Regulations on the Administration of Pollutant Discharge Permits

Dan Young Business Consultancy — www.danyoungcpa.com

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Chapter I — General Provisions

Article 1 — These Regulations are formulated, in accordance with the Environmental Protection Law of the People’s Republic of China and other relevant laws, for the purpose of strengthening the administration of pollutant discharge permits, regulating the pollutant discharge conduct of enterprises, public institutions and other producers and operators, controlling pollutant discharge, and protecting and improving the ecological environment.

Article 2 — Enterprises, public institutions and other producers and operators subject to pollutant discharge permit administration in accordance with the law (hereinafter “pollutant discharging units”) shall apply for and obtain a pollutant discharge permit in accordance with these Regulations; without obtaining a pollutant discharge permit, they shall not discharge pollutants.

Pollutant discharging units shall be subject to classified administration of pollutant discharge permits on the basis of factors such as the volume of pollutants generated and discharged and the degree of impact on the

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environment:

(1) pollutant discharging units with a relatively large volume of pollutants generated or discharged, or a relatively large degree of impact on the environment, shall be subject to key administration of pollutant discharge permits;

(2) pollutant discharging units with a relatively small volume of pollutants generated and discharged and a relatively small degree of impact on the environment shall be subject to simplified administration of pollutant discharge permits.

The scope of pollutant discharging units subject to pollutant discharge permit administration, the implementation steps and the catalogue of administration categories shall be drafted by the competent ecological and environmental department of the State Council and promulgated and implemented after approval by the State Council. When formulating the scope of pollutant discharging units subject to pollutant discharge permit administration, the implementation steps and the catalogue of administration categories, opinions shall be solicited from the relevant departments, industry associations, enterprises, public institutions and the general public.

Article 3 — The competent ecological and environmental department of the State Council shall be responsible for the unified supervision and administration of pollutant discharge permits nationwide.

The competent ecological and environmental departments of local people's governments at or above the level of a city divided into districts shall be responsible for the supervision and administration of pollutant discharge permits within their respective administrative regions.

Article 4 — The competent ecological and environmental department of the State Council shall strengthen the construction and administration of the national pollutant discharge permit administration information platform and improve the level of online handling of pollutant discharge permits.

The examination and decision on pollutant discharge permits and information disclosure shall be handled through the national pollutant discharge permit administration information platform.

Article 5 — People's governments at or above the level of a city divided into districts shall include the funds required for pollutant discharge permit administration work in their corresponding-level budgets.

Chapter II — Application and Approval

Article 6 — A pollutant discharging unit shall apply to the competent ecological and environmental department of the local people's government at or above the level of a city divided into districts at the place where its production and operation site is located (hereinafter the "approval department") for a pollutant discharge permit.

Where a pollutant discharging unit discharges pollutants at two or more production and operation sites, it shall apply for a pollutant discharge permit separately for each production and operation site.

Article 7 — An application for a pollutant discharge permit may be submitted through the national pollutant discharge permit administration information platform by submitting a pollutant discharge permit application form, or by letter or other means.

The pollutant discharge permit application form shall include the following particulars:

(1) information such as the name and domicile of the pollutant discharging unit, its legal representative or principal person in charge, the location of its production and operation site, and its unified social credit code;

(2) the approval document for the environmental impact report (form) of the construction project or the record-filing materials for the environmental impact registration form;

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(3) the types, discharge concentrations and discharge volumes of pollutants applied for in accordance with the pollutant discharge outlets, the main production facilities or workshops, and the factory boundaries, as well as the pollutant discharge standards to be complied with and the total quantity control indicators for key pollutants;

(4) information such as the pollution prevention and control facilities, the location and number of pollutant discharge outlets, the methods and destinations of pollutant discharge, and the self-monitoring plan;

(5) information such as the main production facilities, main products and production capacity, main raw and auxiliary materials, and the stages at which pollutants are generated and discharged, as well as a statement as to whether any of the foregoing involves trade secrets or other circumstances inappropriate for disclosure.

Article 8 — Under any of the following circumstances, the corresponding materials shall also be submitted when applying for a pollutant discharge permit:

(1) where the unit is subject to key administration of pollutant discharge permits, the explanatory materials through which the pollutant discharging unit has, before submitting the application, publicly disclosed its basic information and the matters for which it proposes to apply for a permit through the national pollutant discharge permit administration information platform;

(2) where the unit is a centralized urban or industrial sewage treatment facility, the explanatory materials on its pollutant-receiving scope, pipe network layout and final discharge destination;

(3) where the unit is a new, rebuilt or expanded project that discharges key pollutants or a project implementing technological transformation, the explanatory materials showing that the pollutant discharging unit has obtained the total quantity control indicators for key pollutants through reduction and substitution of pollutant discharge volumes.

Article 9 — The approval department shall, in accordance with the following circumstances, handle a received pollutant discharge permit application separately:

(1) where no pollutant discharge permit needs to be applied for in accordance with the law, it shall promptly notify the applicant that no pollutant discharge permit needs to be applied for;

(2) where the matter does not fall within the scope of authority of the approval department, it shall promptly make a decision not to accept the application and notify the pollutant discharging unit to apply to the competent ecological and environmental department with the authority to approve;

(3) where there are errors in the application materials that can be corrected on the spot, it shall permit the pollutant discharging unit to correct them on the spot;

(4) where the application materials are incomplete or do not conform to the statutory form, it shall issue a notice on the spot or within three days, notifying the pollutant discharging unit once and for all of all the materials that need to be supplemented or corrected; where no notice is given within the time limit, the application shall be deemed accepted from the date of receipt of the application materials;

(5) where the matter falls within the scope of authority of the approval department and the application materials are complete and conform to the statutory form, or the pollutant discharging unit has supplemented and corrected all the application materials as required, the application shall be accepted.

The approval department shall publicly disclose on the national pollutant discharge permit administration information platform its decision to accept or not accept a pollutant discharge permit application, and shall simultaneously issue to the pollutant discharging unit a written voucher bearing the special seal of the approval department and the date.

Article 10 — The approval department shall examine the application materials submitted by the pollutant discharging unit and may conduct on-site verification of the production and operation site of the pollutant

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discharging unit.

The approval department may organize technical institutions to conduct technical assessment of the pollutant discharge permit application materials, and shall bear the corresponding costs.

The technical institution shall be responsible for the technical assessment opinions it puts forward and shall not collect any fees from the pollutant discharging unit.

Article 11 — A pollutant discharge permit shall be issued to a pollutant discharging unit that meets the following conditions:

(1) it has lawfully obtained the approval document for the environmental impact report (form) of the construction project, or has completed the record-filing procedures for the environmental impact registration form;

(2) its pollutant discharge complies with the pollutant discharge standards, and its discharge of key pollutants complies with the technical specifications for the application and issuance of pollutant discharge permits, the approval document for the environmental impact report (form) and the total quantity control requirements for key pollutants; where the production and operation site of the pollutant discharging unit is located in a key region or river basin that has not met the national environmental quality standards, it shall also comply with the special requirements of the relevant local people's government for improving the quality of the ecological environment;

(3) the pollution prevention and control facilities it adopts can meet the permitted discharge concentration requirements or conform to the viable technologies for pollution prevention and control;

(4) the monitoring points, indicators, frequency and other aspects of its self-monitoring plan conform to the national self-monitoring specifications.

Article 12 — For a pollutant discharging unit subject to simplified administration of pollutant discharge permits, the approval department shall make an approval decision within 20 days from the date of acceptance of the application; a pollutant discharge permit shall be issued where the conditions are met, and where the conditions are not met, the permit shall not be granted and the reasons shall be stated in writing.

For a pollutant discharging unit subject to key administration of pollutant discharge permits, the approval department shall make an approval decision within 30 days from the date of acceptance of the application; where on-site verification is required, it shall make an approval decision within 45 days from the date of acceptance of the application; a pollutant discharge permit shall be issued where the conditions are met, and where the conditions are not met, the permit shall not be granted and the reasons shall be stated in writing.

The approval department shall generate a unified pollutant discharge permit number through the national pollutant discharge permit administration information platform.

Article 13 — A pollutant discharge permit shall record the following information:

(1) the name and domicile of the pollutant discharging unit, its legal representative or principal person in charge, and the location of its production and operation site;

(2) the validity period of the pollutant discharge permit, the issuing authority, the issuance date, the certificate number and the QR code;

(3) the stages at which pollutants are generated and discharged, and the pollution prevention and control facilities;

(4) the location and number of pollutant discharge outlets, and the methods and destinations of pollutant discharge;

(5) the types of pollutants discharged, the permitted discharge concentrations and the permitted discharge volumes;

(6) the requirements for the operation and maintenance of pollution prevention and control facilities and for the standardized construction of pollutant discharge outlets;

(7) the requirements to prohibit or restrict pollutant discharge during special periods;

(8) the requirements on the content and frequency of self-monitoring, environmental management ledger records and pollutant discharge permit implementation reports;

(9) the requirements for the disclosure of environmental information by the pollutant discharging unit;

(10) the control requirements for fugitive emissions where atmospheric pollutants are discharged in a fugitive manner; and

(11) other requirements for the control of pollutant discharge that the pollutant discharging unit shall comply with under laws and regulations.

Article 14 — A pollutant discharge permit shall be valid for five years.

Where the validity period of a pollutant discharge permit expires and the pollutant discharging unit needs to continue discharging pollutants, it shall apply to the approval department 60 days before the expiry of the pollutant discharge permit. The approval department shall complete the examination within 20 days from the date of acceptance of the application; the permit shall be renewed where the conditions are met, and where the conditions are not met, the renewal shall not be granted and the reasons shall be stated in writing.

Where a pollutant discharging unit changes its name, domicile, legal representative or principal person in charge, it shall, within 30 days from the date of the change, apply to the approval department for the alteration procedures for the pollutant discharge permit.

Article 15 — During the validity period of a pollutant discharge permit, a pollutant discharging unit shall re-apply for a pollutant discharge permit under any of the following circumstances:

(1) it constructs new, rebuilt or expanded projects discharging pollutants;

(2) its production and operation site, the location of pollutant discharge outlets, or the methods or destinations of pollutant discharge change;

(3) the number of pollutant discharge outlets, or the types, discharge volumes or discharge concentrations of pollutants discharged, increase.

Article 16 — Where the pollutant discharge standards applicable to a pollutant discharging unit or the total quantity control requirements for key pollutants change and the pollutant discharge permit needs to be altered, the approval department may alter the corresponding matters of the pollutant discharge permit in accordance with the law.

Chapter III — Pollutant Discharge Administration

Article 17 — A pollutant discharge permit is the main basis for ecological and environmental supervision of a pollutant discharging unit.

A pollutant discharging unit shall comply with the provisions of its pollutant discharge permit, operate and maintain its pollution prevention and control facilities in accordance with ecological and environmental administration requirements, establish an environmental management system, and strictly control pollutant discharge.

Article 18 — A pollutant discharging unit shall, in accordance with the provisions of the competent ecological and environmental department, construct standardized pollutant discharge outlets and set up signboards.

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The location and number of pollutant discharge outlets, and the methods and destinations of pollutant discharge, shall conform to the provisions of the pollutant discharge permit.

A pollutant discharging unit implementing new, rebuilt or expanded projects and technological transformation shall, while constructing pollution prevention and control facilities, construct standardized pollutant discharge outlets.

Article 19 — A pollutant discharging unit shall, in accordance with the provisions of its pollutant discharge permit and the relevant standards and specifications, conduct self-monitoring in accordance with the law and preserve the original monitoring records. The original monitoring records shall be preserved for no less than five years.

A pollutant discharging unit shall be responsible for the authenticity and accuracy of its self-monitoring data and shall not tamper with or fabricate them.

Article 20 — A pollutant discharging unit subject to key administration of pollutant discharge permits shall, in accordance with the law, install, use and maintain automatic pollutant discharge monitoring equipment and connect such equipment to the monitoring equipment of the competent ecological and environmental department.

Where a pollutant discharging unit discovers that the data transmitted by the automatic pollutant discharge monitoring equipment is abnormal, it shall promptly report to the competent ecological and environmental department and conduct inspection and repair.

Article 21 — A pollutant discharging unit shall establish an environmental management ledger recording system and, in accordance with the format, content and frequency specified in the pollutant discharge permit, truthfully record the operation of its main production facilities and pollution prevention and control facilities, as well as the pollutant discharge concentrations and discharge volumes. The environmental management ledger records shall be preserved for no less than five years.

Where a pollutant discharging unit discovers an abnormal circumstance such as pollutant discharge exceeding the pollutant discharge standards, it shall promptly take measures to eliminate or mitigate the harmful consequences, truthfully make environmental management ledger records, and report to the competent ecological and environmental department, explaining the reasons. Pollutants discharged under abnormal circumstances such as exceeding the pollutant discharge standards shall be included in the pollutant discharge volume of the pollutant discharging unit.

Article 22 — A pollutant discharging unit shall, in accordance with the content, frequency and time requirements specified in its pollutant discharge permit, submit a pollutant discharge permit implementation report to the approval department, truthfully reporting its pollutant discharge conduct, discharge concentrations and discharge volumes.

Where production is suspended during the validity period of a pollutant discharge permit, the pollutant discharging unit shall truthfully report in the pollutant discharge permit implementation report the changes in pollutant discharge and explain the reasons.

The pollutant discharge volumes reported in the pollutant discharge permit implementation report may serve as the basis for annual ecological and environmental statistics, assessment of total key pollutant discharge volumes and the compilation of pollution source discharge inventories.

Article 23 — A pollutant discharging unit shall, in accordance with the provisions of its pollutant discharge permit, truthfully disclose its pollutant discharge information on the national pollutant discharge permit administration information platform.

The pollutant discharge information shall include the types, discharge concentrations and discharge volumes of pollutants discharged, as well as the construction and operation of pollution prevention and control

facilities, the pollutant discharge permit implementation report, self-monitoring data and other information; where water pollutants are discharged into the municipal drainage pipe network, it shall also include information such as the location at which sewage is connected to the municipal drainage pipe network and the discharge method.

Article 24 — Enterprises, public institutions and other producers and operators with a very small volume of pollutants generated and discharged and a very small degree of impact on the environment shall fill in a pollutant discharge registration form and need not apply for a pollutant discharge permit.

The catalogue of the scope of enterprises, public institutions and other producers and operators required to fill in a pollutant discharge registration form shall be formulated and published by the competent ecological and environmental department of the State Council. When formulating the catalogue of the scope of enterprises, public institutions and other producers and operators required to fill in a pollutant discharge registration form, opinions shall be solicited from the relevant departments, industry associations, enterprises, public institutions and the general public.

Enterprises, public institutions and other producers and operators required to fill in a pollutant discharge registration form shall, on the national pollutant discharge permit administration information platform, fill in information such as basic information, the destinations of pollutant discharge, the pollutant discharge standards to be complied with and the pollution prevention and control measures adopted; where the information filled in changes, the changes shall be filled in within 20 days from the date of the change.

Chapter IV — Supervision and Inspection

Article 25 — The competent ecological and environmental department shall strengthen supervision during and after the event of pollutant discharge permits, incorporate pollutant discharge permit enforcement inspections into the annual ecological and environmental enforcement plan, and reasonably determine the frequency and methods of inspection on the basis of factors such as the pollutant discharge permit administration category, the credit records of the pollutant discharging unit and the needs of ecological and environmental administration.

The competent ecological and environmental department shall record on the national pollutant discharge permit administration information platform the time, content and results of enforcement inspections and the penalty decisions, and shall simultaneously incorporate the penalty decisions into the relevant national credit information system for disclosure to the public.

Article 26 — A pollutant discharging unit shall cooperate with the supervision and inspection of the competent ecological and environmental department, truthfully reflect the circumstances, and provide, as required, the pollutant discharge permit, environmental management ledger records, pollutant discharge permit implementation report, self-monitoring data and other relevant materials.

It is prohibited to forge, alter or transfer a pollutant discharge permit.

Article 27 — The competent ecological and environmental department may, through the national pollutant discharge permit administration information platform, monitor the pollutant discharge of a pollutant discharging unit. Where it discovers that the pollutant discharge concentration of the pollutant discharging unit exceeds the permitted discharge concentration, it shall require the pollutant discharging unit to provide the pollutant discharge permit, environmental management ledger records, pollutant discharge permit implementation report, self-monitoring data and other relevant materials for verification, and may organize on-site monitoring where necessary.

Article 28 — The competent ecological and environmental department shall, on the basis of the monitoring data collected in the course of administrative enforcement and the relevant materials of the pollutant discharging unit such as its pollutant discharge permit, environmental management ledger records, pollutant

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discharge permit implementation report and self-monitoring data, verify the pollutant discharge volume of the pollutant discharging unit within a specified period, as well as whether the operation and maintenance of the pollution prevention and control facilities of the pollutant discharging unit comply with the provisions of the pollutant discharge permit.

Article 29 — The pollutant discharge data of a pollutant discharging unit obtained by the competent ecological and environmental department in accordance with the law through on-site monitoring, the automatic pollutant discharge monitoring equipment of the pollutant discharging unit and the national pollutant discharge permit administration information platform may serve as evidence for determining whether the pollutant discharge concentration exceeds the permitted discharge concentration.

Where the self-monitoring data of a pollutant discharging unit are inconsistent with the monitoring data collected by the competent ecological and environmental department and its affiliated monitoring institutions in the course of administrative enforcement, the monitoring data collected by the competent ecological and environmental department and its affiliated monitoring institutions shall serve as the basis for administrative enforcement.

Article 30 — The state encourages pollutant discharging units to adopt viable technologies for pollution prevention and control. The competent ecological and environmental department of the State Council shall formulate and publish guidelines on viable technologies for pollution prevention and control.

Where a pollutant discharging unit does not adopt viable technologies for pollution prevention and control, the competent ecological and environmental department shall, on the basis of relevant materials such as the pollutant discharge permit, environmental management ledger records, pollutant discharge permit implementation report and self-monitoring data, as well as the monitoring data collected by the competent ecological and environmental department and its affiliated monitoring institutions in the course of administrative enforcement, comprehensively determine whether the pollution prevention and control technologies adopted by the pollutant discharging unit can stably meet the provisions of the pollutant discharge permit; where they cannot stably meet the provisions of the pollutant discharge permit, it shall put forward rectification requirements and may increase the frequency of inspection.

When formulating guidelines on viable technologies for pollution prevention and control, opinions shall be solicited from the relevant departments, industry associations, enterprises, public institutions and the general public.

Article 31 — Any entity or individual shall have the right to report the conduct of a pollutant discharging unit that violates these Regulations to the competent ecological and environmental department.

The competent ecological and environmental department that receives a report shall handle it in accordance with the law, provide feedback on the handling result to the reporter in accordance with the relevant provisions, and keep the reporter’s information confidential.

Chapter V — Legal Liability

Article 32 — Where, in violation of these Regulations, the competent ecological and environmental department commits any of the following acts in the approval or supervision and administration of pollutant discharge permits, it shall be ordered by the authority at a higher level to rectify; the directly responsible person in charge and other directly responsible personnel shall be given sanctions in accordance with the law:

(1) failing to accept an application for a pollutant discharge permit that meets the statutory conditions, or failing to approve it within the statutory time limit;

(2) issuing a pollutant discharge permit to a pollutant discharging unit that does not meet the statutory conditions;

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(3) approving a pollutant discharge permit in violation of the approval authority;

(4) failing to investigate and handle illegal conduct upon discovery; or

(5) failing to perform supervision and administration duties in accordance with the law.

Article 33 — Where, in violation of these Regulations, a pollutant discharging unit commits any of the following acts, it shall be ordered by the competent ecological and environmental department to rectify or to restrict production or suspend production for rectification, and shall be fined not less than 200,000 yuan and not more than 1 million yuan; where the circumstances are serious, it shall be ordered, upon approval by the people's government with the authority to approve, to suspend operations or close down:

(1) discharging pollutants without obtaining a pollutant discharge permit;

(2) discharging pollutants after the validity period of the pollutant discharge permit has expired without applying for renewal, or where the renewal application has not been approved;

(3) discharging pollutants after the pollutant discharge permit has been revoked, deregistered or cancelled in accordance with the law; or

(4) discharging pollutants without re-applying for and obtaining a pollutant discharge permit where re-application is required in accordance with the law.

Article 34 — Where, in violation of these Regulations, a pollutant discharging unit commits any of the following acts, it shall be ordered by the competent ecological and environmental department to rectify or to restrict production or suspend production for rectification, and shall be fined not less than 200,000 yuan and not more than 1 million yuan; where the circumstances are serious, its pollutant discharge permit shall be revoked and it shall be ordered, upon approval by the people's government with the authority to approve, to suspend operations or close down:

(1) discharging pollutants in excess of the permitted discharge concentrations or permitted discharge volumes;

(2) illegally discharging pollutants by means of evading supervision, such as through concealed pipes, seepage wells, seepage pits or injection, or by tampering with or fabricating monitoring data, or by not operating pollution prevention and control facilities normally.

Article 35 — Where, in violation of these Regulations, a pollutant discharging unit commits any of the following acts, it shall be ordered by the competent ecological and environmental department to rectify and shall be fined not less than 50,000 yuan and not more than 200,000 yuan; where the circumstances are serious, it shall be fined not less than 200,000 yuan and not more than 1 million yuan and ordered to restrict production or suspend production for rectification:

(1) failing to control fugitive emissions of atmospheric pollutants in accordance with the provisions of the pollutant discharge permit; or

(2) failing to stop or restrict pollutant discharge during special periods in accordance with the provisions of the pollutant discharge permit.

Article 36 — Where, in violation of these Regulations, a pollutant discharging unit commits any of the following acts, it shall be ordered by the competent ecological and environmental department to rectify and shall be fined not less than 20,000 yuan and not more than 200,000 yuan; where it refuses to rectify, it shall be ordered to suspend production for rectification:

(1) the location or number of pollutant discharge outlets does not conform to the provisions of the pollutant discharge permit;

(2) the methods or destinations of pollutant discharge do not conform to the provisions of the pollutant discharge permit;

(3) damaging or, without authorization, moving or altering the automatic pollutant discharge monitoring equipment;

(4) failing to install or use the automatic pollutant discharge monitoring equipment in accordance with the provisions of the pollutant discharge permit and connect it to the monitoring equipment of the competent ecological and environmental department, or failing to ensure the normal operation of the automatic pollutant discharge monitoring equipment;

(5) failing to formulate a self-monitoring plan and conduct self-monitoring in accordance with the provisions of the pollutant discharge permit;

(6) failing to preserve the original monitoring records in accordance with the provisions of the pollutant discharge permit;

(7) failing to disclose pollutant discharge information in accordance with the provisions of the pollutant discharge permit, or failing to disclose it truthfully;

(8) failing to report abnormal data transmitted by the automatic pollutant discharge monitoring equipment or abnormal circumstances such as pollutant discharge exceeding the pollutant discharge standards; or

(9) other conduct violating the pollutant discharge control requirements under laws and regulations.

Article 37 — Where, in violation of these Regulations, a pollutant discharging unit commits any of the following acts, it shall be ordered by the competent ecological and environmental department to rectify and shall be fined not less than 5,000 yuan and not more than 20,000 yuan for each occurrence; where the law provides otherwise, such provisions shall prevail:

(1) failing to establish an environmental management ledger recording system, or failing to make records in accordance with the provisions of the pollutant discharge permit;

(2) failing to truthfully record the operation of the main production facilities and pollution prevention and control facilities, or the pollutant discharge concentrations and discharge volumes;

(3) failing to submit a pollutant discharge permit implementation report in accordance with the provisions of the pollutant discharge permit; or

(4) failing to truthfully report its pollutant discharge conduct, or the pollutant discharge concentrations and discharge volumes.

Article 38 — Where a pollutant discharging unit discharges pollutants in violation of these Regulations, is fined and ordered to rectify, the competent ecological and environmental department shall organize a re-examination; where it is found that the unit continues to commit the illegal conduct or refuses or obstructs the re-examination, continuous daily penalties shall be imposed in accordance with the Environmental Protection Law of the People’s Republic of China.

Article 39 — Where a pollutant discharging unit refuses to cooperate with the supervision and inspection of the competent ecological and environmental department, or practices fraud when accepting supervision and inspection, it shall be ordered by the competent ecological and environmental department to rectify and shall be fined not less than 20,000 yuan and not more than 200,000 yuan.

Article 40 — Where a pollutant discharging unit applies for and obtains a pollutant discharge permit by improper means such as deception or bribery, the approval department shall revoke its pollutant discharge permit in accordance with the law, impose a fine of not less than 200,000 yuan and not more than 500,000 yuan, and the unit shall not apply for a pollutant discharge permit again within three years.

Article 41 — Where, in violation of these Regulations, a pollutant discharge permit is forged, altered or transferred, the competent ecological and environmental department shall confiscate the relevant certificate or revoke the pollutant discharge permit, impose a fine of not less than 100,000 yuan and not more than 300,000 yuan, and the unit shall not apply for a pollutant discharge permit again within three years.

Article 42 — Where, in violation of these Regulations, a technical institution entrusted by the approval department for pollutant discharge permits practices fraud, the approval department shall terminate the entrustment relationship, record the relevant information in its credit records, publish it on the national pollutant discharge permit administration information platform, and simultaneously incorporate it into the relevant national credit information system for disclosure to the public; where the circumstances are serious, it shall be prohibited from engaging in pollutant discharge permit technical services.

Article 43 — Where an enterprise, public institution or other producer or operator required to fill in a pollutant discharge registration form fails to fill in the pollutant discharge information in accordance with these Regulations, it shall be ordered by the competent ecological and environmental department to rectify and may be fined not more than 50,000 yuan.

Article 44 — Where a pollutant discharging unit commits any of the following acts, which does not yet constitute a crime, in addition to being penalized in accordance with these Regulations, its directly responsible person in charge and other directly responsible personnel shall be detained in accordance with the Environmental Protection Law of the People's Republic of China:

(1) discharging pollutants without obtaining a pollutant discharge permit, being ordered to stop the discharge, and refusing to comply; or

(2) illegally discharging pollutants by means of evading supervision, such as through concealed pipes, seepage wells, seepage pits or injection, or by tampering with or fabricating monitoring data, or by not operating pollution prevention and control facilities normally.

Article 45 — Where a violation of these Regulations constitutes a violation of public security administration, public security administration penalties shall be imposed in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 46 — Where a pollutant discharging unit that has actually discharged pollutants before these Regulations take effect does not meet the conditions specified in these Regulations, it shall carry out rectification within the time limit prescribed by the competent ecological and environmental department of the State Council, meet the conditions specified in these Regulations and apply for a pollutant discharge permit; where it fails to obtain a pollutant discharge permit within the time limit, it shall not continue discharging pollutants. During the rectification period, the competent ecological and environmental department shall issue to it a notice of pollutant discharge rectification within a time limit, specifying requirements such as the content and time limit of the rectification.

Article 47 — The format and content requirements for documents such as the pollutant discharge permit application form, environmental management ledger records and pollutant discharge permit implementation report, as well as the technical specifications for the application and issuance of pollutant discharge permits, shall be formulated by the competent ecological and environmental department of the State Council.

Article 48 — Where an enterprise, public institution or other producer or operator involves state secrets, its pollutant discharge permit, supervision and administration shall comply with the provisions of laws and regulations on confidentiality.

Article 49 — The administration of pollutant discharge from mobile pollution sources such as aircraft, vessels, motor vehicles and trains shall be carried out in accordance with the provisions of the relevant laws

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and regulations.

Article 50 — A pollutant discharging unit shall comply with work safety provisions, operate and maintain its pollution prevention and control facilities in accordance with work safety administration requirements, and establish a work safety management system.

Where a work safety accident occurs as a result of violating work safety provisions in the course of operating and maintaining pollution prevention and control facilities, the responsible pollutant discharging unit shall be penalized in accordance with the relevant provisions of the Work Safety Law of the People's Republic of China.

Article 51 — These Regulations shall take effect on March 1, 2021.

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