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that Deplete the Ozone Layer**

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Item 6 of the provisional agenda*

**Unexpected emissions of trichlorofluoromethane
(CFC-11) (decision XXX/3)**

Report of China on progress made in the monitoring and management system of ozone-depleting substances

Note by the Secretariat

The annex to present note is being circulated for the information of the parties under agenda item 6 of the provisional agenda for the Thirty-First Meeting of the Parties to the Montreal Protocol. The text is presented as received by the Secretariat, without formal editing.

* UNEP/OzL.Pro.31/1.

Annex

Monitoring and Management System of Ozone Depleting Substances (ODS) in China

The Government of China attaches great importance to the implementation of the Montreal Protocol, earnestly fulfills its obligations under the Protocol, commits itself to the implementation action to protect the ozone layer, and has fully fulfilled relevant tasks set out in the Protocol. China has taken continuous actions to improve its laws and regulations, reinforce law enforcement capacity, intensify law enforcement actions, establish monitoring network and increase information disclosure, etc. over the past year. Progress of key actions is as follows.

1. Improve Laws and Regulations

China issued *the Regulation on the Administration of Ozone Depleting Substances* (the Regulation) in 2010 and formulated a series of supporting management rules and regulations, which provides a comparatively sound legal system for meeting ODS phase-out goals of the Protocol. Based on the current situation regarding protocol implementation and the reassessment of current management system, in August 2019, MEE launched a revision of the Regulation. Under this effort, regulations on the whole life-cycle of ODS including production, sales, use, import and export, recycle, reuse and destruction are to be further strengthened. In addition, provisions on penalty and punishment measures on illegal behaviors are to be reinforced, and the duty/responsibility of enterprises on environmental protection will be further elaborated. The financial penalties will be heightened to make it become a more effective deterrence measure. According to the revision procedure of national laws and regulations, the revision of the Regulation will be completed in 2020. Other supporting management rules and regulations which require adjustments will also be revised and issued in 2020.

2. Reinforce Law Enforcement Capacity

To assist law enforcement officers to determine whether the enterprise inspected is possibly involved in illegal ODS production or use as quickly as possible, MEE has provided most of the provinces (autonomous regions and municipalities) with 30 portable instant detectors by the end of September 2019. 20 more will be allocated to the rest provinces before the end of 2019, ensuring that all provinces (autonomous regions and municipalities) across the country are capable of rapid detection.

For the construction of testing laboratories, MEE planned to build 6 new regional ODS industrial product testing laboratories located in Beijing, Guangdong, Zhejiang, Shandong and Chongqing. So far all six laboratories have been built, equipped with at least one set of testing equipment of laboratory use and one set of portable testing equipment as well as at least 3 professional testing staff. Testing results with legal effect could be provided to the region by the end of 2019. In addition, two more testing laboratories are being built in Hebei and Henan provinces. The two laboratories are expected to complete their construction by the end of this year.

MEE is accelerating the development of laboratory testing method standards for ODS in industrial products. The two standards, *Determination of HCFC-22, CFC-11 and HCFC-141b ODS in combined polyether polyols—Headspace/gas chromatography-mass spectrometry* and *Qualitative detection of CFC-12, HCFC-22, CFC-11 and HCFC-141b ODS in rigid polyurethane foam and polyether combinations—Portable headspace/gas chromatography-mass spectrometry*, have been developed.

By September 2019, the Ministry of Ecology and Environment (MEE) has held four national training workshops on policy, law enforcement inspection and use of portable equipment. 370 law enforcement officers from local Ecological and Environmental Bureaus (EEBs) participated in the above training workshops. In addition, two training workshops on ODS import and export were held, with 160 trainees.

Relevant production enterprises and industrial associations also carry out activities to assist the government in investigating and dealing with illegal production and use. 10 HCFC-22 production enterprises jointly set up a whistle-blower hotline and a reward fund for reporting illegal ODS activities. Individuals or organizations providing information on illegal production, sales and use of ODS will be given monetary reward between RMB 50,000 to RMB 500,000 yuan. At the same time, enterprise employees are encouraged to conduct self-supervision internally. Reporting-for-reward notices have been put up in ODS production and consumption enterprises.

The Government has vigorously mobilized the whole society to participate in supervision through the zero threshold national 12369 platform for online reporting of environmental offenses. MEE, after receiving reports, takes actions immediately, and tracks down effective clues to the end.

3. Intensify Law Enforcement

3.1 Intensify Source Control

CTC is the main raw material for CFC-11 production. MEE has required enterprises generating CTC as by-product to install a verifiable and quantitative CTC online production monitoring system since 2019. By the end of September, 7 enterprises had completed the installation. The rest will have finished installation by the end of 2019. Online monitoring of CTC as by-product in all chloromethane enterprises in production will be in place and mandatory starting from 2020.

Starting from June 2019, the MEE has dispatched supervisory working groups to all 16 CTC by-production enterprises nationwide to carry out on-site inspection on CTC crude output, purification, residue, storage, conversion and sales and other key processes to ensure legal use. By the end of September, 320 persons had been dispatched in seven rounds. Each round lasted for two weeks (including holidays), achieving continuous daily on-site supervision.

3.2 Cracking Down on Illegal Production

The MEE has been cracking down on illegal CFC-11 production based on the intelligence gathered. In July 2018, two underground factories producing CFC-11 illegally in Liaoning Province and Henan Province were demolished by the MEE.

The illegal production site in Liaoning Province was located behind a seafood processing workshop in Wenbin Village, Langtou Town, Dandong City. There were 145 tons of CTC raw material and two sets of CFC-11 production equipment in the workshop. No production records were found. At present, the workshop and its production equipment have been dismantled and raw materials have been incinerated as hazardous waste. The case is under trial. One of the suspects has surrendered himself to the police, while another is being pursued.

The illegal production site in Henan was located in Houlu Village, Mengzhou City, hidden in an idle plant of a mechanical processing enterprise. There was one set of CFC-11 production equipment in the plant. Approximately 32.6 tons of CTC raw materials and 29.9 tons of CFC-11 products were found on site. At present, the production equipment has been dismantled and the raw materials as well as the products have been destroyed. All five suspects involved are out on bail pending trial by the public security authorities. The case is still under investigation.

In May 2019, one illegal CFC-11 production site was destroyed in Nanqiu Village, Jincheng Town, Bo'ai County, Henan Province. The factory was hidden in an idle workshop of a resin production enterprise. About 70 tons of CTC raw materials, 13 tons of CFC-11 products and two sets of illegal production equipment of CFC-11 were found. At present, the case was handed over to local public security authorities. Two main suspects were arrested and the other two suspects are being pursued by the police. All the raw materials and the products have been destroyed.

3.3 Strict Control on Illegal Use

From August to October 2018, the MEE organized a special ODS law enforcement campaign in all provinces and inspected 1,172 enterprises, among which some batches of the products of 394 system houses and foam manufacturers were tested through portable instant detectors. 6 enterprises using CFC-11 illegally were punished and fined 1.4 million yuan in total based on laboratory retesting results. All products confiscated have been destroyed.

From June to August 2019, MEE dispatched law enforcement officers to form joint enforcement groups with local law enforcement personnel to 11 key provinces/municipalities including Shandong, Hebei, Henan, Jiangsu, Zhejiang and Guangdong etc. to conduct special inspections. In this action, 656 system houses and foam companies were inspected, where some batches of the products of 322 enterprises were tested with instant detectors. It was found that samples from 37 enterprises. These samples are being retested in laboratories. Products confirmed to be of problem will be destroyed.

4. Establishment of Monitoring Network

The government of China formally launched the planning of an ODS atmospheric monitoring network to improve its early warning and effectiveness evaluation capacity in 2019. Now a team of experts is being formed to conduct basic scientific research and gradually establish and improve monitoring technology methods and the quality control system. Starting from 2021, the ODS monitoring stations will be constructed. ODS monitoring will be conducted starting in 2022.

5. Increase Information Disclosure

The Government of China convened a meeting to commemorate the 2019 International Ozone Day in Shandong Province with the theme of “Cracking Down on Illegal ODS Activities and Strengthening Domestic Supervision and Management”. Mr. Li Ganjie, Minister of Ecology and Environment and Mr. Gong Zheng, Governor of Shandong Province attended the meeting. The meeting was attended by nearly 200 people from member ministries of the National Leading Group for the Protection of the Ozone Layer, ecological and environmental departments/bureaus of all provinces/autonomous regions/municipalities, domestic research institutions, industrial associations and enterprises. Representatives from international agencies and non-governmental organizations such as the Ozone Secretariat, the Multilateral Fund Secretariat, the United Nations Environment Programme, the United Nations Development Programme, the United Nations Industrial Development Organization, the World Bank and the Environmental Investigation Agency were invited to the meeting and some of the representatives watched the operation of CTC on-line monitoring system and visited HCFC production facilities. This is another invitation to major domestic media, some industry media, local media and some foreign media to learn about China's implementation of the Protocol after seven regular press conferences in July, August and October 2018, and May, June, August and September 2019, where the enforcement action plan and implementation progress was timely released.

As the largest producer and exporter of ODS, China makes great contributions to the successful achievement of the elimination goals of the Protocol both in the past and present. Recognizing the issue of unexpected increase of CFC-11 at the same time with the international community, the Government of China takes swift action timely. We hope that the international community support China's active actions. Being open, honest and cooperative as always, China will continue to work with the international community to face and resolve this issue and uphold the achievements of the Montreal protocol.