

Air Pollution Control Law

Chapter I: GENERAL PROVISIONS

Article 1 (Purpose)

The purposes of this Law are as follows.

One is to protect the public health and preserve the living environment with respect to air pollution, by controlling emissions of soot, smoke and particulate from the business activities of factories and business establishments; by controlling emissions of particulate while buildings are being demolished; by promoting various measures concerning hazardous air pollutants; and, by setting maximum permissible limits for automobile exhaust gases, etc.

The other is to help victims of air pollution-related health damage by providing a liability regime health damage caused by air pollution from business activities.

Article 2 (Definitions)

1. In this Law, the term "soot and smoke" means the substances enumerated below:
 1. Sulfur oxides generated as a result of combustion of fuel and the like;
 2. Soot and dust generated as a result of combustion of fuel and the like, or of the use of electricity as a heatsource; and,
 3. Cadmium, chlorine, hydrogen fluoride, lead and other substances (excluding those enumerated in Item 1 hereof) which are generated as a result of combustion, synthesis, resolution and other treatments (excluding mechanical treatments) and which are designated by Cabinet Order as those which are liable to adversely affect human health or the living environment.
2. In this Law the term "soot and smoke emitting facility" means any facility, designated by Cabinet Order, installed in a factory or a business establishment (excluding mines provided for in Paragraph 2 of Article 2 of the Mine Safety Law (Law 70. 1949), the same shall apply hereinafter) which generates and emits soot and smoke which may cause air pollution.
3. In this Law the term "soot and smoke disposing facility" means any facility which disposes of soot and smoke generated from a soot and smoke emitting facility, and its attached facility.
4. In this Law, "particulate" means any substance generated or scattered as a result of mechanical treatment, such as crushing and selection of material or heaping of material.
5. In this Law, the term "designated particulate" means asbestos and other substances designated by Cabinet Order as those which are liable to adversely

- affect human health, and the term "general particulate" means particulate other than designated particulate.
6. In this Law, the term "general particulate discharging facility" means any facility designated by Cabinet Order, which generates and discharges, or scatters general particulate which may cause air pollution.
 7. In this Law, the term "designated particulate discharging facility" means any facility designated by Cabinet Order, which generates and discharges, or scatters designated particulate which may cause air pollution.
 8. In this Law, the term "designated particulate discharging activity" means any activity which demolishes, remodels or renovates a building where materials (hereinafter referred to as "designated building materials") which are designated by Cabinet Order as those which contain designated particulate are used.
 9. In this Law, the term "hazardous air pollutants" means air pollutants which are liable to adversely affect human health through long-term exposure, other than soot and smoke and designated particulate.
 10. In this Law, "exhaust gases from motor vehicles" means carbon monoxide, hydrocarbons, lead and other substances exhausted during the operation of those motor vehicles which are designated by Order of the Prime Minister's Office.

Chapter II :REGULATION OF SOOT AND SMOKE EMISSION

Article 3 (Emission Standards)

1. Emission Standards with respect to soot and smoke generated from soot and smoke emitting facilities shall be established by Order of the Prime Minister's Office.
2. The emission standards prescribed in the preceding paragraph mean the maximum permissible limits for: Item 1 in the case of sulfur oxides provided in Item 1 of Paragraph 1 of the preceding article (hereinafter referred to simply as "sulfur oxides"); (2) Item 2 in the case of soot and dust referred to in Item 2(hereinafter referred to simply as "soot and dust"); (3) Item 3 in the case of the substances provided in Item 3 (hereinafter referred to simply as "toxic substances").
 1. Maximum permissible limits on the amounts of sulfur oxides which are generated in a soot and smoke emitting facility and emitted into the air from an outlet of the facility (hereinafter will refer to a smokestack or any other outlet installed for emitting soot and smoke generated in a soot and smoke emitting facility,) are prescribed for each of the areas designated by Cabinet Order in accordance with the height of the outlet (hereinafter will refer to the height adjusted in accordance with the procedure stipulated by Order of the Prime Minister's Office).
 2. Maximum permissible limits on the amount of soot and dust contained in the materials generated in a soot and dust emitting facility and emitted into the air from an outlet are prescribed for each kind and scale of facility.

3. Maximum permissible limits on the amounts of toxic substances (excluding the specific toxic substances prescribed in the following item) contained in the materials generated in a soot and smoke emitting facility and emitted into the air from an outlet are prescribed for each kind of toxic substance and facility.
4. Maximum permissible limits on the amount of specific toxic substances designated by the Director General of the Environment Agency from among toxic substances generated in a soot and smoke emitting facility as a result of combustion of fuel and the like and emitted into the air, (hereinafter referred to as "specific toxic substances") are prescribed for each kind of the specific toxic substance in accordance with the height of the outlet.
3. In cases where the Director General of the Environment Agency recognizes that the air is liable to be polluted by pollutants generated and emitted into the open air by soot and smoke emitting facilities emitting soot and smoke containing sulfur oxides, soot and dust, and specific toxic substances to an extent exceeding the limits prescribed by Cabinet Order in an area or a part thereof where such facilities are concentrated, he may establish special emission standards for any soot and smoke emitting facility which is newly established in the area or a part thereof, prescribed by an Order of the Prime Minister's Office, superseding the emission standards prescribed in Paragraph 1 (an emission standard established under the provision of Paragraph 1 of the following article, will be superseded by the special emission standards of the Director General of the Environment Agency).
4. The provisions of Paragraph 2 (excluding item 3 thereof) shall apply to the special emission standards in the preceding paragraph.
5. In cases where the Prime Minister establishes an emission standard with respect to sulfur oxides under the provisions of Paragraph 1 or under the provisions of Paragraph 3, he shall hear the opinions of the governor of the prefecture (hereinafter including Tokyo, Osaka, Kyoto and Hokkaido) concerned. The same shall apply in case of amendment or abolition of such a standard.

Article 4

1. In case any prefecture recognizes that the existing emission standards prescribe under Paragraphs 1 and 3 hereof with respect to soot and dust and toxic substances are inadequate to protect public health or conserve the natural and social conditions of the living environment in a part of its area, it may establish by a prefectural ordinance in accordance with the provisions of Cabinet Order, stricter emission standard with respect to such pollutants generated by soot and smoke emitting facilities in the part of the area which supersedes the maximum 1 permissible limits under the provision of Paragraph 1 of the preceding article.
2. The prefectural ordinance referred to in the preceding paragraph shall clarify the range of such an area.

3. In case any prefecture establishes an emission standard under the provisions of Paragraph 1, it shall notify in advance the Director General of the Environment Agency.

Article 5

(Recommendation regarding Emission standards)

The Director General of the Environment Agency may recommend any prefecture establish an emission standard under the provisions of Paragraph 1 of the preceding article or modify the existing emission standard prescribed under the provision of such paragraph in cases where he finds it especially necessary.

Article 5-2

(Total Mass Emission control Standards)

1. In areas where factories and industrial establishments are concentrated and designated by Cabinet Order as areas in which it is recognized to be difficult to attain the standard (in Item 3 of Paragraph 1 of the following article referred to as "air quality standard") prescribed as the environmental condition relating to ambient air pollution by the provisions of Paragraph 1 of Article 16 of the Basic Environment Law (Law No. 91 of 1993) solely with the emission standards provided for in Paragraphs 1 or 3 of Article 3 or Paragraph 1 of Article 4 herein relating to sulphur oxides and other soot and smoke designated by Cabinet Order (hereinafter referred to as "designated soot and smoke") (hereinafter referred to as "designated areas"), the governor of the prefecture shall formulate a designated soot and smoke total mass reduction plan relating to the designated soot and smoke generated at the soot and smoke emitting facilities in the designated area that are above the size prescribed by the governor of the prefecture in conformity with the standard prescribed by Order of the Prime Minister's Office (hereinafter referred to as "specific factories, etc."), and shall prescribe on the basis of such plan the total mass emission control standard as provided by Order of the Prime Minister's Office.
2. When he deems necessary, the governor of the prefecture may subdivide the said designated area into two or more zones, for each of which he may prescribe the total mass emission control standard referred to in the preceding paragraph.
3. With regard to specific factories, etc., where a soot and smoke emitting facility has been newly installed (including a factory or a business establishment which has newly become a specific factory, etc., due to installation of a soot and smoke emitting facility therein or due to a change of the structural design, etc. thereof) and newly established specific factories, etc., the governor of the prefecture may, on the basis of the designated soot and smoke total mass reduction plan referred to in Paragraph 1 above, set a special total mass emission control standard as prescribed by the provisions of Order of the Prime Minister's Office.
4. The total mass emission control standard referred to in Paragraph 1 above or the preceding paragraph shall be the permissible level prescribed for specific factories, etc., relating to the total volume of soot and smoke generated at all the soot and

- smoke emitting facilities at the said specific factories, etc. and emitted into ambient air at the emission outlets.
5. In cases where there is a certain area which is recognized to satisfy the requirements of an area to be designated under Cabinet Order referred to in Paragraph 1 above, the governor of the prefecture may propose to the Prime Minister formulation of a Cabinet Order by which the area is to be so designated as provided for in the said paragraph.
 6. The Prime Minister shall consult with the governor of the prefecture concerned when he is to formulate, enact, amend, or abolish a Cabinet Order for area designation referred to in Paragraph 1 above.
 7. The governor of the prefecture shall proclaim the total mass emission control standard which he prescribes as provided for in Paragraph 1 or 3 above. The same shall apply when he amends or abolishes the said standard.

Article 5-3

(Designated Soot and Smoke Total Mass Reduction Plan)

1. 1. The designated soot and smoke total mass reduction plan shall prescribe the items listed in items 4 and 5 below as provided for by Cabinet Order, with the purpose of reducing the total mass provided for in subparagraph 1 below to the total mass provided for in item 3 below for the said designated area in consideration of, the ratio of the total mass provided for in item 1 below against the total mass provided for in item 2 below, the size of the facility, the outlook for raw material or fuel used at the facility, the shift in condition of the designated soot and smoke emission at sources other than specific factories, etc., and the like. In this case, when it is necessary to subdivide said designated area into two or more zones for attainment of the plan depending on the air pollution and the distribution of facilities in said designated area, the total mass referred to in items 1 through 3 below shall be the total mass of the designated soot and smoke for each of the zones so subdivided.
 1. The total mass of the said designated soot and smoke generated by the business activities and other activities of people in the said designated area and emitted into the ambient air.
 2. The total mass of the said designated soot and smoke generated at the soot and smoke emitting facilities installed at all specific factories, etc. within the said designated area and emitted into the ambient air at the outlets.
 3. The total mass computed as prescribed by Order of the Prime Minister's Office in light of the air quality standard regarding the said designated soot and smoke generated by the business activities or other activities of people in the said designated area and emitted into the ambient air.
 4. Objective for reduction relating to the total mass emission referred to in Item 2 above (in case an interim objective for reduction has been established, including such objective for reduction in volume).
 5. Period and method for attainment of the plan.
2. When the governor of the prefecture is to formulate the designated soot and smoke total mass reduction plan as provided for in Paragraph 1 of the preceding

- Article, he shall consult with the Prefectural Council for Environmental Pollution Control and the heads of the municipalities concerned.
3. When the governor of the prefecture is to formulate the designated soot and smoke total mass reduction plan referred to in Paragraph 1 of the preceding Article, he shall notify to the Director General of the Environmental Agency on all the items of Paragraph 1 above as provided for by the order of the Prime Minister's Office.
 4. The Director General of the Environmental Agency may, upon receipt of the report referred to in the preceding paragraph, give advice or recommendations as necessary for formulation of the said plan.
 5. The governor of the prefecture shall proclaim all the items of Paragraph 1 above when he has set the designated soot and smoke total mass reduction plan referred to in Paragraph 1 of the preceding Article.
 6. The governor of the prefecture may revise the designated soot and smoke total mass reduction plan referred to in Paragraph 1 of the preceding Article when such has become necessary due to changes in the condition of air pollution, etc., in the said designated area.
 7. The provisions of Paragraphs 2 through 5 shall be applied to any changes made to plans referred to in the preceding paragraph.

Article 6

(Notification of the Establishment of a Soot and Smoke Emitting Facility)

1. Any person who plans to establish a soot and smoke emitting facility shall notify the following information to the governor of the prefecture in accordance with the provisions of Order of the Prime Minister's Office:
 1. That person's name or the name of the firm and address, or the name of the representative of the legal person;
 2. Name and location of the plant or business establishment;
 3. Kind of proposed soot and smoke emitting facility;
 4. Structure of the proposed soot and smoke emitting facility;
 5. Method of operation of the proposed soot and smoke emitting facility; and,
 6. Proposed method of disposal of the soot and smoke.
2. The notification under the provisions of the preceding paragraph shall be accompanied by documents containing matters prescribed by Order of the Prime Minister's Office, such as the volume of sulfur oxides or specific toxic substances generated by the proposed soot and smoke emitting facility and emitted into the air from an outlet (hereinafter referred to as the "volume of soot and smoke"), the volume of soot and dust or toxic substances (excluding specific toxic substances) contained in the pollutant materials generated by the proposed soot and smoke emitting facility and emitted into the air from an outlet (hereinafter referred to as the "density of soot and smoke"), and the method of emission of soot and smoke.

Article 7 (Interim Measures)

1. Any person who has installed a facility (including those under construction) shall, when it is designated as a soot and smoke emitting facility, notify to the governor of the prefecture within 30 days from the date of designation the matters listed under each Item of Paragraph 1 of the preceding article in accordance with the provisions of Order of the Prime Minister's Office.
2. The provisions of Paragraph 2 of the preceding article shall apply to notifications under the provisions of the preceding paragraph.

Article 8 (Report of Changes in the Construction of Soot and Smoke Emitting Facilities)

1. In case any person who notifies under the provisions of Paragraph 1 Article 6 or Paragraph 1 of the preceding article plans to change any of the matters listed under Items 4 through 6 of Paragraph 1, Article 6, he shall notify the change to the governor of the prefecture in accordance with the provisions of Order of the Prime Minister's Office.
2. The provisions of Paragraph 2, Article 6 shall apply to notifications under the provision of the preceding paragraph.

Article 9 (Order for Modification of Proposed Plan, etc.)

In cases where the governor of the prefecture finds that the estimated volume of soot and smoke or the estimated density of soot and smoke which will be generated and emitted by the soot and smoke emitting facility notified under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of the preceding article fails to meet the emission standard [this refers to the emission standard in Paragraph 1 of Article 3(in case the emission standards are established in accordance with the provisions of Paragraph 3 of the said article or Paragraph 1 of Article 4, these emission standards are included;) hereinafter referred to simply as the "emission standard"] he may order, within 60 days after the receipt of notification, the notifying person to modify the Plan relating to the structure, the method of operation or the method of soot and smoke disposal of the proposed soot and smoke emitting facility (including abolition of the plan notified under the provisions of Paragraph 1 of the preceding article) or to eliminate the plan for the installation of the proposed soot and smoke emitting facility notified under the provision of Paragraph 1 of Article 6.

Article 9-2 In cases where the governor of the prefecture finds that the total volume of soot and smoke which will be generated and emitted by all the soot and smoke emitting facilities at specific factories, etc. (hereinafter in this Article including the factories and

business establishments newly designated due to installation of said soot and smoke emitting facilities or a change in structural design thereof, etc.) notified under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 8 fails to meet a total mass emission control standard, the governor may order within 60 days after the receipt of notification the persons who established said specific factory, etc., to improve the method of disposal of the designated soot and smoke, to change the fuel used, or to take any other measures as may be necessary.

Article 10

(Restriction on the Implementation of Plans)

1. Any person who provided notification under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 8 shall not install the notified soot and smoke emitting facility or change the structure, the method of operation or the method of disposal of soot and smoke of the notified soot and smoke emitting facility within 60 days after notification is received.
2. In cases where the governor of the prefecture finds reasonable and suitable the contents of matters notified under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 8, the governor may shorten the period prescribed in the preceding paragraph.

Article 11

(Report of Changes in Name, etc.)

In cases where any person who provided notification under the provisions of Paragraph 1, of Article 6 or Paragraph 1 of Article 7 changes matters under Item 1 or 2, Paragraph 1 of Article 6 or eliminates the use of the notified soot and smoke emitting facility, that person shall notify the governor of the prefecture within 30 days after doing so.

Article 12

(Succession)

1. Any person who has obtained by transfer or has leased the soot and smoke emitting facility from a person who provided notification under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 7 shall succeed the status relating to the facility.
2. In case a person who provided notification under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 7, is succeeded, or is merged, or merges, a successor, or a corporation which absorbs, or the corporation which is established as a result of a merger shall succeed the statutory status of the person who provided notification.
3. Any person who succeeds under the provisions of the preceding two paragraphs the statutory status of a person who provided notification under the provisions of Paragraph 1 of Article 6 or Paragraph 1 of Article 7 shall notify the governor of the prefecture within 30 days after such succession.

4. Any person who has succeeded the statutory status of the person who provided notification under the provisions of Paragraph 1 or 2 above relating to the soot and smoke emitting facility installed at a factory or a business establishment shall succeed the statutory status of the person who established the factory or the business establishment as pertains to the application of the provisions of Article 9-2, Paragraph 3 of Article 14, or Paragraphs 1 or 2 of Article 15-12.

Article 13

(Restrictions on the Emission of Soot and Smoke)

1. No person who emits soot and smoke generated by a soot and smoke emitting facility (hereinafter referred to a "soot and smoke emitting person") shall emit soot and smoke the volume or density of which fails to meet the emission standards at the outlet of the facility.
2. The provisions of the preceding paragraph shall not apply to soot and smoke generated by and emitted into the air from a facility (including those under construction) of a person for 6 months (or 1 year in the case of a facility designated by Cabinet Order) after the facility is designated as a soot and smoke emitting facility. However, it shall apply when an ordinance of the local public entity applicable to the person prescribes such provisions corresponding to the preceding paragraph (it shall not apply if related penal provisions are not Prescribed in the ordinance of the local public entity.)

Article 13-2

1. No soot and smoke emitting facility emitting soot and smoke at a specific factory, etc., may emit soot and smoke which fails to meet the total mass emission control standard in terms of the total volume emitted at the outlets of all the soot and smoke emitting facilities at said specific factories, etc., into the ambient air.
2. In cases where a factory or business establishment is newly designated as a specific factory, etc., due to a revision of Cabinet Order referred to in Paragraph 2 of Article 2, amendment of a Cabinet Order which designated the areas as provided for in Paragraph 1 of Article 5-2, or change in the size prescribed by the governor of the prefecture as provided for in the same paragraph, the provisions of the preceding paragraph shall not apply for 6 months from the date on which the said factory or business establishment became so designated.

Article 14

(Order for Improvement, etc.)

1. 1. In cases where the governor of the prefecture recognizes that a soot and smoke emitting person is likely to continuously emit soot and smoke whose volume or density fails to meet the emission standards at the outlet and that continued emission of such soot and smoke may cause damage to human health or the living environment, he may order the person to improve, within a prescribed period, the structure, the method of operation, or the method of disposal of soot and smoke

- generated by the soot and smoke emitting facility, or to suspend the operation of the facility temporarily.
2. The provisions of Paragraph 2 of Article 13 shall apply to an order prescribed in the preceding paragraph.
 3. In cases where soot and smoke are likely to be continuously emitted and fail to meet noncompliance with the total mass emission control standard and when the governor of the prefecture recognizes that continued emission may cause damage to human health or the living environment, he may order the person who established the specific factory, etc., relating to said designated soot and smoke to improve, within a prescribed period, the method of soot and smoke disposal at the specific factory, etc., to change the fuel used, or to take such other measures as may be necessary.
 4. In cases where a factory or business establishment was newly designated as a specific factory, etc., due to a revision of the Cabinet Order referred to in Paragraph 2 of Article 2, an amendment of the Cabinet Order which designated areas as provided for in Paragraph 1 of Article 5-2, or a change in the size prescribed by the governor of the prefecture as provided for in the said paragraph, the provisions of the preceding paragraph shall not apply for 6 months from the day on which the said factory or business establishment became so designated.

Article 15

(Measures Relating to the Seasonal Use of Fuel)

1. In cases where the governor of the prefecture recognizes that serious air pollution from sulfur oxides occurs or is likely to occur in an area designated by Cabinet Order, where sulfuroxides' soot and smoke emitting facilities are concentrated whose volume of fuel fluctuates considerably according to season and that any person who emits sulfur oxides generated by a facility into the air in the area uses in that facility any fuel which fails to meet the fuel standard, the governor may recommend such person observe the fuel standard within a prescribed period.
2. In cases where a person who receives a recommendation under the provision of the preceding paragraph does not obey the recommendation, the governor of the prefecture may order that person to observe the fuel standard within a prescribed period.
3. The fuel standard referred to in Paragraph 1 hereof shall be prescribed by the governor of the prefecture for each area designated by Cabinet Order on the basis of the standards prescribed by the Director General of the Environment Agency with respect to the kinds of fuel prescribed by Order of the Prime Minister's Office.
4. In cases where the Prime Minister plans to establish, amend, or abolish Cabinet Order prescribed in Paragraph 1 hereof, he shall hear the opinions of the governor of the prefecture concerned.
5. The governor of the prefecture shall proclaim the fuel standard established under the provision of Paragraph 3. The same shall apply to amendment or abolition of the fuel standard.

Article 15-2

1. In cases where the governor of the prefecture recognizes that the use of fuel at a factory or business establishment other than the specific factories, etc. fails to meet the fuel standard, the governor may advise the person who established said factory or business establishment to observe the fuel standard within a prescribed period.
2. In cases where a person who receives such advice under the provisions of the preceding paragraph does not obey the advice the governor of the prefecture may order that person to observe the fuel standard within a prescribed period.
3. The fuel standard referred to in Paragraph 1 above shall be prescribed relating to sulphur oxides for factories and business establishments other than specific factories, etc., by the governor of the prefecture for each area designated by Cabinet Order on the basis of the standards prescribed by the Director General of the Environment Agency with respect to the kinds of fuel prescribed by Order of the Prime Minister's Office.
4. The governor of the prefecture may, when he recognizes the necessity, divide the said designated area into two or more zones for each of which he may prescribe a fuel standard referred to in Paragraph 1 above.
5. The provisions of Paragraph 5 of the preceding Article may be applied to a fuel standard referred to in Paragraph 1 above.

Article 16

(Measuring the Volume of Soot and Smoke, etc.)

Any soot and smoke emitting person shall measure and keep record of the volume and density of the soot and smoke generated by his soot and smoke emitting facility under Order of the Prime Minister's Office.

Article 17

(Measures in case of an accident)

1. Any person who has installed a soot and smoke emitting facility or any person who has installed a facility (excluding a soot and smoke emitting facility; hereinafter referred to as "specific facility") which, in the process of synthesis, resolution, or other chemical treatment of substances, generates air pollutants designated by Cabinet Order as those which are liable to adversely affect human health or the living environment (hereinafter referred to as "specific substances") shall take emergency measures immediately and try to take restoration measures soon after an accident occurs in a soot and smoke emitting facility or a specific facility which causes the discharge of soot and smoke or specific substances in a large quantity into the air.
2. In case of an accident as mentioned in the preceding paragraph, those who are referred to in the same paragraph, shall notify the prefectural governor of the situation of the accident as soon as possible, with the exception being cases where the person who is responsible for the notification has already reported the

- situation in accordance with the Law Concerning the Prevention of Disaster related to petrochemical complexes and other dangerous facilities.
3. When a prefectural governor recognizes that an accident mentioned in paragraph 1 has adversely affected or is likely to adversely affect the health of residents around the smoke emitting facility or the specific facility, he may order those who are referred to in paragraph 1 to take necessary measures to prevent worsening or recurrence of the accident.

Chapter II :2. REGULATION CONCERNING PARTICULATES

Article 18

(Notification of the installing of General Particulate Discharging Facility)

1. Any person who plans to establish a general particulate discharging facility shall notify the following information to the governor of the prefecture in accordance with the provisions by Order of the Prime Minister's Office.
 1. That person's name or the name of the firm and address, or the name of the representative of the legal person;
 2. Name and location of the plant or business establishment;
 3. Kind of proposed general particulate discharging facility;
 4. Structure of the proposed general particulate discharging facility; and,
 5. Proposed method of operation and management of the general particulate discharging facility.
2. The notification in the preceding paragraph shall be accompanied by documents stipulated by Order of the Prime Minister's Office, such as an arrangement plan of the proposed general particulate discharging facility.
3. In cases where any person who provided notification under the provisions of Paragraph 1 hereof or Paragraph 1 of the following article plans to change matters already provided notification under Item 4 and 5 of Paragraph 1, he shall notify the change to the governor of the prefecture to that effect in accordance with Order of the Prime Minister's Office.

Article 18-2

(Interim Measures)

1. Any person who has installed a facility (including those under construction) shall, when it is designated as a general particulate discharging facility, notify to the governor of the prefecture within 30 days from the date of designation the matters listed under each item of Paragraph 1 of the preceding article in accordance with the provisions by Order of the Prime Minister's Office.
2. The provisions of Paragraph 2 of the preceding article shall apply to notifications under the provisions of the preceding paragraph.

Article 18-3
(Obligation to Observe the Standard)

Any person who has installed a general particulate discharging facility or facilities shall observe the standards prescribed by Order of the Prime Minister's Office relating to the structure, operation and management of the general particulate discharging facility.

Article 18-4
(Order to Conform to the Standards, etc.)

In cases where the governor of the prefecture finds that any person who has installed a general particulate discharging facility fails to observe the standards referred to in the preceding article, the Governor may order that person to conform to the said standards with respect to the general particulate discharging facility within a certain prescribed period or order temporary suspension of operation of the facility.

Article 18-5
(Standards on the Border Line)

The standards on the border line between the grounds of a factory or business establishment and a neighboring property (hereinafter referred to as "standards on the border line") are the maximum permissible density limits established for the discharge and scattering into the air of each kind of designated particulate which is generated or scattered by a factory or business establishment in which a person installs a designated particulate discharging facility.

Article 18-6
(Notification of the installing of a Designated Particulate Discharging Facility)

1. Any person who discharges or scatters designated particulate shall notify the following information to the governor of the prefecture, when he plans to install a designated particulate discharging facility, in accordance with provisions by Order of the Prime Minister's Office.
 1. That person's name or the name of the firm and address, or the name of the representative of the legal person;
 2. Name and location of the plant or business establishment;
 3. Kind of proposed designated particulate discharging facility;
 4. Structure of the proposed designated particulate discharging facility;
 5. Proposed method of operation of the designated particulate discharging facility; and,
 6. Proposed method of disposal or of controlling the scattering of designated particulate.
2. The notification in the preceding paragraph shall be accompanied by documents stipulated by Order of the Prime Minister's Office, such as a floor plan or layout

- of the proposed designated particulate discharging facility, or method of discharge of the designated particulate.
3. In cases where any person who provided notification under the provisions of Paragraph 1 hereof or Paragraph 1 of the following article plans to change matters already notified under Item 4 and 5 of Paragraph 1, he shall notify the changes to that effect to the governor of the prefecture in accordance with Order of the Prime Minister's Office.
 4. The provisions of Paragraph 2 above shall apply to notification under the provisions of the preceding paragraph.

Article 18-7 (Interim Measures)

1. Any person who has installed a facility, and discharged and scattered designated particulate (including those facilities under construction) shall, when it is designated as a designated particulate discharging facility, notify the governor of the prefecture within 30 days from the date of designation the matters listed under each item of Paragraph 1 of the preceding article in accordance with provisions by Order of the Prime Minister's Office.
2. The provisions of Paragraph 2 of the preceding article shall apply to notification under the provisions of the preceding paragraph.

Article 18-8 (Order for Modification of Proposed Plan, etc.)

1. In cases where the governor of the prefecture finds that the estimated density of discharge of designated particulate on the border line of the ground of a factory or business establishment in which a person installs a designated particulate discharging facility notified under the provisions of Paragraph 1 or 3 of Article 18 fails to meet the standards on the border line, he may order, within 60 days after receipt of notification, the notifying person to modify the Plan relating to the structure or the method of operation of the designated particulate discharging facility, or the method of disposal or of controlling the scattering of designated particulate (including abolition of the plan notified under the provisions of Paragraph 3 of Article 18-6) or to terminate the plan for the installation of the proposed designated particulate discharging facility notified under the provisions of Paragraph 1 of Article 18-6.

Article 18-9 (Restriction on the Implementation of Plans)

1. Any person who provided notification under the provisions of Paragraph 1 or 3 of Article 18-6 shall not install the notified designated particulate discharging facility or change the structure or the method of operation of his designated particulate discharging facility, or the method of disposal or of controlling the scattering of designated particulate within 60 days after notification is received.

Article 18-10
(Obligation to Observe the Standard)

Any person whose factory or business establishment discharges or scatters designated particulate which is discharged or scattered by the factory or business establishment in which the person has installed a designated particulate discharging facility (hereinafter referred to as "designated particulate discharging person") shall observe the standards on the border line.

Article 18-11
(Order for Improvement, etc.)

In cases where the governor of the prefecture recognizes that a designated particulate discharging person is likely to discharge or scatter designated particulate whose density on the border line of the ground of that person's factory or business establishment will fail to meet the emission standards on the border line, the governor may order the person to improve, within a prescribed period, the structure or the method of operation of his designated particulate discharging facility, or the method of disposal or of controlling the scattering of designated particulate, or suspend the operation of the facility temporarily.

Article 18-12
(Measuring the Density of designated particulate)

Any designated particulate discharging person shall measure and keep a record of the density of the designated particulate on the border line of the ground of that person's factory or business establishment by Order of the Prime Minister's Office.

Article 18-13
(Application)

1. The provisions of Paragraph 2 of Article 10 shall apply to the restrictions on the implementation of plans prescribed under the provisions of Article 18-9.
2. The provisions of Articles 11 and 12 shall apply to any person who provided notification under the provisions of Paragraph 1 of Article 18, Paragraph 1 of Article 18-2, Paragraph 1 of Article 18-6, or Paragraph 1 Article 18-7.
3. The provisions of Paragraph 2 of Article 13 shall apply to any orders issued under the provisions of Article 18-4 and Article 18-11.

Article 18-14
(Working Standard)

Working standards concerning designated particulate discharging activities shall be stipulated respectively by Order of the Prime Minister's Office as procedural standards, depending on the sort of designated particulate and designated particulate discharging activities.

Article 18-15

(Notification of a planned designated particulate discharging activity)

1. Any person who plans to start construction work which includes a designated particulate discharging activity, hereinafter referred to as "specific construction work", shall notify the following information to the prefectural governor in accordance with provisions by Order of the Prime Minister's Office less than 14 days before the start of the specific construction work, with the exception of an urgent situation such as a disaster where it is necessary to start the designated particulate discharging activity urgently.
 1. That person's name or the name of the firm and address, or the name of the representative of the legal person;
 2. Location of the planned specific construction;
 3. Kind of planned specific construction;
 4. Period of time of the planned specific construction;
 5. Kind of designated building material used in the building where the specific construction work is planned, the whereabouts of the designated building material, and the square measurements of the place the designated building material is used; and,
 6. Planned procedure of the designated particulate discharging activity.
2. In cases where of urgent situations referred to in the preceding paragraph, the person who plans to start the specific construction work which includes a designated particulate discharging activity shall notify the information referred to in the preceding paragraph to the prefectural governor as soon as possible.
3. The notification shall be accompanied by documents stipulated by Order of the Prime Minister's Office, such as the arrangement of building where the designated particulate discharging activity is planned to take place.

Article 18-16

(Order to change a plan)

When a prefectural governor finds that the notification of a planned procedure doesn't meet the working standard, he may order the person who submitted the notification to change the procedure of the planned designated particulate discharging activity so that it will meet the working standard.

Article 18-17

(Obligation to abide by the Working Standard)

Any person who is responsible for completion of specific construction work shall abide by the working standard with respect to the designated particulate discharging activity included in the specific construction work.

Article 18-18

(Order to abide by the Working Standard)

When a prefectural governor finds that a person who is responsible for completion of specific construction work doesn't abide by the working standard with respect to the designated particulate discharging activity included in the specific construction work, the prefectural governor may order the person to abide by the working standard within a time limit decided by the prefectural governor or may order the person to stop the designated particulate discharging activity for a period of time.

Article 18-19
(Consideration by an orderer)

Any person who orders specific construction work shall be careful not to give conditions with respect to a time limit, a procedure and other conditions which may prevent a constructor from abiding by the working standard.

Chapter II :3. PROMOTION OF MEASURES CONCERNING HAZARDOUS AIR POLLUTANTS

Article 18-20
(Guiding principle)

Measures concerning air pollution by hazardous air pollutants shall be implemented so that those measures can effectively prevent air pollution by hazardous air pollutants from causing any long-term health damage while enriching scientific knowledge about hazardous air pollutants.

Article 18-21
(Responsibility of Corporations)

Corporations are responsible for making efforts to stay informed of their own emissions or discharges of hazardous air pollutants and to take necessary measures to reduce those emissions or discharges.

Article 18-22
(Responsibility of the State)

1. The State is responsible for making efforts to do necessary research to stay informed of the state of air pollution from hazardous air pollutants, in cooperation with Local governments, and is also responsible for making efforts to enrich scientific knowledge about the adverse health effects of hazardous air pollutants.
2. The State is responsible for evaluating, taking into consideration the results of research and scientific knowledge, the health risks of each hazardous air pollutant, and is also responsible for making public the results of such evaluation periodically.

3. The State is responsible for making efforts to gather and classify technologies which contribute to the reduction of emissions and discharges of hazardous air pollutants and to promote those technologies for the purpose of encouraging corporations to fulfill their responsibilities mentioned in the preceding article and helping Local governments to fulfill their responsibilities mentioned in the next article.

Article 18-23 (Responsibility of Local Governments)

1. Local governments are responsible for making efforts to do necessary research to stay informed of the state of air pollution from hazardous air pollutants in their jurisdictions.
2. Local governments are responsible for making efforts to provide corporations with necessary information which encourages them to fulfill their responsibilities mentioned in Article 18-21 and is also responsible for providing citizens with information concerning prevention of air pollution from hazardous air pollutants.

Article 18-24 (Responsibility of Citizens)

Citizens are responsible for making efforts to control emissions and discharges of hazardous air pollutants associated with their daily lives.

Chapter III MAXIMUM PERMISSIBLE LIMITS, ETC. OF MOTOR VEHICLE EXHAUSTS

Article 19 (Maximum Permissible Limits)

1. The Director General of the Environment Agency shall establish maximum permissible limits on the amount of exhaust gases from motor vehicles generated under certain conditions and emitted into the air.
2. In cases where the Minister of Transportation establishes by an order pursuant to the Road Transportation Vehicles Law necessary matters on the control of emissions of motor vehicle exhaust, he shall take care to secure the maximum permissible limits referred to in the preceding paragraph for the purpose of controlling air pollution from motor vehicle exhaust.

Article 19-2

1. The Director General of the Environment Agency shall set maximum permissible limits on the quality of automobile fuel and on the quantity of substances in automobile fuel where necessary to prevent air pollution caused by automobile

- exhaust gases in addition to the maximum permissible limits on automobile exhaust gases set forth under the preceding paragraph.
2. In cases where the Minister of International Trade and Industry decides necessary matters concerning the regulation of automobile fuel by his order under the Law concerning the quality of gasoline and other fuels, he shall be careful to secure the maximum permissible limits set forth under the preceding paragraph in order to prevent air pollution caused by automobile exhaust gases.

Article 20

(Measuring of Density of Motor Vehicle Exhausts)

The governor of the prefecture shall measure the density of motor vehicle exhausts in the air, on the road or in places surrounding the road where serious air pollution by motor vehicle exhausts occurs or is likely to occur on account of auto traffic congestion occurring at traffic intersections, etc.

Article 21

(Request for Actions on the Basis of Measurement)

1. In cases where the governor of the prefecture recognizes that according to measurements under the preceding article the level of air pollution caused by motor vehicle exhausts on the road or in places surrounding the road exceeds the limit prescribed by Order of the Prime Minister's Office, the governor shall request the Prefectural Public Safety Commission to take measures in accordance with the provisions of the Road Traffic Law (Law No. 105 of 1960).
2. In cases where the governor of the prefecture finds it especially necessary according to the measurements under the preceding article, except in cases where a request is made under the provision of the preceding paragraph, the governor may offer to the manager of the road or the head of the related governmental agency concerned, his opinion on matters which will contribute to the reduction of the density of motor vehicle exhausts, such as improvement of the structure of the road.

Article 21-2

(Responsibility of citizens)

Any person who drives or rides in a car or uses public transportation shall make efforts to reduce or contribute to the reduction of automobile exhaust gases emissions.

Chapter IV :MONITORING OF THE LEVEL OF AIR POLLUTION, ETC.

Article 22 (Monitoring and Surveillance)

The governor of the prefecture shall monitor and survey from time to time the level of air pollution.

Article 23 (Emergency Measures, etc.)

1. In cases where the air pollution reaches the extent, designated by Cabinet Order, which may cause damage to human health or the living environment, the governor of the prefecture shall call attention to such a situation and at the same time ask soot and smoke emitting persons, or users or drivers of motor vehicles who are likely to further aggravate the air pollution to cooperate in reducing the level of soot and smoke emissions or in voluntarily curtailing the operation of their motor vehicles.
2. In cases where a situation arises where on account of the meteorological conditions the air pollution suddenly reaches the extent designated by Cabinet Order, which may cause serious damage to human health or the living environment, the governor of the prefecture shall order, in accordance with the provisions by Order of the Prime Minister's Office, soot and smoke emitting persons to take necessary measures, such as reduction of the volume and density of soot and smoke emission, decrease of the operation of facilities when such a situation is attributable to soot and smoke, or he shall demand the Prefectural Public Safety commission to take measures under the provisions of the Road Traffic Law when such a situation is attributable to motor vehicle exhausts.

Article 24 (Public Announcement)

The governor of the prefecture shall publish the conditions of air pollution in the areas under his jurisdiction.

Chapter IV :2.COMPENSATION FOR HARM

Article 25

(Absolute Liability)

1. In case where human life or health is harmed by the emission (including dispersion, hereinafter the same shall apply in this chapter) of substances harmful to human health (meaning any substances including smoke and soot, specific substances or particulate which are so designated by Cabinet Order as liable to adversely affect human health; the same shall apply in this chapter) from a plant, factory or other industrial establishment as a result of industrial operations, such business enterprise is liable for compensation for the harm caused thereby.
2. In cases where any substance is newly designated as a substance harmful to human health, the preceding paragraph shall apply to the harm caused by the emission of such a substance occurring on and after the day of its designation as a harmful substance.

Article 25-2

In cases where the harm provided for in Paragraph 1 of the preceding Article is caused by the emission of harmful substances into the air by more than two plants, factories or other industrial establishments, and where Paragraph 1 of Article 719 of the Civil Code (Law No. 89 of 1896) is applicable to the liability for compensation for that harm, the court may take the circumstances into consideration in determining the sum of harms to be paid by an enterprise if the emission of a harmful substance causing the harm is deemed markedly slight.

Article 25-3

(Consideration for other circumstances)

When a natural disaster or any other irresistible force is concurrently attributable to the occurrence of the harm provided for in Paragraph 1 of Article 25, the Court may take such circumstances into account in deciding the extent of liability and the sum of harms.

Article 25-4

(Extinctive Prescription)

The right to claim the harms provided for in Paragraph 1 of Article 25 shall lapse by prescription if such a right is not exercised within three years immediately following the time when the injured party or his legal representative came to know of the harm and the person liable for such harm. The same shall apply if twenty years have elapsed from the time when the harm occurred.

Article 25-5

(Application of the Mining Law)

If the Mining Law (Law No. 289 of 1950) is applicable to the liability for compensation for harm provided for in Paragraph 1 of Article 25, the said Law shall apply thereto.

Article 25-6 (Exemption)

The provisions in this chapter shall not apply to cases of injury, sickness or death caused in the course of work of an individual employed in the undertaking of an enterprise.

Chapter V MISCELLANEOUS PROVISIONS

Article 26 (Report and Inspection)

1. The governor of the prefecture may, to the extent necessary for the implementation of this Law and in accordance with provisions by Cabinet Order, require a person installing a soot and smoke emitting facility, or a person installing a specific facility in his factory or business establishment, or a person installing a general particulate discharging facility, or a designated particulate discharging person, or a person who is responsible for completion of a specific construction work to report necessary matters, such as the conditions of the soot and smoke emitting facility, the conditions surrounding accidents at the specific facility, or the conditions of the general particulate discharging facility, or the conditions of the designated particulate discharging facility, or the conditions of the designated particulate discharging activity, etc., and may have officials of the prefectural government enter into a factory or business establishment of a person installing a soot and smoke emitting facility, of a person installing a specific facility in his factory or business establishment, of a person installing a general particulate discharging facility, or of a designated particulate discharging person, or into the location of the planned specific construction, to inspect the soot and smoke emitting facility, the soot and smoke disposing facility, the specific facility, the general particulate discharging facility, the designated particulate discharging facility, the building which is concerned in the specific construction work or other equipment.
2. The prefectural government official who inspects under the provisions of the preceding paragraph shall take an identification card and present it to the personnel concerned in the industrial Plant or business establishment.
3. The authority to enter and inspect prescribed in Paragraph 1 hereof shall not be construed as those for criminal investigations.

Article 27 (Exemptions, etc.)

1. The provisions of this Law shall not apply to air pollution caused by radioactive materials and the control thereof.

2. The provisions of Articles 6 through 10, Article 11 and 12 (including cases where these provisions are applied to persons who notify under the provisions of Paragraph 1 of Article 18 or Paragraph 1 of Article 18-2 in Paragraph 2 Article 18-13) Paragraph 1 and 3 of Article 14, Paragraph 2 and 3 of Article 17, Article 18, Article 18-2 and Article 18-4, shall not apply to any person who emits, discharges or scatters soot and smoke, or specific substances, or general particulate (hereinafter referred to as "soot and smoke, etc.") which are generated or scattered by a soot and smoke emitting facility or a specific facility, or a general particulate discharging facility (hereinafter referred to as "soot and smoke emitting facility, etc.") which is also prescribed as an electrical facility as stipulated in item 12 of Paragraph 1 of Article 2 of the Electric Utility Industry Law (Law 170, 1964) or a gas facility as stipulated in Paragraph 10, Article 2 of the Gas Utility Industry Law (Law 51 1954). The relevant Provisions of the Electric Utility Industry Law or the Gas Utility Industry Law shall apply to that person.
3. When the Minister of International Trade and Industry receives an application for permission or certification or a notification relating to a soot and smoke emitting facility, etc., prescribed in the preceding paragraph under the provisions of the Electric Utility Industry Law or the Gas Utility Industry Law which correspond to the provisions of Article 6, Article 8, Article 11 or Paragraph 3 of Article 12 (including cases where these provisions are applied to persons who notify under the provisions of Paragraph 1 of Article 18 or Paragraph 1 of Article 18-2 in Paragraph 2 Article 18-13) or Article 18 of this Law, the Minister shall notify the prefectural governor whose jurisdiction includes the soot and smoke emitting facility, etc., of the matters contained in such applications or notifications which correspond to those under stated provisions.
4. In cases where the governor of the prefecture finds that air pollution caused by soot and smoke, etc., generated or scattered by a soot and smoke emitting facility, etc., prescribed in Paragraph 2 hereof is likely to damage human health or the living environment, he may request the Minister of International Trade and Industry to take measures under the provisions of the Electric Utility Industry Law or the Gas Utility Industry Law which correspond to the provisions of Article 9, Article 9-2, Paragraph 1 or 3 of Article 14 or Article 18-4.
5. The Minister of International Trade and Industry shall inform the governor of the prefecture concerned of the measures which have been taken in compliance with the request made to the Minister under the provisions of the preceding paragraph.

Article 28

(Demand for Data, etc.)

1. 1. When the Director General of the Environment Agency finds it necessary for achieving the purpose of this Law, the Director may ask the head of Local governments concerned to submit necessary data and give explanations.
2. When the governor of the prefecture finds it necessary to achieve the purpose of this Law, the Director may ask the heads of related governmental agencies or of related Local governments for cooperation, such as transmission of data concerning the conditions of soot and smoke emitting facilities, general

particulate discharging facilities, designated particulate discharging facilities, or designated particulate discharging activity, etc., or may tell the heads hereof opinions on controlling of air pollution caused by soot and smoke or particulate.

Article 29
(Assistance by the State)

The State shall endeavor to give necessary assistance, such as financing, technical advice, etc., for the construction or improvement of facilities to control air pollution caused by the emission of soot and smoke or the discharge of designated particulate from business activities at factories or business establishments, or of designate particulate while buildings are being demolished, etc..

Article 30
(Promotion of Research, etc.)

The State shall endeavor to promote air pollution research, such as technology for the disposal of soot and smoke, specific substances and motor vehicle exhaust, the effects of air pollution on human health or the living environment, etc., and shall endeavor to disseminate the results of such research.

Article 30-2
(Interim Measures)

In cases where an executive order pursuant to the provisions of this Law is instituted, amended, or abolished, necessary interim measures (including those relating to penal provisions) may be prescribed in the order to the extent considered reasonable and warranted in light of the said institution, amendment or abolition of such an executive order.

Article 31
(Delegation of Administrative Duties, etc.)

1. Administrative duties belonging to the governor of the prefecture under the provisions of this Law may be delegated to heads of municipalities designated by Cabinet Order in accordance with the provisions of Cabinet Order.
2. The heads of municipalities designated by Cabinet Order referred to in the preceding paragraph shall report to the governor of the prefecture with regard to items necessary for the enforcement of the law as prescribed by Order of the Prime Minister's Office.

Article 32
(Relationship between This Law and Ordinance of the Local Public Entities)

The provisions of this Law shall not prevent Local governments from instituting necessary regulations by local ordinance on the emission into the air of substances other than soot and smoke generated by soot and smoke emitting facilities, the emission into the air of soot and smoke generated by facilities other than soot and smoke emitting facilities, the discharge and scattering into the air of general particulate generated and scattered by facilities other than general particulate discharging facilities, the discharge and scattering into the air of substances other than designated particulate generated or scattered by designated particulate discharging facilities, the discharge and scattering into the air of designated particulate generated or scattered by facilities other than designated particulate discharging facilities, the discharge and scattering into the air of substances other than designated particulate generated or scattered by designated particulate discharging activity, the discharge and scattering into the air of designated particulate generated or scattered by activities other than designated particulate discharging activity which demolishes, remodels or renovates a building.

Chapter VI :PENAL PROVISIONS

Article 33

Any person who violates an order issued under the provisions of Article 9, Article 9-2, Paragraph 1 or 3 of Article 14, Article 18-8, or Article 18-11 shall be subjected to imprisonment with labor of not more than one year or a fine of not more than ¥1,000,000.

Article 33-2

1. Any person who comes under any one of the following items shall be subject to imprisonment with labor of not more than 6 months or a fine of not more than ¥500,000.
 1. Any person who violates the provisions of Paragraph 1 of Article 13 or Paragraph 1 of Article 13-2
 2. Any person who violates an order issued under the provisions of Paragraph 3 of Article 17, Article 18-4, Article 18-16, Article 18-18, or Paragraph 2 of Article 23.
2. Any person who, by negligence, commits the criminal act referred to in Item (1) of the preceding paragraph shall be subject to imprisonment of not more than 3 months or a fine of not more than ¥300,000.

Article 34

Any person who comes under any one of the following items shall be subject to imprisonment with labor of not more than 3 months or a fine of not more than ¥300,000.

1. Any person who fails to provide notification as required or files a false notification under the provisions of Paragraph 1 of Article 6, Paragraph 1 of Article 8, Paragraph 1 or 3 of Article 18-6, or Paragraph 1 of Article 18-15.

2. Any person who violates an order issued under the provisions of Paragraph 2 of Article 15 or Paragraph 2 of Article 15-2.

Article 35

Any person who comes under any one of the following items shall be subject to a fine of not more than ¥200,000.

1. Any person who fails to provide notification as required or files a false notification under the provisions of Paragraph 1 of Article 7, Paragraph 1 or 3 of Article 18 or Paragraph 1 of Article 18-2, Paragraph 1 of Article 18-7.
2. Any person who violates the provisions of Paragraph 1 of Article 10, Article 18-9.
3. Any person who fails to provide notification as required under the provisions of Paragraph 1 of Article 26 or who files a false notification, or who refuses, obstructs or evades an inspection conducted under the provisions of the same paragraph.

Article 36

In cases where the representative of a corporation, or a proxy, employee or other personnel of a corporation, or a private person commits an offense referred to in the four preceding articles with respect to the business of such corporation or private person, not only the offender but also the corporation or the private person employing that person shall upon conviction be fined as stipulated in said articles.

Article 37

Any person who fails to provide notification as required or files a false notification under the provisions of Article 11, Paragraph 3 of Article 12(including cases where this provision is applicable in Paragraph 2 of Article 18-13 or Paragraph 2 of Article 18-15 shall upon conviction be fined not more than ¥100,000.

SUPPLEMENTARY PROVISIONS

(Emission Standard of the Designated Substances)

9. The Director General of the Environment Agency, for the time being, shall set Emission standards for hazardous air pollutants (hereinafter referred to as "designated substances") designated by Cabinet Order as those which it is necessary to reduce the emission or discharge of urgently to prevent human health damage through air pollution, and shall make public those Emission standards. Those Emission standards shall be set considering the sort of facilities designated by Cabinet Order as those which emit or discharge designated substances (hereinafter referred to as the "designated facilities") and shall be applied to those designated facilities.

(Recommendations)

10. Taking into consideration the Emission standards set in accordance with the preceding paragraph, a prefectural governor may recommend that the owner of a designated facility take necessary measures to reduce the emission of or discharge of designated substances, in order to prevent air pollution by the designated substances from causing any human health damage in that governor's jurisdiction.

(Reports)

11. A prefectural governor may ask the owner mentioned in the preceding paragraph to report the conditions at designated facilities and other things necessary to make an appropriate recommendation in accordance with the preceding paragraph.

SUPPLEMENTARY PROVISIONS of the 1996 Amendments

(The Date of Enforcement of the Amendments)

1. This amendment shall be enforced within less than a year after the day of the promulgation (May 9th,1996) and the day of enforcement shall be determined by Cabinet Order.

(Review)

3. About 3 years after the day of enforcement of the 1996 amendments, the government shall review the scheme for the promotion of measures concerning hazardous air pollutants stipulated in the 1996 amendments and take necessary steps to prevent air pollution by hazardous air pollutants from causing any human health damage in the future, considering our scientific knowledge of the human health effects of hazardous air pollutants, how much we has achieved the Environment Quality Standards set under the Basic Environment Law Article 16 paragraph 1, the state of air pollution from hazardous air pollutants, the present situation of emissions and discharges of hazardous air pollutants from factories, the development of technologies useful for reducing emissions and discharges of hazardous air pollutants from factories, and other considerations.

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