

# Water Pollution Control Law

## Chapter I GENERAL PROVISIONS

### Article 1 (Purpose)

The purposes of this Law are to prevent the pollution of water (including form of deterioration of the condition of water other than the deterioration of water quality; the same hereinafter) in the Public Water Areas by regulating effluent discharged by factories or establishments into the Public Water Areas, thereby to protect human health and to preserve the living environment and to protect sufferers by setting forth stipulations regarding the responsibilities of the proprietors of factories or establishments to compensate the damage in cases where human health is damaged by polluted water or wastewater discharged from factories or establishments.

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### Article 2 (Definitions)

1. The term "Public Water Areas" in this Law shall mean water areas of public use such as rivers, lakes, ports and harbors, coastal seas, etc. , including such waterways connected thereto as public waterways, irrigation waterways and other waterways subject to public use (excluding public sewers and river-basin sewers as provided for by Sub-paragraphs 3 and 4, Article 2 of the Sewerage Law (No.79 of 1958), for which a terminal-treatment plant as provided for by Sub-paragraph 6 of the same Article is established (including the public sewers connected to such river-basin sewers)).

2. The term "Specified Facilities" in this Law shall mean those facilities which discharge polluted water or wastewater meeting either of the following conditions, and which are to be specified by Cabinet Order:

(1) Containing cadmium or other substances to be specified by Cabinet Order as substances which may cause harmful damage to human health:

(2) Being of a degree, that may cause damage to the living environment, as chemical oxygen demand and other substances, to be specified by Cabinet Order as showing the condition of water pollution (including thermal pollution, but excluding pollution by the substances as referred to by the

preceding Sub-paragraph).

3. The term "Specified Facilities in Designated Areas" in this Law shall mean those facilities which discharge polluted water or wastewater of a degree defined in preceding Sub-paragraph (2) into designated water areas as provided for in Sub-paragraph (1), Paragraph 2, Article 4, and which are to be specified by Cabinet Order.

4. The term "Oil Storage Facilities etc.," in this Law shall mean facilities which store heavy oil or other oils as stipulated by other government ordinances (and hereinafter referred to simply as "Oils") or facilities which treat oil-containing water (exclusive of Specified Facilities) that are stipulated by Cabinet Order.

5. The term "Effluent" as used in this Law shall mean the water discharged from the factories or the establishments (hereinafter to be referred to as "the specified establishments"), which have the specified facilities (including the specified facilities in the designated areas, hereinafter the same) installed therein to the public water areas.

6. The term "Polluted water, etc." in this Law shall mean polluted water or wastewater discharged from specified facilities.

7. The term "Specified Underground Percolated Water" in this Law shall mean water poured into underground from specified factories or establishments that have facilities for the manufacture, use, or treatment of substances as provided for in Sub-paragraph (1), paragraph 2 of this Article (hereinafter referred to as "Harmful Substances"), (excluding specified facilities in designated areas hereinafter referred to as "Specified Factories that Use Harmful Substances"), which contains wastewater, etc., including treated wastewater related to Specified Factories or Establishments that Use Harmful Substances.

8. The term "Domestic Effluent" in this Law shall mean water discharged in consequence of human activities such as cooking, washing, bathing, etc., into Public Water Areas (excluding Effluent).

- "Cabinet Order" of the text of Paragraph 2 = Order 1

- "Cabinet Order" of Sub-paragraph 1 = Order 2
  - "Cabinet Order" of Sub-paragraph 2 = Order 3
  - "Cabinet Order" of Sub-paragraph 3 = 2 of Order 3
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## **Chapter II :**

### **1.REGULATION OF DISCHARGE OF EFFLUENT, ETC.**

Article 3

(Effluent Standards)

1. The effluent standards regarding the extent of pollution (including thermal pollution; the same hereinafter) shall be established by Ordinance of the Prime Minister's Office.
2. The effluent standards referred to in the preceding Paragraph shall be established in terms of the maximum permissible level established by each substance as to Harmful Substances in case of pollution caused by Harmful Substances, and in case of other kinds of pollution shall be established in terms of the maximum permissible level established by each item as to each item provided for in Sub-paragraph 2, Paragraph 2 of the preceding Article.
3. When there is any Public Water Area under prefectural jurisdiction, for which the effluent standards as established under Paragraph 1 are recognized to be insufficient for protecting human health or for preserving the living environment, the Prefecture may establish more stringent standards than the maximum permissible levels stipulated in the effluent standards as provided for under the same paragraph, by enacting Prefectural Ordinances in accordance with the criteria to be stipulated by Cabinet Order.
4. In the Prefectural Ordinances referred to in the preceding Paragraph, the scope of the area concerned shall be also identified.
5. In a case where the Prefecture establishes effluent standards under the provisions of Paragraph 3, the Governor of the Prefecture shall in advance notify the Director General of the Environment Agency and the Governors of any other

prefectures concerned.

- "Ordinance of the Prime Minister's Office" = Ordinance of the Prime Minister's Office stipulating effluent standards.
- "Cabinet Order" = Order 4
- "Ordinance" = Self-government 2 II III - 14

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Article 4

(Advice Concerning Effluent Standards)

The Director General of the Environment Agency may, whenever he deems it specially necessary for the prevention of water pollution in Public Water Areas, advise the Prefectures to establish their own effluent standards in accordance with the provisions of Paragraph 3 of the preceding Article or to revise the effluent standards already established in accordance with the same Paragraph.

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Article 4-2

(Fundamental Policy for Reduction of Total Pollution Amount)

1. As regards wide public water areas (only seas almost entirely surrounded by land) into which large quantities of water discharged in conjunction with daily life and business activities have come to flow as a result of population and industry concentration, etc. , and for which it is recognized to be difficult to attain the standards with respect to the environmental conditions relating to water pollution under the provisions Paragraph 1 of Article 16 of the Basic Environment Law (Law No. 91 of 1993) (hereinafter referred to as the "Environmental Quality Standards for Water Pollution") only by means of the effluent standards as referred to in Paragraph 1 or Paragraph 3, Article 3 of this Law, the Prime Minister shall, for the purpose of preventing water pollution in each specified water area to be specified by Cabinet Order (hereinafter referred to as "Specified Water Area") in respect to chemical oxygen demand and other item stipulated by Cabinet Order (hereinafter referred to as "Specified Items") among items stipulated in Sub-paragraph 2 Paragraph 2 of Article 2, establish a fundamental policy related to the reduction of the pollutant load expressed in terms of the Specified Items (hereinafter referred to simply as the "Pollution Load"), (such fundamental policy shall be hereinafter referred to as the "Fundamental Policy for Reduction of Total Pollution Load") in respect of each of the regions specified by Cabinet Order as being related to water pollution in the Specified Water Areas (such regions shall be

hereinafter referred to as "Specified Regions").

2. In the Fundamental Policy for Reduction of Total Pollution Load, the reduction target volume, the target year and other fundamental matters relating to the reduction of the pollutant load shall be set forth. In this case, as regards the reduction target volume, the target volume of reduction under Sub-paragraph 3 shall, with the aim of attaining the Environmental Quality Standards for Water Pollution related to the Specified Items concerned in respect of the Specified Water Area concerned, be fixed so as to make the Pollutant load of Sub-paragraph 1 to become the total pollution quantity of Sub-paragraph 2 by the target year.

- (1) The total quantity of the Pollutant load of the water flowing into the Specified Water Area concerned;
- (2) The total amount of the Pollutant load in the case where the maximum possible reduction of the total quantity of the Pollutant load of the preceding sub-paragraph should be attempted with consideration given, in accordance with what is prescribed by Cabinet Order, to population and industrial trends, the level of sewage and wastewater treatment technology, prospects for construction of sewers, etc., in the Specified Region concerned;
- (3) The target volume of reduction of the Pollutant load of the water discharged into the Public Water Area in the Specified Region concerned for each prefecture and each pollution source (inclusive of a target volume of reduction set as an intermediate goal).

3. The Prime Minister shall, when he intends to establish, revise or abolish the Cabinet Order specifying the water areas referred to in Paragraph 1 or the Cabinet Order specifying the regions referred to in the same Paragraph, hear the opinion of the governors of the prefectures concerned.

4. The Prime Minister shall, when he intends to establish or change the Fundamental Policy for Reduction of Total Pollution Load, hear the opinion of the governors of the prefectures concerned and consult with the Conference of Environmental Pollution Control.

5. The Prime Minister shall, when he has established or changed the Fundamental Policy for Reduction of Total Pollution Load, notify the governors of the prefectures

concerned of such fact.

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Article 4-3

(Plan for Reduction of  
Total Pollution Load)

1. The governors of prefectures, any part of which is within a Specified Region, shall, establish a plan for the realization of the target volume of reduction referred to in Sub-paragraph 3, Paragraph 2 of the preceding Article (hereinafter referred to as "Plan ' for Reduction of Total Pollution Load") on the basis of the Fundamental Policy for Reduction of Total Pollution Load.

2. The matters referred to in the following Sub-paragraphs shall be stipulated in the Plan for Reduction of Total Pollution Load:

- (1) The target amount of reduction in pollutant load for each pollution source;
- (2) The means for achieving the target volume of reduction referred to in the preceding Sub-paragraph;
- (3) Other necessary matters related to the reduction in the total amount of the pollution load.

3. The governors of the prefectures shall, when they intend to establish a plan for Reduction of Total Pollution Load, hear the opinion of the mayors of the cities, towns and villages concerned and obtain the approval of the Prime Minister.

4. The Prime Minister shall, when he intends to give the approval referred to in the preceding Paragraph, consult with the Conference of Environmental Pollution Control.

5. The governors of the prefectures shall, when they have established a plan for reduction of Total Pollution Load, publicly announce the content thereof.

6. The provisions of the preceding three Paragraphs shall apply mutatis mutandis to a change in the Plan for Reduction of Total Pollution Load.

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Article 4-4

(Promotion of the  
Implementation of the

The national and local governments shall endeavor to take measures required to implement the Plans for Reduction of Total Pollution Load.

Plan for Reduction of  
Total Pollution Load)

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Article 4-5

(Total Pollutant load  
Regulating Standards)

1. The governors of prefectures, any part of which is within a Specified Region, shall, in respect of the Pollutant load of Effluents discharged from Specified Factories within the Specified Region which are of a scale not smaller than that to be stipulated by order of the Prime Minister's Office (hereinafter referred to as "Specified Factories within Specified Region"), establish total load regulation standards on the basis of the plan for Reduction of Total Pollutant load in accordance with what is prescribed by Order of the Prime Minister's Office.

2. In respect of a Specified Factory within a Specified Region at which a Specified Facility has been newly installed (inclusive of one which has newly come to be a Specified Factory within a Specified Region as a result of the installation or change in structure, etc., of a Specified Facility at a factory or establishment) and a Specified Factory within a Specified Region which has been newly set up, the governor of the prefecture may, on the basis of the Plan for Reduction of Total pollution Load, establish, in accordance with what is prescribed by Order of the Prime Minister's Office, special total pollutant load regulation standards to be applied in place of the respective total pollutant load regulation standards mentioned in the preceding Paragraph.

3. The total pollutant load regulation standards referred to in Paragraph 1 and the preceding paragraph shall, in respect of the Specified Factories within a Specified Region, be the maximum permissible level determined for the pollutant load of the effluents discharged from the Specified Factories within the Region.

4. The governors of the prefectures shall publicly announce the total pollutant load regulation standards established under Paragraph 1 or Paragraph 2. The same shall also apply when such total pollutant load regulation standards are changed or abolished.

"Scale" as stipulated by Order of the Prime Minister's Office referred to in Paragraph 1 = Regulation 1 of 4

"Total Pollutant Load Regulation Standards" stipulated by

Order of the Prime Minister's Office = Regulation 1 of 5, I, III, IV  
"Order of the Prime Minister's Office" referred to in Paragraph 2, = Regulation 1 of 5, II, III, IV

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Article 5

(Report on the Installation of Specified Facility)

1. A person who discharges effluents from a factory or establishment into a Public Water Area shall, when he intends to install a Specified Facility, submit a report on the following matters to the governor of the prefecture in accordance with what is prescribed by order of the Prime Minister's Office:

- (1) Name or appellation and address, and in the case of a corporate body, the name of the representative;
- (2) Name and address of the factory or the establishment;
- (3) Type of the Specified Facility;
- (4) Structure or construction of the Specified Facility;
- (5) Method of use of the Specified Facility;
- (6) Method of treatment of polluted water or wastewater (hereinafter referred to as "Polluted Water, etc.") to be discharged from the Specified Facility;
- (7) The state of pollution and quantity of the Effluents (in the case of a factory or establishment within a Specified Region, the state of pollution and quantity of the Effluents for each drainage system);
- (8) Other matters stipulated by Order of the Prime Minister's Office.

2. A person who permeates effluents which contain polluted water, etc., related to a Specified Facility that Use Harmful Substances from a factory or an establishment into the subsurface (inclusive of treated water thereof), shall, when he intends to install a Specified Facility, submit a report on the following matters to the governor of the prefecture in accordance with what is prescribed by Order of the Prime Minister's Office:

- (1) Name or appellation and address, and in case of a juridical person, the name of the representative;
- (2) Name and address of the factory or establishment;
- (3) Type of the Specified Facility using harmful substances;
- (4) Structure or construction of the Specified Facility using



- harmful substances;
- (5) Method of using the Specified Facility using harmful substances;
  - (6) Method of treatment of polluted water, etc.;
  - (7) Method of percolation of Specified Underground Percolated Water;
  - (8) Other matters stipulated by Order of the Prime Minister's Office.
    - "Order of the Prime Minister's Office" referred to in the text of Paragraph 1 = Regulation 3, III, IV
    - "Order of the Prime Minister's Office" = Regulation 3, I
    - "Order of the Prime Minister's Office of Sub-paragraph (8) = Regulation 3, II
    - Number of copies of the report to be submitted = Regulation 2
    - Acceptance document= Regulation 6
    - Penal Provisions = Law 32, 34

Article 6

(Transitional Measures)

1. In case a facility becomes a Specified Facility (exclusive of a Specified Facility in a Designated Area; the same hereinafter), its owner (including a person having a facility under construction) who discharges, Effluents or permeates Specified Underground Permeation Water, shall submit a report to the Governor of the Prefecture within 30 days after it has become a Specified Facility in respect to the items provided for in each Sub-paragraphs of paragraph 1 or 2 of preceding Article, in accordance with what is stipulated by Order of the Prime Minister's Office. In this case, if the person has already submitted a report in respect to the said Specified Facility as provided for in Paragraph 1 of the preceding Article or the next Paragraph of this Article with respect to Specified Facility in a Designated Area (including where provisions of the Law Concerning Special Measures for Conservation of the Environment of the Seto Inland Sea, Law No.110 of 1973. Paragraph 2 of Article 12, or the Law Concerning Special Measures for Conservation of Water Quality of Lakes and Marshes, Law No.61 of 1984, Article 14, shall apply) such person shall be deemed to have submitted a report with respect to the provisions of this

Paragraph.

2. In case a facility becomes a Special Facility in a Designated Area, an owner who has a facility in the Designated Area (including a person having a facility under construction; the same hereinafter) or a person who actually has a Specified Facility in Designated Area when an area becomes a Designated Area, who discharges Effluents, shall submit a report to the governor of the prefecture within 30 days after the said facility has become a Specified Facility in a Designated Area or the said area has become a Designated Area in respect to items provided for in Sub-paragraphs (1) to (8) Paragraph 1, of the preceding Article, in accordance with what is Stipulated by order of the Prime Minister's Office. In this case, if the person has already submitted a report in respect to the facility which is deemed to be a Specified Facility in Designated Area in accordance with the provisions of Article 14 of the Law Concerning Special Measures for Conservation of Water Quality of Lakes and Marshes, under Paragraph 1 of the preceding Article, or this Paragraph, the person who has submitted the said report shall be deemed to have submitted a report provided for in this Paragraph in respect to the said Facility.

3. An owner who actually has a Specified Facility in the said Designated Area at the time of enforcement of Order of the Prime Minister's Office stipulating the Area provided for in Sub-paragraph (1) Paragraph 2 of Article 4, (including a person having a facility under construction and a person who has submitted a report provided for in the preceding Article, but who has not yet commenced construction of the facility) and who discharges Effluents, shall submit a report to the governor of the prefecture on the state of pollution and quantity of Effluents for each drainage system within 60 days after the enforcement of the said Order of the Prime Minister's Office.

- "Order of the Prime Minister's Office" of Sub-paragraph (1) = Regulation 4, I, III
- "Order of the prime Minister's Office" of Sub-paragraph (3) = Regulation 4, II, III
- Number of copies of the report to be submitted = Regulation 2  
Penal provisions = Law 33, I, Law 34

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Article 7  
(Report on Changes in the Structure of a Specified Facility, etc.)

Any person, who submitted a report in compliance with the provisions of Article 5 or of the preceding Article, and intends to change any of the matters specified in Sub-paragraphs (4) to (8) of Paragraph 1 of Article 5 or Sub-paragraph (4) to (8) of Paragraph 2 of Article 5, shall submit a report thereon to the governor of the prefecture in accordance with what is stipulated by Order of the Prime Minister's Office.

- "Order of the Prime Minister's Office" = Regulation 5
- Number of copies of the report to be submitted = Regulation 2
- Acceptance document = Regulation 6
- Penal provisions = Law 32 ,34

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Article 8  
(Order to Change Plan, etc.)

When a governor of a prefecture , receives the report mentioned in Article 5 or in the preceding Article, and deems that the state of pollution of the effluents at the place of discharge do not satisfy the effluent standards which are established under the provisions of Paragraph 1 or Paragraph 3 of Article 3 (hereinafter referred to simply as the "Effluent Standards"), he may order, within 60 days after, he receives the report, the person, who submitted the report, to change the structure or the way of use of the Specified Facility or the plan for the treatment of the polluted water, etc. about the report concerned (including abandonment of the plan as reported in accordance with the provisions of the preceding Article), or to abandon the plan for establishing the Specified Facility as reported in accordance with the provisions of Article 5.

- "Order of the Prime Minister's Office" = Regulation 2 of 6
- Penal provisions = Law 30 - 34

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Article 8-2

In respect of a Specified Factory within a Specified Region at which there is to be installed a Specified Facility, in respect of which a report has been submitted in accordance with the provisions of Article 5 or Article 7 (inclusive of one which has newly come to be such a Factory within the Specified

Region as a result of an installation or change at a factory or establishment), the governor of the prefecture, when he acknowledges that the Pollutant load of the Effluents to be discharged from the Specified Factory within the Specified Region concerned will not satisfy the total pollutant load regulation standards, may, only within sixty days from the day on which he accepted such report order the person establishing the Specified Factory within the Specified Region concerned to improve the method of treating the polluted water and wastewater at the Specified factory within the Region concerned and to take such other measures as are necessary.

- Penal provisions = Law 30-34

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Article 9

(Restrictions on Installation of Facilities)

1. A person who has submitted a report in accordance with the provisions of Article 5 or Article 7 shall not install the Specified Facility mentioned in the report, or change the structure or the way of use of the Specified Facility, or the treating method of the polluted water, etc. unless sixty days have passed after the report submitted was accepted.

2. The governor of the prefecture may, when he deems the contents of the report as submitted in accordance with the provisions of Article 5 or Article 7 to be adequate, shorten the period mentioned in the preceding Paragraph.

- Penal provisions = Law 32-2 - 34

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Article 10

(Report on Change in Name of Person, etc.)

A person who has submitted a report in accordance with the provisions of Article 5 or Paragraph 1 or Paragraph 2 of Article 6, shall in the case where a change takes place in respect of the items mentioned in the provision of Sub-paragraph 1 or Sub-paragraph 2 of Paragraph 1 or 2 of Article 5 or where use of the Specified Facility has been abandoned, submit a report to the prefectural governor within 30 days after such a change took place.

- "Report on Change in Name of Person, etc." = Regulation 7
- Number of copies of the report to be submitted =

Regulation 2  
Penal provisions = Law 35

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Article 11  
(Inheritance)

1. A person who takes over or rents a Specified Facility from a person who has submitted the report in accordance with the provisions of Article 5 or Paragraph 1 or Paragraph 2 of Article 6 shall succeed the status of the person who submitted the report on the Specified Faculty.

2. In cases where inheritance or merger takes place in respect of the person who submitted the report in compliance with the provisions of Article 5 or Article 6, Paragraph 1 or Paragraph 2, the inheritor or the juridical person who continues to exist after the merger or the juridical person that is newly established by the merger shall succeed to the status of the person who submitted the report.

3. A person who, in accordance with the preceding two Paragraphs, succeeds the status of the person who submitted the report as provided for in Article 5 or Article 6, Paragraph 1 or Paragraph 2, shall also submit a report to the prefectural governor within 30 days after the succession took place.

4. A person who takes over or rents a Specified Factory within a Specified Region or who acquires a Specified Factory within a Specified Region by inheritance or merger shall, in respect of the application of the provisions of Article 8-2, Article 13, Paragraph 3 and Article 14, Paragraph 3, succeed the status of the person who set up the Specified Factory within the Specified Region.

- Report on inheritance = Regulation 8
- Number of copies of the report to be submitted = Regulation 2  
Penal provisions = Law 35

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Article 12  
(Restrictions on  
Discharge of Effluents)

1. A person who discharges effluent shall not discharge effluent which does not satisfy the Effluent Standards at the point of discharge from the Specified Factory.

2. The provisions of the preceding Paragraph shall not apply

to the water discharged from a factory or an establishment which has a newly designated Specified Facility (including a facility under construction) for six months (or one year for a facility specified by Cabinet Order) after its designation; however this grace period shall not be applied in the case where the factory or the establishment was already a Specified Factory at the time of the designation and in the case where the existing regulations of the Local Government concerned have a similar provision to that of the preceding Paragraph (excluding in a case where there are no penal provisions for the infringement).

3. The provisions of Paragraph 1 shall not apply to the person who has actually installed the facility in the Specified Region when the facility in Paragraph 1 became the Specified Facility in Specified Region (including the person who undertook the construction work thereof, hereinafter the same) or the effluent discharged from the factory or the establishment that have the said facility installed of the person who actually has the Specified Facility in the Specified Region when the area in Paragraph 1 became the Specified Region, for 1 year (3 years in the case where the said facility is the facility subject to the Cabinet Order) from the day when the said facility became the Specified Facility in the Specified Region or from the day when the said area became the Specified Region. Except that the said factory or the establishment was already the designated establishment when the said facility became the Specified Facility in the Specified Region, and when there are provisions of ordinance of the local body applicable to the person that are similar to the provisions of Paragraph 1 (except where no penal provisions for violation of the said provisions).

- "Order of the Prime Minister's Office" of Paragraph 2 = Order 5 Penal provisions = Law 31-1 , I, II , Law 34

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Article 12-2  
(Obligation to Observe  
Total Pollutant load  
Regulation Standards)

A person who has set up a Specified Factory within a Specified Region shall observe the total pollutant load regulation standards.

Article 12-3  
(Restrictions on Permeation of Specified Percolated Water)

A person who discharges Effluents from a Specified Factory using harmful substances (including a person who permeates Specified Permeation Water) shall not permeate Specified Permeation Water subject to the conditions provided for in the Order of the Prime Minister's Office in Article 8.

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Article 13  
(Order for Improvement, etc.)

1. The governor of a prefecture may, when he acknowledges a danger of there being discharged Effluent which does not satisfy the Effluent Standards at the point of discharge from the Specified Factory concerned, order the person who discharges the Effluents to improve the Structure or the method of use of the facility or the method of treatment of the polluted water, setting a period for compliance, or to discontinue temporarily the use of the Specified Facility or the discharge of Effluents.

2. The provisions of Article 12, Paragraph 2 and Paragraph 3 shall apply mutatis mutandis to the order referred to in the preceding Paragraph.

3. The governor of a prefecture may, when he acknowledges a danger of there being discharged effluents whose Pollutant load does not satisfy the total pollutant load regulation standards, order the person who has set up the Specified Factories within a Specified Region from which the Effluents concerned originate to improve the method of treatment of polluted water or wastewater at the Specified Factory within the region concerned or to take such other measures as are necessary, setting a period for compliance.

4. The provisions of the preceding Paragraph shall not apply with respect to a factory or establishment which has newly come to be a Specified Factory within Specified Region because of a revision of the Cabinet Order specifying facilities mentioned in Article 2, Paragraph 2 or Paragraph 3, the Cabinet Order specifying regions mentioned in Article 4-2, Paragraph 1 or the Order of the Prime Minister's office specifying scale mentioned in Article 4-5, Paragraph 1 for a period of six month after the day on which the factory or establishment concerned came to be a Specified Factory within a Specified Region.

- Penal provisions= Law30-34

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Article 13-2

1. The governor of a prefecture may, when he recognizes a person who is subject to Article 12-3 is in danger of percolating Specified Underground Permeation Water relevant to conditions stipulated by the Order of the Prime Minister's Office provided for in Article 8, order such person to improve the structure, or the method of use or the method of treatment of polluted water, etc., of the Specified Facility (excluding a Specified Facility in Designated Area; the same hereinafter in this Article) setting a period for compliance, or to order suspension of use of the Specified Facility or permeation of the Specified Underground Percolated Water.

2. The provisions of the preceding Paragraph shall not be applicable for a period of 6 months after the said Facility has become a Specified Facility (one year in a case where the said Facility is a Facility stipulated by Order of the prime Minister's Office) in respect of percolated water from the factory or establishment containing the said facility which is containing polluted water, etc., (inclusive of treated water), related to the said facility of a person who has actually installed the said Facility (including a facility under construction) when the Facility referred to in Paragraph 1 has become a Specified Facility. Provided, however, that if the said polluted water had been already Specified Underground Percolated Water when the said facility became a Specified Facility and if there is an ordinance of a local government that is applicable to that water which corresponds to the provisions of the said Paragraph (exclusive of when there is no penal provision for acts violating the orders of the said provisions), shall be excepted.

- Penal provisions = Law 30 - 34

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Article 13-3  
(Guidance, etc.)

As with respect to a person who does not discharge effluents from a Specified Factory within a Specified Region but who discharges polluted water, wastewater or any other substance which causes an increase in the pollutant load into the Public Water Areas of the Specified Region, the governor of the prefecture may, for the purpose of carrying but the Plan for Reduction of Total Pollution Load, give such person such guidance, recommendation or advice as may be required.



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Article 14

(Measurement of State of Pollution of Effluent, etc.)

1. A person who discharges Effluents or permeates of Specified Percolated Water shall measure the pollution level of the said effluents or Specified Permeation Water and keep records of the measured, findings in accordance with what is stipulated by Order of the Prime Minister's Office.

2. A person who discharges Effluents from a Specified Factory within a Specified Region to which total pollutant load regulation standards apply shall, in accordance with what is prescribed by Order of the Prime Minister's Office, measure the pollutant load of the effluents concerned and keep records of the measured findings.

3. A person who has set up a Specified Factory within a Specified Region mentioned in the preceding Paragraph shall, in advance, in accordance with what is prescribed by Order of the Prime minister's Office, report his method of measuring the pollutant load to the governor of the prefecture. The same shall apply when a method once reported is to be changed.

4. A person who discharges Effluents shall take an appropriate method of discharging the effluents, such as the location of the point of discharge of the said Specified Factory, taking into consideration the condition of the water quality in the Public Water Area concerned.

- "Order of the Prime Minister's Office" of Paragraph 1 = Regulation 9
- "Order of the Prime Minister's Office" of Paragraph 2 = Regulation 2I of 9
- "Order of the Prime Minister's Office" of Paragraph 3 = Regulation 2II of 9
- Number of copies of the report to be submitted = Regulation 2
- Penal provisions = Law 33-3, 34, 35

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Article 14-2

(Measures to be Taken in Case of an Accident)

1. A person who has set up a Specified Factory shall, when an accident such as damage to Specified Facility occurs and it is feared that polluted water containing harmful substances or oils might be discharged from the said Specified Factory into the Public Water Area or percolated into the ground thereby causing damage to human health or the living environment

immediately take emergency measures to prevent subsequent discharge or permeation of polluted water containing harmful substances or oils and shall, without delay, report to the governor of the prefecture a summary of the conditions of the accident and measures taken.

2. A person who has set up a factory or establishment other than a Specified Factory, having oil storage facilities, etc. (hereinafter referred to as "Oil Storage Factory, etc." in this Article), shall, when an accident occurs in the said oil storage Factory, etc., such as damage to the oil storage facilities, etc., and it is feared that polluted water containing oils might be discharged into the Public Water Area from the said oil storage Factories, etc. or percolated into ground thereby causing damage to the living environment immediately take emergency measures to prevent subsequent discharges or permeation into the ground of polluted water containing oils and report to the governor of the prefecture a summary of the conditions of the accident and measures taken without delay.

3. The governor of the prefecture may, when he recognizes that a person who has set up a Specified Facility or a person who has set up oil storage Factory, etc. has not taken the emergency measures referred to in the preceding two Paragraphs, order that person to take emergency measures as provided for in these provisions.

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Article 14-3

(Order to Take Measures, etc., Related to Purification of Water Quality of Ground Water)

1. The governor of the prefecture may, when he recognizes - that damage has actually occurred to human health or is feared to occur because polluted water containing substances regarded as being harmful has percolated into ground at a Specified Factory, order the person who has set up the said specified Factory (including a person who has become a successor by inheritance or merger) to take measures to improve the quality of the groundwater to the extent of rectifying such damage as provided for in the Order of the Prime Minister's Office, giving a reasonable time limit to do so. Except however, where the person shall be different from the one who was the Owner of the said Specified Factory when the said permeation occurred.

In a case as stipulated in the text of the preceding Paragraph, the governor of the prefecture may take actions as provided for in the said Paragraph against the person who was the

owner of the said Specified Factory when the said permeation occurred (including a person who has become successor by inheritance or merger).

2. A person who has set up a Specified Factory (including Person who has obtained the Specified Factory or its site by transfer or has taken it on by lease or has obtained it by inheritance or merger) shall, when he has received an order as provided for in the preceding paragraph, in respect of the said Specified Factory, cooperate with the action needed in accordance with the said order.

- Penal provisions = Law31, I, 2, 34

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## **2.PROMOTION OF MEASURES FOR DOMESTIC WASTEWATER**

Article 14-4

(Responsibilities of National and Local Governments)

1. Cities, towns and villages (including special wards; hereinafter the same) shall make best endeavors to implement measures, including provision of necessary facilities to reduce the pollutant load on water in Public Water Areas due to discharge of domestic wastewater (hereinafter referred to as , "Domestic Wastewater Treatment Facilities"), fostering instructors who are, to engage in the enlightenment of measures for domestic wastewater and other pleasure in respect to domestic wastewater, as measures to prevent water pollution in Public Water Areas due to discharge of domestic wastewater (hereinafter referred to as . "Measures for Domestic Wastewater").

2. The prefectural governments shall make their endeavors to comprehensively adjust implementation of measures over a wide area in respect of domestic wastewater.

3. The national government shall make its best endeavors to disseminate knowledge concerning water pollution in Public Water Areas due to discharge of domestic wastewater as well as render necessary technical and financial assistance to promote measures with respect to domestic wastewater implemented by local governments.

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Article 14-5  
(Responsibilities of Citizens)

Citizens shall make their best endeavors to properly dispose of cooking rubbish, waste cooking oil, etc., and properly use cleansers, etc., to implementation of measures for domestic wastewater by the national or local governments.

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Article 14-6  
(Efforts by those who Discharge Domestic Wastewater)

Those who discharge domestic wastewater shall, except where they are required to take measures to treat domestic wastewater in accordance with the provisions of the to take measures to treat domestic wastewater in accordance with the provisions of the Sewerage Law and other laws, make endeavors to develop facilities to reduce the pollutant load on water in Public Water Areas due to domestic wastewater.

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Article 14-7  
(Designation of Important Areas for Domestic Wastewater Measures, etc.)

1. The Governors of the prefectures shall, when they recognize that it is particularly necessary to promote implementation of measures for domestic wastewater to prevent water pollution in the following Public Water Areas due to discharge of domestic wastewater, designate important areas for domestic wastewater measures in the areas of pertinent cities, towns or villages related to the water pollution of the pertinent Public Water Area:

- (1) Public Water Areas where environmental water quality standards have not actually been secured or there is considerable fear that the said standards will not be met;
- (2) Other than stipulated in the preceding Sub-paragraph, Public Water Areas where it is particularly important to aim at preserving water quality in the light of natural and social conditions where water pollution is occurring or there is considerable fear that water pollution will occur.

2. The Governors of the prefectures shall, when they are to designate an important area for domestic wastewater measures, hear opinions of mayors of cities, towns or villages concerned in advance.

3. In a case where the Public Water Area subject to designation as an important area for domestic wastewater measures extends into areas in other prefectures to the effect that he intends to designate it.

4. The governor of the prefecture shall, when he has designated an important area for domestic wastewater measures, publicly announce it and at the same time notify cities, towns and villages which include the said important area for domestic wastewater measures (hereinafter referred to as "Cities, Towns and Villages for Promotion of Domestic Wastewater Measures") of the effect.

5. The provisions of the preceding three Paragraphs shall apply correspondingly to changes in important areas for domestic wastewater measures.

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Article 14-8

(Drawing up of Promotion Plan for Domestic Wastewater Measures, etc.)

1. Cities, towns and villages for the promotion of domestic wastewater measures shall draw up a plan for promotion of implementation of measures for domestic wastewater in an important area for domestic wastewater measures (hereinafter referred to as "Plan for Promotion of Implementation of Domestic Wastewater Measures").

2. In the plan for promotion of implementation of domestic wastewater measures, the following matters shall be stipulated:

- (1) Basic policy concerning promotion of implementation of domestic wastewater measures
- (2) Matters concerning development of treatment facilities for domestic wastewater
- (3) Matters concerning education with respect to domestic wastewater measures
- (4) Other necessary matters concerning promotion of implementation of domestic wastewater measures

3. When cities, towns and villages for promotion of domestic wastewater measures draw up plans for the promotion of domestic wastewater measures, they shall maintain close liaison with other cities, towns and villages for promotion of domestic wastewater measures in the pertinent area for domestic wastewater measures.

4. When cities, towns and villages for promotion of domestic wastewater measures draw up plans for promotion of domestic wastewater measures, they shall notify the governor of the prefecture who has designated the important area for

domestic wastewater measures in advance.

5. The governor of a prefecture who has been notified as referred to in the preceding Paragraph may advise the pertinent cities, towns and villages concerning the promotion of domestic wastewater measures and, if the governor recognizes that it is particularly necessary for their promotion, render recommendations to them.

6. Cities, towns and villages for promotion of domestic wastewater measures shall, when they have developed a plan for promotion of domestic wastewater measures, publicly announce its contents.

7. The provisions of Paragraphs 3 to the preceding Paragraph shall correspondingly apply to changes in the plan for promotion of domestic wastewater measures.

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Article 14-9

(Promotion of Plan for Promotion of Domestic Wastewater Measures)

Cities, towns and villages for promotion of domestic wastewater measures shall endeavor to take any action necessary to implement the domestic wastewater measures, including development of treatment facilities for domestic wastewater, education in respect to measures for domestic wastewater, etc., in accordance with basic policy concerning the promotion of implementation of domestic wastewater measures as stipulated in the plan for promotion of domestic wastewater measures while maintaining close liaison with other cities, towns and villages in the pertinent area for promotion of domestic wastewater measures.

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Article 14-10

(Guidance, etc.)

The mayors of cities, towns and villages for promotion of domestic wastewater measures may, when they recognize that it is necessary to promote the plan for promotion of domestic wastewater measures, give guidance, advice and make recommendations to those who discharge domestic wastewater in the important area of domestic wastewater measures.

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## **Chapter III :MONITORING OF THE CONDITIONS OF WATER POLLUTION, ETC.**

Article 15  
(Continuous Monitoring)                      The governor of the prefecture shall continuously monitor the conditions of the water pollution in the Public Water Area and groundwater.

2. The governor of the prefecture shall report the result of the continuous monitoring set forth in the preceding paragraph to the Minister of the Environment.

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Article 16  
(Measurement Program)                      1. The governor of a prefecture shall after consulting with the chiefs of the local offices of national administrative organs, establish - a program for the measurement of water quality in the Public Water Area which belongs to the prefecture (hereinafter referred to as the "Measurement Program").

2. The Measurement Program shall provide, with regard to the measurements conducted by the national or local government as to the water quality in the public Water Area, for the matters to be measured, the station and method of measurement and other necessary items.

3. The Director General of the Environment Agency may, in order to totally grasp the Pollutant load of the water flowing into each Specified Water Area indicate matters separately for each Specified Water Area with which the governors of the prefectures are to comply in the formulation of the Measurement Program.

4. The national or local government shall measure the water quality in the Public Water Area in compliance with the Measurement Program, and report the findings of the measurement to the governor of the prefecture.

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Article 16-2  
(Cooperation to Measurement)                      The mayor of the local body may ask for cooperation from the person who has installed a well in measurement of groundwater quality when he recognizes that it is necessary for measurement of groundwater quality as provided for in Paragraph 4 of the preceding Article.

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Article 17  
(Publication) The governor of the prefecture shall publicly announce the state of water quality in the Public Water Areas and groundwater in the area within the prefecture.

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Article 18  
(Emergency Measures) The governor of the prefecture may, in a case where the water pollution in the Public Water Area within the prefecture, caused by an extraordinary shortage of water or other similar situations, becomes so serious as to pose that to human health or the living environment as stipulated by Cabinet Order, make the public aware of it and order, in compliance with what is stipulated by . Order of the Prime Minister's Office, persons who discharge effluents into the Public Water Area concerned, in which the above mentioned conditions has occurred, to reduce effluents for a specified period or to take other necessary measures.

- "Order of the Prime Minister's Office = Ordinance 6
  - "Order of the Prime Minister's Office" = Regulation 10
  - Penal provisions = Law 31, I, 2, 34
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## **Chapter IV :COMPENSATION FOR DAMAGES**

Article 19  
(Absolute Liability) 1. In cases where human life or health is damaged by the harmful substances in the polluted water or wastewater discharged (including underground percolation; the same hereinafter in this Chapter) from factories or other establishments as a result of industrial activities the enterpriser is liable for compensating the damage caused thereby.

2. In cases where any substance is newly designated as a harmful substance, the preceding Paragraph shall apply to the damage caused by the discharge of the substance on or from the day of its designation.

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Article 20 In cases where the damage provided for in Paragraph 1 of the preceding Article is caused by more than two enterprisers



discharge of harmful substances in the polluted water or wastewater and where Article 719 Paragraph 1 of Civil Law (Law No.89 of 1 896) is applicable to the liability for compensation for the damage, the Court may take the circumstances into consideration in deciding the sum of compensation to be paid by the enterpriser whose contribution to the damage is deemed markedly slight.

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Article 20-2 (Consideration for Compensation)	When a natural disaster or any other force majeure is concurrently attributable to the occurrence of the damage provided for in Article 19 Paragraph 1 , the Court may take such circumstances into consideration in determining the extent of liability and the sum of compensation.
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Article 20-3 (Extinctive Prescription)	The right to claim the compensation provided for in Article 19, Paragraph 1 shall lapse by prescription if the right is not exercised within three years after the time when the injured party or his legal representative came to know of the damage and the person liable for such damage. The same shall apply if twenty years have passed from the time when the damage occurred.
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Article 20-4 (Application of Other Laws)	If the Mining Law (Law No. 289 of 1950) or the Coal Washing Law (Law No. 134 of 1958) is applicable to the liability for compensation for the damage provided for in Article 19 Paragraph 1, the said Law shall apply thereto.
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Article 20-5 (Exemption)	The provisions in this Chapter shall not apply to causes of injury, disease or death of the employee of the enterpriser caused by work of which he is in charge.
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## **Chapter V :MISCELLANEOUS PROVISIONS**

Article 21

(Investigation and Deliberation, etc. by the Prefectural Council on Environmental Pollution Control)

1. The Prefectural Council on Environmental Pollution Control may, at the request of the prefectural governor, investigate and deliberate important matters concerning the prevention of water pollution in Public Water Areas and/or groundwater belonging to the prefecture and state its opinion to the governor.

2. Related to the preceding paragraph, special regulations shall established concerning the organization and operation of the Prefectural Council on Environmental Pollution Control necessary to implement the duties defined in the preceding paragraph by the regional orders as specified in Article 43, Paragraph 2 in accordance with the standards stipulated by the Cabinet Order.

- Order of the Prime Minister's Office = Ordinance 7

Article 22

(Report and Inspection)

1. The governor of a prefecture may in accordance with the cabinet order, call for a report from a person who has set up or who is the owner of a Specified Facility concerning the condition of the Specified Facility, the method of treatment of polluted water, etc., and other necessary matters, within the limits required for the implementation of this Law; or may have his officials enter the Specified Factory and inspect the Specified Facility or other related matters.

2. The governor of a prefecture may, provided that they are necessary for enforcing this Law, demand of a person who discharges polluted water, wastewater or any other substance which causes an increase in the Pollutant load into Public Water Areas in connection with his business activities and who is designated by Cabinet Order (exclusive of a person who discharges Effluents) a report on the method of treatment of the polluted water, wastewater, etc. and any other required matters.

3. An official who performs an inspection in compliance with the provision of Paragraph 1 shall carry a certificate identifying himself and shall present it to the persons concerned.

4. The authority to conduct an inspection as provided in the Paragraph 1 shall not be construed as being that for criminal investigation.

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Article 23

(Exemption from the Application of this Law, etc.)

1. The provisions of this Law shall not apply to water pollution caused by radioactive substances or to its prevention.

2. As regards the persons listed in the left column of the table below, provisions in the right column shall not apply in respect of factories or facilities listed in the middle column and they shall be subject to the pertinent provisions of the Mine Safety Law (Law No.70 of 1949), the Electric Utility Law (Law No.70 of 1964) or the Law Relating to the Prevention of Marine Pollution and Maritime Disasters (Law No.136 of 1970).

1. Persons who discharge Effluents or permeate Specified Underground Percolated Water from Mines as provided for in Article	Pertinent Mine	Articles 5 to 11; Article13, Paragraphs1 and 3; Article13-2, Paragraph1;
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<p>2 Paragraph 2 of the Mine Safety Law Specifying Facilities which are structures, fixtures and other facilities as provided for in Article 8, Paragraph 1 of the Mine Safety Law (hereinafter referred to as "Mine Facilities").</p>		<p>Article 14 Paragraph 3; Article14-2, Paragraphs1 and 3; and Article14-3, Paragraphs1 and 3</p>
<p>2. Persons who have set up a Mine (exclusive of mines referred to in Item 1 above) which has oil storage facilities etc, which are Mine Safety Law.</p>	<p>Pertinent Mine</p>	<p>Article 14-2</p>
<p>3. Persons who discharge Effluent or permeate Specified Underground Percolated Water from a Factory or Establishment having a Specified Facility which is an electric structure as provided for in Article 2, Paragraph 1, Sub-paragraph 12 of the Electric Utility Law (hereinafter referred to as an "Electric Structure")</p>	<p>Pertinent Specified Facility</p>	<p>Articles 5 to 11; Article 13, Paragraph 1 and 3; Article13-2, Paragraph1; Article14, Paragraph3; Article 14-2, Paragraphs 1 and 3; and Article 14-3, Paragraphs1 and 2</p>
<p>4. persons who have set up a factory or establishment having oil storage Facilities, etc., which are electric structures.</p>	<p>Pertinent Oil Storage Facilities, etc</p>	<p>Article 14-2</p>
<p>5. Persons who discharge Effluent or permeate Specified Underground Percolated Water from a factory or establishment with a Specified Facility which is a waste oil treatment facility as provided for in Article 3, Item 14 of the law relating to the Prevention of Maine Pollution and Maritime Disaster (hereinafter referred to as a "Waste Oil Treatment Facility")</p>	<p>Pertinent Specified Facility</p>	<p>Articles5 to 11: Article13, Paragraphs1 and 3; Article13-2, Paragraph1; Article14, Paragraph3; and Article 14-2, Paragraphs 1 and 3</p>
<p>6. Persons who have set up a factory or establishment having an oil storage facility Storage Facilities, which is a Waste Oil Treatment Facility</p>	<p>Pertinent Oil Storage Facilities, etc.</p>	<p>Article 14-2</p>
<p>7. Persons who discharge Effluent or permeate Specified Underground Percolated Water from a factory or establishment having a specified Facility as a marine facility, etc., provided for in Article38 Paragraph 3 of the law relating to the Prevention of Marine Pollution and Maritime Disasters (occlusive of waste oil treatment Facility.</p>	<p>Pertinent Specified Facility</p>	<p>Article 14-2, Paragraphs1 and 3(Provisions of Paragraph 1 above shall apply only to the part concerning water containing oils)</p>

8. Persons who have set up a factory, or establishment having an oil storage facility etc., which is a marine facility.	Pertinent Oil Storage Facility, etc.	Article 14-2
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3. The chief of the national administrative organs who has authority under Laws stated in the preceding Paragraph (hereinafter referred to as "Chief of Administrative Organs" in this Article) shall, whenever he received an application for approval or a report as to the Specified Facilities which are mentioned in the preceding Paragraph in accordance with the provisions of the Mine Safety Law or preceding Paragraph in accordance with the provisions of the Mine Safety Law or the Electrical Enterprise Law similar to those of Article5, Article7, Article10, Article11, Paragraph 3 or Article14, Paragraph 3 of this Law, notify the governor of the prefecture who has jurisdiction over the factories or establishments with Specified Facilities of the matters which are related to the report stipulated by the above-stated provisions of the matters related to application for approval or permission or report.

4. The governor of the Prefecture may, whenever he deems that the water pollution in the Public Water Areas or groundwater has been caused' by the Effluents or Specified Percolation Water from a Specified Facility referred to in Paragraph 2 and that there is a fear of damage to human health of the living environment, request the Chief of the Administrative Organ concerned to take measures under the provisions of the Marine Safety Law or the Electric Utility Law, which correspond to Article 8, Article8-2, Article13 Paragraph 1 or Paragraph3, Article13-2 Paragraph 1 or Article14-3 Paragraph 1 or Paragraph2 of this Law (or in the case of the provisions of the Law relating to the Prevention of Marine Pollution and Marine disaster, the provisions of the said Law that correspond to Article 8 or Article 8-2 of this Law).

5. The Chief of the Administrative Organ shall inform the governor of the prefecture of the measures which have been taken upon receiving a request as stated in the preceding Paragraph.

Article 24

1. The Director General of the Environment Agency may, when he deems it necessary for the implementation of this

(Request for Data, etc.) Law, request the Chief of the local government concerned to offer necessary data or explanation.

2. The governor of a prefecture may, when he deems it necessary for the implementation of this Law, request the Chief of the Administrative Organ concerned or the chief of the local government concerned to offer necessary data and other cooperative measures, or may state his opinion on the prevention of water pollution in the Public Water Area.

3. The chief of the River Management Office prescribed by Article7 of the River Law (Law No.167,of 1994), the chief of the Port and Harbor Management Office prescribed by Paragraph 1 of Article2 of the Port and Harbor Law ( Law No.128 of 1950), and other persons prescribed by Cabinet Order that manage the Public Water Areas, may, when they deem it necessary for the management of public waters, state their opinions to the governors of the prefectures concerned in respect to the prevention of water pollution in the Public Water Areas.

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Article 25  
(State Assistance)

1. The National Government shall, with a view to facilitating the control of water pollution in the Public Water Area or groundwater, make efforts to render its aid in raising the necessary funds, its technical advice, etc., in respect to the establishment or improvement of the treatment' facilities of polluted water, etc., in Specified Factories.

2. In taking the measures as stated in the preceding Paragraph, special consideration shall be paid to medium and small enterprises.

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Article 26  
(Promotion of Research, etc.)

The national government shall make efforts to promote study on treatment technology of polluted water, etc., research on the effect of polluted water, etc., on human health or the living environment and other studies for the prevention of water pollution in the Public Water Areas or groundwater, and to disseminate these results.

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Article 27  
(Transitional Measure)

In a case where any Order is enacted, revised or abolished in compliance with the provisions of this Law, the necessary transitional measures (including these related to the penal

provisions) may be included in the above mentioned Order as far as it is thought to be reasonably necessary for such an enactment revision, or abolition of the Order.

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Article 28

(Delegation of work,  
etc.)

1. The Work which comes under the authority of the governors of the prefectures in respect of the provision of this Law (excluding those provided for in Article 4-3 Paragraph 1, Article 4-5 Paragraphs 1 and 2, Article 14-7 Paragraph 1, Article 14-8 Paragraph 1, and Article 16 Paragraph 1) may be included, in accordance with what is stimulated by Cabinet Order, to the mayors of cities.

2. The city chiefs designated by the Cabinet Order mentioned in the preceding Paragraph shall notify the governors of the prefectures of such matters, necessary for the enforcement of this Law as are specified by Order of the Prime Minister's Office.

- "Cabinet Order" = Order 10
- "Order of the Prime Minister's Office" = Regulation 12

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Article 29

(Relationship with  
Regulation)

The provisions of this Law shall not prevent the local government from providing, by their ordinance, necessary control on the following matters:

1. Matters concerning pollution condition of water (except pollution due to toxic substances) other than pollution condition of water by items as provided for in Article 2, Paragraph 2, Item 3.
2. Matters concerning pollution condition of water other than pollution condition of water due to toxic substances, of the designated percolation water into ground.
3. Matters concerning pollution condition due to toxic substances and shown my items as provided for in Article 2, Paragraph 2, Item 2 of effluent discharged into the public water area from the factory or the establishment other than the specified Establishment.
4. Matters concerning pollution condition of water due to toxic substances of percolated water into ground from the factory or the establishment other than the

designated establishment.

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## **Chapter VI: PENAL PROVISIONS**

Article 30 Any person who violates the orders issued under the provisions of Article 8, Article 8-2, Article 13 Paragraph 1 or Paragraph 3, Article 13-2 Paragraph 1, or Article 14-3 Paragraph 1 or Paragraph 2 shall be liable to penal servitude not exceeding one year or to a fine not exceeding 1,000,000 yen.

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Article 31 1. Any person who becomes subject to any one of the following items shall be liable to penal servitude not exceeding six months or to a fine not extending 500,000 yen:

- (1) A person who violates the provisions of Article 12 Paragraph 1:
- (2) A person who violates an order issued under the provisions of Article 14-2 Paragraph 3 or Article 18.

2. Any person who commits a crime referred to in the preceding Sub-paragraph (1) through negligence shall be liable to imprisonment not exceeding three months or to a fine not exceeding 300,000 yen.

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Article 32 Any person who fails to submit a report or who makes a false report under the provisions of Article 5 or Article 7 shall be liable to penal servitude not exceeding three months or to a fine not exceeding 300,000 yen.

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Article 33 Any person who becomes subject to any one of the following sub-paragraphs shall be liable to a fine not exceeding 200,000 yen:



- (1) Any person who fails to submit a report or who makes a false report under the provisions of Article 6;
- (2) Any person who violates the provision of Article 9, Paragraph 1;
- (3) Any person who fails to keep records or who keeps false records under the provisions of Article 14, Paragraph 2;
- (4) Any person who fails to submit a report or who makes a false report under the provision of Article 22, Paragraph 1 or Paragraph 2 or any person who refuses, prevents or evades inspection under the provisions of Paragraph 1 of the same Article.

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Article 34

When a representative of a juridical person or an agent or a worker or any other employee of a juridical person or of a natural person commits any of the violations mentioned in the four preceding Articles in connection with the business of such juridical person or natural person, the person who committed the act shall be punished and, in addition, the fine prescribed in each of the relevant Articles shall be imposed on such juridical person or natural person.

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Article 35

Any person who fails to submit a report or makes a false report under the provisions of Article 10, Article 11 Paragraph 3, or Article 14 Paragraph 3 shall be liable to a fine not exceeding 100,000 yen.

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## **SUPPLEMENTARY PROVISIONS**

Article 1

Enforcement of this Law shall be from April 1997.

(Date of Enforcement)

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Article 2

(Progress Measure)

Of the permeation to ground of water containing substances which are pertinent to harmful substances from a Specified Facility, those which occurred before the date of enforcement of this Law shall not be subject to application of the

provisions of amended Article 14-3 Paragraph 1 and 2, except where the person who has set up the said Specified Factory at the time of permeation (including a person who has succeeded the position by inheritance or merger) has continuously been the owner of the said Specified Factory until the date of enforcement of this Law.

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Ministry of the Environment Government of Japan  
Godochosha No. 5, 1-2-2 Kasumigaseki, Chiyoda-ku, Tokyo 100-8975, Japan.  
Tel: +81-(0)3-3581-3351 E-mail: [MOE-mail](mailto:MOE-mail)