



# Electronic Environmental Policy Monthly

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## Feature Article

### Motorcycle Control Measures

Motorcycles are fast-running, economical, easy to operate and have more parking spaces available to them. They are thus very suitable for short-distance travel. Due to Taiwan's limited land and high population density, motorcycles have become the most common means of transportation, numbering 13.73 million in total. To control pollution from motorcycle emissions, the central government is currently taking measures in the following four areas: phasing in tightened emission standards on new vehicles, establishing inspection and testing systems, promoting clean fuels, and phasing out old motorcycles. Together, the measures will provide comprehensive control of motorcycle pollution emissions from the design and production stages all the way to end-use, effectively reducing air pollution from mobile sources and improving air quality.

#### I. Tightening emission standards on new vehicles in phases

The EPA's control of motorcycle emissions began over 30 years ago on 1 January 1988 with Phase 1 emission control standards, while Phase 6 commenced on 1 July 2017. To keep up with global motorcycle technology development trends and

vehicle emission regulations, Phase 7 air pollutant standards for motorcycle emissions are to be implemented on 1 January 2021.

Controls on new vehicles include new model approval inspections, new vehicle random inspections, and inspections on pollution emitting components. Motorcycles are the most common means of

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transportation in Taiwan, and their large numbers make them a major air pollution source. Besides measures such as periodic exhaust inspections, roadside inspections, and incentives to phase out old motorcycles, it is also necessary to gradually tighten emission standards for new motorcycle models.

## II. Establishing inspection and testing systems

### A. Regular inspections

Motorcycles over five years old shall be brought to motorcycle emission inspection stations every year for inspection, within the period from one month before to one month after the anniversary month of the original issuance of the driver's license. If the inspection results do not meet the emission standards set out in Article 36 paragraph 2 of the *Air Pollution Control Act* (空氣污染防制法), the motorcycle shall be repaired and undergo a second inspection within one month.

### B. Random and roadside inspections

According to the *Air Pollution Control Act*, industry competent authorities of different levels can perform random emission testing or inspections on in-use mobile pollution sources at train stations, airports,

roadsides, ports, water bodies or other suitable places. They can also notify the owners of vehicles with high pollution risk to bring their vehicles to designated places for inspection within a given period. The authorized random testing or inspection at suitable places ensures that motorcycles meet emission standards even after being used for a period of time and increases drivers' awareness to regularly maintain their vehicles.

## III. New vehicle approval inspection, recall, and correction

Controls on new vehicles include new model approval inspections, new vehicle random inspections, and inspections on pollution emitting components. Whether vehicles are made domestically or imported, enterprises are required to apply for a *Compliance Certification for Gasoline Vehicle Emissions Inspections* from the EPA. They have to submit all documents for the new models and test reports showing compliance with emission, on board diagnostic, and endurance standards. Only when reviews are complete and the certification is granted can sales of new models commence. Moreover, the EPA mandates enterprises that have obtained emission certificates to set up a complete quality



▲ In the past five years, the number of two-stroke motorcycles in Taiwan has decreased significantly

control system. Sample testing for emission pollution are to be conducted randomly on vehicles, whether from assembly lines or imported, at a ratio required by law. Quality control test results, production and sales information shall also be submitted to the EPA on a monthly basis.

Annual random testing is conducted by the EPA on manufacturers' or importers' new motorcycles. Randomly chosen motorcycles are sent to designated testing facilities for emission tests to ensure motorcycles meet standards. If test results show non-compliance, the models' emission compliance certificates will be revoked. All potentially non-complying motorcycles that have been sold must be recalled for correction within a given period of time.

Not only are new motorcycles required to meet emission standards, motorcycles within their durability warranty period must also comply with the same emission standards. According to the regulations, the durability warranty period for Phases 6 and 7 emission

standards is five years or 20,000 km of travel for motorcycles whose maximum speed is under 130 km/h, or five years or 35,000 km of travel for motorcycles whose maximum speed is 130 km/h or more.

For in-use motorcycles, the EPA also conducts annual testing for recalls and correction, choosing vehicles within their durability warranty periods and testing their pollution emissions. This is to ensure that in-use motorcycles within their durability warranty period are compliant with emission standards. Should any motorcycle fail the testing, manufacturers or importers will be mandated to recall potentially non-complying vehicles that have already been sold to undergo correction within a given period of time. Through the above measures, comprehensive controls at all stages for motorcycle pollution emissions – from design and production to in-use – are implemented.

#### IV. Proactive actions: expediting the phasing out of old motorcycles



▲ Due to Taiwan's limited land and high population density, motorcycles have become the most common means of transportation, numbering 13.73 million.

To expedite the phasing out of old and high-polluting motorcycles, in 2008 the EPA began to subsidize the phasing out of two-stroke motorcycles. It also started to subsidize the trade-in of two-stroke motorcycles for electric ones in accordance with the *Electric Motorcycle Industry Development and Promotion Plan* (2009-2013) approved by the Executive Yuan. A few years later, the EPA combined the related programs and increased the subsidy for electric two-wheeled vehicles (electric motorcycles, electric bicycles and electric-assisted bicycles) and promulgated the *Regulations Governing Subsidies for Scrapping Two-Stroke Motorcycles and Purchasing New Two-wheeled Electric Vehicles* on 20 July 2015, in a further attempt to encourage the scrapping of two-stroke motorcycles and promote two-wheeled electric vehicles. Furthermore, in a multi-pronged approach to speed up the replacement of old motorcycles, the EPA expanded subsidization for trade-ins of motorcycles manufactured before 30 June 2007 for

petrol-fueled environmentally friendly motorcycles or electric two-wheeled vehicles from 2020, and targeted old motorcycles as the main focus for inspection and control.

## V. Future Outlook

The vehicle emission control system with respect to motorcycles is fairly established in Taiwan at this stage. On this basis, promoting the use of the mass transportation system and reducing the use of private vehicles will reduce pollution from motor vehicles more effectively. Henceforth, the EPA will keep pushing for the use of clean vehicles and clean fuels, with planning and utilization of the mass transportation system as the medium-term goal. Moreover, as a long-term sustainable development goal, it will seek to reduce the use of private vehicles in order to lower pollution from traffic and move toward a truly clean planet.

## Air

# Draft Preannounced for Revision of the Hydrochlorofluorocarbon Consumption Management Regulations

After five revisions, the *Hydrochlorofluorocarbon (HCFC) Consumption Management Regulations* ( 氟氯烴消費量管理辦法 ) will undergo another amendment to comply with the control schedule set by the Montreal Protocol. The Protocol requires lowering the consumption to 0.5% of the baseline level by 1 January 2020. The upcoming revision will amend the regulation accordingly.

To comply with the Montreal Protocol, the EPA promulgated the *HCFC Consumption Management Regulations* on 15 January 2003 to control the production, import, export, and use of HCFCs listed under the Montreal Protocol.

The EPA noted that this revision is to comply with the Montreal Protocol's HCFC control schedule that requires lowering the consumption to 0.5% of the baseline level by 1 January 2020. It also complies with the Protocol's newly added decision that HCFCs shall only be used for the maintenance for refrigeration, air conditioners, or fire extinguishing equipment and systems in existence as of 2020, as well as for cleaning usages in rocket engine manufacturing or in

the production of certain treatments for burns.

The revision will affect Taiwan's annual usage of about 45 Ozone Depletion Potential (ODP) tons of HCFCs for the maintenance of refrigeration and air conditioning equipment. Handheld fire extinguishers are already manufactured with alternative chemicals, and there is no need for HCFCs in Taiwan for cleaning usages in rocket engine manufacturing or in producing treatments for burns. Adding the new exempted uses with this revision updates Taiwan's regulations to international standards.

The main points of the revision are as follows:



1. Some uses are excluded in the calculation of national consumption of HCFCs.
2. HCFC uses in the manufacturing of rocket engines and aerosol propellants used in treatments for burns are exempted. For refrigeration and air conditioning system maintenance, the revision only restricts the allocation schedule accordingly.
3. Following the policy to lower national annual consumption, allocation calculation standards are set respectively for manufacturers and suppliers already qualified for allocation and those that newly apply for the allocation.
4. Based on the Montreal Protocol's exemptions on allowed uses, regulations on exempted uses and complementary measures are newly added.
5. To deal with situations in which manufacturers permitted to use HCFCs cannot sell their unused allocations, revisions were made to allow manufacturers to sell HCFCs in stock back to their suppliers after obtaining the central competent authority's permission.
6. A revision was added to stipulate that when importers violate Article 7 of the *HCFC Consumption Management Regulations* by bringing in products and equipment that contain HCFCs without being permitted to do so, but do not commit concealment or false reporting violations, the importers must return and ship out the items within the period required by the *Customs Act* (關稅法).

## Air

# Supplemental Air Pollution Restrictions During Specified Deteriorated Air Quality Advisory Period Announced

On 6 February 2020, the EPA announced the *Air Polluting Acts During the Specified Deteriorated Air Quality Advisory Period*, which stipulates that during specified deteriorated air quality advisory periods, when particulate matter or fine particulate matter concentration reaches the criteria for Level 1 Alert for two consecutive days or longer, controls on seven potentially air-polluting activities will be intensified.

The EPA pointed out that air quality monitoring data over the years shows  $PM_{2.5}$  as one of the major causes of poor air quality index (AQI) readings in Taiwan. Besides particulate pollutants, VOCs are also precursors and sources of  $PM_{2.5}$ . To take preventive actions ahead of issuing alerts for deteriorated air quality, several air-polluting acts are announced as subjects for control. These include using leaf blowers at roadsides and parks, mixing asphaltic concrete, scraping and paving roads, demolishing buildings, loading and unloading concrete materials in a non-closed manner at ports, open-air spray (or sand) painting at construction projects, and cleaning boilers and the petrochemical industry's organic liquid storage tanks.

In Taiwan, from approximately 1 October to 31 March the following year, due to meteorological and geographic factors, air pollutants tend to accumulate in the atmosphere and deteriorate air quality. According to the control principles specified in the *Regulations Governing Emergency Measures to*

*Prevent Serious Worsening of Air Quality* (空氣品質嚴重惡化緊急防制辦法), to ameliorate conditions when air quality reaches critically poor levels, air pollution-reducing measures shall be implemented. Hence, suspension of the aforementioned air polluting activities during specified periods were announced.

Using Taiwan Air Quality Monitoring Network (<https://taqm.epa.gov.tw/taqm/tw/AqiForecast.aspx>) reports given daily at 10:30 AM, the EPA continually monitors the three-day outlook for air quality factors. If the forecast is determined to meet certain conditions, alerts will be issued on the Air Quality Improvement and Maintenance Information Website (<https://air.epa.gov.tw/>). City and county environmental bureaus are then asked to issue alerts on their official websites by the end of the same day, notifying those in their jurisdictions that engage in the seven air-polluting acts to suspend such acts during the control periods.

Those notified but failing to comply will be fined

between NT\$1,200 and NT\$100,000. If the violator is at an industrial or commercial site, the fine may range from NT\$100,000 to NT\$5 million. If air quality

improves and no longer meets the alert conditions, alerts will be withdrawn and notifications sent in the same way they are issued.



▲ *Mixing asphaltic concrete is a major air-polluting act.*

## Air

# Revisions to Allow Public Scrutiny in Operation Resumption of Suspended Stationary Sources

On 31 January 2020, the EPA announced revisions to the *Management Regulations Concerning Operation Resumption and Trial Run Evaluation for Stationary Pollution Sources in Public and Private Premises* (hereinafter referred to as the Regulations). The revisions stipulate the guidelines the stationary pollution sources that have been suspended by competent authorities for major violations to the *Air Pollution Control Act* shall follow when resuming their operation. The revisions also include a new rule requiring public and private premises to make their trial run plans available online for public scrutiny.

In addition, the amended regulations also require city or county competent authorities to take opinions of interested parties and non-profit organizations into account while reviewing the trial run plans submitted by the public and private premises. The minutes of the meetings for the review of trial run plans shall also be made public on the website designated by the central competent authority.

Amendments to the *Air Pollution Control Act* announced on 1 August 2018 added stipulations concerning stationary sources with major violations. They authorize competent authorities to shorten the permit duration at permit renewal, to order the violators to cease operation or close down, to annul

the operation permit, or to impose other severe penalties when necessary. In order to perfect the regulation and strengthen the enforcement, the Regulations were formulated with reference to the aforementioned amendments and suggestions brought up in the National Affairs Conference on Judicial Reform. They have increased information transparency and the public's right to know as suggested.

In the future, major violators applying for resumption of business shall make legally designated documents accessible for the public to view and provide opinions. To increase review credibility, city or county competent authorities are also required to provide on-site

supervision in relevant processes. The Regulations were developed after comprehensive reviews and adjustments and are an important puzzle piece for

completing the guidelines for stationary pollution sources with major violations to follow when applying for operation or business resumption.

## Waste

### Mercury-Containing Import Ban Planned for January 2021

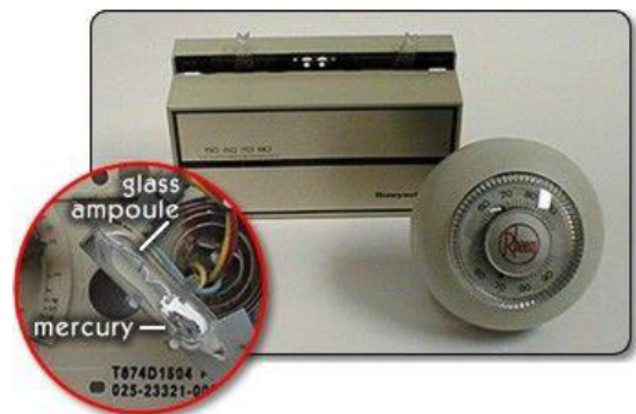
Due to the harm caused by mercury to the environment and human health, along with the recent decrease in demand for mercury-containing products, the EPA preannounced that starting on 1 January 2021, the import of mercury-containing switches and relays, high-pressure mercury-vapor lamps for common lighting, and non-electronic measuring instruments will be banned.

The global trend in mercury control is to gradually limit and ultimately ban mercury-containing products. The UN's Minamata Convention on Mercury took effect on 16 August 2017, banning the manufacture, import and export of mercury-containing switches and relays, high-pressure mercury-vapor lamps for common lighting, and non-electronic measuring instruments such as barometers, hydrometers, pressure gauges, thermometers and sphygmomanometers by the end of 2020, as stipulated by Article 4 paragraph 1 and Attachment A.

The EPA announced the *Restrictions on the Import and Sale of Mercury Thermometers* in 2008. Based on the *Regulations Concerning Toxic Chemical Substances Listed for Control and Relevant Operations and Management* announced and revised by the Toxic and Chemical Substances Bureau on 5 July 2019, mercury can no longer be

used to manufacture switches, relays, high-pressure mercury-vapor lamps for common lighting, and non-electronic measuring instruments such as barometers, hydrometers, pressure gauges, thermometers, and sphygmomanometers, starting 1 January 2021. With the schedule for banning the manufacture of mercury-containing products already announced, further controls on imports are still required.

Due to the hazards mercury poses to the environment

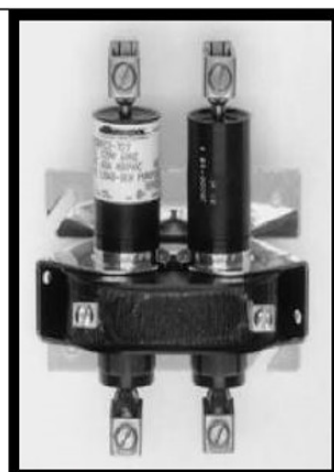


▶ Mercury-containing temperature switch

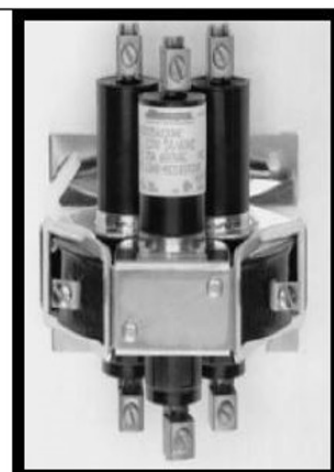
▼ Mercury relays



1 pole



2 poles



3 poles

and human health, as well as the falling need for mercury-containing products owing to advances in electronic instruments and consumer electronics, the EPA preannounced the import ban of the

mentioned products so as to strengthen controls starting in 2021, in compliance with the Minamata Convention on Mercury.

 *Draft ban on mercury-containing products announced*

1. Import of following mercury-containing products to be banned:
  - (1) Switches and relays, but not including ultra-high precision capacitors, loss-measuring bridge circuits, and high-radio frequency switches and relays used in surveillance instruments when each contains less than 20 mg of mercury.
  - (2) High-pressure mercury-vapor lamps for common lighting.
  - (3) The following non-electronic measuring instruments, but not including those installed in large equipment or for high-precision measuring: barometers, hydrometers, pressure gauges, thermometers (including clinical ones), sphygmomanometers
2. Import of the aforementioned mercury-containing products is not banned if one of the following criteria is met:
  - (1) It is necessary for civilian protection and military use.
  - (2) It is used in research, instrument calibration, or for calibration standardization.
  - (3) There is no suitable mercury-free alternative available.

## Chemicals

### Principles for Screening and Classifying Toxic Chemical Substances Amended

The *Toxic and Concerned Chemical Substances Control Act* (hereinafter referred to as the Act) (毒性及關注化學物質管理法) amended on 16 January 2019 added concerned chemical substances as a new category of substances to be regulated. Accordingly, the *Principles for Screening and Classifying Toxic Chemical Substances* have been revised and renamed as the *Principles for Screening and Classifying Toxic and Concerned Chemical Substances* (Hereinafter the Principles).

The purpose of the revision was to expand the source control of chemical substances. Conforming to the definition of Class 4 toxic chemical substances, the Principles add concerned chemical substances as a new category, expand the data sources of chemical substance lists and stipulate relevant classification principles. In addition, the Principles stipulate that a chemical substance reaching a certain risk level based on the hazard classification in CNS 15030 can be classified as a hazardous concerned chemical substance.

The EPA stresses that the process of screening, classifying, and announcing a toxic and concerned

chemical substance to regulate can be very time-consuming. It involves consulting experts and scholars, industry competent authorities and stakeholders while taking the substance's characteristics and its international and domestic control status into account. Hence, to increase control efficiency, stipulations have been added to the Principles that allow the assessment procedure to be simplified when the control status of the substance is clear both internationally and domestically or when different industries have reached a consensus on the classification of the substance.

The screening and classifying procedures for toxic



and concerned substances are as follows:

1. Establishing a list of data sources for chemical substances by referring to domestic and international regulations and scientific articles.
2. Creating a watch list of chemical substances based on chemical and physical characteristics, toxicity, environmental impacts and consumption issues.
3. Listing substances as prospective toxic and concerned substances based on the classification principles of each category, consultation meetings with experts and scholars, and opinions of industry competent authorities, relevant industry associations, or stakeholders.
4. Recommending a list of substances to be regulated after evaluating the current handling and regulating plans for prospective substances.

## Chemicals

### Regulations for Handlers of Certain Toxic Chemical Substances to Install Detection and Alerting Equipment

On 9 January 2020, the EPA announced the *Handlers of Toxic and Concerned Chemical Substances Required to Install Automated Detection Equipment with Online Connection to Competent Authorities*. The regulation mandates operators of facilities handling Class 1 to Class 3 toxic chemical substances or hazardous concerned substances announced by the EPA to install automated detection equipment that records and shares data with local environmental bureaus. The announcement will take effect on 31 December 2021.

Phosgene and hydrogen cyanide are highly toxic gases with low IDLH (Immediately Dangerous to Life and Health) values. Inhalation of either gas can cause immediate health impacts or even death. Hence, to increase handling security of the two gases, handling facilities are required to directly transmit monitoring data to local competent authorities. The system allows competent authorities to perform immediate emergency response in the event of leakage or other accidents.

If the handling facilities meet the following criteria, the announcement will take effect on 31 December 2021, and operators are required to submit online connection verification reports and complete the connection prior to the promulgation date.

1. Facilities where phosgene is manufactured, used or stored.
2. Facilities where hydrogen cyanide is manufactured, used or stored, with a total quantity reaching 100 kg on any given day.

## Inspection

### Electroplating Firm Receives Severe Penalties for Illegal Wastewater Discharge

At the end of January 2019, the EPA joined forces with the Taichung City Environmental Protection Bureau and the Taichung District Prosecutors Office, and cracked down on an electroplating factory for illegal wastewater bypass. The three owners of the factory, who claimed to have recycled all their wastewater, were charged under the *Water Pollution Control Act* (水污染防治法) and the *Criminal Code* (刑法) of the Republic of China.

Recycling 100% of wastewater and leaving zero discharge requires a high cost and advanced technologies. Wastewater produced by electroplating businesses normally contains high concentrations of substances harmful to human health. Therefore,

wastewater collection and treatment facilities should be properly installed and carefully maintained in electroplating enterprises.

The electroplating factory obtained their water pollution

control permit by falsely claiming that they recycled all their wastewater. However, the EPA discovered that the reported amounts of water usage, wastewater production and recycled wastewater were unbalanced. After using IoT sensors to monitor the surrounding drainage channels of the factory, the EPA obtained evidence of illegal discharge containing a nickel concentration 330 times higher than the standards.

In the early morning of 26 January 2019, the EPA, police and prosecutors office carried out a joint inspection on the illegal effluent. They discovered that the company had been bypassing heavy metal-containing wastewater through storage tanks and ducts hidden underground to reduce the cost of

wastewater treatment and using groundwater to make up for the water needed in the manufacturing process.

In addition, the EPA found that several wastewater treatment facilities and procedures in the factory failed to meet the requirements specified in the permit. Because of the improper collection of wastewater and poorly maintained transportation and storage equipment, highly acidic wastewater was discharged into the adjacent water bodies. The owners of the company have been charged with serious violations under the *Water Pollution Control Act*. The company's operation has also been suspended, and the owners will be facing an expensive penalty and confiscation of illegal gains that amount to roughly NT\$25 million.



▲ The EPA, police and prosecutors office carried out a joint inspection on the illegal effluent in Taichung City.



▲ The inspector sampling evidence of violations at night

## Responsible Enterprise Regulated Recyclable Waste Management Regulations Amended

The *Responsible Enterprise Regulated Recyclable Waste Management Regulations* have gone through three revisions since being promulgated and were last updated in the end of 2011. Since most of the enterprises responsible for recycling are small-scale companies, the EPA has drafted the amendments to simplify the fee payment procedure for the convenience of responsible enterprises.

The EPA points out that there are currently more than 36,000 registered responsible enterprises, among which 90% pay less than NT\$100,000 of annual recycling fees. Considering that smaller responsible enterprises usually pay lower fees, the EPA has proposed amendments to simplify the payment procedure of recycling, clearance, and disposal fees to reduce interference in their business operation. According to the current regulations, the fee rate is decided based on the operating or import volume regularly reported by the enterprises. In the amendments, the EPA has added a new stipulation that exempts small-scale responsible enterprises from regular reports, in which case the operating or import volume will be assessed, designated and provided by competent authorities.

Corresponding to technology and the internet's advances, parts of the regulations were also reviewed and updated. For example, data and application can now be submitted online.

The main points of the amendments are as follows:

1. Responsible enterprises that have already been registered in compliance with the *Company Act*, the *Business Registration Act*, and the *Value-added and Non-value-added Business Tax Act*, and their company information is accessible as public information provided by the Ministry of Economic Affairs or the Ministry of Finance, are exempt from submitting the information.
2. Photocopies of relevant company or commercial registration documents or identification documents issued by the industry competent authority are no longer required when enterprises apply for the cancellation of the responsible enterprise registration. In addition, documents regarding the payment of recycling, clearance, and disposal fees will be provided by the custodian bank of the Resource

Recycling Fund and, therefore, will no longer be required.

The operating or import volume shall be reported online. Specifics will be stipulated in newly added clauses.

3. Operating or import volume criteria and calculating methods were added for small-scale responsible enterprises eligible to pay recycling, clearance and disposal fees using the EPA designated rates. Payment will be exempt if the calculated fee is under NT\$100. A 5% discount on the fees will also be given after using the designated volume for 1.5 years.

4. Guidelines are added for when enterprises using the designated operating or import volume experience significant operation changes or when industry competent authorities find the enterprises underreport the volume.

5. The annual declaration application should be submitted with the declaration form and payment proof was deleted, the related procedures can be applied online instead.

6. After obtaining the approval of competent authorities, fees over NT\$100,000 can be paid in installments.

7. Responsible enterprises who have accidentally or intentionally underreported the operating volume shall be punished based on the *Regulations for Determination of Fines for Violations of the Waste Disposal Act* (廢棄物清理法).

8. Responsible enterprises not eligible to make payments based on the designated ratio shall report data on operation and import value and pay the fees within the deadline given by competent authorities.



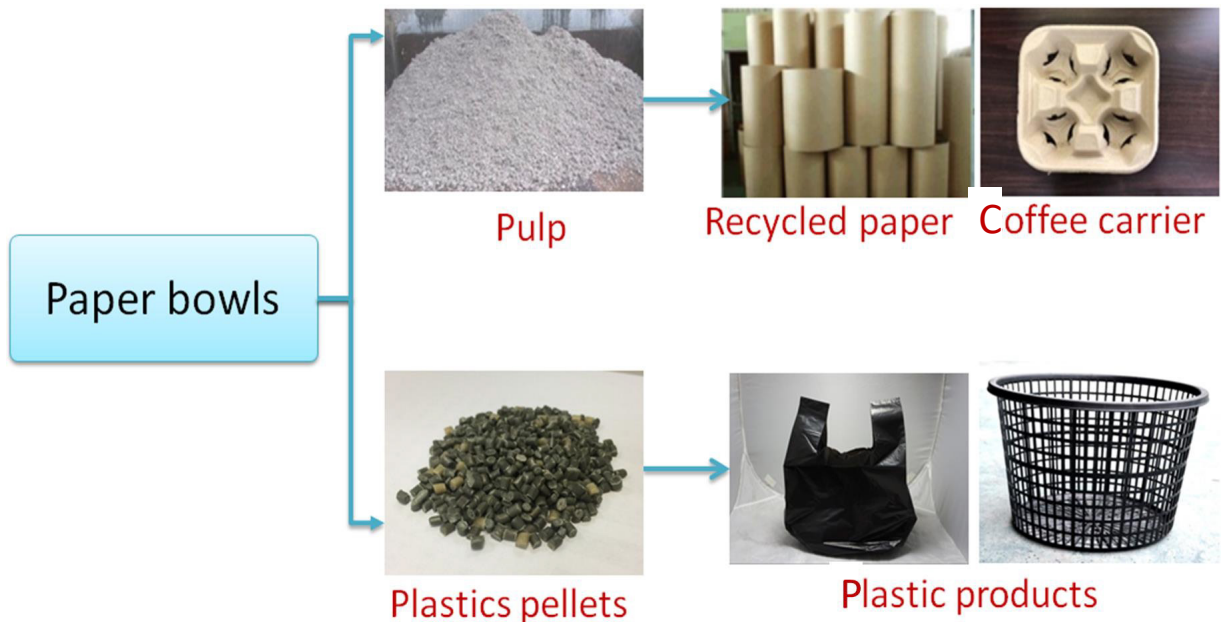
**Recycling**

## Waste Paper Tableware Requires Separate Recycling

Many Taiwanese dine out frequently; hence, disposable tableware is used extensively. A common mistake people make while recycling is they often dispose of it as general waste or put paper tableware together with other regular paper waste. The EPA reminds the public that disposable tableware (cups, plates, bowls, boxes) should be recycled as “paper containers” and not be mixed with general paper waste.

The EPA points out that disposable paper tableware are treated with a layer of polyethylene (PE) or wax to increase water and oil resistance. Therefore, they are sent to professional waste paper container recyclers, who would recycle and regenerate them into pulp and plastic pellets to level up the recycling rate. If the disposable paper tableware is mixed in with other

paper waste and transported to regular paper mills for recycling, as their recycling process is different from general waste paper (such as photocopying paper, newspapers, magazines, cartons, paper boxes, etc.), most of them will be considered as general waste and sent to an incinerator or boiler accruing higher treatment cost.



▲ Disposable paper tableware is sent to professional waste paper container recyclers to be recycled and regenerated into pulp and plastic pellets.

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