

Measures for the Monitoring of Reduction of Total Emissions of Major Pollutants

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Article 1 To accurately assess the chemical oxygen demand (COD) and volume of sulfur dioxide emissions of a pollution source, these Measures have been made, in accordance with the relevant provisions of the Environmental Protection Law of the People's Republic of China, the Regulation on the Levy and Use of Pollutant Discharge Fees (Order No. 369 of the State Council), the Official Reply of the State Council on the Plan on Controlling the Total National Emissions of Major Pollutants During the Period of the "Eleventh Five-Year Plan" (No. 70 [2006] of the State Council), the Decision of the State Council on Implementing the Scientific Development View and Strengthening the Environmental Protection (No. 39 [2005] of the State Council) and the Notice of the State Council on Printing and Issuing the Comprehensive Working Scheme on the Energy Conservation and Reduction of Pollutant Emissions (No. 15 [2007] of the State Council).

Article 2 The monitoring of reduction of emissions of major pollutants shall refer to such monitoring activities as assessing the total volumes of major pollutants emitted by a pollution source and providing data for the work on the reduction of emissions of major pollutants determined by the state. The monitoring work shall adopt the automatic monitoring of a pollution source and the supervisory monitoring of a pollution source (including manual monitoring and lab comparison monitoring), mainly to control the types, concentrations and volumes of pollutants emitted by a pollution source. The monitoring techniques for the COD and volume of sulfur dioxide emissions at a pollution source shall adopt the mode of combination of automatic monitoring techniques and pollution source supervisory monitoring techniques.

Article 3 In principle, the competent authority for environmental protection of the government at the county level shall be responsible for the supervisory monitoring of pollution sources. Where the competent authority for environmental protection of the government at the county level is short of the monitoring capability, the competent authority for environmental protection of the government at or above the municipal (or prefecture) level shall be responsible for the monitoring, or the competent authority for environmental protection at the provincial level shall make a determination.

The key state-monitored pollution sources shall refer to the industrial pollution sources and city sewage treatment plants under the state monitoring that account for more than 65% of the national industrial emission load of major pollutants, and the list of the key state-monitored pollution sources shall be published by the competent authority for environmental protection of the State Council, and subject to dynamic adjustment each year.

The competent authority for environmental protection of the government at or above the municipal (or prefecture) level shall be responsible for the supervisory monitoring of key state-monitored pollution sources, and the competent authority for environmental protection at the provincial level shall be responsible for the supervisory monitoring of a thermal power plant with an installed capacity of more than 300,000 kilowatt of the key state-monitored pollution sources. The monitoring data obtained from the supervisory monitoring of key state-monitored pollution sources shall be shared for use, and no repetitive monitoring shall be allowed.

Article 4 On the basis of the monitoring data of a pollution source, the gathering, assessment and statistics of data of pollutant emissions of a pollution source shall be uniformly conducted, and the

volumes of pollutant emissions shall be calculated as per the concentrations and flow rates of pollutant emissions.

A pollutant emission entity shall ensure the normal operation of pollution prevention and treatment facilities, conduct the regular monitoring of pollutant emission condition and operating condition of pollution prevention and treatment facilities, and create pollution source monitoring files. In the beginning of each month, a pollutant emission entity shall report the COD and volume of sulfur dioxide emissions in the last month to the local competent authority for environmental protection, and provide the relevant materials.

For a pollution source with the installation of automatic monitoring equipment, the COD and volume of sulfur dioxide emissions shall be reported on the basis of the automatic monitoring data.

For a pollution source without the installation of automatic monitoring equipment, a pollutant emission entity shall provide the monitoring data of COD and sulfur dioxide produced by a qualified monitoring entity, on the basis of which the COD and volume of sulfur dioxide emissions shall be reported.

For a pollution source where the automatic monitoring equipment cannot be installed or the monitoring conditions are not ready, the COD and volume of sulfur dioxide shall be calculated as per the methods for environmental statistics and reported to the local competent authority for environmental protection.

Article 5 The local competent authority for environmental protection shall assess the COD and volume of sulfur dioxide emissions reported monthly by a pollutant emission entity, and notify the pollutant emission entity of the assessment result.

For a pollutant emission entity with the installation of automatic monitoring equipment, the monitoring equipment must be directly networked with the competent authority for environmental protection for real-time data transmission, and, on the basis of such data, the competent authority for environmental protection shall make the assessment.

For a pollution source without the installation of automatic monitoring equipment or where the automatic monitoring equipment is not networked with the competent authority for environmental protection, the competent authority for environmental protection shall regularly conduct the manual monitoring of it, with the frequency of monitoring of a state-monitored pollution source being not less than once a quarter, and on the basis of such data, shall make the assessment.

Article 6 For a key state-monitored pollution source, the installation and inspection and acceptance of pollution source automatic monitoring equipment must be completed before the end of 2008, a pollutant emission entity and the local finance shall be responsible for the construction of automatic monitoring equipment for a pollution source, the local competent authority for environmental protection shall be responsible for the inspection and acceptance, the enterprise shall be responsible for the data monitoring, and a qualified operating entity shall be responsible for the daily operation. The monitoring data of automatic monitoring equipment at a key state-monitored pollution source must be networked with the competent authority for environmental protection of the government at the provincial level, and be directly transmitted to the competent authority for environmental protection of the State Council.

Article 7 The competent authority for environmental protection of the government at the provincial level shall be responsible for the quality management of supervisory monitoring data of pollution sources within its jurisdiction. The competent authority for environmental protection undertaking the assessment of the COD and volume of sulfur dioxide emissions shall be specifically responsible for the quality of supervisory monitoring data of pollution sources and the accuracy and reliability of emission volumes.

The competent authority for environmental protection shall be responsible for the lab comparison monitoring of the monitoring equipment in the pollution source automatic monitoring system and the examination of the effectiveness of automatic monitoring data. Samples shall be taken by the lab comparison monitoring and automatic monitoring equipment simultaneously on the spot, and the monitoring frequency shall be once a quarter.

Where the result of the lab comparison monitoring indicates that the quality of the simultaneous automatic monitoring data is not up to the standard, the automatic monitoring system data shall be handled as missing in the time frame from the present lab comparison monitoring to the last lab comparison monitoring. The emission volumes in the time frame of missing data shall be assessed according to the provisions of the relevant technical rules.

Where the result of the local lab comparison monitoring is inconsistent with the result of regular inspection or random inspection by the competent authority for environmental protection of the superior government, the competent authority for environmental protection of the superior government shall determine the validity of the automatic monitoring data.

The competent authority for environmental protection of the State Council shall regularly organize the uniform quality control evaluation of the supervisory monitoring of pollution sources, and irregularly organize the random inspection across provinces or autonomous regions.

Article 8 The competent authorities for environmental protection of the governments at all levels shall keep complete files of the basic information on pollution sources, and establish databases of the supervisory monitoring of pollution sources. The data of supervisory monitoring of pollution sources shall be reported quarterly to the superior environmental monitoring institutions level by level for the monitoring quality management.

Article 9 The local people's governments at various levels shall guarantee the relevant working conditions at the environment monitoring stations at various levels that undertake the pollution source monitoring within their respective jurisdictions, make and implement workable plans in such respects of staffing and training, equipment purchase and update, provision of working and lab premises and secured work funds, especially guarantee the funds for the supervisory monitoring of pollution sources that directly serve the statistics, monitoring and assessment of emission reduction and the funds as subsidies for the construction and operation of the automatic monitoring system for key state-monitored pollution sources, and include such funds into the fiscal budgets of the governments at various levels. As to the monitoring methods, the environment monitoring agencies undertaking the monitoring tasks must adopt the standard methods of the state or standard methods of the environmental protection industry, and the quality guaranty and quality control shall be implemented according to the requirements of the state and local technical rules.

Article 10 These Measures shall be effective as of the date of issuance.