Content

Title：	Regulations Governing Toxic and Concerned Chemical Substances Risk Prevention and Response Plans Ch
Date：	2020.10.21
Legislative：	1.Original 7 articles determined and promulgated by Environmental Protection Administration Order Huan-Shu-Tu-Tzu No. 0960083198 on November 5, 2007. 2.Amended 8 articles promulgated by Environmental Protection Administration Order Huan-Shu-Tu-Tzu No. 0980103681 on November 18, 2009 3.Amended 11 articles promulgated by the Environmental Protection Administration Order Huan-Shu-Hua-Tzu No. 1098000529 on October 21, 2020.
Content：	Article 1 These Regulations are determined pursuant to the provisions of Paragraph 3, Article 35 of the Toxic and Concerned Chemical Substances Control Act (hereinafter referred to as this Act). Article 2 The risk prevention and response plans prescribed in these Regulations refer to the two categories, plant (site) and transport, risk prevention and response plans. The handlers prescribed in Paragraph 1, Article 35 of this Act refer to handlers and owners of the manufacture, import, sale, use, storage and transport of Class 1 to Class 3 toxic chemical substances and chemicals of concern designated by the central competent authority to be announced as hazardous (hereinafter referred to as toxic and hazardous concerned chemical substances) in compliance with Paragraph 1, Article 35 of this Act. When handlers who manufacture, import, sell, use and store toxic and hazardous concerned chemical substances (hereinafter referred to as handlers) have a total quantity handled of a single substance at any one site on any one day (hereinafter referred to as the total handling quantity) that reaches the graded handling quantity, the handlers shall prepare a risk prevention and response plan for the plant (site). Whether the transport is done by the owner itself or by commissioning a third party to do so, if the transport meets the requirements of the Toxic and Concerned Chemical Substances Transportation Management Regulations to file a general transport form, the owner of the toxic and hazardous concerned chemical substances shall prepare a transport risk prevention and response plan. When handlers handle multiple toxic and hazardous concerned chemical substances at the same handling site, the handlers shall prepare a combined plant (site) risk prevention and response plan. Article 3 The plant (site) risk prevention and response plan prescribed in Paragraph 3 of the preceding article shall include the following items: I. Basic information table on disaster prevention for toxic and concerned chemical substances. II. Relevant information shown on maps and layouts: A. Location map of response and protective equipment for accidents. B. Location map of the handling site and the surrounding sensitive areas. C. Maps of emergency evacuation, assembly and rescue route. III. Risk prevention: A. Management of toxic and hazardous concerned chemical substances and

risk prevention management measures.
B. Accident preventive measures.
C. Toxic and hazardous concerned chemical substances disaster prevention and rescue equipment and facilities. For the handling of Class 3 toxic chemical substances, a disaster simulation analysis must be provided.
D. Disaster prevention and rescue training, exercises and education and advocacy, including no-warning testing at least twice a year and overall exercise at least once a year.
E. Allocation of funding to disaster prevention and relief.
IV. Response:
A. Emergency response command system, response task grouping and notification mechanism.
B. The method to issue an alert in case of an accident.
C. The method to activate the external support system.
D. Disaster response actions, including the maintenance of blocking measures, effective operation of processing facilities and secondary disaster prevention measures.
E. The method to rescue personnel and isolate the disaster area.
F. Environmental restoration, including the proper treatment of toxic and hazardous concerned chemical substances and the removal of environmental pollutants.
G. The method to execute emergency evacuation and refuge operations in major disaster or accident areas.

Article 4
If, according to the attached Total Handling Quantity Table of Toxic and Hazardous Concerned Chemical Substances Attributes, the quotient obtained from the calculation is greater than one, the handler's plant (site) risk prevention and response plan shall include the following items:
I. Risk prevention:
A. Hazard identification and management measures.
B. Consequences of hazard control failure and countermeasures.
C. Fire prevention and protection measures.
D. Management and maintenance of emergency rescue, medical and communication equipment.
E. Disaster prevention and rescue training and education, and promotion in the vicinity of the handling site.
II. Response:
A. Relevant notification mechanism outside the handling site.
B. Recommended methods of rescuing personnel and isolating the disaster area outside the handling site.
C. Environmental restoration outside the handling site.
D. Recommended methods of evacuation and refuge in the neighboring areas outside the handling site.
If a process safety assessment report, fire protection plan or fire prevention plan has been submitted in accordance with occupational safety or fire regulations and has been approved or reviewed by the competent authority for that purpose, handlers may attach relevant documents, such as the report or plan, in lieu of the report or plan prescribed in the first subparagraph of the preceding paragraph.

Article 5
The transport risk prevention and response plan referred to in Paragraph 4 of Article 2 shall include the following items:
I. Basic information:
A. The owner's basic information.
B. Basic information on the transport vehicle.
C. Basic information on the toxic and hazardous concerned chemical substances to be transported.
D. Basic information on the form of transport.
II. Risk prevention:
A. Management of transport of toxic and hazardous concerned chemical substances and risk prevention management measures.
B. Safety protection of transport tank and related containers.
C. Transport accident prevention measures.

D. Response equipment and facilities on toxic and hazardous concerned chemical substance transport vehicle.

E. Toxic and hazardous concerned chemical substance transport accident prevention training, drills and education/awareness, including at least two unannounced tests annually and general exercises at least once per year.

F. Budgeting of transport accident prevention funds.

III. Response:

A. Transport emergency response command system and notification mechanism.

B. Method of activating mutual aid groups or other external support.

C. Response actions in the event of a transport accident.

D. Method of performing emergency evacuation operations in areas of major transportation disasters or accidents.

Transport handlers must carry risk prevention and response information during transport, including an emergency contact telephone number that can be reached at any time, accident notification telephone number, names and method of contacting professional response personnel who can be dispatched in the event of an accident, list of safety equipment to be carried, planned transport route, and external support organizations and agencies, etc.

Article 6

Before applying for a permit or registration document for toxic chemical substances, or an approval document for hazardous concerned chemical substances, handlers shall submit a plant (site) risk prevention and response plan to the special municipality, county or city competent authority for reference.

The owner shall, in compliance with Paragraph 4 of Article 2, prepare and submit a transport risk prevention and response plan to the special municipality, county or city competent authority for reference.

If the owner commissions a third party to perform transport work, it must inform the commissioned transporter of the content of the risk prevention and response plan reported for reference, and shall explicitly state said content in the transport commission contract.

Article 7

Handlers shall implement the plant (site) risk prevention and response plan according to its contents; owners and transport handlers shall jointly implement the transport risk prevention and response plan according to its contents. Records shall be kept of the implementation of the accident prevention and rescue training, exercises, and education and awareness measures in the plan, and shall be preserved for three years for reference.

Handlers and owners shall review their risk prevention and response plans once every two years, and shall report any changes for reference.

Handlers and owners of toxic and hazardous concerned chemical substances shall submit a revised risk prevention and response plan to the competent authorities of the municipality, city or county for record if any of the following circumstances applies:

I. The type of handled substances has changed.

II. The manufacturing process has changed.

III. The storage method or container that affects the response actions has changed.

IV. The total handling quantity has changed, resulting in a quotient, calculated according to the attachment, greater than one.

The changes prescribed in the preceding paragraph shall be reported within 30 days of the occurrence of the fact for the record. However, if the competent authority of the municipality, county or city agrees to extend the period of time, this limit shall not apply.

Article 8

If an accident involving toxic or hazardous concerned chemical substances occurs, handlers or owners shall within half a year review their risk prevention and response plans in accordance with the approved accident investigation and handling report, and shall submit review results for reference.

In the event of the following major accidents, the competent authority of

the municipality, county or city may order the handler to revise the plant (site) risk prevention and response plan in accordance with Article 4 and resubmit it for examination and reference within six months:
I. The accident investigation and handling report, in accordance with the provisions of this Act, involves casualties, fatalities or pollution of an area of 500 square meters.
II. Accidents that cause environmental pollution and are deemed to be significant, and are subject to sanctions in accordance with the relevant environmental protection laws and regulations.
If the foregoing two paragraphs are extended with the consent of the competent authority of the municipality, county or city, this limit shall not apply.

Article 9
The special municipality, county or city competent authority shall, within 15 days of approval, fully disclose the risk prevention and response plan, after concealing personal data, and place the plan on the website designated by the central competent authorities or at the special municipality, county or city government, or township, town, or city public office for public inspection.
The contents to be disclosed prescribed in the preceding paragraph shall be kept confidential if they involve national security, national defense secrets, or industrial and commercial secrets.
If the industrial and commercial secrets mentioned in the preceding paragraph meet the following requirements, handlers may apply to the competent authority of the municipality, county or city for secrecy by submitting relevant documents.
I. Not generally known to those involved in such information.
II. The information has actual or potential economic value owing to its secrecy.
III. Reasonable confidentiality measures have been taken.

Article 10
Handlers or owners that submitted a risk prevention and response plan for review and reference before the amendments to and the enforcement of these Regulations on November 1, 2020 shall re-submit the plan in accordance with the relevant provisions of these Regulations within two years after the amendments to and the enforcement of these Regulations.
After the risk prevention and response plan in the preceding paragraph has been filed with the competent authorities of the municipality, city or county, the plan shall be fully disclosed within 15 days in accordance with the relevant regulations.
After the amendments to and the enforcement of these Regulations on November 1, 2020, handlers or owners of toxic chemical substances or hazardous concerned chemical substances, announced by the central competent authorities, shall submit risk prevention and response plans in accordance with the deadline specified in the announcement.

Article 11
These Regulations shall take effect on November 1, 2020.

Attachments： Attachment.pdf

Data Source：Ministry of Environment Laws and Regulations Retrieving System