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Trash Talking: Pondering the Mounting Issues and New Solutions to China's Waste Problems

Regulatory Structure Overview and Business Perspectives

Woodrow Wilson Center

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Overview 概要

- **Backdrop for Considering Industry Waste Management in China**
- **Key Government Organizations**
- **Industry Compliance Challenges**

China and Waste Management – Backdrop

中国与废物管理：回顾

- **“Report: China’s Environment Worsening,” Associated Press, 5/23/2007.** China's environmental situation is continuing to deteriorate, with several major rivers and lakes fouled by industrial waste, state media said Tuesday.

<http://www.chron.com/disp/story.mpl/ap/fn/4825831.html>

- **“Researchers Turn Waste into Cost-Cutting Resin,” Shanghai Daily, 5/15/2007.** Scientists at East China University of Science and Technology (ECUST) have worked out a waste-recycle technology to turn plastic waste such as coke bottles into corrosion-proof substances for chemical-industry use.

<http://www.china.org.cn/english/environment/210804.htm>

- **“Beijing to Educate on Recycling Measures for Olympics,” China Daily, 5/9/2007.** Beijing will explore more ways to recycle in bid to build an environmentally-friendly city in the run-up to the Olympics Games next year.

http://www.chinadaily.com.cn/2008/2007-05/09/content_869057.htm

China and Waste Management – Backdrop

中国与废物管理：回顾

- **“Electronic Recycling Thriving but Workers in China, India Pay the Price,” Asahi Shimbun (Japan), 4/29/2007.** Millions of **unwanted electronic detritus** from around the world end up in poor rural villages in China and India. During the electronics **disposal process**, workers are often exposed to hazardous substances, such as lead, mercury and cadmium, when they become airborne or settle in the soil.

<http://www.asahi.com/english/Herald-asahi/TKY200704280092.html>

- **“China Fears Toxic Threat to Farmland,” London Guardian (UK), 4/23/2007.** China's industrial and urban sprawl has left more than **10% of its farmland contaminated**, while arable areas continue to shrink despite Beijing's efforts to halt the trend.

<http://www.guardian.co.uk/international/story/0,,2063341,00.html>

- **“Lenovo Tops Eco-Friendly Rating for Computers,” Agence France-Presse, 4/4/2007.** Chinese computer maker Lenovo has earned the top spot in **Greenpeace's ranking of the eco-friendliness (including company policies on waste and chemicals)** of major electronics companies, ousting previous leader Nokia, the activist group said on Tuesday.

http://www.terradaily.com/reports/Lenovo_Tops_Eco_Friendly_Rating_For_Computers_999.html

China and Waste Management – Backdrop

中国与废物管理：回顾

- **"China to Collect Sewage Disposal Fees Nationwide," CRI English, 4/3/2007.**

To promote environmental protection, the Chinese government will collect a **sewage disposal fee** in all cities by the end of this year. The National Development and Reform Commission (NDRC) says China should use the price leverage to boost environmental protection, promoting the idea "You Pollute, You Pay."

<http://english.cri.cn/2906/2007/04/03/65@212252.htm>

- **"China Drafting First 'Circular Economy' Law," China Watch, 3/20/2007.**

China is drafting its first law on creating a so-called "circular economy" to provide a legal framework for its national sustainable development strategy, the country's top environmental legislator announced recently. Mao Rubai, chairman of the Environmental and Resources Protection Committee of the National People's Congress (NPC), said the draft law, designed to improve resource efficiency and **minimize waste**, will be submitted for review in August and is expected to pass at the end of the year.

<http://www.worldwatch.org/node/4963>

- **"Animal Waste a Heavy Burden for Environment," Xinhua News Agency, 3/3/2007.**

Experts have warned of environmental pollution from increased animal husbandry, as the country became the world's top meat and egg producer last year.

http://news.xinhuanet.com/english/2007-03/03/content_5794813.htm

参 考 消 息

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美国电子垃圾祸水外送 中国深受其害浑然不觉

【美联社加利福尼亚州圣何塞2月25日电】你把旧电脑卖给二手零件商后,它去了哪里?环境保护组织说,它最终很可能到了发展中国家的一个大垃圾堆上,这里有成千上万名工人焚烧、敲打、拆卸报废的电子器件,为的是从中提取贵金属,同时也使自己和周围环境在数不尽的有毒危险物质面前暴露无遗——可他们自己却浑然不觉。



中国城镇的工人正在处理进口的电脑(左图)



在加拿大的一个城市,人们正在回收电子垃圾(右图)

今天公布的一份报告描述了这样一个“网络时代的噩梦”,在位于中国东南的一个村庄里,上面还带有美国主人过去留下的自己的电脑被大卸八块,各种零部件散落在河水中,农田里。

这份报告题为《出口的危害:亚洲高科技垃圾》,报告的作者希望借此给美国公司和议员带来更大的压力,迫使其加强在国内回收方面所做的努力。

调查人员去年12月来到了位于中国广东贵屿镇的这个垃圾场,他们看到,这里的男女老少将电线从电脑中抽出来,晚上焚烧这些电线,空气中弥漫着致癌烟尘。

报告说,有些工人受雇在这里干活,每天的工钱是1.5美元,他们在工作时没有多少,甚至根本就没有保护措施,他们焚烧塑料和电路板,

在电子器件上浇上酸溶液,以提取银和金。许多人将打印机的墨盒撬开——墨盒的危险性目前还不明确,或者将电脑显示器中灌满铅的阴极射线管敲碎。

报告说,这样做的后果是,该地区的地下水严重污染,以致饮用水不得不从18英里以外的一个小镇上运来。对这里的河水抽样检测显示,污染水平是世界卫生组织允许的指标的190倍。

经济强国产生的危险废料最终常常流入世界上最贫困的地区,这已经不是秘密。1989年通过的《巴塞尔公约》对转移废料的做法加以限制,但美国至今仍未签署这一条约。

报告说,业内人士估计,在美国,以回收名义收集的电子废物中,有多达50%到80%实际上被运到了国外。

贵屿的大垃圾堆毛就随之出现了,与贵屿有着相同现象的还有印度和巴基斯坦的一些地区。

硅谷毒物问题联盟的负责人特德·史密斯说:“大家都知道这种情况,但并非以启齿,也不知道到底该怎么解决这个问题,所以他们就只当没看见。”

【美联社旧金山2月25日电】绿色和平组织、硅谷毒物组织、印度有毒物

质组织等多家机构今天在这里公布的一份联合调查报告透露说,发达国家产生的21世纪电子垃圾,最终是在第三世界国家以18世纪的方式回收,在这些国家造成了严重的环境和卫生问题。

报告说,在美国收集的电子垃圾中,有50%到80%是在中国、印度和巴基斯坦等国进行废物回收的。报告说,在中国的贵屿地区,从1995年起大约有10万人从事垃圾回收行业,每个村庄专门负责回收一种元器件。

具有讽刺意味的是,这些垃圾是通过美国的废物回收计划来到亚洲的,在美国很少有回收厂具备必要的设备能按照美国的环保标准来回收这些垃圾。相比较起来,将这些垃圾送往中国、印度和巴基斯坦更为便宜。

Cankao Xiaoxi, "Electronic Scrap Shipped Out by U.S. Troublemakers; China Ignorant of Severe Harms" (Feb. 27, 2002).

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China and Waste Management – Backdrop

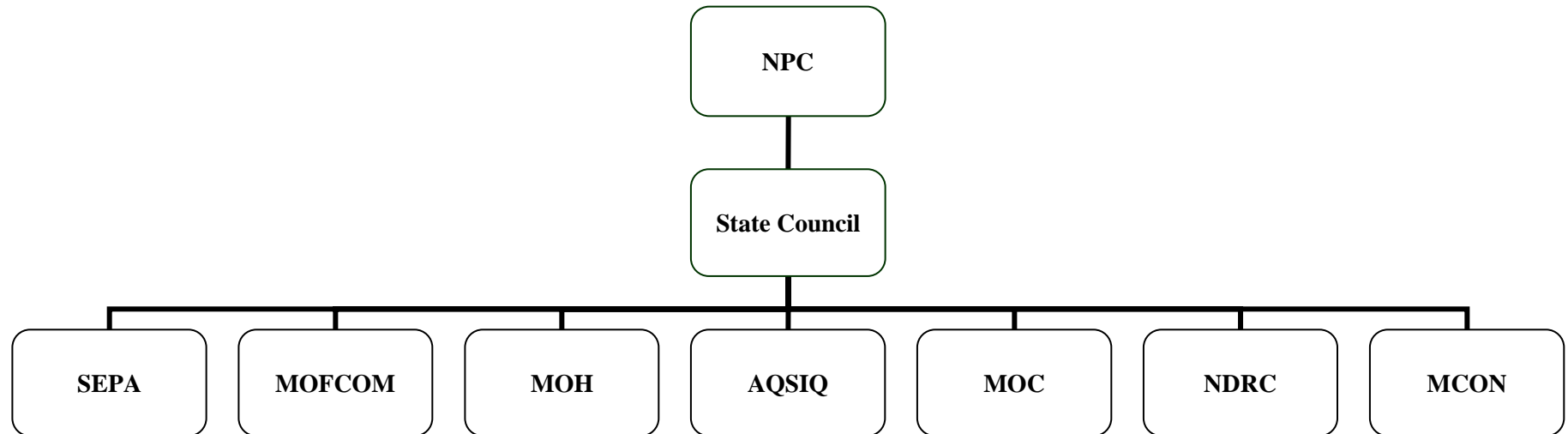
中国与废物管理：回顾

- Illegal disposal of hazardous wastes in China has drawn significant concern from government, media, and citizen group representatives.
- Post-Severe Acute Respiratory Syndrome (SARS) concerns over the communicable aspects of medical wastes has resulted in significant rulemakings and disposal infrastructure development activities.
- In the environmental area, violations of hazardous waste law are more likely to trigger the imposition of **criminal penalties**.
- Multiple government agencies (with the State Environmental Protection Administration (SEPA) most prominent) are involved in waste management issues, which can result in challenges to a comprehensive understanding of the legal requirements.

- **Focus issue: Legal Developments in China Involving the Criminalization of Certain Environmental Violations.**
 - **On July 21, 2006, the Supreme People’s Court released an interpretation regarding crimes that involve environmental, health and safety issues.**
 - **Essentially this interpretation lowers the threshold for applying criminal sanctions to violations of environmental, health and safety laws.**
 - **To illustrate this development:**
 - **Article 338, 339, and 408 of the Criminal law indicate that criminal penalties (involving 3 to 7-year sentences, depending on the seriousness of the case) may apply to those responsible for “discharging, dumping or disposing of radioactive wastes, wastes carrying infectious pathogens, poisonous substances or other dangerous substances...and causing ‘great loss of public or private property.’”**

- **Via the Supreme People’s Court interpretation, “great losses of public or private property” are defined as follows:**
 - **Causing loss of public or private property with value over 300 thousand RMB (approximately 39,200 USD).**
 - **Causing destruction of 5 mu of basic farmland, protected forests or special forested land, 10 mu of other agriculture land, or 20 mu of other land (“other,” here, referring to any land not otherwise defined).**
 - **Note: 1 mu is roughly equivalent to 660 square meters.**
 - **Causing death of forests at a scale of 50 cubic meters of timber, or the death of 2,500 young trees.**

Key Government Organizations with Legislative or Regulatory Responsibilities Involving Waste or Used Material Management



Key: (chart showing approximation of hierarchy; lists key government organizations active at present in waste/used materials management area)

AQSIQ: Administration for Quality Supervision, Inspection and Quarantine

MCON: Ministry of Construction

MOC: Ministry of Commerce

MOFCOM: Ministry of Commerce

MOH: Ministry of Health

NDRC: National Development and Reform Commission

NPC: National People's Congress

SEPA: State Environmental Protection Administration

Overview of Key Regulatory Responsibilities: Waste/Used Material Management

Examples of Key Regulatory Responsibilities (Note: This is not a comprehensive treatment of the subject! Also, many of the areas involve multi-agency input, though a specific agency may take the lead for the issue. Other agencies involved in these issues which are not reflected on this slide include the General Administration of Customs and the State Administration for Work Safety (worker/safety/dangerous substance exposure at waste management facilities)).

<p>Waste imports (waste for use as raw materials); waste exports</p>	<p>Used Equipment Imports (imported for use in originally intended manner)</p>	<p>Waste (Civil) Disposal Facility Construction</p>	<p>Waste/Used Material Conversion or Recycling (non-final disposal)</p>	<p>Registration of raw material importers, joint promulgation of waste-related (e.g., hazardous waste ID) standards</p>	<p>Medical waste disposal issues</p>	<p>Transportation Management Involving Hazardous Wastes</p>
<p>SEPA, AQSIQ</p>	<p>MOFCOM, AQSIQ</p>	<p>SEPA, NDRC, MCON</p>	<p>SEPA</p>	<p>AQSIQ</p>	<p>SEPA, MOH</p>	<p>SEPA, MOC</p>

Industry Compliance Challenges and Approaches (examples)

工业界守法的困难和方法

- **Infrastructure**

- Identifying suitable (proximate, consistent with company standards, compliant with law) facilities for processing and/or final disposal of China-generated wastes

- **Procedures**

- Domestic transport of wastes to suitable processing/disposal locations can be extremely complicated (e.g., each local authority waits for the other to indicate that transport is authorized). Also, understanding of the nature of “wastes” (including differences between “waste” intended for use as raw materials, “waste” for final disposal, and used materials (which may appear to be wastes absent documentation indicating otherwise) is critical to understanding appropriate procedures and applicable rules.

- **Access to Information**

- SEPA and other web sites are increasingly extremely helpful, particularly the Chinese sites. Access to national laws is increasing. However, local government understanding of these laws, particularly new laws (which can include laws issued within past 12-18 months), should not be assumed. Meetings like this one at the Woodrow Wilson Center are critical to helping facilitate information exchanges on key issues in this area.

Thank You

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