

## **Measures for the Archival Administration of Local Standards for Environmental Quality and Pollutant Discharge**

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Department: STATE ENVIRONMENTAL PROTECTION ADMINISTRATION  
Subject: ENVIRONMENTAL PROTECTION

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Decree of the State Environmental Protection Administration  
(No. 24)

The “Measures for the Archival Administration of Local Standards for Environmental Quality and Pollutant Discharge”, which were deliberated and adopted at the seventh executive meeting of the State Environmental Protection Administration on November 2, 2004, are hereby promulgated, and shall come into force on December 15, 2004.

Xie Zhenhua

Director General of the State Environmental Protection Administration  
November 11, 2004

### Measures for the Archival Administration of Local Standards for Environmental Quality and Pollutant Discharge

Article 1 These Measures are formulated in accordance with the “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 Atmospheric Pollution” and the “Law of the People’s Republic of China on the Prevention and Control of Water Pollution” so as to strengthen the archival administration of the standards for local environmental protection.

Article 2 These Measures shall apply to the archival administration by the State Environmental Protection Administration over the local environmental quality standards and pollutant discharge standards lawfully formulated by the people’s governments of all provinces, autonomous regions, and municipalities directly under the Central Government.

The local emission standard of air pollutants from motor vehicles or vessels shall be administered in accordance with the “Measures for the Examination and Approval of Local Emission Standards for Air Pollutants from Motor Vehicles or Vessels” which were approved by the State Council and promulgated by the State Environmental Protection Administration.

Article 3 The people’s government of a province, autonomous region, or municipality directly under the Central Government or its entrusted competent administrative department for environmental protection shall, within 30 days as of promulgation of the local standards for environmental quality and pollutant discharge, submit such standards to the State Environmental Protection Administration for archival purposes along with the following documents (in triplet):

- (1) the letter on submission for archival purposes;
- (2) documents of approval issued by the people’s government of a province, autonomous region, or municipality directly under the Central Government of the local standards for environmental quality and pollutant discharge, and documents on publishing local standards for environmental quality and pollutant discharge. If the people’s government of a province, autonomous region, or municipality directly under the Central Government authorizes its competent administrative department for environmental protection to approve the local standards for environmental quality and pollutant discharge, both the governmental authorization documents and the documents of approval issued by

the competent administrative department for environmental protection of the said standards shall be submitted simultaneously;

(3) both the paper document and electronic document on the local environmental protection standard;

(4) the statement on compilation of the local standards for environmental quality and pollutant discharge, as well as the study report.

Article 4 The State Environmental Protection Administration shall, within 30 days as of receipt of the documents for archiving, archive them if they conform to Articles 6, 7 and 8 of these Measures, and announce the archived and registered information on its website. If the said documents do not conform to Articles 6, 7 and 8 of these Measures, the State Environmental Protection Administration shall not archive or register them, and shall state the reason thereof.

Article 5 Where the local standards for pollutant discharge are incommensurable with the national standards for pollutant discharge in respect of the strictness of the limits and control requirements on the items, the State Environmental Protection Administration shall postpone the archiving, state the reason thereof in writing within 30 days as of receipt of the materials for archiving, and notify the department which submits the standards for archiving to apply for re-archiving; if the re-archived standards conform to the provisions, they shall be archived and registered.

Article 6 The local environmental quality standards submitted for archiving shall meet the following requirements:

(1) They have been approved by the people's government at the provincial level or its authorized competent administrative department for environmental protection;

(2) For the items not prescribed in the national standards for environmental quality, the supplementary local environmental quality standards shall be formulated.

Article 7 The local standards for pollutant discharge which are submitted for archiving shall meet the following requirements:

(1) They have been approved by the people's government at the provincial level or its authorized competent administrative department for environmental protection;

(2) The local standards for pollutant discharge may, in consideration of the framework and structure of the national standards for pollutant discharge for reference, be either sector-related pollutant discharge standards or comprehensive pollutant discharge standards. The sector-related pollutant discharge standards shall apply to the polluting sources of certain industrial sectors or certain products; while the comprehensive pollutant discharge standards shall apply to the polluting sources of all industrial sectors other than those covered by the scope of sector-related pollutant discharge standards;

(3) For the items not prescribed in national standards for pollutant discharge, the supplementary local standards for pollutant discharge shall be formulated;

(4) For the items prescribed in national standards for pollutant discharge, local standards for pollutant discharge which are stricter than the said national standards shall be formulated.

Article 8 For determining the pollutant monitoring method in local standards for environmental quality and pollutant discharge, the national standards or the sector-related standards for environmental protection shall be adopted in priority.

The pollutant monitoring method in the local standards for environmental quality and pollutant discharge may be either an equivalent method or substitutive one, provided that it shall be experimented or tested in contrast with national standards or sector-related standards for environmental protection, and meet the requirements as well.

Where national standards or sector-related standards for environmental protection do not contain the method for monitoring a pollutant, such method shall be listed in the appendix of the local environmental protection standards, or the publication setting forth such monitoring method shall be

listed in the local environmental protection standards.

Article 9 In any of the following circumstances, the department for formulating local standards for environmental protection shall revise or repeal the local standards for environmental protection in time in accordance with the law:

- (1) The newly formulated and promulgated national standards for environmental quality have covered the pollutant items in the local environmental quality standards;
- (2) The newly formulated and promulgated national standards for pollutant discharge are stricter than the local standards for pollutant discharge.

The local standards for environmental quality and pollutant discharge shall, after revision, be re-submitted for archival purposes.

Article 10 Before the local standards for environmental quality and pollutant discharge are submitted for approval, comments shall be solicited from the State Environmental Protection Administration.

Article 11 The following terms in these Measures shall have their meanings as follows:

- (1) Local environmental quality standards include atmospheric environment quality standard, water environment quality standard, and local standards for pollutant discharge include emission standard of air pollutants and discharge standard of water pollutants.
- (2) "To be stricter than national standards for pollutant discharge" shall mean that: with respect to the sector-related polluting source or product polluting source of a same category, the limits and control requirements on the items under local standards for pollutant discharge are, within the same environmental function area, and in the same monitoring method, stricter within its duration of validity than the national standards for pollutant discharge of the current period.

Article 12 These Measures shall come into force on December 15, 2004. The "Notice on Strengthening the Administration of Local Standards for Environmental Protection" as promulgated by the State Environmental Protection Administration on May 13, 1999 (No. 114 [1999] promulgated by the State Environmental Protection Administration) shall be repealed simultaneously.