
《中华人民共和国生态环境法典》
The Ecological and Environmental Code of the People's Republic of China
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中国人大
THE PEOPLE'S CONGRESS OF CHINA

ECOLOGICAL AND ENVIRONMENTAL CODE OF THE PEOPLE'S REPUBLIC OF CHINA

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Book One
General Provisions

Chapter I
Basic Rules

Article 1 This Code is enacted in accordance with the Constitution for the purposes of protecting the ecology and environment; preventing and controlling pollution and other public nuisances; safeguarding public health and the ecological and environmental right and interest of the public; maintaining ecological security; promoting green and low-carbon development; advancing ecological conservation; advancing the Beautiful China Initiative in all respects; accelerating the modernization of harmony between humanity and nature; and achieving the sustainable development of the Chinese nation.

Article 2 For the purposes of this Code, the term "ecology and environment" refers to the totality of natural spaces and natural factors, whether naturally occurring or modified by human activities, and the interconnections and interactions thereof, that affect human survival and development as well as the functions of ecosystems, including the air, water, sea, land, mineral resources, forests, mountains, grasslands, wetlands, glaciers, plateaus, deserts, wildlife, natural heritage sites, cultural heritage sites, protected areas, as well as urban and rural areas.

Article 3 This Code shall apply to activities related to ecological and environmental protection, including pollution prevention and control, ecological conservation, and green and low-carbon development, conducted within the territory of the People's Republic of China and in other sea areas under its jurisdiction.

Where activities conducted outside the territory of the People's Republic of China and other sea areas under its jurisdiction cause or may cause environmental pollution or ecological damage within its territory or such sea areas, the relevant provisions of this Code shall apply.

Article 4 In ecological and environmental protection, the leadership of the Communist Party of China shall be upheld, Xi Jinping Thought on Ecological Civilization be implemented, the principle of respecting nature, following nature's ways, and protecting nature be established, the guideline be followed that a sound environment constitutes the most inclusive public good for people's well-being, the systems and mechanisms be improved for implementing the principle that lucid waters and lush mountains are invaluable assets, and the strictest systems and laws be implemented.

Article 5 Resource conservation and ecological and environmental protection constitute fundamental state policies.

The state adopts economic, technological, and other policies and measures conducive to ecological and environmental protection and the advancement of harmony between humanity and nature; coordinates industrial restructuring, pollution prevention and control, ecological conservation, and climate change response; makes coordinated efforts in carbon reduction, pollution reduction, expansion of green

coverage, and economic growth; and promotes development that prioritizes ecology and is resource-conserving, resource-efficient, and green and low-carbon.

Article 6 Ecological and environmental protection shall adhere to the principles of prevention first, systematic governance, prioritizing ecology, green development, public participation, and liability for damage.

Article 7 All entities and individuals have the responsibility for ecological and environmental protection.

Article 8 The people's governments at all levels shall strengthen ecological and environmental protection, properly balance high-quality development with a high level of protection, and, in accordance with ecological and environmental protection goals and governance tasks, take effective measures to improve ecological and environmental quality.

Local people's governments at all levels shall be responsible for ecological and environmental protection and for ecological and environmental quality within their respective administrative areas and the sea areas under their administration.

Article 9 Enterprises, public institutions, and other producers and business operators shall adopt effective measures to prevent and reduce environmental pollution and ecological damage; conserve and utilize resources efficiently; control greenhouse gas emissions; fulfill responsibilities for green and low-carbon development; and bear liability for any damage caused in accordance with law.

Article 10 Citizens shall enhance their awareness of ecological and environmental protection, adopt simple, moderate, green, and low-carbon ways of life, consciously fulfill their responsibilities for ecological and environmental protection, comply with relevant laws and regulations, and cooperate in the implementation of ecological and environmental protection measures.

Article 11 The state supports the research, development, and application of ecological and environmental science and technology; strengthens scientific and technological support and personnel training for ecological and environmental protection; promotes the application of information technology, digital technology, artificial intelligence, and other related technologies on the premise of ensuring security; and improves the scientific and technological capacity for ecological and environmental protection.

Article 12 The people's governments at all levels and their relevant departments shall strengthen publicity and outreach on ecological and environmental protection, carry out publicity and education on ecological and environmental laws, promote ecological culture, and raise public awareness and legal literacy regarding ecological and environmental protection.

Education administrative departments and schools shall incorporate laws and regulations on ecological and environmental protection and knowledge of ecological and environmental protection into school education, and cultivate students' awareness and legal literacy regarding ecological and environmental protection.

News media shall disseminate information on ecological and environmental laws and regulations and knowledge of ecological and environmental protection, and shall exercise oversight through public opinion on the violations of such laws and

regulations.

The state encourages primary-level people's organizations for self-governance, social organizations, and ecological and environmental protection volunteers, among others, to carry out publicity on ecological and environmental laws and regulations and knowledge of ecological and environmental protection, and to foster a sound social ethos of ecological and environmental protection and ecological advancement.

Article 13 Entities and individuals that have made outstanding achievements in ecological and environmental protection shall be commended and awarded in accordance with regulations of the state.

Article 14 The state strengthens international cooperation in ecological and environmental protection; performs obligations under international treaties concluded or acceded to by the People's Republic of China; supports international exchanges and cooperation in ecological and environmental protection; actively participates in the study and formulation of international rules on ecological and environmental protection; actively elaborates on the legal concepts, propositions, and successful practices of ecological and environmental protection with Chinese characteristics, and promotes the establishment of a fair, equitable, collaborative, and mutually beneficial global environmental governance system.

Article 15 August 15 is designated as National Ecology Day. The state carries out publicity and education activities on ecological conservation in various forms.

Chapter II
Supervision and Administration

Section 1
Supervision and Administration Systems and Working Mechanisms

Article 16 The people's governments at or above the county level shall organize, coordinate, and urge relevant departments to perform their duties of supervision and administration of ecological and environmental protection in accordance with law.

Article 17 The competent department for ecology and environment under the State Council shall, in terms of ecological and environmental protection nationwide, conduct within the scope of its duties unified supervision and administration, unified policy-making, planning and standard-setting, unified monitoring and evaluation, unified supervision and law enforcement, and unified inspection and accountability investigation. The competent departments for ecology and environment of local people's governments shall, within the scope of their duties, exercise unified supervision and administration of ecological and environmental protection within their respective administrative areas.

The competent department for natural resources under the State Council shall, within the scope of its duties, exercise supervision and administration of the development, utilization, and protection of natural resources nationwide and, upon authorization by the State Council, perform the duties of the custodian of natural resource assets owned by the whole people, as well as perform all duties for the

territorial space use control and for ecological conservation and restoration. The competent departments for natural resources of local people's governments shall, within the scope of their duties, exercise supervision and administration of the development, utilization, and protection of natural resources, as well as the development and protection of territorial space, within their respective administrative areas.

Relevant departments of the people's governments at or above the county level, including the departments of development and reform, industry and information technology, housing and urban-rural development, transport, water administration, agriculture and rural affairs, and forestry and grassland, as well as the ecological and environmental protection departments of the military, shall, within the scope of their respective duties, exercise supervision and administration of ecological and environmental protection.

Article 18 The state establishes and improves the system of responsibility lists for ecological and environmental protection, and clarifies the respective duties of relevant departments under the State Council and of local people's governments with respect to supervision and administration of ecological and environmental protection.

Article 19 A river and lake chief system and a forest chief system shall be established and improved at the provincial, municipal, county, and township levels in accordance with law. River and lake chiefs at all levels shall be responsible for the management and protection of rivers and lakes within their respective administrative areas. Forest chiefs at all levels shall be responsible for the protection and development of forest and grassland resources within their respective administrative areas.

Article 20 Local people's governments at or above the county level shall, in light of actual needs, establish coordination mechanisms for ecological and environmental protection, enhance interdepartmental cooperation, and promote ecological and environmental protection within their respective administrative areas.

Article 21 The state establishes sound coordination mechanisms for joint ecological and environmental protection in key regions, river basins, and sea areas across administrative areas, and implements overall planning, uniform standards, unified monitoring, and uniform protection measures.

Matters of ecological and environmental protection involving areas across different administrative areas, other than those provided for in the preceding paragraph, shall be resolved through coordination by the people's government at a higher level, or through consultation among the relevant local people's governments.

Article 22 The state improves coordination mechanisms for ecological security, adopts effective measures to enhance capacities for ecological security risk assessment, monitoring and early warning, and emergency response and handling, and establishes an integrated, multi-level, and efficient ecological security safeguard, thereby advancing ecological security in a coordinated manner.

Article 23 The state establishes and improves mechanisms for the sharing of ecological and environmental information; enhances information-sharing capacity; and strengthens information sharing.

The people's governments at or above the county level shall promote the development of platforms for ecological and environmental information sharing.

Relevant departments shall, in a timely manner, organize the uploading and updating of ecological and environmental information.

Section 2
Supervision and Administration Systems

Article 24 The state adheres to region-based, differentiated, and targeted regulation, and implements an ecological and environmental supervision and administration system that provides for integrated management of ground and underground environment, land-sea coordination, and regional coordination. The state strengthens the alignment and coordination of supervision and administration systems relating to planning, standards, and monitoring.

Article 25 The people's governments at all levels and their relevant departments shall strengthen the capacity for supervision and administration of ecological and environmental protection, and shall enhance the level of information-based, digital, and intelligent supervision and administration of ecological and environmental protection.

Article 26 In formulating economic and technological policies and measures, relevant departments under the State Council and local people's governments at or above the county level shall give full consideration to their ecological and environmental impact and shall solicit opinions from relevant parties and experts.

Article 27 The state implements a target-based responsibility system and an assessment and evaluation system for ecological and environmental protection, and incorporates the attainment of ecological and environmental protection targets into the assessment and evaluation framework. Such assessment and evaluation shall be conducted in a targeted and effective manner, and shall avoid perfunctory compliance. The results thereof shall be made public.

Article 28 The state establishes and improves an inspection system for ecological and environmental protection, and organizes comprehensive inspections of relevant parties' performance of their responsibilities for ecological advancement and ecological and environmental protection. Inspections for ecological and environmental protection shall be conducted under a two-tiered system; namely, inspection from the central level and from the level of a province, autonomous region, or city directly under the central government.

Article 29 Parties subject to ecological and environmental protection inspection shall voluntarily accept the inspection and actively cooperate in the inspection work.

Upon receipt of the ecological and environmental protection inspection feedback, the party under inspection shall organize the formulation of a rectification plan, which shall, in response to each issue identified in the feedback, specify on an item-by-item basis the subordinate entities that should make rectification, rectification objectives, rectification deadlines, key measures, and the acceptance entities.

Where major ecological and environmental issues or instances of dereliction of duty or misconduct are identified in ecological and environmental protection inspections and rectification, the relevant parties shall be held accountable as prescribed by the state.

Article 30 The people's governments at or above the county level shall, on an annual basis, report to the people's congress at the corresponding level or its standing committee on the ecological and environmental conditions and the attainment of ecological and environmental protection targets, and promptly report any major ecological and environmental incidents to the standing committee of the people's congress at the corresponding level, and shall accept supervision in accordance with law.

Article 31 The state strengthens judicial support for ecological and environmental protection.

The people's courts shall strengthen the adjudication of ecological and environmental cases and promote specialized adjudication mechanisms in this field.

The people's procuratorates shall strengthen ecological and environmental procuratorial work and enhance procuratorial supervision.

Article 32 The state improves the ecological and environmental damages system and the ecological and environmental public interest litigation system, and safeguards national interest and the public interest.

Article 33 Administrative authorities, supervisory authorities, adjudicatory authorities, and procuratorial authorities shall strengthen coordination and cooperation, establish and improve mechanisms for case transfer, information sharing, and other matters, and pursue legal liability in accordance with law for violations such as environmental pollution and ecological damage.

Article 34 The state practices an audit system of natural resources assets for outgoing leading officials as to their performance in the management of natural resource assets and in ecological and environmental protection.

Article 35 The state strengthens ecological conservation and restoration; upholds integrated conservation and restoration of mountains, waters, forests, farmlands, grasslands, and deserts; and implements systematic treatment that prioritizes natural recovery, combined with artificial restoration.

Article 36 The state improves the system of main function zones and optimizes the development layout of territorial space based on the main functions of different areas, such as urbanized areas, major agricultural production areas, and key ecological function zones.

Article 37 The state improves the system of resource capping management and comprehensive conservation; prevents resource waste; and enhances resource utilization efficiency.

Article 38 The state improves the property rights system and management system for natural resource assets, improves the agency mechanism for the natural resource assets owned by the whole people, and promotes the compensated use of natural resources.

Article 39 The state improves mechanisms for realizing the value of ecological products, develops diversified pathways for the realization of such value, and promotes the industrialization of ecological products and the ecological transformation of industries.

Article 40 The development and utilization of natural resources shall be carried out in a rational manner, with an emphasis on conservation, intensive use, and

efficiency; environmental pollution and ecological damage shall be prevented; greenhouse gas emissions shall be reduced; and plans for ecological and environmental protection shall be formulated and implemented in accordance with law.

Article 41 The state coordinates the governance of water resources, the water environment, and aquatic ecology, and strengthens the protection of the aquatic ecology and environment.

The state adopts a system of hard constraints based on water availability by adhering to the principle of aligning urban planning, land use, population size, and industrial development in accordance with water availability, to promote a scientific and rational distribution of population and cities, build a modern industrial system better adapted to the carrying capacity of water resources, and ensure national water security.

Article 42 The state strengthens biodiversity conservation; establishes and improves a coordination mechanism for biodiversity conservation efforts and the systems for biodiversity investigation, monitoring, assessment, and protection; and rationally plans and develops a spatial system for biodiversity conservation.

Effective measures shall be taken to prevent damage to biodiversity in the introduction of alien species and the research, development, and utilization of biotechnology.

Article 43 The state establishes a system of protected areas, with national parks as the mainstay, nature reserves as the foundation, and various categories of natural parks as supplementary components, and ensures systematic protection of important ecosystems, natural heritage sites, natural landscapes, and biodiversity.

Article 44 The state advances the development of ecological security shield areas, including the Qinghai-Xizang Plateau Ecological Shield Area, key ecological areas of the Yangtze River and the Yellow River, as well as the Northeast Forest Belt, the Northern Sand-Prevention Belt, the Southern Hilly and Mountainous Belt, and the Coastal Belt, and strengthens the ecological and environmental protection of important rivers and lakes, including the Yangtze River, the Yellow River, the Huaihe River, the Haihe River, the Pearl River, the Songhua River, the Liaohe River, the Dongting Lake, the Poyang Lake, the Taihu Lake, the Hongze Lake, and the Chaohu Lake.

Article 45 The competent department for ecology and environment under the State Council shall, in light of the conditions of the marine ecosystems and environment and the requirements for improving its quality, in conjunction with other relevant departments under the State Council, including departments of development and reform, natural resources, housing and urban-rural development, transport, water administration, fisheries, and forestry and grassland, as well as the coast guard, delineate key sea areas for national ecological and environmental governance and the corresponding control zones, formulate comprehensive governance action plans, and submit them to the State Council for approval before implementation.

Local people's governments in coastal areas at or above the level of a city divided into districts shall, in accordance with the comprehensive governance action plans,

formulate implementation plans for the sea areas under their administration, adopt special control measures in light of local conditions, carry out comprehensive governance, and promote, in a coordinated manner, the governance of key sea areas and the development of Beautiful Bays.

Article 46 The people's governments at all levels shall strengthen the protection of the agricultural ecology and environment, promote the application of new technologies for ecological and environmental protection in agriculture; strengthen monitoring and early warning of agricultural pollution sources; coordinate relevant departments to adopt effective measures to prevent and control soil contamination and land degradation, including desertification, acidification, salinization, depletion, rocky desertification, and land subsidence, as well as ecological disturbance such as vegetation damage, soil erosion, eutrophication of water bodies, depletion of water resources, loss of germplasm resources, and the invasion of alien species; and promote integrated plant pest management.

The people's governments at all levels shall improve public services for rural ecological and environmental protection, promote comprehensive improvement of the ecology and environment in rural areas, and continuously improve the rural living environments.

Article 47 Urban and rural development shall be carried out in light of the characteristics of the local natural ecology and environment, with vegetation, water bodies, natural landscapes, cultural heritage sites, and ancient and notable trees protected, and with the development and management of urban parks and green spaces strengthened.

Article 48 The state establishes and improves systems for the monitoring, investigation, and risk assessment of the ecological and environmental impact on health; encourages and organizes research into the impact of ecological and environmental quality on public health; and adopts effective measures to prevent and control diseases related to environmental pollution, ecological damage, and other such causes.

Article 49 The state implements a system for the phase-out of technologies, processes, equipment, materials, and products that cause serious environmental pollution or ecological damage.

The department of development and reform under the State Council, in conjunction with other relevant departments, shall determine the time limits for the phase-out of technologies, processes, equipment, materials, and products that cause serious environmental pollution or ecological damage, and shall include them in the catalog of national comprehensive industrial policies.

Producers, importers, sellers, and users shall cease, within the prescribed time limits for the phase-out, the production, importation, sale, or use of equipment, materials, and products listed in the catalog referred to in the preceding paragraph. Users of technologies and processes shall cease, within the prescribed time limits for the phase-out, the adoption of the listed technologies and processes.

Equipment, materials, and products that have been phased out shall not be transferred to others for use.

Article 50 The departments under the State Council responsible for the

supervision and administration of ecological and environmental protection, and the people's governments of the relevant provinces, autonomous regions, and cities directly under the central government in respect of key regions, river basins, and sea areas, may organize the departments concerned to carry out joint law enforcement, law enforcement across administrative areas, river basins, and sea areas, and law enforcement by bringing in an outside authority.

Article 51 The departments responsible for the supervision and administration of ecological and environmental protection have the authority to, in accordance with law, conduct on-site inspections of enterprises, public institutions, and other producers and business operators, as well as ecological and environmental technical service institutions, that engage in activities causing environmental pollution or ecological damage. The inspected party shall truthfully report the relevant information and furnish the necessary materials. The department conducting the on-site inspection and its personnel shall keep confidential the inspected party's trade secrets and shall protect personal privacy and personal information.

Article 52 Where an enterprise, public institution, or any other producer or business operator violates any law or regulation, thereby causing, or being likely to cause, serious environmental pollution or ecological damage, or where relevant evidence may be destroyed or concealed, the departments responsible for the supervision and administration of ecological and environmental protection may, in accordance with law, seal up or seize the relevant sites, vessels, facilities, equipment, tools, or other items.

Article 53 A dispatched agency established by the competent department for ecology and environment of a people's government at the level of a city divided into districts may, in its own name and in accordance with law, conduct on-site inspections, take measures of sealing-up or seizure, carry out substitute performance, and impose administrative penalties.

Article 54 The state establishes a credit regulatory system in the ecological and environmental field.

The departments responsible for the supervision and administration of ecological and environmental protection shall, in accordance with law, enter in credit records information on ecological and environmental violations of enterprises, public institutions, and other producers and business operators.

Where an enterprise, public institution, or any other producer or business operator rectifies its credit-related misconduct, eliminates the adverse effects, and meets the conditions for credit restoration, it may apply for credit restoration, and the relevant state organs shall conduct such credit restoration in accordance with the relevant regulations.

Article 55 Where, outside the territory of the People's Republic of China and other sea areas under its jurisdiction, environmental pollution or ecological damage is caused, or may be caused, to the territory of the People's Republic of China or to such other sea areas under its jurisdiction, the relevant departments and bodies have the authority to take necessary measures.

Chapter III
Planning and Zoning-Based Ecological and Environmental Control

Article 56 The state establishes and improves a national planning system in which national development plans provide overall guidance, territorial space plans serve as the foundation, and sector-specific and regional plans provide support, and which is composed of both national and local plans. The state strengthens the coordination and alignment among plans and gives full play to the guiding, regulatory, and binding role of planning in ecological and environmental protection.

Article 57 The people's governments at or above the county level shall incorporate ecological and environmental protection into their national economic and social development plans.

Article 58 The state establishes and improves a system of territorial space use control and a planning permit system, covering all areas and categories in a unified and coordinated manner. Territorial space shall be subject to zoned and categorized use control in accordance with territorial space plans. The development or utilization of territorial space shall be carried out in compliance with the requirements of such use control and shall, in accordance with law, obtain planning permits.

Article 59 Territorial space plans shall, in a scientific and orderly manner, make overall arrangements for function spaces for agriculture, ecological conservation, urban development, and other purposes; delineate arable land and permanent basic farmland, areas within ecological conservation redlines, and urban development boundaries; and optimize the structure and spatial layout of territorial space.

Sector-specific plans involving the use of territorial space shall be aligned with territorial space plans.

Article 60 The state establishes and improves a management system for ecological conservation redlines, and areas of extremely important ecological functions and areas with a high degree of ecological sensitivity and fragility shall be given priority for inclusion within such redlines and be subject to strict protection.

Development or utilization of natural resources, or construction activities with ecological and environmental impact, shall be carried out in strict compliance with the ecological conservation redlines and shall not cause ecological and environmental damage.

The people's governments of provinces, autonomous regions, and cities directly under the central government shall strengthen the supervision and administration of human activities within ecological conservation redlines and shall regularly assess the performance of protection.

Article 61 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, formulate the national ecological and environmental protection plan in accordance with the national development plan, submit it to the State Council for approval, and publish it for implementation.

The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall, in conjunction

with other relevant departments, formulate ecological and environmental protection plans for their respective administrative areas in accordance with the requirements of the national ecological and environmental protection plan, submit them to the people's governments at the corresponding level for approval, and publish them for implementation.

Ecological and environmental protection plans shall include the objectives, tasks, safeguard measures, and other measures for pollution prevention and control, ecological conservation, and climate change response.

Article 62 In respect of key regions, river basins, and sea areas that have not attained the national standards for ecological and environmental quality, the relevant local people's governments shall, in accordance with law, formulate time-bound compliance plans, improvement plans, and their implementation plans, and shall adopt effective measures to ensure timely attainment of such standards and to improve ecological and environmental quality. Such plans and implementation plans shall be published in a timely manner.

Article 63 The relevant departments, including the departments of ecology and environment, development and reform, natural resources, housing and urban-rural development, water administration, agriculture and rural affairs, and forestry and grassland, may, within the scope of their respective duties and in light of actual needs, formulate plans in the field of ecology and environment.

Article 64 The state may, in light of actual needs, formulate regional plans for key areas identified in the national development plan, contiguous areas that span administrative areas and in which economic and social activities are closely interconnected, and specific areas undertaking major strategic tasks, and provide guidance for regional ecological and environmental protection and promote coordinated development.

Article 65 In the formulation of ecological and environmental plans, opinions shall be solicited from relevant departments, experts, and other parties; after a plan is implemented, the organ that formulated the plan shall, in accordance with relevant regulations of the state, organize monitoring, analysis, and evaluation.

Article 66 The state establishes and improves a system of zoning-based ecological and environmental control.

Local people's governments at or above the level of a city divided into districts shall, in light of the ecological and environmental conditions within their respective administrative areas, formulate and adjust zoning-based ecological and environmental control schemes, file them for the record with the competent department for ecology and environment of the people's government at the next higher level, and publish them for implementation.

Zoning-based ecological and environmental control schemes shall be aligned with territorial space plans.

Article 67 Zoning-based ecological and environmental control schemes shall implement the requirements of ecological conservation redlines, environmental quality baselines, and resource utilization ceilings, delineate priority protection, key control, and general control units, and establish corresponding ecological and environmental access lists. No production or construction activity shall be conducted in violation of

the ecological and environmental access lists.

Chapter IV
Standards and Monitoring

Article 68 The state advances the development of a system of ecological and environmental standards; strengthens coordination and alignment among standards; and gives full play to the supporting role of standards in ecological and environmental protection.

Article 69 The competent department for ecology and environment under the State Council shall formulate national standards for ecological and environmental quality.

In respect of items not prescribed in the national standards for ecological and environmental quality, the people's governments of provinces, autonomous regions, and cities directly under the central government may formulate local ecological and environmental quality standards; and in respect of items already prescribed therein, they may formulate local ecological and environmental quality standards that are more stringent than the national standards for ecological and environmental quality. Local ecological and environmental quality standards shall be filed for the record with the competent department for ecology and environment under the State Council.

Article 70 The relevant departments under the State Council, including the departments of ecology and environment, development and reform, industry and information technology, natural resources, housing and urban-rural development, transport, water administration, agriculture and rural affairs, forestry and grassland, and standardization, shall, within the scope of their respective duties, formulate, in accordance with law standards relating to pollution prevention and control, ecological conservation, green and low-carbon development, and other related matters.

Article 71 Standards in the ecological and environmental field shall be formulated for the purposes of safeguarding public health and protecting the ecosystem and environment, shall be commensurate with economic and social development, and shall be scientific and reasonable.

Article 72 In the formulation of ecological and environmental standards, experts shall be organized to conduct review and evaluation, and opinions shall be solicited from relevant departments, industry associations, enterprises, public institutions, and the public, so as to enhance the scientific soundness of such standards.

Article 73 The organ responsible for formulating standards in the ecological and environmental field shall, in a timely manner, publish the full text of such standards on its website for free access and download by the public.

Article 74 The implementation of standards in the ecological and environmental field shall be subject to periodic assessment. In light of the assessment results, such standards shall be revised or repealed, in a timely manner.

Article 75 The state encourages and supports research on ecological and environmental criteria.

The competent department for ecology and environment under the State Council shall, as required to safeguard public health and protect the ecosystem and

environment, formulate ecological and environmental criteria.

Article 76 The state establishes and improves a system for ecological and environmental monitoring.

The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, formulate ecological and environmental monitoring standards; build an ecological and environmental monitoring network featuring coordinated land-sea planning, integrated space-ground monitoring, coordination across levels, and information sharing; uniformly plan the siting of national ecological and environmental quality monitoring stations and points; advance comprehensive, coordinated, and routine monitoring; establish and improve mechanisms for monitoring data sharing; and strengthen the management of ecological and environmental monitoring.

The relevant departments, including the departments of ecology and environment, natural resources, housing and urban-rural development, transport, water administration, agriculture and rural affairs, meteorology, forestry and grassland, and disease prevention and control, shall, within the scope of their duties, carry out relevant work on ecological and environmental monitoring.

Article 77 All categories of ecological and environmental monitoring stations and points shall be established in compliance with laws and regulations and shall meet the requirements of the relevant monitoring standards.

Ecological and environmental monitoring shall be conducted using monitoring facilities and equipment that comply with laws and administrative regulations and meet national standards, and shall be conducted in accordance with the relevant monitoring standards.

No one shall manufacture, import, sell, or use monitoring facilities or equipment that does not comply with laws and administrative regulations or does not meet national standards.

Article 78 Ecological and environmental monitoring institutions, enterprises and public institutions subject to pollutant discharge permit management, and other enterprises and public institutions that are subject to statutory monitoring obligations shall, in accordance with law, establish and improve a quality management system for monitoring data.

The monitoring institutions and the enterprises and public institutions referred to in the preceding paragraph, as well as the persons in charge thereof, shall be responsible for the authenticity, accuracy, and completeness of monitoring data.

Article 79 Ecological and environmental monitoring institutions shall possess the necessary facilities, equipment, technical personnel, technical competence, and management capacity, and shall, in accordance with law, file with the relevant departments for the record.

Article 80 No one shall falsify ecological and environmental monitoring data, or instruct others to do so, by means such as interfering with sampling, substituting samples, altering monitoring conditions, conducting fraudulent monitoring, or tampering with or forging records.

No one shall interfere with or damage ecological and environmental monitoring facilities or equipment, or instruct others to do so, by means such as encroachment,

destruction, or the unauthorized relocation or alteration thereof.

Article 81 The people's governments at or above the provincial level shall organize the relevant departments, or commission professional institutions, to conduct investigations and assessments of ecological and environmental conditions, and shall establish and improve a monitoring and early warning mechanism for ecological and environmental carrying capacity.

Chapter V
Ecological and Environmental Impact Assessment

Section 1
General Rules

Article 82 For the purposes of this Code, "ecological and environmental impact assessment" means systems and methods whereby the potential ecological and environmental impact that may be caused by the implementation of plans and construction projects are analyzed, predicted, and assessed, measures are proposed to prevent or mitigate adverse ecological and environmental impact, and follow-up monitoring is conducted.

The state strengthens ecological and environmental impact assessment of greenhouse gas emissions. Specific measures and implementation steps shall be prescribed by the competent department for ecology and environment under the State Council.

Article 83 An ecological and environmental impact assessment shall be conducted in accordance with law when formulating a development and utilization plan or undertaking a project with ecological and environmental impact.

Any development and utilization plan that has not undergone ecological and environmental impact assessment in accordance with law shall not be organized or implemented; any construction project that has not undergone ecological and environmental impact assessment in accordance with law shall not commence construction.

Article 84 Ecological and environmental impact assessment shall be conducted in an objective, transparent, and impartial manner, and shall take into account, in a comprehensive manner, the potential impact of the implementation of plans or construction projects on various ecological and environmental factors and the ecosystems formed by those factors, so as to provide a scientific basis for decision-making.

The state encourages relevant entities, experts, and the public to participate in ecological and environmental impact assessment in accordance with law.

Article 85 The state strengthens the development of the basic database and the evaluation index system for ecological and environmental impact assessment; encourages and supports scientific research into the methods and technical specifications thereof; establishes a necessary information-sharing mechanism for ecological and environmental impact assessment; and enhances the scientific soundness of ecological and environmental impact assessment.

The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, organize the establishment and improvement of a basic database and evaluation index system for ecological and environmental impact assessment.

Section 2
Ecological and Environmental Impact Assessment of Plans

Article 86 The relevant departments under the State Council, the local people's governments at or above the level of a city divided into districts, and the relevant departments thereof shall, during the formulation of territorial space plans and plans for the construction, development and utilization of regions, river basins, and sea areas that they organize to prepare, conduct corresponding ecological and environmental impact assessment and prepare a chapter or explanatory statement on the ecological and environmental impact for each plan.

Such chapter or explanatory statement shall analyze, predict, and assess the ecological and environmental impact that may arise from the implementation of the plan, propose measures to prevent or mitigate adverse ecological and environmental impact, and be submitted together with the draft plan to the organ responsible for approving the plan.

A draft plan that does not include the relevant chapter or explanatory statement on ecological and environmental impact shall not be approved by the organ responsible for approving the plan.

Article 87 The relevant departments under the State Council, local people's governments at or above the level of a city divided into districts, and the relevant departments thereof shall, in the course of preparing sector-specific plans for industry, agriculture, forestry, energy, water conservancy, transport, urban and industrial park development, tourism, and natural resources development, organize corresponding ecological and environmental impact assessment and submit an ecological and environmental impact report to the organ responsible for approving the plan.

Guiding plans among the sector-specific plans listed in the preceding paragraph shall be subject to ecological and environmental impact assessment in accordance with Article 86 of this Code.

Article 88 The specific scope of plans subject to ecological and environmental impact assessment pursuant to Articles 86 and 87 of this Code shall be prescribed by the competent department for ecology and environment under the State Council, in conjunction with other relevant departments, and shall be submitted to the State Council for approval.

The people's governments of provinces, autonomous regions, and cities directly under the central government may, in light of local conditions, require that plans formulated by the county-level people's governments within their respective administrative areas undergo ecological and environmental impact assessment. Specific measures shall be formulated by the people's governments of provinces, autonomous regions, and cities directly under the central government, with reference to this Section.

Article 89 An ecological and environmental impact report for a sector-specific plan shall include:

(1) analysis, prediction, and assessment of the ecological and environmental impact that may result from implementation of the plan;

(2) measures to prevent or mitigate adverse ecological and environmental impact; and

(3) the conclusions of the ecological and environmental impact assessment.

Article 90 Where a sector-specific plan may cause adverse ecological and environmental impact and directly affect the ecological and environmental right and interest of the public, the organ responsible for its formulation shall, prior to submitting the draft plan for approval, organize a review meeting or a hearing, or adopt other forms to solicit opinions from relevant entities, experts, and the public on the draft ecological and environmental impact report, except where disclosure of such information is prohibited under state regulations.

The formulating organ shall give due consideration to the opinions of relevant entities, experts, and the public on the draft ecological and environmental impact report, and shall include in the ecological and environmental impact report submitted for review an explanation whether such opinions are adopted or not.

Article 91 When submitting a draft sector-specific plan for approval, the formulating organ shall concurrently submit the ecological and environmental impact report to the approving authority for review. Where the ecological and environmental impact report is not submitted concurrently, the approval organ shall not grant approval.

Article 92 Prior to the approval of a draft sector-specific plan or the making of decisions thereon by a people's government at or above the level of a city divided into districts, its competent department for ecology and environment shall organize a review panel composed of representatives of other relevant departments and experts to examine the ecological and environmental impact report and issue written review opinions.

Experts participating in the review panel under the preceding paragraph shall be determined by random selection from among experts in the relevant fields included in an expert database established in accordance with the regulations of the competent department for ecology and environment under the State Council.

For sector-specific plans subject to approval by the relevant departments of the people's governments at or above the provincial level, the procedures for the review of ecological and environmental impact reports shall be formulated by the competent department for ecology and environment under the State Council, in conjunction with other relevant departments.

Article 93 Where the review panel puts forward modification opinions, the authority responsible for preparing the sector-specific plan shall, in light of the conclusions of the ecological and environmental impact report and the review opinions, revise and improve the draft plan, and shall provide an explanation of the extent to which such conclusions and opinions have been adopted; where they are not adopted, the reasons therefor shall be stated.

In approving a draft sector-specific plan, the people's government at or above the

level of a city divided into districts, or the relevant department of the people's government at or above the provincial level, shall take the conclusions of the ecological and environmental impact report and the review opinions as an important basis for its decision.

Where, in the course of approval, the conclusions of the ecological and environmental impact report and the review opinions are not adopted, an explanation shall be provided and retained for future reference.

Article 94 Following the implementation of a plan with significant ecological and environmental impact, the organ responsible for its formulation shall promptly organize a follow-up assessment of its ecological and environmental impact, report the results to the approval organ, and notify the relevant departments, including the department of ecology and environment. Where clear adverse ecological and environmental impact is identified, it shall promptly propose remedial measures.

Section 3
Ecological and Environmental Impact Assessment of Construction Projects

Article 95 The state implements a system of classified management for ecological and environmental impact assessment of construction projects in accordance with the ecological and environmental impact that construction projects may cause.

A developer shall, in accordance with the following provisions, organize the preparation of an ecological and environmental impact report and an ecological and environmental impact statement, or the completion of an ecological and environmental impact registration form:

(1) where major ecological and environmental impact may be caused, an ecological and environmental impact report shall be prepared to conduct a comprehensive assessment of the ecological and environmental impact arising therefrom;

(2) where minor ecological and environmental impact may be caused, an ecological and environmental impact statement shall be prepared which contains an analysis of the ecological and environmental impact that may result therefrom or an assessment of a specific issue; and

(3) where the ecological and environmental impact is minimal and it is unnecessary to prepare an ecological and environmental impact report or an ecological and environmental impact statement, an ecological and environmental impact registration form shall be completed.

The catalog of classified management of ecological and environmental impact assessment for construction projects shall be formulated and published by the competent department for ecology and environment under the State Council.

Article 96 An ecological and environmental impact report for a construction project shall include:

(1) an overview of the construction project;

(2) the current ecological and environmental conditions in the vicinity of the construction project;

(3) analysis, prediction, and assessment of the ecological and environmental impact that the construction project may cause;

(4) ecological and environmental protection measures for the construction project, together with technical and economic justification;

(5) a cost-benefit analysis of the ecological and environmental impact of the construction project;

(6) recommendations regarding ecological and environmental monitoring and discharge management for the construction project;

(7) conclusions of the ecological and environmental impact assessment; and

(8) any other matters required by law.

The contents and format of an ecological and environmental impact statement and an ecological and environmental impact registration form shall be prescribed by the competent department for ecology and environment under the State Council.

Article 97 The ecological and environmental impact assessment of a construction project shall avoid overlap with that for plans.

Where a plan is made for an overall construction project, the ecological and environmental impact assessment shall be conducted as that for a construction project, and no separate ecological and environmental impact assessment of the plan shall be conducted.

Where a plan that has undergone an ecological and environmental impact assessment includes specific construction projects, the conclusions of the assessment of the plan shall serve as an important basis for the ecological and environmental impact assessment of the specific construction projects, and the assessment of the projects shall be streamlined as per the review opinions on the assessment of the plan.

Article 98 A developer may entrust a technical entity to carry out the ecological and environmental impact assessment of its construction project and to prepare an ecological and environmental impact report or an ecological and environmental impact statement. Where the developer possesses the necessary technical competence, it may conduct such assessment on its own and prepare the corresponding ecological and environmental impact report or statement.

The preparation of ecological and environmental impact reports and statements for construction projects shall comply with national standards, technical specifications, and other relevant rules for ecological and environmental impact assessment.

Measures for the administration of the preparation of ecological and environmental impact reports and statements for construction projects shall be formulated by the competent department for ecology and environment under the State Council.

Article 99 A technical entity commissioned to prepare an ecological and environmental impact report or statement on a construction project for a developer shall, in accordance with law, conduct its business independently, objectively, and impartially; establish and improve a quality control system; and ensure that the reports and statements it produces are objective, truthful, and accurate.

A technical entity and its personnel entrusted to prepare an ecological and environmental impact report or statement on a construction project for a developer shall possess a sound credit record and there shall not be any conflict of interest

between the entity and the competent department for ecology and environment responsible for approving the report or statement of the construction project or any other relevant approval authority. Personnel in key positions, including those responsible for preparation and review, shall possess the requisite professional and technical competence and relevant work experience.

A technical entity commissioned to prepare an ecological and environmental impact report or statement on a construction project for a developer shall be filed for the record with the competent department for ecology and environment, which shall strengthen supervision and administration of such entities in their conduct of ecological and environmental impact assessment business. Specific measures shall be formulated by the competent department for ecology and environment under the State Council.

Article 100 A developer shall be responsible for the contents and conclusions of the ecological and environmental impact report or statement on its construction project. A technical entity commissioned to prepare such a report or statement shall bear corresponding liability for the report or statement it prepares.

The competent departments for ecology and environment of the people's governments at or above the level of a city divided into districts shall strengthen supervision, administration, and quality assessment of the entities and personnel engaged in the preparation of ecological and environmental impact reports and statements.

The competent department for ecology and environment responsible for approving the ecological and environmental impact report or statement for a construction project shall, in accordance with law, conduct credit-based regulation of any unlawful acts committed by the preparing entities, lead compilers, and principal personnel involved in the preparation of the ecological and environmental impact report or statement.

No entity or individual may designate any technical entity to prepare for a developer an ecological and environmental impact report or statement on a construction project.

Article 101 Except where disclosure is prohibited as prescribed by the state, for construction projects that may have significant ecological and environmental impact and for which an ecological and environmental impact report is required, the developer shall, prior to submitting the report for approval, organize review meetings or hearings, or adopt other appropriate forms, to explain the relevant circumstances to those likely to be affected, and shall fully solicit opinions from relevant entities, experts, and the public.

The ecological and environmental impact report submitted by a developer for approval shall be accompanied by a statement explaining, with respect to the opinions of relevant entities, experts, and the public, whether each opinion is adopted or not.

Article 102 The ecological and environmental impact report or ecological and environmental impact statement on a construction project shall, in accordance with the relevant provisions, be submitted by the developer to the competent department for ecology and environment with the approval authority.

The competent department for ecology and environment shall make a decision

within 60 days from the date of receipt of an ecological and environmental impact report, and within 30 days from the date of receipt of an ecological and environmental impact statement, and notify the developer of the decision in writing.

The state implements a record-filing system for ecological and environmental impact registration forms.

No fees shall be charged for the approval or review of ecological and environmental impact reports and statements, or for the record-filing of ecological and environmental impact registration forms.

Article 103 Upon receipt of an ecological and environmental impact report for a construction project, the competent department for ecology and environment shall make the full text thereof publicly available except where the disclosure of it is prohibited as prescribed by the state. Where it finds that public opinion has not been adequately solicited, it shall order the developer to solicit such opinion.

Article 104 The competent department for ecology and environment under the State Council shall be responsible for the examination and approval of ecological and environmental impact reports and statements on the following construction projects:

(1) construction projects of a special nature, including nuclear facilities;

(2) construction projects spanning the administrative areas of two or more provinces, autonomous regions, or cities directly under the central government;

(3) construction projects subject to approval by the State Council or by departments authorized by the State Council; and

(4) other construction projects as prescribed by laws or administrative regulations.

The authority to approve ecological and environmental impact reports and statements on construction projects other than those specified in the preceding paragraph shall be prescribed by the people's governments of provinces, autonomous regions, and cities directly under the central government, and shall be filed for the record with the competent department for ecology and environment under the State Council.

Where a construction project may cause adverse ecological and environmental impact across two or more administrative areas, and the relevant competent departments for ecology and environment disagree on the conclusions of the impact assessment, the ecological and environmental impact report or statement shall be subject to approval by their common higher-level competent department for ecology and environment.

Article 105 Under any of the following circumstances, the competent department for ecology and environment shall not approve an ecological and environmental impact report or statement:

(1) where the construction project, in terms of its type, siting, layout, or scale, among others, is inconsistent with applicable ecological and environmental laws and regulations or relevant statutory plans;

(2) where the ecological and environmental quality of the region, river basin, or sea area where the construction project is located fails to meet ecological and environmental quality standards, and the measures proposed cannot meet the management requirements for attaining the prescribed ecological and environmental

quality improvement targets;

(3) where the pollution prevention and control measures adopted for the construction project cannot ensure that pollutant discharges meet applicable discharge standards, or where necessary measures have not been taken to prevent and control ecological damage;

(4) where, for a reconstruction, expansion, or technical upgrading project, no effective measures have been proposed to prevent and control the project's existing environmental pollution and ecological damage; or

(5) where the ecological and environmental impact report or statement contains serious quality defects, including manifestly inaccurate basic data, major deficiencies, omissions, falsifications, or erroneous or unreasonable assessment conclusions.

Article 106 Where, after approval of an ecological and environmental impact report or statement, any major change occurs in the nature, scale, location, production processes, or measures for pollution prevention and control or ecological damage prevention of the construction project, the developer shall submit the ecological and environmental impact report or statement anew for approval.

Where construction of a project commences more than five years after the date of approval of its ecological and environmental impact report or statement, such report or statement shall be submitted to the original approval authority for a new review. The original approval authority shall, within ten days from the date of receipt thereof, notify the developer in writing of its review opinions.

Article 107 Where the ecological and environmental impact report or statement of a construction project is not approved by the approval authority, or is not submitted for review at all as required by law, or is not approved after a second review by the original approval authority, the developer shall not commence construction.

Article 108 During the construction and operation of a construction project, the developer shall implement the ecological and environmental protection measures set out in the ecological and environmental impact report or statement, as well as those set out in the approval decision of the approval authority.

Article 109 Where, during the construction or operation of a construction project, circumstances arise that are inconsistent with the approved ecological and environmental impact report or statement, the developer shall conduct a post-assessment of ecological and environmental impact, adopt remedial measures, and file them for the record with the original approval authority of the ecological and environmental impact report or statement and the authority responsible for project approval. The original approval authority may also order the developer to conduct such post-assessment and to adopt remedial measures.

Article 110 The competent department for ecology and environment shall conduct follow-up inspections of the ecological and environmental impact arising after a construction project is put into operation or use. Where serious environmental pollution or ecological damage is caused, it shall ascertain the causes thereof and determine liability.

Chapter VI
Compensation for Ecological Conservation

Article 111 The state establishes and improves a compensation system for ecological conservation. Through mechanisms such as vertical fiscal transfer, interregional horizontal compensation, and market-based compensation, compensation shall be provided to regions, entities, and individuals that carry out ecological and environmental protection in accordance with relevant regulations or agreements. Based on the integrity and systemic nature of ecosystems and their inherent laws, the state establishes and improves a sustainable compensation mechanism for ecological conservation characterized by government leadership, participation by enterprises and other sectors of society, and market-based operation, so as to promote overall ecological and environmental protection.

Compensation for ecological conservation may be realized in various forms, including financial compensation, paired assistance, industrial relocation, training, the joint development of industrial parks, and the procurement of ecological products and services.

Article 112 The people's governments at or above the county level shall establish a stable funding mechanism for ecological conservation compensation and shall, in accordance with law, expand funding sources through multiple channels.

Article 113 The state provides, through fiscal transfer payments and other means, compensation to regions, entities, and individuals that engage in the protection of important ecological and environmental elements, as well as to those that carry out ecological and environmental protection within key ecological function zones, ecological conservation areas within redlines, protected areas, and other ecologically significant areas designated in accordance with law.

The central government shall implement classified compensation with respect to forests, grasslands, wetlands, deserts, sea areas, waters, arable land, and other important ecological and environmental elements, including aquatic biological resources and terrestrial wildlife resources, as prescribed by laws, administrative regulations, and relevant regulations of the state. On the basis of such classified compensation by the central government, relevant local people's governments may, in accordance with the principles governing the division of fiscal powers and expenditure responsibilities between the central and local governments and in light of local conditions, establish corresponding classified compensation mechanisms and increase compensation for entities and individuals engaged in the protection of important ecological and environmental elements.

The central government shall arrange transfer payments for key ecological function zones and shall progressively increase their scale in light of fiscal capacity. A differentiated compensation policy shall be adopted in the transfer payments, with the compensation calculated based on factors such as the spillover effects of ecological benefits, the importance of ecological functions, and the sensitivity and vulnerability of the ecosystem and environment, with increased support provided to regions with a relatively high proportion of areas within ecological conservation redlines.

Relevant local people's governments shall ensure that funds for ecological conservation compensation are duly allocated and used exclusively for that purpose.

Article 114 The state encourages, guides, and promotes the establishment of

compensation mechanisms for ecological conservation through consultation between the people's governments of benefiting regions and those of protection regions, and carries out trans-regional compensation for ecological conservation. Where necessary, the people's governments at higher levels may organize and coordinate such compensation among lower-level governments.

For trans-regional compensation for ecological conservation carried out in key areas of particularly significant ecological functions that span two or more provinces, autonomous regions, or cities directly under the central government, or that span two or more autonomous prefectures or cities divided into districts, the central and provincial governments may provide guidance and support in terms of financing. Where notable results are achieved, the relevant departments under the State Council, including the department of development and reform and the department of finance, may provide appropriate support in such respects as planning, funding, and project arrangements.

Article 115 The state gives full play to the role of market mechanisms in compensation for ecological conservation and promotes the development of market-oriented ecological conservation compensation models.

The state encourages enterprises, public welfare organizations, other social actors, and local people's governments to carry out compensation for ecological conservation in accordance with market rules, including through the purchase of ecological products and services.

The state encourages and guides nongovernmental capital in the establishment of compensation funds for ecological conservation which are operated based on market rules and in playing a role in the ecological conservation compensation mechanisms in an orderly manner in accordance with law.

Article 116 The state improves the monitoring and support system for ecological conservation compensation, establishes and improves the relevant statistical system, and improves the compensation standards for ecological conservation, so as to provide technical support for such work.

Chapter VII
Response to Ecological and Environmental Emergencies

Article 117 The people's governments at all levels and their relevant departments, as well as enterprises, public institutions, and other producers and business operators, shall, in accordance with law, carry out work relating to the prevention and preparedness, monitoring and early warning, emergency response, investigation and assessment, and *ex post* recovery of ecological and environmental emergencies.

Article 118 Ecological and environmental emergencies shall be classified into four levels—Devastating, Major, Serious, and Ordinary—according to such factors as the degree of social harm and the scope of impact. The criteria for such classification shall be formulated by the competent department for ecology and environment under the State Council, in conjunction with other relevant departments, and shall be submitted to the State Council for approval before being issued for implementation.

Article 119 The state establishes and improves a responsibility system for

responding to ecological and environmental emergencies, characterized by graded responsibility and primary responsibility on local authorities with inter-departmental coordination, so as to rigorously prevent and control ecological and environmental risks, protect ecologically sensitive targets, and ensure the timely, appropriate, and well-conceived response to such emergencies.

Article 120 Relevant departments, including departments of ecology and environment and departments of emergency management, shall cooperate closely, strengthen information sharing, and enhance coordination in joint response to ecological and environmental emergencies.

Article 121 Enterprises, public institutions, and other producers and business operators shall, in accordance with law, strengthen risk prevention and control measures for ecological and environmental emergencies, conduct screening and inspection for potential hazards, and promptly eliminate potential hazards.

Such entities shall, in accordance with regulations of the state, maintain reserves of necessary ecological and environmental emergency materials and equipment, conduct regular emergency drills, and ensure emergency preparedness. Where an ecological and environmental emergency occurs or is likely to occur, such entities shall immediately take response measures, cut off or control the sources of pollution, prevent the harm from expanding, promptly notify the parties that may be harmed, make a report to the relevant departments, including the departments of ecology and environment and the departments of emergency management, and accept investigation and handling.

Article 122 The people's governments at all levels and their relevant departments, as well as enterprises, public institutions, and other producers and business operators, shall, in the course of emergency response to natural disasters, accidents, or public health incidents, take necessary measures to avoid or mitigate ecological and environmental harm.

Article 123 The State Council shall organize the formulation of a national contingency plan for ecological and environmental emergencies and shall organize its implementation. Local people's governments at or above the county level shall formulate contingency plans for ecological and environmental emergencies within their respective administrative areas and shall file them for the record in accordance with applicable regulations.

Enterprises, public institutions, and other producers and business operators shall, in accordance with regulations of the state, formulate contingency plans for ecological and environmental emergencies and file them for the record with the relevant departments, including the departments of ecology and environment.

Article 124 The people's governments at or above the county level shall establish and improve monitoring and early warning mechanisms for ecological and environmental emergencies and shall organize the formulation of early warning plans. Where the ecosystem and environment are damaged and public health or ecological security may be affected, early warning information shall be promptly released in accordance with law, and emergency measures shall be taken.

The competent departments for ecology and environment shall strengthen the collection, analysis, and assessment of risk information that may give rise to ecological

and environmental emergencies and, where such assessment indicates a likelihood thereof, shall promptly submit recommendations on the issuance of early warning information to the people's governments at the corresponding levels.

Article 125 Where an ecological and environmental emergency involves or may involve adjacent administrative areas, the people's government where the incident occurs and its competent department for ecology and environment shall promptly notify the people's governments at the same level in the adjacent administrative areas and their respective competent departments for ecology and environment.

Upon receipt of such notification, the people's government concerned shall, in accordance with regulations of the state, promptly activate an emergency response and adopt emergency coordination measures.

Article 126 Upon completion of the emergency response to an ecological and environmental emergency, the relevant people's government shall immediately organize an assessment of the ecological and environmental impact and losses caused by the emergency and shall promptly publish the results thereof.

Such assessment results shall serve as an important basis for the investigation and handling of the emergency, compensation for damage, and ecological restoration.

Chapter VIII
Safeguard Measures

Article 127 The state adopts fiscal, taxation, pricing, procurement, financial, industrial, and other policies and measures conducive to ecological and environmental protection.

Article 128 The State Council and local people's governments at or above the county level shall, in accordance with the principles governing the division of administrative powers and expenditure responsibilities, include the funds required for ecological and environmental protection in their respective budgets, increase fiscal input in ecological and environmental protection, optimize the allocation of fiscal resources in the field of ecological conservation, ensure that the scale of input is commensurate with the relevant tasks, and improve the efficiency in the use of government funds.

Article 129 The state, in accordance with law, provides tax incentives to entities and individuals participating in ecological and environmental protection.

The state encourages all sectors of society to donate property for ecological and environmental protection and, in accordance with law, provides tax incentives.

Article 130 The state improves price formation mechanisms in such fields as natural resources, sewage and waste treatment, and the use of water and energy, and, in accordance with law, applies differentiated pricing policies to industries characterized by high resource consumption and high pollution.

Article 131 State organs and other public institutions that utilize government funds shall give priority to the procurement and use of products, equipment, facilities, and services conducive to ecological and environmental protection, including those that conserve energy, water, land, materials, and mineral resources.

Article 132 The state strengthens financial support for ecological and

environmental protection and promotes the regulated and sound development of green financial products and services, including green credit, green bonds, green insurance, and green trusts.

Article 133 The state encourages and supports the development of ecological and environmental protection industries, including those relating to ecological and environmental protection technologies and equipment, the conservation and efficient use of resources, and ecological and environmental services.

Article 134 The state promotes the establishment of market-based trading systems for resource and environmental elements, advances their market-oriented allocation, and gives full play to the role of market mechanisms.

Article 135 The state promotes advanced and applicable technologies, processes, and equipment to reduce resource consumption and the generation and discharges of pollutants, as well as greenhouse gas emissions, and to facilitate the comprehensive utilization of waste and environmentally sound management of pollutants.

Article 136 Where enterprises, public institutions, or other producers and business operators, for the purpose of ecological and environmental protection, change the line of production, relocate, or close down in accordance with relevant regulations, the people's governments shall provide them with support.

Chapter IX
Information Disclosure and Public Participation

Article 137 Citizens, legal persons, and other organizations have the right, in accordance with law, to obtain ecological and environmental information and to participate in and supervise ecological and environmental protection.

Departments responsible for supervision and administration of ecological and environmental protection shall disclose ecological and environmental information in accordance with law, improve the procedures for public participation, and facilitate the participation and supervision of ecological and environmental protection by citizens, legal persons, and other organizations.

Article 138 The competent department for ecology and environment under the State Council shall uniformly release information on national ecological and environmental quality, key pollution source monitoring, and other major ecological and environmental information. The competent departments for ecology and environment of the people's governments at or above the provincial level shall regularly publish bulletins on the state of the ecology and environment.

Departments responsible for the supervision and administration of ecological and environmental protection shall, in accordance with law, disclose information on ecological and environmental quality, ecological and environmental monitoring, ecological and environmental emergencies, as well as administrative licensing and administrative penalties relating to ecological and environmental protection.

Article 139 Departments responsible for the supervision and administration of ecological and environmental protection shall strengthen coordination and communication to ensure that disclosed ecological and environmental information is accurate and consistent.

Article 140 The state encourages enterprises, public institutions, and other producers and business operators to voluntarily disclose relevant ecological and environmental information.

Enterprises, public institutions, and other producers and business operators subject to intensified pollutant discharge permit management, as well as those otherwise required by law to disclose ecological and environmental information, shall, in accordance with law, disclose in a timely, truthful, accurate, and complete manner information on pollutant discharges, greenhouse gas emissions, and other ecological and environmental information.

Article 141 The state encourages and guides citizens, legal persons, and other organizations to participate in ecological and environmental protection in accordance with the principles of lawfulness, orderliness, voluntariness, and convenience.

Article 142 The state encourages and guides citizens, legal persons, and other organizations to use products, technologies, and processes that are conducive to ecological and environmental protection, to reduce the generation of waste, and to promote the recycling of waste.

Article 143 Activities including preparing plans in the field of ecology and environment, formulating standards in this field, and conducting ecological and environmental impact assessments shall, in accordance with law, be carried out by means such as holding hearings and soliciting public opinions, so as to safeguard the public's right to participate in ecological and environmental protection.

Article 144 The state encourages citizens, legal persons, and other organizations to supervise public affairs relating to ecological and environmental protection.

Article 145 Departments responsible for the supervision and administration of ecological and environmental protection shall publish readily accessible reporting channels, including telephone hotlines and email addresses, so as to facilitate reporting by the public.

Where citizens, legal persons, or other organizations discover that any entity or individual has engaged in acts such as environmental pollution or ecological damage, they have the right to report such acts to the departments responsible for the supervision and administration of ecological and environmental protection.

Where a citizen, legal person, or other organization discovers that a local people's government at any level, or a department or institution responsible for the supervision and administration of ecological and environmental protection, fails to perform its duties in accordance with law, the citizen, legal person, or organization has the right to report such conduct to the higher-level organ or supervisory organ.

Article 146 Organs that receive reports shall handle them promptly and shall keep confidential the relevant information of those who make reports. Where a report is made by a person with real identity, the receiving authority shall provide feedback to the person on the handling results.

Where a person reports his employing entity, that entity shall not retaliate against him by terminating or modifying any employment contract or service contract, or by any other means.

Article 147 The state encourages social organizations and volunteers to engage, in accordance with law, in public-interest activities for ecological and environmental

protection.

Where acts such as environmental pollution and ecological damage harm the public interest, social organizations that meet the following conditions may, in accordance with law, institute civil public interest lawsuits before the people's courts:

(1) being registered with the civil affairs department of a people's government at or above the level of a city divided into districts; and

(2) having engaged in public-interest activities for ecological and environmental protection for a continuous period of not less than five years and having no record of violations of law.

Where a social organization that meets the conditions set forth in the preceding paragraph institutes such a lawsuit before a people's court, the people's court shall accept the case in accordance with law.

A social organization bringing such an action shall not seek economic gain through the action.

Book Two
Pollution Prevention and Control

Part One
General Principles

Chapter I
General Rules

Article 148 The provisions of Book Two apply to the prevention and control of environmental pollution.

Article 149 Pollution prevention and control shall be carried out in a targeted, scientific, and law-based manner; shall be governed by the principles of coordinated planning, source-based prevention and control, classified management, and public participation; shall strengthen coordination in the control of multiple pollutants and in regional governance, as well as whole-process supervision and administration; and shall promote synergy between pollution reduction and carbon mitigation, improve ecological and environmental quality, and safeguard public health.

Article 150 Any entity or individual discharging pollutants shall take effective measures to prevent and control environmental pollution arising from production, daily life, and other activities, including air, water, marine, soil, solid waste, noise, radioactive, chemical, electromagnetic, and light pollution.

Article 151 The discharge of pollutants shall comply with the requirements of pollutant discharge standards, total discharge control targets for key pollutants, pollutant discharge permit management, as well as relevant laws, regulations, and rules.

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

Article 153 The competent department for ecology and environment under the

State Council shall formulate national pollutant discharge standards.

The people's governments of provinces, autonomous regions, and cities directly under the central government may formulate local pollutant discharge standards for items not provided in the national pollutant discharge standards; for items already provided for in the national pollutant discharge standards, they may formulate local pollutant discharge standards that are more stringent than the national pollutant discharge standards. Local pollutant discharge standards shall be filed with the competent department for ecology and environment under the State Council for the record.

Article 154 In formulating pollutant discharge standards, ecological and environmental quality standards and economic and technical conditions shall serve as the basis, and the characteristics of pollutant discharge and acceptable level of ecological and environmental risks shall be reflected, so as to determine the control requirements for pollutant discharge in a scientific and reasonable manner.

Article 155 The state implements a total discharge control system for key pollutants.

The total discharge control targets for key pollutants shall be proposed by the competent department for ecology and environment under the State Council, after soliciting opinions from relevant departments and the people's governments of provinces, autonomous regions, and cities directly under the central government, and, together with the department of development and reform under the State Council, be submitted to the State Council for approval and assigned for implementation. The people's governments of provinces, autonomous regions, and cities directly under the central government shall allocate and implement the total discharge control targets assigned by the State Council, and control or reduce the total discharge of key pollutants within their respective administrative areas.

The specific measures for determining and allocating the total discharge control targets for key pollutants shall be formulated by the competent department for ecology and environment under the State Council together with the relevant departments.

Article 156 The people's governments of provinces, autonomous regions, and cities directly under the central government may, in light of the ecological and environmental quality conditions and the needs of pollution prevention and control of their respective administrative areas, implement total discharge control over other key pollutants in addition to those determined by the state.

Article 157 Enterprises and public institutions shall comply with the total discharge control targets for key pollutants allocated to them.

Article 158 For regions where the total discharge control targets for key pollutants are exceeded or the ecological and environmental quality targets are not met, the competent departments for ecology and environment of the people's governments at or above the provincial level shall suspend the approval of environmental impact assessment reports and environmental impact assessment forms for construction projects that would increase the total emissions of key pollutants in such regions.

Article 159 The competent departments for ecology and environment of the people's governments at or above the provincial level shall, together with other

relevant departments, hold regulatory talks with the principal persons in charge of local people's governments at or above the county level and their relevant departments in regions where environmental pollution problems are prominent, pollution prevention and control is unsatisfactory, or public complaints are intense, and require them to take effective measures to make timely rectification. The rectification following such regulatory talks shall be disclosed to the public.

Article 160 The competent department for ecology and environment under the State Council shall, in accordance with law, organize and carry out statistical surveys of pollutant discharge sources, and establish and improve the methodological system for statistical accounting of discharge sources and the data quality control system. The state regularly organizes and carries out a general survey of pollution sources nationwide.

Article 161 The competent department for ecology and environment under the State Council shall, together with the relevant departments, establish and improve the system for assessment of damage caused by pollution.

Article 162 Pollution prevention and control facilities in construction projects shall be designed, constructed, and put into operation simultaneously with the main project. Such facilities shall comply with the requirements of the approved ecological and environmental impact reports and ecological and environmental impact statements, and shall not be dismantled or left idle without authorization.

Before a construction project is put into operation or use, the developer shall, in accordance with state regulations, conduct acceptance inspection of the supporting facilities for pollution prevention and control.

Article 163 Enterprises, public institutions, and other producers and business operators that discharge pollutants shall set up and use pollutant discharge outfalls (hereinafter referred to as "discharge outfalls") in accordance with laws, regulations, rules, and provisions of the competent department for ecology and environment under the State Council.

Article 164 It is prohibited to discharge pollutants by means of evading supervision, including through concealed drains, seepage wells or pits, injection, fissures or karst caves; by tampering with or fabricating monitoring data; by suspending production for the purpose of evading on-site inspection; by opening emergency discharge channels in non-emergency situations; by failing to properly operate pollution prevention and control facilities; or by any other means.

It is prohibited to dump, pile, or store solid waste or other pollutants in rivers, lakes, canals, channels or reservoirs, or on their bottomlands, banks or slopes below the highest waterline, or in other places specified by the relevant laws, regulations, and rules.

Article 165 The people's governments at all levels shall make overall planning for the development of urban and rural sewage treatment facilities and supporting pipeline networks, facilities and sites for the collection, transportation, and disposal of solid waste, and other pollution prevention and control facilities, ensure their normal operation, and improve the capacity of pollution prevention and control in urban and rural areas.

Article 166 The competent department for ecology and environment under the

State Council shall regularly publish guiding catalogs of technologies, processes, and equipment for pollution prevention and control.

Article 167 The state progressively implements the emissions trading in key air, water, and other pollutants, establishes and improves an emissions trading system for the total discharge control targets for key pollutants, and strengthens whole-process supervision and administration of emissions trading.

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

Article 169 The state encourages the purchase of environmental pollution liability insurance.

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

Article 171 The people's governments at all levels and their relevant departments and institutions, including those responsible for agriculture and rural affairs, shall guide agricultural producers and business operators to carry out scientific planting and breeding, to use pesticides, veterinary drugs, feed and feed additives, fertilizers, and other agricultural inputs in a scientific, rational, and safe manner, to properly dispose of agricultural waste such as agricultural films, crop straw, and waste packaging of agricultural inputs, to strengthen control over pollutants discharged from agricultural production and business activities, and to prevent agricultural non-point source pollution.

It is prohibited to apply to farmland solid waste and wastewater that do not comply with agricultural use standards and ecological and environmental protection standards. The application of pesticides, fertilizers, and other agricultural inputs, as well as irrigation, shall be carried out with effective measures to prevent heavy metals and other toxic and harmful substances from polluting the environment.

The siting, construction, and management of livestock and poultry farms, designated slaughtering enterprises, among others shall comply with the provisions of relevant laws and regulations. Livestock and poultry farms shall improve precision feeding and strengthen the comprehensive management of livestock and poultry manure and feces. Entities and individuals engaged in livestock and poultry breeding and slaughtering shall take effective measures to promptly collect, store, transport, carry out environmentally sound management of, and recycle livestock and poultry manure and feces, carcasses, and other waste, so as to prevent environmental pollution.

The people's governments at the county level shall be responsible for organizing the disposal of rural domestic waste.

Article 172 The state strengthens systematic control in areas where agricultural non-point source pollution is prominent, and improves the effectiveness of the

prevention and control of agricultural non-point source pollution.

Article 173 The competent department for ecology and environment under the State Council shall, together with other relevant departments, determine key areas and key industries for the prevention and control of heavy metal pollution and submit them to the State Council for approval. Local people's governments at or above the level of a city divided into districts in the areas concerned shall, in accordance with state regulations, organize the formulation and implementation of plans for the prevention and control of heavy metal pollution. Enterprises in key industries shall regularly screen for potential risks and make rectification, and take effective measures to prevent and control heavy metal pollution.

Chapter II
Pollutant Discharge Permit Management

Article 174 The state establishes and improves a regulatory system for stationary pollution sources with the pollutant discharge permit system as its core, and the specific measures shall be formulated by the State Council.

Enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall obtain a pollutant discharge permit in accordance with relevant provisions, and shall not discharge pollutants without such permit.

Article 175 Based on factors such as the amount of pollutants generated, the volume of pollutant discharge, and the ecological and environmental impact, enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall be put under classified management as follows:

(1) Intensified pollutant discharge permit management shall be implemented where the volume of pollutants generated or discharged, or the ecological and environmental impact, is relatively large.

(2) Simplified pollutant discharge permit management shall be implemented where the volume of pollutants generated or discharged and the ecological and environmental impact are relatively small.

The scope of enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management, the implementation steps, and the catalog of classified management shall be formulated by the competent department for ecology and environment under the State Council, submitted to the State Council for approval, and then made public and implemented. In formulating the scope of enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management, the implementation steps, and the catalog of classified management, opinions shall be solicited from relevant departments, industry associations, enterprises and public institutions, and the public.

Article 176 The following enterprises, public institutions, and other producers and business operators shall obtain a pollutant discharge permit:

(1) enterprises, public institutions, and coal-fired heat source production and operation entities of centralized heating facilities that discharge industrial off-gases or

toxic and harmful air pollutants;

(2) enterprises, public institutions, and other producers and business operators that directly or indirectly discharge industrial wastewater or medical wastewater into water bodies;

(3) operating entities of centralized municipal sewage treatment facilities;

(4) entities engaged in coastal or marine engineering projects that directly discharge industrial wastewater or medical wastewater into the sea;

(5) entities that generate industrial solid waste;

(6) enterprises, public institutions, and other producers and business operators that emit industrial noise;

(7) entities engaged in mining and utilizing associated radioactive minerals that discharge radioactive wastewater or generate radioactive solid waste;

(8) enterprises and public institutions operating Category I electromagnetic radiation facilities, and enterprises and public institutions operating Category II electromagnetic radiation facilities subject to pollutant discharge permit management in accordance with law; and

(9) other enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management in accordance with laws and administrative regulations.

Article 177 The competent departments for ecology and environment of people's governments at or above the level of a city divided into districts shall strengthen the supervision and administration of pollutant discharge permits.

Article 178 Enterprises, public institutions, and other producers and business operators shall apply for and obtain a pollutant discharge permit from the competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts at the place where their production and business operation premises are located.

Where a marine engineering project is required to obtain a pollutant discharge permit, an application shall be submitted to the competent department for ecology and environment under the State Council or its sea area outposts.

Article 179 A pollutant discharge permit is the primary basis for the supervision and administration of enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management with respect to ecological and environmental protection.

Enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall comply with the requirements specified in pollutant discharge permits, operate and maintain pollution prevention and control facilities as required, establish ecological and environmental management systems, and strictly control pollutant discharge.

Article 180 A pollutant discharge permit shall be issued to enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management that meet the following conditions:

(1) where they obtain the approval document for an ecological and environmental impact report or ecological and environmental impact statement in accordance with law, or complete the filing procedures for an ecological and environmental impact

registration form;

(2) where the pollutant discharge complies with pollutant discharge standards and other relevant requirements; the discharge of key pollutants complies with the technical specifications for the application for and issuance of pollutant discharge permits, the approval documents for ecological and environmental impact reports or ecological and environmental impact statements, and the total discharge control targets for key pollutants; and where the production and business operation premises of the enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management are located in regions, river basins, or sea areas that have not met national standards for ecological and environmental quality, they shall also comply with the special requirements of the relevant local people's governments for improving ecological and environmental quality;

(3) where the pollution prevention and control facilities used are capable of meeting requirements such as permitted discharge concentrations, or compatible with feasible pollution prevention and control technologies;

(4) where the monitoring sites, indicators, frequency, and other items of the self-monitoring plan comply with national self-monitoring standards; and

(5) other conditions as provided by laws and administrative regulations.

Article 181 A pollutant discharge permit shall specify the following information:

(1) the locations and number of discharge outfalls, the modes of pollutant discharge, the destinations of discharge, and other relevant particulars;

(2) the types of pollutants discharged, the permitted discharge concentrations, the permitted discharge quantities, or other permitted discharge limits;

(3) the processes in which pollutants are generated and discharged, pollution prevention and control facilities and the requirements for their operation and maintenance, the requirements for the standardized construction of discharge outfalls, and other relevant particulars;

(4) requirements for the prohibition of or restriction on pollutant discharge during special periods; and

(5) other information as provided by laws and administrative regulations.

Article 182 The validity period of a pollutant discharge permit shall be five years. Where any of the following circumstances occurs during the validity period of the pollutant discharge permit, enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall obtain a new pollutant discharge permit:

(1) the construction of new projects, or the reconstruction or expansion of projects, involving the discharge of pollutants;

(2) changes in the production and business operation premises, the locations of discharge outfalls, or the modes or destinations of pollutant discharge;

(3) an increase in the number of discharge outfalls, or in the types of pollutants discharged, the discharge concentrations, or the discharge quantities; and

(4) other circumstances provided by laws or administrative regulations.

Article 183 Enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall, in accordance with the requirements specified in the pollutant discharge permit and relevant standards

and specifications, conduct self-monitoring in accordance with law, establish management registers, and retain original monitoring records and management registers. The retention period for original monitoring records and management registers shall be not less than five years.

Article 184 Enterprises, public institutions, and other producers and business operators subject to intensified pollutant discharge permit management shall, in accordance with state regulations, install, use, and maintain automatic monitoring equipment for pollutant discharge, carry out monitoring, including automatic monitoring, and connect such equipment to the monitoring networks of the competent departments for ecology and environment, ensure the normal operation of the automatic monitoring equipment, and retain original monitoring records. The specific measures for monitoring shall be formulated by the competent department for ecology and environment under the State Council.

Enterprises, public institutions, and other producers and business operators subject to intensified pollutant discharge permit management shall, upon discovering abnormal data transmission from automatic monitoring equipment for pollutant discharge, make a report to the competent departments for ecology and environment in a timely manner, and conduct inspection and repair. Where the competent departments for ecology and environment discover abnormal data transmission from the automatic monitoring equipment for pollutant discharge of enterprises, public institutions, and other producers and business operators subject to intensified pollutant discharge permit management, they shall promptly conduct an investigation.

Article 185 Enterprises, public institutions, and other producers and business operators subject to pollutant discharge permit management shall, in accordance with relevant regulations, disclose to the public information on pollutant discharge, including the types of pollutants discharged, discharge concentrations and quantities, the construction and operation of pollution prevention and control facilities, and self-monitoring data, and shall be subject to public oversight.

Article 186 Enterprises, public institutions, and other producers and business operators that generate and discharge very small amounts of pollutants with minimal ecological and environmental impact shall complete a pollutant discharge registration form and shall not be subject to pollutant discharge permit management. The validity period of the pollutant discharge registration form shall be five years.

The catalog of enterprises, public institutions, and other producers and business operators required to complete a pollutant discharge registration form shall be formulated and made public by the competent department for ecology and environment under the State Council. In formulating the catalog, opinions shall be solicited from relevant departments, industry associations, enterprises and public institutions, and the public.

Part Two
Prevention and Control of Air Pollution

Chapter III
General Rules

Article 187 This Part is applicable to the prevention and control of air pollution.

Article 188 For the purposes of this Code, "air pollution" refers to the introduction of substances into the air resulting in changes in its chemical, physical, or other properties, thereby endangering public health, causing ecological and environmental damage, or leading to the deterioration of air quality.

Article 189 The prevention and control of air pollution shall aim to improve air quality and shall promote the transformation of economic development models, optimize industrial structure and layout, and adjust the energy mix and the transportation structure.

In the prevention and control of air pollution, comprehensive measures shall be taken to strengthen the control of air pollution from coal combustion, industrial sources, motor vehicles and vessels, non-road mobile machinery, fugitive dust, and agricultural activities; joint prevention and control of air pollution shall be promoted; and coordinated control shall be implemented over particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, ammonia, and greenhouse gases.

Article 190 Local people's governments at or above the level of a city divided into districts shall develop plans and take effective measures to control or gradually reduce the emissions of air pollutants so that air quality complies with prescribed standards and gradually improves.

Article 191 The competent department for ecology and environment under the State Council exercises unified supervision and administration of the prevention and control of air pollution throughout the country. The competent departments for ecology and environment of local people's governments exercise unified supervision and administration of the prevention and control of air pollution within their respective administrative areas.

Other relevant departments of the people's governments at or above the county level exercise supervision and administration of the prevention and control of air pollution within their respective scopes of duties.

Article 192 The people's governments of cities directly under the central government, cities divided into districts, and counties in areas where the national air quality standards are not met shall promptly formulate plans for attaining the standards within a specified time limit, and take effective measures to achieve compliance within the period prescribed by the people's governments at or above the provincial level.

Article 193 Plans for attaining air quality standards within a time limit formulated by the people's governments of cities directly under the central government and cities divided into districts shall be filed with the competent department for ecology and environment under the State Council for the record.

Article 194 Plans for attaining air quality standards within a time limit shall be kept under review and revised in light of the requirements for air pollution prevention and control and economic and technical conditions.

Article 195 Quality standards for coal, petroleum coke, biomass fuels, coatings and other products containing volatile organic compounds, as well as fireworks, boilers, and other products shall specify requirements for the prevention and control of

air pollution.

Quality standards for fuel oil shall be formulated in accordance with state requirements for air pollutant control, and be coordinated and implemented concurrently with the national standards for the emissions of air pollutants from motor vehicles, vessels, and non-road mobile machinery.

Article 196 The competent department for ecology and environment under the State Council shall organize monitoring of air quality and air pollution sources, and establish and manage a national monitoring network for air quality and air pollution sources.

The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall organize the establishment and management of the monitoring network for air quality and air pollution sources within their respective administrative areas, and conduct monitoring of air quality and air pollution sources.

Article 197 Enterprises, public institutions, and other producers and business operators shall, in accordance with state regulations, monitor their emissions of industrial off-gases and toxic and harmful air pollutants, and retain the original monitoring records. Specific measures for monitoring shall be formulated by the competent department for ecology and environment under the State Council.

Article 198 The competent departments for ecology and environment shall monitor air pollutants generated by environmental emergencies in a timely manner, and disclose the monitoring information to the public.

Article 199 The state encourages and supports the analysis of the sources of air pollution and changes therein, so as to support the prevention and control of air pollution through science and technology.

Article 200 This Part is not applicable to the prevention and control of air pollution from marine engineering projects.

Chapter IV
Measures for the Prevention and Control of Air Pollution

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

Article 201 The relevant departments under the State Council and local people's governments at all levels shall optimize the use of coal and reduce emissions of air pollutants in the processes of coal production, storage, transportation, use, and conversion.

Article 202 The state promotes coal washing and processing to reduce the sulfur and ash contents of coal and restricts the mining of coal with high sulfur and ash contents. New coal mines shall be constructed concurrently with supporting coal washing and preparation facilities to ensure that the sulfur and ash contents of coal comply with prescribed standards. Existing coal mines, unless the coal mined is low in sulfur and ash, or does not require washing to comply with the emission standards of coal-fired power plants, shall complete the construction of supporting coal washing

and preparation facilities within a prescribed period.

It is prohibited to mine coal containing toxic or hazardous substances, such as radioactive substances and arsenic, in excess of prescribed limits.

Article 203 Entities engaged in coalbed methane extraction and utilization shall ensure that their coalbed methane emissions comply with relevant standards and specifications.

Article 204 It is prohibited to import, sell, or burn coal that does not meet quality standards, and the use of high-quality coal is encouraged.

Entities that store materials such as coal, coal gangue, coal slag, or coal ash shall take measures to prevent combustion and thereby prevent air pollution.

Article 205 Local people's governments at all levels shall take effective measures to strengthen the management of bulk coal, prohibit the sale of coal that does not meet bulk coal quality standards, and encourage and support the adoption of alternative measures, such as clean and low-carbon energy and centralized heating, to prevent and control air pollution caused by the burning of bulk coal.

Article 206 Petroleum refining enterprises shall produce fuel oil in compliance with fuel oil quality standards.

It is prohibited to import, sell, or use petroleum coke that does not meet quality standards.

Article 207 Local people's governments at or above the level of a city divided into districts may delineate and announce no-burning zones where the use of highly polluting fuels is prohibited, and gradually expand the scope of such zones in light of the requirements for improving air quality. The catalog of highly polluting fuels shall be determined by the competent department for ecology and environment under the State Council.

Within such zones, it is prohibited to sell or burn highly polluting fuels, or to construct or expand facilities that use such fuels. Existing facilities that use highly polluting fuels shall be converted to use natural gas, shale gas, liquefied petroleum gas, electricity, or other clean and low-carbon energy within the period specified by local people's governments at or above the level of a city divided into districts.

Article 208 Urban construction shall be planned in an overall manner. In coal-heating areas, combined heat and power and centralized heating shall be promoted. In areas covered by centralized heating networks, the construction or expansion of decentralized coal-fired heating boilers is prohibited; existing coal-heating boilers that do not comply with emission standards shall be dismantled within the period specified by local people's governments at or above the level of a city divided into districts.

Article 209 The departments of market regulation of the people's governments at or above the county level shall, in conjunction with the competent departments for ecology and environment, conduct supervision and inspection of compliance with air pollution prevention and control standards or requirements in the production, import, sale, and use of boilers. Boilers that do not comply with such standards or requirements shall not be produced, imported, sold, or used.

Article 210 Coal-fired power plants and other coal-burning entities shall adopt clean production processes and install supporting facilities for dust removal,

desulfurization, and denitrification, or carry out technical upgrades or take other measures to control the emissions of air pollutants.

The state encourages coal-burning entities to adopt advanced technologies and devices for the coordinated control of air pollutants through dust removal, desulfurization, denitrification, and demercuration to reduce the emissions of air pollutants.

Section 2
Prevention and Control of Air Pollution from Industrial Sources

Article 211 Enterprises in the iron and steel, building materials, non-ferrous metals, petroleum, chemical, or other industries that emit dust, sulfide, and nitrogen oxides during production shall adopt clean production processes and install supporting dust removal, desulfurization, and denitrification devices, or adopt technical upgrades or other measures to control the emissions of air pollutants.

Article 212 The state encourages and supports the adoption of ultra-low emission technologies and other technologies in key industries such as iron and steel, cement, and coke production, and in coal-fired boilers to reduce the emissions of air pollutants.

Article 213 The relevant departments under the State Council shall, within the scope of their respective duties, formulate standards for the limits on the content of volatile organic compounds in raw materials, auxiliary materials, and products containing volatile organic compounds, as well as standards for raw materials, auxiliary materials, and products with low volatile organic compound content.

The producers, importers, sellers, or users of raw materials, auxiliary materials, or products containing volatile organic compounds shall ensure that the content of volatile organic compounds of such materials or products complies with quality standards or requirements.

The state encourages the production, import, sale, and use of raw materials, auxiliary materials, and products with low toxicity and low content of volatile organic compounds. Industrial coating enterprises and other relevant entities shall use raw materials, auxiliary materials, and products with low content of volatile organic compounds in accordance with regulations.

Article 214 The production or use of raw materials, auxiliary materials, and products containing volatile organic compounds shall, in accordance with state regulations, be conducted in sealed spaces or equipment, with pollution prevention and control facilities installed and used, or with other effective measures taken to reduce emissions of off-gases.

Article 215 The state establishes and improves a labeling system for products with low content of volatile organic compounds. Producers of products with low content of volatile organic compounds shall label such products in accordance with regulations.

Article 216 Petroleum and chemical enterprises and other enterprises producing and using organic solvents shall take effective measures to maintain and repair pipelines and equipment, reduce material leakage, and promptly collect and dispose of leaked materials.

Oil depots, gas stations, crude and refined oil terminals, crude and refined oil

transport vessels and tank trucks, and railway tank cars, among others, shall, in accordance with state regulations, be equipped with oil vapor recovery units that should be kept in normal operation.

Article 217 Enterprises in iron and steel, building materials, non-ferrous metals, petroleum, chemical, pharmaceutical, mineral extraction, and other industrial production sectors shall adopt meticulous management, take measures such as centralized collection and treatment, and strictly control the emissions of dust and gaseous pollutants.

Industrial production enterprises shall take measures such as sealing, enclosing, covering, cleaning, and water spraying to reduce the emissions of dust and gaseous pollutants generated at the stages of storage, transport, loading, and unloading of materials.

Article 218 Combustible gases generated from industrial production, landfill, and other activities shall be recovered and utilized. Pollution prevention and control measures shall be taken where recovery and utilization are not feasible.

Combustible gas recovery and utilization devices that fail to operate properly shall be repaired or replaced in a timely manner. Where it is inevitable to emit combustible gases during device malfunction, gases emitted shall be completely combusted, or other air pollutant control measures shall be taken, and a report on the matter shall be submitted to the competent local department for ecology and environment, and the devices shall be repaired or replaced within the specified time period.

Section 3
Prevention and Control of Air Pollution from Motor Vehicles and Vessels

Article 219 The state promotes green travel, reasonably controls the total number of fuel-powered vehicles in accordance with urban planning, vigorously develops urban public transport, and increases the proportion of travel by public transport.

The state adopts fiscal, tax, government procurement, and other measures to promote the use of energy-efficient, environmentally-friendly, and new-energy motor vehicles, vessels, and non-road mobile machinery, and restrict the development of high oil consumption and high-emission motor vehicles, vessels, and non-road mobile machinery, so as to reduce fossil fuel consumption.

The people's governments of provinces, autonomous regions, and cities directly under the central government may, in areas where conditions are met, apply in advance the emission limits scheduled for a coming stage in the national emission standards for air pollutants from motor vehicles, and file such implementation with the competent department for ecology and environment under the State Council for the record.

Local people's governments at or above the county level shall strengthen and improve urban traffic management, optimize road layout, and ensure that sidewalks and non-motor vehicle lanes are continuous and unobstructed.

Article 220 Entities that use a large number of heavy-duty trucks shall, in accordance with state regulations, incorporate the management of pollutant emissions during transportation, loading, and unloading into their pollution prevention and

control responsibility system, and strengthen the prevention and control of air pollution caused by heavy-duty trucks.

Article 221 Motor vehicles and vessels, non-road mobile machinery, and their engines shall not emit air pollutants in excess of prescribed emission standards.

It is prohibited to manufacture, import, or sell motor vehicles and vessels, non-road mobile machinery, and engines thereof that do not comply with air pollutant emission standards.

Article 222 Manufacturers of motor vehicles, non-road mobile machinery, and their engines shall conduct emission testing on newly produced motor vehicles, non-road mobile machinery, and their engines. Only those that pass such tests may be sold. Test information shall be disclosed to the public and filed with the competent department for ecology and environment for the record.

The competent departments for ecology and environment of the people's governments at or above the provincial level may strengthen supervision and inspection, by means such as on-site inspections and sampling tests, of the emission of air pollutants from newly produced, imported, and sold motor vehicles, non-road mobile machinery, and their engines, as well as the operation of their emissions control systems. The departments of industry and information technology, transport, market regulation, customs, and other relevant departments shall cooperate in the inspection.

Article 223 In-use motor vehicles shall undergo regular emission testing by motor vehicle emission testing institutions in accordance with regulations. Only those that pass such testing may be driven on roads. Motor vehicles that fail such testing shall not be issued a safety inspection mark by the traffic management department of the public security organ.

The competent departments for ecology and environment may conduct supervision and spot checks of the emissions of air pollutants from in-use motor vehicles and the operation of their emission control systems at places where a large number of motor vehicles are parked or waiting for maintenance, as well as places where heavy-duty vehicles are used. They may, without affecting normal traffic, also use non-contact road monitoring and other technical means to conduct supervision and spot checks of the emissions of air pollutants from motor vehicles driving on roads and the operation of their emission control systems. The traffic management departments of the public security organs shall cooperate accordingly.

For the purposes of this Code, the term "emission control systems" refers to systems installed on motor vehicles and vessels and non-road mobile machinery, and other such equipment, including pollution control systems, emission diagnostic systems, and remote emission management systems.

Article 224 The competent departments for ecology and environment shall, in conjunction with the departments of transport, housing and urban-rural development, agriculture and rural affairs, and water administration and other relevant departments, conduct supervision and inspection of the emission of air pollutants and the operation of the emission control systems of non-road mobile machinery in use. Machinery that does not meet emission standards shall not be used.

The maritime safety administrations and the competent departments for fisheries

shall, within the scope of their respective duties, conduct supervision and inspection of the emissions of air pollutants from vessels and the operation of their emission control systems; vessels that do not comply with emission standards shall not be used.

Article 225 Emission testing institutions for motor vehicles and non-road mobile machinery shall obtain metrological certification in accordance with law, use emission testing equipment for motor vehicles and non-road mobile machinery duly verified as compliant, conduct emission testing on motor vehicles and non-road mobile machinery in accordance with the specifications formulated by the competent department for ecology and environment under the State Council, and be connected to the competent departments for ecology and environment for real-time sharing of testing data. Emission testing institutions for motor vehicles and non-road mobile machinery and their persons in charge shall be responsible for the authenticity, accuracy, and integrity of the testing data.

The competent departments for ecology and environment and the departments of certification and accreditation administration shall, within the scope of their respective duties, conduct supervision and inspection of the emission testing activities of emission testing institutions for motor vehicles and non-road mobile machinery.

Article 226 Manufacturers and importers of motor vehicles and non-road mobile machinery shall disclose the emission testing information and technical information for pollution control and for repair and maintenance of the models of motor vehicles and types of non-road mobile machinery they produce or import.

Repair providers for motor vehicles and non-road mobile machinery shall repair in-use motor vehicles and non-road mobile machinery in accordance with the requirements for air pollution prevention and control and national technical specifications to ensure they comply with emission standards. The departments of transport, the departments of ecology and environment, and other relevant departments shall strengthen supervision and administration in accordance with law within the scope of their respective duties.

Owners of motor vehicles, vessels and non-road mobile machinery shall not resort to such fraudulent means as temporarily replacing, tampering with, disabling, or falsifying emission control systems, so that their motor vehicles, vessels or non-road mobile machinery can pass emission testing. Repair providers for motor vehicles, vessels and non-road mobile machinery shall not offer such repair services. It is prohibited to damage, remove, tamper with, disable, or falsify the emission control systems of motor vehicles, vessels and non-road mobile machinery.

Article 227 The state establishes and improves a recall system for environmental protection for motor vehicles and non-road mobile machinery.

Manufacturers and importers, upon learning that motor vehicles or non-road mobile machinery they manufacture or import do not comply with air pollutant emission standards or otherwise result in excessive emissions of air pollutants due to design or manufacturing defects, shall recall them. Where they fail to do so, the department of market regulation under the State Council, in conjunction with the competent department for ecology and environment under the State Council, shall order them to recall.

Article 228 In-use heavy-duty vehicles, vessels, non-road mobile machinery, and

other similar vehicles or machinery that are not equipped with emission control systems as required or whose emission control systems do not meet the requirements and therefore fail to comply with emission standards shall be equipped with compliant emission control systems, or have old systems replaced with compliant ones, or other effective measures shall be taken.

Article 229 In-use motor vehicles, non-road mobile machinery, among others that emit air pollutants in excess of emission standards shall undergo repair; those that still do not comply with national emission standards after repair or the adoption of pollution control technologies shall be subject to mandatory scrappage. Owners of such motor vehicles, non-road mobile machinery, and other similar vehicles, or machinery shall turn them over to recovery, scrappage, and dismantling enterprises, which shall conduct registration, dismantling, destruction, or other processing in accordance with state regulations.

The state encourages and supports the early scrapping of high-emission motor vehicles, vessels, non-road mobile machinery, among others.

Article 230 Local people's governments at or above the county level may, in light of the local air quality, delineate and announce areas where the use of high-emission non-road mobile machinery is prohibited.

Article 231 Vessel inspection institutions shall conduct emission testing on vessel engines and related equipment. Only vessels that pass such testing and comply with national emission standards may be put into operation.

Article 232 Non-road mobile machinery inspection institutions shall conduct emission testing on in-use non-road mobile machinery. Only such machinery that passes such testing and complies with national emission standards may be put into operation.

Article 233 It is prohibited to manufacture, import, or sell devices for tampering with, shielding, or falsifying emission testing data relating to motor vehicles and vessels, non-road mobile machinery, and their engines, as well as testing equipment used to enable false emission testing.

Article 234 Inland vessels and river-sea-going vessels shall use fuel oil that complies with the relevant standards. Ocean-going vessels, upon entering port, shall use fuel that complies with air pollutant control requirements.

Article 235 Newly constructed docks shall, in accordance with regulations, plan, design, and construct shore power facilities; existing docks shall, in accordance with regulations, be gradually retrofitted with shore power facilities. Vessels capable of using shore power shall, in accordance with state regulations, use shore power when berthed at a port, except for vessels using clean and low-carbon energy. Port operators and shore power suppliers with shore power supply capability shall, in accordance with state regulations, provide shore power to vessels capable of using it.

Article 236 It is prohibited to manufacture, import, or sell fuels and nitrogen oxide reducing agents that fail to meet the standards for motor vehicles, vessels, and non-road mobile machinery; it is prohibited to sell fuels not intended for motor vehicles and vessels for use by motor vehicles, non-road mobile machinery, inland vessels, or river-sea-going vessels; and it is prohibited for motor vehicles, non-road mobile machinery, inland vessels, or river-sea-going vessels to use fuels not intended

for motor vehicles and vessels.

Article 237 Engine oil, nitrogen oxide reducing agents, fuel and lubricant additives, and other additives shall comply with relevant standards in terms of their content of toxic and hazardous substances and other air pollution prevention and control indicators, and shall not impair the effectiveness and durability of the emission control systems of motor vehicles and vessels and non-road mobile machinery or lead to the emission of additional air pollutants.

Article 238 The state actively promotes the prevention and control of air pollution from civil aircraft and encourages the adoption of effective measures to reduce emissions of air pollutants in the design, production, and use thereof.

Civil aircraft shall comply with the engine emission requirements specified in the airworthiness standards set by the competent department for civil aviation under the State Council.

The emissions of air pollutants from in-use railway diesel locomotives shall comply with national emission standards.

Section 4
Prevention and Control of Air Pollution by Fugitive Dust

Article 239 Local people's governments at all levels shall strengthen the administration of construction and transportation activities, keep roads clean, regulate the stockpiling of materials and construction spoils, and expand green spaces, water bodies, wetlands, and paved areas, so as to prevent and control pollution by fugitive dust.

The departments of housing and urban-rural development, city appearance and environmental sanitation, transport, natural resources, and other relevant departments shall effectively prevent and control pollution by fugitive dust in accordance with their duties determined by the people's governments at their corresponding levels.

Article 240 Developers shall include the expenses for the prevention and control of fugitive dust pollution in their project costs, and specify in the construction contract the responsibilities of construction entities for fugitive dust pollution prevention and control. Construction entities shall develop a specific plan for preventing and controlling fugitive dust pollution during construction.

Construction entities engaged in construction of buildings, construction of municipal infrastructure, river improvement, and building demolition shall file with the departments responsible for the supervision and administration of the prevention and control of fugitive dust pollution for the record.

Construction entities shall install hard-panel site enclosures at the construction site, and implement effective dust-control measures, including covering, phased operations, construction at designated times, water spraying, and cleaning the ground and vehicles. Construction spoils and other construction waste, as well as excavated earth, shall be removed in a timely manner; those stockpiled on site shall be covered with enclosed dust nets. Construction spoils and other construction waste shall be recycled.

Construction entities shall disclose at construction sites information on measures

to prevent and control fugitive dust pollution, the persons in charge of the construction site, and the departments with supervisory and administrative responsibilities.

Developers shall cover exposed ground on their construction land where construction work cannot commence temporarily; where work does not commence within three months, the land shall be greened, paved, or otherwise covered.

Article 241 Vehicles and vessels transporting bulk or fluid materials such as coal, garbage, construction spoils, sand and gravel, excavated earth, or mortar shall take sealing measures or other effective measures to prevent fugitive dust pollution resulting from material spillage, and such vehicles and vessels shall travel along designated routes.

Loading and unloading of materials shall be conducted with sealing, spraying, or other effective measures to prevent and control fugitive dust pollution.

Local people's governments at or above the county level shall strengthen the cleaning and maintenance of roads, squares, parking lots, and other public places, and promote mechanized sweeping using clean energy and other scientific and reasonable low-dust operating methods, to prevent and control fugitive dust pollution.

Article 242 Relevant departments shall, in accordance with planning, organize the greening works or permeable paving for exposed ground along municipal rivers and riverbanks, on public lands, and other exposed ground in urban areas.

Article 243 Materials prone to generate fugitive dust, such as coal, coal gangue, coal slag, coal ash, cement, lime, gypsum, sand and soil, and iron ore, shall be stored under sealed conditions. If they cannot be sealed, tight enclosures not lower than the height of the stockpiles shall be installed around them, and effective covering measures shall be taken to prevent and control fugitive dust pollution.

Docks, mines, landfills, and disposal sites shall conduct operations by zones and take effective measures to prevent and control fugitive dust pollution.

Section 5
Prevention and Control of Air Pollution from Agriculture and Other Sources

Article 244 It is prohibited to spray extremely or highly toxic pesticides on trees, flowers, and other plants in densely populated areas.

Article 245 The people's governments at all levels and their departments of agriculture and rural affairs and other relevant departments shall encourage and support the adoption of advanced and applicable technologies for the comprehensive utilization of straw, fallen leaves, and other materials through their use as fertilizers, feed, energy resources, industrial raw materials, substrates for edible fungi, among others, and increase financial subsidies for agricultural machinery, including machinery with the functions of return of straw to fields and straw collection.

The people's governments at the county level shall establish and improve a service system for the collection, storage, transport, disposal, and comprehensive utilization of straw, and take measures, such as financial subsidies, to support rural collective economic organizations, specialized farmer cooperatives, enterprises, and other entities in such activities.

Article 246 Local people's governments at all levels shall strengthen the

organization, guidance, and management of the burning of straw, fallen leaves, and similar materials in a well-targeted manner. Burning of straw, fallen leaves, or other materials generating fume and dust pollution in the open is prohibited in densely populated areas, around airports, near traffic trunk lines, and in other areas and time frames designated by the people's governments at or above the provincial level.

Article 247 The competent department for ecology and environment under the State Council shall, in conjunction with the competent department for health under the State Council, formulate, publish, and update in due course a catalog of toxic and hazardous air pollutants based on the harm to and impact on public health and on the ecosystem and environment, and implement risk management.

Enterprises and public institutions emitting toxic and hazardous air pollutants listed in the catalog referred to in the preceding paragraph shall establish an early warning system for environmental risks in accordance with state regulations, conduct regular monitoring of discharge outfalls and the surrounding environment, assess environmental risks, screen for potential environmental safety hazards, and take effective measures to prevent environmental risks.

Article 248 Enterprises, public institutions, and other producers and business operators that emit persistent organic pollutants into the air, and entities operating waste incineration facilities shall, in accordance with state regulations, adopt technological methods and processes conducive to reducing the emissions of persistent organic pollutants, and install effective purification devices to comply with emission standards.

Article 249 When developing territorial space plans and other relevant plans, the people's governments at all levels and their relevant departments shall make overall planning and reasonable arrangements for land use and project layout to prevent and reduce malodor pollution.

Enterprises, public institutions, and other producers and business operators that generate malodorous gases in their production and business operation activities shall reasonably select sites, maintain appropriate buffer distances, and install purification devices or take other effective measures to prevent the emission of malodorous gases.

Article 250 Local people's governments at all levels shall strengthen guidance on the layout and siting of the catering service industry, and inform applicants of site selection restrictions at the registration stage of business entities.

Catering service providers that emit oil fume pollutants shall, in accordance with regulations, install oil fume purifiers and other pollution prevention and control facilities and ensure their proper functioning. It is prohibited to construct, reconstruct, or expand any catering service premise, from which oil fumes, odors, or off-gases are generated, in a residential building, in a commercial-residential building without dedicated flues, or on a commercial floor adjacent to residential floors within a commercial-residential building.

Catering service providers that emit oil fume pollutants shall take effective measures to ensure that emissions of such pollutants comply with emission standards and do not pollute the living environment of nearby residents.

No entity or individual may engage in or provide a venue for open-air grilling activities in time periods or areas where such activity is prohibited by the local people's

governments.

Article 251 It is prohibited to burn asphalt, bituminous felt, rubber, plastics, leather, waste, or other materials that generate toxic and hazardous fumes and dusts or malodorous gases in densely populated areas and other areas that require special protection in accordance with law.

It is prohibited to produce, sell, or set off fireworks and firecrackers that do not comply with quality standards. No entity or individual may set off fireworks and firecrackers in time periods or areas where such activity is prohibited by the local people's governments at or above the county level.

Article 252 The state encourages and promotes civilized and green memorial activities.

Crematories shall install dust removal and other pollution prevention and control facilities and ensure their proper functioning so as to prevent impact on the surrounding environment.

Article 253 Business operators engaged in dry cleaning, motor vehicle repair, and other service activities shall install odor and off-gas treatment devices and other pollution prevention and control facilities in accordance with relevant standards or requirements of the state and ensure their proper functioning to prevent impact on the surrounding environment.

Article 254 The state encourages and supports the production and use of substitutes for ozone-depleting substances, and gradually reduces and eventually eliminates the production and use of ozone-depleting substances.

The state exercises total quantity control over and quota management of the production, use, import, and export of ozone-depleting substances. The specific measures shall be formulated by the State Council.

Chapter V
Joint Prevention and Control of Air Pollution in Key Regions

Article 255 The state establishes and improves a joint prevention and control mechanism for air pollution in key regions to coordinate efforts in air pollution prevention and control in key regions. The competent department for ecology and environment under the State Council shall designate national-level key regions for air pollution prevention and control based on the main function zones, the air quality, and the transport and dispersion patterns of air pollutants, and submit them to the State Council for approval.

The people's governments of the provinces, autonomous regions, and cities directly under the central government in national-level key regions for air pollution prevention and control shall designate a leading local people's government, hold regular joint meetings, and carry out coordinated prevention and control of air pollution in accordance with the requirements of overall planning, uniform standards, unified monitoring, and uniform prevention and control measures, fulfill their responsibility for achieving the targets for air pollution prevention and control. The competent department for ecology and environment under the State Council shall strengthen guidance and supervision.

Provinces, autonomous regions, and cities directly under the central government may delineate key regions for air pollution prevention and control within their respective administrative areas with reference to the provisions of the first paragraph of this Article.

Article 256 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments under the State Council and the people's governments of relevant provinces, autonomous regions, and cities directly under the central government in national-level key regions for air pollution prevention and control, formulate action plans for the joint prevention and control of air pollution in key regions based on the economic and social development of the key regions and the air assimilative capacity, specify control targets, optimize regional economic layout, coordinate traffic management, develop clean and low-carbon energy, and propose key prevention and control tasks and measures to improve the air quality in such regions.

Article 257 The department of development and reform under the State Council shall, in conjunction with the competent department for ecology and environment under the State Council, set higher requirements for pollution prevention and control and energy consumption based on the actual conditions of industrial development and the air quality in the national-level key regions for air pollution prevention and control.

The people's governments of relevant provinces, autonomous regions, and cities directly under the central government in national-level key regions for air pollution prevention and control shall implement more stringent emission standards for air pollutants from motor vehicles, unify testing methods and emission limits for in-use motor vehicles, and ensure the supply of compliant vehicle fuels.

Article 258 In formulating plans for industrial parks, development zones, regional industrial development, and other development planning that may cause serious air pollution in national-level key regions for air pollution prevention and control, the planning authorities shall consult with the people's governments of the provinces, autonomous regions, and cities directly under the central government in the key regions or with relevant departments.

Provinces, autonomous regions, or cities directly under the central government within national-level key regions for air pollution prevention and control that undertake projects shall notify the adjacent provinces, autonomous regions, and cities directly under the central government and conduct consultations with them if such projects may have significant impact on their air quality.

The consultation opinions and the extent to which they are adopted shall serve as an important basis for the examination or approval of environmental impact reports and environmental impact statements.

Article 259 For projects involving the construction, reconstruction, or expansion of coal-consuming projects in national-level key regions for air pollution prevention and control, equal or reduced coal replacement shall be implemented.

Article 260 The competent department for ecology and environment under the State Council shall organize the establishment and improvement of a mechanism for sharing information on air quality monitoring, air pollution source monitoring, and other information on national-level key regions for air pollution prevention and

control, analyze air pollution sources in the key regions and their changes by means of monitoring, simulation, and new technologies such as satellite survey, aerial survey, and remote sensing, and make such information public.

Chapter VI
Response to Heavy Air Pollution Episodes

Article 261 The state establishes and improves a monitoring and early warning system for heavy air pollution episodes.

The competent department for ecology and environment under the State Council shall, in conjunction with the meteorological department and other relevant departments under the State Council and the people's governments of relevant provinces, autonomous regions, and cities directly under the central government in national-level key regions for air pollution prevention and control, establish and improve a monitoring and early warning system for heavy air pollution episodes and unify early warning classification standards in the key regions. Where heavy air pollution episodes may occur in a region, the relevant information shall be notified in a timely manner to the people's governments of the relevant provinces, autonomous regions, and cities directly under the central government within the key regions.

The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall, in conjunction with the meteorological departments and other relevant departments, establish and improve a monitoring and early warning system for heavy air pollution episodes in their respective administrative areas.

Article 262 Local people's governments at or above the level of a city divided into districts, and the people's governments of counties where heavy air pollution episodes may occur shall formulate contingency plans for heavy air pollution episodes, file them for the record with the competent departments for ecology and environment of the people's governments at the next higher level, and make them public.

Article 263 The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall, in conjunction with the competent departments for meteorology, establish and improve a consultation mechanism and conduct air quality forecasting. Where heavy air pollution episodes may occur, they shall make a report to the people's governments at the same level in a timely manner. Local people's governments at or above the level of a city divided into districts shall, based on forecasts of heavy air pollution episodes, conduct a comprehensive assessment to determine the early warning level and issue an early warning in a timely manner. Early warning levels shall be adjusted in time as conditions change. No entity or individual may issue forecasts or early warnings for heavy air pollution episodes without authorization.

After early warning is issued, the people's government and its relevant departments shall, via television, radio, the internet, text messages, and other channels, promptly inform the public to take health protection measures, and provide guidance to the public in travel and the adjustment of other related activities.

Article 264 Local people's governments at or above the county level shall, based

on early warning levels for heavy air pollution episodes, activate contingency plans in a timely manner, and may, as needed in response, take measures such as ordering relevant enterprises to suspend or limit production, restricting the operation of certain motor vehicles and the use of non-road mobile machinery, prohibiting the setting off of fireworks and firecrackers, suspending earthwork operations and building demolition at construction sites, stopping open-air grilling, stopping outdoor activities organized by kindergartens and schools, and organizing and carrying out weather modification operations.

Upon the termination of the emergency response, the people's government shall assess the implementation of the contingency plans in a timely manner and revise and improve them as appropriate.

Article 265 The state strengthens environmental performance grading of key industries during heavy air pollution episodes. The grading shall serve as the basis for adopting differentiated response measures during heavy air pollution episodes.

Part Three
Prevention and Control of Water Pollution

Chapter VII
General Rules

Article 266 This Part is applicable to the prevention and control of pollution of rivers, lakes, canals, channels, reservoirs, and other surface water bodies, as well as groundwater.

Article 267 For the purposes of this Code, the term "water pollution" refers to the introduction of substances into a water body, causing changes in its chemical, physical, biological, or radiological properties, thereby affecting the effective use of water, endangering public health, or damaging the ecosystem and environment, and resulting in the deterioration of water quality.

Article 268 In the prevention and control of water pollution, priority shall be given to protecting drinking water sources and ensuring the safety of drinking water, and measures shall be taken to strictly control industrial pollution and urban sewage pollution, prevent and control agricultural non-point source pollution, strengthen the establishment and management of discharge outfalls into rivers, and actively promote ecological restoration projects so as to prevent, control, and reduce pollution to the water environment and ecological damage.

Article 269 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of water pollution prevention and control nationwide. The river basin ecological and environmental administration agencies of the competent department for ecology and environment under the State Council shall carry out, in accordance with law, supervision and administration related to water pollution prevention and control within river basins. The competent departments for ecology and environment of local people's governments shall exercise unified supervision and administration of water pollution prevention and control within their respective administrative areas.

The maritime safety administrations shall exercise supervision and administration of the prevention and control of water pollution caused by vessels.

The departments of water administration, natural resources, health, housing and urban-rural development, agriculture and rural affairs, fisheries and other relevant departments of the people's governments at or above the county level shall exercise supervision and administration of the prevention and control of water pollution within the scope of their respective duties.

Article 270 Water pollution prevention and control shall be subject to overall planning by river basins or by regions. The competent department for ecology and environment under the State Council shall, in conjunction with the departments of development and reform, water administration, and other relevant departments under the State Council, formulate national plans for the protection of water ecology and environment in river basins, specifying ecological and environmental protection requirements for river basins including those of the Yangtze River, the Yellow River, the Huaihe River, the Haihe River, the Pearl River, the Songhua River, and the Liaohe River, and submit them to the State Council for approval.

Plans for the protection of the water ecology and environment in basins of rivers and lakes crossing county boundaries within a province, autonomous region, or city directly under the central government shall be formulated by the competent department for ecology and environment of the people's government at the provincial level, in conjunction with the departments of development and reform, water administration, and other relevant departments, on the basis of the national plans for the protection of the water ecology and environment in river basins and the local conditions, and shall be submitted to the people's government of the province, autonomous region, or city directly under the central government for approval, and filed with the competent department for ecology and environment under the State Council for the record.

Local people's governments at or above the county level may, based on the duly approved plans for the protection of the water ecology and environment in river basins and the actual needs, organize the formulation of plans for the protection of the water ecology and environment for their respective administrative areas.

Article 271 The relevant people's governments at the level of a city divided into districts and at the county level shall, in accordance with the targets for improving the ecological and environmental quality of water set out in the plans for the water ecology and environment protection, formulate plans for attaining water quality standards within a specified time limit, and take effective measures to achieve compliance within the specified time limit.

The relevant people's governments at the level of a city divided into districts and at the county level shall file their plans for attaining water quality standards within a specified time limit with the people's governments at the next higher level for the record.

Article 272 The state establishes and improves systems for monitoring the water ecological and environmental quality and water pollutant discharges. The competent department for ecology and environment under the State Council shall, in conjunction with the department of water administration and other relevant departments under

the State Council, organize the establishment of a monitoring network, make overall planning for the establishment of national monitoring stations and points for the ecological and environmental quality of water, establish and improve a mechanism for sharing monitoring data, and strengthen the administration of monitoring of the water ecology and environment.

Article 273 The competent department for ecology and environment under the State Council and its river basin ecological and environmental administration agencies are responsible for monitoring the water ecological and environmental quality in interprovincial water bodies.

Article 274 The competent department for ecology and environment under the State Council shall, in conjunction with the competent department for health under the State Council, formulate, publish, and update in due course, a catalog of toxic and hazardous water pollutants based on the harm to and impact on public health and the ecosystem and environment, and apply risk management.

Enterprises, public institutions, and other producers and business operators that discharge toxic and hazardous water pollutants listed in the catalog referred to in the preceding paragraph shall monitor their discharge outfalls and the surrounding environment, assess environmental risks, identify potential environmental safety hazards, disclose information on toxic and hazardous water pollutants, and take effective measures to prevent environmental risks.

Article 275 The establishment, reconstruction, or expansion of discharge outfalls into rivers shall, in accordance with regulations, be submitted to the competent departments for ecology and environment having administrative authority over such outfalls, or river basin ecological and environmental administration agencies of the competent department for ecology and environment under the State Council, for approval. Before approving the construction, reconstruction, or expansion of discharge outfalls that may affect flood control, water supply, levee safety, or river stability, the opinions of the competent departments for water administration of local people's governments or relevant river basin management agencies shall be solicited. Specific measures for the establishment and administration of discharge outfalls into rivers shall be formulated by the competent department for ecology and environment under the State Council.

For the purposes of this Code, "a discharge outfall into a river" refers to an outfall used to discharge sewage or wastewater into a river, lake, canal, reservoir, or any other water body, either directly or via pipelines, ditches, channels, or other discharge conduits.

Article 276 In water function zones that fail to comply with the standards for the ecological and environmental quality of water, the establishment, reconstruction, or expansion of discharge outfalls into rivers shall be strictly controlled, except for those of important public wellbeing projects such as centralized urban and rural sewage treatment facilities.

Article 277 Local people's governments at or above the county level shall organize the inspection and rectification of discharge outfalls into rivers within their respective administrative areas, identify the responsible entities, and implement classified management.

Entities responsible for discharge outfalls into rivers shall strengthen source-based governance, the inspection and maintenance of discharge conduits, and the rectification, standardization, maintenance, and management of such outfalls.

Article 278 Where a discharge outfall into a river is shared by multiple entities or individuals, the responsible entities shall strengthen the monitoring of such outfall and conduct monitoring, including automatic monitoring, in accordance with regulations.

Article 279 It is prohibited to discharge oil, acid solutions, alkaline solutions, and extremely toxic wastewater into water bodies. It is prohibited to clean vehicles or containers that have carried oil or toxic and hazardous pollutants in water bodies.

It is prohibited to discharge or dump radioactive solid waste or wastewater containing high- or intermediate-level radioactive substances into water bodies. The discharge of wastewater containing low-level radioactive substances into water bodies shall comply with relevant state regulations and national standards on the prevention and control of radioactive pollution.

Article 280 Where thermal effluent is discharged into water bodies, effective measures shall be taken to ensure that the water temperature complies with the standards for the ecological and environmental quality of water, and to avoid causing harm to rare and endangered aquatic species and aquatic resources.

Article 281 Pathogen contaminated wastewater shall be disinfected and shall comply with relevant state standards before discharge.

Article 282 It is prohibited to discharge or dump industrial waste slags, municipal waste, or other waste into water bodies.

It is prohibited to discharge or dump into water bodies or directly bury in the ground any extremely toxic soluble solid waste containing substances such as mercury, cadmium, arsenic, chromium, lead, cyanides, or yellow phosphorus.

For places used for storing extremely toxic soluble solid waste, effective measures shall be taken for waterproofing, leakage prevention, and runoff prevention.

Article 283 Local people's governments at various levels shall conduct investigations and remediation of discolored and smelly water bodies within their respective administrative areas, establish and improve long-term mechanisms, formulate and publish a catalog of such water bodies, develop scientific remediation plans, systematically advance improvement efforts, and prevent the recurrence of discolored and smelly conditions.

Article 284 The people's governments at or above the county level shall organize the departments of water administration, natural resources, ecology and environment, and other relevant departments to conduct investigation and evaluation of groundwater conditions, including investigation and evaluation of groundwater resources, groundwater pollution, and hydrogeological conditions.

The conclusions of investigation and evaluation of groundwater conditions serve as an important basis for the preparation of plans for groundwater protection, utilization, and pollution prevention, and for the management of groundwater, and shall be disclosed to the public in accordance with law.

Article 285 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of water administration, natural resources, and other relevant departments under the State Council, guide the

delineation of key regions for the prevention and control of groundwater pollution nationwide.

The competent departments for ecology and environment of the people's governments at the provincial level shall, in conjunction with departments of water administration, natural resources, and other relevant departments, delineate key regions for the prevention and control of groundwater pollution based on the need for groundwater pollution prevention and control in their respective administrative areas, and specify management requirements for environmental access, the identification of potential hazards, and risk control.

Article 286 No construction project that may cause groundwater pollution shall be constructed, reconstructed, or expanded within spring catchment protection zones or in well-developed karst areas with numerous sinkholes or dolines.

Article 287 Entities that operate or manage chemical parks, chemical projects, mining areas, tailings storage facilities, hazardous waste disposal sites, landfills, and other similar facilities shall take leakage prevention and other measures, construct groundwater quality monitoring wells, and conduct monitoring to prevent groundwater pollution.

Underground oil tanks at gas stations, oil production facilities, and other similar sites shall use double-walled tanks or adopt other effective measures, such as constructing impermeable containment structures, and conduct leakage monitoring to prevent groundwater pollution.

It is prohibited to transport or store wastewater containing toxic and hazardous pollutants, pathogen contaminated wastewater, or other waste in or through ditches, pits, or similar facilities without leakage prevention measures.

Article 288 Inter-aquifer contamination shall be prevented in the extraction of groundwater from and the recharge into multi-layer aquifers.

Where significant differences in water quality exist among aquifers in multi-layer groundwater systems, a layer-specific extraction approach shall be adopted; the mixed extraction of polluted phreatic water and confined water is prohibited.

Article 289 Protective measures shall be taken when constructing underground engineering facilities or carrying out activities such as underground exploration and mining to prevent groundwater pollution.

Decommissioned mine shafts, boreholes, water wells, and other similar structures shall be sealed or backfilled.

Article 290 Artificial groundwater recharge shall comply with relevant water quality standards and shall not degrade groundwater quality.

Article 291 Enterprises and public institutions that may be involved in water pollution accidents shall prepare contingency plans for such accidents, maintain emergency preparedness, and conduct regular drills.

Enterprises and public institutions that produce or store hazardous chemicals shall take measures, such as containment, enclosure, and transfer, to prevent the direct discharge into water bodies of firefighting waste generated during the response to production safety accidents that may seriously pollute water bodies.

Article 292 Enterprises or public institutions experiencing accidents or other emergencies that cause or may cause water pollution accidents shall immediately

activate their contingency plans, take containment and other emergency measures to prevent water pollutants from entering water bodies, and make a report to local people's governments at or above the county level or to the competent departments for ecology and environment at the places where the accidents occur. Upon receiving such a report, the competent department for ecology and environment shall promptly make a report to the people's government at the same level and circulate copies of the report to the departments of water administration, emergency management, and other relevant departments.

Where a fishery pollution accident occurs, or a water pollution accident is caused by a fishing vessel, the one who causes such an accident shall report it to the competent department for fisheries at the place where the accident occurs and accept investigation and handling. Where a water pollution accident is caused by a vessel other than a fishing vessel, the one who causes such an accident shall report it to the maritime safety administration at the place where the accident occurs and accept investigation and handling; where damage is caused to fisheries, the maritime safety administration shall notify the competent department for fisheries to participate in the investigation and handling of the accident.

Article 293 The people's governments at the level of a city divided into districts and at the county level shall organize the formulation of contingency plans for drinking water safety emergencies.

Drinking water suppliers shall, based on the local contingency plans for drinking water safety emergencies, prepare corresponding contingency plans, file them with the people's governments of the cities divided into districts or counties where they are located for the record, and conduct regular drills.

When water pollution accidents or other emergencies that may affect drinking water safety occur in drinking water sources, drinking water suppliers shall take emergency response measures, report the matters to the people's governments of the cities divided into districts or counties where they are located, and disclose relevant information to the public. The relevant people's governments shall, based on the actual situations, activate contingency plans in a timely manner and take effective measures to ensure the safety of the drinking water supply.

Article 294 The state implements performance-based grading of enterprises in key industries in terms of wastewater treatment and discharge levels.

Article 295 The people's governments at all levels shall strengthen water pollution prevention and control and allocate necessary funds for the following matters:

(1) scientific and technological research and development, demonstration projects, and pilot projects related to water pollution prevention and control;

(2) activities organized by the people's governments at all levels and their relevant departments, including investigation and evaluation of the conditions of water ecology and environment, water pollution control in river basins, protection of centralized drinking water sources, construction and maintenance of municipal sewage pipeline networks, inspection and rectification of discharge outfalls into rivers, remediation of discolored and smelly water bodies, protection of the groundwater ecology and environment, and capacity building for the supervision and administration of water

pollution prevention and control;

(3) emergency response measures for water pollution accidents taken by the people's governments at all levels and their relevant departments; and

(4) other matters related to water pollution prevention and control as stipulated by the people's governments at all levels.

Article 296 This Part is not applicable to the prevention and control of marine pollution.

Chapter VIII
Water Pollution Prevention and Control Measures

Section 1
Prevention and Control of Industrial Water Pollution

Article 297 The relevant departments under the State Council and local people's governments at or above the county level shall reasonably plan the industrial layout, and require enterprises causing water pollution to undertake technological upgrading and take comprehensive prevention and control measures to improve the rate of water reuse and reduce the discharge of wastewater and pollutants.

Article 298 Enterprises that discharge industrial wastewater shall take effective measures to collect and treat all wastewater generated in their production or operation to prevent environmental pollution. Industrial wastewater containing toxic and hazardous water pollutants shall be collected and treated separately to prevent leakage and runoff, and shall not be discharged after mere dilution.

In areas such as industrial parks, corresponding centralized sewage treatment facilities shall be constructed, automatic monitoring equipment shall be installed in accordance with regulations, and such equipment shall be connected to the monitoring equipment of the competent departments for ecology and environment, and their proper operation shall be ensured.

Industrial wastewater shall not be discharged into centralized sewage treatment facilities until it has been pretreated in accordance with state regulations and complies with the process requirements of such facilities.

Article 299 It is prohibited to construct small production projects that do not comply with national industrial policies, including projects of papermaking, leather tanning, printing and dyeing, dye manufacturing, coking, sulfur smelting, arsenic smelting, mercury smelting, oil refining, electroplating, pesticide, asbestos, cement, glass, steel, thermal power generation, and other projects that seriously pollute the water environment.

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

Section 2
Prevention and Control of Urban Water Pollution

Article 301 Municipal sewage shall be centrally treated.

Local people's governments at or above the county level shall raise funds through fiscal budgets and other channels, make coordinated arrangements for the construction of centralized municipal sewage treatment facilities and supporting pipe networks, and facilities for environmentally sound management and disposal of sludge, and promote the separation of rainwater and sewage based on local conditions to improve the collection rate and treatment rate of municipal sewage within their respective administrative areas.

Article 302 The competent department for housing and urban-rural development under the State Council shall, in conjunction with the department of development and reform and the competent department for ecology and environment under the State Council, organize the formulation of national plans for the construction of municipal sewage treatment facilities based on territorial space plans and water environment protection plans. Local people's governments at or above the county level shall organize the departments of housing and urban-rural development, development and reform, ecology and environment, water administration, and other relevant departments to develop relevant plans for the construction of municipal sewage treatment facilities in their respective administrative areas in accordance with law. The competent departments for housing and urban-rural development of the people's governments at or above the county level shall, in accordance with the relevant plans for the construction of municipal sewage treatment facilities, organize the construction of centralized municipal sewage treatment facilities, supporting pipe networks, and facilities for environmentally sound management and disposal of sludge, and strengthen supervision and administration.

Operators of centralized municipal sewage treatment facilities shall, in accordance with state regulations, provide paid sewage treatment services to polluters, collect sewage treatment fees, and ensure the proper operation of such facilities. The fees collected shall be used exclusively for the construction, operation, and maintenance of centralized municipal sewage treatment facilities and environmentally sound management and disposal of sludge, as well as for other relevant matters provided for by the State Council, and shall not be misappropriated for any other purpose.

Specific measures for the charging, administration, and use of sewage treatment fees for centralized municipal sewage treatment facilities shall be formulated by the State Council.

Article 303 Where water pollutants are discharged into centralized municipal sewage treatment facilities, the discharge shall comply with water pollutant discharge standards.

Operators of centralized municipal sewage treatment facilities shall be responsible for the quality of the water from such facilities.

The competent departments for ecology and environment shall conduct monitoring and inspection on the quality and quantity of water from centralized municipal sewage treatment facilities.

Article 304 Operators of centralized municipal sewage treatment facilities and entities for environmentally sound management and disposal of sludge shall conduct the environmentally sound management and disposal of sludge, ensure that the

treated sludge complies with national standards, track and record the destination, purpose, and quantity of sludge, and report such information to the competent departments for urban drainage and for ecology and environment.

Section 3
Prevention and Control of Agricultural and Rural Water Pollution

Article 305 The state supports the construction of rural sewage and waste treatment facilities and promotes the treatment of sewage and waste and the toilet upgrading in rural areas based on local conditions.

Local people's governments at all levels shall coordinate the planning and construction of rural sewage and waste treatment facilities and ensure their proper operation.

Article 306 In the formulation of quality and use standards for products such as pesticides and chemical fertilizers, the requirements for the protection of water ecology and environment shall be complied with.

Article 307 The management of the transportation and storage of pesticides and the disposal of expired pesticides shall be strengthened to prevent water pollution.

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

Article 309 The state supports livestock and poultry farms in establishing facilities for the comprehensive utilization or environmentally sound management of livestock and poultry manure and feces.

Livestock and poultry farms shall ensure the proper operation of their facilities for the comprehensive utilization or environmentally sound management of livestock and poultry manure and feces, and ensure that manure and feces are discharged in compliance with relevant standards to prevent pollution of the water environment.

The people's governments at the county or township level with areas where there are a large number of households engaged in raising livestock and poultry shall organize the collection of livestock and poultry manure and feces from individual households and its centralized treatment and utilization. The people's governments at the county level shall be responsible for the determination of such areas within their respective administrative areas.

Article 310 Entities engaging in aquaculture activities shall ensure ecological and environmental protection of water bodies and the compliance of the discharge of pollutants in aquaculture effluent with pollutant discharge standards to prevent pollution of the water environment.

Entities and other producers and business operators engaged in industrial aquaculture or large-scale contiguous aquaculture with unified discharge outfalls shall, in accordance with regulations, conduct self-monitoring of aquaculture effluent.

Article 311 Water for farmland irrigation shall comply with relevant water quality

standards to prevent the pollution of soil, groundwater, and agricultural products.

It is prohibited to discharge industrial wastewater or medical wastewater into farmland irrigation channels. Those discharging municipal sewage or livestock and poultry manure and feces, aquaculture effluent, or wastewater from agricultural product processing that has not been put to comprehensive use into farmland irrigation channels shall ensure that the water quality at the nearest downstream irrigation intake site complies with the water quality standards for farmland irrigation.

Section 4
Prevention and Control of Water Pollution from Vessels

Article 312 Vessels shall comply with standards for the discharge of ship-generated pollutants when discharging oily water and domestic sewage. Vessels engaged in maritime transport entering inland rivers or ports shall comply with standards for the discharge of ship-generated pollutants into inland waters.

Residual oil and waste oil from vessels shall be collected and shall not be discharged into water bodies.

It is prohibited to dump ship-generated garbage into water bodies.

Vessels carrying or transporting oil or toxic and hazardous cargoes shall take measures to prevent spillage and leakage to prevent such cargoes from entering water bodies and causing water pollution.

Article 313 Where a vessel engaged in international voyages enters the inland waters of the People's Republic of China and discharges ballast water, it shall use ballast water treatment devices or take other equivalent measures to inactivate or otherwise treat the ballast water. It is prohibited to discharge ballast water that does not comply with the relevant requirements.

Article 314 Vessels shall be equipped with appropriate pollution control equipment and apparatus in accordance with relevant state regulations, and hold valid certificates and documents for the prevention and control of pollution of the water environment.

Vessels engaging in the discharge of pollutants, ballast water, or similar operations shall strictly comply with operating procedures, conduct monitoring in accordance with regulations, and truthfully record and retain relevant information.

Article 315 Local people's governments at or above the county level in areas where ports, docks, loading and unloading stations, or shipyards are located shall coordinate the planning and the construction of facilities for the reception, transfer, treatment, and disposal of ship-generated pollutants and waste, and establish and improve a corresponding multi-departmental joint supervision and administration system.

Ports, docks, loading and unloading stations, and shipyards shall be equipped with adequate facilities for receiving ship-generated pollutants and waste. Entities engaging in the reception of ship-generated pollutants and waste or in cleaning the holds of vessels carrying oil or other cargoes hazardous to the environment shall possess reception and treatment capacities commensurate with their operation scale.

Article 316 Vessels and relevant operating entities that engage in operations

involving pollution risks shall abide by laws, regulations, standards, and provisions of the relevant departments under the State Council, and take effective measures to prevent water pollution. Maritime safety administrations and the competent departments for fisheries shall, within the scope of their respective duties, strengthen the supervision and administration of vessels and related operations.

In the transportation of noxious liquid cargoes in bulk by vessel, laws, administrative regulations, and rules issued by the competent department for transport under the State Council on pollution prevention and control for vessels shall be complied with. For a vessel to conduct ship-to-ship transfer operations of noxious liquid cargoes in bulk, an operation plan shall be prepared, effective safety measures and pollution prevention measures shall be taken, and approval shall be obtained from the maritime safety administration at the place of operation.

It is prohibited to dismantle vessels by beaching.

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

Article 317 The state establishes and improves a system of drinking water source protection zones. Drinking water source protection zones are classified into Class I and Class II protection zones; where necessary, a certain area surrounding a drinking water source protection zone may be delineated as a quasi-protection zone.

The delineation of a drinking water source protection zone shall be proposed by the people's government of the relevant city or county and submitted to the people's government of the province, autonomous region, or city directly under the central government for approval. The delineation of a drinking water source protection zone spanning two or more cities or counties shall be proposed by the people's governments of relevant cities or counties through consultation and submitted to the people's government of the province, autonomous region, or city directly under the central government for approval; where consultation fails, a delineation plan shall be proposed by the competent department for ecology and environment of the people's government at the provincial level in conjunction with the departments of water administration, natural resources, housing and urban-rural development, disease prevention and control, and other relevant departments and, after opinions from the relevant departments are solicited, submitted to the people's government of the province, autonomous region, or city directly under the central government for approval.

A drinking water source protection zone covering two or more provinces, autonomous regions, or cities directly under the central government shall be delineated by the people's governments of the relevant provinces, autonomous regions, and cities directly under the central government in consultation with the river basin ecological and environmental administration agencies of the competent department for ecology and environment under the State Council and the river basin management agencies of the competent department for water administration under the State Council. Where consultation fails, a delineation plan shall be proposed by the competent department for ecology and environment under the State Council in

conjunction with the departments of water administration, natural resources, housing and urban-rural development, disease prevention and control, and other departments under the State Council and, after opinions from the relevant departments under the State Council are solicited, the plans shall be submitted to the State Council for approval.

The people's governments at or above the provincial level may, based on the need for the protection of drinking water sources, adjust the boundaries of drinking water source protection zones to ensure the safety of drinking water. The relevant local people's governments shall establish clear boundary markers and prominent warning signs at the boundaries of drinking water source protection zones.

Article 318 It is prohibited to set up discharge outfalls within drinking water source protection zones.

Article 319 It is prohibited to construct, reconstruct, or expand construction projects not related to water supply facilities or water source protection within Class I protection zones for drinking water sources. For any existing projects that are not related to water supply facilities or water source protection, the people's governments at or above the county level shall order their demolition or closure.

It is prohibited to engage in cage aquaculture, tourism, swimming, angling, and other activities likely to pollute drinking water bodies within Class I protection zones for drinking water sources.

Article 320 It is prohibited to construct, reconstruct, or expand any projects that discharge pollutants within Class II protection zones for drinking water sources. For any existing projects that discharge pollutants, the people's government at or above the county level shall order their demolition or closure.

Entities engaging in cage aquaculture, tourism, or other activities within Class II protection zones for drinking water sources shall take effective measures in accordance with regulations to prevent pollution of drinking water bodies.

Article 321 It is prohibited to construct or expand construction projects that cause serious pollution to water bodies within quasi-protection zones for drinking water bodies. Where existing construction projects are reconstructed, the volume of pollutant discharge shall not be increased.

Article 322 The people's governments at or above the county level shall, based on the needs for the protection of drinking water sources, take engineering measures or ecological conservation measures such as creating wetlands or water conservation forests within quasi-protection zones of drinking water sources to prevent water pollutants from being directly discharged into drinking water bodies and ensure the safety of drinking water.

Article 323 Local people's governments at or above the county level shall organize the departments of ecology and environment and other relevant departments to conduct investigations and assessments of the ecological and environmental conditions and pollution risks in drinking water source protection zones, recharge areas for groundwater-based drinking water sources, and surrounding areas of water suppliers, screen for potential pollution risk factors, and take appropriate risk prevention measures.

Where pollution of a drinking water source may pose a threat to the safety of

water supply, the competent department for ecology and environment shall order the relevant enterprises, public institutions, and other producers or business operators to take measures such as ceasing the discharge of water pollutants and notify the matter to the drinking water suppliers and the departments of water supply, health, water administration, and other relevant departments; where different administrative areas are involved, the relevant local people's governments shall also be notified.

Article 324 The people's governments of cities relying on a single water source shall develop emergency or backup water sources. Regions with appropriate conditions may develop inter-connected water supply systems.

Local people's governments at or above the county level shall make rational arrangements for the layout of rural drinking water sources, and may, where conditions permit, develop centralized water supply by extending municipal water supply networks, constructing centralized water supply facilities for adjacent villages or townships, or by other means.

Article 325 Drinking water suppliers shall conduct water quality testing at water intake and outlet points. Where the water quality at the intake point fails to comply with the standards for drinking water sources, or the water quality at the outlet point fails to comply with the drinking water hygiene standards, they shall take appropriate measures without delay and report the matter to the competent departments for water supply of the people's governments of the cities divided into districts or counties where they are located. Upon receiving the report, the competent departments for water supply shall notify the competent departments for ecology and environment, health, water administration, and other relevant departments.

Drinking water suppliers shall be responsible for the quality of the water supplied, and shall ensure that water supply facilities operate safely and reliably and that the quality of the water supplied complies with relevant national standards.

Article 326 Local people's governments at or above the county level shall organize the relevant departments to monitor and assess the drinking water safety conditions, including the quality of drinking water sources, the water supplied by drinking water suppliers, and the tap water, within their respective administrative areas.

Local people's governments at or above the county level shall organize the relevant departments to disclose to the public information on drinking water safety at least once every quarter.

Article 327 The people's governments at or above the provincial level may, based on the need for the protection of the water ecology and environment, prescribe measures such as prohibiting or restricting the use of phosphate-based detergents, pesticides, and chemical fertilizers, or restricting planting and breeding activities, within drinking water source protection zones.

Article 328 The people's governments at or above the county level may delineate protected zones for water bodies within protected areas, important fishery waters, or water bodies with special economic or cultural value and take effective measures to ensure that the water quality within such protected zones complies with the applicable standards for the ecological and environmental quality of water for their designated uses.

Article 329 It is prohibited to set up new discharge outfalls within designated

zones for protecting water bodies in protected areas, important fishery waters, and other water bodies of special economic or cultural value, unless otherwise provided by laws or administrative regulations. Where new discharge outfalls are to be set up near such zones, scientific evaluation shall be conducted, a water pollution prevention and control plan shall be formulated, and effective measures shall be taken to ensure that the water bodies in such zones are not polluted.

Chapter X
Water Pollution Prevention and Control in Key River Basins

Article 330 The state strengthens the comprehensive, systematic, and source-based control of water pollution in key river basins, and advances the comprehensive improvement of key rivers and lakes.

The competent department for ecology and environment and other relevant departments under the State Council and local people's governments at all levels in key river basins shall take effective measures to intensify efforts in the prevention and control of water pollution in key river basins, thereby preventing, controlling, and reducing water pollution.

Article 331 The competent department for ecology and environment under the State Council shall, in conjunction with the competent department for water administration under the State Council and the people's governments of relevant provinces, autonomous regions, and cities directly under the central government, establish and improve a joint coordination mechanism for the ecological and environmental protection of basins of important rivers and lakes.

Article 332 The people's governments of provinces, autonomous regions, and cities directly under the central government in key river basins shall formulate supplementary local water pollutant discharge standards for characteristic industries and specific pollutants not covered by national water pollutant discharge standards, as well as for specific water pollution sources or water pollutants subject to explicit national requirements, and file them with the competent department for ecology and environment under the State Council for the record.

Under any of the following circumstances, the people's governments of provinces, autonomous regions, and cities directly under the central government in key river basins shall formulate local water pollutant discharge standards that are stricter than the national standards and file them with the competent department for ecology and environment under the State Council for the record:

(1) where an area is clustered with industries and faced with prominent water pollution;

(2) where the existing water pollutant discharge standards fail to comply with the water ecological and environmental quality requirements in key river basins; or

(3) where the water ecology and environment conditions of a river basin or an area are complex and uniform water pollutant discharge standards cannot be applied.

Article 333 The industrial structure and layout in key river basins shall be compatible with the ecological and environmental carrying capacity. It is prohibited to transfer highly polluting enterprises and projects to the middle and upper reaches of

key river basins.

Part Four
Prevention and Control of Marine Pollution

Chapter XI
General Rules

Article 334 This Part is applicable to the prevention and control of marine pollution.

Article 335 For the purposes of this Code, "marine pollution" refers to the direct or indirect introduction of substances or energy into the sea, resulting in damage to marine living resources, endangerment to human health, interference with fishing and other lawful activities at sea, impairment of the quality of seawater for use, or ecological and environmental degradation.

Article 336 The competent department for ecology and environment under the State Council is responsible for the prevention and control of pollution of and damage to the marine environment nationwide caused by land-based pollutants, coastal engineering and marine engineering projects, and marine dumping.

The competent department for transport under the State Council is responsible for the supervision and administration of the prevention and control of marine environmental pollution caused by non-military vessels within harbor waters under its administration and by non-fishing and non-military vessels outside such harbor waters, and for organizing, coordinating, and directing emergency response to major marine oil spill incidents. The maritime safety administrations shall be specifically responsible for the supervision and administration of the prevention and control of marine environmental pollution caused by vessels in the aforementioned waters, and for investigating and handling pollution accidents, and shall conduct onboard inspections and handle pollution accidents caused by foreign vessels navigating, berthing, or operating in waters under the jurisdiction of the People's Republic of China. Where a vessel pollution accident causes damage to fisheries, the competent department for fisheries shall participate in the investigation and handling of the accident.

The competent department for fisheries under the State Council is responsible for the supervision and administration of the prevention and control of marine environmental pollution caused by non-military vessels within fishing port waters and by fishing vessels outside fishing port waters, and for the investigation and handling of pollution accidents relating to fisheries other than those specified in the preceding paragraph.

The departments of ecological and environmental protection of the military shall be responsible for the supervision and administration of the prevention and control of marine environmental pollution caused by military vessels and for the investigation and handling of pollution accidents caused by such vessels.

Article 337 Major interdepartmental efforts in marine pollution prevention and control shall be coordinated by the competent department for ecology and environment under the State Council. Issues unsolved despite coordination shall be

subject to decision by the State Council.

Article 338 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, agencies, and the people's governments of coastal provinces, autonomous regions, and cities directly under the central government, formulate a national plan for the protection of the marine ecosystems and environment, which shall be implemented upon approval by the State Council.

Local people's governments at all levels in coastal areas shall, in accordance with the national plan for the protection of the marine ecosystems and environment, organize and implement the protection of the marine ecosystems and environment in the sea areas under their administration.

Article 339 The competent department for ecology and environment under the State Council is responsible for the monitoring of the marine ecosystems and environment, and shall organize and conduct monitoring of marine ecological and environmental quality, publish unified national bulletins on the status of the marine ecosystems and environment, and regularly organize surveys and assessments of marine ecological and environmental quality.

Article 340 The relevant departments under the State Council and the coast guard shall provide the competent department for ecology and environment under the State Council with information necessary for compiling the national bulletins on the conditions of the marine ecosystems and environment, including information on monitoring and surveys of estuaries and of the marine ecosystems and environment.

The competent departments for ecology and environment shall provide the relevant departments and the coast guard with information related to the supervision and administration of the marine ecosystems and environment.

For the purposes of this Code, "estuary" refers to the area where the mouth of a river merges with the receiving water body (sea).

Article 341 The state strengthens monitoring of the marine radiation environment. The competent department for ecology and environment under the State Council is responsible for formulating and organizing the implementation of an emergency monitoring plan for the marine radiation environment.

Article 342 Enterprises, public institutions, and other producers and business operators shall prioritize the use of clean and low-carbon energy and adopt clean production techniques with high resource utilization efficiency and low pollutant discharge volume to prevent pollution of the marine environment.

Article 343 Local people's governments at or above the county level in coastal areas shall, in light of local conditions, formulate and organize the implementation of plans for aquaculture waters and tidal flats in accordance with law, determine the waters and tidal flats that may be used for aquaculture, appropriately delineate marine aquaculture restricted zones and aquaculture zones, and establish a mechanism for the phase-out and removal of marine aquaculture from prohibited zones.

Entities engaged in marine aquaculture shall protect the marine ecosystems and environment and collect and treat solid waste in a timely and standardized manner to prevent damage to the marine ecosystems and environment.

Pollutant discharge standards shall be complied with when discharging

aquaculture effluent and other pollutants into the sea. The people's governments of provinces, autonomous regions, and cities directly under the central government in coastal areas shall formulate local standards relating to the discharge of pollutants from marine aquaculture and strengthen the supervision and administration of the prevention and control of pollution caused by aquaculture effluent. Entities engaged in industrial aquaculture or aquaculture entities with unified discharge outfalls in concentrated contiguous aquaculture zones and other producers and business operators shall conduct self-monitoring of aquaculture effluent in accordance with regulations.

It is prohibited to establish new or expand existing marine aquaculture operations involving the input of fertilizers or feed in nearshore sea areas where nitrogen and phosphorus concentrations significantly exceed the limits.

Article 344 Any entity or individual that causes or may cause a marine environmental pollution or ecological damage incident due to an accident or any other emergency shall immediately take effective measures to eliminate or mitigate the harm, promptly inform those likely to be harmed, report the incident to the departments and agencies responsible for the supervision and administration of marine ecological and environmental protection, and be subject to investigation and handling.

The people's governments at or above the county level in coastal areas shall, when the ecosystems and environment of the nearshore sea areas within their respective administrative areas are seriously damaged, take effective measures to eliminate or mitigate the harm.

Article 345 To meet the need for preventing marine environmental pollution, the state develops a national contingency plan for major marine pollution incidents, establishes and improves emergency response mechanisms for marine oil spill pollution and other incidents, and ensures necessary funding for emergency response.

The state establishes and improves an inter-departmental joint meeting system for emergency response to major marine oil spills. The competent department for transport under the State Council shall take the lead in organizing the preparation and implementation of a national contingency plan for major marine oil spills.

The competent department for ecology and environment under the State Council is responsible for developing and organizing the implementation of a national contingency plan for oil spill pollution arising from offshore oil exploration and development.

The national maritime safety administration is responsible for developing a national contingency plan for major marine oil spill pollution caused by vessels, and filing it with the competent department for ecology and environment and the department of emergency management under the State Council for the record.

The people's governments at or above the county level in coastal areas and their relevant departments shall develop contingency plans for marine pollution incidents and, in the event of such an incident, promptly activate the contingency plans, and take effective measures to eliminate or mitigate the harm.

An entity prone to marine pollution incidents shall, in accordance with regulations, develop its own contingency plan, equip itself with emergency equipment

and apparatus, and regularly organize emergency response drills. The contingency plan shall be filed with the departments and agencies responsible for the supervision and administration of marine ecological and environmental protection for the record.

Article 346 The departments and agencies responsible for supervision and administration of marine ecological and environmental protection have the power to conduct supervision and inspections of entities and individuals engaged in activities that affect the marine ecosystems and environment, and may conduct joint law enforcement at sea. Where any violation is discovered in the course of patrol, they shall, in accordance with law, stop the violation, conduct investigations and collect evidence, and, where necessary, take effective measures to prevent the escalation of the situation, and report the matter to the relevant departments or agencies for handling.

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

Article 347 The relevant regulations and standards shall be complied with when discharging land-based pollutants into the sea.

For the purposes of this Code, the term “land-based source”, short for a land-based pollution source, refers to any place, facility, among others, from which pollutants are discharged into the sea from land, causing or potentially causing marine environmental pollution.

For the purposes of this Code, the term "land-based pollutant" refers to any pollutant discharged by land-based pollution sources.

Article 348 The selection of locations for marine outfalls shall comply with territorial space use control requirements, take into account marine hydrodynamic conditions, and comply with relevant regulations, and, after scientific evaluation, be filed with the competent departments for ecology and environment of the people’s governments at or above the level of a city divided into districts for the record. The entities responsible for marine outfalls shall strengthen monitoring of the outfalls and conduct monitoring, including automatic monitoring, in accordance with regulations.

The competent departments for ecology and environment shall, within 15 working days after completing the record-filing, notify the departments of natural resources, maritime affairs, fisheries, and other relevant departments, as well as the coast guard and the military departments responsible for ecological and environmental protection, of the establishment of marine outfalls.

The people’s governments at or above the county level in coastal areas shall, based on the categories of and entities responsible for marine outfalls, organize relevant departments to conduct inspection, remediation, and routine supervision and administration of various marine outfalls within their administrative areas, and establish and improve a whole-process governance system covering nearshore sea areas, marine outfalls, discharge pipelines, and pollution sources.

The competent department for ecology and environment under the State Council is responsible for formulating specific measures for the setup and management of marine outfalls, developing technical specifications for such outfalls, organizing the

construction of a unified marine outfall information platform, and enhancing dynamic updating, information sharing, and public disclosure.

For the purposes of this Code, the term "marine outfall" refers to an outfall on the seaward side of the coastline that discharges sewage or wastewater into the sea, either directly or through pipelines, ditches, or channels, including industrial discharge outfalls, discharge outfalls of centralized municipal sewage treatment facilities, agricultural discharge outfalls, and other types of discharge outfalls.

Article 349 It is prohibited to establish new industrial discharge outfalls and discharge outfalls of centralized municipal sewage treatment facilities in protected areas, important fishery waters, bathing beaches, areas within ecological conservation redlines, and other areas that need special protection, except as otherwise provided for by laws and administrative regulations.

In areas where conditions permit, marine outfalls shall be located in deep water for offshore discharge.

Article 350 Where pollutants are discharged into the sea through open ditches or channels, such ditches or channels shall be subject to water ecological and environmental quality management in accordance with the relevant regulations and standards.

Article 351 The relevant departments under the State Council and local people's governments at or above the county level and their relevant departments shall, in accordance with the principle of coordinated river-sea management and relevant provisions of laws and administrative regulations on the prevention and control of water pollution, strengthen the management of rivers flowing into the sea, and coordinate efforts in the prevention and control of pollution of such rivers, to ensure that the water quality of estuaries meets the ecological and environmental quality requirements for estuaries.

The people's governments of provinces, autonomous regions, and cities directly under the central government of the basins of the rivers flowing into the sea shall, in accordance with state regulations, strengthen the control over the discharge of total nitrogen and total phosphorus into the sea, and formulate and organize the implementation of control plans.

Article 352 It is prohibited to discharge oil, acid or alkali solutions, or extremely toxic wastewater into the sea.

It is prohibited to discharge into the sea any radioactive wastewater that causes marine environmental pollution or damage to the marine ecology.

The discharge of wastewater containing persistent organic substances and heavy metals into the sea shall be strictly controlled.

Article 353 Medical wastewater, domestic sewage, and industrial wastewater contaminated by pathogens shall be treated and may be discharged into the sea only after meeting the relevant discharge standards.

Article 354 Industrial wastewater and domestic sewage that contain organic substances and nutrients shall be strictly controlled when discharged into bays, semi-enclosed seas, and other sea areas with relatively weak self-purification capacities.

Article 355 In discharging thermal effluent into the sea, effective measures shall

be taken to ensure that the water temperature in adjacent protected areas and fishery waters meets the marine ecological and environmental quality standards and to avoid harm to rare and endangered marine species and marine fishery resources.

Article 356 Local people's governments at all levels in coastal areas shall strengthen the prevention and control of agricultural non-point source pollution. State regulations and national standards on the safe use of pesticides shall be complied with when using chemical pesticides in coastal farmlands and forest farms. Chemical fertilizers and plant growth regulators shall be used in a rational manner in coastal farmlands and forest farms.

Article 357 Where tailings, slag, coal ash, garbage, and other solid waste are discarded, stockpiled, or disposed of in coastal land areas, the relevant provisions of laws shall be complied with, and effective measures shall be taken to prevent such solid waste from entering the sea.

It is prohibited to discard, stockpile, or dispose of solid waste on shorelines or beaches, except as otherwise provided for by laws and administrative regulations.

For the purposes of this Code, the term "coastal land area" refers to a belt of areas connected to the coast, or from which pollutants are directly or indirectly discharged into the sea through pipes, ditches, channels, facilities, among others, and related activities are conducted.

Article 358 The people's governments at or above the county level in coastal areas shall be responsible for the prevention and control of marine litter pollution in sea areas under their administration, and shall establish and improve marine litter monitoring and cleanup systems, make overall plans for and construct onshore facilities for the reception, transfer, and treatment of marine litter, define the areas for marine litter control of relevant departments, towns and townships, subdistricts, enterprises, public institutions, among others, establish and implement a system for the monitoring, interception, collection, retrieval, transport, and treatment of marine litter, and take effective measures to encourage and support public participation in the aforementioned activities.

The competent departments for ecology and environment, housing and urban-rural development, development and reform, and other relevant departments under the State Council shall, within the scope of their respective duties, strengthen supervision, guidance, and support for the prevention and control of marine litter pollution.

Article 359 It is prohibited to transit hazardous waste through the internal waters or territorial seas of the People's Republic of China.

Prior written consent must be obtained from the competent department for ecology and environment under the State Council before hazardous waste is transported through other sea areas under the jurisdiction of the People's Republic of China.

For the purposes of this Code, the term "internal waters" refers to all sea areas on the landward side of the territorial sea baseline of the People's Republic of China.

Article 360 The people's governments at or above the county level in coastal areas shall build and improve drainage networks, construct wastewater treatment facilities

as needed to improve marine ecological and environmental quality, and strengthen urban and rural wastewater treatment.

Marine wastewater disposal projects shall comply with relevant state regulations.

Article 361 The state takes necessary measures to prevent, reduce, and control marine pollution originating from or occurring through the atmosphere.

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

Article 362 In the construction, reconstruction, or expansion of coastal and marine engineering projects, the relevant state regulations on ecological and environmental protection for construction projects shall be complied with, and the funds required for pollution prevention and ecological conservation shall be included in the investment plans for the construction projects.

It is prohibited to illegally construct coastal engineering projects or marine engineering projects that pollute the environment or damage the ecosystem, or engage in other activities, in legally designated protected areas, important fishery waters, and other areas requiring special protection.

Article 363 It is prohibited to develop production projects inconsistent with national industrial policies in coastal land areas, including chemical pulp, paper mills, chemical projects, printing and dyeing projects, tanneries, electroplating plants, breweries, oil refineries, shipbreaking operations by beaching, and other production projects that cause serious marine environmental pollution.

Article 364 In drilling from land to extract seabed mineral resources, effective measures shall be taken to prevent pollution of the marine environment.

Article 365 In coastal and marine engineering projects, materials containing radioactive substances exceeding the standards or materials from which toxic or harmful substances are easily leached shall not be used; such projects shall not cause erosion, siltation, or damage to the base points of the territorial sea or their surrounding environment, or endanger the stability of such base points.

Article 366 When blasting operations are needed for coastal and marine engineering projects, effective measures shall be taken to protect the marine ecosystems and environment.

During offshore oil exploration and development and oil transportation, effective measures shall be taken to prevent oil spill accidents.

Article 367 In coastal and marine engineering projects, pollutants, waste, or other hazardous substances shall not be discharged into the sea in violation of law.

Oily water and oily mixtures from offshore oil and gas facilities, such as drilling platforms and drilling vessels, production and living platforms, and production, storage, and unloading installations, shall be discharged only after treatment and upon compliance with the applicable discharge standards. Residual oil and waste oil shall be recovered and may not be discharged into the sea.

Oil-based mud and other toxic synthetic-based mud used in drilling operations may not be discharged into the sea. The discharge of water-based mud, non-toxic

synthetic-based mud, and drilling cuttings shall comply with relevant state regulations.

Article 368 Offshore oil and gas facilities such as drilling platforms and drilling vessels, production and living platforms, and production, storage, and unloading installations, and their ancillary offshore facilities shall not dump oil-containing industrial solid waste into the sea. The disposal of other solid waste may not cause pollution of the marine environment.

Article 369 In offshore well testing, measures shall be taken to ensure that oil and gas are fully combusted, and no oil or oily mixtures may be discharged into the sea.

Article 370 For the exploration and development of marine oil and gas resources, a contingency plan for oil and gas pollution shall be prepared in accordance with regulations and filed with the sea area outposts of the competent department for ecology and environment under the State Council for the record.

Chapter XIV
Prevention and Control of Pollution from Marine Dumping

Article 371 No individual or entity without approval may dump any waste into the sea areas under the jurisdiction of the People's Republic of China.

Where waste needs to be dumped, the entity that generates the waste shall submit a written application, together with a testing report on the characteristics and composition of the waste, to the sea area outposts of the competent department for ecology and environment under the State Council, and may dump the waste only after obtaining a dumping permit.

The state encourages the comprehensive utilization of dredged materials and other waste to avoid or reduce marine dumping.

It is prohibited to dump waste from outside the territory of the People's Republic of China into the sea areas under the jurisdiction of the People's Republic of China.

Article 372 The competent department for ecology and environment under the State Council shall formulate assessment procedures and standards for marine dumping based on the toxicity and toxic substance content of waste and their impact on the marine ecosystems and environment.

A catalog of waste permitted for marine dumping shall be formulated by the competent department for ecology and environment under the State Council.

Article 373 The competent department for ecology and environment under the State Council shall, in conjunction with the competent department for natural resources under the State Council, formulate a national plan for marine dumping areas, solicit opinions on the plan from the departments of transport, fisheries, and other departments under the State Council, as well as from the coast guard, and submit the plan to the State Council for approval.

Based on the national plan, the competent department for ecology and environment under the State Council shall, in a timely manner, designate marine dumping areas on a scientifically sound, rational, cost-effective, and safe basis, solicit opinions from other relevant departments under the State Council, including the departments of transport and fisheries, as well as the coast guard, and announce such areas to the public.

Article 374 The competent department for ecology and environment under the State Council shall organize assessments of the use of marine dumping areas and, based on the assessment results, adjust, suspend, or close such areas.

The adjustment, suspension, or closure of marine dumping areas shall be notified to the relevant departments under the State Council and the coast guard, and disclosed to the public.

Article 375 An entity that has obtained a permit to dump waste at sea shall conduct dumping in the designated area within the time limit and under the conditions specified in the permit. Vessels and other means of transport used in dumping operations shall install and use marine dumping online monitoring devices that meet the relevant requirements and are connected to the supervisory system of the competent department for ecology and environment under the State Council.

Article 376 An entity that has obtained permission to dump waste shall, in accordance with regulations, report the dumping activities to the sea area outposts of the competent department for ecology and environment under the State Council that issued the permit. Vessels dumping waste shall report to the maritime safety administrations and the coast guard at the ports of departure.

Article 377 Where an entity that has obtained a permit to dump waste into the sea entrusts another entity to carry out marine dumping operations, it shall verify the entrusted entity's qualifications, technical competence, and credit standing, sign a written contract in accordance with law, stipulate requirements for pollution prevention and control and ecological conservation in the contract, and supervise the implementation thereof.

When carrying out marine dumping operations, the entrusted entity shall comply with the requirements for pollution prevention and control and ecological conservation as provided by laws, regulations, and the contract.

Article 378 Entities dumping waste into the sea shall pay dumping fees in accordance with state regulations. Specific measures shall be formulated by the competent departments for development and reform and finance under the State Council in conjunction with the competent department for ecology and environment under the State Council.

Article 379 Incineration at sea is prohibited.

It is prohibited to dispose at sea of radioactive waste or other radioactive materials that pollute the marine environment or damage the marine ecology.

For the purposes of this Code, the term "incineration at sea" refers to the intentional incineration of waste or other substances in marine incineration facilities for the purpose of thermal destruction, except for activities incidental to the normal operation of vessels, platforms, or other man-made structures.

Chapter XV
Prevention and Control of Marine Pollution from Vessels

Article 380 In sea areas under the jurisdiction of the People's Republic of China, no one may, from a vessel or in related operating activities, illegally discharge into the sea ship-generated garbage, domestic sewage, oily water, wastewater containing toxic

or harmful substances, off-gases or other pollutants, waste, ballast water, and sediments, or other hazardous substances.

Vessels shall take effective measures to treat and dispose of ballast water and sediments in accordance with state regulations so as to strictly prevent the introduction and spread of harmful alien species.

Entities engaged in the reception of ship-generated pollutants and waste or in tank cleaning operations shall possess corresponding reception and treatment capacities.

Article 381 Vessels shall be equipped with appropriate pollution control equipment and apparatus.

The materials and structure of a vessel and its pollution control equipment and apparatus shall comply with state regulations on the prevention and control of marine environmental pollution by vessels and shall pass inspection.

Vessels shall obtain and hold certificates and documents for the prevention and control of marine environmental pollution. Monitoring shall be conducted in accordance with regulations with respect to the discharge of and operations involving ship-generated pollutants, ballast water, and sediments, and relevant records shall be truthfully made and retained.

Article 382 Vessels shall comply with laws and regulations on maritime traffic safety and prevent marine environmental pollution caused by maritime accidents such as collisions, grounding, stranding, fires, or explosions.

Article 383 The state practices and improves the system of civil compensation liability for oil pollution damage from ships and, based on the principle that the risks of compensation liability for oil pollution damage from ships are jointly borne by shipowners and cargo owners, practices and improves systems for the ship-source oil pollution insurance and compensation fund for oil pollution damage. Specific measures shall be formulated by the State Council.

Article 384 Where a vessel carrying cargoes with pollution hazards enters or leaves a port, the carrier, cargo owner, or agent shall make a declaration in advance to the maritime safety administration. The vessel may enter or leave the port or conduct loading and unloading operations only after approval has been obtained.

Article 385 When delivering cargoes with pollution hazards for shipment by vessel, the shipper shall truthfully inform the carrier of the proper shipping names of the cargoes, their pollution hazards, and the protective measures to be taken. The documents, packaging, markings, quantity restrictions, and other matters relating to cargoes with pollution hazards shall comply with the relevant regulations governing such cargoes.

Where cargoes with uncertain pollution hazards are to be shipped by vessel, an assessment shall be conducted in advance in accordance with regulations.

During the loading and unloading of oil or toxic and hazardous cargoes, both ship and shore parties shall comply with safety and pollution prevention operating procedures.

Article 386 The people's governments at or above the county level in places where ports, docks, loading and unloading stations, or vessel building, repair, or dismantling entities are located shall make overall plans and construct facilities for the

reception, transfer, treatment, and disposal of ship-generated pollutants and other waste, and establish and improve a corresponding multi-department joint supervision and administration system for such reception, transfer, treatment, and disposal.

The people's governments at or above the county level in coastal areas shall be responsible for the supervision and administration of pollution prevention and control at fishing ports, fishing vessel berthing points, and surrounding areas within the sea areas under their administration, regulate the collection and disposal of domestic sewage and fishery waste, and promote the construction of pollution prevention and control facilities and environmental cleanup and remediation.

Ports, docks, loading and unloading stations, and vessel building, repair, or dismantling entities shall, in accordance with regulations, be equipped with adequate facilities for the reception of ship-generated pollutants and waste, keep such facilities in good condition, and ensure their effective operation.

Ports, docks, loading and unloading stations, and vessels engaged in the loading and unloading of cargoes with pollution hazards shall prepare contingency plans for pollution and be equipped with corresponding emergency response equipment and apparatus.

Article 387 The state maritime safety administration shall organize the formulation of a catalog of hazardous materials prohibited or restricted for installation or use on Chinese vessels.

A vessel building and repair entity or a vessel owner, operator, or manager shall keep an inventory of hazardous materials on board the vessel, continuously update the inventory during the construction, operation, and repair of the vessel, and provide the inventory to the entity engaged in dismantling vessels before the vessel is dismantled.

Article 388 An entity engaged in dismantling vessels shall take effective pollution prevention and control measures to reduce the quantity of pollutants remaining on board to the minimum before dismantling the vessel, and dispose of ship-generated pollutants, waste, and other harmful substances generated during dismantling in a safe and environmentally sound manner so as to prevent pollution of the marine environment. Dismantled vessel components may not enter the water.

It is prohibited to dismantle a vessel on the coast by beaching.

Article 389 Effective measures shall be taken in accordance with state regulations to improve the energy efficiency of vessels. The state promotes green, low-carbon, and smart shipping, encourages the use of clean and low-carbon energy by vessels, phases out old vessels that are energy-intensive and emission-intensive, and reduces emissions of greenhouse gases and air pollutants. The people's governments at or above the county level in coastal areas shall formulate plans for the construction and upgrading of shore power facilities and onboard power reception facilities and organize the implementation thereof. The power supply capacity of shore power facilities at ports shall meet the electricity demands of vessels berthed at the ports.

The State Council and the people's governments at or above the county level in coastal areas shall, in accordance with regulations, support the upgrading and use of shore power facilities and onboard power reception facilities, as well as the construction of vessels powered by clean and low-carbon energy.

Article 390 The competent department for transport under the State Council may

delineate control areas for the discharge of ship-generated pollutants. Vessels entering such control areas shall comply with the relevant discharge control requirements.

Article 391 Vessels and related operations shall comply with laws, regulations, standards, and relevant regulations issued by departments under the State Council, with effective measures taken to prevent marine environmental pollution. Maritime safety administrations and other relevant authorities shall strengthen the supervision and administration of vessels and related operations.

Where a vessel is to conduct ship-to-ship transfer operations involving noxious liquid cargoes in bulk, an operation plan shall be prepared, effective safety and pollution prevention measures shall be taken, and approval shall be obtained in advance in accordance with regulations.

Article 392 Where a maritime accident involving a vessel causes or may cause major pollution to the marine environment, the maritime safety administration has the power to take compulsory measures to prevent or mitigate the pollution.

Where a maritime accident involving a vessel or offshore facility on the high seas causes or threatens to cause major pollution damage in sea areas under the jurisdiction of the People's Republic of China, the maritime safety administration has the power to take necessary measures proportionate to the actual or potential damage.

Article 393 All vessels have a duty to monitor marine pollution and shall, upon discovering any marine pollution incident or any violation of this Code, immediately report it to the nearest department or agency responsible for the supervision and administration of marine ecological and environmental protection.

A civil aircraft that discovers any pollutant discharge or pollution incident at sea shall immediately report it to the nearest civil aviation air traffic control authority. The authority receiving such a report shall immediately notify the department or agency responsible for the supervision and administration of marine ecological and environmental protection.

Part Five
Prevention and Control of Soil Contamination

Chapter XVI
General Rules

Article 394 This Part is applicable to the prevention and control of soil contamination.

Article 395 For the purposes of this Code, "soil contamination" refers to the phenomenon in which certain substances enter the soil on the land surface as a result of human activities, causing changes in the chemical, physical, biological, or other properties of the soil, thereby impairing its functions and productive use, endangering public health, or damaging the ecosystem and environment.

Article 396 The prevention and control of soil contamination shall follow a risk control approach to ensure the quality and safety of agricultural products and the safety of the living environment, and to promote the sustainable utilization of soil resources.

Article 397 Land use right holders engaged in land development and utilization activities, and enterprises, public institutions, and other producers and business operators engaged in production and business activities shall take effective measures to prevent and reduce soil contamination, and shall be liable in accordance with law for any soil contamination caused by them.

Article 398 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of the prevention and control of soil contamination nationwide. The competent departments for ecology and environment of local people's governments shall exercise unified supervision and administration of the prevention and control of soil contamination within their respective administrative areas.

The departments of agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland, and other relevant departments of the people's governments at or above the county level shall exercise supervision and administration of the prevention and control of soil contamination within the scope of their respective duties.

Article 399 The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall, in conjunction with the departments of development and reform, agriculture and rural affairs, natural resources, housing and urban-rural development, forestry and grassland, and other relevant departments, formulate soil contamination prevention and control plans based on the requirements of ecological and environmental protection planning, land use, results of general surveys and monitoring of soil contamination, and other relevant factors, and publish and implement the plans upon approval by the people's governments at the corresponding level.

Article 400 The competent department for ecology and environment under the State Council shall, based on soil contamination conditions, public health risks, ecological and environmental risks, and the level of scientific and technological development, formulate national standards on soil contamination risk control according to land use, and strengthen the development of the standards system for the prevention and control of soil contamination.

The people's governments of provinces, autonomous regions, and cities directly under the central government may formulate local soil contamination risk control standards for matters not prescribed in the national standards; they may also formulate local standards that are more stringent than the national standards for matters already regulated in the national standards. Local soil contamination risk control standards shall be filed with the competent department for ecology and environment under the State Council for the record.

Soil contamination risk control standards are mandatory.

The state supports research on soil environmental background values.

Article 401 The State Council exercises unified leadership over nationwide general surveys on soil contamination. The competent department for ecology and environment under the State Council shall, in conjunction with the departments of agriculture and rural affairs, natural resources, housing and urban-rural development, and forestry and grassland under the State Council, organize nationwide general

surveys on soil contamination at least once every ten years.

The relevant departments under the State Council and the local people's governments at or above the level of a city divided into districts may organize detailed surveys on soil contamination based on the actual conditions of their respective sectors or administrative areas.

Article 402 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of agriculture and rural affairs, natural resources, housing and urban-rural development, water administration, health, forestry and grassland, and other relevant departments under the State Council, establish a monitoring network and coordinate planning for the establishment of national soil environmental monitoring stations and points.

Article 403 The competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, in conjunction with the competent departments for ecology and environment and the competent departments for natural resources, conduct intensified monitoring of the following agricultural land parcels:

(1) those that produce agricultural products with pollutant levels exceeding the prescribed limits;

(2) those that are or have been used as wastewater irrigation areas;

(3) those that are or have been used for large-scale livestock or poultry farming, or for the stacking or landfilling of solid waste;

(4) those that have been used for industrial or mining purposes, or on which a major or devastating pollution incident has occurred;

(5) those located in the vicinity of facilities for the production, storage, utilization, or disposal of toxic or hazardous substances; and

(6) those under other circumstances specified by the competent departments for agriculture and rural affairs, forestry and grassland, ecology and environment, and natural resources under the State Council.

Article 404 The competent departments for ecology and environment of local people's governments shall, in conjunction with the competent departments for natural resources, conduct intensified monitoring of the following land parcels for construction use:

(1) those that have been previously used for the production, storage, use, recycling, or disposal of toxic and hazardous substances;

(2) those that have been used for the stacking or landfilling of solid waste;

(3) those on which a major or devastating pollution incident has occurred; and

(4) those under other circumstances specified by the competent department for ecology and environment and the competent department for natural resources under the State Council.

Article 405 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of agriculture and rural affairs, natural resources, housing and urban-rural development, water administration, health, and forestry and grassland under the State Council, establish and improve a basic soil environment database, develop a national soil environment information platform, and implement dynamic data updating and information sharing.

Article 406 General survey reports on soil contamination, monitoring data and investigation reports on soil contamination, and reports on soil contamination risk assessment, risk control performance evaluation, and remediation performance evaluation shall be uploaded in a timely manner to the national soil environment information platform.

Article 407 The competent departments for ecology and environment shall notify the competent departments for agriculture and rural affairs, health, and market regulation in a timely manner of any major soil environment information concerning the major producing areas of edible agricultural products.

Article 408 The competent departments for ecology and environment and other relevant departments responsible for the supervision and administration of soil contamination prevention and control of the people's governments at or above the provincial level shall, within the scope of their respective duties, conduct credit-based regulation in accordance with law of the professional activities of entities and individuals engaged in soil contamination investigation, soil contamination risk assessment, risk control, remediation, evaluation of the performance of risk control and remediation, and *ex post* management.

Article 409 The people's governments at all levels shall strengthen soil contamination prevention and control and allocate necessary funds for the following purposes:

(1) scientific and technological research and development, and demonstration projects and programs on soil contamination prevention and control;

(2) general surveys, monitoring, investigation, determination of parties liable for soil contamination, risk assessment, risk control, remediation, and other such activities organized by the people's governments at all levels and their relevant departments;

(3) emergency responses to soil contamination incidents taken by the people's governments at all levels and their relevant departments; and

(4) other matters related to soil contamination prevention and control specified by the people's governments at all levels.

Article 410 The state increases financial investment in soil contamination prevention and control, and establishes and improves a soil contamination prevention and control fund system. A central-level special fund for soil contamination prevention and control and provincial-level soil contamination prevention and control funds shall be established and used primarily for the prevention and control of soil contamination on agricultural land, for soil contamination risk control and remediation where neither the party liable for soil contamination nor the land use right holder can be identified, and for other matters prescribed by the people's governments.

Where the party liable for soil contamination on a land parcel cannot be identified, and the land use right holder undertakes soil contamination risk control and remediation, the land use right holder may, in accordance with regulations, apply for soil contamination prevention and control funds, which shall be exclusively used for such risk control and remediation.

The specific measures for the management of soil contamination prevention and control funds shall be formulated by the finance department under the State Council in conjunction with the departments of ecology and environment, agriculture and rural

affairs, natural resources, housing and urban-rural development, forestry and grassland, and other relevant departments under the State Council.

Article 411 The state encourages financial institutions to increase credit supply for soil contamination risk control and remediation projects.

The state encourages financial institutions to conduct soil contamination investigations in the course of handling land rights mortgage transactions.

Chapter XVII
Prevention of Soil Contamination

Article 412 An entity or individual that produces, stores, transports, uses, recycles, disposes of, or discharges toxic or hazardous substances shall take effective measures to prevent the leakage, loss, or dispersion of such substances and avoid soil contamination.

Article 413 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of health, agriculture and rural affairs, and other relevant departments under the State Council, screen for and assess toxic and hazardous substances in soil based on their harm to and impact on public health and the ecosystem and environment, and formulate, publish, and update in due course a catalog of toxic and hazardous substances in soil subject to intensified control.

Article 414 The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts shall, as prescribed by the competent department for ecology and environment under the State Council, and based on the discharge of toxic and hazardous substances, formulate, publish, and update in due course, directories of entities subject to intensified soil contamination supervision in their respective administrative areas.

An entity subject to intensified soil contamination supervision shall fulfill the following obligations:

(1) strictly controlling the discharge of toxic and hazardous substances and reporting the discharge information to the competent department for ecology and environment on an annual basis;

(2) establishing a system of the identification and control of potential soil and groundwater pollution hazards, and ensuring the continuous and effective prevention of leakage, loss, and dispersion of toxic and hazardous substances;

(3) developing and implementing self-monitoring plans and submitting monitoring data to the competent department for ecology and environment; and

(4) submitting information on underground tanks storing toxic and hazardous substances to the competent department for ecology and environment.

The obligations prescribed in the preceding paragraph shall be recorded in pollutant discharge permits.

The competent departments for ecology and environment shall conduct a timely investigation upon discovery of abnormal monitoring data from entities subject to intensified soil contamination supervision. The competent departments for ecology and environment of local people's governments at or above the level of a city divided

into districts shall regularly monitor the soil and groundwater surrounding entities subject to intensified soil contamination supervision.

Article 415 Enterprises, public institutions, and other producers and business operators dismantling facilities, equipment, buildings, or structures shall take corresponding soil contamination prevention and control measures.

To dismantle facilities, equipment, buildings or structures, an entity subject to intensified soil contamination supervision shall prepare a soil contamination prevention and control plan that includes contingency measures and implement the plan after filing it with the competent department for ecology and environment and the competent department for industry and information technology of the local people's government for the record.

Article 416 The competent departments for ecology and environment and the competent departments for natural resources shall, within the scope of their respective duties, strengthen the supervision and administration of the prevention and control of soil contamination in mineral resource exploitation regions in accordance with law, and strictly control the discharge of key pollutants that may cause soil contamination in accordance with the requirements of relevant standards and total discharge control.

Entities operating and managing tailings storage facilities shall strengthen the safety management of the storage facilities in accordance with regulations and take effective measures to prevent soil contamination. Entities operating and managing dangerous, hazardous, defective, or other tailings storage facilities subject to intensified supervision shall monitor soil contamination conditions and conduct regular assessments in accordance with regulations.

Article 417 The emergency management departments of local people's governments shall supervise entities operating or managing tailings storage facilities in fulfilling their legal obligations to prevent and control soil contamination, so as to prevent accidents that may result in soil contamination. The competent departments for ecology and environment of local people's governments shall strengthen supervision, inspection, and regular assessment of soil contamination prevention and control at tailings storage facilities and, upon identifying any potential risks, shall promptly urge the entities operating or managing tailings storage facilities to take corresponding measures.

Article 418 The state encourages the adoption of new technologies and materials in construction projects relating to information systems, communications networks, lightning protection, grounding systems, among others in the fields of construction, communications, electric power, transportation, and water conservancy, so as to prevent soil contamination.

It is prohibited to apply any resistance-reducing product with excessive heavy metal content to soil.

Article 419 In the construction and operation of centralized wastewater treatment facilities or solid waste disposal facilities, effective measures shall be taken in accordance with the requirements of laws, regulations, and relevant standards to prevent soil contamination.

The competent departments for ecology and environment of local people's governments shall regularly monitor the soil in areas around centralized wastewater

treatment facilities and solid waste disposal facilities; where such facilities fail to comply with the requirements of laws, regulations, or relevant standards, the competent departments shall, based on the monitoring results, require the entities operating such facilities to take corresponding remedial measures.

Article 420 The competent department for agriculture and rural affairs and the competent department for forestry and grassland under the State Council shall, within the scope of their respective duties, formulate plans and improve related standards and measures to strengthen the guidance on and control over the total use of pesticides and chemical fertilizers on agricultural land, and strengthen the control over the total use of agricultural films.

The competent department for agriculture and rural affairs under the State Council shall strengthen the registration of pesticides and fertilizers and organize safety assessments of the impact of pesticides and fertilizers on the soil environment.

In the development of standards for pesticides, veterinary drugs, feed and feed additives, fertilizers, agricultural films, other agricultural inputs and their packaging, and the standards for the quality of water used for irrigation, the requirements for the prevention and control of soil contamination shall be complied with.

Article 421 The competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, within the scope of their respective duties, carry out publicity and technical training on the prevention and control of soil contamination on agricultural land, support specialized agricultural production services, guide agricultural producers and business operators in using pesticides, veterinary drugs, feed and feed additives, fertilizers, agricultural films, and other agricultural inputs in a scientific, rational, and safe manner, and control the use of pesticides, veterinary drugs, chemical fertilizers, and other such substances.

The competent departments for agriculture and rural affairs of local people's governments shall encourage agricultural producers and business operators to adopt farming measures conducive to the prevention of soil contamination, such as integrating crop farming with livestock and poultry breeding, crop rotation, and fallowing; support the adoption of soil improvement, soil fertility enhancement, and other measures conducive to soil conservation and cultivation; and support the construction of facilities for the treatment and utilization of livestock and poultry manure and feces.

Article 422 It is prohibited to discharge into farmland, forestland, grassland, or other agricultural land wastewater or sludge containing heavy metals or other toxic and hazardous substances in excess of applicable limits, or dredged sediments, tailings, slag, or other materials that may cause soil contamination.

The relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, strengthen the supervision and administration of the collection, storage, utilization, and disposal of livestock and poultry manure and feces, biogas residues, biogas slurry, and other such substances, to prevent soil contamination.

The competent departments for ecology and environment of local people's governments shall, in conjunction with the competent departments for agriculture and

rural affairs and the competent departments for water administration, strengthen the administration of the quality of water used for farmland irrigation, and conduct monitoring and inspection thereof.

Article 423 The state encourages and supports agricultural producers and business operators to take the following measures:

(1) using high-efficacy, low-toxicity, and low-residue pesticides and advanced pesticide application technologies;

(2) using organic fertilizers and high-efficacy fertilizers that conform to standards;

(3) adopting soil testing-based formula fertilization technologies, biological control, and other green technologies for the prevention and control of plant diseases and pests;

(4) using biodegradable agricultural films;

(5) comprehensively utilizing straw and removing straw that has accumulated high concentrations of pollutants from farmland; and

(6) improving degraded soils and taking other such measures as required.

Article 424 It is prohibited to produce, sell, or use agricultural inputs explicitly prohibited by the state.

Producers, sellers, and users of agricultural inputs shall recover in a timely manner the packaging waste of pesticides, fertilizers, and other agricultural inputs, as well as agricultural films, and hand over pesticide packaging waste to specialized institutions or organizations for environmentally sound treatment. The specific measures shall be formulated by the competent department for agriculture and rural affairs under the State Council in conjunction with the competent department for ecology and environment and other relevant departments under the State Council.

The state takes effective measures to encourage the research, development, production, sale, and use of agricultural films that are biodegradable and harmless to the ecosystem and environment, and to encourage and support entities and individuals in the collection and recycling of packaging waste from agricultural inputs and agricultural films.

Article 425 The state strengthens the protection of uncontaminated soil.

Local people's governments at all levels shall give priority to the protection of unpolluted arable land, forestland, grassland, and drinking water source areas.

Unused land shall be protected from pollution and damage.

Article 426 Local people's governments and their relevant departments shall, in accordance with law, strengthen supervision and inspection and handle the illegal discharge of toxic and hazardous substances into deserts, tidal flats, saline-alkali land, marshlands, and other unused land.

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

Article 428 Topsoil stripped in development and construction activities shall be collected and stored separately, and topsoil meeting the prescribed conditions shall be

given priority for use in land reclamation, soil improvement, and greening, among other purposes.

It is prohibited to use industrial solid waste, domestic waste, or contaminated soil containing heavy metals or other toxic and hazardous substances in excess of the prescribed limits for land reclamation.

Article 429 Where soil needs to be imported for scientific research or other special purposes, state regulations on entry-exit inspection and quarantine shall be complied with.

Chapter XVIII
Soil Contamination Risk Control and Remediation

Section 1
General Requirements

Article 430 Soil contamination risk control and remediation shall include soil contamination investigation, risk assessment, risk control, remediation of the land, the follow-up evaluation of risk control performance and remediation performance, and *ex post* management, and other such activities.

Article 431 A soil contamination investigation report shall be prepared when a soil contamination investigation is conducted.

A soil contamination investigation report shall primarily include basic information on the land parcel under investigation and state whether the concentrations of pollutants exceed the soil contamination risk control standards. If they do, the report shall also include the types and sources of pollution, whether the groundwater is polluted, and other such information.

Article 432 A soil contamination risk assessment report shall be prepared for soil contamination risk assessment activities.

A soil contamination risk assessment report shall primarily include:

(1) information on major pollutants;

(2) the scope of soil and groundwater pollution;

(3) quality and safety risks to agricultural products, public health risks, or ecological and environmental risks; and

(4) the targets of and basic requirements for risk control and remediation, and other such matters.

Article 433 Risk control and remediation activities shall be conducted in light of local conditions and in a scientific and reasonable manner so as to enhance their relevance and effectiveness.

Risk control and remediation activities shall not cause additional pollution to soil and the surrounding environment.

Article 434 Before carrying out risk control or remediation activities, the relevant departments of local people's governments have the authority to require the parties liable for soil contamination or land use right holders to take measures such as removing pollution sources and preventing the spread of pollution in light of the actual circumstances.

Article 435 Wastewater, off-gas, and solid waste generated from risk control or remediation activities shall be treated and disposed of in accordance with regulations and shall meet the relevant ecological and environmental protection standards.

Solid waste generated during risk control or remediation activities, and facilities, equipment, buildings, and structures removed or dismantled during such activities that constitute hazardous waste shall be disposed of in accordance with laws, regulations, and relevant standards.

During remediation activities, a bulletin board shall be set up to disclose to the public relevant information and ecological and environmental protection measures.

Article 436 A remediation entity transporting contaminated soil shall formulate a transfer plan and report in advance to the competent departments for ecology and environment at the place of origin and the place of destination the time, means, and route of transport, as well as the quantity, destination, and final disposal measures of the contaminated soil, and other such information.

Where contaminated soil being transferred constitutes hazardous waste, the remediation entity shall dispose of it in accordance with laws, regulations, and relevant standards.

Article 437 A performance evaluation report shall be prepared for performance evaluation activities relating to risk control and remediation.

A performance evaluation report shall primarily include whether the objectives for risk control and remediation identified in the soil contamination risk assessment report have been achieved, and other such matters.

If *ex post* management is necessary after the completion of risk control or remediation, the party responsible for the soil contamination shall carry out such management as required.

Article 438 An entity engaging in soil contamination investigation, risk assessment, risk control, remediation of the land, the follow-up evaluation of risk control performance, remediation performance, and *ex post* management, and other such activities shall have the corresponding professional competence.

An entity entrusted with the activities provided for in the preceding paragraph shall be responsible for the authenticity, accuracy, and completeness of the investigation reports, risk assessment reports, risk control performance evaluation reports, and remediation performance evaluation reports, and shall, as agreed, be responsible for the results of risk control, remediation, *ex post* management, and other such activities.

Article 439 A party liable for soil contamination shall have the obligation to carry out soil contamination risk control and remediation. Where the party liable for soil contamination cannot be identified, the land use right holder shall carry out soil contamination risk control and remediation.

Local people's governments and their relevant departments may, based on the actual circumstances, organize and conduct soil contamination risk control and remediation.

The state encourages and supports relevant parties to voluntarily carry out soil contamination risk control and remediation.

Article 440 The expenses incurred in implementing or organizing soil

contamination investigation, risk assessment, risk control, remediation of the land, the follow-up evaluation of risk control performance and remediation performance, and *ex post* management, and other such activities shall be borne by the party liable for soil contamination.

Article 441 Where there is a change in the party liable for soil contamination, the entity or individual that succeeds to the rights and obligations thereof after the change shall perform the relevant obligations regarding soil contamination risk control and remediation and bear the related expenses.

Article 442 Where there is ambiguity or dispute as to the party liable for soil contamination, the competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, in conjunction with the competent departments for ecology and environment and the competent departments for natural resources, determine the liable parties in the case of agricultural land, while the competent departments for ecology and environment of local people's governments shall, in conjunction with the competent departments for natural resources, determine the liable parties in the case of construction land. The specific measures for such determination shall be formulated by the competent department for ecology and environment under the State Council in conjunction with other relevant departments.

Article 443 Where an emergency that may cause soil contamination occurs, the local people's governments and their relevant departments, relevant enterprises, public institutions, and other producers and business operators shall immediately take contingency measures to prevent soil contamination, and shall, in accordance with this Code, carry out monitoring and investigation of soil contamination, soil contamination risk assessment, risk control, remediation, and other such work.

Section 2
Soil Contamination Risk Control and Remediation on Agricultural Land

Article 444 The state establishes and improves a category-based administration system for agricultural land. Based on the severity of soil contamination and relevant standards, agricultural land shall be categorized into priority protection land, land safe for use, and land under strict control.

Article 445 Local people's governments at or above the county level shall, in accordance with law, designate eligible arable land under priority protection as permanent basic farmland and place it under strict protection.

In zones of concentrated permanent basic farmland, the construction of projects that may cause soil contamination is prohibited; those that have already been completed shall be dismantled or closed within a prescribed time limit.

Article 446 Where unused land, reclaimed land, or other such land is to be cultivated into arable land, the competent department for agriculture and rural affairs of the local people's government shall, in conjunction with the competent department for ecology and environment and the competent department for natural resources, conduct a soil contamination investigation and implement category-based administration in accordance with law.

Article 447 For agricultural land parcels presenting a risk of soil contamination as indicated by general surveys, detailed surveys, monitoring, or on-site inspections, the competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, in conjunction with the competent departments for ecology and environment and the competent departments for natural resources, conduct soil contamination investigations.

For an agricultural land parcel where a soil contamination investigation indicates that the concentrations of pollutants exceed the limits prescribed in the soil contamination risk control standards, the competent department for agriculture and rural affairs and the competent department for forestry and grassland of the local people's government shall, in conjunction with the competent department for ecology and environment and the competent department for natural resources, organize a soil contamination risk assessment and administer the land parcel in accordance with the category-based administration system for agricultural land.

Article 448 For agricultural land parcels falling into the safe-for-use category, the competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, within the scope of their respective duties, formulate and implement safe utilization plans based on such factors as the varieties of major crops and planting practices.

A safe utilization plan shall include:

(1) agronomic regulation and alternative farming;

(2) regular and coordinated monitoring and assessment of soil and agricultural products;

(3) technical guidance and training for farmers, specialized farmers' cooperatives, and other agricultural producers and business operators; and

(4) other risk control measures.

Article 449 For agricultural land parcels falling into the strict control category, the competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments shall, within the scope of their respective duties, take the following risk control measures:

(1) putting forward proposals for the delineation of areas where the production of specific agricultural products is prohibited, and submitting such proposals to the people's government at the same level for approval before implementation;

(2) conducting coordinated monitoring and assessment of soil and agricultural products in accordance with regulations;

(3) providing technical guidance and training to farmers, specialized farmers' cooperatives, and other agricultural producers and business operators; and

(4) taking other risk control measures.

The people's governments at all levels and their relevant departments shall encourage the adoption of risk control measures for agricultural land falling into the strict control category, such as adjusting planting structures, converting farmland back to forest or grassland, converting farmland back to wetlands, crop rotation and fallowing, and pasture rotation and fallowing, and shall provide corresponding policy support.

Article 450 Where the soil contamination in agricultural land parcels falling into the safe-for-use category or strict control category affects or may affect the safety of groundwater or drinking water sources, the competent departments for ecology and environment of local people's governments shall, in conjunction with the departments of agriculture and rural affairs, forestry and grassland, and other relevant departments, formulate pollution prevention and control plans and take corresponding measures.

Article 451 For agricultural land parcels falling into the safe-for-use category or the strict control category, the parties liable for soil contamination shall, in accordance with state regulations and the requirements of the soil contamination risk assessment report, take corresponding risk control measures and make regular reports to the competent departments for agriculture and rural affairs and the competent departments for forestry and grassland of local people's governments.

Article 452 For agricultural land parcels where the concentrations of pollutants in agricultural produce exceed the prescribed limits and remediation is therefore required, the parties liable for soil contamination shall prepare a remediation plan and implement the plan after reporting it to the competent department for agriculture and rural affairs and the competent department for forestry and grassland of the local people's government for the record. The remediation plan shall include measures for the prevention and control of groundwater pollution.

In remediation activities, priority shall be given to bioremediation measures that do not affect agricultural production or reduce soil productivity, so as to block or reduce the entry of pollutants into the edible parts of crops and ensure the quality and safety of agricultural products.

Upon the completion of risk control or remediation activities, the party liable for soil contamination shall separately entrust a relevant entity to assess the performance of the risk control or remediation, and file the performance evaluation report with the competent department for agriculture and rural affairs and the competent department for forestry and grassland of the local people's government for the record.

Rural collective economic organizations and their members, specialized farmers' cooperatives, and other agricultural producers and business operators shall have the obligation to assist in soil contamination risk control and remediation.

Section 3
Soil Contamination Risk Control and Remediation on Construction Land

Article 453 The state implements a catalog system for construction land subject to soil contamination risk control and remediation.

The catalog of construction land subject to soil contamination risk control and remediation shall be formulated by the competent departments for ecology and environment of the people's governments at the provincial level in conjunction with the departments of natural resources and other relevant departments, disclosed to the public in accordance with regulations, and updated in due course in light of the progress of risk control and remediation.

Article 454 For construction land parcels presenting a risk of soil contamination as indicated by general surveys, detailed surveys, monitoring, or on-site inspections,

the competent department for ecology and environment of the local people's government shall require the land use right holder to conduct a soil contamination investigation in accordance with regulations.

Where the use of a construction land parcel is changed to residential, public administration, or public service use, a soil contamination investigation shall be conducted in accordance with regulations before such change. The soil contamination investigation shall be completed before the deadline prescribed by the province, autonomous region, or city directly under the central government.

Reports on soil contamination investigation as prescribed in the preceding two paragraphs shall be submitted to the competent department for ecology and environment of the local people's government and be subject to review organized by the competent department for ecology and environment in conjunction with the competent department for natural resources of the local people's government.

Article 455 For a construction land parcel where the review of the soil contamination investigation report indicates that the concentrations of pollutants exceed the soil contamination risk control limits, the party liable for soil contamination or the land use right holder shall conduct a soil contamination risk assessment as prescribed by the competent department for ecology and environment under the State Council and submit the soil contamination risk assessment report to the competent department for ecology and environment of the people's government at the provincial level.

Article 456 The competent departments for ecology and environment of the people's governments at the provincial level shall, in conjunction with the department of natural resources and other relevant departments, organize the review of soil contamination risk assessment reports as prescribed by the competent department for ecology and environment under the State Council, include land parcels requiring risk control and remediation in the catalog of construction land subject to soil contamination risk control and remediation in a timely manner, and regularly report the relevant information to the competent department for ecology and environment and the competent department for natural resources under the State Council.

Land parcels included in the catalog of construction land subject to soil contamination risk control and remediation shall not be used for residential, public administration, or public service purposes. The specific management measures shall be formulated by provinces, autonomous regions, and cities directly under the central government.

Article 457 For a land parcel included in the catalog of construction land subject to soil contamination risk control and remediation, the party liable for soil contamination shall, in accordance with state regulations and the requirements of the soil contamination risk assessment report, take corresponding risk control measures and make regular reports to the competent department for ecology and environment of the local people's government. The risk control measures shall include measures for the prevention and control of groundwater pollution.

Article 458 For a land parcel included in the catalog of construction land subject to soil contamination risk control and remediation, the competent department for ecology and environment of the local people's government may, based on the actual

circumstances, take the following risk control measures:

(1) putting forward proposals for the delineation of isolation zones, and submitting such proposals to the people's government at the same level for approval before implementation;

(2) monitoring the pollution of soil and groundwater; and

(3) taking other risk control measures.

Article 459 For a land parcel requiring remediation in the catalog of construction land subject to soil contamination risk control and remediation, the party liable for soil contamination shall prepare a remediation plan in light of territorial space plans and implement the plan after filing it with the competent department for ecology and environment of the local people's government for the record. The remediation plan shall include measures for the prevention and control of groundwater pollution.

Article 460 Upon the completion of risk control or remediation, the party liable for soil contamination shall separately entrust a relevant entity to assess the performance of the risk control or remediation and file the performance evaluation report with the competent department for ecology and environment of the local people's government for the record.

Article 461 For a construction land parcel that has achieved the risk control or remediation objectives identified in the soil contamination risk assessment report, the party liable for soil contamination or the land use right holder may apply to the competent department for ecology and environment of the people's government at the provincial level to remove the parcel from the catalog of construction land subject to soil contamination risk control and remediation.

The competent departments for ecology and environment of the people's governments at the provincial level shall, in conjunction with the departments of natural resources and other relevant departments, organize the review of risk control performance evaluation reports and remediation performance evaluation reports, remove in a timely manner from the catalog of construction land subject to soil contamination risk control and remediation those land parcels that have achieved the risk control or remediation objectives identified in the soil contamination risk assessment reports and can be safely utilized, disclose the relevant information to the public in accordance with regulations, and regularly report the relevant information to the competent department for ecology and environment and the competent department for natural resources under the State Council.

On a parcel of land designated for construction use that does not meet the risk control and remediation objectives set out in the soil contamination risk assessment report, or on which any of the following procedures has not been performed as required, including the soil contamination investigation, risk assessment, risk control, remediation of the land, or the follow-up evaluation of risk control performance or remediation performance, it is prohibited to commence any project unrelated to soil contamination risk control or remediation of this land parcel. Any project unrelated to risk control or remediation that has already commenced on the land parcel shall immediately cease construction.

Article 462 Where the use of a land parcel for production or business operation by an entity under intensified soil contamination supervision is to be changed, or

where the land use right is to be recovered or transferred, the land use right holder shall conduct a soil contamination investigation in accordance with regulations. The soil contamination investigation report shall be submitted to the registration authority for immovable property of the local people's government as part of the registration materials for immovable property and to the competent department for ecology and environment of the local people's government for the record. If the land use right holder fails to submit the soil contamination investigation report, the registration authority for immovable property of the local people's government shall require it to submit the report.

Article 463 Where the land use right of a land parcel has been recovered by the local people's government, and the party liable for soil contamination is the former land use right holder, the local people's government shall organize the implementation of soil contamination risk control and remediation for that land parcel.

Part Six
Prevention and Control of Pollution by Solid Waste

Chapter XIX
General Rules

Article 464 This Part is applicable to the prevention and control of pollution by solid waste.

Article 465 For the purposes of this Code, "solid waste" refers to objects and substances in solid or semi-solid form, or in gaseous form contained in vessels, generated in the course of production, daily life, or other activities, which have lost their original use value, or which, although not having lost their use value, are discarded or abandoned, as well as other objects and substances subject to solid waste administration in accordance with laws and administrative regulations, except for objects or substances that, after environmentally sound management, meet mandatory national product quality standards and pose no risk to public health or ecological security, or that are determined not to constitute solid waste in accordance with solid waste identification standards and procedures.

Article 466 In the prevention and control of pollution by solid waste, the principles of reduction, recycling, and environmentally sound management shall be adhered to, and whole-process control over the generation, collection, storage, transportation, recycling, and disposal of solid waste shall be strengthened.

Article 467 The state takes effective measures to strengthen the comprehensive management of solid waste and advance the source reduction and full utilization of solid waste as resources in urban and rural areas to minimize the amount of solid waste disposed of in landfills.

All entities and individuals shall take effective measures to reduce the amount of solid waste generated, promote the comprehensive utilization of solid waste, and reduce the harmfulness of solid waste.

Article 468 Entities and individuals generating, collecting, storing, transporting, utilizing, or disposing of solid waste shall take effective measures to prevent or reduce

pollution by solid waste and shall bear legal liability for any pollution caused thereby.

"Storage of solid waste" refers to activities involving the temporary placement of solid waste in specific facilities or premises.

"Recycling of solid waste" refers to activities involving the direct use of solid waste as a substitute for raw materials or fuel, or the extraction of substances from solid waste for use as raw materials or fuel.

"Disposal of solid waste" refers to activities involving the incineration of solid waste or the use of other methods that alter the physical, chemical, or biological properties of solid waste so as to reduce the quantity or volume of solid waste generated, or reduce or eliminate its hazardous components, or activities involving the final disposal of solid waste in landfills that meet the requirements of ecological and environmental protection.

Article 469 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of solid waste pollution prevention and control nationwide. The competent departments for ecology and environment of local people's governments shall exercise unified supervision and administration of solid waste pollution prevention and control within their respective administrative areas.

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

Article 470 Provinces, autonomous regions, and cities directly under the central government may establish, through consultation, cross-administrative-region mechanisms for the joint prevention and control of pollution by solid waste to coordinate planning formulation, facility development, solid waste transfers, and other related work.

Article 471 Local people's governments at or above the level of a city divided into districts shall formulate plans for the prevention and control of pollution by solid waste, coordinate the planning and construction of facilities and premises for the transfer and centralized disposal of solid waste, and promote the prevention and control of pollution by solid waste.

Article 472 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, formulate, on the basis of national standards for ecological and environmental quality and in light of national economic and technical conditions, standards and procedures for the identification of solid waste, technical standards for pollution prevention and control, and standards for controlling the content of toxic and hazardous substances in industrial solid waste.

Article 473 Standards for the comprehensive utilization of solid waste shall specify limits for toxic and hazardous substances contained in products derived from such utilization.

In the comprehensive utilization of solid waste, the provisions of ecological and

environmental laws and regulations shall be complied with, and standards for the comprehensive utilization of solid waste and technical standards for pollution prevention and control shall be met. The use of products derived from the comprehensive utilization of solid waste shall conform to the purposes and standards prescribed by the state.

Article 474 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, establish a national information platform for the prevention and control of pollution by hazardous waste and other solid waste, and advance whole-process monitoring and information-based traceability covering the generation, collection, storage, transfer, utilization, and disposal of solid waste.

Article 475 Entities and other producers and business operators that generate, collect, store, transport, utilize, or dispose of solid waste shall take measures to prevent the dispersion, loss, or leakage of solid waste, and other measures to prevent environmental pollution, and shall not dump, stockpile, discard, scatter, spill, or incinerate solid waste without approval.

Article 476 Where solid waste is to be transferred out of the administrative area of a province, autonomous region, or city directly under the central government for storage or disposal, an application shall be submitted to the competent department for ecology and environment of the people's government at the provincial level in the place from which the solid waste is to be transferred. Such department shall promptly consult with the competent department for ecology and environment of the people's government at the provincial level in the place where the solid waste is to be accepted and, upon obtaining its consent, approve the transfer of such solid waste out of the administrative area of the province, autonomous region, or city directly under the central government within the prescribed time limit. No transfer shall be carried out without approval.

Where solid waste is to be transferred out of the administrative area of a province, autonomous region, or city directly under the central government for utilization, relevant information shall be submitted in advance through the solid waste pollution prevention and control information platform or other such platforms to the competent departments for ecology and environment of the people's governments at the provincial level in the place from which the solid waste is to be transferred and in the place where the solid waste is to be accepted.

Article 477 It is prohibited to dump, stockpile, or dispose of solid waste from outside the territory of the People's Republic of China within the territory of the People's Republic of China.

Article 478 The state adopts a zero-import policy for solid waste, the implementation of which shall be organized by the competent department for ecology and environment under the State Council in conjunction with the departments of commerce, development and reform, customs, and other relevant departments under the State Council.

Article 479 Where the customs suspect that imported goods constitute solid waste, they may entrust a specialized institution to identify the nature of the goods

and, based on the identification conclusion, manage them in accordance with law.

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

Article 481 It is prohibited to construct facilities or premises for the centralized storage, utilization, or disposal of industrial solid waste, construction waste, or hazardous waste, or domestic waste landfills, in ecological conservation redline areas, zones of concentrated permanent basic farmland, and other areas requiring special protection.

Article 482 The people's governments at all levels and their relevant departments shall, when formulating territorial space plans and related plans, make overall arrangements for the construction needs of facilities and premises for the transfer and centralized disposal of domestic waste, construction waste, hazardous waste, and other solid waste, and guarantee land for such facilities and premises.

Article 483 The people's governments at all levels shall strengthen the prevention and control of pollution by solid waste and allocate necessary funds for the following matters:

(1) scientific research and technological development for the prevention and control of pollution by solid waste;

(2) classification of domestic waste;

(3) construction of facilities for the storage, utilization, and centralized disposal of solid waste;

(4) emergency disposal of medical waste and other hazardous waste generated during outbreaks of major infectious diseases or other emergencies; and

(5) other matters related to the prevention and control of pollution by solid waste as prescribed by the people's governments at all levels.

Article 484 Entities engaged in the collection, storage, transportation, utilization, or disposal of hazardous waste shall purchase compulsory environmental pollution liability insurance in accordance with regulations. The specific implementation measures for the compulsory environmental pollution liability insurance system shall be formulated by the financial regulatory authority under the State Council in conjunction with the competent department for ecology and environment under the State Council.

Article 485 The competent departments for ecology and environment of the people's governments at the level of a city divided into districts shall, in conjunction with the departments of housing and urban-rural development, agriculture and rural affairs, health, and other relevant departments, regularly disclose to the public information on the types, quantities generated, disposal capacity, and utilization and disposal of solid waste, among other information.

Entities that generate, collect, store, transport, utilize, or dispose of solid waste shall disclose to the public information on the prevention and control of pollution by solid waste in a timely manner and accept public oversight in accordance with law.

Entities that utilize or dispose of solid waste shall open their facilities and

premises to the public in accordance with law to enhance public awareness of and participation in ecological and environmental protection.

Article 486 This Part is not applicable to the prevention and control of marine pollution by solid waste or radioactive pollution by solid waste.

This Part is applicable to the prevention and control of pollution by liquid waste, but does not apply to the prevention and control of pollution by wastewater discharged into water bodies.

Chapter XX
Prevention and Control of Pollution by Industrial Solid Waste

Article 487 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of development and reform, industry and information technology, and other relevant departments under the State Council, define the extent of the harm and impact of industrial solid waste on public health and the ecosystem and environment, develop technical policies for the prevention and control of pollution by industrial solid waste, and organize the promotion of advanced production processes and equipment for the prevention and control of pollution by industrial solid waste.

For the purposes of this Code, "industrial solid waste" refers to solid waste generated from industrial production.

Article 488 The competent department for industry and information technology under the State Council shall, in conjunction with other relevant departments, organize the research, development, and promotion of the production processes and equipment that reduce the generation and harmfulness of industrial solid waste, and formulate and publish a catalog of outdated production processes and equipment that generate industrial solid waste causing serious environmental pollution and are to be phased out within a prescribed time limit.

Producers, importers, sellers, and users shall cease producing, importing, selling, or using equipment included in the catalog specified in the preceding paragraph within the time limit prescribed by the competent department for industry and information technology under the State Council in conjunction with other relevant departments. Adopters of the processes listed in the catalog specified in the preceding paragraph shall cease adopting such processes within the time limit prescribed by the competent department for industry and information technology under the State Council in conjunction with other relevant departments.

Equipment included in the catalog of equipment to be phased out within a prescribed time limit and phased out accordingly shall not be transferred to others for use.

Article 489 Entities that generate industrial solid waste shall establish and improve a responsibility system for the prevention and control of pollution covering the whole process of generation, collection, storage, transport, utilization, and disposal of industrial solid waste, maintain industrial solid waste management registers, truthfully record the types, quantities, destinations, storage, utilization, and disposal of the industrial solid waste generated, ensure that information on industrial solid waste

is traceable and searchable, and take measures to prevent and control pollution by industrial solid waste.

It is prohibited to dispose of industrial solid waste into domestic waste collection facilities.

Article 490 Where an entity that generates industrial solid waste entrusts others with the transportation, utilization, or disposal of industrial solid waste, it shall verify the qualifications and technical competence of the entrusted party, sign a written contract in accordance with law, and specify in the contract the requirements for pollution prevention and control.

The entrusted entity shall transport, utilize, or dispose of industrial solid waste in compliance with the pollution prevention and control requirements prescribed by laws and regulations and stipulated in the contract, and inform the entity that generates industrial solid waste of the transportation, utilization, or disposal thereof.

Article 491 The pollutant discharge permit of an entity that generates industrial solid waste and is subject to pollutant discharge permit management shall include information on the requirements for the storage, utilization, and disposal of industrial solid waste, among others.

Article 492 An entity that generates industrial solid waste shall provide the competent department for ecology and environment of the place where it is located with information on the types, quantities, destinations, storage, utilization, and disposal of such waste, as well as specific measures for reducing the generation of industrial solid waste and promoting its comprehensive utilization.

Article 493 An entity that generates, stores, utilizes, or disposes of industrial solid waste shall, in accordance with state regulations, conduct testing and monitoring of industrial solid waste and take necessary measures in accordance with the requirements for classified management to prevent pollution by industrial solid waste.

Article 494 An entity that generates industrial solid waste shall utilize such waste in light of economic and technical conditions; and for industrial solid waste that is temporarily not utilized or cannot be utilized, it shall, as prescribed by the department of ecology and environment and other relevant departments under the State Council, build storage facilities and premises for its safe and classified storage or take environmentally sound management measures. Protective measures in conformity with national ecological and environmental protection standards shall be taken for the storage of industrial solid waste.

Facilities and premises for the storage and disposal of industrial solid waste shall conform to national ecological and environmental protection standards.

Article 495 Where an entity that generates industrial solid waste is terminated, it shall, prior to the termination, take measures for pollution prevention and control with respect to facilities and premises for the storage or disposal of industrial solid waste, and shall properly dispose of any industrial solid waste that has not yet been disposed of so as to prevent environmental pollution.

Where there is a change in the entity that generates industrial solid waste, the successor entity shall, pursuant to state regulations on ecological and environmental protection, safely dispose of any industrial solid waste that has not yet been disposed of, as well as the facilities and premises for the storage and disposal of such waste, or

take effective measures to ensure the safe operation of such facilities and premises. Where the parties concerned have, prior to the change, agreed otherwise with respect to their responsibilities for the prevention and control of pollution by industrial solid waste and the facilities and premises for the storage and disposal of such waste, such agreement shall prevail; however, such agreement shall not exempt the parties concerned from their obligations regarding the prevention and control of pollution.

Article 496 An entity engaged in the exploration and mining of mineral resources shall adopt methods and technologies for exploration and mining that are conducive to ecological and environmental protection and the prevention of pollution by solid waste, so as to reduce the generation and storage of tailings, coal gangue, waste rock, and other mining solid waste.

After a facility for storing tailings, coal gangue, waste rock, or other mining solid waste ceases to be used, the mining enterprise shall close the facility in accordance with state regulations on ecological and environmental protection and other relevant regulations to prevent environmental pollution and ecological damage.

Article 497 A classified and graded management system shall be implemented for the prevention and control of pollution from tailings storage facilities.

Entities operating or managing tailings storage facilities shall establish a system to screen for and remediate environmental pollution hazards, and conduct regular screening for environmental pollution hazards to prevent environmental pollution.

Article 498 The state encourages the adoption of advanced processes and technologies for the comprehensive utilization of mining solid waste such as tailings, coal gangue, and waste rock.

Chapter XXI
Prevention and Control of Pollution by Domestic Waste

Article 499 The state implements a domestic waste classification system.

The principles of government guidance, public participation, urban-rural coordination, adaptation to local conditions, simplicity, and practicality shall be adhered to in the implementation of the domestic waste classification system.

For the purposes of this Code, “domestic waste” refers to solid waste generated in daily life or from activities serving daily life, as well as solid waste deemed to be domestic waste according to laws or administrative regulations.

Article 500 Local people’s governments at or above the county level shall accelerate the establishment and improvement of a domestic waste management system featuring classified disposal, classified collection, classified transportation, and classified treatment, so as to ensure the effective implementation of the domestic waste classification system.

Local people’s governments at or above the county level shall establish and improve a coordination mechanism for domestic waste classification, and strengthen and coordinate capacity building for domestic waste classification management.

The people’s governments at all levels and their relevant departments shall organize publicity and education on domestic waste classification, educate and guide the public to develop the habit of classifying domestic waste, and supervise and guide

domestic waste classification efforts.

Article 501 The relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, strengthen the administration of product production and circulation, avoid excessive packaging, promote the marketing of pre-washed vegetables, and reduce the amount of domestic waste generated.

Article 502 The people's governments at or above the county level shall coordinate the planning and construction of facilities and premises for the collection, transportation, and treatment of domestic waste in urban and rural areas, determine the locations of such facilities and premises, improve the comprehensive utilization and environmentally sound management of domestic waste, promote the development of the trade in domestic waste collection and treatment, and gradually establish and improve a social service system for the prevention and control of pollution by domestic waste.

Article 503 Local people's governments at various levels shall strengthen the prevention and control of pollution by domestic waste in rural areas, so as to protect and improve the rural living environment.

The state encourages the reduction of rural domestic waste at the source. Rural-urban fringe areas, densely populated rural areas, and other places where conditions permit shall establish an integrated urban-rural domestic waste management system; other rural areas shall actively explore domestic waste management models and, in light of local conditions, utilize or properly dispose of domestic waste nearby.

Article 504 The competent department for environmental sanitation of the people's governments at or above the level of a city divided into districts shall formulate standards for the construction and operation of facilities and premises for the removal, collection, storage, transportation, and treatment of domestic waste, publish a guidance catalog for domestic waste classification, and strengthen supervision and administration.

Article 505 The departments of environmental sanitation and other relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, organize the removal, collection, transportation, and treatment of domestic waste in urban and rural areas, and may, through public tender or other methods, select qualified entities to engage in the removal, collection, transportation, and treatment of domestic waste.

Article 506 Entities, households, and individuals that generate domestic waste shall, in accordance with law, fulfill their obligations to reduce waste at the source and sort domestic waste, and shall bear responsibility as the generators of such waste.

All entities and individuals shall, in accordance with law, place domestic waste by category at designated locations. Arbitrarily dumping, piling, tossing, scattering, spilling, or incinerating domestic waste is prohibited.

State organs, public institutions, and other entities shall play an exemplary and leading role in domestic waste classification.

Domestic waste that has been sorted and placed for disposal shall be collected, transported, and treated by category in accordance with regulations.

Article 507 Domestic waste in urban and rural areas shall be swept, collected, transported, and treated in compliance with state regulations on ecological and environmental protection and environmental sanitation administration, so as to prevent environmental pollution.

Harmful waste sorted from domestic waste and collected in a centralized way, if it belongs to hazardous waste, shall be managed in accordance with the regulations on hazardous waste.

Article 508 Entities engaged in the operation of public transport shall remove and collect domestic waste generated in the course of transport in a timely manner.

Article 509 Farmers' markets, wholesale markets of agricultural products, and other such markets shall strengthen environmental sanitation management, maintain environmental sanitation, and remove, separately collect, and properly treat the waste generated therein in a timely manner.

Article 510 Entities engaged in the development of new urban areas, the redevelopment of old urban areas, the development and construction of residential communities, and the construction of villages and towns, as well as entities engaged in the operation and management of public facilities and premises such as airports, docks, stations, parks, shopping malls, and stadiums, shall, in accordance with state regulations on environmental sanitation, construct supporting facilities for the collection of domestic waste.

Local people's governments at or above the county level shall make overall arrangements to ensure the effective integration of public facilities for the transfer and treatment of domestic waste with the collection facilities specified in the preceding paragraph, and strengthen the coordination of the domestic waste classification, collection and transportation system and the recyclable materials recovery system in planning, construction, operation, and other aspects.

Article 511 Substances recovered from domestic waste shall be used for the purposes and in accordance with the standards prescribed by the state, and shall not be used in the manufacture of products that may endanger human health.

Article 512 Facilities and premises for the treatment of domestic waste shall conform to the standards on ecological and environmental protection and environmental sanitation prescribed by the competent department for ecology and environment and the competent department for housing and urban-rural development under the State Council.

The state encourages neighboring areas to coordinate the construction of domestic waste treatment facilities, so as to promote the joint construction and sharing of such facilities across administrative areas.

It is prohibited to close, leave idle, or dismantle facilities or premises for the treatment of domestic waste without authorization. Where such closure, idling, or dismantling is necessary, it shall be approved by the competent department for environmental sanitation of the city divided into districts or county where the facilities are located, in consultation with the local competent department for ecology and environment, and measures shall be taken to prevent environmental pollution.

Article 513 Entities that treat domestic waste shall, in accordance with state regulations, install and use monitoring equipment to conduct real-time monitoring of

pollutant discharge and disclose pollutant discharge data to the public in real time. Such monitoring equipment shall be networked with the monitoring equipment of the competent department for ecology and environment of the locality where the entity is located.

Article 514 The competent departments for environmental sanitation of local people's governments at or above the county level shall be responsible for organizing the resource utilization and environmentally sound management of kitchen waste.

Entities and other producers and business operators that generate or collect kitchen waste shall hand over such waste to entities with the requisite qualifications for environmentally sound management.

Livestock and poultry farms are prohibited from feeding livestock or poultry with kitchen waste that has not undergone environmentally sound management.

Article 515 Local people's governments at or above the county level shall establish and improve a fee-charging system for the treatment of domestic waste in accordance with the principle that the generators of domestic waste shall bear the costs of its treatment.

In formulating fee-charging standards for the treatment of domestic waste, local people's governments at or above the county level shall take local conditions into account and, in light of the implementation of domestic waste classification, adopt differentiated management measures such as category-based pricing and quantity-based charges, and shall fully solicit public opinions. The fee-charging standards for the treatment of domestic waste shall be made public in a timely manner.

The domestic waste treatment fee shall be exclusively allocated for the collection, transport, and treatment of domestic waste, and shall not be misappropriated for other uses.

Chapter XXII
Prevention and Control of Pollution by Construction Waste, Agricultural Solid Waste, and Other Solid Waste

Article 516 Local people's governments at or above the county level shall strengthen the prevention and control of pollution by construction waste and establish and improve a system for the classified treatment of construction waste.

For the purposes of this Code, "construction waste" refers to soil waste, discarded materials, and other solid waste generated by developers and construction entities in the construction, reconstruction, expansion, or demolition of various buildings, structures, or pipeline networks, or by residents in the decoration or renovation of their houses.

Article 517 Construction projects shall adopt architectural designs, building and renovation materials, building components, and construction equipment that are conducive to ecological and environmental protection to reduce the generation of construction waste.

Construction and renovation materials shall meet national standards. It is prohibited to produce, sell, or use construction and renovation materials containing

toxic or hazardous substances in excess of the limits prescribed in national standards.

Article 518 The competent departments for environmental sanitation of local people's governments at or above the county level shall be responsible for the prevention and control of environmental pollution by construction waste; they shall establish and improve a whole-process management system for construction waste, implement the manifest management system in accordance with regulations, regulate the generation, collection, storage, transport, utilization, and disposal of construction waste, advance the comprehensive utilization of construction waste, and strengthen the construction of facilities and premises for the disposal of construction waste, so as to ensure the safe disposal of construction waste and prevent environmental pollution. The specific measures for the management of construction waste shall be formulated by the competent department for housing and urban-rural development under the State Council.

No entity or individual may dump, stockpile, discard, scatter, spill, or incinerate construction waste without approval.

Article 519 Developers shall, in accordance with regulations, include the costs of construction waste pollution prevention and control in the project cost, and specify in the construction contract the responsibilities of the construction entity for the prevention and control of pollution by construction waste.

Article 520 A construction entity shall prepare a construction waste management plan, implement pollution prevention and control measures, and submit the plan to the competent department for environmental sanitation of the local people's government at or above the county level for the record.

A construction entity shall remove the construction waste and other solid waste generated in the course of construction in a timely manner, and utilize or dispose of such waste as prescribed by the competent department for environmental sanitation.

Article 521 The competent departments for agriculture and rural affairs of the people's governments at or above the county level shall be responsible for guiding the establishment of agricultural solid waste recovery and utilization systems, encouraging and guiding relevant entities and other producers and business operators to collect, store, transport, utilize, and dispose of agricultural solid waste in accordance with law, and strengthening supervision and administration to prevent environmental pollution.

For the purposes of this Code, "agricultural solid waste" refers to solid waste generated in the course of agricultural production activities.

Article 522 Entities and other producers and business operators that generate agricultural solid waste shall take measures for its recovery and utilization and other measures to prevent environmental pollution.

Article 523 The disassembly and disposal of decommissioned wind turbine blades, decommissioned photovoltaic modules, and spent power batteries shall be carried out in a refined and environmentally sound manner in accordance with regulations, so as to strengthen pollution prevention and control.

Article 524 It is prohibited to hand over scrapped motor vehicles, ships, and other such products to enterprises or individuals that do not meet the prescribed conditions for recovery or dismantlement.

Article 525 The competent departments for urban drainage of people's

governments at or above the county level shall, in accordance with law, incorporate sludge treatment and disposal facilities into their urban drainage and sewage treatment planning, promote the synchronous construction of sludge treatment and disposal facilities and sewage treatment facilities, and encourage coordinated treatment and disposal. The sewage treatment charge collection standards and the scope of compensation for sewage treatment shall cover the costs of sludge treatment and disposal and the normal operating costs of sewage treatment facilities.

Article 526 It is prohibited to dump, stockpile, discard, scatter, spill, or incinerate sludge generated by municipal sewage treatment facilities or sludge that has been treated or disposed of without authorization.

Those engaged in dredging water bodies shall, in accordance with state regulations, treat the sediment generated during dredging to prevent environmental pollution.

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

Chapter XXIII
Prevention and Control of Pollution by Hazardous Waste

Article 528 For the purposes of this Code, “hazardous waste” refers to solid waste that is listed in the national catalog of hazardous waste, or that is identified as having hazardous characteristics in accordance with hazardous waste identification standards and methods as prescribed by the state.

Article 529 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, develop a national catalog of hazardous waste, and prescribe the unified hazardous waste identification standards, methods, procedures, and labels, as well as requirements for the administration of identification entities. The national catalog of hazardous waste shall be adjusted in a timely manner.

The competent department for ecology and environment under the State Council shall conduct scientific evaluations of the environmental risks of hazardous waste in light of its hazardous properties and the amount generated, implement classified and graded management, establish and improve a whole-process information-based regulatory system, and manage and share data and information on the transfer of hazardous waste through information technology.

Article 530 The people’s governments of provinces, autonomous regions, and cities directly under the central government shall organize relevant departments to formulate plans for the construction of facilities and premises for centralized disposal of hazardous waste, conduct scientific evaluations of the need for hazardous waste disposal, and reasonably arrange the distribution of centralized disposal facilities and premises, so as to ensure the proper disposal of hazardous waste within their respective administrative areas.

When formulating plans for the construction of facilities and premises for centralized disposal of hazardous waste, opinions shall be solicited from industry associations, enterprises, public institutions, experts, and the public, among others.

Neighboring provinces, autonomous regions, or cities directly under the central government may carry out regional cooperation to coordinate the construction of regional centralized disposal facilities and premises for hazardous waste.

Article 531 Hazardous waste identification marks shall be affixed to the containers and packages of hazardous waste as well as to the facilities and premises for the collection, storage, transport, utilization, or disposal of such waste in accordance with regulations.

Article 532 Entities generating hazardous waste shall work out a hazardous waste management plan in accordance with state regulations, establish hazardous waste management registers, truthfully record the relevant information, and report information such as the types, amounts generated, destinations, storage, utilization, and disposal of hazardous waste to the local competent departments for ecology and environment through the national hazardous waste information management system.

The hazardous waste management plans referred to in the preceding paragraph shall include measures for reducing the quantity of hazardous waste generated and mitigating its harm, as well as measures for the storage, utilization, and disposal of such waste. The plans shall be submitted to the competent departments for ecology and environment in the places where the entities generating hazardous waste are located for the record.

Entities generating hazardous waste that have obtained a pollutant discharge permit shall comply with the provisions governing the pollutant discharge permit management system.

Article 533 Entities generating hazardous waste shall store, utilize, and dispose of hazardous waste in accordance with state regulations and the requirements of ecological and environmental protection standards.

No entity or individual may dump, stockpile, discard, scatter, spill, or incinerate hazardous waste without authorization.

Article 534 Entities engaged in the collection, storage, utilization, or disposal of hazardous waste shall obtain permits in accordance with state regulations. The specific measures for the management of permits shall be formulated by the State Council.

It is prohibited to engage in business operations involving the collection, storage, utilization, or disposal of hazardous waste without a permit or otherwise not in compliance with the requirements of the permit.

It is prohibited to provide or entrust hazardous waste to an entity or individual without a permit for the collection, storage, utilization, or disposal of hazardous waste.

Article 535 Hazardous waste shall be collected and stored by category according to its characteristics. The mixed collection, storage, transport, or disposal of hazardous waste that is incompatible in nature and has not undergone safety treatment is prohibited.

Hazardous waste shall be stored under protective measures that conform to the national ecological and environmental protection standards. It is prohibited to store hazardous waste mixed with non-hazardous waste.

Entities engaged in the collection, storage, utilization, or disposal of hazardous waste shall not keep hazardous waste in storage for more than one year; where it is indeed necessary to extend the period of storage, the entities shall report the matter to and obtain approval from the competent departments for ecology and environment that issued the permits, except as otherwise stipulated by laws or administrative regulations.

Article 536 Where hazardous waste is transferred, the electronic or paper hazardous waste transfer manifests shall be completed and used in accordance with state regulations.

Where hazardous waste is to be transferred across provinces, autonomous regions, or cities directly under the central government, an application shall be submitted to the competent department for ecology and environment of the people's government at the provincial level in the place from which the hazardous waste is to be transferred. The said department shall, after promptly consulting with and obtaining the consent of the competent department for ecology and environment of the people's government at the provincial level in the place where the hazardous waste is to be accepted, approve such transfer within the prescribed time limit, and notify the competent departments for ecology and environment and for transport of the relevant people's governments at the provincial level of the approval. No such transfer shall be made without approval.

Hazardous waste transfer management shall be subject to whole-process control and shall be conducted in a more efficient manner. The specific measures shall be formulated by the competent department for ecology and environment under the State Council in conjunction with the competent department for transport and the department of public security under the State Council.

Article 537 Hazardous waste shall be transported with measures taken to prevent environmental pollution, and state regulations on the management of the transport of hazardous goods shall be complied with.

Hazardous waste and passengers shall not be carried on the same means of transport.

Article 538 Where premises, facilities, equipment, containers, packages, and other items used for the collection, storage, transport, utilization, or disposal of hazardous waste are to be used for other purposes, they shall be decontaminated in compliance with state regulations before they may be used.

Article 539 Entities that generate, collect, store, transport, utilize, or dispose of hazardous waste shall develop preventive measures and contingency plans for accidents in accordance with law, and submit those measures and plans to the local competent departments for ecology and environment and other departments responsible for the supervision and management of the prevention and control of environmental pollution by solid waste for the record; the competent departments for ecology and environment and other departments responsible for the supervision and management of the prevention and control of environmental pollution by solid waste shall conduct inspections within the scope of their respective duties.

Article 540 Entities that cause serious pollution by hazardous waste due to accidents or other emergencies shall immediately take effective measures to eliminate

or mitigate the pollution damage, promptly notify those that may be affected by the pollution, and report the matter to the local competent departments for ecology and environment and other relevant departments, and accept investigation and handling according to law.

Article 541 Where serious pollution by hazardous waste occurs and endangers the life or property of residents, or where there is evidence indicating that such pollution may occur, the competent department for ecology and environment and other departments responsible for the supervision and management of the prevention and control of environmental pollution by solid waste shall immediately report the matter to the people's government at the corresponding level and the relevant departments of the people's government at the next higher level, and the people's government shall take effective measures to prevent or mitigate the harm. The relevant people's government may, where necessary, order the suspension of operations that cause or may cause environmental pollution accidents.

Article 542 Prior to the decommissioning of key facilities and premises for centralized disposal of hazardous waste, the operating entities shall, in accordance with state regulations, take pollution prevention and control measures with respect to such facilities and premises. Decommissioning costs shall be accrued in advance, included in the investment estimate or production costs, and used exclusively for the decommissioning of such facilities and premises. The specific measures for the accrual and management thereof shall be formulated by the department of finance and the competent department for pricing under the State Council in conjunction with the competent department for ecology and environment under the State Council.

Article 543 Hazardous waste shall not be transferred in transit through the territory of the People's Republic of China.

Article 544 Medical waste shall be managed as hazardous waste in accordance with the national catalog of hazardous waste. Local people's governments at or above the county level shall strengthen capacity building for the centralized disposal of medical waste.

The departments of health, ecology and environment, and other relevant departments shall strengthen the supervision and administration of the collection, storage, transport, and disposal of medical waste within the scope of their respective duties to prevent harm to public health and environmental pollution.

Medical and healthcare institutions shall, in accordance with law, classify and collect medical waste generated by them and hand it over to entities engaged in centralized disposal of medical waste. Entities engaged in centralized disposal of medical waste shall collect, transport, and dispose of medical waste in a timely manner.

Medical and healthcare institutions and entities engaged in centralized disposal of medical waste shall take effective measures to prevent the loss, leakage, seepage, or spread of medical waste.

Article 545 In the event of an outbreak of a major infectious disease or other emergencies, the people's governments at or above the county level shall coordinate the collection, storage, transport, and disposal of medical waste and other hazardous waste, and ensure the availability of the necessary vehicles, premises, disposal

facilities, and protective supplies. The departments of health, ecology and environment, environmental sanitation, and transport, and other relevant departments shall collaborate with one another and perform their emergency response duties in accordance with law.

Part Seven
Prevention and Control of Noise Pollution

Chapter XXIV
General Rules

Article 546 This Part is applicable to the prevention and control of noise pollution.

Article 547 For the purposes of this Code, "noise pollution" refers to noise generated in industrial production, construction work, transportation, or daily activities, which exceeds the prescribed noise emission limits or which is emitted without legally required prevention and control measures, thereby interfering with the normal life, work, or study of others.

Article 548 The competent department for ecology and environment under the State Council shall be responsible for the unified supervision and administration of the prevention and control of noise pollution nationwide. The competent departments for ecology and environment of local people's governments shall be responsible for the unified supervision and administration of the prevention and control of noise pollution within their respective administrative areas.

The departments of housing and urban-rural development, public security, transport, railway regulation and administration, civil aviation, maritime safety, and other relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, exercise supervision and administration of the prevention and control of noise pollution caused by construction work, transportation, and daily activities.

Article 549 Primary-level people's organizations for self-governance shall assist local people's governments and their relevant departments in preventing and controlling noise pollution.

Article 550 Entities emitting noise and managers of public places shall establish a system of responsibility for the prevention and control of noise pollution and define the responsibilities of the persons in charge and other relevant personnel.

Article 551 When making territorial space plans and other relevant plans, the people's governments at all levels and their relevant departments shall fully consider the impact of noise generated by urban and rural regional development, redevelopment, and construction projects on the surrounding living environment, coordinate planning efforts, and make reasonable arrangements for land use and construction layout to prevent or reduce noise pollution.

Article 552 The people's government of a city divided into districts or a county where an area that fails to meet the national acoustic environment quality standards is located shall formulate an acoustic environment quality improvement plan and its

implementation plan in a timely manner, and take effective measures to improve the acoustic environment quality.

Article 553 Local people's governments at or above the county level shall, in accordance with the national acoustic environment quality standards and territorial space plans, and based on the current status of land use, designate zones within their administrative areas to which different acoustic environment quality standards apply, and designate areas in which buildings are used mainly as offices of government organs and organizations or mainly for residence, scientific research, medical and health services, cultural and educational activities, or social welfare services, among others, as the areas where noise-sensitive buildings are concentrated, and strengthen the prevention and control of noise pollution.

The boundaries of areas to which the acoustic environment quality standards apply and the boundaries of areas in which noise-sensitive buildings are concentrated shall be made public in a timely manner.

For the purposes of this Code, "noise-sensitive buildings" refer to buildings used mainly for residence, scientific research, medical and health services, cultural and educational activities, offices of government organs and organizations, social welfare services, and other purposes requiring a quiet environment.

Article 554 The competent department for ecology and environment under the State Council shall, in accordance with the national acoustic environment quality standards and based on the country's economic and technical conditions, develop the national environmental vibration control standards.

Activities generating vibration shall comply with the environmental vibration control standards and the requirements of relevant laws, regulations, and rules.

Article 555 The competent department for standardization under the State Council shall, in conjunction with the departments of development and reform, ecology and environment, industry and information technology, housing and urban-rural development, transport, railway regulation and administration, civil aviation, maritime safety, and other relevant departments under the State Council, specify noise limits in the technical specifications or quality standards for products that may cause noise pollution, such as industrial equipment, construction machinery, motor vehicles, locomotives and rolling stock, urban rail transit vehicles, civil aircraft, motor vessels, electric and electronic products, and building ancillary equipment, in accordance with the requirements for noise pollution prevention and control and in light of the country's economic and technical conditions.

The noise limits for products referred to in the preceding paragraph during operation shall be specified in the relevant technical documents. It is prohibited to produce, import, or sell products that do not comply with the noise limits.

The departments of market regulation and other relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, conduct supervision over and spot checks on the produced or sold products subject to noise limits and the noise emitted during the operation of special equipment such as elevators, and the competent departments for ecology and environment shall cooperate in such supervision and spot checks.

Article 556 The competent department for ecology and environment under the State Council shall, in conjunction with other relevant departments, organize acoustic environment quality monitoring and promote the automation of such monitoring. The competent departments for ecology and environment of local people's governments shall, in conjunction with other relevant departments, establish acoustic environment quality monitoring stations and points within their respective administrative areas in accordance with regulations, and organize acoustic environment quality monitoring within their respective administrative areas.

The departments of ecology and environment and other relevant departments of local people's governments shall, within the scope of their respective duties, strengthen the investigation and monitoring of noise emissions in key areas such as the surroundings of noise-sensitive buildings.

Article 557 In determining development layouts, appropriate noise buffer distances between buildings and traffic trunk lines and other major noise sources shall be reasonably designated, and corresponding planning and design requirements shall be proposed in accordance with national acoustic environment quality standards and relevant standards for the sound insulation design of civil buildings.

The traffic trunk lines mentioned in the preceding paragraph include railways, expressways, Class I highways, Class II highways, urban expressways, urban trunk roads, urban secondary trunk roads, urban rail transit lines, and high-grade inland waterways.

Article 558 Noise-sensitive buildings shall be constructed in compliance with the relevant standards for the sound insulation design of civil buildings. Those that fail to meet the standards shall not be accepted or delivered for use. When noise-sensitive buildings are constructed alongside traffic trunk lines, in the vicinity of industrial enterprises, and similar locations, a certain distance shall be maintained in accordance with regulations, and measures shall be taken to reduce vibration and noise.

Article 559 The state encourages and supports the research, development, promotion, and application of low-noise processes and equipment.

Article 560 The state encourages the establishment of quiet areas, such as quiet communities and quiet carriages, and joint efforts to maintain a harmonious and tranquil living environment.

Article 561 During special occasions such as the secondary school entrance examination and the national college entrance examination, local people's governments or the departments designated by them may impose restrictions on the times and areas of activities that are likely to generate noise, and shall announce such restrictions to the public in advance.

Article 562 Where the emission of noise causes serious pollution and the emitter fails to make rectification after being ordered to do so, the competent department for ecology and environment and other departments responsible for the supervision and administration of the prevention and control of noise pollution may, in accordance with law, seal up or seize the premises, facilities, equipment, tools, and other items from which noise is emitted.

Article 563 The prevention and control of noise hazards suffered by persons in

the course of their work-related production and business activities shall be governed by the relevant provisions of laws on the prevention and control of occupational diseases.

Chapter XXV
Prevention and Control of Industrial Noise Pollution

Article 564 For the purposes of this Code, "industrial noise" refers to sound generated in industrial production activities that disturbs the surrounding living environment.

Article 565 The choice of location for industrial enterprises shall meet the requirements of the territorial space plans and other relevant plans, and local people's governments at or above the county level shall optimize the layout of industrial enterprises in accordance with such plans to prevent industrial noise pollution.

Article 566 In areas where noise-sensitive buildings are concentrated, the construction of industrial enterprises that generate noise is prohibited, and effective measures to prevent industrial noise pollution shall be taken in the reconstruction or expansion of existing industrial enterprises.

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

Chapter XXVI
Prevention and Control of Construction Noise Pollution

Article 568 For the purposes of this Code, "construction noise" refers to sound generated during construction activities that disturbs the surrounding living environment.

Article 569 A developer shall include the cost of noise pollution prevention and control in the project cost in accordance with regulations, and specify the construction entity's responsibility for noise pollution prevention and control in the construction contract.

The construction entity shall formulate an implementation plan for the prevention and control of noise pollution in accordance with regulations, and take effective measures to reduce vibration and noise. The developer shall supervise the construction entity in carrying out the plan.

Article 570 Where construction operations are conducted in areas where noise-sensitive buildings are concentrated or where such operations may cause serious noise pollution, priority shall be given to the use of low-noise construction processes and equipment.

The competent department for industry and information technology under the State Council shall, in conjunction with the departments of ecology and environment, housing and urban-rural development, market regulation, and other relevant departments under the State Council, formulate, publish, and update in due course a guidance catalog of low-noise construction equipment.

Article 571 Where construction operations are conducted in areas where noise-sensitive buildings are concentrated or where such operations may cause serious noise pollution, the developer shall, in accordance with state regulations, install an automatic noise monitoring system, connect it to the supervisory and administrative departments through a network, and retain the original monitoring records.

Article 572 In areas where noise-sensitive buildings are concentrated, nighttime construction operations that generate noise are prohibited, except for construction operations for emergency response and repair, or operations that must be carried out continuously due to technological requirements or other special needs.

Where continuous construction operations are necessary due to special needs, a certificate shall be obtained from the competent department for housing and urban-rural development, the competent department for ecology and environment, or any other department designated by the local people's government, and the relevant information shall be displayed in a prominent position at the construction site or otherwise made known to nearby residents.

The "nighttime" mentioned in the first paragraph of this Article refers to the period between 10:00 p.m. and 6:00 a.m. of the following day. The people's governments at or above the level of a city divided into districts may otherwise prescribe the start and end times of nighttime within their respective administrative areas, provided that the nighttime period is eight hours in duration.

Chapter XXVII
Prevention and Control of Traffic Noise Pollution

Article 573 For the purposes of this Code, "traffic noise" refers to the sound emitted by vessels and vehicles in operation, such as motor vehicles, locomotives and rolling stock, urban rail transit vehicles, motor vessels, and aircraft that disturbs the surrounding living environment.

Article 574 When formulating territorial space plans, traffic and transport plans, or other relevant plans, the people's governments at all levels and their relevant departments shall take into consideration the impact of highways, urban roads, railways, urban rail transit lines, waterways, ports, civil airports and their flight paths on the surrounding acoustic environment.

In the route selection and design of new highways and railway lines, areas where noise-sensitive buildings are concentrated shall be avoided as much as possible.

The distance between the site selected for a new civil airport and areas where noise-sensitive buildings are concentrated shall meet the relevant standards.

Article 575 Technical specifications for transport infrastructure projects shall specify requirements for the prevention and control of noise pollution.

When constructing, reconstructing, or expanding expressways, urban overpasses, railways, urban rail transit lines, and other transport infrastructure that pass through areas where noise-sensitive buildings are concentrated, developers shall install noise barriers or take other measures to reduce vibration and noise on key sections that may cause noise pollution, in compliance with the relevant technical specifications and standards for transport infrastructure projects.

A developer that violates the provisions of the preceding paragraph shall be ordered by the department designated by the people's government at or above the county level to formulate and implement a noise pollution control plan.

Article 576 The mufflers and horns of motor vehicles shall meet the requirements of state regulations. It is prohibited to drive motor vehicles that have been modified without authorization by removing or damaging mufflers, installing additional exhaust pipes, or other similar means, thereby causing noise pollution through roaring, speeding, or other such conduct.

Users of audio equipment in motor vehicles shall control the volume to prevent noise pollution.

Motor vehicles shall be subject to proper repair and maintenance to ensure good performance and prevent noise pollution.

Article 577 Horns and other audible warning devices of motor vehicles, locomotives and rolling stock, urban rail transit vehicles, motor vessels, and other means of transport shall be used in accordance with regulations during operation.

The installation and use of sirens on motor vehicles such as police cars, fire engines, engineering rescue vehicles, and ambulances shall comply with the regulations of the department of public security and other relevant departments under the State Council. Such sirens shall not be used except for the purpose of performing emergency duties.

Article 578 The competent departments for ecology and environment of local people's governments may, in conjunction with public security organs, designate road sections and time periods in which the driving of motor vehicles or the use of horns and other audible warning devices is prohibited in light of the need to prevent and control noise pollution, and shall announce such designations to the public; and the traffic management departments of the public security organs shall set up corresponding signs and markings in accordance with law.

Article 579 When using loudspeakers to direct operations at places such as stations, railway yards, or ports, the volume shall be controlled to mitigate noise pollution.

Article 580 Highway maintenance and management entities and urban road maintenance and servicing entities shall strengthen the maintenance of highways and urban roads, and ensure the normal operation of vibration and noise reduction facilities.

Urban rail transit operators and railway transport enterprises shall strengthen the maintenance of urban rail transit lines and vehicles, and railway lines and locomotives and rolling stock, ensure the normal operation of facilities for vibration and noise reduction, conduct monitoring in accordance with state regulations, and retain the original monitoring records.

Article 581 The people's government of the place where a civil airport is located shall, based on the scope and extent of the impact of civil aircraft noise on the surrounding living environment as determined through ecological and environmental impact assessment and monitoring results, designate areas where the construction of noise-sensitive buildings is prohibited and areas where such construction is restricted, and exercise control over such areas.

No noise-sensitive buildings unrelated to aviation shall be constructed in areas where the construction of noise-sensitive buildings is prohibited.

Where the construction of a noise-sensitive building is indeed necessary within a restricted construction area, the developer shall design sound insulation for the building to meet the relevant standards for the sound insulation design of civil buildings.

Article 582 Civil aircraft shall comply with the applicable noise requirements prescribed in the airworthiness standards established by the competent civil aviation authority under the State Council.

Article 583 Civil airport operators shall be responsible for the management of aircraft noise generated by take-offs and landings at airports and shall, in conjunction with air transport enterprises, general aviation enterprises, air traffic management authorities, and other entities, take measures such as adopting low-noise flight procedures, optimizing runway use, controlling flight frequency and operating hours, restricting the operation of high-noise aircraft, and implementing sound insulation and noise reduction measures for surrounding noise-sensitive buildings, so as to prevent and mitigate noise pollution from civil aircraft.

Civil airport operators shall, in accordance with state regulations, monitor civil aircraft noise in the vicinity of airports, retain the original monitoring records, and regularly report the monitoring results to the competent departments for civil aviation and the competent departments for ecology and environment.

Article 584 Where severe noise pollution is caused by the operation of highways, urban roads, and urban rail transit, the people's governments at the level of a city divided into districts or at the county level shall organize relevant departments and other relevant entities to investigate and assess the noise pollution, determine responsibility therefor, and formulate a comprehensive noise pollution control plan.

Entities responsible for noise pollution shall take management or engineering measures in accordance with the comprehensive noise pollution control plan to mitigate noise pollution.

Article 585 Where severe noise pollution is caused by the operation of railways, railway transport enterprises and the people's governments at the level of a city divided into districts or at the county level shall investigate the noise pollution and formulate a comprehensive noise pollution control plan.

The railway transport enterprises, the relevant departments of the people's governments at the level of a city divided into districts or at the county level, and other relevant entities shall take effective measures in accordance with the comprehensive noise pollution control plan to reduce noise pollution.

Article 586 Where severe noise pollution is caused by the take-off and landing of civil aircraft, the people's government of the place where the civil airport is located shall organize relevant departments and other relevant entities to investigate the noise pollution and, taking into account economic, technical, and management measures, formulate a comprehensive noise pollution control plan.

The civil airport operators, local people's governments at various levels, and other relevant entities shall take effective measures in accordance with the comprehensive noise pollution control plan to reduce noise pollution.

Article 587 Opinions of relevant experts, the public, and other interested parties shall be solicited when formulating a comprehensive noise pollution control plan.

Chapter XXVIII
Prevention and Control of Community Noise Pollution

Article 588 For the purposes of this Code, "community noise" refers to sound generated by human activities, other than industrial noise, construction noise, and traffic noise, that disturbs the surrounding living environment.

Article 589 All members of society shall raise awareness of noise pollution prevention and control, consciously reduce community noise, and actively participate in noise pollution prevention and control activities, so as to foster a culture in which everyone shares responsibility for, participates in, and benefits from such efforts, and jointly maintain a harmonious and tranquil living environment.

Article 590 Operators or managers of cultural, entertainment, sports, catering, and other venues shall take effective measures to prevent or reduce noise pollution.

Article 591 Enterprises, public institutions, and other business operators and managers that use air conditioners, cooling towers, water pumps, fume purifiers, fans, generators, transformers, boilers, loading and unloading equipment, and other equipment and facilities that may generate community noise shall take measures such as optimizing the layout of facilities and emitting noise in a centralized way to prevent or reduce noise pollution.

Article 592 It is prohibited to use loudspeakers or other methods that continuously or repeatedly emit high levels of noise for advertising in commercial activities.

Business operators shall take effective measures to prevent pollution from other types of noise generated in business activities.

Article 593 It is prohibited to use loudspeakers in areas where noise-sensitive buildings are concentrated, except in emergencies and special circumstances prescribed by local people's governments.

Anyone who organizes or carries out entertainment, fitness, and other activities in public places such as streets, squares, and parks shall abide by the regulations issued by the managers of such public places on activity areas, time periods, volume limits, and other matters, and take effective measures to prevent noise pollution. It is prohibited to use audio equipment at an excessive volume in violation of such regulations.

Managers of public places shall reasonably prescribe the areas, time periods, and volume limits for activities such as entertainment and fitness, and may strengthen management by taking measures such as installing automatic noise monitoring and display facilities.

Article 594 Families and their members shall develop good habits that help reduce noise, make every effort to avoid generating noise that disturbs people nearby when using public transportation, keeping pets, or engaging in other daily activities, resolve noise disputes through mutual understanding and mutual accommodation, and work together to maintain a good acoustic environment.

When using household appliances, playing musical instruments, or engaging in other household activities, families and their members shall control the volume or take other effective measures to prevent noise pollution.

Article 595 Those who carry out the interior decoration of residential buildings, shops, office buildings, and other buildings that have been completed and delivered for use shall limit the working hours in accordance with regulations, and take effective measures to prevent or reduce noise pollution.

Article 596 Real estate developers and operators of newly built residential buildings shall disclose at the sales office any potential noise impacts affecting the residential units and the noise prevention and control measures that have been or will be taken, and shall incorporate such information into the sales contracts.

Real estate developers and operators of newly built residential buildings shall specify in the sales contracts the location of shared facilities and equipment and the sound insulation conditions of the buildings.

Article 597 Where elevators, water pumps, transformers, and other shared facilities and equipment are installed in residential areas, the developer shall ensure that they are reasonably located, take measures to reduce vibration and noise, and ensure compliance with the relevant standards for the sound insulation design of civil buildings.

In residential areas that have been completed and put into use, elevators, water pumps, transformers, and other shared facilities and equipment shall be maintained and managed by professional operating entities so as to ensure compliance with the relevant standards for the sound insulation design of civil buildings.

Article 598 Primary-level people's organizations for self-governance shall guide owners' committees, property service providers, and homeowners in establishing, through management covenants or other means, requirements for the prevention and control of noise pollution within the property management area, which shall be observed by all homeowners.

Article 599 With regard to acts causing disturbance to others through community noise in areas where noise-sensitive buildings are concentrated, primary-level people's organizations for self-governance, owners' committees, and property service providers shall promptly dissuade and mediate; where such efforts prove ineffective, a report or complaint may be made to the department responsible for the supervision and administration of the prevention and control of community noise pollution or any other department designated by the local people's government. The department receiving the report or complaint shall handle the matter in accordance with law.

Part Eight
Prevention and Control of Radioactive Pollution

Chapter XXIX
General Rules

Article 600 This Part is applicable to activities for the prevention and control of

radioactive pollution arising from the siting, construction, operation, and decommissioning of nuclear facilities, as well as from the development and utilization of nuclear technology, uranium (thorium) mining, and the development and utilization of associated radioactive minerals.

Article 601 For the purposes of this Code, "radioactive pollution" means the presence, as a result of human activities, of radioactive substances or radiation in excess of national standards in materials, within the human body, at sites, or on or within environmental media.

Article 602 The prevention and control of radioactive pollution shall adhere to the principles of strict management and safety first, in order to promote the development and peaceful utilization of nuclear energy and nuclear technology.

Article 603 Operators of nuclear facilities, entities utilizing nuclear technology, other producers and business operators, entities engaged in the development and utilization of uranium (thorium) and associated radioactive minerals, and entities specializing in the storage, treatment, and disposal of radioactive waste shall take effective measures to prevent and reduce radioactive pollution, and shall, in accordance with law, bear liability for any radioactive pollution caused thereby.

The production, storage, transportation, sale, use, and disposal of articles containing radioactive materials shall be conducted in accordance with state regulations to prevent environmental pollution.

Article 604 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of the prevention and control of radioactive pollution nationwide.

The competent department for health and other relevant departments under the State Council shall, in accordance with their respective duties, exercise supervision and administration of the prevention and control of radioactive pollution.

Article 605 The competent department for ecology and environment under the State Council shall, based on environmental safety requirements and the country's economic and technological conditions, formulate national standards for the prevention and control of radioactive pollution.

Article 606 Products containing radioactive substances and radiation emitting devices shall comply with the national standards for the prevention and control of radioactive pollution. Those that do not comply with such standards shall not leave the factory or be sold.

The use of slag containing associated radioactive minerals and stone materials containing naturally occurring radioactive substances shall conform to national standards governing radionuclide limits in building materials and other relevant standards.

Article 607 The competent department for ecology and environment under the State Council shall, in conjunction with relevant departments, organize the establishment of monitoring networks and carry out monitoring of radioactive pollution.

Article 608 Operators of nuclear facilities, entities utilizing nuclear technology,

other producers and business operators, entities engaged in the mining and utilization of uranium (thorium) and associated radioactive minerals, and entities specializing in the storage, treatment, and disposal of radioactive waste shall adopt safety and protective measures to prevent accidents that may cause radioactive pollution and avoid the resulting harm.

Operators of nuclear facilities, entities utilizing nuclear technology, other producers and business operators, entities engaged in the mining and utilization of uranium (thorium) and associated radioactive minerals, and entities specializing in the storage, treatment, and disposal of radioactive waste shall provide radiation safety education and training to their personnel and adopt effective safety and protective measures.

Article 609 Effective measures shall be adopted in the transportation of radioactive substances to prevent radioactive pollution. Specific measures shall be formulated by the State Council.

Article 610 Radioactive substances and radiation emitting devices shall be provided with conspicuous radiation symbols and Chinese-language warnings. Premises where radioactive substances and radiation emitting devices are produced, stored, sold, used, or disposed of, as well as means of transport for radioactive substances, shall be provided with conspicuous radiation signs.

Article 611 The state implements a qualification management system for professionals engaged in the prevention and control of radioactive pollution, and an accreditation system for institutions engaged in radioactive pollution monitoring.

Institutions engaged in radioactive pollution monitoring shall meet the following conditions and, upon passing examination by the competent department for ecology and environment under the State Council in accordance with law and obtaining qualification certificates, may conduct radioactive pollution monitoring within the scope as prescribed by their qualification certificates:

(1) possession of legal person status;

(2) availability of professional and technical personnel compatible with the monitoring activities undertaken;

(3) availability of workplaces, experimental conditions, facilities, and equipment that meet the requirements of relevant standards and specifications; and

(4) availability of a sound quality management system.

Article 612 The competent department for ecology and environment under the State Council, together with other relevant departments under the State Council, shall share information and maintain close coordination, and, within the scope of their respective duties, conduct supervision and inspection over the prevention and control of radioactive pollution arising from nuclear facilities, the utilization of nuclear technology, and the mining and utilization of uranium (thorium).

Departments for ecology and environment of local people's governments and other relevant departments shall likewise share information and maintain close coordination, and shall, within the scope of their respective duties, conduct supervision and inspection over the prevention and control of radioactive pollution arising from

the utilization of nuclear technology and from the mining and utilization of associated radioactive minerals within their respective administrative areas.

Article 613 The state establishes a system for the prevention and control of radioactive pollution that is adapted to the characteristics of controlled thermonuclear fusion and that promotes the application of nuclear fusion, and implements graded and classified management for the prevention and control of radioactive pollution arising from fusion fuels and fusion devices (facilities). The construction of fusion devices (facilities) and other relevant activities shall, in accordance with law, be subject to ecological and environmental impact assessment.

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

Chapter XXX
Prevention and Control of Radioactive Pollution from Nuclear Facilities

Article 615 Operators of nuclear facilities engaging in activities such as the siting, construction, operation, and decommissioning of nuclear facilities shall, in accordance with law, apply for a nuclear facility safety license.

For the purposes of this Code, “nuclear facilities” refer to nuclear power plants, nuclear cogeneration plants, nuclear steam and heat supply plants, and other nuclear power installations and devices; research reactors, experimental reactors, critical assemblies, and other reactors other than nuclear power plants; nuclear fuel cycle facilities, including facilities for the production, processing, storage, and reprocessing of nuclear fuel; and facilities for the storage, treatment, and disposal of radioactive waste generated by the foregoing facilities.

Article 616 Operators of nuclear facilities shall, in accordance with the rules of the competent department for ecology and environment under the State Council, undertake ecological and environmental impact assessment during the siting, construction, operation, and decommissioning of nuclear facilities.

Article 617 Imported nuclear facilities shall comply with the national standards for the prevention and control of radioactive pollution. In the absence of applicable national standards, the relevant standards designated by the competent department for ecology and environment under the State Council shall apply.

Article 618 The people’s governments of provinces, autonomous regions, and cities directly under the central government shall, in accordance with law, designate planning control zones around important nuclear facilities, including nuclear power plants. Within such planning control zones, the construction of facilities for the production or storage of flammable, explosive, or corrosive substances that may endanger the safety of nuclear facilities, as well as high occupancy buildings, is prohibited. Measures governing the designation and administration of planning control zones shall be formulated by the State Council.

Article 619 Operators of nuclear facilities shall monitor the types and concentrations of radionuclides in the surrounding environment of nuclear facilities, as well as the total quantity of radionuclides contained in effluent discharged therefrom, and shall periodically report the monitoring results to the competent department for ecology and environment under the State Council and to the competent departments for ecology and environment of the people's governments at the provincial level where such facilities are located.

The competent department for ecology and environment under the State Council shall conduct supervisory monitoring of important nuclear facilities, including nuclear power plants, and shall, as necessary, conduct monitoring of effluent from other nuclear facilities. The costs for the construction, operation, and maintenance of supervisory monitoring systems shall be included in the fiscal budget.

Article 620 The state establishes and improves a nuclear emergency response system.

The state establishes a national coordination committee for nuclear emergencies to organize and coordinate nationwide nuclear emergency management. Member entities of the committee, the people's governments of provinces, autonomous regions, and cities directly under the central government, and operators of nuclear facilities shall, in accordance with law, properly carry out nuclear emergency response work.

Article 621 Operators of nuclear facilities shall formulate decommissioning plans for nuclear facilities.

The costs of nuclear facility decommissioning and radioactive waste disposal shall be accrued in advance, included in the investment estimates or production costs, and earmarked for nuclear facility decommissioning and radioactive waste disposal. Measures governing the accrual and management of such costs shall be formulated by the department of finance and the competent department for pricing under the State Council, in conjunction with the competent department for ecology and environment, the competent department for the nuclear industry, and the competent department for energy under the State Council.

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

Article 622 The state strengthens the prevention and control of radioactive pollution arising from the utilization of nuclear technology. The competent department for ecology and environment under the State Council shall implement graded and classified management of radioisotopes and radiation emitting devices that may cause pollution.

For the purposes of this Code, "utilization of nuclear technology" means the use of radioisotopes and radiation emitting devices in fields such as healthcare, industry, agriculture, geological exploration, scientific research, and education.

Article 623 Entities and other producers and business operators engaged in the

production, sale, or use of radioisotopes and radiation emitting devices shall obtain licenses in accordance with the relevant regulations of the State Council on radiation protection for radioisotopes and radiation emitting devices. No such activities shall be undertaken without a license. The online sale of radioisotopes and radiation emitting devices is prohibited.

Entities and other producers and business operators that transfer, import, or export radioisotopes and radiation emitting devices, as well as entities and other producers and business operators using instruments containing radioisotopes, shall complete the relevant formalities in accordance with the aforesaid regulations.

Article 624 Entities and other producers and business operators engaged in the production, sale, or use of radioisotopes and radiation emitting devices shall, prior to applying for a license, obtain approval for an ecological and environmental impact report or ecological and environmental impact statement, or complete the filing procedures for an ecological and environmental impact registration form, in accordance with law.

The state establishes and improves a filing system for radioisotopes. Specific measures shall be formulated by the State Council.

Article 625 Radioisotopes shall be stored separately and shall not be stored together with flammable, explosive, or corrosive materials, among others. Effective safety protection measures for fire prevention, theft prevention, and radiation leakage prevention shall be adopted at storage sites, and designated personnel shall be assigned responsibility for custody. The storage, withdrawal, use, and return of radioisotopes shall be subject to registration and inspection so as to ensure consistency between records and stored items.

Article 626 Entities and other producers and business operators that produce or use radioisotopes and radiation emitting devices shall, in accordance with the regulations of the competent department for ecology and environment under the State Council, collect, package, and store the radioactive waste generated.

Entities and other producers and business operators that produce radioactive sources shall, in accordance with the regulations of the competent department for ecology and environment under the State Council, recover and reuse disused radioactive sources. Entities and other producers and business operators using radioactive sources shall, in accordance with the regulations of the competent department for ecology and environment under the State Council, return disused radioactive sources to the entities and other producers and business operators producing radioactive sources or deliver them to entities specializing in the storage, treatment, and disposal of radioactive waste.

Article 627 Premises with radioactive sources that pose a relatively high potential risk to human health and the ecosystem and environment, premises for the production of radioisotopes, and radiation emitting devices that, upon permanent cessation of operation, give rise to radioactive contamination shall be decommissioned in accordance with law. Specific measures governing the decommissioning shall be formulated by the State Council.

Article 628 Entities and other producers and business operators engaged in the production, storage, sale, or use of radioactive sources shall establish and improve safety and security systems, designate responsible personnel, implement a safety and security responsibility system, and formulate necessary emergency response measures. In the event of a loss or theft of radioactive sources, or a radioactive contamination accident, the relevant entities and individuals shall immediately take emergency measures and report the matter to the public security organ, the competent department for health, and the competent department for ecology and environment.

Upon receipt of such a report, the public security organ, the competent department for health, and the competent department for ecology and environment shall report to the people's government at the corresponding level and, within the scope of their respective duties, immediately organize the implementation of effective measures to prevent the spread of radioactive contamination and mitigate losses. The local people's government shall promptly inform the public of the relevant circumstances and shall duly organize the investigation and handling of the accident.

Chapter XXXII
Prevention and Control of Radioactive Pollution in the Mining and Utilization of Uranium (Thorium) and Associated Radioactive Minerals

Article 629 An entity engaged in the development, utilization, or closure of uranium (thorium) mines shall, prior to the commencement of construction or to applying for decommissioning approval, prepare an ecological and environmental impact report or an ecological and environmental impact statement, and submit it to the competent department for ecology and environment under the State Council for examination and approval.

An entity that develops and utilizes associated radioactive minerals shall, prior to the commencement of construction or decommissioning, prepare an ecological and environmental impact report or ecological and environmental impact statement, and submit it to the competent department for ecology and environment of the people's government at or above the provincial level for examination and approval.

For the purposes of this Code, "associated radioactive minerals" refer to non-uranium minerals, including rare earth ores and phosphate ores, that are included in the catalog for radiation environmental management of the development and utilization of associated radioactive minerals and that contain relatively high concentrations of naturally occurring radionuclides.

Article 630 The competent department for ecology and environment under the State Council shall, having regard to the potential harm posed to human health and the ecosystem and environment by radionuclides arising from the development or utilization of mineral resources, formulate a catalog for radiation environmental management in the mining and utilization of associated radioactive minerals. Such catalog shall prescribe the criteria and methods for determining inclusion in radiation environmental management, as well as the categories of minerals and industrial

activities subject thereto, and shall be adjusted in time.

Article 631 For an entity engaged in the mining and utilization of associated radioactive minerals that is subject to pollutant discharge permit management, the pollutant discharge permit issued to it shall specify the types, concentrations, and discharge quantities of radionuclides in discharged wastewater; the categories, physical characteristics, points of generation, and destination of associated radioactive solid waste; and information relating to the storage, utilization, and disposal of such waste by the entity itself, as well as the relevant facilities.

Article 632 Entities engaged in the mining and utilization of uranium (thorium) mines shall monitor effluent from such mines and the surrounding environment, and shall periodically report the monitoring results to the competent department for ecology and environment under the State Council and to the competent departments for ecology and environment of the people's governments at the provincial level where the entities are located.

Article 633 Facilities such as tailings storage facilities shall be built for storing and disposing of radioactive solid waste, including tailings resulting from the mining and utilization of uranium (thorium) and associated radioactive minerals. Such facilities shall comply with the requirements for the prevention and control of radioactive pollution.

Article 634 Entities that develop and utilize uranium (thorium) mines shall formulate decommissioning plans. The expenses for uranium mine decommissioning and post-closure stewardship shall be covered by the state fiscal budget.

Chapter XXXIII
Prevention and Control of Radioactive Waste Pollution

Article 635 Operators of nuclear facilities, entities utilizing nuclear technology, other producers and business operators, and entities engaged in the mining and utilization of uranium (thorium) and associated radioactive minerals shall rationally select and utilize raw materials, adopt advanced production processes and equipment, and minimize the generation of radioactive waste.

For the purposes of this Code, "radioactive waste" means waste containing radionuclides or contaminated by radionuclides, the concentration or specific activity of which exceeds the clearance levels prescribed by the state and which is not intended for further use. Specific measures governing clearance shall be formulated by the competent department for ecology and environment under the State Council.

Article 636 The emission of radioactive off-gases and the discharge of radioactive wastewater shall comply with the relevant regulations and standards of the state on the prevention and control of radioactive pollution.

Article 637 Entities generating radioactive off-gases or radioactive wastewater shall discharge such waste in accordance with the relevant regulations and standards of the state on the prevention and control of radioactive pollution. Such entities shall apply to the competent departments for ecology and environment responsible for

approving ecological and environmental impact reports or ecological and environmental impact statements for approved radionuclide discharge limits, and shall regularly report the discharge quantities measured.

Article 638 Entities generating radioactive wastewater shall, in accordance with the relevant regulations and standards of the state on the prevention and control of radioactive pollution, treat or store radioactive wastewater that is not permitted to be discharged. Where it is impossible for radioactive wastewater to meet the applicable state regulations and standards through purification or storage for decay, it shall be converted into stable and standardized radioactive solid waste suitable for disposal.

Entities generating radioactive wastewater shall adopt discharge methods prescribed by the competent department for ecology and environment under the State Council when discharging radioactive wastewater that complies with the relevant regulations and standards of the state on the prevention and control of radioactive pollution.

Radioactive wastewater shall not be discharged through seepage wells, seepage pits, natural fissures, karst caves, or by any other means prohibited by the state.

Article 639 Low- and intermediate-level radioactive solid waste shall, as prescribed by the state, be disposed of by means of near-surface disposal or disposal at intermediate depths.

High-level radioactive solid waste shall be subject to centralized deep geological disposal.

The disposal of radioactive solid waste in inland water bodies or at sea is prohibited.

Article 640 The competent department for the nuclear industry under the State Council shall, in conjunction with the competent department for ecology and environment under the State Council, and on the basis of ecological and environmental impact assessment and having regard to geological conditions and the requirements of radioactive solid waste disposal, organize the preparation of siting plans for radioactive solid waste disposal facilities. Such plans shall be submitted to the State Council for approval and implemented upon approval.

Relevant local people's governments shall, in accordance with the approved plans for the siting of radioactive solid waste disposal facilities, provide construction land for such facilities and adopt effective measures to support the disposal of radioactive solid waste.

Article 641 Entities that generate radioactive solid waste shall, in accordance with the regulations of the competent department for ecology and environment under the State Council, treat such waste and deliver it to radioactive waste disposal entities, and shall bear the disposal costs.

Measures governing the collection, management, and use of fees for the disposal of radioactive solid waste shall be formulated by the department of finance and the competent department for pricing under the State Council, in conjunction with the competent department for ecology and environment under the State Council.

Article 642 The establishment of an entity specializing in the storage, treatment,

or disposal of radioactive waste shall be subject to examination and approval by the competent department for ecology and environment under the State Council, and a permit shall be obtained. An entity that solely stores or treats radioactive waste generated by the entity itself is not required to obtain such a permit. Specific measures shall be formulated by the State Council.

Engaging in the storage, treatment, or disposal of radioactive waste without a permit or in violation of the requirements of a permit is prohibited.

The provision of radioactive waste to, or the entrustment thereof to, any entity or individual without a permit for its storage, treatment, or disposal is prohibited.

Article 643 The import into, or transfer in transit through, the territory of the People's Republic of China of any radioactive waste or radioactively contaminated articles in violation of the law is prohibited.

Part Nine
Risk Control of Chemical Pollution and the Prevention and Control of Electromagnetic and Light Pollution

Chapter XXXIV
Risk Control of Chemical Pollution

Article 644 The state strengthens risk control over chemical pollution. The production, import, storage, transportation, sale, use, and disposal of chemicals shall comply with state regulations so as to prevent environmental pollution and safeguard public health. Specific measures shall be formulated by the State Council.

Article 645 The state establishes a coordinated governance and environmental risk control system for persistent organic pollutants and other emerging contaminants. The competent department for ecology and environment under the State Council shall, in conjunction with relevant departments, analyze and assess the environmental risks posed by emerging contaminants, formulate and improve relevant standards, organize surveys and monitoring, and effectively mitigate the environmental risks posed by such contaminants.

Article 646 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of the risk control of chemical pollution nationwide. Relevant departments under the State Council, including those responsible for development and reform, industry and information technology, agriculture and rural affairs, commerce, health, customs, market regulation, disease prevention and control, and drug supervision and administration, shall, within the scope of their respective duties, exercise supervision and administration of the risk control of chemical pollution.

Local people's governments at or above the county level and their relevant departments shall strengthen the risk control of chemical pollution.

Article 647 The competent department for ecology and environment under the State Council shall, on a periodic basis and in light of the hazardous characteristics of

chemicals, organize investigations into chemical pollution information. Enterprises and public institutions engaged in the production, import, or sale of chemicals, or in the manufacture of products using such chemicals, shall, in accordance with relevant regulations, provide information required for such investigations, including the physicochemical properties, quantities, uses, hazardous characteristics, and discharges of such chemicals.

Article 648 Relevant departments under the State Council shall, within the scope of their respective duties and in accordance with relevant regulations, adopt effective measures to promote the substitution of toxic and hazardous chemicals.

Article 649 The competent department for ecology and environment under the State Council shall, in conjunction with relevant departments, organize environmental risk assessments of chemical pollution, formulate and publish a list of intensively controlled emerging contaminants, and adjust the list in a timely manner, specifying environmental risk control measures, including prohibitions and restrictions. The production or import of chemicals included in the list of intensively controlled emerging contaminants, and the manufacture of products using such chemicals, shall be undertaken in accordance with the aforementioned environmental risk control measures.

Article 650 The state implements an environmental management registration system for new chemicals.

Enterprises and public institutions producing or importing new chemicals shall apply to the competent department for ecology and environment under the State Council for environmental management registration before production or import.

Article 651 New chemicals shall not be produced or imported without an environmental management registration certificate for new chemicals, or in violation of the requirements of such certificate. No products shall be manufactured using new chemicals produced or imported by an enterprise or public institution without such a registration certificate.

Article 652 Matters relating to the prevention and control of chemical pollution not expressly provided for in this Chapter shall be governed by other relevant provisions of this Part.

Chapter XXXV
Prevention and Control of Electromagnetic Pollution

Article 653 For the purposes of this Code, “electromagnetic pollution” means non-ionizing radiation generated by human activities in excess of the limits in applicable national standards governing electromagnetic radiation emissions.

Article 654 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of the prevention and control of electromagnetic pollution nationwide. The competent departments for ecology and environment of local people’s governments shall exercise unified supervision and administration of such work within their respective administrative

areas.

Relevant departments of people's governments at or above the county level, including those responsible for industry and information technology, transport, health, radio and television, meteorology, and energy, shall, within the scope of their respective duties, exercise supervision and administration of the prevention and control of electromagnetic pollution.

Article 655 The people's governments at various levels and their relevant departments shall, in the formulation of territorial space plans and other relevant plans, give due consideration to the impact of electromagnetic radiation generated by electromagnetic radiation facilities on the surrounding environment, ensure coordinated planning, rationally arrange the land use and development layout, and prevent and mitigate electromagnetic pollution.

The competent departments for ecology and environment shall strengthen the investigation and monitoring of electromagnetic radiation emissions.

Article 656 Local people's governments at or above the county level shall, in accordance with national electromagnetic environmental quality standards, territorial space plans, and the land use status, delineate within their respective administrative areas the areas to which the various electromagnetic environmental quality standards apply. The scope of such areas shall be made public in a timely manner.

Article 657 The competent department for standardization under the State Council shall, in conjunction with the competent departments for ecology and environment, industry and information technology, transport, railway supervision and administration, civil aviation, maritime safety administration, radio and television, meteorology, energy, and medical products administration under the State Council, prescribe limits on electromagnetic radiation emissions in technical specifications or product quality standards for products that may give rise to electromagnetic pollution, including industrial equipment, radio transmitters, telecommunications equipment, motor vehicles, locomotives and rolling stock, urban rail transit vehicles, navigation equipment, motorized vessels, meteorological equipment, electrical and electronic equipment, and medical devices, in accordance with the requirements for the prevention and control of electromagnetic pollution as well as the country's economic and technological conditions.

The limits on electromagnetic radiation generated during the use of the products referred to in the preceding paragraph shall be specified in the relevant technical documents. The production, import, or sale of products that do not comply with such limits is prohibited.

The departments of market regulation and other relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, conduct spot checks on products subject to electromagnetic radiation limits.

Article 658 The state adopts a system of classified management for electromagnetic radiation facilities. Based on emission levels and their impact on the surrounding environment, such facilities shall be classified into Class I, Class II, and

Class III electromagnetic radiation facilities. Specific measures shall be formulated by the competent department for ecology and environment under the State Council in conjunction with relevant departments.

Article 659 Enterprises and public institutions operating electromagnetic radiation facilities shall optimize their layout, make rational arrangements for such facilities, and adopt effective measures to prevent and mitigate electromagnetic pollution.

Enterprises and public institutions operating electromagnetic radiation facilities shall, in accordance with state regulations, construct ancillary facilities for the prevention and control of electromagnetic pollution and ensure the normal operation of such facilities.

Article 660 Enterprises and public institutions operating Class I and Class II electromagnetic radiation facilities shall, in accordance with state regulations, adopt measures for the prevention and control of electromagnetic pollution, such as transmission power control, adjustment of transmission direction, emergency shutdown, shielding, grounding, and isolation; conduct self-monitoring; retain original monitoring records; and submit monitoring results periodically to the competent departments for ecology and environment.

Article 661 Enterprises and public institutions operating Class I electromagnetic radiation facilities shall, in accordance with state regulations, install warning signs and adopt measures for the prevention and control of electromagnetic pollution, including the installation of fences to prevent the public from approaching the facilities at close range. Newly constructed, reconstructed, or expanded Class I electromagnetic radiation facilities shall avoid densely populated areas.

Article 662 For an enterprise or public institution operating electromagnetic radiation facilities that is subject to pollutant discharge permit management, the pollutant discharge permit shall specify information such as the operating frequency, transmission power, field strength, and the cumulative effects of electromagnetic radiation.

Article 663 When mobile information transmitters are used, protective distances shall be scientifically and reasonably established in accordance with state regulations, and protective measures, including safety perimeters and warning signs, shall be adopted.

Article 664 Where multiple electromagnetic radiation facilities share common installations, the entity bearing responsibility therefor shall reasonably determine the number, location, and power of such facilities, and shall adopt effective measures to prevent electromagnetic pollution arising from cumulative effects.

Article 665 Where electromagnetic radiation facilities involving national security or significant public interests cause serious electromagnetic pollution, the local people's government at or above the county level shall organize relevant departments and other relevant entities to conduct investigations and assessments of the pollution and to determine liability. Taking into account economic, technical, and administrative measures, the said government shall formulate a comprehensive plan for the control of

electromagnetic pollution.

The entities responsible for electromagnetic pollution shall, in accordance with the requirements of the comprehensive electromagnetic pollution management plan, take effective measures to reduce the pollution.

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

Chapter XXXVI
Prevention and Control of Light Pollution

Article 667 For the purposes of this Code, "light pollution" refers to the phenomenon whereby excessive or improper use of artificial lighting, or the inappropriate alteration of natural daylight conditions, results in visual disturbance to people in the surrounding environment.

Article 668 The competent department for ecology and environment under the State Council shall exercise unified supervision and administration of the prevention and control of light pollution nationwide. The competent departments for ecology and environment of local people's governments shall exercise unified supervision and administration of such work within their respective administrative areas.

Relevant departments of the people's governments at or above the county level, including those responsible for housing and urban-rural development and transport, shall, within the scope of their respective duties, exercise supervision and administration of the prevention and control of light pollution.

Article 669 The people's governments at various levels and their relevant departments shall, in the formulation of territorial space plans and other relevant plans, give full consideration to the potential impact of light pollution arising from urban and rural development, redevelopment, and construction projects, ensure coordinated planning, rationally arrange the land use and development layout, and prevent and mitigate light pollution.

Article 670 The competent department for standardization under the State Council shall, in conjunction with the competent departments for housing and urban-rural development, ecology and environment, transport, and other relevant departments under the State Council, in accordance with the requirements for the prevention and control of light pollution as well as the country's economic and technological conditions, specify reasonable limits on light emissions in technical specifications or product quality standards applicable to lighting products, outdoor display products, traffic fill lights and glass and other materials in facade.

Article 671 Lighting facilities for advertising screens, billboards, light boxes, media facades, roads, sports venues, construction sites, among others shall be reasonably designed, installed, and used in accordance with state regulations, regularly maintained, and effective measures shall be adopted to prevent and mitigate

light pollution.

Article 672 Where glass or similar materials are used in the facade of buildings or structures, they shall comply with state regulations and be reasonably designed and constructed with appropriate materials so as to prevent and mitigate light pollution.

Article 673 Local people's governments at or above the county level shall, in light of actual conditions, implement zoned management for the prevention and control of light pollution, and strengthen the control of artificial lighting and natural daylight exposure in areas requiring special protection.

Book Three
Ecological Conservation

Chapter I
General Rules

Article 674 The provisions of Book Three apply to activities related to ecological conservation.

Article 675 The state takes into account the complexity of ecological and environmental factors, the integrity of ecosystems, the continuity of natural geographic units, and the sustainability of economic and social development; takes a holistic and systematic approach to conserving and improving the ecosystems of mountains, waters, forests, farmlands, grasslands, and deserts; enhances the diversity, stability, and sustainability of ecosystems; and safeguards ecological security.

Article 676 The state, based on the function positioning of main function zones, optimizes the spatial layout of ecological areas, advances the protection and development of national key ecological function zones and important ecological corridors, and reinforces ecological security shields.

Article 677 The state strengthens the protection of ecosystems such as forests, grasslands, wetlands, seas, islands, rivers, lakes, deserts, snow-capped mountains, glaciers, and arable land by prioritizing natural recovery while combining it with artificial restoration, advancing the implementation of major projects for the protection and restoration of important ecosystems, and fostering ecosystems that are healthy, stable, and fully functional, and thus enhances their ecosystem services.

Article 678 The state strengthens the conservation of natural resources, adheres to the conservation and efficient use of resources, coordinates resource conservation with development and utilization, formulates plans for the conservation and utilization of natural resources, and enhances the level of conservation and rational use of natural resources.

Article 679 The state implements a system of compensated use of all types of natural resources in accordance with law, improves the system of compensated use of natural resources that reflects market supply and demand and resource scarcity, and embodies ecological value and intergenerational compensation.

Article 680 The state establishes and improves a system of protected areas with national parks as the mainstay, implements unified designation, graded management,

and zoning-based control, and strengthens the systematic protection of important ecosystems, natural heritage sites, natural landscapes, and biodiversity, to meet the public's needs for a beautiful environment and sound ecosystems, and for high-quality ecological products and services.

The state gradually brings specific terrestrial and sea areas with the most important ecosystems, the most unique natural landscapes, the most valuable natural heritage, and the richest biodiversity under national park management, and implements strict protection.

Outside national parks, for areas where protected objects such as typical ecosystems, natural aggregation areas of rare and endangered wild animal and plant species, and natural heritage sites of special significance are located, a certain area shall be designated in accordance with law, where nature reserves shall be established for special protection.

Outside national parks and nature reserves, for areas where ecosystems, natural heritage sites, and natural landscapes with ecological, aesthetic, cultural, and scientific value are located, a certain area shall be designated in accordance with law, where natural parks shall be established for long-term protection and sustainable use.

Article 681 The state conducts overall planning and coordinated advancement of the ecological and environmental protection and restoration in important river basins such as the Yangtze River basin and the Yellow River basin and in key sea areas, and builds an integrated ecological and environmental governance system covering upstream and downstream reaches of important rivers.

The state strengthens the ecological and environmental protection in important regions such as the Qinghai-Xizang Plateau, conducts scientific research on plateau biological species and ecosystems in light of plateau characteristics, and enhances the supply capacity of ecological products and the ecosystem services.

Article 682 The state effectively protects important ecosystems, biological species, and biogenetic resources, protects traditional knowledge related to biodiversity, and maintains biodiversity.

Article 683 The state improves a system for the protection and utilization of germplasm resources, and carries out, in a planned way, the survey, collection, cataloging, identification, registration, preservation, exchange, and utilization of germplasm resources.

Article 684 Where China's biogenetic resources are provided overseas, or where cooperative research and utilization are conducted with overseas organizations or individuals, including entities established or actually controlled by them, the relevant approval shall be obtained in accordance with law, and a fair and reasonable plan for benefit-sharing with the state shall be submitted.

Article 685 The state strengthens biosecurity management and prevents invasion by alien species, by improving systems for risk monitoring and early warning, investigation and assessment, information disclosure, and emergency response, quarantining, in accordance with law, animals, plants, and their products entering the territory, and strengthening dynamic tracking and risk assessment of alien species that may be introduced into China.

Article 686 Departments of the people's governments at or above the county level

may, in accordance with their respective duties, and in light of actual needs, formulate plans for ecological conservation covering forests, grasslands, wetlands, seas, islands, rivers and lakes, deserts, land, mineral resources, water resources, fisheries, wild animals and their habitats, as well as plans for soil and water conservation, desertification prevention and control, and for ecological conservation in other fields.

Article 687 The departments under the State Council responsible for ecology and environment, natural resources, water administration, agriculture and rural affairs, forestry and grassland, and standardization, and other relevant departments shall, in accordance with their respective duties, establish and improve standards for ecosystem quality assessment and grading, the classification and grading of natural resources and their conservation and efficient use, the protection of biodiversity, soil and water conservation, and ecological restoration, among others.

Article 688 The state strengthens the surveys and assessment of the status of natural resources and ecological conditions, including land, mineral resources, forests, grasslands, wetlands, seas, islands, rivers and lakes, snow-capped mountains and glaciers, deserts, wildlife, and soil and water conservation, so as to provide a basis for safeguarding ecological security and the rational development and efficient use of territorial space and various types of natural resources.

The state establishes and improves a monitoring network for ecosystems, natural resources, biodiversity, hydrology, meteorology, soil and water conservation, and natural disasters, optimizes the layout of monitoring sites in key areas, and enhances automatic monitoring and early warning capabilities.

Information from surveys and assessments and monitoring shall be shared and disclosed in accordance with state regulations, so as to enhance the overall management of ecological conservation.

Article 689 The state implements systems for the maintenance, restoration, and crop rotation and fallowing of arable land, as well as for the rest and recuperation of forests, grasslands, wetlands, seas, and rivers and lakes.

The people's governments at or above the county level and their relevant departments shall, in accordance with law, designate periods and areas for restricted fishing and fishing bans in rivers, lakes, and seas, restrict the harvesting of public-interest forests, designate areas for grazing bans, pasture fallowing, and pasture rotation, implement the enclosure of sandified land for conservation, and may, in light of circumstances such as groundwater over-extraction, designate areas where the exploitation of groundwater is prohibited or restricted.

Article 690 The state establishes a strict system of prevention and control of soil erosion and the management and supervision of relevant work, and strengthens the comprehensive management and treatment of desertification, rocky desertification, and soil erosion.

Local people's governments at various levels shall take effective measures to protect and rationally use soil and water resources, carry out soil and water conservation, mitigate flood, drought, and sandstorm disasters, prevent desertification, rehabilitate sandified land, and protect and improve the ecosystems and environment within their respective administrative areas.

Article 691 The state, in accordance with the integrity and interconnectedness of

ecosystems and their inherent laws, establishes and improves a working mechanism that combines protection at the source with restoration and treatment throughout the entire process; conducts ecological restoration in a scientific manner following the principle of respecting natural laws and the principle of restoring forests and grasslands where it is suited and retaining deserts and barren lands as they naturally are; improves diversified investment mechanisms, encourages and supports the participation of non-government capital, and strengthens the monitoring, supervision, and assessment of performance of ecological restoration to consolidate the outcomes of ecological conservation and improvement.

Article 692 The state coordinates greening in urban and rural areas, carries out large-scale land greening initiatives in a scientific manner, and enhances greenery and improves the landscape in urban and rural areas. Greening in urban and rural areas shall be adapted to local conditions, with scientifically selected tree and grass species and strengthened monitoring and assessment, so as to meet the needs for health, safety, and livability.

Article 693 The state establishes a mechanism for the survey and monitoring of ecological products, and explores and determines, through unified registration of rights in natural resources, the attribution of rights and responsibilities for ecological products.

The state establishes a mechanism for the valuation of ecological products, improves methods for value accounting, and promotes the effective realization of the value of ecological products.

The state improves pathways for realizing the value of ecological products characterized by government leadership, participation by enterprises and all sectors of society, market-based operation, and sustainability, improves the mechanism for the operation and development of ecological products, and, under the premise of strict ecological and environmental protection, expands the channels for realizing the value of ecological products in light of local conditions.

Article 694 The state establishes and improves an ecological risk prevention and control system, and takes effective measures to enhance the capacity and level of ecological risk prevention and control.

The people's governments at or above the county level and their relevant departments shall, in accordance with their respective duties, carry out ecological disaster prevention, risk assessment, and the identification and management of potential hazards, and take necessary measures for disaster prevention, response, and post-disaster recovery to prevent and mitigate the impact of disasters.

Where an emergency has caused or may cause ecological damage, the relevant entities and individuals shall immediately take effective measures to eliminate or mitigate such harm, make a report and give a notice in a timely manner in accordance with law, and be subjected to investigation and handling.

Article 695 The state implements a system of natural resources inspection. The national natural resources inspection body shall, in accordance with authorization, conduct inspection of the people's governments of provinces, autonomous regions, cities directly under the central government, and cities designated by the State Council with respect to the protection, development, and utilization of natural resources, the

implementation of territorial space plans, and the enforcement of relevant laws and regulations.

Article 696 The state adheres to the principles of equality and mutual benefit and win-win cooperation, and supports international exchange and cooperation in areas such as biodiversity, wildlife, marine ecological conservation, deep-sea and polar expeditions, desertification prevention and control, and scientific and technological research on ecological conservation.

The state, in accordance with law, regulates activities in Antarctica and protects the ecosystem and environment of Antarctica.

Chapter II
Ecosystem Protection

Section 1
Forests

Article 697 The state adheres to the principles of putting ecological conservation and protection first, combining protection with nurturing, and advancing sustainable development, strengthens the protection of forest ecosystems and mountain areas that serve as important carriers of forests, and gives full play to the multiple functions of forests, including water conservation, soil retention, climate regulation, ecological and environmental improvement, maintenance of biodiversity, and the provision of forest products.

Article 698 The competent department for forestry and grassland under the State Council is responsible for forestry work nationwide.

The competent departments for forestry and grassland of local people's governments at or above the county level are responsible for forestry work within their respective administrative areas.

The people's governments at the township level may designate relevant bodies or appoint full-time or part-time personnel to undertake forestry-related work.

Article 699 The people's governments at or above the county level shall implement requirements for the development and protection of territorial space, reasonably plan the structure and layout for the protection and exploitation of forest ecosystems, increase forest coverage and forest stock, and enhance the quality and stability of forest ecosystems.

The competent departments for forestry and grassland of people's governments at or above the county level may, in light of actual needs, organize the formulation of sector-specific plans, such as the plans for the protection, restoration, and exploitation of forest ecosystems.

Article 700 Tree planting for afforestation and forest protection are obligations of citizens.

The state organizes and encourages tree planting and afforestation. The people's governments at all levels shall organize voluntary tree-planting activities for all citizens and mobilize all sectors and urban and rural residents to carry out afforestation and greening.

Article 701 The state strengthens the investigation and monitoring of forest ecosystems, and conducts investigation, monitoring, and assessment of the scale, quality, structure, functions, and ecological conditions of forest ecosystems.

Article 702 The state implements a system for the comprehensive protection of natural forests, strictly limits the harvesting of natural forests, strengthens capacity for the management and protection of natural forests, scientifically implements restoration measures, protects and restores natural forests, and gradually enhances the ecological functions of natural forests.

Article 703 The state adopts classified management of public-benefit forests and commercial forests, to give prominence to their respective dominant functions, give full play to their multi-functional values, and foster stable, healthy, high-quality, and efficient forest ecosystems.

Article 704 The state, in light of the needs of ecological conservation, designates as public-benefit forests the forest land and the forests thereon that are of ecological importance or are ecologically fragile, and that are maintained primarily for ecological benefits.

The state implements strict protection of public-benefit forests. The competent departments for forestry and grassland of people's governments at or above the county level shall, in a planned manner, organize operators of public-benefit forests to take measures such as stand improvement and forest tending with respect to low-quality and low-efficiency forests in public-benefit forests, such as sparse forests and degraded forests with low ecological functions, so as to enhance the quality and ecological functions of public-benefit forests.

Harvesting in public-benefit forests shall be limited to forest tending, regeneration, and harvesting for the improvement of low-quality and low-efficiency forests, unless otherwise provided by laws or administrative regulations.

Article 705 The state protects ancient and notable trees and prohibits the destruction of such trees and the ecosystems and environment in which they grow.

Article 706 The state, in accordance with law, establishes protected areas in typical forest ecological areas in different natural zones, forest areas where rare animals and plants grow and reproduce, natural tropical rainforest areas, and other natural forest areas with special conservation value, and strengthens the protection and management of these areas.

The people's governments at or above the county level shall take measures to strengthen the protection of wild animals and plants in forests.

Article 707 Local people's governments at various levels shall be responsible for forest fire prevention and control within their respective administrative areas and give full play to the role of public participation in fire prevention; the people's governments at or above the county level shall organize and lead the departments of emergency management, forestry and grassland, public security, and other relevant departments to work in close collaboration on the prevention, suppression, and handling of forest fires in an appropriate way. The national comprehensive fire and rescue teams shall undertake forest fire suppression tasks and related prevention work as prescribed by the state.

Article 708 The competent departments for forestry and grassland of people's governments at or above the county level shall be responsible for the monitoring, quarantine, and prevention and control of forest pests within their respective administrative areas.

The competent departments for forestry and grassland of people's governments at or above the provincial level shall be responsible for determining quarantine pests of forest plants and their products, and delineating infested areas and protected areas.

The prevention and control of major forest pest outbreaks shall be carried out under a system whereby local people's governments assume responsibility. In the event of a sudden, hazardous, or otherwise serious forest pest outbreak, the local people's government shall promptly organize the eradication.

Forestry operators shall, with the support and guidance of the government, carry out the prevention and control of forest pests within the scope of their operations and management.

Article 709 It is prohibited to destroy forests for land reclamation, quarrying, sand mining, soil excavation, and to engage in other activities that destroy trees and forests.

It is prohibited to collect firewood, destroy seedlings, or graze livestock in young forest areas.

It is prohibited to move or damage forest protection signs without approval.

Article 710 Local people's governments shall organize relevant departments to establish forest protection organizations to be responsible for forest protection; construct forest protection facilities as needed, and strengthen the protection of forest ecosystems; urge relevant organizations to conclude forest protection agreements, organize public participation in forest protection, designate forest protection responsibility areas, and appoint full-time or part-time forest rangers.

Article 711 The state enhances the functions of forest ecosystems, strengthens the capacity for the supply of ecological products, provides clean air and sound ecosystems and a beautiful environment for human life and production, and gives full play to ecological values such as recreation, scientific research, and education.

The development and utilization of forest resources shall not damage the habitats of forest wildlife or impair the functions of forest ecosystems.

Section 2
Grasslands

Article 712 The protection of grassland ecosystems shall adhere to the principles of well-conceived planning, overall protection, restoration of key areas, and rational utilization, give full play to the multiple functions of grasslands, including climate regulation, conservation of water sources, soil and water conservation, windbreak and sand fixation, and serving as habitats for wildlife, and promote the sound cycle of grassland ecosystems and the sustainable use of resources.

Article 713 The competent department for forestry and grassland under the State Council is responsible for the supervision and administration of the work on grasslands nationwide.

The competent departments for forestry and grassland of local people's governments at or above the county level are responsible for the supervision and administration of the work on grasslands within their respective administrative areas.

The people's governments at the township level shall strengthen supervision and inspection of the protection, restoration, and utilization of grasslands within their respective administrative areas, and may, as needed, appoint full-time or part-time personnel to be responsible for specific supervision and inspection work.

Article 714 The competent departments for forestry and grassland of people's governments at or above the county level may, in light of actual needs, in conjunction with relevant departments, organize the formulation of sector-specific plans for the protection, restoration, and utilization of grasslands.

Article 715 The state strengthens the survey of grassland ecosystems. The competent departments for forestry and grassland of people's governments at or above the county level shall, in conjunction with relevant departments, conduct surveys of the area, grade, forage yield, livestock carrying capacity, and ecosystem stability, among others, of grasslands.

The state establishes a monitoring and early warning system for grassland production and ecological conditions. The competent departments for forestry and grassland of people's governments at or above the county level shall, in conjunction with relevant departments, carry out continuous monitoring of the basic conditions of grasslands, including area, grade, vegetation composition, production capacity, ecological health status, natural disasters, and biological hazards, and shall provide continuous monitoring and early warning information services in a timely manner to the people's governments at the same level and relevant departments.

Article 716 The state implements a system for the protection of prime grassland, and, in accordance with law, designates as prime grassland those grasslands that play the most fundamental and important role in maintaining ecological security and ensuring the sound development of grassland animal husbandry, and implements strict protection and management to ensure that their area is not reduced, quality not degraded, and use not altered.

Article 717 The state strengthens the protection of grassland wildlife, and, in accordance with law, establishes grassland-type protected areas, enhances the integrity and connectivity of grassland ecosystems, strengthens the protection of habitats and migration corridors of wild animals, and the habitats of wild plants, ensures space for the survival and reproduction of wildlife, and protects grassland biodiversity.

Article 718 Local people's governments at various levels shall be responsible for grassland fire prevention and control within their respective administrative areas, and shall give full play to the public participation in fire prevention; the people's governments at or above the county level shall organize the departments of emergency management, forestry and grassland, public security, and other relevant departments to work in close collaboration on the prevention and suppression of grassland fires, and handling of relevant work in an appropriate way. The national comprehensive fire and rescue teams shall undertake grassland fire suppression tasks and related prevention tasks as prescribed by the state.

Local people's governments at or above the county level shall organize and

manage the scientific prevention and control of rodent infestations, pests and diseases, and noxious weeds in grasslands.

Article 719 The development and utilization of grasslands shall not damage the habitats of wildlife in grasslands, nor shall it impair the functions of grassland ecosystems.

The state implements a system of determining livestock carrying capacity based on grass availability and maintaining a balance between forage and livestock, so as to prevent overgrazing. The competent departments for forestry and grassland of local people's governments at or above the county level shall, in accordance with the standards for livestock carrying capacity formulated by the competent department for forestry and grassland under the State Council, and in light of local conditions and with due consideration for the reasonable needs of wildlife for survival and reproduction, regularly assess and determine the livestock carrying capacity.

The state imposes grazing bans and pasture fallowing on grasslands affected by severe degradation, desertification, salinization, or rocky desertification, as well as on grasslands in ecologically fragile areas, and provides subsidies or rewards to farmers and herders who implement these measures and maintain the balance between forage and livestock.

Article 720 Reclamation of grasslands is prohibited. Where grasslands that have been reclaimed suffer from severe soil erosion, show a tendency toward desertification, or require ecological improvement, they shall, in a planned and phased manner, be converted back to grasslands; where desertification, salinization, or rocky desertification has already occurred, rehabilitation shall be carried out within a prescribed time limit.

It is prohibited, except as otherwise provided by laws and administrative regulations, to dig up plants or engage in other activities that damage grassland vegetation on grasslands in deserts and semi-deserts, on grasslands affected by severe degradation, desertification, salinization, rocky desertification, or soil erosion, and on grasslands in ecologically fragile areas.

Article 721 The state protects, restores, and rationally utilizes grasslands, and on the basis of protecting grassland ecology, guides the conduct of activities such as ecotourism in grasslands, ecological education, and scientific research in an appropriate way, so as to give full play to the ecological value of grasslands.

Section 3
Wetlands

Article 722 The state adheres to the principles of prioritizing protection, exercising strict management, adopting systematic governance, carrying out scientific restoration, and ensuring rational utilization, improves the system for the protection of wetland ecosystems, gives full play to the multiple ecological functions of wetlands, including water conservation, climate regulation, ecological and environmental improvement, and maintenance of biodiversity, and achieves the unity of ecological, social, and economic benefits.

Article 723 The competent department for forestry and grassland under the State Council shall be responsible for the supervision and administration of wetland resources, the formulation of wetland protection plans and relevant national standards, and the supervision and administration of the development and utilization of wetlands, and wetland ecological conservation and restoration. Other relevant departments under the State Council, including those responsible for natural resources, water administration, housing and urban-rural development, ecology and environment, and agriculture and rural affairs, shall, within the scope of their respective duties, undertake work related to the protection, restoration, and management of wetlands.

The competent department for forestry and grassland under the State Council shall, together with the competent departments for natural resources, water administration, housing and urban-rural development, ecology and environment, and agriculture and rural affairs under the State Council, establish a mechanism for wetland protection coordination and information notification.

Local people's governments at or above the county level shall strengthen the coordination of wetland protection, be responsible for wetland protection within their respective administrative areas, and take measures to maintain the stability of the wetland area and improve the ecological functions of wetlands. The relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for work related to the protection, restoration, and management of wetlands.

Article 724 The competent department for forestry and grassland under the State Council shall, in conjunction with relevant departments, formulate the national wetland protection plan in accordance with law.

The competent departments for forestry and grassland of local people's governments at or above the county level may, together with relevant departments, formulate wetland protection plans for their respective administrative areas in light of actual needs.

Article 725 The competent department for natural resources under the State Council shall, in conjunction with the department of forestry and grassland and other relevant departments under the State Council, conduct surveys of the types, distribution, area, biodiversity, and the protection and utilization of wetlands nationwide, and establish a mechanism for disclosing and sharing information in a unified way.

The competent department for forestry and grassland under the State Council shall conduct continuous monitoring of nationally important wetlands in accordance with technical specifications for monitoring, and, on the basis of monitoring data, assess the ecological conditions of nationally important wetlands and, in accordance with relevant regulations, release early warning information.

Article 726 The state, based on the ecological importance, area, and role in maintaining ecological functions and biodiversity, classifies wetlands into important wetlands and general wetlands, and implements tiered management.

Article 727 The state implements a system for controlling the total area of wetlands, and incorporates total wetland area control targets into the wetland

protection target-based responsibility system.

Article 728 The state strictly controls the occupation of wetlands. Where it is necessary to occupy wetlands, the relevant formalities shall be completed in accordance with the Wetland Conservation Law of the People's Republic of China.

Where it is necessary to make temporary use of wetlands, the relevant formalities shall be completed in accordance with law, and no permanent structures shall be constructed. Upon expiration of the period of temporary use, the land-using entity or individual shall restore the wetland area and ecological conditions.

Except for the occupation of wetlands within river management areas and flood detention areas for flood control, navigation channels, ports, or other water-related projects, any entity that occupies important wetlands upon approval in accordance with law shall, in light of local natural conditions, restore or reestablish wetlands with an area and quality equivalent to those of the occupied wetlands; where restoration or reestablishment is not feasible, a wetland restoration fee shall be paid.

Article 729 Local people's governments and their relevant departments shall take measures to prevent and control adverse impact of human activities on wetlands and their biodiversity, strengthen the prevention and control of wetland pollution, mitigate wetland degradation caused by human and natural factors, and maintain the stability of wetland ecological functions. The people's governments at or above the county level shall give full consideration to the need to ensure the ecological functions of important wetlands, and optimize the industrial layout in the areas surrounding important wetlands.

Local people's governments shall provide corresponding guidance on utilization activities in provincial-level important wetlands and general wetlands, encourage entities and individuals to carry out activities such as ecotourism, eco-agriculture, eco-education, and nature-based learning that comply with wetland protection requirements, and appropriately control the scale of planting, breeding, and other wetland utilization activities.

Article 730 The following acts that damage wetlands and impair their ecological functions are prohibited:

(1) reclaiming (including reclaiming through diking) natural wetlands, draining natural wetlands, or permanently cutting off the water sources of natural wetlands;

(2) filling natural wetlands, or conducting sand extraction, mining, or soil extraction, without approval;

(3) discharging industrial wastewater or domestic sewage that fails to comply with water pollutant discharge standards, or other types of wastewater that pollutes wetlands, and dumping, piling, discarding, scattering, or spilling solid waste;

(4) overgrazing or excessive harvesting of wild plants, overfishing or destructive fishing practices, and activities in planting and breeding that pollute wetlands, such as excessive application of fertilizers, drugs, and feed; and

(5) other acts that damage wetlands and impair their ecological functions.

It is prohibited to cut down trees growing on wetlands without approval; where felling is necessary, a felling permit shall be obtained in accordance with law.

Article 731 In mangrove wetlands, it is prohibited to excavate ponds, to fell, dig

up, or transplant mangroves, to excessively collect mangrove seeds, or to introduce or plant species that harm the growth of mangroves. Where felling, digging up, transplantation, or collection is necessary for scientific research, medical purposes, or the protection of mangrove wetlands, the relevant formalities shall be completed in accordance with relevant laws and regulations.

It is prohibited to extract peat from peat swamp wetlands or groundwater without approval; it is prohibited to drain peat swamp wetlands, except where necessary for disaster prevention and mitigation.

Article 732 The people's governments at or above the county level shall strengthen the protection of wetlands where wildlife under key state protection is concentrated. No entity or individual may damage the habitats of birds and aquatic species.

It is prohibited to engage in activities that endanger the survival and reproduction of waterbirds in protected areas designated for the protection of waterbirds and other important habitats, including fishing, harvesting benthic organisms, collecting bird eggs, and destroying bird nests. A safe distance shall be kept when conducting activities such as birdwatching, scientific research, and science outreach, to avoid affecting the normal feeding and breeding of birds.

Article 733 Relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, carry out monitoring of harmful organisms in wetlands, and promptly take effective measures to prevent, control, and eliminate harm caused by such organisms to wetland ecosystems.

Section 4
Seas and Islands

Article 734 The state adheres to the principles of prioritizing protection, prevention first, control at the source, and land-sea coordination, and strengthens the protection of marine ecosystems.

The state applies the principles of scientific planning, prioritizing protection, rational development, and sustainable use to islands management.

Article 735 The competent department for natural resources under the State Council shall be responsible for the supervision and administration of the protection and development and utilization of the seas and islands, and for the restoration of marine ecosystems, sea areas, coastlines, and islands nationwide. The competent department for fisheries under the State Council shall be responsible for the protection of the ecosystems and environment of fishery waters. Other relevant departments and institutions shall, within the scope of their respective duties, be responsible for work related to the ecological conservation of the seas and islands.

Article 736 The competent department for natural resources under the State Council shall organize marine resource surveys and marine ecological early warning and monitoring, and issue marine ecological early warning alerts and monitoring bulletins. Other departments and institutions with supervisory and administrative responsibilities for the protection of the marine ecosystems and environment shall, within the scope of their respective duties, carry out monitoring and inspection.

Article 737 The State Council and local people's governments at various levels in coastal areas shall take effective measures to give priority to the protection of marine ecosystems that are typical and representative, such as mangroves, coral reefs, seaweed beds, seagrass beds, coastal wetlands, islands, bays, estuaries, and important fishery waters, as well as natural aggregation areas of rare and endangered marine species, habitats of marine organisms of significant economic value, and marine natural heritage sites and natural landscapes of significant scientific and cultural value.

Article 738 The state improves the system for the survey, monitoring, assessment, and protection of marine biodiversity, maintains and restores important marine ecological corridors, and prevents damage to marine biodiversity.

The state encourages the science-based stock enhancement and release of aquatic species, supports scientific planning, and, in light of local conditions, adopts measures such as the placement of artificial reefs and the establishment of seaweed beds, seagrass beds, and coral communities to restore marine biodiversity and rehabilitate and improve marine ecosystems.

The development and utilization of marine and coastal resources shall be carried out with effective protection of important marine ecosystems, biological species, and genetic resources, so as to maintain marine biodiversity.

The introduction of marine animals and plants shall be subject to scientific evaluation, so as to avoid harm to marine ecosystems.

The state actively participates in the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.

Article 739 The state strictly protects natural coastlines and establishes and improves a system for the control of natural coastlines. The people's governments of coastal provinces, autonomous regions, and cities directly under the central government shall be responsible for delimiting the scope of coastlines under strict protection and making it public.

Local people's governments at various levels in coastal areas shall strengthen the classified protection and utilization of coastlines, protect and restore natural coastlines, promote the ecological enhancement of artificial coastlines, maintain the stability and balance of coastlines and beaches, and, in light of local conditions and in a scientific and reasonable manner, delimit coastal building setback lines.

It is prohibited to illegally occupy or damage natural coastlines.

Article 740 Local people's governments at various levels in coastal areas shall, in light of the characteristics of the local ecological and environmental conditions, construct coastal protection facilities, coastal shelterbelts, and coastal urban parks and green spaces, and carry out comprehensive management of areas affected by coastal erosion and seawater intrusion.

It is prohibited to damage coastal protection facilities, coastal shelterbelts, and coastal urban parks and green spaces.

Article 741 The state encourages the development of eco-friendly fisheries, promotes diverse eco-friendly fishery production models, improves the condition of marine ecosystems, and protects the marine ecosystems and environment.

Article 742 The competent department for natural resources under the State

Council shall be responsible for carrying out the prevention of marine ecological disasters, risk assessment, and the identification and mitigation of potential hazards nationwide.

Local people's governments at or above the county level in coastal areas shall be responsible for responding to marine ecological disasters in sea areas under their administration, and shall take necessary measures for disaster prevention, response, and post-disaster recovery, and prevent and mitigate the impact of such disasters.

Enterprises, public institutions, and other producers and business operators shall take necessary response measures to prevent the expansion of marine ecological disasters.

Article 743 The State Council and local people's governments at various levels in coastal areas shall, in accordance with the provisions of the Law of the People's Republic of China on the Protection of Offshore Islands and other relevant laws and regulations, take measures to protect the natural resources, natural landscapes, natural heritage sites, and cultural heritage sites of offshore islands.

In the development of resources on offshore islands and in their surrounding sea areas, strict ecological conservation measures shall be taken, and no damage shall be caused to the topography, shorelines, beaches, or vegetation of the islands, or the ecosystem and environment of the surrounding sea areas.

It is prohibited to alter the coastlines of islands within nature reserves. It is prohibited to cut down mangroves in the surrounding sea areas of islands; and it is prohibited to excavate or damage corals and coral reefs.

Article 744 Development and construction activities on inhabited islands shall comply with this Code and relevant ecological and environmental laws and regulations, and shall protect the ecosystems of the islands and their surrounding sea areas.

Uninhabited islands that have not been approved for development shall be maintained in their current state; the development and utilization of uninhabited islands eligible for use shall comply with territorial space plans, adopt strict ecological conservation measures, and avoid damage to the ecosystems of the islands and their surrounding sea areas.

The state applies special protection to islands with special uses or of special protection value, including islands on which territorial sea base points are located, islands used for national defense purposes, and islands within marine nature reserves.

Article 745 Where the provisions of international treaties relating to marine ecological and environmental protection concluded or acceded to by the People's Republic of China differ from those of this Code, the provisions of such international treaties shall prevail, except for the provisions for which the People's Republic of China has declared reservations.

Section 5
Rivers and Lakes

Article 746 The state strengthens the strict protection of the ecosystems of rivers and lakes, and consolidates and enhances their functions.

Article 747 The competent departments for water administration, agriculture and rural affairs, and other competent departments of the people's governments at or above the county level shall, within the scope of their respective duties, be responsible for the protection, management, and other related work concerning the ecosystems of rivers and lakes.

Article 748 The state strengthens the guarantee of water for the ecological needs of rivers and lakes. The competent departments for water administration of the people's governments at or above the county level and the relevant river basin management agencies of the competent department for water administration under the State Council shall, in accordance with their respective administrative authority, determine control targets for ecological flows at important river control sections and for ecological water levels of important lakes. The determination of such control targets shall be subject to scientific evaluation, taking into comprehensive account factors such as water resource conditions, climatic conditions, ecological and environmental protection requirements, and water uses for production and living.

The competent departments for water administration of the people's governments at or above the county level and the relevant river basin management agencies of the competent department for water administration under the State Council shall incorporate ecological flows into annual water allocation plans, ensure the water for basic ecological needs of rivers and lakes, guarantee ecological flows for important rivers and lakes during dry seasons and fish spawning periods, and maintain ecosystem stability.

Water conservancy and hydropower projects, navigation hubs, and other such projects located upstream of important rivers and lakes shall incorporate water for ecological needs into their routine operational rules, establish routine mechanisms for environmental flow releases, and ensure ecological flows and ecological water levels of rivers and lakes.

Article 749 The state implements zoning-based management of aquatic ecological spaces such as waters and shorelines of rivers and lakes, strictly controls the intensity of development and utilization, and preserves the natural form of shorelines to the greatest extent possible. The development and utilization of land and the layout of industries along rivers and lakes shall align with zoning-based requirements for shorelines and shall reserve space for sustainable economic and social development.

Article 750 The relevant departments under the State Council, in light of the ecological and environmental functional needs of river basins, specify protection requirements for the ecology and environment of river basins, organize monitoring and assessment of the carrying capacity of the ecology and environment of river basins, and issue early warnings of such carrying capacity.

Article 751 The state strengthens the management and protection of rivers and lakes, establishes a system of regular surveys thereof, implements catalog-based management in accordance with relevant regulations, delineates their management scope, and applies strict protection.

It is prohibited to illegally encroach on, utilize, or occupy the waters and shorelines of rivers and lakes; to reclaim land from lakes or river channels; or to fill in rivers and lakes.

Article 752 The state scientifically implements measures such as stock enhancement and release of aquatic species, habitat restoration, *ex situ* conservation, and ecological corridor restoration, builds a network for the conservation of aquatic biodiversity, and applies priority protection to rare and endangered aquatic wildlife.

The state applies strict protection and management to important habitats of aquatic species, such as spawning grounds, feeding grounds, overwintering grounds, and migration corridors.

Article 753 The state increases support for the ecological conservation of important rivers and lakes. Local people's governments at or above the county level shall, based on the ecological functional needs of river basins and in accordance with local conditions, construct ecological restoration and protection projects such as constructed wetlands, water conservation forests, and vegetation buffer zones and isolation belts along rivers, lakes, and watercourses, remediate discolored and smelly water bodies, and enhance the carrying capacity of the ecology and environment of river basins.

Section 6
Deserts

Article 754 The state strengthens the protection of naturally formed deserts, gobi deserts, rocky deserts, and other original natural desert in arid and semi-arid regions and their biota, upholds the principles of protection first, overall planning, and adaptation to local conditions, establishes a system for the protection of desert ecosystems, and gives full play to their multiple functions, such as windbreak and sand fixation, climate regulation, hydrological regulation, soil conservation, and biodiversity conservation.

Article 755 The competent department for forestry and grassland under the State Council shall be responsible for the protection of desert ecosystems.

The departments of natural resources, ecology and environment, water administration, agriculture and rural affairs, meteorology, and other relevant departments under the State Council shall, within the scope of their respective duties, jointly carry out the protection of desert ecosystems.

The relevant local people's governments shall organize the departments of forestry and grassland and other relevant departments to jointly carry out the protection of desert ecosystems within their respective administrative areas.

Article 756 When the people's governments at or above the county level and their relevant departments prepare plans related to ecological conservation in light of actual needs, they shall scientifically plan the structure and layout for the protection and exploitation of desert ecosystems, and consolidate and enhance their functions.

Article 757 The state establishes and improves a system for the protection of original natural deserts. Local people's governments and their relevant departments shall take measures to prevent and control disturbances caused by human activities to native vegetation, soil, water, wildlife, and their habitats in original natural deserts, strengthen the conservation of biological soil crusts, promptly stop activities that lead to desertification, and take effective measures for rehabilitation.

Article 758 The state carries out protection by enclosing original natural deserts of ecological importance for conservation, promotes the natural restoration of desert vegetation, and adopts a combination of biological and engineering measures to enhance the stability of desert ecosystems.

Chapter III
Conservation and Sustainable Use of Natural Resources

Section 1
Land Resources

Article 759 Using land in a sparing and rational manner and protecting arable land effectively constitute a basic state policy of China.

The state upholds and implements the most stringent system for the protection of arable land and the most stringent system for the economical and intensive use of land, and strictly observes the redline for the protection of arable land.

Article 760 The competent department for natural resources under the State Council shall be responsible for the administration and supervision of land nationwide, and the competent department for agriculture and rural affairs under the State Council shall be responsible for the work related to the reform and administration of rural residential land nationwide.

Article 761 The state establishes systems for land survey, statistics, and monitoring.

Article 762 Local people's governments at various levels shall, in accordance with territorial space plans, organize and implement the comprehensive improvement of farmland, water, roads, forests, and villages, increase the effective area of arable land, improve the quality of arable land, and improve agricultural production conditions and the ecosystem and environment.

Article 763 The state strengthens the protection and rational utilization of soil resources and reduces the impact of development and utilization on soil ecosystems and biodiversity.

Article 764 The state implements coordinated protection of the quantity, quality, and ecology of arable land.

The state establishes a compensation system for the protection of arable land, to motivate those responsible for the protection of arable land to fulfill such responsibility.

The state establishes a target-based assessment system for the protection of arable land.

Article 765 The state implements a system of compensation for arable land misused for other purposes, and strictly controls the misuse of arable land for other purposes by various means; where misuse of arable land for other purposes is indeed necessary, the obligation to add new arable land parcels shall be fulfilled in accordance with law.

The state establishes a stringent system for the improvement and protection of arable land quality, strengthens the development of high-standard farmland and the

rehabilitation of degraded arable land, and improves the quality of arable land.

The state establishes an ecological conservation and restoration system for arable land, encourages the adoption of ecological restoration measures, restores and enhances the ecological functions of arable land, and maintains the overall stability of ecosystems.

Article 766 The state implements special protection for permanent basic farmland. Once permanent basic farmland has been demarcated in accordance with law, no entity or individual shall occupy it or change its use without approval.

Article 767 The state implements well-conceived and effective policies for black soil protection, guarantees financial investment in black soil protection, comprehensively adopts engineering, agronomic, agricultural machinery, biological and other measures to protect the high productivity of black soil and ensures that the total area of black soil does not decrease, its functions do not degrade, its quality improves, and its productivity remains sustainable.

The relevant people's governments at or above the county level shall, in accordance with the provisions of the Black Soil Land Conservation Law of the People's Republic of China, strengthen the ecological conservation of black soil and the protection and restoration of forests, grasslands, and wetlands surrounding the black soil land, promote the rehabilitation of barren hills and slopes, improve ecological functions such as water conservation, soil and water conservation, windbreak and sand fixation, and biodiversity maintenance, and maintain an ecosystem and environment conducive to black soil protection.

No entity or individual shall damage black soil resources or cause ecological and environmental damage to the black soil.

Article 768 The state implements total area control over construction land and strictly restricts the conversion of agricultural land to construction land. Where it is indeed necessary to occupy agricultural land, relevant formalities shall be completed in accordance with the provisions of the Land Administration Law of the People's Republic of China, the Forest Law of the People's Republic of China, the Grassland Law of the People's Republic of China, and other laws concerning the protection and quality improvement of arable land.

Where land is used for construction projects, the land shall be used economically and in an intensive manner, in strict compliance with the requirements of ecological and environmental protection, so as to prevent environmental pollution and ecological damage.

Article 769 Anyone who applies for temporary land use in accordance with the provisions of laws and administrative regulations shall, where possible, avoid occupying arable land or minimize such occupation, avoid permanent basic farmland, and shall not construct permanent structures.

Where it is indeed necessary to occupy arable land for temporary land use, the planting conditions shall be restored in accordance with regulations.

Article 770 Unused land with significant ecological functions shall be included in the ecological conservation redlines and be placed under strict protection in accordance with law. The reclamation of unused land shall be subject to scientific evaluation, and be carried out upon approval in accordance with law.

Section 2
Mineral Resources

Article 771 The exploration and exploitation of mineral resources and ecological restoration of mining areas shall uphold the principle of placing equal emphasis on development, utilization, and protection, so as to achieve green development.

The state encourages and supports the green and low-carbon transition and development of the mining industry, and strengthens the development of green mining.

Article 772 The state implements the policy of overall planning, rational distribution, comprehensive exploration, rational exploitation, and comprehensive utilization for the exploration and exploitation of mineral resources.

The people's governments at all levels shall strengthen the protection of mineral resources in accordance with the provisions of the Mineral Resources Law of the People's Republic of China. No encroachment upon or damage to mineral resources by any means shall be permitted.

For specific strategic mineral resources determined by the State Council, conservation-based mining shall be implemented in accordance with state regulations.

Article 773 The contract for the transfer of mining rights shall specify relevant requirements such as ecological restoration of mining areas.

The exploration and exploitation of mineral resources shall comply with the provisions of this Code and relevant ecological and environmental laws and regulations so as to prevent environmental pollution and ecological damage; advanced and applicable technologies, processes, and equipment that comply with the requirements for ecological and environmental protection shall be adopted, and technologies, processes, and equipment ordered to be phased out by the state shall not be used.

Article 774 After exploration activities are completed, the holder of prospecting rights shall promptly clean up the exploration area; where surface vegetation is damaged, it shall be restored promptly.

Article 775 In exploiting mineral resources, reasonable mining sequences and mining methods shall be adopted; effective measures shall be taken to protect groundwater resources, with the mine water being used first; damage to ecosystems such as forests, grasslands, arable land, wetlands, rivers, lakes and seas in mining areas shall be avoided and reduced; management of activities such as the construction, operation, and closure of tailings storage facilities shall be strengthened to prevent ecological and environmental risks.

Article 776 The mining of sea sand within strictly protected coastal areas is prohibited. In the lawful development and utilization of sea sand resources in any other area, strict measures shall be taken to protect the marine ecosystems. Transportation of sea sand shall be accompanied by proof of lawful origin; sea sand extractors shall provide such proof for vessels transporting sea sand.

Article 777 The state protects coal resources in accordance with law and prohibits any acts that damage coal resources such as indiscriminate or destructive mining.

The state coordinates and advances the comprehensive remediation of coal mining subsidence areas and promotes the transformation and development of such areas.

Coal mining enterprises shall carry out comprehensive ecological and environmental remediation in mining areas in accordance with law, and fulfill their obligations regarding environmental pollution control and ecological restoration.

Section 3
Water Resources

Article 778 The protection, development, utilization, and conservation of water resources, and the prevention and control of water-related hazards shall adhere to the principles of comprehensive planning, overall consideration, addressing both surface and underlying issues, multi-purpose utilization, and the pursuit of efficiency, so as to achieve the sustainable use of water resources.

Article 779 The state vigorously promotes water conservation, upholds and implements the policy of prioritizing water conservation, and builds a water-efficient society in all respects.

All entities and individuals are obliged to conserve water.

Article 780 The state formulates comprehensive plans for water resources and makes overall arrangements for the rational allocation, effective protection, and economical and efficient utilization of water resources.

Article 781 The state implements a water resources management system that combines river basin management with administrative area management.

The competent department for water administration under the State Council shall be responsible for the unified management and supervisory work related to water resources nationwide; other relevant departments under the State Council shall be responsible for work related to the protection, development, utilization, and conservation of water resources within the scope of their respective duties.

The river basin management agencies established by the competent department for water administration under the State Council for the important rivers and lakes as determined by the state, together with their affiliated management bodies, shall, within their respective management areas, perform the management and supervisory duties related to water resources provided for by laws and administrative regulations, and granted by the competent department for water administration under the State Council.

The competent departments for water administration of local people's governments at or above the county level shall be responsible for the unified management and supervisory work related to water resources within their respective administrative areas in accordance with the prescribed authority.

Article 782 The state strengthens the development of hydrological and water resources information systems. The competent departments for water administration of the people's governments at or above the county level and the river basin management agencies shall keep the ongoing monitoring of water resources and enhance hydrological monitoring, forecasting, and early warning capabilities.

Article 783 The state establishes and improves the system for water function zoning.

The competent departments for ecology and environment of local people's governments at or above the level of a city divided into districts and the river basin ecological and environmental administration agencies shall monitor the ecological and environmental quality of water in water function zones, and where the ecological and environmental quality of water fails to meet the requirements, they shall promptly report the matter to the relevant people's governments for the adoption of remedial measures.

Article 784 When formulating plans for the development and utilization of water resources and when regulating and allocating water resources, it shall be ensured that rivers maintain reasonable flow rates and lakes, reservoirs, and groundwater maintain reasonable water levels, and that the self-purification capacity of water bodies is preserved. When developing and utilizing water resources in arid and semi-arid regions, ecological needs for water shall be fully considered.

Article 785 The state strengthens the protection of drinking water source areas, implements catalog-based management of such areas, makes the assurance of water quantity for drinking water source areas a priority objective in regional water regulation and allocation plans of river basins, strictly regulates water abstraction, prevents depletion of water sources and pollution of water bodies, and ensures safe drinking water for urban and rural residents.

Article 786 The state strengthens the management and protection of groundwater, implements systems for controlling the total volume of groundwater abstraction and groundwater levels, delineates groundwater over-extraction areas, controls the over-extraction of groundwater in a comprehensive way, and ensures the sustainable use of groundwater.

The competent department for water administration of a people's government at the provincial level shall, in conjunction with the departments of natural resources and other relevant departments, taking into account factors such as the delineation of groundwater over-extraction areas, the utilization of groundwater, and geological and environmental conditions, organize in accordance with law the delineation of groundwater extraction prohibition areas and restriction areas within its administrative area.

The state establishes a groundwater reserve system. Groundwater reserves shall not be drawn upon except in years of exceptional drought or in the event of major emergencies.

Article 787 The development and utilization of water resources shall give priority to conservation and protection, integrate benefit generation with disaster mitigation, balance the interests among upstream and downstream areas, left and right banks, main and tributary streams, as well as relevant regions, give full play to the overall benefits of water resources, and comply with the overall arrangements for flood control.

The state implements differentiated management and control of water resources based on the carrying capacity of water resources, strengthens the conservation and protection of water resources, and reasonably controls the scale of water resource

development and utilization. Local people's governments shall, in light of the actual conditions of water resources in their respective regions and in accordance with the principles of unified allocation and development of surface water and groundwater, combining the development of new water sources with water conservation, giving priority to water conservation, and wastewater treatment and reuse, reasonably organize the development and comprehensive utilization of water resources.

Article 788 The formulation of national economic and social development plans, the general territorial space plans, and the layout of major construction projects shall be compatible with local water resource conditions and flood control requirements, and shall be subject to scientific evaluation.

The state establishes and improves the water resources assessment system for construction projects involving the development and utilization of water resources and the related plans.

Article 789 The state encourages and supports wastewater recycling, and local people's governments at or above the county level shall make overall plans for and construct infrastructure for wastewater recycling.

Local people's governments at or above the county level shall, based on local water resource conditions, strengthen wastewater treatment and reuse, incorporate unconventional waters, such as reclaimed water, harvested rainwater, seawater and desalinated seawater, mine water, and brackish water, into unified water resource allocation, and make overall plans for and construct facilities for the development and utilization of unconventional waters.

Article 790 When organizing the implementation of water diversion projects, the people's governments at or above the county level shall conduct comprehensive planning and scientific evaluation, give overall consideration to water security and ecological security in both water-supplying and water-receiving areas, strengthen water conservation management in water-receiving areas, optimize water resource allocation, enhance the carrying capacity of water resources, and prevent ecological and environmental damage.

Article 791 In developing and utilizing water resources, the ecological functions of water bodies shall be maintained, and damage to water ecology shall be prevented.

In developing and utilizing water resources, priority shall be given to meeting the domestic water needs of urban and rural residents, ensuring water for basic ecological needs and food security, and coordinating the needs for water for agriculture, industry, ecological restoration, and shipping.

Operators of water projects shall strengthen the protection of aquatic life and formulate appropriate operational rules to carry out environmental flow releases suited to the growth and reproduction needs of aquatic life on the premise of ensuring flood control and water supply security.

Article 792 The state implements a system combining the control of the total volume and quota management in the use of water, and implements a water abstraction permit system and a system of compensated use of water resources in accordance with the Water Law of the People's Republic of China.

Article 793 The state vigorously promotes water conservation measures, popularizes new water-efficient technologies and processes, develops water-efficient

industries, agriculture, and service sectors, promotes household water conservation, and strengthens the recycling of domestic sewage.

The people's governments at all levels shall take measures to strengthen the management of water conservation, establish a system for the development and promotion of water-efficient technologies, and foster and develop water-efficient industries.

For new construction projects, expansion projects, or reconstruction projects, plans for water conservation measures shall be formulated, and water-efficient facilities shall be constructed as supporting facilities. Such water-efficient facilities shall be designed, constructed, and put into use simultaneously with the main projects.

Enterprises in industrial and service sectors shall adopt advanced and applicable water-efficient technologies, processes, and equipment, increase rounds of water recycling, and improve water recycling efficiency.

The people's governments at or above the county level and their relevant departments shall promote water-efficient irrigation methods and technologies, improve agricultural water-use efficiency, strengthen the related development and upgrade in irrigation districts, and develop water-efficient agriculture.

Local people's governments at or above the county level shall comprehensively advance the development of water-efficient cities. For water used for urban greening, road cleaning, vehicle washing, construction, and ecological landscape, among others, the reclaimed water meeting the relevant standards shall be used first.

Section 4
Fishery Resources

Article 794 Fishery production shall uphold the principle of giving priority to aquaculture and allowing moderate fishing, so as to ensure the protection and sustainable utilization of fishery resources.

Local people's governments and their relevant departments shall, in light of local conditions, take measures such as improving aquatic habitat conditions, releasing fry and fingerlings, placing fish nests, diverting river water to introduce fish fry, rescuing juvenile fish, transplanting and acclimatizing species, controlling predators and other harmful organisms, and introducing and cultivating aquatic plants, so as to enhance fishery resources.

Article 795 The competent department for fisheries under the State Council shall be in charge of fisheries nationwide. The competent departments for fisheries of local people's governments at or above the county level shall be in charge of fisheries within their respective administrative areas.

Article 796 The state protects aquatic germplasm resources and their habitats, and establishes aquatic germplasm resource conservation zones in the principal habitats, spawning, and breeding areas of aquatic germplasm resources with relatively high economic value and value for genetic improvement.

Without the approval of the competent departments for fisheries of the people's governments at or above the provincial level, no entity or individual shall engage in fishing activities in aquatic germplasm resource conservation zones.

The illegal occupation or destruction of aquatic germplasm resource conservation zones is prohibited.

Article 797 The state encourages and supports, in light of local conditions, the adoption of measures such as stock enhancement and release of aquatic species, the construction of marine ranching areas, the placement of artificial reefs, and the planting of seaweed beds or seagrass beds to conserve aquatic biological resources and restore and improve the ecology and environment of fishery waters.

The state implements priority protection for aquatic animals and plants with relatively high economic value. A list of economic aquatic animals and plants under national priority protection shall be formulated and published by the competent department for fisheries under the State Council after scientific evaluation.

The release into open waters of alien aquatic species, hybrids, and other aquatic life that do not meet ecological requirements is prohibited.

Where construction projects such as the construction of sluices, dams, waterways, and ports carried out in important fishery waters have serious impact on fishery resources, developers shall construct fish passage facilities or take other fishery resource protection measures in accordance with law.

Article 798 The state formulates overall plans for the use of water areas and tidal flats, determines the water areas and tidal flats that may be used for aquaculture, and establishes a protection system for aquaculture waters and tidal flats; any entity or individual that uses state-owned water areas or tidal flats for aquaculture production shall obtain an aquaculture permit in accordance with the Fisheries Law of the People's Republic of China.

Local people's governments at or above the county level shall take effective measures to strengthen the protection of aquatic product production bases and important aquaculture water areas and tidal flats.

Whoever engages in aquaculture production shall protect the ecosystem and environment of water areas and tidal flats and, in a scientific and reasonable way, determine aquaculture stocking density and scale and use feed and drugs in a rational manner. Aquaculture effluent discharged shall comply with the relevant pollutant discharge standards, and shall not damage the ecosystem and environment of water areas and tidal flats.

Article 799 The state determines the total allowable catch based on the principle that the fishing catch shall remain below the growth of fishery resources, and implements a system of total allowable catch.

The state determines the control indicators for fishing vessels, nets, and tools based on the principle that fishing capacity shall be compatible with the allowable catch.

The state implements a fishing permit system for the fishing industry. Entities and individuals engaged in fishing operations shall operate in accordance with the operation types, locations, time limits, quantities of fishing gear, and fishing quotas specified in the fishing permits.

It is prohibited to catch fry and fingerlings of aquatic animals with significant economic value or gravid broodstock prohibited from capture; any bycatch during fishing operations shall be released in a timely manner; where fishing is indeed

necessary for scientific research, aquaculture, assisting fish passage over dams, stock enhancement and release of aquatic species, or other special needs, approval shall be obtained from the competent departments for fisheries of the people's governments at or above the provincial level, and fishing shall be conducted within the designated areas and time periods in accordance with catch quotas.

Where rare or endangered aquatic wild animals are incidentally caught during fishing activities, rescue and other appropriate measures shall be taken in a timely manner, and the matter shall be reported to the competent departments for fisheries.

Article 800 The people's governments at all levels shall take effective measures to protect and improve the ecology and environment of fishery waters.

For water bodies that are used for fisheries and also serve functions such as water regulation, storage, and irrigation, the competent departments shall determine the minimum water levels required for fishery resource protection and fishery production.

Where underwater blasting, exploration, sand mining, construction, or other operations have serious impact on fishery resources, the operating entities shall consult in advance with the competent departments for fisheries of the relevant local people's governments at or above the county level, and take measures to prevent or mitigate damage to fishery resources.

Article 801 Engaging in fishing activities in violation of the provisions on closed fishing areas or closed fishing seasons is prohibited. Fishing vessels shall not navigate or anchor in violation of the provisions on closed fishing areas or closed fishing seasons.

No entity or individual shall provide fuel, water, ice, or other services to fishing vessels that violate the provisions of the preceding paragraph, or freeze, transship, transport, purchase, process, or sell illegal catches.

Fishing by methods that destroy fishery resources or the ecology and environment of fishery waters, such as blast fishing, poison fishing, or electrofishing, is prohibited. The manufacture, sale, or use of prohibited fishing gear is prohibited. Fishing with nets having mesh sizes smaller than the minimum prescribed size is prohibited. The proportion of juvenile fish in the catches shall not exceed the prescribed limit.

Section 5
Other Natural Resources

Article 802 The state strengthens the management of the development and utilization of other natural resources such as forests, grasslands, wild animals, and marine resources, so as to achieve the conservation and sustainable utilization of such resources.

Article 803 The state implements a tree-felling permit system. To fell trees on forest land, an application for a felling permit shall be filed in accordance with law, and felling shall be conducted in accordance with the requirements specified in the felling permit. Regeneration felling of farmland shelterbelts, windbreak and sand-fixation forests, road protection forests, bank and dike protection forests, as well as urban trees on non-forest land shall be regulated by the competent departments in accordance with the relevant regulations.

Article 804 The state encourages and supports the development of artificial grasslands, the improvement of natural grasslands, and the development of forage and feed bases, so as to stabilize and enhance the productive capacity of grasslands.

The people's governments at or above the county level shall strengthen the development of grass seed bases in accordance with the plans for grassland protection, restoration, and utilization, and encourage the breeding and selection, introduction, and promotion of improved grass varieties.

Contracting parties to grassland management rights shall make rational use of grasslands, make sure that the stocking rates do not exceed the livestock carrying capacity determined by the competent departments for forestry and grassland, and take effective measures to maintain a balance between forage and livestock.

Grassland contracting parties in pastoral areas shall practice rotational grazing, rationally allocate livestock herds, and make balanced use of grasslands.

Article 805 The artificial breeding of wild animals shall be subject to classified and graded management; wild animal resources shall be strictly protected and scientifically utilized; and the relevant permits shall be obtained or record-filing procedures shall be completed in accordance with law.

The artificial breeding of wild animals shall use artificially bred progeny as breeding stock, and pedigree records, breeding records, and individual records shall be established. Where it is indeed necessary to use wild stock for breeding for the purpose of species conservation, the relevant provisions on the hunting of wild animals under this Code and the Wildlife Conservation Law of the People's Republic of China shall be observed.

Article 806 The development and utilization of marine resources or construction activities that affect the marine ecosystems and environment shall be scientifically and reasonably planned in accordance with territorial space plans, strictly comply with territorial space use control requirements, strictly observe the ecological conservation redlines, and shall not cause damage to the marine ecosystems and environment. The people's governments of coastal provinces, autonomous regions, and cities directly under the central government shall strengthen the supervision and administration of human activities within the ecological conservation redlines and regularly assess the performance of protection measures.

For newly constructed, renovated, or expanded construction projects, effective measures shall be taken to protect wild animals and plants under national and local priority protection and their habitats, protect marine aquatic resources, and avoid or mitigate impact on marine life.

The state strictly regulates sea reclamation, sea enclosure, and other sea-use activities that alter the natural attributes of marine areas. Coastal local people's governments at various levels shall protect and scientifically and rationally utilize marine areas in accordance with territorial space plans.

Entities and individuals using marine areas shall protect and scientifically and reasonably use marine areas in accordance with the provisions of the Law of the People's Republic of China on the Administration of the Use of Sea Areas and shall not change the approved use of marine areas without approval. Upon termination of the right to use marine areas, maritime facilities and structures that may cause marine

environmental pollution, ecological damage, or affect other sea-use activities shall be promptly dismantled.

Article 807 The state strengthens the management of the development and utilization of natural resources in exclusive economic zones and on the continental shelf. The competent authorities of the People's Republic of China have the authority, in accordance with the provisions of the Law on the Exclusive Economic Zone and the Continental Shelf of the People's Republic of China, to take necessary measures to prevent, mitigate, and control damage to the marine ecosystems and environment.

Article 808 The exploration and exploitation of resources in the deep seabed area shall be in compliance with the provisions of the Law of the People's Republic of China on the Exploration and Exploitation of Resources in the Deep Seabed Area, whereby necessary measures shall be taken to protect and preserve rare or fragile ecosystems and the habitats of depleted, threatened, or endangered species and other marine life, protect marine biodiversity, and maintain the sustainable use of marine resources.

Chapter IV
Species Protection

Section 1
Wild Animal Protection

Article 809 Wild animals protected under this Code include precious and endangered terrestrial and aquatic wild animals, and terrestrial wild animals of significant ecological, scientific, and social value.

Article 810 The state strengthens the protection of wild animals, rescues precious and endangered wild animals, and maintains biodiversity and ecological balance.

Article 811 The competent departments for forestry and grassland and for fisheries under the State Council shall be in charge of the protection of terrestrial and aquatic wild animals nationwide respectively.

Local people's governments at or above the county level shall be responsible for the protection of wild animals within their respective administrative areas, and their competent departments for forestry and grassland and for fisheries shall be in charge of the protection of terrestrial and aquatic wild animals respectively within their respective administrative areas.

Other relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties, be responsible for work related to wild animal protection.

Article 812 The state implements classified and graded protection of wild animals.

The state applies priority protection to precious and endangered wild animals. Wild animals under national priority protection are classified into wild animals under Class I national protection and wild animals under Class II national protection.

Wild animals under national priority protection, terrestrial wild animals of important ecological, scientific, or social value, and wild animals under local priority protection shall be subject to catalog-based management, regular assessment, and

timely adjustment.

Article 813 The competent departments for wild animal protection of the people's governments at or above the county level shall strengthen the application of information technology, regularly organize or entrust relevant research institutions to conduct surveys, monitoring, and assessment of wild animals and their habitats, and establish and maintain archives for wild animals and their habitats.

The competent departments for wild animal protection at all levels shall monitor the impact of external factors on wild animals. Where harm to wild animals is discovered, they shall, in conjunction with the relevant departments, promptly conduct investigations and take appropriate measures.

Article 814 The competent departments for wild animal protection of the people's governments at or above the county level may, based on the surveys, monitoring, and assessments of wild animals and their habitats, take population control measures, such as *ex situ* conservation and hunting, for species whose populations significantly exceed the ecological and environmental carrying capacity, to guarantee personal and property safety, ecological security, and agricultural production.

Article 815 The state protects wild animals and their habitats.

The competent departments for wild animal protection under the State Council shall, in conjunction with the relevant departments and based on the results of surveys, monitoring, and assessments of wild animals and their habitats, determine and publish the list of important wild animal habitats in accordance with law.

The people's governments at or above the provincial level shall incorporate important wild animal habitats into protected areas in accordance with law to protect, restore, and improve the habitats of wild animals. Where conditions for establishing protected areas are not met, the people's governments at or above the county level may adopt such measures as designating no-hunting (no-fishing) zones or specifying closed hunting (closed fishing) seasons to provide such protection.

Destruction of wild animal habitats is prohibited. Within protected areas, activities that disturb or threaten the survival and reproduction of wild animals, such as the introduction of alien species, the establishment of monoculture forests, excessive application of pesticides, excessive noise, and excessive lighting, are prohibited or restricted.

Article 816 The people's governments at or above the county level and their relevant departments shall, in formulating relevant development and utilization plans in accordance with law, take full account of the needs for the protection of wild animals and their habitats, analyze, predict, and assess the possible overall impact of plan implementation on the protection of wild animals and their habitats, and avoid or mitigate possible adverse consequences of plan implementation.

The selection of sites and routes for construction projects such as airports, railways, highways, waterways, water conservancy facilities, hydropower plants, wind energy facilities, photovoltaic power generation facilities, cofferdams, sea reclamation projects, and sea enclosure projects shall avoid important wild animal habitats and migration corridors; where avoidance is indeed impossible, measures such as the construction of wild animal corridors and fish passage facilities shall be taken to eliminate or mitigate the adverse impact on wild animals.

Article 817 Within protected areas, in no-hunting (no-fishing) zones, and during closed hunting (closed fishing) seasons, hunting, fishing, and other activities that disrupt the survival and reproduction of wild animals are prohibited, unless otherwise provided by laws and regulations.

During the migration periods of wild animals, hunting is prohibited and other activities that hinder the survival and reproduction of wild animals shall be strictly restricted in migration corridors outside the areas specified in the preceding paragraph. The people's governments at or above the county level or their competent departments for wild animal protection shall delineate and publish the scope of such migration corridors and the types of activities that hinder the survival and reproduction of wild animals.

Article 818 Hunting and killing of wild animals under national priority protection are prohibited. Where hunting is necessary for scientific research, population control, monitoring of wildlife epidemic sources and diseases, or other special circumstances, an application shall be filed for a specially granted hunting license in accordance with law.

Hunting of terrestrial wild animals with significant ecological, scientific, and social value and wild animals under local priority protection shall be conducted only upon obtaining a hunting permit in accordance with law and shall be subject to hunting quota management.

Article 819 The use of poisons, explosives, electroshock devices, electronic trapping devices, and tools such as hunting snares, leg-hold or foot-hold traps, clap nets, ground guns, multi-barrel guns, and ground bows for hunting is prohibited. The use of hunting methods such as night hunting with hunting lights, destructive drive hunting, nest or den destruction, trapping, fire attacks, smoke fumigation, net hunting, and other similar methods is prohibited, except for net hunting, electronic trapping, and plant protection operations that are indeed necessary for species protection and scientific research.

Hunting tools and methods prohibited in addition to those provided in the preceding paragraph shall be prescribed and published by local people's governments at or above the county level.

Article 820 The public shall enhance awareness of wild animal protection and public health, prevent the spread of wild animal-borne infectious diseases, reject the illegal consumption of wild animals, and develop decent and healthy lifestyles.

Article 821 The sale, purchase, and utilization of wild animals under national priority protection and their products are prohibited.

Where the sale, purchase, or utilization of wild animals under national priority protection and their products is necessary for scientific research, artificial breeding, public exhibition or performance, cultural relic protection, or other special circumstances, such activities shall be subject to approval in accordance with law, and special identification marks shall be obtained and used as prescribed to ensure traceability.

Where terrestrial wild animals of significant ecological, scientific, or social value, wild animals under local priority protection, or their products are sold or utilized, proof of lawful origin such as hunting, artificial breeding, and import or export shall be

provided.

For the sale of wild animals provided for in the second or third paragraph of this Article, quarantine certificates shall also be attached in accordance with law.

Where wild animals are used in public exhibition or performance, safety management measures shall be taken, and the wild animals shall be kept healthy.

Article 822 Where wild animals under national priority protection, terrestrial wild animals of significant ecological, scientific, or social value, or wild animals under local priority protection are threatened by emergencies, local people's governments shall take emergency rescue measures in a timely manner.

The state strengthens capacity building for wild animal rescue. The competent departments for wild animal protection of the people's governments at or above the county level shall organize and carry out wild animal rescue work in accordance with state regulations, and strengthen the regulation and guidance of wild animal rescue work carried out by social organizations.

Wild animal rescue facilities shall establish rescue venues and equip them with corresponding professional and technical personnel, rescue tools, equipment, and medicines based on the actual needs of wild animal rescue work.

The trading in wild animals and their products under the guise of wild animal rescue is prohibited.

Article 823 The competent departments for wild animal protection under the State Council shall, in conjunction with the relevant departments, strengthen the regulation and guidance of activities involving the release of wild animals. Any entity or individual that releases wild animals into the wild shall select local species suitable for survival in the wild at the place of release, shall not interfere with people's normal life and production activities, and shall avoid harm to ecosystems.

Article 824 Foreigners conducting field surveys of wild animals under national priority protection or conducting film or video recording in the wild in China shall obtain approval in accordance with law and comply with the provisions of relevant laws and regulations.

Article 825 The state strengthens the protection of wild animal genetic resources and adopts urgent rescue measures for endangered wild animals.

The competent departments for wild animal protection under the State Council shall, in conjunction with the relevant departments, formulate plans for the conservation and utilization of wild animal genetic resources, establish national gene banks of wild animal genetic resources, and provide priority protection to the genetic resources of precious and endangered wild animals originally from China.

The provision of China's unique wild animal genetic resources to overseas institutions or individuals is prohibited. For any international scientific research cooperation in this regard, approval shall be obtained in accordance with law, Chinese research institutions, institutions of higher learning, enterprises, and their researchers shall substantively engage in the research, a national benefits-sharing plan shall be submitted as required, and Chinese laws and administrative regulations shall be observed.

Article 826 The lists of wild animals or their products whose trade is prohibited or restricted under international conventions concluded or acceded to by the People's

Republic of China shall be formulated, adjusted, and published by the state administration for the import and export of endangered species.

The import and export of wild animals or their products included in the lists mentioned in the preceding paragraph, or the export of wild animals under national priority protection or their products, shall be subject to approval in accordance with law; an import and export certificate shall be obtained; and customs formalities shall be completed on the strength of such certificate.

The export of wild animal species involving confidential scientific and technological information shall be handled as prescribed by the State Council.

Article 827 The state organizes and conducts international exchanges and cooperation on wild animal protection and related law enforcement activities, strengthens cooperation with neighboring countries, and protects the migration corridors of migratory birds, migratory fish, and other wild animals; the state also establishes a departmental coordination mechanism to prevent and combat the smuggling of and illegal trade in wild animals and their products, and carries out actions to prevent and combat smuggling and illegal trade.

Article 828 In areas where damage caused by wild animals is serious, local people's governments at or above the county level shall organize relevant entities and individuals to actively carry out comprehensive prevention and control of such damage and shall take appropriate measures to prevent potential harm caused by wild animals, such as the establishment of isolation and protective facilities, the installation of safety warning signs, strengthened monitoring and early warning, and publicity of protective measures.

Where the protection of precious and endangered terrestrial or aquatic wild animals, or terrestrial wild animals of significant ecological, scientific, or social value, causes casualties, crop losses, or other property damage, compensation shall be provided in accordance with law.

In emergency situations where personal safety is endangered by wild animals, anyone who takes measures to eliminate such danger and causes harm to wild animals shall not bear liability in accordance with law.

Section 2
Wild Plant Protection

Article 829 Wild plants protected under this Code include precious plants naturally growing in their native habitats and endangered or rare plants naturally growing in their native habitats that have important economic, scientific, and cultural value.

The protection of medicinal wild plants and wild plants in urban gardens or protected areas shall also be governed by the provisions of relevant laws and regulations.

Article 830 The state strengthens the protection of wild plants and strictly regulates activities such as the collection, utilization, and provision of China's wild plants to overseas organizations and individuals.

Article 831 The competent departments for forestry and grassland, and agriculture and rural affairs under the State Council shall, within the scope of their respective duties, be responsible for the nationwide protection, supervision, and administration of wild plants.

The competent department for housing and urban-rural development under the State Council shall be responsible for the supervision and administration of wild plants in urban gardens. The competent department for ecology and environment under the State Council shall be responsible for the supervision of wild plant protection nationwide. Other relevant departments under the State Council shall, within the scope of their respective duties, be responsible for work related to wild plant protection.

The competent departments for forestry and grassland, and agriculture and rural affairs of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for the protection, supervision, and administration of wild plants within their respective administrative areas. Other relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for work related to wild plant protection.

Article 832 The state protects wild plants and their habitats. Illegal collection of wild plants or destruction of their habitats is prohibited.

Article 833 The state implements classified and graded protection of wild plants.

Wild plants are classified into wild plants under national priority protection and wild plants under local priority protection. Wild plants under national priority protection are classified into wild plants under Class I national protection and wild plants under Class II national protection.

Wild plants under national priority protection and wild plants under local priority protection shall be subject to list-based management, and the lists shall be adjusted in a timely manner.

Article 834 The state encourages and supports the *in situ* conservation of wild plants. In areas where wild plant species under national priority protection and wild plant species under local priority protection are naturally concentrated, protected areas shall be established in accordance with law; in other areas, the competent departments for wild plant protection and other relevant departments of local people's governments at or above the county level may, in light of actual conditions, establish protection sites or set up protective signs for wild plants under priority protection.

Unauthorized movement or destruction of protection facilities and protective signs for wild plants under priority protection is prohibited.

Article 835 The competent departments for wild plant protection at all levels and relevant entities shall take measures to rescue wild plants under national priority protection and wild plants under local priority protection whose survival is under threat, restore their habitats, and, where necessary, take measures such as *ex situ* conservation, the establishment of germplasm resource banks, and reintroduction into the wild.

Article 836 The state establishes and improves the network for the *ex situ* conservation of wild plants and gradually establishes a national botanical garden system.

Article 837 The competent department for wild plant protection under the State Council shall be responsible for organizing and conducting nationwide surveys, monitoring, assessment, and information disclosure concerning wild plant resources. The competent departments for wild plant protection of local people's governments shall be responsible for the relevant work within their respective administrative areas.

The competent departments for wild plant protection and other relevant departments of the people's governments at or above the county level shall monitor the impact of external factors on the growth of wild plants under national priority protection and wild plants under local priority protection, and take effective measures to maintain and improve the growing conditions of such wild plants. Where the growth of wild plants under national priority protection or wild plants under local priority protection is endangered, the competent department for wild plant protection shall, in conjunction with other relevant departments, investigate and handle the matter in accordance with law.

Article 838 The collection of wild plants under Class I national protection is prohibited, except for special needs such as scientific research, artificial propagation, or cultural exchanges.

Whoever intends to collect wild plants under Class I or Class II national protection shall apply for a collection license in accordance with law.

Whoever intends to collect wild plants under national priority protection within urban gardens or protected areas shall first obtain the consent of the management agencies for such urban gardens or protected areas, and apply for a collection license in accordance with the provisions of the preceding two paragraphs.

Article 839 The state guides and regulates artificial propagation of wild plants by qualified entities and individuals in accordance with law.

Article 840 The sale or purchase of wild plants under Class I national protection is prohibited.

The sale or purchase of wild plants under Class II national protection shall be subject to approval in accordance with law.

Article 841 Foreigners are prohibited from collecting or purchasing wild plants under national priority protection and their germplasm resources within the territory of China.

Article 842 The export of wild plants under national priority protection and their products, or the import and export of wild plants and their products whose import or export is restricted by international conventions acceded to by the People's Republic of China, shall be subject to approval in accordance with law; an import and export certificate or label shall be obtained; and customs formalities shall be completed on the basis of the import and export certificate or label. The competent department for wild plant protection under the State Council shall provide copies of relevant materials relating to the import and export of wild plants to the competent department for ecology and environment under the State Council.

The export of unnamed or newly discovered wild plants of significant value and

their products is prohibited.

Section 3
Prevention and Control of Invasive Alien Species

Article 843 For the purposes of this Code, "invasive alien species" refer to alien species that are introduced from outside China's territory and become established, pose threats or cause harm to ecosystems, species, and their habitats, affect the ecology and environment within China, and damage the sustainable development of agriculture, forestry, animal husbandry, and fisheries, as well as biodiversity.

Article 844 The state upholds the principles of risk prevention, source control, comprehensive management, coordination and collaboration, and public participation, improves the prevention and control system for invasive alien species, strengthens the prevention, control, and management of invasive alien species, protects biodiversity, and safeguards national biosecurity.

The state cracks down on the illegal introduction of alien species. No entity or individual shall, in violation of the provisions of the Biosecurity Law of the People's Republic of China, the Wildlife Conservation Law of the People's Republic of China, and other laws and regulations, introduce, release, or discard alien species without approval.

Article 845 The competent department for agriculture and rural affairs under the State Council shall, in conjunction with the relevant departments, establish a coordination mechanism for the prevention and control of invasive alien species to coordinate the nationwide prevention and control of invasive alien species and the resolution of major issues.

The competent departments for agriculture and rural affairs of the provincial people's governments shall, in conjunction with the relevant departments, establish a coordination mechanism for the prevention and control of invasive alien species and organize the prevention and control of invasive alien species within their respective administrative areas.

Customs shall improve the overseas risk early warning and emergency response mechanisms and strengthen port quarantine supervision and administration of invasive alien species through such channels as imported goods, means of transport, postal items, passenger baggage, cross-border e-commerce, and border residents' mutual trade.

Local people's governments at or above the county level shall be responsible for the prevention and control of invasive alien species within their respective administrative areas in accordance with law, and shall organize, coordinate, and supervise relevant departments in the performance of their duties relating to the prevention and control of invasive alien species in accordance with law.

The departments of agriculture and rural affairs, forestry and grassland, natural resources, ecology and environment, and other relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for the supervision and control of invasive alien species.

Article 846 The competent department for agriculture and rural affairs under the

State Council shall, in conjunction with the relevant departments, formulate and improve the list of invasive alien species, implement dynamic updating and classified and graded management, establish a database of invasive alien species, and formulate technical specifications for the risk assessment, monitoring and early warning, and prevention, control, and management of invasive alien species.

Article 847 The departments of agriculture and rural affairs, natural resources, ecology and environment, customs, forestry and grassland, and other relevant departments under the State Council shall establish and improve emergency response mechanisms and organize the formulation of emergency response plans for emergencies involving invasive alien species in relevant fields.

Article 848 The state strengthens the approval and management of the introduction of alien species. Where alien species such as crop seeds and seedlings, forest and grass seeds and seedlings, and aquatic fry are introduced from outside China for such special needs as variety breeding, import approval and quarantine approval shall be obtained in accordance with law.

For species introduced for the first time, the introducing entity shall conduct risk assessment of the potential impact of the introduced species on the ecosystem and environment and submit a risk assessment report to the approval department. The approval department shall promptly organize review and assessment.

Article 849 The competent department for agriculture and rural affairs under the State Council shall, in conjunction with the relevant departments, establish a census system for invasive alien species, so as to ascertain the types, quantities, distribution ranges, and degrees of harm of invasive alien species in China.

Article 850 The competent department for agriculture and rural affairs under the State Council shall, in conjunction with the relevant departments, establish a monitoring system for invasive alien species, build a national monitoring network for invasive alien species, set up monitoring stations and points within the scope of their respective duties, and organize regular monitoring and information sharing.

The competent departments for agriculture and rural affairs and relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, conduct monitoring of invasive alien species within their respective administrative areas.

Article 851 The state strengthens port prevention and control of invasive alien species.

Whoever imports animals, animal products, plant seeds, seedlings, or other propagating materials shall file an application in advance and complete the formalities for quarantine approval in accordance with the provisions of the Law of the People's Republic of China on the Entry and Exit Animal and Plant Quarantine.

Imported animals and plants, animal and plant products, and other quarantine articles shall be subject to quarantine at the port of entry. Without the approval of customs, they shall not be unloaded from the means of transport. Where imported animals and plants require isolation quarantine, such quarantine shall be conducted at isolation sites designated by customs.

Imported animals that pass quarantine shall be permitted entry. Imported plants, animal and plant products, and other articles that have passed quarantine or pest

eradication treatment shall be permitted entry.

Article 852 The departments of agriculture and rural affairs, natural resources, ecology and environment, forestry and grassland, and other relevant departments under the State Council shall, within the scope of their respective duties, study and formulate strategies and measures for the prevention and control of invasive alien species in their respective fields, and guide local authorities in carrying out such prevention and control.

The departments of agriculture and rural affairs, natural resources, forestry and grassland, and other relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, formulate plans for the prevention, control, and management of invasive alien species within their respective administrative areas by taking into consideration such factors as the invasive alien species, the objects affected, the degree of harm, and the trend of spread, and organize the implementation of such plans to promptly control or eliminate the harm.

Chapter V
Protection of Important Geographical Units

Section 1
Protected Areas

Article 853 With the objectives of protecting nature, serving the people, and achieving sustainable development, the state adheres to the principles of strict protection, scientific management, government leadership, broad participation, rational utilization, and public sharing, establishes and improves the protected area system, protects biodiversity and geodiversity, maintains the health and stability of ecosystems, enhances the supply capacity of ecological products, and safeguards ecological security.

Article 854 The competent department for forestry and grassland under the State Council shall be responsible for the supervision and management of all types of protected areas.

The competent department for natural resources under the State Council shall, as authorized by the State Council, perform the duties of the custodian of natural resource assets owned by the whole people within protected areas.

The competent department for ecology and environment under the State Council shall, within the scope of its duties, be responsible for organizing the formulation of ecological and environmental supervision and management systems for all types of protected areas and supervising law enforcement.

The departments of housing and urban-rural development, transport, water administration, agriculture and rural affairs, culture and tourism, and other relevant departments under the State Council, and the coast guard shall, within the scope of their respective duties, be responsible for relevant work within the protected areas.

The management agencies for protected areas established in accordance with the regulations shall be responsible for the protection and management of their respective protected areas in accordance with the duties specified by laws and regulations.

Relevant local people's governments at or above the county level shall perform the duties of comprehensive coordination of economic and social development, public services, social management, market regulation, and disaster prevention and mitigation with respect to protected areas within their administrative areas; their relevant departments shall be responsible for the supervision and management of protected areas within the scope of their duties.

Article 855 The competent department for forestry and grassland under the State Council shall, in conjunction with the departments of development and reform, finance, natural resources, ecology and environment, housing and urban-rural development, transport, water administration, agriculture and rural affairs, culture and tourism, and other relevant departments under the State Council, strengthen cooperation in conservation and information sharing, and examine and address major issues concerning protected area conservation.

Article 856 For protected areas spanning two or more administrative areas, the people's governments of the relevant administrative areas shall strengthen consultation on protected area conservation, or the people's governments of the relevant administrative areas may jointly apply to the people's government at the higher level for coordination and resolution. Where a protected area spans two or more provincial-level administrative areas, the matter shall be resolved by the competent department for forestry and grassland under the State Council in consultation with the people's governments of the provinces, autonomous regions, or cities directly under the central government where the protected area is located.

Article 857 The state strengthens the development of the monitoring network system for protected areas, gives full play to the role of various monitoring stations and sites, enhances the integrated analysis, sharing, and comprehensive application of monitoring data through information technology, so as to comprehensively understand the composition, distribution, and dynamic changes of ecosystems, as well as the status of biodiversity, and conducts ecological risk assessment and early warning in a timely manner.

Article 858 The state establishes and improves the system of standards for protected areas, and organizes the formulation and timely revision of relevant standards for protected areas in accordance with law.

Article 859 The state implements classified and graded management of protected areas. In light of their ecological value and protection intensity, protected areas are classified in descending order into national parks, nature reserves, and natural parks. Nature reserves and natural parks are further classified into national-level and provincial-level categories.

The state scientifically plans the overall layout of protected areas, strictly controls the conditions for the establishment of protected areas, and reasonably determines the number and scale of protected areas.

The areas of different categories of protected areas shall not overlap.

Article 860 The establishment, renaming, boundary adjustment, or adjustment of management zones of a national park shall be governed by the National Park Law of the People's Republic of China.

The establishment, renaming, and boundary adjustment of a national nature

reserve shall be subject to the approval of the State Council. The establishment, renaming, and boundary adjustment of a provincial nature reserve shall be subject to the approval of the people's government of the province, autonomous region, or city directly under the central government.

The establishment and boundary adjustment of a natural park shall be subject to the approval of the people's government at or above the provincial level or its competent department for forestry and grassland.

Article 861 Zoning-based control shall be practiced in protected areas. Based on the characteristics of ecosystems, functions, and management goals, national parks and nature reserves shall be divided into core protection zones and general control zones.

Within national parks, areas where ecosystems remain intact and highly representative, where core resources are concentrated, or where ecosystems are fragile and require natural regeneration shall be designated as core protection zones, and areas outside the core protection zones shall be designated as general control zones.

Within nature reserves, areas where the ecosystems remain intact or ecologically fragile and require natural regeneration, key distribution areas of rare and endangered wildlife species, important nodes of ecological corridors, areas with densely distributed significant natural heritage sites, and other areas requiring priority protection shall be designated as core protection zones, and areas outside the core protection zones shall be designated as general control zones.

Natural parks shall be managed as general control zones, unless otherwise provided by laws and regulations.

Article 862 Community development around protected areas shall be compatible with the protection objectives of the protected areas to avoid or mitigate adverse impact on the protected areas.

Article 863 The state implements overall protection of protected areas, establishes and improves a long-term mechanism for joint participation in protection by the government, enterprises, public institutions, social organizations, and the public, and guides and supports the existing residents, rural collective economic organizations within protected areas, and residents and enterprises in surrounding areas to actively participate in the conservation of protected areas and to provide ecological products and services consistent with the protection objectives of protected areas.

Article 864 The state improves the public service system of protected areas, enhances their public service functions, and promotes the sharing of the ecological value of protected areas by society as a whole.

Within the general control zones of protected areas, appropriate areas may be demarcated as required to install necessary auxiliary facilities and equipment to provide support for scientific research, science popularization, ecotourism, educational, cultural and sports activities, and other public service activities.

No sightseeing, tourism, or other programs that are inconsistent with the protection objectives shall be permitted within a protected area.

Article 865 The state strengthens the ecological conservation of protected areas, respects the laws of nature, establishes ecological corridors, and carries out the

restoration of important habitats and the rehabilitation of abandoned land.

Article 866 The management agency of a national park shall organize the formulation of an overall plan for the national park under its administration, clarifying objectives and tasks for protection and management, protected objects, protection measures, and other relevant matters, and make arrangements for proposed ecological restoration activities and the production and living activities of original residents.

Article 867 After a national park is established, the people's government of the province, autonomous region, or city directly under the central government where the national park is located shall organize and complete boundary surveying and demarcation in a timely manner; the management agency of the national park shall set up boundary markers in a timely manner based on the needs of protection and management.

No one may damage, alter, obscure, remove, or relocate national park boundary markers without authorization.

Article 868 For areas within national parks or nature reserves where natural ecological processes or the survival and reproduction of protected species exhibit clear seasonal variation patterns, seasonally differentiated management measures may be implemented following scientific evaluation and on the premise that such measures do not impair ecological functions.

Article 869 Where commercial services are provided within a national park, the national park management agency may select service providers through competitive procedures.

Section 2
The Yangtze River, the Yellow River, the Qinghai-Xizang Plateau, and Other Important River Basins and Regions

Article 870 The ecological and environmental protection and related work in the Yangtze River, Yellow River, the Qinghai-Xizang Plateau, and other important river basins and regions shall adhere to the principles of prioritizing ecological conservation and pursuing green development; tailoring measures to local conditions and adopting differentiated policies; implementing overall coordination and well-conceived planning; and promoting innovation-driven approaches and systematic governance.

Article 871 The state establishes coordination mechanisms in the Yangtze River, the Yellow River, the Qinghai-Xizang Plateau, and other important river basins and regions as needed to provide overall guidance and coordination for the ecological and environmental protection and other related work in such important river basins and regions.

The relevant departments under the State Council and local people's governments at all levels in the Yangtze River, the Yellow River, the Qinghai-Xizang Plateau, and other important river basins and regions shall carry out related work within the scope of their respective duties.

Article 872 The competent department for ecology and environment under the State Council shall, in conjunction with the departments of development and reform, natural resources, water administration, agriculture and rural affairs, and other

relevant departments under the State Council, formulate ecological and environmental protection plans for the Yangtze River basin, the Yellow River basin, and other important river basins.

The competent department for water administration under the State Council shall, in conjunction with the relevant departments, formulate comprehensive river basin plans. Comprehensive river basin plans for important river basins such as the Yangtze River basin and the Yellow River basin shall serve as an important basis for the protection, development, utilization, and conservation of water resources.

Article 873 The industrial structure and layout in the Yangtze River basin, the Yellow River basin, and other important river basins shall be compatible with the carrying capacity of the ecology and environment of the river basins. Industries that have severe impact on ecosystems shall not be located in key ecological function zones of river basins.

Article 874 The state strengthens the ecological conservation and restoration of the headwater areas of the Yangtze River and the Yellow River, and other important river basins, major water bodies, lakes, reservoir drawdown zones, and estuaries, so as to maintain sound ecological functions.

Article 875 The state promotes the establishment of an aquatic biological integrity index evaluation system for ecosystems in the Yangtze River basin, the Yellow River basin and other important river basins, organizes aquatic biological integrity assessments, and uses the results as an important basis for assessing the overall conditions of ecosystems. The aquatic biological integrity indices for important river basins shall be aligned with standards for water ecological and environmental quality.

Article 876 The state implements special controls over the shorelines of rivers and lakes in the Yangtze River basin, and in accordance with the provisions of the Yangtze River Protection Law of the People's Republic of China, delineates the protection areas of such shorelines, formulates shoreline protection plans, strictly controls shoreline development and construction, and promotes rational and efficient shoreline utilization.

Article 877 The state conducts scientific evaluation of water diversion across the Yangtze River basin, and strengthens the control and management of such water diversion. The implementation of water diversion across the Yangtze River basin shall prioritize safeguarding water security and ecological security in both the water-supplying areas and their downstream areas, and coordinate the water needs of both the water-supplying areas and water-receiving areas.

The people's governments at or above the county level where the Danjiangkou Reservoir Area and its upper reaches are located shall strengthen the overall protection of mountains, waters, forests, farmlands, grasslands, and deserts, enhance water retention capacity, and ensure that water quality remains stable and meets standards.

Article 878 The utilization of water resources in the Yellow River basin shall follow the principles of giving priority to water conservation, balancing all relevant needs, and using water efficiently and economically, give priority to satisfying the domestic water demand of urban and rural residents, guarantee water for basic ecological needs, and coordinate water consumption for production purposes.

Article 879 The state adopts a unified water-sediment regulation system for the

Yellow River basin in accordance with the provisions of the Yellow River Protection Law of the People's Republic of China. Water and sediment control shall minimize impact on aquatic species and their habitats.

Article 880 The state strengthens the prevention and control of soil erosion in key soil erosion prevention zones and control zones, and headwater areas of major tributaries, as well as the protection and rehabilitation of ecologically fragile areas in the Yellow River basin, conducts assessments of soil erosion and loss, and implements priority prevention and control projects.

Production and construction activities that may cause soil erosion are prohibited in areas of the Yellow River basin with severe soil erosion or ecological fragility. If construction must be carried out based on national strategies or the needs of the economy and people's livelihoods, it shall be subject to scientific evaluation and the examination and approval procedures in accordance with law.

Article 881 The state strengthens the management of important rivers and lakes such as the Huaihe River, Haihe River, Pearl River, Songhua River, Liaohe River, Dongting Lake, Poyang Lake, Taihu Lake, Hongze Lake, and Chaohu Lake, consolidates and enhances the ecological functions of river basins such as water retention, soil and water conservation, and biodiversity protection, and ensures the ecological security of the river basins.

Article 882 The state, in accordance with the provisions of the Law of the People's Republic of China on the Ecological Conservation of the Qinghai-Xizang Plateau, strengthens the protection of the diverse ecosystems on the Qinghai-Xizang Plateau, such as forests, grasslands, wetlands, rivers, lakes, deserts, snow-capped mountains, glaciers, permafrost, and spring areas, and consolidates and enhances the ecological functions of national key ecological function zones on the Qinghai-Xizang Plateau such as water retention, biodiversity protection, soil and water conservation, windbreak, and sand fixation.

The state coordinates the ecological security planning of the Qinghai-Xizang Plateau, advances the comprehensive, systematic, and source-based governance of mountains, waters, forests, farmlands, grasslands, deserts, and glaciers, implements major projects for the protection and restoration of important ecosystems, enhances the quality, diversity, stability, and sustainability of ecosystems, strengthens the supply capacity of ecological products and ecosystem services, and builds the plateau into a strategic area serving as a national ecological security shield.

The industrial structure and distribution on the Qinghai-Xizang Plateau shall be compatible with the ecological and environmental carrying capacity.

Article 883 The state establishes and improves an ecological risk prevention and control system for the Qinghai-Xizang Plateau and takes effective measures to enhance its capacity for preventing and mitigating natural disasters, responding to climate change, and managing other ecological risks, so as to ensure the ecological security of the Qinghai-Xizang Plateau.

The relevant departments under the State Council, local people's governments at or above the county level on the Qinghai-Xizang Plateau, and their relevant departments shall strengthen the supervision and administration of construction activities, cultural and tourism activities, mountain-based outdoor sports, and other

activities on the Qinghai-Xizang Plateau, and effectively safeguard the ecological security of the Qinghai-Xizang Plateau.

Article 884 The state establishes and improves the protection system for snow-capped mountains, glaciers, and permafrost on the Qinghai-Xizang Plateau, reinforces the monitoring, early warning, and systematic protection of snow-capped mountains, glaciers and permafrost, places important snow-capped mountains and glaciers under enclosure-based protection, and takes effective measures to stringently control human disturbance.

The state establishes and improves a management and protection system for rivers and lakes on the Qinghai-Xizang Plateau, strictly protects the natural grasslands of ecological importance including the headwater areas of major rivers on the Qinghai-Xizang Plateau, comprehensively strengthens the protection of natural forests on the Qinghai-Xizang Plateau, and enhances the ecological conservation of wetlands and the protection of peatlands on the plateau.

The state implements priority protection for precious, endangered, or endemic wildlife species on the Qinghai-Xizang Plateau.

The state intensifies efforts to control and rehabilitate degraded grasslands, degraded wetlands, and sandified land as well as efforts to prevent and control soil erosion on the Qinghai-Xizang Plateau, rehabilitates severely degraded land by taking comprehensive measures, and strengthens the prevention and control of soil erosion in important river headwater areas, key areas for the prevention and control of soil erosion, and valleys on the plateau with a relatively high population density.

Article 885 The entire Hainan Island shall prioritize ecological conservation, adhere to green development, innovate the systems and mechanisms for ecological conservation, continuously improve the ecological and environmental quality and the efficiency of resource utilization, and scale up efforts to hold those causing ecological and environmental damage liable.

Article 886 The state strengthens the ecological conservation and restoration of the Qinling Mountains, and consolidates and enhances the ecological functions of the Qinling Mountains in climate regulation, soil and water conservation, water retention, and biodiversity protection, among others.

Article 887 The State Council shall establish a coordination mechanism for strengthening the comprehensive prevention and control of desertification and advancing the key ecological projects such as the Three-North Forest Shelterbelt Program, coordinate the resolution of major issues in an overall manner, advance key ecological projects, and advance the implementation of major policies.

The state strengthens the protection and restoration of ecosystems in the construction areas of the Three-North Forest Shelterbelt Program, implements a target-based responsibility system, and regularly conducts monitoring and assessment of the performance of the program, in order to protect and consolidate the achievements of the program.

Chapter VI
Prevention and Control of Ecological Degradation

Section 1
Soil and Water Conservation

Article 888 For the purposes of this Code, "soil and water conservation" refers to measures taken to prevent and control soil erosion caused by natural factors and human activities.

Article 889 The work of soil and water conservation shall follow the principles of focusing on prevention, prioritizing protection, conducting overall planning, carrying out comprehensive management, adapting to local conditions, highlighting key points, implementing scientific management, and emphasizing efficiency.

Article 890 The competent department for water administration under the State Council shall be in charge of soil and water conservation nationwide.

The river basin management agencies established by the competent department for water administration under the State Council in important rivers and lakes designated by the state shall, within the areas under their administration, perform the duties of supervising and administering soil and water conservation in accordance with law.

The competent department for water administration of a local people's government at or above the county level shall be in charge of soil and water conservation within its administrative area.

The departments of forestry and grassland, agriculture and rural affairs, natural resources, ecology and environment, and other relevant departments of the people's governments at or above the county level shall effectively conduct the work related to the prevention and control of soil erosion within the scope of their respective duties.

Article 891 The state establishes and improves standards for soil and water conservation. The competent department for water administration and the competent department for standardization under the State Council shall organize the formulation and improvement of national standards concerning matters such as control of soil erosion on all fronts, soil and water conservation in production and construction projects, and monitoring of soil erosion. For matters not provided in the national standards, local standards or industry standards may be formulated in accordance with law.

Article 892 The state formulates soil and water conservation plans based on the results of soil erosion surveys and the delineation of key areas for the prevention and control of soil erosion.

Where plans relating to infrastructure construction, mineral resources exploitation, urban development and public service facility construction, among others, and implementation plans such as those for the layout of major industries and projects, are likely to cause soil erosion in the course of implementation, the organs organizing the formulation of such plans shall propose countermeasures and measures for the prevention and control of soil erosion in the plans, and solicit opinions from the competent departments for water administration of the people's governments at the same level before submitting the plans for examination and approval.

Article 893 The competent departments for water administration of the people's governments at or above the county level shall strengthen soil and water conservation

monitoring, improve the soil and water conservation monitoring network, regularly organize surveys of soil erosion, and announce the survey results, so as to ensure that soil and water conservation monitoring plays its role in government decision-making, economic and social development, and public services.

Article 894 Local people's governments at all levels shall, in accordance with the soil and water conservation plans, adopt measures such as enclosure for conservation, natural restoration, and priority treatment, organize entities and individuals to plant trees and grasses, expand the coverage area of forests and grasses, enhance water retention, and strengthen the management of activities such as soil extraction, sand mining, and quarrying, to prevent and mitigate soil erosion.

Article 895 The state establishes a spatial governance and control system for soil and water conservation in accordance with territorial space plans and territorial space use control requirements, and implements differentiated protection and remedial measures.

Activities that may cause soil erosion such as soil extraction, sand mining, and quarrying are prohibited in collapse-prone areas, landslide hazard areas, and debris flow-prone areas.

Production and construction activities that may cause soil erosion shall be restricted or prohibited in areas with severe soil erosion or ecological fragility. Where construction is indeed necessary for national development strategies and the national economy and people's livelihood, scientific evaluation shall be conducted, and approval procedures shall be completed in accordance with the provisions of the Soil and Water Conservation Law of the People's Republic of China.

Land owners, users, or relevant management entities shall establish vegetative buffer zones on the slopes and banks of erosion gullies, on both sides of rivers, and around lakes and reservoirs. The cultivation and development of such zones are prohibited.

Reclamation for crop cultivation on steep slopes with gradients of over 25 degrees is prohibited. Where economic forests are to be planted on such steep slopes, species of trees shall be selected scientifically, the scale shall be reasonably determined, and soil and water conservation measures shall be adopted to prevent soil erosion.

The destruction of forests or grasslands for reclamation and harvesting of Nostoc flagelliforme is prohibited. Turf removal, root digging, or excessive harvesting of cordyceps, licorice, ephedra, and similar plants in key areas for the prevention and control of soil erosion is prohibited.

Article 896 Trees shall be harvested in a reasonable manner, and clearcutting shall be strictly controlled; only tending and regeneration harvest shall be permitted in forests for water conservation, soil and water conservation, and windbreak and sand-fixation and other shelterbelts; measures shall be taken to prevent soil erosion in harvest areas and skid trails, and the forest shall be regenerated in a timely manner after harvesting.

Article 897 The competent departments for water administration of the people's governments at or above the county level shall strengthen the management of human activities such as surface disturbance and earthworks, and strictly control soil erosion caused by human activities.

Where launching a production or construction project may cause soil erosion in a mountainous, hilly, or sandy area, or any other area prone to soil erosion as determined by the soil and water conservation planning, the developer shall formulate a soil and water conservation plan and submit it to the competent department for water administration of the people's government at or above the county level for approval, and take measures to prevent and control soil erosion in accordance with the approved soil and water conservation plan.

For activities of production and construction not included in the management of soil and water conservation plans, the prevention and control of soil erosion shall be carried out in accordance with the standards for the prevention and control of soil erosion in production and construction activities.

Article 898 For a production or construction project for which a soil and water conservation plan is legally required, the soil and water conservation facilities shall be designed, constructed, and put into use simultaneously with the main project; upon completion and acceptance of a production or construction project, its soil and water conservation facilities shall be subject to acceptance inspection; the production or construction project shall not be put into use if its soil and water conservation facilities have not undergone acceptance inspection or fail to pass the inspection.

Where production and construction projects or other production and construction activities may cause soil erosion in mountainous, hilly, or sandy areas, or other areas prone to soil erosion as determined by the soil and water conservation planning, if such activities damage soil and water conservation facilities, landforms, and vegetation, rendering the original soil and water conservation functions irrecoverable, soil and water conservation compensation fees shall be paid, which shall be exclusively used for the prevention and control of soil erosion.

Article 899 The state strengthens the construction of key soil and water conservation projects in key areas for the prevention and control of soil erosion, including improving the quality and efficiency in comprehensive management of small watersheds, converting sloping farmland into terraced fields, constructing check dams, controlling erosion gullies and collapsing hillsides, and consolidating gullies and protecting tablelands, so as to scale up ecological restoration efforts.

Article 900 The state encourages and supports the contracted management and rehabilitation of barren mountains, gullies, hills, and wastelands to prevent and control soil erosion, protects and improves the ecosystem and environment, and promotes the rational development and sustainable use of land resources.

Whoever undertakes contracted management and rehabilitation of barren mountains, gullies, hills, and wastelands, as well as contracted operation of rural land in areas severely affected by soil erosion, shall include provisions on the responsibilities of preventing and controlling soil erosion in the contract lawfully concluded.

Article 901 In areas affected by water erosion, integrated efforts shall be made, with river basins and water systems as the basic units, to advance comprehensive management of small watersheds; comprehensive remediation of soil erosion on sloping farmland and in gullies shall be carried out; engineering and vegetative measures shall be suited to local conditions; greater efforts shall be made to develop

such projects as converting sloping farmland into terraces and constructing check dams; conservation tillage and high-standard farmland development shall be advanced in a coordinated way; supporting facilities including field roads and slope drainage systems shall be improved; and ecologically clean small watersheds shall be developed to provide more and better ecological products with soil and water conservation functions.

In areas suffering from wind erosion, local people's governments and their relevant departments shall organize entities and individuals to adopt measures tailored to local conditions such as conducting rotational enclosure and rotational grazing, planting trees and grasses, and setting up artificial sand barriers and shelterbelt grids, so as to establish a windbreak and sand-fixation protection system.

In areas suffering from gravity erosion, local people's governments and their relevant departments shall organize entities and individuals to adopt measures such as runoff diversion, slope flattening for load reduction, slope supporting for stabilization, and construction of retaining and protective works, so as to establish a monitoring, forecasting and early warning system.

Article 902 In drinking water source protection zones, local people's governments and their relevant departments shall organize entities and individuals to adopt measures of preventive protection, natural restoration, and comprehensive remediation, develop supporting vegetative filter strips, carry out the construction of ecologically clean small watersheds, strictly control the use of chemical fertilizers and pesticides, and reduce non-point source pollution caused by soil erosion so as to protect drinking water sources.

Article 903 Where crops have already been planted on steep slopes prohibited from reclamation, ecological restoration shall be carried out in accordance with state regulations; in cases where arable land is scarce and it is genuinely difficult to return the arable land to its natural state, terraced fields shall be constructed or other soil and water conservation measures shall be taken.

Whoever conducts land reclamation and crop cultivation on sloping farmland with gradients below the threshold for prohibited reclamation shall take soil and water conservation measures appropriate to specific circumstances, such as building terraced fields, renovating slope water systems, practicing water and soil conservation tillage, or retiring arable land.

Article 904 Topsoil on land occupied for production and construction activities shall be stripped, preserved, and utilized separately by layer to achieve a balance between earth excavation and backfilling and reduce the extent of surface disturbance. Production and construction projects for which a soil and water conservation plan is legally required shall comprehensively utilize discarded sand, stone, soil, gangue, tailings, waste residue, and other materials; where disposal is indeed necessary, such materials shall be stored at sites designated in the soil and water conservation plan, and measures such as retaining works, slope protection, and flood interception and drainage shall be adopted. Upon completion of production and construction activities, trees and grasses shall be planted in a timely manner on bare land at borrow pits, excavation faces, and storage sites to restore vegetation.

Where production and construction activities are carried out in arid and

water-scarce areas, measures shall be taken to prevent wind erosion, rainwater harvesting and infiltration facilities shall be installed, and rainwater resources shall be fully utilized.

Article 905 The state encourages and supports the adoption of the following measures conducive to soil and water conservation in mountainous areas, hilly areas, sandy areas, and other areas prone to soil erosion:

(1) no-till farming, contour tillage, tillage rotation and crop rotation, grass-crop rotation, intercropping and interplanting, and other similar practices;

(2) enclosure for conservation, rotational enclosure and rotational grazing, and stall feeding;

(3) developing biomass energy, utilizing solar, wind, and hydropower energy, and replacing firewood and other traditional fuels with coal, electricity, or gas;

(4) relocating residents from ecologically fragile areas; and

(5) other measures conducive to soil and water conservation.

Section 2
Desertification Prevention and Control

Article 906 For the purposes of this Code, "desertification" refers to the process whereby natural deserts expand and vegetation and surface cover on sandy soils are destroyed, primarily as a result of unreasonable human activities, resulting in mobile sands and exposed sandy soil.

For the purposes of this Code, "land affected by desertification" includes land that is sandified and land showing a clear tendency toward sandification.

Article 907 Desertification prevention and control shall be carried out in accordance with the principles of prevention first, integrating prevention with control, rational utilization, overall planning, adaptation to local conditions, taking preventive measures in light of actual harm, and category-based policies.

Article 908 The competent department for forestry and grassland under the State Council shall be responsible for organizing, coordinating, and guiding the work of national desertification prevention and control.

The departments of forestry and grassland, agriculture and rural affairs, water administration, natural resources, ecology and environment, meteorology, and other relevant departments under the State Council shall jointly and effectively carry out desertification prevention and control within the scope of their respective duties.

Local people's governments at or above the county level shall organize and lead relevant departments to work in close coordination in carrying out desertification prevention and control within their administrative areas.

Article 909 The competent department for forestry and grassland under the State Council shall, in conjunction with the relevant departments, formulate the national plan for desertification prevention and control in accordance with the provisions of the Law of the People's Republic of China on Prevention and Control of Desertification. Local people's governments at or above the county level may, based on the actual needs, organize the formulation of desertification prevention and control plans for their administrative areas.

Article 910 The state strengthens comprehensive desertification prevention and control, actively advances efforts to prevent and control desertification, focuses on ecological restoration of desert fringes, sand source areas, and sand transport pathways, strengthens management and control of natural ecological spaces and protection of psammophytes, promotes conservation tillage measures, implements ecological projects such as shelterbelt construction, and carries out comprehensive control of rocky desertification in karst areas.

Article 911 Local people's governments at or above the county level in areas with land affected by desertification shall, in accordance with the desertification prevention and control plans, designate a certain proportion of land for building windbreak and sand-fixation shelterbelt networks and shelterbelts based on local conditions, and plant perennial shrubs and herbaceous plants.

No felling of trees in windbreak and sand-fixation shelterbelt networks and shelterbelts shall be approved except for felling for tending and regeneration purposes. Prior to such felling, replacement shelterbelt networks and shelterbelts shall be established in advance in adjacent areas. No felling shall be approved for existing windbreak and sand-fixation shelterbelt networks and shelterbelts in areas where forest regeneration is difficult.

Article 912 The felling and uprooting of shrubs, medicinal herbs, and other sand-fixation plants on sandified land are prohibited, unless otherwise provided by laws and administrative regulations.

The people's governments at the county level in areas with land affected by desertification shall establish a vegetation management and protection system, improve the organizational system for vegetation management and protection, build management and protection facilities, and strictly protect vegetation.

Article 913 The competent departments for water administration of local people's governments at or above the county level in areas with land affected by desertification shall strengthen unified allocation and management of water resources in river basins and regions, and prevent vegetation destruction and desertification caused by the excessive development and utilization of groundwater and upstream water resources.

Local people's governments at or above the county level in areas with land affected by desertification shall not approve the reclamation of land for cultivation in the desert fringes, woodlands, and grasslands; where such reclamation has occurred and caused adverse ecological impact, the conversion of arable land back to forests and grasslands shall be organized in a planned manner.

Article 914 The state establishes an enclosure-based protection system for land affected by desertification. Contiguous land affected by desertification that does not currently meet the conditions for rehabilitation shall be designated as land affected by desertification enclosed for protection.

Within the scope of land affected by desertification enclosed for protection, activities that destroy vegetation are prohibited. Resettlement of migrants is prohibited within the scope of enclosed land. Without approval, construction activities such as building railways and highways shall not be carried out within such enclosed land.

Article 915 Local people's governments at all levels in areas with land affected by desertification shall, in accordance with the desertification prevention and control

plans, organize the relevant departments, entities, and individuals to adopt measures such as engineering measures, biological measures, and reasonable allocation of water for ecological needs based on local conditions, to restore and increase vegetation, prevent desertification, and rehabilitate sandified land.

Article 916 The state encourages entities and individuals to carry out public interest desertification control activities by making donations or through other means on a voluntary basis.

Article 917 Right holders entitled to the use of state-owned land or to the contracted management of collectively owned rural land who use sandified land shall take rehabilitation measures and improve land quality.

Right holders entitled to the use of land or to the contracted management of collectively owned rural land who adopt measures such as converting arable land back to forests and grasslands, growing trees and grass, or closing areas for vegetation restoration to control desertification shall enjoy policy incentives as prescribed by the state.

Article 918 Anyone engaging in production and business activities such as crop cultivation, animal farming, tourism, wind power generation, and photovoltaic power generation on land affected by desertification shall adopt measures to prevent desertification.

Article 919 Local people's governments at all levels in areas with land affected by desertification may organize local rural collective economic organizations and their members to carry out concentrated rehabilitation of sandified land on a voluntary basis.

Chapter VII
Ecological Restoration

Article 920 The people's governments at all levels and the relevant departments when conducting ecological restoration activities, as well as entities and individuals that bear responsibility for ecological restoration in accordance with law and conduct such activities, shall comply with the relevant provisions of this Chapter.

Article 921 A working mechanism combining source protection with whole-process restoration and rehabilitation shall be established and improved for ecological restoration, so as to achieve overall protection, systematic restoration, and comprehensive management.

Article 922 The competent department for natural resources under the State Council shall, in conjunction with the relevant departments, organize and implement major ecological restoration projects, and coordinate the ecological conservation and restoration of key river basins and important regions.

The competent department for ecology and environment under the State Council shall, within the scope of its duties, guide, coordinate, and supervise ecological conservation and restoration.

Article 923 The competent departments for natural resources of the people's governments at or above the county level shall, in conjunction with the relevant departments, formulate plans for territorial spatial ecological restoration in accordance

with law.

The relevant departments under the State Council shall, within the scope of their respective duties, organize the formulation of sector-specific plans for ecological restoration and other related matters. Local people's governments at or above the county level shall, as prescribed by the state, organize the implementation of sector-specific plans for ecological restoration and other related matters within their administrative areas.

Article 924 In formulating ecological restoration plans and designing project proposals, opinions shall be fully solicited from relevant parties and scientific evaluation shall be conducted so as to determine the objectives, contents, implementation plans, technical measures, and other related matters of ecological restoration.

Article 925 The competent departments for natural resources and ecology and environment under the State Council shall, in conjunction with other relevant departments, conduct ongoing monitoring of the implementation of major ecological restoration projects.

The relevant departments of local people's governments shall conduct ongoing monitoring of the implementation of various ecological restoration projects within the scope of their respective duties.

Article 926 The relevant departments under the State Council shall, within the scope of their respective duties, establish and improve a supervision mechanism for the implementation of ecological restoration, and conduct follow-up inspections of major ecological restoration projects.

The relevant departments of local people's governments shall strengthen the supervision of various ecological restoration projects and organize follow-up inspections in a timely manner.

Article 927 Upon completion of an ecological restoration project, the relevant departments of the people's governments at or above the county level shall, within the scope of their respective duties and in light of the specific characteristics of various ecological restoration projects, organize and conduct acceptance inspection of such projects.

Article 928 The state implements a post-restoration management and maintenance system for ecological restoration projects.

After an ecological restoration project has passed acceptance inspection, the people's governments at or above the county level and their relevant departments shall determine the responsible party for post-restoration management and maintenance, and specify the contents, measures, duration, funding sources, and other related matters of such management and maintenance.

Article 929 The state encourages and supports the research, development, promotion, and application of ecological restoration technologies, so as to enhance independent innovation capacity in the field of ecological restoration, and improve the scientific and professional level of ecological restoration.

The competent department for natural resources under the State Council shall, in conjunction with the relevant departments, formulate the standards and norms for ecological restoration, and organize their implementation.

Article 930 The state pursues a model of policy support, participation by enterprises and other sectors of society, and market-based operation, and takes effective measures to encourage non-government capital to participate in ecological restoration projects throughout the entire process, including investment, design, restoration, and management and maintenance.

The state establishes a funding guarantee system for ecological restoration, supports the establishment of green funds and special ecological bonds, encourages social donations, and broadens the funding channels for ecological restoration.

Article 931 The people's governments at all levels shall scientifically protect and restore forest ecosystems, and strengthen the protection and restoration of forest ecosystems in ecologically fragile areas. Local people's governments shall organize the closure of hillsides for afforestation and forest conservation in newly established young forests and other areas where such measures are required.

The people's governments at all levels shall implement forest ecological restoration projects and restore vegetation tailored to local conditions on mountains abandoned or damaged due to natural factors, degraded forest lands, as well as barren mountains, barren land, and mudflats suitable for afforestation.

Article 932 The state strengthens the protection of ecologically fragile grasslands. For degraded grasslands and grasslands suffering from sandification, salinization, rocky desertification, and soil erosion, local people's governments at all levels shall organize ecological conservation and restoration in accordance with the plans for grassland protection, restoration, and utilization to enhance the stability of ecosystems.

Article 933 The people's governments at or above the county level shall adhere to systematic governance, strengthen wetland restoration, recover wetland areas, and improve the quality of wetland ecosystems.

The people's governments at or above the county level shall carry out comprehensive remediation and restoration of natural wetlands that are severely fragmented or suffer from functional degradation, and give priority to the restoration of important wetlands with severely degraded ecological functions.

Article 934 Marine ecosystems of significant ecological, economic, and social value that have been damaged shall be restored. Marine ecological restoration shall focus on improving the habitats and growth conditions of animals and plants, restoring biodiversity and the basic functions of ecosystems, giving priority to natural recovery while using artificial restoration as a supplementary measure, and giving priority to restoring typical and representative marine ecosystems.

The competent department for natural resources under the State Council shall be responsible for coordinating marine ecological restoration, taking the lead in organizing the formulation of marine ecological restoration plans, and implementing major marine ecological restoration projects. In formulating marine ecological restoration plans, scientific evaluation shall be conducted.

Article 935 The people's governments at or above the county level shall strengthen the remediation and restoration of ecologically deteriorated rivers and lakes, and coordinate the application of measures such as ecological water replenishment, biological purification, ecological dredging, and improving river-lake

connectivity to carry out comprehensive management of river and lake ecosystems, so as to improve and restore river and lake ecosystems.

Local people's governments at or above the county level where estuaries are located and their relevant departments shall, in accordance with the requirement of coordinated river-sea management, formulate and implement plans for estuarine ecological restoration and other protection measures, strengthen comprehensive monitoring of water, sediment, salinity, tidal flats, biological populations, and estuarine morphology, and take effective measures to prevent seawater intrusion and backflow, so as to maintain the sound ecological functions of estuaries.

Article 936 Prior to the exploitation of mineral resources, the mining right holder shall formulate a plan for the ecological restoration of the mining area in accordance with law. The mining right holder shall carry out the ecological restoration of the mining area in accordance with the approved plan.

The mining right holder shall, in accordance with the regulations, provide for ecological restoration funds of the mining area, which shall be used exclusively for such restoration.

Article 937 The state establishes and improves mechanisms for assessing the performance of ecological restoration, and formulates and improves standards, technical guidelines, and other related documents for the evaluation of ecological restoration performance.

The competent departments for natural resources, ecology and environment, and other relevant departments under the State Council shall, within the scope of their respective duties, conduct assessments of the performance of ecological restoration.

The people's governments at or above the county level and their relevant departments shall strengthen the work of assessing the performance of ecological restoration.

Book Four
Green and Low-Carbon Development

Chapter I
General Rules

Article 938 This Book applies to activities related to green and low-carbon development, including the development of a circular economy, energy conservation, the green and low-carbon transition, and responses to climate change.

Article 939 The state establishes sound mechanisms for green and low-carbon development, improves the policy system for the green and low-carbon transition, and accelerates the green transition in all areas of economic and social development, thereby developing a spatial layout, industrial structures, production patterns, and ways of life that are conducive to resource conservation and ecological and environmental protection.

Article 940 The state adopts effective measures to promote the economical, efficient, and circular use of all types of resources; promote the reduction of the generation and discharge of pollutants and greenhouse gases in the processes of

production, distribution, and consumption; improve resource utilization efficiency; and develop a green, low-carbon, and circular economic system.

Article 941 The state promotes energy conservation, carbon reduction, and efficiency improvement; promotes the clean and efficient utilization of fossil fuels and their safe, reliable, and orderly replacement; vigorously develops non-fossil energy; prudently advances the transition to green and low-carbon energy, and accelerates the development of a new clean, low-carbon, safe, and efficient energy system; and makes China strong in the energy sector.

Article 942 The state adopts policies and measures to actively respond to climate change, controls and reduces greenhouse gas emissions, actively and prudently pursues carbon peaking and carbon neutrality, enhances the capacity for adaptation to climate change, and raises public awareness of climate change response.

Article 943 The state emphasizes the goals and requirements of green and low-carbon development in the implementation of major regional development strategies, and develops a spatial layout for green, low-carbon, and high-quality development.

Article 944 The state promotes the green and low-carbon transition of industries including iron and steel, non-ferrous metals, petrochemicals, chemicals, building materials, papermaking, and textile printing and dyeing; promotes the application of energy-efficient, low-carbon, and cleaner production technologies and equipment; advances the upgrading of technological processes; improves binding standards relating to energy efficiency and carbon emissions; and promotes the optimization and upgrading of traditional industries.

The state promotes the development of green and low-carbon industries, fosters and expands emerging industries and industries of the future, such as new energy and bio-manufacturing, develops green manufacturing and service systems, and gradually increases the share of green and low-carbon industries in the economy.

Article 945 The state optimizes the transportation structure, improves the transportation network, and promotes the rational division of functions and connectivity among railways, highways, waterways, and aviation, thereby developing a green and efficient transportation system.

The state develops green transportation infrastructure, prioritizes the development of public transportation, promotes low-carbon means of transportation, promotes clean transport, and actively encourages green travel.

Article 946 The state advocates green and low-carbon planning and design concepts, promotes green construction methods, optimizes the energy mix of buildings, supports the large-scale development of ultra-low-energy buildings and low-carbon buildings, and advances the development of green, low-carbon, and climate-adaptive cities.

Article 947 The state promotes green and low-carbon development in agriculture and rural areas, accelerates the promotion and application of green technologies, guides agricultural producers and business operators in using agricultural inputs in a scientific and appropriate manner, strengthens the recycling of agricultural waste, and gives priority to the development of ecological agriculture.

Article 948 The state establishes and improves a system of standards for green

and low-carbon development.

The relevant departments under the State Council and local people's governments at or above the county level shall take effective measures to promote green and low-carbon product standards, certification results, and labeling information, and evaluate their performance.

Article 949 State organs and other public institutions using government funds shall take the lead in implementing green and low-carbon principles. They shall practice frugality and combat waste, promote green office practices and green procurement, and use green and low-carbon products, in order to play a leading and exemplary role in the green and low-carbon transition.

Enterprises shall step up the research, development, promotion, and application of green and low-carbon technologies and products, advance the greening of production and business activities, improve the efficiency of resource utilization, reduce the generation and discharge of pollutants and greenhouse gases, and consciously fulfill their social responsibilities for green and low-carbon development.

Citizens shall enhance their awareness of green and low-carbon development, actively participate in green consumption, green travel, the "Clean Plate" campaign, domestic waste sorting, and other green and low-carbon activities, oppose extravagance and waste, and cultivate a responsible and healthy lifestyle and consumption pattern.

Article 950 The state optimizes investment mechanisms for the green transition, increases fiscal investment in key projects in areas such as the demonstration of advanced and applicable green and low-carbon technologies, energy conservation and carbon reduction in key industries, and the efficient and circular use of resources; guides and regulates the participation of non-government capital in the investment, construction, and operation of green and low-carbon projects; and encourages non-government capital to establish green and low-carbon industry investment funds by market-based means.

Article 951 The state strengthens application-oriented basic research in the green and low-carbon field, encourages and supports the research and development of technologies related to resource conservation and circular use, the green and low-carbon energy transition, and climate change mitigation and adaptation, and accelerates the demonstration and promotion of advanced and applicable technologies.

Article 952 The state strengthens international cooperation in fields such as green trade, technology, finance, and standards, encourages the import and export of green and low-carbon technologies, products, and services, actively participates in the formulation of international rules and standards, and leads the global green transition.

Chapter II
Developing a Circular Economy

Section 1
General Rules

Article 953 In developing a circular economy, the principles of reduction, reuse, and recycling shall be upheld, and the following guidelines shall be followed: overall planning and rational layout; adaptation to local conditions with emphasis on practical results; government promotion and market guidance; and implementation by enterprises with public participation.

Article 954 The department of development and reform under the State Council is responsible for organizing, coordinating, supervising and managing the development of the circular economy nationwide. The department of ecology and environment, the department of industry and information technology, the department of housing and urban-rural development, and other relevant departments under the State Council shall, within the scope of their respective duties, be responsible for the supervision and management of matters relating to the circular economy.

The departments of development and reform of local people's governments at or above the county level are responsible for organizing, coordinating, and supervising and managing the development of the circular economy within their respective administrative areas. The department of ecology and environment, the department of industry and information technology, the department of housing and urban-rural development, and other relevant departments of a local people's government at or above the county level shall, within the scope of their respective duties, be responsible for the supervision and management of matters relating to the circular economy.

Article 955 The department of development and reform under the State Council shall, in conjunction with the department of ecology and environment and other relevant departments under the State Council, formulate a national plan for the development of the circular economy and submit it to the State Council for approval before being issued for implementation.

The departments of development and reform of local people's governments at or above the level of a city divided into districts shall, in conjunction with the departments of ecology and environment and other relevant departments, formulate plans for the development of the circular economy for their respective administrative areas and submit them to the people's governments at the same level for approval before being issued for implementation.

A plan for the development of the circular economy shall include objectives, scope of application, main contents, key tasks, and safeguard measures, among others.

Article 956 Industrial policies formulated by the state shall meet the requirements for the development of the circular economy.

The state supports, where technologically feasible, economically justified, and conducive to ecological and environmental protection, the promotion of circular production models and the intensive and large-scale development of resource recycling industries.

Article 957 The competent department for standardization under the State Council shall, in conjunction with the relevant departments under the State Council, such as the department of development and reform, the department of ecology and environment, and the department of industry and information technology, formulate circular economy standards for green design, green manufacturing, the comprehensive

utilization of industrial waste, and the recovery and utilization of domestic waste.

Article 958 The state establishes and improves a statistical system for the circular economy, strengthens the statistical management of resource consumption, comprehensive utilization of resources, waste generation, among others, and regularly publishes major statistical indicators to the public.

Article 959 The state establishes and improves an extended producer responsibility system to promote resource recycling.

Section 2
Cleaner Production

Article 960 The state encourages the adoption of measures such as green design, the use of clean energy and raw materials, and the application of advanced and applicable technologies and equipment to reduce resource consumption at the source, reduce the generation and discharge of pollutants and greenhouse gases, and promote cleaner production.

Article 961 The department of development and reform under the State Council shall, in conjunction with the department of ecology and environment, the department of industry and information technology and other relevant departments under the State Council, formulate a national plan for the promotion of cleaner production, which shall be submitted to the State Council for approval before promulgation. The national plan for the promotion of cleaner production shall include the objectives, main tasks, and supporting measures for the advancement of cleaner production, and identify key areas, industries, and projects for implementing cleaner production.

The competent departments for relevant industries under the State Council shall, in accordance with the national plan for the promotion of cleaner production, identify the key tasks and projects for advancing cleaner production in their respective industries and organize their implementation.

Local people's governments at or above the county level shall, in accordance with the national plan for the promotion of cleaner production and the requirements for conserving resources, reducing energy consumption, and reducing the discharge of pollutants and greenhouse gases in their respective administrative areas, formulate implementation plans for the promotion of cleaner production and organize their implementation.

Article 962 The central budget shall increase funding for the promotion of cleaner production, including special central government funds for cleaner production and other cleaner production funds arranged under the central budget, to support the implementation of cleaner production and the promotion of related technologies in the key areas, industries, and projects identified in the national plan for the promotion of cleaner production, as well as cleaner production projects in ecologically fragile areas. The specific measures governing the use of funds under the central budget for the promotion of cleaner production shall be formulated by the department of finance and the department of development and reform under the State Council, in conjunction with other relevant departments.

Local people's governments at or above the county level shall coordinate funds

arranged by local fiscal budgets for the promotion of cleaner production and guide non-governmental capital to support key cleaner production projects.

An appropriate amount shall, as needed, be allocated from the small and medium-sized enterprise development funds established in accordance with national regulations to support such enterprises in implementing cleaner production.

Article 963 The department of development and reform under the State Council shall, in conjunction with the departments of ecology and environment, industry and information technology, science and technology, housing and urban-rural development, agriculture and rural affairs, and forestry and grassland, and other relevant departments under the State Council, publish a guidance catalog of cleaner production technologies, processes, equipment, and products on a regular basis.

Local people's governments at or above the county level shall guide and support the research and development of cleaner production technologies, processes, equipment, and products, as well as the demonstration and the promotion of the application of cleaner production technologies.

Article 964 The departments of development and reform, ecology and environment, and industry and information technology of the people's governments at or above the provincial level shall, in conjunction with other relevant departments, organize the formulation of cleaner production guidelines for key industries and regions to guide the implementation of cleaner production.

Article 965 Enterprises shall adopt the following cleaner production measures in the course of technological upgrading:

(1) using non-toxic, non-hazardous, or low-toxicity and low-hazard raw materials to replace highly toxic and highly hazardous raw materials;

(2) using resource-efficient processes and equipment with low levels of pollutant discharge and greenhouse gas emissions to replace resource-inefficient processes and equipment with high levels of pollutant discharge and greenhouse gas emissions;

(3) comprehensively utilizing waste generated during the production process; and

(4) adopting pollution prevention and control technologies that meet the pollutant discharge standards and total discharge control targets, which are prescribed by the state or by local authorities.

Article 966 Enterprises shall monitor resource consumption and waste generation in their production and service processes and, as needed, conduct cleaner production audits of their production and service activities.

The state strengthens the application of cleaner production audit results and uses them as an important basis for the formulation and implementation of differentiated policies such as water-use quotas.

Specific measures for cleaner production audits shall be formulated by the department of development and reform and the department of ecology and environment under the State Council, in conjunction with relevant departments.

Article 967 Enterprises falling under any of the following circumstances shall conduct mandatory cleaner production audits:

(1) where the discharge of pollutants exceeds the limits in the discharge standards prescribed by the state or local authorities, or where, although such standards are met, such discharge exceeds the applicable total discharge control targets for key pollutants;

(2) where toxic or hazardous raw materials are used in production, or toxic or hazardous substances are discharged in production; and

(3) other circumstances under which mandatory cleaner production audits are required by the state.

Enterprises whose discharge of pollutants exceeds the limits in the discharge standards prescribed by the state or local governments shall bear legal liability in accordance with this Code.

An enterprise subject to the mandatory cleaner production audit shall report the audit results to the department of development and reform and the department of ecology and environment of the local people's government at or above the county level where the enterprise is located, and shall disclose such results in a manner convenient for public access and accept public oversight, except where commercial secrets are involved.

Relevant departments of local people's governments at or above the county level shall supervise the implementation of mandatory cleaner production audits by enterprises. Where necessary, such departments may organize evaluation and acceptance inspection of the performance of cleaner production implemented by enterprises, and the expenses required therefor shall be included in the budgets of the governments at the same level. Departments or entities undertaking such evaluation and acceptance inspection may not charge the enterprises subject thereto any fees.

Article 968 Enterprises other than those specified in the first paragraph of Article 967 of this Code may, in accordance with state regulations, voluntarily enter into agreements with the departments of development and reform, ecology and environment, and industry and information technology to conserve resources and reduce the discharge of pollutants. These departments shall make public the names of such enterprises and their achievements in resource conservation and pollution prevention and control in a manner convenient for public access.

Article 969 Enterprises producing large electromechanical equipment, motorized transportation devices, and other products designated by the competent department for industry and information technology under the State Council shall, in accordance with the technical specifications formulated by the competent department for standardization under the State Council or institutions authorized by it, indicate the standard designations of the material compositions on the principal structural components of such products.

Article 970 The relevant departments under the State Council and the relevant departments of the people's governments of provinces, autonomous regions, and cities directly under the central government shall organize and support the establishment of cleaner production information systems and technical advisory service systems.

The state encourages institutions providing cleaner production consulting, auditing, and other services to carry out publicity of cleaner production and provide technical training.

Article 971 Expenses incurred by enterprises for cleaner production audits and training may be included in their operating costs.

Article 972 The state encourages producers and business operators of products to carry out green design and promote the application thereof.

The design of products such as electrical and electronic products and motor vehicles shall take into account their impact on human health and the ecosystem and environment throughout their life cycles, prioritize material and design options that are non-toxic, non-hazardous, readily degradable, or easy to recycle, and reduce and substitute hazardous substances at the source in accordance with state regulations.

Article 973 The state encourages producers and business operators of products to use green packaging and reduced packaging.

The competent department for standardization under the State Council shall, in light of national economic and technological conditions, the status of solid waste pollution prevention and control, and the technical requirements for products, organize the formulation of relevant standards to prevent excessive packaging from causing resource waste and environmental pollution.

Producers and business operators shall ensure that product packaging is reasonable, comply with mandatory standards restricting excessive packaging, reduce the generation of packaging waste, and refrain from excessive packaging. The materials, structures, and costs of packaging shall be commensurate with the quality, specifications, and costs of the products contained within.

Relevant departments such as departments of market regulation of local people's governments at or above the county level shall, within the scope of their respective duties, strengthen supervision and administration of excessive packaging.

Article 974 Industries such as e-commerce, express delivery, and food delivery services shall reduce the use of packaging materials, prioritize reusable and readily recyclable packaging materials, and actively recover and utilize such materials. Relevant departments responsible for commerce and postal administration, among others, of local people's governments at or above the county level shall strengthen supervision and administration.

Section 3
Waste Recycling

Article 975 The state advances the development of a waste recycling system to facilitate meticulous management, effective recycling, and efficient recovery of waste across all areas of production and daily life, and to improve the overall level of waste recycling.

Article 976 Enterprises shall adopt advanced and applicable technologies, processes, and equipment for recovery to make comprehensive utilization of waste heat, residual pressure, wastewater, waste liquids, and other waste materials generated in the production process.

Enterprises shall, in accordance with state regulations, make comprehensive utilization of industrial waste generated in the production process, including fly ash, coal gangue, phosphogypsum, red mud, tailings, waste rock, scrap, and off-gases.

Article 977 Enterprises that produce, import, or sell products and packaging materials included in the mandatory recycling catalog pursuant to law shall recycle such products and packaging materials in accordance with state regulations. Enterprises shall be responsible for utilizing those that can be utilized, and for those

unsuitable for utilization due to technical or economic constraints, enterprises shall be responsible for their environmentally sound management.

For waste products or packaging materials specified in the preceding paragraph, where a producer entrusts a seller or another organization to carry out recovery, or entrusts a waste utilization or disposal enterprise to conduct utilization or disposal, the entrusted party shall be responsible for such recovery, utilization, or disposal in accordance with relevant laws, administrative regulations, and the contract provisions.

The catalog and management measures for products and packaging materials subject to mandatory recycling shall be formulated by the department of development and reform under the State Council, in conjunction with relevant departments.

Article 978 Producers of electrical and electronic products, motor vehicles, lead-acid batteries, and power batteries shall, in accordance with state regulations, establish waste product recycling systems proportionate to the volume of products sold either independently or through entrusted entities, make such systems known to the public, and fulfill their recycling and utilization obligations.

Article 979 The state establishes and improves a responsibility system for the disposal of decommissioned wind power and photovoltaic power generation equipment.

Enterprises engaged in the construction and operation of wind power and photovoltaic power generation projects shall, either independently or through entrusted qualified enterprises, recycle or conduct environmentally sound management of, decommissioned wind turbine blades, photovoltaic modules, and other equipment and components.

The state promotes the recycling of waste generated in new types of infrastructure such as data centers and telecommunications base stations.

Article 980 The state supports producers and business operators in establishing industrial waste information exchange systems to facilitate the exchange of industrial waste information among enterprises.

Where an enterprise lacks the conditions for the comprehensive utilization of waste generated in production, such waste shall be provided to producers and business operators that possess the necessary conditions for comprehensive utilization.

Article 981 The state encourages and supports agricultural producers, operators, and relevant enterprises in adopting advanced and applicable technologies to make comprehensive utilization of agricultural waste, including crop straw, livestock and poultry manure, by-products from agricultural product processing, and waste agricultural films.

Article 982 The state encourages the adoption of advanced and applicable technologies, processes, equipment, materials, and management measures to promote the reduction of construction waste at the source and to establish and improve construction waste recovery and utilization systems.

Local people’s governments at or above the county level shall promote the application of products derived from the comprehensive utilization of construction waste.

Article 983 The state strengthens the classified collection, treatment, and resource recycling of domestic waste to advance its reduction and recycling.

Relevant departments of local people's governments at or above the county level shall make overall plans and ensure a rational distribution of facilities for collecting, sorting, and packing waste, so as to promote the recovery and utilization of domestic waste.

Article 984 The state promotes the integrated development of domestic waste sorting facilities and used item collection facilities, and improves the urban and rural used item collection network.

Local people's governments shall, in accordance with territorial space plans, ensure a rational distribution of recyclable materials collection sites and trading markets, and support recyclable materials collection enterprises and other organizations in carrying out the collection, storage, transportation, and information exchange of recyclable materials.

Article 985 The state refines the catalog of low-value recyclables to promote the recovery and utilization of waste glass, waste plastics, waste textiles, and other low-value recyclables.

Article 986 The state strengthens the efficient utilization of scrap steel, scrap non-ferrous metals, and other scrap metals to promote the clustered development of the recycled metals processing and utilization industry.

The state encourages enterprises to improve their technological capabilities for utilizing scrap non-ferrous metals, and supports the research, development, promotion, and application of technologies for extracting rare and precious metals from waste electrical and electronic products and other waste materials.

Article 987 Enterprises that use waste or raw materials recovered therefrom to produce products shall adopt advanced and applicable technologies, processes, and equipment to improve the rate of recovery and utilization and the level of processing and utilization.

The dismantling, disposal, or reuse of specific waste products, such as waste electrical and electronic products, end-of-life motor vehicles, vessels and aircraft, waste tires, waste lead-acid batteries, and spent power batteries, shall comply with this Code and other relevant laws and regulations, including the Circular Economy Promotion Law of the People's Republic of China, and the use of outdated dismantling and processing techniques or equipment that is expressly eliminated by the state or fails to meet the requirements for ecological and environmental protection is prohibited.

Article 988 The state implements a system of multi-channel recovery and centralized treatment for waste electrical and electronic products and similar waste products. The specific management measures for the recovery and treatment of such waste shall be formulated by the State Council.

Article 989 The state supports enterprises in carrying out the remanufacturing of products such as motor vehicle parts, construction machinery, machine tools, and office machinery and equipment, as well as tire retreading. The state promotes the development of the high-end equipment remanufacturing industry in such fields as wind power, photovoltaic power generation, and aviation, and encourages the promotion and use of remanufactured products.

The quality of remanufactured and refurbished products shall meet the standards

prescribed by the state, and such products shall be marked with a sign of remanufactured products or refurbished products in a prominent position.

Article 990 The state encourages the promotion and application of recycled materials, establishes and improves standards for recycled materials and systems for their certification, and supports producers of products such as motor vehicles and electrical and electronic equipment in increasing the proportion of recycled materials used.

Article 991 Where waste or raw materials recovered therefrom are utilized to produce products in accordance with law, tax incentives and other preferences shall be granted in accordance with state regulations.

Section 4
Green Consumption

Article 992 The state establishes and improves incentive mechanisms for green consumption, expands the supply of green and low-carbon products, strengthens publicity and education on green consumption, promotes green and low-carbon ways of life, and advances the transition to green consumption patterns.

Article 993 The state implements pricing, taxation, and other policies conducive to resource conservation and rational utilization to guide organizations and individuals to conserve and make rational use of resources such as water, electricity, and gas.

The people's governments at or above the county level shall take effective measures to encourage the consumption of green and low-carbon products and, in accordance with state regulations, support trade-in programs for consumer goods.

Article 994 The state establishes and improves a system for green government procurement and encourages and supports the inclusion of recycled materials and products in the scope of green government procurement.

Article 995 The state encourages and supports the circulation of and trading in second-hand goods, and promotes the development of markets and platforms for second-hand goods transactions. The management measures for the circulation of second-hand goods shall be formulated by the department of commerce under the State Council in conjunction with relevant departments.

Relevant departments of local people's governments at or above the county level, including departments of market regulation and commerce, shall, within the scope of their respective duties, strengthen supervision and administration of transactions involving second-hand goods.

Article 996 The state encourages and guides consumers to use green packaging and reduced packaging.

For products and packaging materials listed in the mandatory recycling catalog, consumers shall deliver discarded products and packaging materials to the producers, or to sellers or other organizations entrusted by the producers with recovery.

Article 997 The state restricts the production and sale of disposable products on the condition that product safety and hygiene are ensured.

In accordance with state regulations, industries such as tourism and lodging shall not proactively provide disposable products.

State organs, enterprises, public institutions, and societies shall reduce the use of disposable products in office premises.

Article 998 The state, in accordance with law, prohibits and restricts the production, sale, and use of non-degradable plastic bags and other single-use plastic products, encourages and guides the reduction in the use and the active recovery of single-use plastic products, and promotes the application of alternative products that are reusable, readily recyclable, degradable, and harmless.

Operators of retail premises, e-commerce platform enterprises, express delivery enterprises, and food delivery enterprises shall, in accordance with state regulations, report the use and recycling of single-use plastic products to departments of commerce and postal administration, and other relevant departments.

Article 999 Citizens shall raise their awareness of green consumption, develop green consumption habits, actively purchase and use green and low-carbon products, proactively reduce the use of disposable products and single-use plastic products, and consciously resist excessive packaging.

Article 1000 Enterprises shall, in accordance with state regulations, implement green procurement, establish green supply chains, and give priority to the procurement and use of raw materials, products, and services that feature energy efficiency, water efficiency, material efficiency, and are otherwise conducive to ecological and environmental protection, thereby promoting coordinated green transformation among upstream and downstream enterprises.

Article 1001 Service enterprises, including those engaged in catering, entertainment, and hospitality, shall, in accordance with state regulations, adopt technologies, equipment, and facilities that feature energy efficiency, water efficiency, material efficiency and that are conducive to ecological and environmental protection, provide green and low-carbon products, and reduce or refrain from using consumer goods that waste resources or pollute the environment.

Chapter III
Energy Conservation and Green and Low-Carbon Transition

Section 1
General Rules

Article 1002 The green and low-carbon development of energy shall be guided by the principles of prioritizing conservation, promoting intensive and efficient utilization, pursuing innovation-driven development, ensuring security, and maintaining an orderly transition.

Article 1003 The state improves policies for energy development and utilization, optimizes the structure of energy supply and consumption, and actively promotes the green and low-carbon development of energy.

Article 1004 The state promotes energy conservation and the enhancement of energy efficiency, encourages the development of distributed energy systems and integrated energy services featuring multi-energy complementarity and supply, and actively promotes market-based energy conservation services such as energy savings

performance contracting. The state guides energy users to reasonably adjust their energy consumption patterns, timing, and volume through improved mechanisms such as tiered pricing and time-based pricing, thereby promoting the clean, low-carbon, efficient, and intelligent development of terminal energy consumption.

Article 1005 The state encourages and supports the research, development, promotion, application, and industrialization of major foundational, key, and frontier technologies and equipment, and new materials in the field of energy-related green and low-carbon development, including those for the development and utilization of fossil energy in a clean and efficient way, the development and utilization of renewable energy, the safe utilization of nuclear energy, and the energy storage and energy conservation. Innovation in green and low-carbon energy science and technology shall be included as a priority in national plans for scientific and technological development and high-tech industry development.

The state supports the application of advanced information technologies in the energy sector, promotes the digital and intelligent development of energy production and supply, and advances the coordinated conversion, as well as integrated development and complementary utilization of multiple energy sources.

Article 1006 People's governments at or above the county level shall strengthen energy conservation efforts in agriculture and rural areas and increase financial support for the promotion and application of energy-efficient technologies and products in agriculture and rural areas.

The state encourages and supports the comprehensive development and utilization of renewable energy in rural areas, and, in light of local conditions, promotes technologies for the utilization of biomass energy, solar energy, wind energy, and other renewable energy sources.

Section 2
Energy Conservation

Article 1007 The department of development and reform under the State Council shall be responsible for the supervision and administration of energy conservation nationwide. Relevant departments under the State Council shall, within the scope of their respective duties, be responsible for the supervision and administration of energy conservation and shall accept the guidance of the department of development and reform under the State Council.

The competent departments for energy conservation of local people's governments at or above the county level shall be responsible for the supervision and administration of energy conservation within their respective administrative areas. Relevant departments of local people's governments at or above the county level shall, within the scope of their respective duties, be responsible for the supervision and administration of energy conservation and shall accept the guidance of the competent departments for energy conservation at the same level.

Article 1008 The competent department for standardization under the State Council and relevant departments under the State Council shall, in accordance with law, organize the formulation and timely revision of national standards and industry

standards related to energy conservation.

Article 1009 The state implements an energy conservation review system for fixed asset investment projects to comprehensively evaluate the energy use and carbon emissions of projects. The specific measures shall be formulated by the department of development and reform under the State Council in conjunction with relevant departments.

Article 1010 The competent departments for energy conservation of people's governments at or above the county level shall, in conjunction with relevant departments, strengthen energy conservation management of key energy-consuming entities.

Key energy-consuming entities shall submit annual reports on their energy utilization to the competent departments for energy conservation, which shall examine such reports.

The scope of key energy-consuming entities shall be governed by the relevant provisions of the Energy Conservation Law of the People's Republic of China.

Article 1011 The state implements an energy efficiency labeling system for energy-consuming products that are widely used and consume large amounts of energy, such as household appliances. The catalog of products subject to energy efficiency labeling and the specific management measures shall be formulated and published by the department of development and reform under the State Council in conjunction with the department of market regulation under the State Council.

Section 3
Green and Low-Carbon Energy Transition

Article 1012 The state supports the priority development and utilization of renewable energy, the rational development and clean and efficient utilization of fossil energy, and promotes the safe, reliable, and orderly substitution of fossil energy by non-fossil energy, thereby increasing the proportion of non-fossil energy consumption.

Article 1013 The competent department for energy and other relevant departments under the State Council shall, in accordance with this Code, the Energy Law of the People's Republic of China, the Renewable Energy Law of the People's Republic of China, and other relevant laws, be responsible for the green and low-carbon energy transition.

Article 1014 The state establishes and improves a mechanism for the clean and efficient utilization of coal, supports the research, development, promotion, and application of clean coal technologies, promotes the replacement of bulk coal in an active and orderly manner, advances the clean and efficient combustion and conversion of coal, encourages the classified and graded utilization of coal, and improves the level of clean and efficient utilization of coal.

The state encourages the integrated operation of coal and coal-fired power, supports the integrated layout of coal mining and upstream and downstream industries, advances the development of the intensive processing of coal in an orderly manner, phases out outdated coal utilization technologies and equipment, adopts

advanced coal-fired power technologies to reduce coal consumption for power generation, and promotes energy-efficient and carbon-reduction retrofitting in key coal-consuming industries such as coal-fired power, steel, building materials, and chemical industries.

Article 1015 The state encourages and supports green and intelligent coal mining, and promotes the adoption of green mining technologies, such as aquifer-protected mining and backfill mining, in light of local conditions, thereby reducing geological, geographical, ecological and environmental impacts.

Coal mining enterprises shall, in accordance with state regulations, improve the level of coal washing and processing and increase the coal preparation rate.

Local people's governments at or above the county level and coal mining enterprises shall strengthen the comprehensive development and systematic governance of resources, coordinate the development and utilization of associated resources in coal mines, carry out the extraction and utilization of coalbed methane, improve the level of clean utilization of coal gangue, coal slime, and other by-products, and rationally utilize residual resources and underground space of closed coal mines.

Article 1016 The state encourages the green and efficient development of petroleum and natural gas and supports the efforts in coordinating the exploration and exploitation of petroleum and natural gas with the development of renewable energy.

The state encourages the adoption of advanced and intensive petroleum processing and conversion methods.

The state supports the rational development and utilization of alternative fuels and industrial raw materials to replace petroleum and natural gas.

Article 1017 The state promotes the development and utilization of wind and solar energy, pursues the coordinated development of centralized and distributed systems, accelerates the construction of wind power and photovoltaic power generation bases, supports the nearby development and utilization of distributed wind power and photovoltaic power, develops offshore wind power in a rational and orderly manner, and actively develops solar thermal power generation.

The state encourages the rational development and utilization of biomass energy, promotes the large-scale development and utilization of marine energy, and develops geothermal energy in light of local conditions.

The state coordinates the development of hydropower and ecological conservation and strictly controls the development and construction of small hydropower stations.

The state develops nuclear power in an active, safe, and orderly manner.

Article 1018 The competent department for energy under the State Council shall, in conjunction with relevant departments, formulate medium- and long-term development targets for the development and utilization of non-fossil energy, monitor the development and utilization of non-fossil energy on an annual basis, and publish the relevant information to the public.

Article 1019 The competent department for energy under the State Council shall, in conjunction with relevant departments, formulate and organize the implementation of minimum targets for the share of renewable energy in energy consumption.

Article 1020 The state improves the mechanism for ensuring the consumption of electricity generated from renewable energy. Power supply enterprises, electricity

retail companies, relevant electricity users, and enterprises using electricity supplied by captive power plants shall, in accordance with state regulations, undertake the responsibility for the consumption of electricity generated from renewable energy sources.

Article 1021 The state establishes and improves mechanisms for promoting green energy consumption, implements systems such as green electricity certificates, and encourages energy users to prioritize the use of renewable energy and other clean and low-carbon energy sources.

Article 1022 The state accelerates the establishment of a new-type power system, strengthens the coordinated development of power sources and power grids, optimizes the layout of cross-regional power transmission channels, leverages the stability, safety, and reliability of ultra-high-voltage transmission channels, promotes the intelligent upgrading of power grid infrastructure and the construction of smart microgrids, and enhances the power grid's capacity to accommodate, allocate, and dispatch renewable energy.

Article 1023 The state rationally plans the layout of pumped-storage power stations, and develops and constructs such stations in an active and orderly manner, promotes the high-quality development of new-type energy storage, and leverages the regulating role of various types of energy storage in the power system.

Article 1024 The state promotes the development and utilization of hydrogen energy in an active and orderly manner, and advances the high-quality development of the hydrogen energy industry.

Chapter IV
Addressing Climate Change

Section 1
General Rules

Article 1025 The state upholds the principle of placing equal emphasis on mitigation and adaptation and takes effective measures to actively address climate change.

Article 1026 The competent department for ecology and environment under the State Council shall be responsible for national climate change response efforts. The department of development and reform under the State Council shall be responsible for the management and coordination of national carbon peaking and carbon neutrality efforts. Other relevant departments under the State Council shall, within the scope of their respective duties, be responsible for work on climate change response and carbon peaking and carbon neutrality.

Local people's governments at or above the county level and their relevant departments shall strengthen work on climate change response and carbon peaking and carbon neutrality within their administrative areas, adopt mitigation and adaptation measures, and control and reduce greenhouse gas emissions.

Article 1027 The state establishes and improves a decision-making and coordination mechanism with the participation of relevant departments under the

State Council to unify the deployment of efforts on climate change response and carbon peaking and carbon neutrality, coordinate the resolution of major issues, and promote the implementation of major targets and tasks.

Article 1028 The state strengthens the monitoring of greenhouse gases and the climate system, and establishes and improves a system for climate change monitoring and information disclosure.

Article 1029 The state establishes a mechanism for sharing climate change information to promote the exchange and sharing of relevant resources and data.

Article 1030 The state enhances its capacity to address climate change by strengthening the protection, restoration, and sustainable management of ecosystems and by leveraging ecosystem services.

Article 1031 The state strengthens basic research and technological support for climate change response, designates climate change response as a priority area of national basic research and scientific and technological innovation, and strengthens the research, development, promotion, and application of core technologies in key fields.

Section 2
Climate Change Mitigation and Carbon Peaking and Carbon Neutrality

Article 1032 The state fully integrates the goals and requirements of carbon peaking and carbon neutrality into national development plans and leverages these goals to promote climate change mitigation.

The state implements a system for controlling both the total amount and intensity of carbon emissions, and scientifically and rationally determines carbon emission indicators based on carbon peaking and carbon neutrality goals.

Article 1033 Carbon peaking and carbon neutrality efforts shall adhere to the principles of nationwide planning, prioritizing conservation, leveraging the strengths of the government and the market, coordinating the domestic and international fronts, and guarding against risks.

Article 1034 The department of development and reform under the State Council shall, in conjunction with relevant departments, formulate the national action plan for carbon peaking and carbon neutrality and organize its implementation. The people's governments of provinces, autonomous regions, and cities directly under the central government shall, in light of actual conditions, formulate and organize the implementation of action plans for carbon peaking and carbon neutrality within their respective administrative areas.

Article 1035 The state establishes and improves a statistics and accounting system for carbon emissions.

The department of statistics under the State Council shall be responsible for organizing nationwide carbon emissions statistics and accounting.

The department of ecology and environment and the department of market regulation under the State Council shall, in conjunction with other relevant departments, organize the formulation of carbon emissions accounting standards and technical specifications for enterprises in key industries. The department of ecology

and environment and the department of statistics under the State Council shall, in conjunction with relevant departments, establish and periodically update a national database of greenhouse gas emission factors.

For the purposes of this Code, the term “greenhouse gas emission factor” refers to a coefficient that quantifies the greenhouse gas emissions per unit of production or consumption activity.

Article 1036 The relevant departments under the State Council, including the department of ecology and environment, the department of market regulation, and the department of development and reform, shall, within the scope of their respective duties, carry out management of product carbon footprint, formulate accounting standards and technical specifications for product carbon footprint, and establish systems for product carbon footprint accounting, tiered management, labeling and certification, and information disclosure.

For the purposes of this Code, the term “carbon footprint” refers to the sum of greenhouse gas emissions and greenhouse gas removals, expressed in carbon dioxide equivalent.

Article 1037 The state establishes a national carbon emissions trading market. Key greenhouse gas emitting entities included in the national carbon emissions trading market shall fulfill their mandatory emissions reduction obligations in accordance with state regulations.

Carbon emissions trading products include carbon emission allowances and other spot trading products approved by the State Council. The competent department for ecology and environment under the State Council shall, in conjunction with relevant departments, formulate the annual cap and allocation plan for carbon emission allowances and organize their implementation.

Key greenhouse gas emitting entities shall take effective measures to control greenhouse gas emissions. They shall, in accordance with state regulations and the technical specifications formulated by the competent department for ecology and environment under the State Council, conduct greenhouse gas statistics and accounting, prepare annual greenhouse gas emission reports, and submit them to the competent departments for ecology and environment of the provincial people’s governments for review and, following such review, surrender the required carbon emission allowances in full within the prescribed time limit. Key greenhouse gas emitting entities shall be responsible for the authenticity, accuracy, and completeness of their emission statistics and accounting data and annual emission reports.

The list of key greenhouse gas emitting entities shall be formulated by the competent departments for ecology and environment of the provincial people’s governments, in conjunction with relevant departments, in accordance with the conditions prescribed by the competent department for ecology and environment under the State Council.

Article 1038 The state establishes a national voluntary greenhouse gas emission reduction trading market and encourages voluntary greenhouse gas emission reduction trading.

Entities and individuals may, in accordance with state regulations, participate in voluntary greenhouse gas emission reduction trading.

Projects applying for voluntary greenhouse gas emission reduction trading shall contribute to carbon reduction and carbon sink enhancement and shall be capable of avoiding or reducing greenhouse gas emissions or achieving greenhouse gas removals.

Article 1039 The competent department for ecology and environment under the State Council shall be responsible for the oversight and administration of carbon emissions trading, voluntary greenhouse gas emission reduction trading, and related activities. Other relevant departments under the State Council shall, within the scope of their respective duties, be responsible for the oversight and administration of carbon emissions trading, voluntary greenhouse gas emission reduction trading, and related activities.

Article 1040 The state establishes and improves a monitoring and accounting system for ecosystem carbon sinks, conducts baseline carbon stock surveys and assessments in forests, grasslands, wetlands, seas, and soils, strengthens ecological conservation and restoration, and consolidates and enhances the carbon sink capacity of ecosystems.

Section 3
Adaptation to Climate Change

Article 1041 The state formulates and implements climate change adaptation strategies, adheres to the principles of putting prevention first and pursuing science-based adaptation, takes effective measures to reduce the adverse impact and risks of climate change, and builds a climate-resilient society.

The people's governments of provinces, autonomous regions, and cities directly under the central government shall, in light of actual conditions, formulate action plans for climate change adaptation within their respective administrative areas, identify key sectors, regions, and measures for climate change adaptation, and organize their implementation.

Article 1042 The state carries out regional climate change adaptation actions based on the characteristics of different regions to enhance the capacity of major strategic regions to adapt to climate change.

Article 1043 In preparing territorial space plans, the impact and risks of climate change shall be fully considered, and assessments of climatic resource conditions and such impact and risks shall be strengthened.

Article 1044 Relevant departments under the State Council shall, within the scope of their respective duties, strengthen the assessment of the impact and risks of climate change on aquatic, terrestrial, and marine ecosystems and on key economic and social sectors including agriculture and food security, health and public health, infrastructure and major projects, cities and living environments, climate-sensitive industries, and cultural heritage, and thereby enhance the capacity of these key sectors to adapt to climate change.

Article 1045 The state establishes and improves a system for the comprehensive monitoring, early warning, and assessment of disaster risks arising from climate change impact, and enhances the capacity for integrated early warning and assessment of multiple hazards and cascading disaster risks.

Article 1046 The state strengthens the comprehensive management of natural disasters induced by extreme weather and climate events, takes effective measures to improve basic disaster prevention conditions in urban and rural areas, optimizes the spatial layout of major infrastructure, strengthens emergency command and response and the development of rescue teams, enhances reserves of emergency equipment and supplies, and improves comprehensive rescue capabilities and the capacity to safeguard public safety under extreme weather and climate events.

Article 1047 The state encourages the assessment of health risks and adaptive capacity related to climate change, strengthens the monitoring, early warning, prevention, and control of climate-sensitive diseases, promotes health adaptation actions in response to climate change, and enhances public health resilience to climate change and extreme weather and climate events.

Section 4
International Cooperation

Article 1048 The state upholds the principles of common but differentiated responsibilities, equity, and respective capabilities, actively engages in and helps lead global climate governance, and promotes the building of a fair, equitable, cooperative, and mutually beneficial global climate governance system.

Article 1049 The state undertakes international obligations in addressing climate change commensurate with its national conditions, stage of development, and actual capabilities.

The competent department for ecology and environment under the State Council shall, in conjunction with relevant departments, periodically prepare the nationally determined contributions, the national greenhouse gas inventory, and compliance reports.

Article 1050 Relevant departments under the State Council shall, within the scope of their respective duties, carry out multilateral and bilateral international exchanges and cooperation on climate change response and promote the alignment and mutual recognition of rules and standards in this field.

Article 1051 The state strengthens international scientific and technological cooperation and exchanges in the field of climate change response, supports collaborative research and development by outstanding scientific and technological professionals at home and abroad, and encourages enterprises, higher education institutions, and research institutes to engage in technological exchanges in areas such as renewable energy, energy storage, hydrogen energy, and carbon capture, utilization, and storage.

Book Five
Legal Liability and Supplementary Provisions

Chapter I
General Principles of Legal Liability

Section 1
General Rules

Article 1052 Any entity or individual that commits acts of environmental pollution, ecological damage, or violations of green and low-carbon obligations shall be held legally liable in accordance with law.

The determination of legal liability shall be commensurate with the facts, nature, circumstances, and consequences of acts of environmental pollution, ecological damage, and violations of green and low-carbon obligations.

Article 1053 Where unlawful acts such as environmental pollution or ecological damage are committed, administrative liability shall be borne, unless there is sufficient evidence to prove the absence of fault.

Acts such as environmental pollution or ecological damage that impair the civil-law rights and interests of others shall incur civil liability regardless of fault.

Article 1054 Where unlawful acts that cause harmful consequences such as environmental pollution or ecological damage are discovered within five years, administrative penalties shall be imposed in accordance with law; other unlawful acts that are discovered within two years shall be subject to administrative penalties in accordance with law. The above-mentioned time limits shall be calculated from the date on which the unlawful acts occur; where the unlawful acts are of a continuing or ongoing nature, the time limits shall be calculated from the date of termination of such acts.

The limitation period for bringing an ecological and environmental civil action shall be five years. The limitation period shall be calculated from the date on which the party knows or should know of the harm incurred and the liable party.

Article 1055 Where a single unlawful act violates multiple ecological and environmental legal provisions and is subject to fines, a penalty shall be imposed in accordance with the provision prescribing the higher amount of the fine.

Article 1056 A heavier penalty shall be imposed in accordance with law where a party commits an unlawful act such as causing environmental pollution or ecological damage and falls under any of the following statutory circumstances: maliciously damaging the ecosystem and environment, failing to carry out rectification, causing serious harmful consequences, or having been penalized multiple times for such unlawful acts.

A lighter or mitigated penalty shall be imposed in accordance with law where a party commits an unlawful act such as causing environmental pollution or ecological damage and falls under any of the following statutory circumstances: voluntarily eliminating or mitigating the harmful consequences, taking effective ecological restoration measures, or promptly paying compensation. Where the unlawful act is minor, is promptly rectified, and causes no harmful consequences, no penalty shall be imposed. A first-time violation that causes only minor consequences and is promptly rectified may be excused from penalty.

Article 1057 In imposing an administrative penalty, the provisions of the ecological and environmental laws, regulations, and rules in force at the time when the unlawful act is committed shall apply. However, where, at the time when the decision

on the administrative penalty is made, the ecological and environmental laws, regulations, and rules have been revised or repealed, and the new provisions prescribe a lighter penalty or no longer regard the act as unlawful, the new provisions shall apply.

Article 1058 Where a party incurs civil, administrative, and criminal liability for acts such as environmental pollution or ecological damage, the bearing of administrative or criminal liability by the party shall not affect the bearing of civil liability. Where the party's property is insufficient to satisfy all liabilities, civil liability shall be satisfied with priority.

Where an unlawful act such as polluting the environment or damaging ecosystems constitutes a crime, and the people's court imposes short-term custody or fixed-term imprisonment, any administrative detention already enforced by the administrative organ shall be credited toward the corresponding length of time of imprisonment in accordance with law; where an administrative fine has already been enforced, it shall be credited toward the corresponding criminal fine in accordance with law.

Article 1059 Where environmental pollution or ecological damage is caused as a result of *force majeure*, no liability for compensation shall be borne, unless otherwise provided by law. Where pollution and damage are caused to the marine environment, the provisions of the third paragraph of this Article shall apply.

Where the damage is caused intentionally by the victim, the relevant liable party shall not bear liability for compensation; where the damage is caused by the victim's gross negligence, the liability for compensation may be mitigated.

Where the pollution and damage to the marine environment are caused exclusively due to any of the following circumstances, and pollution and damage cannot be avoided despite the timely adoption of reasonable measures, the relevant liable party shall be exempt from liability:

(1) war;

(2) irresistible natural disasters; or

(3) negligence or other fault of the competent authority responsible for lighthouses or other navigational aids in the performance of its duties.

Article 1060 Where an enterprise, a public institution, or any other producer or business operator that unlawfully discharges, dumps, or disposes of pollutants, waste, or other substances is fined and ordered to carry out rectification, the department or agency that renders the penalty decision in accordance with law shall conduct a follow-up inspection. Where the department or agency finds that the said entity continues to commit the unlawful act, fails to carry out rectification, or rejects or obstructs the follow-up inspection, it may, from the day following the issuance of the order of rectification, impose a consecutive daily fine that is equivalent to the original fine for each day the violation continues, and shall promptly take measures to stop the unlawful act.

The amount of the original fine as provided in the preceding paragraph shall be determined, within the statutory range, on the basis of factors such as the operating costs of pollution prevention and control facilities, the direct losses caused by the unlawful act, or the unlawful gains.

Local regulations may, in light of the actual needs of ecological and environmental

protection, expand the categories of unlawful acts subject to consecutive daily fine as provided in the first paragraph.

Section 2
Responsible Parties

Article 1061 Where a local people's government fails to perform its duties in accordance with law, resulting in prominent problems of ecological and environmental quality in its region or deterioration of ecological and environmental conditions, the persons in charge shall be subjected to sanctions or other measures in accordance with law, and such sanctions or measures may be made public.

Article 1062 Where a local people's government at any level, or a department or agency responsible for the supervision and administration of ecological and environmental protection, falls under any of the following circumstances, the responsible leading persons and the directly responsible persons shall be given demerit, major demerit, or demotion; where serious consequences are caused, they shall be dismissed or expelled from office:

(1) failing to grant an administrative license or issue an approval document in accordance with law;

(2) concealing environmental or ecological violations of others;

(3) failing to make a decision, as required by law, to order suspension of operations or closure;

(4) upon discovery or receipt of a report, failing to promptly investigate and handle, in accordance with law, acts such as discharging pollutants against requirements specified in the permit, discharging pollutants by evading supervision, causing environmental pollution or ecological damage accidents, or causing ecological damage by failing to implement ecological conservation measures;

(5) unlawfully sealing up or seizing relevant premises, vessels, facilities, equipment, tools, or articles of relevant enterprises, public institutions, or other producers or business operators;

(6) tampering with, fabricating, or instructing others to tamper with or fabricate monitoring data;

(7) failing to disclose ecological and environmental information as required by law;

(8) unlawfully collecting fees, or withholding, misappropriating, or diverting the use of fees collected in accordance with law;

(9) failing to transfer cases to relevant authorities for handling in accordance with law; or

(10) other unlawful circumstances as provided by laws and regulations.

Article 1063 Where the authority responsible for plan formulation fails to organize an ecological and environmental impact assessment in accordance with law, or engages in fraud or dereliction of duty in organizing such assessment, resulting in a seriously inaccurate assessment; or where the authority responsible for plan approval unlawfully approves a draft plan that lacks relevant chapters or explanations on ecological and environmental impact required by law, or a draft sector-specific plan

without an ecological and environmental impact report required by law, the responsible leading persons and the directly responsible persons shall be given sanctions in accordance with law.

Where a competent department for ecology and environment, in the course of approving, reviewing, or filing ecological and environmental impact reports, statements, or registration forms, unlawfully collects fees, solicits or accepts money or other property, or seeks other improper benefits, it shall be ordered to return the unlawful gains, or the gains shall be confiscated; the responsible leading persons and directly responsible persons shall be given sanctions in accordance with law.

Article 1064 An enterprise, a public institution, any other producer or business operator, or an individual that pollutes the environment, damages ecosystems, or commits any other unlawful act as provided for in this Code shall be held legally liable in accordance with law; where environmental pollution or ecological damage accidents are caused, or other statutory circumstances exist, the legal representative, principal persons in charge, directly responsible persons in charge, and other directly responsible persons of the enterprise, public institution, or other producer or business operator shall be held legally liable in accordance with law.

Article 1065 An enterprise, a public institution, any other producer or business operator, or an individual that causes environmental pollution or ecological damage shall, in accordance with law, be liable for the elimination of the pollution and the ecological and environmental restoration; where elimination or restoration is impossible, alternative treatment or restoration measures shall be taken.

Where the liable party undergoes a change, the successor to its rights and obligations shall be responsible for remediation or restoration.

Article 1066 Where the party liable for soil contamination or the associated groundwater pollution cannot be identified, and the land use right holder fails to perform the obligations regarding pollution risk control and remediation in accordance with this Code, thereby causing damage to the civil-law rights and interests of others, the right holder shall bear tort liability in accordance with law.

Where a seller, in violation of this Code, sells motor vehicles or vessels, non-road mobile machinery, or engines that do not comply with pollutant emission standards, the seller shall be responsible for repair, replacement, or return and refund; where losses are caused to the purchaser, the seller shall compensate for such losses.

Article 1067 Where an ecological and environmental technical service institution entrusted with the provision of ecological and environmental services violates this Code and is liable for environmental pollution, ecological damage, or other harm, it shall, in addition to being penalized in accordance with this Code and relevant laws and regulations, bear joint and several liability together with the entrusting party for such pollution, damage, or harm.

Article 1068 Where an entity permitted to dump marine waste, or an entity that generates industrial solid waste, in violation of this Code, fails to perform duties such as verification and supervision when entrusting others to carry out marine dumping or the transport, utilization, or disposal of industrial solid waste, it shall, in addition to being penalized in accordance with this Code and relevant laws and regulations, bear joint and several liability together with the entrusted party that causes environmental

pollution or ecological damage.

Where, in violation of this Code, solid waste, radioactive waste, or radioactively contaminated articles outside the territory of the People's Republic of China are imported into the territory, the carrier shall bear joint and several liability, together with the importer, for the return and disposal of the solid waste, radioactive waste, and radioactively contaminated articles.

Article 1069 Where an enterprise or a public institution falls under any of the unlawful circumstances as provided in this Code, the responsible leading persons and directly responsible persons who are public officials shall be given sanctions in accordance with law.

Article 1070 Where damage is caused due to the infringement of civil-law rights and interests of others as a result of acts such as causing environmental pollution or ecological damage, civil liability shall be borne; in the absence of provisions in this Code, civil liability shall be borne in accordance with the provisions of the Civil Code of the People's Republic of China.

Article 1071 Where a violation of this Code constitutes a crime, criminal liability shall be pursued in accordance with law.

Section 3
Accountability

Article 1072 Departments or agencies responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, promptly investigate and handle cases of ecological and environmental violations and hold relevant parties liable in accordance with law.

Where an administrative penalty should have been imposed in accordance with law but was not, the department of the people's government at a higher level that is responsible for the supervision and administration of ecological and environmental protection may directly render a decision on such administrative penalty.

Article 1073 Where losses are caused to the state as a result of a violation of the law that gives rise to environmental pollution, ecological damage, or similar circumstances, the local people's government at or above the level of a city divided into districts, or the department or agency designated by it, shall, in accordance with relevant regulations, consult with the liable party and demand that the liable party compensate for ecological and environmental damage; and may, where the consultation fails, bring a lawsuit before a people's court.

Where the local people's government, department, or agency as provided in the preceding paragraph fails to conduct consultation, or where no consensus is reached in consultation and no lawsuit is filed, the people's procuratorate may, in accordance with law, bring a lawsuit against the liable party before a people's court.

Article 1074 Where pollution of the marine environment or damage to the marine ecosystems causes losses to the state, the department that exercises the power of supervision and administration over the marine ecosystems and environment as provided by this Code shall demand compensation from the liable party and may bring a lawsuit before a people's court.

Where the liable party fails to bear liability for damages, and the department specified in the preceding paragraph fails to bring a lawsuit against that party, the people's procuratorate may, in accordance with law, bring a lawsuit against that party before a people's court.

Article 1075 Where the public interest is harmed as a result of a violation that gives rise to environmental pollution, ecological damage, or similar circumstances, the people's procuratorate or a social organization that meets the requirements of this Code may bring a lawsuit before a people's court in accordance with law.

Article 1076 Where, in the course of performing its duties, a people's procuratorate discovers that a local people's government, or a department or agency responsible for the supervision and administration of ecological and environmental protection, exercises its powers in violation of law or fails to act, thereby causing losses to the state or harming the public interest, it may, in accordance with law, bring a lawsuit before a people's court.

Article 1077 Where environmental pollution, ecological damage, or similar acts infringe upon the lawful rights and interests of others, the parties may resolve the matter through consultation, or may apply to a department or agency responsible for the supervision and administration of ecological and environmental protection for mediation; if mediation fails, they may bring a lawsuit before a people's court. The parties may also bring a lawsuit directly before a people's court.

Article 1078 The state encourages entities that generate noise or emit cooking fumes or odors, managers of public venues, and other such parties to negotiate in good faith with affected entities and individuals, and to properly resolve disputes through measures such as adjusting times of production, business operation, or construction, adopting preventive or remedial measures, paying compensation, and arranging relocation.

Article 1079 Where an act of environmental pollution, ecological damage, or a similar act is being or to be committed, and failure to promptly restrain it would pose a major risk of causing irreparable harm to the parties' lawful rights and interests or to the ecosystem and environment, an application may be made to a people's court, in accordance with the relevant provisions of the Civil Procedure Law of the People's Republic of China, for an injunction ordering the immediate cessation of the act.

Article 1080 Where damage is caused to others as a result of an act such as causing environmental pollution or ecological damage, the actor shall, in accordance with law, bear the burden of proof to show that the actor should bear no or mitigated liability as provided by law, and that there is no causal relationship between the act and the damage.

Article 1081 An organ or organization that brings a lawsuit before a people's court in accordance with Articles 1073 and 1075 of this Code shall provide the following evidence:

(1) that the actor committed an act of environmental pollution, ecological damage, or similar acts;

(2) that the act violated the law;

(3) the extent of the ecological and environmental damage;

(4) ecological and environmental losses, the costs of ecological and environmental

restoration, and other related costs; or

(5) other matters that need to be proved.

Where a lawsuit is brought to a people's court in accordance with Article 1074 of this Code, the evidence set forth in Subparagraphs (1) and Subparagraphs (3) to (5) of the preceding paragraph shall be provided.

Article 1082 Departments and agencies responsible for the supervision and administration of ecological and environmental protection, as well as people's procuratorates and other relevant agencies, may, in accordance with law, support parties that have suffered damage as a result of environmental pollution or ecological damage in bringing lawsuits before the people's courts.

The state encourages legal service institutions and lawyers to provide legal aid to the parties specified in the preceding paragraph.

Article 1083 Where relevant departments, in the course of handling reports, conducting supervision and inspections, or investigating and handling cases, discover clues to unlawful acts or determine that a case falls within the responsibilities of a department or agency responsible for the supervision and administration of ecological and environmental protection, they shall promptly transfer the matter.

Where a department or agency responsible for the supervision and administration of ecological and environmental protection, or a people's court or a people's procuratorate, in the course of investigating and handling ecological and environmental violations or handling related cases in accordance with law, discovers suspected criminal conduct, it shall transfer the case to an organ with investigative powers.

Article 1084 A people's government at a higher level and its competent department for ecology and environment shall strengthen supervision over the ecological and environmental protection work of a people's government at a lower level and its relevant departments and agencies. Where it is discovered that any staff member has committed an unlawful act for which sanctions shall be imposed in accordance with law, the case shall be transferred to the appointing or removing organ, the relevant entity, or the supervisory organ for handling in accordance with law.

Chapter II
Specific Provisions on Legal Liability

Section 1
Violations of Provisions on Ecological and Environmental Monitoring

Article 1085 Where the provisions of Chapter IV of Book One and other relevant provisions of this Code are violated, administrative penalties shall be imposed in accordance with the provisions of this Section.

Article 1086 Where any of the following circumstances as prescribed in this Code occurs, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not

more than RMB 200,000 yuan; where the violator fails to carry out rectification, the department or agency responsible for the supervision and administration of ecological and environmental protection may order restriction on production or suspension of production for rectification:

(1) failing to conduct self-monitoring of discharged pollutants, aquaculture effluent, or soil contamination, failing to formulate a self-monitoring plan, failing to establish management registers, failing to retain original monitoring records and management registers, or failing to make a report truthfully;

(2) failing to install, use, maintain, or ensure the normal operation of automatic monitoring equipment for pollutant discharge, failing to connect such equipment to the monitoring equipment of the competent department, failing to retain original monitoring records, or failing to make a report truthfully; or

(3) failing to monitor discharge outfalls for toxic and hazardous pollutants and the surrounding environment, or failing to disclose information on toxic and hazardous pollutants.

Where, in violation of this Code, a domestic waste treatment entity fails to install or use pollutant discharge monitoring equipment, conduct real-time monitoring of pollutant discharge, or disclose pollutant discharge data, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where the entity fails to carry out rectification, a fine of not less than RMB 500,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1087 Where, in violation of this Code, an enterprise, a public institution, or any other producer or business operator, in conducting ecological and environmental monitoring, uses monitoring facilities or equipment that does not comply with laws, administrative regulations, or national standards, or fails to comply with monitoring standards, thereby resulting in inaccurate monitoring data, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where the violator fails to carry out rectification, it shall be ordered to restrict production or suspend production for rectification.

Article 1088 Where, in violation of this Code, an enterprise, a public institution, or any other producer or business operator falsifies ecological and environmental monitoring data, or instructs an ecological and environmental monitoring institution it has entrusted to falsify such data, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; and a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed on the directly responsible persons in charge and other directly responsible persons; where the circumstances are serious, the enterprise, public institution, producer or business operator shall be ordered to restrict production or suspend production for rectification.

Article 1089 Where, in violation of this Code, an ecological and environmental monitoring institution lacks the necessary facilities, equipment, technical personnel,

technical competence, or management capacity, or fails to complete the filing in accordance with law, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where it fails to carry out rectification, it shall, upon approval by a people's government with the approval authority, be ordered to suspend operations.

Where, in violation of this Code, an ecological and environmental monitoring institution engaged in radioactive pollution monitoring fails to obtain the permit, or fails to conduct monitoring activities in accordance with the requirements specified in the permit, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where it fails to carry out rectification, it shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down.

Article 1090 Where, in violation of this Code, an ecological and environmental monitoring institution uses monitoring facilities or equipment that do not comply with laws, administrative regulations, or national standards, or fails to comply with monitoring standards, and thus results in inaccurate monitoring data, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where it fails to carry out rectification, its permit, if any, shall be revoked, and it shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down.

Article 1091 Where, in violation of this Code, an ecological and environmental monitoring institution falsifies monitoring data, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, confiscate the unlawful gains and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall also be imposed, its permit shall be revoked if it has one, it shall be prohibited from engaging in monitoring activities, and it shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down.

Where any of the circumstances specified in the preceding paragraph occurs, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, impose a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan on the directly responsible persons in charge and other directly responsible persons, and prohibit them from engaging in the activities specified in the preceding paragraph for five years; where the circumstances are serious, they shall be prohibited from engaging in such activities for ten years.

Article 1092 Where, in violation of this Code, monitoring facilities or equipment that do not comply with laws, administrative regulations, or national standards are

produced, imported, or sold, the department of market regulation or the customs shall, in accordance with the division of duties, order the cessation of production, import, or sale, confiscate the unlawful gains and the facilities or equipment illegally produced, imported, or sold, and impose a fine of not less than the value but not more than five times the value of such facilities or equipment; where the value is less than RMB 50,000 yuan, it shall be deemed as RMB 50,000 yuan; where the circumstances are serious, the permit shall be revoked.

Article 1093 Where, in violation of this Code, any entity or individual interferes with or damages ecological and environmental monitoring facilities or equipment by means of encroachment, destruction, unauthorized relocation or alteration, or instructs others to do so, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where such act constitutes a violation of public security administration, the public security organ shall impose a penalty in accordance with law.

Section 2
Violations of Provisions on Ecological and Environmental Impact Assessment Administration

Article 1094 Where the provisions of Chapter V of Book One and other relevant provisions of this Code are violated, administrative penalties shall be imposed in accordance with the provisions of this Section.

Article 1095 Where, in violation of this Code, a developer fails to submit an ecological and environmental impact report or statement for approval in accordance with law, or fails to resubmit it for approval or to apply for re-examination in accordance with the relevant provisions of this Code, or commences construction without approval or without consent upon re-examination by the original approving department, the competent department for ecology and environment or the coast guard, in accordance with the division of duties, shall order the suspension of construction and may order restoration to the original state; where the document subject to approval or re-examination is an ecological and environmental impact report, a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and where the circumstances are serious, a fine of not less than RMB 1,000,000 yuan but not more than RMB 10,000,000 yuan shall be imposed; where the document subject to approval or re-examination is an ecological and environmental impact statement, a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall be imposed, and where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan shall be imposed.

Where a developer falls under any of the circumstances specified in the preceding paragraph and, after being ordered to suspend construction or restore to the original state, fails to comply, the public security organ or the coast guard shall, in accordance with the division of duties, impose administrative detention of not less than 10 days

but not more than 15 days on the directly responsible persons in charge and other directly responsible persons; where the circumstances are relatively minor, administrative detention of not less than 5 days but not more than 10 days shall be imposed.

Where, in violation of this Code, a developer fails to file for the record the ecological and environmental impact registration form for a construction project with the competent department for ecology and environment in accordance with law, the competent department for ecology and environment shall order rectification and may impose a fine of not more than RMB 50,000 yuan.

Where, in violation of this Code, any of the unlawful circumstances specified in the first, second and third paragraphs occurs in the siting, construction, operation, or decommissioning of nuclear facilities, or in the development and utilization of nuclear technologies, or in the mining and utilization of uranium (thorium) or associated radioactive minerals, the provisions of the first, second and third paragraphs shall apply to the imposition of penalties.

Article 1096 Where, in violation of this Code, an ecological and environmental impact report or statement for a construction project contains obviously untrue basic data, has major defects, omissions, or falsifications in its content, or has incorrect or unreasonable evaluation conclusions, or otherwise involves serious quality problems, the competent department for ecology and environment or the coast guard shall, in accordance with the division of duties, impose a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan on the developer, and impose a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan on its legal representative, principal person in charge, directly responsible persons in charge, and other directly responsible persons; where the circumstances are serious, the developer shall be ordered to restrict production or suspend production for rectification.

Where a developer that prepares an ecological and environmental impact report or statement on its own falls under any of the circumstances specified in the preceding paragraph, a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan shall be imposed on the person in charge of preparation and the principal drafters, and they shall be prohibited from engaging in the preparation of ecological and environmental impact reports or statements for five years; where the circumstances are serious, they shall be prohibited from engaging in such work for ten years.

Article 1097 Where, in violation of this Code, a technical entity entrusted to prepare an ecological and environmental impact report or statement for a developer violates relevant national standards or technical specifications for ecological and environmental impact assessment, thereby causing the report or statement it has prepared to contain obviously untrue basic data, major defects, omissions, or falsifications in its content, or incorrect or unreasonable evaluation conclusions, or causing other serious consequences, the competent department for ecology and environment or the coast guard shall, in accordance with the division of duties, confiscate the unlawful gains and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not

less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall also be imposed, and it shall be prohibited from engaging in the preparation of ecological and environmental impact reports or statements, and it shall, upon approval by the people's government with the approval authority, be ordered to suspend operations.

Where a technical entity falls under any of the circumstances specified in the preceding paragraph, the principal personnel in charge of preparation shall be prohibited from engaging in the preparation of ecological and environmental impact reports or statements for five years; where the circumstances are serious, they shall be prohibited from engaging in such work for ten years.

Article 1098 Where, in violation of this Code, a technical entity or personnel entrusted to prepare an ecological and environmental impact report or statement for a developer has an interest in the competent department responsible for approval, or such technical entity fails to file for the record with the competent department for ecology and environment in accordance with law, the competent department for ecology and environment or the coast guard shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where the entity fails to make rectification, it shall, upon approval by the people's government with the approval authority, be ordered to suspend operations.

Article 1099 Where, in violation of this Code, a developer fails to implement the ecological and environmental protection measures proposed in the ecological and environmental impact report or statement and in the approval decisions of the approving department during the construction or operation of a project, the competent department for ecology and environment or the coast guard shall, in accordance with the division of duties, impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan on the developer; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall be imposed. Where this Code provides otherwise, such provisions shall apply.

Article 1100 Where, in violation of this Code, environmental protection facilities are not designed, constructed, or put into operation simultaneously with the main project, or where the main project is put into operation or use before environmental protection facilities are completed or meet the prescribed requirements, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan, and in the case of failure to make rectification, impose a fine of not less than RMB 1,000,000 yuan but not more than RMB 2,000,000 yuan. A fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed on the directly responsible persons in charge and other directly responsible persons; where major environmental pollution or ecological damage is caused, the violator shall be ordered to cease production or use, or, upon approval by the people's government with the approval authority, to cease operations or close down.

Section 3
Violations of Provisions on Pollutant Discharge Permit Management

Article 1101 Where the provisions of Chapter II of Part One of Book Two of this Code and other relevant provisions of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1102 Where, in violation of this Code, pollutants are discharged without a pollutant discharge permit, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan, and may also order restriction on production or suspension of production for rectification; where the circumstances are serious, the competent department for ecology and environment shall, upon approval by the people's government with the approval authority, order the violator to cease operations or close down. Where the pollutant is industrial noise, the fine shall be not less than RMB 20,000 yuan but not more than RMB 200,000 yuan. Where the violator fails to cease discharging pollutants, the competent department for ecology and environment shall transfer the case to the public security organ, which shall impose administrative detention of not less than 10 days but not more than 15 days on the directly responsible persons in charge and other directly responsible persons; where the circumstances are relatively minor, administrative detention of not less than 5 days but not more than 10 days shall be imposed.

Article 1103 Where, in violation of this Code, pollutants are discharged in categories other than those specified in the pollutant discharge permit, or in excess of the permitted discharge concentrations, quantity, or limit specified in the permit, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan, and may also order restriction on production or suspension of production for rectification; where the circumstances are serious, the pollutant discharge permit shall be revoked and, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down. Where the pollutant is industrial noise, the fine shall be not less than RMB 20,000 yuan but not more than RMB 200,000 yuan.

Article 1104 Where, in violation of this Code, pollution prevention and control facilities are not operated or maintained in accordance with the requirements specified in the pollutant discharge permit, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 50,000 yuan. Where such failure results in the facilities being unable to function properly, but does not involve discharging pollutants by means of evading supervision, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan; where the circumstances are serious, the violator shall be ordered to restrict production or suspend production for rectification.

Where, in violation of this Code, pollution prevention and control facilities are dismantled without approval, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; in the case of failure to make rectification, the violator shall be ordered to restrict production or suspend production for rectification;

where the circumstances are serious, the pollutant discharge permit shall be revoked and, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1105 Where, in violation of this Code, a pollutant discharge permit is obtained by improper means such as deception or bribery, the competent department for ecology and environment shall revoke the permit in accordance with law and impose a fine of not less than RMB 200,000 yuan but not more than RMB 500,000 yuan.

Article 1106 Where, in violation of this Code, an enterprise, a public institution, or any other producer or business operator that is required to complete a pollutant discharge registration form fails to provide pollutant discharge information in accordance with law, the competent department for ecology and environment shall order rectification and may impose a fine of not more than RMB 50,000 yuan.

Article 1107 Where, in violation of this Code, pollutants are discharged in excess of the limits prescribed in pollutant discharge standards or in excess of the total discharge control targets for key pollutants, the competent department for ecology and environment shall order rectification, impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan, and may also order restriction on production or suspension of production for rectification; where the circumstances are serious, the violator shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down. Where the pollutant is industrial noise, the fine shall be not less than RMB 20,000 yuan but not more than RMB 200,000 yuan.

Article 1108 Where, in violation of this Code, pollutants are discharged by means of evading supervision, including through concealed drains, seepage wells or pits, injection, fissures or karst caves, by tampering with or fabricating monitoring data, by suspending production for the purpose of evading on-site inspection, by opening emergency discharge channels under non-emergency conditions, by failing to operate pollution prevention and control facilities properly, or by any other such means, the competent department for ecology and environment shall order rectification, impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan, order restriction on production or suspension of production for rectification, and transfer the case to the public security organ, which shall impose administrative detention of not less than 5 days but not more than 10 days on the directly responsible persons in charge and other directly responsible persons. Where the circumstances are serious, the pollutant discharge permit shall be revoked and, upon approval by the local people's government with the approval authority, the violator shall be ordered to cease operations or close down, and the public security organ shall impose administrative detention of not less than 10 days but not more than 15 days on the directly responsible persons in charge and other directly responsible persons.

Article 1109 Where, in violation of this Code, other laws and regulations, the rules of the competent department for ecology and environment under the State Council, or the requirements specified in a pollutant discharge permit, a discharge outfall is installed, except as provided in the second paragraph of this Article, the competent department for ecology and environment shall order its removal within a specified time limit; where it is not removed within the time limit, it shall be forcibly

removed, with the costs borne by the violator, and a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed. Where the circumstances are serious, a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall be imposed, and the violator shall be ordered to restrict production or suspend production for rectification.

Where, in violation of this Code, a discharge outfall is installed within a drinking water source protection zone, or a new discharge outfall is installed in a water body within a protected area or in any other water body of special economic or cultural value, in an area within ecological conservation redlines, or in any other area requiring special protection, the local people's government at or above the county level shall order its removal within a specified time limit; where it is not removed within the time limit, it shall be forcibly removed, with the costs borne by the violator, and the competent department for ecology and environment shall impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and the violator shall be ordered to restrict production or suspend production for rectification.

Where, in violation of this Code, a marine outfall is installed without filing for the record, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan.

Article 1110 Where, in violation of this Code, ecological and environmental information, such as information on pollutant discharge and greenhouse gas emission, is not disclosed to the public or is not truthfully disclosed, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; in the case of failure to make rectification, the violator shall be ordered to restrict production or suspend production for rectification, and shall disclose the aforesaid ecological and environmental information to the public.

Article 1111 Where, in violation of this Code, a developer fails to include funds required for pollution prevention and control in the project cost, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan; where the developer fails to make rectification, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and the developer shall be ordered to suspend production for rectification.

Article 1112 Where, in violation of this Code, solid waste, radioactive waste, or radioactively contaminated articles outside the territory of the People's Republic of China are imported, the customs shall order the return of such solid waste, radioactive waste, or radioactively contaminated articles and impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan. Where such waste or articles have already been illegally brought into the territory, the competent department for ecology and environment of the people's government at or above the provincial level shall, in accordance with law, submit opinions on their handling to the customs, which

shall handle them in accordance with the foregoing provisions; where environmental pollution is caused, the competent department for ecology and environment of the people's government at or above the provincial level shall order the importer to eliminate the pollution.

Where, in violation of this Code, waste outside the territory of the People's Republic of China is transported into the sea areas under the jurisdiction of the People's Republic of China for dumping, the coast guard shall order rectification and impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan.

Section 4
Violations of Provisions on the Prevention and Control of Air Pollution

Article 1113 Where the provisions of Part Two of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1114 Where any of the following circumstances as prescribed in this Code occurs, the competent department for energy shall order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; in the case of failure to make rectification, the violator shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down:

(1) where a coal mine fails to construct supporting coal washing or preparation facilities;

(2) where a coal-fired power plant or any other coal-burning entity fails to install dust removal, desulfurization, denitrification, or other emission control facilities, or fails to adopt technological retrofits or other measures to control air pollutant discharge; or

(3) where an enterprise in the iron and steel, building materials, non-ferrous metals, petroleum, chemical, or any other industry that discharges dust, sulfur compounds, or nitrogen oxides during production fails to install dust removal, desulfurization, denitrification, or other emission control facilities, or fails to adopt technological retrofits or other measures to control air pollutant discharge.

Where, in violation of this Code, coal containing radioactive substances, arsenic, or other toxic and hazardous substances in excess of the limits in the prescribed standards is mined, the people's government at or above the county level shall, within the scope of authority prescribed by the State Council, order suspension of operations or closure.

Article 1115 Where any of the following circumstances as prescribed in this Code occurs, the department of market regulation shall order rectification, confiscate raw materials, products, and unlawful gains, and impose a fine of not less than the value but not more than five times the value of the goods:

(1) selling coal or petroleum coke that does not meet quality standards;

(2) selling high-polluting fuels within no-burning zones;

(3) producing or selling raw materials, auxiliary materials or products with volatile organic compound content that does not meet quality standards or

requirements; or

(4) producing or selling fuels, engine oil, nitrogen oxide reducing agents, fuel and lubricant additives, or other additives for motor vehicles, vessels, and non-road mobile machinery that do not meet standards.

Article 1116 Where any of the following circumstances as prescribed in this Code occurs, the customs shall order the return, confiscate the unlawful gains, and impose a fine of not less than the value but not more than five times the value of the goods; where return is not possible, raw materials and products shall be confiscated:

(1) importing coal or petroleum coke that does not meet quality standards;

(2) importing raw materials, auxiliary materials or products with volatile organic compound content that does not meet quality standards or requirements; or

(3) importing fuels, engine oil, nitrogen oxide reducing agents, fuel and lubricant additives, and other additives for motor vehicles, vessels, and non-road mobile machinery that do not meet standards.

Article 1117 Where, in violation of this Code, an entity burns coal that does not meet quality standards or uses petroleum coke that does not meet quality standards, the competent department for ecology and environment shall order rectification and impose a fine of not less than the value but not more than five times the value of the goods.

Article 1118 Where, in violation of this Code, a vessel uses fuel oil that does not meet applicable standards or requirements, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan.

Article 1119 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall confiscate facilities that use high-polluting fuels and coal-fired heating boilers, organize their removal, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan:

(1) constructing or expanding facilities that use high-polluting fuels within no-burning zones;

(2) failing to cease using high-polluting fuels within no-burning zones;

(3) constructing or expanding decentralized coal-fired heating boilers in areas covered by an urban centralized heating network; or

(4) failing to remove, within the required time limit, coal-fired heating boilers that fail to meet discharge standards.

Where, in violation of this Code, boilers that do not meet prescribed standards or requirements are produced, imported, or sold, the department of market regulation shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where boilers that do not meet prescribed standards or requirements are put into use, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan.

Article 1120 Where a violation of this Code falls under any of the following circumstances, the competent department for ecology and environment shall order

rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; in the case of failure to make rectification, the violator shall be ordered to suspend production for rectification:

(1) where an industrial coating enterprise or a similar enterprise fails to use raw materials, auxiliary materials or products with low volatile organic compound content;

(2) where in producing or using raw and auxiliary materials or products that contain volatile organic compounds, an entity fails to carry out such activities in sealed spaces or equipment and to install and use pollution prevention and control facilities, or fails to take measures to reduce off-gas emissions;

(3) where an enterprise in the petroleum, chemical, or other industries that produces or uses organic solvents fails to take measures for the routine maintenance and repair of pipelines and equipment, or fails to promptly collect and treat leaked materials;

(4) where an oil depot, gas station, tank truck, or similar facilities or vehicles fail to install and ensure the proper functioning of oil vapor recovery units as prescribed by the state;

(5) where an enterprise in the iron and steel, building materials, non-ferrous metals, petroleum, chemical, pharmaceutical, mineral extraction, or other industrial production sectors fails to adopt measures, such as centralized collection and treatment, sealing, enclosing, covering, cleaning, or water spraying, to control and reduce emissions of dust and gaseous pollutants;

(6) where an entity fails to recover and utilize combustible gases generated from industrial production, landfill operations, or other activities, or, where recovery and utilization are not feasible, fails to take pollution prevention and control measures;

(7) where an entity fails to promptly repair or replace combustible gas recovery and utilization devices when they fail to operate properly; or

(8) where an entity emits combustible gases without taking measures to control air pollutant emission during periods when combustible gas recovery and utilization devices cannot operate properly.

Where, in violation of this Code, an operator of crude oil and refined oil terminal, a crude oil and refined oil transport vessel, or a railway tank car fails to install and ensure the proper functioning of oil vapor recovery devices as prescribed by the state, the departments of ecology and environment, transport, maritime safety administration, or other relevant departments shall, in accordance with the division of duties, impose penalties in accordance with the preceding paragraph.

Article 1121 Where, in violation of this Code, motor vehicles and vessels, non-road mobile machinery, or engines that do not meet air pollutant emission standards are manufactured, the competent department for ecology and environment of the people's government at or above the provincial level shall order rectification, confiscate the unlawful gains, impose a fine of not more than three times the value of the goods, and confiscate and destroy any motor vehicles and vessels, non-road mobile machinery, or engines that fail to meet pollutant discharge standards; in the case of failure to make rectification, the violator shall be ordered to restrict production or suspend production for rectification, and the relevant competent departments for production under the State Council shall, in accordance with the division of duties,

order the cessation of production of the relevant vehicle (vessel, machinery or engine) model.

Where, in violation of this Code, a manufacturer of motor vehicles, non-road mobile machinery, or engines engages in fraudulent practices or uses substandard products in place of compliant ones with respect to engines or emission control systems, and sells them as products that have passed emission testing, the competent department for ecology and environment of the people's government at or above the provincial level shall order suspension of production for rectification, confiscate the unlawful gains, impose a fine of not less than the value but not more than three times the value of the goods, and confiscate and destroy any motor vehicles, non-road mobile machinery, or engines that fail to meet pollutant emission standards; and the competent departments for production under the State Council shall, in accordance with the division of duties, order the cessation of production of the relevant vehicle (machinery or engine) model.

Article 1122 Where, in violation of this Code, motor vehicles and vessels, non-road mobile machinery, or engines that discharge pollutants exceeding limits prescribed in pollutant discharge standards are imported or sold, the department of market regulation or the customs shall, in accordance with the division of duties, confiscate the unlawful gains and impose a fine of not more than three times the value of the goods, and confiscate and destroy any motor vehicles and vessels, non-road mobile machinery, or engines that fail to meet pollutant emission standards.

Article 1123 Where, in violation of this Code, a manufacturer or importer of motor vehicles or non-road mobile machinery fails, as required, to make public the pollutant emission testing information or pollution control technology information for the motor vehicle models or non-road mobile machinery types it manufactures or imports, the competent department for ecology and environment of the people's government at or above the provincial level shall order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan.

Where, in violation of this Code, a manufacturer or importer of motor vehicles or non-road mobile machinery fails, as required, to make public the relevant repair and maintenance information for the motor vehicle models or non-road mobile machinery types it manufactures or imports, the competent department for transport of the people's government at or above the provincial level shall order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan.

Article 1124 Where, in violation of this Code, discharge testing for motor vehicles and vessels or non-road mobile machinery is passed by fraudulent means such as temporarily replacing, tampering with, disabling, or falsifying the emission control system, or where the emission control system of motor vehicles and vessels or non-road mobile machinery is damaged, removed, tampered with, disabled, or falsified, the competent department for ecology and environment, the maritime safety administration, or the competent department for fisheries shall, in accordance with the division of duties, order rectification; a fine of RMB 5,000 yuan per vehicle (vessel) shall be imposed on the owner, and a fine of RMB 5,000 yuan per vehicle (vessel) shall be imposed on the repair provider.

Article 1125 Where anyone, in violation of this Code, manufactures, imports, or

sells devices capable of tampering with, disabling, or falsifying discharge testing data for motor vehicles and vessels, non-road mobile machinery, or engines, or manufactures, imports, or sells testing equipment that provides the conditions for fraudulent discharge testing, the competent department for ecology and environment, the department of market regulation, or the customs shall, in accordance with the division of duties, confiscate the unlawful gains, confiscate and destroy the unlawful devices and testing equipment, and impose a fine of not less than the value but not more than five times the value of the goods, and if the value of the goods involved is less than RMB 50,000 yuan, it shall be deemed to be RMB 50,000 yuan; where the circumstances are serious, the violator shall, upon approval by the people's government with the approval authority, be ordered to cease operations or close down.

Article 1126 Where, in violation of this Code, a motor vehicle driver drives on the road a motor vehicle that fails emission testing, the traffic management department of the public security organ shall impose penalties in accordance with law.

Article 1127 Where, in violation of this Code, non-road mobile machinery, railway diesel locomotives, or vessels that fail to meet discharge standards are used, or where in-use heavy-duty motor vehicles, vessels, or non-road mobile machinery fail to be fitted with or have old systems replaced with compliant emission control systems, or fail to adopt other effective measures, the department of ecology and environment, the maritime safety administration, the department of fisheries, or other relevant departments shall, in accordance with the division of duties, order rectification and impose a fine of RMB 5,000 yuan per vehicle (vessel).

Where, in violation of this Code, high-emission non-road mobile machinery is used in areas where the use of such machinery is prohibited, the competent department for ecology and environment shall order rectification and impose a fine of RMB 5,000 yuan per vehicle.

Article 1128 Where, in violation of this Code, a construction entity falls under any of the following circumstances, the department of housing and urban-rural development or other relevant departments shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan; where the construction entity fails to make rectification, it shall be ordered to suspend construction for rectification:

(1) failing to install hard-panel site enclosures at the construction site, or failing to implement effective dust-prevention and suppression measures, including covering, phased operation, construction at designated times, water spraying, and sluicing the ground and vehicles; or

(2) failing to promptly remove excavated earth, or, where it is stockpiled on site, failing to cover it with enclosed dust nets.

Where, in violation of this Code, a developer fails to cover the exposed ground of construction land on which construction cannot commence at present, or fails to green, pave, or cover the exposed ground of construction land on which construction cannot commence for more than three months, the department of housing and urban-rural development or other relevant departments shall, in accordance with the division of duties, impose penalties in accordance with the preceding paragraph.

Article 1129 Where, in violation of this Code, a vehicle or vessel transporting bulk

or liquid materials such as coal, waste, construction spoil, sand and gravel, excavated earth, or mortar fails to adopt sealing or other measures to prevent spillage of materials, or fails to travel along designated routes, the supervisory and regulatory department designated by the people's government at or above the county level or the maritime safety administration shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 2,000 yuan but not more than RMB 20,000 yuan; in the case of failure to make rectification, the vehicle shall not be permitted to travel on public roads.

Article 1130 Where any of the following circumstances as prescribed in this Code occurs, the department of ecology and environment or other relevant departments shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan; in the case of failure to make rectification, the violator shall be ordered to suspend construction or suspend operations for rectification:

(1) failing to adopt sealing, spraying, or other methods to prevent and control fugitive dust pollution during loading or unloading of materials;

(2) failing to store, in enclosed form, coal, coal gangue, cinder, coal ash, cement, lime, plaster, sand and soil, iron ore, or other materials prone to generate fugitive dust;

(3) for materials prone to generate fugitive dust that cannot be stored in enclosed form, failing to set up tight enclosures no lower than the height of the stockpiles, or failing to effectively cover stockpiles to control fugitive dust;

(4) failing to take fire-prevention measures where an entity stores coal, coal gangue, cinder, coal ash, or similar materials;

(5) failing to implement zoned operations and to take effective measures to prevent and control fugitive dust pollution in a port, mine, landfill, or waste disposal site;

(6) for an enterprise and public institution that emits toxic and hazardous air pollutants on the catalog of toxic and hazardous air pollutants, failing to establish an early warning system for environmental risks, screen for environmental safety hazards, or take effective measures to prevent environmental risks;

(7) for an enterprise, public institution, or any other producer or business operator that emits persistent organic pollutants into the air, as well as an operator of waste incineration facilities, failing to adopt technologies and processes conducive to reducing emission of persistent organic pollutants and to be equipped with effective abatement devices; or

(8) failing to take effective measures to prevent the emission of malodorous gases.

Article 1131 Where, in violation of this Code, extremely or highly toxic pesticides are sprayed on trees, flowers, or other plants in densely populated areas, or where, within areas and time frames in which open burning is prohibited, straw, fallen leaves, or other substances that generate fume and dust pollution are burned in the open, the supervisory and regulatory department designated by the people's government at or above the county level shall order rectification and may impose a fine of not less than RMB 500 yuan but not more than RMB 2,000 yuan.

Where, in violation of this Code, pesticides the production or use of which is expressly prohibited by the state are produced or used, the competent department for

agriculture and rural affairs shall order rectification; and in the case where the violator fails to make rectification, the department shall impose penalties in accordance with relevant laws and regulations and transfer the case to the public security organ; the public security organ shall impose administrative detention of not less than 10 days but not more than 15 days on the directly responsible persons in charge and other directly responsible persons, or, where the circumstances are relatively minor, administrative detention of not less than 5 days but not more than 10 days.

Where, in violation of this Code, asphalt, tar felt, rubber, plastics, leather, garbage, or other substances that generate toxic and hazardous fumes and dusts or malodorous gases are burned in densely populated areas or in other areas that require special protection in accordance with law, the supervisory and regulatory department designated by the people's government at the county level shall order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan on the entity, and a fine of not less than RMB 500 yuan but not more than RMB 2,000 yuan on the individual.

Where, in violation of this Code, fireworks and firecrackers are set off within time frames or areas in which the setting-off is prohibited, the supervisory and regulatory department designated by the people's government at or above the county level shall impose penalties in accordance with law.

Article 1132 Where, in violation of this Code, a catering service provider that emits cooking fumes fails to install pollution prevention and control facilities such as fume purifiers, fails to ensure the proper functioning of such facilities, or fails to take other fume abatement measures, resulting in the emission of oil fume pollutants in excess of limits prescribed in emission standards, the supervisory and regulatory department designated by the people's government at or above the county level shall order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; where the catering service provider fails to make rectification, an order of suspension of operations for rectification shall be given.

Where, in violation of this Code, a catering service premise, from which oil fumes, odors, or off-gases are generated, is constructed, reconstructed, or expanded in a residential building, in a commercial-residential building without dedicated flues, or on a commercial floor adjacent to residential floors within a commercial-residential building, the supervisory and regulatory department designated by the people's government at or above the county level shall order rectification; in the case of failure to make rectification, an order of closure shall be given, and a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan shall be imposed.

Where, in violation of this Code, food is cooked on an open grill, or a venue is provided for open-air barbecues, during a time frame or in an area where such activities are prohibited by the local people's government, the supervisory and regulatory department designated by the people's government at or above the county level shall order rectification, confiscate barbecue equipment and the unlawful gains, and impose a fine of not less than RMB 500 yuan but not more than RMB 5,000 yuan; and shall, in the case of failure to make rectification, impose a fine of not less than RMB 5,000 yuan but not more than RMB 20,000 yuan.

Article 1133 Where, in violation of this Code, service activities such as dry cleaning or motor vehicle repair are carried out without installing odor and off-gas treatment devices and other pollution prevention and control facilities, and without ensuring the proper functioning of such facilities, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 2,000 yuan but not more than RMB 20,000 yuan; in the case of failure to make rectification, an order of suspension of business for rectification shall be given.

Article 1134 Where anyone, in violation of this Code, releases heavy air pollution forecasts and early warnings information to the public without approval, and such act constitutes a violation of public security administration, the public security organ shall impose a penalty in accordance with law.

Where, in violation of this Code, an entity fails to implement response measures to heavy air pollution, such as suspending earthwork operations at construction sites and suspending building demolition operation, the supervisory and regulatory department designated by the people's government at or above the county level shall impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan.

Section 5
Violations of Provisions on the Prevention and Control of Water Pollution

Article 1135 Where the provisions of Part Three of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1136 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order the cessation of the unlawful act, order remedial measures to eliminate pollution, and impose a fine, and may order restriction on production, suspension of production for rectification, or other measures; in the case of failure to make remedial measures, an entity with the capability to carry out remediation may be designated to do so on behalf of the violator, with the costs to be borne by the violator; where the circumstances are serious, the violator shall, upon approval by a people's government with the approval authority, be ordered to cease operations or close down:

(1) discharging oil, acid or alkaline solutions into water bodies;

(2) discharging extremely toxic wastewater into water bodies, or discharging or dumping extremely toxic soluble solid waste containing substances such as mercury, cadmium, arsenic, chromium, lead, cyanides, or yellow phosphorus into water bodies, or directly burying them underground;

(3) washing, in water bodies, vehicles or containers that have carried or contained oil or toxic and hazardous pollutants;

(4) discharging thermal effluent or pathogen contaminated wastewater into water bodies in violation of state regulations or standards; or

(5) discharging or dumping industrial waste slags, municipal waste, or other waste into water bodies; or dumping, piling, or storing solid waste or other pollutants in rivers, lakes, canals, channels, or reservoirs, or on their floodplains and banks below the highest water level, or in other locations specified by laws and regulations.

Where any of the circumstances set forth in Subparagraph (3) or (4) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (1) or (5) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (2) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed.

Article 1137 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order the cessation of the unlawful act, order remedial measures to eliminate pollution, and impose a fine, and may order restriction on production, suspension of production for rectification, or other measures; in the case of failure to make remedial measures, an entity with the capability to carry out remediation may be designated to do so on behalf of the violator, with the costs to be borne by the violator; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down:

(1) failing to take leakage prevention and other measures, or failing to construct groundwater quality monitoring wells for monitoring;

(2) for underground oil tanks at facilities such as gas stations or oil production plants, failing to use double-walled tanks or to adopt other effective measures such as constructing oil containment vaults, or failing to conduct leakage monitoring;

(3) using ditches, pits, or similar facilities without leakage prevention measures to convey or store wastewater containing toxic and hazardous pollutants, pathogen contaminated wastewater, or other waste; or

(4) failing to take protective measures as required.

Where any of the circumstances set forth in Subparagraph (1) or (2) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (3) or (4) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1138 Where, in violation of this Code, a construction project that causes groundwater pollution is built, rebuilt, or expanded within a spring catchment protection zone or in a well-developed karst area with numerous sinkholes and dolines, the competent department for ecology and environment shall impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan and, upon approval by the people's government with the approval authority, order its demolition or closure.

Article 1139 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order rectification and impose a fine, and may order restriction on production, suspension of production for rectification, or adoption of other measures; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down:

(1) failing to take effective measures, thereby causing firefighting waste that may

seriously pollute water bodies, generated during the handling of work safety accidents, to be directly discharged into water bodies;

(2) diluting and discharging industrial wastewater containing toxic and hazardous water pollutants, where such act does not constitute discharge of pollutants by means of evading supervision;

(3) discharging industrial wastewater or medical wastewater into irrigation channels; or

(4) discharging municipal sewage, as well as aquaculture effluent or wastewater from agricultural product processing not put to comprehensive utilization, into irrigation channels, resulting in the water quality at the nearest downstream irrigation intake site failing to meet the water quality standards for agricultural irrigation.

Where any of the circumstances set forth in Subparagraph (3) or (4) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (1) or (2) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1140 Where, in violation of this Code, industrial wastewater that does not meet the treatment process requirements of centralized wastewater treatment facilities is discharged into such facilities, the competent department for ecology and environment shall order rectification or order restriction on production or suspension of production for rectification, and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1141 Where, in violation of this Code, a small-scale production project in industries such as papermaking, tanning, printing and dyeing, dyestuff production, coking, sulfur smelting, arsenic smelting, mercury smelting, oil refining, electroplating, pesticide production, asbestos, cement, glass, iron and steel, or thermal power, or any other production project that seriously pollutes the water environment, is constructed in contravention of national industrial policies, the people's government of the city divided into districts or the county where the project is located shall order its closure.

Article 1142 Where, in violation of this Code, a vessel fails to be equipped with appropriate pollution control equipment and apparatus, or fails to hold valid certificates and documents for the prevention and control of pollution of the water environment, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order rectification within a specified time limit and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; where rectification is not made within the prescribed time limit, the vessel shall be ordered to suspend navigation temporarily.

Where, in violation of this Code, a vessel, when discharging or otherwise handling pollutants or ballast water, fails to comply with operating procedures, fails to conduct monitoring, or fails to truthfully keep and retain relevant records, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan.

Article 1143 Where any of the following circumstances as prescribed in this Code occurs, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order the cessation of the unlawful act and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan; where water pollution is caused thereby, they shall order the adoption of remedial measures within a prescribed time limit to eliminate the pollution and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where such measures are not taken within the prescribed time limit, an entity capable of remediation shall be designated to do so instead, and the costs shall be for the vessel's account:

(1) where a vessel dumps garbage into water bodies or discharges residual oil, waste oil, oily water, or domestic sewage into water bodies;

(2) where a vessel, when loading or transporting oil or toxic and hazardous cargoes, fails to take measures to prevent spillage or leakage;

(3) where a vessel or a relevant operating entity engages in activities that may cause pollution without taking pollution prevention and control measures; or

(4) where a vessel conducts ship-to-ship transfer operations of noxious liquid cargoes in bulk without preparing an operation plan or without submitting it for approval as required.

Where, in violation of this Code, vessels are dismantled by beaching, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order the cessation of the unlawful act and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan.

Where, in violation of this Code, a vessel engaged in international voyages entering the inland waters of the People's Republic of China discharges ballast water that does not comply with relevant requirements, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order the cessation of the unlawful act and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan.

Article 1144 Where any of the following circumstances as prescribed in this Code occurs, the maritime safety administration or the competent department for fisheries shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan:

(1) a port, terminal, loading and unloading station, or shipyard failing to equip, as required, or to ensure the effective operation of facilities for collecting ship-generated pollutants and waste; or

(2) an entity engaging in the reception of ship-generated pollutants and waste or in tank cleaning operations without having the corresponding capacity for collection and treatment.

Article 1145 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order the cessation of the unlawful act, impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan, and, upon approval by the people's government with the approval authority, order the demolition or closure thereof:

(1) constructing, reconstructing, or expanding a construction project unrelated to

water supply facilities or source protection within a Class I protection zone for drinking water sources;

(2) constructing, reconstructing, or expanding a construction project that discharges pollutants within a Class II protection zone for drinking water sources; or

(3) constructing or expanding a construction project that seriously pollutes water bodies within a quasi-protection zone for drinking water sources, or reconstructing a construction project in a manner that increases pollutant discharge.

Where, in violation of this Code, cage aquaculture is conducted within a Class I protection zone for drinking water sources, or tourism, angling, or other activities that may pollute drinking water bodies are organized therein, the competent department for ecology and environment shall order the cessation of the unlawful act and impose a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan. Where an individual swims, engages in angling, or conducts any other activity that may pollute drinking water bodies within a Class I protection zone for drinking water sources, the competent department for ecology and environment shall order the cessation of the unlawful act and may impose a fine of not more than RMB 500 yuan.

Where, in violation of this Code, the quality of water supplied by a drinking water supplier does not meet state standards, the competent department for water supply shall order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where the circumstances are serious, it may, upon approval by the people's government with the approval authority, order suspension of operations for rectification.

Section 6
Violations of Provisions on the Prevention and Control of Marine Pollution

Article 1146 Where the provisions of Part Four of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1147 Where any of the following circumstances as prescribed in this Code occurs, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine, and may order restriction on production or suspension of production for rectification or take other measures; where the circumstances are serious, it shall, upon approval by the people's government with the approval authority, order suspension of operations or closure:

(1) discharging oil, acid or alkaline solutions into the sea;

(2) discharging residual oil or waste oil from offshore oil and gas facilities into the sea;

(3) discharging extremely toxic wastewater into the sea;

(4) discharging oil-based mud or other toxic synthetic-based mud used in drilling operations into the sea;

(5) discharging substandard oily water or oily mixtures into the sea;

(6) disposing of oil-containing industrial solid waste into the sea;

(7) in violation of state regulations or standards, discharging into the sea thermal effluent; medical wastewater contaminated by pathogens, domestic sewage, or

industrial wastewater; or wastewater containing persistent organic substances or heavy metals; or

(8) dumping, piling, or treating solid waste on shorelines or beaches.

Where any of the circumstances set forth in the preceding paragraph other than Subparagraph (3) occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (3) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed.

Where an individual arbitrarily dumps, piles, or disposes of domestic waste on shorelines or beaches, a fine of not less than RMB 100 yuan but not more than RMB 1,000 yuan shall be imposed per occurrence.

Article 1148 Where any of the following circumstances as prescribed in this Code occurs in the conduct of mariculture activities, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; where the circumstances are serious, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed and, upon approval by the people's government with the approval authority, suspension of operations or closure shall be ordered:

(1) violating regulations on culture scale or stocking density; or

(2) violating regulations on the application of fertilizers, feed, or drugs.

Article 1149 Where, in violation of this Code, a coastal engineering or marine engineering project that pollutes the environment or damages the ecosystem is constructed, or any other activity is carried out within protected areas, important fishery waters, or other areas that are designated in accordance with law and require special protection, or where a production project not in conformity with state industrial policies is constructed in coastal land areas, the people's government at or above the county level shall, in accordance with its administrative authority, order its closure.

Article 1150 Where any of the following circumstances as prescribed in this Code occurs in a coastal engineering or marine engineering project, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order the cessation of the unlawful act and the elimination of the harm, and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan; where the circumstances are serious, they shall, upon approval by the people's government with the approval authority, order suspension of operations or closure:

(1) using materials containing radioactive substances in excess of standards, or materials from which toxic and hazardous substances readily leach;

(2) causing erosion, siltation, or damage to territorial sea base points and their surrounding environment; or

(3) endangering the stability of territorial sea base points.

Article 1151 Where, in violation of this Code, offshore oil and gas exploration and development activities cause marine environmental pollution, the coast guard shall order rectification, issue a warning, and impose a fine of not less than RMB 200,000

yuan but not more than RMB 1,000,000 yuan.

Article 1152 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment under the State Council and its sea area outposts, the maritime safety administration, or the coast guard shall, in accordance with the division of duties, order rectification, impose a fine, temporarily withhold or revoke the dumping permit, and may, where necessary, detain the vessel; where the circumstances are serious, they shall, upon approval by the people's government with the approval authority, order suspension of operations or closure:

(1) dumping at sea without obtaining a dumping permit;

(2) dumping not in accordance with the requirements specified in the dumping permit;

(3) failing to install or use compliant online monitoring equipment for marine dumping as required or failing to connect the equipment to the regulatory system;

(4) failing to report dumping as required;

(5) a vessel engaged in dumping leaving port without reporting;

(6) an entity approved to dump at sea failing to entrust marine dumping operations in accordance with this Code or failing to supervise the implementation thereof; or

(7) incineration at sea.

Where the circumstance set forth in Subparagraph (5) of the preceding paragraph occurs, a fine of not less than RMB 3,000 yuan but not more than RMB 30,000 yuan shall be imposed on the owner, operator, or manager of the vessel, and a fine of not less than RMB 500 yuan but not more than RMB 5,000 yuan shall be imposed on the master, responsible crew members, or other responsible persons; where the circumstance set forth in Subparagraph (4) of the preceding paragraph occurs, a fine of not less than RMB 5,000 yuan but not more than RMB 20,000 yuan shall be imposed per occurrence; where the circumstance set forth in Subparagraph (3) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (6) of the preceding paragraph occurs, a fine of not less than RMB 30,000 yuan but not more than RMB 300,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (1) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (7) of the preceding paragraph occurs, a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan shall be imposed. Where any of the circumstances set forth in Subparagraph (1) or (7) of the preceding paragraph occurs and administrative penalties have been imposed three or more times within two years, the violator shall not engage in marine dumping for three years; where the circumstance set forth in Subparagraph (2) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and where the dumping permit is revoked, the violator shall not engage in marine dumping for three years.

Where, in violation of this Code, a dumping permit is obtained by improper means

such as deception or bribery, the competent department for ecology and environment under the State Council or its sea area outposts shall revoke the dumping permit in accordance with law and impose a fine of not less than RMB 200,000 yuan but not more than RMB 500,000 yuan; the violator shall not apply for a dumping permit again within three years.

Article 1153 Where a violation of this Code falls under any of the following circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) where a vessel discharges into marine water pollutants, waste, and other harmful substances, including ship-generated garbage, domestic sewage, oily water, wastewater containing toxic or hazardous substances, and off-gases;

(2) where a vessel discharges into the sea ballast water and sediments that do not comply with the requirements;

(3) where a vessel carrying cargoes hazardous to the environment enters or leaves a port, or conducts loading or unloading operations, without approval;

(4) where a vessel conducts ship-to-ship transfer operations of noxious liquid cargoes in bulk without preparing an operation plan or without submitting it for approval as required; or

(5) where, in operations for loading or unloading oil or toxic and hazardous cargo, the vessel and the shore side fail to comply with safety and anti-pollution operating procedures.

Where any of the circumstances set forth in Subparagraphs (2) through (5) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (1) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1154 Where a violation of this Code falls under any of the following circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) where the materials or structure of a vessel, or the pollution control equipment or apparatus fitted on it does not comply with state regulations on the prevention of pollution of the marine environment from vessels, or does not pass inspection;

(2) where a vessel does not hold the required certificates and documents for the prevention of pollution of the marine environment;

(3) where, in carrying out discharge and operations involving ship-generated pollutants, ballast water, sediments, among others, a vessel fails to conduct monitoring as required, or fails to truthfully record and retain such information;

(4) where a vessel fails to keep on board an inventory of hazardous materials, to keep such inventory continuously updated during the vessel's construction, operation, and maintenance, or to provide the inventory of hazardous materials to the entity engaged in dismantling vessels prior to the dismantling;

(5) where measures adopted to improve the energy efficiency of a vessel do not

meet the relevant requirements;

(6) where a vessel entering a ship pollutant discharge control area fails to meet the relevant discharge control requirements;

(7) where a vessel that is capable of using shore power, while at berth, fails to use shore power as prescribed by the state; or

(8) where a port operator with the capability to supply shore power, or a shore power supplier, fails to provide shore power, in accordance with state regulations, to vessels that are capable of using it.

Where the circumstance set forth in Subparagraph (4) of the preceding paragraph occurs, a fine of not more than RMB 20,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (1) or (2) of the preceding paragraph occurs, a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan shall be imposed, and in the case of failure to make rectification, the vessel shall be ordered to suspend navigation temporarily; where any of the circumstances set forth in Subparagraph (3) or (5) of the preceding paragraph occurs, a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (6) of the preceding paragraph occurs, a fine of not less than RMB 30,000 yuan but not more than RMB 300,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (7) or (8) of the preceding paragraph occurs, a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan shall be imposed, and where the circumstances are serious, a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1155 Where a violation of this Code falls under any of the following circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) engaging in collecting ship-generated pollutants and waste, or in tank cleaning and tank washing operations, without the corresponding reception and treatment capability;

(2) a port, dock, loading and unloading station, or an entity engaged in shipbuilding, repair, or dismantling failing to equip, as required, or to effectively operate, reception facilities for ship-generated pollutants and waste;

(3) in dismantling of vessels, conversion of old vessels, retrieval, or other work on or under water, causing pollution and damage to the marine environment; or

(4) dismantling vessels on the coast by beaching.

Where any of the circumstances set forth in Subparagraph (1) or (2) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (3) of the preceding paragraph occurs, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (4) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1156 Where a violation of this Code falls under any of the following

circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) failing to make a prior declaration or making a false declaration of matters concerning a vessel carrying cargoes hazardous to the environment;

(2) a consignor failing to truthfully inform the carrier of the proper shipping names of the consigned cargoes hazardous to the environment, its pollution hazards, and the protective measures to be taken;

(3) the documents, packaging, marks, quantity limitations, among others, for the cargoes hazardous to the environment delivered by the consignor to the carrier failing to comply with the applicable requirements for such cargoes;

(4) a consignor concealing the hazardous cargoes liable to cause pollution among ordinary cargoes consigned, or falsely declaring the hazardous cargoes as ordinary cargoes; or

(5) failing to conduct a prior assessment as required before carrying cargoes with uncertain pollution hazards by vessel.

Where the circumstance set forth in Subparagraph (1) of the preceding paragraph occurs, a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraph (3) or (5) of the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (2) of the preceding paragraph occurs, a fine of not less than RMB 50,000 yuan but not more than RMB 100,000 yuan shall be imposed; where the circumstance set forth in Subparagraph (4) of the preceding paragraph occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 200,000 yuan shall be imposed.

Article 1157 Where, in violation of this Code, dumping fees are not paid as prescribed by the state, the competent department for ecology and environment under the State Council and its sea area outposts shall order payment within a specified time limit; in the case of failure to make payment upon expiration of the time limit, a fine of not less than the am ount but not more than three times the amount of dumping fees payable shall be imposed, and, upon approval by the people's government with the approval authority, an order of suspension of operations or closure may be given.

Section 7
Violations of Provisions on the Prevention and Control of Soil Contamination

Article 1158 Where, in violation of this Code, the provisions of Part Five of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1159 Where a violation of this Code falls under any of the following circumstances, the department of the local people's government responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine; and in the

case of failure to make rectification, an order of restriction on production or suspension of production for rectification shall be given:

(1) where an entity under intensified soil contamination supervision fails to establish and implement a system of the identification and control of potential soil and groundwater pollution hazards;

(2) where an entity under intensified soil contamination supervision, when demolishing facilities, equipment, buildings, or structures, fails to formulate and implement a work plan for soil contamination prevention and control;

(3) where an entity fails to take measures for soil contamination prevention and control when demolishing facilities, equipment, buildings, or structures;

(4) where the entity operating or managing a tailings storage facility fails to take effective measures as required to prevent soil contamination, or fails to take measures addressing identified potential hazards, or where, for a tailings storage facility subject to intensified supervision, the operator or manager fails to conduct monitoring of soil contamination or to carry out periodic assessments; or

(5) where an entity fails to take effective measures, as required by laws, regulations, and relevant standards, to prevent soil contamination in constructing and operating a centralized sewage treatment facility or a solid waste disposal facility.

Where any of the circumstances set forth in the preceding paragraph occurs, a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan shall be imposed; where any of the circumstances set forth in Subparagraphs (2) through (5) of the preceding paragraph occurs and results in serious consequences, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed.

Article 1160 Where, in violation of this Code, sewage or sludge with excessive heavy metals or other excessive toxic and hazardous substances, or dredged sediments, tailings, slag, among others that may cause soil contamination, are discharged into agricultural land, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall also be imposed, and the case shall be transferred to the public security organ, which shall impose administrative detention of not less than 5 days but not more than 15 days on the directly responsible persons in charge and other directly responsible persons.

Article 1161 Where, in violation of this Code, a producer, seller, or user of agricultural inputs fails to promptly collect packaging waste of agricultural inputs such as pesticides and fertilizers or agricultural films, or fails to deliver pesticide packaging waste to a specialized institution or organization for environmentally sound management, the competent department for agriculture and rural affairs shall order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan; where the user of agricultural inputs is an individual, a fine of not less than RMB 200 yuan but not more than RMB 2,000 yuan may be imposed.

Article 1162 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order

rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 1,000,000 yuan shall be imposed; and a fine of not less than RMB 5,000 yuan but not more than RMB 20,000 yuan shall be imposed on the directly responsible persons in charge and other directly responsible persons:

(1) applying resistance-reducing products with excessive heavy metal content to soil;

(2) failing to separately collect and store topsoil stripped during development and construction;

(3) failing to treat or dispose of pollutants generated, or causing new pollution to the soil or the surrounding environment in implementing a risk control or remediation activity;

(4) a remediation entity failing to carry out disposal in accordance with law where the contaminated soil being transported is hazardous waste;

(5) in transporting contaminated soil, failing, in advance, to report to the competent departments for ecology and environment at the place of origin and the place of receipt the time, method, and route of transport, quantity of contaminated soil, destination, final disposal measures, among others;

(6) constructing a new project that may cause soil contamination within a zone of concentrated permanent basic farmland; or

(7) commencing, on a parcel of land designated for construction use, any project unrelated to soil contamination risk control or remediation of the land parcel, which does not meet the risk control and remediation objectives set out in the soil contamination risk assessment report, or on which any of the following procedures has not been performed as required, including the soil contamination investigation, risk assessment, risk control, remediation of the land, or the follow-up evaluation of risk control performance or remediation performance.

Article 1163 Where, in violation of this Code, industrial solid waste, domestic waste, or contaminated soil containing excessive heavy metals or other excessive toxic and hazardous substances is used for land reclamation, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan.

Article 1164 Where, in violation of this Code, a party liable for soil contamination or a land use right holder fails to carry out *ex post* management as required, the department responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan; where the circumstances are serious, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1165 Where a party liable for soil contamination or a land use right holder, in violation of this Code, falls under any of the following circumstances, the department of the local people's government responsible for the supervision and administration of ecological and environmental protection shall, in accordance with

the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where the party or the right holder fails to make rectification, a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and a third party may be entrusted to perform the obligations on behalf of the party liable for soil contamination or the land use right holder, with the required costs to be borne by the party liable for soil contamination or the land use right holder; and a fine of not less than RMB 5,000 yuan but not more than RMB 20,000 yuan shall be imposed on the directly responsible persons in charge and other directly responsible persons:

(1) failing to conduct a soil contamination investigation for a parcel of land for construction use where a general survey, detailed survey, monitoring, or on-site inspection indicates a risk of soil contamination, or for a parcel of land whose planned use is changed to residential use or to public administration and public service uses;

(2) where the use of land for production and business operation of an entity under intensified soil contamination supervision is changed, or, prior to the withdrawal or transfer of the land use right, failing to conduct a soil contamination investigation;

(3) failing to conduct a soil contamination risk assessment of a parcel of land for construction use where the review of the soil contamination investigation report indicates that pollutant levels exceed the soil contamination risk control standards;

(4) failing to take corresponding risk control measures on agricultural land parcels classified as safe-for-use or strict control, or on parcels in the catalog of construction land subject to soil contamination risk control and remediation;

(5) failing to implement remediation as required; or

(6) failing to entrust another party to conduct an evaluation of risk control performance and an evaluation of remedial performance upon completion of risk control or remediation activities.

Where any of the circumstances set forth in Subparagraph (4) or (5) of the preceding paragraph occurs, and the circumstances are serious, the department responsible for the supervision and administration of ecological and environmental protection shall transfer the case to the public security organ, which shall impose administrative detention of not less than 5 days but not more than 15 days on the directly responsible persons in charge and other directly responsible persons.

Article 1166 Where any of the following circumstances as prescribed in this Code occurs, the competent departments for ecology and environment, for agriculture and rural affairs, and for forestry and grassland shall, in accordance with the division of duties, order rectification; in the case of failure to make rectification, a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed:

(1) where an entity under intensified soil contamination supervision fails to report, on an annual basis, the discharge of toxic and hazardous substances;

(2) where an entity under intensified soil contamination supervision fails to report to the competent department for ecology and environment information on underground storage tanks used to store toxic and hazardous substances;

(3) where a land use right holder fails to submit, in accordance with law, a soil contamination investigation report;

(4) where a party liable for soil contamination or a land use right holder fails to

submit, in accordance with law, a soil contamination risk assessment report;

(5) where a party liable for soil contamination fails to report risk control measures in accordance with law; or

(6) where a party liable for soil contamination or a land use right holder fails to file the remediation plan and the evaluation report on remediation performance for the record in accordance with law.

Article 1167 Where any of the following circumstances as prescribed in this Code occurs, the competent departments for ecology and environment and for industry and information technology shall, in accordance with the division of duties, order rectification; in the case of failure to make rectification, a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan shall be imposed:

(1) where an entity under intensified soil contamination supervision fails to file a work plan for the prevention and control of soil contamination for the record; or

(2) where a land use right holder fails to file a soil contamination investigation report for the record.

Section 8
Violations of Provisions on the Prevention and Control of Solid Waste Pollution

Article 1168 Where the provisions of Part Six of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1169 Where, in violation of this Code, solid waste is dumped, piled, discarded, scattered, spilled, or incinerated without approval, the competent departments for ecology and environment, for urban drainage, and for environmental sanitation shall, in accordance with the division of duties, order the cessation of the unlawful act and order the adoption of remedial measures to eliminate the pollution, confiscate the unlawful gains, and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; where the circumstances are serious, an order of restriction on production or suspension of production for rectification shall be given; in the case of failure to take such measures, an entity with the capability to carry out remediation shall be designated to do so on behalf of the violator, and the costs shall be borne by the violator.

Where the solid waste specified in the preceding paragraph is hazardous waste, sludge generated by municipal sewage treatment facilities, or treated sludge, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed; a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed on the directly responsible persons in charge and other directly responsible persons; where consequences are serious, a fine of not less than RMB 2,000,000 yuan but not more than RMB 5,000,000 yuan shall be imposed.

Where an individual, without approval, dumps, piles, discards, scatters, spills, or incinerates domestic waste or construction waste generated by that individual, the competent department for environmental sanitation shall order rectification and impose a fine of not less than RMB 100 yuan but not more than RMB 1,000 yuan.

Article 1170 Where, in violation of this Code, preventive measures are not taken,

resulting in the dispersion, runoff, or leakage of industrial solid waste or other forms of environmental pollution, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down. Where the industrial solid waste is hazardous waste, the amount of the fine shall be not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan.

Article 1171 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down:

(1) constructing, within an ecological conservation area within redlines, a zone of concentrated permanent basic farmland, or any other area requiring special protection, a facility or site for the centralized storage, utilization, or disposal of industrial solid waste, construction waste, or hazardous waste, or a landfill for domestic waste;

(2) transferring solid waste out of a province, autonomous region, or a city directly under the central government for storage or disposal without approval;

(3) transferring solid waste out of a province, autonomous region, or a city directly under the central government for utilization without submitting the required information in advance;

(4) an entity that generates industrial solid waste, in violation of this Code, entrusting another party to transport, utilize, or dispose of industrial solid waste;

(5) failing to take protective measures meeting national standards for ecological and environmental protection in the storage of industrial solid waste; or

(6) an entity or any other producer or business operator violating other requirements for solid waste management, thereby causing environmental pollution and ecological damage.

Where the circumstance set forth in Subparagraph (3) of the preceding paragraph occurs, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed; where any of the circumstances set forth in the preceding paragraph other than those in Subparagraph (3) occurs, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed. Where the penalties for the circumstance set forth in Subparagraph (6) of the preceding paragraph are otherwise provided for by relevant laws or administrative regulations, such provisions shall prevail.

Where, in violation of this Code, an entity that generates industrial solid waste fails to establish and truthfully keep an industrial solid waste management register, the competent department for ecology and environment shall order rectification; where the entity fails to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed.

Article 1172 Where, in violation of this Code, the operator of a centralized municipal sewage treatment facility or an entity for environmentally sound management of sludge fails to track and record the destination, use, and quantity of

sludge, among others, or where the treated sludge fails to meet national standards, the competent department for urban drainage shall order rectification and issue a warning; where consequences are serious, a fine of not less than RMB 100,000 yuan but not more than RMB 200,000 yuan shall also be imposed; where the operator or the entity fails to make rectification, an entity capable of remediation shall be designated to carry out remediation on behalf of the violator, with the costs to be borne by the violator.

Article 1173 Where, in violation of this Code, upon the cessation of use of storage facilities for mining solid waste such as tailings, coal gangue, and waste rock, closure of the site is not carried out in accordance with relevant state regulations on ecological and environmental protection, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan.

Article 1174 Where any of the following circumstances as prescribed in this Code occurs, the competent department for environmental sanitation shall order rectification, confiscate the unlawful gains, and impose a fine:

(1) closing, idling, or demolishing a facility or premise for the treatment of domestic waste without approval;

(2) an entity or any other producer or business operator that generates or collects kitchen waste, failing to deliver kitchen waste to a qualified entity for environmentally sound management;

(3) a construction entity failing, as required, to utilize or dispose of construction waste generated during the construction process; or

(4) a construction entity failing to prepare a construction waste treatment plan and file it for the record, or failing to promptly remove construction waste generated during the construction process.

If an entity commits any of the acts provided for in the preceding paragraph, it shall be fined not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan; if an individual commits the act provided for in Subparagraph (2) of the preceding paragraph, the individual shall be fined not less than RMB 100 yuan but not more than RMB 500 yuan.

Where, in violation of this Code, domestic waste is not sorted and placed at a designated location, the competent department for environmental sanitation shall order rectification; in the case of failure to make rectification, an entity shall be fined not less than RMB 50,000 yuan but not more than RMB 500,000 yuan, and an individual shall be fined in accordance with law.

Article 1175 Where any of the following circumstances as prescribed in this Code occurs, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine; and, where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down:

(1) failing to set up hazardous waste identification marks;

(2) failing to formulate a hazardous waste management plan, or failing to declare information relating to hazardous waste;

(3) failing to establish and keep a truthful hazardous waste management register;

(4) failing to store, utilize, or dispose of hazardous waste in accordance with state regulations and standards for ecological and environmental protection, or storing hazardous waste mixed with non-hazardous waste;

(5) providing or entrusting hazardous waste to any entity or any other producer or business operator without relevant permits to carry out related activities;

(6) mixing hazardous wastes with incompatible properties for collection, storage, transportation, or disposal without prior safety treatment;

(7) failing to fill out and use a hazardous waste transfer manifest;

(8) transferring hazardous waste without approval;

(9) transporting hazardous waste and passengers on the same vessel or vehicle;

(10) putting to other use, without decontamination, sites, facilities, equipment, containers, packaging, or other articles used for the collection, storage, transportation, utilization, or disposal of hazardous waste; or

(11) failing to formulate preventive measures or contingency plans for hazardous waste accidents.

Where any of the circumstances set forth in Subparagraph (1), (2), (3), (4), (6), (7), (9), (10), or (11) of the preceding paragraph occurs, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed; in the case of failure to make rectification, a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed. Where any of the circumstances set forth in Subparagraph (5) or (8) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed.

Article 1176 Anyone who produces, sells, or uses construction materials or finishing materials containing toxic or hazardous substances in excess of national standards shall be held liable in accordance with the Product Quality Law of the People's Republic of China and the relevant provisions of civil and criminal laws.

Article 1177 Where, in violation of this Code, a generator of hazardous waste fails to dispose of the hazardous waste it generates as required and, after being ordered rectification, fails to do so, the competent department for ecology and environment shall organize the disposal on behalf of the generator of hazardous waste, with the disposal costs to be borne by the generator of hazardous waste, and a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1178 Where, in violation of this Code, an enterprise or public institution engages, without a relevant permit, in a business activity of collecting, storing, utilizing, or disposing of hazardous waste, the competent department for ecology and environment shall order rectification and confiscate the unlawful gains; a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed for the business activity of collecting or storing hazardous waste, and a fine of not less than RMB 1,000,000 yuan but not more than RMB 5,000,000 yuan shall be imposed for the business activity of utilizing or disposing of hazardous waste; upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down. The legal representative, principal person in charge, directly responsible persons in charge, and other directly responsible persons shall be fined not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan.

Where, in violation of this Code, an enterprise or public institution engages in a

business activity of collecting, storing, utilizing, or disposing of hazardous waste without following the requirements specified in its permit, the competent department for ecology and environment shall order rectification and confiscate the unlawful gains, and shall order restriction on production or suspension of production for rectification; a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall be imposed for the business activity of collecting or storing hazardous waste, and a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall be imposed for the business activity of utilizing or disposing of hazardous waste; the legal representative, principal person in charge, directly responsible persons in charge, and other directly responsible persons shall be fined not less than RMB 50,000 yuan but not more than RMB 500,000 yuan. Where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down, and the licensing organ shall revoke the permit.

Where any of the violations specified in the preceding two paragraphs occurs to any other producer or business operator, the competent department for ecology and environment shall order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan; where the circumstances are serious, a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan shall also be imposed.

Article 1179 Where any of the following circumstances as prescribed in this Code occurs, the public security organ shall detain the legal representative, the principal person in charge, the directly responsible persons in charge, and other directly responsible persons for not less than 10 days but not more than 15 days; where the circumstances are relatively minor, detention for not less than 5 days but not more than 10 days shall be imposed:

(1) dumping, piling, discarding, scattering, spilling, or incinerating solid waste without approval, causing serious consequences;

(2) failing to take preventive measures, resulting in the dispersion, runoff, or leakage of hazardous waste, or other serious consequences;

(3) transferring hazardous waste without approval;

(4) constructing, within an ecological conservation area within redlines, a zone of concentrated permanent basic farmland, or any other area requiring special protection, a facility or site for the centralized storage, utilization, or disposal of industrial solid waste, construction waste, or hazardous waste, or a landfill for domestic waste;

(5) engaging, without a permit or not in accordance with the requirements specified in the permit, in the business activities of collecting, storing, utilizing, or disposing of hazardous waste; or

(6) providing or entrusting hazardous waste to an entity or individual without the relevant permit to carry out related activities.

Article 1180 Where, in the course of law enforcement, the liable party for the seized solid waste cannot be identified or such solid waste cannot be returned, the local people's government at or above the county level where the waste is located shall organize its disposal.

Section 9
Violations of Provisions on the Prevention and Control of Noise Pollution

Article 1181 Where the provisions of Part Seven of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1182 Where, in violation of this Code, products that generate noise exceeding the limits are produced, imported, or sold, the department of market regulation and the customs shall, in accordance with the division of duties, order rectification, confiscate the unlawful gains, and impose a fine of not less than the value but not more than five times the value of the goods; and, where the circumstances are serious, upon approval by the people's government with the approval authority, order the violator to cease operations or close down.

Article 1183 Where a developer, in violation of this Code, constructs noise-sensitive buildings that fail to meet the requirements of the sound insulation design standards for civil buildings, the competent department for housing and urban-rural development shall order rectification and impose a fine of not less than two percent but not more than four percent of the contract price of the construction project.

Where, in violation of this Code, a developer constructs noise-sensitive buildings unrelated to aviation within an area where the construction of noise-sensitive buildings is prohibited, the department designated by the local people's government shall order the cessation of the unlawful act and impose a fine of not less than two percent but not more than ten percent of the contract price of the construction project; and shall, upon approval by the people's government with the approval authority, order demolition.

Article 1184 Where, in violation of this Code, a new industrial enterprise that generates noise is established in an area where noise-sensitive buildings are concentrated, the competent department for ecology and environment shall order the cessation of the unlawful act and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; and, upon approval by the people's government with the approval authority, order the violator to cease operations or close down.

Where, in violation of this Code, an industrial enterprise is reconstructed or expanded within an area where noise-sensitive buildings are concentrated without effective measures for preventing industrial noise pollution, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; in the case of failure to make rectification, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1185 Where, in violation of this Code, a developer or a construction entity falls under any of the following circumstances, the department designated by the people's government at the place where the project is located shall order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan; if the developer or construction entity fails to carry out rectification, an order of suspension of construction shall be given:

(1) emitting construction noise in excess of noise emission standards; or

(2) conducting construction operations that generate noise at night within an area where noise-sensitive buildings are concentrated without obtaining a certificate for continuous operation in accordance with law.

Article 1186 Where any of the following circumstances occurs, the department designated by the people's government at the place where the project is located shall order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed:

(1) a construction entity failing, as required, to formulate an implementation plan for the prevention and control of noise pollution, or failing to take effective measures to reduce vibration or noise;

(2) a developer failing to supervise the construction entity's implementation of the plan for the prevention and control of noise pollution; or

(3) after obtaining a certificate for continuous operation in accordance with law, the developer or the construction entity failing to give public notice to nearby residents as required.

Article 1187 Where a person, in violation of this Code, drives a motor vehicle that has been modified without approval—such as by removing or damaging the muffler or installing additional exhaust pipes—thereby causing roaring or speeding, or fails to use audible warning devices as required during the operation of a motor vehicle, or violates the rules on road sections and time periods during which motor vehicles are prohibited from driving and from using audible signaling devices, the traffic management department of the public security organ shall issue a warning and impose penalties including a fine of not less than RMB 200 yuan but not more than RMB 2,000 yuan and withholding of the motor vehicle driving license.

Where locomotives and rolling stock, urban rail transit vehicles, motorized vessels, and other means of transport, in violation of this Code, fail to use audible signaling devices as required during operation, the competent department for transport, the railway regulatory department, the maritime safety administration, and the relevant department for urban rail transit designated by the local people's government, in accordance with the division of duties, shall order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 10,000 yuan.

Article 1188 Where any of the following circumstances occurs, the competent department for transport, the railway regulatory department, the competent department for civil aviation, and the relevant departments for urban roads or urban rail transit designated by the local people's government shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed:

(1) a highway maintenance and management entity, an urban road maintenance and repair entity, an operator of urban rail transit, or a railway transport enterprise failing to perform its maintenance and upkeep obligations or failing to keep vibration reduction or noise reduction facilities in normal operation;

(2) a developer developing noise-sensitive buildings in an area with development restrictions with no sound insulation design or with a design that fails to meet the sound insulation design standards for civil buildings;

(3) a civil airport operator, an air transport enterprise, or a general aviation enterprise failing to take measures to prevent or mitigate civil aircraft noise pollution; or

(4) a responsible enterprise or public institution failing to take effective measures to mitigate noise pollution as required by the comprehensive noise pollution control plan.

Article 1189 Where any of the following circumstances occurs, the department designated by the local people's government shall order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed, and, upon approval by the people's government with the approval authority, the violator may be ordered to suspend operations:

(1) emitting community noise in excess of applicable noise emission standards;

(2) using loudspeakers or other means that continuously and repeatedly emit loud noise for advertising purposes in commercial activities; or

(3) failing to take effective measures with respect to other noise generated in business activities, thereby causing noise pollution.

Article 1190 Where any of the following circumstances occurs, the department designated by the local people's government shall urge compliance through education, and order rectification; in the case of failure to make rectification, a warning shall be given, and a fine of not less than RMB 200 yuan but not more than RMB 1,000 yuan may be imposed on an individual, and a fine of not less than RMB 2,000 yuan but not more than RMB 20,000 yuan may be imposed on an entity:

(1) using loudspeakers in an area where noise-sensitive buildings are concentrated;

(2) when organizing or carrying out entertainment, fitness, or other activities in public venues, failing to comply with the rules made by managers of public venues on the areas, time periods, volume of sound, among others, or failing to take effective measures to prevent noise pollution, or using audio equipment in violation of relevant rules and producing excessive noise;

(3) failing to comply with the specified operation time, or failing to take effective measures and thereby causing noise pollution, in the course of interior decoration of a delivered building; or

(4) otherwise causing community noise pollution in violation of laws or regulations.

Article 1191 Where a real estate developer or operator of newly built residential housing, in violation of this Code, fails to publicly display, at the sales venue, information on potential noise impact on the housing and the prevention and control measures taken or to be taken, or fails to incorporate such information into the purchase and sale contract, or fails to specify in the contract the locations of shared facilities and equipment or the sound insulation conditions of the building, the

competent department for housing and urban-rural development shall order rectification and impose a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan; and, where the real estate developer or operator fails to make rectification, the competent department for housing and urban-rural development shall order suspension of sales.

Where any of the following circumstances occurs, the department designated by the local people's government shall order rectification and impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan shall be imposed:

(1) in a residential community, installing shared facilities or equipment with unreasonable placement or without taking measures to reduce vibration and lower noise, in a manner that fails to meet the sound insulation design standards for civil buildings; or

(2) failing to maintain or manage shared facilities and equipment in a residential community that has been completed and put into use, in a manner that fails to meet the sound insulation design standards for civil buildings.

Article 1192 Where, in violation of this Code, community noise is generated and continues after dissuasion, mediation, or other measures, resulting in the disturbance of others' normal life, work, or study, or where any other act that disrupts public order or impedes social administration is committed, the public security organ shall impose administrative penalties for public security violation in accordance with law.

Section 10
Violations of Provisions on the Prevention and Control of Radioactive Pollution

Article 1193 Where the provisions of Part Eight of Book Two and other relevant provisions of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1194 Where, in violation of this Code, radioactive off-gases or radioactive wastewater that is prohibited from being discharged is discharged into the environment or radioactive solid waste is dumped into the environment, the competent department for ecology and environment shall order the cessation of the unlawful act and order the adoption of remedial measures to eliminate the pollution within a specified time limit, and impose a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan; where no remedial measures are taken within the time limit, an entity capable of carrying out such remediation shall be designated to do so on behalf of the violator, with the costs to be borne by the violator; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1195 Where, in violation of this Code, radioactive solid waste or radioactive substances are disposed of in inland waters or at sea, the competent department for ecology and environment shall order the cessation of the unlawful act and order the adoption of remedial measures to eliminate the pollution within a

specified time limit, and impose a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan; where no remedial measures are taken within the time limit, an entity with the capability to carry out such remediation shall be designated to do so on behalf of the violator, with the costs to be borne by the violator.

Article 1196 Where any of the following circumstances occurs, the competent department for ecology and environment and the competent department for the nuclear industry shall, in accordance with the division of duties, order rectification within a specified time limit and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; in the case of failure to make rectification within the time limit, the violator shall be ordered to restrict production or suspend production for rectification:

(1) failing to set up, as required, radiation symbols, signs, or Chinese-language warnings;

(2) failing to establish and improve safety and security systems as required;

(3) failing to store radioisotopes separately as required;

(4) failing to take safety and protective measures as required; or

(5) failing to provide radiation safety education and training to the personnel and to implement effective safety and protective measures.

Article 1197 Where, in violation of this Code, a nuclear facility operator, without a nuclear facility safety license, conducts an activity such as site selection, construction, operation, or decommissioning of a nuclear facility, the entity shall be held liable in accordance with the Nuclear Safety Law of the People's Republic of China.

Article 1198 Where, in violation of this Code, radioisotopes and radiation emitting devices, as well as instruments containing radioisotopes, are produced, sold, used, transferred, imported or exported, or stored, the competent department for ecology and environment, the department of market regulation, and the customs shall, in accordance with the division of duties, order the cessation of the unlawful act, order rectification within a specified time limit, confiscate the unlawful gains, and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where rectification is not carried out within the time limit, a fine of not less than the amount but not more than five times the amount of the unlawful gains shall be imposed, and if the amount of the unlawful gains is less than RMB 500,000 yuan, it shall be deemed as RMB 500,000 yuan, and the violator shall be ordered to restrict production or suspend production for rectification, or the relevant permit shall be revoked.

Where radioisotopes and radiation emitting devices are sold online in violation of this Code, the department of market regulation shall order the cessation of the unlawful act, order rectification within a specified time limit, confiscate the unlawful gains, and impose a fine of not less than the amount but not more than five times the amount of the unlawful gains, and if the amount of the unlawful gains is less than RMB 500,000 yuan, it shall be deemed as RMB 500,000 yuan.

Article 1199 Where any of the following circumstances occurs, the competent department for ecology and environment shall order the cessation of the unlawful act, order rectification within a specified time limit, and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where rectification is not carried out within the time limit, the original licensing organ shall designate an entity with the

capability to carry out the treatment or decommissioning on behalf of the entity that produces, sells, or uses radioisotopes and radiation emitting devices, and the costs shall be borne by the entity that produces, sells, or uses radioisotopes and radiation emitting devices:

(1) where a producer of radioactive sources or any other producer or business operator fails, as required, to recover or reuse disused radioactive sources;

(2) where a user of radioactive sources or any other producer or business operator fails, as required, to return or deliver disused radioactive sources; or

(3) where a site that uses radioactive sources with a relatively high potential hazard to human health and the ecosystem and environment, a site that produces radioisotopes, or a radiation emitting device that generates radioactive pollution after permanent cessation of operation, fails to be decommissioned in accordance with law.

Article 1200 Where, in violation of this Code, a loss or theft of a radioactive source is not reported as required, the public security organ, the competent department for health, and the competent department for ecology and environment shall, in accordance with the division of duties, order rectification within a specified time limit and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where the circumstances are serious, the violator shall be ordered to restrict production or suspend production for rectification.

Article 1201 Where any of the following circumstances occurs, the competent department for ecology and environment shall order the cessation of the unlawful act, order rectification within a specified time limit, and impose a fine:

(1) where an entity that produces or uses radioisotopes or radiation emitting devices, or any other producer or business operator, fails to collect, package, or store the generated radioactive waste, as required;

(2) failing to construct tailings storage facilities or other facilities, or constructing such facilities that do not meet the requirements for the prevention and control of radioactive pollution, to store or dispose of radioactive solid waste such as tailings from uranium (thorium) mines and associated radioactive minerals;

(3) failing to treat or store, as required, radioactive wastewater that may not be discharged into the environment;

(4) discharging radioactive wastewater otherwise than in a prescribed manner; or

(5) providing or entrusting radioactive waste to an entity or individual without a permit for storage, treatment, or disposal.

Where there is any of the circumstances specified in Subparagraph (1) or (3) of the preceding paragraph, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed; where there is any of the circumstances specified in Subparagraph (2), (4), or (5) of the preceding paragraph, a fine of not less than RMB 100,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1202 Where, in violation of this Code, an entity generating radioactive solid waste fails to treat and dispose of the radioactive solid waste it generates as prescribed by the state, the competent department for ecology and environment shall order the cessation of the unlawful act, order rectification within a specified time limit, and impose a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan; where rectification is not carried out within the time limit, an entity with the

capability to carry out the treatment or disposal shall be designated to do so on behalf of the entity generating the radioactive solid waste, with the costs to be borne by the entity generating the radioactive solid waste, and a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan shall be imposed.

Article 1203 Where, in violation of this Code, any activity of storing, treating, or disposing of radioactive waste is carried out without permission, the competent department for ecology and environment of the people's government at or above the provincial level shall confiscate the unlawful gains and impose a fine of not less than RMB 1,000,000 yuan but not more than RMB 5,000,000 yuan, and, upon approval by the people's government with the approval authority, order the violator to cease operations or close down.

Where, in violation of this Code, an activity of storing, treating, or disposing of radioactive waste is not conducted in accordance with the requirements specified in the permit, the competent department for ecology and environment of the people's government at or above the provincial level shall order rectification within a specified time limit, confiscate the unlawful gains, and impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan; where the circumstances are serious, the violator shall be ordered to restrict production or suspend production for rectification, or the relevant permit shall be revoked.

Section 11
Violations of Provisions on the Risk Control of Chemical, Electromagnetic, and Light Pollution

Article 1204 Where the provisions of Part Nine of Book Two of this Code are violated, administrative penalties shall be imposed in accordance with this Section.

Article 1205 Where, in violation of this Code, a chemical in the list of intensively controlled emerging contaminants is produced or imported, or a chemical in the said list is used to manufacture products, without complying with the prohibition or restriction under the environmental risk control measures for intensively controlled emerging contaminants, the competent department for ecology and environment and other departments with responsibilities for the supervision and administration of the production, import, or use of chemicals shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 500,000 yuan but not more than RMB 1,000,000 yuan shall be imposed, and the violator shall be ordered to restrict production or suspend production for rectification; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1206 Where, in violation of this Code, a new chemical is produced or imported without complying with the requirements of the environmental management registration certificate for new chemicals, the competent department for ecology and environment and other departments with responsibilities for the supervision and administration of the production or import of chemicals shall, in accordance with the

division of duties, order rectification and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 1,000,000 yuan but not more than RMB 2,000,000 yuan shall be imposed, and the violator shall be ordered to restrict production or suspend production for rectification; where the circumstances are serious, the environmental management registration certificate for new chemicals shall be revoked, and, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1207 Where, in violation of this Code, a new chemical is produced or imported without an environmental management registration certificate for new chemicals, or products are manufactured using a new chemical produced or imported by an enterprise or public institution without such a certificate, the competent department for ecology and environment and other departments with responsibilities for the supervision and administration of the production, import, or use of chemicals shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 200,000 yuan but not more than RMB 1,000,000 yuan; in the case of failure to make rectification, a fine of not less than RMB 1,000,000 yuan but not more than RMB 2,000,000 yuan shall be imposed, and the violator shall be ordered to restrict production or suspend production for rectification; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1208 Where, in violation of this Code, an enterprise or public institution not subject to pollutant discharge permit management falls under any of the following circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; and, where the enterprise or public institution fails to make rectification, the department or agency responsible for the supervision and administration of ecological and environmental protection may order it to restrict production or suspend production for rectification:

(1) emitting electromagnetic radiation in excess of the emission standards for electromagnetic radiation; or

(2) failing to take measures, in accordance with law, for the prevention and control of electromagnetic pollution to prevent or mitigate the pollution.

Article 1209 Where, in violation of this Code, a product exceeding the electromagnetic radiation limits is produced, imported, or sold, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification, confiscate the unlawful gains, and impose a fine of not less than the value but not more than five times the value of the goods; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1210 Where, in violation of this Code, no effective measures are taken to prevent or mitigate light pollution from advertising screens, billboards, light boxes, media facades, roads, sports venues, construction sites, among others, thereby

interfering with the normal life of others or with traffic, the competent departments for housing and urban-rural development, ecology and environment, and transport, as well as the traffic management department of the public security organ, shall, in accordance with the division of duties, order rectification; and shall, in the case of failure to make rectification, impose a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan.

Section 12
Violations of Provisions on the Administration of Ecological Protection

Article 1211 Where, in violation of this Code and of territorial space plans, a land development and utilization activity is carried out within an area where reclamation is prohibited, or the use of a land or sea area is changed without approval, the departments of natural resources, forestry and grassland, and other relevant departments shall, in accordance with the division of duties, impose penalties in accordance with the Land Administration Law of the People's Republic of China, the Law of the People's Republic of China on the Administration of the Use of Sea Areas, the Water Law of the People's Republic of China, and other applicable laws and regulations.

Article 1212 Where, in violation of this Code, important ecosystems such as forests, grasslands, or wetlands are damaged, or the waters or shorelines of rivers and lakes are encroached on, or illegally utilized or occupied, the departments of forestry and grassland, water administration, ecology and environment, and other relevant departments shall, in accordance with the division of duties, impose penalties in accordance with the Forest Law of the People's Republic of China, the Grassland Law of the People's Republic of China, the Wetland Conservation Law of the People's Republic of China, and other applicable laws and regulations.

Article 1213 Where, in violation of this Code, an alien species is introduced, released, or abandoned without approval, the competent departments for agriculture and rural affairs and for forestry and grassland, and the customs, shall, in accordance with the division of duties, order confiscation or order that it be recaptured or retrieved within a specified time limit, and impose fines, in accordance with the Biosecurity Law of the People's Republic of China, the Wildlife Conservation Law of the People's Republic of China, and other applicable laws and regulations.

Article 1214 Where, in violation of this Code, a river or lake shoreline is encroached on, or illegally utilized or occupied within a major river basin such as the Yangtze River or the Yellow River, or, without approval, a production and construction activity likely to cause soil erosion is carried out in an area with severe soil erosion or in an ecologically fragile area, penalties shall be imposed in accordance with relevant laws and regulations, including the Yangtze River Protection Law of the People's Republic of China, the Yellow River Protection Law of the People's Republic of China, and other applicable laws and regulations.

Article 1215 Where, in violation of this Code, an act such as damaging boundary markers of a protected area or harming wild fauna and flora is committed in a protected area, on the Qinghai-Xizang Plateau, or in any other important region,

penalties shall be imposed in accordance with the National Park Law of the People's Republic of China, the Law of the People's Republic of China on the Ecological Conservation of the Qinghai-Xizang Plateau, and other applicable laws and regulations.

Article 1216 Where, in violation of the provisions of this Code on marine ecological conservation, damage is caused to marine ecosystems such as coral reefs, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and the taking of remedial measures, and impose a fine of not less than RMB 1,000 yuan but not more than RMB 10,000 yuan per square meter; and where any unlawful gains are obtained, such gains shall be confiscated.

Article 1217 Where any of the following circumstances occurs in violation of the provisions of this Code on marine ecological conservation, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) occupying or damaging natural coastlines;

(2) extracting sea sand within a strictly protected coastal area;

(3) developing and utilizing sea sand resources in an area outside a strictly protected coastal area without taking stringent measures in accordance with law to protect the marine ecology;

(4) a sea sand extractor failing to provide, in accordance with law, vessels carrying sea sand with proof of lawful origin; or

(5) carrying sea sand resources without proof of lawful origin.

Where there is a circumstance set forth in Subparagraph (1) of the preceding paragraph, a fine of not less than RMB 500 yuan per meter but not more than RMB 10,000 yuan per meter shall be imposed; where there is a circumstance set forth in Subparagraph (2) of the preceding paragraph, a fine of not less than twice but not more than twenty times the value of the goods shall be imposed, and where the value of the goods is less than RMB 100,000 yuan, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed; where there is any of the circumstances set forth in Subparagraph (3), (4), or (5) of the preceding paragraph, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1218 Where, in violation of this Code and relevant laws and regulations, groundwater is abstracted without approval, the competent department for water administration shall order the cessation of the unlawful act, order the adoption of remedial measures within a specified time limit, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where groundwater is abstracted without approval within groundwater extraction prohibition areas or restriction areas, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1219 Where, in violation of this Code, an obligation concerning ecological conservation is breached and no administrative penalty is provided for in this Section, penalties shall be imposed in accordance with relevant laws and regulations.

Section 13
Violations of Provisions on the Administration of Green and Low-Carbon Development

Article 1220 Where, in violation of this Code, an enterprise producing large electromechanical equipment, motorized transportation devices, or other products designated by the competent department for industry and information technology under the State Council, fails to indicate the material composition of its products or fails to indicate it truthfully, the department of market regulation shall order rectification within a specified time limit; where the enterprise fails to make rectification, a fine of not more than RMB 50,000 yuan shall be imposed.

Article 1221 Where, in violation of this Code, a mandatory cleaner production audit is not carried out, or falsification is committed in such an audit, or an enterprise subject to a mandatory cleaner production audit fails to report, or fails to truthfully report, the audit results, the department of development and reform and the competent department for ecology and environment shall, in accordance with the division of duties, order rectification within a specified time limit; in the case of failure to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Where, in violation of this Code, a department or entity undertaking evaluation and acceptance work, or any of its staff members, charges fees to the enterprises being evaluated and accepted, fails to conduct the evaluation and acceptance truthfully or commits falsification in the course of evaluation and acceptance, or seeks benefits by taking advantage of his position, the responsible leading persons and directly responsible persons shall be given sanctions in accordance with law.

Article 1222 Where, in violation of this Code, equipment, materials, or products that are prohibited or phased out under relevant national catalogs or directories are produced, imported, sold, or used; technologies or processes that are prohibited or phased out under relevant national catalogs or directories are adopted; or equipment, materials, or products that have been phased out or are to be phased out within a prescribed time period are transferred to others for use, the departments designated by the people's government at or above the county level or the customs shall, in accordance with the division of duties, order rectification, confiscate the unlawful gains, and impose a fine of not less than the value but not more than five times the value of the goods; where the circumstances are serious, upon approval by the people's government with the approval authority, the violator shall be ordered to cease operations or close down.

Article 1223 Where, in violation of this Code, a producer of products such as electrical and electronic products, motor vehicles, lead-acid batteries, or power batteries fails to establish, as required, a recycling system for used and end-of-life products commensurate with its sales volume and to make it public, the departments of industry and information technology, commerce, and other relevant departments shall, in accordance with the division of duties, order rectification; where the producer

fails to make rectification, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed.

Article 1224 Where, in violation of this Code, a producer or business operator fails to comply with mandatory standards restricting excessive packaging, the department of market regulation and the relevant departments shall, in accordance with the division of duties, order rectification; where the producer or business operator fails to make rectification, a fine of not less than RMB 2,000 yuan but not more than RMB 20,000 yuan shall be imposed; where the circumstances are serious, a fine of not less than RMB 20,000 yuan but not more than RMB 100,000 yuan shall be imposed.

Article 1225 Where, in violation of this Code, regulations of the state prohibiting or restricting the production or sale of non-degradable plastic bags and other single-use plastic products are not complied with, the department of market regulation shall order the cessation of production or sale, confiscate the products illegally produced or sold, and impose a fine of not less than the value but not more than three times the value of the illegally produced or sold products; where any unlawful gains are obtained, such gains shall be confiscated; where the circumstances are serious, the relevant permit shall be revoked.

Where, in violation of this Code, regulations of the state prohibiting or restricting the use of non-degradable plastic bags or other single-use plastic products are not complied with, the departments of commerce and postal services, and other relevant departments shall, in accordance with the division of duties, order rectification; a fine of not less than RMB 10,000 yuan but not more than RMB 100,000 yuan shall be imposed on an enterprise or a public institution, and a fine of not less than RMB 500 yuan but not more than RMB 5,000 yuan shall be imposed on any other producer or business operator.

Where, in violation of this Code, the use and recovery of plastic bags or other single-use plastic products are not reported as prescribed by the state, penalties shall be imposed in accordance with the relevant provisions of the preceding paragraph.

Article 1226 Where, in violation of this Code, a key greenhouse gas emitting entity included in the national carbon emissions trading market fails to submit emission statistics and accounting data or its annual emissions report, the competent department for ecology and environment shall order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan; where the entity fails to make rectification, an order of suspension of production for rectification may be given.

Where, in violation of this Code, a key greenhouse gas emitting entity included in the national carbon emissions trading market fails to surrender in full its carbon emission allowances within the specified time limit, the competent department for ecology and environment shall order rectification within a specified time limit and impose a fine of not less than RMB 1,000,000 yuan but not more than RMB 5,000,000 yuan; where the allowances are not surrendered within the specified time limit, a fine of not less than five times but not more than ten times the average market transaction price in the month preceding the surrender deadline of the unsurrendered carbon emission allowances shall be imposed, and suspension of production for rectification may also be ordered.

Article 1227 Where green and low-carbon obligations prescribed in this Code are breached, but no administrative penalty is provided for in this Section, penalties shall be imposed in accordance with the Circular Economy Promotion Law of the People's Republic of China, the Energy Law of the People's Republic of China, the Energy Conservation Law of the People's Republic of China, the Renewable Energy Law of the People's Republic of China, and other relevant laws and regulations.

Section 14
Other Violations

Article 1228 Except as otherwise provided in Sections 1 through 13 of this Chapter, violations of this Code shall be subject to the administrative penalties provided for in this Section.

Article 1229 Where anyone, in violation of this Code, refuses or obstructs inspection or the investigation and handling of ecological and environmental emergencies by means such as delaying, blockading, or detaining law enforcement officers, or engages in fraudulent practices, or fails to provide necessary materials during inspection or investigation and handling, the department or institution responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine of not less than RMB 50,000 yuan but not more than RMB 200,000 yuan; the directly responsible person in charge and other directly responsible persons shall be subject to a fine of not less than RMB 5,000 yuan but not more than RMB 50,000 yuan; where the act constitutes a violation of public security administration, the public security organ and the coast guard shall, in accordance with the division of duties, impose penalties in accordance with law.

Article 1230 Where, in violation of this Code, an ecological and environmental technical service institution engaged in activities such as motor vehicle and vessel emission testing, soil contamination investigation and assessment, the maintenance or operation of pollution prevention and control facilities, or identification of solid waste or hazardous waste, fails to use facilities or equipment that comply with relevant laws, administrative regulations, and national standards, or fails to follow relevant technical specifications, resulting in inaccurate data, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification, confiscate the unlawful gains, and impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where it fails to make rectification, upon approval by the people's government with the authority to grant such approval, suspension of operations shall be ordered.

Where, in violation of this Code, any of the institutions listed in the preceding paragraph engages in fraudulent practices in ecological and environmental services, or issues false reports, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, confiscate the unlawful gains and impose a fine of not less than RMB 100,000 yuan but not more than RMB 500,000 yuan; where the circumstances

are serious, a fine of not less than RMB 500,000 yuan but not more than RMB 2,000,000 yuan shall also be imposed, the relevant permit, if any, shall be revoked, the institution shall be prohibited from engaging in the aforementioned activities, and, upon approval by the people's government with the authority to grant such approval, suspension of operations or closure shall be ordered.

Where there is any of the circumstances specified in the preceding paragraph, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, impose a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan on the directly responsible persons in charge and other directly responsible persons, and prohibit them from engaging in the activities specified in the preceding paragraph for five years; where the circumstances are serious, they shall be prohibited from engaging in such activities for ten years.

Article 1231 Where, in violation of this Code, there is any of the following circumstances, the competent department for ecology and environment and the competent department for environmental sanitation shall, in accordance with the division of duties, order rectification and may impose a fine of not more than RMB 100,000 yuan; where the circumstances are serious, upon approval by the people's government with the authority to grant such approval, suspension of operations or closure shall be ordered:

(1) in large-scale livestock and poultry farming, failing to promptly collect, store, transport, treat, or utilize waste generated in livestock and poultry farming, including livestock and poultry manure, feces, and carcasses;

(2) a livestock or poultry farm feeding livestock or poultry with kitchen waste that has not undergone environmentally sound management; or

(3) discharging livestock and poultry manure or feces that has not been put to comprehensive use in a comprehensive manner into farmland irrigation channels, causing the water quality at the nearest downstream irrigation intake site to fail to meet the standards for farmland irrigation water quality.

Article 1232 Where, in violation of this Code, hazardous waste is transferred in transit through the People's Republic of China, or radioactive waste or radioactively contaminated articles are imported into, or transferred in transit through, the territory of the People's Republic of China, the customs and the maritime safety administration shall, in accordance with the division of duties, order the return thereof, or order the vessel illegally transporting such hazardous waste to exit the waters under the jurisdiction of the People's Republic of China, and shall impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan.

Where, in violation of this Code, hazardous waste is transferred in transit through other sea areas under the jurisdiction of the People's Republic of China without the prior written consent of the competent department for ecology and environment under the State Council, the maritime safety administration shall order the vessel illegally transporting the hazardous waste to exit the waters under the jurisdiction of the People's Republic of China and shall impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan.

Article 1233 Where, in violation of this Code, an enterprise or public institution

that discharges pollutants fails to establish a pollution prevention and control responsibility system, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification; where the enterprise or public institution fails to make rectification, shall impose a fine of not less than RMB 20,000 yuan but not more than RMB 200,000 yuan; where the circumstances are serious, may order restriction on production or suspension of production for rectification.

Article 1234 Where, in violation of this Code, production or construction activities are carried out in violation of the ecological and environmental access list, the competent department for ecology and environment and the competent department for natural resources shall, in accordance with the division of duties, order cessation of the unlawful act, confiscate the unlawful gains, order demolition and restoration to the original state within a specified time limit, the costs of which shall be borne by the violator, and impose a fine of not less than RMB 500,000 yuan but not more than RMB 5,000,000 yuan; the directly responsible persons in charge and other directly responsible persons shall be subject to a fine of not less than RMB 50,000 yuan but not more than RMB 100,000 yuan; where the circumstances are serious, upon approval by the people's government with the authority to grant such approval, suspension of operations or closure shall be ordered.

Article 1235 Where, in violation of this Code, an enterprise, a public institution, or any other producer or business operator falls under any of the following circumstances, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification; where the circumstances are serious, a fine of not less than RMB 10,000 yuan but not more than RMB 50,000 yuan shall be imposed:

(1) failing to formulate a contingency plan for environmental pollution accidents or ecological damage accidents, or for ecological and environmental emergencies;

(2) failing to file the contingency plan for the record; or

(3) failing to be equipped with necessary emergency equipment and materials.

Article 1236 Where, in violation of this Code, an environmental pollution accident or ecological damage accident is caused, the violator shall bear liability for compensation in accordance with law. The department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order the violator to take remedial measures within a specified time limit and impose fines in accordance with the second and third paragraphs of this Article. The directly responsible person in charge and other directly responsible persons may be subject to a fine of not more than 50 percent of the income obtained by them from the enterprise or public institution in the preceding year. Where a major or devastating environmental pollution accident or ecological damage accident is caused, upon approval by the people's government with the authority to grant such approval, suspension of operations or closure may be ordered. Where the required remedial measures are not taken, an entity capable of carrying out remediation shall be designated to conduct remediation on behalf of the violator, and the costs shall be borne by the violator.

In the case of an ordinary environmental pollution accident or ecological damage

accident, a fine of not less than RMB 300,000 yuan but not more than RMB 1,000,000 yuan shall be imposed; in the case of a serious environmental pollution accident or ecological damage accident, a fine of not less than RMB 1,000,000 yuan but not more than RMB 2,000,000 yuan shall be imposed; in the case of a major environmental pollution accident or ecological damage accident, a fine of not less than RMB 2,000,000 yuan but not more than RMB 10,000,000 yuan shall be imposed; in the case of a devastating environmental pollution accident or ecological damage accident, a fine of not less than RMB 10,000,000 yuan but not more than RMB 20,000,000 yuan shall be imposed.

Where an environmental pollution accident or ecological damage accident occurs and the circumstances are especially serious with an extremely adverse impact, the department or agency responsible for the supervision and administration of ecological and environmental protection may impose on the responsible enterprise, public institution, or any other producer or business operator a fine of not less than twice but not more than five times the amount of the fine prescribed in the preceding paragraph.

Article 1237 Where, in violation of this Code, due to an accident or other emergency, an incident of environmental pollution or ecological damage is caused or may be caused, and any of the following circumstances occurs, the department or agency responsible for the supervision and administration of ecological and environmental protection shall, in accordance with the division of duties, order rectification and impose a fine:

(1) failing to make timely notification or report;

(2) failing to take effective measures immediately, or absconding; or

(3) failing to take necessary response measures, thereby exacerbating the harm caused by the ecological disaster.

Where any of the circumstances set forth in Subparagraph (1) of the preceding paragraph occurs, a fine of not less than RMB 50,000 yuan but not more than RMB 500,000 yuan shall be imposed; the directly responsible persons in charge and other directly responsible persons shall be fined not less than RMB 10,000 yuan but not more than RMB 100,000 yuan, and the relevant qualification certificate may be withheld or revoked; where any of the circumstances set forth in Subparagraph (2) or (3) of the preceding paragraph occurs, a fine of not less than RMB 200,000 yuan but not more than RMB 2,000,000 yuan shall be imposed.

Article 1238 Where a person, in violation of this Code, retaliates against another person for making a report by terminating or modifying a labor contract or an employment contract, or by other means, that person shall bear liability in accordance with the relevant laws.

Chapter III
Supplementary Provisions

Article 1239 Where other laws contain specific or further provisions on fields related to ecological and environmental protection such as ecological conservation and green and low-carbon development, those provisions shall apply.

Article 1240 Where the state makes adjustments to the system for the supervision

and administration of ecological and environmental protection in light of practical needs, such adjustments shall prevail.

Article 1241 The State Council and the Central Military Commission may, in accordance with the principles set out in this Code, formulate specific measures for ecological and environmental protection work of the military.

Article 1242 This Code shall come into force on August 15, 2026. The Law of the People's Republic of China on Environmental Protection, the Law of the People's Republic of China on Evaluation of Environmental Effects, the Marine Environmental Protection Law of the People's Republic of China, the Law of the People's Republic of China on the Prevention and Control of Air Pollution, the Law of the People's Republic of China on the Prevention and Control of Water Pollution, the Law of the People's Republic of China on the Prevention and Control of Soil Contamination, the Law of the People's Republic of China on the Prevention and Control of Environmental Pollution by Solid Waste, the Law of the People's Republic of China on the Prevention and Control of Noise Pollution, the Law of the People's Republic of China on the Prevention and Control of Radioactive Pollution, and the Law of the People's Republic of China on the Promotion of Cleaner Production are hereby repealed at the same time.