

# ENVIRONMENTAL PROTECTION LAW OF THE PEOPLE'S REPUBLIC OF CHINA 中华人民共和国环境保护法

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# Chapter I General Provisions

## 第一章 总则

**Article 1** This Law is enacted to protect and improve the environment, prevent and control pollution and other public hazards, assure the public's health, promote the construction of an ecological civilization, and facilitate the sustainable development of the economy and society.

第一条 为保护和改善环境，防治污染和其他公害，保障公众健康，推进生态文明建设，促进经济社会可持续发展，制定本法。

**Article 2** "Environment" as used in this Law refers to the entirety of all the natural and artificially transformed natural elements affecting human existence and development, including the atmosphere, water, ocean, land, minerals, forests, grasslands, wildlife, natural and human remains, nature reserves, historic sites, scenic spots, and urban and rural areas.

第二条 本法所称环境，是指影响人类生存和发展的各种天然的和经过人工改造的自然因素的总体，包括大气、水、海洋、土地、矿藏、森林、草原、湿地、野生生物、自然遗迹、人文遗迹、自然保护区、风景名胜区、城市和乡村等。

**Article 3** This Law shall apply to the territory of the People's Republic of China and other sea areas under the jurisdiction of the People's Republic of China.

第三条 本法适用于中华人民共和国领域和中华人民共和国管辖的其他海域。

**Article 4** The protection of the environment shall be a basic policy of the State.

第四条 保护环境是国家的基本国策。

The State shall adopt economic and technological policies and measures that are propitious to the saving and recycling of resources, protection and improvement of the environment, and promotion of harmony between humankind and nature to facilitate the balance between economic and social developments and environmental protection.

国家采取有利于节约和循环利用资源、保护和改善环境、促进人与自然和谐的经济、技术政策和措施，使经济社会发展与环境保护相协调。

**Article 5** Environmental protection shall uphold the principles of protection first, prevention as the focus, comprehensive treatment, participation of the public, and accountability for damages.

第五条 环境保护坚持保护优先、预防为主、综合治理、公众参与、损害担责的原则。



**Article 6** All units and individuals shall have the obligation to protect the environment.  
第六条 一切单位和个人都有保护环境的义务。

The People's Government at each local level shall be responsible for the environmental quality in its administrative area.

地方各级人民政府应当对本行政区域的环境质量负责。

Enterprises, public institutions, and other production operators shall prevent and reduce environmental pollution and ecological damage and bear the responsibility for the resulting damages in accordance with the law.

企业事业单位和其他生产经营者应当防止、减少环境污染和生态破坏，对所造成的损害依法承担责任。

Citizens shall enhance their environmental awareness, live a low-carbon, frugal lifestyle, and conscientiously fulfill their obligation to protect the environment.

公民应当增强环境保护意识，采取低碳、节俭的生活方式，自觉履行环境保护义务。

**Article 7** The State shall support the research, development, and application of science and technology to protect the environment, encourage the development of the environmental protection industry, promote the development of information technology for environmental protection, and improve the level of science and technology for environmental protection.

第七条 国家支持环境保护科学技术研究、开发和应用，鼓励环境保护产业发展，促进环境保护信息化建设，提高环境保护科学技术水平。

**Article 8** The People's Government at each level shall increase its financial investment in the protection and improvement of the environment, prevention and control of pollution and other public hazards, and improve efficiency in using financial resources.

第八条 各级人民政府应当加大保护和改善环境、防治污染和其他公害的财政投入，提高财政资金的使用效益。

**Article 9** The People's Government at each level shall strengthen environmental protection advocacy and outreach efforts to encourage grass-roots, mass self-government organizations, community organizations, and environmental protection volunteers to promulgate environmental protection laws and regulations, as well as environmental protection knowledge, and create a good atmosphere for environmental protection.

第九条 各级人民政府应当加强环境保护宣传和普及工作，鼓励基层群众性自治组织、社会组织、环境保护志愿者开展环境保护法律法规和环境保护知识的宣传，营造保护环境的良好风气。



Education and administrative departments and schools shall include environmental protection knowledge into school textbooks to nurture the students' awareness of environmental protection.  
教育行政部门、学校应当将环境保护知识纳入学校教育内容，培养学生的环境保护意识。

News media shall [announce] environmental protection laws and regulations as well as environmental knowledge and carry out the supervision of environmental violations by public opinion.

新闻媒体应当开展环境保护法律法规和环境保护知识的宣传，对环境违法行为进行舆论监督。

**Article 10** The responsible department of environmental protection under the State Council shall conduct unified supervision and administration of the environmental protection work throughout the country; the responsible departments of environmental protection administration of the local people's governments at or above the county level shall conduct unified supervision and administration of the environmental protection work within the areas under their jurisdiction.

第十条 国务院环境保护主管部门，对全国环境保护工作实施统一监督管理；县级以上地方人民政府环境保护主管部门，对本行政区域环境保护工作实施统一监督管理。

The relevant departments of the local people's governments at or above the county level and the departments of environmental protection of the military shall conduct supervision and administration of the environmental protection work such as resource protection and pollution prevention and control in accordance with the regulations of relevant laws.

县级以上人民政府有关部门和军队环境保护部门，依照有关法律的规定对资源保护和污染防治等环境保护工作实施监督管理。

**Article 11** The people's government shall give out awards to work units and individuals that have made outstanding achievements in protecting and improving the environment.

第十一条 对保护和改善环境有显著成绩的单位和个人，由人民政府给予奖励。

**Article 12** June 5 of each year shall be Environment Day.

第十二条 每年6月5日为环境日。



## Chapter II Supervision and Management of the Environment

### 第二章 监督管理

**Article 13** The people's governments at or above the county level shall incorporate environmental protection work into the planning for the national economy and social development.

第十三条 县级以上人民政府应当将环境保护工作纳入国民经济和社会发展规划。

The responsible department of environmental protection under the State Council shall work with the relevant departments to formulate a national environmental protection plan according to the national economy and social development and submit it to the State Council for approval and promulgation of implementation.

国务院环境保护主管部门会同有关部门，根据国民经济和社会发展规划编制国家环境保护规划，报国务院批准并公布实施。

The responsible departments of environmental protection administration of the local people's governments at or above the county level shall work with the relevant departments to formulate an environmental protection plan for their administrative areas according to the requirements of the national environmental protection plan and submit it to the people's government of the same level for approval and promulgation of implementation.

县级以上地方人民政府环境保护主管部门会同有关部门，根据国家环境保护规划的要求，编制本行政区域的环境保护规划，报同级人民政府批准并公布实施。

The contents of the environmental protection plans shall include ecological protection and the goals, tasks, and pollution prevention and control safeguards in connection with the planning of the main functional areas, overall planning of land use, and urban and rural planning.

环境保护规划的内容应当包括生态保护和污染防治的目标、任务、保障措施等，并与主体功能区规划、土地利用总体规划和城乡规划等相衔接。



**Article 14** The relevant departments of the State Council and the people's governments of the provinces, autonomous regions, and municipalities directly under the Central Government shall give full consideration to environmental impact and listen to comments from stakeholders and experts when organizing and formulating the economic and technical policies.

第十四条 国务院有关部门和省、自治区、直辖市人民政府组织制定经济、技术政策，应当充分考虑对环境的影响，听取有关方面和专家的意见。

**Article 15** The responsible department of environmental protection under the State Council shall establish the national standards for environmental quality.

第十五条 国务院环境保护主管部门制定国家环境质量标准。

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may establish their local standards for the environmental quality of items not specified in the national environmental quality standards and may set local environmental quality standards that are more stringent than the national environmental quality standards. The local environmental quality standards shall be reported to the responsible department of environmental protection under the State Council for the record.

省、自治区、直辖市人民政府对国家环境质量标准中未作规定的项目，可以制定地方环境质量标准；对国家环境质量标准中已作规定的项目，可以制定严于国家环境质量标准的地方环境质量标准。地方环境质量标准应当报国务院环境保护主管部门备案。

The State shall encourage research on basic environmental standards.

国家鼓励开展环境基准研究。

**Article 16** The responsible department of environmental protection under the State Council shall establish the national pollutant discharge standards in accordance with the national environmental quality standards and the country's economic and technological conditions.

第十六条 国务院环境保护主管部门根据国家环境质量标准和国家经济、技术条件，制定国家污染物排放标准。

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government may establish their local standards for the pollutant discharge of items not specified in the national pollutant discharge standards and may set local pollutant discharge standards that are more stringent than the national pollutant discharge standards. The local pollutant discharge standards shall be reported to the responsible department of environmental protection under the State Council for the record.

省、自治区、直辖市人民政府对国家污染物排放标准中未作规定的项目，可以制定地方污染物排放标准；对国家污染物排放标准中已作规定的项目，可以制定严于国家污染物排放标准的国家污染物排放标准。地方污染物排放标准应当报国务院环境保护主管部门备案。





**Article 17** The State shall establish and improve an environmental monitoring system. The responsible department of environmental protection under the State Council shall formulate the monitoring norms, organize a monitoring network in conjunction with the relevant departments, provide a unified plan for the establishment of the national environmental quality monitoring stations (points), create a mechanism for the sharing of monitoring data, and strengthen the management of environmental monitoring.

第十七条 国家建立、健全环境监测制度。国务院环境保护主管部门制定监测规范，会同有关部门组织监测网络，统一规划国家环境质量监测站（点）的设置，建立监测数据共享机制，加强对环境监测的管理。

The establishment of various environmental quality monitoring stations (points) by the relevant industries and professions shall be in compliance with the regulations of laws and rules and the requirements of the monitoring norms.

有关行业、专业等各类环境质量监测站（点）的设置应当符合法律法规规定和监测规范的要求。

The monitoring agencies shall use monitoring equipment that meets the national standards and observe monitoring norms. The monitoring agencies and their heads are responsible for the authenticity and accuracy of monitoring data.

监测机构应当使用符合国家标准的监测设备，遵守监测规范。监测机构及其负责人对监测数据的真实性和准确性负责。

**Article 18** The people's governments at or above the provincial level shall organize the relevant departments or commission a professional institution to investigate and evaluate the environmental conditions to establish monitoring and early warning mechanisms for the carrying capacity of environmental resources.

第十八条 省级以上人民政府应当组织有关部门或者委托专业机构，对环境状况进行调查、评价，建立环境资源承载能力监测预警机制。

**Article 19** The preparation of development and utilization plans, as well as construction of projects with environmental impacts, shall conduct environmental impact assessment in accordance with the law.

第十九条 编制有关开发利用规划，建设对环境有影响的项目，应当依法进行环境影响评价。

Development and utilization plans for which environmental impact assessment has not been conducted in accordance with the law may not be organized for implementation; construction projects for which environmental impact assessment has not been conducted may not be started. 未依法进行环境影响评价的开发利用规划，不得组织实施；未依法进行环境影响评价的建设项目，不得开工建设。





**Article 20** The State shall establish a joint prevention and control coordination mechanism across administrative regions for key areas, watershed environmental pollution, and ecological destruction to implement unified planning, unified standards, unified monitoring, and unified prevention and control measures.

第二十条 国家建立跨行政区域的重点区域、流域环境污染和生态破坏联合防治协调机制，实行统一规划、统一标准、统一监测、统一的防治措施。

Prevention and control of environmental pollution and ecological destruction across administrative regions other than those specified in the preceding paragraph shall be coordinated and resolved by the higher people's government or negotiated and resolved by the relevant local people's governments.

前款规定以外的跨行政区域的环境污染和生态破坏的防治，由上级人民政府协调解决，或者由有关地方人民政府协商解决。

**Article 21** The State shall adopt policies and measures of finance, taxation, pricing, and government procurement, etc., to encourage and support the development of environmental protection industries such as environmental protection technology and equipment, comprehensive utilization of resources, and environmental services.

第二十一条 国家采取财政、税收、价格、政府采购等方面的政策和措施，鼓励和支持环境保护技术装备、资源综合利用和环境服务等环境保护产业的发展。

**Article 22** The people's governments shall adopt policies and measures of finance, taxation, pricing, and government procurement, etc. in accordance with the law to encourage and support enterprises, public institutions, and other production operators that further reduce pollutant discharge beyond meeting the mandatory requirements of pollutant discharge

第二十二条 企业事业单位和其他生产经营者，在污染物排放符合法定要求的基础上，进一步减少污染物排放的，人民政府应当依法采取财政、税收、价格、政府采购等方面的政策和措施予以鼓励和支持。

**Article 23** The people's governments shall support enterprises, public institutions, and other production operators that undertake conversion, relocation, and shutdown to improve the environment in accordance with the relevant regulations.

第二十三条 企业事业单位和其他生产经营者，为改善环境，依照有关规定转产、搬迁、关闭的，人民政府应当予以支持。

**Article 24** The responsible departments of environmental protection of the people's governments at or above the county level and their authorized environmental monitoring agencies, as well as other departments with the responsibility of environmental protection supervision and administration, shall be empowered to make on-site inspections of enterprises, public institutions,



and other production operators that discharge pollutants. Those being inspected shall truthfully report the situation and provide the necessary information. The departments, agencies, and their staff conducting the on-site inspections shall keep confidential the business secrets of those being inspected.

第二十四条 县级以上人民政府环境保护主管部门及其委托的环境监察机构和其他负有环境保护监督管理职责的部门，有权对排放污染物的企业事业单位和其他生产经营者进行现场检查。被检查者应当如实反映情况，提供必要的资料。实施现场检查的部门、机构及其工作人员应当为被检查者保守商业秘密。

**Article 25** The responsible departments of environmental protection of the people's governments at or above the county level and other departments with the responsibility of environmental protection supervision and administration can close down and seize facilities and equipment that cause pollutant discharges of those enterprises, public institutions, and other production operations that discharge pollutants in violation of the regulations of laws and rules, causing or likely to cause severe pollution.

第二十五条 企业事业单位和其他生产经营者违反法律法规规定排放污染物，造成或者可能造成严重污染的，县级以上人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门，可以查封、扣押造成污染物排放的设施、设备。

**Article 26** The State shall implement a system of environmental protection target accountability and performance evaluation. The people's governments at or above the county level shall include the completion of environmental protection targets as part of the evaluation of departments with the responsibility of supervision and administration of environmental protection of the people's governments of the same level and their heads, as well as the people's governments of lower levels and their heads, and use it as an important basis for their performance evaluation. The evaluation results shall be made public.

第二十六条 国家实行环境保护目标责任制和考核评价制度。县级以上人民政府应当将环境保护目标完成情况纳入对本级人民政府负有环境保护监督管理职责的部门及其负责人和下级人民政府及其负责人的考核内容，作为对其考核评价的重要依据。考核结果应当向社会公开。

**Article 27** The people's governments at or above the county level shall report the environmental conditions and completion of environmental protection targets to the People's Congress or the Standing Committee of the People's Congress of the same level every year; serious environmental accidents shall be reported to the Standing Committee of the People's Congress promptly to be supervised in accordance with the law.

第二十七条 县级以上人民政府应当每年向本级人民代表大会或者人民代表大会常务委员会报告环境状况和环境保护目标完成情况，对发生的重大环境事件应当及时向本级人民代表大会常务委员会报告，依法接受监督。



## Chapter III Protection and Improvement of the Environment

### 第三章 保护和改善环境

**Article 28** The local people's governments at each level shall take effective measures to improve the environmental quality according to the environmental protection targets and control tasks.  
第二十八条 地方各级人民政府应当根据环境保护目标和治理任务，采取有效措施，改善环境质量。

The local people's governments of the key areas and watersheds that have not met the national environmental quality standards shall develop plans to meet the standards within a certain period of time and take measures to meet the standards within the period.

未达到国家环境质量标准的重点区域、流域的有关地方人民政府，应当制定限期达标规划，并采取措​​施按期达标。

**Article 29** The State shall draw ecological protection red lines in key ecological function areas, ecologically sensitive environmental areas and vulnerable areas, and other areas to implement strict protection.

第二十九条 国家在重点生态功能区、生态环境敏感区和脆弱区等区域划定生态保护红线，实行严格保护。

The people's governments at each level shall take measures to protect regions representing various types of natural ecological systems, regions with a natural distribution of rare and endangered wild animals and plants, regions where major sources of water are conserved, geological structures of major scientific and cultural value, famous regions where karst caves and fossil deposits are distributed, traces of glaciers, volcanos and hot springs, traces of human history, and ancient and precious trees. Damage to the above shall be strictly forbidden.

各级人民政府对具有代表性的各种类型的自然生态系统区域，珍稀、濒危的野生动植物自然分布区域，重要的水源涵养区域，具有重大科学文化价值的地质构造、著名溶洞和化石分布区、冰川、火山、温泉等自然遗迹，以及人文遗迹、古树名木，应当采取措施予以保护，严禁破坏。



**Article 30** The development and utilization of natural resources shall be reasonable for the conservation of biodiversity and protection of ecological safety; ecological protection and recovery management programs shall be developed and implemented in accordance with the law.

第三十条 开发利用自然资源，应当合理开发，保护生物多样性，保障生态安全，依法制定有关生态保护和恢复治理方案并予以实施。

Measures shall be taken to prevent damage to biodiversity in the introduction of exotic species and research, development and use of biotechnology.

引进外来物种以及研究、开发和利用生物技术，应当采取措施，防止对生物多样性的破坏。

**Article 31** The State shall establish and improve a compensation system for ecological protection.

第三十一条 国家建立、健全生态保护补偿制度。

The State shall increase fiscal transfer payments to areas of ecological protection. The local people's governments shall commit the funds of compensation for ecological protection to the actual use in the compensation for ecological protection.

国家加大对生态保护地区的财政转移支付力度。有关地方人民政府应当落实生态保护补偿资金，确保其用于生态保护补偿。

The State shall guide the local people's governments of benefit areas and environmental protection areas in their provision of compensation for ecological protection through negotiations or according to market rules.

国家指导受益地区和生态保护地区人民政府通过协商或者按照市场规则进行生态保护补偿。

**Article 32** The State shall provide better protection of the air, water and soil and establish and improve the relevant investigation, monitoring, assessment, and recovery systems.

第三十二条 国家加强对大气、水、土壤等的保护，建立和完善相应的调查、监测、评估和修复制度。

**Article 33** The people's governments at each level shall provide better protection of the agricultural environment, promote the use of new agricultural environment protection technology, enhance the monitoring and early warning for agricultural pollution sources, coordinate the relevant departments for the implementation of measures, prevent and control soil pollution and soil desertification, salinization, impoverishment, rocky desertification, and land subsidence, prevent and control ecological imbalance phenomena such as vegetation destruction, soil erosion, eutrophication of water bodies, water depletion, species extinction, etc., and promote the comprehensive prevention and control of plant pests. The people's governments at county or village levels shall increase public service level for rural environmental protection and promote the comprehensive remediation of rural environment.



第三十三条 各级人民政府应当加强对农业环境的保护，促进农业环境保护新技术的使用，加强对农业污染源的监测预警，统筹有关部门采取措施，防治土壤污染和土地沙化、盐渍化、贫瘠化、石漠化、地面沉降以及防治植被破坏、水土流失、水体富营养化、水源枯竭、种源灭绝等生态失调现象，推广植物病虫害的综合防治。县级、乡级人民政府应当提高农村环境保护公共服务水平，推动农村环境综合整治。

**Article 34** The State Council and the people's governments at each level in coastal areas shall provide better protection for the marine environment. Discharge of pollutants and dumping of wastes into the seas, construction of coastal projects and ocean engineering must be conducted in compliance with the regulations of laws and rules and relevant standards so as to guard against the pollution and damage of the marine environment.

第三十四条 国务院和沿海地方各级人民政府应当加强对海洋环境的保护。向海洋排放污染物、倾倒废弃物，进行海岸工程和海洋工程建设，应当符合法律法规规定和有关标准，防止和减少对海洋环境的污染损害。

**Article 35** Urban and rural construction shall take into consideration the special features of the local natural environment to protect its vegetation, waters and natural landscape and enhance the construction and management of gardens, green land and historic sites, and scenic spots in urban areas.

第三十五条 城乡建设应当结合当地自然环境的特点，保护植被、水域和自然景观，加强城市园林、绿地和风景名胜区的建设与管理。

**Article 36** The State shall encourage and guide the citizens, legal persons, and other organizations to use environmentally friendly products and recycled products to reduce waste generation.

第三十六条 国家鼓励和引导公民、法人和其他组织使用有利于保护环境的产品和再生产品，减少废弃物的产生。

State agencies and other organizations that use the fiscal funds shall give priority to the procurement and use of environmentally friendly products, equipment and facilities that can save energy, water, and materials and are beneficial to environmental protection.

国家机关和使用财政资金的其他组织应当优先采购和使用节能、节水、节材等有利于保护环境的产品、设备和设施。

**Article 37** The local people's governments at each level shall take measures to organize the sorting, disposal, and recycling of domestic waste.

第三十七条 地方各级人民政府应当采取措施，组织对生活废弃物的分类处置、回收利用。



**Article 38** Citizens shall comply with the environmental laws and rules, assist in the implementation of environmental protection measures, sort and place domestic waste in accordance with the regulations, and reduce damage to the environment caused by everyday life.  
第三十八条 公民应当遵守环境保护法律法规，配合实施环境保护措施，按照规定对生活废弃物进行分类放置，减少日常生活对环境造成的损害。

**Article 39** The State shall establish and improve monitoring, investigation, and risk assessment systems for the environment and health, encourage and organize research on the impact of environmental quality on public health, and take measures to prevent and control diseases linked to environmental pollution.  
第三十九条 国家建立、健全环境与健康监测、调查和风险评估制度；鼓励和组织开展环境质量对公众健康影响的研究，采取措施预防和控制与环境污染有关的疾病。





## Chapter IV Prevention and Control of Environmental Pollution and Other Public Hazards

### 第四章 防治污染和其他公害

**Article 40** The State shall promote clean production and resource recycling.  
第四十条 国家促进清洁生产和资源循环利用。

The relevant departments under the State Council and the local people's governments at each level shall take measures to promote the production and use of clean energy.  
国务院有关部门和地方各级人民政府应当采取措施，推广清洁能源的生产和使用。

Enterprises shall give priority to the use of clean energy, use technology and equipment with high resource utilization rate and low pollutant discharge as well as comprehensive waste utilization technologies and harmless pollutant treatment technologies, and reduce pollutant generation.  
企业应当优先使用清洁能源，采用资源利用率高、污染物排放量少的工艺、设备以及废弃物综合利用技术和污染物无害化处理技术，减少污染物的产生。

**Article 41** The pollution prevention and control facilities of construction projects shall be designed, constructed, and put into use at the same time as the principal part of the project. The pollution prevention and control facilities shall comply with the requirements of the approved environmental impact assessment document and shall not be dismantled or left idle without approval.  
第四十一条 建设项目中防治污染的设施，应当与主体工程同时设计、同时施工、同时投产使用。防治污染的设施应当符合经批准的环境影响评价文件的要求，不得擅自拆除或者闲置。

**Article 42** Enterprises, public institutions, and other production operators that discharge pollutants shall take measures to prevent and control the pollution and damage to the environment caused by waste gas, waste water, waste dregs, medical waste, dust, malodorous gas, radioactive substances, noise, vibration, optical radiation, and electromagnetic radiation, etc.  
第四十二条 排放污染物的企业事业单位和其他生产经营者，应当采取措施，防治在生产建设或者其他活动中产生的废气、废水、废渣、医疗废物、粉尘、恶臭气体、放射性物质以及噪声、振动、光辐射、电磁辐射等对环境的污染和危害。

Enterprises and public institutions that discharge pollutants shall establish an environmental protection accountability system and clarify the responsibilities of the responsible person and related personnel.





排放污染物的企业事业单位，应当建立环境保护责任制度，明确单位负责人和相关人员的责任。

Key pollution discharge entities shall install and use monitoring equipment in accordance with the State's relevant regulations and monitoring standards, ensure the proper operation of the monitoring equipment, and save the original monitoring records.

重点排污单位应当按照国家有关规定和监测规范安装使用监测设备，保证监测设备正常运行，保存原始监测记录。

It is strictly prohibited to discharge pollutants illegally through regulation-evading methods such as underground pipes, seepage wells, soakaways, and perfusion, or by falsifying and forging monitoring data, or abnormal operation of pollution prevention and control facilities.

严禁通过暗管、渗井、渗坑、灌注或者篡改、伪造监测数据，或者不正常运行防治污染设施等逃避监管的方式违法排放污染物。

**Article 43** Enterprises, public institutions, and other production operators that discharge pollutants shall pay pollution discharge fees in accordance with the State's relevant regulations. All the pollution discharge fees shall be designated for environmental pollution prevention and control and may not be withheld, misappropriated, or diverted for other purposes by any entity or individual.

第四十三条 排放污染物的企业事业单位和其他生产经营者，应当按照国家有关规定缴纳排污费。排污费应当全部专项用于环境污染防治，任何单位和个人不得截留、挤占或者挪作他用。

No pollution discharge fee shall be collected where environmental protection tax is levied in accordance with the law.

依照法律规定征收环境保护税的，不再征收排污费。

**Article 44** The State shall implement a total pollutant-load control system for major pollutants. The total pollutant-load control targets for major pollutants shall be issued by the State Council for the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government to separate and implement. At the same time of implementing the State's and local pollutant discharge standards, enterprises and public institutions shall also comply with the total pollutant-load control targets for major pollutants that have been separated and assigned for their own entities to implement.

第四十四条 国家实行重点污染物排放总量控制制度。重点污染物排放总量控制指标由国务院下达，省、自治区、直辖市人民政府分解落实。企业事业单位在执行国家和地方污染物排放标准的同时，应当遵守分解落实到本单位的重点污染物排放总量控制指标。

The responsible departments of the people's governments at or above the provincial level shall suspend the approval of environmental impact assessment documents for new construction project total major pollutant discharge loads in the regions that have exceeded the total pollutant load



control targets for major pollutants or have not completed the environmental quality targets specified by the State.

对超过国家重点污染物排放总量控制指标或者未完成国家确定的环境质量目标的地区，省级以上人民政府环境保护主管部门应当暂停审批其新增重点污染物排放总量的建设项目环境影响评价文件。

**Article 45** The State shall implement the pollutant discharge permit administration system in accordance with the law.

第四十五条 国家依照法律规定实行排污许可管理制度。

Enterprises, public institutions, and other production operators that are under the control of the pollutant discharge permit administration system shall discharge pollutants according to the requirements of the pollutant discharge permit; those that have not obtained the discharge permit shall not discharge pollutants.

实行排污许可管理的企业事业单位和其他生产经营者应当按照排污许可证的要求排放污染物；未取得排污许可证的，不得排放污染物。

**Article 46** The State shall implement an elimination system for technologies, equipment, and products that cause severe environmental pollution. No entity or individual may produce, sell or transfer, use technologies, equipment, and products that cause severe environmental pollution.

第四十六条 国家对严重污染环境的工艺、设备和产品实行淘汰制度。任何单位和个人不得生产、销售或者转移、使用严重污染环境的工艺、设备和产品。

It is prohibited to import any technology or facility that fails to meet the requirements specified in [the State's] environmental protection regulations.

禁止引进不符合我国环境保护规定的技术、设备、材料和产品。

**Article 47** The people's governments at each level and their relevant departments and enterprises and public institutions shall ensure to be ready for risk control, emergency preparedness, emergency response, and post-disaster restoration for environmental emergency accidents in accordance with the regulations of the *Emergency Response Law of the People's Republic of China*.

第四十七条 各级人民政府及其有关部门和企业事业单位，应当依照《中华人民共和国突发事件应对法》的规定，做好突发环境事件的风险控制、应急准备、应急处置和事后恢复等工作。

The people's governments at or above the county level shall establish an environmental pollution public monitoring and early warning mechanism and organize the development of an early warning plan; they shall promptly publicize early warning information and start the emergency response



measures in accordance with the law when environmental pollution may affect public health and environmental safety.

县级以上人民政府应当建立环境污染公共监测预警机制，组织制定预警方案；环境受到污染，可能影响公众健康和环境安全时，依法及时公布预警信息，启动应急措施。

Enterprises and public institutions shall draw up contingency plans for environmental emergencies in accordance with the State's relevant regulations and report them to the responsible departments of environmental protection and the relevant departments for the record. When an environmental emergency occurs or may occur, enterprises and public institutions shall take immediate measures to deal with [the emergency], notify the units and residents that may be endangered, and report [the emergency] to the responsible departments of environmental protection and the relevant departments.

企业事业单位应当按照国家有关规定制定突发环境事件应急预案，报环境保护主管部门和有关部门备案。在发生或者可能发生突发环境事件时，企业事业单位应当立即采取措施处理，及时通报可能受到危害的单位和居民，并向环境保护主管部门和有关部门报告。

After the environmental emergency response work has been completed, the relevant people's governments shall immediately organize an assessment of the environmental impact and loss caused by the event, and promptly make the assessment results public.

突发环境事件应急处置工作结束后，有关人民政府应当立即组织评估事件造成的环境影响和损失，并及时将评估结果向社会公布。

**Article 48** The production, storage, transportation, sale, use, and disposal of chemicals and materials containing radioactive substances shall comply with the State's relevant regulations to prevent environmental pollution.

第四十八条 生产、储存、运输、销售、使用、处置化学物品和含有放射性物质的物品，应当遵守国家有关规定，防止污染环境。

**Article 49** The people's governments at each level and their departments and agencies of agriculture shall guide agricultural production operators in scientific cultivation and breeding, scientific and rational application of pesticides, fertilizers and other agricultural inputs, scientific disposal of agricultural films, crop stalks, and other agricultural waste to prevent agricultural nonpoint source pollution.

第四十九条 各级人民政府及其农业等有关部门和机构应当指导农业生产经营者科学种植和养殖，科学合理施用农药、化肥等农业投入品，科学处置农用薄膜、农作物秸秆等农业废弃物，防止农业面源污染。

It is prohibited to put into agricultural land solid waste and wastewater that do not comply with agricultural use standards and environmental protection standards. Appropriate measures shall be



taken during application of pesticides, fertilizers, other agricultural inputs, and irrigation to prevent environmental pollution caused by heavy metals and other toxic substances.

禁止将不符合农用标准和环境保护标准的固体废物、废水施入农田。施用农药、化肥等农业投入品及进行灌溉，应当采取措施，防止重金属和其他有毒有害物质污染环境。

The site selection, construction, and management of livestock and poultry farms, small poultry farms, and designated slaughtering enterprises shall comply with the regulations of relevant laws and rules. Entities and individuals engaged in livestock and poultry production and slaughtering shall take measures to scientifically dispose of the manure, corpses, and sewage of the livestock to prevent environmental pollution.

畜禽养殖场、养殖小区、定点屠宰企业等的选址、建设和管理应当符合有关法律法规规定。从事畜禽养殖和屠宰的单位和个人应当采取措施，对畜禽粪便、尸体和污水等废弃物进行科学处置，防止污染环境。

The people's governments at the county level shall be responsible for organizing the disposal of the waste of rural life.

县级人民政府负责组织农村生活废弃物的处置工作。

**Article 50** The people's governments at each level shall allocate funds in their fiscal budgets to support the environmental protection work involved in the protection of rural drinking water source, treatment of domestic waste water and other waste, pollution prevention and control in livestock production and slaughtering, soil pollution prevention and control, treatment of pollution caused by rural mining.

第五十条 各级人民政府应当在财政预算中安排资金，支持农村饮用水水源地保护、生活污水和其他废弃物处理、畜禽养殖和屠宰污染防治、土壤污染防治和农村工矿污染治理等环境保护工作。

**Article 51** The people's governments at each level shall coordinate the overall planning for the sewage treatment facilities and associated pipeline network in urban and rural construction, the collection, transportation, and disposal of solid waste and other environmental sanitation facilities, the centralized disposal facilities and sites for hazardous waste, and other public facilities for environmental protection and ensure their normal operation.

第五十一条 各级人民政府应当统筹城乡建设污水处理设施及配套管网，固体废物的收集、运输和处置等环境卫生设施，危险废物集中处置设施、场所以及其他环境保护公共设施，并保障其正常运行。

**Article 52** The State shall encourage the purchase of environmental pollution liability insurance.

第五十二条 国家鼓励投保环境污染责任保险。



## Chapter V Information Disclosure and Public Participation

### 第五章 信息公开和公众参与

**Article 53** Citizens, legal persons, and other organizations have the right to obtain environmental information, participate in, and supervise environmental protection in accordance with the law.  
第五十三条 公民、法人和其他组织依法享有获取环境信息、参与和监督环境保护的权利。

The responsible departments of environmental protection of the people's governments at each level and their departments with the responsibility of environmental protection supervision and administration shall disclose environmental information, improve the procedure for public participation, and facilitate the participation of citizens, legal persons, and other organizations in environmental protection and their supervision in accordance with the law.

各级人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门，应当依法公开环境信息、完善公众参与程序，为公民、法人和其他组织参与和监督环境保护提供便利。

**Article 54** The responsible department of environmental protection under the State Council shall be responsible for the general issuance of information regarding the country's environmental quality and monitoring of key pollution sources, as well as other important environmental information. The responsible department of environmental protection of the people's governments at the province level shall periodically publish bulletins on environmental conditions.

第五十四条 国务院环境保护主管部门统一发布国家环境质量、重点污染源监测信息及其他重大环境信息。省级以上人民政府环境保护主管部门定期发布环境状况公报。

The responsible departments of environmental protection of the people's governments at or above the county level and their departments with the responsibility of environmental protection supervision and administration shall disclose information regarding environmental quality, environmental monitoring, environmental emergencies and environmental administrative licensing, administrative penalties, the collection and use of pollution discharge fees, etc., in accordance with the law.

县级以上人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门，应当依法公开环境质量、环境监测、突发环境事件以及环境行政许可、行政处罚、排污费的征收和使用情况等信息。



The responsible departments of environmental protection of the people's governments at or above the county level and their departments with the responsibility of environmental protection supervision and administration shall record the information of environmental violations of enterprises, public institutions, and other production operators in the social credibility files and promptly publicize the list of offenders.

县级以上地方人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门，应当将企业事业单位和其他生产经营者的环境违法信息记入社会诚信档案，及时向社会公布违法者名单。

**Article 55** Key pollution discharging entities shall truthfully disclose to the public the names of their major pollutants, discharge methods, discharge concentration and total volume, circumstances of excessive discharge, as well as the construction and operation of pollution prevention and control facilities to accept supervision by the society.

第五十五条 重点排污单位应当如实向社会公开其主要污染物的名称、排放方式、排放浓度和总量、超标排放情况，以及防治污染设施的建设和运行情况，接受社会监督。

**Article 56** For construction projects that are required by law to prepare an environmental impact report, the construction entities shall explain the situations to the public that may be affected and at the time of preparing the report collect comprehensive comments.

第五十六条 对依法应当编制环境影响报告书的建设项目，建设单位应当在编制时向可能受影响的公众说明情况，充分征求意见。

The departments responsible for approving the environmental impact assessment documents of the construction projects shall disclose the full text except those matters involving State secrets and business secrets after receiving the environmental impact reports of the construction projects; the construction entities whose construction projects are discovered to have not collected comprehensive comments from the public shall be instructed to collect comments from the public.

负责审批建设项目环境影响评价文件的部门在收到建设项目环境影响报告书后，除涉及国家秘密和商业秘密的事项外，应当全文公开；发现建设项目未充分征求公众意见的，应当责成建设单位征求公众意见。

**Article 57** If citizens, legal persons, and other organizations have found that the local people's governments at each level, the responsible departments of environmental protection of the people's governments at or above the county level and their departments with the responsibility of environmental protection supervision and administration are not performing their duties in accordance with the law, they have the right to report it to authorities at a higher level or the supervisory authorities.

第五十七条 公民、法人和其他组织发现任何单位和个人有污染环境和破坏生态行为的，有权向环境保护主管部门或者其他负有环境保护监督管理职责的部门举报。公民、法人和其他组织发现





地方各级人民政府、县级以上人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门不依法履行职责的，有权向其上级机关或者监察机关举报。

The authorities receiving the report shall keep confidential the related information of the reporting person to protect the legal rights and interests of the reporting person.

接受举报的机关应当对举报人的相关信息予以保密，保护举报人的合法权益。

**Article 58** Any social organization that meets the following conditions may file a lawsuit with the People's Court against behaviors that pollute the environment, damage the ecological system, and harm the public interest of society:

第五十八条 对污染环境、破坏生态，损害社会公共利益的行为，符合下列条件的社会组织可以向人民法院提起诉讼：

(1) Registered with the Department of Civil Affairs of the people's government at or above the municipality level where districts are established;

（一）依法在设区的市级以上人民政府民政部门登记；

(2) Exclusively engaged in environmental protection activities for public interest for five or more consecutive years with no records of breaking the law.

（二）专门从事环境保护公益活动连续五年以上且无违法记录。

The People's Court shall accept the lawsuit in accordance with the law if a social organization in compliance with the regulation in the preceding paragraph files a lawsuit with the People's Court. 符合前款规定的社会组织向人民法院提起诉讼，人民法院应当依法受理。

The social organization filing the lawsuit shall not seek economic benefits through the lawsuit. 提起诉讼的社会组织不得通过诉讼牟取经济利益。





## Chapter VI Legal Liability

### 第六章 法律责任

**Article 59** Enterprises, public institutions and other production operators that discharge pollutants illegally shall be fined and ordered to make corrections; for those that refuse to make the corrections, the administrative authorities that make the decision of fine may continue the daily fine based on the original amount of fine starting on the next day of issuance of the order.

第五十九条 企业事业单位和其他生产经营者违法排放污染物，受到罚款处罚，被责令改正，拒不改正的，依法作出处罚决定的行政机关可以自责令改正之日的次日起，按照原处罚数额按日连续处罚。

The implementation of fines stipulated in the preceding paragraph shall be based on the cost of operating the prevention and control facilities, the direct losses caused by the illegal behavior, or the illegal gains and other factors as identified in accordance with the regulations of the relevant laws and rules.

前款规定的罚款处罚，依照有关法律法规按照防治污染设施的运行成本、违法行为造成的直接损失或者违法所得等因素确定的规定执行。

The local rules may add the types of violations for the continuous daily fines stipulated in the first paragraph [of this chapter] according to the actual needs of environmental protection.

地方性法规可以根据环境保护的实际需要，增加第一款规定的按日连续处罚的违法行为的种类。

**Article 60** The responsible departments of the people's governments at or above the county level may order the enterprises, public institutions and other production operators that exceed the pollutant discharge standards or exceed the total pollutant-load control targets for major pollutants in their discharge of pollutants to take measures such as restriction of production and shutdown of production for control; serious cases shall be reported to the people's governments with the authority of approval to order the termination of operations or shutdown.

第六十条 企业事业单位和其他生产经营者超过污染物排放标准或者超过重点污染物排放总量控制指标排放污染物的，县级以上人民政府环境保护主管部门可以责令其采取限制生产、停产整治等措施；情节严重的，报经有批准权的人民政府批准，责令停业、关闭。

**Article 61** Those construction entities that fail to submit the environmental impact assessment document for their construction projects in accordance with the law or start the construction without approval when their environmental impact assessment document is not approved, the



departments with the responsibility of environmental protection supervision and administration shall order the termination of the construction and issue a fine and may also order to restore the *status quo ante* [(restore to way things were prior to construction)].

第六十一条 建设单位未依法提交建设项目环境影响评价文件或者环境影响评价文件未经批准，擅自开工建设的，由负有环境保护监督管理职责的部门责令停止建设，处以罚款，并可以责令恢复原状。

**Article 62** The responsible departments of environmental protection of the people's governments at or above the county level shall order major pollutant discharging entities that do not disclose or do not truthfully disclose environmental information to disclose it, issue a fine, and publicly announce it.

第六十二条 违反本法规定，重点排污单位不公开或者不如实公开环境信息的，由县级以上地方人民政府环境保护主管部门责令公开，处以罚款，并予以公告。

**Article 63** When enterprises, public institutions, and other production operators commit one of the following acts but do not constitute a crime, in addition to issuing a punishment in accordance with the regulations of the relevant laws and rules, the responsible departments of environmental protection of the people's governments at or above the county level or other relevant departments shall refer the case to the public security authorities; the executives with direct responsibility and other personnel with direct responsibility shall be detained over 10 days but fewer than 15 days, or over 5 days but fewer than 10 days in a less serious case:

第六十三条 企业事业单位和其他生产经营者有下列行为之一，尚不构成犯罪的，除依照有关法律法规规定予以处罚外，由县级以上人民政府环境保护主管部门或者其他有关部门将案件移送公安机关，对其直接负责的主管人员和其他直接责任人员，处十日以上十五日以下拘留；情节较轻的，处五日以上十日以下拘留：

(1) Refusing to comply when ordered to terminate the construction project for which it has not conducted the environmental impact assessment;

(一) 建设项目未依法进行环境影响评价，被责令停止建设，拒不执行的；

(2) Refusing to comply when discharging pollutants without obtaining the pollutant discharge permit in violation of the regulations of law and ordered to terminate the pollutant discharge;

(二) 违反法律规定，未取得排污许可证排放污染物，被责令停止排污，拒不执行的；

(3) Discharging pollutants illegally through regulation-evading methods such as underground pipes, seepage wells, soakaways, and perfusion, or falsifying and forging monitoring data, or abnormal operation of pollution prevention and control facilities;

(三) 通过暗管、渗井、渗坑、灌注或者篡改、伪造监测数据，或者不正常运行防治污染设施等逃避监管的方式违法排放污染物的；



(4) Refusing to comply when producing and using pesticides that are explicitly prohibited in the State's orders and ordered to make corrections.

（四）生产、使用国家明令禁止生产、使用的农药，被责令改正，拒不改正的。

**Article 64** Those causing damage arising from environmental pollution and ecological destruction shall assume the tort liability in accordance with the relevant regulations of the *Tort Law of the People's Republic of China*.

第六十四条 因污染环境和破坏生态造成损害的，应当依照《中华人民共和国侵权责任法》的有关规定承担侵权责任。

**Article 65** When environmental impact assessment agencies, environmental monitoring agencies, and agencies engaged in the maintenance and operation of environmental monitoring equipment and pollution prevention and control facilities commit fraud in related environmental service activities and are responsible for the resulting environmental pollution and ecological destruction, they shall also bear the joint and several liability with those others responsible for causing the environmental pollution and ecological destruction.

第六十五条 环境影响评价机构、环境监测机构以及从事环境监测设备和防治污染设施维护、运营的机构，在有关环境服务活动中弄虚作假，对造成的环境污染和生态破坏负有责任的，除依照有关法律法规规定予以处罚外，还应当与造成环境污染和生态破坏的其他责任者承担连带责任。

**Article 66** The statute of limitations for environmental damages is 3 years, starting from the time when the party concerned knows or should have known the damage.

第六十六条 提起环境损害赔偿诉讼的时效期间为三年，从当事人知道或者应当知道其受到损害时起计算。

**Article 67** The people's governments at a higher level and their responsible departments of environmental protection shall strengthen the supervision of the environmental protection work performed by the people's governments at a lower level and their related departments. When relevant officials are found to have committed an unlawful act, they shall be disciplined in accordance with the law, and discipline recommendations shall be submitted to the authorities of their appointment and removal or the supervisory authorities.

第六十七条 上级人民政府及其环境保护主管部门应当加强对下级人民政府及其有关部门环境保护工作的监督。发现有关工作人员有违法行为，依法应当给予处分的，应当向其任免机关或者监察机关提出处分建议。

When a responsible department of environmental protection fails to issue administrative punishment that should have been issued in accordance with the law, the responsible department of environmental protection of the people's government at a higher level can directly make the decision of administrative punishment.



依法应当给予行政处罚，而有关环境保护主管部门不给予行政处罚的，上级人民政府环境保护主管部门可以直接作出行政处罚的决定。

**Article 68** When the responsible departments of environmental protection of the people's governments at each level and the people's governments at or above the county level and their other departments with the responsibility of environmental protection supervision and administration commit one of the following acts, the executives with direct responsibility and other personnel with direct responsibility shall be issued the discipline of a demerit, a serious demerit, or demotion; in a case with serious consequences, they shall be issued the discipline of removal from office or dismissal, and the primary responsible person shall assume the responsibility and resign:  
第六十八条 地方各级人民政府、县级以上人民政府环境保护主管部门和其他负有环境保护监督管理职责的部门有下列行为之一的，对直接负责的主管人员和其他直接责任人员给予记过、记大过或者降级处分；造成严重后果的，给予撤职或者开除处分，其主要负责人应当引咎辞职：

(1) Granting administrative permission when the conditions for granting the administrative permission have not been met;

（一）不符合行政许可条件准予行政许可的；

(2) Covering up illegal environmental acts;

（二）对环境违法行为进行包庇的；

(3) Failing to make the decision to order termination of operations or shutdown that should have been made in accordance with the law;

（三）依法应当作出责令停业、关闭的决定而未作出的；

(4) failing to promptly investigate and penalize acts of discharge of pollutants over the limit, discharge of pollutants through regulation-evading methods, environmental accidents, and ecological destruction due to non-implementation of ecological protection measures after discovery or receiving a report;

（四）对超标排放污染物、采用逃避监管的方式排放污染物、造成环境事故以及不落实生态保护措施造成生态破坏等行为，发现或者接到举报未及时查处的；

(5) Closing down and seizure of the facilities and equipment of enterprises, public institutions, and other production operators in violation of the regulations of this Law;

（五）违反本法规定，查封、扣押企业事业单位和其他生产经营者的设施、设备的；

(6) Falsifying and forging or inciting the falsification and forgery of monitoring data;

（六）篡改、伪造或者指使篡改、伪造监测数据的；



(7) Failing to disclose environmental information that should have been disclosed in accordance with the law;

（七）应当依法公开环境信息而未公开的；

(8) Intercepting, misappropriating, or transferring to use for other purposes the collected pollution discharge fees;

（八）将征收的排污费截留、挤占或者挪作他用的；

(9) Committing other unlawful acts as stipulated in the laws and rules.

（九）法律法规规定的其他违法行为。

**Article 69** When a violation of the regulations of this Law constitutes a crime, it shall be prosecuted for criminal responsibility.

第六十九条 违反本法规定，构成犯罪的，依法追究刑事责任。



# Chapter VII Supplementary Provisions

## 第七章 附则

**Article 70** This Law shall enter into effect on January 1, 2015.  
第七十条 本法自2015年1月1日起施行。

