

Organic Act of the Environmental Protection Administration, Executive Yuan

Original 24 articles promulgated by Presidential Order Hua-Tzong (1) Yi No. 2700 on July 29, 1987.

Article 17-1, revised Articles 13 to 17, and revised Article 20 promulgated by Presidential Order Hua-Tzong (1) Yi No. 8600086630 on April 11, 1997.

Article 17-2 promulgated by Presidential Order Hua-Tzong (1) Yi No. 8900110160 on May 3, 2000.

Article 17-3 and revised Article 2, Article 3, Article 10, Article 14, Article 22, and Article 24 promulgated by Presidential Order Hua-Tzong (1) Yi No. 09100018780 on January 30, 2002.

Article 1

The Environmental Protection Administration, Executive Yuan (herein, “the EPA”) is the competent authority in charge of national environmental protection administrative matters.

Article 2

The EPA is responsible for the direction and supervision of special municipalities, counties or city environmental protection agencies implementing matters for which the EPA is the competent authority.

Article 3

If, with regard to matters under its authority, the EPA deems that an order or disciplinary action of a special municipality, county or city government violates laws or regulations or exceeds said government’s scope of authority, or that such a government has failed to enforce laws or regulations that must be enforced, the EPA may request the Executive Yuan to stop or rescind such an order or disciplinary action, or take appropriate action. In emergency circumstances, however, the EPA may issue an order to stop or rescind the order or disciplinary action, or take appropriate action prior to the result from such request.

Article 4

The EPA shall establish the following departments and offices:

- I. Department of Comprehensive Planning
- II. Department of Air Quality Protection and Noise Control
- III. Department of Water Quality Protection
- IV. Department of Waste Management
- V. Department of Environmental Sanitation and Toxic Substances Management
- VI. Department of Supervision Management and Dispute Resolution
- VII. Department of Environmental Monitoring and Information Management
- VIII. Secretariat Office

Article 5

Department of Comprehensive Planning shall be in charge of the following matters:

- I. Matters concerning the formulation, planning, and implementation of environmental protection policies, programs, laws, and regulations.
- II. Matters concerning the compilation of annual administrative plans and reports.

- III. Matters concerning conservation planning, communication, implementation, and coordination.
- IV. Matters concerning environmental impact assessment system planning, implementation, assistance, supervision and review of assessment reports.
- V. Matters concerning environmental protection research and development.
- VI. Matters concerning the compilation of environmental protection yearbooks and annual reports.
- VII. Matters concerning environmental protection personnel training.
- VIII. Matters concerning environmental protection education and public awareness.
- IX. Matters concerning the planning, implementation, and coordination of international cooperation.
- X. Matters concerning communications with, supervision of, and assistance of environmental protection groups and enterprises.
- XI. Other matters concerning general environmental protection plans.

Article 6

Department of Air Quality Protection and Noise Control shall be in charge of the following matters:

- I. Matters concerning the formulation of air quality protection and noise and vibration control policies, laws, regulations.
- II. Matters concerning the planning, guidance, and supervision of noise and vibration controls.
- III. Matters concerning the planning, guidance, and supervision of air pollution control in connection with noxious odors and stationary pollution sources.
- IV. Matters concerning the planning, guidance, and supervision of vehicular air pollution control.
- V. Matters concerning the planning, guidance, and supervision of non-nuclear ionizing radiation pollution control.
- VI. Other matters concerning air quality protection and noise and vibration controls.

Article 7

The Department of Water Quality Protection shall be in charge of the following matters:

- I. Matters concerning the formulation of water quality protection policies, laws, and regulations.
- II. Matters concerning the planning, guidance, and supervision of wastewater or sewage discharge and controls.
- III. Matters concerning the planning, guidance, and supervision of surface water, groundwater, and land subsidence pollution control.
- IV. Matters concerning the planning, guidance, supervision, and implementation of marine pollution control.
- V. Matters concerning the guidance and supervision of wastewater discharge into the sea.
- VI. Other matters concerning water quality protection.

Article 8

The Department of Waste Management shall be in charge of the following matters:

- I. Matters concerning the formulation of waste management and soil pollution control policies, laws, and regulations.

- II. Matters concerning the planning, guidance, and supervision of general waste management and soil pollution control.
- III. Matters concerning the planning, guidance, and supervision of industrial waste management.
- IV. Matters concerning the control of dumping waste into the sea.
- V. Other matters concerning waste management and soil pollution control.

Article 9

The Department of Environmental Sanitation and Toxic Substances Management shall be in charge of the following matters:

- I. Matters concerning the formulation only environmental sanitation management policies, laws, and regulations.
- II. Matters concerning the planning, guidance, and supervision of environmental sanitation management.
- III. Matters concerning the planning, guidance, and supervision of environmental pollution control with regard to natural disasters.
- IV. Matters concerning the formulation of management policies, laws, and regulations with regard to toxic chemical substances, and the control of toxic chemical substances.
- V. Matters concerning the research and investigation of environment toxins.
- VI. Matters concerning the control of environmental agents and biological preparations used for environmental sanitation.
- VII. Other matters concerning environmental sanitation and toxic chemical substances management.

Article 10

The Department of Supervision Management and Dispute Resolution shall be in charge of the following matters:

- I. Matters concerning routine investigations and reporting of environmental protection matters.
- II. Matters concerning the supervision of environmental protection matters implemented by special municipalities, counties, and cities.
- III. Matters concerning the formulation of laws and regulations governing the assessment and handling of environmental protection disputes.
- IV. Matters concerning assessment, handling, and appeal assistance with regard to major environmental protection disputes.
- V. Matters concerning the tracking and evaluation of environmental protection incident handling.
- VI. Matters concerning the review of environment pollution source controls.
- VII. Other matters concerning the implementation and evaluation of environmental protection tasks, and dispute resolution.

Article 11

Department of Environmental Monitoring and Information Management shall be in charge of the following matters:

- I. Matters concerning the planning, guidance, and supervision of environmental quality monitoring.
- II. Matters concerning the planning, utilization, review, and evaluation of environmental protection

information systems.

- III. Matters concerning the operation and maintenance of environmental quality monitoring systems.
- IV. Matters concerning the analysis, processing, findings, announcement, safekeeping, and utilization of environmental quality monitoring data.
- V. Matters concerning the guidance and supervision of the issuance of environmental quality alerts.
- VI. Other matters concerning environmental protection monitoring and information.

Article 12

The Secretariat Office shall be in charge of the following matters:

- I. Matters concerning the receipt, transmission, transcription, correction, and safekeeping of documents.
- II. Matters concerning the safekeeping of official seals.
- III. Matters concerning the receipt, disbursement, and safekeeping of funds.
- IV. Matters concerning the safekeeping of property and goods.
- V. Matters concerning tasks that are not the responsibility of other departments or offices.

Article 13

The EPA shall have one administrator, of special appointment rank, who shall manage the EPA's affairs and command and supervise subordinate staff and agencies; two deputy administrators, one of whom shall be equivalent to selected appointment, 14th grade, and the other shall be selected appointment, 14th grade; both shall assist the administrator in handling the EPA's affairs.

Article 14

The EPA shall have one chief secretary, four or five technical superintendents, three or four counselors, and seven directors with a rank of selected appointment, 12th grade; seven deputy directors, with a rank of selected appointment, 11th grade; one director and 10 to 12 senior executive officers with a rank of selected appointment, 10th to 11th grade; 61 to 71 senior specialists, 15 to 19 specialists, and nine to 11 secretaries with a rank of recommended appointment, 8th to 9th grade, among whom 30 senior specialists, eight specialists, and five secretaries may bear responsibility for duties at the level of selected appointment, 10th to 11th grade; 51 to 55 section chiefs and 14 to 18 team leaders with a rank of recommended appointment, 9th grade; 22 to 24 executive officers, four to six analysts, two to four systems coordinators, and seven to 11 designers with a rank of recommended appointment, 7th to 9th grade; 14 to 15 technicians and 65 to 73 officers with a rank of designated appointment, 5th grade or recommended appointment, 6th to 7th grade; three to five controllers and 77 or 78 technical specialists with a rank of designated appointment, 4th to 5th grade, of whom two controllers and 39 technical specialists may bear responsibility for duties at the level of recommended appointment, 6th grade; seven or eight clerks with a rank of designated appointment, 3rd to 5th grade; 27 to 31 associate clerks with a rank of designated appointment, 1st to 3rd grade.

Of the staff in the foregoing paragraph, one senior executive officer, three secretaries, three senior specialists, two executive officers, six technicians, two officers, 14 technical specialists, two clerks, and four associate clerks shall be assigned to the EPA from among civil service personnel of the former Taiwan Provincial Government following the transfer of services; these positions shall not be filled if they become vacant.

Prior to the revision and implementation of this Act, when assistant clerks hired by the EPA and the Department of Environmental Protection of the former Taiwan Provincial Government in accordance with assistant clerk management regulations do not possess civil service personnel employment qualifications,

such assistant clerks may fill any vacant associate clerk positions listed in Paragraph 1, and may be employed until the time they resign.

Article 15

The EPA shall have a personnel office with one director with a rank of selected appointment, 10th to 11th grade, who shall handle personnel management matters in accordance with law; the remaining necessary personnel shall be assigned from within the staff specified in these Statutes.

Article 16

The EPA shall establish an accounting office with one accounting director with a rank of selected appointment, 10th to 11th grade, who shall handle budgeting and accounting matters in accordance with law; the remaining necessary personnel shall be assigned from within the staff specified in this Act.

Article 17

The EPA shall establish a statistics office with one statistics director with a rank of selected appointment, 10th to 11th grade, who shall handle statistical matters according to the law; the remaining required personnel shall be assigned from within the staff specified in this Act.

Article 17-1

The EPA shall establish a civil service ethics office with one director with a rank of selected appointment, 10th to 11th grade, who shall handle ethics matters in accordance with law; the remaining necessary personnel shall be assigned from within the staff specified in these Statutes.

Article 17-2

The EPA shall approve and deploy an environmental protection police force responsible for assisting in the enforcement of environmental protection laws and regulations and the removal of obstacles to the investigation and interdiction of violations of environmental protection laws and regulations.

The environmental protection police force shall perform their duties pursuant to environmental protection laws and regulations, and shall be under the command and supervision of the EPA in accordance with matters under its authority.

Article 17-3

The EPA shall establish an Environmental Chief Inspection Team in order to strengthen oversight of implementation of environmental protection matters by special municipalities, counties, and cities; northern, central, and southern environmental inspection teams shall be established under the Chief Inspection Team.

The Environmental Chief Inspection Team shall have one commander with a rank of selected appointment, 12th grade; two deputy commanders with a rank of selected appointment, 11th grade; northern, central, and southern environmental inspection teams shall each have one team leader with a rank of selected appointment, 10th grade.

Personnel required by the Chief Inspection Team and regional inspection teams in the foregoing paragraph shall be assigned from within the staff specified in this Act.

Article 18

The EPA shall establish an environmental quality advisory committee consisting of representatives of relevant agencies and experts and scholars; members of such committees shall be unpaid. Necessary personnel shall be transferred from within the staff specified in this Act.

The number of experts and scholars in the foregoing paragraph may not be less than one-half of the full number of committee members.

Article 19

The EPA may, after receiving the Executive Yuan's approval, establish various committees in order to meet service needs. The members of such committees shall be unpaid. Necessary personnel shall be transferred from within the staff specified in this Act.

Article 20

The applicable duty series of personnel in articles 13 through 17 with a specified official rank shall be selected as prescribed in Article 8, of the Civil Service Employment Act.

Article 21

The EPA may, after receiving the Executive Yuan's approval, hire experts as consultants, researchers, associate researchers, and assistant researchers in order to meet service needs.

Article 22

The EPA may establish an environmental analysis laboratory, environmental research center, environmental protection personnel training center, or other environmental protection agencies; the organization of such agencies shall be determined in accordance with the law.

Article 23

The EPA shall determine enforcement rules, which shall be reported to the Executive Yuan for approval.

Article 24

The Executive Yuan shall determine the implementation date of this Act by means of executive order.

The Executive Yuan shall determine the implementation date of revised articles of this Act by means of executive order.