



# Current Situation of the Management of Chemicals in China

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# Current situation

- The Chinese Government attaches great importance on the management of chemicals and promulgated a series of regulations, policies and standards and has primarily developed chemical regulation and policy system in China.
- At present, environmental management of chemicals has been applied in the whole process with risk management.
- Carry out general investigation on key sources and enhance capacity building and fundamental work.
- Increasing disclose relevant information. Advocate and implement the management strategy integrating “safety, health and the environment” in terms of industrial and corporate management.

# System of Laws and Regulations of the Management of Chemicals

NPC  
Laws

The State Council  
Administrative Regulations

Ministries and Committees under the State Council

Departmental Regulations

Local Government and Related Agencies  
Local Regulations

Related National and Local Departments  
National, Industrial and Local Standards

# Laws Concerning the Management of Chemicals

- Environmental Protection Law of the People's Republic of China (Amended in 1989)
- Law of the People's Republic of China on the Prevention and Control of Atmospheric Pollution (Amended in 2000)
- Law of the People's Republic of China on the Prevention and Control of Water Pollution (Amended in 1996)
- Law on Prevention and Control of Environmental Pollution Caused by Solid Waste (Amended in 2004)
- Law on Environmental Impact Assessment of the People's Republic of China (2002)
- Law of the People's Republic of China on the Prevention and Treatment of Occupational Diseases (2001)
- Production Safety Law of the People's Republic of China (2002)
- Law on the Promotion of Clean Production of the People's Republic of China (2002)
- Food Hygiene Law of the People's Republic of China (1995) <concerning food additives>
- Fire Control Law of the People's Republic of China (1998) <concerning flammable and explosive chemicals >

# Administrative Regulations Concerning the Management of Chemicals

- Regulations on Safe Management of Hazardous Chemicals (revised in 2002) - List of Dangerous Goods (GB12268), Catalog of Hazardous Chemicals (2002 edition), List of Highly Toxic Chemicals (2002 edition), List of Highly Poisonous Chemicals (2003 edition).
- Administrative Regulations of the People's Republic of China on Pesticides (revised in 2001)
- Pharmaceutical Administration Law of the People's Republic of China (amended in 2001)
- Administrative Regulations of the People's Republic of China on Veterinary Medicine (revised in 2004)
- Regulations of the People's Republic of China on the Administration of Controlled Chemicals (1995) - Catalogue of Controlled Chemicals
- Regulation on Management of Drug-Making Chemicals (2002) - Catalogue of Drug-Making Chemicals
- Regulations on Industrial Product Manufacturing Permission License (2005)

# Departmental Regulations Concerning the Management of Chemicals

- Regulations for Environmental Management on the First Import of Chemicals and the Import and Export of Toxic Chemicals (1994) - List of Toxic Chemicals Banned or Severely Restricted in the People's Republic of China
- Provisions on the Environmental Administration of New Chemical Substances (2003) - Inventory of the Existing Chemical Substances in China
- Measures for the Prevention and Control of Environment Pollution by Discarded Dangerous Chemicals (2005)
- Measures for The Administration of Registration of Hazardous Chemicals (2002)
- Measures for the Administration of Operating Licenses for Hazardous Chemicals (2002)
- Measures for the Administration of Designated Production of the Package and Containers of Hazardous Chemicals (2002)
- Measures for the Administration of Licenses for the Purchase and Road Transportation of Highly Toxic Chemicals (2005)
- Regulations for Management of Road Dangerous Freight (2005)

# Standards Concerning the Management of Chemicals

- The Guidelines for the Hazard Evaluation of New Substances (HJ/T154-2004)
- The Guidelines for the Testing of Chemicals ( HJ/T153-2004)
- The Guidelines of Chemical Testing Good Laboratory Practices ( HJ/T155-2004)
- Classification and Labeling of Commonly Used Dangerous Chemicals (GB 13690-92)
- General Rules for the Preparation of Chemical Safety Data Sheet (GB16483-1996)
- Rule for Storage of Chemical Dangers (GB15603-1995)
- General Specifications for Transport Packages of Dangerous Goods (GB12463-90)
- Standard for Pollution Control on Hazardous Wastes Incineration (GB18484-2001)
- Standard for Pollution Control on Hazardous Wastes Storage (GB18597-2001)
- Standard for Pollution Control on the Security of Landfill Site for Hazardous Wastes (GB18598-2001)





# Industrial List Concerning the Management of Chemicals

- Catalogue for the Guidance of Industrial Structure Adjustment (2005)

# Management of New Chemical Substances

## -- Provisions on the Environmental Administration of New Chemical substances

- The Provisions is the No. 17 Decree in 2003 of SEPA. It was enacted on September 12 of 2003 and took effect on October 15 of the same year. The promulgation of the Provisions serves as a milestone in the field of environmental management of chemicals in China.
- Background
  - Control at the source, enhance environmental risk management of chemicals
  - Honoring the commitment China has made following its accession into the WTO
  - Getting compatible with international standards

# Management of New Chemical Substances

## -- Provisions on the Environmental Administration of New Chemical substances

- Inventory of Existing Chemical Substances in China (IECSC) was initiated in December of 1994 and was supplemented upon application five times in 1996, 1999, 2001, 2002 and 2003 respectively. Presently the IECSC covers around over 45,000 kinds of chemical substances.
- A range of guidelines were issued including the Guidelines for the Testing of Chemicals, the Guidelines for the Hazard Evaluation of New Substances and the Guidelines of Chemical Testing Good Laboratory Practices, all taking effect from June 1 of 2004.
- The New Chemical Substance Notification Guideline has been formulated.
- An Expert Committee on the Environmental Management on New Chemical Substances is established to take charge of the registration and review of new chemical substances.
- The Committee so far has a pool of 39 experts from related sectors.
- qualified domestic eco-testing laboratories were publicized

# Environmental Management on the Import and Export of Toxic Chemicals

## -- Regulations for Environmental Management on the First Import of Chemicals and the Import and Export of Toxic Chemicals

- The Regulations was issued by the former National Environmental Protection Agency, the former Ministry of Foreign Trade and Economic Cooperation and the General Administration of Customs and took effect from May 1 of 1994.
- Background
  - Implementing the voluntary prior informed consent procedure (PIC) contained in the London Guidelines for the Exchange of Information on Chemicals in International Trade
  - Practicing the Regulations on Safe Management of Hazardous Chemicals

# Environmental Management on the Import and Export of Toxic Chemicals

## -- Regulations for Environmental Management on the First Import of Chemicals and the Import and Export of Toxic Chemicals

- List of Toxic Chemicals Banned or Severely Restricted in the People's Republic of China (the First Group) (including 27 types)
- In a bid to intensify the management over the import of mercury, SEPA and the General Administration of Customs jointly issued the Announcement on Mercuric Sulfide Being Listed in the List of Toxic Chemicals Banned or Severely Restricted in China (SEPA Document No. 166[2003]), and the Announcement was put into effect from October 15 of 2003.
- Regarding the implementation of the PIC Convention, SEPA and the General Administration of Customs jointly released the No. 29 Announcement in 2005 for the supplement of the List of Toxic Chemicals Banned or Severely Restricted in the People's Republic of China (the Second Group) (including 7 types), and the Announcement was put into effect from July 10 of 2005.

## Environmental Management on the Import and Export of Toxic Chemicals

### -- Regulations for Environmental Management on the First Import of Chemicals and the Import and Export of Toxic Chemicals

- At the end of 2005, SEPA, together with the General Administration of Customs made some adjustment to the list of imported and exported chemicals under restriction by enacting the new edition of the Catalogue for Severe Restriction of Imported and Exported Toxic Chemicals of China, which was effective on January 1 of 2006.
- At the end of 2005, SEPA, the Ministry of Commerce and the General Administration of Customs jointly adjusted the list of banned chemicals for import and export by releasing the Catalogue of Commodities Forbidden to Import (the Sixth Batch) and the Catalogue of Commodities Forbidden to Export (the Third Batch), both taking effect from January 1 of 2006.
- SEPA and the General Administration of Customs jointly issued the No. 80 Announcement in 2006 for the revision of the Catalogue for Severe Restriction of Imported and Exported Toxic Chemicals of China, which took effect from January 1 of 2007. This revision is mainly for revising the custom code of the chemicals included in the said Catalogue based on the Harmonized Commodity Description and Coding System (HS) (2007 Edition) of the World Customs Organization (WCO) and further includes three new compounds in the Rotterdam Convention into the Catalogue.

# Management of Discarded Hazardous Chemicals

- Measures for the Prevention and Control of Environment Pollution Caused by Discarded Hazardous Chemicals (2005)
- Measures for the Administration of Registration of Hazardous Waste (2004)
- Measures for the Administration of Duplicate Form for the Transfer of Hazardous Waste (1999)
- The National Catalogue of Hazardous Wastes (1998)

# Management of Discarded Hazardous Chemicals

- **Operation of discarded dangerous chemicals**
  - The environmental protection bureaus above the provincial level taking charge of issuing the operational license of discarded dangerous chemicals
  - Encouraging the units producing dangerous chemicals to recycle and dispose the discarded chemicals of the same kind as their products
- **Disposal requirements to enterprises being closed down, suspended of operation, merging with other enterprises or switching to other products**
  - Properly handling the discarded, warehoused dangerous chemicals and equipment
  - Checking the soil and groundwater of the premise and compiling the environmental risk assessment report
  - Compiling and performing the environmental restoration plan if any pollution of the premise has been made and entrusting professional checkup organs to do the checkup after the environmental restoration
- **Collecting or paying the fees for the disposal of discarded dangerous chemicals and bearing the responsibility for the disposal**
  - Submitting the discarded dangerous chemicals taken over to professional organs for disposal
  - The department responsible for taking over the chemicals shall take charge of collecting the disposal fees. In case there is no clearly identified person for the chemical or the chemical is submitted by the public, the receiving department of the chemical should apply for the disposal fee to the financial department at the same level.



# Management of the Discharge of Lab Pollutants

- SEPA and Ministry of Education jointly issue document to improve the pollution discharge situation of labs in universities and colleges.
- Strictly implement the notification and registration system for the discharge of pollutants, monitoring & disposal of the pollution by hazardous waste, environmental management of new chemicals, etc.
- Advocate the application of alternative products, high reuse rate products and low-pollution products. Take such measures as minimum use and effective control of pollution, classified collection and treatment.
- Encourage the establishment of information sharing and reagent exchange mechanism.
- Enterprises are encouraged to pass environmental management certification system.
- Set up an emergency response system and reporting mechanism.

# GHS

- China has clearly stated that as a UN member, it will implement GHS in 2008.
- National Standardization Committee issued 26 national standards on Oct.24, 2006, which are put into effect as of Jan.1, 2008.
- 12 national standards are under comment soliciting stage.
- Trial work on packaging and labels is carried out in ports like Qingdao, which provides importers & exporters with free GHS classification labels, who voluntarily take and use the labels
- Figures and warnings complying with GHS standard are painted or hanged in all gas stations, vehicles and facilities that transport or store oil, LPG and natural gas across China.

# Information Disclosure

- Measures for the Administration of Environmental Statistics (SEPA Decree No. 37) (enacted on November 4 of 2006 and effective on December 1 of 2006) stipulates that the relevant functional organizations of the competent environmental protection administrative departments at all levels should submit the survey results (including the material and data surveyed and gathered) obtained from the statistical survey conducted within its business scope before the set time limit to environmental statistical organs. The environmental statistical results should be integrated into the environmental statistical year book or environmental statistical materials in other forms for unified releasing to the public.

# Participation of Stakeholders

- **Participation in the development of policies & regulations**  
According to legislation procedure of China, the development of environmental laws, regulations and standards involves soliciting comments. That is, the draft laws, regulations or standards will be made public at media to widely solicit the comments of various stakeholders, including public opinions.
- **Participation in the review & approval of construction projects**
  - SEPA promulgated the Provisional Measures on the Hearing of Administrative Permit on Environmental Protection in 2004. It promulgated the Provisional Measures on Public Participation in EIA on Feb.14, 2006 (put into effect as of March 18, 2006). The two measures clearly require that the State encourage public participation in EIA.

# Voluntary Actions

- The initiation of environmentally-friendly enterprises since 2003
  - Establishing a batch of enterprise models featuring high S&T components, sound economic turnover, low resource consumption, light environmental pollution and both environmental and economic benefits to promote the practice of clean production among enterprises, deepen the prevention and control of industrial pollution and get onto the path of new industrialization
  - 38 designated state-level environmentally-friendly enterprises distributing in 18 provinces, municipalities and districts across the country covering a dozen of industries of chemicals, petroleum, building material, energy, iron and steel and automobiles, etc.

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# Management Philosophy

- Carry out the whole-process control and risk tracking management principles
- Based on national conditions, learn successful international experience and set up well-established chemical environmental management system that follows international practice
- Focus on the management & control of chemicals imposing serious threats to public health and the environment.
- In conformity with existing Chinese laws & regulations on environmental protection and special laws & regulations on chemicals.

# Focus of Management

- Improve the regulation and policy system
- Enhance capacity building, establish the environmental management system and its team, make more efforts in supervision and law enforcement.
- Strengthen fundamental work, carry out general and focused investigations and improve the capacity in management and technical support.
- Improve self discipline of enterprises, enhance public participation and supervision.
- Meet the obligations in implementing the Stockholm Convention and Rotterdam Convention
- Further strengthen international cooperation and exchanges and continuously promote regional and bilateral cooperation.



# Existing Systems

- New chemicals registration system
- Assessment system for environmental risks of chemicals
- Notification & transfer registration system for chemical pollutants
- Chemicals import & export registration system
- Management & disposal of waste hazardous chemicals
- Environmental risk deposit/insurance system for chemical accidents
- Prevention & emergency response system for the environmental risks of sudden chemical accidents

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# Latest Development & Existing Work

- Speed up environmental legislation on chemicals
- Carry out national census on pollution sources
- Conduct national census on POPs sources combined with the implementation of international conventions
- Expand the openness of environmental information
- Improve the management on new chemicals
- Enhance the import & export management of toxic chemicals
- Relevant supporting regulations

# National Census on Pollution Sources

- No.508 Order of the State Council  
“Regulations on Census of Pollution Sources”  
(promulgated and put into effect as of Oct.9,  
2007)
- National investigation on pollution sources

# National investigation on POPs sources

- Comply with the requirements of international conventions.
- Focusing on key industries, enterprises and pollutants with staged implementation.
- Based on investigation findings, strengthen the efforts in supervision, management and phasing out.

# Expand the Disclosure of Environmental Information

- Regulations on the Disclosure of Environmental Information (Trial) [No.35 Order of SEPA (Issued on April 11, 2007 and put into effect as of May 1, 2008)] requires:
  - Principle: Government department-Fair, justice, convenient to people and objective
    - Enterprises- Voluntary combined with compulsory measures
  - Type: Government environmental information; corporate environmental information
  - Scope: Government disclose 17 types of information
    - Enterprises disclose 9 types of information on voluntary basis and 4 types of information on compulsory basis.



## Improve the management on notification of new chemicals

- Establish the Second Expert Review Committee
- Expand the expert coverage of relevant industries
- Issue 2007 List of Existing Chemicals
- Make public the name of 17 testing labs

## Strengthen import & export management of toxic chemicals

- Official networking of E-port of customs and the review and approval by SEPA the import & export of toxic chemicals on Oct.1, 2005
- Officially carrying out on-line application (beginning from May of 2007)
- No. 80 Circular of SEPA and General Administration of Customs on the Revision of the Catalogue of Toxic Chemicals under Strict Import & Export Constraint (put into effect as of Jan.1, 2007).



# Relevant Regulations

- Regulations on the Prevention and Control of Environmental Pollution by Electronic Waste [No.40 Order of SEPA issued on September 27, 2007 and put into effect as of Feb 1, 2008] requires:
  - supervision and management on the dismantling, utilization and disposal of e-waste
  - responsibility of stakeholders (producer, importer and marketer)
  - management of (provisional) list
  - Relevant chemicals: Pb, Hg, Cd, hexavalent chromium, PBB and PBDE, etc.

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Thank You !