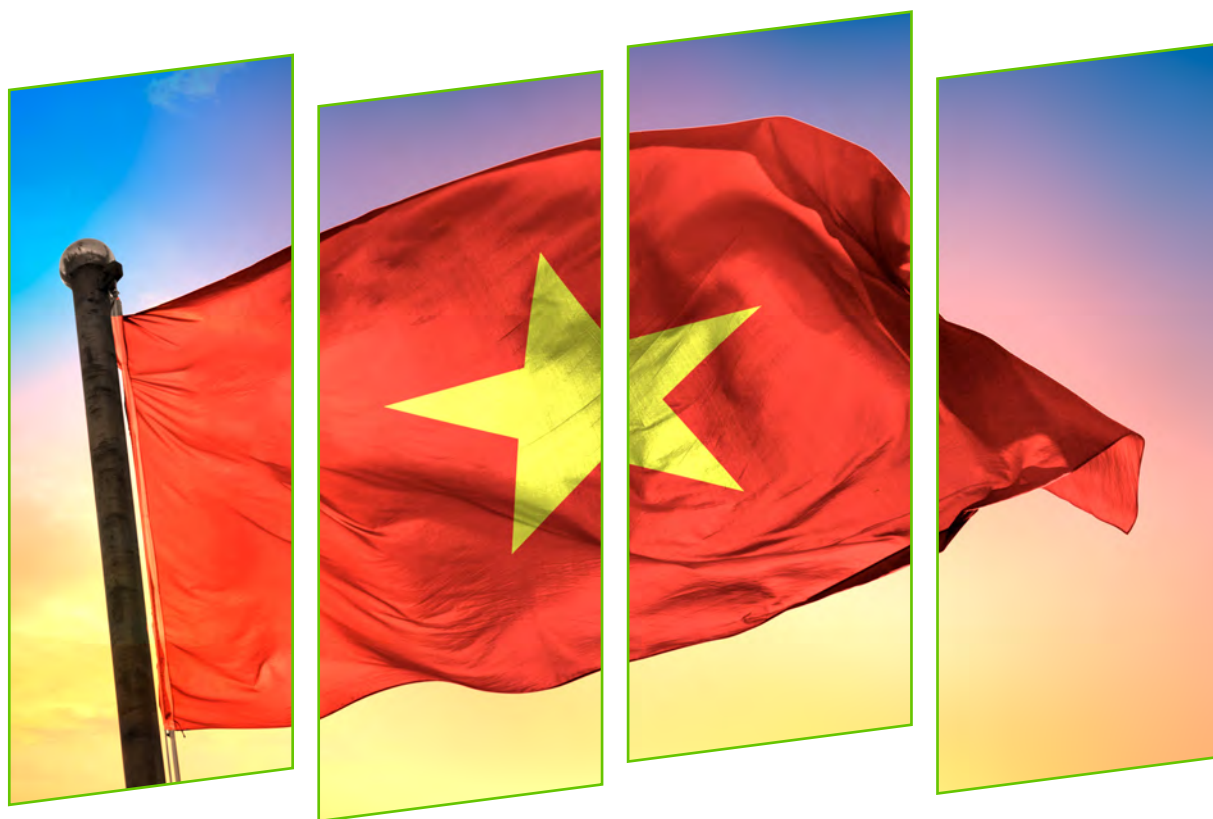




Decree 08/2022/ND-CP Detailing a number of articles of the Law on Environmental Protection

Government of Vietnam

Implementation date: January 10, 2022

Translated by ChemLinked

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DECREE

Detailing a number of articles of the Law on Environmental Protection

Pursuant to the June 19, 2015 Law on Organization of the Government; and the November 22, 2019 Law Amending and Supplementing a Number of Articles of the Law on Organization of the Government and the Law on Organization of Local Administration;

Pursuant to the November 17, 2020 Law on Environmental Protection;

Pursuant to the June 13, 2019 Law on Public Investment;

Pursuant to the November 17, 2020 Law on Investment;

Pursuant to the June 25, 2015 Law on the State Budget;

At the proposal of the Minister of Natural Resources and Environment,

The Government promulgates the Decree detailing a number of articles of the Law on Environmental Protection.

Chapter I

GENERAL PROVISIONS

Article 1. Scope of regulation

This Decree details Clause 4, Article 9; Clause 5, Article 13; Clause 4, Article 14; Clause 4, Article 15; Clause 3, Article 20; Clause 4, Article 21; Clause 4, Article 23; Clause 2, Article 24; Clause 3, Article 25; Clause 7, Article 28; Clause 7, Article 33; Clause 7, Article 37; Clause 6, Article 43; Clause 6, Article 44; Clause 5, Article 46; Clause 8, Article 49; Clause 6, Article 51; Clause 4, Article 52; Clause 4, Article 53; Clause 5, Article 54; Clause 5, Article 55; Clause 7, Article 56; Clause 3, Article 59; Clause 5, Article 61; Clause 1, Article 63; Clause 7, Article 65; Clause 7, Article 67; Point d, Clause 2, Article 69; Clause 2, Article 70; Clause 3, Article 71; Clause 8, Article 72; Clause 7, Article 73; Clause 4, Article 78; Clauses 3 and 4, Article 79; Clause 3, Article 80; Clause 5, Article 85; Clause 1, Article 86;

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Clause 1, Article 105; Clause 4, Article 110; Clause 7, Article 111; Clause 7, Article 112; Clause 4, Article 114; Clause 3, Article 115; Point a, Clause 2, Article 116; Clause 7, Article 121; Clause 4, Article 131; Clause 4, Article 132; Clause 4, Article 135; Clause 5, Article 137; Clause 5, Article 138; Clause 2, Article 140; Clause 5, Article 141; Clause 4, Article 142; Clause 3, Article 143; Clause 5, Article 144; Clause 4, Article 145; Clause 2, Article 146; Clause 7, Article 148; Clause 5, Article 149; Clause 5, Article 150; Clause 3, Article 151; Clause 4, Article 158; Clause 6, Article 160; Clause 4, Article 167; and Clause 6, Article 171, of the Law on Environmental Protection regarding protection of environmental components; environmental zoning, strategic environmental assessment, and environmental impact assessment; environmental licenses and environmental registration; environmental protection in production, business and service activities, urban and rural areas and some sectors; waste management; responsibility of producers and importers to recycle and dispose of products and packages; environmental monitoring; environmental information systems and databases; prevention of and response to environmental incidents and compensation for environmental damage; economic tools and resources for environmental protection; state management, examination, inspection, and provision of online public services on environmental protection.

Article 2. Subjects of application

This Decree applies to agencies, organizations, resident communities, households and individuals carrying out activities related to the contents specified in Article 1 of this Decree in the territory of the Socialist Republic of Vietnam, including its mainland, islands, maritime zones, underground areas and air space.

Article 3. Interpretation of terms

In this Decree, the terms below are construed as follows:

1. Rainwater collection and drainage system of a production, business or service establishment includes the water collection and drainage network (pipelines, pits, sluices, canals, ditches and regulating reservoirs), rainwater drainage pump stations and other auxiliary facilities for the purposes of collecting, conducting and draining rainwater and preventing inundation.
2. Wastewater collection, treatment and drainage system of a production, business or service establishment includes the wastewater collection network (pipelines, pits and sluices), wastewater pump stations, wastewater treatment facilities, and other auxiliary facilities for the purposes of collecting and treating wastewater and draining treated wastewater into the receiving waters.

3. On-spot waste treatment facilities and equipment means facilities and equipment that are manufactured or pre-assembled or constructed on the spot to treat wastewater or emissions of household-based production, business and service establishments; parks, recreation and entertainment areas, concentrated business or service areas, markets, railway stations, car terminals, wharves, harbors, ferry terminals, and other public places; households and individuals discharging wastewater and emissions shall treat them in accordance with the law on environmental protection.

4. Cooling water means water used for cooling equipment and machinery in the production process that is not in direct contact with raw materials, materials, fuels or chemicals used in production stages.

5. Waste self-treatment means waste treatment carried out by waste-generating establishments within their premises by using production items or lines or environmental protection facilities that meet environmental protection requirements.

6. Waste reuse means the reuse of untreated wastes or preliminarily processed wastes. Preliminary processing of wastes means the use of simple physic-mechanical technical measures to change their physical properties such as size, humidity or temperature in order to facilitate the classification, storage, transportation, reuse, recycling, co-treatment or treatment for the purpose of mixing or separating waste components as suitable to different management processes.

7. Waste recycling means a process of using technological and technical solutions to retrieve valuable components from wastes.

8. Waste treatment means a process of using technological and technical solutions (other than preliminary processing) to reduce, remove, separate, isolate, burn, destroy or bury wastes and hazardous elements therein.

9. Wastewater means water the characteristics and properties of which have been modified and which is discharged from production, business, service, daily-life or other activities.

10. Normal solid wastes means solid wastes which are neither on the list of hazardous wastes nor on the list of industrial wastes subject to control that contain hazardous elements exceeding hazardous waste thresholds.

11. Domestic solid wastes (also known as domestic wastes) means solid wastes generated during human daily-life activities.



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