



Article Content

Title Air Pollution Control Act Enforcement Rules **Ch**

Amended Date 2003.07.23

Chapter 1 General Principles

Article 1 These Enforcement Rules are determined pursuant to Article 85 of the Air Pollution Control Act (herein referred to as "this Act").

Article 2 The types of air pollutants designated in Article 2, Subparagraph 1 of this Act are as follows.

1. Gaseous pollutants:

1. Sulfur oxides (SO₂ and SO₃ are collectively termed SO_x)

2. Carbon monoxide (CO)

3. Nitrogen oxides (NO and NO₂ are collectively termed NO_x)

4. Hydrocarbons (C_xH_y)

5. Hydrogen chloride (HCl)

6. Carbon disulfide (CS₂)

7. Halogenated alkenes (C_mH_nX_x)

8. Chlorofluorocarbons (CFCs)

9. Volatile organic compounds (VOCs)

2. Particulate pollutants:

1. Total suspended particulates: Particles suspended in the air

2. Suspended particulates: Particles with a diameter of less than 10 microns (μm)

3. Dustfall: Particles with a diameter exceeding 10 microns (μm). This matter gradually settles due to the force of gravity and induces public aversion.

4. Metal fumes and compounds thereof: Particles containing metals or metal compounds

5. Black smoke: Dark gray to black smoke containing carbon particles as its main component

6. Acid mist: Aerosol mists containing sulfuric acid, nitric acid, phosphoric acid or hydrochloric acid, etc.

7. Oily smoke: Smoke containing hydrocarbons.

3. Secondary pollutants:

1. Photochemical smog: Suspended particulates derived from photochemical reactions that are suspended in the air and impair vision.

2. Photochemical peroxidized compounds: Strongly oxidizing substances derived from photochemical reactions, including ozone and peroxyacetyl nitrate (PAN), etc. (Able to free iodine from neutral potassium iodide solution, but not including NO₂.)

4. Toxic pollutants:

1. Fluorides

2. Chlorine gas (Cl₂)

3. Ammonia gas (NH₃)

4. Hydrogen sulfide (H₂S)

5. Formaldehyde (HCHO)

6. Gasses containing heavy metals

7. Gaseous sulfuric acid, nitric acid, phosphoric acid or hydrochloric acid

8. Vinyl chloride monomer (VCM)

9. Polychlorinated biphenyls (PCBs)

10. Hydrogen cyanide (HCN)

11. Dioxins and furans
12. Carcinogenic polycyclic aromatic hydrocarbons
13. Carcinogenic VOCs
14. Asbestos and matter containing asbestos
5. Odor pollutants:
 1. Methyl sulfide [(CH₃)₂S]
 2. Mercaptans (RSH)
 3. Formamides [(CH₃)_xNH_{3-x}, x = 1, 2, 3]
 6. Other substances designated by the central competent authority

Article 3 The types of pollution sources designated in Article 2, Subparagraph 2 of this Act are as follows.

1. Non-stationary pollution sources: Pollution sources able to change location under their own power.
2. Stationary pollution sources: Pollution sources other than the non-stationary pollution sources referred to in the foregoing subparagraph.

Article 4 The motor vehicles designated in Article 2, Subparagraph 2 of this Act shall be classified as follows in accordance with air pollution control requirements.

1. Motor vehicles with gasoline and clean alternative fuel engines
2. Motor vehicles with diesel and clean alternative fuel engines
3. Motorized bicycles

Article 5 The matters designated in this Act as the responsibility of the central competent authority are as follows.

1. Planning, determination, supervision and implementation of national air pollution control policies, programs and plans
2. Determination, deliberation and interpretation of national air pollution control laws and regulations
3. Implementation of national air quality monitoring, provision of monitoring data, and determination of monitoring quality assurance and quality assurance standards
4. Forecasting of air quality deterioration trends, announcement of data, and facilitation and supervision of air quality deterioration emergency controls
5. Planning, facilitation, integration and supervision of control targets, methods, implementation steps, and timetables for special municipalities, counties and cities in total quantity control zones
6. Permitting and management of air pollutant testing and analysis organizations Supervision and
7. management of motorized bicycle air pollutant emission testing stations Supervision and
8. management of non-regular motor vehicle air pollutant emission testing stations New vehicle
9. type air pollutant emission inspection and new vehicle sampling and testing
10. Air pollutant emission inspection or assessment of public and private premises and transportation vehicles
11. Supervision, facilitation and approval of local air pollution control and monitoring work
12. Coordination or implementation of inter-special municipality, county and city drinking water management work
13. Compilation of annual national air pollution control reports
14. Promotion and coordination of global atmospheric quality protection
15. Air pollution control international cooperation, research and development, public awareness, and personnel training and management tasks

16. Other national air pollution control matters

Article 6

The matters designated in this Act as the responsibility of special municipality, county and city competent authorities are as follows.

- 1.Planning, determination and implementation of special municipality, county and city air pollution control programs and plans
- 2.Determination and interpretation of special municipality, county and city air pollution management laws and regulations
- 3.Monitoring of special municipality, county, or city air quality, monitoring of quality assurance, issuance of air quality deterioration warnings, and implementation of emergency control measures
- 4.Special municipality, county, or city air pollution control work, promotion of total quantity control measures, and coordination of dispute resolution
- 5.Checking of air pollution control fees and tracking of payment
- 6.Regulatory listing of stationary pollution sources, investigation, updating, and filing of air pollutant emission data, checking of establishment or operating permit content, and authorization and functional checking of fully established continuous automatic monitoring facilities
- 7.Approval of reporting records from public or private premises, and statistical analysis of continuous data
- 8.Inspection and appraisal of public or private premise and transportation vehicle air pollutant emission
- 9.Implementation of in-use motorized bicycle air pollutant emission inspection tasks within its jurisdiction area, and authorization and management of testing stations
10. Implementation of non-regular motor vehicle air pollutant emission testing within its jurisdiction area, and authorization and management of testing stations
11. Production and reporting of special municipality, county, or city air pollution control statistics and data.
12. Special municipality, county, or city air pollution control research and development, public awareness, and personnel training and workshops
13. Other special municipality, county, or city drinking water management matters

Chapter 2 Air Quality Maintenance

Article 7

The following methods shall be used to determine whether the air pollution control zones in Article 5 of this Act and the total quantity control zones in Article 8 of this Act are in compliance with air quality standards.

- 1.Suspended particulates: List in order from highest to lowest the daily average values for each year at each of the general air quality monitoring stations within said zones. Taking the eighth highest values, calculate the arithmetic average value for three consecutive years. List in order the arithmetic average values for three consecutive years for each station. Take the average of the first 50% of the highest values. Those stations whose average values are less than the daily average air quality standards, and those stations whose annual average values are uniformly less than annual average air quality standards, shall be in compliance with air quality standards.
- 2.Ozone: List in order from highest to lowest the highest hourly average values for every day in each year at each of the general air quality monitoring stations within said zones. Taking the eighth highest values, calculate the arithmetic average value for three

consecutive years. List in order the arithmetic average values for three consecutive years for each station. Take the average of the first 50% of the highest values. Those stations whose average values are less than the hourly average air quality standards shall be in compliance with air quality standards.

3.Sulfur dioxide and nitrogen dioxide: List in order from highest to lowest the highest hourly average values for every day in each year at each of the general air quality monitoring stations within said zones. Taking the eighth highest values, calculate the arithmetic average value for three consecutive years. Those stations whose average values are uniformly less than the hourly average air quality standards, and those stations whose annual average values are less than annual average air quality standards shall be in compliance with air quality standards.

4.Carbon monoxide: List in order from highest to lowest the highest eight-hour average values for every day in each year at each of the general air quality monitoring stations within said zones. Taking the eighth highest values, calculate the arithmetic average value for three consecutive years. Those stations whose average values are uniformly less than eight-hour air quality standards shall be in compliance with air quality standards.

The central competent authority shall establish or authorize those general air quality monitoring stations serving as a basis for determination in the foregoing paragraph. Those single pollutant items for which the percentage of effective measurements in a year is less than 75% at any monitoring station shall not be included in calculations.

Article 8 Air pollution control plans in Article 7 of this Act shall include the following items.

- 1.Legal basis
- 2.Plan objectives
- 3.Environmental load and trend analysis
- 4.Current air quality conditions and analysis of problems
- 5.Air pollutant emission inventory and analysis of emission characteristics
- 6.Air pollution control strategy
- 7.Approval methods for newly installed or modified stationary pollution sources
- 8.Air quality deterioration prevention measures and emergency response measures
- 9.Tasks assigned to relevant agencies or units
10. Implementation period and work timetable
11. Required funding, manpower, and material resources
12. Other matters designated by the central competent authority

Article 9 Total quantity control plans in Article 10 of this Act shall include the following items.

- 1.Common portion:
 - 1.Legal basis
 - 2.Plan objectives
 - 3.Environmental load and trend analysis
 - 4.Current air quality conditions and analysis of problems
 - 5.Air pollutant emission inventory and analysis of emission characteristics
 - 6.Air pollution control strategy
 - 7.Approval rules for newly added or modified stationary pollution sources

- 8.Organizational operating methods
- 9.Funding needed in each year for implementation of this plan
- 2.Individual portion:
 - 1.Those zones in compliance with air quality standards:
 - 1.Allowable pollutant increase limits in zone
 - 2.Measures to prevent air quality deterioration
 - 2.Those zones not in compliance with air quality standards:
 - 1.Pollutant types, reduction targets, and reduction timetables for implemented total quantity controls
 - 2.Types of pollutants to be reduced by special municipalities, counties, or cities within zone, quantities, and timetables
 - 3.Methods of banking, offsetting or trading pollutant reduction quantity difference authorization
- 3.Other total quantity control related matters

Article 10 Air pollution control plans in Article 11 of this Act shall include the following items.

- 1.Common portion:
 - 1.Legal basis
 - 2.Plan objectives
 - 3.Environmental load and trend analysis
 - 4.Current air quality conditions and analysis of problems
 - 5.Air pollutant emission inventory and analysis of emission characteristics
 - 6.Air pollution control measures determined pursuant to the plan in the foregoing article
 - 7.Emergency response measures to prevent air quality deterioration
 - 8.Approval methods for newly added or modified stationary pollution sources
 - 9.Implementation timetable; required funding, manpower, and material resources; assigned tasks
- 2.Individual portion:
 - 1.Those zones in compliance with air quality standards:
 - 1.Allowable pollutant increase limits
 - 2.Measures to prevent air quality deterioration determined pursuant to the plan in the foregoing article
 - 2.Those zones not in compliance with air quality standards:
 - 1.Stationary pollution sources designated in the plan in the foregoing article as required to reduce pollutant emission quantities, reduction quantities, and reduction timetables
 - 2.Pollutant reduction difference reporting, entry, and information publication methods
 - 3.Other matters designated by the central competent authority

Article 11 Air quality monitoring stations designated in Article 13 of this Act shall include the following types.

- 1.General air quality monitoring stations shall be established in areas that are densely populated or that may be subject to high pollution or that are able to reflect the air quality distribution in a larger region.
- 2.Traffic area air quality monitoring stations shall be established in areas of heavy traffic.
- 3.Industrial area air quality monitoring stations shall be established in windy downwind areas industrial parks.
- 4.National park air quality monitoring stations shall be established at appropriate sites in national parks.
- 5.Background air quality monitoring stations shall be established in areas where there is relatively little human pollution or in windy downwind areas in total quantity control zones.

6. Air quality monitoring stations established for other special monitoring purposes

Article 12 The selection of sites for the air quality monitoring stations in Article 13 of this Act shall take into consideration the following factors.

1. The type of air quality monitoring stations to be established
2. The distribution and types of pollution sources and pollutant concentration and distribution
3. Topography, terrain, and meteorological conditions
4. Population distribution and traffic conditions
5. Determination of benefit to control strategy effectiveness
6. Urban plan, regional plan, or other land utilization plan

The number of air quality monitoring stations established shall conform to the following principles:

1. In accordance with population and habitable area (buildings, paddies, upland fields), one general air quality monitoring station shall be established for every 300,000 persons in areas with a population density exceeding 15,000 persons per square kilometer; one general air quality monitoring station shall be established for every 350,000 persons in areas with a population density below 15,000 persons per square kilometer. The number of air quality monitoring stations may be increased in special municipalities.
2. The number of other types of air quality monitoring stations shall depend on actual needs.

The central competent authority may establish a monitoring center connected with monitoring stations in light of actual needs.

The establishment of air quality monitoring station sampling orifices shall conform to the following principles.

1. Sampling orifices may not be in locations directly affected by pollution from flues or exhaust outlets, etc.
2. Avoid disturbance of air flow and pollutant concentration by nearby obstacles.
3. Avoid nearby buildings or obstructing surfaces that may affect pollutant concentration.
4. Determine the height of the sampling orifice above the ground in accordance with the vertical concentration distribution of pollutants near the monitoring station.

Article 13 Air quality monitoring stations shall test for the following items.

1. General air quality monitoring stations, national park air quality monitoring stations, and background air quality monitoring stations:

1. Required test items:

1. Suspended particulates
2. Sulfur oxides
3. Carbon monoxide
4. Nitrogen oxides
5. Ozone
6. Wind direction and speed

2. Optional test items:

1. Hydrocarbons
2. Dustfall
3. Coal dust
4. Acid deposition
5. Carbon dioxide and other greenhouse gasses
6. Other meteorological factors

2. Traffic area air quality monitoring stations:

1. Required test items:

1. Suspended particulates

2. Carbon monoxide
3. Nitrogen oxides
4. Hydrocarbons
5. Lead (tested at manual monitoring stations)
2. Optional test items:
 1. Sulfur oxides
 2. Coal dust
 3. Traffic flow
 4. Wind direction and speed
3. Industrial area air quality monitoring stations:
 1. Required test items:
 1. Suspended particulates
 2. Sulfur oxides
 3. Nitrogen oxides
 4. Hydrocarbons
 2. Optional test items:
 1. Odor pollutants
 2. Toxic pollutants
 3. Wind direction and speed
 4. The test items of air quality monitoring stations established for special purposes shall be designated in accordance with the monitoring goals.

Article 14 Competent authorities at all levels shall regularly announce air quality conditions in accordance with the following regulations.

1. Local competent authorities shall announce before the end of each month monitored values of each air pollutant item during the previous month.
2. Competent authority at all levels shall announce before March 15 of each year monitored values of each air pollutant item during the previous year.
3. Competent authority at all levels shall announce before June 30 of each year an air quality analysis and review report for the previous year.
4. Competent authority at all levels shall immediately announce current measured air quality conditions in those circumstances in which there is concern of severe deterioration of air quality conditions.

Article 15 Development referred to in Article 15, Paragraph 1 of this Act means the new installation, expansion, or modification of special industrial parks.

The expansion or modification of ordinary industrial parks to accommodate special industries shall be considered the development of special industrial parks in those circumstances in which the affected area is one-fourth or more of the total industrial park area.

Article 16 The administrator of the construction project referred to in Article 16, Paragraph 1, Subparagraph 1 of this Act means a government agency in charge of a government construction project budget, or a private investment unit investing in the development of a public construction project, or any other type of development project initiator or statutory responsible person.

Article 17 The air quality maintenance or improvement plan referred to in Article 17, Paragraph 1 of this Act means an air pollution control plan determined pursuant to Article 7 and Article 11 of this Act and implemented as designated by the central competent authority.

Chapter 3 Control

Article 18 When the same types of air pollutants emitted from the same

stationary pollution source are emitted through several discharge pipes, both emissions from individual discharge pipes and total emissions from the stationary pollution source shall comply with emission standards.

When the same types of air pollutants are emitted from two or more stationary pollution sources through one pipe, both individual emissions and total emissions shall comply with emission standards.

Article 19 Air pollution control facilities designated in this Act shall include equipment and measures.

The types of equipment in the foregoing paragraph shall include the following:

1. Stationary pollution sources: Dust collection equipment, desulphurization equipment, denitrating equipment, incineration equipment, scrubbing equipment, absorption equipment, adsorption equipment, condensing equipment, biological treatment equipment, and other devices able to control emission of air pollutants.
2. Transportation vehicles: Catalytic converters, evaporative emission control equipment, smoke filtration equipment, or other devices able to control emission of air pollutants.

The measures in Paragraph 1 mean the use of process improvements, low-pollution raw materials (goods), low-pollution fuels, operating maintenance or management, or other disposal methods able to suppress or reduce emission of air pollutants.

Article 20 Those that comply with allowable pollution increase limits and use the best feasible control technology pursuant to Article 6, Paragraphs 2 and 3 and Article 8, Paragraph 2 of this Act, those that shall install continuous automatic monitoring facilities pursuant to Article 22, Paragraph 1 of this Act, those that apply concerning improvements to their total quantity and concentration of air pollutant emissions pursuant to Article 27, Paragraph 1 of this Act, those that apply for permission to sell or use substances prone to cause air pollution pursuant to Article 28, Paragraph 1 of this Act, and those that shall establish dedicated air pollution control units or personnel pursuant to Article 33, Paragraph 1 of this Act may do so concurrently when applying for a stationary pollution source establishment or operation permit.

Any identical documents or data to be attached to the concurrent applications in the foregoing paragraph need not be submitted redundantly. All fees shall be paid in accordance with the respective regulations.

Article 21 Change of industry category designated in Article 25, Paragraph 1 of this Act means the simultaneously change of all industry categories by a public or private premise.

Article 22 Relevant documents to be submitted by sellers pursuant to Article 28, Paragraph 1 of this Act shall include the following content.

1. Names and compositions of substances prone to cause air pollution
2. Sources and quantities of substances
3. Location maps of transport and storage equipment and explanation of air pollution control measures
4. Other information designated by the competent authority

Relevant documents to be submitted by users shall include the following content.

1. Names and compositions of substances prone to cause air pollution
2. Annotated design drawings of pollution source equipment, structure, and scale; explanation of pollution source operating methods and processes

3. Air pollutant collection and control facility types, construction, effectiveness, processes, usage conditions, annotated design drawings, and operating methods, conditions, and records
 4. Emission testing plan
 5. Other information designated by the competent authority
- Article 23 Stationary pollution sources designated in Article 29 Paragraph 3 of this Act mean one of the following circumstances.
1. Temporary asphalt mixing equipment or concrete mixing equipment
 2. Powdered substance storage yards
 3. Moveable industrial waste incineration equipment
 4. Other circumstances deemed by the competent authority to be a temporary installation
- Article 24 Other operations designated in Article 31, Paragraph 1, Subparagraph 1 and Subparagraph 3 of this Act mean decomposition, synthesis, screening, drying, oxidation, microwave use, spraying, cutting, crushing, or loading and unloading.
- Other industrial processes designated in Article 31, Paragraph 1, Subparagraph 2 of this Act mean one of the following circumstances.
1. Construction, emplacement, removal, stacking or conveyance of other terrestrial working objects
 2. Installation, removal, stacking or conveyance of pipelines
- Article 25 Toxic gases designated in Article 31, Paragraph 1, Subparagraph 3 of this Act mean gases containing toxic pollutants in Article 2, Subparagraph 2.
- Article 26 Noxious odors referred to in Article 31, Paragraph 1, Subparagraphs 3 to 5 of this Act mean odors sufficient to induce revulsion or other unpleasant mental reaction.
- Article 27 Other air polluting acts announced by the special municipality, county, or city competent authority pursuant to Article 31, Paragraph 1, Subparagraph 6 of this Act shall be reported to the central competent authority for archiving.
- Article 28 Exhaust pipes designated in Article 31, Paragraph 2 of this Act shall comply with one of following conditions.
1. Those sampling facilities established in accordance with regulations; those unable to establish sampling facilities shall submit to the local competent authority for approval.
 2. Those not required to establish sampling facilities in accordance with regulations "Not emitted through an exhaust pipe" designated in Article 31, Paragraph 2 of this Act means the collection and emission of pollutants into the atmosphere without the installation of exhaust pipes or exhaust pipes not in compliance with the circumstances in one of the subparagraphs of the foregoing paragraph.
- Article 29 Emergency response measures referred to in Article 32, Paragraph 1 of this Act mean one of the following circumstances.
1. Any pollution control measures sufficient to effect immediate control over large-scale emissions, causing the stationary pollution source to its normal state
 2. Cessation of all or part of production work
 3. Other response tasks designated by the competent authority
- Article 30 Necessary measures referred to in Article 32, Paragraph 2 of this Act mean one of the following circumstances.
1. Control of air pollution and restoration of a normal operating state
 2. Cessation of all or part of production work
 3. Notification of nearby residents to evacuate

4. Other necessary measures

- Article 31 Transportation vehicles designated in this Act include the following types.
1. Motor vehicles
 2. Trains
 3. Ships and other powered watercraft
 4. Aircraft
- Article 32 The competent authority shall notify the relevant motor vehicle oversight agency to prohibit the renewal of vehicle licenses for those in-use motor vehicles that have not undergone regular testing pursuant to Article 40, Paragraph 1 of this Act or that fail to comply with requirements after retesting, and shall also notify the motor vehicle owner. The motor vehicle owner may complete motor vehicle license renewal procedures only after completing improvements and submitting testing compliance verification documents.
- Article 33 The methods for the performance of the air pollutant emission testing of public or private premises and transportation vehicles shall be as follows.
1. Instrument inspection: means the use of instruments to perform inspections in accordance with methods designated by the central competent authority.
 2. Sensory inspection:
 1. Visual inspection and visual determination: Visual inspection means the use of vision by investigative personnel to inspect air pollution source facilities, operating conditions or data, or pollutant emission conditions; visual determination means the use of vision by inspection personnel to determine the concentration of pollutant emissions.
 2. Noxious odor testing means the use of the sense of smell by inspection personnel to determine odors.The visual inspection methods in the foregoing paragraph are not applicable to those stationary pollution sources that have installed automatic testing facilities in accordance with regulations for the purpose of continuously testing particulate pollutant emissions.
- Article 34 Competent authorities at all levels may organize joint investigation teams to perform inspection and violation reporting work when necessary to meet the real needs of transportation vehicle air pollutant emission control work.
- When necessary, inspection in the foregoing paragraph may be performed in conjunction with police authorities.
- Article 35 Personnel that have completed training and possess qualification certificates shall perform instrument inspection and visual determination of air pollutant emissions from public or private premises and transportation vehicles.
- Article 36 Verification documents designated in Article 71, Paragraph 1 of this Act demonstrating the compliance of stationary pollution sources with emission standards shall include the following documents.
1. Explanation of pollution source equipment, construction, and scale
 2. Annotated diagrams of production and manufacturing processes and production schedules
 3. Types, composition, quantities, product types, and output of raw materials, goods, and fuel used by pollution sources
 4. Types, composition, concentration, and emissions quantities of emitted air pollutants
 5. Explanation of air pollution control facilities and their operating

conditions

6. Test reports produced by environmental testing and analysis organizations permitted by the central competent authority or other relevant documents sufficient to appropriately explain the adopted improvement measures

Article 37 Those specific improvement plans submitted in conjunction with improvement deadline extension applications made pursuant to Article 72, Paragraph 2 of this Act shall include the following items.

1. The name of the pollution source and facts concerning the violation for which punishment and improvement within a limited time period were originally imposed
2. Improvement goals, timetable, expected improvement progress, and relevant verification documents
3. The number of days of the desired extension
4. Pollution control measures adopted during the improvement period
5. Other items designated by the competent authority

The local competent authority shall accept and issue approval within 30 days in the case of those applications submitted by stationary pollution sources in the foregoing paragraph. The central competent authority shall accept and issue approval within 30 days in the case of those motor vehicle recalls for correction.

Those whose improvement deadline extension applications have been approved by the competent authority shall submit an improvement implementation progress report for the previous month to the approving agency before the 15th day of each month.

Article 38 Those who "have failed to strictly carry out implementation in accordance with the improvement plan" referred to in Article 72, Paragraph 2 of this Act mean one of the following circumstances.

1. Those who have failed to report improvement progress on a monthly basis pursuant to Paragraph 3 of the foregoing article
2. Those who have failed to carry out implementation in accordance with the improvement plan timetable approved by the competent authority due to reasons other than force majeure, and who are behind schedule by more than 30 days
3. Those who have failed to carry out implementation in accordance with the content of the improvement plan approved by the competent authority
4. Those who have emitted large amounts of air pollutants during the improvement extension period, severely affecting air quality in nearby areas

Article 39 The punishing agency designated in Article 73 of this Act shall be as follows.

1. The EPA shall bear responsibility for enforcing regulations designated in Article 62, Paragraph 2; Article 65; and Article 70 of this Act; and enforcing punishments of transportation vehicle manufacturers or importers designated in Article 66.
2. Special municipality governments shall bear responsibility for enforcing punishments of motor vehicle owners or users designated in Articles 51 to 61; Article 62, Paragraph 1; Articles 63 to 64; Articles 67 to 69; and Article 66 of this Act in special municipalities; county and city governments shall bear responsibility for enforcing said punishments in counties and cities.

The competent authority that refers cases for prosecution to the responsible judicial agency in accordance with Articles 46 to 50 of this Act shall be the special municipality government in a special municipality, and shall be the county or city government in a county or city.

- Article 40 Modification to the vehicle referred to in Article 74, Paragraph 2 of this Act means one of the following circumstances.
1. Transfer of ownership
 2. Change of registration
 3. Suspension of use
 4. Resumption of use
 5. Reporting as unserviceable
 6. Submission of license plate for cancellation
 7. Registration of license plate cancellation
 8. Other items designated by the transportation competent authority
- Article 41 A malfunction referred to in Article 77 of this Act means that a function of a stationary pollution source facility becomes ineffective in an unforeseeable and unavoidable manner. This definition is not applicable to those cases of poor design, operation or maintenance.
- Article 42 Those reports made to the local competent authority pursuant to Article 77, Subparagraph 1 of this Act shall include the reporter's name and job title, the time of occurrence, the location of the malfunctioning facility, the reason for the malfunction, emission conditions, and expected time of repair; the competent authority shall record said information.
- Article 43 The written report to be submitted within 15 days of the malfunction designated in Article 77, Subparagraph 3 of this Act shall contain the following content.
1. Name and location of the equipment
 2. Reason for occurrence and repair methods
 3. Pollution control measures adopted during the period of malfunction and estimated air pollutant emissions quantities
 4. Methods used to prevent the future recurrence of similar malfunctions
 5. Other items designated by the competent authority
- Article 44 The implementation plans to be submitted to the local competent authority when applying to perform the actions designated in the subparagraphs of Article 78, Paragraph 1 of this Act shall contain the following content.
1. Implementing unit or personnel, name of action, and implementation time and location
 2. Implementation methods and content
 3. Other matters designated by the competent authority
- Article 45 If an air pollution injury incident in Article 80 of this Act overlaps two special municipalities, counties, or cities, or any combinations thereof, the victims may apply to the central competent authority for appraisal of the reason for their injuries.
- Chapter 4 Supplementary Provisions
- Article 46 The central competent authority shall determine the format of all certificates, disciplinary citations, referrals, other forms and documents designated in this Act and these Enforcement Rules.
- Article 47 Special municipality, county and city competent authorities shall on a monthly basis compile forms reporting the handling circumstances regarding violations of this Act, and deliver said forms to the central competent authority for archiving.
- Article 48 These Rules shall take effect on the date of promulgation.