Provisions on the Administration of Report and Registration of Pollutants Discharge

Decree of the National Environmental Protection Agency
No. 10

Provisions on the Administration of Report and Registration of Pollutants Discharge was adopted at the executive meeting of the National Environmental Protection Agency on July 3, 1992 and is hereby promulgated and effective as of October 1, 1992.

Administrator Qu Geping
National Environmental Protection Agency
August 14, 1992

Article 1 This Provisions is formulated pursuant to the Environmental Protection Law of the People’s Republic of China and other related laws and regulations, for the purpose of strengthening the supervision and management of pollutants discharge.

Article 2 All enterprises and institutions directly or indirectly discharging pollutants, industrial and construction noises, or producing solid wastes within the territory of the People’s Republic of China and other sea areas under the jurisdiction of the People’s Republic of China (hereinafter referred to as "pollutants discharging units"), shall carry out report and registration (hereinafter referred to as "pollutants discharge report and registration") as required by this Provisions. Where there are other rules in laws and regulations, the laws and regulations shall apply.

This Provisions does not apply to the report and registration of radioactive wastes and life wastes.

Article 3 The competent departments of environmental protection administration at or above the county level shall conduct unified supervision and management of the report and registration of pollutants discharge. The competent industrial departments of the pollutants discharging units shall be responsible for examination and verification of the content of the report and registration.

Article 4 Pollutants discharging units shall submit the Pollutants Discharge Report and Registration Form within the time limit set by the local competent departments of environmental protection administration, and provide necessary information. Pollutants discharge report and registration of newly constructed, renovated and expanded projects shall be carried out within one month of the completion and check and acceptance of the pollution prevention facilities in the project.

Article 5 Pollutants discharging units shall truthfully fill out the Pollutants Discharge Report and Registration Form, and register with the local competent departments of environmental protection administration after examined and verified by the competent departments of industrial administration, and get the Pollutants Discharge Report and Registration Certificate.

Pollutants discharge report and registration of industry and trade run by individuals that discharge pollutants shall be stipulated by the local competent departments of environmental protection administration at or above the county level.

Pollutants discharging units that terminate their business shall nullify the registration at the local competent departments of environmental protection administration within one week of the termination of business, and return the Pollutants Discharge Report and Registration Certificate.

Article 6 After the report and registration, when substantial changes occur in the registration items, such as changes in the categories, quantities or concentration of pollutants, direction, location and methods of discharge, categories and quantities of noise sources, intensity of noises, noise pollution prevention facilities, and solid wastes storage, utility and disposal site, etc. the pollutants dis-
charging units shall, within fifteen days prior to the changes, upon examination and verification by competent departments of industrial administration, report to local competent departments of environmental protection administration for alteration of the registration, and as approved by local competent departments of environmental protection administration submit the Pollutants Discharge Alternation Report and Registration Form. In case of emergent substantial changes, the units shall submit the Pollutants Discharge Alternation Report and Registration Form to the local competent departments of environmental protection administration within three days of the occurrence of the changes. Those failing to carry out the alteration procedure when substantial changes take place shall be deemed as refusing to report.

Article 7 Enterprises or institutions discharging pollutants in excess of the State or local pollutants discharge standards shall state clearly the cause of the excessive discharge and measures to reduce pollution while reporting and registering at local competent departments of environmental protection administration.

Article 8 When it is necessary to dismantle or leave idle pollutants treatment facilities, the units shall report to the local competent departments of environmental protection administration in advance and state the reasons. The competent departments of environmental protection administration shall reply within one month of receiving the report. The departments failing to reply the report within the specified time shall be deemed as an approval.

Those dismantling or leaving idle pollutants treatment facilities without approval from the environmental protection departments shall be deemed as refusing to report.

Article 9 When there are other provisions in laws and regulations on the time and content of pollutants discharge report registration, these provisions shall apply.

Article 10 Report and registration of noise in construction sites shall be carried out in accordance with Article 22 of the Regulation of the People's Republic of China on the Prevention of Noise Pollution.

Article 11 Pollutants discharging units shall monitor and calculate pollutants they are discharging in accordance with standards stipulated by the State.

Article 12 Outlets of waste water, waste gas, noise emission source, and solid waste storage and disposal sites shall be fit for management such as taking samples, monitoring gauging, etc. Pollutants discharging units shall put marks at these spots as required by the local competent departments of environmental protection administration.

Article 13 The competent department of environmental protection administration at or above the county level are authorized to conduct on-site inspections of pollutants discharging units within their jurisdiction, to examine and verify the registered pollutants discharge items. The units under inspection shall truthfully report the situation, and provide necessary information.

The competent department of environmental protection administration carrying out the on-site inspection shall keep confidential technological and business secrets of units under inspection.

Article 14 The competent department of environmental protection administration at or above the county level shall establish archives of pollutants discharge report and registration. The competent departments of environmental protection administration at or above the municipality under the province level shall establish database of pollutants discharge report and registration.

Article 15 For pollutants discharging units refusing to report or resorting to trickery and fraud in report on registered items, the competent department of environmental protection administration may impose a fine between 300 and 3,000 Yuan, and order them to carry out the report and registration procedure within a specified period of time.

Article 16 Patterns of the Pollutants Discharge Report and Registration Form, the Pollutants Discharge Alternation Report and Registration Form, and the Pollutants Discharge Report and Registration Certificate, as well as standards for the establishment of database of pollutant discharge report and registration shall be uniformly formulated by the National Environmental Protection Agency.

Article 17 This Provisions shall enter into force on October 1, 1992.