

Water Pollution Control Act Enforcement Rules

Law history in translation

Article 1

These Rules are determined pursuant to Article 74 of the Water Pollution Control Act (herein referred to as “this Act”)

Article 2

The “working environment” referred to in Article 2, Subparagraph 8 of this Act means the scope of enterprise use.

Article 3

The matters designated in this Act as the responsibility of the central competent authority are as follows.

- I. Determination, supervision and implementation of national water pollution control policies, programs and plans
- II. Determination, approval, interpretation and implementation of national water pollution control laws regulations
- III. Collection and management of water pollution control fees
- IV. National water pollution control research and development
- V. Training and management of national water pollution control personnel
- VI. Supervision of water pollution control work in special municipalities, counties and cities
- VII. National water pollution control monitoring and testing
- VIII. National water pollution control survey work and compilation of statistics
- IX. National water pollution control public awareness work
- X. International cooperation and technology exchange related to water pollution control
- XI. Coordination or implementation of national and inter-special municipality, county or city water pollution control work
- XII. Other national water pollution control matters

Article 4

The matters designated in this Act as the responsibility of special municipality, county and city competent authorities are as follows.

- I. Planning and implementation of special municipality, county and city water pollution control plans
- II. Determination, approval, interpretation and implementation of special municipality, county and city water pollution control laws and regulations
- III. Planning, management and implementation for the use of water pollution control fees
- IV. Special municipality, county and city water pollution control research and development
- V. Training and management of special municipality, county and city water pollution control personnel
- VI. Special municipality, county and city water pollution control monitoring and testing
- VII. Special municipality, county and city water pollution control survey work and compilation of statistics
- VIII. Special municipality, county and city water pollution control public awareness work
- IX. Other special municipality, county and city water pollution control matters

Article 5

As referred to in Article 5 of this Act, “the carrying capacity of a water body may not be exceeded when a water body is utilized to receive or contain effluent”

means that any changes in the water quality of a water body that are caused by the total quantity of discharges from all pollution sources that use said water body to receive or convey effluent may not exceed the water classifications and water quality standards determined pursuant to Article 6 of this Act.

Article 6

“Building sewage treatment facilities” referred to in Article 7, Article 8, Article 25 and Article 26 of this Act means facilities for treating human excrement and other domestic sewage produced by human activities within a building.

Article 7

The “water quality monitoring stations” designated in Article 10, Paragraph 1 of this Act shall be installed and perform monitoring pursuant to the following regulations.

- I. The central competent authority shall install monitoring stations depending on the water quality circumstances in surface water bodies and groundwater bodies involving two or more special municipalities, counties or cities.
- II. Special municipality, county and city competent authorities shall install monitoring stations depending on water quality circumstances in surface water bodies and groundwater bodies within their jurisdictions.

The sampling frequency of water quality monitoring stations in the foregoing paragraph shall, in principle once per quarter and these stations shall monitor the following items.

- I. Water temperature
- II. Hydrogen ion concentration index
- III. Dissolved oxygen
- IV. Heavy metals
- V. Other items designated by the central competent authority based on water body characteristics

Competent authorities at all levels shall issue official announcements for monitoring results and statistical data on a quarterly basis and special municipality, county and city competent authorities shall report data to the competent authority to be filed for future reference.

Article 8

The following items shall be checked when an engineer performs signature work pursuant to Article Paragraph 4 of this Act.

- I. The reliability and reasonableness of wastewater and sewage water quality and water volume survey estimates
- II. Whether the wastewater and sewage treatment design requires a small-scale experiment and whether it achieved necessary reliable design parameters
- III. Whether the functions and calculations of the design of wastewater, sewage or sludge treatment system discharge point facilities comply with the regulations of this Act
- IV. The specifications of wastewater, sewage or sludge treatment facilities shall be checked when the construction of these facilities is completed to determine whether they are consistent the original design diagrams. When any inconsistencies have been noted and explained in the plan modification statement shall also be checked.
- V. When functionality testing is being performed following the completion of the trial operation of wastewater sewage or sludge treatment facilities, the engineer shall conduct an on-site check to determine whether enterprise's wastewater, sewage and sludge output volume; operating system; operational status of wastewater, sewage and sludge treatment; sampling locations; sample quantity; and sampling frequency comply regulations and whether relevant records are reliable.
- VI. Whether reporting documents are consistent with on-site checks
- VII. Whether the enterprise's standard operating procedures and emergency response measures with regard sampling and testing of wastewater, sewage and sludge, and the operation, maintenance and service of treatment facilities, are sufficient to ensure compliance with regulations
- VIII. Other items the competent authority has designated as requiring checks

Article 9

In order to verify the functioning of an enterprise's wastewater, sewage and sludge treatment facilities, competent authorities at all levels shall, when performing inspection work pursuant to Article 26, Paragraph 1 of this Act, notify the enterprise 14 days prior to the inspection to, on the day of inspection, increase its production to conditions of reported or already actually achieved routine maximum water pollution output volumes and to operate its wastewater, sewage and sludge treatment facilities in order to facilitate inspection.

Enterprises that are unable to coordinate with the inspection conditions in the foregoing paragraph for some reason shall submit to the competent authority an explanation of the specific reason, the date on which it can achieve the inspection conditions designated in the foregoing paragraph, and relevant verification documents 10 days prior to the original inspection date. Another inspection date shall be set after the competent authority's authorization.

Article 9-1

When a competent authority at any level performs verification work pursuant to Article 26, Paragraph 1 of this Act, it may commission relevant agencies (organizations) or corporations, juristic persons or groups to perform work within special zones.

Article 10

When a competent authority at any level dispatches personnel bearing identification documents to enter the premises of a military authority in order to perform verification work pursuant to Article 26, Paragraph 2 of this Act, the personnel shall visit relevant premises or facilities together with local military police or military environmental protection personnel.

The inspected military authority shall provide necessary assistance when undergoing inspection or appraisal in the foregoing paragraph.

Article 11

Those applying for a permit to inject treated sewage into a groundwater body pursuant to Article 32, Paragraph 1 of this Act shall submit the following documents.

- I. Application form
- II. Sewage treatment measures
- III. Environmental risk assessment report
- IV. Explanation of groundwater body injection method, frequency, times, injection rate and total volume
- V. Structural design diagrams and explanation of the functions of facilities used for injection into groundwater bodies
- VI. Water quality and volume monitoring plan for injected water during the period of injection into a groundwater body
- VII. Survey and analytical data concerning the underground water-bearing strata that will receive injections. The content of this data shall include the following items.
 1. Existing conditions and structure of geological strata at injection location
 2. Groundwater hydrology and water quality data
 3. Status of groundwater use within a radius of 1,000 meters from the injection location or within a radius designated by the competent authority
 4. Analysis of the impact of injected water on the quality of groundwater
- VIII. Emergency response plan
- IX. Other documents designated by the competent authority

Those that have jointly installed wastewater treatment facilities and that apply for a permit to make injections into a groundwater body shall submit the documents in the foregoing paragraph and jointly submit an application.

Article 12

Competent authorities at all levels that require written notification of improvements or corrections within a designated time period pursuant to this Act shall produce separate disciplinary citations.

The written notification mentioned in the foregoing paragraph shall record the items stipulated in Article 1, Paragraph 1, of the Administrative Procedure Act, and explicitly state the following items.

- I. Reason for disciplinary action
- II. Items requiring improvements or corrections
- III. Deadline for improvements or corrections
- IV. Verification documents required to be submitted upon completion of improvements or corrections
- V. Regulations for consecutive daily fines or consecutive fines per occurrence following failure to complete improvements or corrections by the deadline
- VI. Other items designated by the competent authority

Article 13

The competent authority shall perform the work resumption checking and evaluation work in Article 63 of this Act in accordance with the following methods.

- I. Testing of an enterprise's water pollution control measures or sludge treatment facilities based on the actual routine maximum wastewater and sewage output volume reported by the enterprise when resuming operations
- II. Testing of the functioning of water pollution control measures or sludge treatment facilities based on the actual routine maximum wastewater and sewage output volume of the enterprise
- III. Assess the enterprise's regularly reported water quality and water volume data, the water quality and water volume data resulting from tests performed by the competent authority, and the daily average limits, weekly average limits and monthly average limits for water quality and water volumes, and compare this data with the current functioning of the enterprise's facilities.
- IV. Other methods recognized by the competent authority

Article 14

“Within _____ a _____ one-year _____ period” referred to in Article 73, Paragraph 4 of this Act means the 365 days prior to the date of violation.

Article 15

(Deleted)

Article 16

These Rules shall take effect on the date of promulgation.