Content

Title：	Waste Disposal Act Enforcement Rules Ch
Date：	2019.11.06
Legislative：	Original 20 articles promulgated by Environmental Protection Administration order on May 30, 2001 20 articles revised and promulgated by Environmental Protection Administration order on November 20, 2002 Revised Article 4, Article 10, Article 11 and Article 17 and promulgated by Environmental Protection Administration order on November 6, 2019
Content：	Article 1 These Rules are determined pursuant to Article 76 of the Waste Disposal Act (herein referred to as "this Act"). Article 2 The matters designated in this Act as the responsibility of the central competent authority are as follows. 1.Planning, determination and supervision of national waste disposal policies, programs and plans. 2.Determination and interpretation of national waste disposal laws and regulations. 3.Supervision, incentives, investigation and approval for national waste disposal work. 4.Training and management of national waste disposal personnel. 5.Determination and supervision of public and private waste clearance and disposal organization management policies 6.Permit issuance for and management of waste analysis laboratories. 7.Research and development and public awareness work for national waste disposal matters. 8.International cooperation and technology exchange for waste disposal matters. 9.Supervision of the import, export, transit and transshipment of waste. 10.Approval of the import, export, transit and transshipment of hazardous industrial waste. 11.Management and operation of the Resource Recycling Management Fund. 12.Coordination and supervision of waste disposal involving two or more special municipalities, counties or cities 13.Other national waste disposal matters. Article 3 The matters designated in this Act as the responsibility of special municipality, county and city competent authorities are as follows. 1. Planning, determination and implementation of special municipality, county or city waste disposal programs and plans 2. Determination and interpretation of the autonomous waste disposal laws and regulations of special municipalities, counties and cities 3. Supervision, incentives, investigation and approval for special municipality, county or city waste disposal work 4. Planning, determination and official announcements for the collection of special municipality, county or city general waste clearance and disposal fees

5. Training and management of special municipality, county or city general waste disposal personnel
6. Issuance of permit documents, supervision, checking and management for special municipality, county or city public and private waste clearance and disposal organizations
7. Research and development and public awareness work for special municipality, county or city waste disposal
8. Coordinated planning and deployment of special municipality, county or city general waste clearance machinery
9. Coordination and supervision of special municipality, county or city general waste disposal.
10. Special municipality, county or city waste disposal monitoring, surveying, testing and analysis, and statistics compilation
11. Issuance of permit documents, supervision, checking, control and management for waste import, export, transit and transshipment
12. Registration and management of waste recycling and disposal enterprises that handle waste that is required to be recycled
13. Other special municipality, county or city waste disposal matters.

Article 4
The matters designated in this Act as the enforcement responsibilities of enforcement authorities are as follows.
1. Special municipality government environmental protection bureaus:

(1) Official announcement and designation of special municipality clearance areas.

(2) Planning and acquisition of land to be used for special municipality general waste recycling, clearance and disposal.

(3) Planning and implementation of special municipality general waste recycling, clearance and disposal work.

(4) Collection of special municipality general waste clearance and disposal fees.

(5) Installation and operational management of special municipality general waste disposal facilities.

(6) Investigative and punitive matters related to special municipality waste.

(7) Planning and implementation of general industrial waste clearance and disposal commissioned by the special municipality.

(8) Testing of special municipality general waste characteristics and survey of special municipality general waste types and quantities

(9) Performance of the reporting, determination, tagging, removal and official announcement of waste vehicles occupying road space by the special municipality

(10) Waste research designated or commissioned by the special municipality and the training and management of disposal personnel

(11) Other special municipality general waste disposal matters

2. City environmental protection bureaus:

(1) Official announcement and designation of city waste clearance areas

(2) Planning and acquisition of land to be used for city general waste recycling, clearance and disposal

(3) Planning and implementation of city general waste recycling, clearance

and disposal work

(4) Collection of city general waste clearance and disposal fees

(5) Installation and operational management of city general waste disposal facilities

(6) Investigative and punitive matters related to city waste

(7) Planning and implementation of general industrial waste clearance and disposal commissioned by the city

(8) Testing of city general waste characteristics and survey of city general waste types and quantities

(9) Performance of the reporting, determination, tagging, removal and official announcement of waste vehicles occupying road space by the city

(10) Waste research designated or commissioned by the city and the training and management of disposal personnel

(11) Other city general waste disposal matters

3. County environmental protection bureaus:

(1) Planning and acquisition of land to be used for county general waste recycling, clearance and disposal

(2) Planning and implementation of county general waste recycling, clearance and disposal work

(3) Installation and operational management of county general waste disposal facilities

(4) Collection of county general waste clearance and disposal fees

(5) Investigative and punitive matters related to county waste

(6) Planning and implementation of general industrial waste disposal commissioned by the county

(7) Testing of county general waste characteristics and overall planning, coordination and supervision of the survey of county general waste types and quantities

(8) Performance of the reporting, determination, tagging, removal and official announcement of waste vehicles occupying road space by the county

(9) Waste research designated or commissioned by the county and the training and management of disposal personnel

(10) Other county general waste disposal matters

4. Rural township, urban township and city public offices:

(1) Official announcement and designation of rural township, urban township or city waste clearance areas

(2) Determination and interpretation of the autonomous general waste disposal laws and regulations of rural townships, urban townships or cities

(3) Planning and implementation of rural township, urban township or city general waste recycling and clearance work

(4) Collection of rural township, urban township or city general waste clearance and disposal fees

(5) Planning and acquisition of land to be used for rural township, urban township or city general waste recycling, clearance and disposal

(6) Investigative and punitive matters related to rural township, urban township or city waste

(7) Planning and implementation of general industrial waste clearance commissioned by the rural township, urban township or city

(8) Performance of the reporting, determination and tagging of waste vehicles occupying road space by the rural township, urban township or city

(9) General waste clearance and disposal commissioned by the rural township, urban township or city pursuant to Article 5, Paragraph 4 of this Act and other general waste disposal matters

Article 5
Prior to the completion by county environmental protection bureaus of general waste work adjustment tasks pursuant to Article 5, Paragraph 5 of this Act, rural townships, urban townships and cities shall establish their own general waste disposal facilities and, after receiving approval for disposal methods and sites from county environmental protection bureaus, shall dispose of general waste within their jurisdiction. However, the public offices of rural townships, urban townships or cities for which the county environmental protection bureau has designated a disposal premises shall deploy appropriate general waste clearance vehicles and clear general waste to the premises designated by the county environmental protection bureau for disposal.

Article 6
County environmental protection bureaus performing general waste work adjustment tasks pursuant to Article 5, Paragraph 5 of this Act shall submit work adjustment plans to the central competent authority to be filed for future reference prior to July 14, 2003.
The content of the work adjustment plans in the foregoing paragraph shall include the following items.
1.Adjustment timetable
2.Adjustment of personnel, equipment and facilities
3.Financial plan
4.Other matters

Article 7
The enforcement authority shall officially announce the clearance times, procedures and recycling methods for general waste and the general waste recycling items designated in Article 5, Paragraph 6 of this Act and shall report the volume of general waste cleared, disposed of and recycled during t he previous month to each appropriate higher competent authority by the 15th day of each month; the higher competent authorities shall compile this information and report it to the central competent authority to be filed for future reference.
When the enforcement authority commissions the clearance and disposal of general industrial waste, it shall report general industrial waste clearance, disposal and recycling quantities for the previous month to the appropriate higher competent authority before the 15th day of each month; the higher competent authority shall compile this information and report it to the central competent authority to be filed for future reference.

Article 8
Such materials as waste plastic, waste aluminum, waste iron, waste glass and waste paper that have been sorted from waste collected by the enforcement authority pursuant to the foregoing article may be consigned to

a recycling enterprise or disposal enterprise, or may be recycled or reused in accordance with methods designated by the central competent authority.

Article 9
The waste production source verification documents designated in Article 9, Paragraph 1 of this Act may be one of the following.
1.A delivery manifest printout of waste conditions reported pursuant to Article 31, Paragraph 1, Subparagraph 2 of this Act
2.A hazardous industrial waste delivery manifest filled out pursuant to the Methods and Facilities Standards for the Storage, Clearance and Disposal of Industrial Waste
3.Other formats or documents designated or determined by the competent authority
The waste disposal site verification documents designated in Article 9, Paragraph 1 of this Act may be a photocopy of the contract documents signed by the waste production source and the disposing party. For those disposing parties that are enforcement authorities, verification documents may be photocopies of the disposal approval documents the disposing party has submitted.
The central industry competent authority in consultation with the central competent authority shall determine verification documents, and their formats, for the surplus earth and gravel production source and disposal location designated in Article 9, Paragraph 1 of this Act.

Article 10
Income sources for the General Waste Clearance and Disposal Fund established pursuant to Article 26, Paragraph 3 of this Act shall be costs under Article 26, Paragraphs 1 and 2 of this Act that are associated with the following forms of income.

1. Income from general waste clearance and disposal fees collected from households and other waste generation sources within designated clearance areas

2. Income from the commissioned clearance and disposal of general industrial waste and other income sources

Article 11
The self-clearance and disposal referred to in Article 28, Paragraph 1, Subparagraph 1 of this Act means one of the following circumstances.

1. Use of self-owned facilities for the clearance and disposal of industrial waste produced by the enterprise

2. Use of self-owned equipment for the joint clearance and disposal of industrial waste produced by each enterprise belonging to a juridical person

3. Leased use of legal transport vehicles for the clearance of industrial waste produced by the enterprise.

4. Other circumstances determined by the central competent authority.

Enterprises conducting self-clearance pursuant to Subparagraph 3 of the foregoing paragraph shall dispatch personnel bearing documents identifying themselves as employees of the enterprise at issue along with the vehicles to perform supervision and management; designated transport vehicles shall be in compliance with the Methods and Facilities Standards for the Storage, Clearance and Disposal of Industrial Waste.

Commissioning by the enforcement authority to perform clearance and disposal of industrial waste after receiving the enforcement authority's consent referred to in Paragraph 1, Subparagraph 3, Item 2 of Article 28 of

this Act means acquisition of the consent of the special municipality environmental protection bureau or the county or city environmental protection bureau.

County environmental protection bureaus, pursuant to Article 5, Paragraph 4 of this Act, in commissioning public offices of the county, rural township or city to perform general waste disposal, may dispose of general industrial waste by commissioning public offices of the rural township or city performing general waste disposal to perform general industrial waste disposal when deemed necessary.

Surplus disposal capacity in Article 28, Paragraph 6 of this Act means the remaining amount of the annual incinerator disposal capacity of an incinerator minus the annual incinerator operational reserve and the disposal of general waste within designated clearance area, which shall be consolidated within the jurisdictions of the environmental protection bureaus of special municipalities, counties and cities and calculated uniformly.

The annual incinerator disposal capacity of an incinerator in the foregoing paragraph means the previous year’s actual capacity minus planned incinerator suspension periods.

The annual incinerator operational reserve in Paragraph 5 shall be 10 percent of the incinerator disposal capacity for the given year. However, this restriction shall not apply under the following circumstances:
1.When the incinerator operational reserve is less than 10 percent after disposai of general waste from a designated clearance area,upon which the remaining amount shall be the incinerator operational reserve.
2.When the disposal capacity from a regional alliance or cross-region cooperation area is greater than 10% of the disposal capacity in accordance with Article 7 of this Act and Article 24-1 of the Local Government Act by November 6, 2019, the provided disposal amount shall be the incinerator operational reserve.

Article 12
The modifications to matters related to the production and disposal of industrial waste referred to in Article 31, Paragraph 1, Subparagraph 1 of this Act means one of the following circumstances.
1.New addition or alteration of product manufacturing processes, operating procedures or disposal procedures
2.Alteration of waste recycling, storage, clearance, disposal or reuse methods or facilities
3.Raw materials or components usage volumes, product output volumes, expansion of operations or other alterations sufficient to cause a change in waste characteristics or increase in waste quantity
For those circumstances in which the alteration of basic information, raw materials or components, products or operational information of an industrial waste disposal plan or the new addition or alteration of product manufacturing processes, operating procedures or disposal procedures does not cause a change in waste characteristics or increase in waste quantity greater than 10%, the enterprise shall be exempt from performing alterations pursuant to Article 31, Paragraph 1, Subparagraph 1 of this Act. However, the enterprise shall fill out a modification application form and submit it to the agency commissioned by the special municipality, county or city competent authority or central competent authority to be filed for future reference within 15 days after the date of the alteration.
For those circumstances in which non-routine waste is produced due to natural disaster, major accident or force majeure, enterprises that, prior to disposal, submit a disposal plan that states explicitly the waste production source, waste types, quantities and characteristics, storage, clearance and disposal methods, flow direction, and a disposal timetable and receive competent authority approval shall be exempt from performing modifications pursuant to Article 31, Paragraph 1, Subparagraph 1 of this Act.

For those circumstances in which there is a need for the disposal of routine waste due to specially designated purposes, enterprises that submit a trial operation plan and receive competent authority approval shall likewise be exempt from performing modifications pursuant to Article 31, Paragraph 1, Subparagraph 1 of this Act.

Article 13
As regards the demand for industrial materials designated in the proviso to Article 38, Paragraph 1, an enterprise or industry association with a demand for industrial materials may submit the following documents to both the central competent authority and the central industry competent authority, which shall issue an official announcement after consultation.
1.Explanation of production source, main components and hazardous components
2.Current state of domestic use, including relevant enterprises, material sources, uses and usage volumes
3.Import volume statistics for the previous three years
4.Assessment of volume of demand for the next three years
5.Assessment of alternative materials and their sources
6.Pollution control facilities
7.Other documents or information designated by the central competent authority or central industry competent authority

Article 14
The central industry competent authority designated in Article 39 of this Act shall be determined on the basis of the type of industry or attributes of the industrial waste production source; the industry competent authority in charge of the uses for the reuse of waste shall be determined on the basis of the type of industry or attributes of the industrial waste reuse organization.
When the determination of the industry competent authority in the foregoing paragraph causes a dispute, the central competent authority shall request the Executive Yuan to designate an industry competent authority.

Article 15
Enterprises ordered by an enforcement authority or competent authority (both herein referred to as "the disciplinary agency") to suspend work or suspend business pursuant to this Act shall apply to the disciplinary agency by submitting improvement completion verification documents, an industrial waste disposal plan or documents designated by the disciplinary agency prior to the resumption of work or resumption of business; only after review and approval by the disciplinary agency may the enterprise resume work or resume business.

Article 16
If the application to resume work or resume business in the foregoing article involves alterations in manufacturing processes or the new installation or modification of disposal facilities, the enterprise shall first present a trial operation plan and apply to the disciplinary agency for trial operation. The trial operation period shall be limited to 30 days, however, when necessary, enterprises may apply for an extension; the extension period may not exceed 60 days.
Enterprises that have received trial operation approval from the disciplinary agency shall apply to the disciplinary agency for the resumption of work or resumption of business by submitting a trial operation report and documents designated by the disciplinary agency to the disciplinary agency before the end of the trial operation period.
The disciplinary agency shall complete review of the trial operation report in the foregoing paragraph within 30 days, not including the time required when the disciplinary agency requests the enterprise to provide additional information, and shall concurrently perform application review tasks in the foregoing article.

Article 17
The waste clearance and disposal permit documents referred to in Article 46, Subparagraph 4 of this Act means waste clearance permits and waste disposal permits issued pursuant to the permit management regulations for public and private waste clearance and disposal organizations.

Article 18
If a disciplinary citation issued by a disciplinary agency pursuant to this Act involves an inter-jurisdiction violation, in addition to serving the citation to the party to be disciplined, the disciplinary agency must also send copies of the citation to the local competent authority and the competent authority with jurisdiction over the place where the infraction occurred.

Article 19
Unless other regulations apply, the central competent authority shall determine the format of all indictments, disciplinary citations, referrals, and other forms and documents determined in this Act and these Rules.

Article 20
These Rules shall take effect on the date of promulgation.

Data Source：Ministry of Environment Laws and Regulations Retrieving System