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中华人民共和国固体废物污染环境防治法

China Law on the Prevention and Control of Environmental Pollution by Solid Waste

Article 1 This Law is formulated in order to protect and improve the ecological environment, prevent and control the pollution of solid waste, protect public health, maintain ecological safety, promote the construction of ecological civilization, and promote the sustainable development of the economy and society.

Article 2 This Law shall apply to the prevention and control of environmental pollution by solid waste. This Law shall not apply to the prevention and control of pollution of the marine environment by solid waste and the pollution of the environment by radioactive solid waste.

Article 3 The state promotes green development methods to promote clean production and recycling economy development. The state advocates a simple, moderate, green and low-carbon lifestyle and guides the public to actively participate in the prevention and control of environmental pollution by solid waste.

Article 4 The prevention and control of environmental pollution by solid waste adheres to the principles of reduction, recycling and harmlessness. Any unit or individual should take measures to reduce the amount of solid waste generated, promote the comprehensive utilization of solid waste, and reduce the harmfulness of solid waste.

Article 5 The prevention and control of environmental pollution by solid waste adheres to the principle of responsibility for pollution. Units and individuals that produce, collect, store, transport, utilize, and dispose of solid waste shall take measures to prevent or reduce pollution of the solid waste to the environment, and shall be liable for the environmental pollution caused in accordance with law.

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Article 6 The state implements a domestic waste category system. The category of domestic waste adheres to the principles of government promotion, participation of all people, urban-rural co-ordination, adaptation to local conditions, and simplicity.

Article 7 The local governments at all levels are responsible for the prevention and control of environmental pollution by solid wastes in their administrative areas. The state implements a responsibility system and assessment system for the prevention and control of environmental pollution by solid waste, and incorporates the completion of the prevention and control of environmental pollution by solid waste into the content of assessment and evaluation.

Article 8 The government of the People's Government shall strengthen the leadership, organization, coordination, and supervision of the management of solid waste-polluted environment, and urge relevant departments to be legally included in the supervision and management duties of solid waste-polluted environment.

Provinces, autonomous regions, and municipalities directly under the Central Government may negotiate to establish a joint prevention and control mechanism for the environmental pollution of solid wastes across administrative regions, and coordinate overall planning, facility construction, and solid waste transfer.

Article 9 MEE implements unified supervision and management of the prevention and control of environmental pollution by solid waste nationwide. The State Council's development and reform, industry and information, natural resources, housing urban and rural construction, transportation, agriculture, commerce, health, and customs are responsible for the supervision and management of the prevention and control of solid waste pollution within their respective responsibilities.

The MEE with local government implements unified supervision and management of the prevention and control of

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environmental pollution by solid wastes in its covered area. The local government development and reform, industry and information technology, natural resources, housing urban and rural construction, transportation, agriculture and rural areas, commerce, health and other competent departments are responsible for the supervision and management of the prevention and control of solid waste pollution environment within their respective responsibilities.

Article 13 The government at or above the county level shall incorporate the prevention and control of environmental pollution by solid waste into the national economic and social development plan and ecological environmental protection plan, and take effective measures to reduce the amount of solid waste generated, promote the comprehensive utilization of solid waste, and reduce solids The hazardous nature of waste minimizes the amount of solid waste landfilled.

Article 14 MEE shall, together with the relevant departments of the State Council, formulate solid waste identification standards, identification procedures and national solid waste pollution prevention and control technical standards in accordance with national environmental quality standards and national economic and technical conditions.

Article 15 The competent department of standardization of the State Council shall, in conjunction with the competent departments of development and reform of the State Council, industry and information technology, ecological environment, agriculture and rural areas, formulate standards for the comprehensive utilization of solid waste.

The comprehensive utilization of solid waste shall comply with laws and regulations of ecological environment and comply with the technical standards for the prevention and control of environmental pollution by solid waste. The use of solid waste comprehensive utilization products shall meet the purposes and standards prescribed by the state.

Article 16 The State Council department in charge of ecology

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and environment shall establish a national information platform for the prevention and control of environmental pollution by solid wastes and other solid wastes in conjunction with the relevant departments of the State Council, and promote the whole process monitoring and information tracing of solid waste collection, transfer and disposal.

Article 17 Construction projects that generate, store, utilize, and dispose of solid wastes shall carry out environmental impact assessments in accordance with the law, and abide by the national regulations on environmental protection management of construction projects.

Article 19 Units and other producers and operators that collect, store, transport, utilize, and dispose of solid waste shall strengthen the management and maintenance of relevant facilities, equipment, and sites to ensure their working condition and normal usage.

Article 20 Units and other producers and operators that produce, collect, store, transport, utilize, and dispose of solid waste shall take measures to prevent scattering, loss, leakage, or other environmental pollution prevention, and shall not dump or stack or discard or leave solid waste without authorization.

It is forbidden for any unit or individual to dump, stack or store solid waste into rivers, lakes, canals, channels, reservoirs and their beaches and bank slopes below the highest water level and other places prescribed by laws and regulations.

Article 21 In the ecological protection bottom line area, permanent basic farmland concentration area and other areas requiring special protection, it is forbidden for the centralized storage, utilization and disposal of industrial solid waste and hazardous waste.

Article 22 The act of transferring solid waste for storage and disposal across administrative areas shall apply to the local government. The transferring unit shall transfer the solid waste

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within the prescribed time limit after approval, and it shall not be transferred without approval.

Article 23 Solid wastes outside the People's Republic of China are prohibited from entering the country for dumping, stacking, and disposal.

Article 24 The state shall gradually stop the import of solid wastes, which shall be organized and implemented by the competent authorities such as MEE and CUSTOMS.

Article 25 When the customs suspects that the imported goods are solid waste, it may entrust a professional institution to carry out attribute identification and manage it according to the law according to the identification conclusion.

Article 26 MEE and other departments in charge of the supervision and management of environmental pollution prevention and control of solid wastes shall have the right within the scope of their respective duties to units and other production units engaged in activities such as production, collection, storage, transportation, utilization, and disposal of solid wastes. The operator conducts an on-site inspection. The person being inspected should truthfully report the situation and provide necessary information. To conduct on-site inspections, measures such as on-site monitoring, collecting samples, consulting or copying materials related to the prevention and control of environmental pollution by solid waste can be taken. Inspectors should present their IDs when conducting on-site inspections. The business secrets learned during the on-site inspection shall be kept confidential.

Article 27 Under one of the following circumstances, MEE and other departments with responsibility for the supervision and management of environmental pollution prevention and control of solid wastes may seal and detain illegal facilities, equipment, places, tools, and articles:

- (1) The evidence may be lost, concealed or illegally transferred;
- (2) Cause or may cause serious environmental pollution.

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Article 28 MEE shall establish a credit record system for units that produce, collect, store, transport, utilize, and dispose of solid wastes and other producers and operators in conjunction with relevant departments, and incorporate relevant credit records into the national credit information sharing platform.

Article 29 Local government shall regularly announce to the society the types, production, disposal capacity, utilization and disposal status of solid waste, etc. information.

Units that produce, collect, store, transport, utilize, and dispose of solid wastes shall promptly disclose information on the prevention and control of environmental pollution by solid wastes in accordance with law and actively accept social supervision. Units that use and dispose of solid waste shall open facilities and sites to the public in accordance with law to increase public awareness and participation in environmental protection.

Article 31 Any unit or individual shall have the right to report to the unit or individual that caused solid waste to pollute the environment.

The department that receives the report shall promptly handle it and keep confidential of the relevant information; if report under real name and verified, it shall be rewarded.

If the whistleblower reports the unit he is working for, the unit may not retaliate against the whistleblower by rescission, change of labor contract or other methods.

Article 32 The State Council organizes the promotion of advanced production techniques and equipment for preventing and controlling pollution by industrial solid waste.

Article 36 Production units of industrial solid waste shall establish a responsibility system for the prevention and control of environmental pollution by waste, establish waste management accounts, faithfully record information on the

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types, quantities, flow directions, storage, utilization, and disposal of waste generated, and adopt measures to prevent and control environmental pollution. Measures. It is forbidden to put industrial solid waste into domestic garbage collection facilities.

Article 37 When a waste-generating unit entrusts others to transport, use or dispose of solid waste, it shall verify the principal qualifications and technical capabilities of the trustee, sign a written contract according to law, and stipulate the pollution prevention requirements in the contract.

The contractor shall transport, use and dispose of industrial solid wastes, and shall fulfill the pollution prevention and control requirements in accordance with the provisions of relevant laws and regulations and the contract, and notify the unit that produced the industrial solid wastes about the result of transportation, utilization and disposal.

Units producing industrial solid waste that violate the provisions of the first paragraph of this article shall not only be punished in accordance with the provisions of relevant laws and regulations, but shall also bear joint and several liability with the trustee that causes environmental pollution.

Article 39 Units that produce industrial solid waste shall obtain a waste discharge permit. The specific measures and implementation procedures for permits to discharge waste shall be prescribed by the State Council.

Article 40 Units that produce industrial solid waste shall use industrial solid waste according to economic and technical conditions; if it is temporarily unused or cannot be used, it shall construct storage facilities and places in accordance with the regulations of the competent department of the State Council, such as the ecological environment, for safe classification Store or take harmless disposal measures. Storage measures for industrial solid waste shall comply with national environmental protection standards.

Article 41 If an unit producing industrial solid waste terminates, it shall take pollution prevention and control measures for the

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storage and disposal facilities and places of industrial solid waste before termination, and properly dispose of unprocessed industrial solid waste to prevent environmental pollution.

If the unit of producing industrial solid waste changes, the changed unit shall, in accordance with the relevant environmental protection regulations of the state, safely dispose of the undisposable industrial solid waste and its storage and disposal facilities or sites or take effective measures to ensure the facilities and sites safe operation. Before the change, the parties concerned agree otherwise on the pollution prevention and control responsibilities of industrial solid waste and its storage and disposal facilities and places; however, the parties shall not be exempted from the pollution prevention and control obligations of the parties.

Article 42 Mining enterprises shall adopt scientific mining methods and beneficiation processes to reduce the production and storage of mining solid wastes such as tailings, coal gangue and waste rock.

Article 43 Local governments shall expedite the establishment of a household waste management system for classified release, collection, transportation and treatment, so as to achieve effective coverage of domestic waste classification system. Local governments establish a coordination mechanism for the classification of domestic waste, and strengthen and coordinate the building of domestic waste classification management capacity. The Government and its relevant departments have been established to organize the promotion of domestic waste classification, educate and guide the public to develop household waste classification habits, and supervise and guide domestic waste classification.

Article 44 Local government shall systematically improve the fuel structure, develop clean energy, and reduce the amount of solid waste such as fuel waste residue. Local government should strengthen the management of product production and circulation processes, avoid excessive packaging, organize clean vegetables to market, and reduce the

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amount of domestic waste generated.

Article 45 Local government shall make overall arrangements for the construction of domestic garbage collection, transportation and treatment facilities, determine the facility site, improve the comprehensive utilization and harmless disposal of domestic garbage, and promote the industrialization of domestic garbage collection and treatment Development, and gradually establish and improve a social service system for the prevention and control of environmental pollution by domestic waste. Local governments should make overall plans, reasonably arrange outlets for sorting, sorting, and packing, and promote the recycling of domestic garbage.

Article 46 Local governments shall strengthen the prevention and control of environmental pollution by garbage, and protect and improve the environment. The state encourages the reduction of domestic waste at the source. junctions, densely populated areas, and other places with conditions should establish an integrated domestic waste management system; other areas should actively explore a domestic waste management model, adapt local conditions, and use or properly dispose of domestic waste nearby.

Article 47 The government shall formulate the construction and operation specifications for the facilities, places for cleaning, collecting, storing, transporting and disposing of household garbage, issue guidance catalogues for the classification of household garbage, and strengthen supervision and management.

Article 48 The government shall organize the cleaning, collection, transportation and treatment of domestic garbage, and may choose qualified units to engage in the cleaning, collection, transportation and treatment of domestic garbage by means of bidding.

Article 49 Units, families and individuals that produce garbage shall perform their obligations of reducing the amount of

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garbage at the source and putting them in categories, and bear the responsibility of producers of garbage. Any unit or individual shall put garbage into designated places according to law. It is forbidden to dump, throw, pile or burn domestic garbage at will. The domestic garbage that has been sorted and put in place shall be collected, transported and treated in categories according to regulations.

Article 50 The cleaning, collection, transportation, and disposal of domestic garbage shall comply with the national regulations on environmental protection and environmental sanitation management to prevent environmental pollution. Hazardous garbage that is classified and collected from domestic garbage and belongs to hazardous waste shall be managed as hazardous waste.

Article 51 Business units engaged in public transportation shall clean up and collect domestic garbage generated during transportation in a timely manner.

Article 53 Units engaged in the development of new areas, the reconstruction of old areas, the development and construction of residential quarters, the construction of villages and towns, as well as management units of public facilities and places such as airports, docks, stations, parks, shopping malls, stadiums, etc. shall equip with domestic garbage collection facilities.

Article 54 The materials recovered from domestic garbage shall be used in accordance with the purposes and standards prescribed by the State, and shall not be used to produce products that may endanger human health.

Article 55 The construction of domestic garbage treatment facilities and sites shall comply with the environmental protection and environmental sanitation standards stipulated by the State Council department in charge of ecology and environment and the State Council department in charge of construction.

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Encourage neighboring areas to coordinate the construction of domestic waste treatment facilities, and promote the construction and sharing of domestic waste treatment facilities across administrative regions.

It is forbidden to close, idle or dismantle domestic garbage disposal facilities and places without authorization; if it is really necessary to close, idle or dismantle, it shall be approved by the local municipal and county-level people's government environmental sanitation department in consultation with the local ecological environment department and approved Measures to prevent environmental pollution.

Article 56 Domestic waste disposal units shall install and use monitoring equipment in accordance with relevant state regulations to monitor pollutant discharge in real time and disclose pollutant discharge data in real time. The monitoring equipment should be networked with the monitoring equipment of the local ecological environment authority.

Article 57 Local government shall be responsible for organizing and carrying out the disposal and recycling of food waste. Units that produce and collect kitchen waste and other production operators shall hand over kitchen waste to units with appropriate qualifications for harmless treatment. It is forbidden for livestock and poultry farms and breeding communities to use non-hazardous treatment of kitchen waste to feed livestock and poultry.

第五十九条 省、自治区、直辖市和设区的市、自治州可以结合实际，制定本地方生活垃圾具体管理办法。

Article 58 Local government shall establish a charging system for domestic garbage in accordance with the principle of producer payment. Local government shall formulate charging standards for domestic garbage disposal, which shall reflect the differentiated management of classified pricing and metering charges based on local conditions and the classification of domestic garbage, and fully solicit public opinions. The charging standards for domestic garbage disposal shall be announced to the public. The domestic garbage disposal fee shall be specifically used for the

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collection, transportation and disposal of domestic garbage, and shall not be used for other purposes.

Article 59 Provinces, autonomous regions, municipalities directly under the Central Government, and cities and autonomous prefectures with districts may formulate specific local garbage management methods in light of the actual situation.

Chapter V Construction Waste, Agricultural Solid Waste, etc.

Article 60 to 73 (omit)

Article 74 The prevention and control of environmental pollution by hazardous wastes shall be governed by the provisions of this chapter; if there are no provisions in this chapter, other relevant provisions of this law shall apply.

Article 75 MEE shall, in conjunction with the relevant departments of the State Council, formulate a national hazardous waste directory, stipulating unified hazardous waste identification standards, identification methods, identification marks and identification unit management requirements. The national list of hazardous wastes should be adjusted dynamically. MEE shall scientifically assess its environmental risks based on the hazardous characteristics and quantity of hazardous waste, implement hierarchical classification management, establish an information-based supervision system, and manage and share hazardous waste transfer data and information through information-based means.

Article 76 Local governments of provinces, autonomous regions, and municipalities directly under the Central Government shall organize relevant departments to formulate construction plans for centralized hazardous waste disposal facilities and sites, scientifically evaluate hazardous waste disposal needs, rationally arrange hazardous waste centralized disposal facilities and sites, and ensure the

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Hazardous waste is properly disposed.

When preparing the construction plan of the centralized disposal facilities and sites of hazardous wastes, the opinions of relevant industry associations, enterprises and institutions, experts and the public shall be solicited. Neighboring provinces, autonomous regions, and municipalities directly under the Central Government can carry out regional cooperation to coordinate the construction of regional hazardous waste centralized disposal facilities and sites.

Article 77 Dangerous waste identification marks shall be set up in accordance with the regulations on the containers and packages of hazardous wastes, and the facilities, places for collecting, storing, transporting, utilizing, and disposing of hazardous wastes.

Article 78 Units of producing hazardous wastes shall formulate hazardous waste management plans in accordance with relevant national regulations; establish hazardous waste management accounts, faithfully record relevant information, and declare hazards to local ecological and environmental authorities through the national hazardous waste information management system. Relevant information on the type, amount, flow, storage, and disposal of waste. The hazardous waste management plan referred to in the preceding paragraph shall include measures to reduce the amount of hazardous waste produced and the hazards of hazardous waste, as well as measures for storage, utilization and disposal of hazardous waste. The hazardous waste management plan shall be reported to the department in charge of the ecological environment of the unit where the hazardous waste is generated for the record. If the unit of producing hazardous waste has obtained a waste discharge permit, the provisions of the sewage discharge permit management system shall be implemented.

Article 79 Units that produce hazardous wastes shall store, use and dispose of hazardous wastes in accordance with the relevant national regulations and environmental protection

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standards, and shall not dump or stack them without authorization.

Article 80 Units engaged in the business activities of collecting, storing, using, and disposing of hazardous wastes shall apply for licenses in accordance with relevant state regulations. The specific management measures for permits shall be formulated by the State Council. It is prohibited to engage in the business activities of collecting, storing, using and disposing of hazardous wastes without permits or failing to comply with the provisions of the permits. It is forbidden to provide or entrust hazardous waste to unauthorized units or other production operators to engage in collection, storage, utilization, and disposal activities.

Article 81 The collection and storage of hazardous waste shall be classified according to the characteristics of hazardous waste. It is forbidden to mixedly collect, store, transport, and dispose of hazardous wastes of incompatible nature without safe disposal. Storage measures for hazardous wastes shall comply with national environmental protection standards. It is forbidden to store hazardous waste mixed with non-hazardous waste. Units engaged in the business activities of collecting, storing, using and disposing of hazardous wastes shall not store hazardous wastes for more than one year; if it is really necessary to extend the time limit, they shall report to the competent eco-environment department that issued the license for approval, Unless otherwise specified

Article 82 The transfer of hazardous wastes shall be completed and operated in accordance with the relevant regulations of the state. Units that need to transfer hazardous waste across regions should apply to the government for approval. The transfer of hazardous waste shall be completed within the prescribed time limit. No transfer is allowed without approval. The management of the transfer of hazardous wastes shall be controlled and improved throughout the process. The specific measures shall be formulated by MEE in conjunction with the competent department of transportation and public security of the State Council.

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Article 83 For the transportation of hazardous wastes, measures to prevent environmental pollution shall be taken, and the State's regulations on the management of transportation of dangerous goods shall be observed. It is forbidden to carry hazardous waste on the same transportation tools when carrying passengers.

Article 84 The places, facilities, equipment and containers, packaging and other articles used for collecting, storing, transporting, utilizing and disposing of hazardous wastes shall be submitted for decontamination in accordance with relevant national regulations before they can be used.

Article 85 Units that produce, collect, store, transport, utilize, and dispose of hazardous wastes shall formulate accident prevention measures and emergency plans in accordance with the law, and keep it on record with authorities; the competent authorities of ecological environment and other environmental protection supervision of solid waste pollution department responsible for management should conduct inspections.

Article 86 Units that cause hazardous wastes to seriously pollute the environment due to accidents or other unexpected events shall immediately take effective measures to eliminate or mitigate environmental pollution hazards, and promptly notify units and residents who may be subject to pollution hazards, and Report to the local eco-environmental authority and relevant departments for investigation and handling.

Article 87 When there is or there is evidence to prove that hazardous wastes may seriously pollute the environment and threaten the safety of residents' lives and property, the competent department of ecological environment or other departments in charge of supervision and management of environmental pollution prevention and control by solid wastes shall immediately report to the government who shall take effective measures to prevent or mitigate harm. The relevant government may order to stop the operations that

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cause or may lead to environmental pollution accidents as needed.

Article 88 Prior to the decommissioning of key hazardous waste centralized disposal facilities and sites, the operating unit shall take pollution prevention and control measures on the facilities and sites in accordance with relevant state regulations. Expenses for decommissioning shall be withheld and included in the investment budget or production costs, and shall be used exclusively for the decommissioning of key hazardous waste centralized disposal facilities and sites. The specific extraction and management measures shall be stipulated by the financial department and price department of the State Council in conjunction with MEE.

Article 89 It is forbidden to transfer hazardous waste through the transit of the People's Republic of China.

Article 90 Medical waste shall be managed in accordance with the National Catalogue of Hazardous Waste. The government shall strengthen the supervision and management of the collection, storage, transportation, and disposal of medical waste within the scope of its duties to prevent harm to public health and environmental pollution. Medical and health institutions shall collect medical wastes generated by their own units in accordance with the law and hand them over to the unit for centralized disposal of medical wastes. The unit for centralized disposal of medical waste shall collect, transport and dispose of medical waste in a timely manner. Medical and health institutions and units that centrally dispose of medical waste should take effective measures to prevent the loss, leakage, seepage, and spread of medical waste.

Article 91 When major emergencies such as epidemics of infectious diseases occur, the government shall coordinate the collection, storage, transportation, and disposal of hazardous wastes such as medical wastes, and ensure the necessary vehicles, sites, disposal facilities, and protective materials. The competent departments of sanitation, ecological environment, environmental sanitation,

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transportation, etc. should cooperate and perform their emergency response duties according to law.

Article 92-98 omit

Article 99 Units that collect, store, transport, utilize, and dispose of hazardous wastes shall buy environmental pollution liability insurance in accordance with relevant state regulations.

Article 100 The State encourages units and individuals to purchase and use comprehensive utilization products and reusable products. During the procurement process, the government should give priority to the purchase of comprehensive utilization products and reusable products.

Article 101 MEE or other departments in charge of the supervision and management of environmental pollution prevention and control of solid wastes violates the provisions of this Law and commits, one of the following acts, which shall be ordered to be corrected by government. The directly responsible person in charge and other directly responsible persons shall be punished according to law:

- (1) Failure to make an administrative license or handle approval documents in accordance with law;
- (2) Covering up illegal acts;
- (3) Those that have not been sealed up or detained according to law;
- (4) Failing to investigate and punish the illegal act after receiving the report of the illegal act;
- (5) There are other illegal acts such as abuse of power, negligence of duty, favoritism and other irregularities.

If an administrative punishment decision should be made in accordance with the provisions of this Law but not made, the competent department at a higher level may directly make an administrative punishment decision.

Article 102 One of the following acts shall be ordered to be corrected by MEE, a fine shall be imposed, and the illegal gains shall be confiscated; if the circumstances are serious, the government may order it to suspend business or shut down:

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- (1) The unit that generates, collects, stores, transports, utilizes, and disposes of solid waste fails to promptly disclose information on the prevention and control of environmental pollution by solid waste in accordance with law;
- (2) The domestic waste disposal unit fails to install and use monitoring equipment in accordance with relevant national regulations, monitor pollutant discharge in real time, and disclose pollutant discharge data;
- (3) Transferring the equipment that has been eliminated from the phase-out list to others for use;
- (4) Construction of facilities, places and domestic waste landfills for the centralized storage, utilization and disposal of industrial solid wastes and hazardous wastes in the ecological protection bottom line area, permanent basic farmland concentration area and other areas that require special protection;
- (5) The transfer of solid wastes out of the administrative areas of provinces, autonomous regions and municipalities without storage or disposal without approval;
- (6) The transfer of solid wastes out of the administrative regions of provinces, autonomous regions and municipalities directly under the Central Government has not been reported for the record;
- (7) Unauthorized dumping, stacking, discarding, or sprinkling of industrial solid waste, or failure to take corresponding preventive measures, causing industrial solid waste to be scattered, lost, leaked, or other environmental pollution;
- (8) The unit that produces industrial solid waste has not established a solid waste management account or recorded it truthfully;
- (9) The unit that produces industrial solid waste violates the provisions of this Law and entrusts others to transport, use and dispose of industrial solid waste;
- (10) Storing industrial solid waste without taking protective measures that meet national environmental protection standards;
- (11) Units and other production operators violate other requirements of solid waste management, pollute the environment and destroy the ecology.

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One of the first and eighth acts, a fine of more than 50,000 yuan but less than 200,000 yuan is imposed. One of the second, third, fourth, fifth, sixth, ninth, tenth, and eleventh acts, a fine of not less than 100,000 yuan but not more than one million yuan is initiated. If there is the seventh act, a fine of more than double and less than three times the required disposal cost shall be imposed, and if the required disposal cost is less than 100,000 yuan, it shall be counted as 100,000 yuan. For the punishment of the eleventh act, if the relevant laws and administrative regulations provide otherwise, the provisions shall apply.

Article 103 Anyone who violates the provisions of this Law by delaying, enclosing, or detaining law enforcement officer refuses or obstructs supervision and inspection, or commits fraud when accepting supervision and inspection, MEE or other solid wastes pollution environment department responsible for prevention, supervision and management shall order corrections and impose a fine of not less than 50,000 yuan but not more than 200,000 yuan; and those directly responsible and other directly responsible personnel shall be fined not less than 20,000 yuan but not more than 100,000 yuan.

Article 104 Units that produce industrial solid waste without obtaining a discharge permit in accordance with law shall be ordered by MEE to correct or restrict production, stop production and rectification, and impose a fine of not less than 100,000 yuan but not more than one million yuan; if the circumstances are serious, the government may order it to suspend business or shut down.

Article 105 Anyone who violates the provisions of this Law and the producers and operators fail to comply with the compulsory standards restricting excessive packaging of commodities shall be ordered to be corrected by the market supervision and management department of the local government; A fine of more than 2,000 yuan but less than 20,000 yuan; if the circumstances are serious, a fine of more than 20,000 yuan but less than 100,000 yuan shall be imposed.

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Article 106 Violating the provisions of this law, failing to comply with the national regulations prohibiting or restricting the use of non-degradable plastic bags and other disposable plastic products, or failing to report the use of plastic bags and other disposable plastic products in accordance with the relevant national regulations, The competent departments of commerce, postal and other local governments shall order corrections and impose a fine of more than 10,000 yuan but less than 100,000 yuan.

Article 107 Those engaged in large-scale livestock and poultry farming that fail to collect, store, use or dispose of livestock and poultry manure and other solid wastes generated in the course of breeding shall be ordered to make corrections by the competent department of ecology and environment and may be fined up to RMB 100,000 ; If the circumstances are serious, the government may order it to suspend business or shut down.

Article 108 In violation of the provisions of this Law, the maintenance and operation unit of the urban sewage treatment facility or the sludge treatment unit has not tracked or recorded the sludge flow direction, purpose, usage, etc., or the treated sludge does not meet the relevant national standards The municipal drainage department shall order correction and give a warning; if it causes serious consequences, it shall be fined not less than 100,000 yuan but not more than 200,000 yuan; if the refusal is not corrected, the urban drainage department may designate a unit capable of governance to do the governance. The cost is borne by the offender.

In violation of the provisions of this Law, unauthorized dumping, stacking, discarding, and sprinkling of sludge and treated sludge generated by urban sewage treatment facilities shall be ordered to be corrected by the urban drainage authority, and a fine of not less than RMB 200,000 but not more than RMB 2 million shall be imposed. , A fine of more than 20,000 yuan but less than 100,000 yuan shall be imposed on the directly responsible person in charge and other persons directly responsible; if a serious consequence is caused, a fine of more than 2 million yuan but less than 5 million yuan shall be

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imposed on the directly responsible person in charge and Other directly responsible persons shall be fined more than 50,000 yuan but less than 500,000 yuan; if they refuse to make corrections, the urban drainage authority may designate a unit with governance capability to do the governance on their behalf, and the costs shall be borne by the offender.

Article 109 In violation of the provisions of this Law, producing, selling, importing or using obsolete equipment, or adopting obsolete production processes, the department designated by the local government shall order corrections and impose over one hundred thousand yuan A fine of less than 10,000 yuan shall be confiscated for illegal gains; if the circumstances are serious, the government may order it to suspend business or shut down.

Article 110 If the storage facilities for mining solid wastes such as tailings, coal gangue, and waste rock have ceased to be used, and the site has not been closed correctly in accordance with the requirement of environmental protection regulations of the state, the competent department of ecological environment shall order it to make corrections and impose a fine with value not less than RMB 200,000 but not more than one million yuan.

Article 111 In violation of the provisions of this Law, one of the following acts shall be ordered to be corrected by the environmental health department of the local government, a fine shall be imposed, and the illegal gains shall be confiscated:

- (1) Dumping, throwing, stacking or burning domestic garbage at will;
- (2) Unauthorized closure, idleness, or dismantling of domestic garbage disposal facilities and sites;
- (3) The project construction unit fails to prepare a construction waste disposal plan for the record, or fails to promptly remove the solid waste generated during the construction process;
- (4) The construction unit dumps, throws away, or piles up construction waste generated during the construction process of the project without authorization, or fails to use or

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dispose of the solid waste generated during the construction process in accordance with regulations;

(5) Units that produce and collect food waste and other production operators have not handed over food waste to units with corresponding qualifications for harmless treatment;

(6) Livestock and poultry farms and breeding communities use non-hazardous treatment of kitchen waste to feed livestock and poultry;

(7) In the transportation process, domestic garbage is discarded or left behind.

The unit has one of the first and seventh acts of the preceding paragraph and is fined more than 50,000 yuan but less than 500,000 yuan; the unit has One of the second, third, fourth, fifth and sixth items of the preceding paragraph a fine of not less than 100,000 yuan but not more than one million yuan will be imposed; an individual has one of the acts of items 1, 5, and 7 of the preceding paragraph and a fine of not less than 100 yuan but not more than 500 yuan will be imposed. In violation of the provisions of this Law, if the household waste is not classified or put in the designated place, the local government shall order correction; if the circumstances are serious, a fine of 50,000 to 500,000 yuan shall be imposed on the unit. Individuals are fined according to law.

Article 112 In violation of the provisions of this law, one of the following acts shall be ordered by MEE to make corrections, impose a fine, and confiscate the illegal gains; if the circumstances are serious, it may be ordered to suspend business or close down the business by the local government:

(1) Failure to set up hazardous waste identification marks in accordance with regulations;

(2) Failure to formulate a hazardous waste management plan or declare hazardous waste related materials in accordance with relevant national regulations;

(3) Dumping or stacking hazardous waste without authorization;

(4) Providing or entrusting hazardous waste to unauthorized units or other production operators to engage in business activities;

(5) Failing to fill in or operate the hazardous waste transfer

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consignment or transfer hazardous waste without approval in accordance with relevant national regulations;

(6) Failing to store, utilize, dispose of hazardous waste or mix hazardous waste into non-hazardous waste in accordance with national environmental protection standards;

(7) Without safe disposal, mixed to collect, store, transport, and dispose of hazardous waste with incompatible properties;

(8) Carrying hazardous waste when carrying passengers on the same transportation tools;

9) Collecting, storing, transporting, and disposing of hazardous waste sites, facilities, equipment, containers, packaging, and other items have been used for other purposes usage but without decontamination before usage;

(10) Failure to take corresponding precautionary measures, resulting in the spread, loss, leakage or other environmental pollution of hazardous waste;

(11) Hazardous waste is discarded or left along the way during transportation;

(12) Failure to formulate preventive measures and emergency plans for hazardous waste accidents;

(13) Failure to establish a hazardous waste management record or and record it untruthfully in accordance with relevant state regulations.

Any of the first, second, fifth, sixth, seventh, eighth, ninth, twelfth, and thirteenth acts of the preceding paragraph shall be punished at a fine of more than one hundred thousand yuan but less than one million yuan; Any of the third, fourth, tenth, and eleventh acts of the preceding paragraph, a fine of more than three times of disposal cost but less than five times shall be imposed, if the fine is less than 200,000 yuan, it will be fined at min. 200,000 yuan.

Article 113 If a hazardous waste producer fails to dispose of the hazardous wastes produced in accordance with the provisions of this law shall be ordered to make corrections, if the unit refuses to make corrections, the department in charge of ecology and environment shall organize the disposal, the disposal costs shall be on the unit's account who generated the hazardous waste; if he refuses to bear the cost

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of handling it, he will be fined at more than one time of the disposal cost, but not more than three times.

Article 114 Anyone who engages in the business activities of collecting, storing, using, and disposing of hazardous waste without a license shall be ordered to make corrections by the competent department of ecology and environment, imposed a fine of more than 1 million yuan but less than 5 million yuan, and Local government may suspend business or close down the business if request is submitted by the competent department of ecology and environment ; it shall impose a fine of not less than RMB 100,000 but not more than RMB 1 million on the legal representative, principal person in charge, directly responsible person in charge and other responsible persons. Those who fail to engage in the business activities of collecting, storing, using, and disposing of hazardous wastes in accordance with the provisions of the permit shall be ordered by the competent department of ecology and environment to correct, restrict production, stop production and rectify, and impose a fine of more than 500,000 yuan but less than 2 million yuan; Person, main person in charge, directly responsible person in charge and other responsible personnel, shall be fined 50,000 to 500,000 yuan; if the circumstances are serious, it will be reported to the Government with the authority to approve and suspend or close the business. The license is revoked by the issuing authority.

Article 115 Anyone who imports solid wastes outside the People's Republic of China into the territory in violation of the provisions of this Law shall be ordered by the customs to return the solid wastes and shall be fined not less than 500,000 yuan but not more than 5 million yuan. The carrier shall bear joint and several liability with the importer for the return and disposal of the solid waste specified in the preceding paragraph.

Article 116 Anyone who violates the provisions of this Law and transfers hazardous waste through the People's Republic of China shall be ordered by the customs to return the hazardous

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waste and be fined not less than 500,000 yuan but not more than 5 million yuan.

Article 117 For the solid waste that has entered the country illegally, the department in charge of ecology and environment of the people's government at or above the provincial level shall submit a disposal opinion to the customs, and the customs shall make a punishment decision in accordance with the provisions of Article 115 of this Law; If environmental pollution has been caused, the department in charge of ecological environment of local government at or above the provincial level shall order the importer to eliminate the pollution.

Article 118 Anyone who violates the provisions of this Law and causes an environmental accident caused by solid wastes shall be liable for compensation in accordance with the law. Or environmental accidents caused by extremely large solid wastes can also be closed down after being reported to the government. If general or large environmental accident caused by solid wastes is found, the fine shall be calculated at more than one time but less than three times of the direct economic loss caused by the accident; A penalty of less than five times but above three times of direct loss shall be imposed if very large pollution incident happens and a fine of not more than 50% of the income obtained from the unit in the last year shall be imposed on the legal representative, principal person in charge, directly responsible person in charge and other responsible persons.

Article 119 Units and other production and business operators who discharge solid waste in violation of the provisions of this Law are fined and ordered to make corrections, the administrative organ that has made a decision on punishment according to law shall organize a review and find that it continues to commit the illegal act. In accordance with the provisions of the "Environmental Protection Law of the People's Republic of China", continuous daily penalties are imposed.

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Article 120 If one of the following acts violates the provisions of this Law and does not constitute a crime, the public security organ shall punish the legal representative, main person in charge, directly responsible person in charge and other responsible persons for not less than ten days but not more than fifteen detention; if the circumstances are less serious, detention from more than five days to less than ten days:

(1) Unauthorized dumping, stacking, discarding, or sprinkling of solid waste, causing serious consequences;

(2) In the ecological protection bottom line area, permanent basic farmland concentration area and other areas that require special protection, the establishment of facilities, places and domestic waste landfills for the centralized storage, utilization and disposal of industrial solid waste and hazardous waste;

(3) Providing or entrusting hazardous waste to unauthorized units or other production operators for stacking, utilization, and disposal;

(4) Engaging in the business activities of collecting, storing, utilizing and disposing of hazardous wastes without a permit or in accordance with the provisions of the permit;

(5) Unauthorized transfer of hazardous waste without approval;

(6) Failure to take precautionary measures, resulting in the spread, loss, leakage or other serious consequences of hazardous waste.

Article 121 Where solid waste pollutes the environment, destroys the ecology, or harms the national interests or public interests, the relevant organs and organizations may follow the "Environmental Protection Law of the People's Republic of China", "Civil Procedure Law of the People's Republic of China", "China The People's Republic of China Administrative Procedural Law and other legal provisions bring a lawsuit to the people's court.

Article 122 Where solid waste pollutes the environment and destroys the ecology and causes great losses to the country, the district-level local people's government at or above the municipal level or its designated department or organization

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shall organize the unit and other units that cause environmental pollution and ecological damage. The producers and operators conduct consultations and require them to bear the liability for damages; if the consultations do not reach an agreement, they can file a lawsuit in the people's court.

For the solid wastes that cannot be identified as responsible persons or cannot be returned during the enforcement process, the local people's government at or above the county level shall organize the disposal.

Article 123 If a violation of the provisions of this law constitutes a violation of public security, the public security organ shall impose punishment on public security management according to law; if it constitutes a crime, it shall be investigated for criminal responsibility according to law; and if it causes personal or property damage, it shall bear civil liability in accordance with law.

Article 124 The define of the following terms in this Law:

(1) Solid waste refers to the solid, semi-solid and gaseous articles and substances generated in production, life and other activities that have lost their original use value or have been discarded or abandoned although they have not lost their use value. As well as articles and substances included in the management of solid wastes as required by laws and administrative regulations. Unless it is processed harmlessly and complies with compulsory national product quality standards, it will not endanger public health and ecological safety, or it is determined not to be solid waste according to the solid waste identification standards and identification procedures.

(2) Industrial solid waste refers to solid waste generated in industrial production activities.

(3) Domestic waste refers to solid waste generated in daily life or activities that provide services for daily life, as well as solid waste deemed to be domestic waste according to laws and administrative regulations.

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(4) Construction garbage refers to construction units, construction units constructing, rebuilding, expanding and demolishing various buildings, structures, pipe networks, etc., as well as spoils, materials and other solid wastes generated by residents during the decoration and decoration of houses.

(5) Agricultural solid waste refers to solid waste generated in agricultural production activities.

(6) Hazardous waste refers to solid wastes with hazardous characteristics that are listed in the National Hazardous Waste List or identified according to the hazardous waste identification standards and identification methods prescribed by the state.

(7) Storage refers to the activity of temporarily placing solid waste in a specific facility or place.

(8) Utilization refers to the activity of extracting substances from solid waste as raw materials or fuel.

(9) Disposal refers to the activities of incineration of solid waste and other methods to change the physical, chemical and biological characteristics of solid waste to reduce the amount of solid waste produced, reduce the volume of solid waste, reduce or eliminate its hazardous components, Or the event that the solid waste is eventually placed in a landfill that meets the requirements of environmental protection regulations.

Article 125 This Law shall apply to the prevention and control of pollution of liquid wastes; however, shall not apply to the prevention and control of pollution of waste water discharged into water bodies.

Article 126 This Law shall come into force on September 1, 2020.



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