Law on the Safety of Hazardous Chemicals of the PRC

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Unofficial English translation prepared for reference only. The official Chinese text prevails.

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Chapter I — General Provisions

Article 1 — This Law is enacted for the purposes of strengthening the safety administration of hazardous chemicals, preventing and reducing hazardous chemical accidents, safeguarding the health, life safety, and property safety of the people, and protecting the ecological environment.

Article 2 — This Law applies to the safety administration of the production, storage, use, business operations, and transport of hazardous chemicals.

The disposal of waste hazardous chemicals shall be governed by the laws, administrative regulations, and relevant state provisions on ecological environment protection.

Article 3 — For the purposes of this Law, "hazardous chemicals" means highly toxic chemicals and other chemicals that have toxic, corrosive, explosive, flammable, combustion-supporting, or other properties and are harmful to the human body, facilities, and the ecological environment.

The state shall establish and improve a catalogue administration system for hazardous chemicals. The catalogue of hazardous chemicals shall be determined and published by the emergency management department of the State Council, together with the departments of industry and information technology, public security, ecology and environment, transport, agriculture and rural affairs, health, customs, market regulation, railways, civil aviation, and other departments, on the basis of the identification and classification standards for the hazardous properties of chemicals, and shall be adjusted in a timely manner as appropriate.

Article 4 — Hazardous chemical safety administration shall uphold the leadership of the Communist Party of China.

Hazardous chemical safety administration shall adhere to putting the people and life first, implement the holistic approach to national security, coordinate development and safety, follow the policy of safety first, prevention as the priority, and comprehensive governance, and prevent and defuse major safety risks at the source.

Hazardous chemical safety administration shall follow the principle that whoever manages an industry must manage its safety, whoever manages a business must manage its safety, and whoever manages production and business operations must manage their safety, strengthen and implement the primary responsibility of entities and the regulatory responsibility of the government, and establish a mechanism under which entities take responsibility, employees participate, the government regulates, industries exercise self-discipline, and society conducts supervision.

Article 5 — Enterprises, schools, scientific research institutions, medical institutions, testing institutions, inspection institutions, and other entities (hereinafter collectively referred to as "hazardous chemical entities") that produce, store, use, operate, or transport hazardous chemicals shall implement the all-staff work safety responsibility system, establish a dual prevention mechanism of tiered management and control of safety risks and investigation and rectification of hidden dangers, strengthen the standardization and informatization of work safety, and their principal persons in charge shall assume overall responsibility for the work safety of hazardous chemicals of their entities.

Hazardous chemical entities shall meet the safety conditions prescribed by laws, administrative regulations, and national and industry standards, establish and improve safety management rules and post safety responsibility systems, provide work safety education and training to employees, provide employees with labor protection articles conforming to national or industry standards, and participate in work-related injury insurance in accordance with the law. Employees shall receive education and training and may only take up their posts after passing the assessment; posts with qualification requirements shall be staffed with persons who have lawfully obtained the corresponding qualifications.

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Article 6 — No entity or individual may produce, use, or operate hazardous chemicals whose production, use, or business operation is prohibited by the state.

Where the state has restrictive provisions on the use of hazardous chemicals, no entity or individual may use hazardous chemicals in violation of such restrictive provisions.

Article 7 — The relevant departments that exercise safety supervision and administration over the production, storage, use, business operations, and transport of hazardous chemicals (hereinafter collectively referred to as the "departments responsible for the safety supervision and administration of hazardous chemicals") shall perform their duties in accordance with the following provisions:

(1) the emergency management department is responsible for the work safety supervision and administration of hazardous chemicals and the comprehensive work of safety supervision and administration of hazardous chemicals, organizes the determination, publication, and adjustment of the catalogue of hazardous chemicals, conducts, in accordance with the law, examination of safety conditions and examination of the design of safety facilities for construction projects for the new construction, reconstruction, and expansion of the production and storage of hazardous chemicals (including those using long-distance pipelines to transport hazardous chemicals, the same below) (hereinafter collectively referred to as "hazardous chemical construction projects"), issues work safety production licenses for hazardous chemicals, safety use licenses for hazardous chemicals, and business operation licenses for hazardous chemicals, is responsible for the registration of hazardous chemicals, and organizes the emergency response to hazardous chemical accidents;

(2) the public security organ is responsible for the public safety administration of hazardous chemicals, issues purchase licenses for highly toxic chemicals and road transport permits for highly toxic chemicals, is responsible for the licensing of the entry of vehicles transporting hazardous chemicals into areas where access is restricted for vehicles transporting hazardous chemicals, and is responsible for the road traffic safety administration of vehicles transporting hazardous chemicals;

(3) the market regulation administration is responsible for the industrial product production license administration and product quality supervision of hazardous chemicals and their packages and containers (including tanks, but excluding large fixed storage tanks for storing hazardous chemicals, the same below) that are included in the catalogue of products subject to industrial product production license administration, and issues business licenses to enterprises producing, storing, operating, and transporting hazardous chemicals;

(4) the ecology and environment department is responsible for the supervision and administration of the disposal of waste hazardous chemicals, organizes the identification of the ecological environmental hazards of hazardous chemicals and the assessment of the degree of ecological environmental risk, is responsible for the environmental administration registration of new chemical substances, investigates, in accordance with the division of duties, relevant hazardous chemical environmental pollution accidents and ecological damage incidents, and is responsible for the ecological environment emergency monitoring at the scenes of hazardous chemical accidents;

(5) the transport department is responsible for the safety supervision and administration of the road and waterway transport of hazardous chemicals, is responsible for the licensing or filing of the road and waterway transport of hazardous chemicals and the safety supervision and administration of transport vehicles and vessels, and is responsible for the qualification recognition of drivers, crew members, loading and unloading managers, escorts, declarants, and on-site container packing inspectors of road and waterway transport enterprises of hazardous chemicals. The railway regulatory department is responsible for the railway transport of hazardous chemicals and the safety supervision and administration of its transport vehicles. The civil aviation authority is responsible for the air transport of hazardous chemicals and the safety supervision and administration of air transport enterprises and their transport vehicles. The postal

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administration is responsible for investigating and punishing, in accordance with the law, the sending of hazardous chemicals by post or express delivery;

(6) the health department is responsible for the administration of the toxicity identification of hazardous chemicals, is responsible for the occupational health supervision and administration of hazardous chemical entities, and is responsible for organizing and coordinating the medical and health rescue of persons injured in hazardous chemical accidents;

(7) the natural resources department is responsible for incorporating, when compiling territorial space plans, the relevant content of hazardous chemical construction projects, chemical industrial parks, special areas for storing hazardous chemicals, and surrounding safety control distances into local territorial space plans in accordance with procedures, and for supervising the implementation of such plans;

(8) the industry and information technology department is responsible, in accordance with its duties, for the relevant industrial planning and layout of the production and storage of hazardous chemicals, organizes the formulation of the construction standards and the measures for the recognition and administration of chemical industrial parks, and promotes the withdrawal of backward processes and production capacity;

(9) customs is responsible for inspecting, in accordance with the law, imported and exported hazardous chemicals and their packages; and

(10) other departments shall perform their duties of safety supervision and administration of hazardous chemicals in accordance with their respective duties.

Where the duties of safety supervision and administration of hazardous chemicals are unclear because they involve emerging industries and fields, the people's government at or above the county level shall promptly designate the supervisory and administrative department in accordance with the principle of similar business.

Article 8 — The departments responsible for the safety supervision and administration of hazardous chemicals may, when conducting supervision and inspection in accordance with the law, take the following measures:

(1) enter the workplaces of hazardous chemicals to conduct on-site inspection, learn the relevant situation from the relevant entities and personnel, consult and copy relevant documents and materials, and, where necessary, conduct sampling and testing of hazardous chemicals;

(2) conduct online inspections and random inspections of the major hazard installations of hazardous chemical entities by means of information technology;

(3) upon discovering hidden dangers of hazardous chemical accidents, order their immediate elimination or elimination within a prescribed time limit;

(4) order the immediate cessation of use of facilities, equipment, devices, materials, transport vehicles, and the like that do not conform to laws, administrative regulations, rules, or national or industry standards;

(5) upon the approval of the principal person in charge of the department, seal up the premises where hazardous chemicals are illegally produced, stored, used, or operated, and seize the hazardous chemicals illegally produced, stored, used, operated, or transported as well as the raw materials, equipment, and transport vehicles used for the illegal production, use, or transport of hazardous chemicals; and

(6) upon discovering illegal acts affecting the safety of hazardous chemicals, correct them on the spot or order correction within a prescribed time limit.

When the departments responsible for the safety supervision and administration of hazardous chemicals conduct supervision and inspection in accordance with the law, there shall be no fewer than two supervisors or inspectors, who shall present their law enforcement credentials; the relevant entities and individuals shall

cooperate with supervision and inspection conducted in accordance with the law and shall not refuse or obstruct them.

Article 9 — People's governments at or above the county level shall establish a coordination mechanism for the safety supervision and administration of hazardous chemicals, support and urge the departments responsible for the safety supervision and administration of hazardous chemicals to perform their duties in accordance with the law, and coordinate and resolve major issues in the safety supervision and administration of hazardous chemicals.

The departments responsible for the safety supervision and administration of hazardous chemicals shall strengthen regulatory coordination and joint law enforcement, closely coordinate and cooperate, realize timely, sufficient, and effective sharing of information, and strengthen the safety supervision and administration of hazardous chemicals in accordance with the law. Upon discovering illegal acts that should be handled by other departments in accordance with the law, they shall promptly transfer them to other departments for handling.

Article 10 — Any entity or individual shall have the right to report to, or file a report with, the departments responsible for the safety supervision and administration of hazardous chemicals regarding acts in violation of this Law or hidden dangers of accidents. People's governments at or above the county level and their relevant departments shall, in accordance with the law, reward persons who make meritorious reports of illegal acts or reports of major hidden dangers of accidents, and shall strictly keep confidential the information of reporters and informants.

Article 11 — The departments of people's governments at or above the county level responsible for the safety supervision and administration of hazardous chemicals shall strengthen the informatization-based supervision of hazardous chemicals, and implement electronic identification and full-life-cycle informatization-based administration and monitoring of hazardous chemicals.

Chemical industrial parks shall clearly define the relevant working bodies and their duties responsible for work safety supervision and administration, strengthen the informatization construction of hazardous chemicals, realize informatization-based safety monitoring, control, and early warning, and achieve interconnection and intercommunication with relevant government departments.

Article 12 — The state shall encourage hazardous chemical entities to adopt advanced technologies, processes, equipment, and automatic control systems that are conducive to improving the level of safety assurance, and encourage the special storage, unified distribution, and centralized sale of hazardous chemicals.

Article 13 — Entities producing, storing, using, and operating hazardous chemicals shall, in accordance with relevant state provisions, register and file the major hazard installations of hazardous chemicals, conduct periodic testing, assessment, and monitoring, formulate emergency response plans, establish a safety responsibility system for major hazard installations, and report the storage quantity, storage location, and management personnel of major hazard installations as well as the relevant safety measures and emergency measures to the emergency management department of the people's government at the county level, the fire and rescue institution, and the relevant departments for the record; where storage is conducted within a port area, they shall report to the port administrative department, the fire and rescue institution, and the relevant departments for the record.

The departments responsible for the safety supervision and administration of hazardous chemicals shall, by classification and tier, conduct periodic special supervision and inspection of the major hazard installations of hazardous chemicals, urge hazardous chemical entities to eliminate hidden dangers of accidents in a timely manner, and prevent the occurrence of major and extraordinarily serious accidents.

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For the purposes of this Law, "major hazard installation" means a unit (including a premises and facilities) where hazardous chemicals are produced, stored, used, and operated on a long-term or temporary basis and where the quantity of hazardous chemicals equals or exceeds the critical quantity.

Article 14 — People's governments at all levels and their relevant departments shall, in various forms, strengthen the publicity and popularization of hazardous chemical safety laws and regulations and hazardous chemical safety knowledge, and promote the enhancement of hazardous chemical safety awareness throughout society.

Chemical industrial parks and hazardous chemical entities shall publicize hazardous chemical safety laws and regulations and hazardous chemical safety knowledge to the surrounding masses and other production and business operation entities.

News media shall carry out public-interest publicity on hazardous chemical safety laws and regulations and hazardous chemical safety knowledge, and conduct supervision by public opinion over illegal acts endangering hazardous chemical safety.

Article 15 — Entities and individuals that make outstanding contributions to hazardous chemical safety work shall be commended and rewarded in accordance with relevant state provisions.

Chapter II — Planning and Layout

Article 16 — The state shall exercise overall planning and rational layout over the production and storage of hazardous chemicals.

The industry and information technology department of the State Council and other relevant departments of the State Council shall, in accordance with their respective duties, be responsible for the industrial planning and layout of the production and storage of hazardous chemicals.

When organizing the compilation of territorial space plans, local people's governments shall, in light of the actual conditions of their regions and in accordance with the principle of ensuring safety, plan appropriate areas (including chemical industrial parks) to be used exclusively for the production and storage of hazardous chemicals.

Article 17 — Chemical industrial parks shall be recognized, published, and periodically re-examined by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government or their authorized departments.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall rationally construct chemical industrial parks, organize the assessment and demonstration of the safety risk levels of chemical industrial parks, and establish and implement control measures.

Chemical industrial parks shall exercise dynamic supervision over all hazardous chemicals entering and leaving the parks, and implement risk monitoring and early warning over enterprises, key premises, major hazard installations, and infrastructure within the parks.

Article 18 — Newly constructed and expanded hazardous chemical production construction projects shall be located in chemical industrial parks, except for projects supporting production installations in other industries and other projects conforming to state provisions.

Except for enterprises providing supporting services to chemical enterprises, non-chemical enterprises shall be prohibited from entering chemical industrial parks.

Article 19 — Chemical industrial parks shall conduct an overall safety risk assessment at least once every three years, and propose and effectively implement countermeasures to eliminate, reduce, and control safety risks.

Where the variety, quantity, layout, or other aspects of a chemical industrial park and its hazardous chemicals change and the risk control conditions of the chemical industrial park need to be adjusted in accordance with relevant state provisions, an overall safety risk assessment of the chemical industrial park shall be promptly re-conducted, and the relevant emergency response plans shall be revised.

Article 20 — Chemical industrial parks shall maintain safety distances from urban built-up areas, densely populated places, important facilities, sensitive targets, and the like that conform to the provisions of relevant laws and regulations and the requirements of national standards.

Chemical industrial parks shall, in accordance with the provisions of relevant laws and regulations and the requirements of national standards, formulate the planned safety control lines around the chemical industrial parks, and after reporting them to the people's government of a city divided into districts where the chemical industrial park is located or its authorized department for determination, incorporate them into the local territorial space plans in accordance with procedures.

The natural resources departments of the people's governments at the level of cities divided into districts and at the county level where chemical industrial parks are located shall strictly control the development and utilization of land within the planned safety control lines around the chemical industrial parks, and construction projects within the scope of the planned safety control lines shall meet the requirements of safety risk control.

Article 21 — Local people's governments at or above the county level shall strengthen the assurance of the transport safety of hazardous chemicals, and plan logistics parks and centralized parking areas involving the storage, loading and unloading, and transport of hazardous chemicals, as well as gas stations and refueling stations in expressway service areas.

Article 22 — The safety distances between hazardous chemical production installations or hazardous chemical storage facilities whose storage quantity constitutes a major hazard installation and the following premises, facilities, and areas shall conform to relevant state provisions:

(1) residential areas and densely populated places such as commercial centers and parks;

(2) public facilities such as schools, hospitals, cinemas and theaters, and sports venues;

(3) drinking water sources, water plants, and drinking water source protection areas;

(4) stations, docks (except those lawfully licensed to engage in the loading and unloading of hazardous chemicals), airports, as well as communication trunk lines, communication hubs, railway lines, road traffic trunk lines, waterway traffic trunk lines, subway ventilation pavilions, and subway station entrances and exits;

(5) ecological conservation red lines, nature reserves, permanent basic farmland, basic grasslands, germplasm resource banks (fields, areas, and nurseries), large-scale livestock and poultry farms, fishery waters, and production bases of seeds, breeding livestock and poultry, and aquatic fry;

(6) rivers, lakes, reservoirs, seas, important water diversion and transmission lines, and flood detention and storage areas;

(7) military restricted zones, military control zones, and relevant military facilities;

(8) nuclear facilities; and

(9) other premises, facilities, and areas prescribed by laws and administrative regulations.

Where existing hazardous chemical production installations or hazardous chemical storage facilities whose storage quantity constitutes a major hazard installation do not conform to the provisions of the preceding paragraph, the emergency management department of the people's government of the city divided into districts where they are located shall, together with the relevant departments, supervise their entities to complete rectification within a prescribed time limit; where conversion of production, suspension of

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production, relocation, or closure is necessary, the people's government at the same level shall decide and organize the implementation.

The siting of hazardous chemical storage facilities whose storage quantity constitutes a major hazard installation shall avoid active earthquake faults and areas prone to floods, geological disasters, and forest and grassland fires.

Chapter III — Production and Storage Safety

Article 23 — Hazardous chemical construction projects shall be subject to examination of safety conditions by the emergency management department.

The construction entity shall entrust an institution with the qualification conditions prescribed by the state to conduct a safety assessment of the hazardous chemical construction project, and report the safety assessment to the emergency management department of the people's government at or above the level of a city divided into districts where the construction project is located; the emergency management department shall, within 20 working days of receiving the report, make a decision on the examination of safety conditions and notify the construction entity in writing. The specific measures shall be formulated by the emergency management department of the State Council.

Port construction projects for the new construction, reconstruction, and expansion of the storage and loading and unloading of hazardous chemicals (hereinafter collectively referred to as "hazardous chemical port construction projects") shall be subject to examination of safety conditions by the port administrative department in accordance with the provisions of the transport department of the State Council.

The qualification conditions of institutions undertaking safety assessment and other duties shall be prescribed by the emergency management department of the State Council together with the relevant departments.

Article 24 — The safety facilities of hazardous chemical construction projects and hazardous chemical port construction projects must be designed, constructed, and put into production and use simultaneously with the main works. The investment in safety facilities shall be incorporated into the budgetary estimate of the construction project.

Article 25 — The designers and design entities of the safety facilities of hazardous chemical construction projects and hazardous chemical port construction projects shall be responsible for the design of the safety facilities. Suggestions on measures to ensure safety shall be put forward in the design of safety facilities.

Article 26 — The design of the safety facilities of hazardous chemical construction projects shall be submitted to the emergency management department of the people's government at or above the level of a city divided into districts where the project is located for examination. The specific measures shall be formulated by the emergency management department of the State Council.

The design of the safety facilities of hazardous chemical port construction projects shall be examined by the port administrative department in accordance with relevant state provisions.

Article 27 — Construction entities must carry out construction in accordance with the approved design of safety facilities and shall be responsible for the engineering quality of the safety facilities and the safety of construction. For hazardous chemical construction projects subject to project supervision, the construction entity shall commission supervision of the construction of the safety facilities as well.

The construction entity shall organize the acceptance inspection of the safety facilities, which may be put into production and use only after passing the acceptance inspection.

The departments responsible for the work safety supervision and administration of hazardous chemical construction projects and hazardous chemical port construction projects shall strengthen supervision and

verification of the acceptance inspection activities and results of construction entities.

Article 28 — The safety administration of the buried, above-ground, and overhead pipelines for transporting hazardous chemicals and their ancillary facilities in public areas of entities producing and storing hazardous chemicals shall conform to the provisions of laws and administrative regulations and the requirements of national and industry standards.

Entities producing and storing hazardous chemicals shall set up conspicuous signs for the hazardous chemical pipelines laid by them, and conduct periodic inspection, testing, and patrolling of hazardous chemical pipelines.

For construction operations that may endanger the safety of hazardous chemical pipelines, the construction entity shall, seven days before the commencement of work, notify the pipeline owner in writing of the construction plan, jointly formulate an emergency response plan with the pipeline owner, and take corresponding safety protection measures. The pipeline owner shall assign special personnel to the site to provide guidance on pipeline safety protection.

Article 29 — The principal persons in charge (including legal representatives, actual controllers, and actual responsible persons) and the work safety management personnel of hazardous chemical production enterprises shall possess the corresponding knowledge of work safety and management capabilities, and shall pass the assessment of the emergency management department.

The employees of hazardous chemical production enterprises shall meet the academic qualification requirements prescribed by the state, receive work safety education and training, and may take up their posts only after passing the assessment.

Hazardous chemical production enterprises shall establish and improve a safety training management system, organize training on a regular basis, and enhance the safety awareness of employees and their work safety skills.

Article 30 — Before commencing production, hazardous chemical production enterprises shall obtain a work safety production license for hazardous chemicals in accordance with the laws and administrative regulations on work safety licensing.

Enterprises producing hazardous chemicals that are included in the catalogue of industrial products subject to the production license system implemented by the state shall also obtain an industrial product production license in accordance with the laws and administrative regulations on industrial product production licensing. Trial-produced hazardous chemicals may be sold after obtaining the industrial product production license and passing the inspection of a qualified inspection institution.

The departments responsible for issuing work safety production licenses for hazardous chemicals and industrial product production licenses shall promptly disclose to the public, in accordance with the provisions of relevant laws and administrative regulations, the issuance of such licenses.

Article 31 — Hazardous chemical production enterprises and import enterprises shall provide Chinese-language chemical safety data sheets consistent with the hazardous chemicals produced or imported by them, and shall affix, print, or attach to the packages of hazardous chemicals (including outer packages, the same below) Chinese-language chemical safety labels consistent with the hazardous chemicals inside the packages. The chemical safety data sheets and chemical safety labels shall conform to the requirements of national standards.

Upon discovering that the hazardous chemicals produced or imported by them have new hazardous properties, hazardous chemical production enterprises and import enterprises shall immediately make a public announcement and promptly revise their chemical safety data sheets and chemical safety labels.

Article 32 — The packaging of hazardous chemicals shall conform to the provisions of laws, administrative regulations, and rules and the requirements of national and industry standards.

The materials of the packages and containers of hazardous chemicals as well as the type, specifications, methods, and unit mass of the packaging of hazardous chemicals shall be suited to the properties and uses of the packaged hazardous chemicals.

Article 33 — Enterprises producing packages and containers of hazardous chemicals that are included in the catalogue of industrial products subject to the production license system implemented by the state shall obtain industrial product production licenses in accordance with the laws and administrative regulations on industrial product production licensing; the packages and containers of hazardous chemicals produced by them may be delivered for sale only after passing the inspection of a qualified inspection institution.

Vessels transporting hazardous chemicals and the containers stowed thereon shall conform to the requirements of relevant laws, administrative regulations, rules, and mandatory standards and technical specifications, and may be put into use only after passing the inspection of a vessel inspection institution recognized by the national maritime safety administration.

For reusable packages and containers of hazardous chemicals, the user shall inspect them before reuse; upon discovering hidden safety dangers, the user shall promptly repair or replace them. The user shall make records of the inspection, which shall be kept for no less than three years.

Article 34 — Enterprises producing and storing hazardous chemicals shall establish a tiered management and control system for safety risks, carry out identification and assessment of safety risks, and take corresponding control measures according to the tiers of safety risks.

When the processes, facilities, equipment, raw materials, and the like of enterprises producing and storing hazardous chemicals change, the identification and assessment of safety risks shall be re-conducted.

Enterprises producing and storing hazardous chemicals shall not use processes, technologies, facilities, or equipment that the state has explicitly eliminated or prohibited from use and that endanger production safety; the specific catalogue shall be formulated and published by the emergency management department of the State Council together with the relevant departments.

Article 35 — Enterprises producing and storing hazardous chemicals shall establish a process safety management system covering all production operation links, including process operations, special operations, equipment management, storage conditions, start-up, shutdown, inspection and maintenance, and changes, clearly define responsible persons, post duties, and operating procedures, and organize effective implementation.

Article 36 — Enterprises producing and storing hazardous chemicals shall install automatic control systems and safety instrumented systems in accordance with national or industry standards, establish safety risk monitoring and early warning systems, and achieve interconnection and intercommunication with relevant government departments.

Article 37 — Entities producing and storing hazardous chemicals shall, in light of the types and hazardous properties of the hazardous chemicals produced or stored by them, set up corresponding safety facilities and equipment at the workplaces, such as those for monitoring, control, ventilation, sun protection, temperature regulation, fire prevention, fire extinguishing, explosion prevention, pressure relief, poisoning prevention, neutralization, moisture prevention, lightning protection, static electricity prevention, corrosion prevention, leakage prevention, and protective dikes or isolated operations, and shall conduct regular maintenance and servicing of the safety facilities and equipment in accordance with national or industry standards or relevant state provisions to ensure their normal use.

Entities producing and storing hazardous chemicals shall set up conspicuous safety warning signs at their workplaces and on safety facilities and equipment.

Article 38 — Entities producing and storing hazardous chemicals shall set up communication and alarm devices at their workplaces and ensure that they remain in a usable state.

Entities producing and storing hazardous chemicals shall not shut down or damage the monitoring, alarm, protection, and life-saving facilities and equipment directly related to production safety, or affect their normal use in any other manner, and shall not tamper with, conceal, or destroy the relevant data and information.

Article 39 — Enterprises producing and storing hazardous chemicals shall entrust an institution with the qualification conditions prescribed by the state to conduct a safety assessment of their work safety conditions every three years and produce a safety assessment report. The safety assessment report shall include a rectification plan for the problems existing in the work safety conditions and the conclusive opinions after the completion of rectification. The safety assessment report shall be disclosed to the public in accordance with regulations.

Enterprises producing and storing hazardous chemicals shall report the safety assessment report and the implementation of the rectification plan to the emergency management department of the people's government at the county level where they are located for the record.

Enterprises storing and loading and unloading hazardous chemicals within port areas shall conduct safety assessments in accordance with paragraph 1 of this Article, and report the safety assessment report and the implementation of the rectification plan to the port administrative department or the emergency management department of the people's government at the county level where they are located for the record in accordance with regulations.

Article 40 — Entities producing or storing highly toxic chemicals or hazardous chemicals that may be used to manufacture explosives as prescribed by the public security department of the State Council (hereinafter referred to as "hazardous chemicals that can be readily used to manufacture explosives") shall truthfully record the varieties, quantities, and flow directions of the highly toxic chemicals and hazardous chemicals that can be readily used to manufacture explosives produced or stored by them, and shall take necessary safety precautionary measures to prevent the loss or theft of highly toxic chemicals and hazardous chemicals that can be readily used to manufacture explosives; upon discovering the loss or theft of highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, they shall immediately report to the local public security organ; the public security organ shall, in light of the actual situation, promptly notify the emergency management department and other relevant departments.

Entities producing or storing highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives shall establish public security protection bodies, staff them with full-time public security protection personnel, and report to the public security organ for the record in accordance with the law.

Article 41 — Hazardous chemicals shall be stored in special warehouses, special sites, or special storage rooms or special storage cabinets (hereinafter collectively referred to as "special storage premises"), and shall be managed by specially designated personnel; highly toxic chemicals and other hazardous chemicals whose storage quantity constitutes a major hazard installation shall be stored separately in special storage premises, and a system of receipt and custody by two persons shall be implemented, with the receipt and custody records kept for no less than three years.

The storage methods and the storage quantities of hazardous chemicals shall conform to national standards or relevant state provisions.

Article 42 — Entities storing hazardous chemicals shall establish a system for the verification and registration of the entry and exit of hazardous chemicals from warehouses.

Entities storing highly toxic chemicals shall report the storage quantity and storage location of highly toxic chemicals as well as the situation of management personnel to the emergency management department of

the people's government at the county level, the fire and rescue institution, and the public security organ for the record; where storage is conducted within a port area, they shall report to the port administrative department, the fire and rescue institution, and the public security organ for the record.

Article 43 — Special storage premises for hazardous chemicals shall conform to the requirements of national and industry standards and be marked with conspicuous signs. Special storage premises for storing highly toxic chemicals and hazardous chemicals that can be readily used to manufacture explosives shall be equipped with corresponding physical protection and technical protection facilities in accordance with relevant state provisions.

Entities storing hazardous chemicals shall conduct periodic testing and inspection of the safety facilities and equipment of their special storage premises for hazardous chemicals; where the testing or inspection is unqualified, use shall be stopped and the facilities and equipment shall be repaired or replaced in accordance with regulations.

Article 44 — Entities engaged in research and development shall, when developing new processes, new technologies, and new products of hazardous chemicals, strengthen the safety administration of the research and development process to ensure the safety of the research and development process, and shall not directly apply to industrial production new processes or new technologies that have not undergone small-scale tests, pilot tests, and industrial tests.

When transferring new processes and new technologies of hazardous chemicals, research and development entities shall provide safety demonstration reports and relevant materials for the new processes and new technologies, and provide technical guidance.

Article 45 — Where an entity producing or storing hazardous chemicals converts, suspends, or ceases production or business, or dissolves, in whole or in part, it shall take effective measures to promptly and properly dispose of its hazardous chemical production installations, storage facilities, and hazardous chemicals in stock, and shall not discard hazardous chemicals; the disposal plan shall be reported to the emergency management department, the industry and information technology department, and the ecology and environment department of the people's government at the county level where it is located, as well as the public security organ and the fire and rescue institution, for the record. The emergency management department shall, together with the ecology and environment department, the public security organ, and the fire and rescue institution, conduct supervision and inspection of the disposal, and shall order immediate disposal upon discovering that disposal has not been carried out in accordance with regulations.

Chapter IV — Use Safety

Article 46 — The relevant departments of people's governments at or above the county level shall, in accordance with the division of duties, strengthen the supervision and administration of the use of hazardous chemicals by enterprises, schools, scientific research institutions, medical institutions, testing institutions, inspection institutions, and other entities.

Article 47 — The conditions of use (including processes) of entities using hazardous chemicals shall conform to the provisions of laws and administrative regulations and the requirements of national and industry standards, and such entities shall, in light of the types and hazardous properties of the hazardous chemicals used as well as the quantities and methods of use, establish and improve safety management rules and safety operating procedures for the use of hazardous chemicals to ensure the safe use of hazardous chemicals.

Article 48 — Chemical enterprises that use hazardous chemicals of the types prescribed by the state in production and whose quantity of use reaches the prescribed quantity (excluding hazardous chemical production enterprises, the same below) shall obtain a safety use license for hazardous chemicals in accordance with the provisions of this Law.

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The types of hazardous chemicals and the quantity standards for their use referred to in the preceding paragraph shall be determined and published by the emergency management department of the State Council together with the public security and agriculture and rural affairs departments.

Article 49 — To apply for a safety use license for hazardous chemicals, a chemical enterprise shall, in addition to meeting the provisions of Article 47 of this Law, meet the following conditions:

(1) have professional and technical personnel suited to the hazardous chemicals used, and its employees have passed the assessment;

(2) have a work safety management body and full-time work safety management personnel;

(3) have an emergency response plan for hazardous chemical accidents conforming to state provisions and the necessary emergency rescue equipment, devices, equipment, and materials;

(4) have conducted a safety assessment in accordance with the law; and

(5) meet other conditions prescribed by laws and regulations.

Article 50 — A chemical enterprise applying for a safety use license for hazardous chemicals shall file an application with the emergency management department of the people's government of the city divided into districts where it is located, and submit documentary evidence demonstrating its compliance with the conditions set out in Article 49 of this Law. The emergency management department of the people's government of the city divided into districts shall examine the application in accordance with the law and shall, within 20 working days of receiving the documentary evidence, make a decision on approval or disapproval. Where approval is granted, a safety use license for hazardous chemicals shall be issued; where approval is not granted, the applicant shall be notified in writing with the reasons stated.

The emergency management department of the people's government of the city divided into districts shall promptly disclose to the public, in accordance with the provisions of relevant laws and administrative regulations, the issuance of safety use licenses for hazardous chemicals.

Article 51 — Entities using hazardous chemicals shall provide employees with the chemical safety data sheets and chemical safety labels used at their workplaces, strengthen training and education, and inform employees of the correct methods of use and the measures to be taken in emergencies.

Individuals using hazardous chemicals shall understand the hazardous properties, correct methods of use, and protective measures of hazardous chemicals, and shall not illegally use, store, or dispose of hazardous chemicals.

Article 52 — The provisions of Articles 37, 38, paragraph 1 of Article 40, and Article 45 of this Law on entities producing and storing hazardous chemicals shall apply to entities using hazardous chemicals; the provisions of Articles 34, 35, 36, and 39 of this Law on enterprises producing and storing hazardous chemicals shall apply to enterprises using hazardous chemicals in production.

Chapter V — Business Operations Safety

Article 53 — The state shall implement a licensing system for the business operations of hazardous chemicals (including warehousing operations, the same below). Without a license, no entity or individual may operate hazardous chemicals. Hazardous chemical business enterprises shall not purchase hazardous chemicals from enterprises that engage in the production or business operations of hazardous chemicals without a license.

A hazardous chemical production enterprise lawfully established that sells, within the scope of its factory area, the hazardous chemicals produced by it is not required to obtain a hazardous chemical business operation license.

A port operator that has obtained a port operation license in accordance with the provisions of the Port Law of the People's Republic of China and engages in warehousing operations of hazardous chemicals within a port area is not required to obtain a hazardous chemical business operation license.

Article 54 — An enterprise engaging in the business operations of hazardous chemicals shall meet the following conditions:

(1) have business premises conforming to national and industry standards and, where it stores hazardous chemicals, also have storage facilities conforming to national and industry standards;

(2) its employees have received professional technical training and passed the assessment;

(3) have sound safety management rules;

(4) have full-time work safety management personnel, and its principal persons in charge and work safety management personnel possess the work safety knowledge and management capabilities suited to the hazardous chemical business operations of the enterprise and have passed the assessment of the emergency management department;

(5) have an emergency response plan for hazardous chemical accidents conforming to state provisions and the necessary emergency rescue equipment, devices, equipment, and materials; and

(6) meet other conditions prescribed by laws and regulations.

Article 55 — An enterprise engaging in the business operations of highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives shall file an application with the emergency management department of the people's government of the city divided into districts where it is located. An enterprise engaging in the business operations of other hazardous chemicals shall file an application with the emergency management department of the people's government at the county level where it is located; where it has storage facilities and the storage quantity constitutes a major hazard installation, it shall file an application with the emergency management department of the people's government of the city divided into districts where it is located. The applicant shall submit documentary evidence demonstrating its compliance with the conditions set out in Article 54 of this Law. The emergency management department of the people's government of the city divided into districts or the emergency management department of the people's government at the county level shall examine the application in accordance with the law and conduct on-site verification of the applicant's business premises and storage facilities in accordance with regulations. A decision on approval or disapproval shall be made within 20 working days of receiving the documentary evidence. Where approval is granted, a hazardous chemical business operation license shall be issued; where approval is not granted, the applicant shall be notified in writing with the reasons stated.

The emergency management departments of the people's governments of cities divided into districts and at the county level shall promptly disclose to the public, in accordance with the provisions of relevant laws and administrative regulations, the issuance of hazardous chemical business operation licenses.

An applicant may engage in the business operations of hazardous chemicals only after completing the registration formalities with the market regulation administration upon the strength of the hazardous chemical business operation license. Where laws, administrative regulations, or the State Council provide that the business operations of hazardous chemicals also require licensing by other relevant departments, the applicant shall present the corresponding license documents when completing the registration formalities with the market regulation administration.

Article 56 — Where a hazardous chemical business enterprise stores hazardous chemicals, it shall comply with the provisions of Chapter III of this Law on the storage of hazardous chemicals. Only small-package hazardous chemicals for civilian use may be kept in hazardous chemical shops.

Article 57 — When selling hazardous chemicals, hazardous chemical production enterprises and business enterprises shall provide the purchasing entities or individuals with chemical safety data sheets conforming to the provisions of laws and administrative regulations and the requirements of national and industry standards, shall not operate hazardous chemicals without chemical safety data sheets or chemical safety labels, and shall not alter chemical safety data sheets or chemical safety labels without authorization.

Any entity or individual purchasing hazardous chemicals shall have the right to request from hazardous chemical production enterprises and business enterprises the safety data sheets of the relevant hazardous chemicals and learn about their hazardous properties, protective measures, and methods of use.

Article 58 — Enterprises that have lawfully obtained a work safety production license for hazardous chemicals, a safety use license for hazardous chemicals, or a hazardous chemical business operation license shall purchase highly toxic chemicals and hazardous chemicals that can be readily used to manufacture explosives upon the strength of the corresponding license documents. Enterprises producing civilian explosives, fireworks and firecrackers, and weapons and equipment for scientific research and production shall purchase hazardous chemicals that can be readily used to manufacture explosives upon the strength of the corresponding licenses.

Where an entity other than those referred to in the preceding paragraph purchases highly toxic chemicals, it shall apply to the public security organ of the people's government at the county level where it is located for a purchase license for highly toxic chemicals; where it purchases hazardous chemicals that can be readily used to manufacture explosives, it shall present a statement of lawful use issued by the entity.

Individuals shall not purchase highly toxic chemicals (except pesticides that are highly toxic chemicals) or hazardous chemicals that can be readily used to manufacture explosives (except food additives, pharmaceuticals, veterinary drugs, disinfectants, and other daily necessities containing hazardous chemicals that can be readily used to manufacture explosives).

Article 59 — To apply for a purchase license for highly toxic chemicals, an applicant shall submit the following materials to the public security organ of the people's government at the county level where it is located:

(1) a copy of the business license or legal person certificate (registration certificate);

(2) a statement of the varieties and quantities of the highly toxic chemicals to be purchased;

(3) a statement of the uses of the highly toxic chemicals to be purchased; and

(4) the identity certificates of the handling personnel.

The public security organ of the people's government at the county level shall, within three working days of receiving the materials referred to in the preceding paragraph, make a decision on approval or disapproval. Where approval is granted, a purchase license for highly toxic chemicals shall be issued; where approval is not granted, the applicant shall be notified in writing with the reasons stated.

The administration of purchase licenses for highly toxic chemicals shall be conducted in accordance with the provisions of the public security department of the State Council.

Article 60 — When selling highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, hazardous chemical production enterprises and business enterprises shall check the relevant license documents or certification documents referred to in paragraphs 1 and 2 of Article 58 of this Law, and shall not sell highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives to entities without the relevant license documents or certification documents. Where highly toxic chemicals are sold to a holder of a purchase license for highly toxic chemicals, the sale shall be made in accordance with the varieties and quantities stated in the license.

The sale of highly toxic chemicals (except pesticides that are highly toxic chemicals) and hazardous chemicals that can be readily used to manufacture explosives (except food additives, pharmaceuticals, veterinary drugs, disinfectants, and other daily necessities containing hazardous chemicals that can be readily used to manufacture explosives) to individuals shall be prohibited.

Article 61 — When selling highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, hazardous chemical production enterprises and business enterprises shall truthfully record the names and addresses of the purchasing entities, the names and ID card numbers of the handling personnel, and the varieties, quantities, and uses of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased. The sales records as well as the copies of the identity certificates of the handling personnel and the copies of the relevant license documents or certification documents shall be kept for no less than three years.

Enterprises selling and entities purchasing highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives shall, within three days of the sale or purchase, report the varieties and quantities of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives sold or purchased as well as the flow direction information to the public security organ of the people's government at the county level where they are located for the record, and enter the information into the computer system.

Article 62 — Entities using highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives shall not lend or transfer the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased by them; where transfer is truly necessary due to conversion of production, suspension of production, relocation, closure, or other reasons, the transfer shall be made to entities with the relevant license documents or certification documents referred to in paragraphs 1 and 2 of Article 58 of this Law, and the varieties and quantities of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives transferred as well as the flow direction information shall be reported to the public security organ of the people's government at the county level where they are located for the record within three days of the transfer.

Article 63 — The sale and purchase of highly toxic chemicals and hazardous chemicals that can be readily used to manufacture explosives on the internet shall be prohibited.

Chapter VI — Transport Safety

Article 64 — The road and waterway transport of hazardous chemicals managed as dangerous goods shall comply with this Law and the provisions of relevant laws, administrative regulations, and the transport department of the State Council on the safety of the road and waterway transport of dangerous goods.

Article 65 — Persons engaged in the road or waterway transport of hazardous chemicals shall complete the registration formalities with the market regulation administration, and shall respectively obtain a road transport license for dangerous goods or a corresponding waterway transport license for dangerous goods, or complete the filing formalities, in accordance with the laws and administrative regulations on road and waterway transport.

The road and waterway transport of hazardous chemicals shall be undertaken by transport enterprises that have lawfully obtained the corresponding licenses or completed the filing formalities, and no other entity or individual may undertake the carriage. Shippers shall entrust transport enterprises that have lawfully obtained the corresponding licenses or completed the filing formalities with the carriage, and shall not entrust other entities or individuals with the carriage. Hazardous chemical transport vehicles of other entities and individuals shall not be operated under the name of another entity.

Road and waterway transport enterprises of hazardous chemicals shall be staffed with full-time work safety management personnel.

Hazardous chemicals that, after proper treatment, may be managed as ordinary goods shall be transported as ordinary goods; the specific measures shall be formulated by the transport department of the State Council.

Article 66 — The drivers, crew members, loading and unloading managers, escorts, declarants, and on-site container packing inspectors of road and waterway transport enterprises of hazardous chemicals shall pass the assessment of the transport department and obtain professional qualifications. The specific measures shall be formulated by the transport department of the State Council.

The loading and unloading operations of hazardous chemicals shall comply with safety operation standards, procedures, and systems, and shall be conducted under the on-site command or monitoring of loading and unloading managers. The container packing operations for the waterway transport of hazardous chemicals shall be conducted under the command or monitoring of on-site container packing inspectors and shall conform to the specifications and requirements for stowage and segregation; after the completion of the packing operations, the on-site container packing inspectors shall sign a packing certificate.

Article 67 — When transporting hazardous chemicals, corresponding safety protection measures shall be taken in light of the hazardous properties of the hazardous chemicals, and the necessary protective articles and emergency rescue equipment, devices, equipment, and materials shall be provided.

The tankers and other containers used for transporting hazardous chemicals shall be tightly sealed and capable of preventing the hazardous chemicals from leaking or spilling during transport due to changes in temperature, humidity, or pressure; the overflow and pressure relief devices of tankers and other containers shall be accurately set and flexible in opening and closing.

When transporting hazardous chemicals, drivers, crew members, loading and unloading managers, escorts, declarants, and on-site container packing inspectors shall be familiar with the hazardous properties of the hazardous chemicals transported and the requirements for the use of their packages and containers, and shall master the emergency response methods in the event of dangerous situations.

Article 68 — When transporting hazardous chemicals by road, hazardous chemicals shall be loaded in accordance with the approved load capacity of the transport vehicle, and overloading shall be prohibited.

Hazardous chemical transport vehicles shall meet the safety technical conditions required by national standards and shall undergo periodic safety technical inspection in accordance with relevant state provisions.

Hazardous chemical transport vehicles shall display or paint warning signs conforming to the requirements of national standards, which shall not be obscured or removed.

Hazardous chemical transport vehicles shall be installed with satellite positioning monitoring devices conforming to the requirements of national and industry standards and ensure that they remain in good operating condition, shall not remove or shut down such devices or affect their normal operation by means such as signal shielding, and shall not delete or tamper with the monitoring data.

Article 69 — When transporting hazardous chemicals by road, escorts shall be provided in accordance with the requirements, and it shall be ensured that the hazardous chemicals transported remain under the monitoring of the escorts. The specific measures shall be formulated by the transport department of the State Council together with the relevant departments.

Road transport enterprises of hazardous chemicals shall conduct real-time monitoring and management of the operating status of transport vehicles and drivers, promptly correct illegal and irregular driving behaviors such as speeding, fatigue driving, and driving along routes other than those prescribed, and realize safety monitoring, control, and early warning. Drivers of vehicles transporting hazardous chemicals shall strictly comply with road traffic safety laws and regulations, with continuous daytime driving not exceeding four hours and continuous nighttime driving not exceeding two hours, and each stop for rest shall be no less than

20 minutes.

Where it is necessary to stop during the transport of hazardous chemicals, the drivers and escorts shall take corresponding safety precautionary measures; where, in transporting highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, a relatively long stop is necessary due to accommodation or circumstances affecting normal transport, a report shall also be made to the local public security organ.

Article 70 — Without the approval of the public security organ, vehicles transporting hazardous chemicals shall not enter areas where access is restricted for vehicles transporting hazardous chemicals. The areas where access is restricted for vehicles transporting hazardous chemicals shall be delimited by the public security organ of the people's government at the county level or jointly with the relevant departments, and conspicuous signs shall be set up.

The administration of the licensing of the entry of vehicles transporting hazardous chemicals into areas where access is restricted for vehicles transporting hazardous chemicals shall be conducted in accordance with the provisions of the public security department of the State Council.

Article 71 — When transporting highly toxic chemicals by road, the shipper shall apply to the public security organ of the people's government at the county level of the place of departure or destination of the transport for a road transport permit for highly toxic chemicals.

To apply for a road transport permit for highly toxic chemicals, the shipper shall submit the following materials to the public security organ of the people's government at the county level:

(1) a statement of the varieties and quantities of the highly toxic chemicals to be transported;

(2) a statement of the place of departure, destination, transport time, and transport route;

(3) certification documents showing that the carrier has obtained the corresponding road transport license for dangerous goods, that the transport vehicle has obtained the corresponding operation permit, and that the drivers and escorts have obtained the corresponding qualifications for taking up their posts; and

(4) the relevant license documents for purchasing highly toxic chemicals referred to in paragraphs 1 and 2 of Article 58 of this Law, or the import and export certification documents issued by customs.

The public security organ of the people's government at the county level shall, within seven working days of receiving the materials referred to in the preceding paragraph, make a decision on approval or disapproval. Where approval is granted, a road transport permit for highly toxic chemicals shall be issued; where approval is not granted, the applicant shall be notified in writing with the reasons stated.

The administration of road transport permits for highly toxic chemicals shall be conducted in accordance with the provisions of the public security department of the State Council.

Article 72 — Where highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives are lost, stolen, or robbed, or are scattered or leaked during road transport, the drivers and escorts shall immediately take corresponding warning measures and safety measures and report to the local public security organ. Upon receiving the report, the public security organ shall, in light of the actual situation, immediately notify the transport, emergency management, ecology and environment, and health departments. The relevant departments shall take the necessary emergency response measures.

Article 73 — The maritime safety administration shall determine the safe transport conditions for the transport of hazardous chemicals by vessels in light of the types and hazardous properties of the hazardous chemicals.

Where the safe transport conditions of chemicals to be delivered for transport by vessel are unclear, the owner of the goods or the agent shall entrust a relevant technical institution to conduct an assessment, and

the chemicals may be delivered for transport by vessel only after the relevant safe transport conditions have been clarified and confirmed by the maritime safety administration.

Article 74 — The transport of highly toxic chemicals through enclosed waters of inland rivers shall be prohibited.

The transport through inland river waters of hazardous chemicals whose transport through inland rivers is prohibited by state provisions shall be prohibited. The scope of hazardous chemicals prohibited from transport through inland rivers shall be prescribed and published by the transport department of the State Council together with the ecology and environment, emergency management, and industry and information technology departments, in light of factors such as the hazardous properties of the hazardous chemicals, the degree of harm of the hazardous chemicals to the human body and the water environment, and the degree of difficulty in eliminating the harmful consequences.

Article 75 — The transport department of the State Council shall, in light of the hazardous properties of hazardous chemicals, exercise category-based management over the transport through inland rivers of hazardous chemicals other than those referred to in Article 74 of this Law (hereinafter referred to as the "transport of hazardous chemicals through inland rivers"), and shall separately prescribe and supervise the implementation of the transport methods, packaging specifications, safety protection measures, and other matters for each category of hazardous chemicals.

Article 76 — For the transport of hazardous chemicals through inland rivers, transport vessels that have lawfully obtained certificates of fitness for the carriage of dangerous goods shall be used. Waterway transport enterprises shall, in light of the hazardous properties of the hazardous chemicals transported, formulate emergency rescue plans for hazardous chemical accidents on transport vessels, and equip transport vessels with sufficient and effective emergency rescue equipment, devices, equipment, and materials.

The owners or operators of vessels transporting hazardous chemicals through inland rivers shall obtain certificates of vessel pollution damage liability insurance or financial guarantee certificates. Copies of the certificates of vessel pollution damage liability insurance or financial guarantee certificates shall be carried on board.

Article 77 — For the transport of hazardous chemicals through inland rivers, the materials, types, strength, and packaging methods of the packages of hazardous chemicals shall conform to the requirements of the relevant packaging specifications for waterway transport. Where the transport department of the State Council has restrictive provisions on the quantity of hazardous chemicals transported by a single vessel, the carrier shall arrange the transport quantity in accordance with the provisions.

Article 78 — Inland river docks and berths used for hazardous chemical transport operations shall conform to the relevant state safety specifications and maintain the safety distance from drinking water intakes prescribed by the state. The relevant management entities shall formulate emergency response plans for hazardous chemical accidents at docks and berths, and equip docks and berths with sufficient and effective emergency rescue equipment, devices, equipment, and materials.

Inland river docks and berths used for hazardous chemical transport operations may be put into use only after passing acceptance inspection in accordance with relevant state provisions.

Article 79 — Vessels carrying hazardous chemicals entering or leaving inland river ports shall report to the maritime safety administration in accordance with the provisions of laws and administrative regulations. Upon receiving the report, the maritime safety administration shall, within the time limit prescribed by the transport department of the State Council, make a decision on whether to agree, notify the reporting person, and simultaneously notify the port administrative department.

For loading and unloading and lighterage operations of hazardous chemicals within inland river ports, the names, hazardous properties, and packaging of the hazardous chemicals as well as the time and place of the operations and other matters shall be reported to the port administrative department. Upon receiving the report, the port administrative department shall, within the time limit prescribed by the transport department of the State Council, make a decision on whether to agree, notify the reporting person, and simultaneously notify the maritime safety administration.

Where vessels carrying hazardous chemicals navigate inland rivers and pass through navigation structures, they shall conform to the relevant requirements for the safety administration of navigation structures and report to the operation entity of the navigation structures in advance. The operation entity shall promptly forward the report to the transport department. When passing through navigation structures, vessels carrying hazardous chemicals shall accept the administration of the transport department.

Article 80 — Vessels carrying hazardous chemicals navigating, loading and unloading, or berthing in inland rivers shall display special warning signs and show special signals in accordance with regulations.

Where vessels carrying hazardous chemicals navigating inland rivers require pilotage in accordance with the provisions of laws, administrative regulations, and the transport department of the State Council, pilotage shall be requested.

Article 81 — Vessels carrying hazardous chemicals navigating inland rivers shall comply with the provisions of laws, administrative regulations, and other relevant state provisions on the protection of drinking water sources and nature reserves. The development plans for inland river waterways shall be coordinated with the delimitation plans for drinking water source protection areas and the overall plans for nature reserves lawfully approved.

Article 82 — When consigning hazardous chemicals for transport, the shipper shall submit to the carrier an electronic or paper consignment list of dangerous goods, stating the types, quantities, and hazardous properties of the hazardous chemicals consigned as well as the emergency response measures in the event of dangerous situations, provide the chemical safety data sheets, properly package the hazardous chemicals consigned in accordance with relevant state provisions, affix, print, or attach to the packages of hazardous chemicals chemical safety labels consistent with the hazardous chemicals inside the packages, and ensure that they are available for inspection at any time.

Where inhibitors or stabilizers need to be added for the transport of hazardous chemicals, the shipper shall add them in accordance with regulations and inform the carrier of the relevant situation.

The loader shall perform the inspection duty before filling or loading hazardous chemicals, and conduct the filling and loading operations in accordance with the standard requirements.

Article 83 — Shippers shall not conceal hazardous chemicals among ordinary goods consigned for transport, and shall not conceal or falsely declare hazardous chemicals as ordinary goods for transport.

No entity or individual may send hazardous chemicals or conceal hazardous chemicals in mail or express parcels, and shall not conceal or falsely declare hazardous chemicals as ordinary articles for sending. Postal enterprises and express delivery enterprises shall not accept or deliver hazardous chemicals.

Where there is suspicion of violation of paragraphs 1 and 2 of this Article, the transport department and the postal administration may open the consignment in accordance with the law and conduct inspection by means such as sampling and testing.

Article 84 — The safety administration of the transport of hazardous chemicals by railway and air shall be conducted in accordance with the provisions of the laws, administrative regulations, and rules on railway and air transport.

Chapter VII — Registration of Hazardous Chemicals

Article 85 — The state shall implement a registration system for hazardous chemicals to provide technical and information support for the safety administration of hazardous chemicals and the prevention of hazardous chemical accidents and emergency rescue.

Article 86 — Hazardous chemical production enterprises and import enterprises shall register hazardous chemicals with the institution responsible for the registration of hazardous chemicals under the emergency management department of the State Council (hereinafter referred to as the "hazardous chemical registration institution").

The registration of hazardous chemicals shall include the following:

(1) classification and labeling information;

(2) physical and chemical properties;

(3) main uses;

(4) hazardous properties;

(5) safety requirements for storage, use, and transport; and

(6) emergency response measures in the event of dangerous situations.

Repeated registration shall not be conducted for the same variety of hazardous chemicals produced or imported by the same enterprise. Upon discovering that the hazardous chemicals produced or imported by them have new hazardous properties or that other registered content has changed, hazardous chemical production enterprises and import enterprises shall promptly complete the formalities for the change of registered content with the hazardous chemical registration institution.

The specific measures for the registration of hazardous chemicals shall be formulated by the emergency management department of the State Council.

Article 87 — The state shall exempt from registration hazardous chemicals with low quantity, low release, and low exposure in the process of research and development and trial production and trial sale. The specific measures for exemption from registration shall be formulated by the emergency management department of the State Council together with the industry and information technology, public security, ecology and environment, agriculture and rural affairs, health, customs, and other departments.

Article 88 — The hazardous chemical registration institution shall share the information and data on the registration of hazardous chemicals with the industry and information technology, public security, natural resources, ecology and environment, transport, agriculture and rural affairs, health, customs, market regulation, energy, and military organs and other entities.

Article 89 — The environmental administration registration of new chemical substances shall be conducted in accordance with the provisions of the laws, administrative regulations, and rules on ecological environment protection.

Chapter VIII — Accident Emergency Rescue

Article 90 — The emergency management departments of local people's governments at or above the county level shall, together with the industry and information technology, public security, ecology and environment, transport, health, market regulation, and other departments, formulate emergency response plans for hazardous chemical accidents in light of the actual conditions of their regions, report them to the people's governments at the same level for approval, and disclose them to the public in accordance with the law.

When formulating their own emergency response plans, the departments responsible for the safety supervision and administration of hazardous chemicals shall include the content of emergency response to

hazardous chemical accidents.

The People's Liberation Army of China and the Chinese People's Armed Police Force shall, in accordance with the orders of the Central Military Commission, participate in the emergency rescue of hazardous chemical accidents in accordance with the law.

Article 91 — Hazardous chemical entities shall make good emergency preparations, improve the emergency management system, formulate their own emergency response plans for hazardous chemical accidents, establish full-time or part-time emergency rescue teams in accordance with the law, equip themselves with the necessary emergency rescue equipment, devices, equipment, and materials, and organize emergency rescue drills on a regular basis to enhance the emergency response capabilities of employees. Entities with relatively small production and business operation scales may not establish emergency rescue teams, but shall designate part-time emergency rescue personnel and may conclude emergency rescue agreements with nearby emergency rescue teams.

Hazardous chemical entities shall report their emergency response plans for hazardous chemical accidents to the emergency management departments of people's governments at or above the county level for the record in accordance with relevant state provisions, and disclose them to the public in accordance with the law.

Article 92 — Local people's governments at or above the county level shall, in light of the actual needs of emergency response to production safety accidents, strengthen the building of professional emergency rescue forces for hazardous chemicals in chemical industrial parks, and may, relying on qualified production and business operation entities and social organizations, jointly establish professional emergency rescue teams for hazardous chemicals, equip them with the necessary emergency rescue equipment, devices, equipment, and materials, and organize training on a regular basis.

Hazardous chemical entities within chemical industrial parks may jointly establish emergency rescue teams.

Article 93 — Upon the occurrence of a hazardous chemical accident, the principal person in charge of the entity where the accident occurs shall immediately organize rescue in accordance with the entity's emergency response plan for hazardous chemical accidents, report to the local emergency management, ecology and environment, public security, health, and market regulation departments, and promptly notify the entities and persons that may be affected; where a hazardous chemical accident occurs during road or waterway transport, the drivers, crew members, or escorts shall also report to the transport department of the place where the accident occurs.

Article 94 — Where a hazardous chemical entity encounters an emergency directly endangering personal safety, the shift leaders, team leaders, and dispatchers at the operation site shall, on the premise of ensuring safety, have the right to immediately issue the order to suspend production and evacuate personnel, and direct the relevant persons in danger to evacuate.

Article 95 — Upon the occurrence of a hazardous chemical accident, the relevant local people's government shall immediately organize the emergency management, ecology and environment, public security, health, transport, and other relevant departments to organize and carry out rescue in accordance with the local emergency response plan for hazardous chemical accidents, and shall not delay or evade responsibility.

The relevant local people's government and its relevant departments shall, in accordance with the following provisions, take the necessary emergency response measures to reduce accident losses and prevent the spread and expansion of accidents:

(1) immediately organize the rescue and treatment of the victims, and transfer, evacuate, and evacuate other persons under threat, and properly resettle them, or take other protective measures;

(2) promptly control the source of danger, determine the properties of the hazardous chemicals, and assess the hazardous area and degree of hazard of the accident;

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(3) in light of the actual harm and potential harm caused by the accident to the human body, animals and plants, soil, water sources, water bodies, and the atmosphere, promptly take measures such as sealing off, isolation, and decontamination; and

(4) monitor and assess the environmental pollution and ecological damage caused by the hazardous chemical accident, and take corresponding environmental pollution control and ecological restoration measures.

Article 96 — The relevant hazardous chemical entities shall provide technical guidance and necessary assistance for the emergency rescue of hazardous chemical accidents.

Article 97 — Where a hazardous chemical accident causes environmental pollution and ecological damage, the people's government performing the duty of unified leadership shall uniformly release the relevant information.

Chapter IX — Legal Liability

Article 98 — Where any person produces, uses, or operates hazardous chemicals whose production, use, or business operation is prohibited by the state, the emergency management department shall order cessation of the production, use, or business operation activities, confiscate the illegal gains, if any, and confiscate the hazardous chemicals illegally produced, used, or operated as well as the tools, equipment, raw materials, and the like used for the illegal production, use, or operation; where the value of the hazardous chemicals illegally produced, used, or operated is less than RMB 100,000, a fine of not less than RMB 300,000 but not more than RMB 500,000 shall be imposed in addition; where the value of the goods is RMB 100,000 or more, a fine of not less than five times but not more than ten times the value of the goods shall be imposed in addition.

Where there is an act referred to in the preceding paragraph, the emergency management department shall also order the person to carry out harmless treatment of the hazardous chemicals produced, used, or operated by it.

Where hazardous chemicals are used in violation of the state's restrictive provisions on the use of hazardous chemicals, the matter shall be handled and punished in accordance with paragraph 1 of this Article.

Article 99 — Where there is any of the following circumstances, the department responsible for the safety supervision and administration of hazardous chemicals shall, in accordance with the division of duties, order the cessation of construction or the suspension of production or business for rectification, order correction within a prescribed time limit, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000, and impose a fine of not less than RMB 20,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons; where correction is not made within the prescribed time limit, a fine of not less than RMB 500,000 but not more than RMB 1 million shall be imposed, and a fine of not less than RMB 50,000 but not more than RMB 100,000 shall be imposed on the directly responsible persons in charge and other directly responsible persons:

(1) a hazardous chemical construction project is not subject to examination of safety conditions;

(2) a hazardous chemical construction project has no design of safety facilities or the design of safety facilities is not submitted to the relevant emergency management department for examination and approval;

(3) the construction entity fails to carry out construction in accordance with the approved design of safety facilities;

(4) for a hazardous chemical construction project subject to project supervision, the construction entity fails to commission supervision of the construction of the safety facilities; or

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(5) the safety facilities of a hazardous chemical construction project are not accepted as qualified before the completion and commencement of production or use.

Where a hazardous chemical port construction project involves any of the circumstances referred to in the preceding paragraph, the port administrative department shall handle and punish it in accordance with the preceding paragraph.

Article 100 — Where any person engages in the production of hazardous chemicals without lawfully obtaining a work safety production license for hazardous chemicals, or engages in the production of hazardous chemicals and their packages and containers without lawfully obtaining an industrial product production license, the matter shall be handled and punished respectively in accordance with the laws and administrative regulations on work safety licensing and industrial product production licensing.

Where a chemical enterprise, in violation of this Law, uses hazardous chemicals in production without obtaining a safety use license for hazardous chemicals, the emergency management department shall order correction within a prescribed time limit and impose a fine of not less than RMB 100,000 but not more than RMB 500,000; where correction is not made within the prescribed time limit, it shall order the suspension of production for rectification.

Where any person, in violation of this Law, engages in the business operations of hazardous chemicals without obtaining a hazardous chemical business operation license, the emergency management department shall order cessation of the business operation activities, confiscate the hazardous chemicals illegally operated and the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000.

Article 101 — Where there is any of the following circumstances, the department responsible for the safety supervision and administration of hazardous chemicals shall, in accordance with the division of duties, order correction within a prescribed time limit and may impose a fine of not more than RMB 100,000; where correction is not made within the prescribed time limit, a fine of not less than RMB 100,000 but not more than RMB 200,000 shall be imposed, and a fine of not less than RMB 20,000 but not more than RMB 50,000 shall be imposed on the directly responsible persons in charge and other directly responsible persons; where the circumstances are serious, the suspension of production or business for rectification shall be ordered:

(1) a hazardous chemical production enterprise or import enterprise fails to provide Chinese-language chemical safety data sheets, or fails to affix, print, or attach Chinese-language chemical safety labels to the packages of hazardous chemicals;

(2) the Chinese-language chemical safety data sheets provided by a hazardous chemical production enterprise or import enterprise are inconsistent with the hazardous chemicals produced or imported by it, the Chinese-language chemical safety labels affixed, printed, or attached to the packages of hazardous chemicals are inconsistent with the hazardous chemicals inside the packages, or the chemical safety data sheets or chemical safety labels do not conform to the requirements of national standards;

(3) a hazardous chemical production enterprise or import enterprise fails to immediately make a public announcement upon discovering that the hazardous chemicals produced or imported by it have new hazardous properties, or fails to promptly revise its chemical safety data sheets or chemical safety labels;

(4) an entity producing or storing hazardous chemicals fails to set up conspicuous signs for the hazardous chemical pipelines laid by it, or fails to conduct periodic inspection, testing, and patrolling of hazardous chemical pipelines;

(5) for construction operations that may endanger the safety of hazardous chemical pipelines, the construction entity fails to notify the pipeline owner in writing of the construction plan in accordance with regulations, fails to jointly formulate an emergency response plan with the pipeline owner and take corresponding safety protection measures, or the pipeline owner fails to assign special personnel to the site

to provide guidance on pipeline safety protection;

(6) the employees of a hazardous chemical production enterprise fail to meet the academic qualification requirements prescribed by the state, fail to receive work safety education and training, or take up their posts without passing the assessment;

(7) the materials of the packages and containers of hazardous chemicals as well as the type, specifications, methods, and unit mass of the packaging are not suited to the properties and uses of the packaged hazardous chemicals;

(8) an enterprise producing or storing hazardous chemicals or an enterprise using hazardous chemicals in production fails to clearly define responsible persons, post duties, and operating procedures;

(9) an enterprise producing or storing hazardous chemicals or an enterprise using hazardous chemicals in production fails to install automatic control systems and safety instrumented systems in accordance with regulations, fails to establish a safety risk monitoring and early warning system, or the safety risk monitoring and early warning system is not interconnected and intercommunicated with relevant government departments;

(10) an entity producing, storing, or using hazardous chemicals fails to set up conspicuous safety warning signs at its workplaces and on safety facilities and equipment, or fails to set up communication and alarm devices at its workplaces and keep them in a usable state;

(11) a special storage premises for hazardous chemicals is not managed by specially designated personnel, the system of receipt and custody by two persons is not implemented for the highly toxic chemicals stored and other hazardous chemicals whose storage quantity constitutes a major hazard installation, or the receipt and custody records are kept for less than three years;

(12) an entity storing hazardous chemicals fails to establish a system for the verification and registration of the entry and exit of hazardous chemicals from warehouses;

(13) a special storage premises for hazardous chemicals is not marked with conspicuous signs;

(14) a research and development entity directly applies to industrial production new processes or new technologies that have not undergone small-scale tests, pilot tests, or industrial tests, or fails to provide safety demonstration reports and relevant materials for new processes or new technologies when transferring them;

(15) an entity using hazardous chemicals fails to provide employees with the chemical safety data sheets and chemical safety labels used at its workplaces, or fails to inform employees of the correct methods of use and the measures to be taken in emergencies;

(16) a hazardous chemical production enterprise or business enterprise operates hazardous chemicals without chemical safety data sheets or chemical safety labels, or alters chemical safety data sheets or chemical safety labels without authorization; or

(17) a hazardous chemical production enterprise or import enterprise fails to register hazardous chemicals, or fails to complete the formalities for the change of registered content upon discovering that the hazardous chemicals produced or imported by it have new hazardous properties or that other registered content has changed.

Where a port operator engaging in warehousing operations of hazardous chemicals involves any of the circumstances referred to in the preceding paragraph, the port administrative department shall handle and punish it in accordance with the preceding paragraph. Where a special storage premises for storing highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives is not equipped with corresponding physical protection and technical protection facilities in accordance with relevant state provisions, the public security organ shall handle and punish it in accordance with the preceding paragraph.

Where an entity producing or storing highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives fails to establish a public security protection body or staff it with full-time public security protection personnel, the matter shall be handled and punished in accordance with the laws and administrative regulations on the internal public security protection of enterprises and public institutions.

Article 102 — Where an enterprise producing packages and containers of hazardous chemicals sells packages and containers of hazardous chemicals that have not been inspected or have failed inspection, the market regulation administration shall order correction within a prescribed time limit, impose a fine of not less than RMB 200,000 but not more than RMB 500,000, and confiscate the illegal gains, if any; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification, and impose a fine of not less than RMB 10,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons.

Where vessels transporting hazardous chemicals and the containers stowed thereon that have not passed inspection are put into use, the maritime safety administration shall handle and punish the matter in accordance with the preceding paragraph.

Article 103 — Where there is any of the following circumstances, the department responsible for the safety supervision and administration of hazardous chemicals shall, in accordance with the division of duties, order correction within a prescribed time limit and impose a fine of not less than RMB 50,000 but not more than RMB 100,000; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification, up to the revocation of the relevant license documents by the original license-issuing authority, and impose a fine of not less than RMB 100,000 but not more than RMB 200,000, and impose a fine of not less than RMB 20,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons; where the relevant license documents are revoked, the market regulation administration shall order it to complete the registration of change of its business scope or revoke its business license:

(1) failing to register and file the major hazard installations of hazardous chemicals in accordance with relevant state provisions, failing to conduct periodic testing, assessment, and monitoring, failing to formulate emergency response plans, or failing to establish a safety responsibility system for major hazard installations;

(2) failing to inspect reusable packages and containers of hazardous chemicals before reuse, or using packages and containers of hazardous chemicals with hidden safety dangers;

(3) failing to set up relevant safety facilities and equipment at the workplaces in light of the types and hazardous properties of the hazardous chemicals produced or stored, or failing to conduct regular maintenance and servicing of the safety facilities and equipment in accordance with national or industry standards or relevant state provisions;

(4) failing to conduct periodic safety assessment of its work safety conditions in accordance with the provisions of this Law;

(5) failing to store hazardous chemicals in special storage premises, or failing to store highly toxic chemicals and other hazardous chemicals whose storage quantity constitutes a major hazard installation separately in special storage premises;

(6) the storage methods or storage quantities of hazardous chemicals do not conform to national standards or relevant state provisions;

(7) the special storage premises for hazardous chemicals do not conform to the requirements of national and industry standards;

(8) failing to conduct periodic testing and inspection of the safety facilities and equipment of the special storage premises for hazardous chemicals, or failing to stop use and repair or replace them in accordance

with regulations when they fail testing or inspection; or

(9) an enterprise producing or storing hazardous chemicals or an enterprise using hazardous chemicals in production fails to establish a tiered management and control system for safety risks, fails to carry out identification and assessment of safety risks, fails to take corresponding safety control measures according to the tiers of safety risks, or fails to re-conduct the identification and assessment of safety risks when processes, facilities, equipment, raw materials, and the like change.

Where a port operator engaging in warehousing operations of hazardous chemicals involves any of the circumstances referred to in the preceding paragraph, the port administrative department shall handle and punish it in accordance with the preceding paragraph.

Article 104 — Where there is any of the following circumstances, the public security organ shall order correction within a prescribed time limit and may impose a fine of not less than RMB 20,000 but not more than RMB 100,000; where correction is not made within the prescribed time limit, a fine of not less than RMB 100,000 but not more than RMB 200,000 shall be imposed, and a fine of not less than RMB 10,000 but not more than RMB 50,000 shall be imposed on the directly responsible persons in charge and other directly responsible persons:

(1) an entity producing, storing, or using highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives fails to truthfully record the varieties, quantities, and flow directions of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives produced, stored, or used by it;

(2) an entity producing, storing, or using highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives fails to immediately report to the public security organ upon discovering the loss or theft of highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives;

(3) an entity storing highly toxic chemicals fails to report the storage quantity and storage location of highly toxic chemicals as well as the situation of management personnel to the public security organ of the people's government at the county level where it is located for the record;

(4) a hazardous chemical production enterprise or business enterprise fails to truthfully record the names and addresses of the purchasing entities of highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, the names and ID card numbers of the handling personnel, and the varieties, quantities, and uses of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased, or keeps the sales records and relevant materials for less than three years;

(5) an enterprise selling or an entity purchasing highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives fails to report, within the prescribed time limit, the varieties and quantities of the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives sold or purchased as well as the flow direction information to the public security organ of the people's government at the county level where it is located for the record; or

(6) an entity using highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives transfers the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased by it in accordance with this Law, but fails to report the relevant situation to the public security organ of the people's government at the county level where it is located for the record within three days of the transfer.

Where an enterprise producing or storing hazardous chemicals, an enterprise using hazardous chemicals in production, or an enterprise storing or loading and unloading hazardous chemicals within a port area fails to report the safety assessment report and the implementation of the rectification plan to the emergency

management department of the people's government at the county level where it is located or the port administrative department for the record in accordance with the provisions of this Law, the emergency management department or the port administrative department shall respectively handle and punish it in accordance with the preceding paragraph.

Where the situation of highly toxic chemicals or major hazard installations of hazardous chemicals is not reported to the emergency management department, the port administrative department, or the fire and rescue institution for the record in accordance with the provisions of this Law, the emergency management department, the port administrative department, or the fire and rescue institution shall respectively handle and punish the matter in accordance with paragraph 1 of this Article.

Article 105 — Where an entity producing, storing, or using hazardous chemicals converts, suspends, or ceases production or business, or dissolves, but fails to take effective measures to promptly and properly dispose of its hazardous chemical production installations, storage facilities, and hazardous chemicals in stock, or discards hazardous chemicals, the emergency management department shall order correction within a prescribed time limit and impose a fine of not less than RMB 100,000 but not more than RMB 500,000.

Where an entity producing, storing, or using hazardous chemicals converts, suspends, or ceases production or business, or dissolves, but fails to report the disposal plan for its hazardous chemical production installations, storage facilities, and hazardous chemicals in stock to the relevant departments for the record in accordance with the provisions of this Law, the relevant departments shall respectively order correction within a prescribed time limit and may impose a fine of not less than RMB 20,000 but not more than RMB 100,000; where correction is not made within the prescribed time limit, a fine of not less than RMB 100,000 but not more than RMB 200,000 shall be imposed.

Article 106 — Where a hazardous chemical business enterprise purchases hazardous chemicals from an enterprise that illegally engages in the production or business operations of hazardous chemicals without a license, the emergency management department shall order correction within a prescribed time limit and impose a fine of not less than RMB 200,000 but not more than RMB 500,000; where correction is not made within the prescribed time limit, it shall order the suspension of business for rectification, up to the revocation of the hazardous chemical business operation license by the original license-issuing authority, and impose a fine of not less than RMB 50,000 but not more than RMB 100,000 on the directly responsible persons in charge and other directly responsible persons; where the relevant license documents are revoked, the market regulation administration shall order it to complete the registration of change of its business scope or revoke its business license.

Article 107 — Where a hazardous chemical production enterprise or business enterprise has any of the following circumstances, the emergency management department shall order correction within a prescribed time limit, confiscate the illegal gains, and impose a fine of not less than RMB 200,000 but not more than RMB 500,000; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification, up to the revocation of the work safety production license for hazardous chemicals or the hazardous chemical business operation license by the original license-issuing authority, and impose a fine of not less than RMB 50,000 but not more than RMB 100,000 on the directly responsible persons in charge and other directly responsible persons; where the relevant license documents are revoked, the market regulation administration shall order it to complete the registration of change of its business scope or revoke its business license:

(1) selling highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives to entities without the relevant license documents or certification documents referred to in paragraphs 1 and 2 of Article 58 of this Law;

(2) failing to sell highly toxic chemicals in accordance with the varieties and quantities stated in the purchase license for highly toxic chemicals; or

(3) selling to individuals highly toxic chemicals (except pesticides that are highly toxic chemicals) or hazardous chemicals that can be readily used to manufacture explosives (except food additives, pharmaceuticals, veterinary drugs, disinfectants, and other daily necessities containing hazardous chemicals that can be readily used to manufacture explosives).

Where an entity without the relevant license documents or certification documents referred to in paragraphs 1 and 2 of Article 58 of this Law purchases highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, or an individual purchases highly toxic chemicals (except pesticides that are highly toxic chemicals) or hazardous chemicals that can be readily used to manufacture explosives (except food additives, pharmaceuticals, veterinary drugs, disinfectants, and other daily necessities containing hazardous chemicals that can be readily used to manufacture explosives), the public security organ shall confiscate the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased, and may impose a fine of not less than RMB 20,000 but not more than RMB 50,000 in addition.

Where an entity using highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives lends the highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives purchased by it, or transfers them to entities without the relevant license documents or certification documents referred to in paragraphs 1 and 2 of Article 58 of this Law, or transfers to individuals the highly toxic chemicals (except pesticides that are highly toxic chemicals) or hazardous chemicals that can be readily used to manufacture explosives (except food additives, pharmaceuticals, veterinary drugs, disinfectants, and other daily necessities containing hazardous chemicals that can be readily used to manufacture explosives) purchased by it, the public security organ shall order correction within a prescribed time limit, confiscate the illegal gains, and impose a fine of not less than RMB 100,000 but not more than RMB 500,000; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification.

Where highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives are sold on the internet in violation of this Law, the department responsible for the safety supervision and administration of hazardous chemicals shall, in accordance with the division of duties, handle and punish the matter in accordance with paragraph 1 of this Article.

Article 108 — Where any person engages in the road or waterway transport of hazardous chemicals without lawfully obtaining a road transport license for dangerous goods or a corresponding waterway transport license for dangerous goods, or without completing the filing formalities, the matter shall be handled and punished respectively in accordance with the laws and administrative regulations on road and waterway transport.

Article 109 — Where there is any of the following circumstances, the transport department shall order correction within a prescribed time limit and impose a fine of not less than RMB 50,000 but not more than RMB 500,000; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification, and impose a fine of not less than RMB 10,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons:

(1) the drivers, crew members, loading and unloading managers, escorts, declarants, or on-site container packing inspectors of a road or waterway transport enterprise of hazardous chemicals take up their posts without obtaining professional qualifications;

(2) the loading and unloading operations of hazardous chemicals fail to comply with safety operation standards, procedures, and systems, or are not conducted under the on-site command or monitoring of loading and unloading managers;

(3) the container packing operations for the waterway transport of hazardous chemicals are not conducted under the command or monitoring of on-site container packing inspectors, or do not conform to the specifications and requirements for stowage and segregation;

(4) when transporting hazardous chemicals, corresponding safety protection measures are not taken in light of the hazardous properties of the hazardous chemicals, or the necessary protective articles and emergency rescue equipment, devices, equipment, and materials are not provided;

(5) a road transport enterprise of hazardous chemicals fails to conduct real-time monitoring and management of the operating status of transport vehicles and drivers;

(6) vessels that have not lawfully obtained certificates of fitness for the carriage of dangerous goods are used to transport hazardous chemicals through inland rivers;

(7) a carrier transporting hazardous chemicals through inland rivers transports hazardous chemicals in violation of the restrictive provisions of the transport department of the State Council on the quantity of hazardous chemicals transported by a single vessel;

(8) inland river docks or berths used for hazardous chemical transport operations do not conform to the relevant state safety specifications, fail to maintain the safety distance from drinking water intakes prescribed by the state, or are put into use without passing acceptance inspection in accordance with relevant state provisions;

(9) the shipper fails to submit to the carrier an electronic or paper consignment list of dangerous goods stating the relevant situation of the hazardous chemicals consigned, fails to provide the chemical safety data sheets, or fails to properly package the hazardous chemicals consigned in accordance with relevant state provisions and affix, print, or attach to the packages of hazardous chemicals chemical safety labels consistent with the hazardous chemicals inside the packages; or

(10) where inhibitors or stabilizers need to be added for the transport of hazardous chemicals, the shipper fails to add them in accordance with regulations or fails to inform the carrier of the relevant situation.

Where the declarants or on-site container packing inspectors of a waterway transport enterprise violate the provisions of laws, administrative regulations, or rules on the safety administration of hazardous chemicals, the transport department shall order correction within a prescribed time limit and give a warning; where the circumstances are serious, it shall order the suspension of their professional activities, up to the revocation of their professional qualifications.

Article 110 — Where there is any of the following circumstances, the transport department shall order correction within a prescribed time limit and impose a fine of not less than RMB 200,000 but not more than RMB 300,000, and confiscate the illegal gains, if any; where correction is not made within the prescribed time limit, it shall order the suspension of production or business for rectification, and impose a fine of not less than RMB 10,000 but not more than RMB 50,000 on the directly responsible persons in charge and other directly responsible persons:

(1) entrusting an entity or individual that has not lawfully obtained the corresponding license or completed the filing formalities with the carriage of hazardous chemicals;

(2) transporting highly toxic chemicals through enclosed waters of inland rivers;

(3) transporting through inland river waters hazardous chemicals whose transport through inland rivers is prohibited by state provisions;

(4) a vessel carrying hazardous chemicals navigating inland rivers passes through navigation structures without reporting to the operation entity of the navigation structures in advance, or fails to submit to the administration of the transport department; or

(5) concealing hazardous chemicals among ordinary goods consigned for transport, or concealing or falsely declaring hazardous chemicals as ordinary goods for transport.

Where a postal enterprise or express delivery enterprise accepts and delivers hazardous chemicals, the matter shall be handled and punished in accordance with the provisions of the Postal Law of the People's Republic of China.

Article 111 — Where there is any of the following circumstances, the public security organ shall order correction within a prescribed time limit and impose a fine of not less than RMB 100,000 but not more than RMB 200,000:

(1) loading hazardous chemicals in excess of the approved load capacity of the transport vehicle;

(2) using vehicles whose safety technical conditions do not conform to the requirements of national standards to transport hazardous chemicals;

(3) a vehicle transporting hazardous chemicals enters an area where access is restricted for vehicles transporting hazardous chemicals without the approval of the public security organ; or

(4) transporting highly toxic chemicals by road without obtaining a road transport permit for highly toxic chemicals.

Article 112 — Where there is any of the following circumstances, the public security organ shall order correction within a prescribed time limit and impose a fine of not less than RMB 50,000 but not more than RMB 100,000:

(1) a hazardous chemical transport vehicle fails to display or paint warning signs, or obscures or removes the warning signs, or the warning signs do not conform to the requirements of national standards;

(2) escorts are not provided in accordance with the requirements when transporting hazardous chemicals by road;

(3) where a relatively long stop is necessary during the transport of highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives, the drivers or escorts fail to report to the local public security organ; or

(4) where highly toxic chemicals or hazardous chemicals that can be readily used to manufacture explosives are lost, stolen, or robbed, or are scattered or leaked during road transport, the drivers or escorts fail to take corresponding warning measures and safety measures, or fail to report to the local public security organ.

Article 113 — Where a road transport enterprise of hazardous chemicals bears full or primary responsibility for a traffic accident, the public security organ shall order the elimination of hidden safety dangers, and hazardous chemical transport vehicles whose hidden safety dangers have not been eliminated shall be prohibited from driving on roads.

Article 114 — Where there is any of the following circumstances, the transport department shall order correction within a prescribed time limit and may impose a fine of not more than RMB 50,000; where correction is not made within the prescribed time limit, a fine of not less than RMB 50,000 but not more than RMB 100,000 shall be imposed:

(1) a road or waterway transport enterprise of hazardous chemicals fails to staff itself with full-time work safety management personnel; or

(2) the management entity of an inland river dock or berth used for hazardous chemical transport operations fails to formulate an emergency response plan for hazardous chemical accidents at the dock or berth, or fails to equip the dock or berth with sufficient and effective emergency rescue equipment, devices, equipment, and materials.

Article 115 — Where there is any of the following circumstances, the matter shall be handled and punished in accordance with the laws and administrative regulations on the safety administration of inland river traffic:

(1) a waterway transport enterprise transporting hazardous chemicals through inland rivers fails to formulate an emergency rescue plan for hazardous chemical accidents on transport vessels, or fails to equip transport vessels with sufficient and effective emergency rescue equipment, devices, equipment, and materials;

(2) the owner or operator of a vessel transporting hazardous chemicals through inland rivers fails to obtain a certificate of vessel pollution damage liability insurance or a financial guarantee certificate;

(3) a vessel carrying hazardous chemicals entering or leaving an inland river port fails to report to the maritime safety administration in accordance with the provisions of laws and administrative regulations and obtain its consent; or

(4) a vessel carrying hazardous chemicals navigating, loading and unloading, or berthing in inland rivers fails to display special warning signs, fails to show special signals in accordance with regulations, or fails to request pilotage in accordance with regulations.

Where loading and unloading and lighterage operations of hazardous chemicals are conducted within an inland river port without reporting to the port administrative department and obtaining its consent, the matter shall be handled and punished in accordance with the provisions of the Port Law of the People's Republic of China.

Article 116 — Where any person forges or alters, or leases, lends, or transfers a work safety production license for hazardous chemicals or an industrial product production license, or uses a forged or altered work safety production license for hazardous chemicals or industrial product production license, the matter shall be handled and punished respectively in accordance with the laws and administrative regulations on work safety licensing and industrial product production licensing.

Where any person forges or alters, or leases, lends, or transfers other licenses prescribed by this Law, or uses forged or altered other licenses prescribed by this Law, the license-issuing and administration authority of the relevant license shall respectively impose a fine of not less than RMB 200,000 but not more than RMB 300,000, and confiscate the illegal gains, if any.

Article 117 — Where a hazardous chemical accident occurs at a hazardous chemical entity and its principal person in charge fails to immediately organize rescue or fails to immediately report to the relevant departments, the matter shall be handled and punished in accordance with the laws and administrative regulations on the reporting, investigation, and handling of production safety accidents.

Where the principal person in charge of a hazardous chemical entity fails to perform its work safety management duties, thereby causing a production safety accident, the restriction on employment shall be imposed in accordance with the provisions of the Work Safety Law of the People's Republic of China.

Where a hazardous chemical accident occurs at a hazardous chemical entity and causes personal injury or property damage to others, the entity shall bear compensation liability in accordance with the law.

Article 118 — Where a hazardous chemical accident occurs and the relevant local people's government and its relevant departments fail to immediately organize and carry out rescue, or fail to take the necessary emergency response measures to reduce accident losses and prevent the spread and expansion of accidents, the responsible leading personnel and directly responsible personnel shall be given sanctions in accordance with the law.

Article 119 — Where the staff of the departments responsible for the safety supervision and administration of hazardous chemicals abuse their powers, neglect their duties, or engage in malpractices for personal gain in the safety supervision and administration of hazardous chemicals, they shall be given sanctions in accordance with the law.

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Article 120 — Where an act in violation of this Law constitutes a violation of public security administration, a public security administration punishment shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter X — Supplementary Provisions

Article 121 — The safety administration of monitoring chemicals and of pharmaceuticals and pesticides that are hazardous chemicals shall be conducted in accordance with the provisions of this Law; where laws or administrative regulations provide otherwise, such provisions shall prevail.

This Law shall not apply to the safety administration of civilian explosives, fireworks and firecrackers, radioactive articles, nuclear substances, and hazardous chemicals used for national defense scientific research and production.

Where laws or administrative regulations provide otherwise for the safety administration of gas, such provisions shall prevail.

Where containers of hazardous chemicals are special equipment, their safety administration shall be conducted in accordance with the laws and administrative regulations on the safety of special equipment.

Article 122 — The administration of the import and export of hazardous chemicals shall be conducted in accordance with the laws, administrative regulations, and rules on foreign trade; where the export of hazardous chemicals involves controlled items prescribed by the Export Control Law of the People's Republic of China, the matter shall be handled in accordance with the laws, administrative regulations, and rules on export control; the safety administration of the storage, use, business operations, and transport of imported hazardous chemicals shall be conducted in accordance with the provisions of this Law.

Article 123 — Ownerless hazardous chemicals discovered or picked up by the public shall be received by the public security organ or the emergency management department. Where hazardous chemicals received or lawfully confiscated by the relevant departments need to be disposed of, they shall be handed over to professional entities recognized by the ecology and environment department for disposal, or to the relevant hazardous chemical production enterprises for disposal. The costs required for disposal shall be borne by the government.

Article 124 — Where the hazardous properties of a chemical have not yet been determined, the emergency management, ecology and environment, and health departments of the State Council shall respectively be responsible for organizing the identification of the physical hazards, ecological environmental hazards, and toxicological properties of the chemical. Where the catalogue of hazardous chemicals needs to be adjusted based on the identification results, the matter shall be handled in accordance with paragraph 2 of Article 3 of this Law.

Where the hazardous properties of a chemical have not yet been determined, no entity or individual may engage, without authorization, in the production, storage, use, business operations, transport, or other activities of the chemical.

Article 125 — With respect to the parts of the production installations for the production of hazardous chemicals and the use of hazardous chemicals within port areas as well as the connected storage tanks, the emergency management department shall be responsible for safety supervision and administration; with respect to the storage tank parts connected only to hazardous chemical docks, the port administrative department shall be responsible for safety supervision and administration.

Article 126 — The safety administration of hazardous chemicals of the People's Liberation Army of China and the Chinese People's Armed Police Force shall be conducted in accordance with the relevant provisions of this Law and the provisions of the Central Military Commission.

Article 127 — This Law shall take effect on May 1, 2026.

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