OCCUPATIONAL DISEASE PREVENTION IN CONSTRUCTION

Implemented May 1, 2017

The Measures for Supervising “Three Synchronies” of Occupational Disease Prevention and Control in the Construction Industry aims to fully implement the “three synchronies” system of early-stage prevention of occupational disease, detailing the major responsibilities of construction companies and the safety administration bureau, along with focusing on codifying the pre-assessment of occupational disease, namely protective equipment design, inspection and approval. These revisions were made in accordance with revisions to legislation on general occupational disease prevention and control.

The “three synchronies” system requires that pollution control facilities are designed, constructed and put into operation in conjunction with any project development progress.

These measures comprise seven articles and 46 provisions – an increase of one additional article and seven provisions from the original version. Major revisions include the following.

- Changed the title from Temporary Supervision and Management Measures for Construction Project “Three Synchronies” of Industrial Hygiene, reflecting that these revisions simplify responsibility and management, and maintain the relevant, well-established clauses from the previous “temporary” measures.
- Adjusted overall framework, in that the new measures provide more detailed requirements concerning the responsibilities of construction companies regarding pre-assessment of occupational disease; design, inspection and approval of protective equipment; and evaluation of controls of occupational hazards.
- Eliminated prior content related to review and acceptance of pre-assessment reports on prevention of occupational disease, review and...
approval of designs for protective equipment for severe hazards, and inspection and approval of protective equipment upon construction completion.

- Clarified responsibility, stipulating that the person responsible for the construction company must arrange for occupational health professionals to undertake an assessment and review of protective equipment, and forward their report to the safety administration bureau.
- Required that the local safety administration bureau incorporates supervision and inspection of the “three synchronies” system into its annual workplace safety supervision and inspection plans.
- Required the safety administration bureau to conduct rigorous inspection and approval audits.

STATE ENVIRONMENTAL BENCHMARK RULES

Implemented April 19, 2017

Environmental benchmarks are the maximum levels or doses of chemical, physical or biological hazards or substances that are deemed not harmful to human health or the environment. These recently implemented rules apply to environmental benchmark research, drafting, promulgation, application and supervision.

WORKPLACE SAFETY FOR CHEMICAL, FIREWORK AND OIL AND GAS TANK FARM OPERATIONS

Implemented March 6, 2017

The Ten Measures for Workplace Safety Throughout Chemical, Firework, and Oil and Gas Tank Farm Operations aims to further regulate operations for the safety of employees, decisively resolve and correct violations, and reduce the frequency of accidents. Safety administration bureaus at all levels are responsible for effective outreach throughout their jurisdictions to enhance supervision, guidance and implementation of workplace safety requirements.

Affected chemical companies must implement these measures based on the unique production characteristics of each of their facilities; improve (where applicable) their safety systems; equipment and operational procedures; provide necessary safety equipment; utilize relevant permits for examination and approval; and maintain safety controls in chemical engineering processes.

BIDDING ON CONSTRUCTION PROJECT DESIGN

Implemented May 1, 2017

The Administrative Measures for Bidding on Construction Project Design comprises 38 sections, integrates general international practices and focuses on simplifying the bidding process. There are now three development scenarios whereby design organizations may bypass removing subcontracting bids from the subsidiary portions of a construction project and are no longer required to file, review and approve bid materials by the construction bureau ([1] when there is a patent or specialized techniques included; [2] when dealing with specialized architecture approved by relevant authorities; [3] revisions by previous design organization). There is also no need for the review and approval of foreign design organizations participating in construction project design bids within China.
SOIL POLLUTION PREVENTION WORK PLANS FOR SHENZHEN AND BEIJING

December 2016

With the implementation of the State Council Action Plan for the Prevention of Soil Contamination in May 2016, the governments of Beijing, Shanghai, Tianjin, Jiangsu, Zhejiang, Guangdong and the Shenzhen SAR have each set local soil contamination prevention action plans for their respective areas. The plans outline shared responsibility for implementation among government agencies, affected companies and the public.

Shenzhen

Shenzhen City established the Shenzhen City Soil Protection and Quality Improvement Plan on December 3, 2016. The plan calls for:

- a comprehensive system for monitoring the soil environment, focusing on construction sites, centralized drinking water sources, and agricultural land.
- soil quality surveys of arable land and water sources in Class 1 protected zones by the end of 2017, and Class 2 protected zones by the end of 2018. Controls must be in place for all zones by 2020.
- soil quality surveys of land currently or previously used by key industries, including electroplating, circuit board, lead storage battery, tanning, dyeing, chemical, pharmaceutical, hazardous chemical warehousing and transportation, sewage treatment, landfills, incineration, hazardous waste and sludge.
- improved coordination of overall soil pollution prevention throughout the city.

Beijing

Beijing announced the Beijing Soil Contamination Prevention Work Plan on December 24, 2016. The plan calls for:

- a city-wide soil contamination survey, focusing particularly on land currently or previously used by key industries.
- a city-wide soil monitoring network.
- baseline soil quality tests during environmental impact assessments and soil quality monitoring for discharging polycyclic aromatic hydrocarbons (PAHs), petroleum hydrocarbons and similar organic pollutants, or heavy metals such as cadmium, mercury, arsenic, lead and chromium.
- enhanced supervision of pollution prevention during dismantling activities, particularly regarding operations throughout the non-ferrous metal smelting, petroleum processing, chemical, coking, electroplating, pharmaceutical, automobile manufacturing and shipping vehicle manufacturing industries. Those responsible must conduct demolition activities based on the relevant state provisions for pollution prevention and technical control, formulate clean-up and safe-disposal programs for residual chemicals and other materials, and file regulatory reports concerning local economic, environmental and safety information to prevent soil contamination during dismantling activities.
- soil contamination prevention and remediation plans for land being re-developed for residences, businesses, schools, medical and nursing facilities, parks, municipal green spaces and entertainment venues. These plans must be filed with the Ministry of Environmental Protection (MEP) by the end of October 2017.

BEIJING INTEGRATED EMISSIONS STANDARDS FOR ATMOSPHERIC POLLUTANTS

Implemented March 1, 2017

In contrast with the original standards, these new standards apply to the control of fixed sources of atmospheric pollutants, with the exception of emissions from boilers, fixed-gas turbines and internal combustion engines, fuel depots, oil tanker trucks, gas stations, oil refineries and operations within the petroleum chemical, casting and forging, cement, household and hazardous waste incineration, waterproof membrane, crematoria, printing, wood furniture manufacturing, automotive manufacturing and maintenance, industrial painting/coating and catering industries.

The integrated standards have also added a section specific to environmental impact assessment, design, approval, construction and post-construction management of atmospheric pollutant emissions for existing, expanding and new organic chemical operations.
IMPLEMENTATION RULES FOR SHANGHAI POLLUTANT DISCHARGE PERMIT MANAGEMENT

Implemented April 30, 2017

The recently revised Shanghai Municipal Environmental Protection Regulations stipulates that the municipality must implement a pollutant discharge permit system for managing fixed-source pollution. To date, the Shanghai Environmental Protection Bureau (EPB) has issued pollutant discharge permits to nearly 500 companies listed as key pollution generators. Based on the classified management catalogue of pollutant discharge permits regulated by MEP, the Shanghai EPB is taking a phased approach to permit management.

The regulations apply to water, atmospheric and noise pollution, as well as solid waste. Companies must apply for a permit within the timeframe established by the MEP catalogue, and discharge of pollutants without a valid permit or in a manner inconsistent with the permit is prohibited. A company discharging pollutants at different locations must make separate applications and obtain permits for each location. For companies that generate a relatively lower volume of pollutants (with a conceivably lesser environmental impact), permit management will be streamlined.

SHANDONG PROVINCE WORKPLACE SAFETY REGULATIONS

Implemented May 1, 2017

These regulations apply to agencies at all levels and comprise six articles and 49 clauses regarding several aspects of operations, including workplace safety supervision and management, emergency response and incident investigation, and legal liability. Major stipulations include the following.

- Streamlining workplace safety supervision and management, with the establishment of responsibilities of village or township governments, local committees and development zone management organizations.
- Designation of safety directors in particularly high-risk areas, establishment of safety committees, and implementation of a system for communicating safety measures.
- Implementation of a dual work mechanism for the management and control of risk classification.
- Implementation of a workplace safety liability insurance system (per national regulations) for organizations in mining, transportation, hazardous chemicals, fireworks, construction, civil explosives, metal smelting and fishery production.
- Encouragement of staff at all levels to participate in workplace safety events.

In the second half of 2017, the campaign for the inspection, rectification and enforcement of workplace safety hazards will be integrated into a province-wide investigation into enforcement of these regulations. The provincial government committee will investigate and provide guidance on the status of implementation and will use their findings to determine appropriate incentives or penalties.

IN TOUCH

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