

法規名稱(Title) : ENVIRONMENTAL PROTECTION ADMINISTRATION, EXECUTIVE YUAN, REPUBLIC OF CHINA Marine Environment Pollution Clean-up and Disposal Regulations

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法規沿革(Legislative) :

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Article 1

These Regulations have been determined pursuant to Article 14, Paragraph 3 of the Marine Pollution Control Act (herein referred to as "this Act")

Article 2

For the clean-up and disposal of marine environment pollution, clean-up and disposal technologies shall be assessed based on pollution conditions and the operating environment, and the method that least impacts the environment selected for use.

Article 3

For those circumstances in which the pollutants that cause marine environment pollution seriously impact marine water quality, priority shall be given to the recovery of pollutants, and pollution source control and the containment of pollutants shall be adopted in order to prevent the spread of pollution; the methods and tools used shall prevent secondary pollution.

Article 4

For the clean-up and disposal of chemicals that cause marine environment pollution, the disposal method determined in the relevant Material Safety Data Sheet (MSDS) shall serve as a reference.

Article 5

Oil dispersants may be used when the clean-up and disposal of marine environment oil pollution meets one of the following circumstances:

1. When there is concern of oil pollution causing damage to birds, marine organisms, ecologically sensitive areas, or shorelines.
2. When there is concern of the endangerment of coastal facilities.
3. Other circumstances for which their use has been assessed as necessary.

The use of oil dispersants in the foregoing paragraph shall comply with the relevant regulations of the Environmental Agents Control Act.

Article 6

When large-scale oil pollution occurs in non-turbulent waters of a marine environment and it is not possible to promptly and effectively recover the oil, the oil spill may first be contained and then be handled through on-site incineration in compliance with the

Air Pollution Control Act and relevant regulations.

Article 7

The clean-up and handling of oil pollution in intertidal zones within the marine environment, due to the special characteristics of these zones, shall, in addition to taking into consideration natural restoration methods, give priority to the following methods based on the special characteristics of the intertidal zone:

1. For those intertidal zones that are sand beaches:
 - (1) After the oil slick has congealed, tar balls and oil-contaminated sand shall be excavated by manual or mechanical methods; excavated tar balls and oil-contaminated sand shall be properly disposed of in order to avert secondary pollution.
 - (2) Sand contaminated with small quantities of oil may be rinsed with water and then such materials as oil-absorbing cotton may be used to absorb oil or oil dispersants used to break-up the oil.
 - (3) The use of oil dispersants in the foregoing subparagraph shall comply with Article 5 of these Regulations.
2. For those intertidal zones that consist of small rocks:
 - (1) The clean-up of oil pollution contaminating the upper layer of small rocks may be performed by excavation by manual or mechanical methods; excavated

tar balls and oil-contaminated small rocks shall be properly disposed of in order to avert secondary pollution.

(2) When there is concern, due to the impact of waves, of oil pollution penetrating into deeper layers of an oil-contaminated small rock shoreline, oil dispersants may be used for the clean-up and handling of the oil pollution between high tide and low tide.

(3) The use of oil dispersants in the foregoing subparagraph shall comply with Article 5 of these Regulations.

3. For those intertidal zones that are wetlands: Containment methods shall be used to prevent the oil pollution from floating into the zone, and manual labor used to remove the oil pollution or small, simple tools used to clean-up the oil pollution; large machinery that could cause damage to the wetlands and impact biological organisms in the area may not be used for clean-up.

4. For those intertidal zones that are estuaries: Containment methods shall be used to prevent the oil pollution from floating into the zone, and absorbent material, to be spread evenly over the pollution site, used; the absorbent material, after absorbing the oil, shall be removed manually or mechanically; the clean-up of the oil pollution may not impact biological organisms in the area.

5. For those intertidal zones that are coral reefs: Containment methods shall be used to prevent the oil pollution from floating into the zone, and manual methods for skimming used or absorbent material, to be

spread evenly over the pollution site, used; the absorbent material shall be removed manually; after residual oil pollution has been rinsed with water, such materials as oil-absorbing cotton may be used to absorb oil; the clean-up of the oil pollution shall not impact biological organisms in the area.

Article 8

Those pollutants that cause marine environment pollution whose properties are classified as waste shall comply with the Waste Disposal Act and relevant regulations.

Article 9

These Regulations shall apply, where appropriate, to the clean-up and disposal of those other marine environment pollutants that seriously impact marine water quality.

Article 10

These Regulations shall take effect on the date of promulgation.

NOTE:

This translation is for information purposes only and

does not represent the binding law of the Republic of China. The binding law appears only in the national language, Chinese. Therefore, for purposes other than acquiring information, reference must be made to the original Chinese version of this statute.