

Ecological Environment Code of the PRC — Book II: Pollution Prevention and Control

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Part One — General Provisions

Chapter I — General Provisions

Article 148 — This Book shall apply to the prevention and control of environmental pollution.

Article 149 — In preventing and controlling pollution, the State shall adhere to the principles of precise pollution control, scientific pollution control and law-based pollution control, adhere to overall planning, prevention and control at the source, classified management and joint governance by the whole of society, strengthen the coordination of control over multiple pollutants and the coordination of regional treatment, strengthen whole-process supervision and management, realize the synergistic effects of reducing pollution and carbon emissions, improve the quality of the ecological environment and safeguard public health.

Article 150 — Units and individuals that discharge pollutants shall take effective measures to prevent and control atmospheric pollution, water pollution, marine pollution, soil pollution, solid waste pollution, noise pollution and radioactive pollution generated in production, daily life and other activities, as well as environmental pollution such as chemical substance pollution, electromagnetic radiation pollution and light pollution.

Article 151 — The discharge of pollutants shall comply with the requirements of pollutant discharge standards, the indicators for total quantity control of the discharge of key pollutants, the administration of pollutant discharge permits, and the relevant laws, regulations and rules.

Article 152 — Enterprises and public institutions that discharge pollutants shall establish a responsibility system for the prevention and control of pollution, and clearly define the responsibilities of the persons in charge of the unit and the relevant personnel.

Article 153 — The ecological environment department under the State Council shall formulate national pollutant discharge standards. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may formulate local pollutant discharge standards for items not covered by the national pollutant discharge standards, and may formulate local pollutant discharge standards stricter than the national pollutant discharge standards for items already covered by the national pollutant discharge standards. Local pollutant discharge standards shall be filed with the ecological environment department under the State Council for the record.

Article 154 — In formulating pollutant discharge standards, the ecological environment quality standards and economic and technical conditions shall be taken as the basis, the characteristics of pollutant discharge and acceptable ecological and environmental risks shall be reflected, and the control requirements for pollutant discharge shall be determined in a scientific and reasonable manner.

Article 155 — The State shall implement a system of total quantity control of the discharge of key pollutants. The indicators for total quantity control of the discharge of key pollutants shall, after the ecological environment department under the State Council has solicited the opinions of the relevant departments and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government, be submitted by it together with the development and reform department under the State Council to the State Council for approval and issued for implementation. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall decompose and implement the total quantity control indicators issued by the State Council, and control or reduce the total quantity of discharge of key pollutants in their respective administrative regions. The specific measures for determining and decomposing the total quantity control indicators shall be formulated by the ecological environment department under the State Council together with the relevant departments.

Article 156 — The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may, according to the state of ecological environment quality and the needs of pollution prevention and control work in their respective administrative regions, exercise total quantity control over the discharge of key pollutants other than the key pollutants determined by the State.

Article 157 — Enterprises and public institutions shall comply with the indicators for total quantity control of the discharge of key pollutants as decomposed and implemented to their respective units.

Article 158 — With respect to regions that exceed the indicators for total quantity control of the discharge of key pollutants or fail to attain the ecological environment quality objectives, the ecological environment department of the people's government at or above the provincial level shall suspend the examination and approval of the ecological environment impact statements and ecological environment impact report forms for construction projects in those regions that would increase the total quantity of discharge of key pollutants.

Article 159 — The ecological environment department of the people's government at or above the provincial level shall, together with the relevant departments, conduct admonitory talks with the local people's governments at or above the county level and the principal persons in charge of their relevant departments in regions where environmental pollution problems are prominent, pollution prevention and control work is ineffective and the masses have strongly reacted, requiring them to take effective measures for timely rectification. The status of admonitory talks and rectification shall be made public to society.

Article 160 — The ecological environment department under the State Council shall, in accordance with the law, organize and implement statistical surveys of discharge sources, and establish and improve the system of statistical accounting methods and the data quality control system for discharge sources. The State shall regularly organize and implement nationwide censuses of pollution sources.

Article 161 — The ecological environment department under the State Council shall, together with the relevant departments, establish and improve a system for the assessment of pollution damage.

Article 162 — Pollution prevention and control facilities in construction projects shall be designed, constructed and put into operation and use simultaneously with the principal works. Pollution prevention and control facilities shall conform to the requirements of the approved ecological environment impact statement and ecological environment impact report form, and shall not be dismantled or left idle without authorization. Before a construction project is put into production or use, the construction unit shall, in accordance with the provisions of the State, conduct acceptance inspection of the pollution prevention and control facilities constructed as supporting facilities.

Article 163 — Enterprises, public institutions and other producers and operators that discharge pollutants shall, in accordance with the laws and regulations and the provisions of the ecological environment department under the State Council, set up and use pollutant discharge outlets (hereinafter referred to as discharge outlets).

Article 164 — It shall be prohibited to discharge pollutants by means that evade supervision, such as through concealed pipes, seepage wells, seepage pits, perfusion, fissures and karst caves, tampering with or forging monitoring data, temporary suspension of production for the purpose of evading on-site inspection, opening emergency discharge channels under non-emergency circumstances, and abnormal operation of pollution prevention and control facilities. It shall be prohibited to dump, pile up or store solid waste and other pollutants into rivers, lakes, canals, channels and reservoirs and the beaches and bank slopes below their highest water level lines, as well as other places specified by laws and regulations.

Article 165 — The people's governments at all levels shall make overall plans for and construct urban and rural sewage treatment facilities and supporting pipe networks, facilities and sites for the collection, transport and disposal of solid waste, and other pollution prevention and control facilities, ensure their normal operation, and raise the level of construction of urban and rural pollution prevention and control facilities.

Article 166 — The ecological environment department under the State Council shall regularly publish a catalogue guiding the direction of pollution prevention and control technologies, processes and equipment.

Article 167 — The State shall progressively promote the trading of discharge rights for key atmospheric pollutants, water pollutants and other pollutants, establish and improve a trading system for discharge rights targeted at the indicators for total quantity control of the discharge of key pollutants, and strengthen whole-process supervision and management of the trading of discharge rights.

Article 168 — Enterprises, public institutions and other producers and operators that directly discharge taxable pollutants into the environment shall pay environmental protection tax in accordance with the provisions of the law.

Article 169 — The State shall encourage the purchase of environmental pollution liability insurance.

Article 170 — The people's governments at all levels shall arrange funds in their fiscal budgets to support the protection of rural drinking water source areas, the treatment of domestic sewage and the disposal of domestic waste and other wastes, the prevention and control of agricultural non-point source pollution, the prevention and control of pollution from livestock and poultry breeding and slaughtering, the prevention and control of pollution from aquaculture, the prevention and control of soil pollution, and the treatment of pollution from rural industrial and mining operations.

Article 171 — The people's governments at all levels and their departments and institutions such as the agriculture and rural affairs departments shall guide agricultural producers and operators to plant and breed in a scientific manner, to use agricultural inputs such as pesticides, veterinary drugs, feeds and feed additives and fertilizers in a scientific, rational and safe manner, to dispose of agricultural wastes such as agricultural film, crop straw and packaging waste of agricultural inputs in a scientific manner, to strengthen

control over the discharge of pollutants from agricultural production and operation activities, and to prevent agricultural non-point source pollution. It shall be prohibited to apply solid waste and waste water that do not conform to the standards for agricultural use and the standards for ecological environment protection to farmland. In applying agricultural inputs such as pesticides and fertilizers and carrying out irrigation, effective measures shall be taken to prevent heavy metals and other toxic and hazardous substances from polluting the environment. The site selection, construction and management of livestock and poultry farms and designated slaughtering enterprises shall comply with the provisions of laws and regulations. Livestock and poultry farms shall raise the level of precision feeding and strengthen the comprehensive management of livestock and poultry manure and sewage. Units and individuals engaged in livestock and poultry breeding and slaughtering shall take effective measures to promptly collect, store, remove, render harmless and recycle livestock and poultry manure, carcasses and other wastes, so as to prevent environmental pollution. The people's governments at the county level shall be responsible for organizing the disposal of rural domestic wastes.

Article 172 — The State shall strengthen systematic treatment of regions with prominent agricultural non-point source pollution and enhance the effectiveness of prevention and control of agricultural non-point source pollution.

Article 173 — The ecological environment department under the State Council shall, together with the relevant departments, determine key regions and key industries for the prevention and control of heavy metal pollution and submit them to the State Council for approval. The local people's governments at or above the level of a city divided into districts where the key regions are located shall, in accordance with the provisions of the State, organize the preparation and implementation of plans for the prevention and control of heavy metal pollution. Enterprises in key industries shall regularly carry out investigation and rectification of potential hidden dangers and take effective measures to prevent and control heavy metal pollution.

Chapter II — Pollutant Discharge Permit Management

Article 174 — The State shall establish and improve a supervision and management system for stationary pollution sources centered on the pollutant discharge permit system, and the specific measures shall be formulated by the State Council. Enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall obtain a pollutant discharge permit in accordance with the provisions, and shall not discharge pollutants without obtaining a pollutant discharge permit.

Article 175 — Based on factors such as the quantity of pollutants generated, the quantity discharged and the degree of impact on the ecological environment, enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall be subject to classified management of pollutant discharge permits: (1) those whose quantity of pollutants generated or discharged, or whose degree of impact on the ecological environment, is relatively large shall be subject to key management of pollutant discharge permits; and (2) those whose quantity of pollutants generated, quantity discharged and degree of impact on the ecological environment are all relatively small shall be subject to simplified management of pollutant discharge permits. The scope, implementation steps and catalogue of management categories for enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall be drafted by the ecological environment department under the State Council and, upon approval by the State Council, published and implemented. In formulating the scope, implementation steps and catalogue of management categories for enterprises, public institutions and other producers and operators subject to pollutant discharge permit management, the opinions of the relevant departments, industry associations, enterprises, public institutions and the public shall be solicited.

Article 176 — The following enterprises, public institutions and other producers and operators shall obtain a pollutant discharge permit: (1) enterprises and public institutions that discharge industrial waste gases or toxic and hazardous atmospheric pollutants, and coal-fired heat source production and operation units of

centralized heating facilities; (2) enterprises, public institutions and other producers and operators that directly or indirectly discharge industrial waste water and medical sewage into water bodies; (3) operating units of centralized urban sewage treatment facilities; (4) coastal engineering and marine engineering units that directly discharge industrial waste water and medical sewage into the sea; (5) units that generate industrial solid waste; (6) enterprises, public institutions and other producers and operators that discharge industrial noise; (7) units that discharge radioactive waste liquid or generate radioactive solid waste in the development and utilization of associated radioactive mines; (8) enterprises and public institutions that operate Category I electromagnetic radiation facilities, and enterprises and public institutions that operate Category II electromagnetic radiation facilities and are subject to pollutant discharge permit management in accordance with the law; and (9) other enterprises, public institutions and other producers and operators subject to pollutant discharge permit management in accordance with the provisions of laws and administrative regulations.

Article 177 — The ecological environment department of the people's government at or above the level of a city divided into districts shall strengthen supervision and management of pollutant discharge permits.

Article 178 — Enterprises, public institutions and other producers and operators shall apply to the ecological environment department of the local people's government at or above the level of a city divided into districts for a pollutant discharge permit at the place where their production and operation sites are located. Marine engineering that requires a pollutant discharge permit shall apply to the ecological environment department under the State Council or its dispatched agency for sea areas.

Article 179 — A pollutant discharge permit is the principal basis for ecological environment supervision and management of enterprises, public institutions and other producers and operators subject to pollutant discharge permit management. Enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall comply with the requirements of the pollutant discharge permit, operate and maintain pollution prevention and control facilities in accordance with the provisions, establish an ecological environment management system, and strictly control the discharge of pollutants.

Article 180 — A pollutant discharge permit shall be issued to enterprises, public institutions and other producers and operators subject to pollutant discharge permit management that meet the following conditions: (1) they have lawfully obtained the approval document for an ecological environment impact statement or ecological environment impact report form, or have completed the filing formalities for an ecological environment impact registration form; (2) their discharge of pollutants conforms to the requirements of pollutant discharge standards and other requirements, their discharge of key pollutants conforms to the technical specifications for the application and issuance of pollutant discharge permits, the approval documents for the ecological environment impact statement and ecological environment impact report form, and the indicators for total quantity control of the discharge of key pollutants, and where the production and operation sites of enterprises, public institutions and other producers and operators subject to pollutant discharge permit management are located in regions, river basins or sea areas that have not attained the national ecological environment quality standards, they shall also conform to the special requirements of the relevant local people's governments for improving ecological environment quality; (3) the pollution prevention and control facilities adopted are capable of attaining the permitted discharge concentration and other requirements or conform to feasible technologies for pollution prevention and control; (4) the monitoring points, indicators, frequency and other aspects of their self-monitoring plans conform to the national self-monitoring specifications; and (5) other conditions prescribed by laws and administrative regulations.

Article 181 — A pollutant discharge permit shall record the following information: (1) the location and number of discharge outlets, and the manner and destination of pollutant discharge; (2) the types of pollutants discharged, the permitted discharge concentration and permitted discharge quantity, or the permitted discharge limits; (3) the stages at which pollutants are generated and discharged, the pollution prevention

and control facilities and their operation and maintenance requirements, and the requirements for the standardized construction of discharge outlets; (4) the requirements for prohibiting or restricting the discharge of pollutants during special periods; and (5) other information prescribed by laws and administrative regulations.

Article 182 — The term of validity of a pollutant discharge permit is five years. Within the term of validity of a pollutant discharge permit, enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall re-obtain a pollutant discharge permit under any of the following circumstances: (1) the construction, reconstruction or expansion of a pollutant-discharging project; (2) a change in the production and operation site, the location of discharge outlets, or the manner or destination of pollutant discharge; (3) an increase in the number of discharge outlets or the types, concentration or quantity of pollutants discharged; or (4) other circumstances prescribed by laws and administrative regulations.

Article 183 — Enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall, in accordance with the requirements of the pollutant discharge permit and the relevant standards and specifications, carry out self-monitoring in accordance with the law, establish management ledgers, and preserve the original monitoring records and management ledgers. The original monitoring records and management ledgers shall be preserved for no less than five years.

Article 184 — Enterprises, public institutions and other producers and operators subject to key management of pollutant discharge permits shall, in accordance with the provisions of the State, install, use and maintain automatic monitoring equipment for pollutant discharge, carry out monitoring and automatic monitoring, connect with the monitoring equipment of the ecological environment department, ensure the normal operation of the automatic monitoring equipment, and preserve the original monitoring records. The specific measures for monitoring shall be formulated by the ecological environment department under the State Council. Where enterprises, public institutions and other producers and operators subject to key management of pollutant discharge permits discover anomalies in the data transmitted by the automatic monitoring equipment for pollutant discharge, they shall promptly report to the ecological environment department and carry out inspection and repair. Where the ecological environment department discovers anomalies in the data transmitted by the automatic monitoring equipment for pollutant discharge of enterprises, public institutions and other producers and operators subject to key management of pollutant discharge permits, it shall promptly carry out investigation.

Article 185 — Enterprises, public institutions and other producers and operators subject to pollutant discharge permit management shall, in accordance with the provisions, disclose to society information on pollutant discharge such as the types, concentration and quantity of pollutants discharged, as well as the construction and operation of pollution prevention and control facilities and self-monitoring data, and accept social supervision.

Article 186 — Enterprises, public institutions and other producers and operators whose quantity of pollutants generated, quantity discharged and degree of impact on the ecological environment are all very small shall fill in and submit a pollutant discharge registration form and shall not be subject to pollutant discharge permit management. The term of validity of a pollutant discharge registration form is five years. The catalogue of the scope of enterprises, public institutions and other producers and operators that are required to fill in and submit a pollutant discharge registration form shall be formulated and published by the ecological environment department under the State Council. In formulating the catalogue of the scope of enterprises, public institutions and other producers and operators required to fill in and submit a pollutant discharge registration form, the opinions of the relevant departments, industry associations, enterprises, public institutions and the public shall be solicited.

Part Two — Prevention and Control of Atmospheric Pollution

Chapter III — General Provisions

Article 187 — This Part shall apply to the prevention and control of atmospheric pollution.

Article 188 — For the purposes of this Law, “atmospheric pollution” means the phenomenon whereby, due to the introduction of a certain substance into the atmosphere, the chemical, physical or other properties of the atmosphere are changed, endangering public health or damaging the ecological environment and causing deterioration of atmospheric environmental quality.

Article 189 — In preventing and controlling atmospheric pollution, the improvement of atmospheric environmental quality shall be taken as the objective, the mode of economic development shall be transformed, and the industrial structure and layout shall be optimized, and the energy structure and the transport structure shall be adjusted. In preventing and controlling atmospheric pollution, comprehensive prevention and control of atmospheric pollution from coal burning, industry, motor vehicles and vessels, non-road mobile machinery, fugitive dust, agriculture and other sources shall be strengthened, joint regional prevention and control of atmospheric pollution shall be promoted, and coordinated control shall be exercised over atmospheric pollutants such as particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds and ammonia, as well as greenhouse gases.

Article 190 — The local people’s governments at or above the level of a city divided into districts shall formulate plans and take effective measures to control or gradually reduce the discharge of atmospheric pollutants, so that atmospheric environmental quality attains the prescribed standards and gradually improves.

Article 191 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of atmospheric pollution nationwide. The ecological environment departments of local people’s governments shall exercise unified supervision and management over the prevention and control of atmospheric pollution in their respective administrative regions. The other relevant departments of the people’s governments at or above the county level shall exercise supervision and management over the prevention and control of atmospheric pollution within the scope of their respective duties.

Article 192 — The people’s governments of municipalities directly under the Central Government and of cities divided into districts and counties where the regions that have not attained the national atmospheric environmental quality standards are located shall promptly formulate plans for attaining the atmospheric environmental quality standards within a prescribed period, take effective measures, and attain the atmospheric environmental quality standards within the period prescribed by the people’s governments at or above the provincial level.

Article 193 — The plans for attaining the atmospheric environmental quality standards within a prescribed period formulated by the people’s governments of municipalities directly under the Central Government and of cities divided into districts shall be filed with the ecological environment department under the State Council for the record.

Article 194 — Plans for attaining the atmospheric environmental quality standards within a prescribed period shall be evaluated and revised in a timely manner in light of the requirements of atmospheric pollution prevention and control and economic and technical conditions.

Article 195 — In formulating quality standards for products containing volatile organic compounds such as coal, petroleum coke, biomass fuels and coatings, for fireworks and firecrackers, and for boilers and other products, the requirements for the prevention and control of atmospheric pollution shall be clearly specified. In formulating fuel oil quality standards, the national requirements for the control of atmospheric pollutants shall be conformed to, and the standards shall be linked with the national standards for the discharge of atmospheric pollutants by motor vehicles, vessels and non-road mobile machinery, and implemented

simultaneously.

Article 196 — The ecological environment department under the State Council shall organize the monitoring of atmospheric environmental quality and atmospheric pollution sources, and organize the construction and management of the nationwide monitoring network for atmospheric environmental quality and atmospheric pollution sources. The ecological environment departments of the local people's governments at or above the level of a city divided into districts shall be responsible for organizing the construction and management of the monitoring network for atmospheric environmental quality and atmospheric pollution sources in their respective administrative regions, and for carrying out monitoring of atmospheric environmental quality and atmospheric pollution sources.

Article 197 — Enterprises, public institutions and other producers and operators shall, in accordance with the provisions of the State, monitor the industrial waste gases and toxic and hazardous atmospheric pollutants discharged by them and preserve the original monitoring records. The specific measures for monitoring shall be formulated by the ecological environment department under the State Council.

Article 198 — The ecological environment department shall promptly monitor the atmospheric pollutants generated by sudden environmental pollution incidents and disclose the monitoring information to society.

Article 199 — The State shall encourage and support the analysis of the sources of atmospheric pollution and their changing trends, and give full play to the supporting role of science and technology in the prevention and control of atmospheric pollution.

Article 200 — This Part shall not apply to the prevention and control of atmospheric pollution from marine engineering.

Chapter IV — Measures for the Prevention and Control of Atmospheric Pollution

Section 1 — Prevention and Control of Atmospheric Pollution from Coal and Other Energy Sources

Article 201 — The relevant departments under the State Council and the local people's governments at all levels shall optimize the manner of coal use and reduce the discharge of atmospheric pollutants in the process of coal production, storage, transport, use and conversion.

Article 202 — The State shall promote the washing and processing of coal, reduce the sulfur content and ash content of coal, and restrict the mining of coal with high sulfur content and high ash content. Newly built coal mines shall simultaneously construct supporting coal washing facilities so that the sulfur content and ash content of the coal attain the prescribed standards; coal mines already built shall construct supporting coal washing facilities within a prescribed period, except where the coal mined is low in sulfur content or ash content, or where washing is unnecessary as required by coal-fired power plants that have attained the discharge standards. It shall be prohibited to mine coal whose content of toxic and hazardous substances such as radioactive substances and arsenic exceeds the prescribed standards.

Article 203 — Where coalbed methane is extracted and utilized, the discharge of coalbed methane shall conform to the relevant standards and specifications.

Article 204 — It shall be prohibited to import, sell or burn coal that does not conform to the quality standards, and the burning of high-quality coal shall be encouraged. Units that store materials such as coal, coal gangue, coal slag and coal ash shall take fire prevention measures to prevent atmospheric pollution.

Article 205 — The local people's governments at all levels shall take effective measures to strengthen the management of scattered coal, prohibit the sale of coal that does not conform to the quality standards for scattered coal, and encourage and support the adoption of measures such as clean low-carbon energy and the substitution of centralized heating to prevent and control atmospheric pollution caused by the burning of scattered coal.

Article 206 — Petroleum refining enterprises shall produce fuel oil in accordance with the fuel oil quality standards. It shall be prohibited to import, sell or use petroleum coke that does not conform to the quality standards.

Article 207 — The local people's governments at or above the level of a city divided into districts may delineate and publish zones where the burning of high-pollution fuels is prohibited, and gradually expand the scope of such zones in accordance with the requirements for improving atmospheric environmental quality. The catalogue of high-pollution fuels shall be determined by the ecological environment department under the State Council. Within the prohibited zones, the sale and burning of high-pollution fuels shall be prohibited; the construction and expansion of facilities burning high-pollution fuels shall be prohibited, and existing facilities shall switch to natural gas, shale gas, liquefied petroleum gas, electricity or other clean low-carbon energy within the period prescribed by the local people's government at or above the level of a city divided into districts.

Article 208 — Urban construction shall be planned in an overall manner, and in regions with coal-fired heating, the co-generation of heat and power and centralized heating shall be promoted. In regions covered by centralized heating pipe networks, the construction and expansion of scattered coal-fired heating boilers shall be prohibited; coal-fired heating boilers already built that cannot attain the discharge standards shall be dismantled within the period prescribed by the local people's government at or above the level of a city divided into districts.

Article 209 — The market regulation department of the people's government at or above the county level shall, together with the ecological environment department, supervise and inspect the implementation of the standards or requirements for the prevention and control of atmospheric pollution in the production, import, sale and use of boilers; boilers that do not conform to the standards or requirements for the prevention and control of atmospheric pollution shall not be produced, imported, sold or used.

Article 210 — Coal-fired power plants and other coal-burning units shall adopt clean production processes, construct supporting devices for dust removal, desulfurization and denitrification, or adopt technical transformation and other measures to control the discharge of atmospheric pollutants. The State shall encourage coal-burning units to adopt advanced technologies and devices for the coordinated control of atmospheric pollutants such as dust removal, desulfurization, denitrification and mercury removal, so as to reduce the discharge of atmospheric pollutants.

Section 2 — Prevention and Control of Industrial Atmospheric Pollution

Article 211 — Enterprises in the iron and steel, building materials, non-ferrous metals, petroleum, chemical and other industries that discharge dust, sulfides and nitrogen oxides in the production process shall adopt clean production processes, construct supporting devices for dust removal, desulfurization and denitrification, or adopt technical transformation and other measures to control the discharge of atmospheric pollutants.

Article 212 — The State shall encourage and support key industries such as iron and steel, cement and coking and coal-fired boilers in adopting technologies such as ultra-low emission technologies to reduce the discharge of atmospheric pollutants.

Article 213 — The relevant departments under the State Council shall, within the scope of their respective duties, formulate limit standards for the volatile organic compound content of raw and auxiliary materials and products containing volatile organic compounds, and standards for raw and auxiliary materials and products with low volatile organic compound content. Where raw and auxiliary materials and products containing volatile organic compounds are produced, imported, sold or used, their volatile organic compound content shall conform to the quality standards or requirements. The State shall encourage the production, import, sale and use of raw and auxiliary materials and products with low toxicity and low volatile organic compound content, and industrial coating enterprises shall, in accordance with the provisions, use raw and auxiliary

materials and products with low volatile organic compound content.

Article 214 — Where raw and auxiliary materials and products containing volatile organic compounds are produced or used, they shall, in accordance with the provisions of the State, be produced or used in enclosed spaces and equipment with pollution prevention and control facilities installed and used, or effective measures shall be taken to reduce the discharge of waste gases.

Article 215 — The State shall establish and improve a labeling system for products with low volatile organic compound content, and producers of products with low volatile organic compound content shall affix labels in accordance with the provisions.

Article 216 — Enterprises in the petroleum, chemical and other industries that produce or use organic solvents shall take effective measures to carry out routine maintenance and repair of pipelines and equipment, reduce material leakage, and promptly collect and dispose of leaked materials. Oil storage depots, filling stations, crude oil and refined oil terminals, crude oil and refined oil transport vessels, oil tank trucks and railway tank cars shall, in accordance with the provisions of the State, install oil and gas recovery devices and keep them in normal use.

Article 217 — Enterprises in the iron and steel, building materials, non-ferrous metals, petroleum, chemical, pharmaceutical and mineral extraction industries and other industrial production enterprises shall strengthen refined management, adopt measures such as centralized collection and treatment, and strictly control the discharge of dust and gaseous pollutants. Industrial production enterprises shall adopt measures such as sealing, enclosure, covering, sweeping and water spraying to reduce the discharge of dust and gaseous pollutants generated in the storage, transport, loading and unloading of internal materials.

Article 218 — Combustible gases generated by industrial production, landfill and other activities shall be recovered and utilized; where the conditions for recovery and utilization are not met, treatment for the prevention and control of pollution shall be carried out. Where combustible gas recovery and utilization devices cannot operate normally, they shall be repaired or replaced in a timely manner. Where it is truly necessary to discharge combustible gases during the period when the recovery and utilization devices cannot operate normally, the combustible gases discharged shall be fully burned or other measures to control the discharge of atmospheric pollutants shall be taken, and the local ecological environment department shall be reported to, and the devices shall be repaired or replaced within the prescribed period as required.

Section 3 — Prevention and Control of Atmospheric Pollution from Motor Vehicles, Vessels and Other Sources

Article 219 — The State shall advocate green travel, rationally control the quantity of fuel-powered motor vehicles in accordance with urban planning, vigorously develop urban public transport, and raise the proportion of public transport travel. The State shall adopt fiscal, tax, government procurement and other measures to promote the application of energy-saving, environmentally friendly and new-energy motor vehicles, vessels and non-road mobile machinery, restrict the development of motor vehicles, vessels and non-road mobile machinery with high fuel consumption and high emissions, and reduce the consumption of fossil energy. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may, in regions where conditions permit, implement in advance the emission limits of the corresponding stage of the national standards for the discharge of atmospheric pollutants by motor vehicles, and file such implementation with the ecological environment department under the State Council for the record. The local people's governments at or above the county level shall strengthen and improve urban traffic management, optimize road layout, and ensure the continuity and smoothness of sidewalks and non-motor vehicle lanes.

Article 220 — Key vehicle-using units with a relatively large number of heavy-duty trucks shall, in accordance with the provisions of the State, incorporate the management of emissions from transport and loading and

unloading into their pollution prevention and control responsibility systems, and strengthen the prevention and control of atmospheric pollution from heavy-duty trucks.

Article 221 — Motor vehicles, vessels, non-road mobile machinery and their engines shall not discharge atmospheric pollutants in excess of the standards. It shall be prohibited to produce, import or sell motor vehicles, vessels, non-road mobile machinery and their engines that do not conform to the standards for the discharge of atmospheric pollutants.

Article 222 — Producers of motor vehicles, non-road mobile machinery and their engines shall conduct emission inspection of newly produced motor vehicles, non-road mobile machinery and their engines. Only those that pass inspection may leave the factory for sale. The inspection information shall be disclosed to society and filed with the ecological environment department for the record. The ecological environment department of the people's government at or above the provincial level may, through on-site inspection, sampling inspection and other means, strengthen supervision and inspection of the discharge of atmospheric pollutants and the operation of emission control systems of newly produced, imported and sold motor vehicles, non-road mobile machinery and their engines. The departments of industry and information technology, transport, market regulation and customs shall provide cooperation.

Article 223 — In-use motor vehicles shall, in accordance with the provisions, be subject to regular emission inspection by motor vehicle emission inspection institutions. Only those that pass inspection may be driven on roads. Where a motor vehicle has not passed inspection, the traffic management department of the public security organ shall not issue a safety and technical inspection conformity mark. The ecological environment department may carry out supervisory sampling inspection of the discharge of atmospheric pollutants and the operation of emission control systems of in-use motor vehicles at places where motor vehicles are concentrated for parking and maintenance and at places where heavy-duty vehicles are used; where normal traffic is not affected, it may carry out supervisory sampling inspection of the discharge of atmospheric pollutants and the operation of emission control systems of motor vehicles driving on roads through non-contact road monitoring and other technical means, and the traffic management department of the public security organ shall provide cooperation. For the purposes of this Law, "emission control system" means systems such as pollution control, emission diagnosis and remote emission management terminals installed on motor vehicles, vessels and non-road mobile machinery.

Article 224 — The ecological environment department shall, together with the transport, housing and urban-rural development, agriculture and rural affairs, water administration and other relevant departments, supervise and inspect the discharge of atmospheric pollutants and the operation of emission control systems of in-use non-road mobile machinery; those whose emissions fail to conform shall not be used. The maritime administrative agency and the fisheries and fishery administration department shall, within the scope of their respective duties, supervise and inspect the discharge of atmospheric pollutants and the operation of emission control systems of vessels; those whose emissions fail to conform shall not be used.

Article 225 — Motor vehicle and non-road mobile machinery emission inspection institutions shall pass metrological certification in accordance with the law, use motor vehicle and non-road mobile machinery emission inspection equipment that has passed lawful verification, conduct emission inspection of motor vehicles and non-road mobile machinery in accordance with the specifications formulated by the ecological environment department under the State Council, and connect with the ecological environment department to realize real-time sharing of inspection data. Motor vehicle and non-road mobile machinery emission inspection institutions and their persons in charge shall be responsible for the authenticity, accuracy and completeness of the inspection data. The ecological environment department and the certification and accreditation supervision and management department shall, within the scope of their respective duties, supervise and inspect the emission inspection conducted by motor vehicle and non-road mobile machinery emission inspection institutions.

Article 226 — Enterprises producing or importing motor vehicles and non-road mobile machinery shall disclose to society the emission inspection information, pollution control technology information and relevant maintenance technology information of the motor vehicle models and non-road mobile machinery models they produce or import. Maintenance units for motor vehicles and non-road mobile machinery shall, in accordance with the requirements for the prevention and control of atmospheric pollution and the relevant national technical specifications, repair in-use motor vehicles and non-road mobile machinery so that they conform to the emission standards. The transport, ecological environment and other relevant departments shall, within the scope of their respective duties, strengthen supervision and management in accordance with the law. Owners of motor vehicles, vessels and non-road mobile machinery shall not pass the emission inspection of motor vehicles, vessels and non-road mobile machinery by fraudulent means such as temporary replacement, tampering with, shielding or forging emission control systems. Maintenance units for motor vehicles, vessels and non-road mobile machinery shall not provide such maintenance services. It shall be prohibited to damage, remove, tamper with, shield or forge the emission control systems of motor vehicles, vessels and non-road mobile machinery.

Article 227 — The State shall establish and improve a recall system for motor vehicles and non-road mobile machinery for environmental protection. Where enterprises producing or importing motor vehicles or non-road mobile machinery learn that motor vehicles or non-road mobile machinery do not conform to the standards for the discharge of atmospheric pollutants or discharge atmospheric pollutants unreasonably due to design or production defects, they shall recall them; where they fail to recall them, the market regulation department under the State Council shall, together with the ecological environment department under the State Council, order them to recall them.

Article 228 — Where in-use heavy-duty vehicles, vessels, non-road mobile machinery and the like have not been installed with emission control systems in accordance with the provisions, or their emission control systems do not conform to the requirements and cannot attain the discharge standards, emission control systems conforming to the requirements shall be installed or replaced, or other effective measures shall be taken.

Article 229 — Where in-use motor vehicles, non-road mobile machinery and the like discharge atmospheric pollutants in excess of the standards, they shall be repaired; where after repair or the adoption of pollution control technology their discharge of atmospheric pollutants still fails to conform to the national emission standards, they shall be compulsorily scrapped. Their owners shall sell the motor vehicles, non-road mobile machinery and the like to scrapping, recycling and dismantling enterprises, which shall register, dismantle and destroy them in accordance with the provisions of the State. The State shall encourage and support the early scrapping of motor vehicles, vessels, non-road mobile machinery and the like with high emissions.

Article 230 — The local people's government at or above the county level may, in light of the state of atmospheric environmental quality, delineate and publish areas where the use of high-emission non-road mobile machinery is prohibited.

Article 231 — Vessel inspection institutions shall conduct emission inspection of vessel engines and relevant equipment. Vessels may operate only after passing inspection in conformity with the national emission standards.

Article 232 — Non-road mobile machinery inspection institutions shall conduct emission inspection of in-use non-road mobile machinery. Such machinery may operate only after passing inspection in conformity with the national emission standards.

Article 233 — It shall be prohibited to produce, import or sell devices used to tamper with, shield or forge the emission inspection data of motor vehicles, vessels, non-road mobile machinery and their engines, and inspection equipment that provides conditions for false emission inspection.

Article 234 — Vessels navigating inland rivers and vessels navigating directly between rivers and the sea shall use fuel conforming to the standards. Ocean-going vessels shall use fuel conforming to the requirements for the control of atmospheric pollutants after berthing.

Article 235 — Newly built wharves shall plan, design and construct shore-based power supply facilities in accordance with the provisions; wharves already built shall gradually carry out renovation of shore-based power supply facilities in accordance with the provisions. Vessels that meet the conditions for using shore power shall, in accordance with the provisions of the State, use shore power after berthing, except where clean low-carbon energy is used. Port operators and shore power supply enterprises that have the capacity to supply shore power shall, in accordance with the provisions of the State, provide shore power to vessels that meet the conditions for using shore power.

Article 236 — It shall be prohibited to produce, import or sell fuels and nitrogen oxide reducing agents for motor vehicles, vessels and non-road mobile machinery that do not conform to the standards; it shall be prohibited to sell non-motor-vehicle-and-vessel fuels to motor vehicles, non-road mobile machinery and vessels navigating inland rivers and directly between rivers and the sea; and it shall be prohibited for motor vehicles, non-road mobile machinery and vessels navigating inland rivers and directly between rivers and the sea to use non-motor-vehicle-and-vessel fuels.

Article 237 — The content of toxic and hazardous substances in engine oil, nitrogen oxide reducing agents, fuel and lubricant additives and other additives, and other indicators for the prevention and control of atmospheric pollution shall conform to the requirements of the relevant standards, shall not impair the effectiveness and durability of the emission control systems of motor vehicles, vessels and non-road mobile machinery, and shall not increase the discharge of new atmospheric pollutants.

Article 238 — The State shall actively promote the prevention and control of atmospheric pollution from civil aircraft, and encourage the adoption of effective measures in the process of design, production and use to reduce the discharge of atmospheric pollutants. Civil aircraft shall conform to the requirements concerning engine emissions in the airworthiness standards prescribed by the civil aviation department under the State Council. The discharge of atmospheric pollutants by in-use railway diesel locomotives shall conform to the national emission standards.

Section 4 — Prevention and Control of Fugitive Dust Atmospheric Pollution

Article 239 — The local people's governments at all levels shall strengthen the management of construction and transport, keep roads clean, control the piling of materials and residue, expand green areas, water surfaces, wetlands and ground paving, and prevent and control fugitive dust pollution. The housing and urban-rural development, urban appearance and environmental sanitation, transport, natural resources and other relevant departments shall, in accordance with the duties determined by the people's government at the corresponding level, do a good job in the prevention and control of fugitive dust pollution.

Article 240 — The construction unit shall include the cost of fugitive dust pollution prevention and control in the project cost, and clearly define the responsibility of the construction unit for fugitive dust pollution prevention and control in the construction contract. The construction unit shall formulate a specific implementation plan for the prevention and control of construction fugitive dust pollution. Construction units engaged in housing construction, municipal infrastructure construction, river course regulation and building demolition shall file the plan with the department responsible for the supervision and management of fugitive dust pollution prevention and control for the record. The construction unit shall set up rigid enclosures at the construction site, and adopt effective dust prevention and reduction measures such as covering, staged operation, construction at selected times, water spraying to suppress dust, and flushing of ground and vehicles. Construction waste such as project residue and construction earthwork shall be removed and transported in a timely manner; where they are piled up within the site, they shall be covered with closed dust-proof nets. Construction waste such as project residue shall undergo resource-based treatment. The

construction unit shall publicize at the construction site the information on fugitive dust pollution prevention and control measures, the persons in charge and the supervision and management departments. With respect to construction land that cannot be developed for the time being, the construction unit shall cover the bare ground; where the period exceeds three months, greening, paving or covering shall be carried out.

Article 241 — Vehicles and vessels transporting bulk and fluid materials such as coal, waste, residue, sand and gravel, earthwork and mortar shall adopt sealed or other effective measures to prevent material scattering from causing fugitive dust pollution, and shall travel along the prescribed routes. The loading and unloading of materials shall adopt measures such as sealing or spraying to prevent and control fugitive dust pollution. The local people's governments at or above the county level shall strengthen the management of cleaning and maintenance of roads, squares, parking lots and other public places, promote clean-powered mechanized cleaning and other scientific, reasonable and low-dust operation methods, and prevent and control fugitive dust pollution.

Article 242 — With respect to municipal river courses and the bare ground along river courses and on public land, as well as other bare ground in cities and towns, the relevant departments shall, in accordance with the plans, organize greening or permeable paving.

Article 243 — Materials prone to generating fugitive dust, such as coal, coal gangue, coal slag, coal ash, cement, lime, gypsum, sand and iron ore, shall be stored in a sealed manner; where sealing is not possible, tight enclosures not lower than the height of the piled materials shall be set up, and effective covering measures shall be taken to prevent and control fugitive dust pollution. Wharves, mines, landfill sites and disposal sites shall carry out operations in separate zones and take effective measures to prevent and control fugitive dust pollution.

Section 5 — Prevention and Control of Agricultural and Other Atmospheric Pollution

Article 244 — It shall be prohibited to spray highly toxic and acutely toxic pesticides on trees, flowers and plants in densely populated areas.

Article 245 — The people's governments at all levels and their agriculture and rural affairs departments and other relevant departments shall encourage and support the adoption of advanced and applicable technologies to comprehensively utilize straw, fallen leaves and the like as fertilizer, feed, energy, industrial raw materials and edible fungus substrate, and increase fiscal subsidies for agricultural machinery such as machinery for returning straw to the field and integrated collection. The people's governments at the county level shall organize the establishment and improvement of a service system for the collection, storage, transport, disposal and comprehensive utilization of straw, and adopt measures such as fiscal subsidies to support rural collective economic organizations, specialized farmer cooperatives and enterprises in providing services for the collection, storage, transport, disposal and comprehensive utilization of straw.

Article 246 — The local people's governments at all levels shall, in a scientific and precise manner, strengthen the organization, guidance and management of the burning of straw, fallen leaves and the like. It shall be prohibited to openly burn straw, fallen leaves and other substances that generate smoke and dust pollution in densely populated areas, around airports, near major traffic arteries, and in other areas and time periods delineated by the people's governments at or above the provincial level.

Article 247 — The ecological environment department under the State Council shall, together with the health department under the State Council, formulate and publish a catalogue of toxic and hazardous atmospheric pollutants and update it in a timely manner, based on the degree of hazard and impact of atmospheric pollutants on public health and the ecological environment, and implement risk management. Enterprises and public institutions that discharge the toxic and hazardous atmospheric pollutants listed in the catalogue prescribed in the preceding paragraph shall, in accordance with the provisions of the State, build an environmental risk early-warning system, conduct regular monitoring of discharge outlets and the surrounding environment, assess environmental risks, investigate potential environmental safety hazards,

and take effective measures to prevent environmental risks.

Article 248 — Enterprises, public institutions and other producers and operators that discharge persistent organic pollutants into the atmosphere, and operating units of waste incineration facilities, shall, in accordance with the provisions of the State, adopt technical methods and processes conducive to reducing the discharge of persistent organic pollutants, be equipped with effective purification devices, and realize discharge in conformity with the standards.

Article 249 — In formulating territorial spatial plans and relevant plans, the people's governments at all levels and their relevant departments shall make overall plans, rationally arrange land use and construction layout, and prevent and reduce odor pollution. Enterprises, public institutions and other producers and operators that generate odorous gases in production and operation activities shall select sites in a scientific manner, set reasonable protective distances, and install purification devices or take other effective measures to prevent the discharge of odorous gases.

Article 250 — The local people's governments at all levels shall strengthen guidance on the layout and establishment of the catering service industry, and give reminders of prohibitive site selection requirements in the registration of business entities. Catering service operators that discharge oil fume pollutants shall, in accordance with the provisions, install oil fume purification and other pollution prevention and control facilities and keep them in normal use. It shall be prohibited to newly construct, reconstruct or expand catering service projects that generate oil fumes, odors and waste gases in residential buildings, in commercial and residential comprehensive buildings not equipped with dedicated flues, and on commercial floors adjacent to residential floors within commercial and residential comprehensive buildings. Catering service operators that discharge oil fume pollutants shall take effective measures to discharge pollutants in conformity with the standards and prevent pollution of the normal living environment of nearby residents. No unit or individual may openly barbecue food or provide sites for open barbecue of food in time periods and areas prohibited by the local people's governments.

Article 251 — It shall be prohibited to burn asphalt, linoleum, rubber, plastics, leather, waste and other substances that generate toxic and hazardous smoke and dust and odorous gases in densely populated areas and other areas requiring special protection in accordance with the law. It shall be prohibited to produce, sell or set off fireworks and firecrackers that do not conform to the quality standards. No unit or individual may set off fireworks and firecrackers in time periods and areas prohibited by the people's governments at or above the county level.

Article 252 — The State shall encourage and advocate civilized and green memorial activities. Crematoriums shall install dust removal and other pollution prevention and control facilities and keep them in normal use, so as to prevent impacts on the surrounding environment.

Article 253 — Operators engaged in service activities such as garment dry cleaning and motor vehicle maintenance shall, in accordance with the relevant national standards or requirements, install pollution prevention and control facilities such as odor and waste gas treatment devices and keep them in normal use, so as to prevent impacts on the surrounding environment.

Article 254 — The State shall encourage and support the production and use of substitutes for ozone-depleting substances, and gradually reduce and eventually stop the production and use of ozone-depleting substances. The State shall exercise total quantity control and quota management over the production, use, import and export of ozone-depleting substances, and the specific measures shall be formulated by the State Council.

Chapter V — Joint Prevention and Control of Atmospheric Pollution in Key Regions

Article 255 — The State shall establish and improve a joint prevention and control mechanism for atmospheric pollution in key regions, and make overall plans for and coordinate the work of preventing and controlling atmospheric pollution in key regions. The ecological environment department under the State Council shall, based on the main functional zoning, the state of regional atmospheric environmental quality and the laws of atmospheric pollution transmission and diffusion, delineate key national regions for the prevention and control of atmospheric pollution and submit them to the State Council for approval. The people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key national regions for the prevention and control of atmospheric pollution shall designate the leading local people's government, hold joint meetings on a regular basis, and, in accordance with the requirements of unified planning, unified standards, unified monitoring and unified prevention and control measures, carry out joint prevention and control of atmospheric pollution and implement the target responsibility for atmospheric pollution prevention and control. The ecological environment department under the State Council shall strengthen guidance and supervision. Provinces, autonomous regions and municipalities directly under the Central Government may, with reference to the provisions of the first paragraph of this Article, delineate key regions for the prevention and control of atmospheric pollution within their respective administrative regions.

Article 256 — The ecological environment department under the State Council shall, together with the relevant departments and the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key national regions for the prevention and control of atmospheric pollution, formulate action plans for joint prevention and control of atmospheric pollution in key regions based on the economic and social development and the carrying capacity of the atmospheric environment of the key regions, specify control objectives, optimize regional economic layout, coordinate traffic management, develop clean low-carbon energy, and put forward key prevention and control tasks and measures, so as to promote the improvement of atmospheric environmental quality in the key regions.

Article 257 — The development and reform department under the State Council shall, together with the ecological environment department under the State Council, further raise the requirements for pollution prevention and control and energy consumption in light of the actual industrial development and atmospheric environmental quality of the key national regions for the prevention and control of atmospheric pollution. The people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key national regions for the prevention and control of atmospheric pollution shall implement stricter standards for the discharge of atmospheric pollutants by motor vehicles, unify the inspection methods and emission limits for in-use motor vehicles, and supply qualified vehicle fuel in a supporting manner.

Article 258 — In preparing plans for industrial parks, development zones, regional industries and development that may cause serious pollution to the atmospheric environment of the key national regions for the prevention and control of atmospheric pollution, the planning organs shall consult with the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned or the relevant departments within the key regions. Where the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key national regions for the prevention and control of atmospheric pollution build projects that may have a significant impact on the atmospheric environmental quality of neighboring provinces, autonomous regions and municipalities directly under the Central Government, they shall promptly notify the relevant information and conduct consultation. The opinions from consultation and the status of their adoption shall serve as an important basis for the examination or approval of ecological environment impact statements and ecological environment impact report forms.

Article 259 — Where coal-using projects are newly constructed, reconstructed or expanded within the key national regions for the prevention and control of atmospheric pollution, equal or reduced substitution of coal shall be implemented.

Article 260 — The ecological environment department under the State Council shall organize the establishment and improvement of an information sharing mechanism for atmospheric environmental quality monitoring and atmospheric pollution source monitoring in the key national regions for the prevention and control of atmospheric pollution, and use monitoring, simulation and new technologies such as satellites, aerial survey and remote sensing to analyze the sources of atmospheric pollution and their changing trends in the key regions, and disclose the information to society.

Chapter VI — Response to Heavy Pollution Weather

Article 261 — The State shall establish and improve a monitoring and early-warning system for heavy pollution weather. The ecological environment department under the State Council shall, together with the meteorological department and other relevant departments under the State Council and the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key national regions for the prevention and control of atmospheric pollution, establish and improve a monitoring and early-warning mechanism for heavy pollution weather in key regions and unify the standards for early-warning levels. Where regional heavy pollution weather is likely to occur, timely notification shall be given to the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned within the key regions. The ecological environment department of the local people's government at or above the level of a city divided into districts shall, together with the meteorological department and other relevant departments, establish and improve a monitoring and early-warning mechanism for heavy pollution weather in its administrative region.

Article 262 — The local people's governments at or above the level of a city divided into districts, and the people's governments at the county level where heavy pollution weather is likely to occur, shall formulate response plans for heavy pollution weather, and file them with the ecological environment department of the people's government at the next higher level for the record and publish them.

Article 263 — The ecological environment department of the local people's government at or above the level of a city divided into districts shall, together with the meteorological administrative organ, establish and improve a consultation mechanism and carry out forecasting of atmospheric environmental quality. Where heavy pollution weather is likely to occur, it shall promptly report to the people's government at the corresponding level. The local people's government at or above the level of a city divided into districts shall, based on the forecast information of heavy pollution weather, conduct comprehensive research and judgment, determine the early-warning level and issue early warnings in a timely manner. The early-warning level shall be adjusted in a timely manner according to changes in the situation. No unit or individual may issue forecast or early-warning information on heavy pollution weather without authorization. After the issuance of early-warning information, the people's governments and their relevant departments shall promptly inform the public, through television, radio, the Internet, text messages and other channels, to take health protection measures, and guide public travel and the adjustment of other relevant social activities.

Article 264 — The local people's government at or above the county level shall, based on the early-warning level of heavy pollution weather, promptly initiate the response plan, and may, according to the needs of the response, take response measures such as ordering relevant enterprises to suspend or limit production, restricting the travel of some motor vehicles and the use of non-road mobile machinery, prohibiting the setting off of fireworks and firecrackers, stopping earthwork operations and building demolition at construction sites, stopping open barbecue, stopping outdoor activities organized by kindergartens and schools, and organizing weather modification operations. After the response ends, the people's government shall promptly evaluate the implementation of the response plan and revise and improve the response plan

in a timely manner.

Article 265 — The State shall strengthen performance grading of key industries for heavy pollution weather. The performance grading level shall serve as the basis for adopting differentiated response measures for heavy pollution weather.

Part Three — Prevention and Control of Water Pollution

Chapter VII — General Provisions

Article 266 — This Part shall apply to the prevention and control of pollution of surface water bodies such as rivers, lakes, canals and channels and reservoirs, as well as groundwater bodies.

Article 267 — For the purposes of this Law, “water pollution” means the phenomenon whereby, due to the introduction of a certain substance into a water body, its chemical, physical, biological or radioactive properties are changed, thereby affecting the effective use of water, endangering public health or damaging the ecological environment, and causing deterioration of water quality.

Article 268 — In preventing and controlling water pollution, priority shall be given to the protection of drinking water sources and the safeguarding of drinking water safety, industrial pollution and urban domestic pollution shall be strictly controlled, agricultural non-point source pollution shall be prevented and controlled, the establishment and management of pollutant discharge outlets into rivers shall be strengthened, the construction of ecological treatment projects shall be actively promoted, and the pollution and ecological damage of the water environment shall be prevented, controlled and reduced.

Article 269 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of water pollution nationwide. The river basin ecological environment supervision and management institutions of the ecological environment department under the State Council shall, in accordance with the law, carry out supervision and management work related to the prevention and control of water pollution in river basins. The ecological environment departments of local people’s governments shall exercise unified supervision and management over the prevention and control of water pollution in their respective administrative regions. The maritime administrative agency shall exercise supervision and management over the prevention and control of pollution of waters by vessels. The water administration, natural resources, health, housing and urban-rural development, agriculture and rural affairs, fisheries and fishery administration and other relevant departments of the people’s governments at or above the county level shall exercise supervision and management over the prevention and control of water pollution within the scope of their respective duties.

Article 270 — The prevention and control of water pollution shall be planned in a unified manner by river basin or by region. The ecological environment department under the State Council shall, together with the development and reform and water administration departments and other relevant departments under the State Council, prepare national river basin water ecological environment protection plans, specifying the ecological environment protection requirements for the Yangtze River, Yellow River, Huaihe River, Haihe River, Pearl River, Songhua River, Liaohe River and other river basins, and submit them to the State Council for approval. River basin water ecological environment protection plans for rivers and lakes spanning counties within a province, autonomous region or municipality directly under the Central Government shall be prepared by the ecological environment department of the people’s government at the provincial level, together with the development and reform, water administration and other relevant departments, in accordance with the national river basin water ecological environment protection plans and local actual conditions, and submitted to the people’s government of the province, autonomous region or municipality directly under the Central Government for approval, and filed with the ecological environment department under the State Council for the record. The local people’s governments at or above the county level may, in accordance with the lawfully approved river basin water ecological environment protection plans and actual

needs, organize the preparation of water ecological environment protection plans for their respective administrative regions.

Article 271 — The relevant people's governments of cities divided into districts and counties shall, in accordance with the requirements of the water ecological environment quality improvement objectives determined in the water ecological environment protection plans, formulate plans for attaining the standards within a prescribed period and take effective measures to attain the standards on schedule. The relevant people's governments of cities divided into districts and counties shall file the plans for attaining the standards within a prescribed period with the people's government at the next higher level for the record.

Article 272 — The State shall establish and improve systems for monitoring water ecological environment quality and the discharge of water pollutants. The ecological environment department under the State Council shall, together with the water administration department and other relevant departments under the State Council, organize the monitoring network, uniformly plan the establishment of national water ecological environment quality monitoring stations, establish and improve a monitoring data sharing mechanism, and strengthen the management of water ecological environment monitoring.

Article 273 — The ecological environment department under the State Council and its river basin ecological environment supervision and management institutions shall be responsible for monitoring the state of water ecological environment quality of water bodies at provincial boundaries.

Article 274 — The ecological environment department under the State Council shall, together with the health department under the State Council, formulate and publish a catalogue of toxic and hazardous water pollutants and update it in a timely manner, based on the degree of hazard and impact on public health and the ecological environment, and implement risk management. Enterprises, public institutions and other producers and operators that discharge the toxic and hazardous water pollutants listed in the catalogue prescribed in the preceding paragraph shall monitor discharge outlets and the surrounding environment, assess environmental risks, investigate potential environmental safety hazards, disclose information on toxic and hazardous water pollutants to society, and take effective measures to prevent environmental risks.

Article 275 — The new establishment, modification or expansion of pollutant discharge outlets into rivers shall be reported to and approved by the ecological environment department with jurisdiction or the river basin ecological environment supervision and management institution of the ecological environment department under the State Council in accordance with the provisions. Where the new establishment, modification or expansion of a pollutant discharge outlet into rivers may affect flood control, water supply, dike safety or river regime stability, the opinions of the water administration department of the local people's government or the relevant river basin management institution shall be solicited at the time of examination and approval. The specific measures for the establishment and management of pollutant discharge outlets into rivers shall be formulated by the ecological environment department under the State Council. For the purposes of this Law, "pollutant discharge outlet into rivers" means an outlet that discharges sewage into water bodies such as rivers, lakes, canals and reservoirs directly or through discharge channels such as pipes, ditches and canals.

Article 276 — With respect to water function zones where the water ecological environment quality does not attain the standards, the new establishment, modification or expansion of pollutant discharge outlets into rivers shall be strictly controlled, except for pollutant discharge outlets into rivers of important livelihood projects such as centralized urban and rural sewage treatment facilities.

Article 277 — The local people's governments at or above the county level shall organize the investigation and rectification of pollutant discharge outlets into rivers in their administrative regions, clarify the responsible entities, and implement classified management. The responsible entities of pollutant discharge outlets into rivers shall strengthen source treatment, inspection and maintenance of discharge channels, and the rectification, standardized construction, maintenance and management of pollutant discharge outlets into

rivers.

Article 278 — Where multiple units and individuals share a pollutant discharge outlet into rivers, the responsible entities shall strengthen monitoring of the pollutant discharge outlet into rivers, and carry out surveillance and automatic monitoring in accordance with the provisions.

Article 279 — It shall be prohibited to discharge oils, acid liquids, alkaline liquids or acutely toxic waste liquids into water bodies. It shall be prohibited to clean vehicles and containers that have loaded oils or toxic and hazardous pollutants in water bodies. It shall be prohibited to discharge or dump radioactive solid waste or waste water containing high-level or intermediate-level radioactive substances into water bodies. The discharge of waste water containing low-level radioactive substances into water bodies shall conform to the provisions and standards of the State concerning the prevention and control of radioactive pollution.

Article 280 — Where waste water containing heat is discharged into a water body, effective measures shall be taken to ensure that the water temperature of the water body conforms to the water ecological environment quality standards, so as to avoid harm to rare and endangered aquatic organisms and aquatic resources.

Article 281 — Sewage containing pathogens shall be disinfected and shall not be discharged until it conforms to the relevant national standards.

Article 282 — It shall be prohibited to discharge or dump industrial waste residue, urban waste and other wastes into water bodies. It shall be prohibited to discharge or dump soluble acutely toxic waste residue containing mercury, cadmium, arsenic, chromium, lead, cyanide, yellow phosphorus and the like into water bodies or bury it directly underground. Places for storing soluble acutely toxic waste residue shall take measures of waterproofing, anti-seepage and anti-loss.

Article 283 — The local people's governments at all levels shall organize the investigation and treatment of black and odorous water bodies in their administrative regions, establish and improve a long-term mechanism, formulate and publish a list of black and odorous water bodies, scientifically formulate treatment plans for black and odorous water bodies, systematically promote the rectification of black and odorous water bodies, and prevent water bodies from becoming black and odorous again.

Article 284 — The people's governments at or above the county level shall organize the water administration, natural resources, ecological environment and other relevant departments to carry out investigation and assessment of groundwater conditions, including investigation and assessment of groundwater resources, investigation and assessment of groundwater pollution, and hydrogeological exploration and assessment. The conclusions of investigation and assessment of groundwater conditions are an important basis for preparing plans for groundwater protection, utilization and pollution prevention and control and for groundwater management, and shall be disclosed to society in accordance with the law.

Article 285 — The ecological environment department under the State Council shall, together with the water administration and natural resources departments and other relevant departments under the State Council, guide the delineation of key zones for the prevention and control of groundwater pollution nationwide. The ecological environment department of the people's government at the provincial level shall, together with the water administration, natural resources and other relevant departments, delineate key zones for the prevention and control of groundwater pollution in light of the needs of preventing and controlling groundwater pollution in its administrative region, and specify management requirements such as environmental access, investigation of potential hazards and risk control.

Article 286 — Within spring protection areas and areas with strongly developed karst and with numerous sinkholes and karst funnels, no construction projects that may cause groundwater pollution shall be newly constructed, reconstructed or expanded.

Article 287 — The operation and management units of chemical industry parks and chemical projects, mining areas, tailings ponds, hazardous waste disposal sites and waste landfill sites shall take measures such as anti-seepage, and construct groundwater quality monitoring wells for monitoring, so as to prevent groundwater pollution. Underground oil tanks of filling stations and oil production plants shall use double-layer tanks or adopt other effective measures such as the construction of anti-seepage pools, and carry out anti-seepage monitoring, so as to prevent groundwater pollution. It shall be prohibited to use ditches, pits and ponds without anti-seepage measures to transport or store waste water containing toxic and hazardous pollutants, sewage containing pathogens and other wastes.

Article 288 — In the extraction and recharge of groundwater in multi-layer aquifers, cross-layer pollution shall be prevented. Where the water quality of aquifers of multi-layer groundwater differs greatly, extraction shall be conducted by layer; polluted phreatic water and confined water shall not be extracted in a mixed manner.

Article 289 — Where underground engineering facilities are constructed or underground exploration, mining and other activities are carried out, protective measures shall be taken to prevent groundwater pollution. Abandoned mines, wells or water intake wells shall be sealed or backfilled.

Article 290 — Artificial recharge of groundwater shall conform to the relevant water quality standards and shall not deteriorate groundwater quality.

Article 291 — Enterprises and public institutions that may have water pollution accidents shall formulate emergency plans for water pollution accidents, make emergency preparations, and conduct regular drills. Enterprises and public institutions that produce or store hazardous chemicals shall take measures such as blocking, enclosure and transfer to prevent fire-fighting waste generated in the process of handling production safety accidents that may seriously pollute water bodies from being directly discharged into water bodies.

Article 292 — Where an enterprise or public institution has an accident or other sudden event that causes or may cause a water pollution accident, it shall immediately initiate its emergency plan, take emergency measures such as isolation to prevent water pollutants from entering water bodies, and report to the local people's government at or above the county level or the ecological environment department at the place where the accident occurred. After receiving the report, the ecological environment department shall promptly report to the people's government at the corresponding level and send copies to the water administration, emergency management and other relevant departments. Where a fishery pollution accident is caused or a fishery vessel causes a water pollution accident, it shall report to the fisheries and fishery administration department at the place where the accident occurred and accept investigation and handling. Where other vessels cause water pollution accidents, they shall report to the maritime administrative agency at the place where the accident occurred and accept investigation and handling; where damage is caused to fisheries, the maritime administrative agency shall notify the fisheries and fishery administration department to participate in the investigation and handling.

Article 293 — The people's governments of cities divided into districts and counties shall organize the formulation of emergency plans for sudden events endangering drinking water safety. Drinking water supply units shall, in accordance with the local emergency plans for sudden events endangering drinking water safety, formulate corresponding emergency plans for sudden events, file them with the people's government of the city divided into districts or county where they are located for the record, and conduct regular drills. Where a water pollution accident occurs at a drinking water source, or another sudden event occurs that may affect drinking water safety, the drinking water supply unit shall take emergency treatment measures, report to the people's government of the city divided into districts or county where it is located, and disclose the information to society. The relevant people's governments shall promptly initiate emergency plans in light of the actual situation and take effective measures to safeguard the safety of water supply.

Article 294 — The State shall promote performance grading of sewage treatment and discharge levels of enterprises in key industries.

Article 295 — The people's governments at all levels shall strengthen the prevention and control of water pollution and arrange necessary funds for the following matters: (1) scientific and technological research and development, demonstration projects and programs for the prevention and control of water pollution; (2) activities organized and implemented by the people's governments at all levels and their relevant departments, such as investigation and assessment of the state of the water ecological environment, treatment of river basin water pollution, protection of centralized drinking water source areas, construction and maintenance of urban sewage treatment pipe networks, investigation and rectification of pollutant discharge outlets into rivers, rectification of black and odorous water bodies, groundwater ecological environment protection, and capacity building for supervision and management of water pollution prevention and control; (3) emergency response by the people's governments at all levels and their relevant departments to water pollution accidents; and (4) other matters prescribed by the people's governments at all levels involving the prevention and control of water pollution.

Article 296 — This Part shall not apply to the prevention and control of marine pollution.

Chapter VIII — Measures for the Prevention and Control of Water Pollution

Section 1 — Prevention and Control of Industrial Water Pollution

Article 297 — The relevant departments under the State Council and the local people's governments at or above the county level shall rationally plan industrial layout, require enterprises that cause water pollution to carry out technical transformation, adopt comprehensive prevention and control measures, raise the rate of reuse of water, and reduce the discharge of waste water and pollutants.

Article 298 — Enterprises that discharge industrial waste water shall take effective measures to collect and treat all waste water generated, so as to prevent environmental pollution. Industrial waste water containing toxic and hazardous water pollutants shall be collected and treated by category, leakage and loss shall be prevented, and it shall not be discharged after dilution. Industrial parks and other areas shall construct corresponding centralized sewage treatment facilities as supporting facilities, install automatic monitoring equipment in accordance with the provisions, connect with the monitoring equipment of the ecological environment department, and ensure the normal operation of the monitoring equipment. Where industrial waste water is discharged into centralized sewage treatment facilities, it shall be pretreated in accordance with the provisions of the State and may be discharged only after it meets the requirements of the treatment process of the centralized treatment facilities.

Article 299 — It shall be prohibited to construct production projects for small-scale papermaking, leather making, printing and dyeing, dyes, coking, sulfur refining, arsenic refining, mercury refining, oil refining, electroplating, pesticides, asbestos, cement, glass, iron and steel, thermal power and other projects that seriously pollute the water environment and do not conform to the national industrial policy.

Article 300 — Enterprises shall adopt clean processes with high efficiency in the utilization of raw materials and low pollutant discharge, strengthen management, and reduce the generation of water pollutants.

Section 2 — Prevention and Control of Urban Water Pollution

Article 301 — Urban sewage shall be centrally treated. The local people's governments at or above the county level shall raise funds through fiscal budgets and other channels, make overall arrangements for the construction of centralized urban sewage treatment facilities and supporting pipe networks and facilities for the harmless treatment and disposal of sludge, promote the separation of rainwater and sewage in light of local conditions, and raise the collection rate and treatment rate of urban sewage in their administrative regions.

Article 302 — The housing and urban-rural development department under the State Council shall, together with the development and reform department and the ecological environment department under the State Council, organize the preparation of nationwide plans related to the construction of urban sewage treatment facilities in accordance with territorial spatial plans and water ecological environment protection plans. The local people's governments at or above the county level shall organize the housing and urban-rural development, development and reform, ecological environment, water administration and other relevant departments to prepare plans related to the construction of urban sewage treatment facilities in their administrative regions in accordance with the law. The housing and urban-rural development department of the local people's government at or above the county level shall, in accordance with the plans related to the construction of urban sewage treatment facilities, organize the construction of centralized urban sewage treatment facilities and supporting pipe networks and facilities for the harmless treatment and disposal of sludge, and strengthen supervision and management. The operating units of centralized urban sewage treatment facilities shall, in accordance with the provisions of the State, provide paid sewage treatment services to pollutant dischargers, collect sewage treatment fees, and ensure the normal operation of the centralized sewage treatment facilities. The sewage treatment fees collected shall be used for the construction, operation and maintenance of centralized urban sewage treatment facilities and the harmless treatment and disposal of sludge, as well as other related matters prescribed by the State Council, and shall not be diverted to other uses. The specific measures for the collection, management and use of sewage treatment fees for centralized urban sewage treatment facilities shall be formulated by the State Council.

Article 303 — The discharge of water pollutants into centralized urban sewage treatment facilities shall conform to the water pollutant discharge standards. The operating units of centralized urban sewage treatment facilities shall be responsible for the quality of the effluent of the centralized urban sewage treatment facilities. The ecological environment department shall supervise and inspect the quality and quantity of the effluent of the centralized urban sewage treatment facilities.

Article 304 — The operating units of centralized urban sewage treatment facilities and the units for the harmless treatment and disposal of sludge shall treat and dispose of sludge in a harmless manner, ensure that the sludge after treatment and disposal conforms to the national standards, and track and record the flow direction, use and quantity of sludge, and report to the urban drainage department and the ecological environment department.

Section 3 — Prevention and Control of Agricultural and Rural Water Pollution

Article 305 — The State shall support the construction of rural sewage and waste treatment facilities, and promote rural sewage and waste treatment and toilet renovation in light of local conditions. The local people's governments at all levels shall make overall plans for and construct rural sewage and waste treatment facilities, and ensure their normal operation.

Article 306 — In formulating quality standards and use standards for products such as pesticides and fertilizers, the requirements for water ecological environment protection shall be adapted to.

Article 307 — The transport and storage of pesticides and the disposal of expired and ineffective pesticides shall be strengthened in management so as to prevent water pollution.

Article 308 — The agriculture and rural affairs departments and other relevant departments of the local people's governments at or above the county level shall, within the scope of their respective duties, promote high-efficiency, low-toxicity and low-residue pesticides and the technology of formula fertilization by soil testing, control the excessive use of pesticides and chemical fertilizers, and prevent water pollution.

Article 309 — The State shall support livestock and poultry farms in building facilities for the comprehensive utilization or harmless treatment of livestock and poultry manure and sewage. Livestock and poultry farms shall ensure the normal operation of their facilities for the comprehensive utilization or harmless treatment of livestock and poultry manure and sewage, ensure that manure and sewage are discharged in conformity

with the standards, and prevent pollution of the water environment. The people's governments at the county and township levels in areas with intensive free-range livestock and poultry breeding shall organize the household-by-household collection and centralized treatment and utilization of livestock and poultry manure and sewage. The people's governments at the county level shall organize the determination of areas with intensive free-range livestock and poultry breeding in their administrative regions.

Article 310 — Those engaged in aquaculture shall protect the ecological environment of waters, and the discharge of pollutants such as aquaculture tail water shall conform to the pollutant discharge standards, so as to prevent pollution of the water environment. Units and other producers and operators engaged in industrialized aquaculture and concentrated contiguous aquaculture with unified discharge outlets shall, in accordance with the provisions, carry out self-monitoring of aquaculture tail water.

Article 311 — Water used for farmland irrigation shall conform to the corresponding water quality standards, so as to prevent pollution of soil, groundwater and agricultural products. It shall be prohibited to discharge industrial waste water or medical sewage into farmland irrigation channels. Where urban sewage, livestock and poultry manure and sewage that has not been comprehensively utilized, aquaculture tail water or agricultural product processing waste water is discharged into farmland irrigation channels, it shall be ensured that the water quality at the nearest downstream irrigation water intake point conforms to the water quality standards for farmland irrigation water.

Section 4 — Prevention and Control of Water Pollution from Vessels

Article 312 — Vessels discharging oily sewage and domestic sewage shall conform to the standards for the discharge of pollutants by vessels. Vessels engaged in marine shipping that enter inland rivers and ports shall comply with the standards for the discharge of pollutants by vessels for inland rivers. Residual oil and waste oil of vessels shall be recovered and shall not be discharged into water bodies. It shall be prohibited to dump vessel waste into water bodies. Vessels loading and transporting oils and toxic and hazardous cargo shall take measures to prevent overflow and leakage, so as to prevent cargo from falling into the water and causing water pollution.

Article 313 — International-route vessels entering the inland waters of the People's Republic of China that discharge ballast water shall use ballast water treatment devices or adopt other equivalent measures to carry out treatment such as inactivation of ballast water. It shall be prohibited to discharge vessel ballast water that does not conform to the provisions.

Article 314 — Vessels shall, in accordance with the provisions of the State, be equipped with corresponding anti-pollution equipment and materials, and hold lawful and valid certificates and documents for the prevention and control of pollution of the water environment. Vessels carrying out discharges and operations involving pollutants and ballast water shall strictly abide by the operating procedures, carry out monitoring and surveillance in accordance with the provisions, and truthfully record and preserve the same.

Article 315 — The local people's governments at or above the county level where ports, wharves, loading and unloading stations and vessel repair and building yards are located shall make overall plans for and construct facilities for the reception, transfer and treatment and disposal of vessel pollutants and wastes, and establish and improve a corresponding multi-department joint supervision and management system for reception, transfer and treatment and disposal. Ports, wharves, loading and unloading stations and vessel repair and building yards shall be equipped with sufficient reception facilities for vessel pollutants and wastes. Units engaged in the reception of vessel pollutants and wastes, or in the cleaning of holds of vessels loaded with oils or pollution-hazardous cargo, shall have reception and treatment capacity commensurate with their operation scale.

Article 316 — Vessels and relevant operating units engaged in operation activities with pollution risks shall abide by the laws, regulations, standards and the provisions of the relevant departments under the State Council, and take effective measures to prevent water pollution. The maritime administrative agency and the

fisheries and fishery administration department shall, within the scope of their respective duties, strengthen supervision and management of vessels and relevant operation activities. Where bulk liquid pollution-hazardous cargo is transported by vessels, the laws, administrative regulations and the provisions of the transport department under the State Council concerning the prevention and control of pollution by vessels shall be complied with. Where vessels carry out lightering operations of bulk liquid pollution-hazardous cargo, they shall prepare operation plans, take effective safety and pollution prevention and control measures, and report to the maritime administrative agency at the place of operation for approval. It shall be prohibited to carry out vessel dismantling operations by beaching.

Chapter IX — Protection of Drinking Water Sources and Other Special Water Bodies

Article 317 — The State shall establish and improve a system of protection zones for drinking water sources. Protection zones for drinking water sources shall be divided into first-grade protection zones and second-grade protection zones; where necessary, a certain area may be delineated on the periphery of a protection zone for a drinking water source as a quasi-protection zone. The delineation of protection zones for drinking water sources shall be proposed by the relevant people's governments of cities and counties and submitted to the people's government of the province, autonomous region or municipality directly under the Central Government for approval. The delineation of protection zones for drinking water sources spanning cities and counties shall be proposed by the relevant people's governments of cities and counties through consultation and submitted to the people's government of the province, autonomous region or municipality directly under the Central Government for approval; where consultation fails, the ecological environment department of the people's government at the provincial level shall, together with the water administration, natural resources, housing and urban-rural development, disease prevention and control and other relevant departments, propose a delineation plan and, after soliciting the opinions of the relevant departments, submit it to the people's government of the province, autonomous region or municipality directly under the Central Government for approval. Protection zones for drinking water sources spanning provinces, autonomous regions and municipalities directly under the Central Government shall be delineated by the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned in consultation with the river basin ecological environment supervision and management institution of the ecological environment department under the State Council and the river basin management institution of the water administration department under the State Council; where consultation fails, the ecological environment department under the State Council shall, together with the water administration, natural resources, housing and urban-rural development, disease prevention and control and other relevant departments under the State Council, propose a delineation plan and, after soliciting the opinions of the relevant departments under the State Council, submit it to the State Council for approval. The people's governments at or above the provincial level may, according to the needs of protecting drinking water sources, adjust the scope of protection zones for drinking water sources to ensure drinking water safety. The relevant local people's governments shall set up clear geographical boundary markers and conspicuous warning signs at the boundaries of protection zones for drinking water sources.

Article 318 — Within protection zones for drinking water sources, the establishment of discharge outlets shall be prohibited.

Article 319 — It shall be prohibited to newly construct, reconstruct or expand construction projects unrelated to water supply facilities and the protection of water sources within first-grade protection zones for drinking water sources; construction projects already built that are unrelated to water supply facilities and the protection of water sources shall be ordered by the people's governments at or above the county level to be dismantled or closed. It shall be prohibited to engage in cage aquaculture, tourism, swimming, fishing or other activities that may pollute drinking water bodies within first-grade protection zones for drinking water sources.

Article 320 — It shall be prohibited to newly construct, reconstruct or expand pollutant-discharging construction projects within second-grade protection zones for drinking water sources; pollutant-discharging construction projects already built shall be ordered by the people's governments at or above the county level to be dismantled or closed. Those engaged in cage aquaculture, tourism and other activities within second-grade protection zones for drinking water sources shall, in accordance with the provisions, take effective measures to prevent pollution of drinking water bodies.

Article 321 — It shall be prohibited to newly construct or expand construction projects that seriously pollute water bodies within quasi-protection zones for drinking water sources; the reconstruction of construction projects shall not increase the quantity of pollutants discharged.

Article 322 — The local people's governments at or above the county level shall, according to the needs of protecting drinking water sources, adopt engineering measures or construct ecological protection measures such as wetlands and water conservation forests within quasi-protection zones, so as to prevent water pollutants from being directly discharged into drinking water bodies and ensure drinking water safety.

Article 323 — The local people's governments at or above the county level shall organize the ecological environment and other relevant departments to investigate and assess the state of the ecological environment and pollution risks of protection zones for drinking water sources, recharge areas of groundwater-type drinking water sources and surrounding areas of water supply units, screen possible pollution risk factors, and take corresponding risk prevention measures. Where a drinking water source is polluted and may threaten the safety of water supply, the ecological environment department shall order the relevant enterprises, public institutions and other producers and operators to take measures such as stopping the discharge of water pollutants, and notify the drinking water supply units and the water supply, health, water administration and other relevant departments; where the pollution spans administrative regions, it shall also notify the relevant local people's governments.

Article 324 — The people's governments of cities supplied by a single water source shall construct emergency water sources or backup water sources, and regions where conditions permit may carry out regional networked water supply. The local people's governments at or above the county level shall rationally arrange and lay out rural drinking water sources, and regions where conditions permit may develop large-scale centralized water supply by extending urban water supply pipe networks or constructing cross-village or cross-township contiguous centralized water supply projects.

Article 325 — Drinking water supply units shall do a good job in testing the water quality of water intake outlets and water discharge outlets. Where it is discovered that the water quality of a water intake outlet does not conform to the water quality standards for drinking water sources or that the water quality of a water discharge outlet does not conform to the sanitary standards for drinking water, corresponding measures shall be taken in a timely manner and reported to the water supply department of the people's government of the city divided into districts or county where the unit is located. After receiving the report, the water supply department shall notify the ecological environment, health, water administration and other relevant departments. Drinking water supply units shall be responsible for the quality of the supplied water, ensure the safe and reliable operation of water supply facilities, and ensure that the quality of the supplied water conforms to the relevant national standards.

Article 326 — The local people's governments at or above the county level shall organize the relevant departments to monitor and assess the state of drinking water safety in their administrative regions, including the water quality of drinking water sources, water supplied by water supply units and water from users' taps. The local people's governments at or above the county level shall organize the relevant departments to disclose information on the state of drinking water safety to society at least once every quarter.

Article 327 — The people's governments at or above the provincial level may, according to the needs of water ecological environment protection, prescribe that measures such as prohibiting or restricting the use of

phosphorus-containing detergents, pesticides and chemical fertilizers, and restricting planting and breeding, be adopted within protection zones for drinking water sources.

Article 328 — The people's governments at or above the county level may delineate protection zones for water bodies in nature reserves, important fishery water bodies and other water bodies of special economic and cultural value, and take effective measures to ensure that the water quality of the protection zones conforms to the water ecological environment quality standards for the prescribed uses.

Article 329 — Within protection zones for water bodies in nature reserves, important fishery water bodies and other water bodies of special economic and cultural value, the establishment of new discharge outlets shall be prohibited, except as otherwise provided by laws and administrative regulations. Where new discharge outlets are established near protection zones, scientific demonstration shall be conducted, water pollution prevention and control plans shall be formulated, and effective measures shall be taken to ensure that the water bodies in the protection zones are not polluted.

Chapter X — Prevention and Control of Water Pollution in Key River Basins

Article 330 — The State shall strengthen the comprehensive treatment, systematic treatment and source treatment of water pollution in key river basins, and promote the comprehensive rectification of key rivers and lakes. The ecological environment department and other relevant departments under the State Council and the local people's governments at all levels in key river basins shall take effective measures to increase the intensity of prevention and control of water pollution in key river basins, and prevent, control and reduce water environmental pollution.

Article 331 — The ecological environment department under the State Council shall, together with the water administration department and other relevant departments under the State Council and the people's governments of the provinces, autonomous regions and municipalities directly under the Central Government concerned, establish and improve a joint coordination mechanism for the protection of the water ecological environment of important rivers and lakes by river basin.

Article 332 — With respect to characteristic industries and peculiar pollutants for which there are no national water pollutant discharge standards, as well as specific water pollution sources or water pollutants for which the State has clear requirements, the people's governments of provinces, autonomous regions and municipalities directly under the Central Government in key river basins shall formulate supplementary local water pollutant discharge standards and file them with the ecological environment department under the State Council for the record. Under any of the following circumstances, the people's governments of provinces, autonomous regions and municipalities directly under the Central Government in key river basins shall formulate local water pollutant discharge standards stricter than the national water pollutant discharge standards and file them with the ecological environment department under the State Council for the record: (1) industries are concentrated and water environmental pollution problems are prominent; (2) the existing water pollutant discharge standards cannot meet the requirements of the water ecological environment quality of the key river basins; or (3) the water ecological environment situation of a river basin or region is complex and uniform water pollutant discharge standards cannot be applied.

Article 333 — The industrial structure and layout of key river basins shall be adapted to the carrying capacity of their ecological environment. It shall be prohibited to transfer heavily polluting enterprises and projects to the middle and upper reaches of key river basins.

Part Four — Prevention and Control of Marine Pollution

Chapter XI — General Provisions

Article 334 — This Part shall apply to the prevention and control of marine pollution.

Article 335 — For the purposes of this Law, “marine pollution” means the phenomenon whereby substances or energy are introduced directly or indirectly into the sea, causing damage to marine biological resources, endangering human health, hindering fishing and other lawful activities at sea, impairing the quality of seawater for use, and degrading the quality of the ecological environment.

Article 336 — The ecological environment department under the State Council shall be responsible for the work nationwide of preventing and controlling the pollution and damage to the marine environment caused by land-based pollutants, coastal engineering and marine engineering construction projects, and the dumping of wastes into the sea. The transport department under the State Council shall be responsible for the supervision and management of the pollution of the marine environment by non-military vessels in the waters of the port areas under its jurisdiction and by non-fishing and non-military vessels outside the waters of port areas, and for organizing, coordinating and directing the emergency response to major oil spills at sea. The maritime administrative agency shall be specifically responsible for the supervision and management of the pollution of the marine environment by the relevant vessels in the aforesaid waters, and for the investigation and handling of pollution accidents; it shall board and inspect foreign vessels that have caused pollution accidents while navigating, berthing or operating in the sea areas under the jurisdiction of the People’s Republic of China. Where a vessel pollution accident causes damage to fisheries, the fisheries and fishery administration department shall be invited to participate in the investigation and handling. The fisheries and fishery administration department under the State Council shall be responsible for the supervision and management of the pollution of the marine environment by non-military vessels in the waters of fishing ports and by fishing vessels outside the waters of fishing ports, and for investigating and handling fishery pollution accidents other than the pollution accidents prescribed in the preceding paragraph. The ecological environment protection department of the military shall be responsible for the supervision and management of the pollution of the marine environment by military vessels and the investigation and handling of pollution accidents.

Article 337 — Major cross-department marine pollution prevention and control work shall be coordinated by the ecological environment department under the State Council; where coordination fails to resolve the matter, the State Council shall make a decision.

Article 338 — The ecological environment department under the State Council shall, together with the relevant departments and institutions and the people’s governments of the coastal provinces, autonomous regions and municipalities directly under the Central Government, prepare a national marine ecological environment protection plan and implement it after approval by the State Council. The coastal local people’s governments at all levels shall, in accordance with the national marine ecological environment protection plan, organize and implement the marine ecological environment protection work in the sea areas under their management.

Article 339 — The ecological environment department under the State Council shall be responsible for marine ecological environment monitoring, organize and implement monitoring of marine ecological environment quality, uniformly issue national bulletins on the state of the marine ecological environment, and regularly organize investigation and assessment of the state of marine ecological environment quality.

Article 340 — The relevant departments under the State Council and the coast guard institutions shall provide the ecological environment department under the State Council with materials necessary for the preparation of national bulletins on the state of the marine ecological environment, such as monitoring, investigation and surveillance of sea-entry estuaries and the marine ecological environment. The ecological environment department shall provide the relevant departments and coast guard institutions with materials related to the supervision and management of the marine ecological environment. For the purposes of this Law, “sea-entry estuary” means the section where the terminal of a river meets the receiving water body (the sea).

Article 341 — The State shall strengthen monitoring of the marine radiation environment, and the ecological environment department under the State Council shall be responsible for formulating and organizing the implementation of emergency monitoring plans for the marine radiation environment.

Article 342 — Enterprises, public institutions and other producers and operators shall give priority to the use of clean low-carbon energy and adopt clean production processes with high resource utilization efficiency and low pollutant discharge, so as to prevent pollution of the marine environment.

Article 343 — The coastal people's governments at or above the county level shall, in light of local conditions and in accordance with the law, prepare and organize the implementation of plans for aquaculture waters and tidal flats, determine the waters and tidal flats that may be used for aquaculture, scientifically delineate restricted aquaculture zones and aquaculture zones for mariculture, and establish a mechanism for the clearing and withdrawal of mariculture in prohibited aquaculture zones. Those engaged in mariculture shall protect the ecological environment of the sea areas, promptly and standardly collect and dispose of solid waste, and prevent damage to the marine ecological environment. The discharge of pollutants such as aquaculture tail water into the sea shall conform to the pollutant discharge standards. The people's governments of coastal provinces, autonomous regions and municipalities directly under the Central Government shall formulate local standards related to the discharge of mariculture pollutants and strengthen supervision and management of the prevention and control of aquaculture tail water pollution. Units and other producers and operators engaged in industrialized aquaculture and concentrated contiguous aquaculture with unified discharge outlets shall, in accordance with the provisions, carry out self-monitoring of aquaculture tail water. It shall be prohibited to newly add or expand the scale of mariculture with feeding, fertilization or fodder in offshore sea areas where the concentrations of nitrogen and phosphorus seriously exceed the standards.

Article 344 — Where, due to an accident or other sudden event, an event causing or likely to cause pollution of or ecological damage to the marine environment occurs, the relevant units and individuals shall immediately take effective measures to remove or mitigate the harm, promptly notify those who may be endangered, and report to the departments and institutions responsible for the supervision and management of marine ecological environment protection, and accept investigation and handling. Where the ecological environment of the offshore sea areas in their administrative regions is seriously damaged, the coastal people's governments at or above the county level shall take effective measures to remove or mitigate the harm.

Article 345 — The State shall, according to the needs of preventing pollution of the marine environment, formulate national emergency plans for major marine pollution incidents, establish and improve emergency mechanisms such as those for offshore oil spill pollution, and guarantee the necessary funds for response work. The State shall establish and improve a system of inter-ministerial joint meetings for the emergency response to major offshore oil spills. The transport department under the State Council shall take the lead in organizing the formulation and implementation of national emergency response plans for major offshore oil spills. The ecological environment department under the State Council shall be responsible for formulating and organizing the implementation of national emergency plans for offshore oil spill pollution incidents in offshore petroleum exploration and development. The national maritime administrative agency shall be responsible for formulating national emergency plans for major offshore oil spill pollution incidents caused by vessels, and filing them with the ecological environment department and the emergency management department under the State Council for the record. The coastal people's governments at or above the county level and their relevant departments shall formulate relevant emergency plans and, when marine pollution incidents occur, promptly initiate the emergency plans and take effective measures to remove or mitigate the harm. Units that may have marine pollution incidents shall, in accordance with the provisions, formulate their own emergency plans, be equipped with emergency equipment and materials, and regularly organize emergency drills; the emergency plans shall be filed with the departments and institutions responsible for the

supervision and management of marine ecological environment protection for the record.

Article 346 — The departments and institutions responsible for the supervision and management of marine ecological environment protection shall have the authority to supervise and inspect units and individuals engaged in activities affecting the marine ecological environment, and may carry out joint law enforcement at sea; where unlawful acts are discovered in the course of patrol and surveillance, they shall be stopped and investigation and evidence collection shall be conducted in accordance with the law, and where necessary effective measures shall be taken to prevent the situation from expanding, and the relevant departments and institutions shall be reported to for handling.

Chapter XII — Prevention and Control of Marine Pollution from Land-Based Pollutants

Article 347 — The discharge of land-based pollutants into sea areas shall strictly comply with the relevant provisions and standards. For the purposes of this Law, “land source”, short for land-based pollution source, means sites and facilities that discharge pollutants from land into sea areas and cause or may cause marine environmental pollution. For the purposes of this Law, “land-based pollutants” means pollutants discharged from land-based pollution sources.

Article 348 — The selection of the location of sea-entry discharge outlets shall conform to the requirements of territorial spatial use control and, based on the hydrodynamic conditions of seawater and the relevant provisions, shall be filed with the ecological environment department of the people’s government at or above the level of a city divided into districts for the record after scientific demonstration. The responsible entities of sea-entry discharge outlets shall strengthen monitoring of sea-entry discharge outlets, and carry out surveillance and automatic monitoring in accordance with the provisions. The ecological environment department shall, within fifteen working days after completing the filing, notify the natural resources, maritime affairs, fisheries and fishery administration and other relevant departments, as well as the coast guard institutions and the ecological environment protection department of the military, of the establishment of the sea-entry discharge outlet. The coastal people’s governments at or above the county level shall, according to the categories and responsible entities of sea-entry discharge outlets, organize the relevant departments to carry out investigation, rectification and routine supervision and management of various sea-entry discharge outlets in their administrative regions, and establish and improve a full-chain treatment system for offshore sea areas, sea-entry discharge outlets, discharge pipelines and pollution sources. The ecological environment department under the State Council shall be responsible for formulating the specific measures for the establishment and management of sea-entry discharge outlets, formulating technical specifications for sea-entry discharge outlets, organizing the construction of a unified information platform for sea-entry discharge outlets, and strengthening dynamic updating, information sharing and disclosure. For the purposes of this Law, “sea-entry discharge outlet” means an outlet on the seaward side of the coastline that discharges sewage into the sea directly or through discharge channels such as pipes, ditches and canals, including industrial discharge outlets, discharge outlets of centralized urban sewage treatment facilities, agricultural discharge outlets and other types of discharge outlets.

Article 349 — Within nature reserves, important fishery waters, seawater bathing beaches, ecological protection red-line areas and other areas requiring special protection, the establishment of new industrial discharge outlets and discharge outlets of centralized urban sewage treatment facilities shall be prohibited, except as otherwise provided by laws and administrative regulations. In areas where conditions permit, sea-entry discharge outlets shall be set at deep water and offshore discharge shall be implemented.

Article 350 — Where pollutants are discharged into the sea through open ditches and canals, water ecological environment quality management shall be implemented over the open ditches and canals in accordance with the relevant provisions and standards.

Article 351 — The relevant departments under the State Council and the people's governments at or above the county level and their relevant departments shall, in accordance with the principle of river-sea linkage and the provisions of laws and administrative regulations concerning the prevention and control of water pollution, strengthen the management of sea-entry rivers, and coordinate the promotion of prevention and control of pollution of sea-entry rivers, so that the water quality of sea-entry estuaries conforms to the ecological environment quality requirements for sea-entry estuaries. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government in the river basins of sea-entry rivers shall, in accordance with the provisions of the State, strengthen the control of the discharge of total nitrogen and total phosphorus into the sea, and formulate and organize the implementation of control plans.

Article 352 — It shall be prohibited to discharge oils, acid liquids, alkaline liquids or acutely toxic waste liquids into sea areas. It shall be prohibited to discharge radioactive waste water that pollutes the marine environment and damages marine ecology into sea areas. The discharge into sea areas of waste water containing organic matter that is difficult to degrade and heavy metals shall be strictly controlled.

Article 353 — Medical sewage, domestic sewage and industrial waste water containing pathogens shall be treated and may be discharged into sea areas only after conforming to the relevant discharge standards.

Article 354 — The discharge of industrial waste water and domestic sewage containing organic matter and nutrients into bays, semi-enclosed seas and other sea areas with poor self-purification capacity shall be strictly controlled.

Article 355 — Where waste water containing heat is discharged into sea areas, effective measures shall be taken to ensure that the water temperature of adjacent nature reserves and fishery waters conforms to the marine ecological environment quality standards, so as to avoid harm to rare and endangered marine organisms and marine aquatic resources.

Article 356 — The coastal local people's governments at all levels shall strengthen the prevention and control of agricultural non-point source pollution. The application of chemical pesticides on coastal farmland and forest farms shall comply with the provisions and standards of the State on the safe use of pesticides. Chemical fertilizers and plant growth regulators shall be rationally used on coastal farmland and forest farms.

Article 357 — The discarding, piling and treatment of tailings, slag, coal ash, waste and other solid waste in coastal land areas shall be carried out in accordance with the provisions of the law, and effective measures shall be taken to prevent solid waste from entering the sea. It shall be prohibited to discard, pile or treat solid waste on beaches and shores, except as otherwise provided by laws and administrative regulations. For the purposes of this Law, "coastal land area" means the belt of area connected to the coast, or which discharges pollutants and carries out related activities into the sea directly or indirectly through pipes, ditches, canals and facilities.

Article 358 — The coastal people's governments at or above the county level shall be responsible for the prevention and control of marine waste pollution in the sea areas under their management, establish and improve systems for the monitoring and cleaning of marine waste, make overall plans for and construct onshore facilities for the reception, transfer and treatment of marine waste, specify the marine waste control areas of the relevant departments, townships, subdistricts, enterprises and public institutions, establish and organize the implementation of a system for the monitoring, interception, collection, salvage, transport and treatment of marine waste, and take effective measures to encourage and support public participation in the aforesaid activities. The ecological environment, housing and urban-rural development, development and reform and other relevant departments under the State Council shall, within the scope of their respective duties, strengthen supervision, guidance and guarantee for the prevention and control of marine waste pollution.

Article 359 — It shall be prohibited to transfer hazardous waste through the internal waters and territorial sea of the People's Republic of China in transit. Where hazardous waste is transferred through other sea areas under the jurisdiction of the People's Republic of China, the written consent of the ecological environment department under the State Council shall be obtained in advance. For the purposes of this Law, "internal waters" means all sea areas on the landward side of the baseline of the territorial sea of the People's Republic of China.

Article 360 — The coastal people's governments at or above the county level shall construct and improve drainage pipe networks, construct sewage treatment facilities according to the needs of improving marine ecological environment quality, and strengthen urban and rural sewage treatment. The construction of sewage ocean disposal projects shall conform to the provisions of the State.

Article 361 — The State shall take necessary measures to prevent, reduce and control marine pollution originating from or passing through the atmosphere.

Chapter XIII — Prevention and Control of Marine Pollution from Construction Projects

Article 362 — The construction, reconstruction and expansion of coastal engineering and marine engineering construction projects shall comply with the provisions of the State concerning ecological environment protection of construction projects, and the funds required for pollution prevention and control and ecological protection shall be included in the investment plan of the construction projects. It shall be prohibited to unlawfully construct coastal engineering and marine engineering construction projects that pollute the environment and damage ecology, or to engage in other activities, within nature reserves, important fishery waters and other areas requiring special protection delineated in accordance with the law.

Article 363 — It shall be prohibited to construct in coastal land areas production projects such as chemical pulp and papermaking, chemical industry, printing and dyeing, leather making, electroplating, brewing, oil refining and shore beaching and ship dismantling that do not conform to the national industrial policy and other production projects that seriously pollute the marine environment.

Article 364 — Where seabed mineral resources are extracted by wells drilled onshore, effective measures shall be taken to prevent pollution of the marine environment.

Article 365 — Coastal engineering and marine engineering construction projects shall not use materials containing radioactive substances in excess of the standards or toxic and hazardous substances that are easily leached; they shall not cause erosion, siltation or damage to the base points of the territorial sea and their surrounding environment, and shall not endanger the stability of the base points of the territorial sea.

Article 366 — Where coastal engineering and marine engineering construction projects require blasting operations, effective measures shall be taken to protect the marine ecological environment. In the process of offshore petroleum exploration and development and oil transportation, effective measures shall be taken to avoid oil spill accidents.

Article 367 — Coastal engineering and marine engineering construction projects shall not unlawfully discharge pollutants, wastes and other hazardous substances into the sea. The oily sewage and oily mixtures of marine oil and gas equipment such as offshore oil and gas drilling platforms (vessels), production and living platforms and production, storage and offloading devices shall be discharged only after treatment in conformity with the standards; residual oil and waste oil shall be recovered and shall not be discharged into the sea. Oil-based drilling mud and other toxic compound mud used in drilling shall not be discharged into the sea. The discharge of water-based mud, non-toxic compound mud and drill cuttings shall conform to the provisions of the State.

Article 368 — Marine oil and gas equipment such as offshore oil and gas drilling platforms (vessels), production and living platforms and production, storage and offloading devices and their related offshore facilities shall not dispose of oily industrial solid waste into sea areas. The disposal of other solid waste shall not cause pollution of the marine environment.

Article 369 — During offshore well testing, it shall be ensured that the oil and gas are fully burned, and oil and oily mixtures shall not be discharged into the sea.

Article 370 — In exploring and developing offshore oil and gas resources, emergency plans for oil and gas pollution shall be formulated in accordance with the provisions and filed with the dispatched agency for sea areas of the ecological environment department under the State Council for the record.

Chapter XIV — Prevention and Control of Marine Pollution from the Dumping of Wastes

Article 371 — No individual or unit without approval may dump any waste into the sea areas under the jurisdiction of the People's Republic of China. Where wastes need to be dumped, the unit generating the wastes shall submit a written application to the dispatched agency for sea areas of the ecological environment department under the State Council, and produce an inspection report on the characteristics and composition of the wastes, and may dump the wastes only after obtaining a dumping permit. The State shall encourage the comprehensive utilization of wastes such as dredged materials to avoid or reduce ocean dumping. It shall be prohibited to dump wastes from outside the territory of the People's Republic of China into the sea areas under its jurisdiction.

Article 372 — The ecological environment department under the State Council shall, based on the toxicity, the content of toxic substances and the degree of impact on the marine ecological environment of wastes, formulate procedures and standards for the assessment of wastes for ocean dumping. The catalogue of wastes that may be dumped into the sea shall be formulated by the ecological environment department under the State Council.

Article 373 — The ecological environment department under the State Council shall, together with the natural resources department under the State Council, prepare a national plan for ocean dumping areas, solicit the opinions of the transport, fisheries and fishery administration and other relevant departments under the State Council and the coast guard institutions, and submit it to the State Council for approval. The ecological environment department under the State Council shall, in accordance with the national plan for ocean dumping areas, promptly select and delineate ocean dumping areas in accordance with the principles of being scientific, reasonable, economic and safe, solicit the opinions of the transport, fisheries and fishery administration and other relevant departments under the State Council and the coast guard institutions, and make a public announcement.

Article 374 — The ecological environment department under the State Council shall organize the assessment of the use of ocean dumping areas, and adjust, suspend the use of or close ocean dumping areas based on the assessment results. The adjustment, suspension of use and closure of ocean dumping areas shall be notified to the relevant departments under the State Council and the coast guard institutions and disclosed to society.

Article 375 — Units that have been permitted to dump wastes and that implement dumping shall dump wastes in the designated areas in accordance with the period and conditions specified in the permit. Carriers such as vessels engaged in dumping operations shall install and use online monitoring equipment for ocean dumping that conforms to the requirements, and connect with the supervision system of the ecological environment department under the State Council.

Article 376 — Units that have been permitted to dump wastes and that implement dumping shall, in accordance with the provisions, report the dumping to the dispatched agency for sea areas of the ecological

environment department under the State Council that issued the permit. Vessels dumping wastes shall report to the maritime administrative agency and the coast guard institutions at the port of departure.

Article 377 — Where a unit that has been permitted to dump wastes entrusts another unit to implement ocean dumping of wastes, it shall verify the entity qualification, technical capability and credit status of the entrusted unit, lawfully conclude a written contract, stipulate in the contract the requirements for pollution prevention and control and ecological protection, and supervise the implementation. The entrusted unit implementing ocean dumping of wastes shall, in accordance with the provisions of laws and regulations and the contractual agreement, perform the requirements for pollution prevention and control and ecological protection.

Article 378 — Where wastes are dumped into the sea, dumping fees shall be paid in accordance with the provisions of the State. The specific measures shall be formulated by the development and reform department and the finance department under the State Council together with the ecological environment department under the State Council.

Article 379 — It shall be prohibited to incinerate wastes at sea. It shall be prohibited to dispose of radioactive waste or other radioactive substances that pollute the marine environment and damage marine ecology at sea. For the purposes of this Law, “incineration at sea” means the deliberate incineration of wastes or other substances on incineration facilities at sea for the purpose of thermal destruction, except for acts incidental to the normal operation of vessels, platforms or other artificial structures.

Chapter XV — Prevention and Control of Marine Pollution from Ships

Article 380 — In the sea areas under the jurisdiction of the People’s Republic of China, no vessel or related operation may unlawfully discharge into the sea pollutants such as vessel garbage, domestic sewage, oily sewage, sewage containing toxic and hazardous substances and waste gases, wastes, ballast water and sediments, and other hazardous substances. Vessels shall, in accordance with the provisions of the State, take effective measures to treat and dispose of ballast water and sediments, and strictly prevent and control the introduction of alien harmful organisms. Those engaged in the reception of vessel pollutants and wastes and in vessel hold cleaning and tank washing operations shall have corresponding reception and treatment capacity.

Article 381 — Vessels shall be equipped with corresponding anti-pollution equipment and materials. The materials, structure and anti-pollution equipment and materials of vessels shall conform to the provisions of the State on preventing vessel pollution of the marine environment and pass inspection. Vessels shall obtain and hold certificates and documents for the prevention and control of pollution of the marine environment, and when carrying out discharges and operations involving vessel pollutants, ballast water and sediments, shall carry out monitoring and surveillance in accordance with the provisions and truthfully record and preserve the same.

Article 382 — Vessels shall comply with the provisions of laws and regulations on maritime traffic safety, so as to prevent marine environmental pollution caused by maritime accidents arising from collision, stranding, grounding, fire or explosion.

Article 383 — The State shall improve and implement the civil compensation liability system for vessel oil pollution damage; in accordance with the principle that the risks of vessel oil pollution damage liability are shared by shipowners and cargo owners, the State shall improve and implement the systems of vessel oil pollution insurance and oil pollution damage compensation funds, and the specific measures shall be formulated by the State Council.

Article 384 — For vessels carrying pollution-hazardous cargo entering or leaving ports, their carriers, cargo owners or agents shall report to the maritime administrative agency in advance. They may enter or leave the port or carry out loading and unloading operations only after approval.

Article 385 — Where pollution-hazardous cargo is delivered to a vessel for carriage, the shipper shall truthfully inform the carrier of the official name, pollution hazard and the protective measures to be taken of the cargo. The documents, packaging, marks and quantity limits of pollution-hazardous cargo shall conform to the relevant provisions on the delivered cargo. Where a vessel is required to carry cargo of unknown pollution hazard, assessment shall be conducted in advance in accordance with the provisions. In operations of loading and unloading oils and toxic and hazardous cargo, both the ship and shore shall comply with the safety and anti-pollution operating procedures.

Article 386 — The local people's governments at or above the county level where ports, wharves, loading and unloading stations and vessel repair, building and dismantling units are located shall make overall plans for and construct facilities for the reception, transfer and treatment and disposal of vessel pollutants, and establish and improve a corresponding multi-department joint supervision and management system for reception, transfer and treatment and disposal. The coastal people's governments at or above the county level shall be responsible for the supervision and management of the prevention and control of pollution at fishing ports and fishing vessel berthing points and surrounding areas in the sea areas under their management, standardize the recovery and disposal of production and domestic sewage and fishery waste, and promote the construction of pollution prevention and control equipment and environmental cleanup and rectification. Ports, wharves, loading and unloading stations and vessel repair, building and dismantling units shall, in accordance with the provisions, be equipped with sufficient reception facilities for vessel pollutants and wastes, and keep such facilities in good condition and effective operation. Ports, wharves, loading and unloading stations and vessels loading and unloading pollution-hazardous cargo shall formulate pollution emergency plans and be equipped with corresponding pollution emergency equipment and materials.

Article 387 — The national maritime administrative agency shall organize the formulation of a catalogue of hazardous materials prohibited or restricted from installation and use on Chinese-flagged vessels. Vessel repair and building units and vessel owners, operators and managers shall keep a list of hazardous materials on board, continuously update it during vessel construction, operation and maintenance, and provide it to vessel dismantling units before dismantling.

Article 388 — Units engaged in vessel dismantling shall take effective pollution prevention and control measures, reduce vessel pollutants to a minimum before dismantling, and carry out safe and environmentally harmless disposal of vessel pollutants, wastes and other hazardous substances generated by dismantling, so as to prevent pollution of the marine environment. Dismantled vessel parts shall not enter the water. It shall be prohibited to carry out vessel dismantling operations on the coast by beaching.

Article 389 — Vessels shall, in accordance with the provisions of the State, take effective measures to improve energy efficiency. Green, low-carbon and intelligent shipping shall be advocated, vessels shall be encouraged to use clean low-carbon energy, old vessels with high energy consumption and high emissions shall be phased out, and the discharge of greenhouse gases and atmospheric pollutants shall be reduced. The coastal people's governments at or above the county level shall formulate and organize the implementation of plans for the construction and renovation of facilities such as port shore power and vessel power reception. The power supply capacity of port shore power facilities shall be adapted to the power demand of berthing vessels. The State Council and the coastal people's governments at or above the county level shall, in accordance with the provisions, provide support for the renovation and use of port shore power facilities and vessel power reception facilities, and for the construction of vessels powered by clean low-carbon energy.

Article 390 — The transport department under the State Council may delineate control zones for the discharge of vessel pollutants. Vessels entering control zones shall conform to the relevant control requirements for the discharge of vessel pollutants.

Article 391 — Vessels and related operation activities shall comply with the laws, regulations, standards and the provisions of the relevant departments under the State Council, and take effective measures to prevent

pollution of the marine environment. The maritime administrative agency and others shall strengthen supervision and management of vessels and related operation activities. Where vessels carry out lightering operations of bulk liquid pollution-hazardous cargo, they shall prepare operation plans, take effective safety and pollution prevention and control measures, and report for approval in advance in accordance with the provisions.

Article 392 — Where a vessel has a maritime accident causing or likely to cause major pollution of the marine environment, the maritime administrative agency shall have the authority to compulsorily take measures to avoid or reduce pollution. With respect to vessels and offshore facilities on the high seas that, due to maritime accidents, cause major pollution consequences in the sea areas under the jurisdiction of the People's Republic of China or pose a pollution threat, the maritime administrative agency shall have the authority to take necessary measures commensurate with the actual or possible damage.

Article 393 — All vessels shall have the obligation to monitor marine pollution, and upon discovering a marine pollution incident or an act violating the provisions of this Law, shall promptly report to the nearest department or institution responsible for the supervision and management of marine ecological environment protection. Civil aircraft that discover marine discharge or pollution incidents shall promptly report to the nearest civil aviation air traffic control unit. Units receiving reports shall promptly notify the departments and institutions responsible for the supervision and management of marine ecological environment protection.

Part Five — Prevention and Control of Soil Pollution

Chapter XVI — General Provisions

Article 394 — This Part shall apply to the prevention and control of soil pollution.

Article 395 — For the purposes of this Law, “soil pollution” means the phenomenon whereby, due to human factors, a certain substance enters the surface soil of land, causing changes in the chemical, physical, biological and other properties of the soil, affecting the function and effective use of the soil, endangering public health or damaging the ecological environment.

Article 396 — In preventing and controlling soil pollution, risk control shall be adhered to, the quality and safety of agricultural products and the safety of the living environment shall be guaranteed, and the sustainable use of soil resources shall be promoted.

Article 397 — Holders of land use rights engaged in land development and utilization activities, and enterprises, public institutions and other producers and operators engaged in production and operation activities, shall take effective measures to prevent and reduce soil pollution, and shall bear responsibility in accordance with the law for the soil pollution caused.

Article 398 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of soil pollution nationwide. The ecological environment departments of local people's governments shall exercise unified supervision and management over the prevention and control of soil pollution in their respective administrative regions. The agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland and other relevant departments of the people's governments at or above the county level shall exercise supervision and management over the prevention and control of soil pollution within the scope of their respective duties.

Article 399 — The ecological environment department of the local people's government at or above the level of a city divided into districts shall, together with the development and reform, agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland and other relevant departments, prepare soil pollution prevention and control plans based on the requirements of ecological environment protection plans, land use, and the results of soil pollution censuses and monitoring, and implement them after approval by and publication to the people's government at the corresponding level.

Article 400 — The ecological environment department under the State Council shall, based on the state of soil pollution, public health risks, ecological environment risks and the level of science and technology, and in accordance with land use, formulate national soil pollution risk control standards and strengthen the construction of the standard system for the prevention and control of soil pollution. The people's governments of provinces, autonomous regions and municipalities directly under the Central Government may formulate local soil pollution risk control standards for items not covered by the national soil pollution risk control standards, and may formulate local soil pollution risk control standards stricter than the national soil pollution risk control standards for items already covered by the national soil pollution risk control standards. Local soil pollution risk control standards shall be filed with the ecological environment department under the State Council for the record. Soil pollution risk control standards are mandatory standards. The State shall support research on soil environmental background values.

Article 401 — The State Council shall uniformly lead the nationwide census of soil pollution. The ecological environment department under the State Council shall, together with the agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland and other relevant departments under the State Council, organize a nationwide census of soil pollution at least once every ten years. The relevant departments under the State Council and the local people's governments at or above the level of a city divided into districts may organize detailed investigation of soil pollution in light of the actual conditions of their respective industries and administrative regions.

Article 402 — The ecological environment department under the State Council shall, together with the agriculture and rural affairs, natural resources, housing and urban-rural development, water administration, health, forestry and grassland and other relevant departments under the State Council, organize the monitoring network and uniformly plan the establishment of national soil environment monitoring stations.

Article 403 — The agriculture and rural affairs departments and forestry and grassland departments of local people's governments shall, together with the ecological environment departments and natural resources departments, carry out key monitoring of the following agricultural land plots: (1) those where the content of pollutants in the agricultural products produced exceeds the standards; (2) those that are or were used as sewage irrigation areas; (3) those used or once used for large-scale breeding, or for the piling or landfill of solid waste; (4) those once used as industrial and mining land or where major or especially major pollution accidents occurred; (5) those around facilities for the production, storage, utilization and disposal of toxic and hazardous substances; and (6) other circumstances prescribed by the agriculture and rural affairs departments, forestry and grassland departments, ecological environment departments and natural resources departments under the State Council.

Article 404 — The ecological environment departments of local people's governments shall, together with the natural resources departments, carry out key monitoring of the following construction land plots: (1) those once used for the production, storage, use, recovery or disposal of toxic and hazardous substances; (2) those once used for the piling or landfill of solid waste; (3) those where major or especially major pollution accidents occurred; and (4) other circumstances prescribed by the ecological environment departments and natural resources departments under the State Council.

Article 405 — The ecological environment department under the State Council shall, together with the agriculture and rural affairs, natural resources, housing and urban-rural development, water administration, health, forestry and grassland and other relevant departments under the State Council, establish and improve a basic database of the soil environment, build a national soil environment information platform, and implement dynamic data updating and information sharing.

Article 406 — Soil pollution census reports, monitoring data, investigation reports, soil pollution risk assessment reports, risk control effect assessment reports, remediation effect assessment reports and the like shall be promptly uploaded to the national soil environment information platform.

Article 407 — The ecological environment department shall promptly notify the agriculture and rural affairs department, the health department and the market regulation department of major soil environment information involving major edible agricultural product production areas.

Article 408 — The ecological environment departments of the people's governments at or above the provincial level and other departments responsible for the supervision and management of soil pollution prevention and control shall, within the scope of their respective duties and in accordance with the provisions of the law, carry out credit supervision over the practice of units and individuals engaged in activities such as soil pollution investigation, soil pollution risk assessment, risk control, remediation, risk control effect assessment, remediation effect assessment and post-remediation management.

Article 409 — The people's governments at all levels shall strengthen the prevention and control of soil pollution and arrange necessary funds for the following matters: (1) scientific and technological research and development, demonstration projects and programs for the prevention and control of soil pollution; (2) activities organized and implemented by the people's governments at all levels and their relevant departments, such as soil pollution censuses, monitoring and investigation, determination of persons responsible for soil pollution, risk assessment, risk control and remediation; (3) emergency response by the people's governments at all levels and their relevant departments to sudden events involving soil pollution; and (4) other matters prescribed by the people's governments at all levels involving the prevention and control of soil pollution.

Article 410 — The State shall increase investment in the prevention and control of soil pollution and establish and improve a fund system for the prevention and control of soil pollution. A central special fund for the prevention and control of soil pollution and provincial-level funds for the prevention and control of soil pollution shall be established, mainly used for the prevention and control of soil pollution of agricultural land, the risk control and remediation of soil pollution where the person responsible for soil pollution or the holder of the land use right cannot be determined, and other matters prescribed by the people's governments. With respect to polluted plots where the person responsible for soil pollution cannot be determined, where the holder of the land use right actually undertakes soil pollution risk control and remediation, it may apply for the soil pollution prevention and control fund in accordance with the provisions, which shall be used in a centralized manner for soil pollution risk control and remediation. The specific measures for the management of the soil pollution prevention and control fund shall be formulated by the finance department under the State Council together with the ecological environment, agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland and other relevant departments under the State Council.

Article 411 — The State shall encourage financial institutions to increase credit provision to soil pollution risk control and remediation projects. The State shall encourage financial institutions to conduct soil pollution investigation when handling land rights mortgage business.

Chapter XVII — Prevention of Soil Pollution

Article 412 — Units and individuals that produce, store, transport, use, recover, dispose of or discharge toxic and hazardous substances shall take effective measures to prevent the leakage, loss and dispersal of toxic and hazardous substances, so as to avoid soil pollution.

Article 413 — The ecological environment department under the State Council shall, together with the health, agriculture and rural affairs and other relevant departments under the State Council, conduct screening and assessment of toxic and hazardous substances in soil based on the degree of hazard and impact on public health and the ecological environment, and formulate and publish a catalogue of toxic and hazardous substances in soil subject to key control and update it in a timely manner.

Article 414 — The ecological environment department of the local people's government at or above the level of a city divided into districts shall, in accordance with the provisions of the ecological environment department under the State Council and based on the discharge of toxic and hazardous substances and other circumstances, formulate and publish a catalogue of key supervision units for soil pollution in its administrative region and update it in a timely manner. Key supervision units for soil pollution shall perform the following obligations: (1) strictly control the discharge of toxic and hazardous substances, and report the discharge to the ecological environment department on an annual basis; (2) establish a system for the investigation and rectification of potential soil and groundwater pollution hazards, and ensure the continuous and effective prevention of the leakage, loss and dispersal of toxic and hazardous substances; (3) formulate and implement self-monitoring plans, and submit the monitoring data to the ecological environment department; and (4) submit information on underground storage tanks storing toxic and hazardous substances to the ecological environment department. The obligations prescribed in the preceding paragraph shall be recorded in the pollutant discharge permit. Where the ecological environment department discovers anomalies in the monitoring data of a key supervision unit for soil pollution, it shall promptly carry out investigation. The ecological environment department of the local people's government at or above the level of a city divided into districts shall regularly monitor the soil and groundwater around key supervision units for soil pollution.

Article 415 — Where enterprises, public institutions and other producers and operators dismantle facilities, equipment or buildings or structures, they shall take corresponding soil pollution prevention and control measures. Where key supervision units for soil pollution dismantle facilities, equipment or buildings or structures, they shall formulate a soil pollution prevention and control work plan including emergency measures, and file it with the ecological environment department and the industry and information technology department of the local people's government for the record and implement it.

Article 416 — The ecological environment departments and natural resources departments shall, within the scope of their respective duties and in accordance with the law, strengthen supervision and management of the prevention and control of soil pollution in mineral resource development areas, and strictly control the discharge of key pollutants that may cause soil pollution in accordance with the relevant standards and total quantity control requirements. The operation and management units of tailings ponds shall, in accordance with the provisions, strengthen the safety management of tailings ponds and take effective measures to prevent soil pollution. The operation and management units of dangerous, risky and defective tailings ponds and other tailings ponds requiring key supervision shall, in accordance with the provisions, conduct soil pollution monitoring and regular assessment.

Article 417 — The emergency management department of the local people's government shall supervise the operation and management units of tailings ponds in performing their statutory obligations of preventing soil pollution, so as to prevent accidents that may pollute soil; the ecological environment department of the local people's government shall strengthen supervision, inspection and regular assessment of the prevention and control of soil pollution at tailings ponds, and upon discovering potential risks and hidden dangers, promptly urge the operation and management units of tailings ponds to take corresponding measures.

Article 418 — The State shall encourage the adoption of new technologies and new materials in construction projects in the fields of construction, communications, electric power, transport and water conservancy, such as information, network, lightning protection and grounding, so as to prevent soil pollution. It shall be prohibited to use resistance-reducing products whose heavy metal content exceeds the standards in soil.

Article 419 — The construction and operation of centralized sewage treatment facilities and solid waste disposal facilities shall comply with the provisions of laws and regulations and the requirements of the relevant standards, and effective measures shall be taken to prevent soil pollution. The ecological environment department of the local people's government shall regularly monitor the soil around centralized sewage treatment facilities and solid waste disposal facilities; where the provisions of laws and regulations

and the requirements of the relevant standards are not conformed to, the operating units of the centralized sewage treatment facilities and solid waste disposal facilities shall be required, based on the monitoring results, to take corresponding improvement measures.

Article 420 — The agriculture and rural affairs department and the forestry and grassland department under the State Council shall, within the scope of their respective duties, prepare plans, improve the relevant standards and measures, strengthen the guidance on the use of pesticides and chemical fertilizers on agricultural land and the control of the total quantity used, and strengthen the control of the use of agricultural film. The agriculture and rural affairs department under the State Council shall strengthen the registration of pesticides and fertilizers, and organize the safety assessment of the impact of pesticides and fertilizers on the soil environment. In formulating standards for agricultural inputs such as pesticides, veterinary drugs, feeds and feed additives, fertilizers and agricultural film and their packaging, as well as water quality standards for farmland irrigation water, the requirements for the prevention and control of soil pollution shall be adapted to.

Article 421 — The agriculture and rural affairs departments and forestry and grassland departments of local people's governments shall, within the scope of their respective duties, carry out publicity and technical training on the prevention and control of soil pollution of agricultural land, support specialized agricultural production services, guide agricultural producers and operators to use agricultural inputs such as pesticides, veterinary drugs, feeds and feed additives, fertilizers and agricultural film in a scientific, rational and safe manner, and control the quantity of pesticides, veterinary drugs and chemical fertilizers used. The agriculture and rural affairs departments of local people's governments shall encourage agricultural producers and operators to adopt agricultural cultivation measures conducive to preventing soil pollution, such as the combination of planting and breeding and crop rotation and fallow; support the adoption of measures conducive to soil conservation and cultivation, such as soil improvement and enhancement of soil fertility; and support the construction of facilities for the treatment and utilization of livestock and poultry manure and sewage.

Article 422 — It shall be prohibited to discharge sewage or sludge whose content of heavy metals or other toxic and hazardous substances exceeds the standards, as well as dredged sediment, tailings and slag that may cause soil pollution, into agricultural land such as arable land, forest land and grassland. The relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, strengthen supervision and management of the collection, storage, utilization and disposal of livestock and poultry manure, biogas residue and biogas slurry, so as to prevent soil pollution. The ecological environment department of the local people's government shall, together with the agriculture and rural affairs department and the water administration department, strengthen the management of the water quality of farmland irrigation water, and monitor and supervise and inspect the water quality of farmland irrigation water.

Article 423 — The State shall encourage and support agricultural producers and operators to adopt the following measures: (1) using high-efficiency, low-toxicity and low-residue pesticides and advanced spraying technology; (2) using organic fertilizers and high-efficiency fertilizers conforming to the standards; (3) adopting formula fertilization by soil testing, biological control and other green prevention and control technologies for diseases and pests; (4) using biodegradable agricultural film; (5) comprehensively utilizing straw and removing straw with high enrichment of pollutants; and (6) improving degraded soil in accordance with the provisions.

Article 424 — It shall be prohibited to produce, sell or use agricultural inputs explicitly prohibited by the State. Producers, sellers and users of agricultural inputs shall promptly recover the packaging waste of agricultural inputs such as pesticides and fertilizers and agricultural film, and hand over the packaging waste of pesticides to specialized institutions or organizations for harmless treatment. The specific measures shall be formulated by the agriculture and rural affairs department under the State Council together with the

ecological environment and other relevant departments under the State Council. The State shall take effective measures to encourage the research, development, production, sale and use of agricultural film that is degradable and harmless in the ecological environment, and encourage and support units and individuals to recover the packaging waste of agricultural inputs and agricultural film.

Article 425 — The State shall strengthen the protection of unpolluted soil. The local people's governments at all levels shall give key protection to unpolluted arable land, forest land, grassland and drinking water source areas. Unused land shall be protected and shall not be polluted or damaged.

Article 426 — The local people's governments and their relevant departments shall, in accordance with the law, strengthen supervision and inspection of acts such as the unlawful discharge of toxic and hazardous substances into unused land such as deserts, tidal flats, saline-alkali land and marshland.

Article 427 — The local people's governments at or above the county level and their relevant departments shall, in accordance with territorial spatial plans, strictly implement the requirements for the layout and site selection of relevant industries and enterprises, and prohibit the construction, reconstruction or expansion of construction projects that may cause soil pollution around residential areas and units such as schools, hospitals, sanatoriums and nursing homes.

Article 428 — Topsoil stripped in the process of development and construction shall be collected and stored separately, and topsoil meeting the conditions shall be given priority for use in land reclamation, soil improvement, land creation and greening. It shall be prohibited to use industrial solid waste, domestic waste or polluted soil whose content of heavy metals or other toxic and hazardous substances exceeds the standards for land reclamation.

Article 429 — Where soil needs to be imported for special reasons such as scientific research, the provisions of the State on entry-exit inspection and quarantine shall be complied with.

Chapter XVIII — Risk Control and Remediation of Soil Pollution

Section 1 — General Requirements

Article 430 — Risk control and remediation of soil pollution include activities such as soil pollution investigation, soil pollution risk assessment, risk control, remediation, risk control effect assessment, remediation effect assessment and post-remediation management.

Article 431 — In implementing soil pollution investigation activities, a soil pollution investigation report shall be prepared. The soil pollution investigation report shall mainly include basic information on the plot, whether the content of pollutants exceeds the soil pollution risk control standards and other contents. Where the content of pollutants exceeds the soil pollution risk control standards, the soil pollution investigation report shall also include the types of pollution, the sources of pollution and whether the groundwater is polluted.

Article 432 — In implementing soil pollution risk assessment activities, a soil pollution risk assessment report shall be prepared. The soil pollution risk assessment report shall mainly include the following contents: (1) the state of the main pollutants; (2) the scope of soil and groundwater pollution; (3) the risks to the quality and safety of agricultural products, public health risks or ecological environment risks; and (4) the objectives and basic requirements of risk control and remediation.

Article 433 — In implementing risk control and remediation activities, measures shall be adapted to local conditions and be scientific and reasonable, so as to improve targeting and effectiveness. In implementing risk control and remediation activities, no new pollution shall be caused to the soil and the surrounding environment.

Article 434 — Before implementing risk control and remediation activities, the relevant departments of the local people's government shall have the authority, in light of the actual situation, to require the person responsible for soil pollution and the holder of the land use right to take measures such as removing pollution

sources and preventing the spread of pollution.

Article 435 — Waste water, waste gases and solid waste generated in the implementation of risk control and remediation activities shall be treated and disposed of in accordance with the provisions and attain the relevant ecological environment protection standards. Where solid waste generated in the implementation of risk control and remediation activities, and dismantled facilities, equipment or buildings or structures, are hazardous waste, they shall be disposed of in accordance with the provisions of laws and regulations and the requirements of the relevant standards. During remediation construction, a notice board shall be set up to disclose the relevant information and ecological environment protection measures to society.

Article 436 — Where a remediation construction unit transfers polluted soil, it shall formulate a transfer plan and submit the transport time, manner and route, the quantity and destination of the polluted soil, and the final disposal measures in advance to the ecological environment department at the place of origin and the place of reception. Where the transferred polluted soil is hazardous waste, the remediation construction unit shall dispose of it in accordance with the provisions of laws and regulations and the requirements of the relevant standards.

Article 437 — In implementing risk control effect assessment and remediation effect assessment activities, an effect assessment report shall be prepared. The effect assessment report shall mainly include whether the risk control and remediation objectives determined in the soil pollution risk assessment report have been attained. After the completion of risk control and remediation activities, where post-remediation management is required, the person responsible for soil pollution shall implement post-remediation management in accordance with the requirements.

Article 438 — Units engaged in activities such as soil pollution investigation, soil pollution risk assessment, risk control, remediation, risk control effect assessment, remediation effect assessment and post-remediation management shall have the corresponding professional capability. Units entrusted to engage in the activities prescribed in the preceding paragraph shall be responsible for the authenticity, accuracy and completeness of the investigation reports, risk assessment reports, risk control effect assessment reports and remediation effect assessment reports issued by them, and shall be responsible for the results of risk control, remediation and post-remediation management activities in accordance with the agreement.

Article 439 — The person responsible for soil pollution shall have the obligation to implement soil pollution risk control and remediation. Where the person responsible for soil pollution cannot be determined, the holder of the land use right shall implement soil pollution risk control and remediation. The local people's governments and their relevant departments may, in light of the actual situation, organize the implementation of soil pollution risk control and remediation. The State shall encourage and support the relevant parties in voluntarily implementing soil pollution risk control and remediation.

Article 440 — The expenses incurred in implementing or organizing the implementation of soil pollution investigation, soil pollution risk assessment, risk control, remediation, risk control effect assessment, remediation effect assessment, post-remediation management and other activities shall be borne by the person responsible for soil pollution.

Article 441 — Where the person responsible for soil pollution changes, the units and individuals that succeed to its creditor's rights and debts after the change shall perform the relevant obligations of soil pollution risk control and remediation and bear the relevant expenses.

Article 442 — Where the person responsible for soil pollution is unclear or there is a dispute, with respect to agricultural land, the determination shall be made by the agriculture and rural affairs department and forestry and grassland department of the local people's government, together with the ecological environment department and the natural resources department; with respect to construction land, the determination shall be made by the ecological environment department of the local people's government, together with the

natural resources department. The measures for determination shall be formulated by the ecological environment department under the State Council together with the relevant departments.

Article 443 — Where a sudden event occurs that may cause soil pollution, the local people's governments and their relevant departments and the relevant enterprises, public institutions and other producers and operators shall immediately take emergency measures to prevent soil pollution, and do a good job in soil pollution monitoring, investigation, soil pollution risk assessment, risk control and remediation in accordance with the provisions of this Law.

Section 2 — Risk Control and Remediation of Soil Pollution of Agricultural Land

Article 444 — The State shall establish and improve a classified management system for agricultural land. In accordance with the degree of soil pollution and the relevant standards, agricultural land shall be classified into priority protection land, safe utilization land and strict control land.

Article 445 — The local people's governments at or above the county level shall, in accordance with the law, designate priority protection arable land meeting the conditions as permanent basic farmland and implement strict protection. Within areas of concentrated permanent basic farmland, no construction projects that may cause soil pollution shall be newly constructed; those already built shall be dismantled or closed within a prescribed period.

Article 446 — Where unused land, reclaimed land and the like are to be reclaimed as arable land, the agriculture and rural affairs department of the local people's government shall, together with the ecological environment department and the natural resources department, conduct soil pollution investigation and implement classified management in accordance with the law.

Article 447 — With respect to agricultural land plots shown by soil pollution censuses, detailed investigations, monitoring and on-site inspections to have soil pollution risks, the agriculture and rural affairs department and forestry and grassland department of the local people's government shall, together with the ecological environment department and the natural resources department, conduct soil pollution investigation. With respect to agricultural land plots shown by soil pollution investigation to have pollutant content exceeding the soil pollution risk control standards, the agriculture and rural affairs department and forestry and grassland department of the local people's government shall, together with the ecological environment department and the natural resources department, organize soil pollution risk assessment and manage them in accordance with the classified management system for agricultural land.

Article 448 — With respect to safe utilization agricultural land plots, the agriculture and rural affairs department and forestry and grassland department of the local people's government shall, within the scope of their respective duties and in light of the main crop varieties and planting habits, formulate and implement safe utilization plans. The safe utilization plans shall include the following contents: (1) agronomic regulation and alternative planting; (2) regular coordinated monitoring and assessment of soil and agricultural products; (3) technical guidance and training for farmers, specialized farmer cooperatives and other agricultural production entities; and (4) other risk control measures.

Article 449 — With respect to strict control agricultural land plots, the agriculture and rural affairs department and forestry and grassland department of the local people's government shall, within the scope of their respective duties, take the following risk control measures: (1) putting forward proposals to delineate areas where the production of specific agricultural products is prohibited, and implementing them after approval by the people's government at the corresponding level; (2) carrying out coordinated monitoring and assessment of soil and agricultural products in accordance with the provisions; (3) providing technical guidance and training for farmers, specialized farmer cooperatives and other agricultural production entities; and (4) other risk control measures. The people's governments at all levels and their relevant departments shall encourage the adoption of risk control measures for strict control agricultural land, such as adjusting the planting structure, returning farmland to forest and grassland, returning farmland to wetland, crop rotation

and fallow, and rotational and rest grazing, and give corresponding policy support.

Article 450 — Where soil pollution of safe utilization and strict control agricultural land plots affects or may affect the safety of groundwater and drinking water sources, the ecological environment department of the local people's government shall, together with the agriculture and rural affairs, forestry and grassland and other relevant departments, formulate plans for preventing and controlling pollution and take corresponding measures.

Article 451 — With respect to safe utilization and strict control agricultural land plots, the person responsible for soil pollution shall, in accordance with the provisions of the State and the requirements of the soil pollution risk assessment report, take corresponding risk control measures, and regularly report to the agriculture and rural affairs department and forestry and grassland department of the local people's government.

Article 452 — With respect to agricultural land plots where the content of pollutants in the agricultural products produced exceeds the standards and remediation is required, the person responsible for soil pollution shall prepare a remediation plan, and file it with the agriculture and rural affairs department and forestry and grassland department of the local people's government for the record and implement it. The remediation plan shall include the content of groundwater pollution prevention and control. In remediation activities, priority shall be given to biological remediation measures that do not affect agricultural production and do not reduce the production function of soil, so as to block or reduce the entry of pollutants into the edible parts of crops and ensure the quality and safety of agricultural products. After the completion of risk control and remediation activities, the person responsible for soil pollution shall separately entrust the relevant units to assess the risk control effect and remediation effect, and file the effect assessment reports with the agriculture and rural affairs department and forestry and grassland department of the local people's government for the record. Rural collective economic organizations and their members, specialized farmer cooperatives and other agricultural production entities shall have the obligation to assist in the implementation of soil pollution risk control and remediation.

Section 3 — Risk Control and Remediation of Soil Pollution of Construction Land

Article 453 — The State shall implement a list system for risk control and remediation of soil pollution of construction land. The list for risk control and remediation of soil pollution of construction land shall be formulated by the ecological environment department of the people's government at the provincial level, together with the natural resources and other relevant departments, disclosed to society in accordance with the provisions, and updated in a timely manner based on the status of risk control and remediation.

Article 454 — With respect to construction land plots shown by soil pollution censuses, detailed investigations, monitoring and on-site inspections to have soil pollution risks, the ecological environment department of the local people's government shall require the holder of the land use right to conduct soil pollution investigation in accordance with the provisions. Where the use is changed to residential, public management and public service land, soil pollution investigation shall be conducted in accordance with the provisions before the change. The soil pollution investigation shall be completed before the time limit determined by the province, autonomous region or municipality directly under the Central Government. The soil pollution investigation reports prescribed in the preceding two paragraphs shall be submitted to the ecological environment department of the local people's government, which shall, together with the natural resources department, organize the review.

Article 455 — With respect to construction land plots whose soil pollution investigation reports, upon review, show that the content of pollutants exceeds the soil pollution risk control standards, the person responsible for soil pollution and the holder of the land use right shall conduct soil pollution risk assessment in accordance with the provisions of the ecological environment department under the State Council, and submit the soil pollution risk assessment report to the ecological environment department of the people's

government at the provincial level.

Article 456 — The ecological environment department of the people's government at the provincial level shall, together with the natural resources and other relevant departments and in accordance with the provisions of the ecological environment department under the State Council, organize the review of the soil pollution risk assessment report, promptly include plots requiring risk control and remediation in the list for risk control and remediation of soil pollution of construction land, and regularly report to the ecological environment department and the natural resources department under the State Council. Plots included in the list for risk control and remediation of soil pollution of construction land shall not be used as residential, public management or public service land. The specific management measures shall be formulated by provinces, autonomous regions and municipalities directly under the Central Government.

Article 457 — With respect to plots in the list for risk control and remediation of soil pollution of construction land, the person responsible for soil pollution shall, in accordance with the provisions of the State and the requirements of the soil pollution risk assessment report, take corresponding risk control measures, and regularly report to the ecological environment department of the local people's government. The risk control measures shall include the content of groundwater pollution prevention and control.

Article 458 — With respect to plots in the list for risk control and remediation of soil pollution of construction land, the ecological environment department of the local people's government may, in light of the actual situation, take the following risk control measures: (1) putting forward proposals to delineate isolated areas, and implementing them after approval by the people's government at the corresponding level; (2) conducting monitoring of soil and groundwater pollution; and (3) other risk control measures.

Article 459 — With respect to plots in the list for risk control and remediation of soil pollution of construction land that require remediation, the person responsible for soil pollution shall prepare a remediation plan in light of territorial spatial plans, and file it with the ecological environment department of the local people's government for the record and implement it. The remediation plan shall include the content of groundwater pollution prevention and control.

Article 460 — After the completion of risk control and remediation activities, the person responsible for soil pollution shall separately entrust the relevant units to assess the risk control effect and remediation effect, and file the effect assessment reports with the ecological environment department of the local people's government for the record.

Article 461 — With respect to construction land plots that have attained the risk control and remediation objectives determined in the soil pollution risk assessment report, the person responsible for soil pollution and the holder of the land use right may apply to the ecological environment department of the people's government at the provincial level for removal from the list for risk control and remediation of soil pollution of construction land. The ecological environment department of the people's government at the provincial level shall, together with the natural resources and other relevant departments, organize the review of the risk control effect assessment report and the remediation effect assessment report, promptly remove from the list for risk control and remediation of soil pollution of construction land the plots that have attained the risk control and remediation objectives determined in the soil pollution risk assessment report and can be safely used, disclose such removal to society in accordance with the provisions, and regularly report to the ecological environment department and the natural resources department under the State Council. With respect to construction land plots that have not attained the risk control and remediation objectives determined in the soil pollution risk assessment report, or that have not undergone soil pollution investigation, soil pollution risk assessment, risk control, remediation, risk control effect assessment and remediation effect assessment in accordance with the provisions, it shall be prohibited to commence construction of any project unrelated to risk control and remediation; construction already commenced shall be stopped immediately.

Article 462 — Where the use of the production and operation land of a key supervision unit for soil pollution is changed, or before its land use right is recovered or transferred, the holder of the land use right shall conduct soil pollution investigation in accordance with the provisions. The soil pollution investigation report shall be submitted as immovable property registration materials to the immovable property registration institution of the local people's government, and filed with the ecological environment department of the local people's government for the record; where the holder of the land use right fails to submit the soil pollution investigation report, the immovable property registration institution of the local people's government shall require it to supplement the submission.

Article 463 — Where the land use right has been recovered by the local people's government and the person responsible for soil pollution is the original holder of the land use right, the local people's government shall organize the implementation of soil pollution risk control and remediation.

Part Six — Prevention and Control of Solid Waste Pollution

Chapter XIX — General Provisions

Article 464 — This Part shall apply to the prevention and control of solid waste pollution.

Article 465 — For the purposes of this Law, "solid waste" means articles and substances that are in solid, semi-solid state or gaseous state placed in containers, generated in production, daily life and other activities, that have lost their original use value or, though not having lost their use value, have been abandoned or discarded, as well as articles and substances included in solid waste management in accordance with the provisions of laws and administrative regulations, except those that have undergone harmless processing and treatment and conform to the mandatory national product quality standards and will not endanger public health and ecological safety, or those that are determined not to be solid waste in accordance with the standards and procedures for the identification of solid waste.

Article 466 — In preventing and controlling solid waste pollution, the principles of reduction, resource utilization and harmlessness shall be adhered to, and the whole-process control over generation, collection, storage, transport, utilization and disposal shall be strengthened.

Article 467 — The State shall take effective measures to strengthen the comprehensive treatment of solid waste, promote source reduction and full resource utilization of urban and rural solid waste, and reduce the quantity of solid waste sent to landfill to the greatest extent possible. All units and individuals shall take effective measures to reduce the quantity of solid waste generated, promote the comprehensive utilization of solid waste, and reduce the harmfulness of solid waste.

Article 468 — Units and individuals that generate, collect, store, transport, utilize or dispose of solid waste shall take effective measures to prevent or reduce solid waste pollution, and shall bear responsibility in accordance with the law for the pollution caused. Storing solid waste means the activity of temporarily placing solid waste in specific facilities or sites. Utilizing solid waste means the activity of directly using solid waste as substitute raw materials or fuel, or extracting substances from solid waste as raw materials or fuel. Disposing of solid waste means the activity of incinerating solid waste and using other methods that change the physical, chemical or biological properties of solid waste to achieve the reduction of the quantity of solid waste generated, the reduction of the volume of solid waste, and the reduction or elimination of its hazardous components, or the activity of finally placing solid waste in landfills conforming to the requirements of ecological environment protection.

Article 469 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of solid waste pollution nationwide. The ecological environment departments of local people's governments shall exercise unified supervision and management over the prevention and control of solid waste pollution in their respective administrative

regions. The development and reform, industry and information technology, natural resources, housing and urban-rural development, transport, agriculture and rural affairs, commerce, health, customs and other relevant departments of the people's governments at or above the county level shall exercise supervision and management over the prevention and control of solid waste pollution within the scope of their respective duties.

Article 470 — Provinces, autonomous regions and municipalities directly under the Central Government may, through consultation, establish cross-administrative-region joint prevention and control mechanisms for solid waste pollution, and make overall arrangements for plan formulation, facility construction and the transfer of solid waste.

Article 471 — The local people's governments at or above the level of a city divided into districts shall prepare solid waste pollution prevention and control plans, make overall plans for and construct facilities and sites for the transfer and centralized disposal of solid waste, and promote the work of preventing and controlling solid waste pollution.

Article 472 — The ecological environment department under the State Council shall, together with the relevant departments, formulate standards for the identification of solid waste, identification procedures, technical standards for pollution prevention and control, and standards for controlling the content of toxic and hazardous substances in industrial solid waste, in accordance with the national ecological environment quality standards and the national economic and technical conditions.

Article 473 — The standards for the comprehensive utilization of solid waste shall specify the limits of toxic and hazardous substances in products of comprehensive utilization. The comprehensive utilization of solid waste shall comply with the provisions of ecological environment laws and regulations and conform to the standards for the comprehensive utilization of solid waste and the technical standards for pollution prevention and control. The use of products of comprehensive utilization of solid waste shall conform to the uses and standards prescribed by the State.

Article 474 — The ecological environment department under the State Council shall, together with the relevant departments, establish a national information platform for the prevention and control of pollution by solid waste such as hazardous waste, and promote whole-process monitoring and information-based traceability of the generation, collection, storage, transfer, utilization and disposal of solid waste.

Article 475 — Units and other producers and operators that generate, collect, store, transport, utilize or dispose of solid waste shall take measures to prevent dispersal, loss and seepage or other measures to prevent environmental pollution, and shall not dump, pile up, discard, scatter, drop or incinerate solid waste without authorization.

Article 476 — Where solid waste is transferred out of the administrative region of a province, autonomous region or municipality directly under the Central Government for storage or disposal, an application shall be submitted to the ecological environment department of the people's government at the provincial level of the place from which the solid waste is removed. The ecological environment department of the people's government at the provincial level of the place of removal shall, after promptly consulting with and obtaining the consent of the ecological environment department of the people's government at the provincial level of the place of reception, approve the transfer of the solid waste out of the administrative region of the province, autonomous region or municipality directly under the Central Government within the prescribed period. Transfer shall not be carried out without approval. Where solid waste is transferred out of the administrative region of a province, autonomous region or municipality directly under the Central Government for utilization, the relevant information shall be submitted in advance through the solid waste pollution prevention and control information platform and other means to the ecological environment departments of the people's governments at the provincial level of the place of removal and the place of reception.

Article 477 — It shall be prohibited to bring solid waste from outside the territory of the People's Republic of China into its territory for dumping, piling or disposal.

Article 478 — The State shall implement zero import of solid waste, which shall be organized and implemented by the ecological environment department under the State Council together with the commerce, development and reform, customs and other relevant departments under the State Council.

Article 479 — Where customs discovers that imported goods are suspected of being solid waste, it may entrust professional institutions to conduct attribute identification and manage them in accordance with the law based on the identification conclusions.

Article 480 — Units and other producers and operators that collect, store, transport, utilize or dispose of solid waste shall strengthen the management and maintenance of the relevant facilities, equipment and sites, and ensure their normal operation and use.

Article 481 — Within ecological protection red-line areas, areas of concentrated permanent basic farmland and other areas requiring special protection, the construction of facilities and sites for the centralized storage, utilization and disposal of industrial solid waste, construction waste and hazardous waste, and domestic waste landfills shall be prohibited.

Article 482 — In preparing territorial spatial plans and relevant plans, the people's governments at all levels and their relevant departments shall make overall arrangements for the construction needs of facilities and sites for the transfer and centralized disposal of solid waste such as domestic waste, construction waste and hazardous waste, and guarantee the land for the transfer and centralized disposal facilities and sites.

Article 483 — The people's governments at all levels shall strengthen the prevention and control of solid waste pollution and arrange necessary funds for the following matters: (1) scientific and technological research and development for the prevention and control of solid waste pollution; (2) the classification of domestic waste; (3) the construction of facilities for the storage, utilization and centralized disposal of solid waste; and (4) the emergency disposal of hazardous waste such as medical waste generated by sudden events such as major infectious disease epidemics; and (5) other matters prescribed by the people's governments at all levels involving the prevention and control of solid waste pollution.

Article 484 — Units that collect, store, transport, utilize or dispose of hazardous waste shall, in accordance with the provisions, purchase compulsory environmental pollution liability insurance. The specific implementation measures for the compulsory environmental pollution liability insurance system shall be formulated by the financial regulatory institution under the State Council together with the ecological environment department under the State Council.

Article 485 — The ecological environment department of the people's government at the level of a city divided into districts shall, together with the housing and urban-rural development, agriculture and rural affairs, health and other relevant departments, regularly disclose to society information such as the types, quantity generated, disposal capacity and utilization and disposal status of solid waste. Units that generate, collect, store, transport, utilize or dispose of solid waste shall, in accordance with the law, promptly disclose information on the prevention and control of solid waste pollution to society and accept social supervision. Units that utilize or dispose of solid waste shall, in accordance with the law, open their facilities and sites to the public and raise public awareness of and participation in ecological environment protection.

Article 486 — This Part shall not apply to the prevention and control of marine pollution by solid waste and the prevention and control of radioactive solid waste pollution. This Part shall apply to the prevention and control of liquid waste pollution, except that the prevention and control of pollution by waste water discharged into water bodies shall not apply.

Chapter XX — Prevention and Control of Industrial Solid Waste Pollution

Article 487 — The ecological environment department under the State Council shall, together with the development and reform, industry and information technology and other relevant departments under the State Council, define the degree of hazard and impact of industrial solid waste on public health and the ecological environment, formulate technical policies for preventing and controlling industrial solid waste pollution, and organize the promotion of advanced production processes and equipment for preventing and controlling industrial solid waste pollution. For the purposes of this Law, “industrial solid waste” means solid waste generated in industrial production activities.

Article 488 — The industry and information technology department under the State Council shall, together with the relevant departments, organize the research, development and promotion of production processes and equipment that reduce the quantity of industrial solid waste generated and the harmfulness of industrial solid waste, and formulate and publish a catalogue of backward production processes and equipment that generate serious environmental pollution by industrial solid waste and are to be eliminated within a prescribed period. Producers, importers, sellers and users shall, within the period prescribed by the industry and information technology department under the State Council together with the relevant departments, stop producing, importing, selling and using the equipment listed in the catalogue prescribed in the preceding paragraph. Users of production processes shall, within the period prescribed by the industry and information technology department under the State Council together with the relevant departments, stop using the processes listed in the catalogue prescribed in the preceding paragraph. Equipment listed in the catalogue for elimination within a prescribed period and eliminated shall not be transferred to others for use.

Article 489 — Units that generate industrial solid waste shall establish and improve a pollution prevention and control responsibility system for the whole process of generation, collection, storage, transport, utilization and disposal of industrial solid waste, establish a management ledger for industrial solid waste, truthfully record information such as the types, quantity, flow direction, storage, utilization and disposal of industrial solid waste generated, realize the traceability and queryability of industrial solid waste, and take measures to prevent and control industrial solid waste pollution. It shall be prohibited to put industrial solid waste into domestic waste collection facilities.

Article 490 — Where a unit that generates industrial solid waste entrusts others to transport, utilize or dispose of the industrial solid waste, it shall verify the entity qualification and technical capability of the entrusted party, lawfully conclude a written contract, and stipulate the pollution prevention and control requirements in the contract. The entrusted party transporting, utilizing or disposing of industrial solid waste shall, in accordance with the provisions of laws and regulations and the contractual agreement, perform the pollution prevention and control requirements, and inform the unit generating the industrial solid waste of the transport, utilization and disposal.

Article 491 — The pollutant discharge permit of a unit generating industrial solid waste that is subject to pollutant discharge permit management shall record information such as the requirements for the storage, utilization and disposal of industrial solid waste.

Article 492 — Units that generate industrial solid waste shall provide the ecological environment department at the place where they are located with the relevant materials such as the types, quantity, flow direction, storage, utilization and disposal of industrial solid waste, as well as the specific measures for reducing the generation of industrial solid waste and promoting comprehensive utilization.

Article 493 — Units that generate, store, utilize or dispose of industrial solid waste shall, in accordance with the provisions of the State, test and monitor industrial solid waste, and take necessary measures in accordance with the requirements of classified management, so as to prevent industrial solid waste pollution.

Article 494 — Units that generate industrial solid waste shall utilize the industrial solid waste in light of economic and technical conditions; with respect to industrial solid waste that is temporarily not utilized or cannot be utilized, they shall construct storage facilities and sites in accordance with the provisions of the

ecological environment department and other relevant departments under the State Council, store it safely by category, or adopt harmless disposal measures. In storing industrial solid waste, protective measures conforming to the national ecological environment protection standards shall be adopted. The construction of facilities and sites for the storage and disposal of industrial solid waste shall conform to the national ecological environment protection standards.

Article 495 — Where a unit that generates industrial solid waste is terminated, it shall, before termination, take pollution prevention and control measures for the facilities and sites for the storage and disposal of industrial solid waste, and properly dispose of the undisposed industrial solid waste, so as to prevent environmental pollution. Where a unit that generates industrial solid waste is changed, the unit after the change shall, in accordance with the provisions of the State on ecological environment protection, carry out safe disposal of the undisposed industrial solid waste and its storage and disposal facilities and sites, or take effective measures to ensure the safe operation of such facilities and sites. Where the parties before the change have other agreements on the pollution prevention and control responsibilities for the industrial solid waste and its storage and disposal facilities and sites, such agreements shall prevail; however, the parties shall not be exempted from their pollution prevention and control obligations.

Article 496 — In the exploration and mining of mineral resources, exploration and mining methods and process technologies conducive to protecting the ecological environment and preventing solid waste pollution shall be adopted, so as to reduce the quantity generated and stored of mining solid waste such as tailings, coal gangue and waste rock. After the storage facilities for mining solid waste such as tailings, coal gangue and waste rock are decommissioned, mining enterprises shall carry out site closure in accordance with the provisions of the State on ecological environment protection, so as to prevent environmental pollution and ecological damage.

Article 497 — The prevention and control of pollution by tailings storage facilities shall be subject to graded and classified management. The operation and management units of tailings storage facilities shall establish a system for the investigation and rectification of potential environmental pollution hazards, and regularly carry out investigation of potential environmental pollution hazards, so as to prevent environmental pollution.

Article 498 — The State shall encourage the adoption of advanced process technologies for the comprehensive utilization of mining solid waste such as tailings, coal gangue and waste rock.

Chapter XXI — Prevention and Control of Domestic Waste Pollution

Article 499 — The State shall implement a classification system for domestic waste. The classification of domestic waste shall adhere to the principles of government promotion, participation by all, coordination between urban and rural areas, adaptation to local conditions, and simplicity and ease of implementation. For the purposes of this Law, “domestic waste” means solid waste generated in daily life or in activities providing services for daily life, as well as solid waste deemed domestic waste in accordance with the provisions of laws and administrative regulations.

Article 500 — The local people’s governments at or above the county level shall accelerate the establishment and improvement of a domestic waste management system of classified putting, classified collection, classified transport and classified treatment, so as to realize the effective coverage of the domestic waste classification system. The local people’s governments at or above the county level shall establish and improve a coordination mechanism for the classification of domestic waste, and strengthen and coordinate the capacity building for the management of domestic waste classification. The people’s governments at all levels and their relevant departments shall organize publicity on the classification of domestic waste, educate and guide the public to develop the habit of classifying domestic waste, and supervise and guide the work of classifying domestic waste.

Article 501 — The relevant departments of the local people's governments at or above the county level shall, within the scope of their respective duties, strengthen the management of the production and circulation of products, avoid excessive packaging, organize the market supply of cleaned vegetables, and reduce the quantity of domestic waste generated.

Article 502 — The people's governments at or above the county level shall make overall arrangements for the construction of facilities and sites for the collection, transport and treatment of urban and rural domestic waste, determine the locations of the facilities and sites, raise the level of comprehensive utilization and harmless disposal of domestic waste, promote the industrialized development of the collection and treatment of domestic waste, and gradually establish and improve a social service system for the prevention and control of domestic waste pollution.

Article 503 — The local people's governments at all levels shall strengthen the prevention and control of rural domestic waste pollution, and protect and improve the rural living environment. The State shall encourage source reduction of rural domestic waste. In urban-rural fringe areas, densely populated rural areas and other places where conditions permit, an integrated urban-rural domestic waste management system shall be established; other rural areas shall actively explore models for domestic waste management and, in light of local conditions, utilize or properly dispose of domestic waste nearby and on the spot.

Article 504 — The environmental sanitation department of the people's government at or above the level of a city divided into districts shall formulate specifications for the construction and operation of facilities and sites for the sweeping, collection, storage, transport and treatment of domestic waste, publish guidance catalogues for the classification of domestic waste, and strengthen supervision and management.

Article 505 — The environmental sanitation and other relevant departments of the local people's governments at or above the county level shall, within the scope of their respective duties, organize the sweeping, collection, transport and treatment of urban and rural domestic waste, and may select qualified units to engage in the sweeping, collection, transport and treatment of domestic waste through bidding and other means.

Article 506 — Units, households and individuals that generate domestic waste shall, in accordance with the law, perform the obligations of source reduction and classified putting of domestic waste, and bear the responsibility of domestic waste generators. All units and individuals shall, in accordance with the law, put domestic waste into designated places by classification. It shall be prohibited to dump, pile up, discard, scatter, drop or incinerate domestic waste at will. Government organs, public institutions and others shall play a demonstrative and leading role in the classification of domestic waste. Domestic waste that has been put by classification shall be collected, transported and treated by classification in accordance with the provisions.

Article 507 — In sweeping, collecting, transporting and treating urban and rural domestic waste, the provisions of the State on ecological environment protection and environmental sanitation management shall be complied with, so as to prevent environmental pollution. Hazardous waste classified and collected in a centralized manner from domestic waste that is hazardous waste shall be managed as hazardous waste.

Article 508 — Operating units engaged in public transport shall promptly sweep and collect domestic waste generated in the course of transport.

Article 509 — Agricultural product markets, agricultural product wholesale markets and the like shall strengthen environmental sanitation management, keep environmental sanitation clean, and promptly sweep, collect by classification and properly dispose of the waste generated.

Article 510 — Units engaged in the development of new urban areas, the reconstruction of old areas, the development and construction of residential communities and the construction of villages and towns, as well as the operation and management units of public facilities and places such as airports, wharves, stations,

parks, shopping malls and stadiums, shall, in accordance with the provisions of the State on environmental sanitation, construct domestic waste collection facilities as supporting facilities. The local people's governments at or above the county level shall make overall arrangements for the effective linkage between public domestic waste transfer and treatment facilities and the collection facilities prescribed in the preceding paragraph, and strengthen the integration of the domestic waste classification collection and transport system and the renewable resources recovery system in planning, construction and operation.

Article 511 — Materials recovered from domestic waste shall be used in accordance with the uses and standards prescribed by the State, and shall not be used to produce products that may endanger human health.

Article 512 — The construction of domestic waste treatment facilities and sites shall conform to the ecological environment protection and environmental sanitation standards prescribed by the ecological environment department under the State Council and the housing and urban-rural development department under the State Council. Adjacent regions shall be encouraged to make overall arrangements for the construction of domestic waste treatment facilities and promote the co-construction and sharing of domestic waste treatment facilities across administrative regions. It shall be prohibited to close, leave idle or dismantle domestic waste treatment facilities and sites without authorization; where it is truly necessary to close, leave idle or dismantle them, approval shall be obtained after the environmental sanitation department of the people's government of the city divided into districts or county where they are located has consulted with the ecological environment department at the same place, and measures to prevent environmental pollution shall be taken.

Article 513 — Domestic waste treatment units shall, in accordance with the provisions of the State, install and use monitoring equipment, monitor the discharge of pollutants in real time, and disclose pollution discharge data to society in real time. The monitoring equipment shall be connected with the monitoring equipment of the ecological environment department at the place where they are located.

Article 514 — The environmental sanitation department of the local people's government at or above the county level shall be responsible for organizing the resource utilization and harmless treatment of kitchen waste. Units and other producers and operators that generate or collect kitchen waste shall hand over the kitchen waste to units with corresponding qualifications for harmless treatment. It shall be prohibited for livestock and poultry farms to use kitchen waste that has not undergone harmless treatment to feed livestock and poultry.

Article 515 — The local people's governments at or above the county level shall, in accordance with the principle that the generator pays, establish and improve a fee system for domestic waste treatment. In formulating the fee standards for domestic waste treatment, the local people's governments at or above the county level shall, based on local actual conditions and in light of the classification of domestic waste, reflect differentiated management such as pricing by classification and metered charging, and fully solicit public opinions. The fee standards for domestic waste treatment shall be published in a timely manner. Domestic waste treatment fees shall be used exclusively for the collection, transport and treatment of domestic waste, and shall not be diverted to other uses.

Chapter XXII — Prevention and Control of Pollution from Construction Waste, Agricultural Solid Waste and Other Wastes

Article 516 — The local people's governments at or above the county level shall strengthen the prevention and control of construction waste pollution and establish and improve a classified treatment system for construction waste. For the purposes of this Law, "construction waste" means spoil, discarded materials and other solid waste generated by construction units and construction units in the construction, reconstruction, expansion and dismantling of various buildings, structures and pipe networks, as well as in the process of residents' decoration and renovation of housing.

Article 517 — Construction projects shall adopt building design plans, building materials and decoration materials, building components and equipment conducive to protecting the ecological environment, so as to reduce the generation of construction waste. Building materials and decoration materials shall conform to the national standards. It shall be prohibited to produce, sell or use building materials and decoration materials whose content of toxic and hazardous substances exceeds the national standards.

Article 518 — The environmental sanitation department of the local people's government at or above the county level shall be responsible for the prevention and control of construction waste pollution, establish and improve a whole-process management system for construction waste, implement waybill management in accordance with the provisions, standardize the generation, collection, storage, transport, utilization and disposal of construction waste, promote comprehensive utilization, strengthen the construction of construction waste disposal facilities and sites, ensure disposal safety, and prevent environmental pollution. The specific measures for the management of construction waste shall be formulated by the housing and urban-rural development department under the State Council. No unit or individual may dump, pile up, discard, scatter, drop or incinerate construction waste without authorization.

Article 519 — The construction unit shall, in accordance with the provisions, include the cost of construction waste pollution prevention and control in the project cost, and clearly define the responsibility of the construction unit for construction waste pollution prevention and control in the construction contract.

Article 520 — The construction unit shall prepare a construction waste treatment plan, take pollution prevention and control measures, and file it with the environmental sanitation department of the local people's government at or above the county level for the record. The construction unit shall promptly remove and transport solid waste such as construction waste generated in the construction process, and utilize or dispose of it in accordance with the provisions of the environmental sanitation department.

Article 521 — The agriculture and rural affairs department of the people's government at or above the county level shall be responsible for guiding the construction of the agricultural solid waste recovery and utilization system, encourage and guide the relevant units and other producers and operators to collect, store, transport, utilize and dispose of agricultural solid waste in accordance with the law, strengthen supervision and management, and prevent environmental pollution. For the purposes of this Law, "agricultural solid waste" means solid waste generated in agricultural production activities.

Article 522 — Units and other producers and operators that generate agricultural solid waste shall take measures such as recovery and utilization and other measures to prevent environmental pollution.

Article 523 — The dismantling and disposal of products such as decommissioned wind turbine blades, decommissioned photovoltaic modules and waste power batteries shall strengthen pollution prevention and control, and carry out refined and harmless dismantling and disposal in accordance with the provisions.

Article 524 — It shall be prohibited to hand over scrapped motor vehicles and vessels to enterprises or individuals that do not conform to the prescribed conditions for recovery and dismantling.

Article 525 — The urban drainage department of the people's government at or above the county level shall, in accordance with the law, include sludge treatment and disposal facilities in the urban drainage and sewage treatment plans, promote the simultaneous construction of sludge treatment and disposal facilities and sewage treatment facilities, encourage coordinated treatment and disposal, and the collection standards and compensation scope of sewage treatment fees shall cover the cost of sludge treatment and disposal and the normal operation cost of sewage treatment facilities.

Article 526 — It shall be prohibited to dump, pile up, discard, scatter, drop or incinerate without authorization the sludge generated by urban sewage treatment facilities and the sludge after treatment and disposal. Those engaged in water body dredging shall, in accordance with the provisions of the State, treat the sediment generated in the dredging process, so as to prevent environmental pollution.

Article 527 — Laboratories at all levels and of all types and their establishing units shall strengthen the management of solid waste generated by laboratories, and collect, store, transport, utilize and dispose of laboratory solid waste in accordance with the law. Laboratory solid waste that is hazardous waste shall be managed as hazardous waste.

Chapter XXIII — Prevention and Control of Hazardous Waste Pollution

Article 528 — For the purposes of this Law, “hazardous waste” means solid waste listed in the national catalogue of hazardous waste or identified as having hazardous characteristics in accordance with the national standards and methods for the identification of hazardous waste.

Article 529 — The ecological environment department under the State Council shall, together with the relevant departments, formulate the national catalogue of hazardous waste, and prescribe unified standards, methods, procedures and identification marks for the identification of hazardous waste and the management requirements for identification units. The national catalogue of hazardous waste shall be dynamically adjusted. The ecological environment department under the State Council shall, based on the hazardous characteristics and quantity generated of hazardous waste, scientifically assess its environmental risks, implement graded and classified management, establish and improve a whole-process information-based supervision system, and manage and share hazardous waste transfer data and information through information-based means.

Article 530 — The people’s governments of provinces, autonomous regions and municipalities directly under the Central Government shall organize the relevant departments to prepare construction plans for centralized hazardous waste disposal facilities and sites, scientifically assess the demand for hazardous waste disposal, rationally lay out centralized hazardous waste disposal facilities and sites, and ensure that hazardous waste in their administrative regions is properly disposed of. In preparing construction plans for centralized hazardous waste disposal facilities and sites, the opinions of the relevant industry associations, enterprises, public institutions, experts and the public shall be solicited. Adjacent provinces, autonomous regions and municipalities directly under the Central Government may carry out regional cooperation to make overall arrangements for the construction of regional centralized hazardous waste disposal facilities and sites.

Article 531 — Hazardous waste identification marks shall be set up in accordance with the provisions on the containers and packaging of hazardous waste, as well as on the facilities and sites for the collection, storage, transport, utilization and disposal of hazardous waste.

Article 532 — Units that generate hazardous waste shall, in accordance with the provisions of the State, formulate hazardous waste management plans; establish hazardous waste management ledgers, truthfully record the relevant information, and declare to the ecological environment department at the place where they are located the relevant materials such as the types, quantity generated, flow direction, storage, utilization and disposal of hazardous waste through the national hazardous waste information management system. The hazardous waste management plans prescribed in the preceding paragraph shall include measures to reduce the quantity of hazardous waste generated and the harmfulness of hazardous waste, as well as measures for the storage, utilization and disposal of hazardous waste. Hazardous waste management plans shall be filed with the ecological environment department at the place where the units generating hazardous waste are located for the record. Where units generating hazardous waste have obtained a pollutant discharge permit, the provisions of the pollutant discharge permit management system shall apply.

Article 533 — Units that generate hazardous waste shall, in accordance with the provisions of the State and the requirements of ecological environment protection standards, store, utilize and dispose of hazardous waste. No unit or individual may dump, pile up, discard, scatter, drop or incinerate hazardous waste without authorization.

Article 534 — Units engaged in the business activities of collecting, storing, utilizing or disposing of hazardous waste shall obtain a permit in accordance with the provisions of the State. The specific measures for the management of permits shall be formulated by the State Council. It shall be prohibited to engage in the business activities of collecting, storing, utilizing or disposing of hazardous waste without a permit or not in accordance with the requirements of the permit. It shall be prohibited to provide hazardous waste to, or entrust hazardous waste to, units and individuals without permits to engage in collection, storage, utilization or disposal activities.

Article 535 — Hazardous waste shall be collected and stored by category in accordance with the characteristics of the hazardous waste. It shall be prohibited to mix, collect, store, transport or dispose of hazardous waste of incompatible nature that has not undergone safe treatment. In storing hazardous waste, protective measures conforming to the national ecological environment protection standards shall be adopted. It shall be prohibited to mix hazardous waste into non-hazardous waste for storage. Units engaged in the business activities of collecting, storing, utilizing or disposing of hazardous waste shall not store hazardous waste for more than one year; where an extension of the period is truly necessary, approval shall be obtained from the ecological environment department that issued the permit, except as otherwise provided by laws and administrative regulations.

Article 536 — Where hazardous waste is transferred, electronic or paper transfer waybills for hazardous waste shall be filled in and operated in accordance with the provisions of the State. Where hazardous waste is transferred across provinces, autonomous regions or municipalities directly under the Central Government, an application shall be submitted to the ecological environment department of the people's government at the provincial level of the place from which the hazardous waste is removed. The ecological environment department of the people's government at the provincial level of the place of removal shall, after promptly consulting with and obtaining the consent of the ecological environment department of the people's government at the provincial level of the place of reception, approve the transfer of the hazardous waste within the prescribed period, and notify the relevant provincial-level ecological environment departments and transport departments of the approval information. Transfer shall not be carried out without approval. The management of hazardous waste transfer shall be subject to whole-process control and efficiency improvement, and the specific measures shall be formulated by the ecological environment department under the State Council together with the transport department and the public security department under the State Council.

Article 537 — In transporting hazardous waste, measures to prevent environmental pollution shall be taken, and the provisions of the State on the transport management of hazardous goods shall be complied with. It shall be prohibited to carry hazardous waste and passengers on the same means of transport.

Article 538 — Where the sites, facilities, equipment and containers, packaging and other articles for the collection, storage, transport, utilization and disposal of hazardous waste are converted to other uses, they may be used only after decontamination treatment in accordance with the provisions of the State.

Article 539 — Units that generate, collect, store, transport, utilize or dispose of hazardous waste shall, in accordance with the law, formulate preventive measures and emergency plans for accidents, and file them with the ecological environment department at the place where they are located and other departments responsible for the supervision and management of the prevention and control of solid waste pollution for the record; the ecological environment department and other departments responsible for the supervision and management of the prevention and control of solid waste pollution shall, within the scope of their respective duties, carry out supervision and inspection.

Article 540 — Where, due to an accident or other sudden event, a unit causes serious pollution by hazardous waste, it shall immediately take effective measures to eliminate or mitigate the pollution hazard, promptly notify those who may be endangered by the pollution, and report to the ecological environment department and the relevant departments at the place where it is located, and accept investigation and handling.

Article 541 — Where serious pollution by hazardous waste occurs or there is evidence that it may occur and threaten the safety of residents' lives and property, the ecological environment department and other departments responsible for the supervision and management of the prevention and control of solid waste pollution shall immediately report to the people's government at the corresponding level and the relevant departments of the people's government at the next higher level, and the people's government shall take effective measures to prevent or mitigate the hazard. The relevant people's governments may, in light of actual needs, order the suspension of operations that cause or may cause environmental pollution accidents.

Article 542 — Before the decommissioning of key centralized hazardous waste disposal facilities and sites, the operating units shall, in accordance with the provisions of the State, take pollution prevention and control measures for the facilities and sites. Decommissioning expenses shall be provided for in advance and included in the investment budget or production costs, and used exclusively for the decommissioning of key centralized hazardous waste disposal facilities and sites. The specific measures for the provision and management shall be formulated by the finance department and the price department under the State Council together with the ecological environment department under the State Council.

Article 543 — It shall be prohibited to transfer hazardous waste through the territory of the People's Republic of China in transit.

Article 544 — Medical waste shall be managed in accordance with the national catalogue of hazardous waste. The local people's governments at or above the county level shall strengthen the construction of centralized medical waste disposal capacity. The health, ecological environment and other relevant departments shall, within the scope of their respective duties, strengthen supervision and management of the collection, storage, transport and disposal of medical waste, so as to prevent harm to public health and environmental pollution. Medical and health institutions shall, in accordance with the law, collect medical waste generated by them by classification and hand it over to centralized medical waste disposal units for disposal. Centralized medical waste disposal units shall promptly collect, transport and dispose of medical waste. Medical and health institutions and centralized medical waste disposal units shall take effective measures to prevent the loss, leakage, seepage and spread of medical waste.

Article 545 — When sudden events such as major infectious disease epidemics occur, the people's governments at or above the county level shall make overall arrangements for and coordinate the collection, storage, transport and disposal of hazardous waste such as medical waste, and guarantee the required vehicles, sites, disposal facilities and protective materials. The health, ecological environment, environmental sanitation, transport and other relevant departments shall cooperate and perform their emergency disposal duties in accordance with the law.

Part Seven — Prevention and Control of Noise Pollution

Chapter XXIV — General Provisions

Article 546 — This Part shall apply to the prevention and control of noise pollution.

Article 547 — For the purposes of this Law, "noise pollution" means the phenomenon whereby noise exceeding the noise emission standards or generated without adopting prevention and control measures in accordance with the law in industrial production, construction, transport and social life interferes with the normal life, work and study of others.

Article 548 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of noise pollution nationwide. The ecological environment departments of local people's governments shall exercise unified supervision and management over the prevention and control of noise pollution in their respective administrative regions. The housing and urban-rural development, public security, transport, railway supervision and management, civil aviation,

maritime affairs and other relevant departments of the people's governments at or above the county level shall exercise supervision and management over the prevention and control of construction, transport and social life noise pollution within the scope of their respective duties.

Article 549 — Grassroots mass self-governance organizations shall assist the local people's governments and their relevant departments in doing a good job in the prevention and control of noise pollution.

Article 550 — Units that discharge noise and managers of public places shall establish a responsibility system for the prevention and control of noise pollution, and clearly define the responsibilities of the persons in charge and the relevant personnel.

Article 551 — In preparing territorial spatial plans and relevant plans, the people's governments at all levels and their relevant departments shall fully consider the impact of noise generated by the development, reconstruction and construction projects of urban and rural areas on the surrounding living environment, make overall plans, rationally arrange land use and construction layout, and prevent and mitigate noise pollution.

Article 552 — The people's governments of cities divided into districts and counties where the regions that have not attained the national acoustic environment quality standards are located shall promptly formulate plans for improving acoustic environment quality and implementation plans, and take effective measures to improve acoustic environment quality.

Article 553 — The local people's government at or above the county level shall, in accordance with the national acoustic environment quality standards, territorial spatial plans and the current state of land use, delineate the applicable areas for various acoustic environment quality standards in its administrative region; areas dominated by buildings used for residence, scientific research, medical and health care, culture and education, government and organization offices and social welfare shall be delineated as concentrated areas of noise-sensitive buildings, and the prevention and control of noise pollution shall be strengthened. The scope of the applicable areas for acoustic environment quality standards and the scope of concentrated areas of noise-sensitive buildings shall be published in a timely manner. For the purposes of this Law, "noise-sensitive buildings" means buildings used for residence, scientific research, medical and health care, culture and education, government and organization offices, social welfare and other purposes requiring quiet.

Article 554 — The ecological environment department under the State Council shall, in accordance with the national acoustic environment quality standards and the national economic and technical conditions, formulate national environmental vibration control standards. The generation of vibration shall conform to the environmental vibration control standards and the requirements of the relevant laws, regulations and rules.

Article 555 — The standardization department under the State Council shall, together with the development and reform, ecological environment, industry and information technology, housing and urban-rural development, transport, railway supervision and management, civil aviation, maritime affairs and other relevant departments under the State Council, prescribe noise limits in the technical specifications or product quality standards of industrial equipment, construction machinery, motor vehicles, railway rolling stock, urban rail transit vehicles, civil aircraft, motor vessels, electrical and electronic products, building auxiliary equipment and other products that may generate noise pollution, in accordance with the requirements of noise pollution prevention and control and the national economic and technical conditions. The limits for noise generated when the products prescribed in the preceding paragraph are used shall be noted in the relevant technical documents. It shall be prohibited to produce, import or sell products that do not conform to the noise limits. The market regulation and other relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, carry out supervisory spot checks on products with noise limits that are produced or sold, and carry out supervisory sampling measurement of noise emitted during the use of special equipment such as elevators, and the ecological environment

department shall provide cooperation.

Article 556 — The ecological environment department under the State Council shall, together with the relevant departments, organize acoustic environment quality monitoring and promote the automation of monitoring. The ecological environment department of the local people's government shall, together with the relevant departments, set up acoustic environment quality monitoring stations in its administrative region in accordance with the provisions, and organize acoustic environment quality monitoring in its administrative region. The ecological environment and other relevant departments of local people's governments shall, within the scope of their respective duties, strengthen the investigation and monitoring of noise emissions in key areas such as the surroundings of noise-sensitive buildings.

Article 557 — In determining the construction layout, anti-noise distances between buildings and major traffic arteries shall be rationally delineated in accordance with the national acoustic environment quality standards and the relevant standards for the sound insulation design of civil buildings, and corresponding planning and design requirements shall be put forward. The major traffic arteries referred to in the preceding paragraph include railways, expressways, first-grade highways, second-grade highways, urban expressways, urban main roads, urban secondary roads, urban rail transit lines and inland high-grade waterways.

Article 558 — The construction of noise-sensitive buildings shall conform to the requirements of the relevant standards for the sound insulation design of civil buildings; those that do not conform to the requirements of the standards shall not pass acceptance inspection or be delivered for use; where noise-sensitive buildings are constructed on both sides of major traffic arteries and around industrial enterprises and other places, they shall also be separated by a certain distance in accordance with the provisions, and measures to reduce vibration and lower noise shall be taken.

Article 559 — The State shall encourage and support the research, development, promotion and application of low-noise processes and equipment.

Article 560 — The State shall encourage the creation of quiet areas such as quiet residential communities and quiet carriages, so as to jointly maintain a harmonious and peaceful living environment.

Article 561 — During special activities such as secondary school entrance examinations and the unified college entrance examination, the local people's governments or their designated departments may make restrictive provisions on the time and area of activities that may generate noise, and announce them to society in advance.

Article 562 — Where the discharge of noise causes serious pollution and the discharge is not rectified after being ordered to rectify, the ecological environment department and other departments responsible for the supervision and management of noise pollution prevention and control may, in accordance with the law, seal up or seize the places, facilities, equipment, tools and articles that discharge noise.

Article 563 — The prevention and control of noise hazards suffered by persons engaged in their own production and operation work shall be governed by the relevant provisions of the laws on the prevention and control of occupational diseases.

Chapter XXV — Prevention and Control of Industrial Noise Pollution

Article 564 — For the purposes of this Law, "industrial noise" means sound generated in industrial production activities that interferes with the surrounding living environment.

Article 565 — The site selection of industrial enterprises shall conform to the requirements of territorial spatial plans and the relevant plans, and the local people's governments at or above the county level shall, in accordance with the planning requirements, optimize the layout of industrial enterprises and prevent industrial noise pollution.

Article 566 — Within concentrated areas of noise-sensitive buildings, the construction of new industrial enterprises that discharge noise shall be prohibited, and the reconstruction or expansion of industrial enterprises shall take effective measures to prevent industrial noise pollution.

Article 567 — Enterprises, public institutions and other producers and operators that discharge industrial noise shall take effective measures to reduce vibration and lower noise.

Chapter XXVI — Prevention and Control of Construction Noise Pollution

Article 568 — For the purposes of this Law, “construction noise” means sound generated in the process of construction that interferes with the surrounding living environment.

Article 569 — The construction unit shall, in accordance with the provisions, include the cost of noise pollution prevention and control in the project cost, and clearly define the responsibility of the construction unit for noise pollution prevention and control in the construction contract. The construction unit shall, in accordance with the provisions, formulate an implementation plan for noise pollution prevention and control, and take effective measures to reduce vibration and lower noise. The construction unit shall supervise the construction unit in implementing the noise pollution prevention and control implementation plan.

Article 570 — Where construction is carried out in concentrated areas of noise-sensitive buildings or may cause serious pollution, priority shall be given to the use of low-noise construction processes and equipment. The industry and information technology department under the State Council shall, together with the ecological environment, housing and urban-rural development, market regulation and other relevant departments under the State Council, formulate and publish a guidance catalogue of low-noise construction equipment and update it in a timely manner.

Article 571 — Where construction is carried out in concentrated areas of noise-sensitive buildings or may cause serious pollution, the construction unit shall, in accordance with the provisions of the State, set up an automatic noise monitoring system, connect with the supervision and management departments, and preserve the original monitoring records.

Article 572 — In concentrated areas of noise-sensitive buildings, construction operations that generate noise shall be prohibited at night, except for emergency repair and rescue operations and operations that must be carried out continuously due to production process requirements or other special needs. Where operations must be carried out continuously due to special needs, a certificate shall be obtained from the housing and urban-rural development department or the ecological environment department of the local people’s government or a department designated by the local people’s government, and the nearby residents shall be notified by publicizing at a conspicuous place at the construction site or by other means. The “night” referred to in the first paragraph of this Article means the period from 10 p.m. to 6 a.m. the next day, and the people’s governments at or above the level of a city divided into districts may separately prescribe the starting and ending times of night in their administrative regions, with the length of the night period being eight hours.

Chapter XXVII — Prevention and Control of Transportation Noise Pollution

Article 573 — For the purposes of this Law, “transportation noise” means sound generated by means of transport such as motor vehicles, railway rolling stock, urban rail transit vehicles, motor vessels and aircraft during operation that interferes with the surrounding living environment.

Article 574 — In preparing territorial spatial plans and transport and other relevant plans, the people’s governments at all levels and their relevant departments shall comprehensively consider the impact of highways, urban roads, railways, urban rail transit lines, waterways, ports and civil airports and their takeoff and landing routes on the surrounding acoustic environment. In the route selection and design of new highways and railways, concentrated areas of noise-sensitive buildings shall be avoided as far as possible. The distance between the site of a new civil airport and concentrated areas of noise-sensitive buildings shall

conform to the requirements of the standards.

Article 575 — In formulating technical specifications for transport infrastructure engineering, the requirements for noise pollution prevention and control shall be clearly specified. Where expressways, urban viaducts, railways, urban rail transit lines and the like passing through concentrated areas of noise-sensitive buildings are newly constructed, reconstructed or expanded, the construction unit shall set up sound barriers or take other measures to reduce vibration and lower noise on key road sections that may cause noise pollution, conforming to the requirements of the relevant technical specifications and standards for transport infrastructure engineering. Where the construction unit violates the provisions of the preceding paragraph, the department designated by the people's government at or above the county level shall order it to formulate and implement a treatment plan.

Article 576 — The mufflers and horns of motor vehicles shall conform to the provisions of the State. It shall be prohibited to drive motor vehicles that have been modified without authorization, such as by removing or damaging mufflers or adding exhaust pipes, so as to cause noise pollution by roaring or racing. When using motor vehicle audio equipment, the volume shall be controlled to prevent noise pollution. Motor vehicles shall be strengthened in repair and maintenance to maintain good performance and prevent noise pollution.

Article 577 — When means of transport such as motor vehicles, railway rolling stock, urban rail transit vehicles and motor vessels are in operation, sound devices such as horns shall be used in accordance with the provisions. The installation and use of sirens on motor vehicles such as police cars, fire engines, engineering rescue vehicles and ambulances shall conform to the provisions of the public security department and other relevant departments under the State Council; sirens shall not be used unless performing emergency tasks.

Article 578 — The ecological environment department of the local people's government shall, together with the public security organ, be able to delineate road sections and time periods where the use of sound devices such as motor vehicle travel and horns is prohibited, based on the needs of noise pollution prevention and control, announce them to society, and the traffic management department of the public security organ shall set up the relevant signs and markings in accordance with the law.

Article 579 — Where broadcast horns are used to direct operations at stations, railway yards, ports and other places, the volume shall be controlled to mitigate noise pollution.

Article 580 — Highway maintenance and management units and urban road maintenance and repair units shall strengthen the maintenance and upkeep of highways and urban roads, and ensure the normal operation of facilities for reducing vibration and lowering noise. Urban rail transit operating units and railway transport enterprises shall strengthen the maintenance and upkeep of urban rail transit lines and vehicles and railway lines and rolling stock, ensure the normal operation of facilities for reducing vibration and lowering noise, conduct monitoring in accordance with the provisions of the State, and preserve the original monitoring records.

Article 581 — The people's governments at the locations of civil airports shall, in accordance with the scope and degree of the impact of civil aircraft noise on the living environment around the airports determined by ecological environment impact assessment and monitoring results, delineate areas where the construction of noise-sensitive buildings is prohibited and areas where it is restricted, and implement control. Within the prohibited construction areas, the construction of new noise-sensitive buildings unrelated to aviation shall be prohibited. Where the construction of noise-sensitive buildings is truly necessary within the restricted construction areas, the construction unit shall carry out sound insulation design for the noise-sensitive buildings, conforming to the requirements of the relevant standards for the sound insulation design of civil buildings.

Article 582 — Civil aircraft shall conform to the noise requirements in the airworthiness standards prescribed by the civil aviation department under the State Council.

Article 583 — Civil airport management institutions shall be responsible for the management of noise from aircraft taking off and landing at airports, and shall, together with air transport enterprises, general aviation enterprises, air traffic management departments and other units, adopt measures such as low-noise flight procedures, optimization of takeoff and landing runways, control of operation sorties and time periods, restriction of the operation of high-noise aircraft, and sound insulation and noise reduction of surrounding noise-sensitive buildings, so as to prevent and mitigate civil aircraft noise pollution. Civil airport management institutions shall, in accordance with the provisions of the State, monitor civil aircraft noise around airports, preserve the original monitoring records, and regularly report the monitoring results to the civil aviation department and the ecological environment department.

Article 584 — Where noise discharged by the operation of highways, urban roads and urban rail transit causes serious pollution, the people's government of the city divided into districts or county shall organize the relevant departments and other relevant units to investigate, assess and determine responsibility for the noise pollution, and formulate a comprehensive noise pollution treatment plan. The entities responsible for noise pollution shall take management or engineering measures in accordance with the requirements of the comprehensive noise pollution treatment plan to mitigate noise pollution.

Article 585 — Where noise discharged by railway operation causes serious pollution, the railway transport enterprise and the people's government of the city divided into districts or county shall investigate the noise pollution and formulate a comprehensive noise pollution treatment plan. The railway transport enterprise and the relevant departments of the people's government of the city divided into districts or county and other relevant units shall take effective measures in accordance with the requirements of the comprehensive noise pollution treatment plan to mitigate noise pollution.

Article 586 — Where noise discharged by civil aircraft taking off and landing causes serious pollution, the people's government at the location of the civil airport shall organize the relevant departments and other relevant units to investigate the noise pollution, and, comprehensively considering economic, technical and management measures, formulate a comprehensive noise pollution treatment plan. Civil airport management institutions, the local people's governments at all levels and other relevant units shall take effective measures in accordance with the requirements of the comprehensive noise pollution treatment plan to mitigate noise pollution.

Article 587 — In formulating comprehensive noise pollution treatment plans, the opinions of the relevant experts, the public and others shall be solicited.

Chapter XXVIII — Prevention and Control of Noise Pollution in Social Life

Article 588 — For the purposes of this Law, “social life noise” means sound generated by human activities, other than industrial noise, construction noise and transportation noise, that interferes with the surrounding living environment.

Article 589 — The whole of society shall enhance the awareness of noise pollution prevention and control, consciously reduce the discharge of social life noise, actively carry out noise pollution prevention and control activities, and form a good atmosphere of noise pollution prevention and control in which everyone is responsible, everyone participates and everyone benefits, so as to jointly maintain a harmonious and peaceful living environment.

Article 590 — The operation and management personnel of places such as cultural entertainment, sports and catering shall take effective measures to prevent and mitigate noise pollution.

Article 591 — Enterprises, public institutions and other operation and management personnel that use equipment and facilities such as air conditioners, cooling towers, water pumps, oil fume purifiers, fans, generators, transformers, boilers and loading and unloading equipment that may generate social life noise pollution shall take measures such as optimizing layout and centralized discharge to prevent and mitigate

noise pollution.

Article 592 — It shall be prohibited to use high-volume broadcast horns or adopt other methods of continuously and repeatedly emitting high noise for advertising in commercial business activities. With respect to other noise generated in commercial business activities, operators shall take effective measures to prevent noise pollution.

Article 593 — It shall be prohibited to use high-volume broadcast horns in concentrated areas of noise-sensitive buildings, except in emergencies and special circumstances prescribed by the local people's governments. Those who organize or carry out activities such as entertainment and fitness in public places such as streets, squares and parks shall comply with the provisions of public place managers on the activity areas, time periods and volume, and take effective measures to prevent noise pollution; audio equipment shall not be used in violation of the provisions to generate excessive volume. Public place managers shall reasonably prescribe the areas, time periods and volume of activities such as entertainment and fitness, and may take measures such as setting up automatic noise monitoring and display facilities to strengthen management.

Article 594 — Families and their members shall cultivate good habits of reducing noise generation, and in taking public transport, keeping pets and other daily activities, shall try to avoid generating noise that interferes with surrounding persons, resolve noise disputes with mutual understanding and accommodation, and jointly maintain acoustic environment quality. In using household electrical appliances and musical instruments or carrying out other activities at home, the volume shall be controlled or other effective measures shall be taken to prevent noise pollution.

Article 595 — In carrying out interior decoration of residential buildings, shops, office buildings and other buildings that have been completed and delivered for use, the operation time shall be limited in accordance with the provisions, and effective measures shall be taken to prevent and mitigate noise pollution.

Article 596 — Real estate developers of newly built residential housing shall publicize at the sales site the situation in which the housing may be affected by noise and the prevention and control measures taken or proposed to be taken, and incorporate them into the sales contract. Real estate developers of newly built residential housing shall clearly specify in the sales contract the location of shared facilities and equipment of the housing and the sound insulation of the buildings.

Article 597 — Where shared facilities and equipment such as elevators, water pumps and transformers are installed in residential areas, the construction unit shall set them up rationally and take measures to reduce vibration and lower noise, conforming to the requirements of the relevant standards for the sound insulation design of civil buildings. The shared facilities and equipment such as elevators, water pumps and transformers in residential areas that have been completed and are in use shall be maintained and managed by professional operating units, conforming to the requirements of the relevant standards for the sound insulation design of civil buildings.

Article 598 — Grassroots mass self-governance organizations shall guide owners' committees, property service providers and owners to stipulate, through the formulation of management rules or other forms, the noise pollution prevention and control requirements of their property management areas, which shall be jointly observed by the owners.

Article 599 — With respect to social life noise nuisance in concentrated areas of noise-sensitive buildings, grassroots mass self-governance organizations, owners' committees and property service providers shall promptly dissuade and mediate; where dissuasion and mediation are ineffective, they may report or complain to the departments responsible for the supervision and management of social life noise pollution prevention and control or the departments designated by the local people's governments, and the departments receiving the report or complaint shall handle it in accordance with the law.

Part Eight — Prevention and Control of Radioactive Pollution

Chapter XXIX — General Provisions

Article 600 — This Part shall apply to the prevention and control of radioactive pollution occurring in the process of site selection, construction, operation and decommissioning of nuclear facilities and in the development and utilization of nuclear technology, uranium (thorium) mines and associated radioactive mines.

Article 601 — For the purposes of this Law, “radioactive pollution” means the presence of radioactive substances or rays exceeding the national standards on the surface of or inside materials, human bodies, sites or environmental media due to human activities.

Article 602 — In preventing and controlling radioactive pollution, strict management and safety first shall be adhered to, and the development and peaceful utilization of nuclear energy and nuclear technology shall be promoted.

Article 603 — Nuclear facility operating units, nuclear technology utilization units and other producers and operators, units developing and utilizing uranium (thorium) mines and associated radioactive mines, and units specially engaged in the storage, treatment and disposal of radioactive waste shall take effective measures to prevent and reduce radioactive pollution, and bear responsibility in accordance with the law for the radioactive pollution caused. In producing, storing, transporting, selling, using or disposing of articles containing radioactive substances, the provisions of the State shall be complied with, so as to prevent environmental pollution.

Article 604 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of radioactive pollution nationwide. The health department and other relevant departments under the State Council shall exercise supervision and management over the prevention and control of radioactive pollution within the scope of their respective duties.

Article 605 — The ecological environment department under the State Council shall, in accordance with the requirements of environmental safety and the national economic and technical conditions, formulate national standards for the prevention and control of radioactive pollution.

Article 606 — Products containing radioactive substances and radiation devices shall conform to the national standards for the prevention and control of radioactive pollution; those that do not conform to the national standards for the prevention and control of radioactive pollution shall not leave the factory or be sold. The use of associated radioactive slag and stone containing natural radioactive substances shall conform to the standards for the control of radionuclides in national building materials.

Article 607 — The ecological environment department under the State Council shall, together with the relevant departments, organize the monitoring network and implement monitoring management of radioactive pollution.

Article 608 — Nuclear facility operating units, nuclear technology utilization units and other producers and operators, units developing and utilizing uranium (thorium) mines and associated radioactive mines, and units specially engaged in the storage, treatment and disposal of radioactive waste shall take safety and protective measures to prevent various accidents that may lead to radioactive pollution and avoid the harm of radioactive pollution. Nuclear facility operating units, nuclear technology utilization units and other producers and operators, units developing and utilizing uranium (thorium) mines and associated radioactive mines, and units specially engaged in the storage, treatment and disposal of radioactive waste shall provide radioactive safety education and training for their staff and take effective protective safety measures.

Article 609 — In transporting radioactive substances, effective measures shall be taken to prevent radioactive pollution. The specific measures shall be formulated by the State Council.

Article 610 — Radioactive substances and radiation devices shall be affixed with conspicuous radioactive marks and Chinese warning statements. Places where radioactive substances and radiation devices are produced, stored, sold, used or disposed of, as well as means of transporting radioactive substances, shall be affixed with conspicuous radioactive marks.

Article 611 — The State shall implement a qualification management system for professionals engaged in the prevention and control of radioactive pollution, and a qualification management system for institutions engaged in radioactive pollution monitoring. Institutions engaged in radioactive pollution monitoring shall meet the following conditions and, after passing lawful examination by the ecological environment department under the State Council and obtaining a qualification certificate, may engage in radioactive pollution monitoring within the scope permitted by the qualification: (1) having the status of a legal person; (2) having professional and technical personnel commensurate with the monitoring work carried out; (3) having workplaces, experimental conditions, facilities and equipment that meet the requirements of the relevant standards and specifications; and (4) having a sound quality management system.

Article 612 — The ecological environment and other relevant departments under the State Council shall exchange information and closely cooperate, and shall, within the scope of their respective duties, supervise and inspect the prevention and control of radioactive pollution in nuclear facilities, the utilization of nuclear technology and the development and utilization of uranium (thorium) mines. The ecological environment and other relevant departments of local people's governments shall exchange information and closely cooperate, and shall, within the scope of their respective duties, supervise and inspect the prevention and control of radioactive pollution in the utilization of nuclear technology and the development and utilization of associated radioactive mines in their administrative regions.

Article 613 — The State shall establish a radioactive pollution prevention and control system that conforms to the characteristics of controlled thermonuclear fusion and promotes the application of nuclear fusion, and implement graded and classified management of the prevention and control of radioactive pollution from fusion fuel and fusion devices (facilities). The construction of fusion devices (facilities) shall undergo ecological environment impact assessment in accordance with the law.

Article 614 — The prevention and control of occupational diseases caused by exposure to radioactive substances in occupational activities shall be governed by the relevant provisions of the laws on the prevention and control of occupational diseases.

Chapter XXX — Prevention and Control of Radioactive Pollution from Nuclear Facilities

Article 615 — Nuclear facility operating units carrying out activities such as site selection, construction, operation and decommissioning of nuclear facilities shall apply for nuclear facility safety permits in accordance with the law. For the purposes of this Law, “nuclear facilities” means nuclear power plants and installations such as nuclear power plants, nuclear cogeneration plants and nuclear steam and heat supply plants, other reactors such as research reactors, experimental reactors and critical installations other than nuclear power plants, nuclear fuel cycle facilities such as nuclear fuel production, processing, storage and reprocessing facilities, and facilities for the storage, treatment and disposal of radioactive waste generated by the aforesaid facilities.

Article 616 — Nuclear facility operating units shall, in accordance with the provisions of the ecological environment department under the State Council, carry out ecological environment impact assessment in the links of nuclear facility construction, decommissioning, site selection and operation.

Article 617 — Imported nuclear facilities shall conform to the national standards for the prevention and control of radioactive pollution; where there are no corresponding national standards for the prevention and control of radioactive pollution, the relevant standards designated by the ecological environment department under the State Council shall be adopted.

Article 618 — The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall, in accordance with the law, delineate planned restricted areas around important nuclear facilities such as nuclear power plants. It shall be prohibited to construct within the planned restricted areas production and storage facilities for flammable, explosive and corrosive articles and densely populated places that may threaten the safety of nuclear facilities. The measures for the delineation and management of planned restricted areas shall be formulated by the State Council.

Article 619 — Nuclear facility operating units shall monitor the types and concentrations of radionuclides contained in the surrounding environment of nuclear facilities, as well as the total quantity of radionuclides in the effluent of nuclear facilities, and regularly report the monitoring results to the ecological environment department under the State Council and the ecological environment department of the people's government at the provincial level at the place where they are located. The ecological environment department under the State Council shall be responsible for carrying out supervisory monitoring of important nuclear facilities such as nuclear power plants, and shall, in light of actual needs, monitor the effluent of other nuclear facilities. The construction, operation and maintenance costs of the supervisory monitoring system shall be covered by the fiscal budget.

Article 620 — The State shall establish and improve a nuclear accident emergency system. The State shall establish a nuclear accident emergency coordination committee to organize and coordinate the nuclear accident emergency management work nationwide. The member units of the national nuclear accident emergency coordination committee, the people's governments of provinces, autonomous regions and municipalities directly under the Central Government, and nuclear facility operating units shall, in accordance with the law, do a good job in nuclear accident emergency work.

Article 621 — Nuclear facility operating units shall formulate nuclear facility decommissioning plans. The decommissioning expenses and radioactive waste disposal expenses of nuclear facilities shall be provided for in advance and included in the investment budget or production costs, and used exclusively for the decommissioning of nuclear facilities and the disposal of radioactive waste. The measures for the provision and management of the decommissioning expenses and radioactive waste disposal expenses of nuclear facilities shall be formulated by the finance department and the price department under the State Council together with the ecological environment department, the nuclear industry department and the energy department under the State Council.

Chapter XXXI — Prevention and Control of Radioactive Pollution from the Utilization of Nuclear Technology

Article 622 — The State shall strengthen the prevention and control of radioactive pollution from the utilization of nuclear technology. The ecological environment department under the State Council shall implement graded and classified management of radioactive isotopes and radiation devices that may cause pollution. For the purposes of this Law, "utilization of nuclear technology" means the use of radioactive isotopes and radiation devices in the fields of medicine, industry, agriculture, geological survey, scientific research and teaching.

Article 623 — Units and other producers and operators that produce, sell or use radioactive isotopes and radiation devices shall obtain permits in accordance with the provisions of the State Council on radiation protection for radioactive isotopes and radiation devices. Those that have not obtained permits shall not engage in the production, sale or use of radioactive isotopes and radiation devices. It shall be prohibited to sell radioactive isotopes and radiation devices on the Internet. Units and other producers and operators that

transfer, import or export radioactive isotopes and radiation devices, as well as units and other producers and operators equipped with instruments containing radioactive isotopes, shall go through the relevant formalities in accordance with the provisions of the State Council on radiation protection for radioactive isotopes and radiation devices.

Article 624 — Units and other producers and operators that produce, sell or use radioactive isotopes and radiation devices shall, before applying for permits, lawfully obtain approval documents for ecological environment impact statements or ecological environment impact report forms, or have completed the filing formalities for ecological environment impact registration forms. The State shall establish and improve a filing system for radioactive isotopes, and the specific measures shall be formulated by the State Council.

Article 625 — Radioactive isotopes shall be stored separately and shall not be stored together with flammable, explosive and corrosive articles, and their storage places shall take effective safety protection measures for fire prevention, theft prevention and prevention of radiation leakage, and designate special personnel to be responsible for custody. When storing, receiving, using and returning radioactive isotopes, registration and inspection shall be carried out to ensure that the accounts conform to the articles.

Article 626 — Units and other producers and operators that produce or use radioactive isotopes and radiation devices shall, in accordance with the provisions of the ecological environment department under the State Council, collect, package and store the radioactive waste generated by them. Units and other producers and operators that produce radioactive sources shall, in accordance with the provisions of the ecological environment department under the State Council, recover and utilize waste radioactive sources; units and other producers and operators that use radioactive sources shall, in accordance with the provisions of the ecological environment department under the State Council, return waste radioactive sources to the units and other producers and operators that produced them or deliver them to units specially engaged in the storage, treatment and disposal of radioactive waste.

Article 627 — Places using radioactive sources with a relatively high degree of potential harm to human health and the ecological environment and places producing radioactive isotopes, as well as radiation devices that generate radioactive pollution after termination of operation, shall be decommissioned in accordance with the law. The specific measures shall be formulated by the State Council.

Article 628 — Units and other producers and operators that produce, store, sell or use radioactive sources shall establish and improve safety and security systems, designate special personnel to be responsible, implement the safety responsibility system, and formulate necessary accident emergency measures. When a radioactive source is lost or stolen or a radioactive pollution accident occurs, the relevant units and individuals shall immediately take emergency measures and report to the public security organ, the health department and the ecological environment department. After receiving reports of the loss or theft of radioactive sources and radioactive pollution accidents, the public security organ, the health department and the ecological environment department shall report to the people's government at the corresponding level and, within the scope of their respective duties, immediately organize the adoption of effective measures to prevent the spread of radioactive pollution and reduce accident losses. The local people's government shall promptly inform the public of the relevant information and do a good job in the investigation and handling of the accident.

Chapter XXXII — Prevention and Control of Radioactive Pollution from the Development and Utilization of Uranium (Thorium) Mines and Associated Radioactive Mines

Article 629 — Units developing, utilizing or closing uranium (thorium) mines shall, before commencing construction or going through decommissioning approval formalities, prepare ecological environment impact statements and ecological environment impact report forms, and submit them to the ecological environment department under the State Council for examination and approval. Units developing and utilizing associated

radioactive mines shall, before commencing construction or decommissioning, prepare ecological environment impact statements and ecological environment impact report forms, and submit them to the ecological environment department of the people's government at or above the provincial level for examination and approval. For the purposes of this Law, "associated radioactive mines" means non-uranium mines such as rare earth mines and phosphate mines listed in the catalogue of radiation environment management for the development and utilization of associated radioactive mines and containing relatively high concentrations of natural radionuclides.

Article 630 — The ecological environment department under the State Council shall, in accordance with the degree of potential harm of radionuclides in the development and utilization of mineral resources to human health and the ecological environment, formulate a catalogue of radiation environment management for the development and utilization of associated radioactive mines, and uniformly prescribe the determination methods and standards, mineral categories and industrial activities included in the radiation environment management for the development and utilization of associated radioactive mines. The catalogue of radiation environment management for the development and utilization of associated radioactive mines shall be dynamically adjusted.

Article 631 — The pollutant discharge permit of a unit developing and utilizing associated radioactive mines that is subject to pollutant discharge permit management shall record information such as the types, concentrations and quantities discharged of radionuclides in the discharged waste liquid, the categories, physical forms, generation links and destinations of associated radioactive solid waste, and the self-storage, utilization and disposal of associated radioactive solid waste and related facilities.

Article 632 — Uranium (thorium) mine development and utilization units shall monitor the effluent and surrounding environment of uranium (thorium) mines, and regularly report the monitoring results to the ecological environment department under the State Council and the ecological environment department of the people's government at the provincial level at the place where they are located.

Article 633 — With respect to radioactive solid waste such as tailings generated in the development and utilization of uranium (thorium) mines and associated radioactive mines, facilities such as tailings ponds shall be constructed for storage and disposal; the tailings ponds and other facilities constructed shall conform to the requirements of radioactive pollution prevention and control.

Article 634 — Uranium (thorium) mine development and utilization units shall formulate uranium (thorium) mine decommissioning plans. The decommissioning and monitoring expenses of uranium mines shall be covered by the national fiscal budget.

Chapter XXXIII — Prevention and Control of Radioactive Waste Pollution

Article 635 — Nuclear facility operating units, nuclear technology utilization units and other producers and operators, and units developing and utilizing uranium (thorium) mines and associated radioactive mines shall rationally select and utilize raw materials and adopt advanced production processes and equipment, so as to minimize the quantity of radioactive waste generated. Radioactive waste means waste containing radionuclides or contaminated by radionuclides whose concentration or specific activity exceeds the national clearance levels and which is not expected to be used again. The specific measures for clearance shall be formulated by the ecological environment department under the State Council.

Article 636 — The discharge of radioactive waste gases and waste liquids shall conform to the provisions and standards of the State on the prevention and control of radioactive pollution.

Article 637 — Units generating radioactive waste gases and waste liquids that discharge radioactive waste gases and waste liquids conforming to the provisions and standards of the State on the prevention and control of radioactive pollution shall apply to the ecological environment department that examined and approved the ecological environment impact statement and ecological environment impact report form for

the quantity of radionuclides discharged, and regularly report the discharge measurement results.

Article 638 — Units generating radioactive waste liquids shall, in accordance with the provisions and standards of the State on the prevention and control of radioactive pollution, treat or store radioactive waste liquids that shall not be discharged. Radioactive waste liquids that cannot be purified or stored for decay to attain the requirements of the provisions and standards of the State on the prevention and control of radioactive pollution shall be transformed into stable and standardized radioactive solid waste conforming to disposal requirements. Units generating radioactive waste liquids that discharge radioactive waste liquids conforming to the provisions and standards of the State on the prevention and control of radioactive pollution shall adopt discharge methods conforming to the provisions of the ecological environment department under the State Council. It shall be prohibited to discharge radioactive waste liquids through seepage wells, seepage pits, natural fissures, karst caves or other means prohibited by the State.

Article 639 — Low-level and intermediate-level radioactive solid waste shall be disposed of by near-surface disposal or intermediate-depth disposal in accordance with the provisions of the State. High-level radioactive solid waste shall be disposed of by centralized deep geological disposal. It shall be prohibited to dispose of radioactive solid waste in inland waters and at sea.

Article 640 — The nuclear industry department under the State Council shall, together with the ecological environment department under the State Council, in accordance with geological conditions and the needs of radioactive solid waste disposal and on the basis of ecological environment impact assessment, organize the preparation of site selection plans for radioactive solid waste disposal sites in accordance with the law, and implement them after approval by the State Council. The relevant local people's governments shall, in accordance with the site selection plans for radioactive solid waste disposal sites, provide construction land for radioactive solid waste disposal sites and take effective measures to support the disposal of radioactive solid waste.

Article 641 — Units generating radioactive solid waste shall, in accordance with the provisions of the ecological environment department under the State Council, treat the radioactive solid waste generated by them and then deliver it to radioactive waste disposal units for disposal, and bear the disposal expenses. The measures for the collection and use management of radioactive solid waste disposal expenses shall be formulated by the finance department and the price department under the State Council together with the ecological environment department under the State Council.

Article 642 — The establishment of units specially engaged in the storage, treatment and disposal of radioactive waste shall be subject to examination and approval by the ecological environment department under the State Council and the obtaining of a permit; units that only store or treat the radioactive waste generated by themselves need not obtain a permit. The specific measures shall be formulated by the State Council. It shall be prohibited to engage in the activities of storing, treating or disposing of radioactive waste specially without a permit or not in accordance with the requirements of the permit. It shall be prohibited to provide radioactive waste to, or entrust radioactive waste to, units and individuals without permits for storage, treatment or disposal.

Article 643 — It shall be prohibited to bring radioactive waste and articles contaminated by radioactive substances into the territory of the People's Republic of China or transfer them through its territory in violation of the provisions of the law.

Part Nine — Risk Control of Chemical Substance Pollution, and Prevention and Control of Electromagnetic Radiation and Light Pollution

Chapter XXXIV — Risk Control of Chemical Substance Pollution

Article 644 — The State shall strengthen the risk control of chemical substance pollution. In producing, importing, storing, transporting, selling, using or disposing of chemical substances, the provisions of the State shall be complied with, so as to prevent environmental pollution and safeguard public health. The specific measures shall be formulated by the State Council.

Article 645 — The State shall establish a system for the coordinated treatment and environmental risk control of new pollutants such as persistent organic pollutants. The ecological environment department under the State Council shall, together with the relevant departments, analyze and judge the situation of environmental risk control of new pollutants, formulate and improve the relevant standards, organize investigation and monitoring, and effectively reduce the environmental risks of new pollutants.

Article 646 — The ecological environment department under the State Council shall exercise unified supervision and management over the risk control of chemical substance pollution nationwide. The development and reform, industry and information technology, agriculture and rural affairs, commerce, health, customs, market regulation, disease prevention and control, drug supervision and management and other relevant departments under the State Council shall exercise supervision and management over the risk control of chemical substance pollution within the scope of their respective duties. The local people's governments at or above the county level and their relevant departments shall strengthen the risk control of chemical substance pollution.

Article 647 — The ecological environment department under the State Council shall, in accordance with the hazardous characteristics of chemical substances, regularly organize information surveys of chemical substance pollution, and enterprises and public institutions that produce, import or sell chemical substances or use chemical substances to produce products shall, in accordance with the provisions, provide information such as the physicochemical properties, quantity, uses, hazardous characteristics and emissions of the chemical substances required for the surveys.

Article 648 — The relevant departments under the State Council shall, within the scope of their respective duties and in accordance with the provisions, take effective measures to promote the substitution of toxic and hazardous chemical substances.

Article 649 — The ecological environment department under the State Council shall, together with the relevant departments, organize the risk assessment of chemical substance pollution, formulate and publish a list of new pollutants subject to key control and adjust it in a timely manner, and specify environmental risk control measures such as prohibition and restriction. Those that produce or import chemical substances in the list of new pollutants subject to key control or use chemical substances in the list of new pollutants subject to key control to produce products shall comply with the aforesaid environmental risk control measures.

Article 650 — The State shall implement an environmental management registration system for new chemical substances. Enterprises and public institutions that produce or import new chemical substances shall, before production or import, apply to the ecological environment department under the State Council for environmental management registration of the new chemical substances.

Article 651 — It shall be prohibited to produce or import new chemical substances without an environmental management registration certificate for new chemical substances or not in accordance with the requirements of the environmental management registration certificate for new chemical substances. It shall be prohibited to use new chemical substances produced or imported by enterprises and public institutions without environmental management registration certificates for new chemical substances to produce products.

Article 652 — With respect to the prevention and control of chemical substance pollution not provided for in this Chapter, the other relevant provisions of this Book shall apply.

Chapter XXXV — Prevention and Control of Electromagnetic Radiation Pollution

Article 653 — For the purposes of this Law, “electromagnetic radiation pollution” means non-ionizing radiation generated by human activities that exceeds the national electromagnetic radiation emission standards.

Article 654 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of electromagnetic radiation pollution nationwide. The ecological environment departments of local people’s governments shall exercise unified supervision and management over the prevention and control of electromagnetic radiation pollution in their respective administrative regions. The industry and information technology, transport, health, radio and television, meteorology, energy and other relevant departments of the people’s governments at or above the county level shall exercise supervision and management over the prevention and control of electromagnetic radiation pollution within the scope of their respective duties.

Article 655 — In preparing territorial spatial plans and relevant plans, the people’s governments at all levels and their relevant departments shall fully consider the impact of electromagnetic radiation generated by electromagnetic radiation facilities on the surrounding environment, make overall plans, rationally arrange land use and construction layout, and prevent and mitigate electromagnetic radiation pollution. The ecological environment department shall strengthen the investigation and monitoring of electromagnetic radiation emissions.

Article 656 — The local people’s government at or above the county level shall, in accordance with the national electromagnetic environment quality standards, territorial spatial plans and the current state of land use, delineate the applicable areas for various electromagnetic environment quality standards in its administrative region. The scope of the applicable areas for electromagnetic environment quality standards shall be published in a timely manner.

Article 657 — The standardization department under the State Council shall, together with the ecological environment, industry and information technology, transport, railway supervision and management, civil aviation, maritime affairs, radio and television, meteorology, energy, drug supervision and management and other relevant departments under the State Council, prescribe electromagnetic radiation limits in the technical specifications or product quality standards of products that may generate electromagnetic radiation pollution, such as industrial equipment, radio transmitting equipment, telecommunications equipment, motor vehicles, railway rolling stock, urban rail transit vehicles, navigation equipment, motor vessels, meteorological equipment, electrical and electronic equipment and medical equipment, in accordance with the requirements of electromagnetic radiation pollution prevention and control and the national economic and technical conditions. The limits for electromagnetic radiation generated when the products prescribed in the preceding paragraph are used shall be noted in the relevant technical documents. It shall be prohibited to produce, import or sell products that do not conform to the electromagnetic radiation limits. The market regulation and other relevant departments of the people’s governments at or above the county level shall, within the scope of their respective duties, carry out supervisory spot checks on products with electromagnetic radiation limits that are produced or sold.

Article 658 — The State shall implement classified management of electromagnetic radiation facilities and, in accordance with the level of electromagnetic radiation emissions and their impact on the surrounding environment, classify electromagnetic radiation facilities into Category I electromagnetic radiation facilities, Category II electromagnetic radiation facilities and Category III electromagnetic radiation facilities. The specific measures shall be formulated by the ecological environment department under the State Council together with the relevant departments.

Article 659 — Enterprises and public institutions operating electromagnetic radiation facilities shall optimize the layout, rationally arrange electromagnetic radiation facilities, and take effective measures to prevent and mitigate electromagnetic radiation pollution. Enterprises and public institutions operating electromagnetic radiation facilities shall, in accordance with the provisions of the State, construct electromagnetic radiation

pollution prevention and control facilities as supporting facilities, and ensure the normal operation of the pollution prevention and control facilities.

Article 660 — Enterprises and public institutions operating Category I and Category II electromagnetic radiation facilities shall, in accordance with the provisions of the State, take electromagnetic radiation pollution prevention and control measures such as transmit power control, transmission direction adjustment, emergency braking, shielding, grounding and isolation, carry out self-monitoring, preserve the original monitoring records, and regularly report the monitoring results to the ecological environment department.

Article 661 — Enterprises and public institutions operating Category I electromagnetic radiation facilities shall, in accordance with the provisions of the State, set up warning signs and take electromagnetic radiation pollution prevention and control measures such as setting up fences to prevent close contact by the public. The construction, reconstruction and expansion of Category I electromagnetic radiation facilities shall avoid densely populated areas.

Article 662 — The pollutant discharge permit of an enterprise or public institution operating electromagnetic radiation facilities that is subject to pollutant discharge permit management shall record information such as the operating frequency, transmit power and field strength of the electromagnetic radiation facilities, as well as the superimposed impact of electromagnetic radiation.

Article 663 — In using mobile information transmitting facilities, protective distances shall be scientifically and rationally delineated in accordance with the provisions of the State, and protective measures such as setting up warning lines and warning signs shall be taken.

Article 664 — The responsible entities of multiple electromagnetic radiation facilities sharing installations shall rationally determine the number, location and power of the electromagnetic radiation facilities, and take effective measures to prevent electromagnetic radiation pollution caused by the superposition of electromagnetic radiation.

Article 665 — Where electromagnetic radiation facilities involving national security and major public interests cause serious electromagnetic radiation pollution, the local people's government at or above the county level shall organize the relevant departments and other relevant units to investigate, assess and determine responsibility for the electromagnetic radiation pollution, and, comprehensively considering economic, technical and management measures, formulate a comprehensive electromagnetic radiation pollution treatment plan. The entities responsible for electromagnetic radiation pollution shall take effective measures in accordance with the requirements of the comprehensive electromagnetic radiation pollution treatment plan to mitigate electromagnetic radiation pollution.

Article 666 — The prevention and control of occupational diseases caused by exposure to electromagnetic radiation in occupational activities shall be governed by the relevant provisions of the laws on the prevention and control of occupational diseases.

Chapter XXXVI — Prevention and Control of Light Pollution

Article 667 — For the purposes of this Law, "light pollution" means the phenomenon whereby the excessive or inappropriate use of artificial lighting or the inappropriate alteration of sunlight conditions causes interference with human vision in the surrounding living environment.

Article 668 — The ecological environment department under the State Council shall exercise unified supervision and management over the prevention and control of light pollution nationwide. The ecological environment departments of local people's governments shall exercise unified supervision and management over the prevention and control of light pollution in their respective administrative regions. The housing and urban-rural development, transport and other relevant departments of the people's governments at or above the county level shall exercise supervision and management over the prevention and control of light pollution

within the scope of their respective duties.

Article 669 — In preparing territorial spatial plans and relevant plans, the people's governments at all levels and their relevant departments shall fully consider the possible impact of light pollution generated by the development, reconstruction and construction projects of urban and rural areas, make overall plans, rationally arrange land use and construction layout, and prevent and mitigate light pollution.

Article 670 — The standardization department under the State Council shall, together with the housing and urban-rural development, ecological environment, transport and other relevant departments under the State Council, prescribe reasonable light limits in the technical specifications or product quality standards of lighting products, outdoor display products, traffic supplementary lights, building glass and materials in accordance with the requirements of light pollution prevention and control and the national economic and technical conditions.

Article 671 — Advertising screens, billboards, light boxes, media facade walls, roads, stadiums, construction sites and the like shall, in accordance with the provisions of the State, rationally design, install and use lighting facilities, carry out regular maintenance, and take effective measures to prevent and mitigate light pollution.

Article 672 — Where building materials such as glass curtain walls are used on the exterior surfaces of buildings and structures, they shall conform to the provisions of the State, and design and material selection shall be rational, so as to prevent and mitigate light pollution.

Article 673 — The local people's government at or above the county level shall, in light of the actual situation, implement zone-based management of light pollution prevention and control, and strengthen the control of artificial lighting and sunlight conditions in areas requiring special protection.

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