



行政院環境保護署
Environmental Protection Administration
Executive Yuan, R.O.C.(Taiwan)

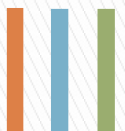


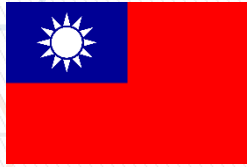
Significance Amendment of Toxic and Concerned Chemical Substances Control Act, Taiwan

TCSB, EPA

Deputy Director General Shu-Lin Chen

2019.08.07





Taiwan



Capital : Taipei

**Area :
35,980 km²**

**Population :
23,590,744**

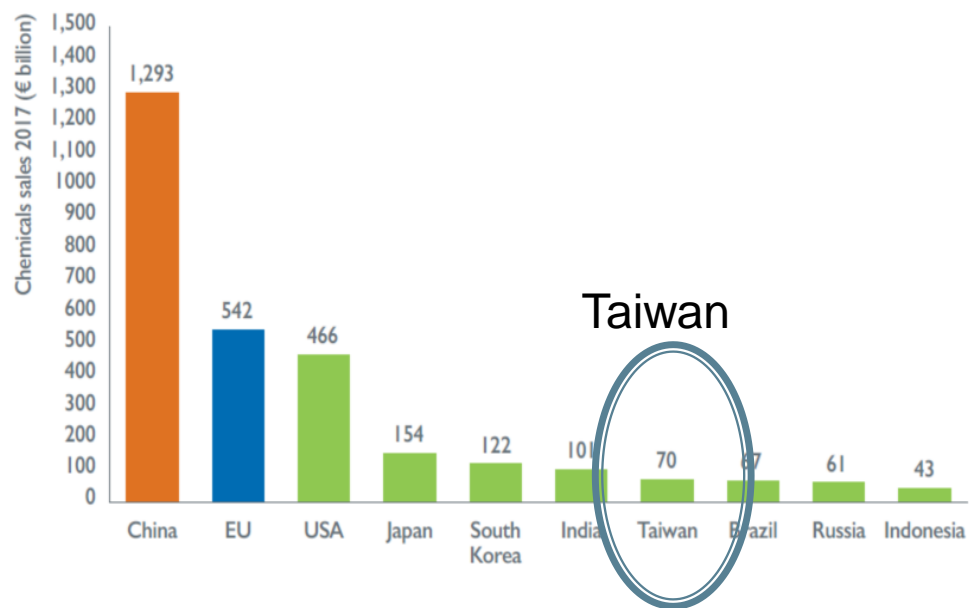


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Taiwan Got Seventh in Chemical Industry Producer Prices Rankings (2018)

Chemical sales by country: top 10



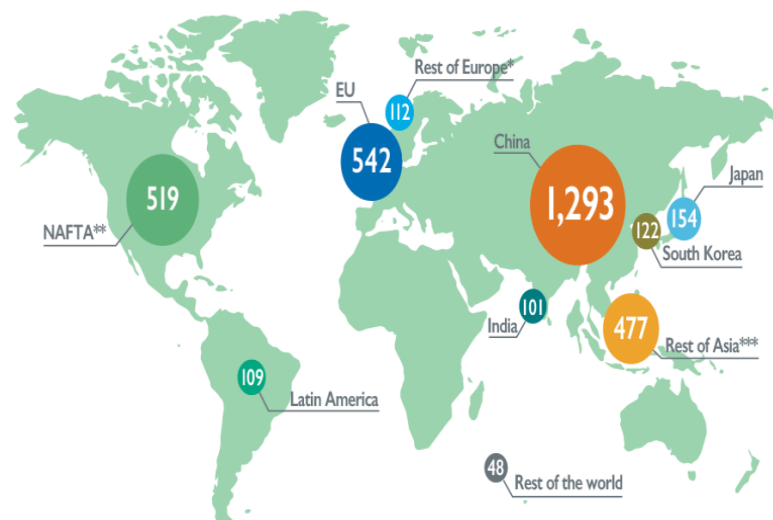
Source: Cefic Chemdata International 2018

Unless specified, chemical industry excludes pharmaceuticals
Unless specified, EU refers to EU 28



The European Chemical Industry Council

World chemical sales (€3,475 billion)



Source: Cefic Chemdata International 2018

* Rest of Europe covers Switzerland, Norway, Turkey, Russia and Ukraine

** North American Free Trade Agreement

*** Asia excluding China, India, Japan and South Korea

Unless specified, chemical industry excludes pharmaceuticals
Unless specified, EU refers to EU 28

Cefic Chemdata International 2018
Chemical Sales by Country: Top 10

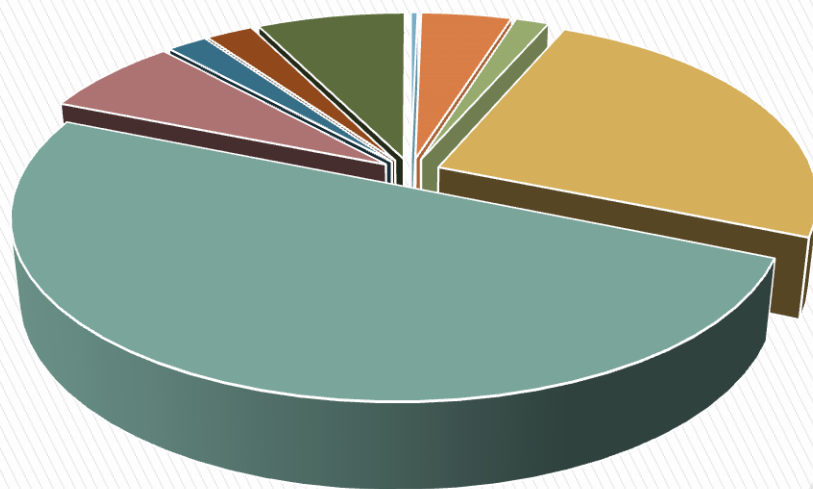


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Chemical industry Producer Prices (2017)

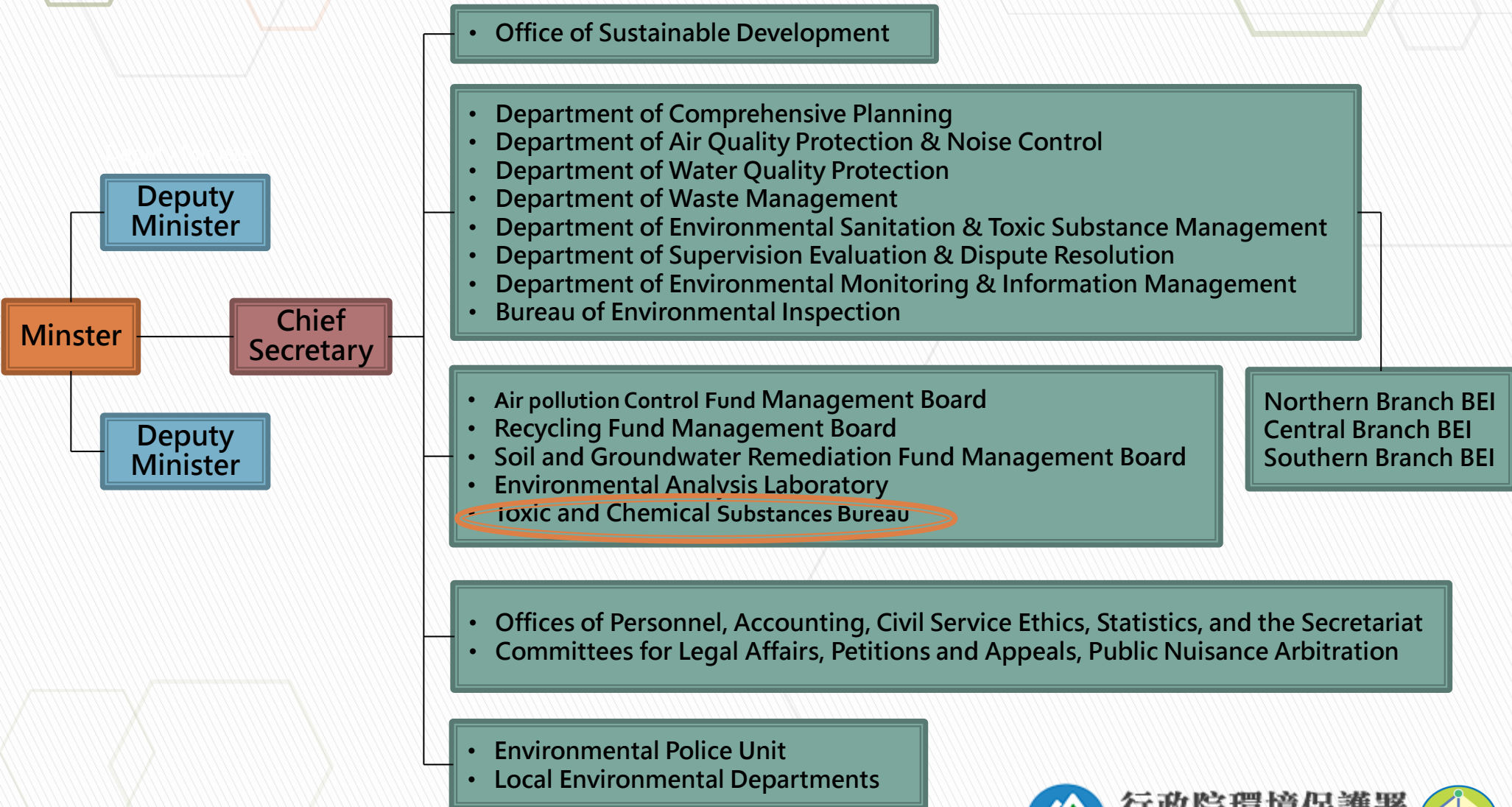
UNIT: US dollars



-  Manufacture of Chemical Material, Fertilizers and Nitrogen Compounds, Plastic and Rubber Materials, Man-made Fibers
\$64,596M
-  Manufacture of Petroleum and Coal Products
\$31,953M
-  Manufacture of Plastics Products
\$9,597M
-  Manufacture of Paper and Paper Products
\$5,853M
-  Manufacture of Other Chemical Products
\$9,168M
-  Printing and Reproduction of Recorded Media
\$2,151M
-  Manufacture of Pharmaceuticals and Medicinal Chemical Products
\$2,599M
-  Manufacture of Rubber Products
\$3,053M
-  Manufacture of Leather, Fur and Related Products
\$429M

Organizational Chart

Environmental Protection Administration, Executive Yuan, R.O.C. (Taiwan)



Organizational Chart

Toxic and Chemical Substances Bureau, TCSB

Strengthening the management sources and prevention of food safety, tracking hazardous substances, and implementing the "policy for promoting food safety" .

Established on
2016.12.28

Executive Yuan



EPA



TSCB

Position :150

Comprehensive
Planning Division

- Planning, implementation, and monitoring the regulation of toxic and chemical **management policy**
- Planning, promotion and coordinating **international cooperation and technological development** of toxic chemicals management

Evaluation
Management Division

- **Integration and analysis information** of toxic chemicals; coordination and implementation of **audits and inspection**.
- Inter-ministerial coordination on **national standards** and the management of **quantity and trace** of toxic chemical substances
- Research and Development of the **hazard evaluation** method of toxic chemical substances in management

Hazard Control Division

- Development, implementation and supervision of **disaster control policies** and regulations for toxic chemical substances
- Planning, implementation and monitoring management policy and regulation related to **environmental agents**

Affiliate
division
(Personnel,
Accounting ,
Secretary,...)



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The System of Toxic Chemical Substances Control Act

Toxic Chemical Substances Control Act

It was enacted and implemented in 1986, and it has been revised 7 times for more than 30 years.

**Amended and promulgated on Jan 16, 2019.
New Title :Toxic and Concerned Chemical
Substances Control Act**

The Competent Authority :
Environmental Protection Administration, Executive
Yuan, R.O.C. (Taiwan)

Executive Department : **Toxic and Chemical Substances Bureau, EPA**



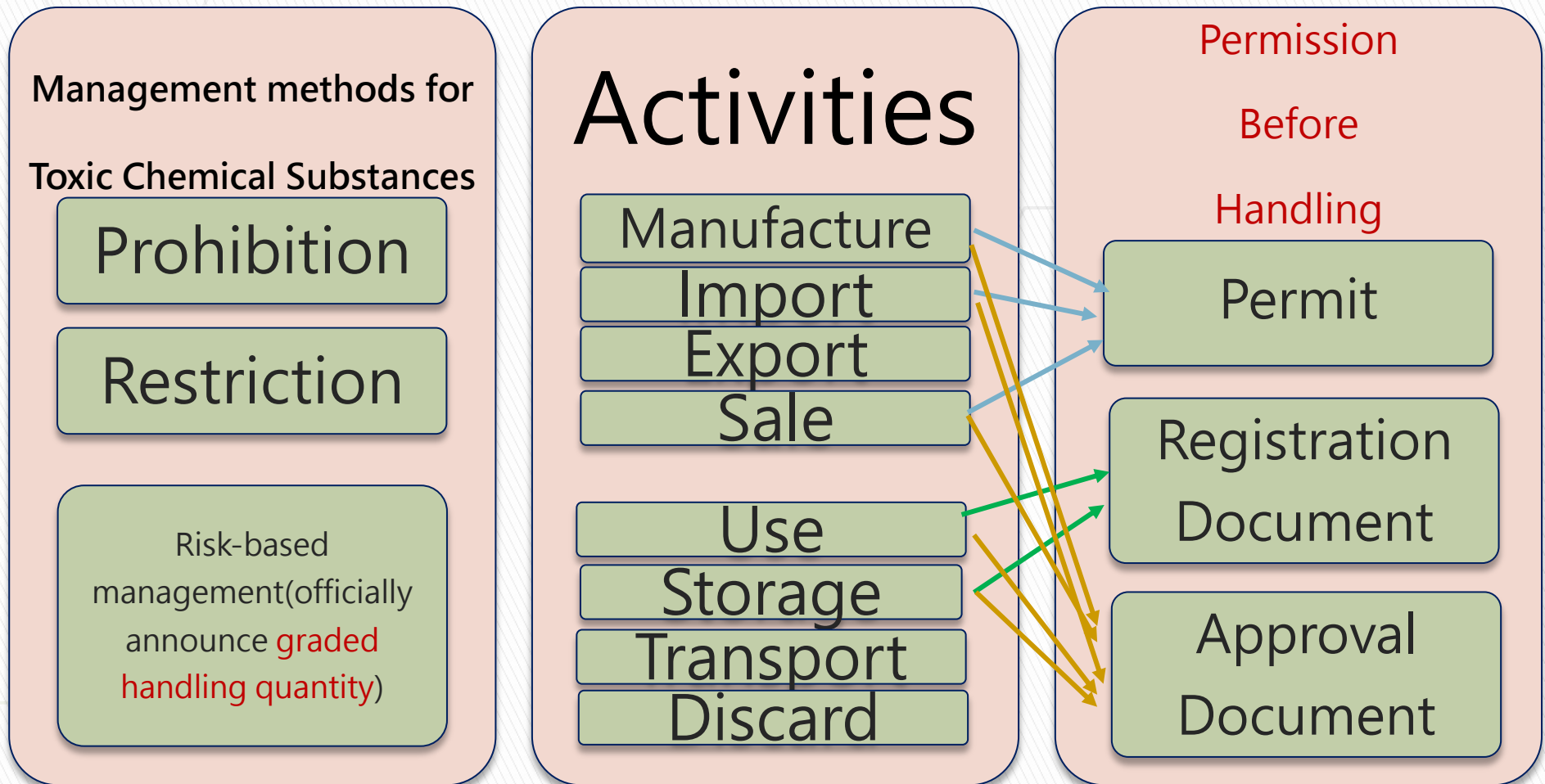
The control of announced toxic chemical substances

"Toxic chemical substances" refers to those chemical substances that are intentionally produced by human activity or unintentionally derived from production processes and that have been officially announced by the central competent authority as having toxicity subject to the following classification regulations.

Class 1 toxic chemical substances	Commonly known as: Not prone to decompose	Mercury , Benzene, etc.
Class 2 toxic chemical substances	Commonly known as : Chronic toxicity	Asbestos , Polychlorinated biphenyls, etc.
Class 3 toxic chemical substances	Commonly known as : Acute toxicity	Potassium cyanide, Fluorine, etc.
Class 4 toxic chemical substances	Commonly known as : Suspected toxic chemical substances	Di-n-pentyl Phthalate (DNPP), etc.

- ▶ **The control of announced and classified** , by July 2019, 340 toxic chemical substances, have been regulated under TCCSCA. Among these Toxic chemical substances, 59 were **prohibited to be used**, 162 were **restricted by certain uses**, and 119 substances can be used as usually but are subject to record keeping (class 4).

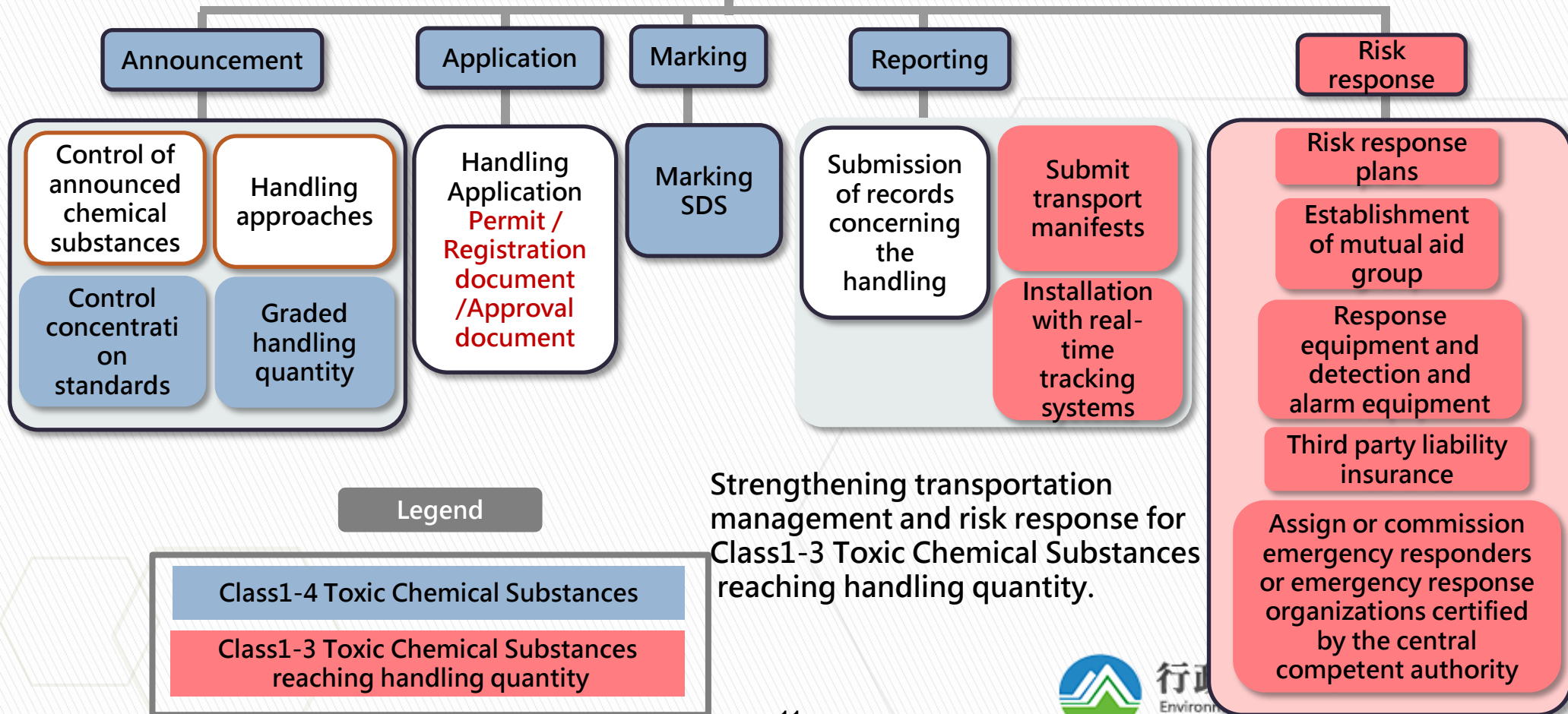
Management system of the Toxic Chemical Substances Control Act



Management of Toxic Chemical Substances

Toxic And Concerned Chemical Substances Control Act

Chapter 2 Assessment, Prevention and Management of Toxic Chemical Substances



Item Management of Toxic Chemical Substances

Permission before handling Permit/ Registration Document/ Approval Document	Chemical Substances Registration	Liability insurance to cover handling risks
Marking of containers, packaging, handling sites, and facilities	Professional technical management personnel Class A/Class B/Class C	After the occurrence of an accident, submit a report to the competent authority for reference
SDS		Transportation management and GPS for cars
Regularly reporting records concerning the handling of toxic chemical substances and submitting their release quantities	Risk prevention and response plans	
Notification of Accidents	Plans of response equipment and detection and alarm equipment	

Number of Business Entities and licensees for control of announced Toxic Chemical Substances

Type	Number of Business Entities	Number of licenses
Permit	391	753
Registration Document	733	1,327
Approval Document	2,847	13,832
Class 4 Approval Document	2,593	10,658

The deadline of data statistics is Aug 2nd, 2019
Number of Business Entities : 4,438

Amended and promulgated on Jan 16, 2019.

Toxic and Concerned Chemical Substances Control Act

The addition and revision of 35 sub-laws related to the TCCSCA

Rationales for Amendment

In order to manage domestic toxicants and chemical substances from the source, and to construct a safe and sustainable chemical environment, while considering food-safety issues at the same time, the original TCSCA was therefore amended.

Legislative Yuan, Republic of China (Taiwan) decided in November 2016: The Environmental Protection Administration of the Executive Yuan, should propose a revised draft of the Toxic Chemical Substances Control Act to the Executive Yuan, which should be amended to include the management for general chemical substances, and the approaches to manage chemical substances with food-safety concerns should also be added.

TCSCA- before and after Jan 16th 2019

Toxic Chemicals Substances Control Act

Toxic and Concerned Chemical Substances Control Act

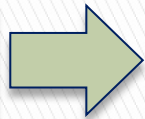
Chapter 1
General Principles (§1-6)

Chapter 2
Hazard Assessment and
Prevention (§7-10)

Chapter 3
Management (§11-28)

Chapter 4
Penal Provisions (§29-37)

Chapter 5
Supplementary Provisions
(\$38-44)



Chapter 1
General Principles (§1-7)

Chapter 2
TCS Assessment, Prevention, and Management (§8-23)

Chapter 3
Assessment, Prevention, and Management of Concerned
Substances (§24-29)

Chapter 4
Substance registration and reporting (§30-34)

Chapter 5
Accident prevention and emergency responses (§35-43)

Chapter 6 Inspection and finance (§44-49)

Chapter 7 Penal Provisions (§50-67)

Chapter 8 Supplementary Provisions (§68-75)



7 Highlights of amendment of Toxic and Concerned Chemical Substances Control Act

1

Concerned
Chemical
Substance

5

Notification in
30 Minutes

2

Accident Prevention
and Emergency
Responses

6

Prohibition of
Online Shopping

3

The National
Chemical Substance
Management Board

7

Seeking of Illegal Gains
and Whistleblower
Protection

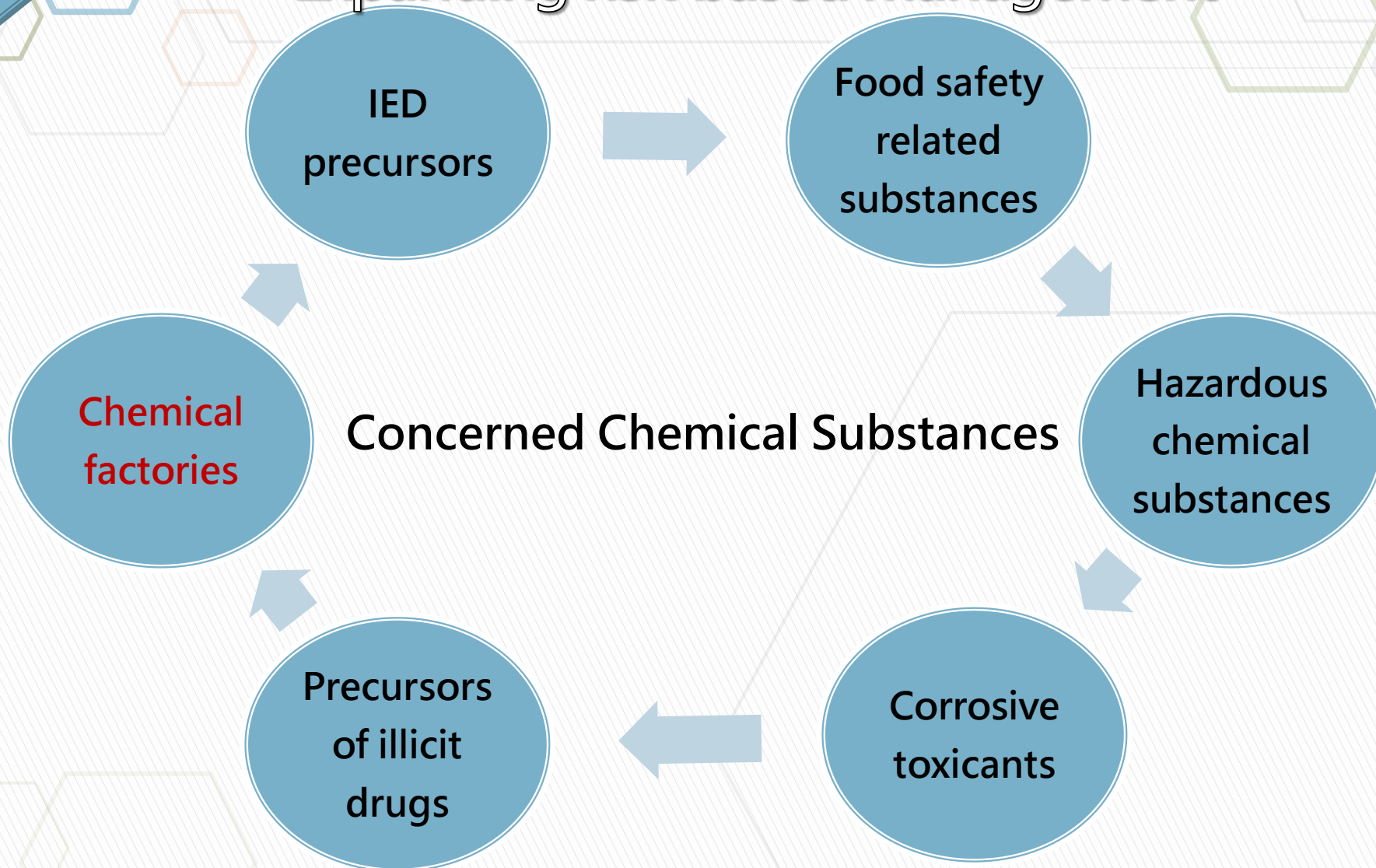
4

Establishment of
the Fund

1

Concerned Chemical Substances

Expanding risk-based management



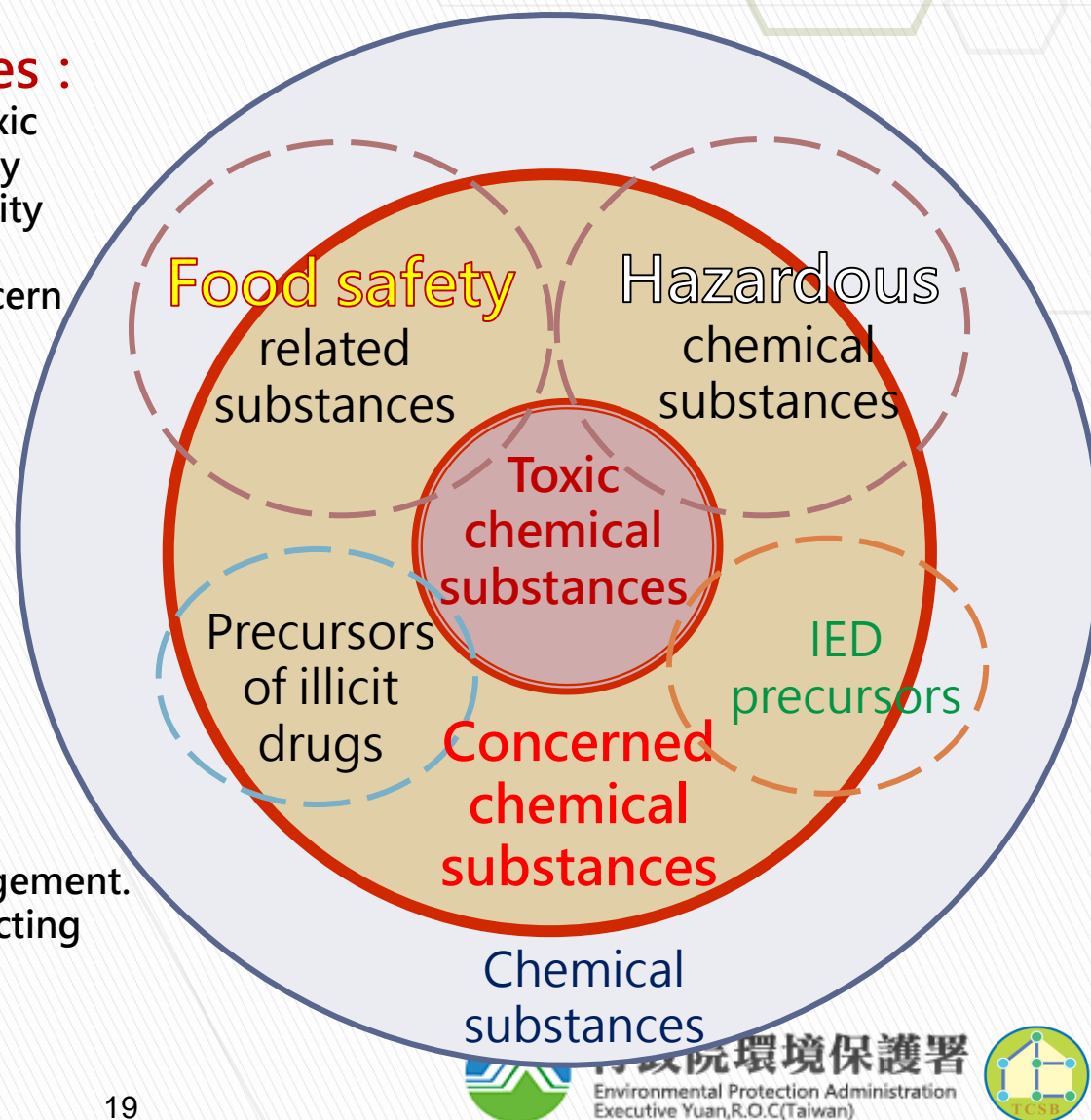
Management of Concerned Chemical Substances

Concerned Chemical Substances :

Refers to chemical substances aside from toxic chemical substances, that have been officially announced by the central competent authority based on substance characteristics or public consumer issues of domestic or foreign concern and are controlled by the central competent authority.

Priority is given to the assessment of substances such as “high level of hazard”, “High handling quantity”, “risk of food safety or people’s livelihood consumption”, “risk of disaster” and domestic or international “high level of concerned” substances.

Screening and assessment, risk-based management. Enhancing control of management and collecting flows of substances.

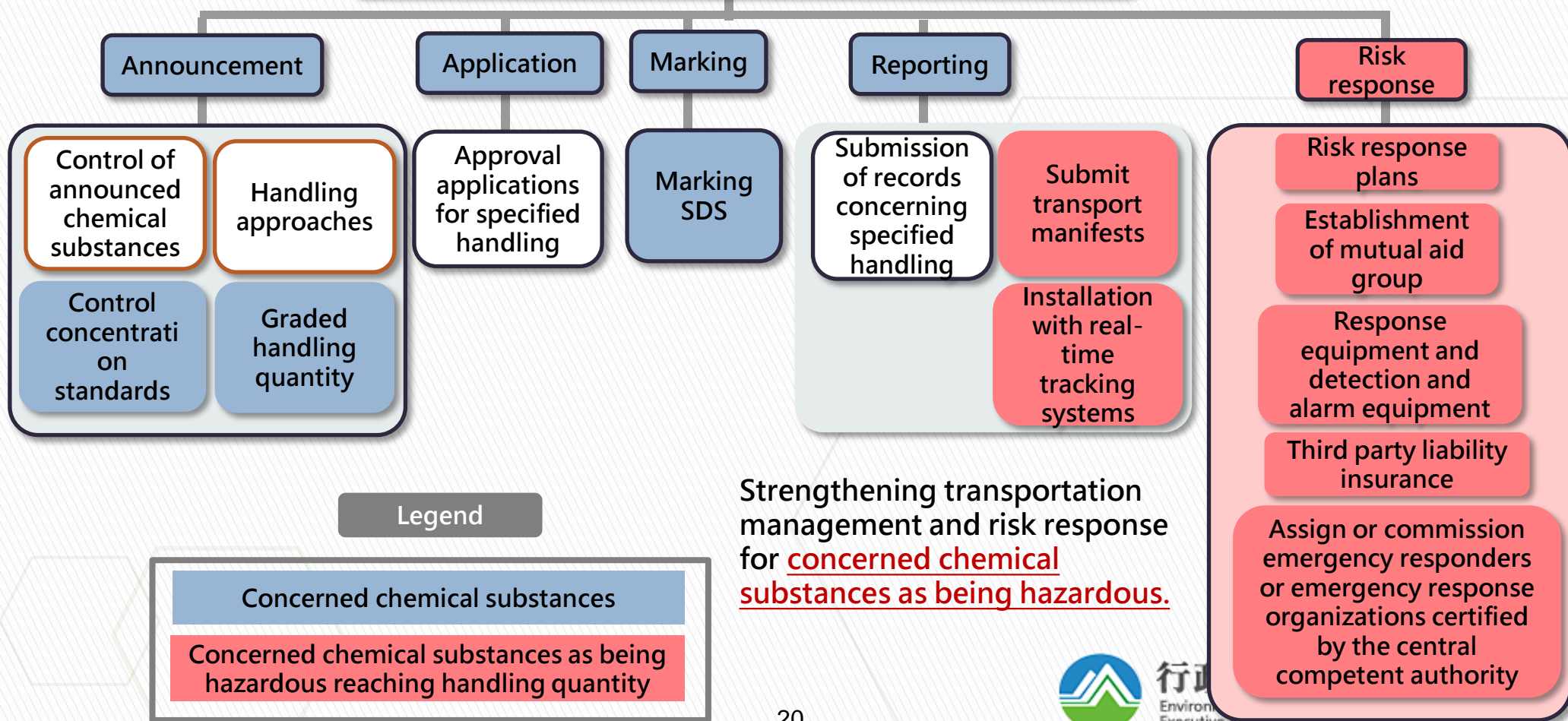


1.

Management of Concerned Chemical Substances

Toxic And Concerned Chemical Substances Control Act

Chapter 3 Assessment, Prevention and Management of Concerned Chemical Substances



Accident Prevention and Emergency Responses

The Regulations of Accident Prevention and Emergency Responses for Toxic Chemical Substances and Concerned Chemical Substances as being hazardous

Capable of Emergency Responses and Self-rescue

Article	Content
§35	Submission of risk prevention and response plans for public review
§36	Liability insurance
§37	Fees from emergency responders training
§38	Mutual aid group
§39	Response equipment and detection and alarm equipment, the connection of automatic monitoring facilities
§40	Transport manifest and real-time tracking systems
§41	Emergency Responses Reducing the accident notification time (from 1hr to 30mins)
§42	All costs incurred in the course of handling accidents
§43	Management of emergency response vehicles

Accident Prevention and Emergency Responses

New: Accident
Prevention and
Emergency
Responses

Strengthening the
management

Response equipment
and detection and
alarm equipment

Costs of handling
accidents

Transport manifest
and real-time
tracking systems

Emergency
responders or
emergency response
organizations

Emergency Responders Training

Handlers must assign or commission **emergency responders** or **emergency response organizations** certified by central competent authority to bear responsibility for adoption of necessary protective, emergency response, and clean-up operations in the event of an accident.



Grades, number of people



- Institutionalization of Group



Training and retraining



- Professional Training

Capable of Emergency Responses and Self-rescue

Emergency Responders



Adoption of necessary protective, emergency response, and clean-up operations in the event of an accident.

VS

Professional Technical Management personnel (Specialists)

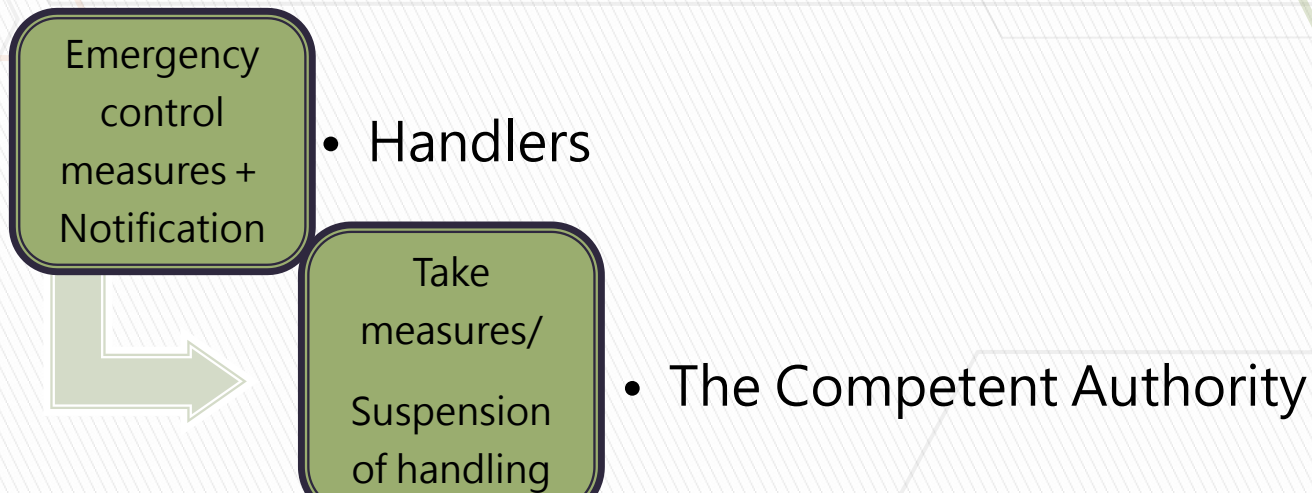


The performance of toxic chemical substance pollution control and risk prevention.

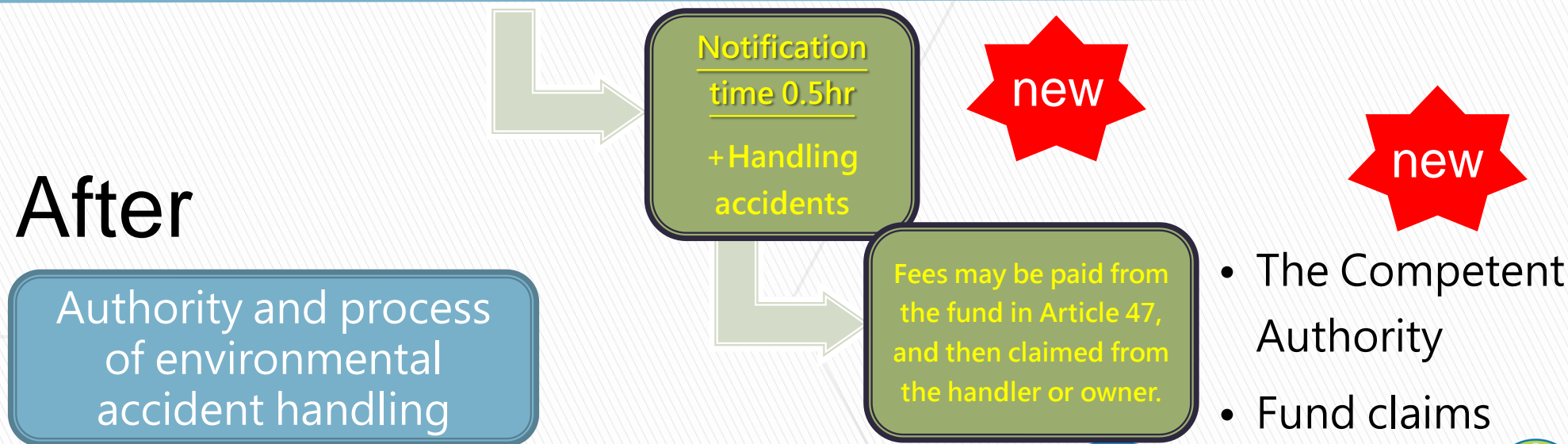
2

Take measures for accidents

Before



After



The National Chemical Substance Management Board

Rationales for the creation of The National Chemical Substance Management Board (2019.6.17)

Convener

The Premier of the Executive Yuan

Board members

Relevant government departments, experts, scholars, and group representatives

Assignments

- To coordinate inter-department chemical substances risk assessment and management measures.
- Oversight of relevant ministries implementing National Chemical Substance Management.
- Coordination of other relevant National Chemical Substance Management

3

The National Chemical Substance Management Board

Regular tracking to show the results of the administration

Strengthening the horizontal communication system

Executive Yuan, R.O.C. (Taiwan)

- Coordinating the management of chemical substances
- The creation of The National Chemical Substance Management Board

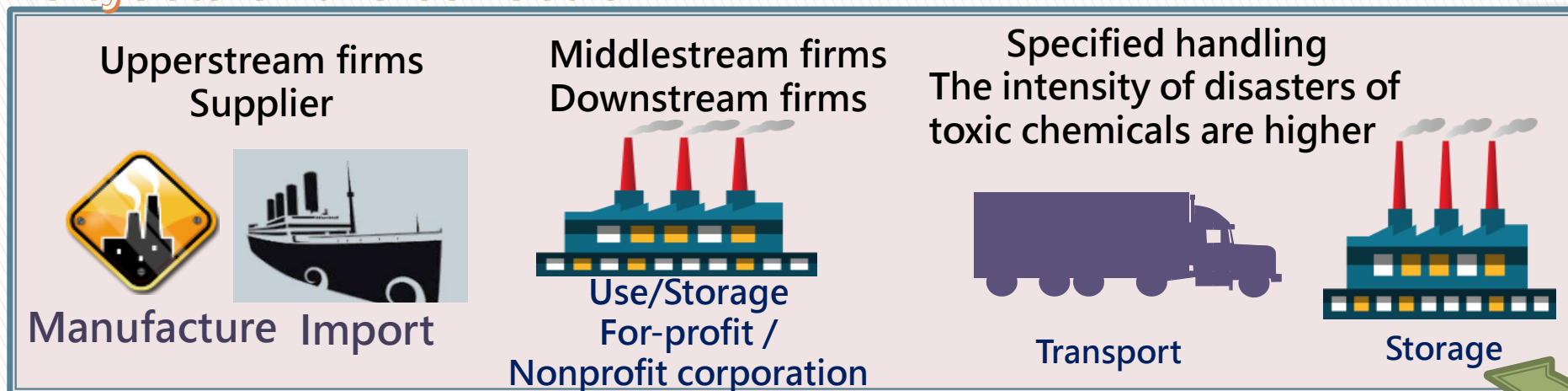
Enhancing the system of inter-ministerial Coordinating and integrating the relevant authority and regulations

Improving overall chemical substance management

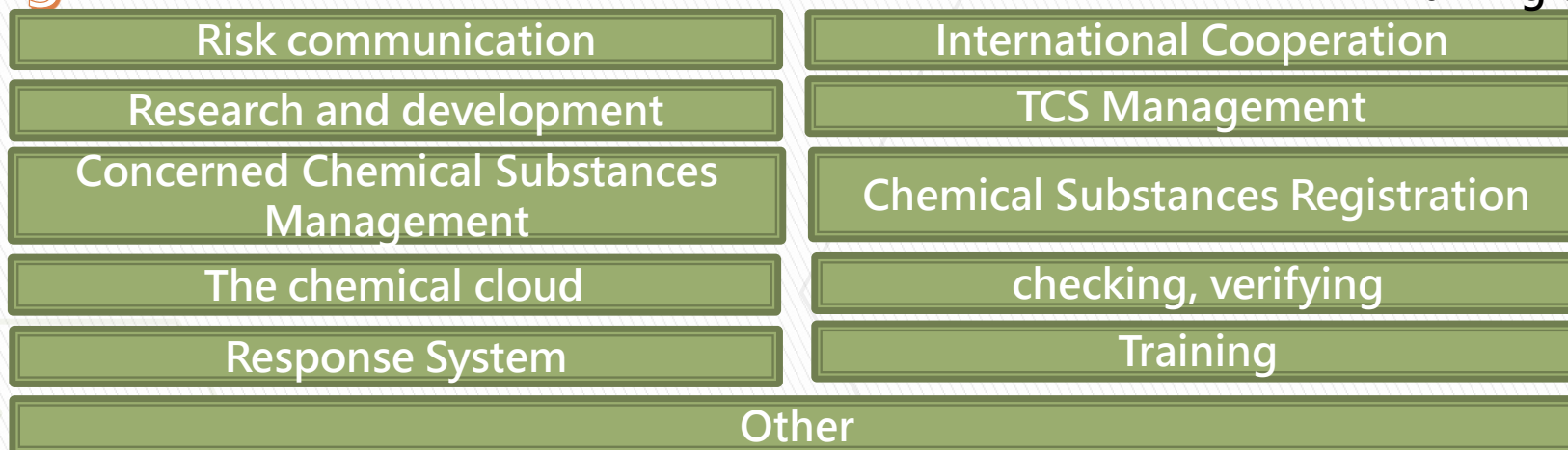
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Establishment of The Fund for Toxicants and Chemical Substances

Objects of the collection



Usage of the fund



Training course fees

Funding for the expansion of management for chemical substances, strengthening of the system for environmental accident response consultation, and environmental flow investigation.

4

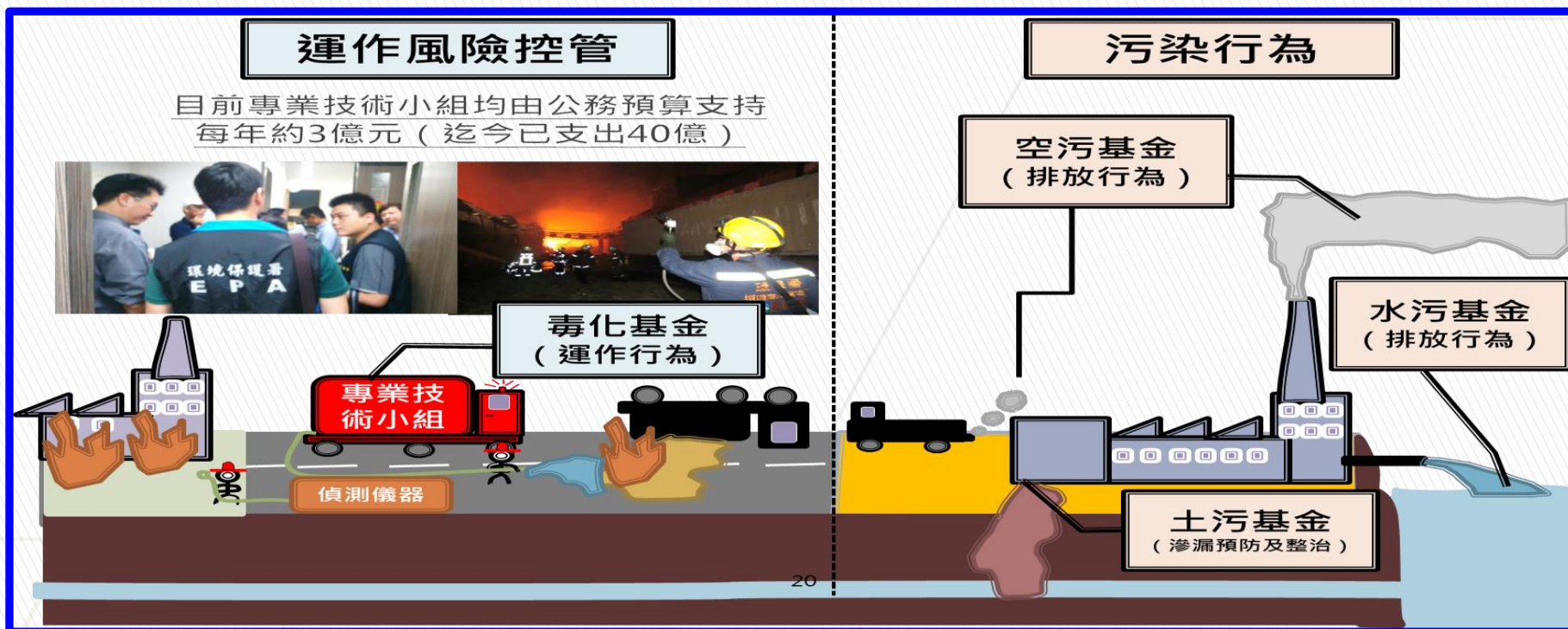
No Duplicate charges with other environmental funds

Risk Management :

Toxicants and Chemical Substances Fund
Management Board

Improvement of pollution:

Air pollution Control Fund Management Board
Soil and Groundwater Remediation Fund
Management Board



5

Accident Notification time Reducing from 1hr to 30mins

For those toxic chemical substances and concerned chemical substances that have been specified and announced as being hazardous by the central competent authority for which one of the following circumstances applies, the handler shall promptly adopt emergency control measures and, **within no longer than 30 minutes**, notify the competent authority for the area where the accident occurred.

- Those circumstances in which the environment surrounding the handling site for which there is concern of suffers pollution due to leakage, chemical reaction or other unexpected accident.
- Those circumstances in which an unexpected accident occurs during transport and for which there is concern of pollution of the environment or the endangerment of human health.
- The reporting method for Paragraph 1 shall be announced by the central competent authority.
- Tel : 119, 110, Channel for citizens to voice complaints 0800-066666, etc.

- ▶ Area :
35,980 km²
- ▶ Population :
23,591,03
- ▶ Population Density :
651.74人/km²
(By 2019.6.30)

5

Accident Notification time Reducing from 1hr → to 30mins

Reducing the Accident
Notification time from 1hr to
30mins

To improve notification timeliness
To reduce the impact of accidents

Accident of Leakage

Handlers shall notify the
competent authority for the area
where the accident occurred
within no longer than 30 minutes.

To expand source management
To reduce accident risk

Prohibition of Selling or Transferring Control of Announced Chemical Substances by Online Shopping

➤ §21 and §28

The selling or transfer of **Toxic and concerned chemical substances** may not involve mail orders, online shopping or other transaction platform wherein the identities of the parties to the transaction cannot be established.

- Article 30 of the Tobacco and Alcohol Administration Act and Article 5 of the Tobacco Hazards Prevention Act as reference.

- Those who operate **mail order, online shopping or other platforms that provide transactions for selling or transfer** in violation of regulations in Paragraph 2, Article 21 or Paragraph 2, Article 28 shall be fined NT\$60,000 to NT\$300,000, and may be fined per violation.

Prohibition of Selling or Transferring the Control of Chemical Substances by Online Shopping

Shopping

- ▶ Possession of permit, registrant document, approval document for TCS and concerned chemical substances.

Mail orders, online shopping or other transaction platform

Online Shopping
Shopping channels
Teleshopping

Selling

- ▶ Possession of permit, registrant document, approval document for TCS and concerned chemical substances.



YAHOO!
購物中心

PChome 線上購物!



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Executive Yuan, R.O.C.(Taiwan)



Seeking Illegal Gains Whistleblower Protection

Encourage employees to report wrongdoings and supervise them with citizen.

§66 Seeking Illegal Gains

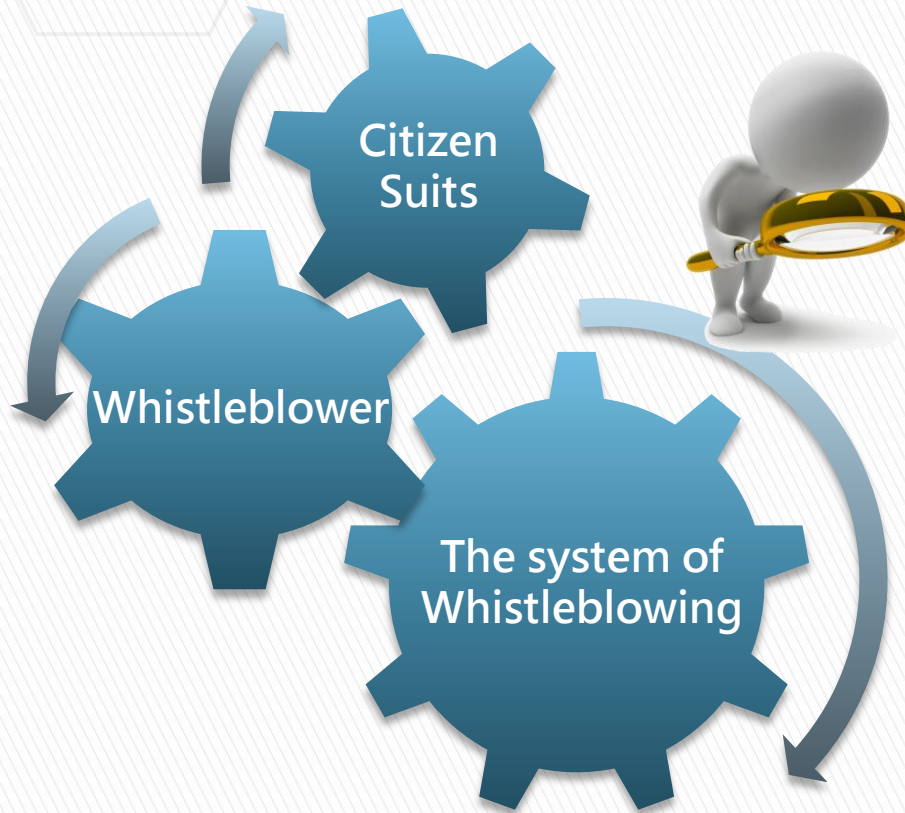
Those who violate their duties or actions as prescribed in this Act and obtain material gain, apart from being fined certain amounts pursuant to the regulations of this Act, **payment of amounts within the scope of the material gain may also be sought.** So-called "**material gains**" include **active gains** and **passive gains** in the form of reduced or waived payments.

§67 Whistleblower and reward.

People or groups may report actions violating the regulations of this Act through statements of facts or submissions of evidential information to the competent authority. A certain percentage of total collected fine amount shall be provided as a reward to the informant.

7

The System of Supervision and Seeking



The System of Seeking



Supervision by citizen

Toxic and Concerned Chemical Substances Control Act

- Pursuant to the Provisions take effect
Article 75 :

Reporting, whistleblowing,
and reward, etc.

- Promulgated on 2019.01.18

The remaining 70
provisions(concerned chemical
substances, notification, Online
Shopping, etc.)

- Execute after one year : 2020.01.16

- Implementing relevant regulations in accordance
with the TSCA before 2020.01.16



Thank You

