

# 行政院公共工程委員會主管法規共用系統

列印時間：107.11.06 18:18

## 英譯法規內容

法規名稱 (Title)： Regulations Governing Certification by Professional Environmental Engineers Ch

公發布日 (Date)： 2011.11.24

法規沿革 (Legislative)： 1.Formulated and promulgated on November 25, 1994  
2.Amended and promulgated on June 30, 1999  
3.Amended and promulgated on August 15, 2006  
4.Amended and promulgated on March 15, 2010  
5.Amended and promulgated on November 24, 2011

法規內文 (Content)： Article 1 The Regulations are determined pursuant to Article 13, Paragraph 3 of the Professional Engineers Act (hereinafter referred to as "the Act" ).

Article 2 The professional environmental engineers in these Regulations (hereinafter referred to as "environmental engineers" ) shall refer to engineers in the field of environmental engineering who have received professional licenses as prescribed in Article 8, Paragraph 1 of this Act and who practice in accordance with the manners specified in Article 7, Paragraph 1 of this Act.

The certification in these Regulations shall refer to the signature and the professional practice seal applied by an environmental engineer on worksheets, certification reports and certification records after review of such documents which are produced based on the results of engineering review and required to be certified by environmental engineers according to these regulations for applicable environmental protection laws.

Article 3 For performance of certification, environmental engineers shall register the signature and the pattern of professional practice seal to the central competent authority of environmental protection; for changes, a change of registration shall be submitted to the central competent authority of environmental protection within 15 days of the occurrence of change according to the procedure mentioned above.

Article 4 When the central competent authority performs the issuance, withdrawal, revocation, or cancellation of the professional licenses of environmental engineers, or records professional license registration, it shall concurrently send copies of the information to the central environmental protection competent authority; likewise in special municipality, county and city competent authorities that have been

commissioned to perform the foregoing services.

Article 5 The certification items of environmental engineers are as follows:

- I. Matters to be signed prescribed in the Water Pollution Control Act;
- II. Matters to be signed prescribed in the Air Pollution Control Act; and
- III. Matters to be signed prescribed in other environmental protection laws.

Article 6 Environmental engineers commissioned to perform certification work shall keep effective records of the certification process, and shall compile such records together with all the relevant data and documents in the form of worksheets.

Worksheets shall serve as proof that environmental engineers have discharged their professional work responsibilities, and are a basis for the comments shown in the certification reports compiled.

Article 7 Worksheets shall, as a rule, provide effective evidence for the comments, facts, and numbers stated by environmental engineers in the certification report. Such evidence or information shall be compiled in the worksheets.

Article 8 The preparation of a worksheet shall comply with the following requirements:

- I. The worksheet shall clearly state the source of each fact or number and the date obtained, and its calculation process;
- II. All audit work shall explicitly state the audit methods used, audit process, and completion date; on-site audit photographs of the signing engineer shall be attached;
- III. The source of major facts or numbers cited shall be clearly stated; and
- IV. Worksheet pages shall be numbered sequentially, and shall be bound as a volume.

While compiling worksheets, environmental engineers shall check that relevant data is valid and complies with regulations, and shall sign and affix their professional practice seals to the front page of the worksheet, and shall show that the pages are in sequence by affixing page-crossing seals or in other approved methods.

Article 9 When environmental engineers perform certification work pursuant to Article 17 of the Water Pollution Control Act, they shall perform audit and certification as prescribed in Article 8 of that act's enforcement rules, and shall clearly state audit results for the planning, design, construction supervision, trial operation, and functionality testing of wastewater, sewage, or sludge treatment facilities in their worksheets.

Article 10 When performing certification work pursuant to Article 26

of the Air Pollution Control Act, environmental engineers shall perform the work in accordance with the matters designated by the central environmental protection competent authority, and shall clearly state audit results for the planning, design, and other applicable operations of air pollution control equipment in their worksheets.

When performing certification work in connection with other environmental protection laws, environmental engineers shall clearly state audit results in their worksheets.

Article 11 Environmental engineers shall bear responsibility for maintaining the confidentiality and adequate custody of worksheets, and shall preserve worksheets for five years after the date of report submission.

For the foregoing worksheets, the entrusting party may request to read, transcribe, or produce photocopies, and the entrusted environmental engineer shall not refuse.

Article 12 A certification report shall record the following matters, and shall bear the environmental engineer's signed name and professional practice seal impression:

- I. The legal basis to which the certification refers;
- II. The personal or business name of the entrusting party;
- III. The address of the entrusting party's residence, office, or place of business;
- IV. The entrusted matters and date of entrusting;
- V. Brief description of the certification;
- VI. Scope and comments of audit; and
- VII. The date of certification.

Article 13 Environmental engineers shall express their comments concerning audit results in certification reports by employing one of the following methods:

- I. With no opinion withheld;
- II. With opinion withheld;
- III. Adverse opinion; or
- IV. Disclaimer of opinion.

Article 14 An environmental engineer shall submit a certification report with opinion withheld whenever one of the following circumstances is encountered:

- I. The design basis for the pollution control measures is not supported by any guidelines or reports from the literature, or data or experimental results.
- II. There is no concrete data enabling judgment of the reasonableness of the relationship between the process conditions and production of pollutants.
- III. There is no concrete data verifying that the pollution control measure operation and maintenance plan is sufficient to ensure the

equipment' s normal operation and has the ability to respond to emergencies.

IV. An impartial and detailed certification is unable to be produced due to the entrusting party' s concealment or deception.

Article 15 If the audit results have any of the situations in subparagraphs 1 through 3 of the foregoing article, and the circumstances are severe, the environmental engineer shall submit a certification report with an adverse opinion; should the situation specified in subparagraph 4 of the foregoing article occur, and the circumstances are severe, the environmental engineer shall submit a certification report with disclaimer of opinion.

Article 16 When an environmental engineer has completed audit work, and the pollution control facility or measure audited has been handled according to applicable laws and regulations and widely recognized technical principle(s) or common practice for pollution control, and no situation specified in the foregoing two (2) articles occurs, the environmental engineer shall produce the certification report with no opinion withheld.

Article 17 On the completion of certification report, the environmental engineer shall produce the certification record within 15 days, and submit the record to the central competent authority of environmental protection for review. The record shall cover the following:

- I. The personal or business name of the entrusting party;
- II. The address of the entrusting party' s residence, office or place of business;
- III. The entrusted matters and date;
- IV. Date and photographs of on-site survey;
- V. Comments of audit;
- VI. Date of certification; and
- VII. Other matters appointed by the central competent authority of environmental protection.

The environmental engineers may submit the documentation mentioned for reference above by means of electronic transmission to the computer database appointed by the central competent authority of environmental protection.

For environmental engineers who fail to submit their certification records for review, or fail to correct or only partially correct the error(s) found in the certification records within the given deadline as required in the foregoing two (2) paragraphs, the requirements of subparagraph 3, paragraph 1 of Article 19, and Article 39 through 42 of the Act shall govern.

Article 18 The following circumstances shall not occur when an environmental engineer performs certification work:

- I. Failure to correct, or concealment of untruth(s) or error(s) in the

content of a certification plan or report;

II. Truths that should be explained in the certification report and are not so done;

III. Failure to point out that environmental protection measures among the signed matters are inconsistent with laws and regulations or pollution control technical principles or practices; or

IV. Failure to perform an on-site audit of pollution control equipment or environmental survey of the site.

**Article 19** In case that an environmental protection competent authority at any level or an agency commissioned by the central environmental protection competent authority has any questions concerning an environmental engineer's certification document(s), it may inquire directly or commission a professional organization to do so, or may access and read certification-related documents and review worksheets produced by the environmental engineer under commission as certification documents, and the environmental engineer shall not evade, refuse, or obstruct such requests.

**Article 20** When a professional engineer other than an environment engineer performs certification work specified in Article 5, the professional engineer shall register the signature and the pattern of professional practice seal to the central competent authority of environmental protection; for changes, a change of registration shall be submitted to the central competent authority of environmental protection within 15 days of the occurrence of change according to the procedure mentioned above.

The requirements of Articles 6 through 19 apply to the certification work performed by professional engineers mentioned in the above paragraph.

**Article 21** For certification work of Article 5 performed by staff of a government agency, government-owned business, or judicial person who have obtained professional engineer certificate of related engineering disciplines as legally permitted, the professional practice seal patterns of those who perform certification work may be exempted from registration. However, such professional engineers shall sign on the worksheets and certification report, and state their engineering discipline, number of professional engineer certificate, and attach in the certification report the employment certificate at the time of certification performed.

The requirements of Article 6 through 19 apply to the certification work of Article 5 performed by the persons mentioned in the above paragraph.

**Article 22** The Professional Environmental Engineers Association shall draft the worksheets and various forms and examples applied in these Regulations, and submit to the central environmental protection

competent authority for reference.

Article 23 The amendment of Article 3, Article 17 and paragraph 1 of Article 20 announced on the date of 15 March 2010 will be in effect 6 months after the announcement of amendment.

Article 24 Apart from when an effective date is otherwise determined, these Regulations shall take effect on the date of promulgation.

---

資料來源：行政院公共工程委員會主管法規共用系統