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Law of the People's
Republic of China on the
Prevention and Control of
Environmental Pollution
by: Solid Waste

(Adopted at the 16th Meeting of the Standing Committee of the Eight National People's Congress on October 30, 1995, promulgated by Order No 58 of the President of the People's Republic of China, and effective as of April, 1996)

Chapter 1
General Provisions

Article 1 This Law is enacted for the purpose of preventing and controlling environmental pollution by solid waste, safeguarding human health and promoting the development of socialist modernization drive.

Article 2 This Law shall apply to the prevention and control of environmental pollution by solid waste within the territory of the People's Republic of China.

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

Article 3 The State shall, in preventing and controlling environmental pollution by solid waste, implement the principles of reducing the discharge of solid waste, fully and nationally utilizing solid waste, and making it harmless through treatment

Article 4 The State encourages and supports clean production and reduced discharge of solid waste.

The State encourages and supports the comprehensive use of resources, full recovery and rational utilization of solid waste, and adopts economic and technical policies and measures that facilitate the comprehensive use of solid waste.

Article 5 The State encourages and supports adoption of measures for centralized treatment of solid waste in favor of environment protection.

Article 6 The people's governments at the above the county level shall include the prevention and control of environmental pollution by solid waste into their environmental protection programs and adopt economic and technical policies and measures to facilitate the prevention and control of environmental pollution by solid waste.

Article 7 The State encourages and supports scientific research, technological development, and dissemination of advanced prevention and control technology as well as of scientific knowledge in the field of prevention and control of environmental pollution by solid waste.

Article 8 The people's governments at various levels shall give awards to units and individuals that have achieved outstanding successes in the prevention and control of environmental pollution by solid waste and in its comprehensive use.

Article 9 Any unit and individual shall have the obligation to protect the environment and shall have the right to report or file charges against units or individuals that cause environmental pollution by solid waste.

Article 10 The competent administrative department of environmental protection under the State Council shall conduct unified supervision and management of the prevention and control of environmental pollution by solid waste throughout the country. The relevant departments under the State Council shall be responsible for supervision and management of the prevention and control of environmental pollution by solid waste within their respective functions and responsibilities.

The competent administrative departments of environmental protection of the local people's governments at or above the county level shall conduct unified supervision and management of the prevention and control of environmental pollution by solid waste within their administrative areas. The relevant departments of local people's governments at or above the county level shall be responsible for supervision and management of the prevention and control of environmental pollution by solid waste within their respective functions and responsibilities.

The competent administrative department of construction under the State Council and the competent administrative departments of environmental sanitation of the local people's government at or above the county level shall be responsible for supervision and management with regard to cleaning up, collection, storage; transportation and treatment of urban house refuse.

Chapter II Supervision and Management of the Prevention and Control of Environmental Pollution by Solid Waste

Article 11 The competent administrative department of environmental protection under the State Council shall establish a system for monitoring environmental pollution by solid waste, formulate unified monitoring standards and, in conjunction with relevant departments, set up a monitoring network.

Article 12 Construction of projects which discharge solid waste and of projects for storage and treatment of solid waste must be carried out in compliance with the relevant State regulations concerning the management of environmental protection in respect of construction projects.

In the statement of the effect to be occasioned on the environment by a construction project must include an assessment of the pollution of and effect on the environment by the solid waste to be discharged by the construction project and measures for the prevention and control of environmental pollution, and the statement must be submitted, according to the procedure prescribed by the State, to the competent administrative department of environmental protection for approval. The competent authorities for the examination and approval of construction projects may ratify the feasibility study report or the design plan descriptions of the construction project only after the statement of environmental effect has been approved.

Article 13 The necessary supporting installations for the prevention and control of environmental pollution by solid waste specified in the statement of the effect of the construction project must be designed, built and put into operation simultaneously with the main part of the project. The construction project may be put into production or use, only after the installations for the prevention and control of environmental pollution by solid waste are examined and considered up to standards by the competent administrative department of environmental protection that examined and approved the statement of environmental effect. The installations for the prevention and control of environmental pollution by solid waste must be checked and accepted at the same time as the main part of the project- is checked and accepted.

Article 14 The competent administrative department of environmental protection of the people's government at or above the county level and other supervisory and administrative departments for the prevention and control of environmental pollution by solid waste shall, in accordance with their respective functions and responsibilities, have the right to conduct on-the-spot inspection of units within their jurisdiction that have to do with the prevention and control of environmental pollution by solid waste. Units under inspection shall truthfully report the

situation and provide the necessary information. The inspection authorities shall keep confidential the technological know-how and business secrets of the units inspected.

Inspectors shall show their identification papers when they conduct on-the-spot inspection.

Chapter III Prevention and Control of Environmental Pollution By Solid Waste

Section 1 Basic Provisions

Article 15 Units and individuals that solid waste shall adopt measures to prevent or reduce environmental pollution by solid waste.

Article 16 Units and individuals that collect, store, transport utilize or treat solid measures to prevent the, scattering, running off, leaking and seeping of solid waste, as well as other measures against environmental pollution. It is not allowed to discard or let drop solid waste on the road during its transportation.

Article 17 Products shall be packaged with materials that are easy to be recycled or treated, or easy to dissolve or be absorbed in the environment. Producers, sellers and users of products shall, in accordance with the relevant State regulations, recycle the packaging materials and containers of products that can recycled.

Article 18 The State encourages research institutions and production units to research and manufacture agricultural film that is easy to be recycled or treated, or dissolve or be absorbed in the environment.

Units and individuals that use agricultural film shall take measures to prevent or reduce environmental pollution by agricultural film.

Article 19 management and maintenance of installations, equipment and places for collection, storage, transportation and treatment of solid waste shall be improved so as to ensure their normal operation and function.

Article 20 It is forbidden to close down, leave idle or dismantle, without authority, installations or places for the prevention and control of environment pollution by industrial solid waste. Where it is necessary to do so, prior verification and approval shall be obtained from the competent administrative department of environment protection of the local people's government at or above the county level, and measures shall be taken to prevent environmental pollution.

Article 21 If an enterprise or institution causes severe environment pollution with solid waste, it

shall be required to bring it under control within a time limit. The enterprise or institution must complete the task within the specified period of time. The decision on the control of pollution within a specified period of time shall be made by the people's government at or above the county level in accordance with the limits of authority as prescribed by the State Council.

Article 22 Within the nature reserves, scenic spots or historical sites, and areas of source of drinking water as designated by the State Council, the relevant competent department under the State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government and other zones that need special protection it is forbidden to construct installations or use the places for centralized storage and treatment of industrial solid waste or garbage-fill ground.

Article 23 Transportation of solid waste out of the administrative region of a province, autonomous region or municipality directly under the Central Government for storage or treatment shall be reported to the competent administrative department of environment protection of the people's government at the provincial level in the region where the solid waste is to be moved out, and shall be subject to the permission of the competent departments of administrative environment protection of the people's government at the provincial level in the region where the solid waste is to be accepted.

Article 24 It is forbidden for solid waste from abroad to be dumped, piled up or treated in the territory of China.

Article 25 The State forbids the import of solid waste that cannot be used as raw material.

The competent administrative department of environment protection under the State Council shall, in the conjunction with the competent administrative department of foreign economic relations and trade under the State Council, prepare, readjust and publish a catalog of solid waste which may be imported as raw material. The solid waste that is not included in the catalog is forbidden to be imported.

If it is really necessary to import as raw material the solid waste that is included in the catalog stipulated in the preceding paragraph, examination must be conducted by the competent administrative department of environmental protection in conjunction with the competent administrative department of foreign economic relations and trade under the State Council and permission must be obtained from them in advance.

Specific measures therefore shall be formulated by the State Council.

Section 2 Prevention and Control of Environmental Pollution by Industrial Solid Waste

Article 26 The Competent administrative department of environmental protection under the State Council shall, jointly with the competent department in charge of comprehensive administration of economic affairs under the State Council, define the environmental pollution by industrial solid waste, work out technical policies regarding the prevention and control thereof, and organize the dissemination of advanced production techniques and equipment for the prevention and control of environmental pollution by industrial solid waste.

Article 27 The competent department in charge of comprehensive administration of shall, jointly with other relevant departments under the State Council, organize the research, development and dissemination of the production techniques and equipment that will serve to reduce the discharge of industrial solid waste, and promulgate the list of backward production techniques and equipment that discharge industrial solid waste causing severe environmental pollution and that should be eliminated within a specified period of time.

Producers, sellers, importers or users must stop producing, selling, importing or using the equipment included in the list stipulated in the preceding paragraph within the period of time specified by the competent department in charge of comprehensive administration of economic affairs in conjunction with other relevant departments under the State Council. Users of the production techniques must stop the process techniques included in the list mentioned in the preceding paragraph within the period of time specified by the competent department in charge of comprehensive administration of economic affairs jointly with other relevant departments under the State Council.

Equipment eliminated in accordance with the preceding two paragraphs shall not be transferred to another use.

Article 28 The relevant departments of the people's governments at or above the county level shall formulate a program for the prevention and control of environmental pollution by industrial solid waste, disseminate the advanced production techniques and equipment which can reduce the discharge of industrial solid waste, and promote the prevention and control of, environmental pollution by industrial solid waste.

Article 29 Units discharging industrial solid waste must establish and improve the responsibility system for the prevention and control of environmental pollution and adopt measures for the prevention and control of environmental pollution by industrial solid waste.

Article 30 Enterprises and institutions shall rationally select and use raw materials, energy and other resources, and adopt advance production techniques and equipment, thereby reducing the discharge of industrial solid waste.

Article 31 The State institutes a system of report and registration for industrial solid waste.

Units discharging industrial solid waste, must, in accordance with the regulations of the competent administrative department of environmental protection under the State Council

provide information about the quantity, flow direction, storage treatment and other matters concerning industrial solid waste to the competent administrative department of environmental protection of the local people's government at or above the county level in the place where such units are located.

Article 32 Enterprises and institutions must, in accordance with the regulations of the competent administrative department of environmental protection under the State Council, build installations and sites for storage or treatment of unrecyclable or temporarily unrecyclable industrial solid waste they discharge.

Article 33 Whoever stores in open air metallurgical slag, residue of chemical industry, cinder of burned coal, etc., ore tailings or other industrial solid waste shall build special installations and sites for the purpose.

Article 34 Installations and sites built for storage or treatment of industrial solid waste must conform to the standards for environmental protection prescribed by the competent administrative department of environment protection under the State Council.

If, before implementation of this Law, units discharging industrial solid waste did not build installations and sites for storage and treatment of industrial solid waste as stipulated in Article 32 of this Law, or such installations and sites do not conform to the standards for environmental protection, such installations and sites must be built or renovated within a specified period of time; during this period pollution discharge fee for newly-discharged industrial solid waste that pollutes the environment shall be paid or other measures adopted. If a unit that chooses to pay pollution discharge fee has completed the building of installations and sites for storage and treatment of industrial solid waste ahead of the time limit or through renovation has made such installations and sites conform to the standards within the time limit, the unit shall no longer pay the pollution discharge fee from the day of completion of the building or renovation; if within the specified period of time, construction for such installations and sites has not been completed or they have conformed to the standards of environmental protection after renovation, the unit shall continue to pay the pollution discharge fee until such installations and sites are built or conform to the standards for environmental protection after renovation. The specific measures therefore shall be prescribed by the State Council. Pollution discharge fee shall be used for the prevention and control of environmental pollution and shall not be appropriated for other purposes.

Section 3 Prevention and Control of Environmental Pollution by Urban House Refuse

Article 35 All units and individuals shall, in compliance with the regulations of the competent administrative department of environmental sanitation of an urban people's government, dump and pile up house refuse, in designated places, and may not discard it or pile it up anywhere else

at will.

Article 36 Urban house refuse shall be stored, transported and treated in compliance with the State regulations concerning environmental protection and environmental sanitation in urban areas, thus preventing environmental pollution.

Article 37 Urban house refuse shall be cleaned up and transported away without delay, and efforts shall be made to carry out rational utilization and to turn it into something harmless through treatment.

Classified collection, storage, transportation and treatment of urban house refuse shall be achieved step by step.

Article 38 Urban people's governments shall, in a planned way, improve the composition of fuel, and develop coal gas, natural gas, liquefied gas and other clean energy for use in urban areas.

Relevant departments of an urban people's government shall arrange for the supply of clean vegetables to cities and towns, in order to reduce urban house refuse.

Relevant departments of an urban people's government shall make an overall plan and rational arrangement for establishing a collecting and purchasing network so as to promote the recycling of waste materials.

Article 39 Urban people's governments shall build supporting installations for the cleaning up, collections, storage, transportation and treatment of urban house refuse.

Article 40 Installations and sites for treatment of urban house refuse must be built in compliance with the standards for environmental protection and urban environmental sanitation prescribed by the competent administrative department of environmental protection under the State Council and the competent administrative department of construction under the State Council.

It is forbidden to close, leave idle or dismantle installations and sites for treatment of urban house refuse without authorization. If it is really necessary to close, leave idle or dismantle such installations and sites, it shall be subject to the verification and approval by the competent administrative department of environmental sanitation and the competent administrative department of environmental protection of the local people's government at or above the county level, and measures must be taken to prevent environmental pollution.

Article 41 Construction units shall, in the course of construction, have their refuse promptly cleaned up, moved away and disposed of, and adopt measures to prevent environmental pollution.

Chapter IV Special Provisions on Prevention and Control

Of Environmental Pollution
By Hazardous Waste

Article 42 The provisions of this Chapter shall apply to the prevention and control of environmental pollution by hazardous waste. Where it is not covered by this Chapter, other relevant provisions of this Law shall apply.

Article 43 The competent administrative department of environmental protection under the State Council shall, jointly with other relevant departments under the State Council, formulate a national catalog of hazardous waste, lay down unified criteria and methods for identifying and distinguishing hazardous waste.

Article 44 A distinguished mark of hazardous waste must be put on the containers and packages of hazardous waste as well as on the installations and sites for collection, storage, transportation and treatment of hazardous waste

Article 45 Units discharging hazardous waste must report and register according to the relevant regulations of the State.

Article 46 Units discharging hazardous waste must treat the waste in accordance with relevant State regulations. Otherwise, the competent administrative department of environmental protection of the local people's government at or above the county levels shall order them to set it right within a specified period of time. If a unit fails to treat the waste within the specified period of time, or if it has done it by not in conformity with the relevant State regulations, the competent administrative department of environmental protection of the local people's government at or above the county level shall assign other units to treat the waste in accordance with relevant State regulations, and, the units discharging hazardous waste shall bear the costs of treatment.

Article 47 Urban people's governments shall arrange for the construction of installations for centralized treatment of hazardous waste.

Article 48 In disposing of hazardous waste by the land fill method, the unit that failed to comply with the regulations of the competent administrative department of environmental protection under the State Council shall pay fees for discharge of hazardous waste. The specific measures for imposition of such fees shall be prescribed by the State Council.

Fees for discharge of hazardous waste shall be used for the prevention and control of environmental pollution by hazardous waste and shall not be appropriated for other purposes.

Article 49 Units engaged in collection, storage and treatment of hazardous waste must apply to the competent administrative department of environmental protection of the people's government at or above the county level for the operation license. Specific measures, for the administration thereof shall be prescribed by the State Council.

It is forbidden to collect, store or treat hazardous waste without an operation license or against the provisions of the operation license.

It is forbidden to supply or entrust hazardous waste to units that do not have the operation license for collection, storage and treatment

Article 50 Hazardous wastes must be collected and stored separately according to their different characteristics. It is forbidden to collect, store, transport and treat mixed hazardous wastes of incompatible nature that have not undergone safety treatment.

It is forbidden to store hazardous waste mixed with non-hazardous waste.

Article 51 Whoever transfers hazardous waste, must, according to relevant State regulations, fill in duplicate forms for transfer of hazardous waste and report to the competent administrative departments of environmental protection of the local people's governments at or above the county level in the places where the hazardous waste is to be moved out or moved in.

Article 52 Whoever transports hazardous waste must adopt measures for the prevention and control of environmental pollution and observe State regulation on the control of transportation of hazardous goods.

It is forbidden to carry hazardous waste and passengers in the same transport vehicle.

Article 53 When sites, installations, equipment as well as containers, packages and other articles for the collection, storage, transportation and treatment of hazardous waste are to be used for other purposes, they can be put to use only after treatment to eliminate pollution.

Article 54 Persons who are directly engaged in the collection, storage, transportation, utilization and treatment of hazardous waste shall receive professional training and shall be allowed to take up such jobs only after they pass due examination.

Article 55 Units discharging, collecting, storing, transporting, using or treating hazardous waste shall work out emergency and protection measures to be adopted in case of accident, and report such to competent administrative department of environmental protection of the local people's government at or above the county level, which shall conduct inspection.

Article 56 Units that have caused severe environmental pollution by hazardous waste due to accident or other unexpected events must immediately take measures to eliminate or reduce the danger and damage of environmental pollution, promptly inform the units and residents that may be harmed by the pollution, in the meantime, report to the competent administrative department of environmental protection of the local people's government at or above the county level and other relevant departments, and be ready for investigation and settlement of the matter.

Article 57 When severe environmental pollution by hazardous waste has happened, thus

threatening the safety of the lives and property of residents, the competent administrative department of environmental protection of the local people's government at the corresponding level. The people's government shall take effective measures to eliminate or reduce the danger and damage.

Article 58 It is forbidden to transfer hazardous waste via the territory of the People's Republic of China.

Chapter V Legal Responsibility

Article 59 If anyone, in violation of the provisions of this Law, commits any of the following acts, the competent administrative department of environmental protection of the people's government at or above the county level shall order him to put it right within a specified period of time and impose a penalty on him:

- (1) failing to report and register industrial solid waste or hazardous waste, as prescribed by the State, or resorting to deception in reporting and registering;
- (2) refusing an on-the-spot inspection by the competent administrative department of environmental protection or resorting to deception while undergoing inspection;
- (3) failing to pay, as prescribed by the State, the fee for discharge of pollution;
- (4) transferring, for use by another, the eliminated equipment that is included in the list of equipment to be eliminated within a specified period of time;
- (5) closing, leaving idle or dismantling installations or sites for the prevention and control of environmental pollution by solid waste without authorization;
- (6) constructing installations or sites for centralized storage or treatment of industrial solid waste or land-filling sites for house refuse in nature reserves, scenic spots or historical sites, areas of source of drinking water or other zones that need special protection; or
- (7) transferring solid waste out of the administrative area of a province, autonomous region or municipality directly under the Central Government for storage and treatment without authorization.

Anyone who commits the act specified in sub-paragraph (1) or (2) of the preceding paragraph shall be imposed with a penalty of not more than 10,000 yuan; anyone who commits the act specified in sub-paragraph (3) of the preceding paragraph shall be imposed with a penalty of not more than 50% of the fee to be paid for discharge of pollutants; anyone who commits the act specified in sub-paragraph (4), (5), (6) or (7) of the preceding paragraph shall be imposed with a penalty of not more than 50,000 yuan.

Article 60 If anyone, in violation of the provisions of this law, produces, sells, imports or uses eliminated equipment or employs eliminated production techniques, the competent department in charge of comprehensive administration of economic affairs of the people's government at or above the county level shall order him to put it right; if the case is serious, the competent department in charge of comprehensive administration of economic affairs of the people's

government at or above the county level shall put forward suggestions and submit them to the people's government at the corresponding level, which shall in accordance with the limits of authority as prescribed by the State Council, order him to suspend business or close down.

Article 61 If a construction project is put into production or operation while its supporting installations required for the- prevention and control of environmental pollution by solid waste have not been completed not passed examination; thee competent administrative department of environmental protection that examined and approved the statement of the effect on the environmental to be occasioned by the construction project shall order suspension of production or operation and may also impose a penalty of not more than 100,000 yuan.

Article 62 If and enterprise or institution fails to eliminate or control the pollution within a specified period of time, it may be imposed with a penalty of not more than 100, 000 yuan or ordered to suspend operation or to shut down, depending on the damage it causes.

The penalty stipulated in the proceeding paragraph shall be decided by the competent administrative department of environmental protection. The order for suspension of operation or shut-down shall be issued by the people's government at or above the county level according to the limits of authority prescribed by the State Council.

Article 63 If any person or unit stores, transports or treats urban house refuse against the provisions of this Law, he it shall be punished in accordance with the relevant regulations of the State Council regarding environmental protection and urban environmental sanitation.

Article 64 If any person or unit, in violation of the provisions of this Law on the prevention and control of environmental pollution by hazardous waste, commits any of the following acts, he or it shall be ordered by the competent administrative department of environmental protection of the people's government at or above the county level to stop die illegal act, to put it right within a time

Limit and also imposed with a penalty of not more than 50,000 yuan:

- (1) failing to install distinguishing marks of hazardous waste;
- (2) supplying or entrusting hazardous waste to a unit that does not have the operation license for collection, storage and treatment;
- (3) when transferring hazardous waste, failing to fill in duplicate forms for transfer of hazardous waste according to relevant State regulations and failing to report to the competent administrative departments of environmental protection of the local people's governments at or above the county level in the places where the hazardous waste is to be moved out or moved in;
- (4) mixing hazardous waste with unhazardous waste for storage;
- (5) collecting, storing, transporting and treating mixed hazardous wastes of incompatible nature without safety treatment;
- (6) carrying hazardous waste and passengers in the same transport vehicle;

(7) failing to treat the hazardous waste discharged or failing to bear the waste treatment fee that should be borne according to law;

(8) using sites, installations, equipment as well as containers, packages and other articles for collecting, storing, transporting and treating hazardous waste for other purposes without giving them treatment to eliminate pollution.

Article 65 Any person or unit that is engaged in collecting, storing and treating hazardous waste without an operation license or against the provisions of the operation license shall be ordered by the competent administrative department of environmental protection of the local people's government at above the county level to stop the illegal activity, his or its illegal gains shall be confiscated, and may also be imposed with a penalty of not more than one time the illegal gains.

If any person or unit engages, against the provision of operation license, in activities specified in the preceding paragraph, his or its operation license may also be revoked by the department that issued the license.

Article 66 Whoever, in violation of this Law, has solid waste from abroad dumped, piled up, or treated within the territory of China, or imports solid waste as raw material without permission of the competent administrative department under the State Council, shall be ordered by the Customs to transport such solid back to where it is dispatched and may also be imposed with a penalty of not less than 100,000 yuan but not more than 1,000,000 yuan. Whoever tries to avoid the supervision and control of the Customs, if the act constitutes a crime of smuggling, shall be investigated for criminal responsibility according to law.

Whoever imports, under the pretext of using it as raw material, solid waste that cannot be used as such shall be punished in accordance with the provisions of the preceding paragraph.

Article 67 Whoever in violation of the Law, transfers hazardous waste via the territory of the People's Republic of China shall be ordered by the Customs to transport the hazardous waste back to the original place and may also be imposed with a penalty of not less than 50,000 yuan but not more than 500,000 yuan.

Article 68 With regard to illegally imported solid waste, the competent administrative department of environmental protection of the people's government at or above the provincial level shall, according to law, put forward suggestions to the Customs regarding its disposition of Article 66 of this Law. If such importation has caused environmental pollution, the competent administrative department of environmental protection of the people's government at or above the provincial level shall order the importer to eliminate the pollution.

Article 69 Whoever, in violation of this Law, has caused an accident of environmental pollution by solid waste shall be imposed with a penalty of not more than 100,000 yuan by the competent administrative department of environmental protection of the people's government at or above the county level; in the case of severe damage, the penalty shall be 30% of the direct loss, but not exceeding 500,000 yuan. Leading members who are directly in charge and other persons who are directly responsible for the accident shall be subject to administrative punishment by the unit

to which they belong or by the competent government department.

Article 70 All penalties shall be turned over to the State Treasury, no unit or individual may retain them.

Article 71- Units and individuals that have suffered damage caused by solid waste pollution shall have the right to claim compensation according to law.

A dispute over the liability for damage or the amount of compensation may, at the request of the parties, be mediated and settled by the competent administrative department of environmental protection or other supervisory and administrative department of prevention and control of environmental pollution by solid waste; if mediation proves unsuccessful, the parties may bring a suit before a People's Court. The parties may also directly bring a suit before a People's Court.

Article 72 Whoever, collects, stores and treats hazardous waste against the provisions of this Law and has caused a serious environmental pollution accident that leads to grave consequences resulting in heavy public or private losses or serious personal injury or death shall be investigated for criminal responsibility by applying mutatis mutandis in the provisions of Article 115 or Article 187 of the Criminal Law.

If a unit commits a crime specified in the Article, it shall be imposed with a fine and the leading members of the unit who are directly in charge and other persons who are directly responsible for such an accident shall be investigated for criminal responsibility in accordance with the provisions of the preceding paragraph.

Article 73 If any person engaged in supervision and administration of the prevention and control of environmental pollution by solid waste abuses his power neglects his duty or practices irregularities for personal gain and if the case constitutes a crime, he shall be investigated for criminal responsibility according to law, if the case does not constitute a crime, he shall be given an administrative sanction according to law.

Chapter VI Supplement Provisions

Article 74 For the purpose of this Law, the following terms mean;

(1) Solid waste means abandoned materials in solid, semi-solid state coming from production, construction, everyday life and other activities and causing environmental pollution.

(2) Industrial solid waste means solid waste discharged from production activities of industries, transportation, etc.

(3) Urban house refuse means solid-waste discharged from urban everyday life as well as the solid waste that is regarded as urban house refuse under laws and administrative rules and regulations.

(4) Hazardous waste means waste that is dangerous and is included in the national list of hazardous waste or identified as such according to the criteria and methods of identification for hazardous waste as prescribed by the State.

(5) Treatment means activities conducted to reduce the quantity or volume of the discharged solid waste, reduce or eliminate their dangerous Composition through incineration or other methods that can change the physical, chemical or biological characteristics of the solid waste, or activities conducted ultimately to put solid waste in sites or installations that meet the requirements of environmental protections, from which the solid waste shall never be taken back again.

Article 75 This Law shall apply to the prevention and control of pollution by liquid waste and gaseous waste in containers. However, the prevention and control of pollution by waste water discharged into water body and by waste gas discharged into the atmosphere shall be governed by other relevant laws, not this Law.

Article 76 If an international treaty regarding the prevention and control environmental pollution by solid waste concluded or acceded to by the People's Republic of China contains provisions differing from those contained in this Law, the provisions of the international treaty shall prevail, with the exception of the provisions on which the People's Republic of China has announced reservation.

Article 77 This Law shall enter into force as of April 1, 1996.