应写出书面报告, 并接受调查处理。

第十九条 船舶排放环境物, 必须符合中华人民共和国《船舶环境物排放标准》。

到港船舶的压舱、洗舱、机舱等含油污水, 不得任意排放, 应由港口油污水处理设施接收处理。港口无接收处理条件船舶含油污水又需排放时, 应事先向港务监督提出书面报告, 经批准后, 按规定条件和指定区域排放。

第二十条 按本条例第十九批准的船舶排放含油污水, 必须分别符合以下各项规定:

(一) 一般情况:

1. 在批准的区域内;
2. 在航行中, 瞬时排放率不大于 60 公升/海里;
3. 污水的含油量不大于 15 毫克/升;
4. 船上油水分离设备、过滤系统和排油监控装置, 处于正常工作状态;
5. 在退潮时。

(二) 150 总吨以上的油轮和 400 总吨以上的非油轮机舱油污水的排放, 除满足上述 (一) 项之 1、2、4、5 外, 还应满足:

1. 距最近陆地 12 海里以外;
2. 污水含油量不大于 100 毫克/升。

(三) 150 总吨以上油轮的压舱水、洗舱水的排放, 除满足上述 (一) 项之 2、4 外, 还应满足:

1. 距最近陆地 50 海里以外;
2. 每压载航次排油总量, 现有油轮不得超过装油总量的三万分之一, 新油轮不得超过装油总量的三万分之一。

- (1) before the operations, the pipelines and valves must be examined, preparatory work done, the decks drainage holes closed and the relevant valves leading to the sea shut;
- (2) the relevant equipment for oil operations must be examined and kept in good condition;
- (3) containers for collecting oil shall be placed where oil overflow and oil leakage could occur;
- (4) both parties, primarily the recipient, shall earnestly act upon the contracted signals agreed on through consultation by the oil supplier and the oil recipient;
- (5) during the operations, there shall be sufficient personnel on duty, those who are on duty must stand fast at their posts, strictly observe the operational rules, keep informed on and control over the progress of the operations and prevent oil escape and leakage;
- (6) when operations stop, the relevant valves must be shut;
- (7) when brought in or untied, the flexible pipes must be sealed up with built-in valves in advance, or other effective measures adopted to prevent the oil remaining in the pipes from flowing backward into the sea;

(8) oil tankers shall make accurate entries of the situation of oil operations in the "record book for oils"; non-oil tankers shall make entries in the "engine logbook" or the minute book of those on duty.

Article 18 In the event of oil escape or oil leakage while performing oil operations, vessels shall promptly adopt measures to eliminate oil pollution and prevent its expansion, and at the same time report to the harbor superintendencies. After the causes have been ascertained, the vessels shall report in writing and wait for investigation and handling.

Article 19 In discharging pollutants, vessels must meet the "Standards for Discharge of Pollutants by Vessels" of the People's Republic of China.

Such oil-polluted water as that in the ballast tanks, that from washing of cabins and that in the engine rooms of vessels entering harbors must not be discharged at will; it shall be received and disposed of with disposal facilities for oil-polluted water at the harbor. If the harbor is not equipped for receiving and disposing of oil-polluted water when vessels' oil-polluted water have to be discharged, a written report shall be submitted to the harbor superintendencies in advance. After approval is received, the discharge shall be conducted conditionally and at designated areas.

Article 20 The discharge of vessels' oil-polluted water approved in accordance with Article 19 of these Regulations must be in accordance with the following stipulations:

- (1) general requirements
 - a. the discharge must be done within the approved areas;
 - b. in the course of navigating, the instantaneous discharge rate may not exceed 60 liters/nautical mile;
 - c. the oil content of the polluted water may not exceed 15 mg/liter;
 - d. the oil and water separation equipment, the filtering system and the monitoring and controlling devices of oil discharge must be in normal working condition;
 - e. the discharge must be done on the ebbtide.
- (2) the discharge of oil-polluted water from the engine rooms of oil tankers of 150 gross tonnage or more and non-oil tankers of 400 gross tonnage or more must, in addition to satisfying a, b, d, and e of the above-listed general requirements, also meet the following requirements:
 - a. discharge must be done beyond 12 nautical miles from the nearest land;
 - b. the oil content of the polluted water may not exceed 100 mg/liter.
- (3) the discharge of ballast water and the water from the washing of cabins of oil tankers of 150 gross tonnage or more must, in addition to satisfying b and d of the above-listed general requirements, also meet the following requirements:
 - a. dumping must be done 50 nautical miles away from the nearest land;
 - b. the total amount of oil discharged in each ballast voyage may not exceed 1/15000 of the total amount of oil carried for existing oil tankers, and not exceed 1/30000 for new oil tankers.

第五章 船舶装运危险货物

第二十一条 船舶装运易燃、易爆、腐蚀、有毒害和放射性的危险货物，应采取必要的安全和防环境措施。应悬挂规定的信号，遵守中华人民共和国交通部《船舶装载危险货物监督管理规则》、《水路危险货物运输规则》和国际海事组织《国际海上危险货物运输规则》，防止发生事故造成危险货物散落或溢漏环境海域。

第二十二条 船舶在港内进行散装有毒害液态危险货物时，参照执行本条例第十七条的各项规定。

第二十三条 船舶在港口进行装卸有毒害、含腐蚀或放射性危险货物时，船方和作业单位都必须采取预防措施，防止货物落水。如发生事故，应采取紧急措施，进行打捞清除，并立即向港务监督报告，及时通告有关单位，采取措施，防止造成重大危害。

第六章 船舶其他污水

第二十四条 核动力船舶和装载放射性物质的船舶，必须遵守《中华人民共和国海洋环境保护法》第三十一条的规定。

第二十五条 来自有疫情港口船舶的压舱水，应申请卫生检疫部门进行卫生处理。

第二十六条 装运有毒害、含腐蚀性货物的船舶，排放含有该物质的洗舱水，必须符合以下各项：

- (一) 在批准的区域；
- (二) 距最近陆地 12 海里以外，水深 25 米以上；
- (三) 在航行中，且船速不小于七节，非自航船，航速不小于四节；
- (四) 在退潮时；
- (五) 固体残余物，不得排入海域，必须回收处理；
- (六) 将排放情况记入《航海日志》。

第七章 船舶垃圾

第二十七条 船舶垃圾不得任意倒入港区水域。装载有毒害货物，以及粉尘飞扬的散装货物的船舶，不得任意在港内冲洗甲板和舱室，或以其他方式将残物排入港内。确需冲洗的，事先必须申请港务监督批准。

第二十八条 在港船舶，凡需清倒船舶垃圾的，应在船上显示海港规定的信号，招用垃圾清倒船（车）接收处理。并应做到：

- (一) 船舶生活垃圾的储集容器，必须有盖和不渗漏，并定期进行清倒；
- (二) 船舶的垫舱，扫舱物料和各种固体垃圾，应由港口船舶服务部门进行清

Chapter V Dangerous Goods Carried by Vessels

Article 21 Vessels carrying dangerous goods with inflammable, explosive or corrosive, toxic and radioactive substances shall adopt necessary safety and anti-pollution measures. They shall raise the stipulated signals, observe the "Regulations on Supervision and Control of Dangerous Goods Carried by Vessels" and "Regulations on Transportation of Dangerous Goods through Water Routes" of the Ministry of Communications of the People's Republic of China and the "Rules on Transportation of Dangerous Goods on International Seas" of the International Maritime Organization, and prevent occurrence of accidents that will cause the dangerous goods to scatter or leak out to pollute the sea areas.

Article 22 When vessels are loading dangerous toxic bulk liquids at the harbor, the various stipulations prescribed in Article 17 of these Regulations may be referred to for implementation.

Article 23 When vessels are loading and unloading dangerous goods of a toxic, corrosive or radioactive nature, both the vessels and the operation units must adopt precautionary measures to prevent the goods from falling into the water. Should accidents occur, urgent measures shall be adopted to retrieve and remove the goods. Reports shall be made immediately to the harbor superintendencies and the relevant units must be informed in good time, so that measures will be adopted to prevent major damage.

Chapter VI Other Polluted Water from Vessels

Article 24 Nuclear powered vessels and vessels carrying radioactive substances must observe the stipulations in Article 31 of the Marine Environmental Protection Law of the People's Republic of China.

Article 25 Vessels from epidemic-affected ports shall apply to the sanitation and quarantine department for sanitary treatment of the ballast water thereof.

Article 26 Vessels carrying toxic goods and goods containing corrosive substances must, in discharging hold-washings containing such substances, conform to the following requirements:

- (1) discharge within the approved areas;
- (2) discharge 12 nautical miles away from the nearest land, and the depth of the water exceed 25 meters;
- (3) discharge in the course of navigating, and at a speed of not less than 7 knots and for non-self-navigating vessels, not less than 4 knots;
- (4) discharge on the ebbtide;
- (5) solid residue materials may not be discharged into the sea areas; they must be retrieved for disposal;
- (6) entries must be made of discharges in the "navigation logbook".

Chapter VII Garbage from Vessels

Article 27 Garbage from vessels shall not be dumped at will into harbor waters. Vessels carrying toxic or dusty bulk goods may not wash the decks and cabins at will in the harbors, or discharge the residue materials in the harbors in any other ways. If washing is really necessary, applications must be submitted to the harbor superintendencies in advance for approval.

Article 28 Any vessel in the harbor that needs to dump garbage shall raise on board signals as designated by the harbor, and hire garbage boats/trucks to dispose of it. At the same time the following requirements must be met:

- (1) the containers for storing and collecting domestic garbage of the vessel must have covers and may not leak, and dumping must be done at regular intervals;
- (2) cabin paddings, materials used for sweeping the cabin and various types of solid garbage shall be dumped by the shipping service departments; the vessel shall apply to these departments in advance

倒，船方应事先向港口船舶服务部门提出申请，并提供清倒物的种类和数量；

(三) 在船舶垃圾中，含有毒害或其他危险货物成分的，船方在申请清倒时，必须提供这些物质的品名、性质和数量，并严格和其他垃圾分开堆放。

第二十九条 来自有疫情港口的船舶垃圾，应申请卫生检疫部门进行卫生处理。

第三十条 船舶在海上处理垃圾，应符合以下规定：

(一) 塑料制品不得投弃入海；

(二) 船舶生活垃圾及食品废弃物，经过粉碎处理，粒径小于 25 毫米的，可在距最近陆地 3 海里的以外投弃；未经粉碎处理的，应在距最近陆地 12 海里以外投弃。

第八章 使用船舶倾倒废弃物

第三十一条 任何单位需使用船舶倾倒废弃物的，应向起运港的港务监督提交国家海洋局或其派出机构的批准文件，经核实后，方可办理船舶进出口签证。如发现实际装载的与所批准的内容不符，则不予办理签证。

第三十二条 船舶在执行倾倒废弃物任务时，船方要如实记录倾倒情况。返港后，船方应向当地港务监督作出书面报告。

第三十三条 外国籍船舶不得在中华人民共和国管辖海域内进行倾倒废弃物作业，包括弃置船舶和其他浮动工具。

第九章 水上、水下船舶修造打捞 和拆船工程

第三十四条 船舶修造、打捞和拆船单位，均应备有足够的防止环境器材和设备。水上、水下船舶施工，应采取预防措施，防止油类、油性混合物和其他废弃物环境海域。水上船舶施工的油污水，按本条例第十九条、第二十条规定处理。

第三十五条 在水上进行船舶修造作业的集中区域，应设置围油栏，防止散落水上的油类和油漆扩散，并应及时清理。修造过程中的工业垃圾及其他废弃物，由施工单位组织回收处理，不得投弃入海。

第三十六条 在水上进行拆船的，拆除的物件不得投弃入海。船底和油柜不得在水上进行拆除，必须拖到岸上进行拆除作业，残油要回收处理。

第三十七条 船舶发生海损事故，或有可能沉没时，船员离船前，应尽可能地关闭所有油舱（柜）管系的阀门，堵塞油舱（柜）通气孔，防止溢油。并应在海事报告书中，说明存油的数量及通气孔的位置。

第三十八条 在进行水下船舶的打捞工程时，应采取措施防止油污扩大和新的环境发生。

and provide the information about the types and amounts of the materials to be dumped;

(3) with respect to the garbage containing toxic or other dangerous substances, the vessel, in applying for dumping, must provide the names, nature and amounts of these materials which shall be strictly separated from other garbage.

Article 29 With respect to the garbage of vessels from epidemic-affected ports, applications shall be submitted to the sanitation and quarantine department for sanitary treatment of the vessels.

Article 30 Vessels disposing of garbage at sea shall conform to the following stipulations:

(1) plastic products may not be cast off into the sea;

(2) granulated domestic garbage and kitchen wastes of less than 25mm in diameter may, after pulverization treatment, be cast off beyond 3 nautical miles from the nearest land; those which have not been thus treated shall be cast off beyond 12 nautical miles from the nearest land.

Chapter VIII Use of Vessels to Dump Waste Materials

Article 31 Any unit that needs to use vessels to dump waste materials shall submit the document of approval by the State Oceanography Bureau or by its agency to the harbor superintendency of the harbor where shipment starts, and may go through the visa procedures for the vessels to make their entry and exit only after verification. If the actual cargoes are found to be not in conformity with the contents approved, the visa application shall be rejected.

Article 32 When performing operations of dumping waste materials, the vessel shall make accurate records of the dumping. After coming back to the harbor, the vessel shall report in written form to the harbor superintendency.

Article 33 Foreign vessels may not, in the sea areas under the jurisdiction of the People's Republic of China, perform operations of dumping waste materials including discarding vessels and other means of floatation.

Chapter IX Surface and Submerged Projects of Ship Repair, Ship Building, Ship Salvage and Ship Scrapping

Article 34 Ship repairing, scrapping and salvaging units shall all be equipped with sufficient anti-pollution equipment and facilities. While engineering projects are under way with a ship, either above or under water, precautionary measures shall be adopted to prevent oils, oil mixtures and other waste materials from polluting the sea areas. The oil-polluted water from the project on ship above water shall be treated in accordance with the stipulations of Articles 19 and 20 of these Regulations.

Article 35 In areas where there are concentrated surface operations of ship repairs and ship building, enclosures shall be set up to prevent the floating of oil and paint from spreading and to facilitate the prompt cleaning. Industrial garbage and other waste materials from the process of repairing and construction shall not be cast off into the sea, but rather, they shall be retrieved and treated by the construction units.

Article 36 In surface ship scrapping, the scraps may not be cast off into the sea. The bottom of the ship and the oil tank may not be dismantled in the sea; they must be dragged to the shore for dismantling operations and the residue oil must be retrieved and disposed of.

Article 37 In case of marine damage by vessels, or when vessels might sink, the crew shall, before leaving the vessels, as far as possible shut the valves of all the piping systems in and stop up the air vents of the oil cabins (tanks), so as to prevent oil spill. The amount of the oil in stock and the positions of the air vents shall be clearly stated in the maritime reports.

Article 38 In conducting ship salvaging project under water, measures shall be adopted to prevent the spread of oil pollution and emergence of new pollution.

第十章 船舶环境事故的损害赔偿

第三十九条 凡违反《中华人民共和国海洋环境保护法》和本条例，造成海洋环境环境损害的船舶，港务监督可以责令其支付消除环境费，赔偿国家损失。当事人不服的，可按《中华人民共和国海洋环境保护法》第四十一条规定向人民法院起诉。

第四十条 凡由船舶造成海洋环境，受到环境损害的单位和个人，需要进行民事责任索赔的，按《中华人民共和国海洋环境保护法》第四十二条规定的处理程序处理。赔偿责任和赔偿金额纠纷，可由港务监督调解处理，当事人对处理不服的，可以向人民法院起诉；也可以直接向人民法院起诉。涉外案件还可以按仲裁程序解决。

第四十一条 凡受船舶环境损害要求赔偿的单位和个人，如果申请港务监督处理，应尽快向就近的港务监督提交环境损害索赔报告书。该报告应包括以下内容：

(一) 受船舶环境损害的时间、地点、范围、对象，以及当时的气象、水文情况；

(二) 受环境损害（包括水产资源和各种器具）的损失清单，包括品名、数量、单价、计算方法，以及养殖或自然的情况；

(三) 有关科研部门鉴定或公证机关对损害情况的鉴证；

(四) 尽可能提供的受环境损害的原始单证，有关情况的照片，其他有关索赔的证明单据、材料。

第四十二条 参与清除船舶环境损害，需要索取清除环境费用的单位和个人，在清除环境工作结束后，应尽快向有关港务监督提交索取消除环境费用报告书，该报告书应包括：

(一) 清除环境的时间、地点、日程记录或《航海日志》摘录；

(二) 投入的人力、机具、船只、清除材料的数量、单价、计算方法；

(三) 组织清除的管理费、交通费及其他有关费用；

(四) 清除效果及情况报告；

(五) 其他有关证据和证明材料。

第四十三条 船舶在中华人民共和国管辖的海域发生环境事故，应尽快向就近的港务监督报告，在船舶进入第一港口后，应立即向港务监督提交报告书，并接受调查处理。该报告书的内容应包括：船舶环境发生的时间、地点、范围、气象、水文情况，经过情况、抢救和清除措施，原因和损害，并应附送有关的材料。

第四十四条 船舶发生环境事故，船舶所有人要求免于承担赔偿责任的，应向港务监督提出报告。该报告应能证实环境损害是完全属于《中华人民共和国海洋环

Chapter X Compensation for Harm from Pollution Accidents Caused by Vessels

Article 39 In case of violation by vessels of the Marine Environmental Protection Law of the People's Republic of China and these Regulations that has caused pollution damage to the marine environment, the harbor superintendencies may order the payment of a fee for eliminating the pollution, and compensation for the state's losses. If the party concerned does not accept the order, he may bring a suit before the people's court in accordance with the stipulation of Article 41 of the Marine Environmental Protection Law of the People's Republic of China.

Article 40 In the event that units or individuals that have suffered pollution damage as a result of the marine environmental pollution by vessels demand civil liability compensation, the matter shall be handled in accordance with the handling procedures stipulated in Article 42 of the Marine Environmental Protection Law of the People's Republic of China. Disputes over liability for and the amount of compensation may be handled by the harbor superintendencies through conciliation. If a party does not agree, a suit may be brought before the people's court; a suit may also be brought directly in the people's court. Cases involving foreign vessels may also be solved in accordance with arbitration procedures.

Article 41 Any units or individuals that have suffered pollution damage by vessels and demand compensation, if they wish to have it handled by the harbor superintendencies, shall as quickly as possible submit a report for demanding compensation for pollution damage to a nearby harbor superintendency. This report shall include the following contents:

- (1) the time, location, scope and objects of the pollution damage caused by vessels, and the meteorological and hydrological circumstances therearound;
- (2) a detailed list of losses caused by the pollution damage (including aquatic resources and various implements), including the names, quantity, unit price, method of calculation, and the aquacultural and natural circumstances;
- (3) an appraisal by the relevant scientific research department or signature by the notary organ in confirmation of the situation of the harm; and
- (4) the original evidences of the pollution damage, the photographs of the circumstances therearound, and other supporting documents and materials relevant to demanding compensation.

Article 42 Units and individuals that have participated in eliminating the pollution damage by vessels and those who demand payment of fees for eliminating the pollution shall, after completion of eliminating the pollution, submit as quickly as possible a report for demanding payment of fees for eliminating the pollution to the relevant harbor superintendency; this report shall include:

- (1) the time, place and the recorded schedule or the extracts from the "navigation logbook" relevant to the elimination of pollution;
- (2) the quantity of manpower, machines and tools, vessels and eliminating materials put in, and the unit price and the method of calculating;
- (3) the management, travel and other relevant expenses in organizing the elimination;
- (4) a report on the results and the situation of the elimination; and
- (5) other relevant evidence and supporting materials.

Article 43 When a vessel-induced pollution accident occurs in the sea areas under the jurisdiction of the People's Republic of China, it shall be reported as quickly as possible to the nearby harbor superintendency. A report shall immediately be submitted to the superintendency upon the vessel's entry into the first harbor. The matter is then subject to investigation and handling. Included in the report shall be the time, the location, the scope, the meteorological and hydrological circumstances, the process, the measures of rescue and elimination, and the causes and damages of the pollution; other relevant materials shall be appended.

Article 44 In case of vessel-induced pollution, the shipowners who request exemption from liability compensation shall submit to the harbor superintendency a report, which shall be able to prove

境保护法》第四十三条所列的情形之一，并经过及时采取合理措施仍不能避免对海洋环境造成环境损害的。

第四十五条 港务监督受理的因船舶环境而引起的赔偿责任和赔偿金额的纠纷，在调查了解的基础上，可进行调解或根据调查结果作出处理。

第十一章 处罚与奖励

第四十六条 凡由于船舶违反《中华人民共和国海洋环境保护法》和本条例，造成或可能造成对中华人民共和国管辖海域和海港水域环境损害的，港务监督视其责任情节的轻重和环境损害的程度，可以处以警告，或对船舶所有人处以罚款。

第四十七条 对船舶所有人的罚款，最高额为人民币 10 万元。但对下列情况之一者，罚款的最高额为人民币 1000 元：

- (一) 未经批准，擅自使用消油剂；
- (二) 未按规定配备《油类记录簿》；
- (三) 《油类记录簿》的记载非正规化，或记载伪造事实；
- (四) 阻挠港务监督检查。

对有直接责任的船员或其他个人，应予以教育，情节严重的也可罚款，但所罚款额最高不得超过本人月基本工资的 20%。

第四十八条 船舶发生环境事故，或违章排污，经调查，证据确凿，不论其承认与否，同样按规定处理。

第四十九条 当事人对行政处罚决定不服的，按《中华人民共和国海洋环境保护法》第四十一条规定办理。

第五十条 对船舶发生环境事故，能主动检举、揭发，积极提供证据，或采取有效措施减少环境损害有突出成绩的个人，应给予表扬或奖励。

第五十一条 对肇事船舶或直接责任人员的罚款，全部列专款上缴国库。对本条例第五十条中有关人员的奖励金，由国家财政核拨。

第十二章 附 则

第五十二条 本条例中下列用语的含义是：

(一) “海港”是指沿海港口以及河流入海处附近，以靠泊海船为主的港口，包括该港区范围内的水域和通海航道。

(二) “船舶”是指一切类型的机动和非机动船只，但不包括海上石油勘探开发作业中的固定式和移动式平台。

(三) “油类”是指任何类型的油及其炼制品。

(四) “船舶垃圾”是指船舶在营运生产过程中，自身正常产生的船员生活垃圾，

that the pollution damage has been caused entirely by one of the circumstances as listed in Article 43 of the Marine Environmental Protection Law of the People's Republic of China, and that the pollution damage to the marine environment still can not be avoided despite all prompt and reasonable measures.

Article 45 The harbor superintendencies may, on the basis of investigation and study, conduct mediation or, in accordance with the results of the investigation, handle cases of disputes that concern compensatory liabilities and the amount of payment due to vessel-induced pollution.

Chapter XI Penalty and Rewards

Article 46 With respect to vessels in violation of the Marine Environmental Protection Law of the People's Republic of China and these Regulations that have caused or may cause pollution damage to the sea areas and harbor areas under the jurisdiction of the People's Republic of China, the harbor superintendencies may give a warning or impose a fine on the shipowner according to the seriousness of the liabilities thereof and the graveness of the pollution damage.

Article 47 The maximum amount of a fine on a shipowner is 100,000 RMB yuan. However, in any of the following cases, the maximum amount of a fine to be imposed is 1,000 RMB yuan:

- (1) unauthorized use of oil-eliminating agents;
- (2) having no "oils record book" as stipulated;
- (3) making entries that are not up to standard or even false entries in the "oils record book";
- (4) obstructing inspection by the harbor superintendencies.

Crew and other individuals directly responsible shall be given inculcation, and in serious cases fines may also be imposed, but the maximum amount of a fine may not exceed 20% of the basic salary of the person in question.

Article 48 Cases of vessel-induced pollution, or of pollutant discharge by vessels in violation of relevant regulations shall, after investigation and with conclusive evidence, be handled in accordance with stipulations regardless of whether the party concerned confess or not.

Article 49 If a party concerned does not accept the decision on the administrative sanction, the matter shall be handled in accordance with the stipulation of Article 41 of the Marine Environmental Protection Law of the People's Republic of China.

Article 50 Individuals who, on their own initiative, report and expose pollution accidents by vessels, actively provide evidence, or adopt effective measures to reduce pollution damage with outstanding results, shall be commended and rewarded.

Article 51 The fines paid by the vessels that caused the pollution damage or the directly responsible personnel shall all be turned over to the state treasury as special funds. The money rewards for the relevant personnel prescribed in Article 50 of these Regulations shall be allocated from state finance after verification.

Chapter XII Supplementary Provisions

Article 52 The terms as used in these Regulations are defined as follows:

(1) "Harbors" refers to the coastal ports and the ports in the vicinity of the river outlet to the sea, whose main function is for the seagoing vessels to dock, and which include the water areas and the sea lanes within the limits of these port zones.

(2) "Vessels" refers to motor-driven and non-motor-driven vessels of all types, but not including stationary and mobile platforms used in the operations of exploration and development for offshore petroleum.

(3) "Oils" refers to all kinds of oils and their refined products.

(4) "Garbage from the vessels" refers to the domestic garbage of the crew, the slag, pads and materials used to partition cabins and the materials swept out of the cabins normally generated by the vessels themselves in the course of their shipping business and production, and such materials as the scrapped tools, rigging and spare parts of machines on the vessels.

炉渣、垫、隔舱和扫舱物料，以及船上损耗报废的工索具和机器零件等。

(五)“现有船舶”系指 1983 年 3 月 1 日以前交船的船舶。

第五十三条 对外国籍船舶的管理，除执行本条例外，可实行与该船舶所属国对等原则的管理。

第五十四条 国家渔政渔港监督管理机构，在渔港水域内，行使本条例规定的主管机关的职权。

第五十五条 海港中的军事管辖区及军用船舶的内部防止环境管理，由军队环境保护部门依据《中华人民共和国海洋环境保护法》和本条例，另行具体规定。

第五十六条 本条例自发布之日起施行。

(5) "Existing vessels" refers to the vessels available before March 1, 1983.

Article 53 With regard to the control of foreign vessels, in addition to implementing these Regulations, the principle of reciprocity with the countries that the vessels belongs to may be applied.

Article 54 The State fishing administrations and organs of supervision and control of fishing ports shall exercise the functions and powers of the organs in charge as stipulated in these Regulations in the fishing harbor water areas.

Article 55 With respect to the prevention of pollution in areas under military control and on board military vessels, the military environmental protection departments shall formulate separate specific stipulations in accordance with the Marine Environmental Protection Law of the People's Republic of China and these Regulations.

Article 56 These Regulations shall be effective as of the date of promulgation.

中华人民共和国海洋倾废管理条例

(1985年3月6日国务院发布)

第一条 为实施《中华人民共和国海洋环境保护法》，严格控制向海洋倾倒废弃物，防止对海洋环境的环境损害，保持生态平衡，保护海洋资源，促进海洋事业的发展，特制定本条例。

第二条 本条例中的“倾倒”，是指利用船舶、航空器、平台及其他运载工具，向海洋处置废弃物和其他物质；向海洋弃置船舶、航空器、平台和其他海上人工构造物，以及向海洋处置由于海底矿物资源的勘探开发及与勘探开发相关的海上加工所产生的废弃物和其他物质。

“倾倒”不包括船舶、航空器及其他运载工具和设施正常操作产生的废弃物的排放。

第三条 本条例适其中：

一、向中华人民共和国的内海、领海、大陆架和其他管辖海域倾倒废弃物和其他物质；

二、为倾倒的目的，在中华人民共和国陆地或港口装载废弃物和其他物质；

三、为倾倒的目的，经中华人民共和国的内海、领海及其他管辖海域运送废弃物和其他物质；

四、在中华人民共和国管辖海域焚烧处置废弃物和其他物质。

海洋石油勘探开发过程中产生的废弃物，按照《中华人民共和国海洋石油勘探开发环境保护管理条例》的规定处理。

第四条 海洋倾倒废弃物的主管部门是中华人民共和国国家海洋局及其派出机构（简称“主管部门”，下同）。

第五条 海洋倾倒区由主管部门商同有关部门，按科学合理、安全和经济的原则划出，报国务院批准确定。

第六条 需要向海洋倾倒废弃物的单位，应事先向主管部门提出申请，按规定的格式填报倾倒废弃物申请书，并附报废弃物特性和成分检验单。

主管部门在接到申请书之日起两个月内予以审批。对同意倾倒者应发给废弃物倾倒许可证。

任何单位和船舶、航空器、平台及其他运载工具，未依法经主管部门批准，不得向海洋倾倒废弃物。

第七条 外国的废弃物不得运至中华人民共和国管辖海域进行倾倒，包括弃置船舶、航空器、平台和其他海上人工构造物。违者，主管部门可责令其限期治理，

Regulations on Control over Dumping of Wastes in the Ocean

(Promulgated by the State Council on March 6, 1985)

Article 1 These Regulations are specially formulated for the implementation of the "Marine Environmental Protection Law of the People's Republic of China" in order to keep a tight control over the dumping of wastes into the ocean so as to prevent pollution damage to marine environment, keep the ecological balance, protect marine resources, and promote the development of ocean undertakings.

Article 2 The term "dumping" as used in these Regulations refers to discharging wastes and other substances into the ocean by means of vessels, aircraft, platforms and other means of transportation. It also refers to discharge of vessels, aircraft, platforms and other man-made structures used on the sea. In addition, it also refers to the discharge of wastes and other substances caused by the submarine exploration and exploitation of mineral resources and the related maritime processing.

"Dumping" does not include the drainage from the vessels, aircraft, and other means of transportation and equipment working under normal conditions.

Article 3 These Regulations are applicable to the following:

1. dumping wastes and other substances into the inland sea, territorial sea, continental shelves and other sea areas under the jurisdiction of the People's Republic of China;
2. loading wastes and other substances on land or at harbours of the People's Republic of China for the purpose of dumping;
3. the transport of wastes and other substances through the inland sea, territorial sea and other sea areas under the jurisdiction of the People's Republic of China for the purpose of dumping;
4. burning wastes and other substances within the sea areas under the jurisdiction of the People's Republic of China;

The wastes produced in the process of offshore oil exploration and exploitation shall be dealt with according to the Regulations of the People's Republic of China on Administration of Environmental Protection in the Exploration and Development of Offshore Petroleum.

Article 4 The competent departments responsible for matters concerning the dumping of wastes are the National Oceanographic Bureau and its agencies (hereinafter referred to as "the competent department").

Article 5 The areas for dumping shall be designated by the competent department through consultation with relevant departments in accordance with the principles of being scientific, rational, safe and economical and shall be submitted to the State Council for approval.

Article 6 Units that need to dump wastes into the ocean shall apply for permission to the competent department, and fill out according to set formula the application forms for dumping wastes together with an examination report on the characteristics and components of the wastes.

The competent department shall process the application within 2 months of receipt of the application and a dumping permit shall be granted to those approved to dump.

No units, vessels, aircraft, platforms and other means of transportation are permitted to dump wastes into the ocean without the approval of the competent department.

Article 7 Wastes of foreign countries may by no means be brought to the sea areas under the jurisdiction of the People's Republic of China for dumping; these include vessels, aircraft, platforms and other man-made structure used on the sea. Those who violate these Regulations shall be ordered to clean the sea area within a limited time, pay for the elimination of pollutants and compensation for losses thus incurred and be fined by the competent department. Those who dump wastes outside the

支付清除环境费，赔偿损失，并处罚款。

在中华人民共和国管辖海域以外倾倒废弃物，造成中华人民共和国管辖海域环境损害的，按本条例第十七条规定处理。

第八条 为倾倒的目的，经过中华人民共和国管辖海域运送废弃物的任何船舶及其他载运工具，应当在进入中华人民共和国管辖海域十五天之前，通报主管部门，同时报告进入中华人民共和国管辖海域的时间、航线、以及废弃物的名称、数量及成分。

第九条 外国籍船舶、平台在中华人民共和国管辖海域，由于海底矿物资源的勘探开发及与勘探开发相关的海上加工所产生的废弃物和其他物质需要向海洋倾倒的，应按规定程序报经主管部门批准。

第十条 倾倒许可证应注明倾倒单位、有效期限和废弃物的数量、种类、倾倒方法等事项。

签发许可证应根据本条例的有关规定严格控制。主管部门根据海洋生态环境的变化和科学技术的发展，可以更换或撤销许可证。

第十一条 废弃物根据其毒性、有害物质含量和对海洋环境的影响等因素，分为三类。其分类标准，由主管部门制定。主管部门可根据海洋生态环境的变化，科学技术的发展，以及海洋环境保护的需要，对附件进行修订。

一、禁止倾倒附件一所列的废弃物及其他物质（见附件一）。当出现紧急情况，在陆地上处置会严重危及人民健康时，经国家海洋局批准，获得紧急许可证，可到指定的区域按规定的方法倾倒。

二、倾倒附件二所列的废弃物（见附件二），应当事先获得特别许可证。

三、倾倒未列入附件一和附件二的低毒或无毒的废弃物，应当事先获得普通许可证。

第十二条 获准向海洋倾倒废弃物的单位在废弃物装载时，应通知主管部门予以核实。

核实工作按许可证所载的事项进行。主管部门如发现实际装载与许可证所注明内容不符，应责令停止装运；情节严重的，应中止或吊销许可证。

利用船舶倾倒废弃物的，还应通知驶出港或就近的港务监督核实。港务监督如发现实际装载与许可证所注明内容不符，则不予办理签证放行，并及时通知主管部门。

第十三条 主管部门应对海洋倾倒活动进行监视和监督，必要时可派员随航。倾倒单位应为随机公务人员提供方便。

第十四条 获准向海洋倾倒废弃物的单位，应当按许可证注明的期限和条件，到指定的区域进行倾倒，如实地详细填写倾倒情况记录表，并按许可证注明的要求，将记录表报送主管部门。倾倒废弃物的船舶、航空器、平台和其他载运工具应有明显标志和信号，并在航行日志上详细记录倾倒情况。

第十五条 倾倒废弃物的船舶、航空器、平台和其他载运工具，凡属《中华人民共和国海洋环境保护法》第四十三条规定的情形，可免于承担赔偿责任。

sea areas of the People's Republic of China and cause pollution damage to the sea areas under the jurisdiction of the People's Republic of China shall be dealt with according to Article 17 of these Regulations.

Article 8 Vessels or other means of transportation that carry wastes through the sea areas under the jurisdiction of the People's Republic of China for dumping purposes must inform the competent department of China 15 days before the vessels enter the sea areas under the jurisdiction of the People's Republic of China.

They are also required to report the time of entry, routes, names of waste matters, quantities and components.

Article 9 Foreign vessels and platforms in the sea areas of under the jurisdiction of the People's Republic of China that need to dump wastes produced in the process of offshore exploration and exploitation of mineral resources and the related maritime processing shall get permission from the competent department according to the stipulated procedures.

Article 10 The dumping permit shall indicate dumping units, period of validity, quantity, the types of wastes and the method for dumping.

The issuing of certificates shall be kept under strict control according to the relevant provisions of these Regulations. The competent department may change or withdraw certificates in accordance with the changes in ecological environment and the development in science and technology.

Article 11 Waste matters fall into three categories in the light of their toxicity, content of harmful elements and the impact upon the marine environment. The criteria used for categorization shall be worked out as annex by the competent department and subject to amendment in the light of changes in ecological environment, the development in science and technology and the need in protecting the marine environment.

1. The dumping of wastes and other substances as listed in Annex I is prohibited. In times of emergency, when wastes cannot be disposed of on land because of its impact upon human health, emergency permits shall be issued with the approval of the National Oceanographic Bureau to dump wastes in prescribed ways and designated areas.

2. The dumping of wastes as listed in Annex II shall require special permits in advance.

3. The dumping of wastes of low or no toxicity other than those listed in Annex I and Annex II shall require ordinary permits in advance.

Article 12 Units which have already obtained permission to dump wastes shall notify the competent department for verification before loading the waste.

The work of verification shall be conducted according to the items in the permit. If the cargo is found not in conformity with the contents in the permit, the competent department shall order the loading to be stopped and, in serious cases, suspend or revoke the dumping permit.

The superintendency of the departure harbour or that of the nearest harbour shall be notified for verification of the dumping of wastes by vessels. If the cargo is found not in conformity with the contents in the permit, the harbour superintendency administration shall not grant the exit visa and shall immediately notify the competent department.

Article 13 The competent department shall monitor and supervise the dumping activities. If need be, it may also send agents to supervise on board. The dumping units shall offer facilitation for these functionaries.

Article 14 Those units with permission to discharge wastes shall carry out dumping in the designated areas, within the time limits and on the terms specified in the permit. They are required to fill out every detail of the discharge into record forms and submit the forms to the competent department following the instructions in the permit. Those vessels, aircraft, platforms and other means of transportation shall bear conspicuous marks and signals and make detailed entries in the Logbook of the waste dumping activities.

Article 15 The vessels, aircraft, platforms and other means of transportation engaged in dumping activities may, under any of the circumstances as specified in Article 43 of the Marine Environmen-

为紧急避险或救助人命，未按许可证规定的条件和区域进行倾倒时，应尽力避免或减轻因倾倒而造成的环境损害，并在事后尽快向主管部门报告。倾倒单位和紧急避险和救助人命的受益者，应对由此所造成的环境损害进行补偿。

由于第三者的过失造成环境损害的，倾倒单位应向主管部门提出确凿证据，经主管部门确认后责令第三者承担赔偿责任。

在海上航行和作业的船舶、航空器、平台和其他载运工具，因不可抗拒的原因而弃置时，其所有人应向主管部门和就近的港务监督报告，并尽快打捞清理。

第十六条 主管部门对海洋倾废区应定期进行监测，加强管理，避免对渔业资源和其他海上活动造成有害影响。当发现倾废区不宜继续倾废时，主管部门可决定予以封闭。

第十七条 对违反本条例，造成海洋环境环境损害的，主管部门可责令其限期治理，支付清除环境费，向受害方赔偿由此所造成的损失，并视情节轻重和环境损害的程度，处以警告或人民币十万元以下的罚款。

第十八条 要求赔偿损失的单位和个人，应尽快向主管部门提出环境损害索赔报告书。报告书应包括：受环境损害的时间、地点、范围、对象，损失清单，技术鉴定和公证证明，并尽可能提供有关原始单据和照片等。

第十九条 受托清除环境的单位在作业结束后，应尽快向主管部门提交索取清除环境费用报告书。报告书应包括：清除环境的时间、地点、投入的人力、机具、船只、清除材料的数量、单价、计算方法，组织清除的管理费、交通费、及其他有关费用，清除效果及其情况，其他有关证据和证明材料。

第二十条 对违法行为的处罚标准如下：

一、凡有下列行为之一者，处以警告或人民币 2000 元以下的罚款：

(一) 伪造废弃物检验单的；

(二) 不按本条例第十四条规定填报倾废情况记录表的；

(三) 在本条例第十五条规定的情况下，未及时向主管部门和港务监督报告的。

二、凡实际装载与许可证所注明内容不符，情节严重的，除中止或吊销许可证外，还可处以人民币 2000 元以上 5000 元以下的罚款。

三、凡未按本条例第十二条规定通知主管部门核实而擅自进行倾废的，可处以人民币 5000 元以上 2 万元以下的罚款。

四、凡有下列行为之一者，可处以人民币 2 万元以上 10 万元以下的罚款：

(一) 未经批准向海洋倾废废弃物的；

(二) 不按批准的条件和区域进行倾废的，但本条例第十五条规定的情况不在此限。

第二十一条 对违反本条例，造成或可能造成海洋环境环境损害的直接责任人，主管部门可处以警告或者罚款，也可以并处。

对于违反本条例，环境损害海洋环境造成重大财产损失或致人伤亡的直接责任人，由司法机关依法追究刑事责任。

tal Protection Law of the People's Republic of China, be exempt from bearing responsibilities for compensation.

For emergency or rescue purposes, vessels shall try to avoid or reduce pollution damage when dumping wastes into ocean with no regard to terms and areas as specified in the permit and report to the competent department as soon as possible. The waste pumping unit and beneficiaries of the emergency or rescue act shall make compensation for the pollution damage.

If the pollution damage is due to the fault of a third party, the waste dumping unit shall provide the competent department with irrefutable evidence. The third party shall bear the responsibility for compensation upon confirmation by the competent department.

When vessels, aircraft, platforms and other means of transportation navigating or operating on the sea are abandoned for irresistible reasons, their owners shall report to the competent department and the nearby harbour superintendency administrations, and shall carry out at once the work of salvaging and cleaning.

Article 16 The competent department shall conduct regular monitoring and testing in the dumping areas, strengthen administration and avoid harmful effect on fishery resources and other activities on the sea. The competent departments may close any area when finding it no longer suitable for waste dumping.

Article 17 Those who, in violation of these Regulations, cause pollution damage to the marine environment may be ordered by the competent department to clean up, pay the cost of eliminating the pollutants and compensate for the victims' losses. A warning or a fine up to 100,000 RMB yuan shall be imposed according to different situations and the graveness of harm done by the waste dumping.

Article 18 Units and individuals demanding compensation shall submit a report of pollution damage claim to the competent department as soon as possible. The report shall include the time, place, area, object of the damage, list of losses, technical authentication, and notarization. Relevant original documents and photos shall be of help.

Article 19 Units entrusted with the job to eliminate pollutants shall, upon completion of the job, submit a report of claim to the competent department as soon as possible on expenses on eliminating pollution. The report shall include time, place, manpower involved, equipment, vessels, quantity of materials, unit price, methods of calculation, management fee, transportation fee, other relevant expenses, result, other relevant evidence and supporting materials.

Article 20 Standards for penalties on law breaking acts:

1. Anyone involved in one of the following acts shall be warned or fined 2,000 RMB yuan or less:
 - (1) forging inspection reports on wastes;
 - (2) failure to make waste dumping records according to Article 14 of these Regulations;
 - (3) failure to report to the competent department and harbour superintendency administrations in time under the situation defined in Article 15 of these Regulations.
2. If the actual cargo does not conform to the contents in the dumping permit and the case is serious, apart from suspension or revoking of the permit, a fine ranging from 2,000 to 5,000 RMB yuan may be imposed.
3. Those who dump wastes without informing the competent department for verification in accordance with Article 12 of these Regulations may be fined from 5,000 to 20,000 RMB yuan.
4. A fine of 20,000 to 100,000 RMB yuan may be imposed for any of the following acts:
 - (1) dumping wastes into the ocean without permission;
 - (2) failure to dump wastes according to the approved terms and in the designated areas, excluding circumstances specified in Article 15 of these Regulations.

Article 21 Those directly responsible for violation of these Regulations which has caused or is likely to cause pollution damage to the environment may be given a warning or a fine, or both, by the competent department.

Those directly responsible for violation of these Regulations which has caused damage to marine environment resulting in serious property losses or personal injuries and deaths, shall be dealt with by

第二十二条 当事人对主管部门的处罚决定不服的，可以在收到处罚通知书之日起 15 日内，向人民法院起诉；期满不起诉又不履行处罚决定的，由主管部门申请人民法院强制执行。

第二十三条 对违反本条例，造成海洋环境环境损害的行为，主动检举、揭发，积极提供证据，或采取有效措施减少环境损害有成绩的个人，应给予表扬或奖励。

第二十四条 本条例自 1985 年 4 月 1 日起施行。

附件一 禁止倾倒的物质

一、含有机卤素化合物、汞及汞化合物、镉及镉化合物的废弃物，但微含量的或能在海水中迅速转化为无害物质的除外。

二、强放射性废弃物及其他强放射性物质。

三、原油及其废弃物、石油炼制品、残油，以及含这类物质的混合物。

四、渔网、绳索、塑料制品及其他能在海面漂浮或在水中悬浮，严重妨碍航行、捕鱼及其他活动或危害海洋生物的人工合成物质。

五、含有本附件第一、二项所列物质的阴沟污泥和疏浚物。

附件二 需要获得特别许可证才能倾倒的物质

一、含有下列大量物质的废弃物：

(一) 砷及其化合物；

(二) 铅及其化合物；

(三) 铜及其化合物；

(四) 锌及其化合物；

(五) 有机硅化合物；

(六) 氰化物；

(七) 氟化物；

(八) 铍、铬、镍、钒及其化合物；

(九) 未列入附件一的杀虫剂及其副产品。

但无害的或能在海水中迅速转化为无害物质的除外。

二、含弱放射性物质的废弃物。

三、容易沉入海底，可能严重障碍捕鱼和航行的容器、废金属及其他笨重的废弃物。

四、含有本附件第一、二项所列物质的阴沟污泥和疏浚物。

judicial organs for their legal liabilities.

Article 22 The party concerned that does not accept the penalty imposed by the competent department may bring a suit before the people's court within 15 days of receipt of the written decision on the penalty. If no suit is filed, nor has the decision been carried out upon the expiration of that period, the competent department shall petition the people's court to enforce the decision in accordance with the law.

Article 23 Those who, on their own initiative, expose, report on and provide evidences against acts that have violated these Regulations and caused pollution damage to marine environment, or who have done meritorious deeds by taking effective measures to reduce pollution damage shall be commended or awarded.

Article 24 These Regulations shall come into force on April 1, 1985.

Annex I Substances Forbidden to be Dumped

1. Wastes containing organic halogen compounds, mercury and mercury compounds, cadmium and cadmium compounds, with the exclusion of those containing negligible quantity of them and those which can soon change into harmless substances in the sea water.
2. Wastes with strong radioactivity and other substances that are strongly radio active.
3. Crude oil and oil waste, refined oil products, residual oil and such oil mixtures.
4. Fishing net, ropes, plastic products and other artificial synthesis which can float on the surface or suspend in the water, and thus seriously interfere with navigation, fishing and other activities, or endanger the ocean life.
5. Sewer mud and dredged stuff containing substances as listed in 1 and 2 of this Annex.

Annex II Substances to be Dumped only with Special Permits

1. Wastes that have a high content of the following substances:
 - (1) arsenic and its chemical compounds;
 - (2) lead and its chemical compounds;
 - (3) copper and its chemical compounds;
 - (4) zinc and its chemical compounds;
 - (5) chemical compounds of organic silicon;
 - (6) cyanides;
 - (7) fluorine chemicals;
 - (8) beryllium, chromium, nickel, vanadium and their chemical compounds;
 - (9) pesticides and their byproducts which are not listed in Annex I.Those which are harmless or can soon dissolve into harmless substances in the sea shall be excluded.
2. Wastes that contain weak radioactive matters.
3. Containers, waste metals and other heavy waste materials that will easily sink to the bottom of the sea and might seriously hinder fishing or navigation.
4. Sewer mud and dredged stuff containing substances listed in 1 and 2 of this annex.

七、噪声污染管理

VII Environmental Noise

中华人民共和国环境噪声污染防治法

(1996年10月29日第八届全国人民代表大会
常务委员会第二十二次会议通过，国家主席于同日公布)

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- 第三章 工业噪声污染防治
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- 第五章 交通运输噪声污染防治
- 第六章 社会生活噪声污染防治
- 第七章 法律责任
- 第八章 附 则

第一章 总 则

第一条 为防治境况噪声污染，保护和改善生活境况，保障人体健康，促进经济和社会发展，制定本法。

第二条 本法所称境况噪声，是指在工业生产、建筑施工、交通运输和社会生活中所生活的干扰周围生活境况的声音。

本法所称境况噪声污染，是指所生活的境况噪声超过国家规定的境况噪声排放标准，并干扰他人正常生活、工作和学习的现象。

第三条 本法适用于中华人民共和国领域内境况噪声污染的防治。

因从事本职生产、经营工作受到噪声危害的防治，不适用本法。

第四条 国务院和地方各级人民政府应当将境况噪声污染防治工作纳入境况保护规划，并采取有利于声境况保护的经济、技术政策和措施。

第五条 地方各级人民政府在制定城乡建设规划时，应当充分考虑建设项目和区域开发、改造所生活的噪声对周围生活境况的影响，统筹规划，合理安排功能区和建设布局，防止或者减轻境况噪声污染。

第六条 国务院境况保护行政主管部门对全国境况噪声污染防治实施统一监督管理。

县级以上地方人民政府境况保护行政主管部门对本行政区域内的境况噪声污染

Law on the Prevention and Control of Environmental Noise Pollution

(Adopted at the 22nd Session of the Standing Committee of the Eighth National People's Congress on October 29, 1996 and promulgated by Order No. 77 of the President of the People's Republic of China on October 29, 1996)

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Chapter I General Provisions

Article 1 This Law is enacted with a view to preventing and controlling environmental noise pollution, protecting and improving the living environment, safeguarding human health and promoting economic and social development.

Article 2 "Environmental noise" mentioned in this Law refers to the sound produced in industrial production, construction, traffic and transportation and social life so as to disturb the living environment in the neighbourhood.

"Environmental noise pollution" mentioned in this Law refers to an situation in which the noise is produced in excess of the standard set by the state on the discharge of environmental noise so as to disturb others' normal lives, work or study.

Article 3 This Law applies to the prevention and control of environmental noise pollution within the territory of the People's Republic of China.

This law is not applicable to the prevention and control of noise hazards suffered by persons who perform their duty in production or business operations.

Article 4 The State Council and local people's governments at all levels shall incorporate the prevention and control of environmental noise pollution into environmental protection plans, and take economic and technical policies and measures beneficial to the protection of sound environment.

Article 5 Local people's governments at all levels, when making plans for construction in cities, towns and villages, shall take into full account the impact of noise produced in construction projects and regional development and renovation on the neighbouring living environment, and shall make overall planning and rational arrangement for functional areas and distribution of constructions so as to prevent or diminish environmental noise pollution.

Article 6 The environmental protection department under the State council shall conduct unified supervision and management over the prevention and control of environmental noise pollution in the whole country.

Environmental protection departments of local people's governments at or above the county level shall conduct unified supervision and management over the prevention and control of environmental

防治实施统一监督管理。

各级公安、交通、铁路、民航等主管部门和港务监督机构，根据各自的职责，对交通运输和社会生活噪声污染防治实施监督管理。

第七条 任何单位和个人都有保护声境况的义务，并有权对造成境况噪声污染的单位和个人进行检举和控告。

第八条 国家鼓励、支持境况噪声污染防治的科学研究、技术开发，推广先进的防治技术和普及防治境况噪声污染的科学知识。

第九条 对在境况噪声污染防治方面成绩显著的单位和个人，由人民政府给予奖励。

第二章 境况噪声污染防治的监督管理

第十条 国务院境况保护行政主管部门分别不同的功能区制定国家声境况质量标准。

县级以上地方人民政府根据国家声境况质量标准，划定本行政区域内各类声境况质量标准的适用区域，并进行管理。

第十一条 国务院境况保护行政主管部门根据国家声境况质量标准和国家经济、技术条件，制定国家境况噪声排放标准。

第十二条 城市规划部门在确定建设布局时，应当依据国家声境况质量标准和民用建筑隔声设计规范，合理划定建筑物与交通干线的防噪声距离，并提出相应的规划设计要求。

第十三条 新建、改建、扩建的建设项目，必须遵守国家有关建设项目境况保护管理的规定。

建设项目可能生活境况噪声污染的，建设单位必须提出境况影响报告书，规定境况噪声污染的防治措施，并按照国家规定的程序报境况保护行政主管部门批准。

境况影响报告书中，应当有该建设项目所在地单位和居民的意见。

第十四条 建设项目的境况噪声污染防治设施必须与主体工程同时设计、同时施工、同时投产使用。

建设项目在投入生产或者使用之前，其境况噪声污染防治设施必须经原审批境况影响报告书的境况保护行政主管部门验收；达不到国家规定要求的，该建设项目不得投入生产或者使用。

第十五条 生活境况噪声污染的企业事业单位，必须保持防治境况噪声污染的设施的正常使用；拆除或者闲置境况噪声污染防治设施的，必须事先报经所在地的

noise pollution within their respective administrative divisions.

Departments at all levels of public security, traffic and transportation, railroad, civil aviation and harbour superintendency agencies shall, in accordance with their respective responsibilities, conduct supervision and management of the prevention and control of environmental noise pollution caused by traffic and transportation and social life.

Article 7 All units and individuals shall have the obligation to protect the sound environment and have the right to report on or file charges against any unit or individual that causes environmental noise pollution.

Article 8 The state encourages and supports scientific research and technological development for the prevention and control of environmental noise pollution, promotes advanced prevention and control techniques, and popularize scientific knowledge of the prevention and control of environmental noise pollution.

Article 9 Units or individuals that have made marked achievements in the prevention and control of environmental noise pollution shall be rewarded by the people's governments.

Chapter II Supervision and Management of the Prevention and Control of Environmental Noise Pollution

Article 10 The environmental protection department under the State Council shall establish the national standards for sound environment quality respectively for various functional areas.

Local people's governments at or above the county level shall, in accordance with the national standards for sound environment quality, designate areas within their administrative divisions for the implementation of various standards for sound environment quality and conduct management accordingly.

Article 11 The environmental protection department under the State Council shall, in accordance with the national standards for sound environment quality and the country's economic and technological conditions, establish the national standards for the discharge of environmental noise.

Article 12 When determining the layouts for urban construction, city planning departments shall, in accordance with the national standards for sound environment quality and rules of sound insulation for civil buildings, set rational distances between buildings and main traffic lines for preventing noises and propose corresponding planning and design requirements.

Article 13 New construction projects, extensions or reconstruction projects shall conform to the state provisions concerning environmental protection for such projects.

For any construction project which is likely to produce environmental noise, the construction unit shall propose an environmental impact statement, with prevention and control measures provided thereon, and shall, according to the procedure specified by the state, submit the same to the environmental protection department for examination and approval.

The environmental impact statement shall include views of units and residents in the place where the construction project is to be located.

Article 14 Facilities for the prevention and control of environmental noise at a construction project shall be designed, built and put into operation simultaneously with the principal part of the project.

Before a construction project is put into operation or use, its facilities for the prevention and control of environmental noise shall be inspected by the environmental protection department which examined and approved the environmental impact statement. If the facilities do not conform to the requirements specified by the state, the said project shall not be put into operation or use.

Article 15 Enterprises and institutions that produce environmental noise pollution shall maintain the normal operation of their facilities for the prevention and control of environmental noise pollution. Dismantlement or leaving idle of those facilities shall be approved in advance by the environmental protection department of local people's governments at or above the county level.

县级以上地方人民政府境况保护行政主管部门批准。

第十六条 生活境况噪声污染的单位，应当采取措施进行治理，并按照国家规定缴纳超标准排污费。

征收的超标准排污费必须用于污染的防治，不得挪作他用。

第十七条 对于在噪声敏感建筑物集中区域内造成严重境况噪声污染的企业事业单位，限期治理。

被限期治理的单位必须按期完成治理任务。限期治理由县级以上人民政府按照国务院规定的权限决定。

对小型企业事业单位的限期治理，可以由县级以上人民政府在国务院规定的权限内授权其境况保护行政主管部门决定。

第十八条 国家对境况噪声污染严重的落后设备实行淘汰制度。

国务院经济综合主管部门应当会同国务院有关部门公布限期禁止生产、禁止销售、禁止进口的境况噪声污染严重的设备名录。

生产者、销售者或者进口者必须在国务院经济综合主管部门会同国务院有关部门规定的期限内分别停止生产、销售或者进口列入前款规定的名录中的设备。

第十九条 在城市范围内从事生产活动确需排放偶发性强烈噪声的，必须事先向当地公安机关提出申请，经批准后方可进行。当地公安机关应当向社会公告。

第二十条 国务院境况保护行政主管部门应当建立境况噪声监测制度，制定监测规范，并会同有关部门组织监测网络。

境况噪声监测机构应当按照国务院境况保护行政主管部门的规定报送境况噪声监测结果。

第二十一条 县级以上人民政府境况保护行政主管部门和其他境况噪声污染防治工作的监督管理部门、机构，有权依据各自的职责对管辖范围内排放境况噪声的单位进行现场检查。被检查的单位必须如实反映情况，并提供必要的资料。检查部门、机构应当为被检查的单位保守技术秘密和业务秘密。

检查人员进行现场检查，应当出示证件。

第三章 工业噪声污染防治

第二十二条 本法所称工业噪声，是指在工业生产活动中使用固定的设备时生活的干扰周围生活境况的声音。

第二十三条 在城市范围内向周围生活境况排放工业噪声的，应当符合国家规定的工业企业厂界境况噪声排放标准。

Article 16 Units producing environmental noise pollution shall take measures to eliminate and control the pollution and shall pay a fee for excessive discharge according to the state provisions.

The fee thus levied shall be used for the prevention and control of pollution and shall not be embezzled for other uses.

Article 17 Enterprises and institutions that produce serious environmental noise pollution in areas where noise-sensitive buildings concentrate shall be ordered to eliminate and control the pollution within a time limit.

Those units subject to such an order shall accomplish the task as scheduled. The determination of a time limit for elimination and control of pollution shall be made by people's governments at or above the county level within the jurisdiction set by the State Council.

For small-sized enterprises and institutions, the determination of a time limit for elimination and control of pollution shall be made by environmental protection departments authorized by people's governments at or above the county level within the jurisdiction set by the State Council.

Article 18 The state shall adopt a system of eliminating backward equipment that produces serious environmental noise pollution.

The comprehensive economic administrative department under the State Council shall, in consultation with other relevant departments under the State Council, publish a catalogue of backward equipment which produces serious environmental noise pollution and thus the production, sale and importation of which shall be prohibited within a time limit.

Producers, sellers and importers of backward equipment listed in such a catalogue as described in the preceding paragraph shall respectively stop production, sale and importation of them within a time limit set by the comprehensive economic department under the State Council in consultation with other departments concerned.

Article 19 In the cases where the discharge of fortuitous strong noise is really necessary in the urban districts due to productive activity, an application shall be filed with the local public security organ and the noise may be discharged with an approval. The local public security organ shall publicly announce the discharge.

Article 20 The environmental protection department under the State Council shall establish a monitoring system for environmental noise, work out monitoring rules and, together with other departments concerned, organize a monitoring network.

Monitoring organs of environmental noise shall report the monitoring results of environmental noise as required by the environmental protection department under the State Council.

Article 21 The environmental protection departments and other supervisory and management departments or organs for the prevention and control of environmental noise of local people's governments at or above the county level shall, according to their respective responsibilities, have the right to conduct on-site inspections of units under their jurisdiction that discharge environmental noise. The units being inspected must truthfully report the situation and provide the necessary information. The inspecting departments or organs shall keep confidential the technological and business secrets of the units inspected.

The inspectors shall show their certificates when conducting on-site inspections.

Chapter III Prevention and Control of Industrial Noise

Article 22 "Industrial noise" mentioned in this Law refers to the sound produced in the use of fixed equipment in industrial productive activities so as to disturb the living environment in the neighbourhood.

Article 23 The discharge of industrial noise to the neighbouring living environment in the urban districts shall conform to the boundary environmental noise discharge standards set by the state for industrial enterprises.

第二十四条 在工业生产中因使用固定的设备造成境况噪声污染的工业企业必须按照国务院境况保护行政主管部门的规定，向所在地的县级以上地方人民政府境况保护行政主管部门申报拥有的造成境况噪声污染的设备的种类、数量以及在正常作业条件下所发出的噪声值和防治境况噪声污染的设施情况，并提供防治噪声污染的技术资料。

造成境况噪声污染的设备的种类、数量、噪声值和防治设施有重大改变的，必须及时申报，并采取应有的防治措施。

第二十五条 生活境况噪声污染的工业企业，应当采取有效措施，减轻噪声对周围生活境况的影响。

第二十六条 国务院有关主管部门对可能生活境况噪声污染的工业设备，应当根据声境况保护的要求和国家的经济、技术条件，逐步在依法制定的产品的国家标准、行业标准中规定噪声限值。

前款规定的工业设备运行时发出的噪声值，应当在有关技术文件中予以注明。

第四章 建筑施工噪声污染防治

第二十七条 本法所称建筑施工噪声，是指在建筑施工过程中生活的干扰周围生活境况的声音。

第二十八条 在城市市区范围内向周围生活境况排放建筑施工噪声的，应当符合国家规定的建筑施工场界境况噪声排放标准。

第二十九条 在城市市区范围内，建筑施工过程中使用机械设备，可能生活境况噪声污染的，施工单位必须在工程开工十五日以前向工程所在地县级以上地方人民政府境况保护行政主管部门申报该工程的项目名称、施工场所和期限、可能生活的境况噪声值以及所采取的境况噪声污染防治措施的情况。

第三十条 在城市市区噪声敏感建筑物集中区域内，禁止夜间进行生活境况噪声污染的建筑施工作业，但抢修、抢险作业和因生产工艺上要求或者其他特殊需要必须连续作业的除外。

因特殊需要必须连续作业的，必须有县级以上人民政府或者其有关主管部门的证明。

前款规定的夜间作业，必须公告附近居民。

第五章 交通运输噪声污染防治

第三十一条 本法所称交通运输噪声，是指机动车辆、铁路机车、机动船舶、航空器等交通运输工具在运行时所生活的干扰周围生活境况的声音。

第三十二条 禁止制造、销售或者进口超过规定的噪声限值的汽车。

Article 24 Industrial enterprises that produce environmental noise pollution by using fixed equipment in industrial production must, pursuant to the provisions of the environmental protection department under the State Council, report to the environmental protection departments of local people's governments at or above the county level the types and numbers of their existing equipment producing environmental noise pollution, the ranges of noise produced by the equipment under normal operation conditions, and the situation of facilities for the prevention and control of environmental noise pollution, and also provide technical data concerning the prevention and control of environmental noise pollution.

Enterprises shall report in time and take necessary prevention and control measures if any substantial change occurs in the types and numbers of the equipment producing environmental noise pollution, the ranges of noise produced, and the prevention and control facilities.

Article 25 Industrial enterprises that produce environmental noise pollution shall take effective measures to reduce the impact of noise on the neighbouring living environment.

Article 26 When establishing the national and trade standards for products according to law, the competent departments under the State Council shall, in accordance with the requirements of sound environment protection and the country's economic and technological conditions, gradually impose restrictions on the ranges of noise for industrial equipment that is likely to produce environmental noise pollution.

The ranges of noise produced in the use of industrial equipment as mentioned in the preceding paragraph shall be clearly noted in the relevant technical documents.

Chapter IV Prevention and Control of Noise in Construction

Article 27 "Noise in construction" mentioned in this Law refers to the sound produced in the construction of buildings and structures so as to disturb the living environment in the neighbourhood.

Article 28 The discharge of noise in construction to the neighbouring living environment in the urban districts shall conform to the boundary environmental noise discharge standards set by the state for construction sites.

Article 29 In the cases where machinery and equipment used in the course of construction are likely to produce environmental noise pollution within urban districts, the construction unit shall, 15 days before the construction starts, report to the environmental protection department of local people's government at or above the county level in the place where the construction project is to be located, the name, site and time limit of the project, the range of environmental noise it is likely to produce and measures for the prevention and control of environmental noise.

Article 30 In urban districts where noise-sensitive buildings concentrate, it is prohibited to conduct construction operations at night which are likely to produce environmental noise pollution, except those for rush repairs or for rescue work and those which require continual work due to productive arts or some special needs.

A construction operation that requires continual work shall have a certificate issued by the people's government at or above the county level or the competent department concerned.

Operations at night mentioned in the preceding paragraph shall be announced to the neighbouring residents.

Chapter V Prevention and Control of Traffic and Transportation Noise

Article 31 "Traffic and transportation noise" mentioned in this Law refers to the sound produced by means of traffic and transportation in operation such as motor vehicles, locomotives, motor vessels and aircraft so as to disturb the living environment in the neighbourhood.

Article 32 It is prohibited to manufacture, sell and import automobiles that produce noise in ex-

第三十三条 在城市市区范围内行驶的机动车辆的消声器和喇叭必须符合国家规定的要求。机动车辆必须加强维修和保养，保持技术性能良好，防治境况噪声污染。

第三十四条 机动车辆在城市市区范围内行驶，机动船舶在城市市区的内河航道航行，铁路机车驶经或者进入城市市区、疗养区时，必须按照规定使用声响装置。

警车、消防车、工程抢险车、救护车等机动车辆安装、使用警报器，必须符合国务院公安部门的规定；在执行非紧急任务时，禁止使用警报器。

第三十五条 城市人民政府公安机关可以根据本地城市市区区域声境况保护的需要，划定禁止机动车辆行驶和禁止其使用声响装置的路段和时间，并向社会公告。

第三十六条 建设经过已有的噪声敏感建筑物集中区域的高速公路和城市高架、轻轨道路，有可能造成境况噪声污染的，应当设置声屏障或者采取其他有效的控制境况噪声污染的措施。

第三十七条 在已有的城市交通干线的两侧建设噪声敏感建筑物的，建设单位应当按照国家规定间隔一定距离，并采取减轻、避免交通噪声影响的措施。

第三十八条 在车站、铁路编组站、港口、码头、航空港等地指挥作业的使用广播喇叭的，应当控制音量，减轻噪声对周围生活境况的影响。

第三十九条 穿越城市居民区、文教区的铁路，因铁路机车运行造成境况噪声污染的，当地城市人民政府应当组织铁路部门和其他有关部门，制定减轻境况噪声污染的规划。铁路部门和其他有关部门应当按照规划的要求，采取有效措施，减轻境况噪声污染。

第四十条 除起飞、降落或者依法规定的情形以外，民用航空器不得飞越城市市区上空。城市人民政府应当在航空器起飞、降落的净空周围划定限制建设噪声敏感建筑物的区域；在该区域内建设噪声敏感建筑物的，建设单位应当采取减轻、避免航空器运行时生活的噪声影响的措施。民航部门应当采取有效措施，减轻境况噪声污染。

第六章 社会生活噪声污染防治

第四十一条 本法所称社会生活噪声，是指人为活动所生活的除工业噪声、建筑施工噪声和交通运输噪声之外的干扰周围生活境况的声音。

第四十二条 在城市市区噪声敏感建筑物集中区域内，因商业经营活动中使用固定设备造成境况噪声污染的商业企业，必须按照国务院境况保护行政主管部门的规定，向所在地的县级以上地方人民政府境况保护行政主管部门申报拥有的造成境况噪声污染的设备的状况和防治境况噪声污染的设施的情况。

第四十三条 新建营业性文化娱乐场所的边界噪声必须符合国家规定的境况噪

cess of the restrictions imposed on the range of noise.

Article 33 Silencers and horns of motor vehicles that run in urban districts shall meet the requirements set by the state. Motor vehicles shall be well-maintained and well-kept to good technical conditions and functions for the prevention and control of environmental noise pollution.

Article 34 Motor vehicles running in urban districts, motor ships sailing along waterways in inland rivers within urban districts and locomotives running through or entering urban districts or recuperate districts shall use their sounding devices as stipulated.

The installation and use of sirens on motor vehicles such as police cars, fire engines, engineering salvage vehicles and ambulances shall conform to the provisions of the public security department under the State Council. When performing non-emergency duties, they shall be prohibited from using sirens.

Article 35 Public security organs of people's governments of cities may, according to the requirements for regional sound environment protection in their urban districts, determine the sections of roads and time periods on and during which drivers are prohibited from running motor vehicles and using their sounding devices, and then publicly announce them.

Article 36 In the cases where motorways and urban elevated or light track railroads to be built run through the areas where existing noise-sensitive buildings concentrate and are likely to produce environmental noise pollution, sound barriers shall be set up or other effective measures shall be taken for the prevention and control of environmental noise pollution.

Article 37 In the cases where noise-sensitive buildings are to be built on either side of existing main urban traffic lines, the construction unit shall set a proper distance in between as required by the state and shall take measures to reduce and eliminate the impact of traffic noise.

Article 38 Loudspeakers used for conducting operations in such places as stations, railroad marshalling yards, harbours, wharves and airports, shall be controlled in volume to reduce the impact of noise on the neighbouring living environment.

Article 39 In the cases where locomotives in operation cause environmental noise pollution to residential areas or cultural and educational areas in cities where railroads pass through, local people's governments of the cities shall organize the railroad departments and other departments concerned to formulate plans for reducing environmental noise pollution. The railroad departments and other departments concerned shall, according to the requirements of the plans, take effective measures to reduce environmental noise pollution.

Article 40 Except in the case of its takeoff and landing or in other circumstances provided for by the law, civil aircraft may not fly over urban districts. People's governments of cities shall determine areas surrounding the obstacle clearance zones for aircraft's takeoff and landing and restrict the construction of noise-sensitive buildings within such areas. If noise-sensitive buildings are to be built within the said areas, the construction unit shall take measures to reduce and avert the impact of noise produced by aircraft in operation. Civil aviation departments shall take effective measures to reduce environmental noise pollution.

Chapter VI Prevention and Control of Noise in Social Life

Article 41 "Noise in social life" mentioned in this Law refers to the sound produced in human activities so as to disturb the living environment in the neighbourhood not including industrial noise, noise in construction and traffic and transportation noise.

Article 42 Commercial enterprises that produce environmental noise pollution by using fixed equipment in business operations in urban districts where noise-sensitive buildings concentrate shall, pursuant to the provisions of the environmental protection department under the State Council, report to the environmental protection department of local people's governments at or above the county level the situation of their existing equipment producing environmental noise pollution and their facilities for the prevention and control of environmental pollution noise.

Article 43 The discharge of boundary noise produced in newly built places of culture and recre-

声排放标准；不符合国家规定的境况噪声排放标准的，文化行政主管部门不得核发文化经营许可证，工商行政管理部门不得核发营业执照。

经营中的文化娱乐场所，其经营管理者必须采取有效措施，使其边界噪声不超过国家规定的境况噪声排放标准。

第四十四条 禁止在商业经营活动中使用高音广播喇叭或者采用其他发出高噪声的方法招揽顾客。

在商业经营活动中使用空调器、冷却塔等可能生活境况噪声污染的设备、设施的，其经营管理者应当采取措施，使其边界噪声不超过国家规定的境况噪声排放标准。

第四十五条 禁止任何单位、个人在城市市区噪声敏感建筑物集中区域内使用高音广播喇叭。

在城市市区街道、广场、公园等公共场所组织娱乐、集中等活动，使用音响器材可能生活干扰周围生活境况的过大音量的，必须遵守当地公安机关的规定。

第四十六条 使用家用电器、乐器或者进行其他家庭室内娱乐活动时，应当控制音量或者采取其他有效措施，避免对周围居民造成境况噪声污染。

第四十七条 在已竣工交付使用的住宅楼进行室内装修活动，应当限制作业时间，并采取其他有效措施，以减轻、避免对周围居民造成境况噪声污染。

第七章 法律责任

第四十八条 违反本法第十四条的规定，建设项目中需要配套建设的境况噪声污染防治设施没有建成或者没有达到国家规定的要求，擅自投入生产或者使用的，由批准该建设项目的境况影响报告书的境况保护行政主管部门责令停止生产或者使用，可以并处罚款。

第四十九条 违反本法规定，拒报或者谎报规定的境况噪声排放申报事项的，县级以上地方人民政府境况保护行政主管部门可以根据不同情节，给予警告或者处以罚款。

第五十条 违反本法第十五条的规定，未经境况保护行政主管部门批准，擅自拆除或者闲置境况噪声污染防治设施，致使境况噪声排放超过规定标准的，由县级以上地方人民政府境况保护行政主管部门责令改正，并处罚款。

第五十一条 违反本法第十六条的规定，不按照国家规定缴纳超标排污费的，县级以上地方人民政府境况保护行政主管部门可以根据不同情节，给予警告或者处以罚款。

第五十二条 违反本法第十七条的规定，对经限期治理逾期未完成治理任务的企业事业单位，除依照国家规定加收超标排污费外，可以根据所造成的危害后果

ation must conform to the standards set by the state for the discharge of environmental noise. For those that fail to meet the standards set by the state for the discharge of environmental noise, the cultural administrative departments may not issue the permits for cultural business, and the industrial and commercial departments may not issue the business license.

Managers of cultural and recreational places in operation shall take effective measures to control their boundary noise not exceeding the state-set standards for the discharge of environmental noise.

Article 44 It is prohibited to use tweeters or other means that produce high noise in business operations to solicit customers.

In the cases where equipment or installations such as air-conditioners and cooling towers are used in business operations and are likely to produce environmental noise pollution, the managers shall take measures to control their boundary noise not exceeding the standards set by the state for the discharge of environmental noise.

Article 45 All units and individuals shall be prohibited from using tweeters in urban districts where noise-sensitive buildings concentrate.

In the cases where acoustic equipment is to be used in recreational activities or assemblies held in public places within urban districts such as streets, squares and parks and is likely to produce too high a volume of sound disturbing the neighbouring living environment, the organizers shall comply with the provisions of local public security organs.

Article 46 In the cases where anyone uses electrical household appliances or musical instruments or conducts other indoor activities of family recreation, he shall control the volume of sound or take effective measures to avert environmental noise pollution caused to neighbouring residents.

Article 47 In the cases where anyone conducts interior decoration and rehabilitation of residential houses already built and put into use, he shall restrict his operation time or take other effective measures to reduce and avert environmental noise pollution caused to neighbouring residents.

Chapter VII Legal Liabilities

Article 48 If, in violation of the provisions of Article 14 of this Law, a construction project is put into operation or use when its facilities for the prevention and control of environmental noise pollution have not been built as an auxiliary part or fail to meet the requirements set by the state, the environmental protection department responsible for the examination and approval of the environmental impact statement on the construction project shall order the suspension of its operations or use and may concurrently impose a fine.

Article 49 If anyone, in violation of the provisions of this Law, refuses to report or submits a false report on items for which registration is required for the discharge of environmental noise, the environmental protection department of local people's government at or above the county level may, according to the circumstances of the case, give him a warning or impose a fine.

Article 50 If anyone, in violation of the provisions of Article 15 of this Law, dismantles or leaves idle the facilities for the prevention and control of environmental noise pollution without prior approval by the environmental protection department and thereby discharges environmental noise in excess of the prescribed standards, the environmental protection department of local people's government at or above the county level shall order him to make corrections and concurrently impose a fine.

Article 51 If anyone, in violation of the provisions of Article 16 of this Law, refuses to pay the fee for excessive discharge of noise according to state provisions, the environmental protection department of local people's government at or above the county level may, according to the circumstances of the case, give him a warning or impose a fine.

Article 52 An enterprise or institution that fails to eliminate or control pollution within a time limit by violating the provisions of Article 17 of this Law shall, as provided for by the state, pay a fee for excessive discharge; in addition, a fine may be imposed on it on the basis of the damage incurred, or the enterprise or institution may be ordered to suspend its operations, move to a new site or close

处以罚款，或者责令停业、搬迁、关闭。

前款规定的罚款由境况保护行政主管部门决定。责令停业、搬迁、关闭由县级以上人民政府按照国务院规定的权限决定。

第五十三条 违反本法第十八条的规定，生产、销售、进口禁止生产、销售、进口的设备的，由县级以上人民政府经济综合主管部门责令改正；情节严重的，由县级以上人民政府经济综合主管部门提出意见，报请同级人民政府按照国务院规定的权限责令停业、关闭。

第五十四条 违反本法第十九条的规定，未经当地公安机关批准，进行生活偶发性强烈噪声活动的，由公安机关根据不同情节给予警告或者处以罚款。

第五十五条 排放境况噪声的单位违反本法第二十一条的规定，拒绝境况保护行政主管部门或者其他依照本法规定行使境况噪声监督管理权的部门、机构现场检查或者在被检查时弄虚作假的，境况保护行政主管部门或者其他依照本法规定行使境况噪声监督管理权的监督管理部门、机构可以根据不同情节，给予警告或者处以罚款。

第五十六条 建筑施工单位违反本法第三十条第一款的规定，在城市市区噪声敏感建筑物集中区域内，夜间进行禁止进行的生活境况噪声污染的建筑施工作业的，由工程所在地县级以上地方人民政府境况保护行政主管部门责令改正，可以并处罚款。

第五十七条 违反本法第三十四条的规定，机动车辆不按照规定使用声响装置的，由当地公安机关根据不同情节给予警告或者处以罚款。

机动船舶有前款违法行为的，由港务监督机构根据不同情节给予警告或者处以罚款。

铁路机车有第一款违法行为的，由铁路主管部门对有关责任人员给予行政处分。

第五十八条 违反本法规定，有下列行为之一的，由公安机关给予警告，可以并处罚款：

(一) 在城市市区噪声敏感建筑物集中区域内使用高音广播喇叭；

(二) 违反当地公安机关的规定，在城市市区街道、广场、公园等公共场所组织娱乐、集会等活动，使用音响器材，生活干扰周围生活境况的过大音量的；

(三) 未按本法第四十六条和第四十七条规定采取措施，从家庭室内发出严重干扰周围居民生活的境况噪声的。

第五十九条 违反本法第四十三条第二款、第四十四条第二款的规定，造成境况噪声污染的，由县级以上地方人民政府境况保护行政主管部门责令改正，可以并处罚款。

第六十条 违反本法第四十四条第一款的规定，造成境况噪声污染的，由公安机关责令改正，可以并处罚款。

down.

The fine mentioned in the preceding paragraph shall be decided by the competent environmental protection department. Orders for the suspension of operations, moving to another site or shutdown of enterprises or institutions shall be decided by people's governments at or above the county level within the jurisdiction set by the State Council.

Article 53 If anyone, in violation of the provisions of Article 18 of this Law, produces, sells or imports prohibited equipment, the comprehensive economic administrative department of people's government at or above the county level shall order him to make corrections. When the cases are serious, the comprehensive economic administrative department of people's government at or above the county level shall propose to the people's government at the same level for an order of suspension of operations or shutdown made within the jurisdiction set by the State Council.

Article 54 If anyone, in violation of the provisions of Article 19 of this Law, conducts productive activity that discharges fortuitous strong noise without the approval of the local public security organ, the public security organ shall, according to the circumstances of the case, give him a warning or impose a fine.

Article 55 If any unit discharging environmental noise, in violation of the provisions of Article 21 of this Law, refuses an on-site inspection or resorts to trickery and fraud during inspection by the competent environmental protection department or another department or organ exercising supervision and management of environmental noise under this Law, the environmental protection department or another department or organ exercising supervision and management of environmental noise under this Law may, according to the circumstances of the case, give it a warning or impose a fine.

Article 56 If any construction unit, in violation of the provisions of the first paragraph of Article 30 of this Law, conducts prohibited construction operations at night which produce environmental noise pollution in urban districts where noise-sensitive buildings concentrate, the environmental protection department of local people's government at or above the county level in the place where the construction project is located shall order it to make corrections or may concurrently impose a fine.

Article 57 If motor vehicles, in violation of the provisions of Article 34 of this Law, fail to use sounding devices as stipulated, the local public security organs shall, according to the circumstances of the cases, give a warning or impose a fine.

For motor ships committing the illegal act mentioned in the preceding paragraph, the harbour superintendency agencies shall, according to the circumstances of the cases, give a warning or impose a fine.

For locomotives committing the illegal act mentioned in the first paragraph, the competent railroad departments shall impose disciplinary sanctions upon the person involved.

Article 58 Anyone who, in violation of the provisions of this Law, commits any of the following acts shall be given a warning and may be concurrently imposed a fine by the public security organ:

- (1) using a tweeter in the urban district where noise-sensitive buildings concentrate;
- (2) using acoustic equipment in recreational activity or assembly held in a public place within the urban district such as a street, square or park by violating the provisions of the local public security organ, and thereby producing too high a volume of sound that disturbs the neighbouring living environment; or
- (3) failing to take measures according to the provisions of Articles 46 and 47 of this Law and discharging environmental noise from his residential house that seriously disturbs the neighbouring residents' lives.

Article 59 If anyone, in violation of the provisions of the second paragraph of Article 43 or the second paragraph of Article 44 of this Law, produces environmental noise pollution, the environmental protection department of local people's government at or above the county level shall order him to make corrections and may concurrently impose a fine.

Article 60 If anyone, in violation of the provisions of the first paragraph of Article 44 of this Law, produces environmental noise pollution, the public security organ shall order him to make correc-

省级以上人民政府依法决定由县级以上地方人民政府境况保护行政主管部门行使前款规定的行政处罚权的，从其决定。

第六十一条 受到境况噪声污染危害的单位和个人，有权要求加害人排除危害；造成损失的，依法赔偿损失。

赔偿责任和赔偿金额的纠纷，可以根据当事人的请求，由境况保护行政主管部门或者其他境况噪声污染防治工作的监督管理部门、机构调解处理；调解不成的，当事人可以向人民法院起诉。当事人也可以直接向人民法院起诉。

第六十二条 境况噪声污染防治监督管理人员滥用职权、玩忽职守、徇私舞弊的，由其所在单位或者上级主管机关给予行政处分；构成犯罪的，依法追究刑事责任。

第八章 附 则

第六十三条 本法中下列用语的含义是：

(一)“噪声排放”是指噪声源向周围生活境况辐射噪声。

(二)“噪声敏感建筑物”是指医院、学校、机关、科研单位、住宅等需要保持安静的建筑物。

(三)“噪声敏感建筑物集中区域”是指医疗区、文教科研区和以机关或者居民住宅为主的区域。

(四)“夜间”是指晚二十二点至晨六点之间的期间。

(五)“机动车辆”是指汽车和摩托车。

第六十四条 本法自1997年3月1日起施行。1989年9月26日国务院发布的《中华人民共和国境况噪声污染防治条例》同时废止。

tions and may concurrently impose a fine.

If people's governments at or above the provincial level decide according to law that the environmental protection departments of local people's governments at or above the county level exercise the right of imposing administrative sanctions as stipulated in the preceding paragraph, the decision shall prevail.

Article 61 Any unit or individual that suffers from an environmental noise pollution hazard shall have the right to demand the elimination of the hazard by the polluter. The polluter shall make compensation according to law if losses have caused.

A dispute over the responsibility for making compensation or the amount of compensation may, at the request of the parties, be settled under reconciliation by a competent environmental protection department or another supervisory and management department or organ for the prevention and control of environmental noise; if a party refuses to accept the decision, it may bring a suit before a people's court. The party may also bring a suit before the people's court directly.

Article 62 Any supervisory and management person for the prevention and control of environmental noise pollution who abuses his power, neglects his duty or engages in malpractices for personal gains shall be given disciplinary sanction by the unit to which he belongs or the competent higher authorities; if his act constitutes a crime, he shall be investigated for criminal responsibility according to law.

Chapter VIII Supplementary Provisions

Article 63 For the purpose of this Law, the definitions of the following terms are:

(1) "Discharge of noise" means the radiation of noise from its source to the neighbouring living environment.

(2) "Noise-sensitive buildings" mean hospitals, schools, government organs, scientific research institutions, residential houses and other buildings which need to keep quietness.

(3) "Areas where noise-sensitive buildings concentrate" means medical areas, cultural and educational and scientific research areas and areas mainly composed of government organs or residential houses.

(4) "At night" means the time interval from 22:00 p. m. to 6:00 a. m. .

(5) "Motor vehicles" mean automobiles and motorcycles.

Article 64 This Law comes into force on the date of March 1, 1997. The Regulations of the People's Republic of China on the Prevention and Control of Environmental Noise Pollution promulgated by the State Council on September 26, 1989 shall be annulled therefrom.

关于加强社会生活噪声污染管理的通知

(国家环保总局、公安部、国家工商局)

1999年6月25日 环发[1999]210号)

《中华人民共和国境况噪声污染防治法》执行两年多来，各地在防治境况噪声污染方面取得了一定成效。但社会生活噪声污染仍是群众反映最强烈的境况问题。为保证群众有一个良好的生活境况，加强对社会生活噪声污染的管理，现通知如下：

一、在城镇人口集中区建设有可能生活境况噪声污染的营业性饮食、服务单位和娱乐场所，必须采取有效的防治境况噪声污染的措施，使其边界噪声达到国家规定的境况噪声排放标准；娱乐场所不得在可能干扰学校、医院、机关正常学习、工作秩序的地点设立。对于不符合要求的，当地环保部门不得同意其建设，工商行政管理部门不得核发其营业执照。

二、已建成的位于城镇人口集中区的营业性饮食、服务单位和娱乐场所的边界噪声必须符合国家境况噪声排放标准；居民区内有噪声排放的单位，必须采取相应的隔声措施，不得超过国家规定的噪声排放标准，并严格限制夜间工作时间；在经营活动中使用空调器、冷却塔等可能生活境况噪声的设备、设施的单位应采取措施，使其场所边界噪声不超过国家境况噪声排放标准。

对违反上述规定造成严重境况噪声污染的单位，当地环保部门应依法责令其限期治理；对经限期治理逾期仍未达到环保要求的单位，除按国家规定收取超标准排污费和处以罚款外，当地环保部门应向县级以上人民政府报告，按照规定的权限，责令其停业、搬迁或关闭。同时，由当地工商行政管理部门对其依法办理变更登记或注销登记。

三、禁止任何单位和个人在城市市区噪声敏感建筑物集中区域内使用高音喇叭；禁止在商业经营活动中使用高音喇叭或其他发出高噪声的方法招揽顾客；禁止在城市市区街道、广场、公园等公共场所组织的娱乐、集会等活动中，使用音量过大、严重干扰周围生活境况的音响器材；在已交付使用的住宅楼进行室内装修活动时，严禁施工人员在夜间和午间休息时间进行噪声扰民作业。

对违反上述规定的，由当地公安机关依据《中华人民共和国境况噪声污染防治法》予以处罚，构成违反治安管理行为的，依照《中华人民共和国治安管理处罚条例》予以处罚。

Circular on Strengthening the Control over Noise Pollution from Daily Life

(Promulgated by the State Environmental Protection Administration, the Ministry of Public Security and the State Industry and Commerce Administration on June 25, 1999)

Excellent results have been achieved in the prevention and control of noise pollution since the enactment of Law on the Prevention and Treatment of Environmental Noise Pollution of the People's Republic of China more than two years ago. However, noise emission from daily life still remains a matter of public concern. To strengthen the control of such noise and ensure residents a sound living environment, a relevant notice is issued as follows:

1. Catering businesses, service and entertainment venue in densely populated urban areas shall adopt effective measures to control noise pollution, and have their border noise meet the environmental noise emission standards promulgated by the State. Entertainment businesses shall not be constructed in places that would disrupt normal study and work order of schools, hospitals and other institutions. Local environmental departments shall not issue construction permits to those who fail to meet such requirements, administrations of industry and commerce shall not issue business licenses to such businesses.

2. Catering businesses, service and entertainment venue already constructed in densely polluted urban areas shall have their border noise meet the environmental noise emission standards promulgated by the State. Any units in residential areas that emit noise shall open at reasonable time at night and shall take sound insulation measures to make their noise emission meet the standards of the State. All units that use such equipment as air conditioners or cooling towers that may emit noise shall take measures to make border noise from such equipment meet environmental noise emission standards promulgated by the State.

Should any unit violate the requirements mentioned above and thus resulting in serious noise pollution, local environmental protection departments shall, according to law, order such unit to improve noise control within given time. If such units still exceed environmental noise emission standards after improvement, local environmental protection departments shall report the specific conditions of such units to the people's governments above county level and shall, within their jurisdiction, order such units to close or remove when at the same time charging such units fees for above-standard discharges and imposing fines on such units. Local administrations of industry and commerce shall, according to law, change or nullify the registration of such units.

3. No individuals or units shall use high-pitch horns in urban building-concentrated areas that are sensitive to noise emission, use high-pitch horns in business activities, or use other facilities that may emit noise to attract customers. Acoustics equipment whose noise emissions seriously pollute the surrounding living environment shall be banned in recreational activities or meetings held in urban public venue such as streets, squares and parks. When interior renovations of buildings are involved, constructors shall not carry out any construction that disturbs residents during rest time at noon or at night.

Any person or unit violating the requirements mentioned above shall be punished by local public security departments according to the Law on the Prevention and Treatment of Environmental Noise Pollution of the People's Republic of China. Should such person or unit act against regulations on security administration, the local security departments shall impose punishment according to the Security Administration Punishment Act.

四、工商行政管理部门在审核营业性饮食、服务单位和娱乐场所申请执照的监督管理工作中，可要求其对境况噪声污染及其防治情况作出说明。发现有可能生活污染或已经存在污染的，要及时向环保部门通报情况及采取措施。

五、任何单位和个人有权向当地环保、公安、工商行政管理部门投诉营业性饮食、服务单位和娱乐场所造成境况噪声污染的行为，有关部门接到投诉后应及时予以答复和处理。

各地环保、公安和工商行政管理部门要按照上述要求，于1999年11月15日之前对在城镇居民集中区的营业性饮食、服务单位和娱乐场所进行一次联合检查，集中查处一批严重违法、噪声扰民的营业性饮食、服务单位和娱乐场所。各地应公布热线电话，广泛收集群众举报，有针对性的确定重点检查单位。应充分发挥新闻舆论单位的监督宣传作用，配合检查工作，对严重违法扰民的营业性饮食、服务单位和娱乐场所予以曝光。

请各地环保部门将检查情况于1999年12月15日之前上报国家环保总局。

4. While supervising and managing catering businesses, service and entertainment venue, administrations of industry and commerce may require such businesses or venue to report the intensity, prevention and treatment of their noise emissions. Administrations of industry and commerce shall report to environmental protection departments and take measures promptly if they discover that such businesses or venue are liable to emit noise or have been emitting noise.

5. All units or individuals shall have the rights to complain to environmental protection departments, public security departments and administrations of industry and commerce of the noise pollution caused by any catering businesses, service and entertainment venue. Related departments shall give a quick response on receiving such complaints.

Environmental protection departments, public security departments and administrations of industry and commerce at all levels shall, in accordance with the requirements mentioned above, conduct a joint inspection not later than November 15, 1999 to investigate and punish a number of catering businesses, service and entertainment venue whose noise emissions seriously violate law and disturb residents. Such departments and administrations shall make their hot line telephone numbers public to collect tips and determine major units to be inspected. Mass media shall be given full play in supervision and dissemination to facilitate inspections by such departments or administrations. Catering businesses, service and entertainment venue whose noise emissions break the law and disturb residents shall be made known to the public.

Environmental protection departments shall report their inspection results to the State Environmental Protection Administration not later than December 15, 1999.

八、建设项目环境管理

VIII Environmental Management of Construction Project

建设项目环境保护管理条例

(1998年11月29日发布 国务院令 第253号)

第一章 总 则

第一条 为了防止建设项目产生新的污染,破坏生态环境,制定本条例。

第二条 在中华人民共和国领域和中华人民共和国管辖的其他海域内建设对环境有影响的建设项目,适用本条例。

第三条 建设产生污染的建设项目,必须遵守污染物排放的国家标准和地方标准;在实施重点污染物排放总量控制的区域内,还必须符合重点污染物排放总量控制的要求。

第四条 工业建设项目应当采用能耗物耗小、污染物产生量少的清洁生产工艺,合理利用自然资源,防止环境污染和生态破坏。

第五条 改建、扩建项目和技术改造项目必须采取措施,治理与该项目有关的原有环境污染和生态破坏。

第二章 环境影响评价

第六条 国家实行建设项目环境影响评价制度。

建设项目的环境影响评价工作,由取得相应资格证书的单位承担。

第七条 国家根据建设项目对环境的影响程度,按照下列规定对建设项目的环境保护实行分类管理:

(一) 建设项目对环境可能造成重大影响的,应当编制环境影响报告书,对建设项目产生的污染和对环境的影响进行全面、详细的评价;

(二) 建设项目对环境可能造成轻度影响的,应当编制环境影响报告表,对建设项目产生的污染和对环境的影响进行分析或者专项评价;

(三) 建设项目对环境的影响很小,不需要进行环境影响评价的,应当填报环境影响登记表。

建设项目环境保护分类管理名录,由国务院环境保护行政主管部门制订并公布。

Regulations on Environmental Management of Construction Project

(Promulgated by Decree No. 253 of the State Council on November 29, 1998)

Chapter I General Provisions

Article 1 These Regulations are formulated with a view to preventing construction projects from generating new pollution and damaging the ecological environment.

Article 2 These Regulations shall be applicable to construction projects having impacts on the environment within the territory of the People's Republic of China and territorial sea areas under the jurisdiction of the People's Republic of China.

Article 3 State standards and local standards for the discharge of pollutants must be complied with respecting construction projects that generate pollution; requirements for aggregate control of discharge of major pollutants must be met in areas subjects to aggregate control of discharge of major pollutants.

Article 4 Industrial construction projects should adopt clean production techniques with low energy consumption, low materials consumption and low pollutant generation, and rationally exploit natural resources to prevent environmental pollution and ecological damage.

Article 5 Measures must be taken in reconstruction projects, expansion projects and technological transformation projects to treat original environmental pollution and ecological damage related to the said projects.

Chapter II Environmental Impact Assessment

Article 6 The State implements a construction project environmental impact assessment system. The work of construction project environmental impact assessment shall be undertaken by units having acquired qualification certificates.

Article 7 The State practices classified control over construction project environmental protection in accordance with the extent of the environmental impact of the construction project in accordance with the following provisions:

(1) An environmental impact statement should be prepared for a construction project that may cause major impacts on the environment, providing comprehensive and detailed evaluations of the pollution generated and environmental impacts caused by the construction project;

(2) An environmental impact form should be compiled for a construction project that may cause light impacts on the environment, providing analyses or special-purpose evaluations of the pollution generated and environmental impacts caused by the construction project; and

(3) An environmental impact registration form should be completed and submitted for a construction project that has very small impacts on the environment and necessitates no environmental impact assessment.

A catalog for the classified control of construction project environmental protection shall be compiled and published by the competent department of environmental protection administration under the State Council.

Article 8 The environmental impact statement shall contain the following information:

(1) An overview of the construction project;

(2) Current state of the environment surrounding the construction project;

第八条 建设项目环境影响报告书，应当包括下列内容：

- (一) 建设项目概况；
- (二) 建设项目周围环境现状；
- (三) 建设项目对环境可能造成影响的分析和预测；
- (四) 环境保护措施及其经济、技术论证；
- (五) 环境影响经济损益分析；
- (六) 对建设项目实施环境监测的建议；
- (七) 环境影响评价结论。

涉及水土保持的建设项目，还必须有经水行政主管部门审查同意的水土保持方案。

建设项目环境影响报告表、环境影响登记表的内容和格式，由国务院环境保护行政主管部门规定。

第九条 建设单位应当在建设项目可行性研究阶段报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表；但是，铁路、交通等建设项目，经有审批权的环境保护行政主管部门同意，可以在初步设计完成前报批环境影响报告书或者环境影响报告表。

按照国家有关规定，不需要进行可行性研究的建设项目，建设单位应当在建设项目开工前报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表；其中，需要办理营业执照的，建设单位应当在办理营业执照前报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表。

第十条 建设项目环境影响报告书、环境影响报告表或者环境影响登记表，由建设单位报有审批权的环境保护行政主管部门审批；建设项目有行业主管部门的，其环境影响报告书或者环境影响报告表应当经行业主管部门预审后，报有审批权的环境保护行政主管部门审批。

海岸工程建设项目环境影响报告书或者环境影响报告表，经海洋行政主管部门审核并签署意见后，报环境保护行政主管部门审批。

环境保护行政主管部门应当自收到建设项目环境影响报告书之日起 60 日内、收到环境影响报告表之日起 30 日内、收到环境影响登记表之日起 15 日内，分别作出审批决定并书面通知建设单位。

预审、审核、审批建设项目环境影响报告书、环境影响报告表或者环境影响登记表，不得收取任何费用。

第十一条 国务院环境保护行政主管部门负责审批下列建设项目环境影响报告

(3) Analysis and predictions of environmental impacts which may be caused by the construction project;

(4) Measures for environmental protection and their financial and technical authentication;

(5) Environmental impact economic cost-benefit analysis if;

(6) Proposals for environment monitoring of the construction project; and

(7) Conclusions of the environmental impact assessment.

A scheme for water and soil conservation examined and approved by the competent department of water administration must be prepared for construction projects involving water and soil conservation.

The contents and formats of the construction project environmental impact form and environmental impact registration form shall be prescribed by the competent department of environmental protection under the State Council.

Article 9 A construction unit should, at the construction project feasibility study stage, submit the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval; however, for railway and communications construction projects, environmental impact statements or environmental impact forms may, prior to the completion of the projects' preliminary design, be submitted for approval by the competent department of environmental protection administration with authority to issue such approvals.

For a construction project that necessitates no feasibility study pursuant to relevant State provisions, the construction unit should, prior to the commencement of construction, submit the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval; where application for a business license is required, the construction unit should, prior to the applying for the business license, submit the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval.

Article 10 Construction project environmental impact statements, environmental impact forms or environmental impact registration forms shall be submitted by construction units to competent departments of environmental protection administration with authority for examination and approval; where construction projects have competent departments of trades, their environmental impact reports or environmental impact statements should, upon preliminary examination of the competent departments of trades, be submitted to the competent departments of environmental protection administration with authority of examination and approval for examination and approval.

Coastal engineering construction project environmental impact statements or environmental impact form shall, upon examination and verification by the competent department of maritime administration, be submitted with the views of the maritime administration to the competent department of environmental protection administration for examination and approval.

Competent departments of environmental protection administration should, within 60 days starting from the date of receipt of the construction project environmental impact statement, within 30 days from the date of receipt of the environmental impact form, and within 15 days starting from the date of receipt of the environmental impact registration form, make a decision on examination and approval and notify the construction units in writing of their decisions.

No fees whatsoever shall be collected for the preliminary examination, examination and verification, and examination and approval of construction project environmental impact statements, environmental impact forms or environmental impact registration forms.

Article 11 The competent department of environmental protection administration under the State Council is responsible for approval of environmental impact statements, environmental impact forms or environmental impact registration forms for the following projects:

(1) Construction projects involving nuclear or top-secret technologies, etc;

(2) Trans-provinces, trans-autonomous regions and trans-municipality construction projects; and

(3) Construction projects receiving approval from the State Council or from related agency authorized by the State Council.

Limits on examination and approval authority with respect to construction project environmental

书、环境影响报告表或者环境影响登记表：

- (一) 核设施、绝密工程等特殊性质的建设项目；
- (二) 跨省、自治区、直辖市行政区域的建设项目；
- (三) 国务院审批的或者国务院授权有关部门审批的建设项目。

前款规定以外的建设项目环境影响报告书、环境影响报告表或者环境影响登记表的审批权限，由省、自治区、直辖市人民政府规定。

建设项目造成跨行政区域环境影响，有关环境保护行政主管部门对环境影响评价结论有争议的，其环境影响报告书或者环境影响报告表由共同上一级环境保护行政主管部门审批。

第十二条 建设项目环境影响报告书、环境影响报告表或者环境影响登记表经批准后，建设项目的性质、规模、地点或者采用的生产工艺发生重大变化的，建设单位应当重新报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表。

建设项目环境影响报告书、环境影响报告表或者环境影响登记表自批准之日起满5年，建设项目方开工建设的，其环境影响报告书、环境影响报告表或者环境影响登记表应当报原审批机关重新审核。原审批机关应当自收到建设项目环境影响报告书、环境影响报告表或者环境影响登记表之日起10日内，将审核意见书面通知建设单位；逾期未通知的，视为审核同意。

第十三条 国家对从事建设项目环境影响评价工作的单位实行资格审查制度。

从事建设项目环境影响评价工作的单位，必须取得国务院环境保护行政主管部门颁发的资格证书，按照资格证书规定的等级和范围，从事建设项目环境影响评价工作，并对评价结论负责。

国务院环境保护行政主管部门对已经颁发资格证书的从事建设项目环境影响评价工作的单位名单，应当定期予以公布。具体办法由国务院环境保护行政主管部门制定。

从事建设项目环境影响评价工作的单位，必须严格执行国家规定的收费标准。

第十四条 建设单位可以采取公开招标的方式，选择从事环境影响评价工作的单位，对建设项目进行环境影响评价。

任何行政机关不得为建设单位指定从事环境影响评价工作的单位，进行环境影响评价。

第十五条 建设单位编制环境影响报告书，应当依照有关法律规定，征求建设项目所在地有关单位和居民的意见。

impact statements, environmental impact forms or environmental impact registration forms, in addition to those provided for in the preceding paragraph, shall be prescribed by people's governments of the provinces, autonomous regions and municipalities directly under the Central Government.

Where a construction project causes trans-administrative area environmental impacts and a dispute arises between competent departments of environmental protection administration over the conclusions of the environmental impact assessment, the environmental impact statement or the environmental impact form shall be submitted to the joint competent department of environmental protection administration at the next-higher level for examination and approval.

Article 12 Where major changes take place in the nature, scale, or location of or production techniques adopted with respect to the construction project after approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form, the construction unit should re-submit the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval.

Where a construction project starts construction 5 years after the date of approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form, its environmental impact statement, environmental impact form or environmental impact registration form should be submitted to the original examination and approval organ for re-examination and re-verification. The original examination and approval organ should, within 10 days of the date of receipt of the construction project environmental impact statement, environmental impact form or environmental impact registration form, notify the construction unit in writing of its views on examination and verification; failure to notify the construction upon expiration of the 10 days shall be construed as approval.

Article 13 The State implements a qualification examination system for units engaging in the work of construction project environmental impact assessment.

Units engaging in the work of construction project environmental impact assessment must obtain a qualification certificate issued by the competent department of environmental protection administration under the State Council, engage in the work of construction project environmental impact assessment consistent with the grade and scope prescribed in the qualification certificate, and be responsible for the assessment conclusions. The competent department of environmental protection administration under the State Council should publish at regular intervals the list of units engaging in the work of construction project environmental impact assessment that have already been issued qualification certificates. Specific measures in this regard shall be developed by the competent department of environmental protection administration under the State Council.

Units engaging in the work of construction project environmental impact assessment must strictly comply with the rates for the collection of fees prescribed by the State.

Article 14 Construction units may employ an open tender mechanism for selection of the units engaging in the work of construction project environmental impact.

No administrative organ shall appoint units engaging in the work of environmental impact assessment as construction units.

Article 15 Construction units should, in preparing the environmental impact statement, solicit the views of the units and residents in the locality wherein the construction project is located pursuant to relevant provisions of law.

Chapter III Construction of Environmental Protection Facilities

Article 16 Environmental protection facilities with the main body of the project must be designed, built and commissioned simultaneously with respect to the construction project.

Article 17 The preliminary design of a construction project should, pursuant to the requirements of environmental protection design standards, contain information on environmental protection, and identify measures for the prevention and treatment of environmental pollution and ecological damage,

第三章 环境保护设施建设

第十六条 建设项目需要配置建设的环境保护设施，必须与主体工程同时设计、同时施工、同时投产使用。

第十七条 建设项目的初步设计，应当按照环境保护设计规范的要求，编制环境保护篇章，并依据经批准的建设项目环境影响报告书或者环境影响报告表，在环境保护篇章中落实防治环境污染和生态破坏的措施以及环境保护设施投资概算。

第十八条 建设项目的主体工程完工后，需要进行试生产的，其配套建设的环境保护设施必须与主体工程同时投入试运行。

第十九条 建设项目试生产期间，建设单位应当对环境保护设施运行情况和建设项目对环境的影响进行监测。

第二十条 建设项目竣工后，建设单位应当向审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门，申请该建设项目需要配套建设的环境保护设施竣工验收。

环境保护设施竣工验收，应当与主体工程竣工验收同时进行。需要进行试生产的建设项目，建设单位应当自建设项目投入试生产之日起3个月内，向审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门，申请该建设项目需要配套建设的环境保护设施竣工验收。

第二十一条 分期建设、分期投入生产或者使用的建设项目，其相应的环境保护设施应当分期验收。

第二十二条 环境保护行政主管部门应当自收到环境保护设施竣工验收申请之日起30日内，完成验收。

第二十三条 建设项目需要配套建设的环境保护设施经验收合格，该建设项目方可正式投入生产或使用。

第四章 法律责任

第二十四条 违反本条例规定，有下列行为之一的，由负责审批建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门责令限期补办手续；逾期不补办手续，擅自开工建设的，责令停止建设，可以处10万元以下的罚款：

(一) 未报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表

as well as a budgetary estimate for investment in the chapter on environmental protection on the basis of the approved construction project environmental impact statement or environmental impact form.

Article 18 Where trial production is required upon completion of the main body of the construction project, the project's environmental protection facilities must undergo simultaneous trial run with the main body of the project.

Article 19 The construction unit should, during the trial production of a construction project, monitor the operations of the environmental protection facilities and the environmental impacts of the construction project.

Article 20 The construction unit should, upon completion of a construction project, file an application with the competent department of environmental protection administration that examined and approved the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval inspections to be conducted upon completion of the construction of environmental protection facilities required for the construction project.

Approval inspections at completion of construction of environmental protection facilities should be conducted simultaneously with the acceptance checks for completion of construction of the main body of the project. Where trial production is required for the construction project, the construction unit should, within 3 months from the date that said construction project commences trial production, file an application with the competent department of environmental protection administration that examined and approved the construction project environmental impact statement, environmental impact form or environmental impact registration form for approval inspections to be conducted upon completion of the construction of environmental protection facilities required for the construction project.

Article 21 For construction projects that are built in phases, or that commence production or are delivered for use in phases, approval inspections at their environmental protection facilities should be conducted in phases.

Article 22 Competent departments of environmental protection administration should, within 30 days starting from the date of receipt of the application for approval inspections upon completion of the construction of the environmental protection facilities, complete the acceptance checks.

Article 23 Construction projects may only formally commence production or be delivered for use when the environmental protection facilities required for the construction project have been constructed and have passed approval inspection.

Chapter IV Legal Liability

Article 24 Whoever commits any of the following acts in violation of the provisions of these Regulations shall be ordered by the competent department of environmental protection administration responsible for the examination and approval of the construction project environmental impact statements, environmental impact forms or environmental impact registration forms fulfill the requirements within a given time period; those failing to fulfill the requirements on expiry of the given time period but commence construction without authorization shall be ordered to stop the construction and may be subject to a fine of RMB 100,000 Yuan or less:

(1) Failure to file an application for approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form;

(2) Failure to file a new application for approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form where major changes take place in the nature, scale, or location of or production techniques adopted for the construction project; and

(3) Failure to submit the construction project environmental impact statement, environmental impact form or environmental impact registration form to the original examination and approval unit for re-examination and re-verification where the construction project commence construction 5 years from the date of approval of the construction project environmental impact statement, environmental impact

的；

(二) 建设项目的性质、规模、地点或者采用的生产工艺发生重大变化，未重新报批建设项目环境影响报告书、环境影响报告表或者环境影响登记表的；

(三) 建设项目环境影响报告书、环境影响报告表或者环境影响登记表自批准之日起满5年，建设项目方开工建设，其环境影响报告书、环境影响报告表或者环境影响登记表未报原审批机关重新审核的。

第二十五条 建设项目环境影响报告书、环境影响报告表或者环境影响登记表未经批准或者未经原审批机关重新审核同意，擅自开工建设的，由负责审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门责令停止建设，限期恢复原状，可以处10万元以下的罚款。

第二十六条 违反本条例规定，试生产建设项目配套建设的环境保护设施未与主体工程同时投入试运行的，由审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门责令限期改正；逾期不改正的，责令停止试生产，可以处5万元以下的罚款。

第二十七条 违反本条例规定，建设项目投入试生产超过3个月，建设单位未申请环境保护设施竣工验收的，由审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门责令限期办理环境保护设施竣工验收手续；逾期未办理的，责令停止试生产，可以处5万元以下的罚款。

第二十八条 违反本条例规定，建设项目需要配套建设的环境保护设施未建成、未经验收或者经验收不合格，主体工程正式投入生产或者使用的，由审批该建设项目环境影响报告书、环境影响报告表或者环境影响登记表的环境保护行政主管部门责令停止生产或者使用，可以处10万元以下的罚款。

第二十九条 从事建设项目环境影响评价工作的单位，在环境影响评价工作中弄虚作假的，由国务院环境保护行政主管部门吊销资格证书，并处所收费用1倍以上3倍以下的罚款。

第三十条 环境保护行政主管部门的工作人员徇私舞弊、滥用职权、玩忽职守，构成犯罪的，依法追究刑事责任；尚不构成犯罪的，依法给予行政处分。

第五章 附 则

第三十一条 流域开发、开发区建设、城市新区建设和旧区改建等区域性开发，编制建设规划时，应当进行环境影响评价。具体办法由国务院环境保护行政主管部门

form or environmental impact registration form.

Article 25 Those who commence construction without authorization, without approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form, or without approval stemming from re-examination and re-verification of such documents by the original examination and approval unit shall be ordered by the competent department of environmental protection administration responsible for the examination and approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form to stop construction and restore the project site to its original state within a given time period, and may be subject to a fine of RMB 100,000 Yuan or less.

Article 26 Where the environmental protection facilities built for the construction project that goes into trial production fail to commence trial run simultaneously with the main body of the project in violation of the provisions of these Regulations, the construction project shall be ordered by the competent department of environmental protection administration responsible for the examination and approval of the construction project environmental impact statement, environmental impact form or environmental impact registration form to rectify the situation within a given time period; those who fail to make such a rectification on expiry of the given time period shall be ordered to stop the trial production, and may be subject to a fine of RMB 50,000 Yuan or less.

Article 27 A construction unit that fails to file an application for approval inspection upon completion of the construction of the environmental protection facilities of a construction project that is operating in the trial production stage for more than 3 months in violation of the provisions of these Regulations, shall be ordered by the competent department of environmental protection administration that examined and approved the said construction project environmental impact statement, environmental impact form or environmental impact registration form to fulfill the requirement of approval inspection upon completion of the environmental protection facilities within the given time period; those who fail to fulfill said required shall be ordered to stop the trial production and may be subject to a fine of RMB 50,000 Yuan or less.

Article 28 Where the main body of the project formally goes into production or is delivered for use without the completion of construction of environmental protection facilities required for the construction project, or without undergo and passing approval inspections in violation of the provisions of these Regulations, shall be ordered by the competent department of environmental protection administration that examined and approved the construction project environmental impact statement, environmental impact form or environmental impact registration form to stop the production or use, and may be subject to a fine of RMB 100,000 Yuan or less.

Article 29 The qualification certificate of any unit engaging in the work of construction project environmental impact assessment that engages in fraudulent activity in the work of environmental impact assessment shall be revoked by the competent department of environmental protection administration under the State Council, and such unit may concurrently be subject to a fine equaling from 1-3 times the fee collected for the unit's work.

Article 30 Any functionary of the competent department of environmental protection administration who engages in malfeasance for selfish gains, abuses his power, or neglects his duties constituting a crime shall be subject to investigation for the criminal liability according to the law; where a crime has not been committed administrative sanctions shall be imposed according to the law.

Chapter V Supplementary Provisions

Article 31 Environmental impact assessment should be conducted in developing construction planning for regional development such as valley development, economic development zone construction, new urban district construction and old urban district reconstruction. Specific measures shall be developed separately by the competent department of environmental protection administration under the State Council in conjunction with other competent departments under the State Council.

门会同国务院有关部门另行规定。

第三十二条 海洋石油勘探开发建设项目的环境保护管理，按照国务院关于海洋石油勘探开发环境保护管理的规定执行。

第三十三条 军事设施建设项目的环境保护管理，按照中央军事委员会的有关规定执行。

第三十四条 本条例自发布之日起施行。

Article 32 Environmental protection administration of offshore oil drilling and exploitation construction projects shall be subject to the provisions of the State Council concerning environmental protection administration of offshore oil drilling and exploitation.

Article 33 Environmental protection administration of military installation construction projects shall be subject to the relevant provisions of the Central Military Commission.

Article 34 These Regulations shall come into force as of the date of promulgation.

建设项目环境保护分类管理名录（第一批）

（国家环境保护总局 2001 年 2 月 17 日修订 环发〔2001〕17 号）

为贯彻执行国务院发布的《建设项目环境保护管理条例》，对建设项目的环境保护实行分类管理，提高环境影响评价的有效性，制定本分类管理名录。

一、根据建设项目对环境的影响程度，按照下列规定对建设项目的环境保护实行分类管理：

（一）建设项目对环境可能造成重大影响的，应当编制环境影响报告书，对建设项目产生的污染和环境影响进行全面、详细评价。

（二）建设项目对环境可能造成轻度影响的，应当编制环境影响报告表，对建设项目产生的污染和对环境的影响进行分析或者专项评价。

（三）建设项目对环境的影响很小、不需要进行环境影响评价的，应当填报环境影响登记表。

二、对环境可能造成重大影响、轻度影响、影响很小的建设项目界定原则：

1、对环境可能造成重大影响的建设项目界定原则：

对环境可能造成重大影响的建设项目指符合下列任一条件的项目：

（1）所有流域开发、开发区建设、城市新区建设和旧区改建等区域性开发项目。

（2）可能对环境敏感区造成影响的大中型建设项目。

（3）污染因素复杂，产生污染物种类多、产生量大或产生的污染物毒性大、难降解的建设项目。

（4）可能造成生态系统结构的重大变化或生态环境功能重大损失的项目。

（5）影响到重要生态系统、脆弱生态系统或有可能造成或加剧自然灾害的建设项目。

（6）易引起跨行政区环境影响纠纷的建设项目。

2、对环境可能造成轻度影响建设项目的界定原则：

对环境可能造成轻度影响的建设项目指符合下列任一条件的项目：

（1）可能对环境敏感区造成影响的小型建设项目。

（2）污染因素简单、污染物种类少或产生量小且毒性较低的建设项目。

Classified Directory for Environmental Protection Management of Construction Projects (Batch 1)

(Revised by the State Environmental Protection Administration on February 17, 2001)

The Classified Directory is formulated for the purpose of implementing Environmental "Regulations on the Management of Construction Projects" issued by the State Council, exercising classified management of environmental protection of construction projects, improving the validity of environmental impact assessment.

1. The classified management of environmental protection of construction projects shall be implemented in accordance with the degree of the impact of the construction projects on the environment and in line with the following provisions:

(1) The environmental impact report shall be prepared for the construction project that may cause serious impact on the environment and the pollution generated by the construction project and its impact on the environment shall be assessed in an overall and detailed way.

(2) If a construction project causes light impact on the environment, the environmental impact statement shall be prepared. The pollution generated by the construction project and its impact on the environment shall be analysed or assessed for special items.

(3) If the construction project causes little impact on the environment and it is unnecessary to have an assessment on the environment, the environmental impact registration shall be filled in.

2. The principle for defining the degrees of serious impact, light impact and little impact of the construction project:

(1) The principle for defining the serious impact of the construction project on the environment-

The construction project that may cause serious impact on the environment means the project that meets any of the following conditions:

a) All regional development projects of river basins development, construction of the development zones construction of the new urban areas and renovation of old urban areas, etc.

b) The large and medium-sized construction projects that may cause impact on the sensitive areas of the environment.

c) The construction projects with complicated pollution factors, many varieties of pollutants and a considerable amount of pollution or a high toxicity of the pollutants, the toxicity can hardly be reduced.

d) The projects that may cause a major change to the ecological system structure or a major loss to the functions of the ecological environment.

e) The construction projects that may affect the important ecological environment, the fragile ecological environment, or may cause or accelerate natural disasters.

f) The construction projects that are likely to cause trans-boundary pollution disputes.

(2) The principle for defining the construction projects that may cause light impact-

The construction project that may cause light impact on the environment means the project that meets any of the following conditions:

a) The small construction projects that may cause impact on the environmentally sensitive areas.

b) The construction projects that have simple pollution factors, only a few varieties of pollutants or that generate a small amount of toxicity and low toxicity of the pollutants.

c) The construction projects that have a certain impact on the ecological conditions of topography, landforms, coverage, rare wild animals and plants, but will not change the ecological environmental

(3) 对地形、地貌、水文、植被、野生珍稀动植物等生态条件有一定影响但不改变生态环境结构和功能的建设项目。

(4) 污染因素少，基本上不产生污染的大型建设项目。

(5) 在新、老污染源均达标排放的前提下，排污量全面减少的技术改造项目。

3、对环境影响很小的建设项目的界定原则：

对环境影响很小的建设项目指符合下列条件的建设项目：

(1) 基本不产生废水、废气、废渣、粉尘、恶臭、噪声、震动、放射性、电磁波等不利环境影响的建设项目。

(2) 基本不改变地形、地貌、水文、植被、野生珍稀动植物等生态条件和不改变生态环境功能的建设项目。

(3) 不对环境敏感区造成影响的小规模的建设项目。

(4) 无特别环境影响的第三产业项目。

三、环境敏感区的界定原则：

本分类管理名录中的环境敏感区包括以下区域：

1、需特殊保护地区：指国家或地方法律法规确定的或县级以上人民政府划定的需特殊保护的地区，如水源保护区、风景名胜、自然保护区、森林公园、国家重点保护文物、历史文化保护地（区），水土流失重点预防保护区、基本农田保护区。

2、生态敏感与脆弱区：指水土流失重点治理及重点监督区、天然湿地、珍稀动植物栖息地或特殊生态环境、天然林、热带雨林、红树林、珊瑚礁、产卵场、渔场等重要生态系统。

3、社会关注区：指文教区、疗养地、医院等区域以及具有历史、科学、民族、文化意义的保护地。

4、环境质量已达不到环境功能区划要求的地区。

四、附则：

1、暂未列入分类管理名录中的建设项目，按上述原则进行分类管理。

2、国家明令禁止建设或投资、列入国家经贸委发布的《淘汰落后生产能力、工艺和产品的目录》和《工商领域禁止投资目录》中的建设项目，不列入本分类管理名录中。

3、本建设项目环境保护分类管理名录由国家环境保护总局负责解释。

structure and functions.

d) The large construction projects that have few pollution factors and will not generate pollution in principle.

e) The technological transformation projects whose pollution discharge has been reduced on the premise and whose new and old pollution sources have attained the discharge standards.

(3) The principle for defining the construction projects with little impact on the environment-

The construction projects that have little impact on the environment mean those projects that shall meet the following requirements:

a) The construction projects that basically do not generate waste water, waste gas, waste dregs, dust, offensive odour, noise, vibration, radioactivity, electromagnetic wave and other negative influences for the environment.

b) The construction projects that basically do not change topography, landforms, hydrology, coverage, rare wild animals and plants and will not change the ecological environment and functions.

c) The small-sized construction projects that do not cause impact on the environmentally sensitive areas.

d) The tertiary industrial projects without special environmental impact.

3. The principle for defining the environmentally sensitive areas

The environmentally sensitive areas in the classified management directory include the following areas:

(1) The protection areas that require special protection: it refers to special protection areas specified by the laws and regulations of the state and local authorities or designated by the people's governments at and above the county level, such as water source protection areas, places of historical interest and scenic beauty, nature reserves, forest parks, major cultural relics protection areas, historical and cultural protection areas, major prevention and control areas of water erosion and the capital farmland areas.

(2) Ecologically sensitive and fragile areas: it means areas that require major control and supervision for soil erosion, natural wetland, habitats of rare animals and plants or special ecological environment, natural forests, equatorial rain forests, mangroves, coral reef, spawning places, fishing grounds, and other important ecological system.

(3) Areas that attracts social attention: Refers to cultural and educational areas, convalescence areas and areas for hospitals, as well as protection areas with the historic, scientific, national and cultural significance.

(4) Areas where the environmental quality has failed to attain the targets for environmental function zones.

4. Supplementary Provisions

(1) The construction projects which have not been listed in it for the time being shall be classified managed in accordance with the principle above mentioned.

(2) Construction projects that are forbidden by official order of the state for construction and investment and that are listed in the "Catalogue of Backward Production Capacity, Technology and Products to be phased out" and the "Catalogue for Banning Investment in the Industrial and Commercial Sectors" promulgated by the State Economic and Trade Commission shall not be listed in this Classified Management Directory.

(3) The State Environmental Protection Administration is responsible for the interpretation on this Classified Directory for Environmental Protection Management of Construction Projects.

附表：

建设项目环境保护分类管理名录（第一批）

项目类别		对环境可能造成重大影响（编制环境影响报告书）	对环境可能造成轻度影响（编制环境影响报告表）	对环境影响很小（填报环境影响登记表）	
区域性开发	流域开发（含流域规划和小流域治理），海岸带开发，围垦造地	全部	/	/	
	开发区 保税区，经济技术开发区，高新技术产业开发区，旅游经济开发区，工业园区及其它开发区	面积4平方公里（含）以上	面积4平方公里以下	/	
	边境贸易区	/	全部	/	
放射性设施	核设施，放射性试验装置，辐照装置，铀矿勘探及采冶，核燃料加工及放射性核素生产，放射性废物处理处置，开放型放射性工作场所退役，加速器制造，重大放射性物质泄露事故处理	全部	/	/	
农、林、牧、渔	农业	农业种植	/	全部	/
		农业综合开发	建于环境敏感区内的项目	建于环境非敏感区内的开发项目	/
		垦荒	连片1000亩（含）以上、敏感区；连片2000亩（含）以上、非敏感区	连片1000亩（含）以下、敏感区；连片2000亩（含）以下、非敏感区	/
	林业	林木种植	连片2万亩（含）以上	连片2万亩以下	/
		木材采运	年采运1万立方米（含）以上	年采运1万立方米以下	/
	畜牧	牲畜饲养、放牧	/	全部	/
		家禽饲养	/	全部	/
		其他养殖	/	全部	/
	渔业	近海海洋捕捞，淡水捕捞	/	/	全部
		淡水养殖	/	面积1000亩（含）以上	面积100（含）-1000亩

Appendix Table:

**Classified Directory for Environmental Protection Management
of Construction Projects (Batch 1)**

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)	
Regional development	River basins development (including river basin planning and small river basin control), coastal zones development, reclaim land from lake	whole	/	/	
	Development zones Zone for protective trade and development of economy and technology, high- and new- technical sector, tourism, industrial garden and others	An area of 4 square km and above	An area of less than 4 square km	/	
	Trade zone at border	/	whole	/	
Radioactive facilities	Nuclear facilities, radioactive test appliance, radio active appliance, prospecting and smelting of uranium mine, processing of nuclear fuels and production of radionuclide, treatment and disposal of radioactive wastes, retirement of open radioactive working site, manufacturing of accelerators, treatment of major leakage accidents of radioactive substances	whole	/	/	
Agriculture, forest, livestock and fishery	Agriculture	Agriculture cultivation	/	whole	/
		Comprehensive development	Project on sensitive area	Project on non-sensitive area	/
		Reclaim wasteland	Stretch 1,000 mu and above on the sensitive area; stretch 2,000 mu and above on the non-sensitive area	Stretch less than 1,000 mu on the sensitive area; stretch less than 2,000 mu on the non-sensitive area	/
	Forest	Forest cultivation	Stretch 20,000 mu and above	Stretch less than 20,000 mu	/
		Forest harvesting and transport	An annual output of 10,000 cubic m and above	An annual output of less than 10,000 cubic m	/
	Livestock	Domestic animal breeding	/	whole	/
		Cattle breeding	/	whole	/
		other	/	whole	/
	Fishery	Fish in offshore and freshwater	/	/	Whole
		Freshwater cultivation	/	An area of 1,000 mu and above	An area of 100--1,000 mu

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)		
	海水养殖	高位池 200 亩 (含) 以上; 低位池 1000 亩 (含) 以上; 内湾、泻湖等封闭海域 2000 亩 (含) 以上; 开阔性近海海域 5000 亩 (含) 以上	高位池 200 亩以下; 低位池 1000 亩以下; 内湾、泻湖等封闭海域 2000 亩以下; 开阔性近海海域 5000 亩以下	/		
	转基因技术推广应用, 物种引进	全部	/	/		
采掘	露天开采	大、中型	小型	/		
	石油和天然气开采 (海洋石油除外)	年产 20 万吨 (含) 以上石油或等当量天然气; 年产 20 万吨以下石油或等当量天然气但位于敏感区	年产 20 万吨以下石油或等当量天然气, 位于非敏感区	/		
	煤层气开采	全部	/	/		
	煤炭采选	煤炭矿区	全部	/	/	
		独立矿井	年产原煤 30 万吨 (含) 以上	年产原煤 30 万吨以下	/	
		洗煤厂	中、小型	大型自动化	/	
	黑色金属矿采选, 有色金属矿采选	全部	/	/		
	非 金 属 矿 采 选	脉矿开采, 化学矿开采	年产矿石 10 万吨 (含) 以上	年产矿石 10 万吨以下	/	
		湖盐及井盐	/	全部	/	
		海盐及矿盐	/	全部	/	
		其它非金属矿采选	石棉采选, 云母采选	年产 1000 吨 (含) 以上	年产 1000 吨以下	/
			石墨采选	年产 1 万吨 (含) 以上	年产 1 万吨以下	/
			土砂石	年产 30 万吨 (含) 以上	年产 30 万吨以下	/
			含石灰石、高岭土	年产 10 万吨 (含) 以上	年产 10 万吨 (含) 以下	/

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)		
	Seawater cultivation	An area of 200 mu and above in high-level pool; 1,000 mu and above in low-level pool; 2,000 mu and above in close sea area such as inner gulf and lagoon; 5,000 mu and above in open offshore area	An area of less than 200 mu in high-level pool; less than 1,000 mu in low-level pool; less than 2,000 mu in close sea area such as inner gulf and lagoon; less than 5,000 mu in open offshore area	/		
	Extend application on transgenic technology, introduce species	whole	/	/		
Excavation	Open mining	Large- and medium-scale	Small-scale	/		
	Mining of petroleum and natural gas	An annual output of 200,000 tons and above petroleum or natural gas equivalent; an annual output of less than 200,000 tons petroleum or natural gas equivalent in sensitive area	an annual output of less than 200,000 tons petroleum or natural gas equivalent in non-sensitive area	/		
		Coal bed gas	whole	/		
	Mining and milling of coal	Coal mines	whole	/	/	
		Independent pits	An annual output of 300,000 tons and above	An annual output of less than 300,000 tons	/	
		Milling mills	Medium- and small-scale	Large-scale and automatic	/	
	Mining and milling of ferrous and nonferrous metals	whole	/	/		
	Non-metals	Mining and milling of vein deposit and chemical ores	An annual output of 100,000 tons ores and above	An annual output of less than 100,000 tons ores	/	
		Lake salt and well salt	/	Whole	/	
		Sea salt and ore salt	/	whole	/	
		Other non-metals	Mining and milling of asbestos and mica	An annual output of 1,000 tons and above	An annual output of less than 1,000 tons	/
			Mining and milling of graphite	An annual output of 100,000 tons and above	An annual output of less than 100,000 tons	/
			Sand and stone	An annual output of 300,000 tons and above	An annual output of less than 300,000 tons	/
			limestone	An annual output of 100,000 tons and above	An annual output of less than 100,000 tons	/

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)		
制造	食品加工	粮食及饲料加工	年加工 5 万吨 (含) 以上	年加工 5 万吨以下	/	
		植物油加工	年加工 1000 吨 (含) 以上	年加工 1000 吨以下	/	
		制糖	全部	/	/	
		屠宰及肉类、蛋类加工	屠宰	年屠宰 1 万头 (10 万只) (含) 以上	年屠宰 1 万头 (10 万只) 以下	/
			肉类加工	/	全部	/
			蛋品加工	/	/	全部
		水产品加工	年加工 1 万吨 (含) 以上	年加工 1 万吨以下	/	
		盐加工	/	全部	/	
	食品制造	味精、柠檬酸、氨基酸制造	全部	/	/	
		淀粉, 淀粉制品	全部	/	/	
	酒精、饮料及酒类制造, 果菜汁类饮料制造	全部	/	/		
		果菜汁类之外的软饮料制造	/	年产 5000 吨 (含) 以上	年产 5000 吨以下	
	烟草加工	卷烟	年产 30 万箱 (含) 以上	年产 30 万箱以下	/	
		打叶复烤	全部	/	/	
		烟叶挂杆复烤	全部	/	/	
	纺织	含印染、漂染、洗毛、染整、脱胶工段的纺织项目; 有蚕蛹废水、精炼废水等的丝绸项目	全部	/	/	
		其它纺织项目	/	全部	/	
	服装及其他纤维制品制造	/	全部	/		
	皮革、毛皮、羽绒及其制品	制革, 毛皮鞣制	全部	/	/	
		羽毛 (绒) 加工, 皮革、毛皮、羽毛 (绒) 制品	/	全部	/	

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)		
Manufactory	Food processing	Processing of grain and forage	An annual output of 50,000 tons and above	An annual output of less than 50,000 tons	/	
		Processing of plant oil	An annual output of 1,000 tons and above	An annual output of less than 1,000 tons	/	
		Refine Sugar	whole	/	/	
		Slaughter and processing meal and egg	slaughter	An annual output of 100,000 head and above	An annual output of less than 100,000 head	
			Meal processing	/	Whole	/
			Egg processing	/	/	whole
		Aquatic product processing	An annual output of 10,000 tons and above	An annual output of less than 10,000 tons	/	
	Salt processing	/	whole	/		
	Food production	Production of glutamate, citric acid and amino acid	whole	/	/	
		Production of starch and its products	whole	/	/	
	Production of alcohol, liquor and beverage from fruit and vegetable	Production of alcohol, liquor and beverage from fruit and vegetable	whole	/	/	
		Other soft beverage	/	An annual output of and above 5,000 tons	An annual output of less than 5,000 tons	
	Processing tobacco	cigarette	An annual output of 300,000 cases and above	An annual output of less than 300,000 cases	/	
		Baking leaves	Whole	/	/	
		Baking with stalk	whole	/	/	
	Textile	Including dyeing, bleach, scouring, dyeing and finishing, degum and silk projects with silkworm chrysalis refining waste water	whole	/	/	
		Others	/	whole	/	
	Production of clothing and other fibre products	/	whole	/		
	Leather, fur and feather products	Tan and fur tanning	whole	/	/	
		Processing feather, products of leather, fur and feather	/	whole	/	

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)
	锯材、木片加工, 家具制造	/	全部	/
	木、竹、藤、棕、草制品	/	全部	/
造纸及纸制品	纸浆制造, 造纸 (含废纸造纸)	全部	/	/
	纸制品	/	全部	/
	印刷业, 文教、体育用品制造, 磁材料制品	/	全部	/
石油加工及炼焦	原油加工, 石油焦炼制, 石油制品	除单套装置外, 全部项目	单套装置	/
化学原料及化学制品制造	基本化学原料制造, 化学肥料制造, 化学农药制造, 有机化工原料制造, 有机化学产品制造, 合成材料制造, 专用化学品制造, 日用化学品制造, 合成树脂及其它高分子材料制造, 生物化工, 感光材料制造	全部	/	/
医药制造	化学药品制造, 中成药加工, 生物制品	全部 (单纯药品分装、复配除外)	单纯药品分装、复配	/
化学纤维制造	纤维素纤维制造, 合成纤维制造	全部	/	/
/	渔具及渔具材料制造		/	全部
橡胶制品	天然橡胶加工, 橡胶制品再生及翻修, 轮胎制造	全部	/	/

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)
	Converted timber wood chip processing, furniture production	/	whole	/
	Timber, bamboo, rattan palm, grass processing	/	whole	/
Papermaking and its products	Pulp production and papermaking	whole	/	/
	Paper products	/	whole	/
	Printing, production of products of culture and education, sports, products of magnetic materials	/	whole	/
Petroleum processing and coking	Petroleum processing, petroleum coking and petroleum products	All project, except separate appliance	Separate appliance	/
Chemical raw material and production of chemical products	Production of basic chemical raw material, chemical fertilizer, chemical pesticide, organic chemical raw material, organic chemical products, synthetic materials, special chemical products, daily chemical products, synthetic resin and its polymer material, biochemical and photosensitive material	whole	/	/
Medicine production	Production of chemical drug, processing Chinese medicine, biological products	All (except load and re-dosage only)	Load and re-dosage only	/
Production of chemical fibre	Production of cellulose and synthetic fibre	whole	/	/
chemical fibre	Production of fishing tackle and its materials	/	whole	/
Rubber products	Processing natural rubber, recycle and turn rubber products, production of tyre	whole	/	/

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)
塑料制品	泡沫塑料、人造革、石成革制造	全部	/	/
	其它塑料制品	/	全部	/
非金属矿物制品	水泥及石灰制造, 玻璃制造, 石墨及碳素制品, 砖瓦和轻质建筑材料制造	全部	/	/
	玻璃、陶瓷、石棉制品, 石棉、云母等耐火材料, 矿物纤维及其制品	全部	/	/
	水泥及云母制品	/	/	全部
黑色金属冶炼及压延加工	炼铁, 球团及烧结, 炼钢, 钢铁联合加工, 铁合金冶炼, 焦化	全部	/	/
	钢压延加工		全部	/
	轧钢	全部	/	/
有色金属冶炼及压延	有色金属冶炼, 有色金属合金	全部	/	/
	有色金属压延加工		全部	/
金属制品	铸铁金属件制造	年产 10 万吨 (含) 以上	年产 10 万吨以下	/
	表面处理	全部	/	/
	热处理	/	全部	/
机械制造	普通机械制造, 专用设备制造, 交通运输设备制造, 武器弹药制造, 电气机械及器材制造, 电子及通信设备制造, 仪器仪表及文化、办公用机械制造	全部	/	/

Continued

Project Category			May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)
Plastic products	Production of foamed plastic, artificial leather and synthetic leather	whole	/	/	
	Other plastic products	/	whole	/	
Non-metal products	Production of cement, lime, glass, graphite and carbon products, brick and tegula, and light construction materials	whole	/	/	
	glass, ceramics, asbestos products, fire materials as asbestos and mica, ores fibre and its products	whole	/	/	
	Products of cement and mica	/	/	Whole	
Ferrous metal smelting and flathening processing	Iron smelting, fritting and palletising, steelmaking, iron and steel complex, iron alloy smelting, coking	whole	/	/	
	Steel flathening		whole	/	
	Steel rolling	whole	/	/	
Non-ferrous metal smelting and flathening	Non-ferrous metal smelting, non-ferrous alloy	whole	/	/	
	Non-ferrous metal flathening		whole	/	
Metal products	Production of foundry iron products	An annual output of 100,000 tons and above	An annual output of less than 100,000 tons	/	
	Surface treatment	whole	/	/	
	Thermal treatment	/	whole	/	
Machine manufacture	manufacture of ordinary machine, special equipment, communication and transportation equipment, weapon and ammunition, electric machine and equipment, electronic and communication equipment, instrument and meter, machine for culture and office	whole	/	/	

项目类别			对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)
		其它机械制造, 普通机械修理	/	全部	/
	人造板制造		年产 20 万立方米 (含) 以上 (干法) 湿法全部	年产 20 万立方米以下 (干法)	/
电力、煤气、水生产供应	电力生产	火力发电 (燃油、煤、气), 水力发电, 抽水蓄能, 核力发电及核力供热, 垃圾发电	全部	/	/
		风力发电, 地热发电, 潮汐发电	敏感区	非敏感区	/
	电力、蒸汽、热水生产供应	输变电工程及电力供应	220 千伏 (含) 以上	220 千伏以下	/
		蒸汽、热水生产供应	锅炉总容量 65 吨/小时 (含) 以上; 锅炉总容量 30 (含) - 65 吨/小时, 敏感区	锅炉总容量 65 吨/小时以下, 非敏感区	/
	天然气、煤气生产供应	煤气生产供应	全部	/	/
		天然气供应	服务面积 10 平方公里 (含) 以上	服务面积 10 平方公里以下	/
	自来水生产和供应		日供水 10 万吨 (含) 以上, 有引水工程	日供水 10 万吨以下	/
	城市建设	城市交通设施	城市道路	长度 10 公里 (含) 以上; 长度 3 (含) - 10 公里, 敏感区	长度 10 公里以下, 非敏感区
地铁及轨道交通, 高架路及桥梁			全部	/	/
城市旧区改造, 城市新区建设, 城市河道改造, 固体废物集中填埋、堆肥或焚烧		全部	/	/	

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)	
	Other machine manufacture, ordinary machine maintain	/	whole	/	
	Artificial board production	An annual output of 200,000 cubic m and above (dry production techniques) Whole (wet production techniques)	An annual output of less than 200,000 cubic m (dry production techniques)	/	
Production and supply of power, coal gas, water	Production and supply of power, thermal steam and hot water	Thermal power (fuel, coal, gas), hydropower, pump water for energy, nuclear power and nuclear heat supply, rubbish power	whole	/	
		Wind power, geothermal power, tidal power	Sensitive area	Non-sensitive area	
	Transmission and transformer of electricity projects and power supply	220 kV and above	Less than 220 kV	/	
	Production and supply of thermal steam and hot water	Boiler with a total storage of 65 tons/h and above; boiler with a total storage of 30-65 tons/h in sensitive area	Boiler with a total storage of less than 65 tons/h in non-sensitive area	/	
	Production and supply of coal gas	whole	/	/	
	Production and supply of natural gas and coal gas	Supply area of 10 square km and above	Supply area of less than 10 square km	/	
	Production and supply of tap water	Output of 100,000 tons/day and above, with project for drawing water	Output of less than 100,000 tons/day	/	
	Urban construction	Traffic installations	Urban roads	10 km and above; 3-10 km in sensitive area	Less than 10 km in non-sensitive area
Subway and rail transport, and overpass and bridge			whole	/	/
Renovation of old urban area, construction of new urban area, renovation of river course in urban area, centralized burying, composting and burning of solid wastes		whole	/	/	

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)	
	城市污水集中处理	5万吨/日以上	5万吨/日以下	/	
	城市集中供热、供气、城市粪便处理		全部	/	
地质勘查、水利管理	地质勘查	单井勘探	/	位于环境非敏感区的项目	
		区域考察勘探	位于环境敏感区的项目	位于环境非敏感区的项目	
	水利工程	水库	库容 3000 万立方米 (含) 以上; 淹没面积 5 平方公里 (含) 以上; 库容 1000 万 (含) - 3000 万立方米, 敏感区; 淹没面积 5 平方公里, 敏感区; 地下水库	库容 3000 万立方米以下且淹没面积 5 平方公里以下、非敏感区	/
		灌溉	面积 10 万亩 (含) 以上, 10 万亩以下敏感区	面积 10 万亩以下, 位于非敏感区	/
		引水	年引水 1000 万立方米 (含) 以上; 年引水 1000 万立方米以下, 位于敏感区	年引水 1000 万立方米以下, 位于非敏感区	/
		堤防	保护农田 100 万亩 (含) 以上; 保护城镇人口 20 万人 (含) 以上	保护农田 100 万亩及城镇人口 20 万人以下	/
		小型农田水利设施	/	/	全部
	交通运输、仓储、电信	公路建设	三级及二级公路 100 公里 (含) 以上; 一级或高速公路 50 公里 (含) 以上; 三级或二级公路 100 公里以下, 位于敏感区; 一级或高速公路 50 公里以下, 位于敏感区	三级或二级公路 100 公里以下, 位于非敏感区; 一级或高速公路 50 公里以下, 位于非敏感区	/
铁路建设		全部	/	/	
民航工程		机场建设, 供油工程, 维修保障工程	全部	/	

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)	
	Urban centralized sewage treatment	50,000 tons/day and above	Less than 50,000 tons/day	/	
	Urban centralized supply of thermal and gas, treatment of urban droppings		whole	/	
Geological prospecting, water conservancy management	Geological prospecting	Single-well prospecting	/	Projects in non-sensitive area	
		Regional investigation and prospecting	Projects in sensitive area	Projects in non-sensitive area	
	Water conservancy project	Reservoir	A capacity of 30 million cubic m and above; the inundated area of 5 square km and above; a capacity of 10-30 million cubic m in sensitive area; the inundated area of 5 square km in sensitive area; underground reservoir	A capacity of less than 30 million cubic m and the inundated area less than 5 square km in non-sensitive area	/
		Irrigation	An area of 100,000 mu and above, an area of less than 100,000 in sensitive area	An area of less than 100,000 mu in non-sensitive area	/
		Drawing water	An annual capacity of 10 million cubic m and above, an annual capacity of less than 10 million cubic m in sensitive area	An annual capacity of less than 10 million cubic m in non-sensitive area	/
		Dike	An area of protected farmland of 1 million mu and above; population of protected towners of 200,000 and above	An area of protected farmland of less than 1 million mu and population of protected towners of less than 200,000	/
		Small water conservancy works	/	/	Whole
Communication and transport, storage, telecommunication	Highway	Grade II and III of 100 km and above; grade I and express of 50 km and above; grade III and II of less than 100 km in sensitive area; grade I or express of less than 50 km in sensitive area	Grade III or II of less than 100 km in non-sensitive area; grade I or express of less than 50 km in non-sensitive area	/	
	Railway	whole	/	/	
	Civil aviation project	Airport projects, oil supply projects, maintain projects	whole	/	

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)
港口、码头	综合性港区, 石化运输或危险品码头	全部	/	/
	散货码头	年吞吐量 50 万吨 (含) 以上; 年吞吐量 50 万吨以下, 敏感区	年吞吐量 50 万吨以下, 非敏感区	/
	多用途和集装箱码头	年吞吐量 50 万吨 (含) 以上	年吞吐量 50 万吨以下	/
	客运码头	全部	/	/
桥梁工程 (含引桥及连接线)		长度 1000 米 (含) 以上; 长度 1000 米 (含) 以下, 敏感区	长度 1000 米以下, 非敏感区	/
海洋工程	海洋石油和天然气开采	全部	/	/
	海底管线、缆线铺设	长度 50 公里 (含) 以上	长度 50 公里以下	/
围海造地		全部	/	/
防波堤工程		敏感区	非敏感区	/
管道运输		长度 100 公里 (含) 以上; 长度 100 公里以下, 敏感区	长度 100 公里以下, 非敏感区	/
航道疏浚及水运辅助工程		挖方 15000 万立方米 (含) 以上; 挖方 200 万 (含) - 1500 万立方米, 敏感区	挖方 1500 万立方米以下, 非敏感区	/
水运枢纽		全部	/	/
仓储	有毒、有害及危险品仓储	全部	/	/
	一般货物仓储 (含粮食储备)	/	全部	/
拆船、进口废物拆解		全部	/	/
电信	卫星地球站	一站多台	一站单台	/
	雷达	多台雷达通讯系统	单台雷达通讯系统	/
	无线通讯	一址多台; 含多址发射系统	一址单台	/

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)
Harbour and docks	Comprehensive harbour area, petrochemical transport docks or hazardous substance docks	whole	/	/
	Cargo docks	An annual loading capacity of 500,000 tons and above; an annual loading capacity of less than 500,000 in sensitive area	An annual loading capacity of less than 500,000 tons in non-sensitive area	/
	Multipurpose docks and container docks	An annual loading capacity of 500,000 tons and above	An annual loading capacity of less than 500,000 tons	/
	Passenger transport docks	whole	/	/
Bridges projects (including bridge approach and tie)		A length of 1000 m and above; less than 1000 m in sensitive area	A length of less than 1000 m in non-sensitive area	/
Marine construction project	Mining of petroleum and natural gas from ocean	whole	/	/
	Laying of sub-marine tunnel and cable	A length of 50 km and above	A length of less than 50 km	/
Reclaim land from the sea		whole	/	/
Mole works		Sensitive area	Non-sensitive area	/
Pipe transport		A length of 100 km and above; a length of less than 100 km in sensitive area	A length of less than 100 km in non-sensitive area	/
Dredge channel, auxiliary project for water transport		A cubage of excavation of 15 million cubic m and above; a cubage of excavation of 2-15 million cubic m in sensitive area	A cubage of excavation of less than 15 million cubic m in non-sensitive area	/
A hub of water transport		whole	/	/
Storage	Toxic, injurious and hazardous substance	whole	/	/
	Ordinary goods (including grain)	/	whole	/
Separate ship, imported waste		whole	/	/
Tele-communication	Ground satellite station	Several equipment in a station	One equipment in a station	/
	Radar	Several system	One system	/
	Wireless communication	Several system, including several site	One system	/

项目类别		对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)	
批零、餐饮	批发、零售	/	占地面积 5000 (含) 平方米以上	占地面积 5000 平方米以下	
	餐饮	/	营业面积 100 平方米 (含) 以上, 非敏感区; 营业面积 100 平方米以下, 敏感区	营业面积 100 平方米以下, 非敏感区	
房地产开发		建筑面积 5 万平方米 (含) 以上	建筑面积 5000 (含) - 5 万平方米	建筑面积 5000 平方米以下	
社会服务业	公共设施服务	停车场	车位 2000 (含) 个以上	车位 100 (含) - 2000 个	车位 100 个以下
		城市园林及城市绿化	面积 100 万平方米 (含) 以下	面积 10 万 (含) - 100 万平方米	面积 10 万平方米以下
	居民服务	洗染, 沐浴业, 加油、加气站	/	全部	/
		殡仪馆, 火葬场	/	全部	/
		学校	/	在校师生 1500 人 (含) 以上	在校师生 1500 人以下
		洗车业, 彩扩点及其它社区服务设施	/	/	全部
	旅馆、办公楼		建筑面积 5 万平方米 (含) 以上	建筑面积 5000 (含) - 5 万平方米	建筑面积 5000 平方米以下
	旅游景区开发, 缆车、索道建设		全部	/	/
	娱乐服务		/	全部	/
	大型博览会、展览会		需进行场馆建设	/	/
	展览馆、博物馆		占地面积 2 万平方米 (含) 以上	占地面积 2 万平方米以下	/
	影剧院、音乐厅		/	容纳 1000 座 (含) 以上	容纳 1000 座以下

Continued

Project Category		May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)	
Wholesale and retail sale, catering	Wholesale and retail sale	/	Covers an area of 5,000 square m and above	Covers an area of less than 5,000 square m	
	Catering	/	A business area of 100 square m and above in non-sensitive area; a business area of less than 100 square m in sensitive area	a business area of less than 100 square m in non-sensitive area	
Real estate development		A construction area of 50,000 square m and above	A construction area of 5,000-50,000 square m	A construction area of less than 5,000 square m	
Society service	Public facilities	Parking lot	A capacity of 2,000 and above	A capacity of 100-2,000	A capacity of less than 100
		Urban gardens and urban afforestation	An area of 1 million square m and above	An area of 100,000-1 million square m	An area of less than 100,00 square m
	Service for residents	Cleaners and dyers, bath, gas station	/	whole	/
		Funeral home, crematorium	/	whole	/
		School	/	With a student's roll of 1,500 and above	With a student's roll less than 1,500
		Car-wash, process shop and others	/	/	whole
	Hotel, office building		A construction area of 500,000 square m and above	A construction area of 5,000-500,000 square m	A construction area of less than 5,000 square m
	Development of tourism landscape, construction of cable car and cableway		whole	/	/
	Entertainment service		/	whole	/
	Large-scale international fair, exhibition		While construction of space and building are necessary	/	/
	Museum, exhibition hall		Covers an area of 20,000 square m and above	Covers an area of less than 200,000	/
	Theatre, concert hall		/	A capacity of 1,000 and above	A capacity of less than 1,000

项目类别			对环境可能造成重大影响 (编制环境影响报告书)	对环境可能造成轻度影响 (编制环境影响报告表)	对环境影响很小 (填报环境影响登记表)
卫生体育	卫生	医院	床位 500 张 (含) 以上	床位 500 张以下	/
		疗养院	床位 700 张 (含) 以上	床位 700 张以下	/
		专科防治所 (站)	床位 200 张 (含) 以上	床位 200 张以下	/
		卫生站	/	/	全部
	体育	体育场	容纳 5 万人 (含) 以上	容纳 5 万人以下	/
		体育馆	容纳 1 万人 (含) 以上	容纳 1 万人以下	/
		综合性体育运动会	需进行场馆建设	/	/
		高尔夫球场	全部	/	/
广播电影电视	广播电台, 差转台, 电视塔台		全部	/	/
	电影	影视基地, 胶片洗印	全部	/	/

Continued

Project Category			May cause serious impact on the environment (for the preparation of the Environmental Impact Report)	May cause light impact on the environment (for the preparation of the Environmental Impact Statement Form)	May cause serious impact on the environment (for the preparation of the Environmental Impact Registration Form)
Public health, physical culture	Public health	Hospital	A capacity of 500 beds and above	A capacity of less than 500 beds	/
		Sanatorium	A capacity of 700 beds and above	A capacity of less than 700 beds	/
		Specialized prevention and cure station	A capacity of 200 beds and above	A capacity of less than 200 beds	/
		Clinic	/	/	whole
	Physical culture	Stadium	A capacity of 50,000 and above	A capacity of less than 50,000	/
		Gymnasium	A capacity of 10,000 and above	A capacity of less than 10,000	/
		Comprehensive sports meeting	While construction of space and building are necessary	/	/
		Golf course	whole	/	/
Broadcast, film, television	Broadcasting station, relay station, television tower		whole	/	/
	Film	Base for film and television, film processing	whole	/	/

《建设项目环境影响报告表》和 《建设项目环境影响登记表》内容及格式（试行）^①

（国家环保总局 1999 年 8 月 3 日 环发 [1999] 178 号）

根据国务院《建设项目环境保护管理条例》的规定，我局制订了《建设项目环境影响报告表》（试行）和《建设项目环境影响登记表》（试行）的内容及格式，现予公布，请遵照执行。

- 附：1. 建设项目环境影响报告表
2. 建设项目环境影响登记表

附件一：

建设项目环境影响报告表（试行）

项目名称：_____

建设单位（盖章）：_____

编制日期：_____年____月____日

国家环保总局制

《建设项目环境影响报告表》编制说明

《建设项目环境影响报告表》由具有从事环境影响评价工作资质的单位编制。

1. 项目名称——指项目立项批复时的名称，应不超过 30 个字（两个英文字段作一个汉字）。
2. 建设地点——指项目所在地详细地址，公路、铁路应填写起止地点。
3. 行业类别——按国标填写。
4. 总投资——指项目投资总额。
5. 主要环境保护目标——指项目区周围一定范围内集中居民住宅区、学校、医院、保护文物、风景名胜区、水源地和生态敏感点等，应尽可能给出保护目标、性质、规模和距厂界距离等。
6. 结论与建议——给出本项目清洁生产、达标排放和总量控制的分析结论，确定污染防治措施的有效性，说明本项目对环境造成的影响，给出建设项目环境可行

^① 原件标题为《关于公布〈建设项目环境影响报告书〉（试行）和〈环境影响报告表〉（试行）内容及格式的通知》。使用本文时请引用原件标题。——编者注

Contents and Format of “Environmental Impact Statement of Construction Projects” and “Environmental Impact Registration of Construction Projects” (on Trial)^①

(Promulgated by the State Environmental Protection Administration on August 3, 1999)

The contents and format of the Environmental Impact Statement of Construction Projects“ (on trial) and the “Environmental Impact Registration“ (on trial) formulated by the State Environmental Protection Administration in accordance with the provisions of the Regulations of the State Council on the Environmental Protection Management for Construction Projects are now published. Please act in accordance with it.

- Attachment: 1. Environmental Impact Statement of Construction Projects
2. Environmental Impact Registration of Construction Projects

Attachment I:

Environmental Impact Statement of Construction Projects(On Trial)

Project name: _____
Construction unit: _____
Date of: _____

Made by the State Environmental Protection Administration

Explanations for Preparing The“Environmental Impact Statement of Construction Projects”

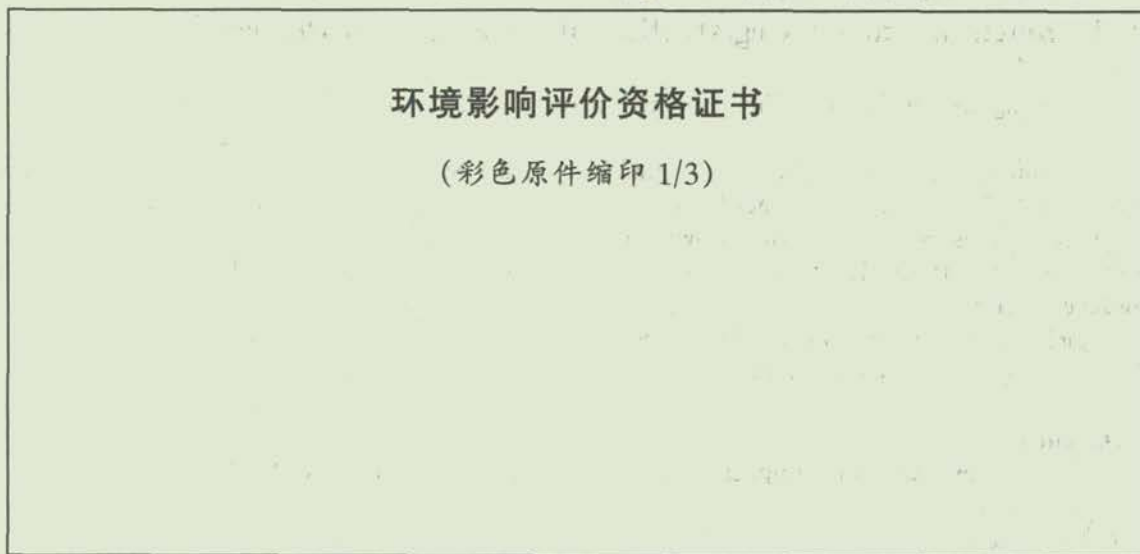
The Environmental Impact Statement of Construction Projects shall be formulated by the unit that has the qualification for the environmental impact assessment.

1. Project name—refers to the name the project used when the project application was examined and approved, which should not exceed 30 Chinese characters (two English words will be regarded as one Chinese character).
2. Construction site—refers to the detailed address of the project. If the project is either a highway or a railway, it should specify the starting and termination points.
3. Categories of industries—shall be filled in accordance with the standards of the state.
4. Total investment—refers to the total amount of the investment for the project.
5. Main environmental protection targets—refer to the residential areas, school, hospital, protection of cultural relics, historical interest and scenic spots, place of water sources and ecologically sensitive spots, etc. The protection targets, nature, scale and distance from the plant boundary shall be given as far as possible.
6. Results and suggestions—presents the analysis and results of clean or production, discharge which has attained the standard and the total control of discharge quantity of the project; defines the effectiveness of the facilities for the prevention and control of pollution; describes the impact of the project on the environment; gives the clear results of the environmental feasibility study of the construction project; and at the same time, advances other suggestions for reducing environmental impact.
7. Pre-examination opinions—the relevant leading department of the trade shall provide the opinions. If there is not any relevant leading department of the trade, it is not necessary to be filled in.

^① The title of the original document is the Circular on Publishing the Contents and Format of the Environmental Impact Statement of Construction Projects (on trial) and Environmental Impact Statement (on trial). When this article is cited, please cite the title of the original document. Editor's note.

性的明确结论。同时提出减少环境影响的其他建议。

7. 预审意见——由行业主管部门填写答复意见，无主管部门项目，可不填。
8. 审批意见——由负责审批该项目的环境保护行政主管部门批复。

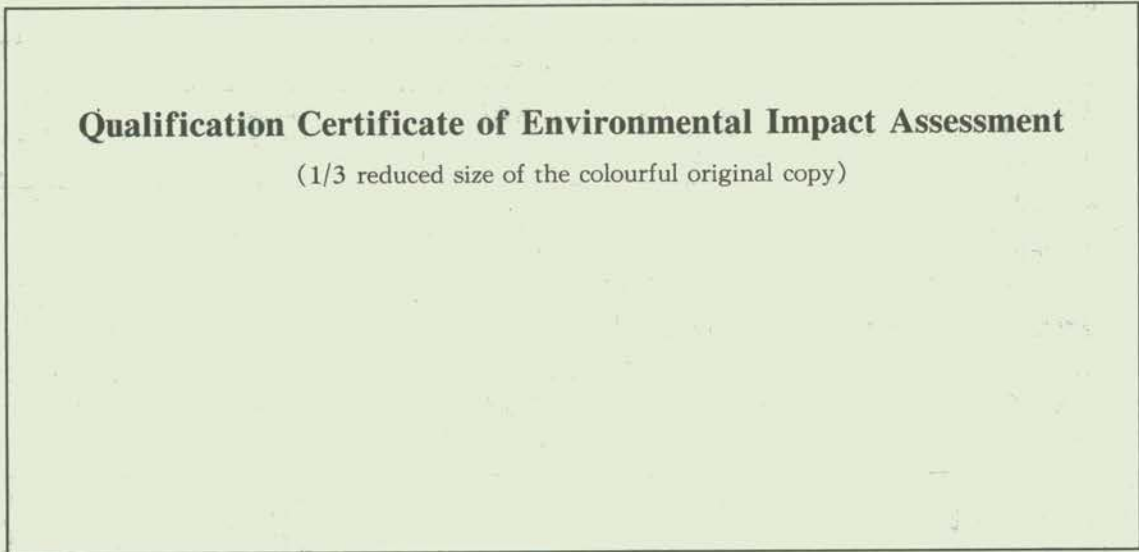


评价单位 _____ (公章)

项目负责人: _____

评 价 人 员 情 况				
姓 名	从 事 专 业	职 称	上 岗 证 书 号	职 责

8. Examination and approval—the competent department of the environmental protection administration responsible for examination and approval shall give an official and written approval.



Assessment unit _____ (official seal)

Project responsible person: _____

Assessing Personnel				
Name	Profession	Title	No. of Certificate	Duties

建设项目基本情况

项目名称					
建设单位					
法人代表			联系人		
通讯地址	省（自治区、直辖市）			市（县）	
联系电话		传真		邮政编码	
建设地点					
立项审批部门			批准文号		
建设性质	新建 <input type="checkbox"/> 改扩建 <input type="checkbox"/> 技改 <input type="checkbox"/>		行业类别及代码		
占地面积（平方米）			绿化面积（平方米）		
总投资（万元）		其中：环保投资（万元）		环保投资占总投资比例	
评价经费（万元）		预期投产日期	年 月		
工程内容及规模：					
与本项目有关的原有污染情况及主要环境问题：					

Basic Introduction of the Construction Project

Project name					
Construction unit					
Co-operative representative			Contact person		
Address	Province (autonomous region, municipality)			city (county)	
Telephone		Fax		Postcode	
Construction site					
Examination and approval department			Approval Number of the project		
Construction nature	Newly constructed <input type="checkbox"/> Revamped <input type="checkbox"/> technological transformation <input type="checkbox"/>		Industrial category and code number		
Occupied area (sq. m)			Green area (sq. m)		
Total investment (× 10,000 Yuan)		investment in environmental protection (× 10,000 Yuan)		Percentage of investment in environmental protection from the total investment	
Assessment expenses (× 10,000 Yuan)		Proposed date for production		Month	year
Engineering contents and scale:					
The existing pollution and main environmental problems in connection with the project:					

建设项目所在地自然环境社会环境简况

自然环境简况（地形、地貌、地质、气候、气象、水文、植被、生物多样性等）：

社会环境简况（社会经济结构、教育、文化、文物保护等）：

Brief Introduction to the Natural and Social Environment of the Locality

A brief introduction to the natural environment (topography, landforms, climate, meteorology, hydrology, vegetation and biological diversity, etc.):

A brief introduction to the social environmental situation (social and economic structure, education, culture and protection of cultural relics, etc.):

环境质量状况

建设项目所在区域环境质量现状及主要环境问题（环境空气、地面水、地下水、声环境、生态环境等）

主要环境保护目标（列出名单及保护级别）：

Environmental Quality

Environmental quality and main environmental problems at the place where the project is located (air, surface water, ground water, noise and ecology, etc.)

Main environmental protection targets (list the name and protection grade):

评价适用标准

环境 质量 标准	
污 染 物 排 放 标 准	
总 量 控 制 指 标	

Applicable Standards for Assessment

Environmental quality standards	
Discharge standards	
Target for total control of discharge quantity	

建设项目工程分析

工艺流程简述（图示）：

主要污染工序：

Engineering Analysis of the Construction Project

Brief introduction to the technological flows (graphic expression):

Procedures for the main pollution:

项目主要污染物产生及预计排放情况

内 容 类 型	排放源（编号）	污染物名称	处理前产生浓度 及产生量（单位）	排放浓度 及排放量（单位）
大气 污 染 物				
水 污 染 物				
固 体 废 物				
噪 声				
其 他				
主要生态影响（不够时可附另页）				

Generation and Anticipated Discharge of Main Pollutants of the Project

Contents Category	discharge source (Serial No.)	Discharge Pollutant name	Density and amount before treatment(unit)	Discharge density and amount (unit)
Atmosphere pollutants				
Water pollutants				
Solid wastes				
Noise				
Others				
Main ecological impact				

环境影响分析

施工期环境影响简要分析：

营运期环境影响分析：

Environmental Impact Analysis

A brief analysis of environmental impact during the construction period:

An analysis of environmental impact during the operation period:

建设项目拟采取的防治措施及预期治理效果

内 容 类 型	排放源（编号）	污染物名称	防治措施	预期治理效果
大气 污 染 物				
水 污 染 物				
固 体 废 物				
噪 声				
其 他				
生态保护措施及预期效果				

**Prevention and Control Measures and Anticipated Control Results
of the Construction Project**

Contents Category	Discharge source (Serial No.)	Discharge Pollutant name	Prevention and control measures	Desired control results
Atmosphere pollutants				
Water pollutants				
Solid wastes				
Noise				
Others				
Ecological protection measures and anticipated results:				

结论与建议

Blank area for the 'Conclusion and Suggestions' section.

Results and Suggestions



预审意见：

公 章

经办人：

年 月 日

下一级环境保护行政主管部门审查意见：

公 章

经办人：

年 月 日

Pre-examination opinions:

Undertaker:

Official seal

Date:

Examination opinions of the competent department of the environmental protection administration at the lower level:

Undertaker:

Official seal

Date:

审批意见：

公 章

经办人：

年 月 日

Examination opinions:

Official seal

Undertaker:

Date:

注 释

一、本报告表应附以下附件、附图：

附件 1 立项批准文件

附件 2 其他与环评有关的行政管理文件

附图 1 项目地理位置图（应反映行政区划、水系、标明纳污口位置和地形地貌等）

附图 2 项目平面布置图

二、如果本报告表不能说明项目产生的污染及对环境造成的影响，应进行专项评价。根据建设项目的特点和当地环境特征，应选下列 1—2 项进行专项评价。

1. 大气环境影响专项评价

2. 水环境影响专项评价（包括地表水和地下水）

3. 生态影响专项评价

4. 声影响专项评价

5. 土壤影响专项评价

6. 固体废弃物影响专项评价

以上专项评价未包括的可另列专项，专项评价按照《环境影响评价技术导则》中的要求进行。

附件二：

编号：_____

建设项目环境影响登记表（试行）

项目名称：_____

建设单位（盖章）：_____

编制日期： 年 月 日

国家环保总局制

Notes

1. The statement shall be attached with the following documents and charts:

Attachment I: The approval document of the project issuing

Attachment II: Other administrative documents related to the assessment

Attached chart I: Geographical location of the construction project (it should display the zoning, water system, the location of the pollution in-take outlet, topography and landforms)

Attached chart II: floor plan of the project

2. If this statement cannot explain the pollution and impact on the environment generated from the project, special assessment shall be made. The following one or two items shall be selected for special assessment in accordance with the features of the project and the local environmental characteristics.

(1) Special assessment of atmosphere environmental impact;

(2) Special assessment of water environmental impact (including surface and ground water);

(3) Special assessment of ecological impact;

(4) Special assessment of noise impact;

(5) Special assessment of soil impact ;

(6) Special assessment of solid waste impact.

Other assessment which is not included in the above special assessment shall be listed separately. Special assessment shall be conducted in line with the demands of the "Technical Guiding Principles for Environmental Impact Assessment".

Attachment II:

Serial No. _____

Environmental Impact Registration of Construction Projects (trial implementation)

Project name: _____

Construction unit (seal): _____

Date of preparation:

Prepared by the State Environmental Protection Administration

《建设项目环境影响报告表》和《建设项目环境影响登记表》内容及格式（试行）

项目名称					
建设单位					
法人代表			联系人		
通讯地址	省（自治区、直辖市）			市（县）	
联系电话		传真		邮政编码	
建设地点					
建设性质	新建 <input type="checkbox"/> 改扩建 <input type="checkbox"/> 技改 <input type="checkbox"/>		行业类别及代码		
占地面积 （平方米）			使用面积 （平方米）		
总投资（万元）		环保投资（万元）		投资比例	
预期投产日期	年 月		预计年工作日	天	
一、项目内容及规模					
二、原辅材料（包括名称、用量）及主要投施规格、数量（包括锅炉、发电机等）					
三、水及能源消耗量					
名 称	消 耗 量		名 称	消 耗 量	
水（吨/年）			燃油（吨/年）	重油	轻油
电（千瓦/年）			燃气（标立方米/年）		
燃煤（吨/年）			其它		
四、废水（工业废水 <input type="checkbox"/> 、生活废水 <input type="checkbox"/> ）排水量及排放去向					

Project name					
Construction unit					
Co-operative representative			Contact person		
Address	province (autonomous region, municipality)			city (county)	
Telephone		Fax		Postcode	
Construction site					
Construction nature	Newly constructed <input type="checkbox"/> Revamped <input type="checkbox"/> Technological transformation <input type="checkbox"/>		Industrial category & code		
Occupied area (sq. m)			Green area (sq. m)		
Total investment ($\times 10,000$ Yuan)		Investment in environmental protection ($\times 10,000$ Yuan)		Investment ratio	
Anticipated date for operation	Month	Year	Anticipated working days	day	
1. Contents and scale of the project					
2. Raw and auxiliary materials (including names and quantity), specification and quantity of main equipment (including boilers and generators)					
3. Water and energy consumption					
Name	Consumption		Name	Consumption	
water (ton/year)			oil (ton/year)	heavy & light oil	
Electricity (kw/year)			gas (standard cubic m./year)		
Coal (ton/year)			others		
4. Quantity & direction of waste water discharges (industrial waste water <input type="checkbox"/> domestic sewage <input type="checkbox"/>)					

五、周围环境简况（可附图说明）

六、生产工艺流程简述（如有废水、废气、废渣、噪声产生，须明确标出产生环节，并用文字说明）

5. Brief introduction to the surrounding environment (with illustrated charts if necessary)

6. Brief introduction to the technological flows of production (if they produce waste water, gas, dregs and noise, the links to the generation of these wastes shall be marked with illustrations)

七、拟采取的防治污染措施（包括建设期、营运期）

八、审批意见：

经办人（签字）

（公章）

年 月 日

备注：除审批意见，此表由建设单位填写。

7. The prevention and control measures to be taken (including the construction and operation periods)

8. Examination and approval opinions:

Undertaker: (signature)

(official seal)

Date:

Note: This assessment shall be filled in by the construction unit, except for the sections of examination and approval opinions.

建设项目环境保护管理程序

(1990年6月, 国家环境保护局)

根据《中华人民共和国环境保护法》和(86)国环字第003号《建设项目环境保护管理办法》的规定, 在中华人民共和国领域内的工业、能源、交通、机场、水利、农业、林业、商业、卫生、文教、科研、旅游、市政等对环境有影响的一切建设项目, 在项目建议书至建设竣工投产过程中, 建设单位及有关部门必须依各自职责按以下程序开展环境保护工作, 办理审批手续。

一、建设项目指一切基本建设项目、技术改造项目和区域开发建设项目, 包括涉外项目(中外合资、中外合作、外商独资建设项目)

二、国家环保局负责以下建设项目环境影响报告书(表)的审批:

1. 跨越省、自治区、直辖市界区的建设项目;
2. 特殊性质的建设项目(如核设施, 绝密工程等);
3. 特大型的建设项目(报国务院审批)。即总投资限额2亿元以上, 由国家计委批准, 或计划任务书由国家计委报国务院批准的建设项目;
4. 由省级环境保护部门提交上报, 对环境问题有争议的建设项目。

三、建设项目五个主要阶段的环境管理及程序

(一) 项目建议书阶段或预可行性研究阶段的环境管理。

1. 建设单位结合选址, 对建设项目组成投产后可能造成的环境影响, 进行简要说明(或环境影响初步分析);
2. 环保部门参加厂址现场踏勘;
3. 省级环境保护部门签署意见, 纳入项目建议书做为立项依据。

(二) 可行性研究(设计任务书)阶段的环境管理

1. 国家环保局及行业主管部门根据国家计委及有关部门立项批复, 督促建设单位执行环境影响报告书(表)审查制度;

2. 建设单位征求国家环保局意见, 确定作报告书或报告表。委托持甲级评价证书的单位, 编制环境影响报告表、或评价大纲(环评实施方案);

3. 建设单位向国家环保局申报环境影响评价大纲(环评实施方案), 抄送行业

Procedures on the Administration of Environmental Protection of Construction Projects

(Promulgated by the National Environmental Protection Agency on June ,1990)

In accordance with the stipulation of "The Environmental Protection Law of the People's Republic of China" and "The Measures on Environmental Protection of Construction Projects", all of the construction projects involved in industry, energy sources, transportation, airports, water conservancy, forestry, commerce, sanitation, culture and education, scientific research, tourism, municipal utilities etc. in the territory of the People's Republic of China, the project undertaken organizations as well as relevant authorities must exercise their responsibilities on the work of environmental protection and go through formalities for examination and approval in accordance with here under-listed procedures, in the course from the project proposal to the project completion and operation.

I. The construction projects refer to any capital construction projects, technical renovation projects and regional development and construction projects including foreign involved projects (Sino-foreign equity joint ventures, Sino-foreign cooperative ventures and wholly foreign owned enterprises).

II. The National Environmental Protection Agency of China (NEPA) is responsible for examining and approving Environmental Impact Statement (Form) (EIS (EIF)) of construction projects here under-listed:

1. The construction projects located transregionally across provinces, autonomous regions and municipalities directly under the Central Government;
2. The construction projects with special characteristics (eg. nuclear facilities and top-secret projects);
3. Super-sized projects (submitted for examination and approval by the State Council), i.e. the construction projects with total investment norm over 200 million yuan, approved by the State Planning Commission or its project assignment submitted by the State Planning Commission to the State Council for approval.

4. The construction projects with argument over environmental impact submitted by environmental protection departments at provincial level.

III. Environmental management and its procedures for construction projects in five major phases

i. Environmental management in the phase of the project proposal and of pre-feasibility study.

1. In conjunction with site selection, the project undertaken organizations make a brief explanation about potentially resulting environmental impacts after the completion and operation of the construction projects (or Initial Environmental Impact Analysis);

2. Participation for environmental protection departments in on-site survey of site selection;

3. Suggestions signed by environmental protection departments at provincial level are brought into the project proposal as a basis for project identification.

ii. Environmental management in the phase of feasibility study (project assignment)

1. NEPA as well as the competent authorities of their lines urge the project undertaken organizations to implement EIS (EIF) examination system in accordance with the approval of project identification by the State Planning Commission as well as the authorities concerned;

2. The project undertaken organizations solicit comments from NEPA and decide to draft EIS or EIF and entrust the organizations held class A assessment certificates to formulate EIF or EIA outlines (implementation programme for EIA);

3. The project undertaken organizations submit the EIA outlines (implementation programme for EIA) to NEPA and send a duplicate to the competent authorities of their lines, along with project iden-

主管部门，同时附立项文件及环评经费概算，国家环保局根据情况确定审查方式（组织专家评审会，专家现场考察及征求有关部门意见），提出审查意见；

4. 根据国家环保局对“大纳”审查的意见和要求（主要包括评价范围，选用的标准，确定的保护目标，环境要素的取舍和评价经费等）及确定的大纳内容，评价单位与建设单位签订合同，开展评价工作，编制环境影响报告书；

5. 建设项目如有重大变动，建设单位及评价单位应及时向环保部门报告；

6. 建设单位将编制完成的“报告书（表）”，按审批权限上报主管部门的环保机构，抄报国家环保局和项目所在地省、市环保部门；

7. 主管部门组织报告书（表）预审，将预审意见和修改确定的两套环评报告书报国家环保局审批。省级环保部门应同时向国家环保局报送审查意见。国家环保局在接到预审意见之日起，二个月内批复或签署意见。逾期不批复或未签署意见，可视其上报方案已被确认；

8. 国家环保局可委托省级环保部门审查“大纲”或审批“报告书”；

9. 国家环保局参加对环境有重大影响的项目可行性研究报告评估。

（三）设计阶段的环境管理

一般建设项目按两个阶段进行设计，即初步设计和施工图设计。对于技术上复杂而又缺乏设计经验的项目，经行业主管部门确定，可以增加技术设计阶段；为解决总体开发方案和建设部署等重大问题，有些行业，可包括总体规划设计或总体设计。

初步设计阶段的环境管理

1. 建设项目初步设计必须按照（87）国环字第002号文《建设项目环境保护设计规定》编制环境保护篇章，具体落实环境影响报告书（表）及其审批意见所确定的各项环境保护措施和投资概算；

2. 建设单位在设计会审前向政府环保部门报送设计文件；

3. 特大型（重点）建设项目按审查权限由国家环保局或由国家环保局委托省级政府环保部门参加设计审查，一般建设项目由省级政府环保部门参加设计审查。必要时环保部门可单独审查环保篇章；

施工图设计阶段的环境管理

1. 根据初步设计审查的审批意见，建设单位会同设计单位，在施工图中落实有关环保工程的设计及其环保投资；

tification documents and cost estimate of EIA, NEPA decides examination patterns (organizing experts appraisal meeting, expert on-the-spot inspection, and soliciting comments from the authorities concerned), and raises comments of examination;

4. In accordance with the requirements and comments for the outline examination given by NEPA (mainly including the scope of assessment, the criteria selected, established protection objectives, acceptance and rejection of environmental elements, and the cost for EIA etc.) and established content of the outlines, the organizations responsible for assessment sign contracts with project undertaken organizations, implement the work of assessment and formulate EIS.

5. If major alternations in construction projects occur, project undertaken organizations as well as organizations responsible for assessment should report them to the departments responsible for environmental protection immediately;

6. The project undertaken organizations submit the formulated "EIS (EIF)" to the environmental protection agencies of the competent authorities in accordance with the right to examining and approving, and meanwhile send a duplicate to NEPA and environmental protection departments at the location of a project at regional, provincial and municipal levels respectively;

7. The competent authorities organize the pre-examination on EIS (EIF), submit comments of pre-examination and two copies of revised EIS to NEPA for examination and approval. Meanwhile, environmental protection departments at provincial level should send their comments of examination to NEPA. NEPA gives an official, written reply and signs its comments within 2 months of the date on which the comments of pre-examination are received, if no response within this specific time limit, comments of pre-examination and revised EIS will be considered to have been approved.

8. NEPA could entrust the examination of the outlines and the examination and approval of EIS to environmental protection departments at provincial level.

9. NEPA participates in evaluation on feasibility study report of the projects which will exert serious impact on environment.

iii. Environmental management in the design phase

The implementation of the ordinary construction project's design is divided into two phases, i.e. preliminary design and working drawing design. For the projects technically complicated and being lack of design experience, under assignment of the competent authorities, the additional phase of technical design could be included; for some lines, master plan and general design could be incorporated in order to solve the major problems of general development programme and construction layout etc.

(i) Environmental management in the phase of preliminary design

1. In preliminary design of the construction projects, chapters on environmental protection must be formulated in accordance with "Regulations for Engineering design on Environmental Protection of Construction Projects (REDEPCP)", the various items of environmental protection measures and their estimated investments defined in the comments of EIS (EIF) by examination and approval should be embodied in these chapters;

2. The project undertaken organizations submit design documents to environmental protection departments at governmental level prior to a joint checkup on design;

3. Super-sized (major) construction projects are examined by NEPA or by the Agency entrusting environmental protection departments at provincial government level to participate in a joint checkup for their design, in accordance with the right to examining; environmental protection departments at provincial government level participates in a joint checkup on design for ordinary construction projects, environmental protection departments could examine chapters on environmental protection separately when necessary;

(ii) Environmental management in the phase of construction plan design

1. According to the comments of examination and approval from preliminary design examination, the project undertaken organizations in association with the organizations for design implement the design of relevant environmental protection projects and its environmental protection investment;

2. Environmental protection departments organize supervision and examination;

2. 环保部门组织监督检查；

3. 建设单位报批开工报告。批准后，建设项目列入年度计划，其中应纳入相应环保投资。

(四) 施工阶段的环境管理

1. 建设单位会同施工单位做好环保工程设施的施工建设、资金使用情况等资料、文件的整理建档工作备查，以季报的形式将环保工程进度情况上报政府环保部门；

2. 环保部门检查环保报批手续是否完备，环保工程是否纳入施工计划及建设进度和资金落实情况，提出意见；

3. 建设单位与施工单位负责落实环保部门对施工阶段的环保要求以及施工过程中的环保措施；主要是保护施工现场周围的环境，防止对自然环境造成不应有的破坏；防止和减轻粉尘、噪声、震动等对周围生活居住区的污染和危害。建设项目竣工后，施工单位应当修整和恢复在建设过程中受到破坏的环境。

(五) 试生产和竣工验收阶段的环境管理

1. 建设单位向主管部门和政府环保部门提交试运转申请报告；

2. 经批准后，环保工程与主体工程同时投入试运行。做好试运转记录，并应由当地环保监测机构进行监测；

3. 建设单位向行业主管部门和政府环保部门提交环保工程预验收申请报告，附试运转监测报告；

4. 省级政府环保部门组织环保工程的预验收；

5. 建设单位根据环保部门在预验收中提出的要求，认真组织实施，预验收合格后，方可进行正式竣工验收；

6. 特大型（重点）建设项目国家环保局参加或委托省级政府环保部门参加正式竣工验收并办理建设项目环保工程验收合格证。

四、涉外项目管理

涉外项目除按上述程序办理有关审批手续外，应执行国务院对外经济开放地区环境管理有关规定。在签订项目合同时明确当事人各方在环境保护方面的义务和责任，执行“三同时”制度，落实防治措施，合同中不得有违反国家和地方环保法律、法规的内容。

3. The project undertaken organizations submit start-up report of construction for approval, after its approval the construction project is incorporated into the annual plan, of which relevant environmental protection investment should be included.

IV. Environmental management in construction phase

1. The project undertaken organizations in association with the organizations for construction should well accomplish document and information sorting, and record establishing work for construction of environmental protection facilities and fund use for future reference. The progress in construction of environmental protection is submitted to environmental protection departments at governmental level in form of a quarterly;

2. Environmental protection departments check up whether the procedures for submission and approval of environmental protection projects and their funds are incorporated into construction programme or not, and the give then comments.

3. Both the project undertaken organizations and organizations for construction are in charge of implementing environmental protection requirements given by environmental protection departments for construction phase, and environmental protection measures in the course of construction; mainly protecting environment surrounding construction sites to prevent natural environment from hazards which should not occur, avoiding and alleviating the pollution and hazards from dust, noise and vibration to surrounding residential zone; After completion of construction projects, the organizations for construction should improve and recover and recover the environment damaged in the course of construction .

V. Environmental management in the phase of trial operation, completion and acceptance

1. The project undertaken organizations submit applications for trial operation to the competent authorities and environmental protection departments at governmental level;

2. After its approval, environmental protection project in trial operation and principal part of a project put into trial operation simultaneously; record on trial operation should be made, and monitoring should be carried out by local monitoring agencies for environmental protection;

3. The project undertaken organizations submit applications for pre-acceptance of environmental protection to the competent authorities of their lines and environmental protection departments at governmental level, along with a report on trial operation monitoring;

4. environmental protection departments at provincial government level organize pre-acceptance for environmental protection projects;

5. The project undertaken organizations organize implementation seriously in compliance with the requirements for pre-acceptance given by environmental protection departments, if pre-acceptance is qualified, then official completion and acceptance can be carried out;

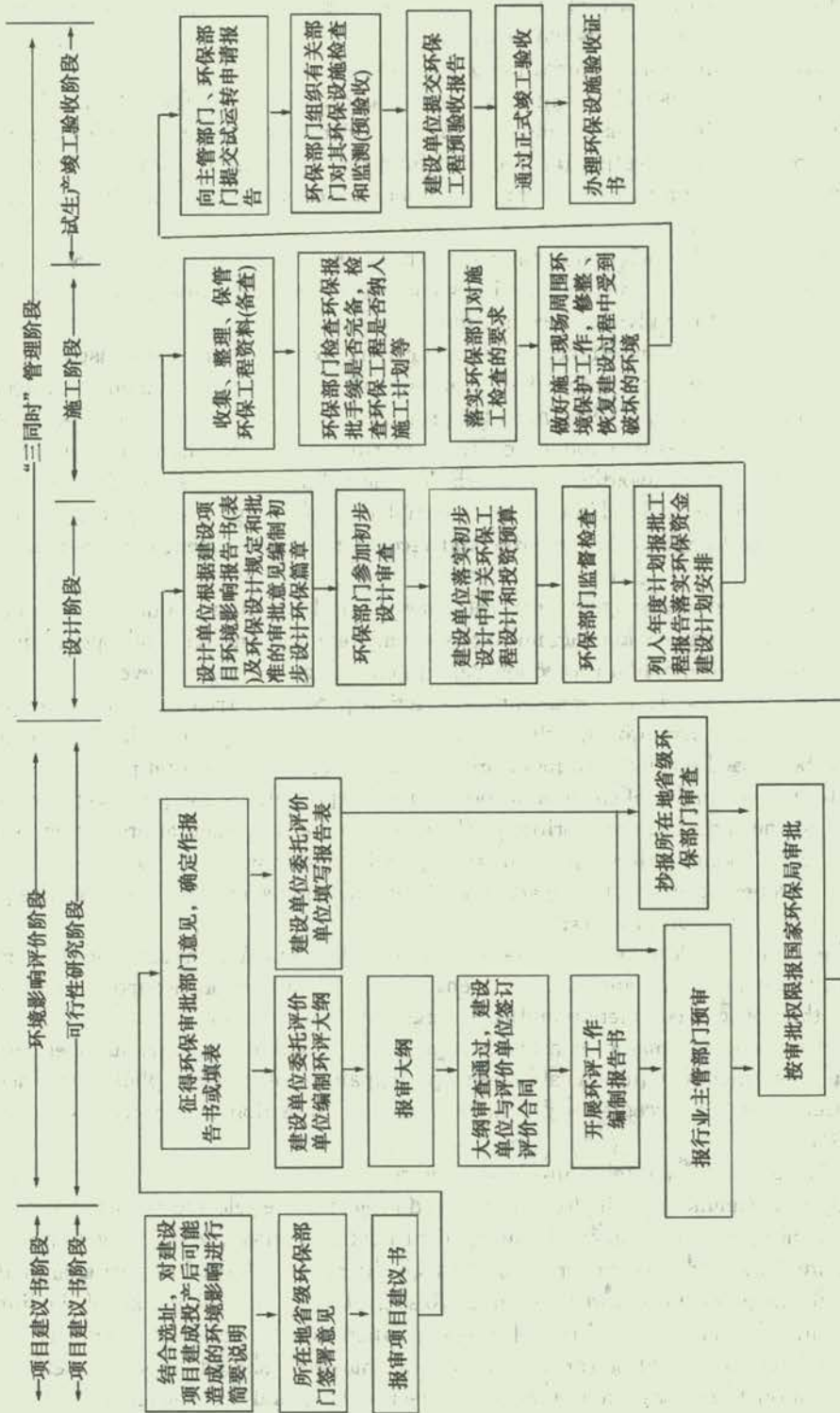
6. For super-sized (major) construction projects, NEPA participates in or entrusts environmental protection departments at provincial level to participate in official completion and acceptance, and go through Certificate of Acceptance for Environmental Protection Engineering of Construction Project (AEPECP).

IV. Management for foreign involved projects

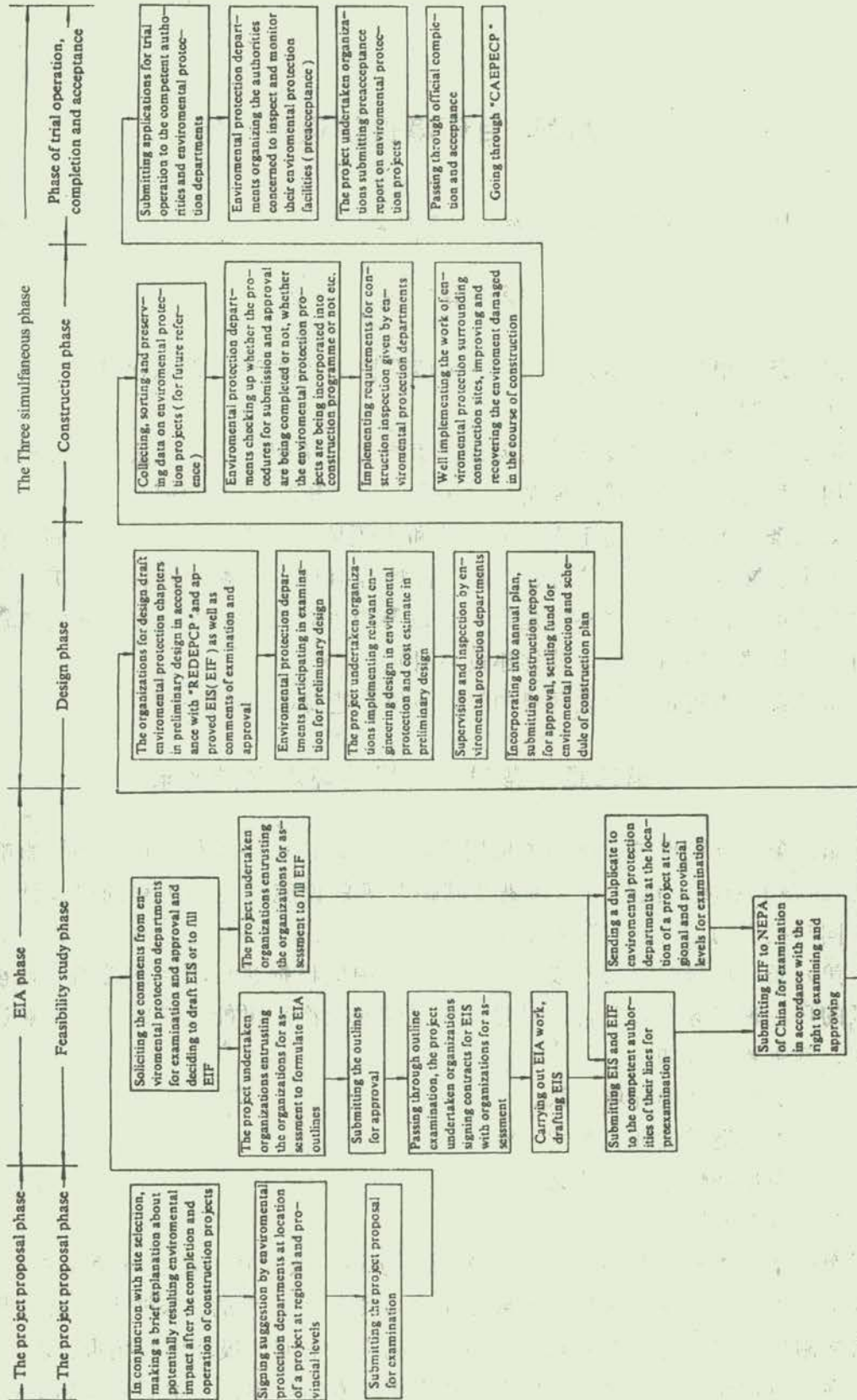
For the management of the foreign involved projects, the relevant regulations by the State Council on strengthening the environmental management for the economic zone opened up to the outside world should be implemented, except for going through the relevant formalities for examination and approval according to the procedures aforementioned. Responsibilities and obligations of the interested parties on environmental protection should be definitely specified while a contract is signed, " The Three at the Same Time" system should be carried out, control measures should be put into effect, no content violating the national and local environmental protection laws and codes shall be contained in a contract .

Schematic block diagram of managerial procedures
for environmental protection of construction projects

建设项目环境保护管理程序示意图



Schematic block diagram of management procedures for environmental protection of construction projects



建设项目环境保护设计规定

(1987年3月20日, 国家计划委员会、国务院环境保护委员会发布)

第一章 总 则

第一条 根据《中华人民共和国环境保护法(试行)》及《建设项目环境保护管理办法》等制定本规定。

第二条 环境保护设计必须遵循国家有关环境保护法律、法规, 合理开发和充分利用各种自然资源, 严格控制环境污染, 保护和改善生态环境。

第三条 本规定适用于中华人民共和国领域内的工业、交通、水利、农林、商业、卫生、文教、科研、旅游、市政、机场等对环境有影响的新建、扩建、改建和技术改造项目, 包括区域开发建设项目以及中外合资、中外合作、外商独资的引进项目等一切建设项目(以下统称建设项目)。

第四条 本规定由建设项目的设计单位、建设单位负责执行。

第二章 各设计阶段的环境保护要求

第五条 环境保护设计必须按国家规定的设计程序进行, 执行环境影响报告书(表)的编审制度, 执行防治污染及其他公害的设施与主体工程同时设计、同时施工、同时投产的“三同时”制度。

第六条 项目建议书阶段: 项目建议书中应根据建设项目的性质、规模、建设地区的环境现状等有关资料, 对建设项目建成投产后可能造成的环境影响进行简要说明, 其主要内容如下:

- 一、所在地区的环境现状;
- 二、可能造成的环境影响分析;
- 三、当地环保部门的意见和要求;
- 四、存在问题。

第七条 可行性研究(设计任务书)阶段: 按《建设项目环境保护管理办法》的规定, 需编制环境影响报告书或填报环境影响报告表的建设项目, 必须按该管理办法之附件一或附件二的要求编制环境影响报告书或填报环境影响报告表。

在可行性研究报告中, 应有环境保护的专门论述, 其主要内容如下:

Provisions on Engineering Design of Environmental Protection of Construction Projects

(Promulgated by the State Planning Commission and the Environmental Protection Commission of the State Council on March 20, 1987)

Chapter I General Provisions

Article 1 These Provisions have been worked out on the basis of "The Environmental Protection Law of the People's Republic of China (for trial implementation)" and the "Management Guidelines on Environmental Protection of Construction Projects" etc.

Article 2 The engineering design of environmental protection shall comply with the national relevant laws and regulations, ensure the rational exploitation and full utilization of various natural resources, strictly control environmental pollution, protect and improve the ecological environment.

Article 3 These Provisions apply to all of the new construction, expansion, modification and technical renovation projects of industry, transportation, water conservancy, agriculture and forestry, commerce, health, culture and education, scientific research, tourism, municipal utilities, airports, etc., including all of the construction projects for regional development, as well as the imported projects such as Sino-foreign joint ventures, cooperative projects and foreign exclusive invested projects (herein after refer to as construction projects) which will establish within the territory of the People's Republic of China, and will exert impact on the environment.

Article 4 The engineering design units and the clients of the construction projects shall be responsible for the implementation of these Provisions.

Chapter II Requirements of Environmental Protection In Different Period of Engineering Design

Article 5 The environmental engineering design shall be carried out in compliance with the planning and engineering procedures set by the State; subject to the making and approving system of the Environmental Impact Statement or Form (EIS or EIF) as well as the principle of "simultaneities", i. e. the facilities for the prevention of pollution and other hazards to the public shall be designed, built and commissioned simultaneously as the main project.

Article 6 Period of Project Proposal: On the basis of the relevant data of the project, such as its nature, size, and the existing environmental condition in the construction area, a brief explanation about the potential environmental impact of the construction project in operation shall be envisaged in the project proposal, the main contents are as follows:

- 1) the existing environmental condition of the area where the project proposed to be located;
- 2) the analysis on the potential environmental impact caused by the project;
- 3) the opinions and requirements of the local environmental protection authority;
- 4) existing problems.

Article 7 Period of Feasibility Study (Project Assignment Study): According to the stipulations of "Management Guidelines on Environmental Protection of Construction Projects", for all projects which are required to have EIS or EIF, a EIS or EIF shall be prepared in accordance with the Annex I or Annex II of the "Management Guidelines".

In the feasibility study report of a project, there shall be special statement on environmental protection, its main contents are as follows:

- 1) the existing environmental conditions of the construction area;

- 一、建设地区的环境现状；
- 二、主要污染源和主要污染物；
- 三、资源开发可能引起的生态变化；
- 四、设计采用的环境保护标准；
- 五、控制污染和生态变化的初步方案；
- 六、环境保护投资估算；
- 七、环境影响评价的结论或环境影响分析；
- 八、存在的问题及建议。

第八条 初步设计阶段：建设项目的初步设计必须有环境保护篇（章），具体落实环境影响报告书（表）及其审批意见所确定的各项环境保护措施。环境保护篇（章）应包含下列主要内容：

- 一、环境保护设计依据；
- 二、主要污染源和主要污染物的种类、名称、数量、浓度或强度及排放方式；
- 三、规划采用的环境保护标准；
- 四、环境保护工程设施及其简要处理工艺流程、预期效果；
- 五、对建设项目引起的生态变化所采取的防范措施；
- 六、绿化设计；
- 七、环境管理机构及定员；
- 八、环境监测机构；
- 九、环境保护投资概算；
- 十、存在的问题及建议。

第九条 施工图设计阶段：建设项目环境保护设施的施工图设计，必须按已批准的初步设计文件及其环境保护篇（章）所确定的各种措施和要求进行。

第三章 选址与总图布置

第十条 建设项目的选址或选线，必须全面考虑建设地区的自然环境和社会环境，对选址或选线地区的地理、地形、地质、水文、气象、名胜古迹、城乡规划、土地利用、工农业布局、自然保护区现状及其发展规划等因素进行调查，并在收集建设地区的大气、水体、土壤等基本环境要素背景资料的基础上进行综合分析论证，制定最佳的规划设计方案。

第十一条 凡排放有毒有害废水、废气、废渣（液）、恶臭、噪声、放射性元素等物质或因素的建设项目，严禁在城市规划确定的生活居住区、文教区、水源保护区、名胜古迹、风景游览区、温泉、疗养区和自然保护区等界区内选址。

铁路、公路等的选线，应尽量减轻对沿途自然生态的破坏和污染。

第十二条 排放有毒有害气体的建设项目应布置在生活居住区污染系数小方

- 2) the main sources of pollution's and pollutants;
- 3) possible ecological changes caused by the explication of resources;
- 4) the environmental protection standards using in engineering design;
- 5) the preliminary programme to control pollution and the ecological changes;
- 6) investment estimate for environmental protection;
- 7) the conclusion of environmental impact assessment or environmental impact analysis;
- 8) existing problems and suggestions.

Article 8 Period of preliminary Design: The preliminary design of a project shall contain a separate chapter (section) on environmental protection to embody the specified measures of environmental protection indicated in EIS (EIF) and the comments in examination and approval of EIS (F). The chapter on environmental protection should consist of the following items:

- 1) basis of environmental protection design;
- 2) sorts, names, quantities, concentrations or intensities and discharging patterns of the main pollutants and their sources;
- 3) the environmental protection standards adopted in the engineering design.
- 4) The facilities of environmental protection engineering, its brief technological processes, and expected results;
- 5) Protective measures adopted to prevent the deterioration of ecosystem caused by the construction project;
- 6) Landscape engineering;
- 7) Environmental management organization and its staffs;
- 8) Environmental monitoring organization;
- 9) The budgetary estimate of investment for environmental protection;
- 10) Existing problems and suggestions.

Article 9 Period of Working Drawing Design: The working drawing design of the environmental protection facilities in a project shall follow the measures and requirements fixed in the ratified preliminary design and its chapter on environmental protection.

Chapter III Location of Site and General Arrangement

Article 10 As for location of site or route of construction project, the natural environment and social environment of the construction area shall be considered comprehensively; investigation and research works on the status quo and the development planning of the locating area n geography, topography, geology, hydrology, meteorology, scenic spots and historical sites, urban and rural planning, land utilization, distribution of industry and agriculture, nature conservation areas and other factors should be made; after synthetical analysis and appraisal on the basis of collecting the background data of the construction area, such as, atmosphere, water bodies, soil and other fundamental environmental factors, the optimum engineering alternatives should be worked out .

Article 11 Any construction project which will generate toxic, hazardous substances or factors such as waste water, waste gas, waste residue (liquid), unpleasant odour, noise, radioactive element, etc. is strictly prohibited from locating in residential areas, and culture and education areas designated in the municipal planning, as well as water sources protection zones, places of historical interest, scenic spots and recreational areas, hot springs, health re-sorts, nature conservation areas, etc.

Route location for railway and highway should make the destruction and pollution on the ecosystems along the line as little as possible.

Article 12 The construction project which discharge toxic and hazardous gases should be set on the windward side with the smallest pollution coefficient (wind frequency/wind speed) to the residential area. Those who discharge toxic or hazardous waste water should be set at the lower reaches of the local drinking water sources. Disposal sites of waste residues should keep a stipulated distance from the residential areas and natural water body.

Article 13 The land used for setting up environmental protection facilities shall be designated at

位的上风侧；排放有毒有害废水的建设项目应布置在当地生活饮用水水源的下游；废渣堆置地应与生活居住区及自然水体保持规定的距离。

第十三条 环境保护设施用地应与主体工程用地同时选定。

第十四条 产生有毒有害气体、粉尘、烟雾、恶臭、噪声等物质或因素的建设项目与生活居住区之间，应保持必要的卫生防护距离，并采取绿化措施。

第十五条 建设项目的总图布置，在满足主体工程需要的前提下，宜将污染危害最大的设施布置在远离非污染设施的地段，然后合理地确定其余设施的相应位置，尽可能避免互相影响和污染。

第十六条 新建设项目的行政管理和生活设施，应布置在靠近生活居住区的一侧，并作为建设项目的非扩建端。

第十七条 建设项目的烟囱（排气筒），火炬设施，有毒有害原料、成品的贮存设施，装卸站等，宜布置在厂区常年主导风向的下风侧。

第十八条 新建项目应有绿化设计，其绿化覆盖率可根据建设项目的种类不同而异。城市内的建设项目应按当地有关绿化规划的要求执行。

第四章 污染防治

第一节 污染防治原则

第十九条 工艺设计应积极采用无毒无害或低毒低害的原料，采用不产生或少产生污染的新技术、新工艺、新设备，最大限度地提高资源、能源利用率，尽可能在生产过程中把污染物减少到最低限度。

第二十条 建设项目的供热、供电及供煤气的规划设计应根据条件尽量采用热电结合、集中供热或联片供热，集中供应民用煤气的建设方案。

第二十一条 环境保护工程设计应因地制宜地采用行之有效的治理和综合利用技术。

第二十二条 应采取各种有效措施，避免或抑制污染物的无组织排放。如：

一、设置专用容器或其他设施，用以回收采样、溢流、事故、检修时排出的物料或废弃物；

二、设备、管道等必须采取有效的密封措施，防止物料跑、冒、滴、漏；

三、粉状或散装物料的贮存、装卸、筛分、运输等过程应设置抑制粉尘飞扬的设施。

第二十三条 废弃物的输送及排放装置宜装置计量、采样及分析设施。

第二十四条 废弃物在处理或综合利用过程中，如有二次污染物产生，还应采取防止二次污染的措施。

the same time as the land for main project.

Article 14 The construction project which generate toxic and hazardous substances or factors such as, gas, dust, smoke, unpleasant odor and noise, should keep necessary protective distance for health from residential areas. And, the measures of afforestation should be taken.

Article 15 As for the general layout of a construction project, on the premise of meeting the requirement of main project, the facilities that may generate the most hazardous pollution shall be set far from the sector where the non-pollutant facilities lie. Then, the appropriate positions of other facilities will be rationally arranged, upon which, the detrimental effects and pollution's among the facilities will be avoided on one another as far as possible.

Article 16 The facilities of administrative organ and welfare of a new construction project should be arranged on the side near the residential zone. Besides, this are should be the inextensible end of the project.

Article 17 The construction project's main chimneys (exhaust pipes), torch installations; store-houses for end-products, loading and unloading stations, handling of toxic and hazardous materials, etc. should be arranged to the leeward in the direction of the prevailing wind throughout the year in the site.

Article 18 New construction projects shall contain the landscape engineering, but the coverage proportion of green area may be varied according to different project. The project in urban district shall comply with the regulations of the local relevant programmer.

Chapter IV Pollution Control

Section One Principles of Pollution Control

Article 19 In the engineering design of technological processes, efforts should be actively made to use non-of less toxic and deleterious materials, adopt new technique, technology and device which are pollution-free or cause less pollution, moreover, raise the utilization ratio of natural resources and energy as far as possible; try to reduce the pollutants to a minimum within the production process.

Article 20 The construction projects of heating, power supply and municipal should actively adopt co-generation, centralized heating or area heating systems and centralized gas supply in planning and engineering alternatives, whenever conditions permit.

Article 21 The engineering design of environmental protection shall in accordance to the local condition adopt effective technology of pollution control and comprehensive utilization.

Article 22 Effective measures of all kinds shall be taken to avoid of restrain the unorganized discharge of pollutants, such as:

- 1) set up special containers or devices to recover the materials or wastage's discharged while in sampling, spilling, accident occurring, and repairing;
- 2) reliable sealing measures must be taken on pipe and equipment to avoid discharging, overflowing, dripping and leaking of materials;
- 3) in the processes of storing, loading and unloading, screening and transferring of powdered or bulk materials, special divines shall be installed to control dust emission.

Article 23 Measuring, sampling and analyzing devices should be installed in the transfer and discharge facilities of wastage's.

Article 24 If the secondary pollutant would be emerged in the processes of treatment and comprehensive utilization of wastage, the appropriate measures should be taken to avoid the secondary pollution.

Article 25 All kinds of pollutants or pollution factors generated by construction projects can be discharged only after they are treated to meet the discharge standards and relevant regulations promulgated by the State as well as province, autonomous region and munieipslity directly under the Central Government.

Article 26 The storage, transport and use of radioactive substance and the disposal of radioactive

第二十五条 建设项目产生的各种污染或污染因素，必须符合国家或省、自治区、直辖市颁布的排放标准和有关法规后，方可向外排放。

第二十六条 贮存、运输、使用放射性物质及放射性废弃物的处理，必须符合《放射性防护规定》和《放射性同位素工作卫生防护管理办法》等的要求。

第二节 废气、粉尘污染防治

第二十七条 凡在生产过程中产生有毒有害气体、粉尘、酸雾、恶臭、气溶胶等物质，宜设计成密闭的生产工艺和设备，尽可能避免敞开式操作。如需向外排放，还应设置除尘、吸收等净化设施。

第二十八条 各种锅炉、炉窑、冶炼等装置排放的烟气，必须设有除尘、净化设施。

第二十九条 含有易挥发物质的液体原料、成品、中间产品等贮存设施，应有防止挥发物质逸出的措施。

第三十条 开发和利用煤炭的建设项目，其设计应符合《关于防治煤烟型污染技术政策的规定》。

第三十一条 废气中所含有气体、粉尘及余能等，其中有回收利用价值的，应尽可能地回收利用；无利用价值的应采取妥善处理措施。

第三节 废水污染防治

第三十二条 建设项目的设计必须坚持节约用水的原则，生产装置排出的废水应合理回收重复利用。

第三十三条 废水的输送设计，应按清污分流的原则，根据废水的水质、水量、处理方法等因素，通过综合比较，合理划分废水输送系统。

第三十四条 工业废水和生活污水（含医院污水）的处理设计，应根据废水的水质、水量及其变化幅度、处理后的水质要求及地区特点等，确定最佳处理方法和流程。

第三十五条 拟定废水处理工艺时，应优先考虑利用废水、废气、废渣（液）等进行“以废治废”的综合治理。

第三十六条 废水中的所含的各种物质，如固体物质、重金属及其化合物，易挥发性物体、酸或碱类、油类以及余能等，凡有利用价值的应考虑回收或综合利用。

第三十七条 工业废水和生活污水（含医院污水）排入城市排水系统时，其水质应符合有关排入城市下水道的水质标准的要求。

第三十八条 输送有毒有害或含有腐蚀性物质的废水的沟渠、地下管线检查井等，必须采取防渗漏和防腐蚀措施。

第三十九条 水质处理应选用无毒、低毒、高效或污染较轻的水处理药剂。

第四十条 对接纳水体造成热污染的排水，应采取防止热污染的措施。

wastage shall meet the demands of "Regulations on Radioactivity Protection" and "Management Guidelines on Health Protection to Work with Radioisotopes".

Section Two Waste Gas and Dust Pollution Control

Article 27 Any production process, in which toxic and hazardous substances such as: gas, dust, acid mist, unpleasant odor, aerosol, etc. may be generated, shall be designed to adopt sealed production technology and facilities, and to avoid open operation as far as possible, where the discharge is actually unavoidable, facilities for dust cleaning and absorption shall be set up.

Article 28 All kinds of boilers, kilns and ovens, smelting furnaces and other installations which discharge smoke shall be fitted out with deducting and cleaning facilities.

Article 29 To the storage tank of liquid raw material, end product or intermediate product containing volatilizable substance, effective measures should be adopted to prevent such substance from escaping.

Article 30 To the construction project of exploitation and utilization of coal, its design shall comply with the "Technology Policy Guidelines on Prevention and Control of Coal Smoke Pollution".

Article 31 Of gas, dust and residual energy contained in waste gas, those worthy to be recovered should be retrieved and reused as wide as possible, and those not worthy of utilization should, also, be well disposed.

Section Three Waste Water Pollution Control

Article 32 The engineering design of construction projects shall adhere to the principle of water saving. The waste water discharged from production should be rationally recovered and reused.

Article 33 The drainage system of waste water shall be in compliance with the no-mixing principle between clean and turbid waters, rationally arrange the delivery line of waste water on the basis of comprehensive comparison according to the quality, quantity, means of treatment, and other factors of the waste water.

Article 34 According to the quality, quantity, and their ranges of variation, requirements of the quality of treated water, and the characteristics of the local conditions, optimum treatment approaches and technological processes shall be identified and selected in the design of industrial waste water and domestic sewage (including hospital sewage) treatments.

Article 35 When working out the technology of waste water treatment, a comprehensive way "Treat wastes with wastes", i. e. use waste water, waste gas, and waste residue (liquid) to dispose and control wastes, shall be taken into consideration precedently.

Article 36 To all kinds of substances in waste water, such as: solid substances, heavy metals and their chemical compounds, volatilizable substances, acid or alkali, oil, as well as residual energy, those worthy of utilization should be considered recovering or utilizing comprehensively.

Article 37 When industrial waste water and domestic sewage (including hospital sewage) are discharged into the urban drainage system, their quality shall comply with the relevant water quality standard required by the urban drainage system.

Article 38 To the gutter and ditch, check well of underground pipe for delivering toxic, hazardous waste water or those containing corrosive substances, appropriate measures to avoid leakage and corrosion shall be taken.

Article 39 The non-toxic, less toxic, high effective, or less polluting chemicals shall be chosen in water quality treatment.

Article 40 To the drain water that may lead to thermal pollution of the receiving water body, measures to avoid thermal pollution shall be taken.

Article 41 In order to avoid water pollution caused by the train scouring loss of raw materials and solid fuels in the open stockyards, appropriate measures shall be taken to prevent such loss.

Article 42 The polluted rainwater and the wastewater from the installation, wall and ground of

第四十一条 原(燃)料露天堆场,应有防止雨水冲刷,物料流失而造成污染的措施。

第四十二条 经常受有害物质污染的装置、作业场所有墙壁和地面的冲洗水以及污染的雨水,应排入相应的废水管网。

第四十三条 严禁采用渗井、渗坑、废矿井或用净水稀释等手段排放有毒有害废水。

第四节 废渣(液)污染防治

第四十四条 废渣(液)的处理设计应根据废渣(液)的数量、性质、并结合地区特点等,进行综合比较,确定其处理方法。对有利用价值的,应考虑采取回收或综合利用措施;对没有利用价值的,可采取无害化堆置或焚烧等处理措施。

第四十五条 废渣(液)的临时贮存,应根据排出量、运输方式、利用或处理能力等情况,妥善设置堆场、贮罐等缓冲设施,不得任意堆放。

第四十六条 不同的废渣(液)宜分别单独贮存,以便管理和利用。两种或两种以上废渣(液)混合贮存时,应符合下列要求:

- 一、不产生有毒有害物质及其他有害化学反应;
- 二、有利于堆贮存或综合处理。

第四十七条 废渣(液)的输送设计,应有防止污染环境的措施。

- 一、输送含水量大的废渣的高浓液时,应采取措施避免沿途滴洒;
- 二、有毒有害废渣、易扬尘废渣的装卸和运输,应采取密闭和增湿等措施,防止发生污染和中毒事故。

第四十八条 生产装置及辅助设施、作业场所、污水处理设施等排出的各种废渣(液),必须收集并进行处理,不得采取任何方式排入自然水体或任意抛弃。

第四十九条 可燃质废渣(液)的焚烧处理,应符合下列要求:

- 一、焚烧所产生的有害气体必须有相应的净化处理设施;
- 二、焚烧后的残渣应有妥善的处理设施。

第五十条 含有可溶性剧毒废渣禁止直接埋入地下或排入地面水体。

设计此类废渣的堆埋场时,必须设有防水、防渗漏或防止扬散的措施;还须设置堆场雨水或渗出液的收集处理和采样监测设施。

第五十一条 一般工业废渣、废矿石、尾矿等,可设置堆场或尾矿坝进行堆存。但应设置防止粉尘飞扬、淋沥水与溢流水、自然等各种危害的有效措施。

第五十二条 含有重金属的废渣宜视具体情况采取回收处理措施。

第五节 噪声控制

第五十三条 噪声控制应首先控制噪声源,选用低噪声的工艺和设备。必要时

working area frequently polluted by hazardous material shall be led into the relevant specified drainage lines.

Article 43 Discharging toxic and hazardous waste water into see page well, seepage pit, abandoned mine or diluting it with clean water before discharge is strictly prohibited.

Section Four Waste Residue (Liquid) Pollution Control

Article 44 The engineering design of waste residue (liquid) treatment shall make a comprehensive comparison, and select an appropriate way and means of treatment according to the quantity, quality of waste residue and liquid, as well as the local conditions. To those worthy of utilization, measures of recovery or comprehensive utilization shall be considered and adopted, and, to those not worthy of utilization, such treatment measures as harmless stockpiling, incineration, etc. may be applied.

Article 45 The appropriate stocking area, storage tanks and other buffer facilities shall be set up according to the discharge capacity, transport patterns, utilization of treatment capacity and other conditions when waste residues (liquids) are stored for a short period. No waste is permitted to be deposited in a random fashion.

Article 46 Different waste residues (liquids) shall be stored individually for convenient handling and utilization. When two or more different wastes are stored mixedly, the following requirements shall be met:

- 1) No toxic, hazardous substances or other hazardous chemical reactions shall be generated.
- 2) It is convenient for stacking storage and/or comprehensive utilization.

Article 47 The engineering design of waste residue (liquid) transport shall adopt the measures to avoid environmental pollution.

- 1) During the delivery of high water content residue and high concentrated waste liquid, measures shall be taken to prevent dripping or leaking along the way;
- 2) As transporting, loading and unloading the toxic, hazardous, and residues easy to be blown off, hermetically sealing measures and humidificating technology shall be taken to avoid pollution and poisoning accidents.

Article 48 All kinds of residues (liquids) generated from production installations their supplementary facilities, working places, sewage treatment facilities, etc. must be collected and treated, may not be discharged into the natural water body by all means or disposed in a random fashion.

Article 49 The incineration of combustible residue (liquid) shall accord with the following requirements:

- 1) There shall be appropriate cleaning installations to treat the hazardous gas generated from the incineration.
- 2) There shall be appropriate facilities to treat the remains existing after the incineration.

Article 50 No waste residue containing strongly toxic soluble substance shall be permitted to be buried underground directly or dumped into any surface water body.

While designing the disposal or landfill site of the above mentioned residue, measures for waterproof and prevention of seeping, leaching or dispersing shall be taken; besides, facilities for collecting, treating, sampling and monitoring the surface run-off and leachate shall be set up.

Article 51 The ordinary industrial waste residue, waste ore, tailings, etc. can be stored up at disposal sites or in tailing dam, however, effective measures should be taken to avoid such hazards as: dust emission, leachate and spilling water, spontaneous combustion, and so on.

Article 52 Waste residue containing noble metals should, in accordance with the concrete conditions, be recovered.

Section Five Noise Control

Article 53 In the process of noise control, efforts should be made, first of all, to control the source of the noise by selecting low noise technology and equipment. And also, the relevant controlling

还应采取相应控制措施。

第五十四条 管道设计，应合理布置并采用正确的结构，防止产生振动和噪声。

第五十五条 总体布置综合考虑声学因素，合理规划，利用地形、建筑物等阻挡噪声传播。并合理分隔吵闹区和安静区，避免或减少高噪声设备对安静区的影响。

第五十六条 建设项目产生的噪声对周围环境的影响应符合有关城市区域环境噪声标准的规定。

第五章 管理机构的设置

第五十七条 新建、扩建企业设置环境保护管理机构。环境保护管理机构的基本任务是负责组织、落实、监督本企业的环境保护工作。

第五十八条 环境保护管理机构的主要职责如下：

- 一、贯彻执行环境保护法规和标准；
- 二、组织制定和修改本单位的环境保护管理规章制度并监督执行；
- 三、制定并组织实施环境保护规划和计划；
- 四、领导和组织本单位的环境监测；
- 五、检查本单位环境保护设施的运行；
- 六、推广应用环境保护先进技术和经验；
- 七、组织开展本单位的环境保护专业技术培训，提高人员素质水平；
- 八、组织开展本单位的环境保护科研和学术交流。

第六章 监测机构的设置

第五十九章 对环境有影响的新建、扩建项目应根据建设项目的规模、性质、监测任务、监测范围设置必要的监测机构或相应的监测手段。

第六十条 环境监测的任务是：

- 一、定期监测建设项目排放的污染物是否符合国家或省、自治区、直辖市所规定的排放标准；
- 二、分析所排污染物的变化规律，为制定污染控制措施提供依据；
- 三、负责污染事故的监测及报告。

第六十一条 监测采样点要求布局合理，能准确反映污染物排放及附近环境质量情况。

监测分析方法，按国家有关规定执行。

measures should be taken if necessary.

Article 54 In pipeline design, rational arrangement should be considered and correct structure should be adopted, so as to avoid the emergence of vibration and noise.

Article 55 To general arrangement, the factor of acoustics shall be taken into consideration comprehensively and efforts topographic features, buildings, etc. to prevent noise from spreading. And moreover, the noisy area and the silent area shall be separated rationally, in order to avoid or mitigate the silent area being effected by the high noise devices.

Article 56 The noise effect on its environment caused by a construction project shall be in keeping with the relevant standard of environmental noise of urban area.

Chapter V Establishment of the Management Department

Article 57 The newly built enterprise and expansion enterprise shall, as required, establish environmental protection departments, whose basic functions are: to organize, carry out and supervise the environmental protection activities within their own enterprises.

Article 58 The main functions of the environmental protection department are as follows:

- 1) carrying through and implementing the laws, regulations and standards relating to environmental protection;
- 2) organizing, drafting and revising of the environmental protection management provisions and regulations for the enterprise and supervising and urging their implementations;
- 3) drafting programs and plans on environmental protection and to organize their implementation;
- 4) organizing and leading the environmental monitoring of the enterprise;
- 5) examining the operation of the environmental protection facilities of the enterprise;
- 6) promoting the application of advanced experiences & techniques of environmental protection;
- 7) organizing the professional skill training in the field of environmental protection for the enterprise, so as to improve the personnel's quality and skills;
- 8) organizing scientific research and academic exchange of environmental protection of the enterprise.

Chapter VI Establishment of the Monitoring Unit

Article 59 New construction and expansion projects which may affect the environment shall establish necessary monitoring units or adopt relevant monitoring means, according to the size, quality, monitoring function and range.

Article 60 The functions of environmental monitoring are:

- 1) monitoring regularly whether the pollutants discharged from construction projects conform to the discharge standards set by the state as well as provinces, autonomous regions and municipalities directly under the Central Government;
- 2) analyzing the variable patterns of the pollutants discharged, so as to provide bases for determining the measures for pollution control;
- 3) being responsible for the monitoring and reporting in case of pollution accident.

Article 61 The positions of monitoring and sampling shall, as required, be rationally arranged, so that the states of pollutants discharged and the quality of the local environment can be reflected precisely.

The methods used for monitoring and analysis shall be carried out in compliance with the relevant national regulations.

Chapter VII Facilities and Investment For Environmental Protection

Article 62 The facilities for environmental protection are identified depending upon the following criteria":

第七章 环境保护设施及投资

第六十二条 环境保护设施按下列原则划分：

一、凡属污染治理和保护环境所需的装置、设备、监测手段和工程设施等均属环境保护设施。

二、生产需要又为环境保护服务的设施。

三、外排废弃物的运载设施，回收及综合利用设施，堆存场地的建设和征地费用列入生产投资；但为了保护环境所采取的防粉尘飞扬、防渗漏措施以及绿化设施所需的资金属环境保护投资。

四、凡有环境保护设施的建设项目均应列出环境保护设施的投资概算。

第八章 设计管理

第六十三条 各设计单位应有一名领导主管环境保护设计工作。对本单位所承担的建设项目的环境保护设计负全面领导责任。

第六十四条 各设计单位根据工作需要设置环境保护设计机构或专业人员，负责编制建设项目各阶段综合环境保护设计文件。

第六十五条 设计单位必须严格按国家有关环境保护规定做好以下工作：

一、承担或参与建设项目的环评评价；

二、接受设计任务书后，必须按环境影响报告书（表）及其审批意见所确定的各种措施开展初步设计，认真编制环境保护篇（章）；

三、严格执行“三同时”制度，做到防治污染及其他公害的设施与主体工程同时设计；

四、未经批准环境影响报告书（表）的建设项目，不得进行设计。

第六十六条 向外委托设计项目时，应同时向承担单位提出环境保护要求。

第六十七条 对没有污染防治方法或虽有方法但其工艺基础数据不全的建设项目不得开展设计；对有污染而没有防治措施的工程设计不得向外提供；对虽有治理措施，但不能满足国家或省、自治区、直辖市规定的排放标准的生产方法、工艺流程，不得用于设计。

第六十八条 因工程设计需要而开发研制的环境保护科研成果，必须通过技术鉴定，确认取得了工程放大的条件和设计数据时才能用于设计。

第九章 附 则

第六十九条 各设计单位的主管部门可根据本规定并结合本部门的特点，组织

1) All installations, equipment, monitoring instrumentation's, engineering facilities, etc. which are needed for pollution control and environmental protection belong to the category of environmental facilities;

2) Installations which are required by both production and environmental protection;

3) The investment of equipment for transport and delivery of discharged waste residues and facilities of their recovery and comprehensive utilization, as well as the investment for the construction of disposal sites and the cost for land requisition are all classified as production investment, however, the investment of facilities for dust emission control, measures for prevention of seepage and landscape engineering belong to the category of environmental protection .

4) For the construction project comprising environmental protection facilities, the budgetary estimate of environmental protection shall be listed separately.

Chapter VIII Engineering Design Management

Article 63 In each engineering design unit, one of its leaders shall be appointed in charge of the environmental protection design work, who shoulders the responsibility of leadership, in an all-round way, for the environmental protection design of the construction project undertaken by his unit.

Article 64 Each engineering design unit shall, according to the requirement of its scope and activity set up its environmental protection design department or draft professional personnel, who shall be responsible for drawing up the comprehensive environmental protection design documents in every stage of the construction projects.

Article 65 The engineering design unit must fulfil well the following items in strict accordance with the relevant national regulations on environmental protection:

1) to undertake or participate in the environmental impact assessment work of the construction projects;

2) having accepted a project assignment, to carry out the preliminary design and prepare the chapter on environmental protection conscientiously on the basis of the specified measures indicated in EIS (EIF) and its comments of examination and approval.

3) To implement "three simultaneities" system strictly, ensuring that the installations for the prevention of pollution and other hazards to the public shall be designed at the same time as the main project;

4) To keep the design work of a construction project not being carried out, before the approval of EIA (EIF) .

Article 66 When a contract of project engineering is made the requirements on environmental protection shall be stipulated in the contract at the same time.

Article 67 For a construction project without existing technique of pollution control or the technique being used without enough technological basic data, the project engineering work shall not be allowed to carry out. For the project generating pollutants without measures for pollution control in project engineering, the engineering documentation's shall not be allowed to be delivered over. Production means and technological processes which have facilities for pollution control, but, can not meet the discharge standards set by the State, as well as provinces, autonomous regions and municipalities directly under the Central Government are not allowed to be used in engineering design.

Article 68 It is not until the technical appraisal have been passed and the engineering conditions for enlarging analogue simulation and technical data have been confirmed, the research results having been developed for environmental engineering shall be put into practice.

Chapter IX Supplementary Provisions

Article 69 The competent authorities of the engineering design units may organize and formulate relevant regulations for the departments within their jurisdictions on the basis of these regulations and in the light of the conditions of their own institutions, and submit them to the Office of the Environ-

制订本行业的规定，报国务院环境保护委员会办公室备案。

第七十条 本规定由国务院环境保护委员会办公室负责解释。

第七十一条 本规定自颁布之日起执行。

mental Protection Commission Under the State Council for the record .

Article 70 The Office of the Environmental Protection Commission Under the State Council is responsible for the explanation of these Provisions.

Article 71 These Provisions become effective on the date of their promulgation.

关于建设项目环境影响报告书审批权限问题的通知

(1986年10月3日, 国家环境保护局)

国务院环境保护委员会、国家计划委员会、国家经济委员会以(86)国环字第003号文颁发的《建设项目环境保护管理办法》已经于1986年3月26日公布实施。各地区、各部门正在积极转发和贯彻。为了准确理解《办法》中的规定, 有关环境影响报告书的审批权限问题尚需进一步说明。

关于环境影响报告书需要报国家环境保护局进行审批的范围, 按《办法》中第十三条规定有下列三种情况:

1. 跨越省、自治区、直辖市界区的建设项目;
2. 特殊的建设项目(如核设施、绝密工程等);
3. 特大型的建设项目(报国务院审批)。

前两项界限容易划分, 而第三项需要加以明确。

所谓“特大型的建设项目(报国务院审批)”, 是指建设投资和计划任务书由国家计委报国务院审批者, 其中包括下列两种类型:

1. 根据国家计委、国家经委、财政部、工商银行、建设银行、国家统计局(1984)2626号文规定, “总投资限额在2亿元以上, 由国家计委核报国务院审批”的建设项目;

2. 根据国家计委、建委、财政部计划(1978)234号文规定, 大、中型建设项目中的一些重大项目, 其计划任务书由国家计委报国务院批准的建设项目。

关于上述两种类型建设项目环境影响报告书的审批程序问题, 按(86)国环字第003号文规定, 经省级以上(含省级)的环境保护部门预审后, 报国家环境保护局审批, 而省级环境保护部门在审批前应向国家环境保护局报送审批意见。

Circular on the Jurisdiction to Examine and Approve the Environmental Impact Statement of Construction Projects

(Promulgated by the National Environmental Protection Agency on October 3, 1986)

Measures for Environmental Protection of Construction Projects (hereinafter referred to as the "Measures") issued by the Environmental Protection Commission of the State Council, the State Planning Commission and the State Economic Commission (Guo Huan Zi document 003, 1986) was promulgated for implementation on March 26, 1986. All provinces, autonomous regions, municipalities and departments are circulating and implementing the Measures. The jurisdiction to examine and approve the environmental impact statement shall be further explained for the purpose of accurately comprehending the provisions of the Measures.

According to section 13 in the Measures, the environmental impact statement of three kinds of construction projects shall be reported to the National Environmental Protection Agency for examination and approval:

1. Interprovincial, transregional and trans-municipal construction projects;
2. Special construction projects, (such as nuclear facilities and absolutely confidential projects);
3. Extra-large construction projects (submitted to the State Council for examination and approval).

The first two items can be easily defined, and the third one is further explained as follows:

"Extra-large construction projects" (submitted to the State Council for examination and approval) refer to those whose investment and planning tasks for construction shall be submitted by the State Planning Commission to the State Council for examination and approval. Such projects include the following two categories:

1. Construction projects "whose total investment is more than 200 million yuan and shall be submitted by the State Planning Commission to the State Council for examination and approval" in accordance with the provisions of document 2626 (1984) issued by the State Planning Commission, the State Economic Commission, Ministry of Finance, the Industrial and Commercial Bank, the Construction Bank and the State Statistic Bureau; and
2. Some major projects of large and medium-sized construction projects whose planning tasks shall be submitted by the State Planning Commission to the State Council for examination and approval in accordance with the plan of the State Planning Commission, the Construction Commission and Ministry of Finance (document 234 (1978)).

In accordance with the provisions of Guo Huan document 003 (1986), the environmental impact statement of such two projects shall be submitted to the National Environmental Protection Agency for examination and approval after preliminary examinations by environmental protection departments at and above the provincial level. The provincial environmental protection departments shall, prior to its approval, submit its examination comments to the National Environmental Protection Agency.

关于加强外商投资建设项目环境保护管理的通知

(1992年3月14日, 国家环境保护局、对外经济贸易部)

随着我国改革开放的深入发展, 在我国设立的外商投资企业(即中外合资、中外合作、外资企业)越来越多。为了加强外商投资建设项目的环境保护管理工作, 防止环境污染和生态破坏, 更好地吸收外资和引进先进技术, 特通知如下:

一、外商在我国境内投资建设必须遵守我国的环境保护法律、法规和有关规定, 防治环境污染和生态破坏, 接受环境保护行政主管部门的监督管理。外商投资建设项目应符合国家环境保护技术政策和有关要求。

二、严格控制从国外引进严重污染环境又难以治理的原材料、产品、工艺和设备, 防止国外污染源向我国转移。

禁止引进严重污染、破坏环境又无有效治理措施并且污染物排放超过国家规定标准的项目。限制引进可能造成严重污染、破坏环境或治理困难的项目。

对国内不能配套解决污染治理问题的项目, 在引进时, 应当同时引进先进生产工艺及相应的先进环境保护设施。

三、凡对环境有影响的外商投资建设项目必须遵守我国建设项目环境保护管理规定, 执行环境影响报告书的审批制度。

中外合资、中外合作建设项目环境影响报告书按现行规定的审批权限和程度进行审批。

外资建设项目环境影响报告书的审批权限, 由与批准设立外资企业审批机关同级的环境保护行政主管部门审批。

外资建设项目在办理企业设立申请之前, 必须向有审批权限的环境保护行政主管部门提交建设项目的选址布局、规模、产品方案、工艺、污染物排放及治理措施等有关材料, 并根据其要求办理环境影响报告书(表)的审批手续。

未经环境保护行政主管部门批准环境影响报告书(表)的外资建设项目, 经贸部门或政府授权的其他审批机关不予办理企业设立的批准手续。

Circular on Strengthening the Environmental Management of Foreign-invested Construction Projects

(Promulgated by the National Environmental Protection Agency and Ministry of Foreign Trade and Economic Cooperation on March 14, 1992)

More and more foreign-invested enterprises (that is Chinese-foreign equity joint ventures, Chinese-foreign co-operative enterprises and wholly foreign-owned enterprises) have been established in China, along with the in-depth development of China's reform and opening to the outside world. The following Circular is hereby issued for the purpose of intensifying the management of environmental protection of foreign-invested construction projects, preventing environmental pollution and ecological destruction, absorbing foreign capital and introducing advanced technologies from overseas:

1. Foreign businessmen must comply with the environmental protection laws, regulations and relevant provisions of China when they make investments in the construction projects within the areas of China, prevent environmental pollution and ecological destruction and accept the supervision and management of the competent department of the environmental protection. Construction projects with foreign investment shall comply with the technical policies and relevant requirements of the state for environmental protection.

2. It is under strictly control to import of raw materials, products, technologies and equipment from abroad that may seriously pollute the environment and are difficult to be treated and to prevent the transfer of foreign pollution sources to China.

It is prohibited to import of the projects that may seriously pollute and destroy the environment, without any available effective treatment measures and whose discharge of pollutants in excess of the standards prescribed by the state. It is restricted to import the projects that may cause environmental pollution, destroy the environment or being difficult to be treated.

While importing the projects that there are no domestic associated measures available for pollution control in China, advanced production techniques and appropriately advanced facilities for environmental protection shall be imported simultaneously.

3. All foreign-invested construction projects that may have an impact on the environment must comply with the provisions on the management of environmental protection of construction projects of the State and implement the examination and approval system for the environmental impact statement.

The environmental impact statement of construction projects of Chinese-foreign equity joint ventures and Chinese-foreign co-operative enterprises shall be examined and approved in line with the existing provisions on the competence and procedures of examination and approval.

The environmental impact statement for foreign-invested construction projects shall be examined and approved by the competent department of environmental protection at the same level of the relevant administration that approved the establishment of the foreign-invested joint ventures.

Prior to the application for the establishment of the foreign-invested enterprises, foreign businessmen shall submit the layout of the selected site, scale, plan of products, technology, discharge of pollutants, measures for the pollution control and other relevant materials of the construction projects to the competent department of the environmental protection that has the competence over the examination and approval. They shall also handle the examination and approval procedures for the environmental impact report (statement) in accordance with the request of the department.

As for foreign-invested construction projects whose environmental impact report (statement) has not been approved by the competent department of environmental protection, other authorities of examination and approval authorised by the competent economic and trade departments or the govern-

四、外商投资建设项目的环境保护设施应以环境影响报告书（表）及审批意见为依据，并按《建设项目环境保护设计规定》进行设计。执行防治污染及其他公害的设施与主体工程同时设计、同时施工、同时投产使用的“三同时”制度。项目建成后，其污染物排放必须达到国家和地方规定的标准。实行污染物总量控制的地区，还应符合当地污染物排放总量控制的要求。

五、在项目投料生产及正式投产、使用前，必须按照规定的程序和要求，报原审批的环境保护行政主管部门对其环境保护设施进行检查、验收。验收不合格的，不得投入生产、使用。

六、香港、澳门、台湾的公司、企业和其他经济组织或者个人投资的建设项目，参照本通知规定执行。

ment shall not grant the approval to the application for the establishment of enterprises.

4. The environmental protection facilities of the foreign-invested construction projects shall be based on the examination and approval opinions of the environmental impact assessment report (statement) and shall be designed in accordance with the "Rules on the Design for Environmental Protection of Construction Projects". The "three simultaneities" system shall be implemented that the facilities for prevention and control of pollution and other public hazards shall be designed, constructed and put into operation simultaneously with the construction of the principal part of the project. After completion of the project, its discharge of pollutants must comply with the discharge standards specified by the state and the local government. Foreign-invested construction projects located in the area where the total pollutant loading is under control, the discharge shall also comply with the requirements on the control of the total pollutant loading.

5. Prior to production and formal operation of the construction project, the environmental protection facilities shall be inspected, accepted and examined by the competent department of environmental protection that originally examined and approved the facilities in accordance with the prescribed procedures and requirements. If in failure to pass the acceptance and check, they are not allowed to be put into operation and use.

6. Construction projects invested by companies, enterprises, other economic organisations or individuals of Hong Kong, Macao and Taiwan shall implement the provisions prescribed in this Circular.

关于加强国际金融组织贷款建设项目 环境影响评价管理工作的通知

(国家环保局、国家计委、财政部和中国人民银行
1993年6月21日发布,环监[1993]324号)

随着我国改革开放的不断深化,引进外资的比例正在逐年增加,利用世界银行、亚洲开发银行等国际金融机构贷款,已成为我国筹集建设资金发展经济的一个重要组成部分。

对国际金融组织贷款建设项目(以下简称贷款项目)环境保护工作,世界银行、亚洲开发银行均有明确的要求,并将贷款项目的《环境影响报告书》(以下简称《报告书》)列为办理贷款项目手续不可缺少的文件之一,对贷款项目环境影响评价提出了较完整的程序和要求,这些规定与我国现行的建设项目环境影响评价规定基本一致。为做好贷款项目环境影响评价的管理工作,用好国际金融组织贷款,促进我国经济 and 环境的协调发展,各级环境保护行政主管部门(以下简称环保部门)要和各级计划、财政、银行部门及行业主管部门密切配合,根据《中华人民共和国环境保护法》和我国建设项目环境保护管理及国家计委利用国际金融组织贷款项目计划管理的有关规定,进一步加强国际金融组织贷款项目环境影响评价的管理工作。为此,特做如下通知:

一、贷款建设项目必须执行我国的环境保护法律、规章和标准,执行环境影响评价制度。在执行我国环境影响评价有关规定的情况下,也要兼顾国际金融组织的技术要求。

二、贷款项目《报告书》的审批,须按我国建设项目环境保护管理审批权限和程序办理,贷款项目《环境影响评价工作大纲》(以下简称《评价大纲》),由负责审批《报告书》的环保部门审查。其《报告书》由行业主管部门组织预审,报环保部门审批。地方环保部门负责审批的贷款项目《报告书》,应将《报告书》及批复意见报国家环境保护局备案。

三、我国建设项目环境影响评价类别划分是根据拟建项目可能对环境造成的影响程度和范围以及项目所在地区的环境敏感程度所确定的。其类别划分为三类:

A类,可能对环境造成重大的不利影响的建设项目。这类项目需进行全面的环
境影响评价;

B类:可能对环境产生不利影响的范围和程度是有限的,其影响通过规定采用先进工艺和成熟的防治措施进行防治,可使环境影响大大减缓的建设项目。这类项目一般不要求进行全面的环
境影响评价,但需要根据工程和环境要素的特点做专项环
境影响评价或环境影响分析;

C类:对环境不产生不利影响或影响极小的建设项目。这类项目一般不需要开

Circular on Strengthening EIA Management of Construction Projects Financed by International Financial Organizations

(Promulgated by the National Environmental Protection Agency, the State Planning Commission, the Ministry Finance and the People's Bank of China on June 21, 1993)

Utilization of foreign funds has been increasing with the deepening of reform and open policy in recent years. Utilization of the credits and loans from international financial organizations (IFO), including the World Bank (WB) and the Asian Development Bank (ADB), has been important for the economic development in China.

Both WB and ADB has definite environmental protection requirements for their lending construction projects and submission of environmental impact assessment (EIA) reports is one of the necessary procedures to apply for their lending. Some documents published by WB and ADB describe their EIA requirements and its review procedures, which are basically consistent with the EIA requirements and its review procedures based on the existing laws and administrative regulations in China. In order to do a good EIA management for IFO lending construction projects, to utilize the IFO funds better, and to promote environmentally sound economic development, the administrative authorities for environmental protection (AAEP) at all governmental levels should, by close coordination with the administrative authorities for planning, finance and bank at all governmental levels and the sectoral authorities, strengthen EIA management for IFO lending construction projects according to the Environmental Protection Law of People's Republic of China, to the Chinese regulations concerned for environmental protection management of construction projects, as well as the regulations, issued by the State Planning Commission, for IFO lending projects. For this purpose, the following provisions are set out.

I. IFO lending construction projects should be subject to environmental protection laws, regulations and standards in China and be subject to EIA system in China. On the basis of being subject to Chinese EIA regulations, IFO's technical requirements for EIA should be incorporated.

II. Review and approval of EIA reports for IFO lending construction projects should be subject to the limits of environmental review and approval authorities for construction projects in China and should follow Chinese EIA review and approval procedures. The terms of reference (TOR) for EIA for IFO lending construction projects should be reviewed by the corresponding AAEP responsible for review and approval of the EIA reports for the project. The EIA reports should be pre-reviewed by the corresponding sectoral authority and submitted to the corresponding AAEP for formal review and approval. EIA reports for IFO lending construction projects reviewed and approved by local AAEP should be submitted with local AAEP's written comments to the National Protection Agency (NEPA) for the record.

III. EIA categorization of each construction project in China is based on its type, scale, the nature and magnitude or its potential environmental impacts, and the environmental sensitivity of the project location area. Each construction project is assigned to one of the following three categories:

Category A: Construction projects with significant adverse environmental impacts. A full-scale EIA is required.

Category B: Construction projects with limited adverse environmental impacts in scope and severity. The adverse environmental impacts can be mitigated by using advanced technologies and proven mitigation measures. A full-scale EIA is not required, but special analysis focusing on adaption and specification of mitigation measures to local circumstances and the project itself is required.

Category C: Construction projects unlikely to have or with negligible adverse environmental im-

展环境影响评价或环境影响分析，只需办理环境保护管理备案手续。

贷款项目环境影响评价的类别划分，应在项目建议书阶段或国际金融组织的项目前期准备阶段，在听取国际金融组织意见，由负责审批该项目《报告书》的环保部门确定。

四、对于一个贷款协议包括若干子项目的贷款项目，环境影响评价分为总体项目环境影响评价和子项目环境影响评价。其《报告书》的审批权限和程序按第二条规定办理。

五、环境影响评价单位在编制贷款项目《评价大纲》、《报告书》和《报告书》简写本时，可参照附件一至三。

六、贷款项目环境影响评价要注意国内外程序在时段上的衔接，编制及审批贷款项目的《评价大纲》应在国际金融组织贷款项目准备阶段完成。建设单位在向环保部门报审《评价大纲》时，应同时将《评价大纲》寄送有关国际金融组织征询意见，并及时将反馈意见报送负责审批该项目《报告书》的环保部门。

编制及审批《报告书》应在国家计划部门审批贷款项目《可行性研究报告》或《利用外资方案》和有关国际金融组织派出项目正式评估团前完成，最迟需在有关国际金融组织执董会讨论该贷款项目前四个月完成。《报告书》需在国家计划部门批准项目建议书后并经环境保护部门批准后才可正式提供。

七、公众参与是环境影响评价的重要组成部分，《报告书》中应设专门章节予以表述，使可能受影响的公众或社会团体的利益能得到考虑和补偿。公众参与工作可在《评价大纲》编制和审查、《报告书》审查阶段进行。根据我国目前的实际情况，可采用下述方式：

1. 建设单位和环保部门直接听取贷款项目所在地（区、县）人大代表、政协委员、群众团体、学术团体或居委会、村委会代表的意见和建议；

2. 项目所在地（区、县）人大、政协或群众团体征询受影响地区公众的意见；

上述工作可以发《公众意见征询表》、召开座谈会和邀请参加《评价大纲》与《报告书》审查会议的形式进行。

环保部门和行业主管部门在《评价大纲》审查和《报告书》审批时应充分考虑公众的意见，并反馈给建设单位。

八、根据国家有关规定，涉及移民安置的建设项目，移民安置在可行性研究报告中要有专题报告。其环境影响评价中应包括移民安置对环境影响的有关内容，在《报告书》中充分反映移民安置的影响。

九、建设单位向国际金融组织提交《评价大纲》、《报告书》及其他环境保护有关文件时，必须遵循以下原则：

1. 属中央政府负责支付中方配套资金和偿还外资的贷款项目，其《评价大纲》、《报告书》及其他环境保护文件，需经项目的主管部、委、局（办）、总公司的保密委员会审查后，建设单位方可向贷款组织提供，并报国家环境保护局备案。

pacts. EIA or special analysis is not be required, but formalities for environmental protection management for the record the record is required.

Categorization of IFO lending construction projects should be made in the project proposal phase or project preparation phase by the corresponding AAEP responsible for review and approval of the EIA reports after opinions are solicited from the lender.

IV For a IFO lending project with several sub-projects, say sector loans or program loans, the EIA reports for the whole project and for some sub-projects can be prepared. The limits of environmental review and approval authority for these projects should be conformed with Provision II.

V. The organizations conducting EIA can prepare TOR for EIA, EIA reports and summary of EIA reports by making reference to Annex 1, Annex 2 and Annex 3 respectively.

VI. The timing link-up between the Chinese EIA Procedures and IFO's procedures should be noted. Preparation of TOR for EIA for IFO lending projects and its review and approval should be completed in the preparation phase. The project owner must submit TOR for EIA to AAEP for review and approval and should send TOR to the lender for its comments and recommendations. The feed-back comments and recommendations from the lender should be reported to the same AAEP for its consideration during review and approval.

Preparation, review and approval of IEA reports for IFO lending projects should be completed before the review and approval of project feasibility study or foreign fund utilization plan by the administrative authorities for planning and before of lender's formal appraisal mission. Preparation, review and approval of EIA reports for IFO lending projects should be completed at least 4 months before IFO's official consideration of the project. Formal EIA reports should not be submitted to the lender before the approval of the project proposal by the administrative authority for planning or without their approval by AAEP.

VII. Public participation is important in EIA process and its purpose is to consider and compensate the interests of the affected people or social groups. There should be a special section in EIA reports to describe the public participation associated with each IFO lending projects. Public participation can be induced in the phase of TOR preparation, review and approval, and in the phase of review and approval of EIA reports. On the basis of the actual situations in China, public participation can be carried out in the following ways:

(1) Project owner and AAEP can solicit directly opinions and suggestions from the representatives of local People's Congress, local Political Consultative Conference, local mass organizations or academic groups, or other public representatives in the affected areas; or

(2) Local People's Congress, local Political Consultative Conference or mass organizations can inquire and collect public opinions in the affected areas.

Public participation could be undertaken by sending questionnaire, holding

Public forum, or by inviting representatives to participate in the meetings hold to review TOR and EIA report.

AAEP and sectoral authority should consider public opinions in the process of TOR review and approval, pre-review and approval of EIA reports. Public opinions should be transferred to project owners.

VIII. According to Chinese regulations concerned for construction projects involving resettlement, there should be special sections in feasibility study dealing with resettlement. However, the impacts and solutions associated with resettlement should be summarized in EIA reports.

IX. When submitting TOR, EIA reports and other environmental documents, the project owner should follow the following two principles:

(1) For the IFO lending construction projects for which the domestic funds and repayments are provided by the Central Government, the project owner should not submit TOR, EIA reports or other environmental documents to the lender without the permission of the technical review committee of the corresponding central sectoral government agency and all the materials submitted to the lender should be reported to NEPA for the record; and

2. 属地方政府负责支付中方配套资金和偿还外资的贷款项目, 其《评价大纲》、《报告书》及其他环境保护文件, 需经项目所在地的同级人民政府保密委员会审查后, 建设单位方可向贷款组织提供, 并报上一级环保部门备案。

十、对于包括许多子项目的行业贷款项目, 在项目评估中许多子项目尚未确定, 其环境影响评价工作可选定已确定的子项目, 提出《报告书》, 确定行业贷款的环境原则和该行业贷款项目行业环境影响评价指南, 来指导那些未确定的子项目的选择和环境影响评价。

十一、对已完成《报告书》审批程度的内资项目, 当转为利用国际金融组织贷款项目时, 建设单位应及时向原审批《报告书》的环保部门申报。如果项目内容、厂址、规模和工艺发生重大变化或原《报告书》不能满足贷款项目环境影响评价要求时, 建设单位需根据环保部门的意见对原《报告书》进行修改、补充, 并按规定的审批权限和程度重新办理《报告书》审批手续, 不得擅自将原《报告书》直接寄送国际金融组织。

十二、为确保贷款项目准备工作顺利进行, 其环境影响评价工作应由熟悉国际金融组织贷款项目环境影响评价技术要求、具有甲级评价资格的国内持证单位承担。当贷款项目需委托国外咨询机构进行评价时, 应征得国家环境保护局同意。

十三、已列入国家计委批准的《利用国际金融组织贷款备选项目规划》(包括列入备选项目规划的后备项目) 的项目, 在条件允许的情况下应尽早开展环境影响评价工作。项目单位和地方环保部门应及时向负责审批《报告书》的环保部门和行业主管部门通报项目工作情况。未列入国家计委提出《备选项目规划》的贷款项目或临时提出的应急项目, 建设单位应及时向负责审批该项目《报告书》的环保部门申报, 经同意后, 可参照此文办理。

(2) For the IFO lending construction projects for which the domestic funds and repayments are provided by the local government, the project owner should not submit TOR, EIA reports or other environmental documents without the permission of the technical review committee of the same local government and all the materials submitted to the lender should be reported to a higher level AAEP.

X. For sectoral loans of which the details of sub-projects are not identified at the time of project appraisal, EIA reports for the sub-projects identified could be prepared, and the environmental criteria for the sectoral loans and some guidelines for EIA, which should be followed during sub-project selection, design and appraisal, should be developed.

XI. For the former domestic-fund construction projects for which the EIA reports has been reviewed and approved, if they become IFO lending projects, the project owners should report this fact to the corresponding AAEP reviewing and approving their EIA reports as early as possible. If the components, location, scale and process technology of the project changes greatly, or if the former EIA reports are not qualified in terms of the IFO lending projects, the project owners should have the former EIA reports revised on the basis of consulting the corresponding AAEPs and should have the revised EIA reports to be re-reviewed and re-approved by following the necessary procedures. The former EIA reports may not be send to the lender without permission.

XII. In order for the preparation of IFO lending projects to go smoothly, EIA for IFO lending projects should be conducted by the domestic organizations with a Class A certificate for conducting EIA and familiar with the IFO's EIA requirements for lending projects. If a foreign consulting firm is invited by the project owner to conduct EIA for IFO lending projects, the firm should be qualified by NEPA.

XIII. The EIA for the projects listed in the Plan for Candidate Projects Utilizing IFO Funds and listed in Reserve Project Plan approved by the State Planning Commission, should be conducted as early as possible if conditions permit. Project owners and local AAEPs should report the EIA progress for IFO lending projects to the AAEP and sectoral authority responsible for review and approval of the EIA reports. For the IFO lending projects not listed in the Plan for Candidate Projects Utilizing IFO Funds of the contingency projects, project owners should report to the AAEP responsible for review and approval of the EIA reports as early as possible and if the AAEP agrees, the EIA for the project should be subject to this Circular.

建设项目环境影响评价资格证书管理办法

国家环境保护总局令

第2号

《建设项目环境影响评价资格证书管理办法》已于1999年3月17日经国家环境保护总局局务会议讨论通过，现予发布施行。

国家环境保护总局局长 解振华

1999年3月30日

第一章 总 则

第一条 为了加强对建设项目环境影响评价工作的管理，提高环境影响评价工作质量，根据《建设项目环境保护管理条例》第十三条的规定，制定本办法。

第二条 凡从事建设项目环境影响评价工作的单位，必须按照本办法的规定取得国家环境保护总局颁发的《建设项目环境影响评价资格证书》（以下简称“评价证书”），并按照评价证书规定的等级和范围，从事环境影响评价工作。

第三条 评价证书分甲级、乙级两个等级，并根据持证单位的专业特长和工作能力，按行业和环境要素划定业务范围。

评价证书有效期为五年。

第四条 持有甲级评价证书的单位，可以按照评价证书规定的业务范围，承担各级环境保护部门负责审批的建设项目环境影响评价工作，编制环境影响报告书或环境影响报告表。

持有乙级评价证书的单位，可以按照评价证书规定的业务范围，承担地方各级环境保护部门负责审批的建设项目环境影响评价工作，编制环境影响报告书或环境影响报告表。

第二章 申请评价证书的条件和程序

第五条 申请甲级评价证书应当具备以下条件：

（一）具备法人资格，具有专门从事环境影响评价的机构，具有固定的工作场所

Measures on the Management of Qualification Certificates for Construction Project Environmental Impact Assessments

Decree of State Environmental Protection Administration NO. 2

The Measures on the Management of Qualification Certificates for Construction Project Environmental Impact Assessments was adopted at the Executive Session of the State Environmental Protection Administration on March 17, 1999 and is hereby promulgated for implementation.

Minister Xie Zhenhua
State Environmental Protection Administration
March 30, 1999

Chapter I General Provisions

Article 1 These Measures are hereby formulated in order to strengthen the management of construction project environmental impact assessments and improve the quality of environmental impact assessments in accordance with the Regulations on the Administration of Construction Project Environmental Protection.

Article 2 Units engaging in environmental impact assessment of construction projects shall obtain Qualification Certificates for the Environmental Impact Assessment of Construction Projects (hereinafter referred to as Assessment Certificates) issued by the State Environmental Protection Administration in accordance with the provisions of these Measures and carry out environmental impact assessments in line with the grade and scope prescribed by the Assessment Certificate.

Article 3 Assessment Certificates are divided into those constituting Grade A and Grade B. The business scope of Assessment Certificates is determined according to industrial and environmental factors and in accordance with the professional speciality and work abilities of the unit that has been granted an Assessment Certificate.

The term of validity of an Assessment Certificate is five years.

Article 4 Units holding Grade A Assessment Certificates may undertake environmental impact assessments of construction projects subject to the examination and approval of the environmental protection departments at all levels, and prepare environmental impact statements or environmental impact forms in accordance with the business scope defined in the Assessment Certificate.

Units holding Grade B Assessment Certificates may undertake environmental impact assessments of construction projects subject to the examination and approval of the local environmental protection departments at all levels and prepare environmental impact statements or the environmental impact forms in accordance with the business scope defined in the Assessment Certificate.

Chapter II Conditions and Procedures for Applying for Assessment Certificate

Article 5 The unit applying for the Grade A Assessment Certificate shall satisfy the following requirements:

(1) It shall have legal personality, constitute a professional institute engaging in environmental impact assessment, have a fixed working site and working conditions and complete internal manage-

和工作条件，具有健全的内部管理规章制度；

(二) 能够独立完成环境影响评价工作中主要污染因子的调查分析和主要环境要素的影响预测，有能力开展生态现状调查和预测，有分析、审核协作单位提供的技术报告、监测数据的能力，能独立编写环境影响报告书；

(三) 从事环境影响评价的专职技术人员中，应至少有四名具有高级技术职称和六名以上具有中级技术职称，其中有不少于六人具备从事环境影响评价三年以上的工作业绩。上述所有人员必须符合国家环境保护总局对从事建设项目环境影响评价人员的持证上岗要求，熟悉和遵守国家与地方颁布的环境保护法规、标准和环境影响评价技术规范；

(四) 具备专职从事工程、环境、生态、社会经济等工作的技术人员；

(五) 配备有与业务范围一致的专项仪器设备和计算机绘图设备。

第六条 申请乙级评价证书应当具备以下条件：

(一) 具备法人资格，具有专门从事环境影响评价的机构，具有固定的工作场所和工作条件，具有健全的内部管理规章制度；

(二) 能够完成环境影响评价工作中主要污染因子的调查分析和主要环境要素的影响预测，有能力开展生态现状调查和预测，有分析、审核协作单位提供的技术报告、监测数据有分析、审核能力并能独立编写环境影响报告书；

(三) 从事环境影响评价的专职技术人员中，应有六名以上的高、中级技术职称人员。上述人员必须符合国家环境保护总局对从事建设项目环境影响评价人员的持证上岗要求，熟悉和遵守国家与地方颁布的环境保护法规、标准和环境影响评价技术规范；

(四) 具备专职从事工程、环境、生态、社会经济等专项工作的技术人员；

(五) 配备有与业务范围一致的专项仪器设备和计算机绘图设备。

第七条 申请甲级评价证书的程序：

(一) 申请单位向国家环境保护总局提出书面申请，领取并按规定填写《建设项目环境影响评价资格证书申请表》，附有关证明材料，报送国家环境保护总局；

(二) 国家环境保护总局征求申请单位所在地省级环境保护局和有关行业主管部门意见；

(三) 国家环境保护总局对申请单位的资质进行审查，符合条件的，颁发甲级评价证书。

第八条 申请乙级评价证书的程序：

(一) 申请单位向国家环境保护总局提出书面申请，领取并按规定填写《建设项

ment rules and regulations;

(2) It can independently conduct investigation and analysis of main pollution factors in the environmental impact assessment and the impact forecast of the main environmental factors, have the ability to conduct ecological investigations and forecasts, have the capacity to analyse, examine and verify the technical report and monitoring data provided by the co-ordinating unit and independently compile environmental impact statements or forms;

(3) Among the full-time technical personnel who are engaged in environmental impact assessment, have at least four such personnel who have obtained high-level technical positions, more than six of such personnel have obtained mid-level technical titles, and at least six personnel who have been engaged in the environmental impact assessment field for more than three years. The above-mentioned personnel must satisfy the requirements of the State Environmental Protection Administration specifying that those who are engaged in the environmental impact assessment field should hold post certificates, and familiarize themselves with and observe environmental protection rules and regulations, standards, and technical norms of environmental impact assessment formulated by the State and local authorities;

(4) It shall have full-time professional personnel engaged in engineering, environmental, ecological, social and economic work; and

(5) It should be equipped with special instruments, equipment and computer drawing equipment that are in compliance with its business scope.

Article 6 The applicant units applying for Grade B assessment certificate shall satisfy the following requirements:

(1) It shall have legal personality, constitute a professional institute engaging in environmental impact assessment, have a fixed working site and working conditions and complete internal management rules and regulations;

(2) It can independently conduct investigation and analysis of main pollution factors in the environmental impact assessment and the impact forecast of the main environmental factors, have the ability to conduct ecological investigations and forecasts, have the capacity to analyse, examine and verify the technical report and monitoring data provided by the co-ordinating unit and independently compile environmental impact statements or forms;

(3) Among the full-time technical personnel who are engaged in the environmental impact assessment, have at least six such personnel who have obtained high-level and intermediate-level technical titles. The above-mentioned personnel must satisfy the requirements of the State Environmental Protection Administration, namely those who engage in the environmental impact assessment should hold post certificates, and be well acquainted with and observe the environmental protection rules and regulations, standards, and technical norms of environmental impact assessment formulated by the State and local authorities;

(4) It should have full-time professional personnel engaged in engineering, environmental, ecological, social and economic work; and

(5) It should be equipped with the special instruments, equipment and computer drawing equipment that are in compliance with its business scope.

Article 7 Procedures for Applying for Grade A Assessment Certificates:

(1) The applicant unit shall file a written application to the State Environmental Protection Administration. The applicant shall apply for and fill in, according to the provisions, the "Application Form of Qualification Certificates for Environmental Impact Assessment of Construction Projects" and, together with other supplementary documents, submit them to the State Environmental Protection Administration;

(2) The State Environmental Protection Administration shall solicit opinions from the environmental protection bureau at the provincial level and local departments governing the relevant industry where the applicant unit is located;

(3) The State Environmental Protection Administration shall examine the qualifications of the ap-

目环境影响评价资格证书申请表》，附有关证明材料，报送所在地省级环境保护局审查并签署意见，有行业主管部门的同时报送行业主管部门签署意见；

(二) 申请单位将经所在地省级环境保护局、有行业主管部门的同时将行业主管部门签署意见的《建设项目环境影响评价资格证书申请表》报国家环境保护总局审核；

(三) 国家环境保护总局对申请单位的资质进行审查，符合条件的，颁发乙级评价证书。

第九条 人员配置不完全具备乙级评价证书资格要求的申请单位，因工作需要，经所在地省级环境保护局核准，可申请只开展填报环境影响报告表业务的乙级证书。申请程序参照本办法第八条规定执行。

第三章 评价证书管理与考核

第十条 国家环境保护总局定期公布有评价证书的评价单位（以下简称评价单位）名单。

第十一条 评价单位开展环境影响评价工作，必须由评价单位内的环境影响评价专职机构承担，并对评价结论负责。

评价单位签订评价合同时，必须标明评价证书的级别和编号。编制的环境影响报告书或环境影响报告表，必须附有评价证书缩印件（按原样缩印至三分之一）、工作人员姓名及其建设项目环境影响评价持证上岗证书编号。

第十二条 评价单位在开展环境影响评价工作时，必须严格执行国家规定的收费标准。

第十三条 国家环境保护总局负责组织对评价单位的评价工作进行考核。考核分定期考核和日常检查，定期考核每两年进行一次，日常检查不定期进行。考核结果分合格和不合格两种。

国家环境保护总局可以委托省级环境保护局对本行政区域内各级评价单位进行日常检查。

接受委托的省级环保局应当将检查结果报国家环境保护总局。

第十四条 评价单位每年必须按规定填写“环境影响评价单位工作业绩纪录表”，报国家环境保护总局，抄报所在地省级环境保护局，有行业主管部门的同时抄送本行业主管部门。评价单位的机构或人员发生调整或变化时，必须及时向国家环境保护总局报告。

plicant unit and issue the Grade A Assessment Certificate to the applicant if the requirements are met.

Article 8 Procedures for Applying for Grade B Assessment Certificates:

(1) The applicant unit shall file a written application to the State Environmental Protection Administration. The applicant shall apply for and fill in, according to the provisions, the "Application Form for Qualification Certificates for Environmental Impact Assessment of Construction Projects" and, together with other supplementary documents, submit them to the environmental protection bureau at the provincial level for examination and opinions. Where there are any departments governing the relevant industry at the same level, it shall also submit the material to these departments for opinions;

(2) The applicant unit shall submit the "Application Form for Qualification Certificates for Environmental Impact Assessment of Construction Projects" with the opinions provided by the environmental protection bureau at the provincial level at the place where the applicant unit is located and the opinions provided by the departments governing the relevant industry at the same level, if there are any, to the State Environmental Protection Administration for examination and verification;

(3) The State Environmental Protection Administration shall examine the qualifications of the applicant unit and issue the Grade B Assessment Certificate to the applicant if the requirements are met.

Article 9 An applicant unit the staff allocation of which fails to meet the requirements for the qualification of Grade B Assessment Certificate may, if necessary for the work, apply for a Grade B Assessment Certificate which is limited to completion of the environmental impact statement form upon verification by the environmental protection bureau at the provincial level at the place where the applicant unit is located. The application procedures shall be implemented in accordance with the provisions of Article 8 of these Measures.

Chapter III Management and Evaluation of Assessment Certificates

Article 10 The State Environmental Protection Administration shall regularly publish a list of qualified assessment units (hereinafter refer to assessment units) possessing Assessment Certificates.

Article 11 The environmental impact assessment conducted by the assessment unit shall be undertaken by the full-time environmental impact assessment organization within the assessment unit. The full-time organization shall be responsible for the assessment results.

When executing an assessment contract, the assessment unit must specify the grade and serial number of its Assessment Certificate. When the environmental impact statement or form for a particular construction project has been completed, a copy of the Assessment Certificate must be attached with the statement or form in reduced format (one-third of the original copy in size), and the names of assessment unit's personnel and their construction project environmental impact assessment qualification certificate serial numbers shall also be attached.

Article 12 When conducting the environmental impact assessment, the assessment unit must strictly comply with the fee scales prescribed by the State.

Article 13 The State Environmental Protection Administration is responsible for organizing an evaluation of the assessment activities of the assessment unit. The evaluation is divided into periodic evaluation and routine inspection. The periodic evaluation is conducted once every two years and the routine inspection is carried out irregularly. The evaluation results are classified into qualified and unqualified results.

The State Environmental Protection Administration may authorize the environmental protection bureau at the provincial level to conduct a routine inspection of the assessment units at all levels within its jurisdiction.

The authorized environmental protection bureau at the provincial level shall submit reports on the inspection results to the State Environmental Protection Administration.

Article 14 The assessment units shall complete the "Performance Record of the Environmental Impact Assessment Unit" annually in accordance with the provisions, submit it to the State Environ-

第十五条 国家环境保护总局根据考核结果，对甲级评价证书可以分别予以确认、降级或吊销，对乙级评价证书可以分别予以确认或吊销。

第四章 罚 则

第十六条 国家环境保护总局对违反本办法规定，有下列行为之一的评价单位，可以责其进行三个月以上、十二个月以下的限期整改。限期整改评价单位暂停使用其评价证书，不得承担任何环境影响评价工作。对逾期未达到整改要求的，由国家环境保护总局降低其评价证书级别或吊销其评价证书。

- (一) 机构、人员发生变化已不适应评价工作的；
- (二) 评价单位无正当理由不履行评价合同的；
- (三) 变相转包评价工作或承接项目与评价证书业务范围不一致的。
- (四) 环境影响报告书在审查过程中质量较差的；
- (五) 无故不参加定期考核或拒绝接受日常监督检查，或不按规定提交《环境影响评价单位工作业绩记录表》的。

第十七条 国家环境保护总局对违反本办法规定，有下列行为之一的评价单位，吊销其评价证书：

- (一) 在领取评价证书过程中弄虚作假的；
- (二) 转借评价证书的；
- (三) 环境影响评价中编造数据、弄虚作假的；
- (四) 因评价结论错误，造成严重环境污染后果和经济损失的；
- (五) 超过国家规定的收费标准收费的。

第五章 附 则

第十八条 国外机构在我国从事建设项目环境影响评价工作，其评价资格须经国家环境保护总局认可。

第十九条 本办法由国家环境保护总局负责解释。

第二十条 本办法自颁布之日起施行，原国家环保局 1989 年 9 月 2 日颁发的《建设项目环境影响评价证书管理办法》（[89]环监字第 281 号）即行废止。

mental Protection Administration and send a copy to the environmental protection bureau at the provincial level at the place where the assessing unit is located. Where there is any department of relevant profession at the same level in the locality, another copy shall be sent to those departments. When adjustments or changes take place in the organizational structure and personnel of the assessing unit, the unit shall notify them in a timely manner to the State Environmental Protection Administration.

Article 15 The State Environmental Protection Administration may, depending on the evaluation results, re-confirm, degrade or revoke the Grade A Assessment Certificate accordingly, and confirm or revoke the Grade B Assessment Certificate accordingly.

Chapter IV Penalty Provisions

Article 16 The State Environmental Protection Administration shall, under any of the circumstances below, order an assessment unit that violates the provisions of these Measures to rectify the violation within a specified time limit between three to twelve months. The assessment unit that is ordered to carry out rectification of violation within the specified time is not allowed to undertake any environmental impact assessments. Where the assessment unit fails to attain the requirements for rectification within the specified time limit, the State Environmental Protection Administration shall degrade or revoke its Assessment Certificate.

(1) The assessment unit's organizational and personnel changes fail to meet the requirements of assessment;

(2) The assessment unit fails to perform the assessment contract without any justifiable reason;

(3) The assessment unit sub-contracts its assessment in disguised form or the items undertaken by it are not in conformity with its business scope;

(4) The assessment unit's environmental impact report is found to be poor in quality in the course of examination;

(5) The assessment unit fails to take part in the periodic evaluation without any reason or rejects routine supervision and inspection, or refuses to submit the "Performance Record of the Environmental Impact Assessment Unit" according to these Measures.

Article 17 The State Environmental Protection Administration shall, in any of the following circumstances, revoke the Assessment Certificate of an assessment unit that violates the provisions of these Measures:

(1) If the assessment unit resorts to deceit in the course of obtaining an Assessment Certificate;

(2) If the assessment unit sub-leases an Assessment Certificate;

(3) If the assessment unit fabricates data and resorts to deceit in the environmental impact assessment;

(4) If the assessment unit's erroneous assessment results in serious environmental pollution and economic losses;

(5) If the charges the assessment unit collects exceed the fee scale specified by the State.

Chapter V Supplementary Provisions

Article 18 The assessment qualifications of overseas institutions that intend to engage in environmental impact assessment of construction projects in China shall be confirmed by the State Environmental Protection Administration.

Article 19 The State Environmental Protection Administration shall be responsible for the interpretation of these Measures.

Article 20 The Measures shall be effective as of the date of promulgation. The "Measures on the Management of Environmental Impact Assessment Certificates," promulgated by the former National Environmental Protection Agency on September 2, 1989, shall be repealed.

关于加强乡镇企业环境保护工作的规定

(国家环保局、农业部、国家计委和国家经贸委 1997 年 3 月 5 日发布)

为了贯彻《国务院关于环境保护若干问题的决定》，切实加强乡镇企业环境保护工作，大幅度提高乡镇企业污染防治能力，根本扭转乡镇企业对环境污染和生态破坏加剧的状况，实现乡镇企业的可持续发展，特作如下规定：

一、地方各级人民政府要高度重视乡镇企业的环境保护工作，县长、乡（镇）长要对本地区的环境质量负责，要将辖区环境质量作为考核县、乡（镇）主要领导人工作的重要内容。以县为单位，实施污染物排放总量控制，把乡镇企业的排污量纳入区域污染物排放总量控制目标。地方各级人民政府要制定乡镇企业主要污染物排放总量逐年削减计划并落实到企业，采取有效措施，防治乡镇企业污染和破坏环境，保护和改善农村环境质量。到 2000 年，所有乡镇工业企业必须稳定达标排放污染物。

地方各级人民政府要切实加强乡镇企业环境管理，组织制定乡镇环境保护规划，对乡镇企业统筹安排，分类指导，合理布局。

东部沿海经济比较发达地区的乡镇企业，应逐年削减主要污染物的排放总量。新建乡镇企业要采用先进适用的技术和设备，发展无污染和少污染的产业和产品。

中西部经济欠发达地区的乡镇企业，要合理开发和利用自然资源，严禁引进和新建污染严重的生产项目，加快企业的技术改造，防止环境污染和生态破坏。

三、对乡镇企业从事的下列生产项目，坚决予以取缔或关闭：对年产 5000 吨以下的造纸厂，年产折牛皮 3 万张以下的制革厂和年产 500 吨以下的染料厂，以及采用坑式（馒头焦、堆式焦）和萍乡炉炼焦、天地罐和敞开式炼硫、马槽炉（马鞍炉）炼铅锌、混汞法（汞碾法和汞板法）和土氰化（小氰化池、氰化堆浸）法及溜槽选金、马蹄窑烧砖、土（蛋）窑烧水泥的企业，由县级以上人民政府责令取缔；对土法炼砷、炼汞、炼油、漂染、电镀以及土法生产农药、土法生产石棉制品、开采放射性矿产资源、利用放射性同位素的各类生产制品的企业，由县级以上人民政府责令其关闭或停产。对未按规定取缔或关闭的，要追究有关县、乡（镇）人民政府主要领导人及有关企业负责人的责任。

Provisions on Strengthening Environmental Protection of Township Enterprises

(issued by the National Environmental Protection Agency, Ministry of Agriculture, State Development and Planning Commission and State Economic and Trade Commission on March 5, 1997)

In order to implement the Decision of the State Council on a Several of Issues Concerning Environmental Protection, practically strengthen environmental protection work of township enterprises, raise their capability of pollution control by a big margin, fundamentally change the deteriorating situation of environmental pollution and ecological damage caused by the township enterprises and realize sustainable development of township enterprises, the provisions are made as following:

1. The local people's governments at all levels shall pay high attention to the environmental protection of township enterprises. County magistrates and heads of township (town) are responsible for the environmental quality of their own regions and the environmental quality under their jurisdiction will be taken as the main content for checking on the work of main leaders of townships (towns). Within the county as a unit, the control of total quantity of pollutants discharge will be implemented, and the quantity of pollutants discharge by the township enterprises will be brought into the goal of controlling the total quantity of regional pollutants discharge. The local people's governments at all levels shall work out annual reduction programs of total quantity of main pollutants discharge by township enterprises and implement them at the enterprises, adopt effective measures to prevent the township enterprises from polluting and damaging the environment and protect and improve rural environmental quality. In 2000 all the township enterprises must steadily reach the standard of pollutants discharge.

The local people's governments at all levels shall practically strengthen the environmental management of township enterprises, organize to work out programs of township environmental protection, make unified arrangement of township enterprises, provide classified guide to and rationally lay them out.

The township enterprises in the economic developed regions along the eastern coast shall annually reduce the total quantity of main pollutants discharge. The new township enterprises shall adopt advanced and suitable technology and equipment and develop industries and products without pollution or with least pollution.

The township enterprises in the economical underdeveloped central and western regions must reasonably develop and exploit natural resources. Introducing and constructing new production projects with heavy pollution are strictly prohibited. Expediting technological innovation of enterprises so as to prevent environment pollution and ecological destruction.

2. Those enterprises which engage in following production items must be resolutely abrogated or closed down: the paper mill with the annual capacity of less than 5,000 tons, the tannery with the annual capacity of less than 30,000 pieces of cattlehide and the dye plant with the annual capacity of less than 500 tons, as well as those enterprises which use pit (steam bread coke, pile coke) and smooth furnace to coke, open jar and openly smelt sulphur, manger furnace (saddle furnace) to smelt lead and zinc, select gold through mixed mercuration (mercury grinding and smoothing), indigenous cyanidation (small cyanidation pool and cyanide soaking) and slot, hoop-shaped kiln to bake bricks and indigenous (egg) kiln to bake cement are ordered to abrogate by the people's government above the county level; those enterprises which use indigenous method to smelt arsenic and mercury, refine oil, bleach and dye, electroplate, produce pesticide and asbestos products, exploit radiant mineral resources and use various kinds of radioisotope products will be ordered to close down or stop their operation by the

严禁非法进口、加工、利用境外固体废物。

三、禁止乡镇企业新建国家法律、法规和本规定第二条规定的必须取缔或关闭的生产项目。

在国家规定的淮河、海河、辽河、太湖、巢湖、滇池等水污染控制重点区域，禁止乡镇企业新建化学制浆造纸和小型制革、印染、酿造、电镀和重污染化工项目；符合国家规定上述生产项目的新建、扩建、改建和技术改造，必须符合区域水污染防治规划要求，污染物排放不得突破当地排污总量控制指标，其环境影响报告书（表）须经乡镇企业行政主管部门预审后报省级环境保护行政主管部门批准，并严格执行环境保护设施与主体工程同时设计、同时施工、同时投产的“三同时”规定，环境保护设施未经验收或验收不合格的不准投入运行。企业建成后必须稳定达标排放污染物。

在水污染重点控制区域外新建、改建、扩建符合国家规定的上述生产项目，其环境影响报告书（表）必须由审批机关报请上一级环境保护行政主管部门复核，未经核准的，不得施工。

四、国务院环境保护行政主管部门会同有关部门根据不同地区经济发展水平和环境保护要求，公布乡镇企业污染控制的重点行业和地区。地方各级人民政府要加强对上述重点行业的乡镇企业环境保护的监督管理和重点地区的环境综合整治，切实增加环境保护投入，对超标排放污染物的乡镇企业，必须依法责令限期治理；对在经济或技术上不具备治理条件的要限期关停或转产。

五、发展乡镇企业要和小城镇建设相结合，使乡镇企业在地域上逐步实现相对集中，有计划地建设乡镇工业小区。在村、镇居民区内不得建设严重污染环境的乡镇企业，已建成的，要坚决采取关、停、禁、改、转措施。

建设乡镇工业小区必须进行区域环境影响评价，要采取分散处理与集中治理相结合的措施，实行污染物排放总量控制。

在编制城镇规划时要考虑集中治理乡镇企业污染的设施建设和布局。

六、各级环境保护行政主管部门和有关部门对污染和破坏环境的乡镇企业建设项目要严格把关。对环境影响报告书（表）未经环境保护行政主管部门审批的建设项目，项目审批单位不得批准建设，土地管理部门不得批准用地，矿产管理部门不得发放采矿许可证，工商管理部门不得办理营业执照，金融部门不得发放贷款；对

people's government above the county level. As for those enterprises which are not abrogated or not closed down according to the provision, the main leaders of relevant county, township (town) people's governments and enterprises will be investigated for their responsibilities.

Strictly forbid to illegally import, process and use solid waste material from abroad.

3. The township enterprises are strictly forbidden to build new production projects which must be cancelled or closed down by the provisions of state law and regulations and Article 2 of this provision.

The township enterprises are strictly forbidden to build projects such as papermaking with chemical pulp, small tannery, dyeing, brewing, electroplating and heavy pollution chemical in the major control areas of water pollution of the Huaihe River, Liaohe River, Taihu Lake, Chaohu Lake and Dianchi Lake stipulated by the state; the new construction, expansion, rebuilding and technical innovation of the above production projects which conform with the state provisions must conform to the requirements of the regional programs of preventing water pollution, their pollutants are not allowed to breakthrough the control target of total quantity of local pollutants discharge. Their environmental impact statements (report forms) must be submitted to the competent administrative departments at the provincial level after they are approved by the local competent administrative departments. They shall strictly carry out the provision of "three simultaneities" --simultaneously design environmental facilities and principal part of projects, building and putting them into operation. The environmental protection facilities which have not been checked or not conformed to the requirements after the checkup are not allowed to operate. After the establishment, the enterprise must steadily reach the standard of pollutants discharge.

While engaging in new construction, reconstruction and expansion of production projects which conform with the above state provisions outside the major control areas of water pollution, the organization to examine and approve the environmental impact statement (report form) must submit to the higher competent administrative department of environmental department to reexamine. The project which was checked and not approved cannot be built.

4. The competent environmental protection administrative department of the State Council with the relative departments announced the main industries and zones of pollution control of township enterprises in accordance with different regional development level and requirements. The local governments at all levels shall strengthen supervision and management of environmental protection of the township enterprises of above main industries and comprehensive control of the main zones, actually increase input into environmental protection and must order to control the enterprises in excess of standard of pollutant discharge with the limit time; the enterprises which have not economic and technical conditions to control pollution must suspend their operation or change their production within the limit time.

5. The development of township enterprises will be combined with the construction of small cities and towns, so as to make township enterprises being gradually concentrated in the regions, and the small township industrial areas will be built in a planned way. The township enterprises that severely pollute the environment will not be allowed to build in the residential areas of villages and towns and those which have already been built should adopt measures to close down, suspend, prohibit, reform and transfer their production.

While building small township industrial districts, their influence on district environment must be assessed, and measures to combine the scattered treatment with the concentrated control to facilitate the control of the total quantity of pollutants discharge shall be adopted.

While working out township planning, the infrastructural construction and arrangement of concentrated control of township enterprises' pollution shall be considered.

6. The competent administrative departments of environmental protection at all levels and the relevant departments should strictly check the township enterprise projects which will cause pollution and damage environment. For those projects that their environmental impact statements (report forms) are not approved by the competent administrative department of environmental protection, the approval units of such projects shall not approve their construction, the land administrative department shall not

环境保护设施未经验收或验收不合格的建设项目，环境保护行政主管部门不得准予投产使用，电力管理部门停止供电，金融部门停止贷款。

七、地方各级人民政府要切实加强对乡镇企业的环境监督管理，加强县、乡（镇）两级环境执法队伍建设。环境保护行政主管部门要加大环境执法力度，坚决纠正环境违法行为，对违反环境保护法律、法规的责任者要依法予以处罚。各级乡镇企业管理部门要设专人负责环境保护管理工作。

各级环境保护行政主管部门要依法建立乡镇企业排污申报登记和环境统计制度，加强对乡镇企业重点污染源的环境监测和监理，做好乡镇企业排污费的征收、管理和使用工作。

八、国家和地方有关部门应对乡镇企业的污染防治示范工程在政策和资金上给予必要的支持，帮助乡镇企业提高污染防治能力。

金融部门应按照国家有关环境保护的信贷政策，对乡镇企业污染治理和生态建设项目，给予积极支持。

有关部门在制订利用外资计划时，应安排一定比例用于乡镇企业的环境保护，帮助乡镇企业提高环境保护的技术水平。

科研单位、大专院校及技术服务机构要面向乡镇企业，通过星火计划等形式，帮助乡镇企业解决污染防治中的技术难题。

九、乡镇企业必须严格遵守国家环境保护的法律、法规。必须保护耕地和生态环境，特别要加强对生活饮用水源和灌溉、养殖等水域的保护，不得破坏自然保护区和文物古迹。造成生态环境严重破坏的，要限期进行治理和恢复，未完成治理任务的要坚决停产或关闭。

乡镇企业要建立和完善内部环境管理制度，制定环境保护计划，建立环境保护岗位责任制，把环境保护作为企业管理的重要内容贯彻到生产经营的全过程，推行清洁生产，建设和完善环境保护设施，保障其正常运行。

十、地方各级政府要加强环境保护宣传教育，增强各级领导干部和人民群众的环境意识，建立、健全人民群众对乡镇企业环境保护工作的监督机制，检举和揭发各种违反环境保护法律、法规的行为。对地方各级政府环境保护监督管理人员玩忽职守、滥用职权和营私舞弊者，要依法严肃处理。

approve the use of land, the mineral administrative department shall not issue mining license, industrial and commercial administrative department shall not handle business license and financial department shall not grant loans; for those construction projects that their environmental protection measures are not examined or after the examination they have not reached to the standard, the competent administrative department of environmental protection shall not allow such projects to put into operation, the electrical management department shall stop the supply of electricity and the financial department shall stop loans.

7. The local people's governments at all levels should practically strengthen the supervision and control of township enterprises and set up a law-enforcement contingent at county and town levels. The competent administrative department of environmental protection shall strengthen dynamics of law-enforcement, resolutely correct environmentally illegal activities and give punishment to those who violate the law and regulations of environmental protection. The special persons appointed by the management sectors of township enterprise at all levels are responsible for the work of environmental protection and administration and management.

The competent administrative departments of environmental protection at all levels shall set up the system of application, registration and environmental statistics of township enterprises according to the law, strengthen monitoring and administration of township enterprises' main pollution resources and do the work of collection, management and use of pollutant discharge fee paid by the township enterprises.

8. The state and local relevant departments shall give necessary supports in policy and finance for the exemplary engineering of township enterprises to prevent pollution and help the township enterprises raise their capability to prevent and control pollution.

The financial department shall provide active supports support for the township enterprise projects of pollution control and ecological construction according to the relevant credit policy of the state environmental protection.

While working out planning for using foreign funds, a certain proportion shall be appropriated for environmental protection of township enterprises and help them enhance their environmental protection technical level.

The scientific research institutes, universities and colleges and technical service organs shall face township enterprises and help them resolve technical difficult problems in preventing pollution through the Spark Programme.

9. The township enterprises must strictly observe the law and regulations of environmental protection and protect farmland and ecological environment, specially strengthen the protection of water areas of drinking water resource, irrigation and breeding, cannot damage natural protection zones, cultural relics and historical sites. The ecological environment which has been damaged must be controlled and restored within the specified time. Those enterprises which have not fulfilled their tasks will suspend their operation or close down.

The township enterprises shall set up and perfect their internal management system, work out environmental protection plans, establish the responsible system of environmental protection and carry out the environmental protection as the main content of the enterprise management through the whole production process, push clean production, build and improve environmental protection facilities to ensure regular operation.

10. The local governments at all levels shall strengthen propaganda and education of environmental protection and enhance environmental awareness of cadres at all levels and the masses. The supervisory mechanism of the masses over the environmental protection work of township enterprises shall be set up and perfected and all kinds of actions of violating the law and regulations of environmental protection shall be prosecuted and exposed. The supervisory and management personnel of the local governments at all levels who neglect their duties, abuse their power or engage in malpractice for personal gains shall be given severe punishment according to the law.

关于加强饮食娱乐服务企业环境管理的通知^①

(1995年2月21日，国家环境保护局、国家工商行政管理局发布)

随着我国第三产业的迅速发展，各地兴建了大量的宾馆、饭店、餐厅、歌舞厅、游乐场、音像放映厅、洗染店等饮食、娱乐、服务设施，在繁荣城乡经济、丰富人民物质文化生活方面，发挥了积极的作用。但是部分企业存在着选址不当、设施简陋、缺乏污染防治设施等问题，特别是一些饮食业的污水、油烟、异味和燃煤锅炉的烟尘，娱乐业产生的噪声，食品加工业产生的振动、噪声，饭店业和商业等产生的空调噪声和热污染等，严重影响了周围居民的正常生活、工作和学习。为加强饮食、娱乐、服务企业环境管理，保护和改善这些企业周围的生活环境和生态环境，保障人体健康，特通知如下：

一、饮食、娱乐、服务企业的选址，必须符合当地城市规划和环境功能要求，配置防治污染的设施，保护周围的生活环境。上述企业的建设和经营，必须遵守国家环境保护法律、法规、规章和标准，防止环境污染。

二、为防止环境污染和扰民事件的发生，对县以上城镇兴办饮食、娱乐、服务企业的单位、个人，重申以下环境保护要求：

1. 饮食企业必须设置收集油烟、异味的装置，并通过专门的烟囱排放，禁止利用居民楼内的烟道排放。专用烟囱排放的高度和位置，应以不影响周围的居民生活环境为原则。

2. 燃煤锅炉必须使用型煤或其他清洁燃料，烧煤的炉灶必须配装消烟除尘器，禁止原煤散烧。排放的烟尘，应达到国家和地方规定的排放标准。

3. 在居民楼内，不得兴办产生噪声污染的娱乐场点、机动车修配厂及其他超标排放噪声的加工厂。在城镇人口集中区内兴办娱乐场点和排放噪声的加工厂，必须采取相应的隔声措施，并限制夜间经营时间，达到规定的噪声标准。

4. 宾馆、饭店和商业等经营场所安装的空调器产生噪声和热污染的，经营单位应采取相应措施进行防治。对离居民点较近的空调装置，应采取降噪、隔声措施，达到

^① 根据1999年7月12日国家环境保护总局令第6号《环境保护部门规章和规范性文件修正案》修正。

Circular on Strengthening Environmental Management of Catering, Entertainment and Service Enterprises^①

(Issued by the National Environmental Protection Agency and the
National Administration for Industry and Commerce on February 21, 1995)

Along with the rapid development of the tertiary industry in China, a large number of guesthouses, hotels, restaurants, song and dance halls, play fields, audio and video projection halls, laundering and dyeing shops, entertainment and service facilities have been established in various localities. Establishment of these facilities has played an active role in prospering the urban and rural economy and enriching the material and cultural life of the people. However, an improper selection of sites, simple and crude equipment and a lack of the facilities for the prevention and control of pollution exist in some enterprises. Particularly sewage, oil fume, peculiar smell and smoke dust of boilers from some catering enterprises, noise from the entertainment trade, vibration and noise from the food processing industry, noise and thermal pollution of air conditioners from the hotel and commercial trades have seriously affected the normal life, work and study of the surrounding residents. The following Notice is hereby issued for the purpose of tightening up environmental management of catering, entertainment and service trades, protecting and improving the living environment and ecological environment in the surrounding areas of these enterprises and guaranteeing health of the human body:

1. The selection of sites of catering, entertainment and service enterprises shall comply with the requirements for the urban planning and environmental functions of the locality, deploy the facilities for the prevention and control of pollution and protect the surrounding living environment. Construction and operation of the above-mentioned enterprises must observe the environmental protection laws, rules and regulations, and standards of the state and prevent environmental pollution.

2. In order to prevent occurrence of environmental pollution and disturbance to the residents, environmental protection requirements shall be reiterated to the units and individuals that will establish catering, entertainment and service enterprises in the counties and towns at and above the county level:

a) Catering enterprises must deploy facilities for recovering oil fume and peculiar smell which shall be discharged through special flue pipes and which are forbidden to be discharged through the flue pipes of the residential apartments. The height and location of such special flue pipes shall not affect the living environment of the surrounding residents.

b) Boilers burning coal must use formed coal or other clean fuels and shall be equipped with dust removers for eliminating smoke. It is forbidden to loosely burn the raw coal. The discharged smoke dust shall reach the discharge standards prescribed by the state and the local authorities.

c) Entertainment halls, motor vehicle repair plants and other processing plants whose emission of noises exceed the standard are not allowed to be established in the residential apartment buildings. Entertainment halls and processing plants that emit noise established in the populated areas of the city and town must employ the corresponding noise insulating measures. Business hours at night shall be restricted and their discharge of noise shall reach the noise standards.

d) If air conditioners installed by guesthouses, hotels and commercial businesses produce noise and thermal pollution, the operating units shall adopt prevention and control measures. Air conditioners installed near the residential areas shall be equipped with the noise and noise insulating devices so as to reach the local environmental noise standards. Radiating devices of air conditioners that directly send out heat to the side pavements and windows of residents are not allowed to be installed on the footways

^① Amended on the Amendment to Rules and Normative Documents by Environmental Protection Department under the State Council, which promulgated on July 12, 1999 as Decree No. 6 of the State Environmental Protection Administration.

当地环境噪声标准。不得在商业区步行街和主要街道旁直接朝向人行便道或在居民窗户附近设置空调散热装置。

5. 禁止在居民区内兴办产生恶臭、异味的修理业、加工业等服务企业。

6. 严格限制在无排水管网处兴办产生和排放污水的饮食服务企业。污水排入城市排污管网的饮食服务企业，应安装隔油池或采取其他处理措施，达到当地城市排污管网进水标准。其产生的残渣、废物，不得排入下水道。污水直接排入周围水体的，应当经过处理达到国家和地方规定的污水排放标准，并经当地环境保护行政主管部门许可，方可排放。

三、新建、改建（含翻建）、扩建、转产的饮食、娱乐、服务企业，有涉及污染项目的，应按环境保护法及有关行政法规，向当地环境保护行政主管部门办理环境影响申报登记或审批手续。

四、有污染的企业，在申请企业设立、变更登记时，国家法律、法规规定需要审批的，应提交有关环境影响报告表（书）。

工商行政管理部门在审核企业登记申请和对企业的监督管理工作中，可以要求企业就污染及防治情况作出说明，发现有可能存在污染或已存在污染的，要及时向环境保护行政主管部门通报情况。

五、兴办饮食、娱乐、服务企业的建设项目，应执行防治污染及其他公害的设施与主体工程同时设计、同时施工、同时投产使用的“三同时”制度。排放的污染物，必须达到国家和地方规定的污染物排放标准。

六、排放废水、废气、固体废弃物及产生噪声、振动等污染的饮食、娱乐、服务企业，必须按国家有关规定缴纳排污费。

七、任何单位和个人有权向环境保护行政主管部门、工商行政管理部门投诉饮食、娱乐、服务企业污染环境的行为，有关部门在接到投诉后，应及时予以答复或处理。

八、各级环境保护行政主管部门与工商行政管理部门应密切配合，依法加强对饮食、娱乐、服务企业的现场检查和监督管理。

对防治污染设施没有建成或者没有达到国家规定的要求，投入生产或者使用的，依照国家或者地方法律、法规的有关规定处以罚款或者责令停止生产或使用。

九、各级环境保护行政主管部门和工商行政管理部门可根据本通知精神并结合本地区实际情况，在近期有计划有重点地对在城镇居民稠密区的饮食、娱乐、服务企业污染环境的情况组织联合检查。

and on the side of the main streets of the commercial areas.

e) Service enterprises such as repair and processing industries that send out offensive odour and peculiar smell are forbidden to be established in the residential areas.

f) Establishment of catering and service enterprises is strictly restricted at the place without sewage pipes and networks. Catering and service enterprises whose sewage is discharged to the municipal sewage pipes and networks shall be equipped with the oil separation pool or adopt other measures so as to attain the standards for sewage water intake of the municipal sewage pipes and networks of the locality. Their residue dregs and waste materials are not allowed to be discharged into the sewer. If sewage is directly discharged into the surrounding water body, it shall be treated so that it reaches the waste water discharge standards prescribed by the state and the local authorities. It can be discharged only when it is approved by the competent department of the environmental protection administration of the locality.

3. If pollution is generated in the newly constructed, reconstructed (including renovated) and expanded catering, entertainment and service enterprises and those that change the production line, the relevant units shall apply and handle the environmental impact registration or examination and approval procedures with the local competent department of the environmental protection administration in accordance with the environmental protection laws and relevant administrative rules and regulations.

4. When enterprises with pollution apply for the establishment and modification of registration, where the laws and regulations of the state need examination and approval, they shall submit the environmental impact assessment report (statement).

While examining and approving registration and application and supervising management of enterprises, the administration for industry and commerce may ask enterprises to explain the prevention and control of pollution. If the possible pollution or pollution that has existed has been discovered, the enterprises shall, in a timely manner, report the situation to the competent department of the environmental protection administration.

5. Establishment of catering, entertainment and service projects shall implement the "three simultaneities" system that the facilities for the prevention and control of pollution and other public hazards shall be designed, constructed and commissioned simultaneously with the main project. Pollutant discharge shall reach the discharge standards for pollutant discharge specified by the state or local authorities.

6. Catering, entertainment and service enterprises that discharge waste water, waste gas, solid discarded substances, give rise to noise and vibration must pay the pollution emission charges in accordance with the relevant provisions of the state.

7. Any units and individuals shall have the right to report the behaviour of environmental pollution of the catering, entertainment and service enterprises to the competent departments of the environmental protection administrations and the administrations for industry and commerce. The relevant department shall, upon receipt of the complaints, reply to it or impose a penalty.

8. The competent departments of the environmental protection administrations and the administrations for industry and commerce at all levels shall co-operate closely with each other and strengthen their on-the-spot inspection and supervisory management of the catering, entertainment and service enterprises.

As for those units and individuals that violate the relevant environmental protection laws, rules and regulations of the state, the competent department of the environmental protection administration shall order it to rectify it within a time limit and impose a penalty. Enterprises that have seriously polluted the environment shall, at the same time, be ordered to stop use of the facilities that have produced pollution.

9. The competent departments of the environmental protection administrations and the administrations for industry and commerce at all levels shall make a periodic and joint inspection of environmental pollution of enterprises in a planned way in accordance with the spirit of the Circular and the actual situation of the locality.

建设项目环境保护设施竣工验收管理规定

国家环境保护局令

第 14 号

《建设项目环境保护设施竣工验收管理规定》已于 1994 年 12 月 22 日经国家环境保护局局务会议讨论通过，现予发布施行。

国家环境保护局局长解振华

1994 年 12 月 31 日

第一条 为加强建设项目竣工验收阶段的环境保护管理，防治环境污染和生态破坏，确保建设项目环境保护设施与主体工程同时投产或使用，根据《中华人民共和国环境保护法》和其有关法律法规，制定本规定。

第二条 本规定适用于国务院环境保护行政主管部门负责审批环境影响报告书（表）的建设项目环境保护设施的竣工验收。

核设施建设项目环境保护设施的竣工验收不适用本规定。

第三条 国务院环境保护行政主管部门可直接组织建设项目环境保护设施的竣工验收，也可委托下一级环境保护行政主管部门组织验收。接受委托的环境保护行政主管部门须将竣工验收材料报国务院环境保护行政主管部门备案。

对委托验收结论有异议的，由国务院环境保护行政主管部门裁定。

第四条 建设项目试生产前，建设单位应会同施工单位、设计单位检查其环境保护设施是否符合“三同时”要求，并将检查结果和建设项目准备试生产的开始时间报告当地地市级、省级环境保护行政主管部门和国务院环境保护行政主管部门、行业主管部门，经当地地市级环境保护行政主管部门检查同意后，建设项目方可进行试生产。建设单位要确保建设项目的环境保护设施和主体工程同时投入试运行。

各级环境保护行政主管部门有权在试运行期间对环境保护设施运行情况进行检查，如发现环境保护设施不符合“三同时”要求，可由国务院环境保护行政主管部门责令停止试运行。

Provisions on the Management of Inspection and Acceptance of Completed Environmental Protection Facilities of Construction Projects

**Decree of the National Environmental Protection Agency
No. 14**

Provisions on the Management of Inspection and Acceptance of Completed Environmental Protection Facilities of Construction Projects was adopted at the executive meeting of the National Environmental Protection Agency on December 22, 1994 and is hereby promulgated for implementation.

**Minister Xie Zhenhua
National Environmental Protection Agency
December 31, 1994**

Article 1 The Provisions are hereby formulated in order to strengthen the management of environmental protection at the stage of inspection and acceptance of completed construction projects, prevent and control pollution and ecological destruction and ensure that the environmental protection facilities of construction projects are constructed or commissioned simultaneously with the main project in accordance with the "Environmental Protection Law of the People's Republic of China" and other relevant laws and regulations.

Article 2 The Provisions are applicable to the inspection and acceptance of the completed environmental protection facilities of construction projects by the competent department of the environmental protection administration under the State Council that is responsible for the examination and approval of the environmental impact report (statement).

The Provisions are not applicable to the inspection and acceptance of the completed environmental protection facilities of nuclear construction projects.

Article 3 The competent department of the environmental protection administration under the State Council may either directly organize the inspection and acceptance of the completed environmental protection facilities of construction projects or authorize the competent department of the environmental protection administration at a lower level to organize the inspection and acceptance. The competent department of the environmental protection administration that accepts the authorization must submit the inspection and acceptance materials of the completed environmental protection facilities to the competent department of the environmental protection administration under the State Council for record.

Objections to the results of the authorized inspection and acceptance shall be reviewed and decided by the competent department of the environmental protection administration under the State Council.

Article 4 Prior to the trial production of the construction project, the construction unit shall, together with the units responsible for the construction and design, inspect whether the environmental protection facilities are in accord with the requirements of the "three simultaneities" and submit a report on the results and the starting time of the planned trial production of the construction project to the local competent departments of the environmental protection administration at the prefectural, municipal and provincial levels and the competent department of the environmental protection administration under the State Council and relevant leading departments of their trades at the central level. Upon inspection and approval by the local competent departments of the environmental protection administration at the prefectural and municipal levels, the construction project may be put into trial production. The construction unit shall ensure that the environmental protection facilities of construction project shall be commissioned simultaneously with the main project.

试运行期限一般不超过一年。

第五条 试运行期间，建设单位应当委托环境保护行政主管部门所属的地、市级以上（含地、市级）环境保护监测站，对建设项目排污情况及清洁生产工艺和环保设施运转效果进行监测，受委托的环境监测站可组织进入环境监测网的当地行业环境监测站参加监测。

受委托的环境监测站应当按监测规定或规范进行监测，并向建设单位提交《监测报告》。

监测费用根据有关规定办理。

第六条 建设项目在正式投入生产或使用之前，建设单位必须向国务院环境保护行政主管部门提出环境保护设施竣工验收申请。申请验收须具备下列条件：

- （一）自检建设项目环境保护设施已具备第九条规定的条件；
- （二）按试车的有关规定组织环境保护设施联动试车，有试运转记录；
- （三）按本规定附件格式完成《建设项目环境保护设施竣工验收申请报告》（以下简称《验收申请报告》）的编写，并提交第五条规定的《监测报告》。

第七条 建设单位向国务院环境保护行政主管部门提交《验收申请报告》并抄送行业主管部门、所在地各级环境保护行政主管部门。国务院环境保护行政主管部门自接到《验收申请报告》之日起，一个月内组织审查验收。

第八条 国务院环境保护行政主管部门组织环境保护设施竣工验收可单独进行，也可视具体情况与整体工程验收一并进行。

单独进行环境保护设施竣工验收时，由国务院环境保护行政主管部门组织地方各级环境保护行政主管部门、行业或企业主管部门等成立验收委员会或验收小组提出验收意见，作为批准《验收申请报告》的依据。

建设单位、设计单位、施工单位、环境影响报告书（表）编制单位应参加验收。

The competent departments of the environmental protection administration at all levels shall have the right to inspect the operation of the environmental protection facilities during the trial operation period. If the environmental protection facilities fail to meet the requirements for the "three simultaneousities" system, the competent department of the environmental protection administration under the State Council shall order it to stop operation.

The trial operation period generally shall not exceed one year.

Article 5 During the trial operation period, the construction unit should authorize the environmental protection monitoring station under the competent department of the environmental protection administration above the prefectural and municipal levels (including the prefectural and municipal level) to monitor the discharge of pollutants, the clean production techniques of the construction project and the operation of the environmental protection facilities. The authorized environmental monitoring station may organize the local industrial environmental monitoring stations participating in the environmental monitoring network to take part in the monitoring activities.

The authorized environmental monitoring station should carry out its monitoring activities in accordance with the monitoring provisions or regulations and submit a "Monitoring Report" to the construction unit.

The monitoring expenses shall be settled in accordance with relevant provisions.

Article 6 Prior to the formal production or commission of the construction project, the construction unit must apply for inspection and acceptance of the completed environmental protection facilities to the competent department of the environmental protection administration under the State Council. The application for inspection and acceptance shall meet the following requirements:

(1) The self-inspected environmental protection facilities have satisfied the terms specified in Article 9;

(2) The linkage of the environmental protection facilities shall be organized in line with the relevant provisions on the trial run, and the record on the trial operation shall be kept;

(3) Complete the "Application Report on the Inspection and Acceptance of the Completed Environmental Protection Facilities of Construction Projects" (hereinafter referred to as the "Inspection and Acceptance Application Report") in line with the Form of the Attachment in the Provisions and submit the "Monitoring Report" according to the provisions of Article 5.

Article 7 The "Inspection and Acceptance Application Report" shall be submitted by the construction unit to the competent department of the environmental protection administration under the State Council and the copies shall be submitted to the relevant leading departments of their trades at the central level and the competent departments of the environmental protection administration of the locality at all levels. The competent department of the environmental protection administration under the State Council shall, within one month after receipt of the "Inspection and Acceptance Application Report", organize the examination and inspection and acceptance.

Article 8 Inspection and acceptance of the completed environmental protection facilities organized by the competent department of the environmental protection administration under the State Council may either be conducted separately or along with the inspection and acceptance of the main project, taking into consideration of a given situation.

When the inspection and acceptance of the completed environmental protection facilities is conducted separately, the competent department of the environmental protection administration under the State Council shall organize the competent departments of the local environmental protection administration and competent departments of industries and enterprises at all levels to set up an inspection and acceptance committee or an inspection and acceptance group to put forward the opinions on the inspection and acceptance that are the basis for approving the "Inspection and Acceptance Application Report".

The construction unit, the units responsible for construction and design and the unit that prepares the environmental impact assessment report (statement) shall take part in the inspection and acceptance.

第九条 建设项目环境保护设施竣工验收合格应当具备下列条件：

(一) 建设项目建设前期环境保护审查、审批手续完备，技术资料齐全，环境保护设施按批准的环境影响报告书（表）和设计要求建成；

(二) 环境保护设施安装质量符合国家和有关部门颁发的专业工程验收规范、规程和检验评定标准；

(三) 环境保护设施与主体工程建成后经负荷试车合格，其防治污染能力适应主体工程的需要；

(四) 外排污染物符合经批准的设计文件和环境影响报告书（表）中提出的要求；

(五) 建设过程中受到破坏并且可恢复的环境已经得到修整；

(六) 环境保护设施能正常运转，符合交付使用的要求，并具备正常运行的条件，包括经培训的环境保护设施岗位操作人员的到位、管理制度的建立、原材料、动力的落实等；

(七) 环境保护管理和监测机构，包括人员、监测仪器、设备、监测制度、管理制度等符合环境影响报告书（表）和有关规定的要求。

第十条 国务院环境保护行政主管部门在建设项目环境保护设施验收合格后，批准由建设单位提交的《验收申请报告》。

经批准的《验收申请报告》是建设项目总体验收的主要依据之一。《验收申请报告》未经批准的建设项目，不能正式投入生产或使用。

第十一条 对分期建设、分期受益的建设项目应根据实际情况对其相应的环境保护设施进行分期验收。

对有些建设项目或单项工程，已形成部分生产能力或实际上生产方面已经使用，全部工程近期不能完工，但具备第六条、第九条规定的竣工验收条件的，应对已完成的工程和设备进行环境保护设施竣工验收。

第十二条 建设项目试运行期间，污染物排放达不到规定排放标准的，负责验收的环境保护行政主管部门可根据建设项目的具体情况，要求建设单位限期达到规定的污染物排放标准；在实行污染物总量控制的地方，还应达到当地污染物排放总量控制的要求。

试运行期间和限期达标期间内排放污染物的，应按规定缴纳排污费。

第十三条 环境保护设施没有建成或经竣工验收不合格并经限期整改仍不合格的建设项目，擅自投入生产或使用的，由国务院环境保护行政主管部门依法责令建设单位停止生产或使用，可以并处罚款。

Article 9 The qualified inspection and acceptance of the completed environmental protection facilities shall meet the following terms:

(1) The procedures for inspection, examination and approval for the first-phase construction of the construction project shall be complete. The technical data shall be complete and the environmental protection facilities shall be constructed in accordance with the approved environmental impact assessment report (statement) and the designing specifications;

(2) The assembly quality of the environmental protection facilities shall be in accord with the norms and regulations on professional and engineering inspection and acceptance and the inspection and appraisal standards issued by the government and relevant departments;

(3) After the completion of the environmental protection facilities and the main project, the load trial run shall meet the standard and the ability to prevent and control pollution shall satisfy the requirements of the main project;

(4) Discharge of pollutants shall meet the requirements specified in the approved designing document and the environmental impact assessment report (statement);

(5) The environment that was destroyed in the course of construction and that can be restored has already been repaired and maintained;

(6) The environmental protection facilities can operate normally, meet the requirements for commission and have the normal operation conditions, including the trained operators for the environmental protection facilities, establishment of the management system and implementation of raw and semi-finished materials and power;

(7) The managerial and supervisory bodies for environmental protection, including personnel, monitoring apparatuses, equipment, monitoring and managerial systems shall meet the requirements set out in the environmental impact assessment report (statement) and relevant provisions.

Article 10 Upon the qualified inspection and acceptance of the environmental protection facilities of the construction project, the competent department of the environmental protection administration under the State Council shall approve the "Inspection and Acceptance Application Report" submitted by the construction unit.

The approved "Inspection and Acceptance Application Report" is the principal basis for the final inspection and acceptance of the whole construction project. The construction project that has not been approved in the "Inspection and Acceptance Application Report" is not allowed to be put into operation or commission.

Article 11 If the construction project is constructed and receive benefits in stages, the corresponding environmental protection facilities of the construction projects shall also be inspected and accepted in stages, taking into consideration of the given situation.

If some construction projects or individual projects that have partial production capacity or have been in fact commissioned in production and the whole project cannot be completed in the near future, however, they have satisfied the conditions for completed inspection and acceptance specified in Article 6 and 9, the inspection and acceptance of the completed environmental protection facilities of the completed project and equipment shall be conducted.

Article 12 During the trial operation period of the construction project, if the discharge of pollutants fails to meet the prescribed standard, the competent department of the environmental protection administration in charge of the inspection and acceptance shall require that the construction unit shall reach the standard for the discharge of pollutants within a specified time in accordance with the concrete situation of the construction project; in areas where the total control of pollutant discharge has been implemented, the discharge shall also meet the requirements for the local total control of pollutant discharge.

Pollution discharge charges shall be paid in line with the provisions for pollutant discharge during the trial operation period and during the prescribed period for reaching the discharging standard.

Article 13 If the construction project whose environmental protection facilities have not been completed, or whose inspection and acceptance fails to meet the standard or still fails to reach the stan-

第十四条 环境保护设施未按规定申报竣工验收的建设项目，擅自投入生产或使用的，由国务院环境保护行政主管部门依法责令建设单位限期补办环境保护设施竣工验收申请手续，并处罚款。

第十五条 各省、自治区、直辖市环境保护行政主管部门负责审批环境影响报告书（表）的建设项目的环境保护设施竣工验收，可参照本规定执行。

第十六条 有特殊要求行业建设项目环境保护设施的竣工验收规定，可由国务院环境保护行政主管部门会同行业主管部门另行制定。

第十七条 本规定自发布之日起执行。

附件：建设项目环境保护设施竣工验收申请报告

standard after rectification within a specified time and be put into operation or commission without authorization, the competent department of the environmental protection administration under the State Council shall order the construction unit to stop production or commission and impose a fine.

Article 14 If the construction project fails to apply for the completed inspection and acceptance according to the provisions and put the project into operation and commission without authorization, the competent department of the environmental protection administration under the State Council shall order the construction unit to handle the supplement procedures after the event for applying for the completed inspection and acceptance of the environmental protection facilities within a specified time and impose a fine.

Article 15 The competent departments of the environmental protection administration in various provinces, autonomous regions and municipalities directly under the Central Government shall be responsible for examining and approving the inspection and acceptance of the completed environmental protection facilities of construction projects of the environmental impact assessment report (statement) and implement it in accordance with the provisions.

Article 16 Provisions on the inspection and acceptance of the completed environmental protection facilities of construction projects with special requirements may be formulated separately by the competent department of the environmental protection administration under the State Council and the competent departments of other industries.

Article 17 The Provisions shall enter into force on the date of its promulgation.

Attachment: The Inspection and Acceptance Application Report on the Completed Environmental Protection Facilities of Construction Projects

附件：

建设项目环境保护设施竣工验收申请报告

项目名称_____

建设单位_____ (盖章)

建设地点_____

项目负责人_____

联系电话_____

邮政编码_____

环保部门 填写	收到验收报告日期	
	编号	

说 明

1. 此验收申请报告根据《建设项目环境保护设施竣工验收管理规定》制定。
2. 建设单位应最迟在建设项目整体正式验收二个月前按要求填写并报环境保护行政主管部门审查。
3. 表格中还不能讲清的内容可以另加页补充说明。
4. 封面页建设单位需加盖公章。
5. 本报告一式六份，四份报送各级环境保护行政主管部门（国家、省〈自治区、直辖市〉、所在地省辖市或地区、县），一份报送主管上级，一份本单位存档。本报告由国家环境保护局统一印制。

**The Inspection and Acceptance Application Report
on the Completed Environmental Protection Facilities of Construction Projects**

Project name _____
 Construction unit _____ (seal)
 Construction site _____
 Person in charge of the project _____
 Telephone _____
 Postal code _____

Filled in by the competent department for environmental protection	Date of receiving the inspection and acceptance environmental report	
	Serial No.	

Explanations

1. This "Inspection and Acceptance Application Report" is formulated in accordance with the "Provisions on the Management of Inspection and Acceptance of the Completed Environmental Protection Facilities of Construction Projects".

2. The construction unit shall, two months prior to the overall and formal inspection and acceptance of the construction project, fill in the report and submit it to the competent department of the environmental protection administration for review.

3. Items that cannot be clearly explained in the form shall be further explained with supplementary notes.

4. The cover shall be affixed with the official seal of the construction unit.

5. The report shall be made in six copies. Four copies shall be submitted to the competent departments of the environmental protection administration at all levels (the state, province, (autonomous region and municipality directly under the Central Government), the local prefecture and county); one copy to the competent department of the higher level and one copy is kept by the unit for record. This report shall be printed in a unified form by the National Environmental Protection Agency.

关于建设项目环境保护设施竣工验收 监测管理有关问题的通知

(国家环保总局 2000 年 2 月 22 日 环发 [2000] 38 号)

根据国务院《建设项目环境保护管理条例》的有关规定,现就建设项目环境保护设施竣工验收监测管理有关问题通知如下:

一、建设项目环境保护设施竣工验收监测(以下简称“验收监测”)由负责验收的环境保护行政主管部门所属的环境监测站负责组织实施。

二、在规定的试生产期,承担验收监测任务的环境监测站在接受建设单位的书面委托后,按《建设项目环境保护设施竣工验收监测技术要求》开展监测工作。

三、负责组织实施验收监测的环境监测站受建设单位委托提交验收监测报告(表),并对提供的验收监测数据和验收监测报告(表)结论负责。

四、对应编制建设项目环境保护设施竣工验收监测报告的建设项目,应先编制验收监测方案,验收监测方案应经负责该建设项目环境保护设施竣工验收的环境保护行政主管部门同意后实施。

五、编制《建设项目环境保护设施竣工验收监测报告》的项目,应在完成现场监测后 30 个工作日内完成;编制《建设项目环境保护设施竣工验收监测表》的项目,应在进行现场监测后 20 个工作日内完成。

六、工业生产型建设项目,建设单位应保证的验收监测工况条件为:试生产阶段工况稳定、生产负荷达 75% 以上(国家、地方排放标准对生产负荷有规定的按标准执行)、环境保护设施运行正常。

对在规定的试生产期,生产负荷无法在短期内调整达到 75% 以上的,应分阶段开展验收检查或监测。

分期建设、分期投入生产或者使用的建设项目,建设单位应分期委托环境保护行政主管部门所属环境监测站对已完工的工程和设备进行验收监测。

七、建设项目环境保护设施竣工验收监测收费按有关规定执行。

附:建设项目环境保护设施竣工验收监测技术要求(试行)(略)

Circular on Relevant Issues Concerning Monitoring for Inspection and Acceptance of Completed Environmental Protection Facilities of Construction Projects

(Promulgated by the State Environmental Protection Administration on February 22, 2000)

The following is the "Circular on Relevant Issues Concerning Monitoring Inspection and Acceptance of Completed Environmental Protection Facilities", in accordance with relevant provisions of the "Regulations on the Environmental Protection Management for Construction Projects" of the State Council:

1. The environmental monitoring stations under the competent administrative department of the environmental protection that are responsible for inspection and acceptance shall organise the monitoring of inspection and acceptance of completed environmental protection facilities of construction projects (hereinafter referred as monitoring of inspection and acceptance).

2. The environmental monitoring stations that accept the monitoring task shall, upon accepting the written authorisation by the construction unit, conduct their monitoring work in accordance with the Technical Requirements for Monitoring of Inspection and Acceptance of Completed Environmental Protection Facilities of Construction Projects within the prescribed period of trial production.

3. The environmental monitoring stations responsible for organising monitoring of inspection and acceptance, as authorised by the construction unit, shall submit the monitoring report (statement) and shall be responsible for the data and results of the monitoring report (statement) so provided.

4. For the construction projects that need the preparation of the monitoring report on inspection and acceptance of the environmental protection facilities, a monitoring programme of the inspection and acceptance shall be prepared first. The monitoring programme shall be implemented upon the approval by the competent administrative department of the environmental protection responsible for the inspection and acceptance of the completed environmental protection facilities of construction projects.

5. Items in the "Monitoring Report of Inspection and Acceptance of the Completed Environmental Protection Facilities of Construction Projects" shall be completed within 30 working days after the on-the-spot monitoring; and items in the "Monitoring Statement of Inspection and Acceptance of the Completed for Environmental Protection Facilities of Construction Projects" shall be completed within 20 working days after the on-the-spot monitoring.

6. For construction projects of industrial production, the conditions for monitoring of inspection and acceptance ensured by the construction unit shall be: the working conditions are stable during the period of trial production, the production load shall be up to 75% (if the production load is prescribed by the state and local discharge standards, the standards shall be implemented accordingly) and the environmental protection facilities are operating normally.

If the production load cannot be reach up to 75% or more during the prescribed period of trial production, the monitoring of inspection and acceptance shall be conducted in stages.

For the construction projects that are constructed and put into production or utilisation in stages, the construction unit shall authorise the environmental monitoring stations under the competent administrative department of the environmental protection, in stages, to monitor the inspection and acceptance of completed projects and facilities.

7. Charges for the monitoring of inspection and acceptance of the completed environmental protection facilities of construction projects shall be collected in accordance with relevant provisions.

Attachment: Technical Requirements for Monitoring of inspection and acceptance of Completed Facilities for Environmental Protection of Construction Projects (Trial Implementation)(omitted)

九、投资政策与环境保护

IX Investment Policy and Environmental Protection

Chapter 1

The first part of the chapter discusses the general principles of investment policy and environmental protection. It highlights the importance of sustainable development and the need to balance economic growth with environmental conservation. The text emphasizes that investment decisions should take into account the long-term impacts on the environment and society.

The second part of the chapter focuses on the specific measures and policies implemented by various countries to attract investment while protecting the environment. It examines the role of government regulations, incentives, and international agreements in shaping investment flows. The text also discusses the challenges faced by developing countries in balancing investment and environmental protection.

The third part of the chapter explores the role of the private sector in promoting environmental protection through investment. It discusses how companies can integrate environmental considerations into their investment decisions and operations. The text highlights the importance of corporate social responsibility and the role of non-governmental organizations in monitoring and promoting environmental standards.

The fourth part of the chapter discusses the impact of investment on the environment and the need for effective monitoring and evaluation mechanisms. It emphasizes the importance of transparency and accountability in investment projects and the role of independent organizations in assessing environmental impacts. The text also discusses the need for capacity building and technical assistance to improve environmental management practices.

The fifth part of the chapter discusses the role of international organizations and multilateral institutions in promoting investment and environmental protection. It highlights the importance of international cooperation and the role of these organizations in providing technical assistance, financing, and policy advice. The text also discusses the need for harmonized international standards and guidelines to facilitate investment and environmental protection.

指导外商投资方向规定

中华人民共和国国务院令 第 346 号

现公布《指导外商投资方向规定》，自 2002 年 4 月 1 日起施行。

总理 朱镕基

2002 年 2 月 11 日

第一条 为了指导外商投资方向，使外商投资方向与我国国民经济和社会发展规划相适应，并有利于保护投资者的合法权益，根据国家有关外商投资的法律规定和产业政策要求，制定本规定。

第二条 本规定适用于在我国境内投资举办中外合资经营企业、中外合作经营企业和外资企业（以下简称外商投资企业）的项目以及其他形式的外商投资项目（以下简称外商投资项目）。

第三条 《外商投资产业指导目录》和《中西部地区外商投资优势产业目录》由国家发展计划委员会、国家经济贸易委员会、对外贸易经济合作部会同国务院有关部门制订，经国务院批准后公布；根据实际情况，需要对《外商投资产业指导目录》和《中西部地区外商投资优势产业目录》进行部分调整时，由国家经济贸易委员会、国家发展计划委员会、对外贸易经济合作部会同国务院有关部门适时修订并公布。

《外商投资产业指导目录》和《中西部地区外商投资优势产业目录》是指导审批外商投资项目和外商投资企业适用有关政策的依据。

第四条 外商投资项目分为鼓励、允许、限制和禁止四类。

鼓励类、限制类和禁止类的外商投资项目专列入《外商投资产业指导目录》。不属于鼓励类、限制类和禁止类的外商投资项目，为允许类外商投资项目。允许类外商投资项目不列入《外商投资产业指导目录》。

第五条 属于下列情形之一的，列为鼓励类外商投资项目：

- （一）属于农业新技术、农业综合开发和能源、交通、重要原材料工业的；
- （二）属于高新技术、先进适用技术，能够改进产品性能、提高企业技术经济效

Provisions on Guiding Foreign Investment Direction

Decree No. 346

State Council of the People's Republic of China

The Provisions on Guiding Foreign Investment Direction

is now promulgated and shall become effective as of April 1, 2002.

Premier Zhu Rongji

February 21, 2002

Article 1 These Provisions are formulated according to the related legal provisions on foreign investment and requirements of industrial policies of the State, in order to guide foreign investment direction, to make foreign investment direction to adapt to the plan of our national economy and social development and beneficial to the protection of the legitimate rights and interests of the investors.

Article 2 These Provisions shall apply to the projects of Chinese-foreign joint ventures, Chinese-foreign contractual joint venture and foreign-capital enterprises (hereafter referred to as "foreign investment enterprises"), as well as foreign investment projects of other forms (hereafter referred to as "foreign investment projects") within the territory of China.

Article 3 The Catalogue for the Guidance of Foreign Investment Industries and the Catalogue of Advantageous Industries for Foreign Investment in Central and Western Regions of China will be formulated by the State Planning Development Commission, the State Economic and Trade Commission and Ministry of Foreign Trade and Economic Cooperation in cooperation with the related departments of the State Council and promulgated after the approval by the State Council; when the Catalogue for the Guidance of Foreign Investment Industries and Catalogue of Advantageous Industries for Foreign Investment in Central and Western Regions of China need to be partially readjusted according to the actual conditions, the State Economic and Trade Commission, State Planning Development Commission and Ministry of Foreign Trade and Economic Cooperation with the related departments of the State Council shall timely revise and promulgate that part.

The Catalogue for the Guidance of Foreign Investment Industries and Catalogue of Advantageous Industries for Foreign Investment in Central and Western Regions of China shall be the guidelines for the examination and approval of foreign investment projects and also for the application of related policies by the foreign investment enterprises.

Article 4 Foreign investment projects are classified into four categories: encouraged, permitted, restricted and prohibited ones.

Foreign investment projects belonging to encouraged, restricted and prohibited categories are listed in the Catalogue for the Guidance of Foreign Investment Industries. The foreign investment projects not belonging to encouraged, restricted and prohibited categories are permitted projects for the foreign businessmen to invest. The projects belonging to the permitted category are not listed in the Catalogue for the Guidance of Foreign Investment Industries.

Article 5 Those foreign investment projects under one of the following circumstances shall be listed as encouraged foreign investment category:

(1) Projects for new agricultural technology and comprehensive agricultural development and for industries of energy, transportation and important raw materials;

(2) Projects of new and high technology, advanced and applicable technology which can improve performance of products, raise tech-economic efficiency of enterprise or new equipment and new materials that meet the deficiency of domestic production capacity;

益或者生产国内生产能力不足的新设备、新材料的；

(三) 适应市场需求，能够提高产品档次、开拓新兴市场或者增加产品国际竞争能力的；

(四) 属于新技术、新设备，能够节约能源和原材料、综合利用资源和再生资源以及防治环境污染的；

(五) 能够发挥中西部地区的人力和资源优势，并符合国家产业政策的；

(六) 法律、行政法规规定的其他情形。

第六条 属于下列情形之一的，列为限制类外商投资项目：

(一) 技术水平落后的；

(二) 不利于节约资源和改善生态环境的；

(三) 从事国家规定实行保护性开采的特定矿种勘探、开采的；

(四) 属于国家逐步开放的产业的；

(五) 法律、行政法规规定的其他情形。

第七条 属于下列情形之一的，列为禁止类外商投资项目：

(一) 危害国家安全或者损害社会公共利益的；

(二) 对环境造成污染损害，破坏自然资源或者损害人体健康的；

(三) 占用大量耕地，不利于保护、开发土地资源的；

(四) 危害军事设施安全和使用效能的；

(五) 运用我国特有工艺或者技术生产产品的；

(六) 法律、行政法规规定的其他情形。

第八条 《外商投资产业指导目录》可以对外商投资项目规定“限于合资、合作”、“中方控股”或者“中方相对控股”。

限于合资、合作，是指仅允许中外合资经营、中外合作经营；中方控股，是指中方投资者在外商投资项目中的投资比例之和为 51% 及以上；中方相对控股，是指中方投资者在外商投资项目中的投资比例之和大于任何一方外国投资者的投资比例。

第九条 鼓励类外商投资项目，除依照有关法律、行政法规的规定享受优惠待遇外，从事投资额大、回收期长的能源、交通、城市基础设施（煤炭、石油、天然气、电力、铁路、公路、港口、机场、城市道路、污水处理、垃圾处理等）建设、经营的，经批准，可以扩大与其相关的经营范围。

第十条 产品全部直接出口的允许类外商投资项目，视为鼓励类外商投资项目；产品出口销售额占其产品销售总额 70% 以上的限制类外商投资项目，经省、自治区、直辖市及计划单列市人民政府或者国务院主管部门批准，可以视为允许类外商

(3) Projects that meet the demand of market, can raise the grade of commodities, open new markets or strengthen the international competitive capacity of products;

(4) Projects that belong to new technology and equipment, and are able to save energy resources and raw materials, to comprehensively use resources and renewal resources, to prevent environmental pollution;

(5) Projects that can give play to the advantages of the talented people and resources of the Central and Western Regions and conform with the State industrial policies; and

(6) Other circumstances stipulated by laws or administrative regulations.

Article 6 Those foreign investment projects under one of the following circumstances shall be listed as restricted foreign investment projects:

(1) Projects with low technological level;

(2) Projects that are unfavorable to save energy resources and improve biological environment;

(3) Projects that engage in particular mineral exploration and exploitation under the protective exploitation stipulated by the State;

(4) Projects that engage in the industries subject to gradual opening; and

(5) Other circumstances stipulated by laws or administrative regulations.

Article 7 Those foreign investment projects under one of the following circumstances shall be listed as prohibited foreign investment projects:

(1) Projects that endanger the national security or damage the social and public interests;

(2) Projects that cause environmental pollution, destroy natural resources or impair the health of human beings;

(3) Projects that occupy a large stretch of land and are unfavorable to the protection and development of land resources;

(4) Projects that endanger the safety of military facilities and their performance;

(5) Projects that apply the unique craftsmanship or technology of our country to manufacture products; and

(6) Other circumstances stipulated by laws or administrative regulations.

Article 8 The Catalogue for the Guidance of Foreign Investment Industries may make provision on certain specific foreign investment projects that shall be "limited to joint venture, contractual joint venture", "Chinese share-holding" or "Chinese relative share-holding".

"Limited to joint venture, contractual joint venture" is referred to allowing the form of Chinese-foreign joint venture, Chinese-foreign contractual joint venture; "Chinese share-holding" is referred to the projects in which the proportion of the total investment of the Chinese investors in a foreign investment projects at 51% and above; and "Chinese relative share-holding" is referred to the projects in which the proportion of the total investment of the Chinese investor in the foreign investment projects is larger than anyone of the foreign investors.

Article 9 Encouraged foreign investment projects, apart from the preferential terms stipulated by laws and administrative regulations, may engage in the construction, operation of energy resources, transportation, urban infrastructure (coal, petroleum, natural gas, electric power, railway, highway, harbor, airport, urban road, sewage treatment and garbage disposal) which would need a large amount of investment and have a long-pay-off period, can enlarge their relevant scope of operation with approval.

Article 10 For those permitted foreign investment projects, whose products are wholly and directly exported, shall be considered as encouraged foreign investment projects; For those restricted foreign investment project, whose sales volume of exported products accounts for over 70% of the total product sales volume, shall be considered as permitted foreign investment projects with approval by the People's Governments of province, autonomous region, municipality directly under the Central Government and single-planned municipality, or the competent departments of the State Council.

Article 11 Terms may be appropriately eased to the permitted and restricted foreign investment projects that can really make full use of the advantage of the Central and Western Regions; such

投资项目。

第十一条 对于确能发挥中西部地区优势的允许类和限制类外商投资项目，可以适当放宽条件；其中，列入《中西部地区外商投资优势产业目录》的，可以享受鼓励类外商投资项目优惠政策。

第十二条 根据现行审批权限，外商投资项目按照项目性质分别由发展计划部门和经贸部门审批、备案；外商投资企业的合同、章程由外经贸部门审批、备案。其中，限制类限额以下的外商投资项目由省、自治区、直辖市及计划单列市人民政府的相应主管部门审批，同时报上级主管部门和行业主管部门备案，此类项目的审批权不得下放。属于服务贸易领域逐步开放的外商投资项目，按照国家有关规定审批。

涉及配额、许可证的外商投资项目，须先向外经贸部门申请配额、许可证。

法律、行政法规对外商投资项目的审批程序和办法另有规定的，依照其规定。

第十三条 对违反本规定审批的外商投资项目，上级审批机关应当自收到该项目的备案文件之日起30个工作日内予以撤销，其合同、章程无效，企业登记机关不予注册登记，海关不予办理进出口手续。

第十四条 外商投资项目申请人以欺骗等不正当手段，骗取项目批准的，根据情节轻重，依法追究法律责任；审批机关应当撤销对该项目的批准，并由有关主管机关依法作出相应的处理。

第十五条 审批机关工作人员滥用职权、玩忽职守的，依照刑法关于滥用职权罪、玩忽职守罪的规定，依法追究刑事责任；尚不够刑事处罚的，依法给予记大过以上的行政处分。

第十六条 华侨和香港特别行政区、澳门特别行政区、台湾地区的投资者举办的投资项目，比照本规定执行。

第十七条 本规定自2002年4月1日起施行。1995年6月7日国务院批准，1995年6月20日国家计划委员会、国家经济贸易委员会、对外贸易经济合作部发布的《指导外商投资方向暂行规定》同时废止。

projects as enlisted in the Catalogue of Advantageous Industries for Foreign Investment in Central and Western Regions may enjoy the favorable policies of encouraged foreign investment projects.

Article 12 In accordance to the current competence of authority of examination and approval, foreign investment projects shall, based upon the project nature, be examined and approved and put on record respectively by the development planning department and department of foreign trade and economic cooperation; the contracts and articles of association of foreign investment enterprises shall be examined and approved and put on record by the department of foreign trade and economic cooperation. Among them such restricted foreign investment projects as their investment are below the scale stipulated by the State, shall be examined and approved by the corresponding competent departments of province, autonomous region, municipality directly under the Central Government and single-planned municipality, and shall be reported to the higher level competent department and industrial department for record at the same time. The authority to examine and approve of this category of projects shall not be delegated to the lower level department. Foreign investment projects that belong to the field of trade in service and are subject to gradual opening, shall be examined and approved in accordance with the relevant provision of the State.

The foreign investment projects that involve issues of quota or license shall first apply to the competent departments of foreign trade and economic cooperation for quota or license.

Where the laws, administrative regulations have otherwise provisions concerning the procedures and measures on the examination and approval of foreign investment projects, those provisions shall be followed.

Article 13 Examination and approval organs of higher levels shall, within 30 days after receiving the recorded files of the concerned projects, revoke the foreign investment projects that have been examined and approved in violation of These Provisions. The contracts and articles of association of the enterprises shall be invalid. The enterprise registration organs shall not register these projects, and the Customs shall not handle import or export formalities for these projects.

Article 14 The applicants of foreign investment projects, who have obtained approval of project proposals through fraudulent or other illicit means, shall be investigated for legal liability in the light of the seriousness of cases according to law; the examination and approval organs should revoke the approval of the projects, and the relevant competent organs shall correspondingly deal with these projects according to law.

Article 15 The working personnel of the examination and approval organs, who abuse their power and neglect their duties, shall be investigated for criminal liability according to the provisions of the Criminal Law on the abuse of power and negligence of duty; where the circumstances fail to result in criminal punishment, the responsible personnel shall be awarded administrative punishment above the big demerit.

Article 16 The investment projects sponsored by the overseas Chinese and investors from the Hong Kong Special Administrative Region and Macao Special Administrative Region and Taiwan region will follow these Provisions.

Article 17 These Provisions will be implemented as from April 1, 2002. The Interim Provisions on Guiding Foreign Investment Direction approved by the State Council on June 7, 1995 and promulgated by the State Planning Development Commission, State Economic and Trade Commission and the Ministry of Foreign Trade and Economic Cooperation will be simultaneously annulled.

外商资源产业指导目录 (摘录)

(经国务院 1997 年 12 月 29 日批准, 国家计委、国家经贸委、
外经贸部 1997 年 12 月 31 日发布 国家计委第 7 号令)

鼓励其他资源产业目录

(一) 农、林、牧、渔业及相关工业

18. 生态环境整治和建设工程

(五) 煤炭工业

2. 煤炭开采与洗选 (特种、稀有煤种由中方控股或占主导地位)

4. 煤炭综合开发利用

5. 低热值燃料及伴生资源综合开发利用

(六) 电力工业

4. 煤洁净燃烧技术电站的建设、经营

5. 新能源电站的建设、经营 (包括太阳能、风能、磁能、地热能、潮汐能、生物质能等)

(七) 黑色冶金工业

6. 废钢加工和处理

(九) 石油、石油化工及化学工业

12. 废气、废液、废渣综合利用

13. 汽车尾气净化剂、催化剂及其它助剂生产

(十) 机械工业

14. 25 万吨/日及以上城市污水处理设备, 工业废水膜处理设备, 上流式厌氧流化床设备和其他生物处理废水设备, 粉煤灰砌块生产设备 (5—10 吨/年), 废塑料再生处理设备, 工业锅炉脱硫脱硝设备, 大型耐高温、耐酸袋式除尘器制造

(十二) 建筑材料、设备及其它非金属矿制品工业

3. 新型建筑材料 (墙体材料、装饰装修材料、防水材料、保温材料)

(十三) 医药工业

11. 采用生物工程技术生产的新型药物

(十六) 新兴产业

2. 新材料

3. 生物工程技术 (不包括基因工程技术)

6. 海洋开发及海洋能开发技术

7. 海水淡化及利用技术

8. 节约能源开发技术

Catalogue for the Guidance of Industries for Foreign Investment (excerpts of environment-related industries)

(Approved by the State Council on December 29, 1997, and promulgated by the State Planning Commission, the State Economy and Trade Commission and the Ministry of Foreign Trade and Economic Cooperation on December 31, 1997 as Decree NO. 7 of the State Planning Commission)

Catalogue for the Encouragement of Foreign Investment Industries

I. Agriculture, Forestry, Husbandry, Fishery and Related Industries

18. Ecological and environmental treatment and control and construction projects

V. Coal Industry

2. Coal mining and washing (for special and rare kinds of coal, the Chinese party will take the holding or leading position)
4. Comprehensive development and utilization of coal
5. Comprehensive development and utilization of low calorific value fuel and accompanying resources

VI. Power Industry

4. Construction and management of clean coal burning technology power station
5. Construction and management of new energy power station (including solar energy, wind energy, magnetic energy, earth heat energy, tide energy and bio-matter energy, etc.)

VII. Ferrous Metallurgical Industry

6. Scrap steel processing and disposal

IX. Petroleum, Petrochemical and Chemical Industries

12. Comprehensive utilization of waste gases, waste liquids, waste slag
13. Production of purification agent, catalytic agent and other auxiliaries for automobile exhaust

X. Mechanical Industry

14. Manufacture of 250,000 ton/day and over city sewage disposal equipment, industrial sewage film treatment equipment, up-flow anaerobic fluidized bed equipment and other biological sewage disposal equipment, slab making equipment of powder coal dust (50,000-100,000 ton/year), recycling equipment for waste plastics, equipment for desulphurization and deingrination of industrial boiler, large high-temperature resistant and acid resistant bag dust remover

XII. Building Materials and Equipment and Other Non-metal Mineral Product Industry

3. New building materials (walling materials, decoration and renovation materials, water-proof materials, insulation materials)

XIII. Medicine Industry

11. New medicines which are produced using biological engineering technology

XVI. New Industries

2. New materials
3. Biological engineering technology (not including gene engineering technology)
6. Ocean and ocean energy development technology
7. Technology for seawater desalination and utilization
8. Energy-saving technology development

9. 资源再生及综合利用技术
10. 环境污染治理工程及监测和治理技术

限制其他资源产业目录

(一) 农、林、牧、渔业及相关工业

1. 粮食、棉花、油料种子开发生产 (中方控股或占主导地位)
2. 珍贵树种原木加工、出口 (不允许其他独资)
3. 近海及内陆水域水产捕捞业 (不允许其他独资)
4. 中药材种植、养殖 (不允许其他独资)

(二) 轻工业

5. 猪、牛、羊蓝湿皮加工及生产
8. 纸及纸板

(十七) 国家和我国缔结或者参加的国际条约规定限制的其他产业

禁止其他资源产业目录

(一) 农、林、牧、渔业及相关工业

1. 国家保护的野生动植物资源
2. 我国稀有的珍贵优良品种 (包括种植业、畜牧业、水产业的优良基因)
3. 动植物的自然保护区建设
4. 绿茶及特种茶 (名茶、黑茶等) 加工

(二) 轻工业

1. 象牙雕刻、虎骨加工

(三) 电力工业及城市公用事业

2. 城市供排水、煤气、热力管网的建设、经营

(十二) 其他

2. 致癌、致畸、致突变原料及加工

(十三) 国家和我国缔结或者参加的国际条约规定禁止的其他产业

9. Technology for recycle and comprehensive utilization of resources
10. Projects for the control of environment pollution as well as monitoring and treatment technology

Catalogue of Restricted Foreign Investment Industries

I. Agriculture, Forestry, Husbandry, Fishery and Related Industries

1. Development and production of seeds of foodgrains, cotton and oil crops (with the Chinese party taking the holding or leading position)
2. Processing and export of precious varieties of logs (wholly foreign-owned enterprises are not allowed)
3. Inshore and inland water area fishing (wholly foreign-owned enterprises are not allowed)
4. Planting and breeding of traditional Chinese medicinal materials (wholly foreign-owned enterprises are not allowed)

II. Light Industry

5. Processing and production of blue wet hide of pig, ox, and sheep
8. Paper and paperboard

XVII. Other Industries Restricted by the State or International Treaties That China Has Concluded or Acceded to

Catalogue of Prohibited Foreign Investment Industries

I. Agriculture, Forestry, Husbandry, Fishery and Related Industries

1. Wild animal and plant resources protected by the State
2. China's rare precious breeds (including fine genes in plants industry, husbandry and aquatic products industry)
3. Construction of animal and plant natural reserves
4. Processing of green tea and special teas (famous teas, black tea, etc.)

II. Light Industry

1. Ivory carving and tiger-bone processing

III. Power Industry and Urban Public Utility

2. Construction and management of urban networks of water supply, water drainage, gas and heating power

XII. Miscellaneous

2. Developing or processing of carcinogenic, teratogenic, mutagenic raw materials

XIII. Other Industries Prohibited by the State or by International Treaties that China Has Concluded or Acceded to

当前国家重点鼓励发展的产业、 产品和技术目录 (2000年修订)

(环保部分摘录)

(经国务院批准, 国家发展计划委员会和国家经济贸易委员会
2000年8月31日以第7号令联合发布,
并自2000年9月1日起执行。)

为推进经济结构的战略性调整, 促进产业升级, 提高竞争力, 特颁布《当前国家重点鼓励发展的产业、产品和技术目录 (2000年修订)》。

确定当前国家重点鼓励发展的产业、产品和技术的原则是: ①当前和今后一个时期有较大的市场需求, 发展前景广阔, 有利于开拓国内市场; ②有较高的技术含量, 有利于促进企业设备更新和产业技术进步, 提高竞争力; ③国内存在从研究开发到实现产业化的技术基础, 有利于技术创新, 形成新的经济增长点; ④符合可持续发展战略, 有利于节约资源和改善生态环境; ⑤供给能力相对滞后, 提高其供给能力, 有利于促进经济结构的合理化, 保持国民经济持续快速健康发展。

本着上述原则, 当前国家重点鼓励28个领域, 共526种产品、技术及部分基础设施和服务的发展。

本目录是国家引导经济结构战略性调整, 改善资源结构以及审批资源项目的主要依据之一。有关经济管理部门, 要依据本目录, 采取相应的措施, 保证经济结构战略性调整的顺利进行。

对符合本目录的国内资源项目, 在资源总额内进口的自用设备, 除《国内资源项目不予免税的进口商品目录 (2000年修订)》所列商品外, 免征关税和进口环节增值税。

各地区要根据本地区的实际情况, 认真分析国内外市场需求和供给条件的变化, 从实际出发, 量力而行, 选择目录内有可能形成本地比较优势的领域发展, 避免盲目重复建设。

一、农业

1. 动植物优良品种繁育
2. 重大病虫害防治
8. 优质、高产、高效模式化栽培及养殖
9. 先进农业技术开发及推广
13. 旱作农业、节水农业及生态农业建设
16. 水产品生态养殖

Catalogue of Key Industries, Products and Technologies Encouraged by the State to Develop (Revised in 2000)

(excerpts of environment-related Provisions)

(Approved by the State Council, promulgated by the State Development Planning Commission and the State Economic and Trade Commission as Decree No. 7 on August 31, 2000 and effective as September 1, 2000)

To push the strategical readjustment of economic structure, promote the industrial escalation and enhance competitive capability, the Catalogue of Industries, Products and Technologies Mainly Encouraged to Develop by the States (revised in 2000) is particularly promulgated.

The principles to determine the industries, products and technologies mainly encouraged to develop by the state are: (1) They have great market requirement, wide prospects for development and are in favour of exploring domestic market at present and in the future period; (2) They have higher technical content, are in favour of promoting renewal of enterprise equipment, industrial technological progress and enhance the competitive capability; (3) There exists domestically the technical basis of proceeding from research and development to realization of industrialization. They are conducive to technological innovation and forming a new growth point; (4) They conform with sustainable development strategy and are in favour of saving on resources and improving ecological environment; and (5) Because their supply capability is comparatively backward, they raise supply capability, helping to promote rationalization of economic structure and maintain sustainable and healthy development of national economy at a high speed.

In accordance with the above principles, at present the state emphatically mainly encourages the development of 526 kinds of products, technologies and partial basic facilities and service in 28 fields.

This catalogue is one of main bases for the state to lead the strategic readjustment of economic structure, to improve investment environment and to examine and approve investment projects. Relevant economic administrative departments shall adopt corresponding measures, in accordance with this catalogue, to ensure the strategic readjustment of economic structure smoothly going on.

For those domestic investment projects, which are in conformity with this catalogue, import equipment for their own use within their total investment, except for commodities listed in the Catalogue of Commodities Imported by the Domestic Projects which are not Duty-Free, can be exempted from customs duties and value-added taxes of import link.

The various regions shall, in accordance with their actual conditions, seriously analyze domestic and foreign market demand and change of supply conditions, and from practice do what they are capable of and choose the development field of the catalogue which is able to form their own local superiority and avoid repeated construction.

I. Agriculture

1. Breeding good varieties of animal and plant.
2. Preventing and controlling main plant diseases and insect pests.
8. Cultivating and breeding modelled on high quality, high output and high effectiveness.
9. Developing and popularizing advanced agricultural technology.
13. Construction of dry agriculture, water-saving agriculture and ecological agriculture.
16. Ecological breeding of aquatic products.

二、林业及生态环境

1. 天然林等自然资源保护工程
2. 植树种草工程
3. 水土保持技术及工程
4. 优质种苗工程
5. 经济林树种、花卉、中药材良种繁育及储藏
6. 森林灾害防治
7. 生态环境脆弱地区特殊困难立地造林技术开发
8. 生态示范工程
9. 速生丰产林工程
10. 竹林基地建设
11. 名特优新经济林建设
12. 防护林工程
13. 退耕还林及恢复森林资源工程
14. 荒漠化防治
15. 附带原料林基地的木浆造纸
16. 人工林、小径木材、竹材和林区剩余物的深度加工及系列产品开发
17. 木材功能性改良
18. 竹质工程材料及植物纤维工程材料生产
19. 林产化学工业产品的深度加工
20. 树木生理活性物质提取技术开发
21. 固沙、保水、改土新材料生产
22. 中幼林抚育工程
23. 天然经济林树种保护及开发
24. 珍稀濒危植物、野生动物保护及森林公园建设
25. 野生动植物基因库建设
26. 生态环境及小流域综合治理工程
27. 采矿植被恢复工程

三、水利

13. 水能资源保护及开发

五、煤炭

5. 工业及生活用环保型煤制造
6. 水煤浆技术开发
7. 煤炭气化、液化
9. 低热值燃料及煤矿伴生资源开发利用
11. 洁净燃煤技术开发

六、电力

3. 热电联产
4. 太阳能、地热能、海洋能、生物质能及风力发电
5. 燃气联合循环发电

II. Forestry and Ecological Environment

1. Protection projects of natural forest and other natural resources.
2. Projects of planting trees and grass.
3. Technology and projects of water and soil conservation.
4. Projects of fine-quality seedlings.
5. Breeding and storing saplings of economic forest, flowers and plants and fine varieties of Chinese medicinal herbs.
6. Preventing and controlling forest calamities.
7. Developing technology of planting trees with particular difficulties in frail areas of ecological environment.
8. Ecological exemplary project.
9. Project of rapid-growth and rich forest.
10. Construction of bamboo forest base.
11. Construction of famous, special, fine and new economic forest.
12. Project of shelter-forest
13. Project of returning the farmland for planting trees and restoring forest resources.
14. Preventing and controlling the desert.
15. Wood pulp papermaking with the base of raw material forest.
16. Deeply processing artificial forest, small-diameter wood, bamboo material and the remnants of the forest area and develop a series of products.
17. Improving wood function.
18. Production of bamboo project material and plant fiber project material.
19. Deeply processing forest chemical industrial products.
20. Developing technology of extracting from tree physiological active material.
21. Producing new material for fixing sand, preserving water and improving the soil.
22. Project of tending middle and young forest.
23. Protecting and developing the natural economic forest.
24. Protecting the rare plant and wild animals near extinction and construction of forest park.
25. Construction of wild animal and plant gene bank.
26. Comprehensive control project of ecological environment and small valley.
27. Project of recovering vegetation by mining

III. Water Conservancy

13. Protecting and developing water energy resources.

V. Coal

5. Producing environmental protection coal for the use of industry and daily life.
6. Developing technology of water coal pulp.
7. Coal gasification and liquefaction.
9. Developing and using low-calorie fuels and coal mine associated resources.
11. Developing technology of cleaning coal.

VI. Electricity

3. Joint production of pyroelectricity
4. Generating electricity with solar energy, geothermal energy, marine energy, bio-energy and wind power.
5. Generating electricity with gas joint circulation.

- 6. 洁净煤发电
- 7. 利用煤矸石或劣质煤发电

七、核能

- 9. 核废料污染监视监测设备制造

十一、水运

- 10. 沿海船舶溢油监测及应急消除系统开发

十四、钢铁

- 2. 高效选矿及矿产资源综合利用
- 10. 高炉、转炉煤气回收及综合利用
- 29. 冶金炉窑及节能技术开发

十五、有色金属

- 3. 难处理金矿、含金属矿资源综合回收
- 4. 低品位、难处理铜矿利用技术开发
- 7. 金属硫化矿无污染强化熔炼技术开发

十六、化工

- 4. 各种新型化肥的开发利用
- 5. 高效、低毒、安全新品种农药的开发和生产
- 6. 易回收、可降解农膜生产
- 7. 采用新型节能、环保技术新建和改造现有无机化工生产
- 9. 新型涂料生产
- 10. 染料新品种生产
- 21. 化工生产“三废”治理和资源综合利用 (“三废”指废水、废气、固体废物)

十七、石化

- 13. “三废”治理及综合利用 (“三废”指废水、废气、固体废物)

十八、建材

- 1. 日产4000吨及以上熟料新型干法水泥生产
- 6. 平板玻璃深加工技术开发

十九、医药

- 26. 优质、丰产、地道药材技术开发及野生变家种技术开发
- 33. 医药生产废水处理技术开发

6. Generating electricity with cleaner coal.
7. Generating electricity with coal gangue or poor-quality coal.

VII. Nuclear Energy

9. Manufacturing equipment to monitor and test the pollution of nuclear waste.

XI. Water Transport

10. Developing the system of monitoring coastal boats and ships spilling oil and emergency clearing-up one.

XIV. Steel and Iron

2. High effective ore dressing and comprehensive use of mineral resources.
10. Recovering and comprehensively using blast furnace and converter gas.
29. Developing technology of metallurgical furnace and kiln and saving energy.

XV. Nonferrous Metals

3. Comprehensively recovering resources of gold mine of difficult disposal and gold-bearing tailings.
4. Developing utilization technology of low and difficult disposal copper mine.
7. Developing strong smelting technology of metal vulcanized mine without pollution.

XVI. Chemical Industry

4. Developing and using various new chemical fertilizers.
5. Developing and producing high-effective and low-poisonous and safety new pesticides.
6. Producing agricultural film which can be easily recovered and coordinated.
7. Adopting new energy-saving and environmental protection technology to newly build and reform current inorganic chemical production.
9. Producing new coating.
10. Producing new dyestuff.
21. Controlling "three wastes" (three wastes are referred to waste water, waste gas and solid waste) caused by the chemical industry and comprehensive utilization of resources.

XVII. Petrochemical

13. The control and comprehensive utilization of "three wastes" (waste water, waste gas and solid waste).

XVIII. Building Materials

1. Clinker new dry cement production of daily output of 4,000 tons and over 4,000 tons.
6. Developing technology of deeply processing of plate glasses.

XIX. Medicine

26. Developing technology of fine-quality, rich and genuine herbs and technology of changing the wild into artificial cultivation.
33. Developing technology of disposing waste water of medical production.

二十、机械

18. 脱硫技术及装置开发
31. 安全生产及环保检测仪器新技术设备制造
32. 秸秆分解利用新技术及关键设备制造
33. 城市垃圾处理技术开发及设备制造
34. 大型污水处理技术开发及设备制造
35. 烟气脱硫脱硝设备制造
37. 消烟除尘成套设备制造
38. 环境监测仪器及测试仪器制造
39. 煤矸石发电成套设备制造
40. 粉煤灰储运、制砖成套设备制造
41. 废旧塑料回收利用设备制造
42. 海水淡化技术开发及设备制造
57. 生态农业设备制造
65. 城市供水、污水处理仪器仪表及集中控制设备制造

二十一、汽车

8. 发动机管理系统、沉催化转化装置等汽车属气排放控制系统开发制造

二十四、轻工纺织

2. 符合经济规模标准的纸浆、纸和纸制品生产
12. 新型包装材料

二十五、建筑

11. 墙体吸收噪声技术与材料开发

二十六、城市基础设施及房地产

4. 城镇供水水源、自来水、排水及污水处理工程
5. 城镇垃圾及其他固体废弃物无害化、资源化、减量化处理和综合利用
6. 城镇燃气工程
7. 城镇集中供热工程
8. 节能、低污染取暖设备制造
12. 城市汽车燃气改造工程

二十七、环境保护和资源综合利用

1. 生态及环境整治工程
2. 生物多样性保护技术与工程
3. 林区资源综合开发与利用
4. 废弃物综合利用
5. 海洋开发及海洋环境保护
6. 消耗臭氧层替代物开发

XX. Machinery

18. Developing desulphurization technology and installation.
31. Manufacturing new technical equipment of safety production and monitoring instrument of environmental protection.
32. Developing new technology to decompose straws and manufacturing key equipment.
33. Developing technology of urban garbage disposal and manufacturing its equipment.
34. Developing technology of large sewage disposal and manufacturing its equipment.
35. Manufacturing equipment of desulphurization and denitration.
37. Manufacturing complete sets of equipment of smoke prerexion and dust control.
38. Manufacturing instrument of environmental monitoring and test
39. Manufacturing complete sets of equipment of generating electricity with coal gangue.
40. Manufacturing complete sets of equipment of storing up and transporting powder coal ash and firing bricks.
41. Manufacturing equipment of recovering and using scrap plastics.
42. Development desalination technology of sea water and manufacturing its equipment.
57. Manufacturing ecological agricultural equipment.
65. Manufacturing instruments and apparatus of urban water supply and sewage disposal and concentrated control equipment.

XXI. Automobile

8. Developing and manufacturing engine management system, catforming convertible unit and exhaust and control system of tail gas.

XXIV. Light Industry and Textile

2. Producing paper pulp, paper and articles made of paper which conform to the economic scale standard.
12. Producing new type of packing materials.

XXV. Construction

11. Developing technology of wall noise-proof and materials.

XXVI. Urban Basic Facilities and Real Estate

4. Projects of resource of urban supply water, running water, drainage and sewage disposal.
5. Turning urban garbage and other solid waste materials into non-harmful, useful resources and reducing quota of them and comprehensively utilization.
6. Urban and township gas projects.
7. Project of urban concentrated heat supply.
8. Manufacturing energy-saving and low-pollution warm-keeping equipment.
12. Reform project of urban auto gas.

XXVII. Environmental Protection and Comprehensive utilization of Resources

1. Ecological and environmental control project.
2. Protection technology and project of biological diversification.
3. Comprehensively developing and using forest resources.
4. Comprehensively using waste materials.
5. Marine exploitation and marine environmental protection.

- 7. 放射性废物处理处置
- 8. 农膜回收及无害分解技术开发

二十八、服务业

- 24. 技术推广、科技交流、技术咨询、气象、环保、测绘、地震、海洋、专利、技术监督等科技服务
- 25. 经济、科技、工程、管理、会计、审计、就业、法律、环保咨询

6. Developing substitute substitutes fiat deplete ozone layer.
7. Radiant waste materials disposal and treatment.
8. Recovering agricultural film and developing technology of non-harmful resolution.

XXVIII. Service Industry

24. Scientific and technological services for technological popularization, scientific and technological exchange, technical advisement, meteorology, environmental protection, survey, earthquake, marine, patent, technical supervision.

25. Advisory service for economy, science and technology, engineering, management, accounting, andit, employment, law, environmental protection.

工商领域禁止重复建设目录（第一批）

（经国务院批准 国家经贸委 1999 年 8 月 9 日第 14 号令）

重复建设是我国经济生活中存在的一个顽症，多年低水平重复建设带来的深层次矛盾日渐突出，导致我国不少行业和相当一部分企业生产能力不能充分发挥，产品积压严重，企业效益下降，下岗职工增多。据国家统计局对 1997 年全国重点企业的 67 种主要工业产品现有生产能力利用情况的统计，生产能力利用率 80% 以上的产品只占三分之一。如果不坚决制止重复建设，势必给我国经济的可持续发展和企业经济效益的提高带来更严重的损害。

针对这种情况，国家经贸委组织编制了《制止目录》（第一批），涉及钢铁、有色、煤炭、黄金、石化、化工、医药、建材、电子、机械、电力、轻工、纺织、烟草、船舶、旅游和商业等 17 个行业，共 201 项内容。《制止目录》（第一批）规定的禁止资源项目包括：根据国家有关法律明令禁止的项目；低水平重复建设，造成当前生产能力严重过剩，需总量控制的项目；工艺技术落后，已有先进、成熟工艺和技术替代的项目；污染环境、浪费资源严重的项目。

凡涉及的固定资产资源项目，各级政府资源主管部门不予审批；各银行、金融机构不予贷款；土地管理、城市规划、环境保护、消防、海关等部门不得办理有关手续；凡违背本目录进行建设的，要追究有关人员的责任。

工商资源领域制止重复建设目录（第一批）

1. 新建高炉炼铁项目
2. 新建转炉炼钢项目
3. 新建电炉炼钢项目
4. 土法炼焦（含改良土焦）工艺设备项目
5. 炭化室小于 4 米的焦炉项目
6. 90 平方米及以下烧结机项目
7. 复二重线材轧机项目
8. 横列式小型轧机项目
9. 直径 76 毫米及以下热轧管轧机项目
10. 叠轧薄板机组项目
11. 初轧机项目
12. 开坯用中型轧机项目

Catalog of Repetitive Construction to be Prohibited in Industrial and Commercial Investment Area (Batch 1)

(Approved by the State Council, promulgated by the State Economic and Trade Commission as Decree No. 14 on August 9, 1999)

Duplicated construction is a pertinacious malady in our national economy. Deep-seated contradictions brought about by low-grade duplication of construction over the years are becoming ever more outstanding, resulting in a series of problems: the production in quite a few trades and enterprises are running below capacity; there is severe overstock of products, and the profits of enterprises have dropped, consequently, the number of laid-off has increased. According to a statistics by the State Statistics Bureau, a survey of 67 main industrial products in stated-owned key enterprises in 1997 indicates that only one third of the total products whose production-capacity utilization rate surpasses 80%. If duplicated construction is not resolutely stopped, it is bound to bring more serious damage to the sustainable development of national economy, and greatly hamper the increase of profits in enterprises.

Taking into consideration of this situation, the State Economic and Trade Commission has compiled a Catalog for prohibited projects (Batch 1), involving 17 trades and 201 items in total, including steel and iron, nonferrous metal, coal, gold, petrol-chemistry, chemical engineering, medicine, building materials, electronics, mechanics, electric power, light industry, textile, tobacco, ships, travel and business etc. The prohibited projects stipulated by the Catalog for prohibited projects (Batch 1) include: those which are clearly banned by the relevant state laws; those classified as low-grade duplicated construction which has led to serious surplus of existing production capacity and which should be subject to control of total production amount; those which are backward in technological level and have already had substitutes with advanced and matured technological processes; and those which seriously pollute the environment and squander resources.

No fixed asset investment in the above-mentioned projects shall be ratified by the governmental department in charge of investment; no loans should be given to such projects by any bank or financial institution; no departments of land administration, or urban planning, or environmental protection, or fire control, or customs shall go through formalities for them. Anyone who constructs a project in violation of the Catalog must be held to account.

The following are the prohibited projects (first batch):

1. blast furnace iron smelter projects
2. converter steel smelter projects
3. electric furnace steel smelter projects
4. projects of manufacturing equipment using heap coking(including ameliorated coke) process
5. coke furnace projects with size of retort (charring chamber) < 4m
6. manufacture projects of sinter machine with capacity $\leq 90m^2$
7. diad wirerod rolling mill manufacture projects
8. horizontal-arranged small rolling mill manufacture projects
9. projects of building rolling mills for hot rolled pipes with diameter $\leq 76mm$
10. projects of manufacturing assembly for pack-rolled sheet
11. blooming mill (bloomer) manufacture projects
12. projects of manufacturing medium-scale rolling mills for cogging use

13. 新建铁合金电炉项目
14. 新建铁合金高炉项目
15. 热轧硅钢片项目
16. 新建粗铜冶炼项目
17. 新建电解铜项目
18. 新建铜加工项目
19. 新建 10 万吨/年以下电解铝项目
20. 新建铝加工项目
21. 新建铜冶炼项目
22. 新建 5 万吨/年以下锌冶炼项目
23. 新建镁冶炼项目
24. 主金属采选综合回收率低于百分之六十的各类矿采选项目
25. 自焙槽电解铝项目
26. 单井井型低于以下规模的煤矿项目: 晋陕内蒙古地区 15 万吨/年; 新甘宁青、京津冀、东北及华东地区 9 万吨/年; 西南及中南地区 6 万吨/年; 开采极薄煤层及不稳定煤层 3 万吨/年
27. 采用手工开采和穿洞式巷采等落后开采方法的煤矿开采项目
28. 脱硫措施达不到国家环境保护法规要求的各类高硫煤矿项目 (全硫大于百分之三)
29. 矿井资源回收率低于百分之五十的新建煤矿项目
30. 日处理金精矿 10 吨以下的独立氰化项目
31. 小混汞碾提金项目 (含混汞提金工艺)
32. 日处理金精矿 50 吨以下的火法冶炼项目
33. 年处理矿石 5000 吨以下的独立堆浸场项目
34. 日处理岩金矿石 25 吨以下的采金点项目
35. 年处理砂金矿砂 20 万立方米以下的采金点项目
36. 新建 DMT 法聚酯装置
37. 新建 7 万吨/年以下聚丙烯装置
38. 新建 10 万吨/年以下丙烯腈装置
39. 新建 10 万吨/年以下 ABS 树脂装置
40. 低硫原油常减压装置
41. 新建 60 万吨/年以下乙烯装置
42. 石墨阳极法烧碱项目
43. 新建纯碱装置
44. 小联碱装置
45. 联醇装置
46. 4 万吨/年以下硫酸装置
47. 常压法及综合法硝酸装置
48. 新建碳酸氢铵生产线
49. 甲胺磷农药项目
50. 久效磷农药项目
51. 甲基对硫磷农药项目

13. ferro alloy electric furnace manufacture projects
14. ferro alloy blast furnace manufacture projects
15. projects of hot reduction of silicon steel sheet
16. crude copper smelting projects
17. copper electrolysis projects
18. copper processing projects
19. aluminum electrolysis projects with annual capacity $\leq 100,000$ ton
20. aluminum processing projects
21. copper smelting projects
22. zinc smelting projects with annual capacity $\leq 50,000$ ton
23. magnesium smelting projects
24. mineral culling projects with the comprehensive recovery rate for the mainly culled metal $\leq 60\%$
25. projects of aluminum electrolysis in selfroasting trough
26. coalmine projects with single well capacity less than the figures below:
in the region of Shansi, Shanxi, Mongolia : 150,000ton/year; in the region of Xinjiang, Gansu, Ningxia, Qinghai, Beijing, Tianjin, Hebei, Northeast, East China : 90,000ton/year; in the region of southwest, central south: 60,000ton/year; exploitation of ultra-thin coal layer and unstable coal layer : 30,000ton/year;
27. coalmine projects using backward methods such as manual mining and bilge mining etc.
28. high sulfur-content coalmine projects of which desulfuration can't meet the national environment policy act (gross sulfur content $> 3\%$)
29. coalmine projects with recovery of well resources less than 50%
30. independent cyanate projects with daily capacity less than 10ton in the disposal of enriched gold ore
31. small projects of gold extraction by grind quicksilvering (including the process of amalgamator)
32. pyrogeinc smelting process projects with daily capacity less than 50ton in the disposal of enriched gold ore
33. independent heap leaching platform projects with annual capacity less than 5000ton in the disposal of ores
34. goldfield projects with daily capacity less than 25 ton in the disposal of rock auriferous ore
35. goldfield projects with annual capacity less than 200,000m³ in the disposal of sand auriferous ore
36. polyester device with DMT method
37. polypropylene device with annual capacity $\leq 70,000$ ton
38. acrylonitrile device with annual capacity $\leq 100,000$ ton
39. ABS resin device with annual capacity $\leq 100,000$ ton
40. ordinary pressure device or depressurized device for low sulfur-content crude petroleum
41. ethene device with annual capacity $\leq 600,000$ ton
42. sodium hydroxide p using plumbago anode process
43. sodium carbonate device
44. small dialkali device
45. dialcohol device
46. sulfuric acid device with annual capacity $< 40,000$ ton
47. intric acid device using non-pressure process or combination method
48. ammoinum bicarbonate production lines
49. methamidophos pesticide projects
50. monocrotophos pesticide projects
51. methyl parathion pesticide projects

52. 对硫磷农药项目
53. 林丹农药项目
54. 五氯酚农药项目
55. 氧化乐果农药项目
56. 水胺硫磷农药项目
57. 敌百虫农药项目
58. 甲基异柳磷农药项目
59. 甲拌磷农药项目
60. 三氯杀虫酯农药项目
61. 速灭威农药项目
62. 混灭威农药项目
63. 克百威农药项目
64. 灭多威农药项目
65. 三氯杀螨醇农药项目
66. 杀螟腈农药项目
67. 电石生产装置
68. 四氯化碳项目
69. 1万吨/年以下干法造粒炭黑项目
70. 力车胎项目（自行车胎和手推车胎）
71. 汽车斜交胎项目
72. 维生素C项目
73. 青霉素项目
74. 氯霉素项目
75. 磺胺嘧啶项目
76. 新诺明项目
77. 利福平项目
78. 氟哌酸项目
79. 布洛芬项目
80. 呋喃唑酮项目
81. 对硝基酚或苯酚法扑热息痛项目
82. 卡那霉素项目
83. 一次性注射器项目
84. 一次性输血器项目
85. 一次性输液器项目
86. 药用铅锡软膏管项目
87. 药用天然橡胶塞项目
88. 手工胶囊项目
89. 直颈安瓿项目
90. 片剂扩大加工能力项目
91. 硬胶囊扩大加工能力项目
92. 平板玻璃原片生产线
93. 年产100万平方米以下的建筑陶瓷砖生产线
94. 年产50万件以下的隧道窑卫生瓷生产线
95. 新建水泥机立窑、湿法窑、立波尔窑、干法中空窑项目
96. 纸面石膏板生产线（综合利用项目除外）
97. 纸胎油毡生产线
98. 陶土、白金坩埚拉丝玻璃纤维生产线
99. 激光视盘机生产线（VCD系列整机产品）
100. 新建凿岩机制造项目

52. parathion pesticide projects
53. gamaphex pesticide projects
54. pentachloro phenol pesticide projects
55. omethoate pesticide projects
56. salicylainlide pesticide projects
57. trichlorfon pesticide projects
58. isofenphos methyl pesticide projects
59. thimet pesticide projects
60. trichloro-appex-ester pesticide projects
61. tsumacide projects
62. mixture -xylyl-n-methyl-carbamate pesticide projects
63. carbofuran pesticide projects
64. pesticide projects
65. dicofol pesticide projects
66. cyanox pesticide projects
67. calcium carbide production device
68. carbon tetrachloride projects
69. carbon black projects using try process for granulating
70. middleweight tyre projects (bicycle tyre and trolley tyre)
71. automobile cornerwise tyre projects
72. citrin vitamin projects
73. peincillin projects
74. chloromycetin projects
75. sulfadiazine projects
76. sulfamethoxazole projects
77. rifadin projects
78. norfloxacin projects
79. brufen projects
80. furazolidone projects
81. metalid projects using pintrophenol method or phenol method
82. kanamycin projects
83. disposable injector projects
84. disposable . blood transfusion apparatus projects
85. disposable infusion apparatus projects
86. projects of lead-tin pipe holding ointment for drug use
87. projects of natural-rubber stopper for drug use
88. manual capsule projects
89. straight-necked ampoule projects
90. expansion projects of tablet processing capacity
91. expansion projects of hard capsule processing capacity
92. production lines of raw panes for plate glass
93. production lines with annual capacity < 1000,000m²
94. production lines of sanitary porcelain made in tunnel kiln with annual capacity < 500,000pieces
95. projects of vertical kiln, wet-process kiln, lepol system and dry-process horrow kiln for ce-ment production machine
96. thistle board production lines (except for comprehensive utilization)
97. paper-lined linoleum production lines
98. production lines of legging glassfibre in argil-platinum crucible
99. laser visual disk machine production lines (whole-set equipment of VCD series)
100. bore hammer manufacture projects

101. 新建 2 机以下凿岩台车制造项目
102. 新建装岩机（立爪装岩机除外）制造项目
103. 新建 3 立方米及以下小矿车制造项目
104. 新建直径 2.5 米及以下绞车制造项目
105. 新建直径 3.5 米及以下矿井提升机制造项目
106. 新建矿岩破碎机制造项目
107. 新建磨矿机制造项目
108. 新建 40 平方米及以下筛分机制造项目
109. 新建直径 700 毫米及以下旋流器制造项目
110. 新建选矿、选煤设备制造项目
111. 新建 800 千瓦及以下采煤机制造项目
112. 新建斗容 35 立方米及以下矿用挖掘机制造项目
113. 新建矿用、环保用搅拌浓缩、过滤设备（真空、加压式）制造项目
114. 新建三轮农用运输车整车项目
115. 新建四轮农用运输车整车项目
116. 新建单缸柴油机制造项目
117. 新建 20 马力及以下拖拉机制造项目
118. 10 万千瓦及以下常规燃煤火力发电设备制造项目（综合利用机组除外）
119. 新建电力电线电缆制造项目（500 千伏及以上超高压电缆除外）
120. 新建工业锅炉制造项目
121. 新建车床制造项目（数控机床除外）
122. 新建铣床制造项目（数控机床除外）
123. 新建钻床制造项目（数控机床除外）
124. 新建磨床制造项目（数控机床除外）
125. 新建插床制造项目（数控机床除外）
126. 新建拉床制造项目（数控机床除外）
127. 新建刨床制造项目（数控机床除外）
128. 新建锯床制造项目（数控机床除外）
129. 新建电加工机床（含电火花和线切割机床等）制造项目（数控机床除外）
130. 新建 1000 千牛及以下开式压力机制造项目（数控机床除外）
131. 新建 2500 千牛及以下闭式压力机制造项目（数控机床除外）
132. 新建锻锤制造项目（数控机床除外）
133. 新建剪板机制造项目（数控机床除外）
134. 新建折弯机制造项目（数控机床除外）
135. 新建高速钢轧制、铣制麻花钻头制造项目
136. 新建立铣刀制造项目
137. 新建锯片铣刀制造项目
138. 新建丝锥制造项目
139. 新建板牙制造项目
140. 新建棕刚玉、绿碳化硅、黑碳化硅等烧结块及磨料制造项目
141. 新建直径 400 毫米及以下各种结合剂砂轮制造项目
142. 新建直径 400 毫米及以下人造金刚石切割锯片制造项目
143. 新建普通通用轴承制造项目

101. truck-mounted drill manufacture projects (<2 engines ?)
102. rock loader manufacture projects (except that standing claws)
103. Hutch manufacture projects with capacity $\leq 3\text{m}^3$
104. capstan manufacture projects with diameter $\leq 2.5\text{m}$
105. shaft hoist manufacture projects with diameter $\leq 3.5\text{m}$
106. ore crusher manufacture projects
107. kominuter manufacture projects
108. manufacture projects of bolting machine with capacity $\leq 40\text{m}^2$
109. manufacture projects of swirler with diameter $\leq 700\text{mm}$
110. manufacture projects of mineral and coal dressing equipment
111. manufacture projects of coal mining machine with power $\leq 800\text{kW}$
112. manufacture projects of mineral digging machine with bucket size $\leq 35\text{m}^3$
113. manufacture projects of stirring, enrichment, filtration equipment (vaccum, pressure tyoe)
for mineral exploitation or environmental protection
114. entire car manufacture projects of three-wheeled carrier vehicle for agricultural use
115. entire car manufacture projects of four-wheeled carrier vehicle for agricultural use
116. manufacture projects of diesel engine with one cylinder
117. tractor manufacture projects with power ≤ 20 horse power
118. manufacture projects of regular coal-fueled thermal power generation equipment with capacity $\leq 100,000\text{kW}$ (except package for comprehensive utilization)
119. electrical wire and cable manufacture projects (except ultra-high voltage cable with voltage load $\geq 500\text{kV}$)
120. industrial boiler manufacture projects
121. lather manufacture projects (except numerically controlled machine tool)
122. milling machine manufacture projects(except numerically controlled machine tool)
123. drill press manufacture projects(except numerically controlled machine tool)
124. sharpener manufacture projects(except numerically controlled machine tool)
125. sloting machine manufacture projects(except numerically controlled machine tool)
126. broach machine manufacture projects(except numerically controlled machine tool)
127. planer manufacture projects(except numerically controlled machine tool)
128. hacksaw machine manufacture projects(except numerically controlled machine tool)
129. electromachining machine tool manufacture projects(including electric sparking and linear cutting machine)(except numerically controlled machine tool)
130. manufacture projects of open front presses with capacity $\leq 1000\text{kN}$ (except numerically controlled machine tool)
131. manufacture projects of close-typed forcing presses with capacity $\leq 2500\text{kN}$ (except numerically controlled machine tool)
132. blacksmiths hammer manufacture projects(except numerically controlled machine tool)
133. guillotine shear manufacture projects(except numerically controlled machine tool)
134. bender manufacture projects(except numerically controlled machine tool)
135. manufacture projects of spiral bits by rolling and milling of high speed steel
136. end mill head manufacture projects
137. saw web mill head manufacture projects
138. screw tap manufacture projects
139. bolt die manufacture projects
140. manufacture projects of agglomerate and abradant with brown adamant, green silicon carbide and black silicon carbide
141. manufacture projects of binding agent abrasion wheel with diameter $\leq 400\text{mm}$
142. manufacture projects of saw webs for incision of artificial diamond with diameter $\leq 400\text{mm}$
143. general-purpose axle bearing manufacture projects

144. 新建电梯制造项目
145. 新建轮式装载机制造项目
146. 新建叉车制造项目
147. 新建 40 吨及以下液压挖掘机制造项目
148. 新建 10—35 千伏树脂绝缘干式变压器制造项目
149. 新建高、中、低压开关柜制造项目
150. 新建电焊条制造项目
151. 新建民用普通电度表制造项目
152. 新建 8. 8 级以下普通低挡标准紧固件制造标准
153. 新建 9 立方米及以下活塞式动力压缩机制造项目
154. 通用标准干货、冷藏集装箱项目
155. 大电网覆盖范围内、单机容量在 10 万千瓦及以下的常规燃煤火电机组（资源综合利用机组除外）
156. 3. 4 万吨/年以下禾草碱法化学浆生产线
157. 新建冷藏、冷冻箱生产线（280 升以上的大容积、新款、多门、多温区、多功能的节能环保冰箱除外）
158. 新建洗衣机生产线（5 公斤以上或 2 公斤以下、智能化程度较高、具有新型结构水流技术的静音波轮式全自动洗衣机、搅拌式洗衣机和滚筒式洗衣机除外）
159. 新建空调器生产线（智能、模糊、变频分体机，静音窗式空调除外）
160. 新建微波炉生产线
161. 以 CFC—12 为工质的空调器项目
162. 以 CFC—12 为工质的家用电冰箱项目
163. 以 CFC—12 为工质的冷藏、冷冻箱（柜）项目
164. 以 CFC—11 为发泡剂的各种塑料发泡工艺项目
165. 聚氯乙烯普通人造革生产线
166. 超薄型（厚度低于 0. 015 毫米）塑料袋生产线
167. 年加工皮革 10 万张（折牛皮标张）以下的制革项目
168. 生产速度低于 1500 只/时的单螺旋灯丝白炽灯生产线
169. 新建自行车生产线
170. 新建工业平缝机系列生产线
171. 新建工业包缝机系列生产线
172. 电子计价秤项目（准确度低于最大称量的 1/3000，称量 \leq 15 千克）
173. 电子汽车衡项目（准确度低于最大称量的 1/3000，称量 \leq 300 吨）
174. 电子轨道衡项目（准确度低于最大称量的 1/1000，称量小于 150 吨）
175. 电子皮带秤项目（准确度低于最大称量的 5/1000）
176. 电子吊秤项目（准确度低于最大称量的 1/1000，称量小于 50 吨）
177. 弹簧度盘秤项目（准确度低于最大称量的 1/400，称量小于 8 千克）
178. 直排式燃气热水器生产线
179. 二片铝质易拉罐项目

144. elevator manufacture projects
145. wheel loader manufacture projects
146. fork truck manufacture projects
147. manufacture projects of hydraulic shovels with capacity ≤ 40 ton
148. resin-insulated dry transformer with capacity ranging from 10kv to 35kv
149. manufacture projects of cubicle switchboard for high, medium, or low voltage
150. manufacture projects of electrode for welding
151. manufacture projects of common commercial electric meter
152. manufacture projects of common low-grade standard fasteners rated less than 8.8 grade
153. manufacture projects of pistol-typed dynamic compressor with capacity $\leq 9\text{m}^3$
154. manufacture projects of common-purpose standard containers for dry cargo and coldstorage
155. manufacture projects of regular coal-fueled thermal power generating units with unit capacity $\leq 100,000\text{kW}$ in the coverage area of power pool (except package for the comprehensive utilization of resources)
156. production lines of chemical pulp by gramine with annual capacity $\leq 34,000\text{ton}$
157. production lines of deepfreeze boxes and refrigerators (except energy-saving and environment-friendly refrigerators with large volume ($> 280\text{litre}$), fangle, multi doors, varied temperature blocks and versatile functions.)
158. washing machine production lines (except full automatic washing machines, churning-typed washing machines, and drum-type washing machines which is highly intelligent with new-structured hydraulic flow technology and a washing capacity of above 5kg or below 2kg)
159. air-conditioner production lines (except smart, fuzzy and frequency-conversion disparted air-conditioners , and mute window-fixed air-conditioners)
160. microwave oven production lines
161. manufacture projects of air-conditioners using CFC-12 as working media
162. manufacture projects of domestic refrigerators using CFC-12 as working media
163. manufacture projects of deepfreeze boxes and refrigerators using CFC-12 as working media
164. projects of plastic foaming process using CFC-11 as foaming agents
165. production lines of common man-made PVC leather
166. production lines of ultra-thin plastic bags (thickness $\leq 0.015\text{mm}$)
167. leather production lines with annual capacity $\leq 100,000$ pieces
168. production lines of incandescent bulbs with single-spiral filament with production rate $\leq 1500\text{bulbs/hour}$
169. bicycle production lines
170. production lines of industrial flat seamer series
171. production lines of industrial cup-seaming machine series
172. manufacture projects of electronic balance with price-rating function (precision $\leq 1/3000$ of maximum , scale range $\leq 15\text{kg}$)
173. manufacture projects of electronic automobile weighing apparatus (precision $\leq 1/3000$ of maximum , scale range $\leq 300\text{ton}$)
174. manufacture projects of electronic track weighing apparatus (precision $\leq 1/1000$ of maximum , scale range $\leq 150\text{ton}$)
175. manufacture projects of electronic belt balance (precision $\leq 5/1000$ of maximum , scale range $\leq 15\text{kg}$)
176. manufacture projects of electronic crane scale (precision $\leq 1/3000$ of maximum , scale range $\leq 15\text{kg}$)
177. manufacture projects of electronic scale with spring index dial (precision $\leq 1/3000$ of maximum , scale range $\leq 15\text{kg}$)
178. production lines of gas-fueled water heater with direct discharge system
179. projects of two-sheet aluminum cans

180. 新建保温瓶玻璃瓶胆生产线
181. 合成脂肪醇项目
182. 新建三聚磷酸钠生产线
183. 糊式锌锰电池项目
184. 镍镉电池项目
185. 新建牙膏生产线
186. 新建制糖生产线
187. 新建盐场（厂）的项目
188. 浓缩苹果汁生产线
189. 新建白酒生产线
190. 新建酒精生产线
191. 新建味精生产线
192. 糖精等合成甜味剂生产线
193. 新增棉纺能力的项目
194. 新增毛纺能力的项目
195. 新增缫丝绢纺能力的项目
196. 新建卷烟工业企业的项目
197. 未经国家批准的卷烟工业企业改扩建项目
198. 6万吨级及以下造、修船设施新建、扩建项目
199. 未经国家批准的6万吨级以上造、修船新建、扩建项目
200. 未经国家规定程序批准的新建高档饭店（宾馆、酒店）、公寓及写字楼项目
201. 直辖市、计划单列市、省会城市新建大型百货商场项目（不包括大型超级市场、仓储式商场等新业态商场）

180. production lines of thermos flask with glass liner
181. synthetic fatty alcohol projects
182. sodium tripolyphosphate production lines
183. zine-manganese cell projects
184. inckel-cadmium cell projects
185. toothpaste production lines
186. sugar production lines
187. salt fields(plants) projects
188. enriched cider production lines
189. white spirit production lines
190. alcohol production lines
191. sodium glutamate production lines
192. synthetic sweeteinng agent production lines(glucide etc)
193. projects with new-added cotton spinning production lines
194. projects with new-added wool spinning production lines
195. projects with new-added silk spinning production lines
196. projects of tabacco industrial enterprises
197. rebuilding or extension projects of tobacco industrial enterprises unratified by the state
198. new building or extension projects of tobacco industrial enterprises unratified by the state
199. new building or extension projects of tobacco industrial enterprises unratified by the state
200. projects of high-grade restaurants(hotels, ginshops), flatments, office-buildings unratified via state-regulated procedures
201. projects of large department stores in municipal cities, planned municipal cities, provincial capital cities (not including new-concept businesses, such as large supermarkets, store-typed malls)

淘汰落后生产能力、工艺和产品的目录（第一批）

（经国务院批准，国家经贸委 1999 年 1 月 22 日第 6 号令）

为制止低水平重复建设，加快结构调整步伐，促进生产工艺、装备和产品的升级换代，根据国家有关法律、法规，制定本目录。

一、本目录淘汰的是违反国家法律法规、生产方式落后、产品质量低劣、环境污染严重、原材料和能源消耗高的落后生产能力、工艺和产品。

二、本目录公布的第一批涉及 10 个行业，共 114 个项目。其中有些项目，有关部门已采取各种方式发布过，为进一步加大淘汰的力度，这次予以重申。国家经贸委将在研究制定产业政策的过程中，针对国内外市场变化和产业发展的情况，陆续分批颁布淘汰、限制落后生产能力、工艺和产品的目录。

三、各地区、各部门和有关企业要制定规划，采取有力措施，限期坚决淘汰本目录所列的落后生产能力、工艺和产品，一律不得新上、转移、生产和采用本目录所列的生产能力、工艺和产品。各地经贸委（经委、计经委）要将规划上报国家经贸委。

四、本目录涉及到依法批准设立的其他资源企业的，由国家经贸委会同国务院有关部门商地方人民政府处理。

五、各地人民政府要督促本地工商企业执行本目录。对拒不执行淘汰目录的企业，工商行政管理部门要依法吊销营业执照、各有关部门要取消生产许可证、各商业银行要停止贷款。对情节严重者，要依法追究直接负责的主管人员和其他直接责任人员的法律责任。

六、本目录由国家经贸委负责解释。

附件：淘汰落后生产能力、工艺和产品的目录（第一批）

Catalogue of Outdated Production Capacity, Technologies and Products to be Phased out (Batch 1)

(Approved by the State Council, promulgated by the State Economic
and Trade Commission as Decree No. 6 on January 22, 1999)

In order to prevent low-level repetitive construction, accelerate the structural readjustment, and promote the upgrading and replacement of productive technologies, equipment and products, this Catalog is formulated in accordance with related state laws, rules and regulations.

1. The aim of this Catalog is to Phase out the backward production capacity, technologies and products that violate the state laws, rules and regulations, and that are of backward mode of production, bad quality, serious environmental pollution, high consumption of raw material and energy.

2. The first group promulgated in this Catalog involves 10 sectors, altogether 114 items. Some of them have already been promulgated by the relevant authorities through various means and is reiterated this time with the aim to further enhance the force of obsolescence. The State Economic and Trade Commission will, in the course of studying and formulating industrial policies, in light of the change of domestic and foreign markets and the industrial development, promulgates in succession and in group the Catalogs of backward production capacity, technologies and products to be outdated or restricted.

3. All regions, all sectors and related enterprises shall formulate the schedules, adopt forceful measures and obsolete determinedly within a definite time the backward production capacity, technologies and products provided in this Catalog, and shall not, without exception, launch, transform, produce and use the production capacity, technologies and products provided in this Catalog. Local economic and trade commissions (economic commissions, planning and economic commissions) shall submit such schedules to the State Economic and Trade Commission.

4. Any foreign-invested enterprise involved in this Catalog, which is approved and established in accordance with laws, rules and regulations, shall be handled through consultations between the local government and the State Economic and Trade Commission together with relevant departments of the State Council.

5. Local governments shall supervise the execution of this Catalog by local industrial and commercial enterprises. For enterprises that refuse to execute the obsolescence Catalog, the industrial and commercial administrations shall, in accordance with the law, revoke their business licenses, all related authorities shall deprive their production licenses, and all commercial banks shall stop loans to them. For enterprises of a serious nature, the legal liabilities of the person in charge of direct responsibility and other persons of direct responsibility shall be investigated and affixed.

6. The right to interpret this Catalog resides in the State Economic and Trade Commission.

Appendix:

Catalogue of Backward Production Capacity, Technologies and Products to be Phased out (Batch

1)

附件:

淘汰落后生产能力、工艺和产品的目录 (第一批)

一、落后生产能力

序号	名称	淘汰期限
1	没有采矿许可证和煤炭生产许可证 (以下简称“两证”) 的各类小煤矿	1999 年
2	在国有煤矿矿区范围内, 1997 年 1 月 1 日后开办的各类小煤矿	1999 年
3	在国有煤矿矿区范围内, 1997 年 1 月 1 日前开办的、“两证”不全的各类小煤矿	1999 年
4	在国有煤矿矿区范围内, 1997 年 1 月 1 日前开办的、“两证”俱全且经批准生产, 但因布局不合理, 影响国有煤矿长远发展的各类小煤矿	1999 年
5	国有煤矿矿区范围以外, 凡“两证”不全, 经整顿到 1999 年 2 月底仍达不到发证条件的各类小煤矿	1999 年
6	开采高硫高炭煤, 又未采取有效降硫降灰措施的各类煤矿	1999 年
7	有化学制浆车间、年产 5000 吨以下的造纸厂	*
8	年加工皮革 3 万张 (折牛皮标张) 以下的制革厂	*
9	无合法资源配置, 通过非法手段获得原油资源, 产品质量低劣, 安全环保达不到国家标准的成品油生产装置	*
10	2000 年 1 月 1 日前不能生产 90 号及 90 号以上车用无铅汽油的成品油生产装置	1999 年
11	平板玻璃平拉工艺生产线 (不含格拉威贝尔平拉工艺)	*
12	四机以下垂直引上平板玻璃生产线	2000 年
13	窑径小于 2 米 (年产 3 万吨以下) 水泥机械化立窑生产线	*
14	窑径小于 2.2 米 (年产 4.4 万吨以下) 水泥机械化立窑生产线	2000 年
15	土法炼铅锌: 采用土烧结盘、简易土高炉等落后方式炼铅, 用土制马弗炉、马槽炉、横罐、小竖罐等进行焙烧、简易冷凝设施进行收尘等落后方式炼锌或氧化锌制品, 现年产铅或锌 (或氧化锌含量) 2000 吨以下的企业	*
16	土法炼汞: 采用土铁锅和土灶、蒸馏罐、坩埚炉及简易冷凝收尘设施等落后方式炼汞, 现年产汞 10 吨以下的企业	*
17	土法炼砷: 采用土坑炉或坩埚炉焙烧、简易冷凝设施收尘等落后方式炼制氧化砷或金属砷制品, 年产砷 (或氧化砷制品含量) 100 吨以下的企业	*
18	未经国务院有关主管部门批准, 开采国家规定实行保护性开采的特定矿种的任何企业	*
19	无采矿许可证的任何单位和个人开办的钨、锡、锑、离子型稀土矿山企业, 未经国务院有关主管部门批准开办的钨、锡、锑、离子型稀土冶炼企业及钨加工 (含硬质合金) 企业	*

Appendix:
Catalogue of Outdated Production Capacity, Technologies and Products (First Group)
1. Outdated Production Capacity

No.	Name	Phasing-out Period
1	Various small coal mines without mining license and coal production license (hereafter referred to as "Two Licenses")	1999
2	Various small coal mines launched after January 1, 1997 within the scope of the mining area of the state-owned coal mines	1999
3	Various small coal mines with incomplete Two Licenses launched after January 1, 1997 within the scope of the mining area of the state-owned mines	1999
4	Various small coal mines launched before January 1, 1997 within the scope of the mining area of the state-owned mines with Two Licenses and approval for production, which affect the long-term development of the state-owned mines due to irrational layout	1999
5	Various small coal mines outside the scope of the mining area of the state-owned mines with incomplete Two Licenses, which had not fulfilled the conditions for the issuing of licenses by the end of February	1999
6	Various coal mines which mine sulfur and high-ash coal, but do not adopt effective measures to reduce sulfur and ash	1999
7	Paper mills with a chemical pulping shop and an annual output below 5,000 tons	*
8	Tanneries with an annual output of leather below 30,000 pieces (converted into standard pieces of cow leather)	*
9	Finished oil production devices without legal resource configuration, which obtain raw oil resource, have bad quality and do not reach the state standards for safety and environmental protection	*
10	Finished oil production devices which can not produce vehicular unleaded gasoline of and above No. 90 before January 1, 2000	1999
11	Plate glass horizontal drawing technology production lines (excluding Gravable horizontal drawing technology)	*
12	Vertical drawing plate glass production lines under 4 machines	2000
13	Cement mechanized shaft kiln production lines with a kiln diameter no more than 2 meters (annual output below 30,000 tons)	*
14	Cement mechanized shaft kiln production lines with a kiln diameter no more than 2.2 meters (annual output below 44,000 tons)	2000
15	Production of lead-zinc by indigenous methods: enterprises with an annual output of lead or zinc (or content of zinc oxide) below 2,000 tons, which adopt backward methods to produce lead such as indigenous agglomerating plate and simple indigenous blast furnace, or, adopt backward methods to produce zinc or zinc oxide product, such as using indigenous muffle furnaces, manger furnaces and small vertical retorts to roast, and using simple condensing plants to collect dust	*
16	Production of mercury by indigenous methods: enterprises with an annual output of mercury below 100,000 tons, which adopt backward methods to produce mercury such as indigenous tin pans and soil stoves, retorts, pot-ovens and simple condensing dust collectors	*
17	Production of arsenic by indigenous methods: enterprises with an annual output of arsenic (or content of arsenic oxide product) below 1 million tons, which adopt backward methods to produce arsenic oxide or metallic arsenic products such as roasting with indigenous pit furnaces or pot-ovens, dust collecting with simple condensing devices	*
18	Any enterprise that mines without approval of relevant competent authorities of the State Council specific minerals specified by the state to be under protective exploitation	*
19	Mining enterprises established by any entity or individual without mining license to produce tungsten, tin, antimony and ionic rare-earth; Any tungsten processing (including hard metal) enterprise and any smelting enterprise established without approval of relevant competent authorities of the State Council for tungsten, tin, antimony and ionic rare-earth	*

淘汰落后生产能力、工艺和产品的目录（第一批）

序号	名称	淘汰期限
20	大电网覆盖范围内、单机容量2.5万千瓦及以下的凝汽火电机组	服役期满

二、落后生产工艺装备

序号	名称	淘汰期限
21	PB2、PB3、PB4型矿用隔爆高压开关	2000年
22	6AM、ΦM-2.5、PA-3型煤用浮选机	2000年
23	PG-27型真空过滤机	2000年
24	X-1型箱式压滤机	2000年
25	ZYZ、ZY3型液压支架	2000年
26	自行车盐浴焊接炉	2000年
27	建国前生产的细纱机	2000年
28	所有“1”字头的细纱机	2000年
29	1979年及以前生产的A512、A513系列细纱机	2000年
30	无生产许可证的企业所生产的细纱机（即未经原国家技术监督局或行业主管部门下发细纱机生产许可证的企业所生产的细纱机）	2000年
31	土法炼油	*
32	汞法烧碱	*
33	年产1万吨以下的电石炉	2000年
34	开放式电石炉	2000年
35	铁粉还原法苯胺工艺	*
36	年产1000吨以下黄磷生产线	2000年
37	生产氰化钠的氨钠法及氰熔体工艺	2000年
38	联苯胺和联苯胺型偶氮染料	*
39	高中温钠法百草枯农药工艺	*
40	建筑卫生陶瓷土窑、倒焰窑、多孔窑、煤烧明焰隧道窑	*
41	建筑石灰土窑	1999年
42	陶土玻璃纤维拉丝坩埚	*
43	砖瓦简易轮窑、土窑	*
44	水泥土（蛋）窑、普通立窑	*
45	年产100万卷以下沥青纸胎油毡生产线	2000年
46	热烧结矿工艺	2000年
47	平炉	2000年

No.	Name	Phasing-out Period
20	Condensing thermal power generating set within the coverage scope of a large-size electric network with a unit capacity of 25,000KW and below Completion of the term of service	

2. Equipment of Outdated production technologies

No.	Name	Phasing-out Period
21	PB2-, PB3-, and PB4-type of mining flame-proof high-tension switches	2000
22	6AM-, M-2.5-, and PA-3-type of coal-type flotation machine	2000
23	PG-27-type vacuum filters	2000
24	X-1-type box pressure filters	2000
25	ZYZ- and ZY3-type hydraulic supports	2000
26	Bicycle salt bath welding furnaces	2000
27	Spinning frames manufactured before the foundation of the People's Republic of China	2000
28	All "1"-type spinning frames	2000
29	A512 and A513 series of spinning frames manufactured before 1979	2000
30	Spinning frames manufactured by enterprises without manufacturing licenses (i. e. spinning frames manufactured by enterprises without spinning frame manufacturing licenses issued by former state technology supervision administration or industrial competent authorities)	2000
31	Refining of oil by indigenous methods	*
32	Caustic soda production with mercury	*
33	Any carbide furnace with an annual output below 10,000 tons	2000
34	Open-type carbide furnaces	2000
35	Iron powder reduction inline technology	*
36	Yellow phosphorus production with an annual output below 1,000 tons	2000
37	Ammonia sodium technology and cyano melt technology to produce Cymag	2000
38	Benzidine and benzidine type azo-dye	*
39	High and medium temperature sodium paraquat pesticide technology	*
40	Soil kilns, down-draft kilns, porous kilns and coal-burned open-flame tunnel kilns for building and sanitary ware	*
41	Soil kilns for building lime	1999
42	Fire clay glass fibre wire-drawing crucible	*
43	Simple annular kilns and soil kilns for bricks and tiles	*
44	Cement soil (egg-shaped) kilns and common shaft kilns	*
45	Production lines with an annual output of asphalt-saturated felt below 1 million rolls	2000
46	Thermal sintering technologies	2000
47	Open-hearth (Martin) furnaces	2000

序号	名称	淘汰期限
48	1800KVA(含)以下冶炼铁合金电炉	2000年
49	1.5平方米以下鼓风炉炼铜、冶炼烟气制酸干法净化和热浓酸洗涤技术	2000年
50	60KA以下铝自焙电解槽	2000年
51	“二人转”式有色金属轧机	2000年
52	热轧方法生产铜线杆(黑杆)	2000年
53	B581、B582型精纺细纱机	2001年**
54	BC581、BC582型粗纺细纱机	2001年**
55	B591绒线细纱机	2001年**
56	使用期限超过20年的各类国产毛纺细纱机	2000年

三、落后产品

序号	名称	淘汰期限
57	汞电池	1999年
58	一次性发泡塑料餐具	2000年
59	多氯联苯(农药)	2000年
60	除草醚(农药)	*
61	杀虫醚(农药)	*
62	氟丹(农药)	*
63	七氯(农药)	*
64	毒鼠强(农药)	*
65	氟乙酰胺(农药)	*
66	氟乙酸钠(农药)	*
67	二溴氯丙烷(农药)	*
68	CER膜盒系列	*
69	JO ₂ 、JO ₃ 系列小型异步电动机	*
70	JDO ₂ 、JDO ₃ 系列变极、多速三相异步电动机	*
71	DZ10系列塑壳断路器	*
72	DW10系列框架断路器	*
73	CJ8系列交流接触器	*
74	QC10、QC12、QC8系列起动机	*
75	JR0、JR9、JR14、JR15、JR16-A、B、C、D系列热继电器	*
76	电动机驱动旋转直流弧焊机全系列	*
77	GGW系列中频无心感应熔炼炉	*

No.	Name	Phasing-out Period
48	Smelting ferroalloy electric furnaces under 1800KVA (included)	2000
49	1.5-square-meter-below blast furnaces copper smelting, smelting gas acid dry cleaning and hot concentrated acid washing technologies	2000
50	Aluminum soderberg cells under 60KA	2000
51	"Song-and dance duet" type non-ferrous metal rolling mills	2000
52	Production of copper-wire poles (black poles) by hot-rolling method	2000
53	B581 and B582 type spinning frames	2001 * *
54	BC581 and BC582 type roving frames	2001 * *
55	B591 type floss spinning frames	2001 * *
56	Various domestic wool spinning frames with a term of service over 20 years	2000

3. Outdated products

No.	Name	Phasing-out Period
57	Mercury cells	1999
58	Disposable expanded plastic dinnerware	2000
59	Polychlorinated biphenyl (pesticide)	2000
60	Nitrofen (pesticide)	*
61	Chlorphenamidine (pesticide)	*
62	Niran (pesticide)	*
63	Heptachlor (pesticide)	*
64	Tetramine (pesticide)	*
65	Fussol (pesticide)	*
66	Fratol (pesticide)	*
67	Dibromochloropropane (pesticide)	*
68	CER bellows series	*
69	JO ₂ and JO ₃ series of small-sized asynchronous motors	*
70	JDO ₂ and JDO ₃ series of pole-changing 3-phase multi-speed asynchronous motors	*
71	DZ10 series of plastic case circuit breakers	*
72	DW10 series of frame circuit breakers	*
73	CJ8 series of AC contactors	*
74	QC10, QC12 and QC8 series of starters	*
75	JRO, JR9, JR14, JR15, JR16-A, B, C and D series of thermal relays	*
76	Complete set of motor-driven rotating DC arc welder series	*
77	GGW series of medium frequency coreless furnaces	*

淘汰落后生产能力、工艺和产品的目录 (第一批)

序 号	名 称	淘汰期限
78	SL7-30/10~SL7-1600/10、S7-30/10~S7-1600/10 配电变压器	*
79	B 型、BA 型单级单吸悬臂式离心泵系列	*
80	F 型单级单吸耐腐蚀泵系列	*
81	BC 型低压锅炉给水泵	*
82	JD 型长轴深井泵	*
83	KDON-3200/3200 型蓄冷器全低压流程空分设备	*
84	KDON-1500/1500 型蓄冷器 (管式) 全低压流程空分设备	*
85	KDON-1500/1500 型管板式全低压流程空分设备	*
86	3W-0. 9/7 (环状阀) 空气压缩机	*
87	2V-0. 3/7、V-0. 3/7 空气压缩机	*
88	2V-0. 6/7、V-0. 6/7 空气压缩机	*
89	V-3/8、1V-3/8、VF-3/8、2V-3/7、2VF-3/8、WF-3/8、WF-3. 2/7、1WG-3/7、1WG-3/8、V-6/8、2V-6/7、2V-6/8、VF-6/8、W-6/7、W-6/7、WF-6. 3/7、2W-6/7、WF-9/7、DW-9/7 往复式空气压缩机	*
90	CA630 普通车床	*
91	X920 键槽铣床	*
92	B665、B665A、B665-1 牛头刨床	*
93	D6165 电火花成型机床	*
94	D6185 电火花成型机床	*
95	D5540 电脉冲机床	*
96	J53-400 双盘摩擦压力机	*
97	J53-630 双盘摩擦压力机	*
98	J53-1000 双盘摩擦压力机	*
99	Q11-1. 6×1600 剪板机	*
100	1200 叠板轧机 (二辊周期式四机架)	*
101	横列式线材轧机	*
102	Q51 汽车起重机	*
103	TD62 型固定带式输送机	*
104	25MPa 采油 (气) 井口装置	*
105	OY-40 石油钻机	*
106	3t 直流架线式井下矿用电机车	*
107	18 平方米烧结机	*

Catalogue of Outdated Production Capacity, Technologies and Products (Batch 1)

No.	Name	Phasing-out Period
78	SL7-30/10 - SL7-1600/10 and S7-30/10 - S7-1600/10 distribution transformers	*
79	B and BA type single-pole single-drawing cantilever centrifugal pump series	*
80	F-type single-pole single-drawing non-corrosive pump series	*
81	GC type low-pressure boiler feed pumps	*
82	JD type macro axis bore hole pumps	*
83	KDON-3200/3200 type cold-accumulating low-pressure air separation plants	*
84	KDON-1500/1500 type cold-accumulating (tubular) low-pressure process air separation plants	*
85	KDON-1500/1500 type tube plate low-pressure process air separation plants	*
86	3W-0.9/7 (ring-shaped valve) air compressors	*
87	2V-0.3/7 and V-0.3/7 air compressors	*
88	2V-0.6/7 and V-0.6/7 air compressors	*
89	V-3/8, 1V-3/8, VF-3/8, 2V-3/7, 2VF-3/8, WF-3/8, WF-3.2/7, 1WG-3/7, 1WG-3/8, V-6/8, 2V-6/7, 2V-6/8, VF-6/8, W-6/7, WF-6/7, WF-6.3/7, 2W-6/7, WF-9/7 and DW-9/7 reciprocating piston compressors	*
90	CA630 engine lathe	*
91	X920 key seat milling machine	*
92	B665, B665A and B665-1 shaping machine	*
93	D6165 electric spark forming machine	*
94	D6185 electric spark forming machine	*
95	D5540 electric pulse machine	*
96	J53-400 attrition friction press	*
97	J53-630 attrition friction press	*
98	J53-1000 attrition friction press	*
99	Q11-1.6×1600 clippers	*
100	1200 pack mills (drag-over 4-support)	*
101	Open-train rod-rolling mill	*
102	Q51 crane truck	*
103	TD62 type fixed belt conveyor	*
104	25Mpa oil (gas) producing wellhead assembly	*
105	OY-40 oil driller	*
106	3t DC overhead-line-type underground mining electric locomotive	*
107	18-square-meter sintering machine	*

序 号	名 称	淘汰期限
108	直径 1.98 米水煤气发生炉	*
109	A571 单梁起重机	*
110	25A 空腹钢窗	2000 年
111	ZD647、ZD721 型自动缫丝机	*
112	D101A 型自动缫丝机	1999 年
113	ZD681 型立缫机	*
114	DJ561 型绢精纺机	*

注：“*”为有关部门已明令淘汰的，应立即淘汰

“**”为该产品应于 1999 年底前停止生产

淘汰期限 1999 年是指应于 1999 年底前淘汰

淘汰期限 2000 年是指应于 2000 年底前淘汰

Catalogue of Outdated Production Capacity, Technologies and Products (Batch 1)

No.	Name	Phasing-out Period
108	Water gas generating furnace with a diameter of 1.98 meters	*
109	A571 single-beam crane	*
110	25A hollow steel sash	2000
111	ZD647 and ZD721 type automatic hank knotting machine	*
112	D101A type automatic hank knotting machine	1999
113	ZD681 type vertical knotting machine	*
114	DJ561 type spun silk spinning frame	*

Note: "*" means that it has been specified by formal decree by relevant authorities to be outdated and should be outdated immediately.

"*" means that such product shall be stopped manufacturing by the end of 1999.

The obsolescence term of 1999 means that it shall be outdated by the end of 1999.

The obsolescence term of 2000 means that it shall be outdated by the end of 2000.

淘汰落后生产能力、工艺和产品的目录（第二批）

（经国务院批准 国家经贸委 1999 年 12 月 30 日第 16 号令）

为制止低水平重复建设，加快结构调整步伐，促进生产工艺、装备和产品的升级换代，根据国家有关法律、法规，制定本目录。

一、本目录淘汰的是违反国家法律法规、生产方式落后、产品质量低劣、环境污染严重、原材料和能源消耗高的落后生产能力、工艺和产品。

二、本目录涉及钢铁、有色、轻工、纺织、石化、建材、机械、印刷业（新闻）等 8 个行业，共 119 项。国家经贸委将在研究制定产业政策的过程中，针对国内外市场变化和产业发展情况，陆续分批颁布淘汰、限制落后生产能力、工艺和产品目录。

三、各地区、各部门和有关企业要制定规划，采取有力措施，限期坚决淘汰本目录所列的落后生产能力、工艺和产品，一律不得进口、新上、转移、生产和采用本目录所列的生产能力、工艺和产品。各地经贸委要将规划上报国家经贸委。

四、本目录涉及到依法批准设立的其他资源企业的，由国家经贸委会同国务院有关部门商地方人民政府处理。

五、各地人民政府要督促本地工商企业执行本目录。对拒不执行淘汰目录的企业，工商行政管理部门要依法吊销营业执照，各有关部门要取消生产许可证，各商业银行要停止贷款。情节严重者，要依法追究直接负责的主管人员和其他直接责任人员的法律责任。

六、本目录由国家经贸委负责解释。

Catalogue of Outdated Production Capacity, Technologies and Products to be Phased out (Batch 2)

(Approved by the State Council, promulgated by the State Economic and Trade Commission as Decree No. 16 on December 30, 1999)

This Catalog is formulated for the purpose of preventing low-level repetitive construction, accelerating the structural readjustment, promoting the upgrading and replacement of productive technologies, equipment and products in accordance with related state laws, rules and regulations.

1. This Catalog aims to obsolete the backward production capacity, technologies and products that violate the state laws, rules and regulations, and that are of backward mode of production, bad quality, serious environmental pollution, high consumption of raw material and energy.

2. This Catalog involves 8 sectors including steel and iron, non-ferrous metal, light industry, textile, petrochemical, building material, machinery, and printing (press), altogether 119 items. The State Economic and Trade Commission will, in the course of studying and formulating industrial policies, in light of the change of domestic and foreign markets and the industrial development, promulgate in succession and in group the Catalogs of backward production capacity, technologies and products to be outdated or restricted.

3. All regions, all sectors and related enterprises shall formulate the schedules, adopt forceful measures and obsolete determinedly within a definite time the backward production capacity, technologies and products provided in this Catalog, and shall not, without exception, launch, transform, produce and use the production capacity, technologies and products provided in this Catalog. Local economic and trade commissions shall submit such schedules to the State Economic and Trade Commission.

4. Any foreign-invested enterprise involved in this Catalog, which is approved and established in accordance with the laws, shall be handled through consultations between the local government and the State Economic and Trade Commission together with relevant departments of the State Council.

5. Local governments shall supervise the execution of this Catalog by local industrial and commercial enterprises. For enterprises that refuse to execute the obsolescence Catalog, the industrial and commercial administrations shall, in accordance with the law, revoke their business licenses, all related authorities shall deprive their production licenses, and all commercial banks shall stop loans to them. For enterprises of a serious nature, the legal liability of the person in charge of direct responsibility and other persons of direct responsibility shall be investigated and affixed.

6. The right to interpret this Catalog resides in the State Economic and Trade Commission.

附件:

淘汰落后生产能力、工艺和产品的目录(第二批)

序号	名称	淘汰期限
一、落后生产能力		
1	无复膜塑编水泥包装袋生产线	发布之日起
2	年产70万平方米以下的中低档建筑陶瓷生产线	2000年
3	年产400万平方米及以下的纸面石膏板生产线	2000年
4	年产20万件以下低档卫生瓷生产线	2000年
5	生产能力300吨/年以下的油墨厂	2000年6月
二、落后生产工艺装备		
6	土焦工艺(含改良土焦)	2000年
7	土烧结矿工艺	2000年
8	50立方米及以下高炉	2000年
9	50—100立方米(含)高炉	2002年
10	10吨及以下转炉	2000年
11	10—15吨(含)转炉	2002年
12	侧吹转炉	2000年
13	5吨及以下电炉	2000年
14	5—10吨(含)电炉	2002年
15	生产地条钢或开口锭的工频炉	2000年
16	3200KVA及以下铁合金电炉	2001年
17	化铁炉—炼钢工艺	2002年
18	叠轧薄板机组	2002年
19	普通初轧机及作为开坯用的中型轧机	2002年
20	折叠式热轧窄带轧机	2002年
21	直径76毫米以下自动热轧管机组	2002年
22	横列式线材轧机	2002年
23	横列式小型轧机	2002年
24	土法炼锑工艺及设备:采用地坑炉、坩埚炉、赫氏炉等落后方式炼锑	发布之日起
25	环保不能达标的自焙槽电解铝生产工艺及装备	发布之日起

Appendix
Catalog of Outdated Production Capacity, Technologies and Products to be Phased out (Batch 2)

No.	Name	Phasing-out Period
1. Outdated Production Capacity		
1	non-precoated plastic-kintted cement packing bag production lines	on the day of promulgation
2	Medium- and low-grade building pottery production lines with an annual output below 700,000 square meters	2000
3	paper-faced gypsum board production lines with an annual output below 4 million square meters	2000
4	sanitary pottery production lines with an annual output below 200,000 pieces	2000
5	printing ink plants with an annual output below 300 tons	June, 2000
2. Outdated Production Technologies and Devices		
6	heap coking technologies (including improved heap coking)	2000
7	indigenous agglomerate technologies	2000
8	blast furnace of 50 cubic meters and below	2000
9	blast furnace of 50 to 100 (included) cubic meters	2002
10	converter of 10 tons and below	2000
11	converter of 10 to 15 (included) tons	2002
12	side-blown converter	2000
13	electric furnace of 5 tons and below	2000
14	electric furnace of 5 to 10 (included) tons	2002
15	power frequency furnace for production of ground bar iron and open ingot	2000
16	ferroalloy electric furnace of 3200KVA and below	2001
17	iron melting - steel making technologies	2002
18	pack-rolled sheet units	2002
19	common blooming mills and medium-size rolling mills for cogging-down	2002
20	folded hot-rolling narrow-band rolling mills	2002
21	automatic hot-rolling pipe unit with a diameter below 76 mm	2002
22	on-train wire rod rolling mills	2002
23	on-train small-size rolling mills	2002
24	indigenous stibium making technologies and devices; stibium making by backward methods such as potoven, crucible furnace and Herry furnace	on the day of promulgation
25	soderberg cell electrolytic aluminium production technologies and devices which do not reach the standards of environmental protection	on the day of promulgation

淘汰落后生产能力、工艺和产品的目录 (第二批)

序号	名 称	淘汰期限
26	离子型稀土矿酸浸冶炼工艺	发布之日起
27	采用烧结锅、烧结盘炼铅工艺及设备	发布之日起
28	炉床面积 1.5 平方米密闭鼓风炉炼铜工艺及设备	2003 年
29	真空加压法和气炼一步法石英玻璃	2000 年
30	6X600 吨六面顶小型压机生产人造金刚石	2000 年
31	破坏资源和污染环境的土法采矿和选矿工艺及与矿区的矿产储量规模不相适应的小型矿山 (包括采矿和选矿)	2000 年
32	窑径 2.5m 及以下干法中空窑	2000 年
33	直径 1.83m 以下水泥粉磨设备	2000 年
34	火柴排梗、卸梗生产工艺	发布之日起
35	印铁制罐行业中的锡焊工艺	2000 年
36	全部铅排工艺	2000 年
37	全部铅印工艺	2000 年
38	ZD201、ZD301 型系列 单字铸字机	2000 年
39	TH1 型 自动铸条机	2000 年
40	ZT102 型系列 铸条机	2000 年
41	ZDK101 型 字模雕刻机	2000 年
42	KMD101 型 字模刻刀磨床	2000 年
43	AZP502 型 半自动汉文手选铸排机	2000 年
44	ZSY101 型 半自动汉文铸排机	2000 年
45	TZP101 型 外文条字铸排机	2000 年
46	ZZP101 型 汉文自动铸排机	2000 年
47	QY401、2QY404 型系列 电动铅印打样机	2000 年
48	QYSH401、2QY401、DY401 型 手动式铅印打样机	2000 年
49	YX01、YX02、YX03 型系列 压纸型机	2000 年
50	HX01、HX02、HX03、HX04 型系列 烘纸型机	2000 年
51	PZB401 型 平铅版铸版机	2000 年
52	JB01 型 平铅版浇版机	2000 年
53	YZB02、YZB03、YZB04、YZB05、YZB06、YZB07 型系列铅版铸版机	2000 年
54	RQ02、RQ03、RQ04 型系列 铅泵熔铅炉	2000 年

Catalogue of Outdated Production Capacity, Technologies and Products (Batch 2)

No.	Name	Phasing-out Period
26	ionic rare-earth mineral acid-leaching smelting technologies	on the day of promulgation
27	lead making technologies and devices with sintering pots and sintering pans	on the day of promulgation
28	airtight blast furnace copper making technologies and devices with a hearth area of 1.5 square meters	2003
29	quartz glasses produced by vacuum pressure method and one-step gas fusing method	2000
30	diamond produced by small 6 x 600 ton-cubic press	2000
31	indigenous mining and dressing technologies that damage the resources and pollute the environment, and small mines that do not adapt to the scale of ore reserves in the mining area (including mining and dressing)	2000
32	dry hollow kilns with a kiln diameter of 2.5 meters and below	2000
33	cement flour milling devices with a diameter of 1.83 meters and below	2000
34	match stick arranging and downloading technologies	on the day of promulgation
35	soldering technologies in tin body making industry	2000
36	full letterpress composing technologies	2000
37	full letterpress printing technology	2000
38	ZD201 and ZD301 type serial single-character typesetting machine	2000
39	TH1 type automatic linecasting machine	2000
40	ZT102 type serial linecasting machine	2000
41	ZDK101 type matrix cutting machine	2000
42	KMD101 type matrix inking tool grinding machine	2000
43	AZP502 type semi-automatic Chinese hand-selected typesetting machine	2000
44	ZSY101 type semi-automatic Chinese typesetting machine	2000
45	TZP101 type foreign-language bar-letter typesetting machine	2000
46	ZZP101 type automatic Chinese typesetting machine	2000
47	QY401 and 2QY404 type serial electric letterpress printing proof press	2000
48	QYSH401, 2QY401 and DY401 type serial manual letterpress printing proof press	2000
49	YX01, YX02, and YX03 type serial stereotype press	2000
50	HX01, HX02, HX03 and HX04 type serial paper-drying press	2000
51	PZB401 type stereotyping machine	2000
52	JB01 type casting machine	2000
53	YZB02, YZB03, YZB04, YZB05, YZB06 and YZB07 type serial stereotyping machine	2000
54	RQ02, RQ03 and RQ04 type serial lead market pot	2000
55	BB01 type plate planing machine	2000

淘汰落后生产能力、工艺和产品的目录(第二批)

序号	名 称	淘汰期限
55	BB01型 刨版机	2000年
56	YGB02、YGB03、YGB04、YGB05型 圆铅版刮版机	2000年
57	YTB01型 圆铅版镗版机	2000年
58	YJB02型 圆铅版锯版机	2000年
59	YXB04、YXB05、YXB302型系列 圆铅版修版机	2000年
60	P401、P402型系列 四开平压印刷机	2000年
61	P801、P802、P803、P804型系列 八开平压印刷机	2000年
62	PE802型 双合页印刷机	2000年
63	TE102、TE105、TE108型系列 全张自动二回转平台印刷机	2000年
64	TY201型 对开单色一回转平台印刷机	2000年
65	TY401型 四开单色一回转平台印刷机	2000年
66	TY4201型 四开一回转双色印刷机	2000年
67	TT201、TZ201、DT201型 对开手动续纸停回转平台印刷机	2000年
68	TT202型 对开自动停回转平台印刷机	2000年
69	TZ202型 对开半自动停回转平台印刷机	2000年
70	TZ401、TZS401、DT401型 四开半自动停回转平台印刷机	2000年
71	TT402、TT403、TT405、DT402型 四开自动停回转平台印刷机	2000年
72	TR801型系列 立式平台印刷机	2000年
73	LP1101、LP1103型系列 平板纸全张单面轮转印刷机	2000年
74	LP1201型 平板纸全张双面轮转印刷机	2000年
75	LP4201型 平板纸四开双色轮转印刷机	2000年
76	LSB201(880×1230mm)及LS201、LS204(787×1092mm)型系列 卷筒纸书刊转轮印刷机	2000年
77	LB203、LB205、LB403型 卷筒纸报版轮转印刷机	2000年
78	LB2405、LB4405型 卷筒纸双层二组报版轮转印刷机	2000年
79	LBS201型 卷筒纸书、报二用轮转印刷机	2000年
80	燃煤式搪烧方炉	2000年6月
81	火柴理梗机、排梗机、卸梗机	发布之日起
82	1332SD络筒机	2000年
83	BC272、BC272B型分条梳毛机	2000年
84	B701A型绒线摇绞机	2000年

Catalogue of Outdated Production Capacity, Technologies and Products (Batch 2)

No.	Name	Phasing-out Period
56	YGB02, YGB03, YGB04 and YGB05 type round stereotype plate scraping machine	2000
57	YTB01 type plate boring machine	2000
58	YJB02 type round plate cutting machine	2000
59	YXB04, YXB05 and YXB302 type serial round plate retouching machine	2000
60	P401 and P402 type serial quarto platen machine	2000
61	P801, P802, P803 and P804 type serial octavo platen machine	2000
62	PE802 type double hinge press	2000
63	TE102, TE105 and TE108 type serial automatic sheet-work two-revolution flatbed press	2000
64	TY201 type folio monocolour one-revolution flatbed press	2000
65	TY401 type quarto monocolour one-revolution flatbed press	2000
66	TY4201 type quarto one-revolution two-color press	2000
67	TT201, TZ201 and DT201 type folio manual paper-supply stopping revolution flatbed press	2000
68	TT202 type folio automatic stopping revolution flatbed press	2000
69	TZ202 type folio semi-automatic stopping revolution flatbed press	2000
70	TZ401, TZS401 and DT401 type quarto semi-automatic stopping revolution flatbed press	2000
71	TT402, TT403, TT405 and DT402 type quarto automatic stopping revolution flatbed press	2000
72	TR801 type serial vertical flatbed press	2000
73	LP1101 and LP1103 type serial plate sheet-work single-side rotary press	2000
74	LP1201 type plate sheet-work two-side rotary press	2000
75	LP4201 type plate quarto two-color rotary press	2000
76	LSB201 (880x1230mm), LS201 and LS204 (787x1092mm) type serial web book rotary press	2000
77	LB203, LB205 and LB403 type web newspaper rotary press	2000
78	LB2405 and LB4405 type web two-layer two-group newspaper rotary press	2000
79	LBS201 type book and newspaper rotary press	2000
80	coal-fired clay-fired square furnaces	June, 2000
81	match stick tidying, arranging and downloading machine	on the day of promulgation
82	1332SD bobbin winder	2000
83	BC272 and BC272B type wool-top parting wool card	2000
84	B701A type wool reeling machine	2000

淘汰落后生产能力、工艺和产品的目录 (第二批)

序号	名称	淘汰期限
85	B311C、B311C (CZ)、B311C (DJ) 型毛精梳机	2000 年
86	1511M—105 织机	2000 年
87	K251、K251A 型丝织机	2000 年
88	Z114 型小提花机	2000 年
89	CE186 型提花毛圈机	2000 年
90	Z261 型人造毛皮机	2000 年
91	LMH551 型平网印花机	2000 年
92	LMH571 型圆网印花机	2000 年
93	LMH303、303B、304、304B—160 型热熔染色机	2000 年
94	LMH731—160 型热风布铁拉幅机	2000 年
95	LMH722M—180、LMH722D—180 型短环烘燥定型机	2000 年
三、落后产品		
96	热轧硅钢片	2002 年
97	107 涂料	2000 年
98	改性淀粉涂料	2000 年
99	改性纤维涂料	2000 年
100	使用非耐碱玻纤生产的玻纤增强水泥 (GRC) 空心条板	2000 年
101	以陶土坩埚拉丝玻璃纤维为原料的玻璃钢制品	2000 年
102	4146 柴油机	发布之日起
103	快速断路器: DS3—10、DS3—30、DS3—50 (1000、3000、5000A)、DS10—10、DS10—20、DS10—30 (1000、2000、3000A)	发布之日起
104	BX1—135、BX2—500 交流弧焊机	发布之日起
105	AX1—500、AP—1000 直流弧焊电动发电机	发布之日起
106	SX 系列箱式电阻炉	发布之日起
107	单相电度表: DD1、DD5、DD5—2、DD5—6、DD9、DD10、DD12、DD14、DD15、DD17 DD20、DD28	发布之日起
108	刀开关: HD6、HD3—100、HD3—200、HD3—400、HD3—600、HD3—1000、HD3—1500	发布之日起
109	锅炉给水泵: DG270—140、DG500—140、DG375—185	发布之日起
110	热动力式疏水阀: S15H—16、S19—16、S19—16C、S49H—16、S49—16C、S19H—40、S49H—40、S19H—64、S49H—64	发布之日起
111	0.4—0.7 吨/时立式水管固定炉排锅炉	发布之日起
112	动力用往复式空气压缩机: 1—10/8、1—10/7 型	发布之日起
113	高压离心通风机: 8—18 系列、9—27 系列	发布之日起

No.	Name	Phasing-out Period
85	B311C, B311C (CZ) and B311C (DJ) type wool comb	2000
86	1511M-105 weaving machine	2000
87	K251 and K251A type silk weaving machine	2000
88	Z114 type small jacquard	2000
89	GE186 type jacquard winder	2000
90	Z261 type fake fur machine	2000
91	LMH551 type plain net printing machine	2000
92	LMH571 cylinder printing machine	2000
93	LMH303, 303B, 304 and 304B-160 type thermosol dyeing machine	2000
94	LMH731-160 type hot-blast cloth pincers stenter	2000
95	LMH722M-180 and LMH722D-180 type becate drying machine	2000
3. Outdated Products		
96	hot-rolling silicon sheet	2002
97	107 coating material	2000
98	modified starch coating material	2000
99	modified fibre coating material	2000
100	hollow GRC batten produced by non-alkali-resisting glass fibre	2000
101	Glass fibre reinforced plastic products with fire clay bushing wire-drawing glass fibre as raw material	2000
102	4146 diesel engine	on the day of promulgation
103	fast choppers: DS3-10, DS3-30, DS3-50 (1000, 3000, 5000A), DS10-10, DS10-20, and DS10-30 (1000, 2000, 3000A)	on the day of promulgation
104	BX1-135 and BX2-500 AC arc welder	on the day of promulgation
105	AX1-500 and AP-1000 DC arc welded motor-generator	on the day of promulgation
106	SX serial box-type resistance furnace	on the day of promulgation
107	single-phase watt-hour meters: DD1, DD5, DD5-2, DD5-6, DD9, DD10, DD12, DD14, DD15, DD17, DD20 and DD28	on the day of promulgation
108	blade switches: HD6, HD3-100, HD3-200, HD3-400, HD3-600, HD3-1000 and HD3-1500	on the day of promulgation
109	boiler feed pumps: DG270-140, DG500-140 and DG2 * 3/575-185	on the day of promulgation
110	thermodynamic traps: S15H-16, S19-16, S19-16C, S49H-16, S49-16C, S19H-40, S49H-40, S19H-64 and S49H-64	on the day of promulgation
111	0.4-0.7 t/h vertical water-tube stationary grate boilers	on the day of promulgation
112	power reciprocating compressors: 1-10/8 and 1-10/7 type	on the day of promulgation
113	high-pressure centrifugal fans: 8-18 and 9-27 series	on the day of promulgation

淘汰落后生产能力、工艺和产品的目录 (第二批)

序号	名称	淘汰期限
114	X62W320×150 升降台铣床	发布之日起
115	J31—250 机械压力机	发布之日起
116	TD60、TD72 型固定带式输送机	发布之日起
117	含重铬酸钾火柴	2001 年
118	用于凹版印刷的苯胺油墨	2001 年
119	直排式燃气热水器	2000 年 6 月

Catalogue of Outdated Production Capacity, Technologies and Products (Batch 2)

No.	Name	Phasing-out Period
114	X62W 320x150 elevating platform milling machine	on the day of promulgation
115	J31-250 mechanical press	on the day of promulgation
116	TD60 and TD72 type stationary belt conveyors	on the day of promulgation
117	match containing heavy potassium chromate	2001
118	flexographic inks used in gravure printing	2001
119	in-line gas-fired water heater	June, 2000

关于对淘汰的落后生产能力、工艺、产品和 重复建设项目限制或禁止贷款的通知

(中国人民银行、国家经贸委 2000 年 6 月 7 日)

为充分运用信贷杠杆,促进经济结构的战略调整,现就有关对淘汰的落后生产能力、工艺、产品和重复建设项目限制或禁止贷款事项通知如下:

一、各商业银行要高度重视优化贷款投向、防止重复建设工作。产品和技术落后、盲目重复建设是我国经济发展中面临的一个突出问题,不仅严重制约了经济增长质量的提高和产业结构的优化,也极大影响了银行信贷资产质量。银行信贷是扶持产业发展的重要手段,信贷结构和投向的优化,有利于实现资源的有效配置。因此,各商业银行应严格按照国家产业政策的要求,扶优限劣,对淘汰的落后生产能力、工艺、产品和重复建设项目限制或禁止贷款,促进经济结构的调整和优化。

二、为加大产业结构的调整力度,制止重复建设,国家经贸委先后制定并印发了《淘汰落后生产能力、工艺和产品的目录》(第一批、第二批)和《工商资源领域制止重复建设目录(第一批)》(以下简称目录)。目录所指的淘汰对象为违反国家法律法规、生产方式落后、产品质量低劣、环境污染严重、原材料和能源消耗高的落后生产能力、工艺和产品。禁止资源对象为:根据国家有关法律法规明令禁止内容确定的项目;低水平重复建设严重,造成当前生产能力过剩,需总量控制的项目;工艺技术落后,已有先进、成熟工艺和技术替代的项目;污染环境、浪费资源严重的项目。

根据国家产业政策实施要求,针对上述两类目录,银行限制或禁止贷款工作分为三种情况:

(一)对限期淘汰的生产能力、工艺和产品,要立即停止发放新的贷款,并抓紧催收已发放的贷款;

(二)对目录中标明“新建”字样的项目,只限制对新建项目贷未,但允许对其改、扩建给予贷款;

(三)对目录中未标明“新建”字样的项目,无论是新建还是改、扩建,都不得予以信贷支持。

各商业银行要对上述目录涉及到的贷款企业进行清理分类、区别对待。对限期关停的企业,应加大力度清收本息,最大限度减少银行的信贷资产损失;对需整改

Circular on Restricting or Banning Loans for Outdated Production Capacity, Technologies and Products to be Phased Out and Repetitive Construction Projects

(Jointly issued by the People's Bank of China
and the State Economic and Trade Commission)

For the purpose of fully utilizing the credit lever to promote the strategic reorganization of the economic adjustment, issues relevant to restricting or banning loans for phased out backward productive capacity, technologies and products and repetitive construction projects are notified as follows:

1. Various commercial banks shall pay attention to optimizing lending priorities and guard against repetitive construction. Outdated products and technologies and blind repetitive construction are a striking problem in the economic development of the country. It has not only seriously restricted the quality improvement of the economic growth and optimization of the industrial structure, but also greatly affected the quality of credit assets of banks. Bank credits are an important means for backing the industrial development. Optimization of the credit structure and investment orientation is favourable for the effective relocation of resources. To this end, various commercial banks shall develop the good and eliminate the bad in line with the industrial policy of the state, restrict or ban loans for eliminated backward productive capacity, technologies, products and repetitive construction projects to promote relocation and optimization of the economic structure.

2. The State Economic and Trade Commission has formulated and issued the "Catalogue of Outdated Productive Capacity, technologies and Products" (the first and second batches) and the "Catalogue of Curbing Repetitive Construction in the Industrial and Commercial Sectors" (the first batch) (hereinafter referred to as the Catalogue) respectively in order to expand relocation of the industrial structure and curb repetitive construction. The target of elimination as referred to in the Catalogue means backward productive capacity, technologies and products that have a backward mode of production, low product quality, serious pollution of environment and a high consumption of raw materials and energy resources in violation of laws and regulations of the State. The target of the banned investment refers to those projects that are banned in accordance with the contents of relevant laws and regulations of the State; projects that are seriously constructed in a low and repetitive way, that have resulted in an excess of the current productive capacity and whose aggregate should be controlled; projects with backward technologies, advanced and mature technique and technology can be used for their substitution; projects with serious pollution and waste of resources.

In accordance with the requirements for the implementation of the industrial policy of the State and in line with the above two catalogues, the restricted and banned loans by banks are divided into three aspects:

(1) With regard to the phased out productive capacity, technologies and products within a time limit, new loans shall be stopped immediately and the issued loans shall be firmly recovered;

(2) With regard to projects with the marking of "new construction" in the catalogue, loans for the construction of new projects shall only be restricted and loans are allowed for their reconstruction and expansion;

(3) As for projects without the marking of "new construction" in the catalogue, no credit support shall be granted for projects whether they are new construction, reconstruction or expansion projects nor not.

Various commercial banks shall check up, classify and extend different treatment to the loaned enterprises involved in the above catalogues. Efforts shall be made to clear and recover capital from the enterprises that are ordered to suspend and stop production within a time limit so as to reduce the loss

的企业，必须停止增量贷款投入。

三、今后，国家经贸委还将陆续发布新的淘汰和制止重复建设目录。对新增加的目录，各商业银行应一律依照本通知的要求执行。为了提高信贷结构调整的主动性，避免被动调整的损失，各商业银行应尽快建立市场信息预测体系，准确把握市场供求关系和产业变动趋势，实现贷款科学决策，做到合理配置信贷资金，规避信贷风险。

四、人民银行各分（支）行要认真贯彻总行制定的有关信贷政策，按照国家产业政策的要求，加强对当地商业银行信贷投向的监管，协调好商业银行与地方政策及有关部门的关系，做好限贷、禁贷工作的宣传和指导。

五、各级经贸委（经委、计经委）要主动与商业银行建立联系协调制度，及时向商业银行通报产业政策信息，协助商业银行建立市场信息预测体系。在编制上报淘汰落后生产能力、工艺和产品规划时，要将规划抄送人民银行当地分（支）行及商业银行；要按照《工商资源领域制止重复建设目录（第一批）》清理固定资产资源项目，列出停、缓建项目清单，报国家经贸委并抄送人民银行当地分（支）行及商业银行。

同时，各级经贸委（经委、计经委）要采取有效措施，帮助商业银行做好对淘汰企业和项目的贷款善后处理工作，积极保全银行信贷资产，严肃处理挑废银行债务的有关责任人。对于国家发放的有关补偿资金，应优先补偿银行贷款损失。

六、对违反本通知要求的，要坚决予以制止。对因此造成银行信贷资产严重损失的，要依照有关法律，追究当事人和负责人的有关责任。

七、本通知适用于城市信用社和农村信用社。

of the bank's credit assets to a minimum; increased loan input shall be stopped for those enterprises that need streamlining and reorganization.

3. The State Economic and Trade Commission will, in the future, continually issue catalogues for eliminating and restricting Repetitive construction projects. As for the newly added catalogues, commercial banks shall implement them in accordance with the demand of this Circular. In order to enhance the initiative for the adjustment of the credit structure and avoid the loss of the passive adjustment, commercial banks shall establish as quickly as possible the market information monitoring system, accurately grasp the market relations between supply and demand and the trend of industrial changes and attain the aim for the scientific decision of loans so as to attain the target of rationally allocating the credit funds and avoiding the loan crisis.

4. Branches (subbranches) of the People's Bank should earnestly implement the policy of the head office for loans, strengthen supervision of loan investment made by local commercial banks in accordance with the demand of the industrial policy of the state, coordinate relations between commercial banks, local governments and relevant departments, and make a good job of publicity of and guidance to the restricted and banned loans.

5. The economic and trade commissions (economic, planning and economic commissions) at all levels shall, on their own initiative, forge the contact and coordination system with commercial banks, inform in a timely manner the commercial banks of the industrial policies and information and help commercial banks to establish the market information monitoring system. While preparing and reporting the plan for the eliminated backward productive capacity, technologies and products, the plan shall be submitted to the local branches (subbranches) of the People's Bank and commercial banks; a list of the projects whose construction to be stopped or delayed shall be made in accordance with clearance of the fixed capital investment projects in accordance with the "Catalogue of Curbing Repetitive Construction Projects in the Industrial and Commercial Investment Area (first batch)", and the list shall be submitted to the State Economic and Trade Commission and sent to local branches (subbranches) of the People's Bank and commercial banks.

Meanwhile, economic and trade commissions (economic, planning and economic commissions) at all levels shall adopt effective measures, help commercial banks to make a good job of dealing with the aftermath of the loans for the eliminated enterprises and projects, actively protect the credit assets of banks and strictly deal with those responsible members who have evaded and abrogated the bank debts. The compensation funds issued by the state shall be used in priority to make up for the credit loss of the banks.

6. Those who violate the demand of this Circular shall be resolutely curbed. The liability of the parties and responsible persons shall be investigated and affixed if they have caused a serious loss of the bank's credit assets.

7. This Circular is applicable to urban and rural credit cooperatives.

十、西部开发与环境保护

X Development of Western Regions and Environmental Protection

中西部地区外商投资优势产业目录

(经国务院批准, 国家经贸委、国家计委、外经贸部
2000年6月16日发布 国家经贸委令第18号)

山西省

1. 粮食、蔬菜、水果、禽畜产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 无磷洗衣粉生产
4. 棉纺织、印染生产企业技术改造
5. 新型纺织机械制造
6. 公路、独立桥梁和隧道的建设、经营
7. 煤炭加工应用技术开发及产品生产
8. 煤焦油深加工
9. 煤层气资源勘探、开发利用
10. 单机容量30万千瓦及以上火电站的建设、经营
11. 铜资源的勘查、开采(不允许其他独资)
12. 高性能钕铁硼材料及稀土电机的开发、制造

内蒙古自治区

1. 粮食、蔬菜、水果、禽畜产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 保健酒的生产
4. 皮革的后整理及高档皮革产品制造
5. 乳制品加工
6. 毛纺品、毛针织品生产企业技术改造
7. 公路、独立桥梁和隧道的建设、经营
8. 煤炭加工应用技术开发及产品生产
9. 煤层气资源勘探、开发利用
10. 单机容量30万千瓦及以上火电站的建设、经营
11. 风力发电站建设、经营
12. 稀土矿物加工及产品制造
13. 铜资源的勘查、开采(不允许其他独资)
14. 中、蒙药材加工

黑龙江省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 大豆、玉米深加工及其制品开发、生产
4. 木浆及造纸生产企业技术改造

Catalogue of Advantageous Industries for Foreign Investment in the Central and Western Regions

(Approved by the State Council, promulgated by the State Economic and Trade Commission, the State Development Planning Commission and the Ministry of Foreign Trade and Economic Cooperation as the Decree No. 18 of the State Economic and Trade Commission on June 16, 2000)

Shanxi Province

1. Storage, preservation and processing of grain, vegetables, fruits, and poultry products
2. Plantation of forests and introduction of improved varieties of tree
3. Production of non-phosphate washing powder
4. Technical transformation of cotton manufacturing, printing and dyeing enterprises
5. Manufacturing of new-type textile machinery
6. Construction and operation of highways, independent bridges and tunnels
7. Development of coal processing and application technologies and production of coal products
8. Deep-processing of coal tar
9. Exploration, exploitation and utilization of coal-bed gas resources
10. Construction and operation of thermal power stations with a unit capacity above 300,000 KW
11. Exploration and exploitation of copper resources (no sole foreign investment permitted)
12. Development and manufacturing of high-performance neodymium-iron-boron material and rare-earth electric motors

the Inner Mongolia Autonomous Region

1. Storage, preservation and processing of grain, vegetables, fruits, and poultry products
2. Plantation of forests and introduction of improved varieties of tree
3. Production of health care wine
4. Post-trimming of leather and production of high-grade leather products
5. Processing of dairy products
6. Technical transformation of wool manufacturing, wool knit goods manufacturing enterprises
7. Construction and operation of highways, independent bridges and tunnels
8. Development of coal processing and application technologies and production of coal products
9. Exploration, exploitation and utilization of coal-bed gas resources
10. Construction and operation of thermal power stations with a unit capacity above 300,000 KW
11. Construction and operation of wind power stations
12. Processing of rare-earth ore and production of rare-earth products
13. Exploration and exploitation of copper resources (no sole foreign investment permitted)
14. Processing of Chinese and Mongolian medicinal crop

Heilongjiang Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Deep-processing of soybean and corn and development and production of their products
4. Technical transformation of wood pulp and papermaking enterprises

5. 亚麻纺织及制品生产
6. 公路、独立桥梁和隧道的建设、经营
7. 煤炭加工应用技术开发及产品生产
8. 煤层气资源勘探、开发利用
9. 铜资源的勘查、开采（不允许其他独资）
10. 高精铝材加工企业技术改造
11. 电工仪表及电网智能管理控制系统设备制造
12. 计算机软件开发
13. 新型电子元器件开发、生产
14. 石墨开采、加工及制品生产
15. 抗生素药物原料生产
16. 中药冻、干、粉、针制剂生产

吉林省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 优良农业作物和畜禽品种繁育基地建设、经营
3. 林木营造及林木良种引进
4. 农作物副产品（玉米秸秆等）的综合利用
5. 化纤木浆生产企业技术改造及综合利用
6. 公路、独立桥梁和隧道的建设、经营
7. 风力发电站建设、经营
8. 乙烯下游深加工产品及精细化工产品生产
9. 汽车零部件制造
10. 汽车电子元器件生产
11. 高性能钕铁硼材料及稀土电机的开发、制造
12. 液晶显示器开发、制造
13. 计算机软件开发
14. 药用植物种植、加工和制药新工艺开发
15. 生物工程技术制药

安徽省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 棉纺织生产企业技术改造
5. 碳纤维的开发、生产
6. 公路、独立桥梁和隧道的建设、经营
7. 煤炭加工应用技术开发及产品生产
8. 煤层气资源勘探、开发利用
9. 非金属矿的勘查、开采及产品深加工
10. 农用机械制造
11. 铜材料相关电子产品制造
12. 旅游景区（点）及其配套设施的开发、建设和经营

5. Flax processing and production of lingerie
6. Construction and operation of highways, independent bridges and tunnels
7. Development of coal processing and application technologies and production of coal products
8. Exploration, exploitation and utilization of coal-bed gas resources
9. Exploration and exploitation of copper resources (no sole foreign investment permitted)
10. Technical transformation of highly refined aluminium processing enterprises
11. Manufacturing of electrotechnical instrument and electric network intelligent administration and control systems and devices
12. Development of computer software
13. Development and production of new-type electronic components
14. Exploitation and processing of graphite and production of graphite products
15. Production of raw material for antibiotic medicine
16. Production of frozen, dry, powder and injection agent of traditional Chinese medicine

Jiling Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Construction and operation of good-quality crops and livestock and fowl breeding bases
3. Plantation of forests and introduction of improved varieties of tree
4. Comprehensive utilization of by-products of crops (such as corn straw)
5. Technical transformation and comprehensive utilization of chemical fibre wood pulp production enterprises
6. Construction and operation of highways, independent bridges and tunnels
7. Construction and operation of wind power stations
8. Production of down-stream deep-processing products of ethylene and fine chemical products
9. Manufacturing of automobile components and parts
10. Manufacturing of automobile electronic components
11. Development and manufacturing of high-performance neodymium-iron-boron material and rare-earth electric motors
12. Development and manufacturing of liquid crystal display (LCD)
13. Development of computer software
14. Plantation and processing of medicinal plants and development of new pharmaceutical technologies
15. Pharmaceuticals with biological engineering technologies

Anhui Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Technical transformation of cotton manufacturing enterprises
5. Development and production of carbon fibre
6. Construction and operation of highways, independent bridges and tunnels
7. Development of coal processing and application technologies and production of coal products
8. Exploration, exploitation and utilization of coal-bed gas resources
9. Exploration and exploitation of nonmetallic mines and deep-processing of nonmetal products
10. Manufacturing of agricultural machinery
11. Manufacturing of copper-related electronic products
12. Development, construction and operation of tourist areas (spots) and their supporting facilities

江西省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 高档日用陶瓷生产（青花玲珑瓷除外）
5. 苎麻纺织及制品生产
6. 公路、独立桥梁和隧道的建设、经营
7. 煤炭加工应用技术开发及产品生产
8. 煤层气资源勘探、开发利用
9. 稀有金属（铷、铯、钽、钼、铌）冶炼、加工
10. 湿法磷酸及高浓度 NPK 复合肥生产
11. 新型电子元器件及电子发光材料开发、制造
12. 中药材、中成药加工
13. 发酵工艺药物的开发、生产
14. 旅游景区（点）及其配套设施的开发、建设和经营

河南省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 棉纺织、印染生产企业技术改造
4. 公路、独立桥梁和隧道的建设、经营
5. 煤炭加工应用技术开发及产品生产
6. 单机 30 万千瓦及以上火电站的建设、经营
7. 铜加工企业技术改造
8. 天然碱矿开采、加工
9. 新型电子元器件开发、制造
10. 新型数字产品及配套件生产
11. 电能综合管理自动化及电工仪表制造
12. 优质浮法玻璃加工
13. 中药材种植、加工

湖北省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 水资源合理开发、利用与保护工程
5. 水产品养殖及深加工
6. 棉纺织、印染生产企业技术改造
7. 高档服装面料及服装加工
8. 公路、独立桥梁和隧道的建设、经营
9. 风力发电站建设、经营
10. 磷矿开采、高浓度磷复肥、磷化工及盐化工产品生产

Jiangxi Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Production of high-grade domestic ceramics (except blue and white porcelain)
5. Ramie spinning and production of ramie products
6. Construction and operation of highways, independent bridges and tunnels
7. Development of coal processing and application technologies and production of coal products
8. Exploration, exploitation and utilization of coal-bed gas resources
9. Refining and processing of rare metals (such as rubidium, cesium, cobalt, tantalum and inobium)
10. Production of wet phosphoric acid and high concentration NPK composite fertilizer
11. Development and manufacturing of new-type electronic components and electronic luminescent materials
12. Processing of Chinese medicinal crop and Chinese patent drugs
13. Development and production of pharmaceuticals with fermentation technologies
14. Development, construction and operation of tourist areas (spots) and their supporting facilities

Henan Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Technical transformation of cotton manufacturing, printing and dyeing enterprises
4. Construction and operation of highways, independent bridges and tunnels
5. Development of coal processing and application technologies and production of coal products
6. Construction and operation of thermal power stations with a unit capacity above 300,000 KW
7. Technical transformation of copper processing enterprises
8. Exploitation and processing of native soda ore
9. Development and manufacturing of new-type electronic components
10. Manufacturing of new-type digital products and accessories
11. Manufacturing of electric energy comprehensive management automation and electrotechnical instrument
12. Processing of fine-quality float glass
13. Plantation and processing of Chinese medicinal crop

Hubei Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Rational exploitation, utilization of water resources and protective works
5. Cultivation and deep-processing of aquatic products
6. Technical transformation of cotton manufacturing, printing and dyeing enterprises
7. Processing of high-grade clothing lining and garment
8. Construction and operation of highways, independent bridges and tunnels
9. Construction and operation of wind power stations
10. Exploitation of phosphorus deposit and production of high-concentration phosphate fertilizer, products of phosphorus and salt chemical industry

11. 汽车零部件制造
12. 大型环保设备制造
13. 新型电子元器件开发、制造
14. 石墨开采及深加工

湖南省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 红壤改造工程
5. 水资源合理开发、利用与保护工程
6. 高档日用陶瓷生产
7. 苎麻纺织及制品生产
8. 公路、独立桥梁和隧道的建设、经营
9. 煤炭加工应用技术开发及产品生产
10. 铁、锰矿采选及锰系列产品深加工
11. 大规模集成电路设计与封装
12. 中药材、中成药半成品及成品生产

广西壮族自治区

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 松香深加工
5. 水产品养殖和加工
6. 蔗糖生产的综合利用
7. 公路、独立桥梁和隧道的建设、经营
8. 水电资源的开发、建设和经营
9. 锑、锌有色金属矿的开采（不允许其他独资）
10. 氟化盐、氯化盐、聚合磷酸盐生产企业技术改造
11. 新型电子元器件开发、制造
12. 中药材、中成药半成品及成品生产
13. 旅游景区（点）及其配套设施的开发、建设和经营

四川省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 优质农产品基地建设和经营
4. 竹资源的综合利用
5. 棉纺织、麻纺织、丝绸企业生产线改造
6. 公路、独立桥梁和隧道的建设、经营
7. 煤炭加工应用技术开发及产品生产
8. 水电资源的开发、建设和经营

11. Manufacturing of automobile components and parts
12. Manufacturing of large-size environmental protection equipment
13. Development and manufacturing of new-type electronic components
14. Exploitation and deep-processing of graphite

Hunan Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Reclamation projects of red earth
5. Rational exploitation and utilization of water resources and protective works
6. Production of high-grade domestic ceramics
7. Ramie spinning and production of ramie products
8. Construction and operation of highways, independent bridges and tunnels
9. Development of coal processing and application technologies and production of coal products
10. Mining and dressing of iron and manganese ore and deep-processing of manganese serial products
11. Design and packaging of large scale integrated circuit
12. Production of semi-finished and finished products of Chinese medicinal crop and Chinese patent drugs

the Guangxi Zhuang Autonomous Region

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Deep-processing of rosin
5. Cultivation and processing of aquatic products
6. Comprehensive utilization of cane sugar production
7. Construction and operation of highways, independent bridges and tunnels
8. Exploitation, construction and operation of hydroelectric resources
9. Exploitation of indium and zinc non-ferrous metal deposit (No sole foreign investment permitted)
10. Technical transformation of salt fluoride, salt chloride and phosphate polymeride production enterprises
11. Development and manufacturing of new-type electronic components
12. Processing of semi-finished and finished products of Chinese medicinal crop and Chinese patent drugs
13. Development, construction and operation of tourist areas (spots) and supporting facilities

Sichuan Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Construction and operation of fine-quality agricultural products
4. Comprehensive utilization of bamboo resources
5. Transformation of production lines of cotton, bast fibre and silk manufacturing enterprises
6. Construction and operation of highways, independent bridges and tunnels
7. Development of coal processing and application technologies and production of coal products
8. Development, construction and operation of hydroelectric resources

9. 钒钛矿物开采及加工（不允许其他独资）
10. 天然气资源开发及天然气化工产品生产
11. 计算机软件开发及网络产品制造
12. 新型数字产品及配套件制造
13. 新型电子元器件制造
14. 中药材、中成药、植物化学原料药开发、生产
15. 旅游景区（点）及其配套设施的开发、建设和经营

重庆市

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 水资源合理开发、利用与保护
5. 库区生态环境保护及整治工程
6. 苧麻纺织及制品生产企业技术改造
7. 公路、独立桥梁和隧道的建设、经营
8. 城市地铁、轻轨交通建设、经营（中方控股或占主导地位）
9. 天然气勘查、开采及天然气化工产品生产
10. 汽车、摩托车零部件及电子元器件制造
11. 大型环保设备制造
12. 大型成套自动控制系统制造
13. 中药材、中成药半成品及成品生产

云南省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 花卉及栽培技术引进、开发、经营；现代花卉园区建设和经营
4. 竹资源的综合利用
5. 天然香料、食用菌的种植、加工
6. 水资源合理开发、利用与保护工程
7. 滇池污染治理及环境保护工程
8. 绿色食品、保健食品开发、生产
9. 蔗糖生产的综合利用
10. 公路、独立桥梁和隧道的建设、经营
11. 煤炭加工应用技术开发及产品生产
12. 磷矿开采、高浓度磷复肥、磷化工产品生产
13. 中药、生物药开发、生产
14. 旅游景区（点）及其配套设施的开发、建设和经营

9. Exploitation and processing of schreyerite ore (no sole foreign investment permitted)
10. Exploitation of natural gas resources and production of products of gas chemical industry
11. Development of computer software and manufacturing of network products
12. Manufacturing of new-type digital products and accessories
13. Manufacturing of new-type electronic components
14. Development and production of Chinese medicinal crop, Chinese patent drugs and phyto-chemical materials
15. Development, construction and operation of tourist areas (spots) and their supporting facilities

Chongqing Municipality

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Rational exploitation and utilization of water resources and protective works
5. Protection and renovation projects for the ecological environment in the reservoir region
6. Technical transformation of ramie spinning and ramie products production enterprises
7. Construction and operation of highways, independent bridges and tunnels
8. Construction and operation of city metro, light rail communications (the Chinese side holds the controlling share or takes the dominant position)
9. Exploration and exploitation of natural gas and production of products of gas chemical industry
10. Manufacturing of components and parts for automobiles and motor cars and electronic components
11. Manufacturing of large-size environmental protection equipment
12. Manufacturing of large-size complete automatic control systems
13. Production of semi-finished and finished products of Chinese medicinal crop and Chinese patent drugs

Yunan Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Introduction, development and operation of flowers and plants and floristry; construction and operation of modern flowers and plants gardens
4. Comprehensive utilization of bamboo resources
5. Plantation and processing of natural perfume material edible mushroom
6. Rational exploitation and utilization of water resources and protective works
7. Pollution administration and environmental protection projects for Dianchi
7. Development of coal processing and application technologies and production of coal products
8. Development and production of green food and health care food
9. Comprehensive utilization of cane sugar production
10. Construction and operation of highways, independent bridges and tunnels
11. Development of coal processing and application technologies and production of coal products
12. Exploitation of phosphorus deposit and production of high-concentration phosphate fertilizer, products of phosphorus chemical industry
13. Development and production of traditional Chinese medicine and biological medicine
14. Development, construction and operation of tourist areas (spots) and their supporting facilities

贵州省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 竹资源的综合利用
4. 水资源合理开发、利用与保护工程
5. 公路、独立桥梁和隧道的建设、经营
6. 煤炭加工应用技术开发及产品生产
7. 钛冶炼、加工企业技术改造
8. 低品位、难选冶金矿开采
9. 钡盐生产企业技术改造
10. 磷矿开采、高浓度磷复肥、磷化工产品生产
11. 新型电子元器件开发、制造
12. 中药材、中成药半成品及成品生产
13. 旅游景区（点）及其配套设施的开发、建设和经营

西藏自治区

1. 粮食、蔬菜、水果、禽畜产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 民族特需产品、工艺美术、包装及容器材料及制品生产
4. 公路、独立桥梁和隧道的建设、经营
5. 电力基础设施及新能源电站建设、经营
6. 铬矿的开采与加工（不允许其他独资）
7. 盐湖资源的开发利用
8. 新型干法水泥生产线
9. 藏成药品的开发、生产
10. 旅游景区（点）及其配套设施的开发、建设和经营

陕西省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 棉纺织及印染生产企业技术改造
4. 公路、独立桥梁和隧道的建设、经营
5. 煤炭加工应用技术开发及产品生产
6. 煤层气资源勘探、开发利用
7. 铜资源的勘查、开采（不允许其他独资）
8. 天然气资源开发及天然气化工产品生产
9. 现场总线智能仪表制造
10. 新型电子元器件开发、制造
11. 天然药物、保健药物及保健用品生产
12. 民用飞机设计与制造（中方控股或占主导地位）
13. 旅游景区（点）及其配套设施的开发、建设和经营

Guizhou Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Comprehensive utilization of bamboo resources
4. Rational exploitation and utilization of water resources and protective works
5. Construction and operation of highways, independent bridges and tunnels
6. Development of coal processing and application technologies and production of coal products
7. Technical transformation of titanium refining and processing enterprises
8. Exploitation of low-grade and hard-to-dress metallurgical mines
9. Technical transformation of barium salt production enterprises
10. Exploitation of phosphorus deposit and production of high-concentration phosphate fertilizer, products of phosphorus chemical industry
11. Development and manufacturing of new-type electronic components
12. Production of semi-finished and finished products of Chinese medicinal crop and Chinese patent drugs
13. Development, construction and operation of tourist areas (spots) and their supporting facilities

the Xizang Autonomous Region

1. Storage, preservation and processing of grain, vegetables, fruits, and poultry products
2. Plantation of forests and introduction of improved varieties of tree
3. Production of products with national characteristics, arts and crafts, packing and container materials
4. Construction and operation of highways, independent bridges and tunnels
5. Construction and operation of electrical infrastructure and new-energy power stations
6. Exploitation and processing of chrome mineral (No sole foreign investment permitted)
7. Exploitation and utilization of salt lake resources
8. New-type dry cement production lines
9. Development and production of finished products of Tibetan medicine
10. Development, construction and operation of tourist areas (spots) and their supporting facilities

Shaanxi Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Technical transformation of cotton manufacturing, printing and dyeing enterprises
4. Construction and operation of highways, independent bridges and tunnels
5. Development of coal processing and application technologies and production of coal products
6. Exploration, exploitation and utilization of coal-bed gas resources
7. Exploration and exploitation of copper resources (no sole foreign investment permitted)
8. Exploitation of natural gas resources and production of products of gas chemical industry
9. Manufacturing of on-site bus intelligent instrument
10. Development and manufacturing of new-type electronic components
11. Production of natural drugs, health care medicine and health products
12. Design and manufacturing of civil aircraft (the Chinese side holds the controlling share or takes the dominant position)
13. Development, construction and operation of tourist areas (spots) and their supporting facilities

甘肃省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 优质酿酒葡萄基地建设, 优质葡萄酒酿制
4. 马铃薯淀粉、玉米淀粉深加工
5. 水资源合理开发、利用与保护工程
6. 毛纺织生产企业技术改造、产业用纺织品开发、生产
7. 公路、独立桥梁和隧道的建设、经营
8. 超高功率石墨电极及碳素制品生产
9. 天然气化工产品生产
10. 钻机及油田设备制造
11. IC 元件集成电路封装及电子专用设备、仪器制造
12. 旅游景区(点)及其配套设施的开发、建设和经营

青海省

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 水资源合理开发、利用与保护工程
4. 公路、独立桥梁和隧道的建设、经营
5. 铜、铝、锌矿开采、冶炼、加工(不允许其他独资)
6. 钾资源的开发、加工
7. 盐湖资源综合利用及产品生产
8. 新型建筑材料生产
9. 中药、藏药材种植、加工
10. 旅游景区(点)及其配套设施的开发、建设和经营

宁夏回族自治区

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工
2. 林木营造及林木良种引进
3. 水资源合理开发、利用与保护工程
4. 葡萄的种植和酿酒
5. 玉米、马铃薯种植及深加工
6. 蚕养殖、蚕茧丝加工
7. 公路、独立桥梁和隧道的建设、经营
8. 钽、铌的冶炼和加工
9. 钽电容及钽粉生产制造
10. 旅游景区(点)及其配套设施的开发、建设和经营

新疆维吾尔自治区

1. 粮食、蔬菜、水果、禽畜产品、水产品的贮藏、保鲜和加工

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Gansu Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Construction of fine-quality vinifera base and brewing of fine-quality wine
4. Deep-processing of potato flour and cornstarch
5. Rational exploitation and resources of water resources and protective works
6. Technical transformation of wool manufacturing enterprises, development and production of industrial textile
7. Construction and operation of highways, independent bridges and tunnels
8. Production of ultra high graphite electrode and carbon products
9. Production of products of gas chemical industry
10. Manufacturing of drilling machine and oil-field equipment
11. Packaging of IC-component integrated circuit and manufacturing of dedicated electronic equipment and instrument
12. Development, construction and operation of tourist areas (spots) and their supporting facilities

Qinghai Province

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Rational exploitation and utilization of water resources and protective works
4. Construction and operation of highways, independent bridges and tunnels
5. Exploitation, refining and processing of copper, aluminium and zinc deposit (no sole foreign investment permitted)
6. Exploitation and processing of potassium resources
7. Comprehensive utilization of salt lake resources and production of its products
8. Manufacturing of new-type building materials
9. Plantation and processing of Chinese and Tibetan medicinal crop
10. Development, construction and operation of tourist areas (spots) and their supporting facilities

the Ningxia Hui Autonomous Region

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products
2. Plantation of forests and introduction of improved varieties of tree
3. Rational exploitation and utilization of water resources and protective works
4. Plantation of grapes and brewing
5. Plantation and deep-processing of corn and potato
6. Breeding of silkworm and processing of cocoon
7. Construction and operation of highways, independent bridges and tunnels
8. Refining and processing of tantalum and niobium ore
9. Manufacturing of tantalum capacitor and tantalum powder
10. Development, construction and operation of tourist areas (spots) and their supporting facilities

the Xinjiang Uygure Autonomous Region

1. Storage, preservation and processing of grain, vegetables, fruits, poultry and aquatic products

2. 林木营造及林木良种引进
3. 优良蕃茄种植及深加工
4. 优质葡萄的种植及酿酒生产
5. 水资源合理开发、利用与保护工程
6. 公路、独立桥梁和隧道的建设、经营
7. 棉纺织生产企业技术改造及新产品的开发
8. 风力发电、太阳能发电的建设、经营
9. 锂盐的开发（不允许其他独资）
10. 旅游景区（点）及其配套设施的开发、建设和经营

2. Plantation of forests and introduction of improved varieties of tree
3. Plantation and deep-processing of fine-quality tomato
4. Plantation of fine-quality grapes and brewing
5. Rational exploitation and utilization of water resources and protective works
6. Construction and operation of highways, independent bridges and tunnels
7. Technical transformation of cotton manufacturing enterprises and development of new products
8. Construction and operation of wind and solar power stations
9. Exploitation of lithium salt (no sole foreign investment permitted)
10. Development, construction and operation of tourist areas (spots) and their supporting facilities

关于实施对设在中西部地区其他资源企业给予三年 减按 15% 税率征收企业所得税的优惠的通知

(国家税务总局 1999 年 12 月 17 日发布 国税发 [1999] 172 号)

国务院最近决定,对设在中西部地区的国家鼓励类其他资源企业,在现行税收优惠政策执行期满后的三年内,可以减按 15% 的税率征收企业所得税。现就实施这一税收优惠政策的有关问题通知如下:

一、关于执行的地域范围

可执行本项税收优惠政策的中西部地区是指:山西、内蒙古、吉林、黑龙江、安徽、江西、河南、湖北、湖南、重庆、四川、贵州、云南、西藏、陕西、甘肃、青海、宁夏和新疆共 19 个省(自治区、直辖市)的全部行政区域。

二、关于执行的产业范围

可执行本项税收优惠政策的国家鼓励类其他资源企业是指:从事经国务院批准,由国家发展计划委员会、国家经济贸易委员会和对外贸易经济合作部联合发布的《其他资源产业指导目录》中鼓励类和限制乙类项目以及经国务院批准的优势产业和优势项目的其他资源企业。

三、关于优惠期的计算

在现行税收优惠政策执行期满后的三年内为本项税收优惠政策的优惠期间。在现行税收优惠政策执行期满后的三年是指,享受《中华人民共和国其他资源企业和外国企业所得税法》(以下称税法)第八条第一款和税法实施细则第七十五条第一款第(八)项规定的减免税期满后的三年。

在本项税收优惠期间,企业同时被确认为产品出口企业且当年出口产值达到总产值 70% 以上的,可再依照税法实施细则第七十五条第一款第(七)项规定,减半征收企业所得税,但减半后的税率不得低于 10%。

四、关于审批程序

可享受本项税收优惠政策的企业应将其申请、营业执照、章程和生产经营情况等有关资料报当地主管税务机关审核。具体申报期限、审核程序和批准权限,由省(自治区、直辖市或计划单列市)级税务机关依据有关税收法律、法规和本通知规定,结合各地实际情况制定实施办法,并报国家税务总局备案。

Circular on the Implementation of Favorable Policy toward the Foreign-Invested Enterprises in the Central and Western Regions on Reduction of Tax Rate by 15% of their Income Taxes for 3 Years

(Promulgated by the State Administration of Taxation on December 17, 1999)

The State Council recently decided to reduce the tax rate by 15 percent for the foreign-invested enterprises in the central and western regions encouraged by the State within three years after the expiration of the current preferential tax policy toward them. The circular on the relevant questions on implementation of this preferential tax policy is as following:

1. The scope of implementation

The central and western regions where the preferential tax policy may be implemented are referred to: All the administrative areas of 19 provinces, autonomous regions and municipalities directly under the Central Government including Shanxi, Inner Mongolia, Jilin, Heilongjiang, Anhui, Jiangxi, Henan, Hubei, Hunan, Chongqing Sichuan, Guizhou, Yunnan, Tibet, Shaanxi, Gansu, Qinghai, Ningxia and Xinjiang.

2. The industrial scope of implementation

The foreign-invested enterprises encouraged by the State which may implement this preferential tax policy are referred to: Those foreign-invested enterprises engage in projects of encouragement and B ones of limitation in the Guide Catalogue of Foreign-Invested Industries approved by the State Council and jointly issued by the State Development and Planning Commission, the State Economic and Trade Commission and the Ministry of Foreign Trade and Economic Cooperation and superior industries and projects approved by the State Council.

3. On Counting of the Preferential Period

The three years after the expiration of implementation of the current preferential tax policy will be the preferential period of this preferential tax policy. The three years after the expiration of implementation of the current preferential tax policy are referred to the three years after the expiration of enjoying the reduction and exemption of tax stipulated by the First Clause of Article 8 of the Law of the People's Republic of China on Income Taxes of the Foreign-Invested Enterprises and Foreign Ventures (hereinafter referred to as the Tax Law) and the Eighth Item of the First Clause of Article 75 Detailed Implementation Regulations of Tax Law.

During the period of this tax preferential treatment, the enterprises are affirmed that they are ones of output export and their output value of export at that year reach the total output value of more than 70 percent. The income tax of these enterprises may be reduced a half according to the the Seventh Item of the First Clause of Article 75 of the Detailed Implementation Regulations of the Tax Law, the tax rate after reducing a half will not be lower than 10 percent.

4. Procedures of Examination and Approval

The enterprises which can enjoy this preferential tax policy should send application, business licenses, constitutions and production and operation materials to local competent tax authorities for examination and verification. The competent tax authorities at the provincial level (autonomous regions, municipalities directly under the Central Government or independent accounting municipalities) will work out measures to implement the time limit of concrete application, procedure of examination and approval and the limits of authority of approval in accordance with the relevant tax laws, regulations and stipulations of this circular and combining with the actual conditions of various places and report them to the State Administration of Taxation for the record.

五、关于执行时间

本项税收优惠政策自 2000 年 1 月 1 日起执行。至 2000 年 1 月 1 日沿处于本通知第三条第一款规定的税收优惠期间的企业，可就自 2000 年 1 月 1 日起的剩余优惠年限享受本项税收优惠政策；至 2000 年 1 月 1 日已过本项优惠期间的企业，不得追补享受本项税收优惠政策。

5. The time of Implementation

This preferential tax policy will come into force as of January 1, 2001. Up to January 1, 2000 the enterprises which enjoy the preferential tax policy according to the First Clause of Article 3 of this circular can continue to enjoy the surplus preferential tax policy from January 1, 2000; from January 1, 2000 the enterprises which pass the period of this preferential policy will not enjoy this preferential tax policy.

关于禁止向西部地区转移污染的紧急通知

(国家环保总局、国家经贸委 2000 年 9 月 22 日 环发 [2000] 184 号)

生态环境保护和建设是实施西部大开发战略的主要内容，是西部地区可持续发展的重要基础。但近来发现个别地方向西部地区转移落后工艺、设备、产品及废物，如不及时制止，将严重影响西部大开发战略的顺利实施。现紧急通知如下：

一、对于《国务院关于环境保护若干问题的决定》规定关停的十五类严重污染环境的小企业（以下简称“十五小”）、国家经贸委要求关停的小火电机组和清理整顿的小玻璃厂、小水泥厂、小炼油厂、小钢铁厂（以下简称“新五小”）以及国家经贸委《关于公布第一批严重污染环境（大气）的淘汰工艺与设备名录的通知》（国经贸资 [1997] 367 号）、国家经贸委《淘汰落后生产能力、工艺和产品的目录》（第一批、第二批）（1999 年第 6 号和第 16 号令）和国家经贸委《工商资源领域制止重复建设目录》（第一批）（1999 年第 14 号令）规定淘汰和禁止资源的生产能力、工艺和设备及产品，包括目前尚不到限期的，在西部地区建设中一律不得立项建设。

二、建设项目立项和竣工验收时，各级环保、经贸部门要严格审查，从严控制。环保部门要严格审批建设项目，对向西部地区转移污染项目，不得审批其环境影响报告书（表）。在新建、扩建、改建和技术改造项目的环境影响评价报告书（表）审批和“三同时”验收时，环保、经贸部门要把淘汰的工艺设备及废物的处理途径和办法作为审查的重要内容，严格把关。西部地区各省、自治区、直辖市环保部门要会同经贸部门制定重污染行业和产品名录，对列入名录的建设项目环境影响评价应明确上收一级审批权。

三、要加强对“十五小”、“新五小”及淘汰工艺设备的监督管理，禁止向西部地区转移。对已经取缔的“十五小”及淘汰的工艺设备，各级环保、经贸部门要建立并实行淘汰设备登记、销毁制度，同时要落实具体的销毁办法与措施。

四、各地要严格遵守《中华人民共和国固体废物污染环境防治法》的规定，严格执行固体废物转移报告审批制度。加强废物的综合利用，制定和落实有关废物利用的优惠政策。严格控制固体废物的转移，禁止中国境外的固体废物进境倾倒、堆放、处置。西部地区各省、自治区、直辖市环境保护行政主管部门要从严控制固体

Urgent Circular on Banning the Transfer of Pollution to Western China

(Promulgated by the State Environmental Protection Administration
and the State Economic and Trade Commission on September 19, 2000.)

Ecological environmental protection and construction are major parts of the carrying out of the strategy of the development of the western region of China, and an important foundation for sustainable development in that area. However, some localities have been found transferring backward technology, equipment, products and waste to western regions. If such phenomena are not banned in time, the smooth carrying out of western development will be seriously hampered. Urgent regulations in this regard are as follows:

I. Projects not allowed to be registered and constructed in western-area reconstruction include: The 15 types of small enterprises seriously polluting the environment that were ordered to shut down or stop production by Decision of the State Council on Several Issues Concerning Environmental Protection (hereinafter referred to as the 15 small ones); small thermal power units which were ordered to close down and small glass factories, small cement plants, small oil refineries and small iron and steel plants which were ordered to treat their pollution by the State Economic and Trade Commission (hereinafter referred to as the new five small ones); and production capacity, industrial technology, equipment and products, including those not expired, which are stipulated to be phased out or banned in such documents issued by the State Economic and Trade Commission (SETC) as the Circular on the Publication of the First Catalogue of Phased-out Technology and Equipment Seriously Polluting the Environment (Guo Jing Mao Zi [1997] No. 367), Catalogue of Backward Production Capacity, Technology and Product to be Phased-out (first and second batch) (No. 6 and No. 16 Decree in 1999), and Catalogue of Ban of Repeated Construction to be Prohibited in Industry and Commercial Investment (first batch) (No. 14 Order in 1999).

II. Departments of environmental protection and economy and trade at all levels shall strictly examine and control during the time of the registration and completion/acceptance of construction projects. Environmental protection departments shall strictly examine and approve construction projects. The Environmental Impact Statement (Form) should not be examined and approved for projects transferring pollution to the western region. Departments of environmental protection and economy and trade shall take ways and measures of handling eliminated technological equipment and waste disposal as the important content of examination and control strictly when examining, and approving the Environmental Impact Statement (Form) and making "three simultaneity's" acceptance for new construction, expansion, reconstruction and technical renovation projects. Environmental protection departments of provinces, municipalities and autonomous regions in the western part of the country shall, together with economy and trade departments, to formulate a list of heavy-pollution industries and products, and be clearly stipulated that the examining and approving of the environmental impact assessment for construction projects listed shall be done by departments one level higher.

III. Inspection and administration of eliminated technology and equipment of the 15 small ones and the new five small ones shall be enhanced, and the eliminated technology and equipment are forbidden to be shifted to the western region. For the canceled 15 small ones and eliminated technology and equipment, departments of environmental protection and economy and trade shall set up a registration system for elimination recording and destroying. Meanwhile, specific methods and measures to destroy eliminated equipment shall be effectuated.

IV. All localities shall conscientiously observe the Law on the Prevention and Control of Environmental Pollution by Solid Waste, and strictly implement the examination and approval system for solid

废物转移进入本行政区域的审批，强化监管力度。

五、各级环保、经贸部门要高度重视此项工作，加强执法监督，严肃查处违法行为。要建立工作责任制，要依法行政，凡不按规定审批和严格监督管理的，要追究有关部门和人员的责任。

接此通知后，请各省、自治区、直辖市环保、经贸部门组织开展专项执法检查，并将检查情况于2000年11月20日前报国家环保总局和国家经贸委。

waste transfer. All localities shall draw up and put into practice preferential policies for the utilization of waste, so as to strengthen the comprehensive utilization of waste. The transfer of solid waste shall be strictly controlled and the dumping, storing or disposal of foreign solid waste within the territory of China shall be prohibited. Competent departments of environmental protection administration of provinces, municipalities and autonomous regions in the western area shall strictly monitor solid waste transfer into their administrative regions, so as to intensify inspection and management.

V. Departments of environmental protection and economy and trade at all levels should place great stress on this work, strengthen law enforcement, and conscientiously investigate and crack down on illegal acts. They should also establish work responsibility systems, and exercise power according to law. Those, including related departments and personnel, not abiding by the stipulations when approving projects and failing to conduct strict inspection and administration shall be investigated for responsibility.

On receiving this Circular, departments of environmental protection and economy and trade of provinces, municipalities and autonomous regions are required to organize the launching of special law-enforcement examinations, and submit the results to the State Environmental Protection Administration and the State Economic and Trade Commission before November 20, 2000.

关于西部大开发中加强建设项目环境保护管理的若干意见

(国家环保总局 2001 年 1 月 10 日 环发 [2001] 4 号)

为了全面贯彻实施党中央、国务院确定的西部大开发战略,保护和改善西部地区生态环境,西部开发建设活动中的环境保护管理工作必须坚持预防为主、保护优先、防治结合的原则。同时,应针对西部地区地域自然条件差异明显,生态系统脆弱,珍稀濒危动、植物和自然保护区分布比较集中的特点,结合建设项目的行业特点,进行分区分类指导,明确保护重点和具体措施。为此,提出以下意见:

一、针对西部地区生态环境比较脆弱的特点,要坚决贯彻生态环境保护与建设并举的方针,强化开发建设活动的环境管理,认真贯彻执行《全国生态环境保护纲要》和《建设项目环境保护管理条例》,切实做好建设项目的环境影响评价和环境保护“三同时”管理工作。

二、建设项目应符合国家产业发展政策,严格执行国家淘汰落后工艺、设备目录的规定,污染物排放总量符合当地环境承载能力,防止重污染企业及技术、工艺、设备向西部转移。

三、建设项目的选址、选线和布局应与所在区域、流域的规划和环境功能区划相协调,避免对当地敏感环境目标造成影响,导致当地环境质量严重恶化或生态系统功能急剧退化。对于跨区域,跨流域,对当地生态环境产生重大影响的大型项目,不得化整为零或化大为小,也不得以周期短、时间紧或特殊性为由,降低环境保护的审批要求或环境影响评价级别;建设项目实施过程中,其选址、规模、地点、运营方式及生产工艺发生重大变化时,配套的污染治理设施和生态保护措施应按有关规定作相应调整。

四、公路、铁路、管道运输、水利、水电、城市基础设施及矿产资源开发等施工期长、对生态环境影响大的建设项目,应推行施工期环境监理试点。严格限制在交通干线、居民区的可视范围内开山取石,避免破坏自然景观。

Proposals on Strengthening Management of Environmental Protection of Construction Projects in the Large-scale Development of the Western Region

(Promulgated by the State Environmental Protection Administration on January 8, 2001)

Environmental protection and management work in the development and construction activities of the western region must adhere to the principle of putting prevention first, protecting priority and combining prevention with control in order to implement the strategy of a large-scale development of the western region determined by the Party Central Committee and the State Council, protect and improve the ecological environment of the western region. Meanwhile, in line with the features of a marked difference in the natural conditions, the fragile ecological system, rare animals and plants that are in imminent danger and relatively concentrated nature reserves in the western region and combining the industrial characteristics of the construction projects, classified guidance to the region shall be conducted and focus on protection and specific measures shall be clearly made. To this end, following opinions are put forward:

1. In line with the characteristics of a relatively fragile ecological environment of the western region, it is firmly to implement the policy of laying equal stress on the protection and construction of the ecological environment, reinforce environmental management of the development and construction activities, earnestly implement the Outlines on the National Ecological and Environmental Protection and the Regulations on the Management of Environmental Protection of Construction Projects, and make a good job in real earnest of assessing the effects of construction projects on the environment and management of the environmental control devices that must be included in the design of all new engineering projects, constructed and commissioned simultaneously with the construction of the main project.

2. Construction projects shall be in compliance with the industrial development policy of the state and strictly implement the provisions of the catalog of the state for eliminating backward technologies and equipment. Total pollutant discharges shall be in accord with the environmental bearing capacity of the locality and guard against the shifting of the seriously polluted enterprises, techniques, technologies and equipment to the western region.

3. Selection of sites and lines and the layout of the construction projects shall cohere with the plan and the environmental functional areas of the locality and the river basin, avoid impacts on the sensitive environmental targets of the locality and give rise to a serious deterioration of the local environmental quality or an accelerated degeneration of the ecosystem. Transregional and interbasin large-sized projects that may have great impacts on the local ecological environment are neither allowed to break up the whole into parts or turn big issues into small ones, nor are allowed to reduce the demand for the examination and approval of environmental protection or the assessment grade of the impact on the environment on the ground of a short construction cycle, tight time or other particularities; in the course of implementing the construction projects, when their site selection, scale, location, operational forms and productive technology change greatly, the supporting installations for pollution control and the measures for the ecological protection shall be adjusted accordingly in accordance with relevant provisions.

4. Construction projects such as construction of highways, railways, pipe transportation, water conservancy, hydropower, urban infrastructures and development of mineral resources with a long construction period and great impacts on the ecological environment shall implement the experiment with environmental supervision and management during the construction period. Cutting mountains for stones is strictly prohibited within the visual range of the main transport lines and residential quarters

五、加强生态环境保护措施的竣工验收管理。各地环境保护行政主管部门对于在竣工验收或营运中发现有重要环境问题或具有长期累积性、潜在性环境影响的生态建设项目，或在环境影响评价中要求进行环境影响后评价的项目，应在项目建成营运后进行环境影响的后评价工作。

六、结合西气东输、西电东送和南水北调等跨区域、跨流域大型建设项目的实施，开展区域、流域环境影响评价试点工作。结合西部生态环境现状调查、生态环境功能区划及生态环境保护规划等工作，对主要环境问题、污染物总量控制目标、自然资源合理利用、生态环境保护和恢复做出评价，提出综合决策建议。

七、在建设项目环境管理中，应加强自然保护区、江河源头区、重要水源涵养区、江河洪水调蓄区、防风固沙区、水土保持的重点预防保护区和重点监督区、重要渔业水域、湖泊湿地区、荒漠绿洲区等区域生态功能的保护，停止一切导致生态功能退化的开发建设项目；加强水资源、土地资源、林草资源、野生物种资源、景观资源和历史文化遗产的保护以及资源开发的生态保护监督管理。对确实无法避免的影响，应提出和落实补偿性措施，占用生态用地的，实行“占一补一”的制度，确保恢复面积不少于占用面积。

八、严禁在自然保护区的核心区、缓冲区进行旅游开发。在自然保护区实验区进地的旅游开发，应注重评价游客数量增加、旅游设施建设和旅游线路开发对生态环境的影响，提倡“区内旅游区外住”，合理设计旅游路线，确保旅游设施建设与自然景观相协调，维持自然保护区的自然本色和生态功能。

九、自然资源的开发和植树造林、水土保持、防沙治沙、草原建设等重大生态环境建设项目必须开展环境影响评价。评价中应注重水资源的合理配置及利用、生物多样性保护、外来物种入侵防范、水土保持、防止土地盐渍化等生态环境问题的评价分析。加强农村畜禽养殖场建设环境影响评价，严防农村非工业点源污染。

十、在青藏高原区的“江河源”等生态功能区应禁止任何导致生态功能严重退化的开发建设活动；牧业开发应避免盲目引种和超载过牧，确保生物安全，防止草场退化；禁止盲目垦荒，防止土地退化；严格控制新建对生态环境影响较大的矿业开发项目；水利水电及交通项目的选址和选线应注意对生物多样性，自然景观、生态脆弱地带、历史文物古迹的保护。

so that destruction of the natural landscape can be avoided.

5. Strengthen the management of completion and acceptance of the installations for ecological and environmental protection. The competent departments in charge of environment in various localities shall conduct the follow-up assessment work of the completed projects for the impact on the environment if they discover major environmental problems in the acceptance or operation of the projects or the ecological construction projects with long accumulated and potential impacts on the environment, or projects whose assessment is required to be conducted for the impact on the environment in the assessment of the environmental impact.

6. In line with the implementation of large-sized transregional and interbasin projects of transmitting gas and electricity from west to east and diverting water from south to north, experimental work for the environmental impact assessment of the region and river basin shall be conducted. In accordance with the investigation of the current ecological environment, the functional areas of the ecological environment and the plan for the protection of the ecological environment in the western region, assessment shall be made for the major environmental problems, the target for the total control of pollutants, the rational utilization of natural resources, and the protection and restoration of the ecological environment, and suggestions for the comprehensive decision-making shall be put forward.

7. In the environmental management of the construction projects, it is necessary to strengthen the protection of the ecological functions of nature reserves, areas of river and lake sources, important conservation areas of headwaters, flood pondage areas of rivers and lakes, areas for checking the wind and fixing the shifting sand, major prevention and protection areas and major supervisory areas for conserving water and land, major fishery waters, wet areas of lakes, and desert and oasis areas, and stop development and construction of projects that may give rise to the degeneration of the ecological functions; it is necessary to strengthen the protection of water, land, forest and grass, wild species and landscape resources, and historical and cultural heritages, and supervision and management of ecological protection for the development of resources. If the impact is indeed hard to be avoided, compensatory measures shall be raised and implemented. The system of "occupying and making up the ecological land" shall be implemented so that the restored area is no less than the occupied area.

8. Tourist development is strictly forbidden in the central and buffer areas of nature reserves. Those who conduct tourist development in the experimental areas of the nature reserves shall pay close attention to assessing the impact on the ecological environment of the increase in the number of tourists, construction of tourist facilities and development of tourist routes, encourage "tourists to stay outside the tourist areas," rationally project the tourist routes so as to ensure that construction of the tourist facilities shall cohere with the natural landscape and maintain the true qualities of the nature and ecological functions of the nature reserves.

9. Environmental impact assessment must be launched for major ecological and environmental construction projects such as development of natural resources, tree planting, conservation of water and land, sand prevention and control, and range construction. Attention shall be paid to the assessment and analysis of rational distribution and utilization of water resources, protection of bio-diversity, precautions against the foreign invasion species, preservation of water and land, and prevention of soil salinization. It is necessary to strengthen the environmental impact assessment of the construction of the rural fowl and livestock farms and strictly guard against pollution of the rural deindustrial spots.

10. Any development and construction activities in the ecological functional areas of the "river and lake headwaters" on the Qinghai-Tibet Plateau that may cause a serious degeneration of the ecological functions are forbidden; pastoral development shall avoid a blind introduction and overload and excessive livestock breeding so as to guarantee biological safety and guard against the degeneration of meadows; blind reclamation shall be forbidden and land degeneration shall be prevented; construction of new mineral development projects that may have a major impact on the ecological environment shall be strictly controlled; attention shall be paid to the protection of bio-diversity, natural landscapes, ecological fragile belts, and historical and cultural relics, while selecting the sites and lines for water conservancy and hydropower projects.

十一、在干旱、半干旱区严格控制开荒及增加引水量的农业开发项目，停止新上高耗水项目；在水生态问题突出的地区，停止新的加重水平衡失调的蓄水、引水和灌溉工程。发展节水灌溉及高效农业项目；引水、农田灌溉等水利项目环境影响评价中应重视流域水资源平衡，坚持“以水定规模”的原则，保护流域水质和保证生态用水，防止土地盐渍化；在矿业开发、石油天然气勘探和开采、交通及管道运输等项目的建设过程中，应保护地下水源，减小开挖面积，边施工边恢复；在干旱、半干旱地区采用生物与工程措施相结合的方式，防止水土流失。

十二、在西南山地区的梯级电站开发中，应进行流域环境影响评价，注重珍稀动、植物保护，避开水生生物洄游、产卵场所及珍稀动、植物分布密集区域，严格控制阻断生物洄游通道的项目，必须建设的项目如阻断天然洄游通道时，应设置人工洄游通道或建设人工繁殖放养场所；影响到国家保护动、植物物种的建设项目，环境影响评价中应提出受影响物种的种群数量和分布范围，制定保护、防范和补救措施；交通、矿业开发及管道运输项目的环境影响评价中，应重视环境风险分析评价，预防项目建设和运营诱发泥石流、滑坡等地质灾害。

11. Reclamation of wasteland and agricultural development projects that may increase the diversion volume shall be rigorously controlled in the arid and semi-arid areas and construction of new projects that consume a high volume of water shall be stopped; in areas where the aquatic ecological problems are serious, construction of new water storage, diversion and irrigation projects that may aggravate water imbalance shall be stopped. Water conservation and higher effective agricultural projects shall be promoted; environmental impact assessment for water conservancy projects of diversion and farmland irrigation shall pay attention to the balance of water resources of the river basin, adhere to the principle of "determining the scale by water," protect the water quality of the river basin, guarantee water for ecological purposes and prevent soil salinization; with regard to the development of mineral resources, exploitation and mining of petroleum and gas, and construction of transport and pipe transport projects, it is necessary to protect underground water resources, reduce the mining area, and construction and restoration shall be conducted simultaneously; the method of combining biological measures with engineering ones shall be adopted in the arid and semi-arid areas so as to prevent soil erosion.

12. In the construction of the step power stations in the mountainous areas of southwest China, it is necessary to carry out the environmental impact assessment of the river basin, pay attention to the protection of rare plants and animals, keep away from the migration and spawning places of hydrobios and highly distributed areas of rare plants and animals, strictly control the construction projects that may block the migration of hydrobios. Projects that must be constructed and block the natural migration channel shall erect the man-made migration channel or construct the man-made breeding and stocking places; as for the construction projects that may influence the protection of plants and animals by the state, the environmental impact assessment shall put forward the population and distribution area of the affected species, formulate the protective, precautionary and remedy measures; in the assessment of the environmental impact for the transport, mineral development and pipe transport projects, attention shall be paid to the analysis and assessment of the environmental risks and prevention of the construction and operation of the projects that may bring out such geological calamities as debris flows and landslides.

关于实施西部大开发若干政策措施的通知

(摘录)

(国务院发布, 自 2001 年 1 日起实施)

实施西部大开发战略, 加快中西部地区发展, 是我国现代化战略的重要组成部分, 是党中央高瞻远瞩、总揽全局、面向新世纪作出的重大决策, 具有十分重大的经济和政治意义。为体现国家对西部地区的重点支持, 国务院制定了实施西部大开发的若干政策措施。现将有关问题通知如下:

一、制定政策的原则和支持的重点

(二) 重点任务和战略目标。当前和今后一段时段, 实施西部大开发的重点任务是: 加快基础设施建设; 加强生态环境保护和建设; 巩固农业基础地位, 调整工业结构, 发展特色旅游业; 发展科技教育和文化卫生事业。力争用 5 到 10 年时间, 使西部地区基础设施和生态环境建设取得突破性进展, 西部开展有一个良好的开局。到 21 世纪中叶, 要将西部地区建成一个经济繁荣、社会进步、生活安定、民族团结、山川秀美的新西部。

二、增加资金投入的政策

(三) 加大财政转移支付力度。随着中央财力的增加, 逐步加大中央对西部地区一般性转移支付的规模。在农业、社会保障、教育、科技、卫生、计划生育、文化、环保等专项补助资金的分配方面, 向西部地区倾斜。中央财政扶贫资金的安排, 重点用于西部贫困地区。对国家批准实施的退耕还林还草、天然林保护、防沙治沙工程所需的粮食、种苗补助资金及现金补助, 主要由中央财政支付。对因实施退耕还林还草、天然林保护等工程而受影响的地方财政收入, 由中央财政适当给予补助。

(四) 加大金融信贷支持。增加对西部地区农业、生态环境保护建设、优势产业、小城镇建设、企业技术改造、高新技术企业和中小企业发展的信贷支持。

三、改善资源环境的政策

(一) 大力改善资源的软环境。加强环境保护, 防止盲目重复建设, 依法关闭产品质量低劣、浪费资源、污染严重、不具备安全生产条件的厂矿企业。

Circular on Policies and Measures to Develop the Western Region of China

(Excerpts of environment-related articles)

(promulgated by the State Council and implemented as from January 1, 2001)

Carrying out the strategy for western development to accelerate the development of the western region is the important component of China's modernization drive and is a major decision by the Central Committee of the Chinese Communist Party which has taken a broad and long-term view and the whole situation into consideration in face of the new century. This strategy is of importantly economic and political significance. To crystallize the State support to the western region, The State Council has worked out a number of policies and measures to develop the western region. Now notifying the issues concerned as following:

1. Principles of Working out the Policies and Main Points to Be Supported.

(2) Main tasks and strategic goal. During the present and future period the main tasks of developing the western region are: speeding up construction of infrastructures; strengthening environmental protection and construction; consolidating the status of agriculture as the foundation; regulating industrial structure; developing tourism with local characteristics; and developing science, technology, education, culture and sanitation. Strive for breakthrough progress in infrastructures and environment of the western region within five to ten years and make the development of this region having a good start. Toward the mid-21st century the western region will be built into a new one of economic prosperity, social progress, stability of life, ethnical unity and with beautiful landscape.

2. Policy on Increasing Fund Input.

(3) Increasing payment capability of financial transfer. Along with the increasing of central financial resources, the scale of payment of financial transfer from the central to the western region will be gradually increased. The special subsidies for agriculture, social insurance, education, science, technology, sanitation, family planning and environmental protection will be increased there. The main point of arranging funds of the central financial resources for the poverty-relief is the poor areas in western region. The subsidies and cash for grain, seeds and seedlings which the western region needs because of returning the cultivated land to forests and pastures, protecting natural forests, preventing and controlling desert forming will mainly come from the central finance. The local financial losses resulted in returning the cultivated land to forests or pastures and protecting natural protection will be appropriately subsidized by the central finance.

(4) Increasing the support of financial credit. The credit support for agriculture, construction of ecological environment, superior industries, construction of small cities and towns, enterprise technological transform and the development of high-tech enterprises and middle-and small-sized enterprises in the western region will be increased.

3. Policy on Improving Investment Environment

(1) Greatly improving investment environment. Strengthening environmental protection, preventing unrealistic duplicate reconstruction and lawfully closing down those factories, mines and enterprises producing low-quality products, wasting resources, with serious pollution on environment and with-

(二) 实行税收优惠政策。对设在西部地区国家鼓励类产业的内资企业和其他资源企业,在一定期限内,减按15%的税率征收企业所得税。民族自治地方的企业经省级人民政府批准,可以定期减征或免征企业所得税。对为保护生态环境、退耕还生态林、草产出的农业特产品收入,在10年内免征农业特产税。对西部地区公路国道、省道建设用地比照铁路、民航用地免征耕地占用税,其他公路建设用地是否免征耕地占用税,由省、自治区和直辖市人民政府决定。对西部地区内资鼓励类产业、其他资源鼓励类产业及优势产业的项目在资源总额内进口目用先进技术设备,除国家规定不可免税的商品外,免征关税和进口环节增值税。

(三) 实行土地和矿产资源优惠政策。对西部地区荒山、荒地造林种草及坡耕地退耕还林还草、实行谁退耕、谁造林种草、谁经营、谁拥有土地使用权和林草所有权的政策。各种经济组织和个人可以依法申请使用国有荒土荒地,进行恢复林草植被等生态环境保护建设,在建设资源和经绿化工作到位的条件下,可以出让方式取得国有土地使用权,减免出让金,实行土地使用权50年不变,期满后可申请续期,可以续承和有偿转让,国家建设需要收回国有土地使用权的,依法给予补偿。对于享受国家粮食补贴的退耕地种植的生态林不能砍伐。对基本农田实行严格保护,实现耕地占补平衡。进一步完善建设用地审批制度,简化程序,及时提供并保障建设用地。现有城镇建设用地的有偿使用收益,主要用于城镇基础设施建设。加大对西部地区矿产资源调查评价、勘查、开发、保护与合理利用的政策支持力度。制定促进探矿权、采矿权依法出让和转让的政策办法,培育矿业权市场。

(四) 运用价格和收费机制进行调节

加快水价改革步伐,根据节水的要求,逐步将水价提高到合理水平,完善水资源的征收和管理。加强流域水资源的统一管理,严格执行计划用水和水量分配制度,促进水资源的合理利用和开发。普遍实行城市污水和垃圾处理收费制度,收费专项用于污水和垃圾处理。加强江河上游和源头地区水资源的污染防治和保护工作。

四、扩大对外对内开放的政策

(一) 进一步扩大其他资源领域。鼓励其他资源于西部地区的农业、水利、生态、交通、能源、市政、环保、矿产、旅游等基础设施建设和资源开发,以及建立技术研究开发中心。

out safety production conditions.

(2) Implementing favourable tax policy. The income tax rate of the domestic and foreign-invested enterprises encouraged by the State in the western region will be reduced to 15 percent within a certain period. The income tax of enterprises in the ethnical autonomous areas can be regularly reduced or exempted after approved by the people's governments at provincial level. To protect ecological environment and return the cultivated land for forests or pastures, the tax for agricultural products with local characteristics will be exempted within 10 years. The tax of cultivated land used by the State highway and provincial road construction will be exempted in the light of those for railway and civil aviation. Whether the tax of land used by other highway construction will be exempted or not will be decided by the people's governments of province, autonomous region and municipality directly under the central government. The customs tax and value-added tax of import links for advanced technologies and equipment imported for those projects of encouraged domestic-invested industries and encouraged foreign-invested industries and superior ones within their total investments will be exempted, except for those commodities without free-duty stipulated by the State.

(3) Carrying out favourable policies on land and mineral resources. The policy on afforestation and planting grasses in the barren hills and wasteland and returning the cultivated land for forests or pastures is those who return the cultivated land, afforest and plant grasses and run them have the rights to use land and own forests and grasses. Various economic organizations and individuals may apply for the use of State-owned wasteland and wasteland in order to restore forests, pastures and vegetation as well as build other ecological environmental protection facilities. When the construction investment and green work are well prepared, the right to use State-owned land can be assigned with reduced or exempted compensation and the right to use the land will not be changed for 50 years. Upon the expiration the extension or compensated transfer is allowed. When the State needs to regain the right to use land for the sake of construction, compensation will be given according to the law. The ecological forests on the returned cultivated land which enjoys grain subsidies cannot be felled. The basic farmland is strictly protected and the occupation of the cultivated land and compensation for it are balanced. The examination and approval system of using the land for construction will be further improved and formalities simplified. The land for construction will be timely provided and guaranteed. Revenues from compensated assignment of existing land using for construction in cities and towns shall be mainly used for the construction of their infrastructures. The policy support for the investigation, appraisal, prospecting, exploitation, protection and reasonable usage of mineral resources in the western region will be strengthened. Policies and measures to promote lawfully assignment and transfer of rights to prospect and mine will be formulated and to foster the forming of mineral right market.

(4) Coordinating through mechanism of pricing and fee charging.

Speeding up the pace of reform of water price. According to the requirement of saving water, the water price will be raised to a reasonable level and the system of collection and management of charges for water resources will be perfected. The unified management of the water river resources will be strengthened and the planning usage of water and the system of allocating waters will be strictly implemented in order to promote the rational use and exploit water resources. The system of levying charges for urban sewage and garbage treatment will be universally carried out. The charges are specially used for sewage and garbage treatment. The prevention of water pollution and work of protecting water resources on the upper reaches and water sources will be strengthened.

4. Expanding Internal and External Opening-up Policies

(1) Further expanding the field invested by the foreign businessmen. The foreign businessmen will be encouraged to invest into infrastructures construction and resource exploitation in the western region of agriculture, water conservancy, ecology, communications, energy, urban construction, environment protection, mine, tourism, and establishment of technical research and development centers.

(四) 推进地区协作与对口支援。在防止重复建设和禁止转移落后技术与导致环境污染的前提下,在资源、财政、税收、信贷、经贸、工商、劳动、统计等方面积极采取有力措施,支持东部、中部地区企业到西部地区以资源厂、参股入股、收购兼并、技术转让等多种方式进行合作。

五、吸引人才和发展科技教育的政策(略)

(4) Pushing the cooperation between the regions and providing direct support. Under the prerequisite of preventing duplicated reconstruction and forbidding the transfer of backward technology and leading to the environmental pollution, take effective measures to support the enterprises in the eastern and central regions to cooperate with the western region in forms of building factories by investment, joining shares, merging, technology transfer, etc. , in fields of investment, finance, taxation, credit, economy and trade, industry and commerce, labour, statistics, etc.

5. The Policies on Attracting the Talented People and Developing Science, Technology and Education (omitted)

十一、进出口管理与环境保护

XI Import & Export of Environment-related Goods

禁止进口货物目录（第一批）

（有关环境的货物摘录）

（对外贸易经济合作部公告 2001 年第 19 号，2001 年 12 月 20 日）

根据《中华人民共和国对外贸易法》和《中华人民共和国货物进出口管理条例》，现公布《禁止进口货物目录》（第一批）……。未纳入本目录的其它禁止进出口货物，仍按现行有关规定执行，外经贸部将陆续颁布相关目录。

序号	商口编码	商品名称
1	05069090. 11	已脱胶的虎骨（指未经加工或经脱脂等加工的）
	05069090. 11	未脱胶的虎骨（指未经加工或经脱脂等加工的）
2	05071000. 10	犀牛角
3	13021100	鸦片液汁及浸膏（也称阿片）
4	29031400. 10	四氯化碳，用于清洗剂的除外
	29031400. 90	四氯化碳，用于清洗剂的
	29034300. 90	三氯三氟乙烷，用于清洗剂（CFC-113）

List of Goods Prohibited to Be Imported (First Group)
(excerpts of environment-related goods)

(Announcement No. 19, 2001, by
the Ministry of Foreign Trade and Economic Cooperation on December 20, 2001)

In accordance with the Law on Foreign Trade of the People's Republic of China, the Regulations on the Administration of Import and Export of Goods of the People's Republic of China, the List of Goods Prohibited to Be Imported (First Group) are hereby promulgated. For the other goods, which are not enlisted in the said Lists and their import and export are prohibited, the relevant existing provisions shall be observed, and the MOFTEC shall promulgate relevant lists successively.

Serial No	HS No	Description of Goods
1	05069090.11	Degelatinized tiger bones(unworked or defatted)
	05069090.19	Un-Degelatinized tiger bones(unworked or defatted)
2	05071000.10	Rhino horns
4	29031400.10	Carbon tetrachloride, except that used as detergents
	29031400.90	Carbon tetrachloride, used as detergents
	29034300.90	Trichlorotrifluoroethane, used as detergents(CFC-113)

禁止进口货物目录 (第二批)

——旧机电产品禁止进口目录 (摘录)

(对外贸易经济合作部、海关总署、国家质量监督检验检疫总局公告 2001 年第 37 号
2001 年 12 月 27 日)

附件：禁止进口货物目录 (第二批)

旧机电产品禁止进口目录 (摘录)

序号	商品编号	商品名称
1	73110010	装压缩或液化气的钢铁容器
2	73110090	其他装压缩或液化气的钢铁容器
3	73211100	可使用气体燃料的家用炉灶
4	73218100	可使用气体燃料的其他家用器具
5	76130090	非零售装压缩、液化气体铝容器
6	84021110	蒸发量在 900 吨/时及以上的发电用锅炉
7	84021190	蒸发量超过 45 吨/时的其他水管锅炉
8	84021200	蒸发量不超过 45 吨/时的水管锅炉
9	84021900	未列名蒸汽锅炉, 包括混合式锅炉
10	84022000	过热水锅炉
11	84031010	家用型热水锅炉
12	84031090	其他集中供暖用的热水锅炉
13	84041010	蒸汽锅炉和过热水锅炉的辅助设备
14	84041020	集中供暖用锅炉的辅助设备
15	84042000	水蒸汽或其他蒸汽动力装置的冷凝器
16	84161000	使用液体燃料的炉用燃烧器
17	84162011	使用天然气的炉用燃烧器
18	84162019	使用其他气体燃料的炉用燃烧器
19	84162090	使用粉状固体燃料的炉用燃烧器
20	86163000	机械加煤机及其机械炉篦、机械出灰器等装置
21	84171000	矿砂或金属的焙烧、熔化等热处理用炉及烘箱
22	84178010	炼焦炉
23	84178020	放射性废物焚烧炉

List of Prohibited Import Products (Second Batch)

—Used Machinery and Electronic Products Prohibited to be Imported (excerpts)

(promulgated by the MOFTEC, the General Administration of Customs, State General Administration of Quality Supervision, Inspection and Quarantine on December 31, 2001)

Serial No	HS No	Description of Goods
1	73110010	Container for compressed or liquefied gas, of iron or steel
2	73110090	Other Container for compressed or liquefied gas, of iron or steel
3	73211100	Domestic stoves for gas fuel
4	73218100	Other domestic stoves for gas fuel
5	76130090	Aluminium container for compressed ,liquefied gas, for non-retail packing
6	84021110	Boilers for generating electricity with a steam production 900t/h or more
7	84021190	Other water tube boilers with a steam production not exceeding 45t /h
8	84021200	Water tube boilers with a steam production exceeding 45t /h
9	84021900	Other unlisted vapour generating boilers, including hybrid boilers
10	84022000	Super-heating water boilers
11	84031010	Heating water boilers for family-use
12	84031090	Other central heating boilers
13	84041010	Auxiliary plant for use with vapour generating boilers and Super-heating water boilers
14	84041020	Auxiliary plant for use with central heating boilers
15	84042000	Condensers for steam or other vapour power units
16	84161000	Furnace burners for liquid fuel
17	84162011	Furnace burners for natural gas
18	84162019	Furnace burners for other gas fuel
19	84162090	Furnace burners for pulverized solid fuel
20	84163000	Mechanical stokers and their mechanical grates, mechanical ash dischargers and similar appliances
21	84171000	Furnaces and ovens for the roasting, melting and other heating treatment of ores, or of metals
22	84178010	Coke ovens
23	84178020	Incinerators for radioactive waste

禁止进口货物目录（第三批）

（危险废物禁止进口目录）

（对外贸易经济合作部、海关总署的国家环保总局公告 2001 年第 36 号，
2001 年 12 月 23 日）

根据《货物进出口管理条例》、《控制危险废物越境转移及其处置巴塞尔公约》、《固体废物污染环境防治法》和《国务院关于环境保护若干问题的决定》，现公布《禁止进口货物目录》（第三批），自 2002 年 1 月 1 日起施行。

序号	商口编码	商口名称
1	2620. 2100	含铅汽油淤渣（包括含铅抗震化合物的淤渣）
2	2620. 6000	含砷，汞，铊及其混合物矿灰与残渣（用于提取或生产砷，汞，铊及其化合物）
3	2620. 9100	含有铋，铍，镉，铬及混合物矿灰残渣（用于提取或生产铋，铍，镉，铬及其化合物）
4	2621. 1000	焚化城市垃圾所产生的灰，渣
5	2710. 9100	含多氯联苯，多溴联苯的废油（包括含多氯三联苯的废油）
6	2710. 9900	其他废油
7	3006. 8000	废药物（超过有效保存期等原因而适于原用途的药品）
8	3825. 1000	城市垃圾
9	3825. 2000	下水道淤泥
10	3825. 3000	医疗废物
11	3825. 4100	废卤化物的有机溶剂
12	3825. 4900	其他废有机溶剂
13	3825. 5000	废的金属酸洗液，液压油及制动油（还包括废的防冻液）
14	3825. 6100	主要含有有机成分的化工废物（其他化学工业及相关工业的废物）
15	3825. 6900	其他化工废物（其他化学工业及相关工业的废物）
16	3825. 9000	其他编号未列明化工副产品及废物
17	7112. 3010	含有银或银化合物的灰（主要用于回收银）
18	7112. 3090	含其他贵金属或贵金属化合物的灰（主要用于回收贵金属）

List of Goods Prohibited to Be Imported (The Third Group) (Hazardous Wastes)

(Announcement No. 19, 2001, by MOFTEC, the General Administration of Customs,
the State Environmental Protection Administration, on December 23, 2001)

In accordance with the Regulations on the Administration of Import and Export of Goods of the People's Republic of China, the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal, the Law on the Prevention and Control of Environmental Pollution Caused by Solid Wastes of the People's Republic of China, and the Decision of the State Council on Several Issues Concerning Environmental Protection, the List of Goods Prohibited to Be Imported (The Third Group) is hereby promulgated and shall become effective as of the January 1st, 2002.

Serial No	HS No.	Description of Goods
1	2620.2100	Sludge containing leaded gasoline (including sludge containing anti-seismic leaded compounds)
2	2620.6000	Slag and ash containing arsenic, mercury, thallium and their compounds (used for extracting or producing arsenic, mercury, thallium and their compounds)
3	2620.9100	Slag and ash containing antimony, beryllium, cadmium, chromium and their compounds (used for extracting or producing arsenic, mercury, thallium and their compounds)
4	2621.1000	Ash, slag arising from the incineration of household wastes
5	2710.9100	Waste oils containing PCBs, PBBs (including waste oils containing PCTs)
6	2710.9900	Other, of waste oils
7	3006.8000	Waste pharmaceuticals, drugs and medicines (pharmaceuticals, drugs and medicines their effective period expired and not suitable for original use)
8	3825.1000	Household wastes
9	3825.2000	Sludge from sewer
10	3825.2000	Clinic wastes
11	3825.4100	Waste halogenated organic solvents
12	3825.4900	Other, of waste organic solvents
13	3825.5000	Waste acid metal-washing liquid, hydraulic oil and braking oil (including waste frosted liquid)
14	3825.6100	Chemical wastes mainly containing organic substances (wastes arising from other chemical industries and related industries)
15	3825.6900	Other, of chemical wastes (wastes arising from other chemical industries and related industries)
16	3825.9000	Other, of unlisted chemical by-products and wastes
17	7112.3010	Ashes containing silver or silver compounds (used primarily for recovery of silver)
18	7112.3090	Ashes containing other precious metals or their compounds (used primarily for recovery of precious metals)

限制进口类可用原料的废物目录 (第一批)

(对外贸易经济合作部、海关总署、国家质量监督检验检疫总局
和国家环境保护总局公告 2001 年第 41 号, 2001 年 12 月 30 日)

根据《中华人民共和国固体废物污染环境防治法》和《中华人民共和国货物进出口管理条例》, 现公布《限制进口类用作原料的废物目录》(第一批), 自 2002 年 1 月 1 日起施行。

本目录所列商品, 海关凭国家环保部门和检验检疫部门分别签发的《进口废物批准证书》和《入境货物通关单》验放。

序号	商口编码	商品名称	备注
1	26190000	熔渣、浮渣, 氧化皮及其他废料	冶炼钢铁所产生的 (粒状熔渣除外)
2	39151000	乙烯聚合物的废碎料及下脚料	
3	39152000	苯乙烯聚合物的废碎料及下脚料	
4	39153000	氯乙烯聚合物的废碎料及下脚料	
5	39159000	其他塑料的废碎料及下脚料	
6	72042100	不锈钢废碎料	
7	72044900. 10	废汽车压件	
	72044900. 20	以回收钢铁为主的废五金电器	
8	74012000	沉积铜 (泥铜)	
9	74040000. 10	以回收铜为主的废电机等	包括废电机、电线、电缆、五金电器
10	76020000. 10	以回收铝为主的废电线等	包括废电线、电缆、五金电器
11	89080000	供拆卸的船舶及其他浮动结构体	

List of Wastes Used as Raw Materials and Restricted in Importation (The First Group)

(Announcement No. 36, 2001, by
the Ministry of Foreign Trade and Economic Cooperation, the General Administration of
Customs, the State Administration of Quality Supervision, Inspection and Quarantine, the State
Environmental Protection Administration, on December 30, 2001)

In accordance with the Law on the Prevention and Control of Environmental Pollution Caused by Solid Wastes of the People's Republic of China, and the Regulations on the Administration of Import and Export of Goods of the People's Republic of China, the List of Wastes That Can be Used as Raw Materials and Restricted in Importation (The First Group) is hereby promulgated and shall become effective and of the January 1st, 2002.

For the Goods enlisted in this List, the Customs shall grant clearance against which the state environmental protection administration has issued a Certificate of Approval for the Import of Waste, and the Inspection and Quarantine administration has issued a Certificate of Inspection on Imported Goods.

Serial No	HS No	Description of Goods	Note
1	26190000	Melt slag, dross, scaling and other wastes	Arising from the manufacture of iron and steel (except the granular melt slag)
2	39151000	Scrap and leftover pit and piece of polythylene	
3	39152000	Scrap and leftover pit and piece of polyphenylethylene	
4	39153000	Scrap and leftover pit and piece of polychloroethylene	
5	39159000	Scrap and leftover pit and piece of other plastics	
6	72042100	Waste and scrap of stainless steel	
7	72044900.10	Extruded waste vehicles	
	72044900.20	Waste electric scraps primarily for recovery of iron and steel	
8	74012000	Cement copper (precipitated copper)	
9	76020000.10	Waste electric motors primarily for recovery of copper	Including waste electric motors, wires, cables, and scraps
10	76020000.10	Waste wires primarily for recovery of aluminum	Including waste electric wires, cables and scraps
11	89080000	Vessels and other floating structures for breaking up	

自动进口许可管理类可用作原料的废物目录

(国家环保总局、外经贸部、海关总署、质监总局 2002 年 1 月 18 日发布)

商品编码	货物名称
0506. 9010	骨废料
4401. 3000	锯末、木废料及碎片, 不论是否粘结成圆木段、块、片或类似形状
4501. 9000	软木废料; 碎的、粒状的、或粉状的软木
4707. 1000	回收(废碎)的未漂白牛皮纸或纸板及回收(废碎)的瓦楞纸或纸板
4707. 2000	回收(废碎)的主要由漂白化学浆制未经本体染色的其他纸和纸板
4707. 3000	回收(废碎)的主要由机械浆制纸或纸板(例如, 报纸、杂志及类似印刷品)
4707. 9000	回收(废碎)的其他纸及纸板, 包括未分选的
5202. 1000	废棉纱线(包括废棉线)
5202. 9900	其他废棉
5505. 1000	合成纤维废料
5505. 2000	人造纤维废料
7204. 1000	铸铁废碎料
7204. 2900	其他合金钢废碎料
7204. 3000	镀锡钢铁废碎料
7204. 4100	车、刨、铣、磨、锯、锉、剪、冲加工过程中产生的钢铁废料, 不论是否成捆
7204. 4900. 90	其他钢铁废碎料
7204. 5000	供再熔的碎料钢铁锭(含废机床、废机车、废机车头等)
7404. 0000. 90	铜废碎料, 不包括废五金电器、废电线电缆、废电机
7503. 0000	镍废碎料
7602. 0000. 90	铝废碎料, 不包括废五金电器、废电线电缆、废电机
7902. 0000	锌废碎料
8002. 0000	锡废碎料
8103. 1000	钽废碎料

List of Waste Used as Raw Materials under Automatic Import Licence Category

(The SEPA, MOFTEC, the General Administration of Customs, State Administration of Quality Supervision, Inspection and Quarantine, on January 18, 2002)

HS No.	Description of Goods
0506.9010	Waste of bones
4401.3000	Sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
4501.9000	Waste cork, crushed, granulated or grounded cork
4707.1000	Recovered (waste and scrap) unbleached kraft paper or paperboard, and recovered (waste and scrap) corrugated paper or paperboard
4707.2000	Recovered (waste and scrap) paper or paperboard made mainly of bleached chemical pulp, not colored in the mass
4707.3000	Paper or paper board made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
4707.9010	Other recovered (waste and scrap) paper or paperboard, including unsorted waste and scrap
5202.1000	Yarn waste (including thread waste)
5202.9900	Other cotton waste
5505.1000	Waste of synthetic fibres
5505.2000	Waste of artificial fibres
7204.1000	Waste and scrap of cast iron
7204.2900	Other waste and scrap of alloy steel
7204.3000	Waste and scrap of tinned iron or steel
7204.4100	Turnings, shavings, chips, millings waste, sawdust, filings, trimmings and stampings, whether or not in bundles
7204.4900.90	Other ferrous waste and scrap
7204.5000	Remelting scrap ingots (including waste lathe, waste locomotive, waste locomotive tool)
7404.0000.90	Copper waste and scrap, not including waste electric scrap, waste wires and waste motors
7503.0000	Nickel waste and scrap
7602.0000.90	Aluminium waste and scrap, not including waste electric scrap, waste wires and waste motors
7902.0000	Zinc waste and scrap
8002.0000	Tin waste and scrap
8103.1000	Tantalum waste and scrap

自动进口许可管理货物目录

(有关环境的货物摘录)

(对外贸易经济合作部 2001 年第 20 号令, 2001 年 12 月 31 日)

目录一:

商品类别	商品编码	货品名称
有色金属 (铜、铝)	74040000. 10	以回收铜为主的废电机等, 包括废电机、电线、电缆、五金电器
	74040000. 90	铜废碎料
	76020000. 10	以回收铝为主的废电机等, 包括废电机、电线、电缆、五金电器
	76020000. 90	铝废碎料

目录二:

序号	商品编码	货品名称
71	87059020	机动放射线检查车
72	87059030	机动环境监测车
181	84178020	放射性废物焚烧炉
214	84213921	工业用静电除尘器
215	84213922	工业用袋式除尘器
216	84213923	工业用旋风式除尘器
217	84213929	其他工业用除尘器
604	90261000	测量、检验液体流量或液位的仪器及装置
605	90262000	测量、检验压力的仪器及装置
606	90271000	气体或烟雾分析仪
607	90272000	色谱仪及电泳仪
608	90273000	使用光学射线的分光仪、分光光度计及摄谱仪
609	90275000	使用光学射线的其他仪器及装置
610	90278010	质谱仪
616	90318090	其他未列名测量或检验仪器、器具及机器
617	90328900	其他自动调节或控制仪器及装置

Lists of Goods Subject to Automatic Import Licence

(excerpt of environment-related goods)

(Decree No.20 of MOFTEC, December 31, 2001)

List I (excerpt of environment-related goods)

Category of Goods	HS No.	Description of Goods
Non-ferrous metal (Copper, Aluminum)	74040000.10	Waste motors mainly for the recovery of copper, including waste motors, waste wires & cables, waste scraps
	74040000.90	Waste motors mainly for the recovery of aluminum, including waste motors, waste wires & cables, waste scraps

List II (excerpt of environment-related goods)

Serial No.	HS No.	Description of Goods
71	87059020	Mobile radiological units
72	87059030	Mobile environmental units
181	84178020	Incinerators for radioactive waste
214	84213921	Electrostatic dust collectors for industrial uses
215	84213922	Baghouse dust collectors for industrial uses
216	84213923	Cyclone dust collectors for industrial uses
217	84213929	Other dust collectors for industrial uses
604	90261000	Instruments & apparatus for measuring or checking the flow or level of liquids
605	90262000	Instruments and apparatus for measuring pressure
606	90272100	Gas or smoke analysis apparatus
607	90272000	Chromatography and electrophoresis instruments
608	90273000	Spectrometers, spectrophotometers and spectrographs using optical radiation (UV, visible, IR)
609	90275000	Other instruments and apparatus using optical radiation (UV, visible, IR)
610	90278010	Mass spectrograph
616	90318090	Other measuring or checking instruments, appliances and machines
617	90328900	Other regulating or controlling instruments and apparatus

自动进口许可机电产品目录

(有关环境的机电产品目录)

(对外贸易经济合作部、海关总署 2001 年第 33 号公告, 2001 年 12 月 25 日发布)

一、以下商品编码的产品由地方、部门机电产品进出口办公室签发

序号	商品编号	商品名称
84	84178020	放射性废物焚烧炉
117	84213921	工业用静电除尘器
118	84213922	工业用袋式除尘器
119	84213923	工业用旋风式除尘器
120	84213929	其他工业用除尘器

二、以下商品编码的产品由外经贸部签发

序号	商品编号	商品名称
46	87059020	机动放射性检查车
47	87059030	机动环境监测车

**Lists of Machinery and Electronic Products
Subject to Automatic Import Licence**

(excerpt of environment-related goods)

(Announcement No. 33 of MOFTEC and The General
Administration of Customs December 25, 2001)

I. The Licence for the following products shall be issued by the Import/Export Office of Machinery and Electronic Products in the respective localities or departments

Serial No.	HS No.	Description of Goods
84	84178020	Incinerators for radioactive waste
117	84213921	Electrostatic dust collectors for industrial uses
118	84213922	Baghoused dust collectors for industrial uses
119	84213923	Cyclone dust collectors for industrial uses
120	84213929	Other dust collectors for industrial uses

II. The Licence for the following products shall be issued by MOFTEC

Serial No.	HS No.	Description of Goods
46	87059020	Mobile radiological units
47	87059030	Mobil environmental units

进口许可证管理商品目录 (摘录)

(环境有关的商品目录摘录)

(对外贸易经济合作部、海关总署 2001 年 4 月 23 日印发, 外贸管字 [2001] 152 号)

进口许可证		协 调 制 度 目 录		
编号	商品名称	商品编号	商 品 名 称	单 位
14	汽车及其 关键件	87059020	机动放射线检查车	辆
		78059030	机动环境监测车	辆
33	消耗臭氧层 物质	29034100	三氯氟甲烷 (CFC-11)	公斤
		29034200	二氯二氟甲烷 (CFC-12)	公斤
		29034300	三氯三氟乙烷 (CFC-113), 用于清洗剂除外	公斤
		29034400. 10	二氯四氟乙烷 (CFC-114)	公斤
		29034400. 90	氟五氟乙烷 (CFC-115)	公斤
		29034510	氟三氟甲烷 (CFC-13)	公斤
		29034600. 10	溴氯二氟甲烷 (Halon-1211)	公斤
		29034600. 10	溴三氟甲烷 (Halon-1301)	公斤
		29031910	1, 1, 1-三氯乙烷 (甲基氯仿, TCA)	公斤

List of Goods Subject to Import Licence

(excerpt of environment-related goods)

(Promulgated by MOFTEC, the General Administration of Customs on April 23, 2001)

Import Licence		Harmonized Systems		
Serial No	Description	HS No	Description	Unit
14	Automobile & Key parts	87059020	Mobile radiological units	
		78059030	Mobile environmental monitoring units	
33	Ozone depleting Substances	29034100	Trichlorofluoromethane (CFC-11)	Kg
		29034200	Dichlorodifluoromethane (CFC-12)	Kg
		29034300	Trichlorotrifluoromethane (CFC-113) except those used in detergent	Kg
		29034400.10	Dichlorotetrafluoromethane(CFC-114)	Kg
		29034400.90	Chloropentafluoromethane (CFC-115)	Kg
		29034510	Chlorotrifluoromethane (CFC-13)	Kg
		29034600.10	Bromochlorodifluoromethane (Halon-1211)	Kg
		29034600.10	Bromotrifluoromethane (Halon-1301)	Kg
		29031910	1,1,1-Trichloroethane (methyl-chloroform, TCA)	Kg

取消配额、许可证、特定进口管理措施的商品目录

(环境保护商品摘录)

(对外贸易经济合作部公告 2001 年第 34 号, 2001 年 12 月 29 日)

序号	商品名称	商品编号	商品名称
1	汽车及其关键件(部分)	87059020	机动放射线检查车
		87059030	机动环境监测车

**List of Goods for Which Quota, Licence and
Specific Import Administration Measure are Eliminated (First Group)**

(excerpts of environment-related goods)

(Announcement No. 34 by the MOFTEC on December 29, 2001)

Serial No	Name of Goods	HS No.	Description of Goods
1		87059020	Mobile radiological units
		87059030	Mobile environmental monitoring units

禁止出口货物目录 (第一批)

(有关环境的货物摘录)

(对外贸易经济合作部公告 2001 年第 19 号, 2001 年 12 月 20 日)

根据《中华人民共和国对外贸易法》和《中华人民共和国货物进出口管理条例》，现公布……《禁止出口货物目录》(第一批)。未纳入本目录的其他禁止进、出口货物，仍按现行有关规定执行，外经贸部将陆续颁布有关手续。

序号	商品编码	商口名称
1	05069090. 11	已脱胶的虎骨 (指未经过加工或经脱脂等加工的)
	05069090. 19	未脱胶的虎骨 (指未经过加工或经脱脂等加工的)
2	05071000. 10	犀牛角
3	05100010. 10	牛黄
4	05100030	麝香
5	12119039. 20	药料用麻黄草
	12119050. 20	香料用麻黄划
	12119099. 20	其他用麻黄草
6	12122020. 10	鲜发菜 (不论是否碾磨)
	12122020. 90	冷, 冻或干的发菜 (不论是否碾磨)
7	29031400. 90	四氯化碳, 用于清洗剂的
	29031910. 90	1、1、1-三氯乙烷 (甲基氯仿) (用于清洗剂的)
	29034300. 90	三氯三氟乙烷, 用于清洗剂 (CFC-113)
8	44034990	其他方法处理其他热带原木 (用油漆, 着色剂, 杂酚或其他防腐剂处理的除外)

List of Goods Prohibited to Be Exported(First Group)
(excerpts of environment-related goods)

(Announcement No. 19, 2001, by
the Ministry of Foreign Trade and Economic Cooperation on December 20, 2001)

In accordance the Law on Foreign Trade of the People's of China and the Regulations on the Administration of Import and Export of Goods of the People's Republic of China, the List of Goods Prohibited to Be Imported(First Group)and the List of Goods Prohibited to Be Exported are hereby promulgated. In the case of the other goods, which are not enlisted in the said Lists and their import and export are prohibited, the relevant existing provisions shall be observed, and the MOFTEC shall promulgate relevant lists successively.

Serial No	HS No	Description of Goods
1	05069090.11	Degelatinized tiger bones(unworked or defatted)
	05069090.19	Un-Degelatinized tiger bones(unworked or defatted)
2	05071000.10	Rhino horns
3	05100010.10	Bezoar
4	05100030	Musk
5	12119039.20	Chinese ephedra used in pharmacy
	12119050.20	Chinese ephedra used in perfumery
	12119099.20	Chinese ephedra used for other purposes
6	12122020.10	Fresh black moss(whether or not pulverized)
	12122020.90	Frosted or dried black moss(whether or not pulverized)
7	29031400.90	Carbon tetrachloride, used as detergents
	29031910.90	1,1,1-Trichloroethane(methylchloroform)
	29034300.90	Trichlorotrifluoroethane, used as detergents(CFC-113)
8	44034990	Other, of tropical wood in the rough treated with other methods

关于禁止发菜出口的公告*

(对外贸易经济合作部公告 2000 年第 5 号, 2000 年 6 月 26 日)

为贯彻执行国务院关于禁止采集和销售发菜有关问题的通知, 保护生态环境和草原资源, 防止采集发菜造成沙漠化现象的扩大, 自 2000 年 7 月 1 日起, 禁止发菜 (商品编号 12122020. 10 和 12122020. 90) 出口。对违反本公告出口发菜的单位和个人, 将依照有关打击走私的法律规定予以处罚。

商品名称	商品编号
发菜	12122020.10
发菜	12122020.90

* 原文标题为《对外贸易经济合作部公告 2000 年第 5 号》。为使内容更加突出, 编者将其改为本标题, 对公告内容中个别文字作了编辑处理, 特此说明。

Announcement on Prohibiting Export of Black Moss*

(Announcement No. 5 promulgated by MOFTEC on June 26, 2000)

In order to implement the Circular of the State Council on prohibiting the harvest and sell of black moss, preserve the ecological environmental and grass resources, prevent the spread of desertification caused by the harvest of black moss, the export of black moss (HS No 12122020.10 and 12122020.90) shall be banned as of July 1, 2000. Any person and enterprises export black moss in violation of this Announcement, shall be punished in accordance with the relevant legal provisions on smuggling.

* This title is added by the editor, it's original title is Announcement No. 5 of MOFTEC of PRC.

十二、有毒化学品 及其进出口环境管理

X II Hazardous Chemicals

关于加强化学危险物品管理的通知

(国家环保总局、国家经贸委、公安部、
交通部和国家质量技术监督局 1999 年 12 月 29 日 环发 [1999] 296 号)

化学危险物品由于具有危害和有用双重属性，涉及面广，接触人员多，专业要求相对较高。为加强对化学危险物品的管理，国务院于 1987 年颁发了《化学危险物品安全管理条例》，国家经贸委、公安、交通、环保、化工等部门也制定了相应的部门管理规章、规程和标准。但是，由于一些单位和个人在化学品的生产、使用、储存、经营、运输、进出口直至处置过程中，不按章办事，违规操作，致使化学品引发的事故时有发生，严重危害人民生活，污染环境，造成恶劣的社会影响。

为了加强对化学品，特别是化学危险物品的管理，避免或减少化学品引发的事故，保证对化学品的生产、储存、经营、运输、使用、进出口及处置的整个过程进行全面的监督与管理，现就有关问题通知如下：

1. 凡在中华人民共和国境内生产、储存、经营、运输、使用和处置化学危险物品的单位和个人，必须遵守《化学危险物品安全管理条例》等有关法规、规章。

2. 实行化学品生产许可证制度。生产化学品的企业由质量技术监督部门根据国家有关许可证的法规规定，对生产化学品的企业核发工业产品生产许可证。

3. 实行化学危险物品登记注册制度。生产化学危险物品的企业按照《工作场所安全使用化学品规定》等有关规定，到各省、自治区、直辖市化学品登记注册办公室登记注册。

4. 实施重点环境管理化学危险物品登记制度。生产、使用重点环境管理化学危险物品的企事业单位必须向所在地环境保护行政主管部门申报所生产、使用的化学危险物品的名称、产量（用量）、去向、应急措施及相关资料。

5. 化工生产企业要认真贯彻实施《危险化学品标签编写导则》（GB/T15258—1999）和《常用危险化学品分类及标志》（GB13690—1992）、《危险化学品安全技术说明书编写规定》（GB16483—1996）等国家标准。

6. 化学危险物品的储存，特别是剧毒物品的储存，要配有固定的符号安全环保要求，具有防盗功能的储存场所；要建立严格的出入库登记和销售登记制度。作为生产原料的化学危险物品储存还要执行国家经贸委、国家质量技术监督局、国家石

Circular on Strengthening the Management of Hazardous Chemicals

(Promulgated by the State Environmental Protection Administration, the State Economic and Trade Commission, the Ministry of Public Security, the Ministry of Communications, the State Bureau of Quality and Technical Supervision on December 29, 1999)

Hazardous chemicals have the dual nature of harmfulness and utilization, and involve a wide range of aspects, a great number of people and a fairly high demand for disciplines. The State Council promulgated Regulations for the Safety Management of Hazardous Chemicals in 1987 and the State Economic and Trade Commission, Ministry of the Public Security, Ministry of Communications, the State Environmental Protection Administration and Ministry of Chemical Industry have also established relevant management rules, regulations or standards. However, in the course of manufacture, use, storage, operation, export and import, transportation, and treatment of chemicals, some units and individuals acted against rules and regulations, thus resulting in frequent occurrence of chemical accidents which seriously endanger people's life, contaminate the environment and cause odious impacts on the society.

In order to strengthen the management of chemicals, especially the management of hazardous chemicals, avoid or reduce accidents generated from chemicals, guarantee overall supervision and management of the manufacture, storage, operation, transportation, export and import, use, and treatment of chemicals, relevant issues are notified as follows:

1. Units and individuals who manufacture, store, operate, transport, use, treat hazardous chemicals within the territory of the People's Republic of China shall observe the Regulations for the Safety Management of Hazardous Chemicals and other relevant rules and regulations.

2. Implement a permit system of the manufacture of chemicals. Manufacture permits of industrial products shall be issued by departments of quality and technical supervision after investigation of permit applicants in accordance with the provisions for permit system promulgated by the State.

3. Implement a registration system of hazardous chemicals. Enterprises manufacturing hazardous chemicals shall, in accordance with the Provisions for the Safe Use of Chemicals on the Working Sites and other relevant stipulations, register themselves with the chemical registration offices in provinces, autonomous regions and municipalities directly under the central authorities.

4. Implement a registration system of those hazardous chemicals that require special environmental management. Enterprises and institutions manufacturing and using those hazardous chemicals that require special environmental management shall declare the name, output and distribution of, emergency measures for and other relevant messages of such hazardous chemicals to the local competent administrations of environmental protection.

5. Enterprises manufacturing chemicals shall earnestly implement the Guiding Principle for the Compiling of Hazardous Chemical Tags (GB/T15258—1999), Classification and Labeling of Hazardous Chemicals in Common Use (GB13690—1992), and Provisions for the Compiling of Technical Specifications of Hazardous Chemicals (BG 16483—1996) and other standards of the State.

6. The storage of hazardous chemicals, the storage of extremely toxic substance in particular, shall be equipped with storage sites that meet the environmental demands for safety and have burglar-proof facilities; and a strict registration system of passes and sales shall be established. Hazardous chemicals that are used as producers' goods shall be stored according to relevant regulations established by the State Economic and Trade Commission, the State Bureau of Quality and Technical Inspection, and the State Petrochemical Industry Bureau. Concentrated storage of hazardous chemicals for business purposes shall report the categories, quantities and measures for the prevention and control of pollution to environmental protection departments.

油和化学工业局的有关规定。经营性的集中化学危险物品储存设施，应向环保部门报告储存的品种、数量和污染防治措施。

7. 从事化学危险物品运输的单位和个人必须遵守国家有关危险货物运输管理规定。须凭证运输的化学危险物品，托运人（货主）应到公安、环保、交通等相应的管理部门办理准运手续。承运人应具备交通部门核发的运输危险货物资质，并凭准运证明承运，没有准运证明的，不得擅自承运。无准运证明承运化学危险物品的，按国家有关的行政管理规定进行处罚。

8. 装运化学危险物品的交通工具和包装物必须符合有关国家标准和行业标准。交通工具和包装物上要有醒目标志、标签。

9. 经营化学危险物品的企事业单位必须具备相应的经营范围、规模和专业人员，要建立健全各项安全管理制度和岗位责任制，禁止无证经营化学危险物品。

10. 在化学危险物品生产、储存、使用、运输中一旦发生事故，引发事故的责任单位和有关人员必须立即采取应急措施，及时通报受到或可能受到危害的单位和人员，并报告事故所在地的公安、环保、经贸、质量技术监督等部门。隐瞒不报或弄虚作假的，一经发现从严查处。

11. 废弃、过期的化学危险物品及使用过的化学危险物品包装容器必须妥善保管，不得随意抛弃，依照危险废物的处置标准进行处置。

12. 各级经贸、公安、交通、环保、质量技术监督、化工等部门要广泛宣传化学品管理规定，密切配合，照章办事，严格执法。

7. All units and individuals engaging in the transportation of hazardous chemicals shall observe the provisions of the State for the transport management of hazardous materials. When transporting hazardous chemicals that require a transport permit, consignors shall go to the public security, environmental protection and transportation departments to apply for such permit and carry out freight transport after they get hazardous freight transport qualifications verified and issued by the transport department and transport permits. Consignors who transport hazardous substance without permits shall be punished in accordance with relevant administrative provisions of the State.

8. Means of transportation and packaging materials for hazardous chemicals shall meet relevant standards of the State and industry and shall be clearly labeled and marked.

9. Enterprises and institutions dealing in hazardous chemicals shall have appropriate business scope, scale and professional personnel, establish and perfect their safety management system and system of personal responsibility. Such enterprises and institutions are forbidden to deal in hazardous chemicals without permits.

10. Should accidents happen in the course of manufacture, storage, use and transportation of hazardous chemicals, the responsible unit and personnel shall immediately take emergency measures and notify of the units and personnel who have been endangered or are likely to be endangered while reporting the accidents to the local public security, environmental protection, economic and trade, and quality and technical supervision departments. Those who conceal the facts or make false statements of the accidents, once discovered, shall be investigated and punished sternly.

11. Waste or expired hazardous chemicals and used packages of hazardous chemicals shall be properly stored, disposed of, and treated according to hazardous waste disposal requirements.

12. The economic and trade commission, departments of public security, communications, environmental protection and chemical industry, and bureaus of quality and technical supervision at all levels shall, in cooperation with one another, disseminate regulations for chemical management widely, act according to the regulations and enforce law conscientiously.

化学品首次进口及有毒化学品进出口环境管理规定^①

(1994年3月16日, 国家环境保护局、海关总署和对外贸易经济合作部发布)

第一章 总 则

第一条 为了保护人体健康和生态环境, 加强化学品首次进口和有毒化学品进出口的环境管理, 执行《关于化学品国际贸易资料交流的伦敦准则(1989年修正本)》(以下简称《伦敦准则》), 制定本规定。

第二条 在中华人民共和国管辖领域内从事化学品进出口活动必须遵守本规定。

第三条 本规定适用于化学品首次进口和列入《中国禁止或严格限制的有毒化学品名录》(以下简称《名录, 见附件》)的化学品进出口的环境管理。

食品添加剂、医药、兽药、化妆品和放射性物质不适用本规定。

第四条 本规定中下列用语的含义是:

(一)“化学品”是指人工制造的或者是从自然界取得的化学物质, 包括化学物质本身、化学混合物或者化学配制物中的一部分, 以及作为工业化学品和农药使用的物质。

(二)“禁止的化学品”是指因损害健康和环境而被完全禁止使用的化学品。

(三)“严格限制的化学品”是指因损害健康和环境而被禁止使用, 但经授权在一些特殊情况下仍可使用的化学品。

(四)“有毒化学品”是指进入环境后通过环境蓄积、生物累积、生物转化或化学反应等方式损害健康和环境, 或者通过接触对人体具有严重危害和具有潜在危险的化学品。

(五)“化学品首次进口”是指外商或其代理人向中国出口其未曾在中国登记过的化学品, 即使同种化学品已有其他外商或其代理人在中国进行了登记, 仍被视为化学品首次进口。

(六)“事先知情同意”是指为保护人类健康和环境目的而被禁止或严格限制的化学品的国际运输, 必须在进口国指定的国家主管部门同意的情况下进行。

(七)“出口”和“进口”是指通过中华人民共和国海关办理化学品进出境手续的活动, 但不包括过境运输。

第二章 监督管理

第五条 国家环境保护局对化学品首次进口和有毒化学品进出口实施统一的环

^① 编者注: 中国政府承诺于2002年底前完成修改。

Provisions on Environmental Management on the First Import of Chemicals and the Import and Export of Toxic Chemicals^①

(Promulgated by the National Environmental Protection Agency, the General Administration of Customs and the Ministry of Foreign Trade and Economic Cooperation on March 16, 1994)

Chapter I General Provisions

Article 1 These Provisions are formulated for the purpose of protecting human health and the ecological environment, enhancing environmental management on the first import of chemicals and the import and export of toxic chemicals, and implementing the provisions drawn up in the "London Guidelines for the Exchange of Information on Chemicals in International Trade (Amended 1989 Amendment)" (hereinafter referred to as the "London Guidelines").

Article 2 Those who engage in the import and/or export of chemicals within territory under the jurisdiction of the People's Republic of China must abide by these Provisions.

Article 3 The Provisions apply to environmental management on the first import of chemicals and the import and/or export of chemicals included in the List of Toxic Chemicals Banned or Severely Restricted in the People's Republic of China (hereinafter referred to as the "List").

The Provisions are not applicable to food additives, pharmaceuticals, veterinary drugs, cosmetics of radioactive materials.

Article 4 Terms used in the context of these Provisions are defined as follows:

(1) "Chemical" means a chemical substance whether by itself or in a mixture or preparation, whether manufactured or obtained from nature and includes such substances used as industrial chemicals and pesticides;

(2) "Banned chemical" refers to a chemical which has, for health or environmental reasons, been prohibited for all uses;

(3) "Severely restricted chemical" means a chemical for which, for health or environmental reasons, virtually all uses have been prohibited, but for which certain specific uses remain authorized;

(4) "Toxic chemical" refers to a chemical damaging to the health and environment through environmental cumulation, bioaccumulation and bio transformation or chemical reaction after entering the environment, or posing serious harm to the human health and posing potential hazard through contact.

(5) "First import of chemical" denotes a chemical which has not been registered in China by a certain foreign business concern or its agents for export to China. This is still regarded as a "first import of chemical" even if the same type of chemical has already been registered in China by some other foreign business concern or its agents.

(6) "Prior informed consent" (PIC) refers to the principle that international shipment of a chemical that is banned or severely restricted in order to protect human health or the environment should not proceed without the agreement of the designated national authority in the importing country;

(7) The terms "Export" and "import" mean, in their respective connotations, the activity required to fulfill the formalities for the exit or entry of chemicals at the Customs of the People's of China, but do not apply to transit operations;

Chapter II Supervision and Management

Article 5 The National Environmental Protection Agency (NEPA) of China shall implement

^① The Chinese government has undertaken to revise these Provisions before the end of 2002.

境监督管理，负责全面执行《伦敦准则》的事先知情同意程序，发布中国禁止或严格限制的有毒化学品名录，实施化学品首次进口和列入《名录》内的有毒化学品进出口的环境管理登记和审批，签发《化学品进（出）口环境管理登记证》和《有毒化学品进（出）口环境管理放行通知单》，发布首次进口化学品登记公告。

第六条 中华人民共和国海关对列入《名录》的有毒化学品的进出口凭国家环境保护局签发的《有毒化学品进（出）口环境管理放行通知单》（见附件）验收。

对外贸易经济合作部根据其职责协同国家环境保护局对化学品首次进口和有毒化学品进出口环境管理登记申请资料的有关内容进行审查和对外公布《中国禁止或严格限制的有毒化学品名录》。

第七条 国家环境保护局设立国家有毒化学品评审委员会，负责对申请进出口环境管理登记的化学品的综合评审工作，对实施本规定所涉及的技术事务向国家环境保护局提供咨询意见。

国家有毒化学品评审委员会由环境、卫生、农业、化工、外贸、商检、海关及其他有关方面的管理人员和技术专家组成，每届任期3年。

第八条 地方各级环境保护行政主管部门依据本规定对本辖区的化学品首次进口及有毒化学品进出口进行环境监督管理。

第三章 登记管理

第九条 外商或其代理人向中国出口所经营的未曾在我国登记（除农药以外）的任何化学品，必须向国家环境保护局提出化学品首次进口环境管理登记申请，并按规定填写《化学品首次进口环境管理登记申请表》，免费提供试验样品（一般不少于250克）。

外商首次向中国销售农药的登记管理仍按《农药登记规定》执行，农业部和国家环境保护局定期交换登记信息。

第十条 国家环境保护局在审批化学品首次进口环境管理登记申请时，对符合规定的，准予化学品环境管理登记并发给准许进口的《化学品进（出）口环境管理登记证》。对经审查，认为中国不适于进口的化学品不予登记发证，并通知申请人。

对经审查，认为需经进一步试验和较长时间观察方能确定其危险性的首次进口化学品，可给予临时登记并发给临时登记证。

对未取得化学品进口环境管理登记证和临时登记证的化学品，一律不得进口。

第十一条 外商或其代理人为首次向中国出口化学品取得的化学品环境管理登记有效期五年，有效期满前要求延续登记的，原申请人须在期满之日前6个月提出换证登记申请。

临时登记有效期为一年，有效期满前应确认是否准予正式登记。遇特殊情况经登记机关批准可以延期，延续时间不超过一年。

unified environmental supervision and management on the first import of chemicals as the import and export of toxic chemicals. It is responsible for implementing the Prior Informed Consent Procedure (PIC Procedure) prescribed in the London Guidelines, for issuing a list of toxic chemicals banned or severely restricted in China, for examining and approving registration for environmental management on the first import of chemicals as well as the import and export of toxic chemicals included in the List, for signing and issuing the Registration Certificate for Environmental Management on the Import of Chemicals, and the Clearance Notification for Environmental Management on the Import/Export of Toxic Chemicals, and for issuing an announcement of registration of the first import of chemicals .

Article 6 The Customs of the People's Republic of China shall examine and clear the import or export of toxic chemicals included in the List according to the Clearance Notification for Environmental Management on the Import/Export of Toxic Chemicals signed and issued by the NEPA.

The Ministry of Foreign Trade and Economic Co-operation, in performing its functions and co-operating with the NEPA, shall examine relevant contents of the application materials for registration of environmental management on the first import of chemicals and the import or export of toxic chemicals, and shall publicly announce the List of Toxic Chemicals Banned and Severely Restricted in the People's Republic of China .

Article 7 The NEPA shall set up a State Committee for Evaluation of Toxic Chemicals. The Committee will be responsible for the over-all work of examining applications of registration for environmental management on the import and export of chemicals. The Committee shall offer the NEPA consultation and suggestions concerning technical matters in carrying out the regulations.

The State Committee for Evaluation of Toxic Chemicals shall consist of managers and technical experts from departments of environmental protection, public health, agriculture, chemical industry, foreign trade, commodity inspection, customs and other fields. Each term extends for three years.

Article 8 Local competent environmental protection administrative departments at various levels, in accordance with the regulation, shall conduct environmental supervision and management on the first import of chemicals and the import and export of toxic chemicals.

Chapter III Registration and Management

Article 9 Foreign business concerns or their agents, when exporting to China any chemicals (except for pesticides) which have not been registered in China, must apply to the NEPA for Registration of Environmental Management on the First Import of Chemicals, shall fill in the Application Form for Registration of Environmental Management on the First Import of Chemicals, and must provide samples for experiment (in quantities generally not less than 250 grams) fee of charge .

Registration and management for the first sale of pesticides to China by foreign businesses shall still be made in accordance with Regulations for Registration of Pesticides. The Ministry of Agriculture and the NEPA shall regularly exchange registration information.

Article 10 The NEPA, when examining and approving an application for registration of environmental management on the first import of chemicals, if the application conforms to the provisions, shall approve the registration and issue a Registration Certificate permitting the import of chemicals, As for chemicals which upon examination are not deemed fit for import to China, registration shall not be permitted and a certificate shall not be issued. Applicants shall receive notification for this.

If, upon examination, it is considered that a first import of chemicals must undergo further experiment and a fairly long period of observation before its hazard can be determined, a temporary registration may be granted and a temporary registration certificate issued.

It is not permitted to import chemicals for which a registration certificate for environmental management on import of chemicals or a temporary registration certificate has not been granted.

Article 11 The registration for environmental management on chemicals, obtained by a foreign business concern or its agents for their first export of chemicals to China, shall be valid for five years. If there is need to extend the registration before its expiration, the original applicant must apply for

第十二条 每次外商及其代理人向中国出口和国内从国外进口列入《名录》中的工业化学品或农药之前，均需向国家环境保护局提出有毒化学品进口环境管理登记申请。对准予进口的发给《化学品进（出）口环境管理登记证》和《有毒化学品进（出）口环境管理放行通知单》（以下简称《通知单》）。《通知单》实行一批一证制，每份《通知单》在有效时间内只能报关使用一次。

第十三条 申请出口列入《名录》的化学品，必须向国家环境保护局提出有毒化学品出口环境管理登记申请。

国家环境保护局受理申请后，应通知进口国主管部门，在收到进口国主管部门同意进口的通知后，发给申请人准许有毒化学品出口的《化学品进（出）口环境管理登记证》。对进口国主管部门不同意进口的化学品，不予登记，不准出口，并通知申请人。

第十四条 国家环境保护局签发的《化学品进（出）口环境管理登记证》须加盖中华人民共和国国家环境保护局化学品进出口环境管理登记审批章。国内外为进口或出口列入《名录》的有毒化学品而申请的《化学品进（出）口环境管理登记证》为绿色证，外商或其代理人为首次向中国出口化学品而申请的《化学品进（出）口环境管理登记证》为粉色证，临时登记证为白色证。

第十五条 《有毒化学品进（出）口环境管理放行通知单》第一联由国家环境保护局留存，第二联（正本）交申请人用以报关，第三联发送中华人民共和国国家进出口商品检验局。

第十六条 申请化学品进出口环境管理登记的审查期限从收到符合登记资料要求的申请之日起计算，对化学品首次进口登记申请的审查期不超过 180 天，对列入《名录》的有毒化学品进出口登记申请的审查期不超过 30 天。

第十七条 国家环境保护局审批化学品进出口环境管理登记申请时，有权向申请人提出质询和要求补充有关资料。

国家环境保护局应当为申请人提交的资料和样品保守技术秘密。

第十八条 化学品首次进口环境管理登记申请表和有毒化学品环境管理登记申请表、化学品进出口环境管理登记证和临时登记证、有毒化学品进出口环境管理放行通知单，由国家环境保护局统一监制。

第四章 防止污染口岸环境

第十九条 进出口化学品的分类、包装、标签和运输，按照国际或国内有关危险货物运输规则的规定执行。

registration to renew its certificate six months before the date of expiration.

Temporary registration shall be valid for one year. It shall be reconfirmed whether or not formal registration shall be permitted before expiration of the validity period. Under special circumstances, extension can be made upon approval of registration authorities. The period of extension may not exceed one year.

Article 12 Whenever foreign business concerns or their agents export to China, or domestic businesses import from abroad, industrial chemicals or pesticides included in the List, they must apply in advance to the NEPA for registration of environmental management on import of toxic chemicals. The Registration Certificate for Environmental Management on the Import/Export of Chemicals and the Clearance Notification for Environmental Management on the Import (Export) of Toxic Chemicals (hereinafter referred to as the "Clearance Notification") shall be issued to them upon approval. The clearance notification is issued each time for each import/export of chemicals in the List. Each Clearance Notification can only be used for Customs declaration once within its valid date. (See Appendix I)

Article 13 Those who want to export chemicals included in the List should apply to the NEPA for the Registration of Environmental Management on the Import of Toxic Chemicals.

The NEPA, after accepting the application, shall notify the responsible department of the importing country, and, after receiving notification of import permission from the responsible department of the importing country, shall issue the Registration Certificate for Environmental Management on the Import/Export of Chemicals, allowing the applicant to export toxic chemicals. No registration shall be issued and no chemical export shall be allowed without permission from the responsible department of importing country. The applicant shall be duly notified for this.

Article 14 The Registration Certificate for Environmental Management on the Import/Export of Chemicals signed and issued by the NEPA shall be stamped with the seal of the People's Republic of China NEPA, denoting approval of the registration request for environmental management on the import and export of chemicals. The green color is for the Registration Certificate of Environmental Management on the Import/Export of Chemicals applied at home and abroad for import or export of toxic chemicals included in the List; The Registration Certificate of Environmental Management on Import/Export of Chemicals applied for by foreign business concerns or their agents for the first export of chemicals to China is in pink, while the temporary certificate is in white.

Article 15 The Clearance Notification for Environmental Management on the Import/Export of Toxic Chemicals shall be issued to applicant for Customs declaration, a copy of Clearance Notification shall be kept by NEPA, and a copy shall be sent to the State Administration of Import and Export Commodity Inspection of the People's Republic of China.

Article 16 Examination period of the application for the registration of environmental management on the import and/or export of chemicals shall be calculated from the date after receiving the application which conforms to the requirement of registration. The period of examination of the application for registration of the first import of chemicals cannot exceed 180 days. The period of examination for that of import and export of toxic chemicals included in the List cannot exceed 30 days.

Article 17 The NEPA, when examining and approving the application for the registration for environmental management on the import and export of chemicals, has a right to address inquiries to applicants and to ask for related supplementary materials. The NEPA should maintain secrecy regarding technical matters connected with the materials and samples submitted with an application.

Article 18 The NEPA shall supervise the manufacture of standardized application forms for the Registration of Environmental Management on the First import of Chemicals and on the Import and Export of Toxic Chemicals; the Registration Certificate and Temporary Registration Certificate for Environmental Management on the Import and Export of Chemicals; and the Clearance Notification of Environmental Management on the Import and Export of Toxic Chemicals.

Chapter IV Prevention of Port Environmental Pollution

Article 19 Classification, packaging, labeling and transport of imported and exported chemicals

第二十条 在装卸、贮存和运输化学品过程中，必须采取有效的预防和应急措施，防止污染环境。

第二十一条 因包装损坏或者不符合要求而造成或者可能造成口岸污染的，口岸主管部门应立即采取措施，防止和消除污染，并及时通知当地环境保护行政主管部门，进行调查处理。防止和消除其污染的费用由有关责任人承担。

第五章 罚 则

第二十二条 违反本规定，未进行化学品进出口环境管理登记而进出口化学品的，由海关根据海关行政处罚实施细则有关规定处以罚款，并责令当事人补办登记手续，对经补办登记申请但未获准登记的，责令退回货物。

第二十三条 进出口化学品造成中国口岸污染的，由当地环境保护行政主管部门予以处罚。

第二十四条 违反国家外贸管制规定而进出口化学品的，由外贸行政主管部门依照有关规定予以处罚。

第六章 附 则

第二十五条 因实验需要，首次进口且年进口量不足 50 公斤的化学品免于登记（《中国禁止或严格限制的有毒化学品名录》中的化学品除外）。

第二十六条 化学品进出口环境管理登记收费办法另行制定。

第二十七条 本规定由国家环境保护局负责解释。

第二十八条 本规定自 1994 年 5 月 1 日起施行。

shall be carried out in accordance with the international or domestic stipulations on shipment of hazardous commodities.

Article 20 In the process of loading and unloading, storing and transporting chemicals, effective precautions and emergency measures must be taken to prevent pollution of the environment.

Article 21 In case port pollution is caused by, or likely to result from, defective packaging or failure to meet requirements, the responsible port administrative departments must take prompt measures to control and eliminate the pollution, and without delay notify the local administrative departments responsible for environmental protection, for investigation and handling. Fees for control and elimination of the pollution should be borne by the party responsible.

Chapter V Punishment

Article 22 Those who violate these provisions by importing and/or exporting chemicals without the required registration for environmental management on import and export of chemicals shall be fined by Customs in accordance with the detailed rules and regulations for implementation of Customs administrative punishments. Customs shall order the party concerned to go through the registration procedure. Those who fail to obtain approval for the registration shall be ordered to send back the goods.

Article 23 Those who cause pollution of China's port while importing and exporting chemicals shall be punished by the local administrative departments responsible for environmental protection.

Article 24 Those who violate regulations of the state foreign trade management system by importing and or exporting chemicals shall be punished by the foreign trade administrative department in accordance with the relevant stipulations.

Chapter VI Supplementary Provisions

Article 25 Chemicals first imported for experimental purposes in quantities less than 50 kg annually shall be exempted from registration (except for those included in the List of Toxic Chemicals Banned or Severely Restricted in the People's Republic of China).

Article 26 Fees for the registration of environmental management on the import and export of chemicals shall be formulated separately.

Article 27 The NEPA shall be responsible for explaining these provisions.

Article 28 These Provisions shall come into force on May 1, 1994.

附件:

中国禁止或严格限制的有毒化学品名录 (第一批)

	化学品名称	美国化学文摘号	用途	限制程度	海关商品编码	
					化学品制剂	化学品纯物质
1	青石棉	12001-28-4	工业	禁止		2524. 0090
2	多氯联苯	1336-36-3	工业	严限		2903. 6990
3	多溴联苯	59080-40-9 27858-07-7 13654-09-6	工业	严限		2903. 6990
4	三(2, 3-二溴丙基)磷酸酯	126-72-7	工业	严限		2919. 0000
5	三氯丙啶基氧化磷	545-55-1	工业	严限		2933. 9000
6	丙烯腈	107-13-1	工业	严限		2926. 1000
7	汞化合物	107-27-7 62-38-4	农业	禁止		2805. 9000
8	艾氏剂	309-00-2	农业	禁止	3808. 1000	2903. 6990
9	狄氏剂	60-57-1	农业	禁止	3808. 1000	2910. 0000
10	异狄氏剂	72-20-8	农业	禁止	3808. 1000	2910. 0000
11	滴滴涕(二氯二苯二氯乙烷)	50-29-3	农业	禁止		2903. 6200
12	六六六·混合异构体	608-73-1	农业	禁止	3808. 1000	2903. 5100
13	七氯	76-44-8	农业	禁止	3808. 1000	2903. 6990
14	六氯苯	118-74-1	农业	禁止		2903. 6200
15	三环锡·普特丹	13121-70-5	农业	禁止	3808. 1000	2931. 0000
16	1, 2-二溴乙烷)	106-93-4	农业	禁止	3808. 1000	2903. 3000
17	氟乙酰胺·敌蚜胺	640-19-7	农业	禁止	3808. 1000	2924. 1000
18	2, 4, 5-涕(2, 4, 5-三氯苯氧乙酸) (2, 4, 5-T)	93-76-5	农业	禁止	3808. 1000	2918. 9000
19	二溴氯丙烷(1, 2-二溴-3-氯丙烷)	96-12-8	农业	禁止	3808. 1000	2903. 4029
20	内吸磷	298-03-3	农业	禁止	3808. 1000	2930. 9090
21	氰化合物	57-12-5	农业	禁止		2837. 0000
22	氯丹(八氯化甲桥茛)	57-47-9	农业	严限	3808. 1000	2903. 6990
23	杀虫脒	6164-98-3	农业	严限	3808. 1000	2921. 4200
24	氯化苦	76-06-2	农业	严限	3808. 1000	2904. 9090
25	砷化合物	7440-38-2	农业	严限		2811. 2900
26	五氯酚(五氯苯酚)	87-86-5	农业	严限	3808. 1000	2908. 1090
27	地乐酚	88-85-7	农业	严限	3808. 1000	2908. 9090

Catalog of Toxic Chemicals Banned or Severely Restricted in People's Republic of China (Batch I)

	Name of Chemicals	US CAS-NO	Use	Degree of Restriction	H. S. Code	
					Preparation	Pure Substance
1	(Crocidolite)	12001-28-4	(Industry)	(Banned)		2524.0090
2	(PCBs)	1336-36-3	(Industry)	(Severely Restricted)		2903.6990
3	(PBBs)	59080-40-9 27858-07-7 13654-09-6	(Industry)	(Severely Restricted)		2903.6990
4	(Tris (2, 3-dibromopropyl) phosphate)	126-72-7	(Industry)	(Severely Restricted)		2919.0000
5	(Tris-aziridinyl-phosphin oxide)	545-55-1	(Industry)	(Severely Restricted)		2933.9000
6	(Acrylonitrile)	107-13-1	(Industry)	(Severely Restricted)		2926.1000
7	(Mercury compounds)	107-27-7 62-38-4	(Agriculture)	(Banned)		2805.9000
8	(Aldrin)	309-00-2	(Agriculture)	(Banned)	3808.1000	2903.6990
9	(Dieldrin)	60-57-1	(Agriculture)	(Banned)	3808.1000	2910.0000
10	(Endrin)	72-20-8	(Agriculture)	(Banned)	3808.1000	2910.0000
11	(DDT)	50-29-3	(Agriculture)	(Banned)		2903.6200
12	(HCH Mixed isomers)	608-73-1	(Agriculture)	(Banned)	3808.1000	2903.5100
13	(Heptachlor)	76-44-8	(Agriculture)	(Banned)	3808.1000	2903.6990
14	(Hexachlorobenzene)	118-74-1	(Agriculture)	(Banned)		2903.6200
15	(Cyhexatin)	13121-70-5	(Agriculture)	(Banned)	3808.1000	2931.0000
16	(EDB)	106-93-4	(Agriculture)	(Banned)	3808.1000	2903.3000
17	(Fluoroacetamide)	640-19-7	(Agriculture)	(Banned)	3808.1000	2924.1000
18	(2,4,5-T)	93-76-5	(Agriculture)	(Banned)	3808.1000	2918.9000
19	(DBCP)	96-12-8	(Agriculture)	(Banned)	3808.1000	2903.4029
20	(Demeton)	298-03-3	(Agriculture)	(Banned)	3808.1000	2930.9090
21	(Cyanide)	57-12-5	(Agriculture)	(Banned)		2837.0000
22	(Chlordane)	57-47-9	(Agriculture)	(Severely Restricted)	3808.1000	2903.6990
23	(Chlordimeform)	6164-98-3	(Agriculture)	(Severely Restricted)	3808.1000	2921.4200
24	(Chlorpicrin)	76-06-2	(Agriculture)	(Severely Restricted)	3808.1000	2904.9090
25	(Arsenic compounds)	7440-38-2	(Agriculture)	(Severely Restricted)		2811.2900
26	(Pentachlorophenol)	87-86-5	(Agriculture)	(Severely Restricted)	3808.1000	2908.1090
27	(Dinoseb)	88-85-7	(Agriculture)	(Severely Restricted)	3808.1000	2908.9090

中国禁止或严格限制的有毒化学品目录 (第一批)

(1998年12月25日修订, 国家环保总局1999年4月5日公布)

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
1	青石棉 Crocidolite	Asbestos crocidolite; Amorphous crocidolite asbestos; Asbestos; Blue asbestos; Brown asbestos; Crocidolite; Crocidolite asbestos; Fibrous crocidolite asbestos	12001-28-4	$\text{ONa}_2\text{Fe}_2\text{O}_3\text{FeO}_8\text{SiO}_2\text{H}_2\text{O}$		2524. 0090 25240010
2	多氯联苯 PCBs	1, 1'-联苯氯代衍生物; 多氯代联苯; 氯代联苯 1, 1'-Biphenyl, chloro derivs; 1, 1'-Biphenyl, chloro derivatives.; 1, 1'-Biphenyl, chloro derivs; Biphenyl, chlorinated Chlorinated biphenyl Chlorinated diphenyl Dipenyl, chlorinated PCB Polychlorinated biphenyl Polychlorinated biphenyls (PCBs) See also specific PCBs	1336-36-3			2903. 6990
3	多溴联苯 PBBs	六溴联苯 1, 1'-Biphenyl, 2, 2' 4, 4' 5, 5'-hexabromo-; 2, 4, 5, 2', 4' 5' -Hexabromobiphenyl	59080-40-9	$\text{C}_{12}\text{H}_2\text{Br}_6$		2903. 6990
		八溴联苯 biphenyl, octabromo-; Octabromobiphenyl; ar, ar, ar, ar, ar', ar', ar', ar', -Octabromo-1, 1'-biphenyl; Octabromodiphenyl	27858-07-7		2903. 6990	
		十溴联苯 2, 2', 3, 3' 4, 4' 5, 5' 6, 6' -十溴代-1, 1'-联苯; 1, 1'-Biphenyl, 2, 2' 3, 3' 4, 4' 5, 5' 6, 6' -decabromo-	13654-09-6	$\text{C}_{12}\text{Br}_{10}$	2903. 6990	
4	三(2, 3-二溴丙基)磷酸酯 Tris (2, 3-Dibromopropyl phosphate)	磷酸三(2, 3-二溴丙基)酯; 2, 3-二溴-1-丙醇磷酸酯(3:1) 1-propanol 2, 3-dibromo-, phosphate (3:1) 2, 3-dibromo-1-propanol phosphate; (2, 3-Dibromopropyl) phosphate; Phosphoric acid, tris (2, 3-dibromopropyl) ester; Tris-BP; Tris (dibromopropyl) phosphate; Tris (2, 3-dibromopropyl) phosphoric acid ester	126-72-7	$\text{C}_9\text{H}_{15}\text{Br}_6\text{O}_4\text{P}$		2919. 0000

注: "别名" 栏中的各项英文名称仅供参考。

Catalogue of Toxic Chemicals Banned or Severely Restricted (Batch I)
 (revised on December 25, 1998, promulgated by SEPA on April 5, 1999)

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
1	Crocidolite	Asbestos crocidolite; Amorphous crocidolite asbestos; Asbestos; Blue asbestos; Brown asbestos; Crocidolite; Crocidolite asbestos; Fibrous crocidolite asbestos	12001-28-4	$ON_8Fe_2O_3Fe$ $O_8SiO_2H_2O$		2524.0090 25240010
2	PCBs	1, 1'-Biphenyl, chloro derivs.; 1,1'-Biphenyl, chloro derivs.; 1, 1'-Biphenyl, chloro derivatives.; 1, 1'-Biphenyl, chloro derivs.; Biphenyl, chlorinated Chlorinated biphenyl Chlorinated diphenyl Diphenyl, chlorinated PCB Polychlorinated biphenyl Polychlorinated biphenyls (PCBs) See also specific PCBs	1336-36-3			2903.6990
3	PBBs	1,1'-Biphenyl, 2,2',4,4',5,5'-hexabromo-; 2,4,5,2',4',5'-Hexabromobiphenyl	59080-40-9	$C_{12}H_2Br_6$		2903.6990
		biphenyl, octabromo-; Octabromobiphenyl; ar, ar, ar, ar, ar', ar', ar', ar', -Octabromo-1, 1'-biphenyl; Octabromodiphenyl	27858-07-7		2903.6990	
		2,2',3,3',4,4',5,5',6,6'-1,1'-; 1,1'-Biphenyl, 2,2',3,3',4,4',5,5',6,6'-decabromo-	13654-09-6	$C_{12}Br_{10}$		2903.6990
4	Tris (2, 3-Dibromopropyl phosphate)	1-propanol 2, 3-dibromo-, phosphate(3:1) 2,3-dibromo-1-propanol phosphate; (2, 3-Dibromopropyl)phosphate; Phosphoric acid, tris(2, 3-dibromopropyl)ester; Tris-BP; Tris (dibromopropyl) phosphate; Tris(2, 3-dibromopropyl)phosphoric acid ester	126-72-7	$C_9H_{15}Br_6O_4P$		2919.0000

Note: The English name of chemicals is for reference only

化学品首次进口及有毒化学品进出口环境管理规定

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
5	三吡啶 基氧化磷 Tri-aziridinylphosphineoxide	phosphine oxide, tris (1-aziridinyl) -; Aziridine, 1, 1', 1"-phosphinylidynetris-; 1, 1' 1"-Phosphinylidynetrisaziridine; Phosphoramidate, N, N', N"-triethylene-; Phosphoric acid triethylene imide; Phosphoric triamide, N, N', N"-tri-1, 2-ethanediy-; Phosphoric triamide, N, N', N"-triethylene-; TAPO; TEF; TEPA; Triaziridinophosphineoxide; Triaziridinylphosphine oxide; Tri (aziridinyl) phosphine oxide; Try-1-aziridinylphosphine oxide; Tri (1-aziridinyl) phosphine oxide; N, N', N"-Tri-1, 2-ethanediy-; phosphoric triamide; Triethylenephosphoramidate; N, N', N"-Triethylene-phosphoramidate; Triethylenephosphoric triamide; N, N', N"-Triethylenephosphoric triamide; Triethylenephosphorotriamide; Tris (1-aziridine) phosphine oxide; Tris (aziridinyl) phosphine oxide; Tris (1-aziridinyl) phosphine oxide; Tris (1-aziridinyl) phosphine oxide; Tris (1-aziridinyl) phosphine oxide, solution; Tris (N-ethylene) phosphorotriamidate	54-55-1	C ₆ H ₁₂ N ₃ OP		2933. 9000
6	丙烯腈 Acrylonitrile	2-丙烯腈; 乙烯基腈 2-propenenitrile; cyanoethylene; Acritel; Acrylon; Acrylonitrile; Acrylonitrile, inhibited; Acrylonitrile monomer; Carbacryl; Cyanoethylene; Fumigrain; Miller' s fumigrain; Propenenitrile; 2-Propenenitrile; VCN; Ventox; Vinyl cyanide; vinylicyanide	107-13-1	C ₃ H ₃ n		2926. 1000
7	汞和汞化合物 Mercury and Mercury compounds	水银 Mercury Mercury element Quecksilber Quicksilver	7439-97-6	Hg		2805. 4000
		氯乙基汞 Mercury, chlorowthyl-; Chloroethylmercury; CMC; Ethylmercuric chloride; Ethylmercury chloride;	107-27-7	C ₂ H ₅ CHg		29310000
		乙酸苯汞 phenyl mercuric acetate; 醋酸苯基汞; 醋酸苯汞; 赛力散 mercury, (acetato) phenyl-; (Acetato) phenylmercury; Acetic acid, phenylmercury deriv; (Acetoxymcuri) benzene; Acetoxymphenylmercury; Benzern, (acetoxymcuri) -; Benzene, (acetoxymcurio) -; Hexasan (fungicide); Mercuriphenyl acetate; Mercury (II) acetate, phenyl-; Mercury, acetoxymphenyl; Mergamma; Panomatic; Phenomercuric acetate; Phenylmercuriacetate; Phenyl mercuric acetate; Phenylmercuric acetate; Phenylmercury acetate; Phenylmercury (II) acetate; PMA; PMA; PMAC; PMAS	62-38-4	C ₈ H ₈ HgO ₂		29310000

Catalogue of Toxic Chemicals Banned or Severely Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
5	Tri-aziridinylphosphine oxide	phosphine oxide, tris (1-aziridinyl)-; Aziridine, 1, 1', 1''-phosphinylidynetris-; 1, 1' 1''-Phosphinylidynetrisaziridine; Phosphoramidate, N, N', N''-triethylene; Phosphoric acid triethylene imide; Phosphoric triamide, N, N', N''-tri-1, 2-ethanediy-; Phosphoric triamide, N, N', N''-triethylene-; TAPO; TEF; TEPA; Triaziridinophosphineoxide; Triaziridinylphosphine oxide; Tri (aziridinyl) phosphine oxide; Tri-1-aziridinylphosphine oxide; Tri (1-aziridinyl) phosphine oxide; N,N',N''-Tri-1, 2-ethanediyphosphoric triamide; Triethylenephosphoramidate; N, N', N''-Triethylene-phosphoramidate; Triethylenephosphoric triamide; N, N', N''-Triethylenephosphoric triamide; Triethylenephosphorotriamide; Tris (1-aziridine) phosphine oxide; Tris (aziridinyl) phosphine oxide; Tris (1-aziridinyl) phosphine oxide; Tris(1-aziridinyl) phosphine oxide, solution; Tris(N-ethylene) phosphorotriamidate	54-55-1	$C_6H_{12}N_3OP$		2933.9000
6	Acrylonitrile	2-propenenitrile; cyanoethylene; Acritel; Acrylon; Acrylonitrile; Acrylonitrile, inhibited; Acrylonitrile monomer; Carbacryl; Cyanoethylene; Fumigrain; Miller's fumigrain; Propenenitrile; 2-Propenenitrile; VCN; Ventox; Vinyl cyanide; vinylocyanide	107-13-1	C_3H_3n		2926.1000
7	Mercury and Mercury compounds	Mercury Mercury element Quecksilber Quicksilver	7439-97-6	Hg		2805.4000
		Mercury, chlorowthyl-; Chloroethylmercury; CMC; Ethylmercuric chloride; Ethylmercury chloride;	107-27-7	C_2H_5CHg		29310000
		phenyl mercuric acetate; mercury, (acetato) phenyl-; (Acetato) phenylmercury; Acetic acid, phenylmercury deriv; (Acetoxymercuri)benzene; Acetoxyphenylmercury; Benzern, (acetoxymercuri)-; Benzene, (acetoxymercurio)-; Hexasan (fungicide); Mercuriphenyl acetate; Mercury(II) acetate, phenyl-; Mercury, acetoxyphe-nyl; Mergamma; Panomatic; Phenomercuric acetate; Phhenylmercuriacetate; Phenyl mercuric acetate; Phenylmercuric acetate; Phenylmercury acetate; Phenylmercury (II) acetate; PMA; PMA;PMAC; PMAS	62-38-4	$C_8H_8HgO_2$		29310000

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
8	艾氏剂 Aldrin	1, 4: 5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-, endo, exo-; Aldrin; Aldrite; Aldrosol; Altox; Hexachlorohexahydro-endo-exo-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-1, 4, 5, 8-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-exo-1, 4-endo-5, 8-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-1, 4-endo-exo-5, 8-dimethanonaphthalene; HHDN;	309-00-2	$C_{12}H_8Cl_6$		2903. 5900
9	狄氏剂 Dieldrin	1, 4: 5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-, endo, exo-; Dieldrex; Dieldrin; HEOD; Hexachloroepoxyoctahydro-endo, exo-dimethanonaphthalene; 3, 4, 5, 6, 9, 9-Hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-2, 7: 3, 6-dimethanonaphth (2, 3, -b) oxirene;	60-57-1	$C_{12}H_8Cl_6O$		2910. 9000
10	异狄氏剂 Endrin	1, 4: 5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-6, 7-epoxy-1, 4, 4a, 5, 6, 7, 8, 8a-octahydro-endo, endo-; Endrex; Endrin; Hexachloroepoxyoctahydro-endo-dimethanonaphthalene; 3, 4, 5, 6, 9, 9-Hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-2, 7: 3, 6-dimethanonaphth (2, 3-b) oxirene; Hexadrin;	72-20-8	$C_{12}H_8Cl_6O$		2910. 9000

Catalogue of Toxic Chemicals Banned or Severly Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H.S. Code Pure Substance
8	Aldrin	1, 4:5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-,endo, exo-; Aldrin; Aldrite; Aldrosol; Altos; Hexachlorohexahydro-endo-exo-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-1, 4, 5, 8-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-exo-1, 4-endo-5, 8-dimethanonaphthalene; 1, 2, 3, 4, 10, 10-Hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-1, 4-endo-exo-5, 8-dimethanonaphthalene; HHDN;	309-00-2	$C_{12}H_8Cl_6$		2903.5900
9	Dieldrin	1, 4:5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro-,endo, exo-; Dieldrex; Dieldrin; HEOD; Hexachloroepoxyoctahydro-endo, exo-dimethanonaphthalene; 3, 4, 5, 6, 9, 9-Hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-2, 7: 3, 6-dimethanonaphth(2, 3,-b)oxirene;	60-57-1	$C_{12}H_8Cl_6O$		2910.9000
10	Endrin	1, 4:5, 8-Dimethanonaphthalene, 1, 2, 3, 4, 10, 10-hexachloro-6, 7-epoxy-1, 4, 4a, 5, 6, 7, 8, 8a-octahydro-endo, endo-; Endrex; Endrin; Hexachloroepoxyoctahydro-endo-endo-dimethanonaphthalene; 3, 4, 5, 6, 9, 9-Hexachloro-1a, 2, 2a, 3, 6, 6a, 7, 7a-octahydro-2, 7: 3, 6-dimethanonaphth(2, 3-b)oxirene; Hexadrin;	72-20-8	$C_{12}H_8Cl_6O$		2910.9000

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
11	滴滴涕 DDT	二氯二苯三氯乙烷; 2, 2-双(对氯苯基)-1, 1, 1, -三氯乙烷; 1, 1, 1-三氯-2, 2-双(对氯苯基)乙烷; Ethane, 1, 1, 1-trichloro-2, 2-bis(p-chlorophenyl)-; 2, 2-bis(p-chlorophenyl)-1, 1, 1-trichloroethane; Benzene, 1, 1-(2, 2, 2-trichloroethylidene) bis(4-chloro-; Ethane, 1, 1, 1-trichloro-2, 2-bis(pchlorophenyl)-; Benzene, 1, 1'(2, 2, 2-trichloroethylidene) bis(4-chloro-; alpha, alpha-Bis(p-chlorophenyl) beta, beta-trichlorethane; 1, 1-Bis-(p-chlorophenyl)-2, 2, 2-trichloroethane; 2, 2-Bis(p-chlorophenyl) 1, 1, 1-trichloroethane; Chlorophenothan; Chlorophenothane; Chlorophenotoxum; Clofenotane; DDT; p, p'-DDT; Dichlorodiphenyltrichloroethane; Dichlorodiphenyltrichloroethane; p, p'-Dichlorodiphenyltrichloroethane; 4, 4'-Dichlorodiphenyltrichloroethane; Parachlorocidum; PEBI; Pentachlorin; Pentech; Trichlorobis(4-chlorophenyl) ethane; 1, 1, 1-Trichloro-2, 2-bis(pchlorophenyl) ethane; 1, 1, 1-Trichloro-2, 2-di(4-chlorophenyl)-ethane	50-29-3	C ₁₄ H ₉ Cl ₅		2903. 6200
12	六六六·混合 异构体 HCH·Mixed isomers	Cyclohexane, 1, 2, 3, 4, 5, 6-hexachloro; Benzene hexachloride; BHC; HCH; Hexachlorocyclohexane; 1, 2, 3, 4, 5, 6 Hexachlorocyclohexane;	608-73-1	C ₆ H ₆ Cl ₆		2903. 5100
13	七氯 Heptachlor	4, 7-Methanoindene, 1, 4, 5, 6, 7, 8, 8-heptachloro-3a, 4, 7, 7a-tetrahydro-; 3-Chlorochlordene; Dicyclopentadiene; 3, 4, 5, 6, 7, 8, 8a-heptachloro-; Heptachlor; Heptachlorane; 3, 4, 5, 6, 7, 8, 8-Heptachlorodicyclopentadiene; 3, 4, 5, 6, 7, 8, 8a-Heptachlorodicyclopentadiene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-endomethanoindene; 1, 4, 5, 6, 7, 8, 8a-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-methanoindane; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-methanoindene; 1(3a), 4, 5, 6, 7, 8, 8-Heptachloro-3a(1), 4, 7, 7a-tetrahydro-4, 7-methanolindene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7, 7a-tetrahydro-4, 7-methanol-1H-indene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7, 7a-tetrahydro-4, 7-methylene indene; 1, 4, 5, 6, 7, 10, 10-Heptachloro-4, 7, 8, 9-tetrahydro-4, 7-methyleneindene; 1, 4, 5, 6, 7, 10, 10-Heptachloro-4, 7, 8, 9-tetrahydro-4, 7-endomethyleneindene;	76-44-8	C ₁₀ H ₅ Cl ₇		2903. 5900

Catalogue of Toxic Chemicals Banned or Severly Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
11	DDT	Ethane, 1,1,1-trichloro-2,2-bis(p-chlorophenyl)-; 2, 2-bis(p-chlorophenyl)-1,1,1-trichloroethane; Benzene, 1, 1-(2, 2, 2-trichloroethylidene) bis (4-chloro-; Ethane, 1, 1, 1-trichloro-2, 2-bis (pchlorophenyl)-; Benzene, 1, 1'(2, 2, 2-trichloroethylidene) bis (4-chloro-; alpha, alpha-Bis(p-chlorophenyl)beta, beta-trichloroethane; 1, 1-Bis-(p-chlorophenyl)-2, 2, 2-trichloroethane; 2, 2-Bis (p-chlorophenyl) 1, 1, 1-trichloroethane; Chlorophenothan; Chlorophenothane; Chlorophenotoxum; Clofenotane; DDT; p, p'-DDT; Dichlorodiphenyltrichloroethane; Dichlorodiphenyltrichloroethane; p, p'-Dichlorodiphenyltrichloroethane; 4, 4'-Dichlorodiphenyltrichloroethane; Parachlorocidum; PEBI; Pentachlorin; Pentech; Trichlorobis(4-chlorophenyl) ethane; 1, 1, 1-Trichloro-2, 2-bis (pchlorophenyl)ethane; 1, 1, 1-Trichloro-2, 2-di(4-chlorophenyl)-ethane	50-29-3	C ₁₄ H ₉ Cl ₅		2903.6200
12	HCH-Mixed isomers	Cyclohexane, 1, 2, 3, 4, 5, 6-hexachloro; Benzene hexachloride; BHC; HCH; Hexachlorocyclohexane; 1, 2, 3, 4, 5, 6 Hexachlorocyclohexane;	608-73-1	C ₆ H ₆ Cl ₆		2903.5100
13	Heptachlor	4, 7-Methanoindene, 1, 4, 5, 6, 7, 8, 8-heptachloro-3a, 4, 7, 7a-tetrahydro-; 3-Chlorochlordene; Dicyclopentadiene; 3, 4, 5, 6, 7, 8, 8a-heptachloro-; Heptachlor; Heptachlorane; 3, 4, 5, 6, 7, 8, 8-Heptachlorodicyclopentadiene; 3, 4, 5, 6, 7, 8, 8a-Heptachlorodicyclopentadiene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-endomethanoindene; 1, 4, 5, 6, 7, 8, 8a-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-methanoindane; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7a-tetrahydro-4, 7-methanoindene; 1(3a), 4, 5, 6, 7, 8, 8-Heptachloro-3a(1), 4, 7, 7a-tetrahydro-4, 7-methanolindene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7, 7a-tetrahydro-4, 7-methanol-1H-indene; 1, 4, 5, 6, 7, 8, 8-Heptachloro-3a, 4, 7, 7, 7a-tetrahydro-4, 7-methylene indene; 1, 4, 5, 6, 7, 10, 10-Heptachloro-4, 7, 8, 9-tetrahydro-4, 7-methyleneindene; 1, 4, 5, 6, 7, 10, 10-Heptachloro-4, 7, 8, 9-tetrahydro-4, 7-endomethyleneindene;	76-44-8	C ₁₀ H ₅ Cl ₇		2903.5900

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
14	六氯苯 Hexachlorobenzene	六氯代苯; 过氯苯; 全氯代苯; benzene, hexachloro; perchlorobenzene; Hexachlorobenzene; Pentachlorophenyl chloride; Perchlorobenzene; Phenyl perchloryl	118-74-1	C ₆ Cl ₆		2903. 6200
15	三环锡·普特丹 Cyhexatin	Cyhexatin; Plictran; Plyctran; TCTH; Tin, tricyclohexylhydroxy-; Tricyclohexylhydroxystannane; Tricyclohexylhydroxytin; Tricyclohexylstannanol; Tricyclohexylstannium hydroxide; Tricyclohexyltin hydroxide	13121-70-5	C ₁₈ H ₃₄ OSn		2931. 0000
16	1, 2-二溴乙烷 EDB	二溴乙烷 ethane, 1, 2-dibromo-; ethlene bro- mide; 1, 2-Dibromoethane; alpha, beta Dibromoethane; sym-Dibromoethane; 1, 2-Dibromoethane; Ethylene bromide; Ethylene dibromide; 1, 2-Ethylene di- bromide; Fumo-gas, Glycol bromide; Glycol dibromide;	106-93-4	C ₂ H ₄ Br ₂		2903. 3090
17	氟乙酰胺· 敌蚜胺 Fluoroacetamide	Acetamide, 2-fluoro-; Fluoroacetamide; 2-Fluoroacetamide; Fluoroacetic acid amide; Flutriex 1; Fussol; Megatox; Monofluoroacetamide; Navron;	640-19-7	C ₂ H ₄ FNO		2924. 1000
18	2, 4, 5-涕 1, 4, 5, -T	2, 4, 5-三氯苯氧乙酸 Acetic acid, (2, 4, 5-trichlorophe- noxy) -; Amine 2, 4, 5-T for rice; Ar- bokan; BCF-Bushkiller; Brushtox; Da- camine; Debroussaillant concentre; De- broussaillantsuper concentre; Decamine 4T; Ded-weedbrush killer; Ded-weed LV-6 brush killand T-5 brush kil; Dinox- ol; Envert-T; Estercide T-2 and T-245; Farmco fencerider; Fence rider; Line rider; Phortox; 2, 4, 5-T; Tippon; 2, 4, 5-Trichlorophenoxyacetic acid; Visko rhap low volatile ester	93-76-5	C ₈ H ₅ C ₁₃ O ₃		2918. 9000
19	二溴氯丙烷 DBCP	1, 2-二溴-3-氯丙烷 Propane, 1, 2-dibromo-3-chloro-; BBC 12; 1-Chloro-2, 3-dibromopropane; 3- Chloro-1, 2-dibromopropane; DBCP; Dibromochloropropane; Dibromochloropropane; 1, 2-Dibromo-3- chloropropane Oxy DBCP; Propane, 1- chloro-2, 3-dibromo-	96-12-8	C ₃ H ₅ Br ₂ Cl		2903. 4990

Catalogue of Toxic Chemicals Banned or Severely Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
14	Hexachlorobenzene	benzene, hexachloro; perchlorobenzene; Hexachlorobenzene; Pentachlorophenyl chloride; Perchlorobenzene; Phenyl perchloryl	118-74-1	C ₆ Cl ₆		2903.6200
15	Cyhezatin	Cyhexatin; Plictran; Plyctran; TCTH; Tin, tricyclohexylhydroxy-; Tricyclohexylhydroxystannane; Tricyclohexylhydroxytin; Tricyclohexylstannanol; Tricyclohexylstannium hydroxide; Tricyclohexyltin hydroxide	13121-70-5	C ₁₈ H ₃₄ OSn		2931.0000
16	EDB	ethane, 1, 2-dibromo-; ethlene bromide; 1, 2-Dibromoethane; alpha, beta Dibromoethane; sym-Dibromoethane; 1, 2-Dibromoethane; Ethylene bromide; Ethylene dibromide; 1, 2-Ethylene dibromide; Fumo-gas, Glycol bromide; Glycol dibromide;	106-93-4	C ₂ H ₄ Br ₂		2903.3090
17	Fluoroacetamide	Acetamide, 2-fluoro-; Fluoroacetamide; 2-Fluoroacetamide; Fluoroacetic acid amide; Flutriex 1; Fussol; Megatox; Monofluoroacetamide; Navron;	640-19-7	C ₂ H ₄ FNO		2924.1000
18	2,4,5-1,4,5,-T	2Acetic acid, (2, 4, 5-trichlorophenoxy)-; Amine 2, 4, 5-T for rice; Arbo-kan; BCF-Bushkiller; Brushtox; Dacamine; Debroussaillant concentre; Debroussaillantsuper concentre; Decamine 4T; Ded-weedbrush killer; Ded-weed LV-6 brush killand T-5 brush kil; Dinoxol; Envert-T; Estercide T-2 and T-245; Farmco fencerider; Fence rider; Line rider; Phortox; 2, 4, 5-T; Tippon; 2, 4, 5-Trichlorophenoxyacetic acid; Viskorhap low volatile ester	93-76-5	C ₈ H ₅ C ₁₃ O ₃		2918.9000
19	DBCP	Propane, 1, 2-dibromo-3-chloro-; BBC 12; 1-Chloro-2, 3-dibromopropane; 3-Chloro-1, 2-dibromopropane; DBCP; Dibromochloropropane; Dibromochloropropane; 1, 2-Dibromo-3-chloropropane Oxy DBCP; Propane, 1-chloro-2, 3-dibromo-	96-12-8	C ₃ H ₅ Br ₂ Cl		2903.4990

序号	化学品名 中文 英文	需控制化学品名称 中文别名 (俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
20	内吸磷 Demeton	Demeton-O; O, O-Diethyl O- (2-eththioethyl) phosphorothioate; Diethyl 2-eththioethyl thionophosphate; O, O-Diethyl O-2- (ethylthio) ethyl phosphorothioate; O, O-diethyl-2-ethylthio ethyl phosphorothioate; Diethyl-2- (ethylthio) ethyl phosphorothionate; Mercaptos; Di-septon; Ethanethiol, 2- (ethylthio) -, S-ester with O, O-diethyl phosphorodithioate; Ethanol, 2- (ethylthio) -, O-ester with O, O-diethyl phosphorothioate; Thiomecaptos	298-03-3	C ₈ H ₁₉ O ₃ PS ₂		2930. 9090
21	氰化合物 Cyanide	氢氰酸 Carbon nitride ion (CN (sup 1-)); Cyanide (1-); Cyanide, dry (UN1588); Cyanide anion; Cyanide (CN (sup 1-)); Cyanide ion; Cyanide (1-) ion; Cyanide solutions; Hydrocyanic acid, ion (1-); Isocyanide	57-12-5	HCN		2811. 1910
		氰化锌 Zinc cyanide; Zinc dicyanide	557-21-1	C ₂ N ₂ Zn		2837. 1990
		氰化银钾 二氰合银酸 (1-) 钾 Argentate (1-), bis (cyano-c-), potassium; potassium cyanoargenate; potassium silver cyanide; Silver potassium cyanide	506-61-6	C ₁ AgN ₂ K		2843. 2900
		氰化钠; 山奈 (固); 山奈奶 (液) Cyanide of sodium; Cyanobrik; Cyanogran; Cymag; Hydrocyanic acid, sodium salt; Sodium cyanide	143-33-9	C-N-Na		2837. 1110
		氰化钾, 山奶钾 Cyanide of potassium; Hydrocyanic acid, potassium salt; Potassium cyanide	151-50-8	C-K-N		2837. 1910
		氰化亚铜 Copper cyanide; Cuperus cyanide; Copper (I) cyanide; Cupricin; Copper monocyanide	544-92-3	C-Cu-N		2837. 1990
		氰化银 Silver cyanide; Silver (I) cyanide	506-64-9	C-Ag-N		2843. 2900
		氰化金 Gold cyanide; Gold monocyanide; Gole (1+) cyanide; Aurous cyanide	506-65-0	C-Au-N		2843. 3000
		氰化 (亚) 金钾; 氰亚金酸钾 Aurate (1-), bis (cyano-kC) -, potassium; Aurate (1-), bis (cyano-C) -, potassium; potassium dicyanoaurate; Potassium cyanoaurate (I); Aurate (1-), dicyano-, potassium; Gold potassium cyanide; Monopotassium dicyanoaurate; Potassium aurocyanide; Potassium aurocyanide; Potassium dicyanoaurate (1-); Potassium dicyanoaurate (I); Potassium gold cyanide	13967-50-5	C ₂ AuN ₂ . K		2843. 3000

Catalogue of Toxic Chemicals Banned or Severly Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H.S. Code Pure Substance
20	Demeton	Demeton-O; O, O-Diethyl O-(2-ethylthioethyl) phosphorothioate; Diethyl 2-ethylthioethyl thionophosphate; O, O-Diethyl O-2-(ethylthio)ethyl phosphorothioate; O, O-diethyl-2-ethylthio ethyl phosphorothioate; Diethyl 2-(ethylthio) ethyl phosphorothionate; Mercaptos; Di-septon; Ethanethiol, 2-(ethylthio)-, S-ester with O, O-diethyl phosphorodithioate; Ethanol, 2-(ethylthio)-, O-ester with O, O-diethyl phosphorothioate; Thiomecaptophos	298-03-3	$C_8H_{19}O_3PS_2$		2930.9090
21	Cyanide	Carbon nitride ion(CN(sup 1-)); Cyanide(1-);Cyanide, dry(UN1588); Cyanide anion; Cyanide(CN(sup 1-)); Cyanide ion; Cyanide(1-)ion; Cyanide solutions; Hydrocyanic acid, ion(1-); Isocyanide	57-12-5	HCN		2811.1910
		Zinc cyanide; Zinc dicyanide	557-21-1	C_2N_2Zn		2837.1990
		Argentate(1-), bis (cyano-c-), potassium; potassium cyanoargenate; potassium silver cyanide; Silver potassium cyanide	506-61-6	C_1AgN_2K		2843.2900
		Cyanide of sodium; Cyanobrik; Cyanogran; Cymag; Hydrocyanic acid, sodium salt; Sodium cyanide	143-33-9	C-N-Na		2837.1110
		Cyanide of potassium; Hydrocyanic acid, potassium salt; Potassium cyanide	151-50-8	C-K-N		2837.1910
		Copper cyanide; Cuperus cyanide; Copper (I) cyanide; Cupricin; Copper monocyanide	544-92-3	C-Cu-N		2837.1990
		Silver cyanide; Silver (I) cyanide	506-64-9	C-Ag-N		2843.2900
		Gold cyanide; Gold monocyanide; Gole(1+) cyanide; Aurous cyanide	506-65-0	C-Au-N		2843.3000
Aurate(1-), bis (cyano-kC)-, potassium; Aurate(1-), bis (cyano-C)-, potassium; potassium dicyanoaurate; Potassium cyanoaurate(I); Aurate(1-), dicyano-, potassium; Gold potassium cyanide; Monopotassium dicyanoaurate; Potassium aurocyanide; Potassium aurocyanide; Potassium dicyanoaurate(1-); Potassium dicyanoaurate(I); Potassium gold cyanide	13967-50-5	$C_2AuN_2.K$		2843.3000		

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
22	氯丹 Chlordane	八氯化甲桥茛 Aspon-chlordane; Chlordan; Chlordane; Chlorindan; Chlor KIL; Chlorodane; Chlortox; Chlordano; Cortilan-neu; Dichlorochlordene; Dowchlor; 4, 7- Methano-1H-indene, 1, 2, 4, 5, 6, 7, 8, 8-octachloro-2, 3, 3a, 4, 7, 7a-hexa- hydro; Octachlor; Octachlorodihydrocyclopentadiene; 1, 2, 4, 5, 6, 7, 8, 8-Octahydro-2, 3, 3a, 4, 7, 7a-hexahydro-4, 7-methanoind- an; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro- 2, 3, 3a, 4, 7, 7a-hexahydro-4, 7- methanoindane; 1, 2, 4, 5, 6, 7, 8, 8- Octachloro-2, 3, 3a, 4, 7, 7a-hexa- hydro-4, 7- methanoindene; 1, 2, 4, 5, 6, 7, 8, 8- Octachloro-2, 3, 3a, 4, 7, 7a-hexa- hydro-4, 7-methano-1H-indene; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-3a, 4, 7, 7a-hexahydro-4, 7-methylene indane; Octachloro-4, 7-methanohydroindane; Octachloro-4, 7- methanotetrahydroindane; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-4, 7-methano-3a, 4, 7, 7a-tetrahydroindane; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro - 3a, 4, 7, 7a- tetrahydro-4, 7-methanoindan; 1, 2, 4, 5, 6, 7, 8, 8a-Octachloro-3a, 4, 7, 7a- Tetrahydro-4, 7-methanoindane; 1, 2, 4, 5, 6, 7, 10, 10-Octachloro-4, 7, 8, 9-tetrahydro-4, 7-methyleneindane; Oc- ta-klor; Oktaterr; Ortho-klor	57-74-9	C ₁₀ H ₆ Cl ₈		2903. 5900
23	杀虫脒 Chlordimeform	Acaron; Bermat; CDM; Chlordimeform; Chlorfenamidine; N' - (4-Chloro-2- methylphenyl) -N, N-dimethylmtha- nimidami- de; Chlorophenaidin; Chlorophenami- dine; N' - (4-Chloro-o-tolyl) -N, N- dimethylformamidine; N (sup 2) - (4- Chloro-o-tolyl) -N (sup 1), N (sup 1) -dimethylformamidine; Chlorphena- midine; N, N-Dimethyl-N' - (2-meth- yl-4-chlorophenyl) formamidine; Metha- nimidamide, N' - (4-chlor-2-methyl- phenyl) -N, N-dimethyl; N' - (2- Methyl-4chlorophenyl) -N, N-dimethyl- formamidine	6164-98-3	C ₁₀ H ₁₃ ClN ₂		2921. 4300
24	氯化苦 Chloropicrin	三氯硝基甲烷 Acquinite; Chloroform, nitro; Chlor-O- pic; Chloropicrim; Nitrochloroform; Ni- trotrichloromethane; Pec-Clor; Picfume; Picride; PS; Trichloronitromethane;	76-06-2	CCl ₃ NO ₂		2904. 9030

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
22	Chlordane	Aspon-chlordane; Chlordan; Chlordane; Chlorindan; Chlor KIL; Chlorodane; Chlortox; Chlordano; Cortilan-neu; Dichlorochlordene; Dowchlor; 4, 7-Methano-1H-indene, 1, 2, 4, 5, 6, 7, 8, 8-octachloro-2, 3, 3a, 4, 7, 7a-hexahydro-; Octachlor; Octachlorodihydrodicyclopentadiene; 1, 2, 4, 5, 6, 7, 8, 8-Octahydro-2, 3, 3a, 4, 7, 7a-hexahydro-4, 7-methanoindan; 1, 2, 4, 5, 6, 7, 8, 8-Octachlor-2, 3, 3a, 4, 7, 7a-hexahydro-4, 7-methanoindane; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-2, 3, 3a, 4, 7, 7a-hexahydro-4, 7-methanoindene; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-2, 3, 3a, 4, 7, 7a-hexahydro-4, 7-methano-1H-indene; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-3a, 4, 7, 7a-hexahydro-4, 7-methylene indane; Octachloro-4, 7-methanohydroindane; Octachloro-4, 7-methanotetrahydroindane; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro-4, 7-methano-3a, 4, 7, 7a-tetrahydroindane; 1, 2, 4, 5, 6, 7, 8, 8-Octachloro - 3a, 4, 7, 7a-tetrahydro-4, 7-methanoindan; 1, 2, 4, 5, 6, 7, 8, 8a-Octachloro-3a, 4, 7, 7a-Tetrahydro-4, 7-methanoindane; 1, 2, 4, 5, 6, 7, 10, 10-Octachloro-4, 7, 8, 9-tetrahydro-4, 7-methyleneindane; Octa-klor; Oktaterr; Ortho-klor	57-74-9	C ₁₀ H ₆ Cl ₈		2903.5900
23	Chlordimeform	Acaron; Bermat; CDM; Chlordimeform; Chlorfenamidine; N'-(4-Chloro-2-methylphenyl)-N, N-dimethylmethanimidamide; Chlorophenaidin; Chlorophenamidine; N'-(4-Chloro-o-tolyl)-N, N-dimethylformamidine; N(sup 2)-(4-Chloro-o-tolyl)-N(sup 1), N(sup 1)-dimethylformamidine; Chlorphenamidine; N, N-Dimethyl-N'-(2-methyl-4-chlorophenyl)formamidine; Methanimidamide, N'-(4-chlor-2-methylphenyl)-N, N-dimethyl-; N'-(2-Methyl-4chlorophenyl)-N, N-dimethylformamidine	6164-98-3	C ₁₀ H ₁₃ ClN ₂		2921.4300
24	Chloropicrin	Acquinite; Chloroform, nitro-; Chlor-O-pic; Chloropicrim; Nitrochloroform; Nitrotrichloromethane; Pec-Clor; Picfume; Picride; PS; Trichloronitromethane;	76-06-2	CCl ₃ NO ₂		2904.9030

化学品首次进口及有毒化学品进出口环境管理规定

序号	化学品名 中文 英文	需控制化学品名称 中文别名(俗名、商品名、化学名) 英文	CAS	分子式 (结构式)	H. S. Code 化学品 制剂 Preparation	H. S. Code 化学品 纯物质 Pure Substance
25	砷和砷化合物 Arsenic and Arsenic compounds	砷 Arsenic; Arsenicals; Arsenic Black; Colloidal arsenic; Grey arsenic; Metallic arsenic;	7440-38-2	As		2804. 8000
		砷烷 Arsenic hydrid; Arsenic hydride; Arsenic trihydride; Arseniuretted hydrogen; Ar- senous hydride; Arsine; Hydroger ar- senide	7784-42-1	AsH ₃		2850. 0000
		氧化亚砷; 三氧化二砷; 亚砷酐; 砒 霜; 白砒 Arsenic; Arsenicals; Arsenic Black; Colloidal arsenic; Grey arsenic; Metallic arsenic	1327-53-3	As ₂ O ₃		2811. 2900
26	五氯酚 Pentach- lorophenol	五氯苯酚 Acutos; Chem-Penta; Chem-Tol; Chlon; Chlorophen; antimicrobial; Duro- tox; Fungifen; Glazd penta; Grundier arbezol; 1-Hydroxypentachlorobenzene; Lauxtol; Lauxtol A; Liroprem; Penchlorol; Penta; Pentachlorofenol; Pentachlorophenate; Pentachlorophenol; 2, 3, 4, 5, 6-Pentachlorophenol; Penta- chlorophenol; Pentachlorophenol, techni- cal; Pentacon; Penta-kil; Penta ready; Permacide; Permagard; Permasan; Per- matox penta; Permite; Prevevol;	87-86-5	C ₆ HC ₁₅ O		2908. 1090
27	地乐酚 Dinoseb	Aatox; Basanite; Blaartox; Butaphen; Butaphene; 2-sec-Butyl-4, 6-dinitrope- nol; Caldor; Chemox P. E.; DBNF; Desicolil; Dibutox; Dibutox 2, 4-Dinitro- 6-sec-butylphenol; 4, 6-Dinitro-o-sec-bu- tylphenol; 4, 6-Dinitro-2-sec-butylphe- nol; 4, 6-Dinitro-2-(1-methyl-n-prop- yl) phenol; Gebutox; Hel-Fire; Hiver- tox; Kiloseb; Ladob; Laseb; 2-(1- Methylpropyl)-4, 6-dinitrophenol	88-85-7	C ₁₀ H ₁₂ N ₂ O ₅		2908. 9090

Catalogue of Toxic Chemicals Banned or Severly Restricted

No.	Name of Chemicals	Name of Chemicals Controlled	CAS	Molecular Formula (Structural Formula)	H. S. Code Preparation	H. S. Code Pure Substance
25	Arsenic and Arsenic compounds	Arsenic; Arsenicals; Arsenic Black; Colloidal arsenic; Grey arsenic; Metallic arsenic;	7440-38-2	As		2804.8000
		Arsenic hydrid; Arsenic hydride; Arsenic trihydride; Arseniuretted hydrogen; Arsenous hydride; Arsine; Hydroger arsenide	7784-42-1	AsH ₃		2850.0000
		Arsenic; Arsenicals; Arsenic Black; Colloidal arsenic; Grey arsenic; Metallic arsenic	1327-53-3	As ₂ O ₃		2811.2900
26	Pentachlorophenol	Acutos; Chem-Penta; Chem-Tol; Chlon; Chlorophen; antimicrobial; Durotox; Fungifen; Glazd penta; Grundier arbezol; 1-Hydroxypentachlorobenzene; Lauxtol; Lauxtol A; Lioprem; Penchlorol; Penta; Pentachlorofenol; Pentachlorophenate; Pentachlorophenol; 2, 3, 4, 5, 6-Pentachlorophenol; Pentachlorophenol; Pentachlorophenol, technical; Pentacon; Penta-kil; Penta ready; Permacide; Permagard; Permasan; Permatox penta; Permite; Prevevol;	87-86-5	C ₆ HC ₁₅ O		2908.1090
27	Dinoseb	Aatox; Basanite; Blaartox; Butaphen; Butaphene; 2-sec-Butyl-4, 6-dinitrophenol; Caldon; Chemox P. E.; DBNF; Desicolil; Dibutox; Dibutox 2, 4-Dinitro-6-sec-butylphenol; 4, 6-Dinitro-o-sec-butylphenol; 4, 6-Dinitro-2-sec-butylphenol; 4, 6-Dinitro-2-(1-methyl-n-propyl)phenol; Gebutox; Hel-Fire; Hivertox; Kiloseb; Ladob; Laseb; 2-(1-Methylpropyl)-4, 6-dinitrophenol	88-85-7	C ₁₀ H ₁₂ N ₂ O ₅		2908.9090

化学品进出口环境管理登记收费标准

(1994年6月24日, 国家环保局发布)

一、总则

1. 本收费标准依据国家环境保护局环管[1994]140号文、国家环境保护局环控[1994]199号文和国家计划委员会、财政部计价格[1994]702号文制订。

2. 本收费标准适用于国家环境保护局环管[1994]140号文件规定的各类化学品。

3. 本收费标准的收费执行机构是“国家环境保护局化学品登记中心”。

二、收费项目与标准

1. 化学品首次进口环境管理登记; 外商或其代理人交纳登记费2000美元或按付款日汇率的等值人民币。有效期5年。

2. 列入《中国禁止或严格限制的有毒化学品名录》的化学品进出口环境管理登记:

① 从国外向中国出口的外商或其代理人: 每个合同交纳登记费10000美元或按付款日汇率的等值人民币。

② 国内从国外进口者: 每批进口交纳登记工本费2000元人民币。

③ 国内向国外出口者: 每批出口交纳登记工本费2000元人民币。

三、附则

1. 如果国内商贸机构的驻外机构向中国出口任何化学品, 则该机构视同为外商。

2. 本项收费使用财政部门统一制定的收费票据。

3. 本收费标准自《化学品首次进口及有毒化学品进出口环境管理规定》施行之日起执行。

Standards of Registration Fee for Environmental Management of Chemical Export and Import

(Promulgated by the National Environmental Protection Agency on June 24, 1994)

I. General Provisions

1. The standards of registration fees are formulated in line with the National Environmental Protection Agency (NEPA) huan guan document 140 (1994), huan kong document 199 (1994) and the State Planning Commission and Ministry of Finance, ji jia ge document 702 (1994).

2. Such standards are applicable to chemicals listed in the NEPA huan guan document 140 (1994).

3. The executing body of such standards shall be the Chemical Registration Center of NEPA.

II. Items and Standards of Registration Fee

1. Items that shall pay registration fee for environmental management fall into the following categories:

a. Chemicals imported for the first time; foreign businessmen or their agents shall pay registration fee of US \$ 2000 or RMB yuan of the equivalent value (according to the exchange rates of RMB against US \$ on the day of payment). Term of validity: 5 years.

b. The export and import of chemicals listed in the Directory of Toxic Chemicals Banned or Strictly Restricted by China.

2. Registration fees are charged according to the standards as follows:

a. Foreign businessmen or their agents who export such chemicals into China shall pay registration fee of US \$ 10000 for each contract or RMB yuan of the equivalent value according to the exchange rates of RMB against US \$ on the day of payment.

b. Domestic importers of such chemicals shall pay registration fee of RMB 2000 yuan for each batch of imports.

c. Domestic exporters of such chemicals shall pay registration fee of RMB 2000 yuan for each batch of exports.

III. Supplementary Provisions

1. If a commercial and trade organization stationed abroad exports any chemicals to China, such organization shall be regarded as a foreign firm.

2. Use the uniform bill made by Ministry of Finance in charging such fees.

3. Such standards come into force upon the promulgation of Provisions for Environmental Management of the First Import of Chemicals and the Export and Import of Toxic Chemicals.

关于化学品首次进口环境管理登记到期延续的通知

(国家环保总局 1999 年 11 月 1 日 环发 [1999] 248 号)

《化学品首次进口及有毒化学品进(出)口环境管理规定》自 1994 年 5 月 1 日发布实施以来已经五年。该规定第十一条规定:外商或其代理人(以下简称申请人)为首次向中国出口化学品取得的化学品环境管理登记证有效期五年,有效期满前要求延续登记的,原申请人须在期满之日前六个月提出换证登记申请。第一批颁发的《化学品首次进口环境管理登记证》已陆续到期,国家环保总局化学品登记中心即将开始受理有关延续事宜。现将有关问题通知如下:

1. 重新发放的《化学品进(出)口环境管理登记证》,有效期暂定为五年。申请人同时交回原登记证正本。

2. 延续登记费用按国家发展计划委员会核准的化学品首次进口环境管理登记费的最低档收取。

Circular on Renewal of Registration of Environmental Management of First Import of Chemicals

(Promulgated by the State Environmental Protection Administration on November 1, 1999)

It has been five years since the promulgation of the Provisions for the Environmental Management of the First Import of Chemicals and the Import (Export) of Toxic Chemicals on May 1, 1994. Article 11 of the provisions stipulates: The term of validity of foreign businessmen or their agents (hereinafter referred to as the applicants) who export chemicals to China for the first time and obtain the environmental management and registration of chemicals shall be five years. If extended registration is required prior to the expiry of the term of validity, the original applicant shall file an application for changing the registration six months before expiration. The Registration Certificates of Environmental Management of the First Import of Chemicals of the first batch issued have become due one after another. The Chemical Registration Center under the State Environmental Administration Protection shall start accepting the extension matters. Relevant issues are now notified as follows:

1. The term of validity of the newly issued Registration Certificates of Environmental Management of Chemical Import (Export) shall be five years. The applicant shall return the original copy of the registration certificate.

2. The extension registration fee shall be charged at the lowest grade in accordance with the registration fee of environmental management of the first import of chemicals verified by the State Development and Planning Commission.

十三、环保技术和环保产业

XIII Environmental Technology and Industry

国家重点环境保护实用技术推广管理办法

国家环境保护总局令

第4号

《国家重点环境保护实用技术推广管理办法》已于1999年5月31日经国家环境保护总局局务会议讨论通过，现予发布施行。

国家环境保护总局局长 解振华

1999年6月21日

第一章 总 则

第一条 为了促进环境科学技术进步，鼓励采用技术先进、经济合理的环境保护实用技术，防止环境污染和生态破坏，根据《中华人民共和国环境保护法》和《中华人民共和国促进科技成果转化法》有关规定，制定本办法。

第二条 国家重点环境保护实用技术是指在一定时期内同国家经济发展水平相适应的、先进的污染防治技术、资源综合利用技术、生态保护技术和清洁生产技术。

第三条 国家环境保护总局负责国家重点环境保护实用技术推广工作的统筹规划、组织协调和监督管理。其职责是：

(一) 组织国家重点环境保护实用技术的征集和评审，负责国家重点环境保护实用技术的发布和管理；

(二) 指导和协调国家重点环境保护实用技术的推广工作；

(三) 制定与国家重点环境保护实用技术有关的环保技术政策，并监督实施；

(四) 组织建设和推广国家重点环境保护实用技术示范工程、国家重点环境保护实用技术示范区；

(五) 建立健全国家重点环境保护实用技术推广网络，建立和培育适应社会主义市场经济体制的国家重点环境保护实用技术推广和运行机制；

(六) 组织国家重点环境保护实用技术的国际合作与交流。

第二章 申报与审批

第四条 国家环境保护总局根据国家环境保护工作重点，编制并发布国家重点

Measures on the Popularization of the National Key Practical Technologies of Environmental Protection

Decree of the State Environmental Protection Administration

No. 4

Measures on the Popularization of the National Key Practical Technologies of Environmental Protection was adopted at the Executive session of the State Environmental Protection Administration on May 31, 1999, and is hereby promulgated for implementation.

Minister Xie Zhenhua

June 21, 1999

Chapter I General Provisions

Article 1 Pursuant to the Environmental Protection Law of the People's Republic of China and the Law of the People's Republic of China on Promoting the Transformation of the Scientific and Technological Achievements, these Measures are formulated for the purpose of promoting the development of environmental sciences and technologies, encouraging the adoption of the practical technologies of environmental protection which are technically advanced and economically feasible, and prevent environmental pollution and ecological damages.

Article 2 National key practical technologies for environmental protection refer to advanced technologies for pollution control, technologies for comprehensive utilization of resources, technologies for ecological protection and technologies for cleaner production which, within certain periods of time, are consistent with the development of the national economy.

Article 3 The State Environmental Protection Administration is responsible for the overall planning, organization, coordination, supervision and management of the promotion of the national key practical technologies of environmental protection. Its duties shall include:

- (1) Organizing the collection and examination of the national key practical technologies of environmental protection, and releasing and managing such technologies;
- (2) Guiding and coordinating promotional efforts for the national key practical technologies for environmental protection;
- (3) Formulating technical policies related to the national key practical technologies for environmental protection, and supervising their implementation;
- (4) Organizing the construction and promotion of sample projects and sample zones for the national key practical technologies for environmental protection;
- (5) Establishing and completing the network for the promotion of the national key practical technologies for environmental protection, and establishing and fostering a mechanism for the promotion and operation of such technologies that conforms to the socialist market economic system; and
- (6) Arranging international cooperation in and exchanges of national key practical technologies for environmental protection.

Chapter II Application and Examination

Article 4 The State Environmental Protection Administration shall, with reference to the focus of national environmental protection, formulate and promulgate a guidebook on applications for the title of "national key practical technologies for environmental protection."

环境保护实用技术申报指南。

第五条 申报国家重点环境保护实用技术应当具备下列条件：

- (一) 符合国家产业政策、技术政策；
- (二) 工艺成熟、技术先进、经济合理；
- (三) 已有两个以上应用实例，并有一年以上的连续正常运行时间；
- (四) 技术适应性强，覆盖面广，可广泛推广应用；
- (五) 对防治环境污染、改善环境质量和保护生态环境具有重要作用；
- (六) 工业产权或专有技术权属明确。

第六条 国家重点环境保护实用技术，由技术依托单位在每年6月底前申报，经省、自治区、直辖市人民政府环境保护行政主管部门或者行业主管部门审核，报送国家环境保护总局。国家环境保护总局直属单位可直接申报。

第七条 国家环境保护总局组织对国家重点环境保护实用技术申报项目进行评审，负责对国家重点环境保护实用技术示范工程、国家重点环境保护实用技术示范区进行立项和验收。

国家环境保护总局根据评审意见，审批国家重点环境保护实用技术推广项目。

第八条 对国内急需、目前国内尚属空白的国外先进环保技术申报国家重点环境保护实用技术的，可以直接向国家环境保护总局申报。

第三章 推广与实施

第九条 国家环境保护总局编制并发布国家重点环境保护实用技术推广计划。

第十条 各级环境保护行政主管部门在环境影响评价、建设项目“三同时”、污染源及重点流域限期治理、城市环境综合整治定量考核、生态保护等环境管理中，应鼓励优先选用国家重点环境保护实用技术。

第十一条 各级环境保护行政主管部门应设立国家重点环境保护实用技术推广专项资金，用于支持国家重点环境保护实用技术的推广。

第十二条 污染源治理专项基金和环保补助资金，应优先用于采用国家重点环境保护实用技术的建设项目。

第十三条 国家环境保护总局每年从国家重点环境保护实用技术推广计划中选择项目，推荐列入国务院有关部门的推广计划。

第十四条 各级环境保护行政主管部门应积极培育环境保护技术市场，建立技术推广支持服务体系，发挥中介机构在技术中介、咨询、代理和服务等方面的作用。

各级环境保护行政主管部门可对在国家重点环境保护实用技术推广工作中作出

Article 5 Technologies applying for the title of national key practical technologies for environmental protection shall meet the following requirements:

- (1) The technology complies with national industrial policies and technical policies;
- (2) The technology is technically mature, advanced and economically feasible;
- (3) There are two or more cases of its application, which have run normally without interruption for over one year;
- (4) The technology is technically widely adaptable, and can be widely introduced;
- (5) The technology plays an important role in the control of environmental pollution, the improvement of environmental quality and the protection of the ecological environment; and
- (6) The industrial property ownership or know-how is clearly defined.

Article 6 Applications for the title of national key practical technologies for environmental protection shall be filed by the technology supporting units before the end of June each year at the State Environmental Protection Administration after being examined by the competent departments of environmental protection administration or the competent departments of industries administration of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government. Units affiliated to the State Environmental Protection Administration can apply to the State Environmental Protection Administration directly.

Article 7 The State Environmental Protection Administration shall organize the examination of the applications for the title of national key practical technologies for environmental protection, and shall determine, check and accept the sample projects and zones of national key practical technologies for environmental protection.

The State Environmental Protection Administration shall decide the programs for the promotion of the national key practical technologies for environmental protection with reference to the conclusion of the examination.

Article 8 For advanced foreign technologies of environmental protection which are urgently needed but still unavailable in China, the application for the title of national key practical technologies for environmental protection can be filed directly with the State Environmental Protection Administration.

Chapter III Promotion and Implementation

Article 9 The State Environmental Protection Administration shall formulate and promulgate plans to promote national key practical technologies for environmental protection.

Article 10 The competent departments of environmental protection administration at different levels shall encourage the adoption of national key practical technologies for environmental protection in environmental administrative actions such as environmental impact assessment, the "three simultaneousities" requirement in construction projects, pollution elimination and control of pollution sources in key river basins within a specified time limit, quantitative assessment in the comprehensive management of the urban environment, and ecological protection, etc.

Article 11 The competent departments of environmental protection administration at different levels shall establish the special funds to support the promotion of national key practical technologies for environmental protection.

Article 12 The special funds for pollution source treatment and environmental subsidies shall be preferentially used for the construction projects that adopt national key practical technologies for environmental protection.

Article 13 The State Environmental Protection Administration shall annually choose programs from the promotional plans of national key practical technologies for environmental protection and recommend them to be listed in the promotional plans of relevant departments under the State Council.

Article 14 The competent departments of environmental protection administration at different levels shall actively participate in the buildup of the market of environmental technologies, establish a

显著成绩的单位和个人给予表彰和奖励。

第十五条 国家环境保护总局鼓励国家重点环境保护实用技术出口。

第四章 技术依托单位

第十六条 国家环境保护总局根据下列条件确认国家重点环境保护实用技术的技术依托单位：

- (一) 该技术所有权的拥有或持有单位；
- (二) 具有法人资格；
- (三) 具有相应的研究、开发、设计和推广能力。

技术依托单位应对技术的可靠性负责，并负责技术推广中的指导和质量保证。

第十七条 国家环境保护总局对经确认的技术依托单位颁发技术依托单位证书，技术依托单位证书有效期为三年。

技术依托单位证书有效期满后，技术依托单位可参照本办法规定申请复评；通过复评的，重新颁发技术依托单位证书。

第十八条 技术依托单位在推广国家重点环境保护实用技术的过程中应接受地方各级环境保护行政主管部门的监督管理，每年年底向国家环境保护总局报送年度推广实施情况报告，并抄报技术依托单位所注册的省级人民政府环境保护行政主管部门。

第十九条 技术依托单位向技术使用单位提供技术服务，双方应当按照《中华人民共和国合同法》签订合同。

第二十条 国家重点环境保护实用技术在应用实施过程中出现所有权争议的，国家环境保护总局可中止技术依托单位资格、中止技术依托单位证书。待争议由有关部门解决后，国家环境保护总局根据情况，或恢复技术依托单位资格、恢复技术依托单位证书，或者撤销技术依托单位资格、撤销技术依托单位证书。

第二十一条 技术依托单位申报技术不实或隐瞒有关情况，国家环境保护总局视情节轻重，分别给予通报批评，或者撤销技术依托单位资格、撤销技术依托单位证书的处罚。

第五章 附 则

第二十二条 本办法由国家环境保护总局负责解释。

第二十三条 本办法自发布之日起施行。《国家环境保护最佳实用技术推广管理办法》同时废止。

technology promotion support service system, and promote the role of intermediate organs in technology intermediacy, consultation, agency and services, etc.

The competent departments of environmental protection administration at different levels can honor or reward units and individuals that make remarkable contributions to the promotion of national key practical technologies for environmental protection.

Article 15 The State Environmental Protection Administration encourages the export of national key practical technologies for environmental protection.

Chapter IV Technology Support Units

Article 16 The State Environmental Protection Administration shall designate the technology support units of national key practical technologies for environmental protection according to following requirements:

- (1) It owns or holds the technologies;
- (2) It is a legal person; and
- (3) It is capable of the corresponding research, development, design and promotional work.

The technology support units shall be responsible for the reliability of the technologies, and shall be responsible for the guidance and quality guarantees in the promotion of the technologies.

Article 17 The State Environmental Protection Administration issues certificates to the identified technology support units. The validity term of the certificates is three years.

Upon expiry of a certificate, the technology supporting units can apply for re-examination with reference to the procedures in these Measures. Units that pass the re-examination shall be issued renewed certificates.

Article 18 In the promotion of national key practical technologies for environmental protection, the technology support units shall accept supervision and administration of the local competent departments of environmental protection administration at different levels, submit annual reports on the progress of the promotion and implementation to the State Environmental Protection Administration by the end of each year, and send copies of the report to the competent departments of environmental protection administration of the local people's governments at the provincial level.

Article 19 Where the technology support units provide technical services to units that use the technologies, the parties shall sign contracts according to the Contract Law of the People's Republic of China.

Article 20 Where disputes over ownership of national key practical technologies for environmental protection arise in the application and implementation thereof, the State Environmental Protection Administration can suspend the qualification and certificate of the technology support units. Upon settlement of the disputes by relevant authorities, the State Environmental Protection Administration shall recover or terminate the qualification and certificate according to the settlement conclusion.

Article 21 Where the technology support units provide false information or hide relevant information in the application process, the State Environmental Protection Administration shall publicly criticize such units, or terminate the qualification or certificate of technology support units according to the circumstances.

Chapter V Supplementary Provisions

Article 22 The State Environmental Protection Administration shall be responsible for the interpretation of these Measures.

Article 23 These Measures shall enter into force on the date of promulgation. The Measures on the Promotion of National Best Practical Technologies Environmental Protection shall be nullified at the same time.

国家重点行业清洁生产技术导向目录（第一批）

（国家经济贸易委员会 2000年2月15日）

清洁生产是将污染预防战略持续地应用于生产全过程，通过不断地改善管理和技术进步，提高资源利用率，减少污染物排放，以降低对环境和人类的危害。清洁生产的核心是从源头抓起，预防为主，生产全过程控制，实现经济效益和环境效益的统一。为全面推进清洁生产，引导企业采用先进的清洁生产工艺和技术，积极防治工业污染，国家经贸委组织编制了《国家重点行业清洁生产技术导向目录》（第一批），现予公布。

本目录涉及冶金、石化、化工、轻工和纺织5个重点行业，共57项清洁生产技术。这57项清洁生产技术是在行业主管部门对本行业清洁生产技术进行认真筛选、审核的基础上，组织有关专家进行评审后确定的。这些技术是经过生产实践证明，具有明显的环境效益、经济效益和社会效益，可以在本行业或同类性质生产装置上推广应用。

本目录是各级经贸委和行业主管部门推荐和审批清洁生产项目的依据，也是各金融机构和企业投资环境保护项目的方向。各地区和有关部门应结合实际，贯彻执行。

此次编制工作先涉及5个行业，我们将根据情况继续组织其他行业开展清洁生产技术导向目录的编制工作。

附件：《国家重点行业清洁生产技术导向目录》（第一批）简介

Guidance Catalogue For Cleaner Production Technologies in National key Industries (First Group)

(Promulgated by the State Economic and Trade Commission February 15, 2000)

Cleaner production is to sustainedly apply the pollution prevention and control strategy to the whole process of production, enhance the utilization rate of resources, reduce pollutant discharge and cut down harmfulness to the environment and mankind by means of constantly improving management and technological progress. The essential point of cleaner production is to pay attention to the source, put prevention first, control the whole process of production and attain the unification of economic and environmental benefits. The Guiding Catalogue (First Group) of Cleaner Production Technologies in National key Industries formulated by the State Economic and Trade Commission is now published for the purpose of promoting production in an overall way, guiding enterprises to adopt advanced clean production techniques and technologies and actively preventing and controlling industrial pollution.

This Catalogue covers five key industrial sectors—Metallurgical, petrochemical, chemical, light and textile industries, totally 57 cleaner production technologies. The 57 cleaner production technologies are determined on the basis of earnest screening, examination and verification of the industrial cleaner production technologies by the competent departments and evaluation by related experts. These production technologies have proved by way of production and practice that they have remarkable environmental, economic and social benefits and can be used and popularized for the industry or the production installations with the similar nature.

This Catalogue is the basis for the economic and trade commissions and competent departments of industries at all levels to recommend and examine and approve the cleaner production projects and also the orientation for various financial institutions and enterprises to invest in the environmental protection projects. Various localities and relevant departments shall implement it in line with their own conditions.

This Catalogue involves five industries. We shall continue to organize other industries to prepare the guidance catalogue for carrying out the cleaner production technologies.

Attached is a brief account of the Guiding Catalogue (first group) of cleaner Production Technologies in National key Industries.

附件

《国家重点行业清洁生产技术导向目录》(第一批)简介

编号	技术名称	适用范围	主要内容	投资及效益分析
冶金行业				
1	干熄焦技术	焦化企业	干法熄焦是用循环惰性气体做热载体,由循环风机将冷的循环气体输入到红焦冷却室冷却,高温焦炭至 250℃ 以下排出。吸收焦炭显热后的循环热气导入废热锅炉回收热量产生蒸汽。循环气体冷却、除尘后再经风机返回冷却室,如此循环冷却红焦。	按 100×10^4 吨/年焦炭计,投资 2.4 亿元人民币,回收期(在湿法熄焦基础上增加的投资)6—8 年。建成后可产蒸汽(按压力为 4.6MPa) 5.9×10^5 吨/年。此外,干法熄焦还提高了焦炭质量,其抗碎强度 M_{40} 提高 3%—8%,耐磨强度 M_{10} 提高 0.3%—0.8%,焦炭反应性和反应后强度也有不同程度的改善。由于干法熄焦于密闭系统内完成熄焦过程,湿法熄焦过程中排放的酚、HCN、 H_2S 、 NH_3 基本消除,减少烟尘排放,节省熄焦用水。
2	高炉富氧喷煤工艺	炼铁高炉	高炉富氧喷煤工艺是通过在高炉冶炼过程中喷入大量的煤粉并结合适量的富氧,达到节能降焦、提高产量、降低生产成本和减少污染的目的。目前,该工艺的正常喷煤量为 200kg/t-Fe,最大能力可达 250kg/t-Fe 以上。	经济效益以日产量 9500 吨铁(年产量为 346 万吨铁)计算,喷煤比为 120kg/t-Fe 时,年经济效益为 1895 万元;喷煤比为 200kg/t-Fe 时,年经济效益为 6160 万元。

**A Brief Account of the Guiding Catalog (First Group)
of Cleaner Production Technologies in National key Industries**

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
Metallurgy				
1	The dry coke quenching process	Coking enterprises	The dry coke quenching process is to use the cycling inert gas as the heat carrier. The cycling fan transmits the cold cycling gas to the red coking cooling chamber. The high-temperature coke will be discharged at a temperature of below 250°C. The cycling heat gas, after sensible heat of absorbing coke, will be led to the waste heat boiler for the recovery of heat quantity and then generate steam. After cooling and dust removal, the cycling gas will return to the cooling chamber through the fan. The red coke is cycled and cooled in such a way.	Calculated in terms of 100×10^4 tons of coke annually, the investment will total 240 million yuan and the payoff period will be 6-8 years (investment increased on the basis of the wet coke quenching). After completion it can produce 5.9×10^5 tons of steam annually (in line with the pressure of 4.6 MPa). In addition, the dry coke quenching process can also raise the coke quality. Its crushing strength M_{40} goes up by 3-8% and its wear-resisting strength M_{10} is up by 0.3-0.8 percent. The coke reactivity and strength after reactivity have also improved to varying degrees. Because the dry coking quenching process completes its quenching process in the closed system, phenol, HCN, H_2S and NH_3 discharged in the course of wet coke quenching have been basically eliminated, thus reducing the discharge of coke dust and saving water for quenching.
2	The oxygen-enriched coal powder jetting technique of blast furnaces	Ironmaking blast furnaces	The oxygen-enriched coal powder jetting process of blast furnaces is to attain the aim of saving energy and reducing coke, raising output, cutting down the production cost and reducing pollution by means of jetting a large amount of coal powder and combining an appropriate amount of enriched oxygen in the course of the blast furnace smelting. Currently, the normal jetting coal amount of the technique is 200kg/t-Fe and the highest capacity has surpassed 250kg/t-Fe.	The economic efficiency is calculated in terms of 9,500 tons of iron daily (the annual output will be 3.46 million tons of iron). when the coal powder jetting ratio is 120kg/t-Fe, the annual economic efficiency will be 18.95 million yuan; when the coal powder jetting ratio is 200kg/t-Fe, the annual economic efficiency will be 61.6 million yuan.

编号	技术名称	适用范围	主要内容	投资及效益分析
3	小球团烧结技术	大、中、小型烧结厂的老厂改造和新厂建设	通过改变混合机工艺参数,延长混合料在混合机内的有效滚动距离,加雾化水,加布料刮刀等,使烧结混合料制成3mm以上的小球大于75%,通过蒸汽预热,燃料分加,偏析布料,提高料层厚度等方法,实现厚料层、低温、匀温、高氧化性气氛烧结。通过这种方法烧出的烧结矿,上下层烧结矿质量均匀。烧结矿强度高、还原性好。	以1台90米 ² 烧结机的改造和配套计算,总投资约380万元,投资回收期0.5年,年直接经济效益895万元,年净效益798万元。使用该技术还可减少燃料消耗、废气排放量及粉尘排放量;提高烧结矿质量和产量。同时可较大幅度降低烧结工序能耗,提高炼铁产量和降低炼铁工序能耗,促进炼铁工艺技术进步。
4	烧结环冷机余热回收技术	大、中型烧结机	通过对现有的冶金企业烧结厂烧结冷却设备,如冷却机用台车罩子、落矿斗、冷却风机等进行技术改造,再配套除尘器、余热锅炉、循环风机等设备,可充分回收烧结矿冷却过程中释放的大量余热,将其转化为饱和蒸汽,供用户使用。同时除尘器所捕集的烟尘,可返回烧结利用。	按照烧结厂烧结机90M ² ×2估算投资,约需4000—5000万元人民币。烧结环冷机余热得到回收利用,实际平均蒸汽产量16.5吨/小时;由于余热废气闭路循环,当废气经过配套除尘器时,可将其中的烟尘(主要是烧结矿粉)捕集回收,既减少烟尘排放,又回收了原料,烧结矿粉回收量336公斤/小时。
5	烧结机头烟尘净化电除尘技术	24~450m ² 各种规格烧结机机头烟尘净化	电除尘器是用高压直流电在阴阳两极间造成一个足以使气体电离的电场,气体电离产生大量的阴阳离子,使通过电场的粉尘获得相同的电荷,然后沉积于与其极性相反的电极上,以达到除尘的目的。	以将原4台75米 ³ 烧结机的多管除尘器改为4台104m ² 三电场电除尘器计算,总投资1100万元,回收期15年,年直接经济效益255万元,年创净效益71万元。同时烧结机头烟尘达标排放,年减少烟尘排放6273吨。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
3	The beaded sintering technique	Retooling of old plants and construction of new large, medium and small sintering plants	Through the method of changing the melangeur technical parameter, extending the effective rolling distance of the mixed material in the melangeur, adding atomized water and cloth carryall, the sintered mixed material will be turned into small balls with the size of over 3mm and higher than 75 percent. By means of the colman process, fuel acceleration, segregation of cloth materials and enhancing the thickness of the bed of materials, sintering of the thick bed of materials, low temperature, balanced temperature and hyperoxia can be realized. Agglomerate is made by this method. The quality is that the upper and lower beds of agglomerate is even and the strength and reductibility of agglomerate are excellent.	Calculated in terms of transformation and auxiliary equipment for one 90m ² sintering machine, total investment will be 3.8 million yuan, the investment recovery period will be 0.5 year, the annual direct economic efficiency will be 8.95 million yuan and the annual net efficiency will be 7.98 million yuan. Use of the technique will cut down fuel consumption, waste gas and dust discharge; raise the quality and output of agglomerate. Meanwhile, it can greatly reduce energy consumption of the sintering procedure, raise the iron-making output, reduce energy consumption of the ironmaking procedure and promote technological progress of iron-making.
4	The afterheat recovery technique of the sintered ring cooling machine	Large and medium-sized sintering machines	Through the technical transformation of the sintering cooling equipment of the existing sintering plants of the metallurgical industry, such as trolley covers, floor ore buckets and cooling machines, supported with dust removers, afterheat furnaces and fans, a large amount of afterheat released in the course of cooling agglomerate can be fully recovered and can be turned into the saturated steam for the use of the clients. At the same time, the smoke dust collected by the dust remover can be returned and utilized for sintering.	Estimated in line with the sintering machine of 90m ² x 2 of the sintering plant, 40-50 million yuan will be required. The afterheat of the sintering ring fan can be recovered and utilized, and the actual average output of steam is 16.5 tons/hour; because the afterheat gas is circulated in a closed way, when the waste gas passes the dust remover, the smoke dust can be collected (mainly the agglomerate powder). It not only can reduce the smoke discharge, but also recover the raw material and the amount of the agglomerate powder recovered will total 336 kg/hour.
5	The smoke purification and electric dedusting technique of the sintering machine nose	The sintering machine nose smoke purification of various specifications of sintering machines (24-450m ²)	The electric smoke remover is to create an electric field of gas ionization between the negative and positive poles by means of high-voltage direct current. The gas ionization will produce a large amount of negative and positive ions so that the dust that passes the electric field can obtain the similar amount of the charge, is deposited on the pole with the opposite polarity and attain the dedusting purpose.	Calculated in terms of multitube dust removers of four original sintering machines of 75m ³ that are turned into four 104m ² electric dust removers of three electric fields, the total investment will be 11 million yuan, the recovery period will be 15 years, the annual direct economic benefits will be 2.55 million yuan and the annual net efficiency will be 710,000 yuan. Meanwhile, the discharge of smoke dust of the sintering machine nose can attain the standard and discharge of 6,273 tons of smoke dust will be reduced.

编号	技术名称	适用范围	主要内容	投资及效益分析
6	焦炉煤气 H.P. F 法脱硫净化技术	煤气的脱硫、脱氰净化	焦炉煤气脱硫脱氰有多种工艺,近年来国内自行开发了以氨为碱源的 H.P.F 法脱硫新工艺。H.P.F 法是在 H.P.F(酞钴铁类)复合型催化剂作用下, H ₂ S、HCN 先在氨介质存在下溶解、吸收,然后在催化剂作用下铵硫化合物等被湿式氧化形成元素硫、硫氰酸盐等,催化剂则在空气氧化过程中再生。最终, H ₂ S 以元素硫形成, HCN 以硫氰酸盐形式被除去。	按处理 30000 米 ³ /小时煤气量计算,总投资约 2200 万元,其中工程费约 1770 万元。主要设备寿命约 20 年。同时每年从煤气中(按含 H ₂ S6g/Nm ³ 计)除去 H ₂ S 约 1570 吨,减少 SO ₂ 排放量约 2965 吨/年,并从 H ₂ S 有害气体中回收硫磺,每年约 740 吨。此外,由于采用了洗氨前煤气脱硫,此工艺与不脱硫的硫铵终冷工艺相比,可减少污水排放量,按相同规模可节省污水处理费用约 200 万元/年。
7	石灰窑废气回收液态 CO ₂	石灰窑废气回收利用	以石灰窑窑顶排放出来的含有约 35%左右 CO ₂ 的窑气为原料,经除尘和洗涤后,采用“BV”法,将窑气中的 CO ₂ 分离出来,得到高纯度的食品级的 CO ₂ 气体,并压缩成液体装瓶。	以 5000 吨/年液态 CO ₂ 规模计,总投资约 1960 万元,投资回收期为 7.5 年,净效益 160 万元/年。同时每年可减少外排粉尘 600 吨,减少外排 CO ₂ 5000 吨,环境效益显著。
8	尾矿再选生产铁精矿	磁选厂尾矿资源的回收利用	利用磁选厂排出的废弃尾矿为原料,通过磁力粗选得到粗精矿,经磨矿单体充分解离,再经磁选及磁力过滤得到合格的铁精矿,供高炉冶炼。	按照处理尾矿量 160 万吨/年、生产铁精矿 4 万吨/年(铁品位 65%以上)的规模计算,总投资约 630 万元,投资回收期 1 年,年净经济效益 680 万元,减少尾矿排放量 4 万吨/年,具有显著的经济效益和环境效益,亦有助于生态保护。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
6	The desulfurization and purification technique by the coke oven gas H. P. F process	Gas desulfurization and decyanogen purification of gas	Various techniques can be used for desulfurization and decyanogen of the coke oven gas. China has in recent years developed the new technique of the H. P. F. method of desulfurization with ammonia as the alkali source. The H. P. F. method is that affected by the H. P. F. compound catalytic agent, H ₂ S and HCN first dissolves and absorbs in the existence of ammonia mediator and, then, affected by catalytic agent, ammonium and sulfide compounds will be wetted and oxidized and be turned into elemental sulfur and thiocyanate. Catalytic agent will revive in the course of air oxidation. Finally, H ₂ S in the form of elemental sulfur and HCN in the form of thiocyanate will be removed.	Calculated in terms of treating 30,000m ³ /hour of the gas volume, total investment will be about 22 million yuan. Of them, the engineering cost will be 17.7 million yuan. The life span of the main equipment will be 20 years. At the same time, about 15.7 million tons of H ₂ S can be removed annually from the gas (counted in terms of H ₂ S6g/Nm ₃), reduce 29.65 tons /annually of SO ₂ discharge and recover 740 tons of brim stone annually from the harmful gas of H ₂ S. In addition, because the method of desulfurization before washing the ammonia, compared with the final sulfide and ammonium cooling technique, the technique can cut down sewage discharge and save 2 million yuan annually for sewage disposal in line with the similar scale.
7	Waste gas recovery of liquid CO ₂ of lime burners	Recovery and utilization of lime burner waste gas	About 35 percent of CO ₂ oven gas released from the top of the lime oven is the raw material. After dust removal and cleaning, the "BV" process is adopted to separate CO ₂ of the oven gas and obtain the highly pure CO ₂ gas of the foodstuff standard. The gas can be condensed into liquid in bottles.	Calculated in terms of the scale of 5,000 tons of CO ₂ liquid annually, total investment will be 19.6 million yuan, investment recovery period will be 7.5 years and the net efficiency will be 1.6 million yuan annually. At the same time, discharge of 600 tons of powder and 5,000 tons of CO ₂ can be reduced. The environmental efficiency is remarkable.
8	Rewashing of flume for the production of iron concentrate	Recovery and utilization of flume resources by magnetic separation plants	With the waste flume released from the magnetic separation plants as the raw material, rough concentrate can be obtained through the practice of magnetic rough dressing. After full separation of the ore grinding monomer, qualified concentrate can be obtained for furnace smelting through magnetic separation and magnetic filtration.	Calculated in terms of the scale of treating 1.6 million tons of flume and production of 40,000 tons of iron concentrate (more than 65% of the iron grade) annually, investment will total 6.3 million yuan, the recovery period will be one year and the annual net economic efficiency will be 6.8 million yuan. It will reduce the discharge of 40,000 tons of flume and has marked economic and environmental benefits and also helps promote ecological protection.

编号	技术名称	适用范围	主要内容	投资及效益分析
9	高炉煤气布袋除尘技术	中小型高炉煤气的净化	高炉煤气布袋除尘是利用玻璃纤维具有较高的耐温性能(最高300℃),以及玻璃纤维滤袋具有筛滤、拦截等效应,能将粉尘阻留在袋壁上,同时稳定形成的一次压层(膜)也有滤尘作用,从而使高炉煤气通过这种滤袋得到高效净化,以提供高质量煤气给用户使用。	以 300m ³ 级高炉为例,总投资约 600 万元,其中投资回收期 2 年,直接经济效益 300 万元/年,净效益 270 万元/年。减少煤气洗涤污水排放量 300 万米 ³ /年,主要污染物排放量 200 吨/年,节约循环水 300~400 万米 ³ /年,节电 80~100 万千瓦时/年,节约冶金焦炭 1500 吨/年,高炉增产 3000 吨/年。
10	LT 法转炉煤气净化与回收技术	大型氧气转炉炼钢厂	转炉吹炼时,产生含有高浓度 CO 和烟尘的转炉煤气(烟气)。为了回收利用高热值的转炉煤气,须对其进行净化。首先将转炉煤气经过废气冷却系统,然后进入蒸发冷却器,喷水蒸发使烟气得到冷却,并由于烟气在蒸发器中得到减速,使其粗颗粒的粉尘沉降下来,此后将烟气导入设有四个电场的静电除尘器,在电场作用下,使得粉尘和雾状颗粒吸附在收尘极板上,这样得到精净化。当符合煤气回收条件时,回收侧的阀自动开启,高温净煤气进入煤气冷却器喷淋降温至约 73℃,而后进入煤气储柜。经压机加压后将高洁度的转炉煤气(含尘 10mg/Nm ³)提供给用户使用。	以年产 300 万吨炼钢为例:LT 废气冷却系统,如按回收蒸汽平均 90kg/t-s 计算,相当于 10kg/t-s(标准煤),年回收标准煤约 3 万吨。 LT 煤气净化回收系统,回收煤气量 75~90Nm ³ /t-s,相当于 23kg/t-s(标准煤),年回收煤气折算标准煤 7 万吨。每年回收总二次能源(折算标准煤)10 万吨。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
9	The blast furnace gas bag-type dedusting technique	Gas purification of medium and small blast furnaces	The blast furnace gas bag-type dedusting is to use glass fibre which has a fairly high temperature resistance (the highest point is 300°C) and the glass fibre filter bag which has the screening and retention effects to intercept the powder in the bag and, at the same time, the single compression moulding thus formed also has the filter function so that the blast furnace gas can be highly purified through the bag and a high quality gas can be supplied to the users.	Take a blast furnace of 300m ³ for example. Total investment will be 6 million yuan, the investment payoff period will be two years, the direct economic benefits will be 3 million annually and the net benefits will 2.7 million yuan annually. Some 3 million m ³ of sewage discharge for gas washing and 200 tons of main pollutant discharge will be reduced annually. Some 3-4 million m ³ of cycling water, 0.8-1 million kwh of electricity and 1,500 tons of metallurgical coke will be saved annually. The blast furnace will raise its annual output by 3,000 tons.
10	The converter gas purification and recovery technique by the LT process	Large oxygen converter steel plants	When the blast furnace is blowing, it will produce high concentration CO and converter gas of smoke (smoke dust and gas). In order to recover and utilize the converter gas with a high heat value, it is necessary to purify it. First, the blast furnace gas passes the waste gas cooling system and then the steam chiller, the smoke gas can be cooled by means of water spraying and evaporation. Because the speed of smoke can be reduced in the evaporimeter, the dust of its coarse particles can precipitate. Then the smoke is led to the precipitator with four electric fields. Affected by the electric fields, the dust and misty particles are absorbed on the dust collection board and can be excellently purified. When the conditions for recovering the coal gas are met, the recovery valve will open automatically. The high-temperature coal gas will enter the chiller for water spraying and cooling to the temperature of about 73°C and then enter the coal gas tank. After compression by the pressurizer, the highly clean converter gas (containing 10mg/Nm ³ of dust) will be supplied to the users.	Take a steel plant with an annual output of 3 million tons of steel for example: Calculated in terms of the LT waste gas cooling system that can recover averagely 90kg/t-s of steam, it is equivalent to 10kg/t-s (standard coal) and the annual recovery of standard coal will total 30,000 tons. The LT gas purification and recovery system can recover 75-90Nm ³ /t-s of the coal gas volume, equivalent to 23kg/t-s (standard coal). The annual recovery of coal gas will be 70,000 tons of standard coal. The recovery of the secondary energy will be 100,000 tons of standard coal.

编号	技术名称	适用范围	主要内容	投资及效益分析
11	LT 法转炉粉尘热压块技术	与 LT 法转炉煤气净化回收技术配套	粉尘在充氮气保护下,经输送和储存,将收集的粉尘按粗、细粉尘以 0.67:1 的配比混合,加入间接加热的回转窑内进行氮气保护加热。当粉尘被加热至 580℃ 时,即可输入辊式压块机,在高温、高压下压制成 45×35×25mm 成品块。约 500℃ 的成品块经冷却输送带在机力抽风冷却下,成品块温度降至 ~80℃,装入成品仓内。定期用汽车运往炼钢厂作为矿石重新入炉冶炼。	LT 系统年回收含铁高的粉尘 16kg/t - s × 3,000,000t/a = 48,000t/a,可以全部压制成块(45×35×25mm)用于炼钢。
12	轧钢氧化铁皮生产还原铁粉技术	适用大中型轧钢厂(低碳、低合金钢轧制过程)产生的氧化铁皮,也可用于高品位	采用隧道窑固体碳还原法生产还原铁粉。主要工序有:还原、破碎、筛分、磁选。铁皮中的氧化铁在高温下逐步被碳还原,而碳则气化成 CO,通过二次精还原提高铁粉的总铁含量,降低 O、C、S 含量,消除海绵铁粉碎时所产生的加工硬化从而改善铁粉的工艺性能。	按年产 12000 吨还原铁粉计算,总投资约 10600 万元,投资回收期 5 年。净效益 2190 万元/年。按此规模每年可综合利用 20000 吨轧钢氧化铁皮。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
11	The converter dust hot-pressed technique by the LT process	The supporting technique for the purification and recovery of the converter gas by the LT process	Under the nitrogen-charging protection and after transmission and storage, the collected dust is divided into coarse and fine dust and is mixed in the proportion of 0.67:1 and then is heated for nitrogen protection in the indirect heated converter. When the dust is heated to 580°C, it is immediately transmitted to the roll pressurizer and pressed into 45x35x25 mm finished pieces at a high temperature and high compression. The temperature of the finished pieces at the temperature of about 500°C, after mechanical drawing and cooling by means of the cooling transmission chain, will be cut down to -80°C and then the dust is placed in the finished product chamber. The dust can be periodically transported by vehicle to the steel plant and can be smelted as ore.	The LT system can recover the dust with a high percentage of iron (16kg/t-s x 3,000,000t/a = 48,000t/a and can be wholly pressed into pieces (45x35x25mm) for steelmaking.
12	The technique of steel rolling and iron sheet oxide for the production and reduction of iron powder	Applicable to iron sheet oxide generated from large and medium-sized steel rolling mills (in the course of rolling low carbon and low alloy steel) and can also be used for the comprehensive utilization of high-grade iron concentrate and iron sand	The reduction iron powder is produced by the reduction method of the tunnel furnace solid carbon. The main procedures are reduction, crushing, screening and magnetic separation. The iron oxide in the iron sheet will be gradually reduced by carbon at a high temperature and carbon will be oxidized into CO. The secondary concentration reduction will raise the total iron content of the iron powder, reduce the O, C and S contents, remove the hardening sponge iron generated from crushing and thus improve the technical performance of iron powder.	Calculated in terms of the annual output of 12,000 tons of the reduced iron powder, total investment will be 106 million yuan and the investment recovery period will be five years. The net annual returns will be 21.9 million yuan. Each year 20,000 tons of iron sheet oxide of rolling steel can be comprehensively utilized in line with the scale.

编号	技术名称	适用范围	主要内容	投资及效益分析
13	锅炉全部燃烧高炉煤气技术	一切具有富裕高炉煤气的冶金企业	冶金高炉煤气含有一定量的CO,煤气热值约31001kJ/m ³ 。除用于钢铁厂炉窑的燃料外,余下煤气可供锅炉燃烧。由于锅炉一般是缓冲用户,煤气参数不稳定,长期以来仅为小比例掺烧,多余煤气排入大气,这样既浪费了能源又污染了大气环境。当采用稳定煤气压力且对锅炉本体进行改造等措施后,可实现高炉煤气的全部利用,并确保锅炉安全运行。	与新建燃煤锅炉房相比,全烧高炉煤气锅炉房由于没有上煤、除灰设施,具有占地小、投资省、运行费用低等优点。以一台75t/h全烧高炉煤气锅炉为例,年燃用高炉煤气583×10 ⁶ 米 ³ /年,仅此一项,年节约能源5.2万吨标准煤,减少向大气排放CO134×10 ⁶ 米 ³ /年,具有明显的经济效益和环境效益。
石油化工行业				
14	含硫污水汽提氨精制	炼油行业含硫污水汽提装置	从汽提塔的侧线抽出的富氨气,经逐级降温、降压、高温分水,低温固硫三级分凝后,反应获得粗氨气,粗氨气进入冷却结晶器,获得含有少量H ₂ S的精氨气,再使其进入脱硫剂罐,硫固定在脱硫剂的空隙内,氨气得到进一步脱硫,脱硫后的氨气经氨压机压缩,进入另一个脱硫剂罐,经两段脱硫和压缩的氨气,冷却成为产品液氨外销或内用。	以100吨/小时加工能力的含硫污水汽提装置计算,总投资为1506万元。每年回收近千吨液氨,回收的液氨纯度高,可外销,也可内部使用,从而节约大量资金。污水汽提净化水中的H ₂ S、氨氮的含量大幅度降低,减少了对污水处理场的冲击,使污水处理场总排放口合格率保持100%。污水汽提装置运行以后,厂区的大气环境得到了明显改善,不再被恶臭气味困扰。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
13	The blast furnace technique of all the furnaces that burn coal gas	All metallurgical enterprises that are full of the blast furnace coal gas	Coal gas of metallurgical blast furnaces contains a certain amount of CO and the coal gas heat value is about 3100kj/cubic meters. It is not only used for the fuel of furnaces and kilns of iron and steel plants, but its residual coal gas can be used for the combustion of boilers. Because boilers are generally used by the buffer users, the coal gas parameter is unstable and can only be mixedly burnt for a long time. The residual coal gas is discharged into the air. It has not only wasted the energy, but also polluted the environment. All the blast furnace coal gas can be fully utilized and boiler safety can be ensured after adopting the stable coal gas pressure and the technical transformation of the boilers.	Compared with the newly constructed boiler room of coal combustion, because all the boiler rooms that burn coal gas do not have the coal carrying and dedusting equipment, they occupy a limited space, have less investment and low operational expenses. Take one 75t/h boiler that burns the blast furnace coal gas for example. The annual combustion of the blast furnace coal gas is 583×10^6 cubic meters. This alone can save 52,000 tons of standard coal annually, reduce the discharge of $CO 134 \times 10^6$ cubic meters into the atmosphere annually and has the marked economic and environmental benefits.
Petrochemical Industry				
14	Air lift ammonia refining of sulphur-bearing sewage	Sulphur-bearing sewage air lift installations of oil refining industry	After the free enriched ammonia extricated from the side line of the air lift tower is segregated through cooling, low pressure, high-temperature diversion and low-temperature sulphur fixation, coarse free ammonia is obtained. After entering the cooling crystallizer, coarse free ammonia can obtain a small amount of H_2S refined free ammonia. Then it enters the desulfurizer and sulphur is fixed in the space of desulfurater and free ammonia can be further desulfurized. The desulfurized free ammonia enters another desulfurater through compression of the ammonia compressor and then through desulfurization and compression, the free ammonia can be cooled into liquid ammonia for sale on the domestic and world markets.	Calculated in terms of the sulphur-bearing sewage air lifting installation with the processing capacity of 100 tons/hour, total investment will be 15.06 million yuan. Some 1,000 tons of liquid ammonia can be recovered annually. The recovered liquid ammonia which is high in pureness can be sold on the world and domestic markets, thus saving a lot of funds. The content of H_2S and ammonia and nitrogen from the sewage air lift purified water is greatly reduced, thus cutting down the shock to the sewage disposal ground. The qualified rate of the total sewage discharge from the sewage ground is up to 100%. After the operation of the sewage air lift installation, the atmospheric environment in the region will improve markedly and the region will no longer be perplexed by the offensive smell.

编号	技术名称	适用范围	主要内容	投资及效益分析
15	淤浆法聚乙烯母液直接进蒸馏塔	淤浆法聚乙烯生产工艺	原来母液经离心机分离后通过泵将母液送至蒸馏塔中,再从蒸馏塔打进汽提塔,将母液中的低聚物与己烷分离。现改为母液直接进塔,这样则可以使母液的温度不会下降,从而达到了节能的效果;同时也可以防止低聚物析出沉淀在蒸馏塔内,减轻大检修时的清理工作。更主要的是母液直接进塔可增加汽提塔的处理能力,负荷可提高5吨以上,从而确保生产的正常运行。	技术改造属中小型,总投资仅4万元,全年运行总节省资金达142万元。减少清理费2万元,同时减少因清理储罐和管线造成的环境污染,生产装置的安全也得到了保证。
16	含硫污水汽提装置的除氨技术	非加氢型含硫污水汽提装置	解决了汽提后净化水中残存 $\text{NH}_3 - \text{N}$ 的形态分析研究,建立了相应分析方法,根据分析获得的固定铵含量,采用注入等当量的强碱性物质进行汽提,并经过精确的理论计算,以确定最佳注入塔盘的位置。经工业应用,可有效地将 $\text{NH}_3 - \text{N}$ 脱除至15-30ppm。	80t/h汽提装置需增加一次性投资约60万元。注碱后,成本增加及设备折旧每年需54万元。注碱后通过增加回收液氨、节约新鲜水和节约软化水等,经济效益约每年97万元。由于废水的回用,每年污水处理场少处理废水 36×10^4 吨,节约108万元,同时由于 $\text{NH}_3 - \text{N}$ 达标,可节省污水处理场技术改造一次性投资上千万元。
17	汽提净化水回用	石油炼制	含硫污水净化后可以代替新鲜水使用,通过原油的抽提作用可以减少污染物排放总量,其中酚去除率85%以上,COD去除率约60%。二次加工装置的部分工艺注水也可以用净化水代替,这些工艺注水变成含硫污水回用到污水汽提装置,形成闭路循环。	以每小时回用30吨含硫污水为例,净化水回用管网系统投资70万元,投资回收期8个月,经济效益198.4万元,减少废水排放量36万吨/年,减少COD排放量54吨/年。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
15	The slurry process of polytene mother liquor that can directly enter the distillation tower	The slurry method of polytene production technique	Formerly, the mother liquor is sent to the distillation tower by pump after it is segregated by the centrifuge and then pumped from the distillation tower into the air lift tower. The obigomer in the mother liquor is separated from ethane. Now the mother liquor directly enters the tower. In this way the temperature of the mother liquor will not drop, and the purpose of saving energy can be reached; meanwhile, it can also prevent obigomer from precipitation in the distillation tower and greatly reduce the cleaning work of the general overhaul. What is more, the direct entering of the mother liquor into the distillation tower can raise the disposal capacity of the air lift tower and the load can be raised by more than five tons so as to ensure the normal operation of production.	It is a medium and small scale technical transformation. Total investment is only 40,000 yuan and the total amount of funds for the annual operation will save 1.42 million yuan and the cleaning funds will be cut down by 20,000 yuan. Meanwhile, environmental pollution can be reduced because of cleaning the tank and retooling of the tubes and lines and safety in the production installations can be ensured.
16	The ammonia removal technique of the sulphur-bearing sewage air lift installations	The sulphur-bearing sewage air lift installations of the non-hydrogen added type	Solve the morphological analysis and re-search of the remaining $\text{NH}_3\text{-N}$ of the purified water after air lift, establish the corresponding analytical method, obtain the fixed content of amine according to the analysis, conduct the air lift by adopting the method of injecting strong lye substances of the equal equivalent weight and determine the optimum location for injecting the tower tray by an accurate theoretical calculation. When it is used in the light industry, it can effectively reduce $\text{NH}_3\text{-N}$ to 15-30ppm.	The lump-sum investment will total 600,000 yuan for the 80t/h air lift installation. When alkali is added, 540,000 yuan will be needed annually for the increased cost and depreciation of the equipment. After alkali is added through the practice of increasing the recovered liquid ammonia, saving fresh water and softened water, the economic efficiency will total 970,000 yuan annually. Because of the recovery of the waste water, every year 36×10^4 tons of waste water will not be treated by the sewage disposal ground and 1.08 million yuan will be saved. Meanwhile, because $\text{NH}_3\text{-N}$ has attained the standard, the sewage disposal ground can save the lump-sum investment of about 10 million yuan for sewage disposal.
17	Reuse of the air lift purified water	Petro refining	Sulphur-bearing sewage after purification can replace the fresh water for use. The extraction function of the crude oil can reduce the total pollutant discharge. Of them, phenol will be reduced by over 85% COD will be cut down by 60%. Injection water of some techniques of the secondary processing installations can also be replaced by the purified water. The injection water of these techniques will enable sulphur-bearing sewage to enter the sewage air lift installations and form a closed cycle.	Take the recovery of 30 tons of sulphur-bearing sewage per hour for example. Investment for the purified water recovery tube and network system will be 700,000 yuan, the investment payoff period will be eight months and the economic efficiency will be 1.984 million yuan. Discharge of sewage will be cut down by 360,000 tons annually and the discharge of COD will be reduced by 54 tons annually.

编号	技术名称	适用范围	主要内容	投资及效益分析
18	成品油罐三次自动切水	油品储罐	利用连通器原理和油水之间的密度差,有效地分离成品油中的水和切水中的油,并自动将回收的成品油送回成品库。	以 10t/h 储罐为例,总投资 37 万元,半年时间可回收投资,经济、环境、社会效益显著。
19	火炬气回收利用技术	石油炼制	在火炬顶部安装两种高空点火装置,利用电焊发弧装置,产生面状电弧火源,两种装置交替或同时工作,保证安全可靠。利用 PCC 和微机全线自动监控,对点火过程、水封罐、各种气体流量自动调节,并自动记录系统动作。	全国石化生产企业现有火炬 130 支,年排放可燃气体约 100 - 150 万吨,全部回收利用,经济效益可达 10 - 15 亿元/年,目前经治理可回收利用 80% 的资源,投资回收期 0.5 - 0.8 年。
20	含硫污水汽提装置扩能改造	石油化工等含硫含氨污水预处理	对含硫污水汽提塔中 LPC - 1 (100X) 高效陶瓷规整填料及 18 - 8 不锈钢阶梯环进行了通量、传质和压降性能的测试,其特点为:在老塔塔体不变的情况下,更换填料可使处理量提高 70% 以上;传质效果好,分离效率高,提高了净化水的质量;压降低,可降低装置能耗;操作弹性大,处理量变化时,只需要相应调整蒸汽用量即可保证净化水合格。	以处理能力由 28 万吨/年提高到 48 万吨/年计算,总投资 665 万元(包括机泵、仪表、填料、除油器等)。改造后处理能力扩大到 60 吨/小时以上,能耗下降,每年节约 184 万元,投资偿还期约 3.6 年。改造后净化水质量提高, H ₂ S 在 50mg/L 以下, NH ₃ - N 为 50 - 150mg/L, 净化水回注率 25 - 30%, 降低了下游污水处理的费用。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
18	Triple automatic chopping of water of finished oil tanks	Oil tanks	The connecting vessel theory and the difference of density between oil and water are used to effectively separate water of the finished oil from the oil of the chopped water and automatically recover the finished oil and send it to the finished oil storehouse.	Take a 10t/h tank for example. Total investment of 370,000 yuan will be recovered in six months, and the economic, environmental and social benefits are remarkable.
19	The technique for the recovery and utilization of gas	Petroleum refining	Two overhead flame igniter installations are installed on the top of the torch and the electric welding flame installation is used to generate the surface flame. The two installations are used alternately or simultaneously, thus ensuring safety and reliability. The automatic supervision and control of PCC and computer can automatically record the systematic action of the flame igniting process, water sealing tank and automatic adjustment of the flow of various gases.	The petrochemical enterprises in China have 130 torches. These torches discharge 1-1.5 million tons of combustible gases annually. Recovery and utilization of all the gases will be valued at 1-1.5 billion yuan in terms of economic benefits. Currently, 80 percent of the gases can be recovered and utilized. The investment payoff period is 0.5-0.8 year.
20	Expansion and revamping of sulphur-bearing sewage air lift installations	Pre-treatment of petrochemical enterprises with sulphur- and ammonia-bearing sewage	After tests of flux, mass transfer and pressure loss of the highly effective ceramic normal loading material of LPC-1 (100X) in the sulphur-bearing sewage air lift tower and 18-8 stainless steel staircase ring, the features are: under the circumstances in which the tower body of the old tower remains unchanged, the changed loading material can raise the disposal volume by over 70%; the mass transfer effect is fine, the segregation efficiency is high, and the quality of the purified water can be improved; the low pressure loss can reduce the energy consumption of the installation; the operational elastane is high. When the disposal volume changes, an adjusted amount of steam can ensure the qualification of the purified water.	Calculated in terms of that when the disposal capacity is raised from 280,000 tons/year to 480,000 tons/year, total investment will be 6.65 million yuan (including pump, meters, loading materials and oil removers). After transformation, the disposal capacity will expand to over 60 tons/hour and energy consumption will drop. About 1.84 million yuan can be saved annually. The investment repayment period is 3.6 years. After transformation, the quality of the purified water improves, H ₂ S is less than 50mg/L, NH ₃ -N is 50-150mg/L and the return rate of the purified water is 25-30%, and the sewage disposal expenses in the lower reaches will be cut down.

编号	技术名称	适用范围	主要内容	投资及效益分析
21	延迟焦化冷焦处理炼油厂“三泥”	燃料型炼油厂污水处理产生的“三泥”与生产石油焦的延迟焦化装置	利用延迟焦化装置正常生产切换焦炭塔后,焦炭塔内焦炭的热量将“三泥”中的水份轻油汽化,大于 350℃ 的重质油焦化,并利用焦炭塔泡沫层的吸附作用,将“三泥”中的固体部分吸附,蒸发出来的水份、油气至放空塔,经分离、冷却后,污水排向含硫污水汽提装置进行净化处理,油品进行回收利用。	以 10.25 吨/塔计算,总投资 30 万元左右,净利润 80 万元/年,投资偿还期 0.37 年。使用该技术每年可回收油品 816 吨,节省用于“三泥”处理的设备投资和运行费用,防止由此而引起的二次污染,经济效益、环境效益和社会效益显著。
22	合建池螺旋鼓风曝气技术	大、中、小炼油(燃料油、润滑油、化工型)厂	空气从底部进入,气泡旋转上升径向混合、反向旋转,使气泡多次被切割,直径变小,气液激烈掺混,接触面增大,以利于氧的转移。在曝气器中因气水混合液的密度小,形成较大的上升流速,使曝气器周围的水向曝气器入口处流动,形成水流大循环,有利于曝气器的提升、混合、充氧等。	以 800 - 1000 吨/小时污水处理能力计算,总投资 80 - 120 万元,主要设备寿命 15 - 20 年。具有操作人员少、节电、维修费用少、处理效果好、排水合格率高等优点,总计每年可节省费用约 40 - 80 万元。
23	PTA(精对苯二甲酸装置)母液冷却技术	PTA 装置	利用空气鼓风机与特殊结构的喷嘴使物料喷雾,并与空气进行逆向接触冷却物料,利用新型塔板的不同排列实现了固体物料的防堵和良好的冷却效果,并成功地设计了在线清堵流程,实现了不停车即可清除物料。	35 万吨/年 PTA 装置母液冷却装置,总投资约 355 万元,经济效益 87 万元/年。污水温度可降到 45℃,保护了污水处理中分解分离菌,有利于污水的处理。
化工行业				

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
21	Delay the coking cold coke for the treatment of "three-mud" of refinery	"Three-mud" generated from sewage disposal of fuel refinery and the delayed coking installations for the production of petrol coke	After using the normal production of the delayed coking installation to switch the coking tower, the calorific power of the coke in the coking tower will gasify the light oil of moisture content in the "three-mud". The heavy oil which is higher than 350°C will be charked. The use of the absorbing role of the foamy layer of the coking tower will absorb the solid part of the "three-mud". The evaporated moisture content and oil and gas will be sent to the empty tower. After segregation and cooling, sewage shall be discharged into the sulphur-bearing sewage air lift installation for purification and disposal and oil can be recovered and utilized.	Calculated in terms of a 10.25 ton/tower, total investment will be 300,000 yuan, the net profit will be 800,000 yuan annually and the investment repayment period will be 0.37 year. Adoption of the technique can recover 816 tons of finished oil annually. Investment in the equipment and operational expenses for the treatment of the "three-mud" will be saved and the secondary pollution arising therefrom will be prevented. The economic, environmental and social benefits are remarkable.
22	The spiral air-blast and aeration technique of the jointly constructed tank	Large, small and medium-sized refineries (fuel, lubricant and chemical types)	The air enters the tank from the bottom, the air bubbles rotate and go upwards, rotate reversedly and are cut for many times. Their diameters become small. The gas liquid is mixed fiercely and the contact surface expands so as to be beneficial for the shifting of oxygen. Because the density of the mixed liquid of gas and water in the aeration device is small, it forms the upward current rate. The water on the side of the aeration device flows to the entrance and forms the current cycle so that it is favourable for the lifting, mixture and oxygenation of the aeration device.	Calculated in terms of treating 800-1,000 tons of sewage per hour, total investment will be 800,000-1.2 million yuan, the life span of the main equipment will be 15-20 years. It has the merits of less operators, saving of electricity, less maintenance expenses, good disposal results and a high qualification rate of discharge. It can save 400,000-800,000 yuan annually.
23	PTA (refined phthalic acid) mother liquid cooling technique	PTA installations	Use the air-blast and air spout together with the special structure to spray the materials and reversedly contact the cooling materials with the air. The new-type tower plates which are differently arranged will attain the anti-clogging and a fine cooling result of the solid materials, successfully design the in-line cleaning clogging process and realize the removal of materials without stopping the machine.	As for the mother liquid cooling installation with an output of 350,000 tons of PTA a year, total investment will be 3.55 million yuan and the economic benefit will be 870,000 annually. The temperature of sewage will drop to 45°C, thus protecting decomposition and separation of bacteria in the sewage disposal and being favourable for sewage disposal

编号	技术名称	适用范围	主要内容	投资及效益分析
24	合成氨原料气净化精制技术——双甲新工艺	大、中、小型合成氨厂	此工艺是合成氨生产中一项新的净化技术,是在合成氨生产工艺中,利用原料气中 CO、CO ₂ 与 H ₂ 合成,生成甲醇或甲基混合物。流程中将甲醇化和甲烷化串接起来,把甲醇化、甲烷化作为原料气的净化精制手段,既减少了有效氢消耗,又副产甲醇,达到变废为宝。	以年产 5 万吨氨、副产 1 万吨甲醇计,总投资 300-500 万元,投资回收期 2~3 年。因没有铜洗,吨氨节约物耗(铜、冰醋酸、液氨)14 元,节约蒸汽 30 元,节约氨耗 6.5 元等,每万吨合成氨可节约 74 万元;副产甲醇,按氨醇比 5:1 计算,1 万吨氨副产 2000 吨甲醇,利润 40-100 万元,年产 5 万吨的合成氨装置可获得经济效益 570-870 万元。
25	合成氨气体净化新工艺——NHD 技术	各种工艺气体的净化,特别是以煤为原料的硫化氢、二氧化碳含量高的氨合成气、甲醇合成气和羰基合成气的净化	NHD 溶剂是国内新开发的一种高效优质的气体净化剂,其有效成份为多聚乙二醇二甲醚的混合物,是一种有机溶剂,对天然气、合成气等气体中的酸性气(硫化氢、有机硫、二氧化碳等)具有较强的选择吸收能力。该溶剂脱除酸性气采用物理吸收、物理再生工艺,能使净化气中的酸性气达到生产合成氨、甲醇、制氢等的工艺要求。	以年产 40000 吨合成氨计,改造总投资(由碳丙工艺改造,含基建投资、设备投资等)约 80 万元,投资回收期 0.31 年。新建总投资(基建投资、设备投资等)约 400 万元,投资回收期 0.89 年。应用此项技术的企业年经济效益均在 200 万元以上。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
Chemical Industry				
24	The refined feed gas purification technique of synthetic ammonia—the dime new technique	Large, small and medium-sized synthetic ammonia plants	It is a new purification technique for the production of synthetic ammonia. In the synthetic ammonia production technique, CO and CO ₂ in the feed gas are used to synthesise H ₂ and generate methyl or methylum compounds. Methoxidization and methanation are connected in the process and are used as the purification means for the feed gas. It can effectively reduce hydrogen consumption and produce methyl so as to turn the waste into wealth.	Calculated in terms of an annual output of 50,000 tons of ammonia and 10,000 tons of ethyl, total investment will be 3-5 million yuan and the investment payoff period will be 2-3 years. Because no cuprammonium washing is needed, 14 yuan for the material consumption of per-ton ammonia (copper, glacial acetic acid and liquid ammonia), 30 yuan for steam, 6.5 yuan for ammonia consumption and 740,000 yuan for 10,00 tons of ammonia can be saved; in terms of the ammonia and alcohol ratio of 5:1, 10,000 tons of ammonia can produce 2,000 tons of ethyl and the profit will be 400,000 to 1 million yuan. The installation with an output of 50,000 tons of synthetic ammonia can obtain 5.7-8.7 million yuan for economic benefits annually.
25	New synthetic ammonia gas purification technique -- the NHD technology	Gas purification of various techniques, especially the purification of hydrogen sulfide with coal as the raw material, synthetic ammonia with a high content of carbon dioxide, synthetic methyl gas and synthetic gas of the functional group	The NHD solvent is a newly developed high and quality gas purification agent in the country. Its effective content is the compound of paraformal glycol dimethyl ether and is an organic solvent. It has a highly selective and absorbing ability for the sour gas (hydrogen sulfide, organic sulfide and carbon dioxide) in the natural gas and synthetic gas. Physical absorption and physical re-production technique is adopted for the solvent to defuse sour gas. It can enable the sour gas in the purification gas to attain the technological requirement for the production of synthetic ammonia, ethyl and hydrogen production.	Calculated in terms of an annual production of 40,000 tons of synthetic ammonia, total investment for the transformation (austenite technological transformation, investment in capital construction and equipment) will be 800,000 yuan. The investment payoff period is 0.31 year. Total investment for the construction of the new project (investment in capital construction and equipment) will be 4 million yuan and the investment payoff period will be 0.89 year. The economic benefits of enterprises that adopt the technique will be more than 2 million yuan annually.

编号	技术名称	适用范围	主要内容	投资及效益分析
26	天然气换热式转化造气新工艺及换热式转化炉	以天然气、炼厂气、甲烷富气等为原料,生产合成氨及甲醇的生产装置。也适用于小氮肥装置的技术改造和技术革新。	该工艺是将加压蒸汽转化的方箱式一段炉改为换热式转化炉,一段转化所需的反应热由二段转化出口高温气来提供,不再由烧原料气来提供。由于二段高温转化气的可用热量是有限的,不能满足一段炉的需要,又受氢氮比所限,因此在二段炉必需加入富氧空气(或纯氧)。	按照装置设计能力为年产 15000 吨合成氨规模的粗合成气计算,项目总投资 1300 万元,投资利润率约 9%,投资利税率约 10%,投资收益率约 20%。本技术节能方面有较大的突破,这将大大增强小厂产品竞争能力。
27	水煤浆加压气化制合成气	以煤化工为原料的行业	德士古煤气化炉是高浓度水煤浆(煤浓度达 70%)进料、液态排渣的加压纯氧气流床气化炉,可直接获得烃含量很低(含 CH_4 低于 0.1%)的原料气,适合于合成氨、合成甲醇等使用。	年产 30 万吨合成氨、52 万吨尿素装置以及辅助装置约需 30.5 亿元,投资回收期 12 年,主要设备使用寿命 15-20 年。
28	磷酸生产废水封闭循环技术	料浆法 3 万吨/年磷铵装置;二水法 1.5 万吨/年 H_3PO_4 (以 P_2O_5 计)装置	二水法磷酸生产中的含氟含磷污水,经多次串联利用后,进入盘式过滤机冲洗滤盘,产生冲盘磷石膏污水。冲盘污水经过二级沉降,分离出大颗粒和细颗粒。二级沉降的底流进入稠浆槽作为二洗液返回盘式过滤机,清液作为盘式过滤机冲洗水利用,实现冲盘污水的封闭循环。	1.5 万吨/年 H_3PO_4 (以 P_2O_5 计)装置总投资为 54 万元,投资回收期 1 年。回收污水中可溶性 P_2O_5 ,污水回用后节水效益和节省排污费每年达 63 万元。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
26	The new technique of transforming the natural gas into recuperative gas and the recuperative reburner	With the natural gas and the gas and methane of the gas refinery as the raw material, the production installation is used to produce synthetic ammonia and ethyl. It also is for the technical re-vamping and technical innovation of small nitrogen fertilizer plants	The technique is to turn the square-chest one-stage reburner of the pressure gas into the recuperative reburner. The reaction heat needed for the one-stage transformation is supplied by the high temperature gas of the second-stage transformation outlet and will not be supplied by the feed gas. Because the usable heat of the second-stage high temperature transformation gas is limited and cannot meet the requirement for the one-stage reburner and is affected by the hydrogen and nitrogen ratio, therefore, it is necessary to add oxygen enriched air (or pure oxygen) to the second-stage reburner.	Calculated in terms of an annual designing capacity of producing 15,000 tons of coarse synthetic gas, total investment for the project will be 13 million yuan, the investment profit rate will be 9%, the investment profit and tax rate will be 10% and the investment yield rate is 20%. The technique has made major breakthroughs in saving energy and will greatly enhance the competitiveness of products made by small plants.
27	Synthetic gas made by water fluid compression and gasification	Enterprises with coal as the raw material	The Dexas gasification furnace is a compression and pure oxygen fluidized gasification furnace of feeding and slag tap with a high density of water fluid (70% of the coal density) can directly obtain feed gas (contains lower than 0.1% of CH ₄) with a low content of hydrocarbon for synthetic ammonia and synthetic ethyl.	About 3.05 billion yuan are required for an annual output of 300,000 tons of synthetic ammonia, 520,000 tons of urea and the auxiliary installations. The investment payoff period will be 12 years and the life span of key equipment will be 15-20 years.
28	The waste water closed circuit technique for phosphoric acid production	30,000 tons of phospham installation of the slurry method annually; 15,000 tons of H ₃ PO ₄ (in terms of P ₂ O ₅) of the dihydrate process	Sewage with fluorine and sulphur in the dihydrate phosphoric acid production, after connection and utilization for many times, will enter the flushing filter tray of the pan filter and generate ardealite sewage. After the second-stage sedimentation, the sewage separate big and fine particles. The bottom current of the second-stage sedimentation will enter the rich tank as the secondary return filter. The clean liquid can be used for washing of the tray filter and attain the purpose of the closed circuit utilization of the sewage.	The installation with an annual output of 15,000 tons of H ₃ PO ₄ (in terms of P ₂ O ₅) will need an investment of 540,000 yuan. The investment payoff period will be one year. It can recover soluble P ₂ O ₅ from the sewage. After the recovery of the sewage, the water conservation benefits and expenses saved for pollution discharge will total 630,000 annually.

编号	技术名称	适用范围	主要内容	投资及效益分析
29	磷石膏制硫酸联产水泥	磷肥行业	磷石膏是磷铵生产过程中的废渣,用磷石膏、焦炭及辅助材料按照配比制成生料,在回转窑内发生分解反应。生成的氧化钙与物料中的二氧化硅、三氧化二铝、三氧化二铁等发生矿化反应形成水泥熟料。含 7-8% 二氧化硫的窑气经除尘、净化、干燥、转化、吸收等过程制得硫酸。	年产 15 万吨磷铵、20 万吨硫酸、30 万吨水泥的装置总投资 95975 万元,每年可实现销售收入 84000 万元,利税 22216 万元,投资回收期 4.32 年。每年能吃掉 60 万吨废渣,13 万吨含 8% 硫酸的废水,节约堆存占地费 300 万元,节约水泥生产所用石灰石开采费 10500 万元和硫酸生产所需的硫铁矿开采费 16000 万元。从根本上解决了石膏污染地表水和地下水的问题。
30	利用硫酸生产中产生的高、中温余热发电	适用于硫酸生产行业	利用硫铁矿沸腾炉炉气高温 (~900℃) 余热及 SO ₂ 转化成 SO ₃ 后放出的中温 (~200℃) 余热生产中压过热蒸汽,配套汽轮发电机发电。蒸汽量达到 0.9t/t 酸,蒸汽消耗指标为 5.94kg/kwh。汽轮机采用凝结式汽机,冷凝水可回收利用。	新建 3000kW 机组,总投资 680 万元。年创利税 190 万元,投资回收期 3.5 年。每年可节约 6000 吨标准煤;减排 SO ₂ 192 吨,CO ₈ 吨,NO _x 54 吨,经济效益、环境效益显著。
31	气相催化法联产三氯乙烯、四氯乙烯	该技术应用于有机化工生产,适用于改造 5000 吨/年以上三氯乙烯装置	将乙炔、三氯乙烯分别经氯化生成四氯乙烯或五氯乙烯,二者混合后(亦可用单一的四氯乙烯或五氯乙烯)经气化进入脱 HCl 反应器,生成三、四氯乙烯。反应产物在解吸塔除去 HCl 后,导入分离系统,经多塔分离,分出精三氯乙烯和精四氯乙烯,未反应的物料返回脱 HCl 反应器,循环使用。精三氯乙烯部分送氯化塔生成五氯乙烯,部分经后处理加入稳定剂作为产品。精四氯乙烯经后处理加入稳定剂,即为成品。	以 1 万吨/年(三氯乙烯 5000 吨,四氯乙烯 5000 吨)计,总投资 3000 万元,投资回收期 2~3 年。新工艺比皂化法工艺成本降低约 10%,新增利税每年约 800~1000 万元。同时彻底消除了皂化工艺造成的污染,改善了环境。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
29	Joint production of cement with ardealite and phosphoric acid	Nitrogen fertilizer industry	Ardealite is the waste residue in the course of producing phospham. The raw material made in the proportion of ardealite, coke and auxiliary materials can generate decomposition and reaction in the rotary kiln. The generated burnt lime will have mineralization reaction with silica, alundum and ferric oxide of the material and form clinker. The kiln gas with 7-8% of sulfur dioxide will be turned into phosphoric acid after dedusting, purification, drying, transformation and absorption.	Total investment of 959.75 million yuan will be needed for an annual production of 150,000 tons of phosphum, 200,000 tons of phosphoric acid and 300,000 tons of cement. The annual sales income will be 840 million yuan, the annual profit and tax will be 222.16 million yuan and the investment payoff period will be 4.32 years. Each year 600,000 tons of waste residue and 130,000 tons of waste water with 8% of phosphoric acid will be absorbed. Three million yuan for occupying the land, 105 million yuan for the mining of lime stone for the production of cement and 160 million yuan for the mining of pyrites needed for the production of phosphoric acid will be saved. It can fundamentally solve the problem of the surface and underground water pollution by the gypsum sewage.
30	High and medium temperature afterheat generated from phosphoric acid production for power generation	For phosphoric acid production enterprises	The high-temperature (900°C) of the burner gas of the pyrites furnace in fluid bed and SO ₂ are used to be turned into SO ₃ . The medium temperature afterheat (200°C) is used to produce the compressed overheat steam for power generation, together with the steam-turbine generator. When the amount of steam reaches 0.9t/t, the steam consumption norm is 5.94kg/kwh. The steam turbine can be used for the steam-turbine generator and the cooling water can be recovered and utilized.	Total investment of 6.8 million yuan will be needed for the 3000kw generation set. The annual profit and tax will be 1.9 million yuan and the investment payoff period will be 3.5 years. The set can save 6,000 tons of standard coal annually, reduce the discharge of 192 tons of SO ₂ and 8 tons of CO and 54 tons of NO _x . The economic and environmental benefits are remarkable.
31	Joint production of narkosia and tetrachloroethylene by the gas-phase catalytic process	The technique is applicable to organic chemical production and to the transformation narkosia installation with an annual output of over 5,000 tons of narkosia	Ethyne and narkosia are chloridized into tetrachloroethylene or pentachlorocyclohexene and mixed together (tetrachloroethylene or pentachlorethane can also be used), enter the HCl reactor after gasification and become narkosia and tetrachlorethylene. After removing HCl in the desorber, the reaction product will be led to the separation system and segregate narkosia and tetrachloethylene and the unreacted material will return to the HCl reactor and can be used cyclically. The refined narkosia will be sent to the chlorinating tower for the production of pentachlorocyclohexene and part of narkosia will be added with stabilizer for the product after disposal. The refined tetrachlorethylene will be added with stabilizer and become the product after disposal.	Calculated in terms of an annual output of 5,000 tons of narkosia and 5,000 tons of tetrachloroethylene, total investment will be 30 million yuan and the investment payoff period will be 2-3 years. Compared with the saponification method, the new technology will reduce the cost by 10 percent and will have a new increase of 8-10 million yuan for profit and tax. Meanwhile, it can completely eliminate pollution resulting from the saponification method and improve the environment.

编号	技术名称	适用范围	主要内容	投资及效益分析
32	利用蒸氨废液生产氯化钙和氯化钠	纯碱生产	氨碱法生产纯碱后的蒸氨废液中含有大量的 CaCl_2 和 NaCl , 其溶解度随温度而变化, 经多次蒸发将 CaCl_2 和 NaCl 分离, 制成产品。	按照 NaCl 、 CaCl_2 年产量分别为 13000 吨和 28000 吨计算, 年经济效益为 1551 万元和 3477 万元, 合计 5028 万元。
33	蒽醌法固定床钨触媒制过氧化氢	化肥、氯碱化工、石化等具有副产氢气的行业	该技术以 2-乙基蒽醌为载体, 与重芳烃等混合溶剂一起配制成工作液。将工作液与氢气一起通入一装有钨触媒的氢化塔内, 进行氢化反应, 得到相应的 2-乙基氢蒽醌。2-乙基氢蒽醌再被空气中的氧氧化恢复成原来的 2-乙基蒽醌, 同时生成过氧化氢。利用过氧化氢在水和工作液中溶解度的不同以及工作液和水的密度差, 用水萃取含有过氧化氢的工作液得到过氧化氢的水溶液。后者再经溶剂净化处理、浓缩等, 得到不同浓度的过氧化氢产品。	年产 10000 吨 27.5% 的 H_2O_2 , 总投资约 3000 万元; 投资回收期 3 年左右。该技术具有明显的经济效益, 按上述生产规模计算, 每年可获得税后利润 500 万元左右。由于该技术中采用以污治污技术, 环境效益明显。
轻工行业				
34	碱法/硫酸盐法制浆黑液碱回收	适用于碱法/硫酸盐法蒸煮工艺, 对所产生的黑液进行碱及热能回收, 并大幅度降低污染	碱回收主要包括黑液的提取、蒸发、燃烧、苛化等工段。提取: 要求提取率高, 浓度高, 温度高。蒸发: 提取的稀黑液需进入蒸发工段浓缩, 使黑液固形物含量达 55~60% 以上。燃烧: 浓黑液送燃烧炉利用其热值燃烧。燃烧后有机的转化为热能回收, 无机物以熔融状流出燃烧炉进入水中形成滤液。苛化: 澄清后的滤液进入苛化器与石灰反应, 转化为 NaOH 及 Na_2S 。	在稳定、正常运行条件下, 碱回收的投资回收期约 5~10 年, 木浆回收期较短, 非木浆较长。按年产 34000 吨浆(日产 100 吨浆)计算, 碱回收的直接经济效益(商品碱价按 1700 元/吨, 回收碱按 800 元/吨计) 7344 万元/年。按吨浆 COD 产生量 1400 公斤, 碱回收去除 COD80% 计, 日产 100 吨浆的企业每年可减少 COD 排放 38080 吨。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
32	Production of calcium chloride and sodium chloride by the steamed ammonia waste liquor	Pure caustic soda production	After the production of pure caustic soda by the ammonia soda process, the steamed ammonia waste liquor contains a large amount of CaCl_2 and NaCl and its dissolvability changes along with the change of the temperature. Evaporation for many times will separate CaCl_2 from NaCl and turn it into the product.	Calculated in terms of an annual output of 13,000 tons of NaCl and 28,000 tons of CaCl_2 , the annual economic benefits will be 15.51 million and 34.77 million yuan respectively. The sum total will amount to 50.28 million yuan.
33	Production of perhydrol of the fixed bed palladium catalytic agent by the anthraquinone process	Hydrogen sideline industry of chemical fertilizer, chloroalkali chemical and petrochemical enterprises	With diethyl anthraquinone as the carrier, it is mixed with the mixed dissolvant of heavy aromatics and turned into the working liquor by the technique. The working liquor and hydrogen are led to the hydriding tower packed with palladium for hydrogen reaction, and then diethyl hydrogen anthraquinone can be obtained. The diethyl hydrogen anthraquinone will, after oxygenation of the air, restore the original diethyl anthraquinone and then produce perhydrol. By utilizing the different dissolvabilities of perhydrol in the water and working liquor and the different densities of the working liquor and water, the working liquor with perhydrol is separated by water and the perhydrol water solution can be obtained. Then, after purification, disposal and enrichment of the dissolvability, perhydrol products with different densities will be obtained.	About 30 million yuan are required for an annual output of 10,000 tons of 27.5% of H_2O_2 ; the investment payoff period will be three years. The technique will generate marked economic returns. Calculated in terms of the above production scale, 5 million yuan of the after-tax profit will be obtained annually. Because the technique has adopted the pollution control measures, the environmental benefits are also remarkable.
Light Industry				
34	Recovery of slurry black liquor alkali by the alkali/sulfate process	Applicable to the steam technique of the alkali and sulfate process, recovery of alkali and heat energy from the generated black liquor and reduction of pollution by a big margin	Alkali recovery mainly includes the extraction, evaporation, combustion and causticization of the black liquor. Extraction: It is demanded that the extraction rate, density and temperature are high. Evaporation: It is required that the extracted thin black liquor shall enter the density of the evaporation process so that the content of the solid materials of the black liquor shall reach 55-60%. Combustion: The heat value combustion can be utilized when the thick black liquor is transmitted to the combustion furnace. After combustion, the organic materials will be turned into heat energy for recovery. The inorganic materials that flow out of the combustion furnace in the melting manner and enter the water and form the filter liquor. Causticization: The clarified filter liquor enters the causticizer and reacts with lime and then changes into NaOH and Na_2S .	

编号	技术名称	适用范围	主要内容	投资及效益分析
35	射流气浮法回收纸机白水技术	适用于造纸白水中纤维、填料及水的回收;也适用于各类废水处理中的固液分离及污泥浓缩	压力溶气水经减压释放出直径约为 50 μm 气泡的气-水混合液与含有悬浮物的废水(如纸机白水)中的纤维及填料)混合,形成气-固复合物进入气浮地进行分离。分离后的水则由设在气浮池适当位置的集水管道收集后送至清水池,浮在池表面的悬浮物(如纸浆、填料)则收集到浆池,不能上浮的沉淀物沉积在气浮池的泥斗中,定期排放,以保证出水水质稳定。	以回收纸机白水 300 立方米/天为例,总投资 35 万元,回收年限 1.5 年,年净效益 23 万元,年削减废水排放量 81 万立方米,SS596 吨, COD300 吨。年节约水量 81 万吨,节约纸浆 180 吨。
36	多盘式真空过滤机处理纸机白水	年产 1 万吨以上的大、中型纸浆造纸厂,用于造纸白水中纤维、填料及水的回收	滤盘表面覆盖着滤网,为了回收白水中细小纤维,预先在白水中加入一定量的长纤维作预挂浆,滤盘在液槽内转动,预挂浆在网上形成一定厚度的浆层,并依靠水退落差造成的负压(或抽真空),使白水中的细小纤维附着在表面,当浆层露出液面,负压作用消失,高压喷水把浆层剥落,滤盘周而复始工作,白水中细小纤维和化学物质得到回收,同时也净化了白水。	以年产 1 万吨的纸浆造纸厂为例,采用多盘式真空过滤机处理纸机白水,总投资 62 万元,回收期 1 年。年直接经济效益 96 万元,净效益 92 万元;年回收纸浆(绝干)纤维 1462 吨,年节约清水 137 万吨;年少排废水 108 万吨;悬浮物 1919 吨,少缴排污费约 2 万元。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
35	Recovery of paper machine white water by the jet floating process	Applicable to the recovery of fibre, loading materials and water in the white water of paper-making; solid liquor separation and sludge concentration for treating various kinds of sewage	The gas and water mixed liquor with a diameter of about 50um of air bubble de-compressed and released from the pressure dissolved-air water will be blended with the waste water containing suspended substances (such as fibre of the paper machine white water and loading materials). The gas and solid compounds thus formed will enter the air floating tank for separation. The separated water which is collected by the collector tube installed in the proper place of the air floating tank is sent to the clean water tank. The floating suspended substances on the surface of the tank (such as pulp, loading materials) are collected in the pulp tank. Sediments that cannot float will deposit in the bagger of the air floating tank and will be discharged periodically so as to ensure the stability of the water quality.	Take the daily recovery of 300m ³ of the paper machine white water for example. Total investment will be 350,000 yuan, the term of the recovery will be 1.5 years, the annual net efficiency will be 230,000 yuan and annual discharge of 810,000m ³ of waste water, 596 tons of SS and 300 tons of COD will be reduced. Every year, 810,000 tons of water and 180 tons of pulp will be saved.
36	Disposal of paper machine white water by the multi-disc vacuum filter	For large and medium-sized pulp paper-making mills with an annual output of more than 10,000 tons and recovery of fibre, loading materials and water for the paper-making white water	The surface of the filter pan is covered by the filter screen. In order to recover the fine fibre in the white water, the long fiber which is used for the presuspension pulp is added to the white water in advance. The filter pan rotates in the fluid bath and the pre-suspension pulp forms a certain thickness of the pulping layer on the screen. The negative pressure (or the vacuum supply) resulting from the drop difference of the escaping of water enables the fine fibre in the white water to adhere to the surface. When the pulping layer floats on the liquor surface, the negative pressure function disappears. The high-pressure water spraying flakes the pulping layer and the filter pan works continuously. The fine fibre and chemical substances in the white water can be recovered and, at the same time, the white water can be purified.	Take a paper-making mill with an annual output of 10,000 tons pulp for example. The disposal of the paper machine white water of the multi-disc vacuum filter will need a total investment of 620,000 yuan. The recovery period will be one year. The annual direct economic returns will be 960,000 yuan and the net efficiency will be 920,000 yuan. The annual recovery of pulp fibre will total 1,462 tons and 137 tons of clean water can be saved annually; the discharge of 108 tons of waste water, 1,919 tons of suspension substances and 20,000 yuan for paying pollution discharge expenses will be cut.

编号	技术名称	适用范围	主要内容	投资及效益分析
37	超效浅层气浮设备	水的回收和污水净化	超效气浮在原理上与传统溶气气浮相同。所不同的是,它是一先进的快速气浮系统,成功地运用了浅池理论和“零速”原理,通过精心设计,集凝聚、气浮、撇渣、沉淀、刮泥为一体,是一种水质净化处理的高效设备。	以 6000 立方米/天处理设备为例,设备投资为 100 万元左右。设备用作 OCC 废纸中段水、纸机的白水回收,投资回收期约一年,即使考虑土建投资在内,投资回收期也不足一年。
38	玉米酒精糟生产全干燥蛋白饲料(DDGS)	地处能源丰富,以玉米为原料的大、中型酒精生产企业	玉米酒精糟固液分离,分离后的滤液部分回用,部分蒸发浓缩至糖浆状,再将浓缩后的浓缩物与分离的湿糟混合、干燥制成全干燥酒精糟蛋白饲料。DDGS 蛋白含量达 27% 以上,其营养价值可与大豆相当,是十分畅销的精饲料。	6 万吨酒精 DDGS 蛋白饲料生产线,总投资 2988 万元;年产 DDGS 蛋白饲料 5.4~5.6 万吨;废水达标排放,彻底消除污染。
39	差压蒸馏	大、中型酒精生产装置	差压蒸馏在两塔以上的生产工艺中使用,各塔在不同的压力下操作,第一效蒸馏直接用蒸汽加热,塔顶蒸汽作为第二效塔釜再沸温度器的加热介质,它本身在再沸器中冷凝,依次逐渐进行,直到最后一效塔顶蒸汽用冷却水冷凝。	配套 3 万吨酒精蒸馏生产线(大部分采用不锈钢材质)投资 1100 万元(不包括土建)。吨酒精节约蒸汽 3.6 吨,年节约蒸汽 10.8 万吨。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
37	Hyper-superficial air floating equipment	Recovery of water and purification of sewage	The hyper-superficial air floating is as same as the traditional dissolved-air floating in principle. What is different is that it is an advanced quick air-floating system and successfully employs the sump theory and the "zero velocity" principle to integrate agglutination, air floating, slag-off, sedimentation and mud scrapping into an organic whole by means of the meticulous designing. It is a highly effectively equipment for purification and disposal of the water quality.	Take the equipment that can dispose 6,000 cubic meters of water daily for example. Investment in the equipment will be 1 million yuan. The equipment can be used for the recovery of the middle section water of the OCC waste water and the paper machine white water. The payoff period of the investment will be one year. Even investment in the civil construction is considered, the payoff period of the investment is less than one year.
38	Production of white drying protein fodder by the maize alcohol trough	Large and medium-sized alcohol production enterprises with maize as the material in maize rich areas	The solid and liquid substances of maize are separated in the trough. After separation, the filter part can be recovered and part of it shall be evaporated and concentrated to the sugar liquor state. Then, the enriched materials after concentration shall be mixed and dried with the separated wet sump and turned into white drying alcohol protein fodder. The content of the DDGS protein reaches over 27%, its nutrition value can compare favourably with the bean and is the refined fodder which enjoys a brisk sale on the market.	Total investment for a production line of 60,000 tons of alcohol DDGS protein fodder will be 29.88 million yuan. The annual output of DDGS protein fodder will be 54,000-56,000 tons. Sewage can be discharged up to the standard and pollution can be completely eliminated.
39	Differential pressure stilling	Large, small and medium-sized alcohol production installations	The differential pressure stilling is used in the production process for more than two towers. The towers are operated under different pressures. The first effective stilling can be directly heated by steam. The tower top steam can be used as the heated agent of the second effective bottom boiler. It can be cooled in the boiler and until the last effective tower top steam is cooled by the cooling water.	An investment of 11 million yuan (including civil construction) for the alcohol stilling production line of 30,000 tons of alcohol with supporting facilities (stainless steel is adopted for most of the equipment). The per-ton alcohol can save 3.6 tons of steam and the annual amount of steam that can be saved will total 108,000 tons.

编号	技术名称	适用范围	主要内容	投资及效益分析
40	薯类酒精糟厌氧-好氧处理	以薯类为原料的大、中、小酒精生产工艺	薯类酒精糟通过厌氧发酵,既可去除有机污染物,产生沼气(甲烷含量大于56%)用于燃料、发电等,又可以把废液中植物不能直接利用的氮、磷、钾转化为可利用的有机肥料。发酵后的消化液分离污泥后进入曝气池进行好氧处理,出水达标排放。厌氧污泥脱水后可作优质肥料,曝气池产生的剩余活性污泥返回厌氧罐进行处理。	以年产1万吨的酒精厂计算,总投资550万元,投资回收期6年(含建设期)。年直接经济效益厌氧部分:沼气用于烧锅炉70万元,沼气用于发电200万元;好氧部分:废水达标排放,节省排污费54.4万元;干污泥(含水80%)用作肥料,年收益20万元。采用厌氧-好氧处理工艺,污染物总去除率COD可达98.3%,BOD ₅ 99.1%,SS99.2%,废水全部达标排放。
41	饱和盐水转鼓腌制法保存原皮技术	大、中、小型皮革企业猪、牛皮原料皮的保藏	饱和盐水转鼓腌制法保存原皮技术是一种动态腌皮加工过程。用腌制过程中,皮、盐在转鼓中均匀混合,盐里腌,利用率高,其用量仅为皮重的30%左右。	以年产30万张猪皮制革厂为例,投资约20万元。传统撒盐法年消耗盐用量约1050吨,饱和盐水转鼓腌制法年耗盐450吨,年节约资金20万元,一年即可收回投资。同时饱和盐水转鼓腌制法保存原皮技术克服了传统撒盐法由于原皮带有的污染或粪便对盐腌皮质量产生的不利影响,以及被污染的腌皮场地和旧盐对原皮造成的损害,提高了盐腌皮的保存期,具有较好的环境效益和经济效益。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
40	Potato alcohol trough anaerobic and aerobic disposal	Large, small and medium-sized alcohol production plants with potato as the raw material	Through anaerobic fermentation, the potato alcohol trough not only can remove organic pollutants, generate methane (the content of marsh gas is higher than 56% for fuel and power generation, but also turn nitrogen, phosphorus and potassium which cannot be directly utilized by the plants in the waste liquor into the available organic fertilizer. After separating sludge, the fermented digestive juice enters the aeration tank for anaerobic disposal. The juice will be discharged if it is up to the standard. After dewatering, the anaerobic sludge can be used as the quality fertilizer and the residual active sludge generated in the aeration tank will return to the anaerobic tank for disposal.	Calculated in terms of one alcohol plant with an annual output of 10,000 tons of alcohol, total investment will be 5.5 million yuan and the investment payoff period will be six years (including the construction period). The annual direct economic returns for the anaerobic part: methane can be used for the boilers valued at 700,000 yuan, for power generation valued at 2 million yuan; as for the aerobic part, waste water whose discharge has attained the standard will save 544,000 yuan for pollution discharge; the dry sludge (containing 80% of water) can be used for fertilizer and its annual income will be 200,000 yuan. After adopting the anaerobic-aerobic disposal technique, the total removal rate of pollutants is that COD will reach 98.3%, BOD ₅ will reach 99.1% and SS will attain 99.2%. All the waste water can be discharged up to the standard.
41	Preservation of raw hide by the saturated brine rotating drum cure process	Large, small and medium-sized leather enterprises for the preservation of pig and cattle raw hide	The technique of preserving the raw hide with the saturated brine rotating drum cure process is a dynamic cure and processing process. In the cure course the hide and salt can be evenly mixed in the rotating drum. The utilization rate is high and the amount that can be used is about 30% of the hide weight when hide is cured.	Take a tannery with an annual output of 300,000 pigskins for example. The investment will be 200,000 yuan. The traditional method will consume 1.050 tons of salt annually. The saturated brine rotating drum cure process only consumes 450 tons of salt annually. Thus, 200,000 yuan can be saved annually and the investment can be recovered only in a year. The method of preserving raw hides by the saturated brine rotating drum cure process can overcome the unfavourable effect of the traditional method that pollution or excrement and urine affect the cured hide quality and also prevent the polluted cured site and old salt from damaging the raw hides. This new method can enhance the retention period of the cured hides and has fairly high environmental and economic returns.

编号	技术名称	适用范围	主要内容	投资及效益分析
42	含铬废液补充新鞣液直接循环再利用技术	适用于各种类型的制革厂	建立一封闭的铬液循环系统,将制革生产的浸酸操作和鞣制操作分开,设置专门的铬鞣区域,使废铬液与其它废液彻底分开,并循环利用。	建立一套完善的 500 吨/日的废铬液循环利用系统需资金约 20 万元,系统建成使用后一年即可收回投资,同时减少了含铬废液的排放。
43	啤酒酵母回收及综合利用	各种规模啤酒厂的废啤酒酵母回收利用	将啤酒发酵过程中产生的废酵母泥进行固液分离以回收啤酒和酵母。分离后的啤酒应用膜分离技术进行微孔精滤,去除杂菌及酵母菌,精滤后的啤酒清澈透明,以 1% 比例兑入成品啤酒中,不影响啤酒质量。酵母饼经自溶,烘干,粉碎得酵母粉,是优质蛋白饲料添加剂。	以年产 5 万吨啤酒厂为例,总投资 80 万元,投资回收期 12~14 个月。直接经济效益 76 万元/年,净效益 70 万元/年。啤酒酵母回收后可减少啤酒废水污染负荷 50% 左右 (COD),减少废水治理基建投资 37%,减少酒损 1%。
44	味精发酵液除菌体生产高蛋白饲料,浓缩等电点提取谷氨酸,浓缩废母液生产复合肥技术	味精厂	避免菌体及其破裂后的残片释放出的胶原蛋白、核蛋白和核糖核酸影响谷氨酸的提取与精制;发酵液除菌体与浓缩均能提高谷氨酸提取率与精制得率;发酵液提取谷氨酸后废母液 COD 高达 100000mg/L,有利于进一步生产复合有机肥料而消除污染。	以年产 5000 吨谷氨酸计,若全部采用国产设备总投资 600 万元,若提取采用进口设备总投资 2800 万元。年产蛋白饲料 600 吨,复合有机肥 6000 吨。综合利用部分产出可抵消废水处理运转费用。对排放口进行的 72 小时连续监测,日 COD 减少 80% (约 20 吨),BOD 减少 91%,SS 减少 71%,NH ₃ -N 减少 85%,为废水的二级生化处理创造了条件。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
42	The technique of waste liquor with chromium to supplement new owse for direct cycling and re-utilization	for various kinds of tanneries	A chromium liquor cycling system is established. The pickling and tanning operations are separated. A special chromium owse area is instituted so that the waste chromium liquor is completely separated from other liquor and can be used in a cycle way.	Some 200,000 yuan are required for the establishment of a complete set of the waste chromium cycling and utilization system with a daily output of 500 tons. Completion and operation of the system can recover the investment just in one year and, at the same time, reduce the discharge of the chromium waste liquor.
43	Recovery and comprehensive utilization of brewers' yeast	Recovery and utilization of waste brewers' yeast for breweries of different sizes	The solid and liquid substances of the waste yeast generated in the course of brewers' yeast are separated and then beer and yeast can be recovered. The separated beer shall go through microporous filtration by the membrane technique. The miscellaneous bacteria and saccharomycete are removed. The filtered beer is as clear as crystal. When it is mixed with 1% of finished beer, the beer quality will not be affected. The yeast powder is obtained after the yeast cake goes through self-digestion, oven drying and crushing and is a quality protein fodder additive.	Take a brewery with an annual output of 50,000 tons of beer for example. Total investment will be 800,000 yuan and the investment payoff period will be 12-14 months. The direct economic returns will be 760,000 yuan and the net returns will be 700,000 yuan annually. After recovery the brewers' yeast can reduce 50% of the beer waste water pollution load (COD), 37% of the capital construction investment for the control of waste water and 1% of the beer loss.
44	The technique of the production of high protein fodder with the gourmet powder zymotic fluid degerminating agent, production of glutaminic acid by enrichment and electric ignition and production of compound fertilizer by the enriched waste mother liquor	Gourmet powder factories	Avoid thallus and colloid protein, nucleose, plant nucleic acid and nucleic acid released from the crushed relics to affect the extraction and refining of glutaminic acid; zymotic fluid thallus and enrichment can raise the extraction rate and the refined rate of glutaminic acid; after the extraction of glutaminic acid, the waste mother liquid COD is as high as 100000 mg/L and is favourable for the further production of compound organic fertilizer and removal of pollution.	Calculated in terms of an annual production of 5,000 tons of aminoglutaric acid, 6 million yuan will be needed for the Chinese made equipment. If imported equipment is adopted, the total investment will be 28 million yuan. The annual output of protein fodder and compound organic fertilize will be 600 tons and 6,000 tons respectively. The output of the comprehensive part can make up for the expenses for sewage disposal. A continuous monitoring of the discharge outlet for 72 hours shows that COD, BOD, SS and NH ₃ -N will be cut down by 80% (about 20 tons), 91%, 71% and 85% respectively, thus creating conditions for the secondary biochemical disposal of sewage.

编号	技术名称	适用范围	主要内容	投资及效益分析
纺织行业				
45	转移印花新工艺	涤纶、锦纶、丙纶等合成纤维织物	利用分散染料将预先绘制的图案印在纸上(80g/m 重新闻纸),再利用分散染料加热升华及合成纤维加热膨胀特性,通过加热、加压将染料转移到合成纤维中,冷却后达到印花的目的。	印纸机:20-30 万元/台,转移印花机 10-20 万元/台,投资回收期为 0.5-1 年,设备寿命 10-15 年。同时消除了印染废水的产生和排放。
46	超滤法回收染料	棉印染行业,回收还原性染料等疏水性染料	将聚砜材料(成膜剂)、二甲基甲酰胺(溶剂)、乙二醇甲醚(添加剂)通过铸膜器,采用急剧凝胶工艺制成具有一定微孔的聚砜超滤膜,组装成超滤器,在压力 0.2MPa 下,对氧化后的还原染料残液进行过滤、回收。	超滤器约 5 万元/台,一年左右可以回收设备费用。降低了废水中的色度,减少了印染废水中 COD 的产生量。
47	涂料染色新工艺	棉染整行业,针织染整行业、毛巾、床单行业等织物染色	采用涂料着色剂(非致癌性)和高强度粘合剂(非醛类交联剂)制成轧染液,通过浸轧均匀渗透并吸附在布上,再通过烘干、焙烘,使染液(涂料和粘合剂)交链,固着在织物上,常温自交链粘合,不需要焙烘即可固着在织物上,染后不需洗涤可直接出成品。	利用原有部分染色设备,不需要投资,工艺简单、成本低;目前涂料染色占织物染色总量的 30% 左右,比使用传统染料染色,节省了显色、固色、皂洗、水洗等诸多工序,节约了大量水、汽、电的消耗。
48	涂料印花新工艺	棉印染行业、针织印染行业	采用涂料(颜料超细粉)、着色剂及交联粘合剂制成印浆,通过印花、烘干、焙固三个步骤即可完成印花,比传统的染料印花减少了显色、固色、皂洗、水洗等诸多工序,节约了水、汽、电,并减少了废水排放量。	利用原有设备,不需再投资。与传统印花相比,各项费用可节省 15-20%。目前涂料印花数量占印花织物总量的 60%。节约了水、汽、电,并减少了废水排放量。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
Textile Industry				
45	The new technique of the transfer printing	Dacron, chinlon, polypropylene fiber and other synthetic science fabrics	DispersXe dye is used and printed in the paper with the already drawn patterns (80g/m newsprint), then the disperse dye is heated with the features of the heated and expanded synthetic fibre. The dye is shifted to the synthetic fibre after heating and pressure and attain the aim after cooling.	The marking machine: 200,000-300,000 yuan/ piece, 100,000-200,000 yuan for the transfer printer/piece. The investment payoff period will be six months to one year and the life span of the equipment will be 10-15 years. Meanwhile, generation and discharge of dyeing sewage will be eliminated.
46	Recovery of dyestuff by the hyper-filtration process	Recovery of reduced dyestuff and hydrophobic dyestuff by the cotton and printing and dyeing industry	R2SO ₂ , dimethyl formamide, glycol monomethyl ether are, through the foundry device, turned into the millipore hyper membrane by the instant gel process and are installed on the hyper filter. Under the pressure of 0.2MPa, the residual liquor of the reduced dyestuff after oxydation can be filtered and recovered.	The hyper filter is valued at 50,000 yuan. Expenses for the equipment can be recovered just in one year. The colour in the waste water can be lowered and COD in the printing and dyeing waste water can be reduced.
47	The new technique of pigment dyeing	Fibric dyeing of cotton dyeing and finishing, knitted dyeing and finishing industry, and towel and sheet units	Pad dyeing liquor is made with the pigment coloration agent (non-carcinogenic) and high strength binder (non-aldehyde cross linkage agent) and, through balanced infiltration of soaking and pad dyeing, it is absorbed on the cloth. Then through drying and ustulation, the pad dyeing liquor is cross-linked with the pigment and binder and fixed on the fabrics. Under ordinary temperature, it can be cross-linked and fixed on the fabrics without drying and can be directly turned into finished products without washing.	No investment will be needed for the use of the original equipment. The process is simple and the cost is low; currently, the pigment dyeing has made up 30% of the total fabric dyeing and has saved many procedures as compared with the traditional dyestuff dyeing in terms of coloration, colour fixing, soaping and washing and a large quantity of water gas and electricity.
48	The new pigment printing technique	Cotton and knitted printing and dyeing industry	The printing pulp made with pigment (super fine dyestuff powder), colouring pigment and cross-linkage agent can complete the printing through the printing, drying and curing process and reduce the process of coloration, colour fixing, soaping and washing as compared with the traditional dyestuff dyeing, consume less water, gas and electricity and cut down the discharge of waste water.	No investment is required if the original equipment is utilized. Compared with the traditional printing, 15-20% of the expenses can be saved. Currently, the amount of pigment printing has made up 60% of the total printing fabrics. Water, gas and electricity can be saved and the discharge of waste water can be cut.

编号	技术名称	适用范围	主要内容	投资及效益分析
49	棉布前处理冷轧堆一步法工艺	棉印染行业、针织印染行业、毛巾和浴巾加工、床单行业等使用棉及涤棉织物前处理	采用高效炼漂助剂及碱氧一步法工艺,使传统前处理工艺退浆、煮炼、漂白三个工序合并成经浸轧堆置水洗一道工序,成品质量可达到三道工序的质量水平。	新建一条生产线,设备投资 180 - 250 万元,每年节省劳工费用 45 万元,总计节约 350 - 400 万元。
50	酶法水洗牛仔织物	棉型牛仔织物	采用纤维素酶水洗牛仔布(布料或成衣),可以达到采用火山石磨洗效果。	提高了产品质量,改善了服用性能,手感好,但成本与石磨法基本持平,产品附加值增加。同时降低了废水的 PH 值,减少了废水中悬浮物的含量,提高了废水的可生化性。
51	丝光淡碱回收技术	棉及涤棉织物的棉印染行业	丝光时采用 250 克/升以上的浓碱液 (NaOH) 浸轧织物,丝光后产生 50g/l 的残碱液。通过采用过滤(去除纤维等杂质),蒸浓(三效真空蒸发器)技术,使残碱液浓缩至 260g/l 以上。再回用于丝光、煮炼等工艺。	一套碱回收装置及配套设备,总投资 300 - 400 万元,年回收碱液 5400 吨,价值约 270 万元,减少废水 COD 排放量 40%,并改善废水 PH 值。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
49	The cooling pad technique of the pre-treatment of cotton cloth by the one-step process	Cotton and knitted printing and dyeing industry, towel, bath towel and sheet enterprises for the pre-treatment of cotton and polyester-mixed cotton cloth	The highly effective refining and bleaching additives and the alkali-oxygen one-step process are adopted to merge the traditional pre-treatment process of desizing, boiling-off and bleaching into the one-step process of impregnation and stacking. The quality of the finished products can reach the quality of the three processes.	Investment in a newly constructed production line will total 1.8-2.5 million yuan. Each year 450,000 yuan for workers can be saved and the total amount of funds that can be saved will amount to 3.5-4 million yuan.
50	Washing of cowboy fabrics by the enzyme process	Cotton cowboy fabrics	Washing of the cowboy cloth by the cellulase liquid (cloth or ready-made garments) can attain the results of volcanic electrification.	It can enhance the quality of the products, improve the performance and is good in feeling soft. Its cost is as same as selectrification. Added value of the products rises. Meanwhile, the PH value of the waste water is reduced and the content of the suspended substances in the waste water is lowered. The producibility of the waste water is enhanced.
51	The technique for the recovery of silk pale alkali	The cotton printing and dyeing enterprises of cotton and polyester-cotton fabrics	When mercerization is made, more than 250 grammes of thick alkali liquor (NaOH)/litre are adopted to soap and pad the fabrics. After mercerization, 50g/l of the residual alkali liquor will be generated. Adoption of the filtration (removal of the miscellaneous substances of the fibre) and evaporation and enrichment (triple-effect vacuum evaporator) will enable the residual alkali liquor to be enriched to over 360g/l. Then the mercerization and keiering process is taken.	A set of alkali recovery installation and its supporting equipment will need a total investment of 3-4 million yuan. It will recover 5,400 tons of alkali liquid annually and the value will be 2.7 million yuan. Some 40% of the COD discharge of waste water can be reduced and the PH value of waste water can be improved.

编号	技术名称	适用范围	主要内容	投资及效益分析
52	红外线定向辐射器代替普通电热原件及煤气。	棉印染行业、棉针织染整行业，造纸、轻工、烟草等行业烘干工艺	利用双孔石英玻璃壳体(背面镀金属膜)，直接反射能量，提高热效率。能谱集中在 2.5 - 15 μ m，辐射能量与烘干介质能有效匹配，采用高温电热合金材料为激发元件的发热体和冷端处理工艺，延长了辐射器的使用寿命，热惯性小，升温快，辐射表面温场分布均匀。	改造一台定型机 10 万元、一台烘干机 2 - 3 万元、投资 2 - 3 个月即可回收。改善了操作环境，热效率高，提高了能源的利用率。
53	酶法退浆	棉及涤棉织物、人造棉、涤粘织物	利用高效淀粉酶(BF - 7658 酶)代替烧碱(NaOH)去除织物上的淀粉浆料，退浆效率高，无损织物，减少对环境的污染。	沉淀酶、果胶酶等与烧碱价格基本持平，但由于产品质量好(特别是高档免烫织物)，附加值也高。同时降低了废水的 PH 值，提高了废水的可生化性。
54	粘胶纤维厂蒸煮系统废气回收利用	以棉短绒为原料的人造纤维厂	采用蓄热器(40M ³)，气、液、固三相分离器(分离出短纤维)，蒸气喷射式热泵，将热能加以回收，再用于新料的加热等，形成一个封闭的系统，实现生产全过程自动控制。	若按 15 个蒸球计算，总投资 36 万元，3 年即可回收投资。
55	用高效活性染料代替普通活性染料，减少染料使用量。	使用活性染料较多的棉印染行业及针织、巾被等行业	采用新型双活性基团(一氯均三嗪和乙烯砜基团)代替普通活性染料，提高染料上染率，减少废水中染料残留量。	每百米节约染料费 10 - 20 元，节约能源(水、电、汽)费用 4 元；年产 2000 万米中型企业，年节约费用 280 - 480 万元。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
52	Infrared directive radiator to replace the ordinary electric heating element and gas	The drying process of the cotton printing and dyeing industry, knitted dyeing and finishing industry, papermaking, light industrial and tobacco industries	The binocular quartz glass case (coated with the metal film on the back) is used to directly reflect the energy and improve the heat efficiency. The energy spectrum is concentrated in an area of 2.5-15 μm and the radiation energy can be effectively matched with the drying medium. The heating unit made with the alloy materials and the cold junction treatment process are used to extend the life span of the radiator. The heat inertia is small, the temperature rise is quick and the distribution of the temperature on the radiation surface is even.	100,000 yuan are needed for the transformation of one forming machine and 20,000-30,000 yuan are required for one drying machine. The investment can be recovered in two to three months. The operational environment can be improved, the heat efficiency is high, and the utilization rate of the energy resources can be enhanced.
53	Desizing by the enzyme process	Cotton, polyester, polyester and viscosity and spun rayon fabrics	The highly effective amylase (BE-7658 enzyme) is used to replace caustic soda (NaOH) to remove the starch pulp on the fabrics. The desizing effect is high. No harmfulness will be made to the fabrics and pollution to the environment will be reduced.	Prices for precipitation enzyme and pectase are as same as the price for caustic soda. Because the quality of the products is fine (especially the high-quality no-iron fabrics), its added value is also high. At the same time, the PH value of waste water is reduced and the producibility of waste water can be enhanced.
54	Recovery and utilization of waste gas by the steam and boiling system of viscose fibre plants	Artificial fibre plants with short cotton velvet as the raw material	The heat collector (40m^3) and the three-phase separator of gas, liquid and solid materials are used to separate the short fiber. The steam jet thermal pump will recover the heat thermal energy for heating of new materials so as to form a closed system and realize the automatic control of the entire production process.	Calculated in terms of 15 rotary spherical digesters, total investment of 360,000 yuan can be recovered in three years.
55	Highly effective active dyestuff is used to replace the ordinary active dyestuff to reduce the amount of the dyestuff to be used	Cotton, knitted, towel and quilt sectors using more active dyestuff	The new two-core persad (monochloro-sym-triazine and vinyl sulfone) is used to replace ordinary active dyestuff to enhance the dyeing rate of the dyestuff and reduce the dyestuff residual volume in the waste water.	10-20 yuan will be saved for dyeing of 100 meters of fabrics and 4 yuan for energy (water, electricity and gas) can be saved; an enterprise with an annual output of 20 million meters will save 2.8-4.8 million yuan annually.

编号	技术名称	适用范围	主要内容	投资及效益分析
56	从洗毛废水中提取羊毛脂	进口羊毛, 国产新疆、内蒙等地区羊毛	在连续式五槽洗毛机中, 利用逆流漂洗原理, 在第二、三槽中投加纯碱及洗涤剂以去除羊毛所含油脂并利用蝶片式离心机将油脂分离出来。第四、五槽漂洗液不断向一、二、三槽补充, 大大减少洗毛废水排放量和新鲜用水量。	总投资 38.5 万元(一条洗毛线提取羊毛脂及其配套设备), 每年节约费用 36.7 万元(包括节省药剂、新鲜水及提取羊毛脂), 投资回收期 1.4 年。同时减少了洗毛废水排放量和新鲜用水量。
57	涤纶纺真丝绸印染工艺碱减量工段废碱液回用技术	涤纶碱减量工艺中的碱回收(适宜间断式挂炼槽工艺)	涤纶碱减量废液中, 含有对苯二甲酸甲酯、乙二胺及较大量碱残留液, 通过适度冷却采用专用的加压过滤设备, 使碱液保留在净化液中, 经过补碱重新回用于生产中。	总投资 10 万元, 综合经济效益每年 4.1 万元, 投资回收期 2.8 年, 主体设备寿命 7 年。

No.	Technological name	Main contents	Applicable scope	Investment and an analysis of efficiency
56	Lanolin withdrawn from scouring waste water	For imported wool and Chinese-made wool in Xinjiang and Inner Mongolia	In the continuous five-trough wool washing machine, the counterflow poaching principle is adopted and soda ash and detergent are added to the second and third troughs so as to remove fat of the wool and separate fat by means of the butterfly centrifuge. The bleaching liquor runs from the fourth and fifth troughs to the first, second and troughs. It can greatly reduce the discharge of the wool washing waste water and the amount of the fresh water.	Total investment in the production line of withdrawing lanolin and its supporting facilities will be 385,000 yuan. Each year 367,000 yuan can be saved (including medicament, fresh water and lanolin). The investment payoff period will be 1.4 years. Meanwhile, the discharge of waste water for washing wool and fresh water can be reduced.
57	The technique for recovering waste alkali liquor at the alkali decrement section by the polyester simulation silk printing and dyeing process	Alkali recovery of the polyester alkali decrement process (for interrupted and suspension trough process)	The polyester decrement waste liquor contains phenylenedimethylene methyl ester, diaminoethane and a large amount of residual alkali liquor. A proper cooling and use of the special pressure and filter equipment will enable the alkali liquor to remain in the purified liquor and can be used for production by means of supplement of alkali.	Total investment will be 100,000 yuan and the annual comprehensive economic returns will be 41,000 yuan. The investment payoff period will be 2.8 years and the life span of the main equipment will be seven years.

当前国家鼓励发展的环保产业设备（产品）目录（第一批）

（国家经贸委、国家税务总局 2000 年 2 月 23 日 国经贸资源 [2000] 159 号）

环境保护是我国的一项基本国策。环境保护产业是环境保护的重要物质基础和技术保障，是国民经济新的经济增长点之一。大力发展环保产业是实施可持续发展战略的重要措施。为此，国家经贸委、国家税务总局制订了《当前国家鼓励发展的环保产业设备（产品）目录》（第一批）（以下简称目录），现予公布，并就有关问题通知如下。

一、确定当前国家鼓励发展的环保产业设备（产品）的原则是：

（一）符合当前和今后一个时期环保产业市场需求，有比较广阔的发展前景。

（二）有较高的技术含量，有利于企业的设备更新和技术改造，能促进环保产业的结构优化和升级，提高企业经济效益。

（三）国内存在从研究开发到实现工业化生产的潜在技术基础，经过努力后可以填补国内技术空白，有利于形成新的经济增长点。

（四）供给能力相对滞后，提高其供给能力有利于促进环保产业产品结构的合理化。

（五）满足环保治理要求，效果比较明显。

（六）有可靠的运行实践。

二、目录公布的环保产业设备（产品），包括水污染治理设备、空气污染治理设备、固体废弃物处理设备、噪声控制设备、环保监测设备、节能与可再生能源利用设备、资源综合利用与清洁生产设备、环保材料与药剂等 8 类，共 62 项。

三、根据中央关于采取积极财政政策，促进经济快速、健康发展的精神，对环保设备（产品）给予鼓励和扶持的政策。

（一）企业技术改造项目凡使用目录中的国产设备，按照财政部、国家税务总局《关于印发〈技术改造国产设备投资抵免企业所得税暂行办法〉的通知》（财税字 [1999] 290 号）的规定，享受投资抵免企业所得税的优惠政策。

（二）对企业使用目录中的国产设备实行折旧政策。企业使用目录中的国产设备，经企业提出申请，报主管税务机关批准后，可实行加速折旧办法。

（三）对专门生产目录内设备（产品）的企业（分厂、车间），在符合独立核算、

Catalogue for the Environmental Protection Equipment (Products) Currently Encouraged by the State to Develop (Batch 1.)

(Promulgated by the State Economic and Trade Commission and the State Taxation Administration,
on February 23, 2000)

Environmental protection is a fundamental national policy of our country. Environmental protection enterprises provide an important substance basis and technical support for environmental protection, and contribute to the new increasing indexes of the national economy. In the implementation of the sustainable development strategy, it is of vital importance to encourage the development of environmental protection enterprises. Therefore, the State Economic and Trade Commission (SETC) and State Taxation Administration (STA) have worked out the Catalogue for the Environmental Protection Equipment (Products) Currently Encouraged to develop by the State (Batch 1.) (Simplified as the Catalog below). The Catalog and related issues are announced as follows.

1. The principles of determining the lists of the environmental protection equipment (products) which is encourage by the state for development are as follows:

(1) Those that cater to current and future needs of the environmental protection industry market and enjoy broad prospects for development.

(2) Those that contain high technical content, beneficial for enterprises to renew equipment and innovate technologies, prompt the structural optimization and upgrading of the environmental protection industry, and improve the economic efficiency of enterprises.

(3) Those that could fill the technological gap of China, and contribute to the growth of the economy, provided that there exists technological foundation from research and development to the realization of industrialized production.

(4) Those that lag behind of the market needs, and improvement of the supply capacities helps rationalization of the product mix of the environmental protection industry.

(5) Those that meet the requirements of environmental protection and treatment with marked effectiveness.

(6) Those that have reliable operational practice.

2. The Environmental Protection Equipment (Products) announced in this Catalog can be divided into 8 classes, 62 items in total, including wastewater disposal equipment, air pollution control equipment, solid waste disposal equipment, noise control equipment, environmental protection monitoring equipment, energy saving and regeneratable - energy utilizing equipment, resources comprehensive utilization and clean production equipment, environmental protection material and drugs etc.

3. According to the spirit of the central government that positive fiscal policies should be adopted to spur the rapid and healthy development of national economy, the policy of encouragement and support of Environmental Protection Equipment (Products) should be granted.

(1) Among the technical renovation projects of enterprises, those that use the Chinese - made equipment in the Catalog are justified to enjoy the preferential policy that investment in the project offsets the income taxes in accordance with the provisions of the provisions the Circular of the Ministry of Finance and the State Taxation Administration on Issuing the Interim Measures for the Technical Transformation of Chinese - made Equipment Investment to offset the Income Tax of Enterprises (CaiShuiZi[1999]No.290).

(2) Depreciation policy is entitled to those using the Chinese - made equipment in the Catalog, and depreciation acceleration method is justified after application is presented by the enterprise and approved by the tax office in charge.

(3) Under the conditions of independent accounting and calculating profits and losses all alone,

能独立计算盈亏的条件下，其年度净收入在 30 万元（含 30 万元）以下的，暂免征收企业所得税，超过 30 万元的部分，依法缴纳企业所得税。

（四）为引导环保产业发展方向，国家经贸委将在技术创新和技术改造项目中，重点鼓励开发、研制、生产和使用列入目录的设备（产品）；对符合条件的国家重点项目，将给予贴息支持或适当补助。

（五）使用财政性奖金进行的建设项目或政府采购，应优先选用符合要求的目录中的设备（产品）。

四、切实落实好优惠政策，防止骗取税收优惠。国家经贸委会同国家税务总局等有关部门对享受上述税收优惠政策的企业及设备（产品）进行确认，具体办法可参照国家经贸委和国家税务总局联合发布的《资源综合利用认定管理办法》（国经贸资〔1998〕716 号）执行，其中，技术改造项目国产设备投资抵免企业所得税的国产设备的确认按有关规定执行。对经确认符合条件的设备（产品）及企业，主管税务机关根据确认凭证予以办理有关减免税事项。

五、各地区可根据本地的实际情况，认真分析国内外市场情况，从实际出发，量力而行，选择本目录内有可能形成本地比较优势的产品，支持其发展。同时，可参照本通知的精神，制订相应的支持措施，保证国家产业政策的有效实施。

六、国家经贸委将会同有关部门根据国内外市场需求变化和环保产业发展的情况，陆续分批颁布鼓励发展目录，并对原有目录进行调整和修订。

for those (enterprises, sub-factories, workshops) specializing in the Environmental Protection Equipment (Products) included in this Catalog, if their annual income is below 300,000 yuan (including 300,000 yuan), they could go tax-free temporarily; Their income tax is charged according to law only for the part that surpasses 300,000 yuan.

(4) Among the projects of technological innovation and reformation, the SETC will put emphasis on encouraging the research, development, production and use of the Equipment (Products) listed in the Catalog. Discount interest and proper subsidies will be endowed to the justified national key projects.

(5) Construction projects or governmental purchasing that use fiscal premium should firstly adopt the Equipment (Products) that meet the standards of the Catalog.

4. Preferential policies should be carried out to the letter and cheating or fleecing by taking advantage of favorable tax terms should be prevented. The SETC, STA and other departments in charge have the authorities to confirm the enterprises and their Equipment (Products) that enjoy favorable tax terms listed above. Concrete methods shall refer to the Measures for the Management of Confirmation of the Comprehensive Utilization of Resources (GuoJingMaoJingZi[1998]No.716). As for the technical reform projects, confirmation on the Chinese-made Equipment (Products) which enjoy the "investment offsets income tax" policy can be carried out according to related regulations. For those that meet the requirements via confirmation, the tax office in charge would handle the matters of tax reduction and tax exemption according to the confirmation certificate.

5. Based on practical conditions of localities, various regions should analyze in an earnest way the situations of domestic and oversea markets, and spare no efforts to select the products included in the Catalog which may develop into local vantage. At the same time, referring to the gist of this notice, relevant supporting measures could be worked out to guarantee the effective implementation of national industry policies.

6. According to the changes of market needs both at home and abroad and the technological situations of the environmental protection industry, the SETC, together with relevant departments, would announce in continuing batches the Catalogs for items encouraged to develop, and make adjustment and revision to the previous Catalogs.

当前国家鼓励发展的环保产业设备(产品)目录(第一批)

设备(产品)名称	主要指标及技术要求	适用范围
一、空气污染治理设备		
1. 石灰石(石灰)-石膏湿法烟气脱硫成套设备	钙硫比 $Ca/S < 1.05$; 脱硫率 90% 及以上; 石膏中亚硫酸钙的残留度 $< 8\%$; 烟气带水量 $< 100\text{mg}/\text{Nm}^3$; 副产品石膏能够得到有效利用。	火电厂烟气治理
2. 炉内喷钙及尾部增湿活化脱硫成套设备	钙硫比 $Ca/S < 2.5$; 脱硫率: 70% 及以上。	火电厂烟气治理
3. 半干法烟气脱硫设备	钙硫比 $Ca/S < 1.4$; 脱硫率: 75% 及以上	火电厂烟气治理及工业炉窑烟气治理
4. 烟气循环流化床脱硫设备	钙硫比 $Ca/S < 1.25$; 脱硫率: 80% 及以上。	火电厂烟气治理
5. 高湿高滤速袋式除尘器	最高适用温度 250°C ; 除尘效率 $\geq 99\%$; 滤袋正常寿命 ≥ 2 年; 过滤风速 $\geq 1.5\text{m}/\text{min}$ 。 漏风率 $< 1\%$; 耐温 $> 200^\circ\text{C}$; 同样清灰量条件下减小能耗 25%。	烟气除尘治理
6. 袋式除尘器高效清灰设备	处理风量 $30000 \sim 1,000,000\text{m}^3/\text{h}$; 除尘效率 $\geq 99\%$;	烟气除尘治理
7. 高效电除尘器	出口浓度 $\leq 50\text{mg}/\text{m}^3$ (标)	烟气除尘治理

**Catalogue for the Environmental Protection Equipment (Products)
Currently Encouraged to Develop by the State (Batch 1.)**

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
I. Air Pollution Control equipment		
1. Whole-set wet fume-desulfuration equipment with limestone(lime)-gypsum	Ca/S(ratio of calcium to sulfur) < 1.05 Desulfuration rate $\geq 90\%$ Residue of CaSO ₃ in the gypsum < 8% Water content in the fume < 100mg/Nm ³ By-product gypsum can be effectively used	Fume control in power plants
2. Whole-set desulfuration equipment by calcium spraying in the kiln and humidification at the bottom	Ca/S < 2.5 Desulfuration rate $\geq 70\%$	Fume control in power plants
3. Semi-dry fume-desulfuration equipment	Ca/S < 1.4 Desulfuration rate $\geq 75\%$	Fume control in power plants and industry kilns
4. fluidized-bed desulfuration equipment with fume recycling	Ca/S < 1.25 Desulfuration rate $\geq 80\%$	Fume control in power plants
5. high-temperature and high filtering-rate bag deduster	Maximum working temperature: 250°C; Dedusting efficiency $\geq 99\%$ Normal life of the filter bag ≥ 2 years Wind filtering velocity ≥ 1.5 m/min	Fume control and dust treatment
6. high-efficiency dust removal equipment for bag deduster	Wind leakage rate < 1% Maximum working temperature > 200°C Energy consumption decreases by 25% with the same amount of dust removal	Fume control and dust treatment
7. high-efficiency electric deduster	Wind disposal capacity: 30,000 ~ 1,000,000m ³ /h; Dedusting efficiency $\geq 99\%$ Outlet concentration ≤ 50 mg/m ³ (standard)	Fume control and dust treatment

设备(产品)名称	主要指标及技术要求	适用范围
8. 电除尘器系统配置数据、实地采样及定量分析设备	最高适用温度 350℃; 实地采样模拟配置连续即时显示除尘效率,精度为 2%; 具备整体移动功能。	烟气除尘治理
二、水污染治理设备	指标: 栅条净距:3—40mm; 设计水深:<3m; 齿耙速度:2—3m/min; 特点: 拦污率较条式固定格栅提高 20%; 与国外同类产品相比成本降低 40—50%; 具有自洁净能力,彻底解决现有格栅把齿污物缠绕卡滞现象; 结构简单、紧凑、合理,传动部件少,无水下运动件,易于维护管理; 采用 PLC 可编程控制器,自动化程度高,减轻操作人员劳动强度,运行安全可靠; 可为封闭结构,不影响周围环境卫生条件。 除砂率:85—95%	大中型污水处理厂
10. 旋流式除砂设备	油拖移动线速度:18—20m/min 吸油能力≥12吨/小时 回收浮油含水量<15% 微气泡直径≤1微米,溶气利用率近 100%,在 0.3Mpa 工作压力下吸附值可达 12kg/m ³ ,可分离浓度为几百至上万 mg/l 的悬浮物(SS),相应能耗 0.1~0.2kwh/m ³ 。 处理水量:10~200m ³ /h	城市污水处理、工业废水处理, 用于沉砂池除砂 浮油回收
11. 浮油回收机		给水及废水处理
12. 高效气浮成套设备		

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
<p>8. data allocation, on-site sampling and quantitative analysis equipment for electric deduster system</p>	<p>Maximum working temperature: 350°C ; On site sampling, allocation simulation, continuous and timely display of dedusting efficiency, precision: 2% Mobile as a whole set</p>	<p>Fume control and dust treatment</p>
<p>II. Wastewater Disposal Equipment 9. Rotary cascading grids</p>	<p>Indexes: Grid spacing: 3~40mm Designed water depth < 3m Tine harrow velocity: 2~3m/min Characteristics: Filtch barrage rate: 20% higher than fixed bar-type grids; Cost: 40~50% lower than the same foreign products ; It has self-cleaning ability and has completely solved the problem of filth entwining and clogging occurred in the tine harrow of the grids; With simple, tight and reasonable structure, fewer driven parts and no moving parts under water, it is easy to maintain and manage; Running safely and reliably, it is highly automated by adopting PLC programmable controller and could liberate operators from laborious work. ; It can be made into enclosed structure in order not to mess up ambient sanitary conditions.</p>	<p>Large and medium sized sewage treatment plants</p>
<p>10. whirlpool grit removal equipment</p>	<p>Grit removal rate: 85~95%</p>	<p>Removing grit in the grit sediment pond for urban sewage treatment, industrial wastewater disposal etc.</p>
<p>11. grease recovery equipment</p>	<p>Linear velocity of the moving grease: 18~20m/min Grease adsorption capacity ≥ 12 ton/h Water content in the recollected grease < 15%</p>	<p>grease recovery</p>
<p>12. high-efficiency gas floating whole-set equipment</p>	<p>Diameter of micro-bubbles ≤ micron, usage of dissolved gas nearly 100% ; Under the pressure of 0.3Mpa, it's adsorption value could reach 12kg/m³ and could segregate suspended substances(SS) with varied concentration between 100mg/l and 10,000mg/l; corresponding energy consumption 0.1-0.2kwh/m³ Working capacity (amount of water) : 10~200m³/h</p>	<p>Water supply and wastewater disposal</p>

设备(产品)名称	主要指标及技术要求	适用范围
13. 风能曝气机(增氧机)	二级风速:2—3.7m/s	城市污水或工业废水处理及受
14. 悬挂链脉冲式曝气装置	服务面积:400—600m ² 溶解氧富集速率:1.2—1.34kgO ₂ /h	污染河道、湖泊
15. 带式脱水机与污泥浓缩机一体化装置	启动风速:0.5m/s 理论动力效率≥3.0kgO ₂ /kwh 氧利用率≥20%	城市污水及工业废水处理
16. 高浓度难生物降解有机废水处理成套设备	服务面积 4—8m ² /个 有效带宽:2m(形成 1m—3m 系列) 带速:浓缩机:10—40m/min 脱水机:1—5m/min	城市污水及工业废水处理
17. 除藻机	脱水效果:浓缩后污泥含固率≥5%; 压榨脱水后污泥含固率≥22%; 整机噪音≤80dB(A)	高浓度有机废水的处理
18. SBR 序批式活性污泥法反应器	处理后的水质可达到国家或地方排放标准。 利用机械去除藻,不投加药剂; 藻的去除率 80~90%; 操作自动化,管理方便。 混合液悬浮固体 MLSS:4000—10000mg/l 反应时间:4—6h 污泥指数 SVI:80—150	水库、湖泊、含藻水、城市给水及工业用水的预处理
		城市污水、工业废水处理

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
13. wind-energy aerator (oxygen adding machine)	Wind velocity(second grade): 2~3.7m/s Serving area:400~600m ² Concentrating rate of the dissolved oxygen:1.2~1.34kgO ₂ /h Wind velocity on starting: 0.5m/s Theoretical dynamic efficiency≥3.0kgO ₂ /kwh Oxygen usage≥20% Serving area:4~8m ²	urban sewage or industrial wastewater disposal, treatment of polluted waterways and lakes
14. catenary pulsating wave aerator	Effective belt width:2m(series of 1~3m available) Belt velocity:sludge concentrator:10~40m/min dewatering machine:1~5m/min	urban sewage and industrial wastewater disposal
15. whole set combing the belt-type dewatering machine and the sludge concentrator	Dewatering effect:solid content in the sludge(SC): after concentration, SC≥5% after crashing dewatering, SC≥22% whole noise ≤80dB(A)	urban sewage and industrial wastewater disposal
16. whole set for treatment of highly concentrated organic wastewater which is hardly biodegradable	Water quality after treatment can reach national or local discharge standards.	highly concentrated organic wastewater treatment
17. algae removal equipment	Removing algae by mechanic means without chemical agents; Algae removing efficiency:80~90% Automatic operation and easy management	Pre-treatment of water in reservoirs and lakes, water containing algae and water supplies for urban use and industrial use
18. SBR sequential-batch active sludge reactor	Suspended solids in the mixed liquids (MLSS): 4000~10,000mg/l Reaction time:4~6h Sludge index(SVI): 80~150 Organic load:3.0-5.0kgCOD/kgMLSS.d	urban sewage and industrial wastewater disposal

设备(产品)名称	主要指标及技术要求	适用范围
19. 内循环三相生物流化床反应器	<p>有机负荷:3.0—5.0kgCOD/kgMLSS·d 出水水质:对城市生活污水经处理后达到综合排放标准,反应器的水力停留时间比传统生物处理法缩短50%;对工业废水可作为预处理设备或最终处理设备。 采用多孔载体,载体耐磨,有较好的机械强度,且性能价格比高于一般载体。循环流化均匀,流化动力消耗低于传统流化床,能耗与一般生物处理法相当。 反应器内生物量达10g/l以上,可大大增加反应器的容积负荷,使反应器小型化; 反应器出水水质好,达到回用水标准。 对受污染饮用水源水中的污染物质具有良好去除能力; 反应速率高,能在短时间内处理大量受微污染的水,使设备小型化; 处理量:5—50立方米污泥/日(脱水污泥); 颗粒肥含水率<25%; 肥效可依据用户要求调配; 产品达到高温堆肥卫生评价标准。 转鼓直径450—720mm; 长径比L/D=3—4; 分离因素达3500。</p>	<p>城市及工业废水处理</p>
20. 膜—生物反应器		<p>城市中水处理及污水回用</p>
21. 光氧化法处理受污染饮用水设备		<p>饮用水净化处理</p>
22. 污泥快速制肥成套设备		<p>城市污水处理厂污泥处理及综合利用</p>
23. 卧螺式离心脱水机与污泥浓缩机一体化装置		<p>城市污水及工业废水处理</p>

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
19. Inner-recycling three-phase biological fluidized-bed reactor	<p>water quality after treatment; municipal sewage could reach the comprehensive discharge standards. Hydraulic retention time of the reactor diminishes 50% more than that of traditional biological treatment. It can be used as pre-treatment equipment or final treatment equipment for industrial wastewater; Adopting porous support with good wear-resistance, it can achieve better mechanic strength, and has higher performance/price ratio higher than that of general support;</p> <p>With a uniform recycling fluidization, its dynamic consumption for fluidization is lower than that of traditional fluidized beds, and its energy consumption is equivalent to general biological treatment.</p>	urban sewage and industrial wastewater disposal
20. membrane-biological reactor	<p>Biological amount in the reactor can reach more than 10g/l, which would significantly increase the volume loading of the reactor, thus make its miniaturization possible;</p> <p>Water flowing out of the reactor has good quality and can reach the standard for water reuse.</p>	urban sewage treatment and reuse
21. equipment for treatment of polluted drinking-water by photo-oxidization	<p>It can remove pollutants from the drinking water with satisfactory effects; With high reaction rate, it can dispose large amounts of microbe-polluted water over a short time, and thus realize miniaturization of the equipment.</p>	Purification of drinking water
22. whole-set equipment for rapid composting from sludge	<p>Disposal capacity: 5~50m³/day(dewatered sludge) Water content in the particulate compost < 25 % Compost effects can be adjusted and formulated according to the requirements of customers</p>	Sludge treatment and comprehensive utilization of urban sewage plants
23. whole set combining horizontal spiral-typed dewatering centrifuge and sludge concentrator	<p>Products could reach the standards for high-temperature compost Diameter of the rotary drum: 450 ~ 720mm; Ratio of length to diameter: L/D = 3 ~ 4; Separation factor can reach 3500.</p>	urban sewage and industrial wastewater disposal

设备(产品)名称	主要指标及技术要求	适用范围
24. 新型臭氧发生器	<p>指标:单位能耗,纯氧作原料时$\leq 15\text{kwh/kgO}_3$;空气作原料时$\leq 25\text{kwh/kgO}_3$。</p> <p>特点:将生成氧原子与生成臭氧的反应分开,使其分别在各自适宜的不同条件和场所进行,从而大大提高臭氧的净生成量,且不再需要冷却,大大降低能耗和减少设备体积。当采用空气为原料时,能减少副产物氮氧化物的生成量。新的臭氧制取技术的能量利用率比现有技术提高2~3倍,设备体积减少一半以上,整体制造成本比现有产品可下降30~50%,并可制造出臭氧含量超过10%的臭氧气流。</p>	给水及废水处理
25. SBR 法大型旋转式滗水器	<p>单台滗水器$\geq 1000\text{m}^3/\text{h}$ 滗水深度$\geq 3\text{m}$</p>	城市污水、工业废水处理
26. 城市污水处理厂自动化监控系统及仪表	<p>采用现场总线 DCS 分散型控制系统、PLC 可编程序控制器的数字控制系统装置; 国产化率 60% 以上。</p>	城市污水处理
三、固体废物处理设备		
27. 垃圾分选设备	分选能力 10t/h 及以上	城市垃圾处理及利用
28. 城市生活垃圾焚烧处理成套设备(往复式炉排焚烧炉)	<p>处理量 150 - 1000t/d; 炉膛温度:850℃ 以上; 烟气停留时间≥ 2秒; 氧气含量$\geq 6\%$;</p>	城市生活垃圾处理
29. 有毒有害固体废物焚烧处理成套设备	<p>烟气排放达到国家排放标准; 处理量:20T/d 以上; 回转窑温度:850—1000℃; 燃室:1000—1200℃; 有毒成份破坏率(DRE):99.99%; 烟气排放达到国家排放标准。</p>	有毒有害固体废物处理

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
24. new-typed ozone (O ₃) generator	<p>Indexes: Energy consumption per unit(UEC) — Use pure oxygen as raw materials: UEC ≤ 15kwh/kgO₃ Use air as raw materials: UEC ≤ 25kwh/kgO₃</p> <p>Characteristics: It can separate the reaction which produces oxygen atom from that which produces O₃, so that they could react respectively under proper conditions, thus greatly improve the output of O₃. Also, it goes without cooling, which could significantly decrease energy consumption and equipment size. When air is adopted as the raw material, output of the by-product Nox can be decreased. Energy usage of the new O₃-generation methodology increases 2 ~ 3 folds compared to that using the current techniques, with equipment volume diminishing more than 50%. Total manufacturing cost can drop by 30 ~ 50%, while it can generate currents with O₃ content more than 10%.</p>	Water supply and wastewater disposal
25. large rotary water screener with SBR method	Capacity of one screener ≥ 1000m ³ /h Screening depth ≥ 3m	urban sewage and industrial wastewater disposal
26. automatic monitoring system and instrument for urban sewage plants	Adopting on-site bus DCS(discrete control system) and digital control system of PLC; Domestication rate > 60%	urban sewage disposal
III. Solid waste disposal equipment 27. garbage sorting equipment	Sorting capacity ≥ 10 ton/h	urban garbage disposal and utilization
28. whole-set incineration equipment for urban domestic garbage	Disposal capacity: 150 ~ 1000ton/day Hearth temperature: ≥ 850 °C; Smog retention time ≥ 2s Oxygen content ≥ 6% The smog released after incineration can meet national discharge standards.	urban domestic garbage disposal
29. whole-set incineration equipment for toxic and hazardous solid waste	Disposal capacity ≥ 20ton/day Gyrating kiln temperature: 850 ~ 1000 °C; Combustion chamber temperature: 1000 ~ 1200 °C; Destruction rate of toxic element(DRE): 99.99% The smog released after incineration can meet national discharge standards.	toxic and hazardous solid waste disposal

设备(产品)名称	主要指标及技术要求	适用范围
30. 小型固体废弃物焚烧设备	焚烧量 30kg/h—500kg/h; 烟气排放达到国家排放标准。	用于医院、机场、生活小区等固体废弃物处理
31. 垃圾发酵滚筒	50—300t/d	适合于混合垃圾和袋装垃圾的处理
32. 堆肥翻堆机	处理量 200—1000m ³ /h	用于垃圾堆肥处理
33. 后装压缩式垃圾收运车	压缩密度: 0.6—0.8t/m ³ 装载能力: 3—15t/车	城市生活垃圾的收集运输
34. 真空吸粪车	装料方式: 液压旋转板举升推入、刮板刮入滑板压缩推入 卸料方式: 液压倾翻自卸、推铲推出 载重: ≥4500kg 抽吸速度: ≥2500L/min 最大抽吸深度: 4m 抽吸满罐时间 ≤5min 满罐排泄时间 ≤5min	主要用于抽吸和运输粪便及城市排水管道、地下煤气管道中的污水
四、噪声控制设备		
35. 大型配套消声器	消声量: 15—20dB(A)/m, 具有较好的配套性、通用性和安全性。	大型通风及空气动力设备的消声
36. 高炉冷风放风阀、高炉鼓风机放风消声器系列	放风量: 1000—8800m ³ /min 消声量: 20—50dB(A)	工业噪声控制
37. 高炉煤气均压放散消声器系列产品	放散体积: 20—100m ³ 消声量 > 45dB(A)	工业噪声控制
38. 高炉煤气减压阀组消声器系列产品	气流量: 20000—700000m ³ /h 气体压力 ≤0.015MPa 消声量 > 30dB(A)	工业噪声控制
39. 锅炉安全门消声器	能够满足电力环保及安全要求	火电厂
五、环境监测设备		

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
30. Small-sized incineration equipment for solid waste	Incineration amount: 30~500kg/h; The smog released after incineration can meet national discharge standards.	solid waste disposal in hospitals, airports, communities etc.
31. garbage fermentation roller	Disposal capacity: 50~300ton/day	Mixed or bagging garbage disposal
32. dunghill lifting machine	Disposal capacity: 200~1000m ³ /h	Garbage dunghill disposal
33. compressible garbage collector with load on rear end	Compressing density: 0.6~0.8ton/m ³ ; Loading capacity: 3~15ton/truck;	Collection and transportation of urban daily garbage
34. vacuum muck absorbing truck	Loading method: hydraulic gyrating board is lifted and pushed into the dung-hill, and the garbage is then scraped, compressed and pushed into the truck Unloading method: auto-unloading by hydraulic tilting and spade shoveling Loading capacity ≥ 4500kg; Pumping and absorbing rate ≥ 2500l/min Maximum pumping depth: 4m Time required for tank-full pumping ≤ 5min Time required for discharging a full tank ≤ 5min	Mainly used for pumping, absorbing and transportation of muck and sewage from urban discharging pipes and underground gas pipes.
IV. Noise control equipment		
35. large self-contained silencer	Silencing capacity: 15-20dB(A)/m; It has good matching ability, universality and safety.	Silencing for large air-conditioners or air dynamic equipment
36. silencer series for cold-wind snort valves and blower of blast furnace	Wind blowing capacity: 1000~8800m ³ /min Silencing capacity: 20~50 dB(A)	Industrial noise control
37. silencer series for iso-pressure releasing of blast furnace gases	Releasing volume: 20~100m ³ Silencing capacity > 45 dB(A)	Industrial noise control
38. silencer series for pressure relief valves of blast furnace gases	Gas flowrate: 20,000~700,000m ³ /h Gas pressure ≤ 0.015Mpa Silencing capacity > 30dB(A)	Industrial noise control
39. silencers for safe pressure relief valves of boilers	It can meet power environmental protection and safety requirements.	noise control in power plants
V. Environmental monitoring equipment		

设备(产品)名称	主要指标及技术要求	适用范围
40. 在线式/便携式水质监测仪器	<p>pH 监测仪 测量范围:0~14pH 精度:±0.1/±0.01pH</p> <p>带温度计</p> <p>电导率监测仪 测量范围:0.05/20000μS/cm 精度:±0.2μS/cm</p> <p>溶解氧(DO)监测仪 测量范围:0~20μg/l, 20~200μg/l, 200μg/l~40mg/l; 0~200% 精度:0~20μg/l±10%ES; 20~200μg/l±5%ES; 200μg/l~400mg/l±2%ES</p> <p>有自动清洗功能</p> <p>浊度监测仪 测量范围:0~1000/4000NTU 精度:0~40NTU±2%; 40~4000NTU±5%</p> <p>COD 监测仪 原理:重铬酸钾法、高锰酸钾法 测量范围:0~100/5000mg/L; 精度:±10%</p> <p>氨氮监测仪 原理:离子选择性电极法、光学法 测量范围:0~100/300mg/LNH₄-N 精度:0.01mg/LNH₄-N</p> <p>比例采样器 普及型:带24小时样品分配器和保温箱 监测型:现场检测和显示 pH/ORP、电导率、溶解氧、浊度、温度等参数 (可根据需要更换为其他参数)</p> <p>污水流量计:压力/压差式明渠流量计、多普勒式流量计、电磁式流量计 超声波污泥界面计 精度:100mm</p>	水质监测

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
<p>40. on-line/portable water-quality monitoring instrument</p>	<p>PH monitoring instrument Range of monitoring: 0~14pH Precision: 0.1~0.01pH (with thermometer)</p> <p>Electric conductivity monitoring instrument Range of monitoring: 0.05~20000um/cm Precision: 0.2um/cm</p> <p>Dissolved oxygen (DO) monitoring instrument Range of monitoring: 0~20ug/l; 20~200ug/l; 200ug/l~40mg/l; 0~200% Precision: 0~20ug/l 10% ES; 20~200ug/l 5% ES; 200ug/l~40mg/l 2% ES; (with auto-cleaning ability)</p> <p>Turbidometer Range of monitoring: 0~1000/4000NTU Precision: 0~40NTU 2%; 40~4000NTU 5%;</p> <p>COD monitoring instrument Principles: KCr_2O_7, $K_2Mn_2O_7$ Range of monitoring: 0~100/5000mg/l; Precision: 10%;</p> <p>Ammonian monitoring instrument Principles: ionic selective electrodes, photics Range of monitoring: 0~100/300mg/LNH4-N; Precision: 0.01mg/LNH4-N;</p> <p>Proportional sampling instrument General type; with sample distributor and insulating box for 24 hours; Monitoring type: on-site monitoring and displaying the parameters of pH/ORP, conductivity, dissolved oxygen content, turbidity, temperature etc. (other parameters available if needed).</p> <p>Sewage flowmeter: Pressure/pressure-difference flowmeter for open channel; Deupoler flowmeter; electromagnetic flowmeter; Ultrasonic sludge interface-meter; Precision: 100mm Requirements for the on-site instruments above to output signals: 4~20mA (separation), RS-232 or on-site bus interface.</p>	<p>water-quality monitoring</p>

设备(产品)名称	主要指标及技术要求	适用范围
41. 空气质量监测系统	以上在线仪器输出信号要求:4~20mA(隔离)、RS-232或现场总线接口	大气环境监测
42. 便携式/在线式烟气监测仪	SO ₂ 测量范围:0~4000ppm,精度:±5%,分辨率:1ppm NO _x 测量范围:0~2000ppm,精度:±5%,分辨率:1ppm 气体阻力在5Kpa时,采样流量≥0.6L/min	烟气监测
43. 汽车尾气监测仪	在线式仪器输出信号:4~20mA(隔离)、RS-232或现场总线接口 HC 0~10000ppm,精度:±5%,分辨率:1ppm CO 0~10%,精度:±5%,分辨率:0.01% 量程漂移:<±2%/3hr	汽车尾气监测
44. 24小时恒温恒流自动连续大气采样器	流量:200ml/min±5%(采用流量传感器) 温度:24±4℃(采用半导体制冷元件)	大气环境监测采样
六、节能与可再生资源利用设备		
45. 循环流化床锅炉	蒸发量 75t/h 及以上; 燃烧效率 95% 及以上; 脱硫效率在 85% 时,对不含硫量的煤种,Ca/S<2—2.8; 锅炉连续运行时间>4000 小时。 降低 NO _x 排放 40% 以上;	劣质煤、煤矸石、石煤、石油焦、垃圾、生物质燃料的利用和治理。
46. 低 NO _x 燃烧器	对不同煤质,锅炉不投油的最低负荷率<40—55%。 干熄焦余热锅炉、转炉余热锅炉; 粉尘去除率在 90% 以上; 可大幅度降低原排空的热污染。	煤粉锅炉
47. 余热锅炉		用于有排空的废热和粉尘的设施

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
41. air quality monitoring system	SO ₂ , NO _x , CO, HC, suspended particles (floating dirt). O ₃ monitor has the functions of auto-correction and auto-diagnosis etc.	Atmospheric environment monitoring
42. Portable/on-line smog monitor	Monitoring range for SO ₂ : 0~4000ppm Precision: 5% Resolution: 1ppm Monitoring range for NO _x : 0~2000ppm Precision: 5% Resolution: 1ppm Sampling flowrate ≥ 0.6l/min when the gas resistance is 5Kpa. Requirements for the on-site instruments to output signals: 4~20mA(separation), RS-232 or on-site bus interface.	Smog monitoring
43. automobile tail-gasmonitor	Monitoring range for HC: 0~10000ppm Precision: 5% Resolution: 1ppm Monitoring range for CO: 0~10% Precision: 5% Resolution: 0.01% Measuring range drifting < 2%/3hour	automobile tail-gas monitoring
44. automatic continuous atmospheresampler with constant temperature and flowrate for 24 hours	Flowrate: 200ml/min5% (adopting flowrate sensor) Temperature: 244°C (adopting semiconductor as cooling element)	Atmospheric environment monitoring and sampling
VI. Energy-saving and renewable energy utilization equipment		
45. Recycling fluidized bed boiler	Evaporation amount ≥ 75t/h Combustion efficiency ≥ 95% For coals with varied sulfur content, Ca/S < 2~2.8 when desulfuration rate is 85%; Continuous running time > 4000hour NO _x discharge is decreased by over 40%; For coals with varied qualities, minimum loading rate < 40~55% without adding fuel	Utilization and treatment of low-quality coal, duns, petrol coke, rubbish and biological fuel
46. Low-NO _x -content combustion chamber	Residual heat boiler using dry self-extinguished coke; Rotary residual heat boiler; Dust removal rate ≥ 90%; Decreasing waste heat pollution of the original discharge by a large magnitude	Boilers using coal powder as fuel
47. Residual heat boiler		Used for facilities discharging waste heat and dust into the air

设备(产品)名称	主要指标及技术要求	适用范围
48. 节能风机、水泵	设备效率在 75% 以上,比传统设备提高效率 10—15%; 噪音明显减小。	用于通风及流体介质输送
49. 节能变压器	新 S9 系列变压器; 非晶态金属变压器;	输配电系统
50. 风力发电机组	空载损耗比传统变压器减低 10% 以上; 负载损耗比传统变压器减低 23% 以上。	风力发电场
51. 大量能光伏发电设备	单机 600KW 及以上	工农业和民用独立与并网供电
七、资源综合利用与清洁生产设备	单晶硅组件效率 > 12%; 多晶硅组件效率 > 11%; 薄膜电池组件效率 > 5%	
52. 粉煤灰干法分选设备	分级利用回收率大于 70%; 系统耐磨性强,使用寿命应在 15000 小时以上;	粉煤灰干法分选
53. 废橡胶裂解制碳黑和燃料油成套设备	系统操作简单,调整范围大。 生产的产品达到相应国家产品质量标准; 生产过程无二次污染;	废橡胶和橡胶边角余料的综合利用
54. 利用煤矸石、粉煤灰等生产新型墙体材料成套设备	工艺技术简单,无需庞大预处理设备 全煤矸石,或粉煤灰等废渣掺量大于 50%; 生产的建材产品质量达到相应产品的国家标准,保温、装饰性能良好;	废渣的综合利用
55. 酒精糟生产全干燥蛋白饲料成套设备	空心砖设备,应达空洞率 > 35%; 运行安全可靠。 水耗 < 20t/t 饲料; 蒸汽单耗 < 2.2t/t 饲料; 电耗 < 118kwh/t 饲料; 饲料中蛋白含量 > 27%; 饲料含水率 < 10%。	大、中型酒精生产企业废糟液处理

Name of the Equipment(Products)	Main Technical Index and Requirements	Range of Application
48. Energy-saving ventilators and pumps	Efficiency > 75%, 10 ~ 15% higher than traditional equipment; With noise significantly decreased.	Used for ventilation and transportation of fluid
49. energy-saving transformer	New-type S9-series transformer; Noncrystalline metallic transformer; Energy losses with zero load; over 10% lower than that of traditional transformer; Energy losses with load; over 23% lower than that of traditional transformer;	Electricity transmission and distribution
50. wind-force generator groups	Power of a single generator ≥ 600 kw	Wind-force power plants
51. photovoltage generator using solar energy	Efficiency of mono-crystalline silicon package > 12% Efficiency of poly-crystalline silicon package > 11% Efficiency of thin film-cell package > 5%	Independent and parallel power supply for industrial, agricultural or civil use
V. Comprehensive utilization of resources and clean production equipment		
52. coalpowder dry-sorting equipment	Graded utilization and recovery rate > 70% With good wear-resistance, the life period of the system lasts for more than 15,000 hours; Easy to operate and adjustable in a wide range.	Dry-sorting of coalpowder
53. whole-set equipment for pyrolysis of waste rubber and production of carbon black and fuel	The products could reach national quality standards. No second pollution occurs during the production process; Processing technologies involved are rather simple, dispensable of bulky pretreatment equipment.	Comprehensive utilization of edge scrap and waste of rubber
54. whole-set equipment using duns, coal powder etc. to produce a new type of wall materials	Offscums (whole-duns, coal powder etc.) accounts for more than 50% in the mixture; The quality of the building material products with favourable heat preservation and decoration performance can reach national standard; Hollow-brick production equipment: Cavity rate > 35%; Running securely and reliably.	Comprehensive utilization of off-scums
55. whole-set equipment for all-dry protein feedingsstuff in alcohol trough	Water consumption < 20ton/ton feedingsstuff; Vapor consumption < 2.2ton/ton feedingsstuff; power consumption < 118kwh/ton feedingsstuff; protein content in the feedingsstuff > 27%; water content in the feedingsstuff < 10%.	Treatment of waste trough liquid in large and medium sized alcohol plants

设备(产品)名称	主要指标及技术要求	适用范围
56. 合成氨气体净化 NHD 技术成套设备	NHD 溶剂消耗 < 0.2kg/t 氨; 蒸汽消耗 < 20kg/t 氨; 电耗 < 95kwh/t 氨; 净化气含 CO ₂ < 0.2%; 净化气含 H ₂ S < 1ppm。 回收利用有机物质, 有害气体达标排放。 固液分离机	适用于各种工艺气体的净化, 特别适用于以煤为原料的硫化氢、二氧化碳含量高的氨合成气、甲醇合成气和羰基合成气的净化
57. 火炬气回收利用技术成套设备	对含水 96% 左右的废液能每小时分离 10m ³ 左右; 滤液中 SS < 5000mg/l UASB 厌氧反应器	石油化工、油气田开发火炬气处理
58. 沼气综合利用设备	COD 负荷率: 8~12kg/m ³ ·d; 产气率: 6~8m ³ /m ³ ·d 沼气脱硫设备 脱硫后沼气中 H ₂ S < 20mg/l 沼气发电机 150kw~500kw, 每立方米沼气发电 15~1.6kwh	中高浓度工业废水、禽畜废水及生活污水厌氧处理, 沼气(含垃圾填埋产生的沼气)综合利用
八、环保材料与药剂 59. 耐高温耐腐蚀玻璃纤维过滤布	织物组织: 维二重; 织物厚度: 0.5~0.6mm; 织物密度: 经向: 18 根/cm; 纬向: 18 ± 1 根/cm; 织物强度: 经向 ≥ 240 ± 20 (kg/25mm × 100) 纬向 ≥ 240 ± 20 (kg/25mm × 100)	碳工业炉窑及锅炉烟气治理