

# 大気汚染防止法

## Air Pollution Control Act

(昭和四十三年六月十日法律第九十七号)  
(Act No. 97 of June 10, 1968)

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**第一章 総則**

**Chapter I General Provisions**

(目的)

(Purpose)

第一条 この法律は、工場及び事業場における事業活動並びに建築物等の解体等に伴うばい煙、揮発性有機化合物及び粉じんの排出等を規制し、有害大気汚染物質対策の実施を推進し、並びに自動車排出ガスに係る許容限度を定めること等により、大気の汚

染に関し、国民の健康を保護するとともに生活環境を保全し、並びに大気の汚染に関して人の健康に係る被害が生じた場合における事業者の損害賠償の責任について定めることにより、被害者の保護を図ることを目的とする。

Article 1 The purposes of this Act are to protect the health of citizens and to protect the living environment from air pollution by, among other things, controlling emissions, etc. of Soot and Smoke, Volatile Organic Compounds, and Particulates associated with the business activities of factories and workplaces and with the demolition, etc. of buildings, etc., by promoting the implementation of measures against hazardous air pollutants and by setting maximum permissible limits for automobile exhaust; and to protect victims where air pollution has caused harm to human health by providing for the liability of business operators for damages.

(定義等)

(Definitions.)

第二条 この法律において「ばい煙」とは、次の各号に掲げる物質をいう。

Article 2 (1) The term "Soot and Smoke" as used in this Act means the substances enumerated below:

一 燃料その他の物の燃焼に伴い発生するいおう酸化物

(i) Sulfur oxides generated by the combustion of fuel or other items;

二 燃料その他の物の燃焼又は熱源としての電気の使用に伴い発生するばいじん

(ii) Soot and dust generated by the combustion of fuel or other items or by the use of electricity as a source of heat; and,

三 物の燃焼、合成、分解その他の処理（機械的処理を除く。）に伴い発生する物質のうち、カドミウム、塩素、弗化水素、鉛その他の人の健康又は生活環境に係る被害を生ずるおそれがある物質（第一号に掲げるものを除く。）で政令で定めるもの

(iii) Cadmium, chlorine, hydrogen fluoride, lead, and other substances (excluding those under item (i)) that are generated as a result of combustion, synthesis, decomposition, or other processes (excluding mechanical processes), that are likely to harm human health or living conditions, and that are specified by a Cabinet Order.

2 この法律において「ばい煙発生施設」とは、工場又は事業場に設置される施設でばい煙を発生し、及び排出するもののうち、その施設から排出されるばい煙が大気の汚染の原因となるもので政令で定めるものをいう。

(2) The term "Facilities That Generate Soot and Smoke" as used in this Act means, among the facilities in place at a factory or workplace that generate and emit Soot and Smoke, facilities specified by a Cabinet Order whose emitted Soot and Smoke are a source of air pollution.

3 この法律において「ばい煙処理施設」とは、ばい煙発生施設において発生するばい煙を処理するための施設及びこれに附属する施設をいう。

(3) The term "Soot and Smoke Disposal Facilities" as used in this Act means any

facilities that dispose of the Soot and Smoke generated by Facilities That Generate Soot and Smoke, and any auxiliary facilities of such disposal facilities.

4 この法律において「揮発性有機化合物」とは、大気中に排出され、又は飛散した時に気体である有機化合物（浮遊粒子状物質及びオキシダントの生成の原因とならない物質として政令で定める物質を除く。）をいう。

(4) The term "Volatile Organic Compound" as used in this Act means any organic compound (excluding substances specified by a Cabinet Order as not being sources from which suspended particulate matter or oxidants are generated) that is in a gaseous state at the time of its emission or dispersal into the atmosphere.

5 この法律において「揮発性有機化合物排出施設」とは、工場又は事業場に設置される施設で揮発性有機化合物を排出するもののうち、その施設から排出される揮発性有機化合物が大気汚染の原因となるものであつて、揮発性有機化合物の排出量が多いためにその規制を行うことが特に必要なものとして政令で定めるものをいう。

(5) The term "Facilities That Emit Volatile Organic Compounds" as used in this Act means, among the facilities that emit Volatile Organic Compounds at a factory or workplace, those whose emitted Volatile Organic Compounds are a source of air pollution, and that are specified by a Cabinet Order as facilities whose Volatile Organic Compound emissions particularly necessitate regulation due to their large volume.

6 前項の政令は、事業者が自主的に行う揮発性有機化合物の排出及び飛散の抑制のための取組が促進されるよう十分配慮して定めるものとする。

(6) The Cabinet Order under the preceding paragraph shall be established with sufficient consideration to allow for the promotion of voluntary efforts by business operators to control the emission and dispersal of Volatile Organic Compounds.

7 この法律において「排出口」とは、ばい煙発生施設において発生するばい煙又は揮発性有機化合物排出施設に係る揮発性有機化合物を大気中に排出するために設けられた煙突その他の施設の開口部をいう。

(7) The term "Outlet" as used in this Act means a smokestack or any other opening in the facilities that has been set in place for the Soot and Smoke generated in facilities that generate Soot and Smoke or the Volatile Organic Compounds from facilities that emit Volatile Organic Compounds, to be emitted into the atmosphere.

8 この法律において「粉じん」とは、物の破砕、選別その他の機械的処理又はたい積に伴い発生し、又は飛散する物質をいう。

(8) The term "Particulates" as used in this Act means any substance generated or dispersed as a result of crushing or sorting materials or any other mechanical process, or as a result of the accumulation of such materials.

9 この法律において「特定粉じん」とは、粉じんのうち、石綿その他の人の健康に係

る被害を生ずるおそれがある物質で政令で定めるものをいい、「一般粉じん」とは、特定粉じん以外の粉じんをいう。

(9) The term "Specified Particulates" as used in this Act means asbestos and any other substance specified by a Cabinet Order that is likely to harm human health, and the term "Ordinary Particulates" means any Particulates other than Specified Particulates.

10 この法律において「一般粉じん発生施設」とは、工場又は事業場に設置される施設で一般粉じんを発生し、及び排出し、又は飛散させるもののうち、その施設から排出され、又は飛散する一般粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(10) The term "Facilities That Generate Ordinary Particulates" as used in this Act means, among facilities that generate and emit or disperse Ordinary Particulates at a factory or workplace, facilities specified by a Cabinet Order that emit or disperse Ordinary Particulates that are a source of air pollution.

11 この法律において「特定粉じん発生施設」とは、工場又は事業場に設置される施設で特定粉じんを発生し、及び排出し、又は飛散させるもののうち、その施設から排出され、又は飛散する特定粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(11) The term "Facilities That Generate Specified Particulates" as used in this Act means, among facilities that generate and emit or disperse Specified Particulates at a factory or workplace, facilities specified by a Cabinet Order that emit or disperse Specified Particulates that are a source of air pollution.

12 この法律において、「特定粉じん排出等作業」とは、吹付け石綿その他の特定粉じんを発生し、又は飛散させる原因となる建築材料で政令で定めるもの（以下「特定建築材料」という。）が使用されている建築物その他の工作物（以下「建築物等」という。）を解体し、改造し、又は補修する作業のうち、その作業の場所から排出され、又は飛散する特定粉じんが大気の汚染の原因となるもので政令で定めるものをいう。

(12) The term "Activities That Emit, etc. Specified Particulates" as used in this Act means, among activities involving the demolition, alteration, or repair of a building or other structure (hereinafter referred to as a "Building, etc.") that uses a building material specified by a Cabinet Order (hereinafter referred to as a "Specified Building Material") that generates or disperses spray-applied asbestos or other Specified Particulates, activities specified by a Cabinet Order in connection with which the Specified Particulates emitted or dispersed from the location of the activities are a source of air pollution.

13 この法律において「有害大気汚染物質」とは、継続的に摂取される場合には人の健康を損なうおそれがある物質で大気汚染の原因となるもの（ばい煙（第一項第一号及び第三号に掲げるものに限る。）及び特定粉じんを除く。）をいう。

(13) The term "Hazardous Air Pollutant" as used in this Act means any substance that is likely to harm human health if ingested continuously and that is a source of air pollution (excluding Soot and Smoke (limited to the items listed

under paragraph (1), items (i) and (iii)) and Specified Particulates).

14 この法律において「自動車排出ガス」とは、自動車（道路運送車両法（昭和二十六年法律第百八十五号）第二条第二項に規定する自動車のうち環境省令で定めるもの及び同条第三項に規定する原動機付自転車のうち環境省令で定めるものをいう。以下同じ。）の運行に伴い発生する一酸化炭素、炭化水素、鉛その他の人の健康又は生活環境に係る被害を生ずるおそれがある物質で政令で定めるものをいう。

(14) The term "Automobile Exhaust" as used in this Act means carbon monoxide, hydrocarbons, lead, and other substances likely to harm human health or living conditions, that are generated during the operation of an automobile (among the automobiles under Article 2, paragraph (2) of the Road Transport Vehicle Act (Act No. 185 of 1951), those specified by an Ordinance of the Ministry of the Environment; and among the motorized bicycles under paragraph (3) of the same Article, those specified by an Ordinance of the Ministry of the Environment; the same shall apply hereinafter), and specified by a Cabinet Order.

## 第二章 ばい煙の排出の規制等

### Chapter II Regulation of Soot and Smoke Emissions

(排出基準)

(Emission Standards)

第三条 ばい煙に係る排出基準は、ばい煙発生施設において発生するばい煙について、環境省令で定める。

Article 3 (1) Emission standards for the Soot and Smoke generated at facilities that generate Soot and Smoke shall be prescribed by an Ordinance of the Ministry of the Environment.

2 前項の排出基準は、前条第一項第一号のいおう酸化物（以下単に「いおう酸化物」という。）にあつては第一号、同項第二号のばいじん（以下単に「ばいじん」という。）にあつては第二号、同項第三号に規定する物質（以下「有害物質」という。）にあつては第三号又は第四号に掲げる許容限度とする。

(2) The emission standards provided for in the preceding paragraph shall be the maximum permissible limits referred to in item (i) for sulfur oxides under paragraph (1), item (i) of the preceding Article (hereinafter referred to simply as "Sulfur Oxides"); the maximum permissible limits referred to in item (ii) for soot and dust under item (ii) of the same paragraph (hereinafter referred to simply as "Soot and Dust"); and maximum permissible limits referred to in item (iii) or (iv) for a substance specified under item (iii) of the same paragraph (hereinafter referred to as a "Hazardous Substance"):

一 いおう酸化物に係るばい煙発生施設において発生し、排出口から大気中に排出されるいおう酸化物の量について、政令で定める地域の区分ごとに排出口の高さ（環境省令で定める方法により補正を加えたものをいう。以下同じ。）に応じて定める

許容限度

(i) For quantities of Sulfur Oxides generated in facilities that generate Soot and Smoke and emitted into the atmosphere from an Outlet, maximum permissible limits that are prescribed in accordance with the height of the Outlet that is set forth in a Cabinet Order for each area of classification (the term "height" as used in this Act means the height adjusted based on a method prescribed by an Ordinance of the Ministry of the Environment; the same shall apply hereinafter);

二 ばいじんに係るばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれるばいじんの量について、施設の種類及び規模ごとに定める許容限度

(ii) For quantities of Soot and Dust contained in emissions generated in facilities that generate Soot and Smoke and emitted into the atmosphere from an Outlet, maximum permissible limits that are prescribed for each type and size of the facilities;

三 有害物質（次号の特定有害物質を除く。）に係るばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれる有害物質の量について、有害物質の種類及び施設の種類ごとに定める許容限度

(iii) For quantities of Hazardous Substances (excluding specified Hazardous Substances under the following item) contained in the emissions generated in Facilities That Generate Soot and Smoke and emitted into the atmosphere from an Outlet, maximum permissible limits that are prescribed for each type of Hazardous substance and for each type of the facilities; and

四 燃料その他の物の燃焼に伴い発生する有害物質で環境大臣が定めるもの（以下「特定有害物質」という。）に係るばい煙発生施設において発生し、排出口から大気中に排出される特定有害物質の量について、特定有害物質の種類ごとに排出口の高さに応じて定める許容限度

(iv) With respect to Hazardous Substances specified by the Minister of the Environment that are generated as a result of the combustion of fuel or other materials (hereinafter referred to as "Specified Hazardous Substances"), for quantities of Specified Hazardous Substances generated in Facilities That Generate Soot and Smoke and emitted into the atmosphere from an Outlet, maximum permissible limits that are prescribed in accordance with the height of the Outlet for each type of Specified Hazardous Substance.

3 環境大臣は、施設集合地域（いおう酸化物、ばいじん又は特定有害物質に係るばい煙発生施設が集合して設置されている地域をいう。）の全部又は一部の区域における当該ばい煙発生施設において発生し、大気中に排出されるこれらの物質により政令で定める限度をこえる大気の汚染が生じ、又は生ずるおそれがあると認めるときは、環境省令で、当該全部又は一部の区域を限り、その区域に新たに設置される当該ばい煙発生施設について、第一項の排出基準（次条第一項の規定により排出基準が定められた場合にあつては、その排出基準）にかえて適用すべき特別の排出基準を定めること

ができる。

(3) When the Minister of the Environment finds that air pollution has occurred or is likely to occur at levels that exceed the limits prescribed by a Cabinet Order in all or some of the zones in an area in which facilities are concentrated (meaning an area with a concentration of facilities that generate Soot and Smoke in connection with sulfur oxides, Soot and Dust, and Specified Hazardous Substances) due to the generation of a substance and its emission into the atmosphere by said Facilities That Generate Soot and Smoke, the Minister of the Environment may establish, by Ordinance of the Ministry of the Environment, special emissions standards for all or some of said zones, that must be applied in lieu of the emissions standards under paragraph (1) to any of said Facilities That Generate Soot and Smoke that will be built anywhere in said zones (where emissions standards have been established pursuant to the provisions of paragraph (1) of the following Article, those standards shall apply).

4 第二項（同項第三号を除く。）の規定は、前項の排出基準について準用する。

(4) The provisions of paragraph (2) shall apply mutatis mutandis to the emission standards under the previous paragraph (excluding item (iii) of the same paragraph).

5 環境大臣は、第一項の規定によりいおう酸化物に係る排出基準を定め、又は第三項の規定により排出基準を定めようとするときは、関係都道府県知事の意見をきかなければならない。これを変更し、又は廃止しようとするときも、同様とする。

(5) When the Minister of the Environment wishes to prescribe the emission standards for sulfur oxides provided for in paragraph (1) or the emission standards provided for in paragraph (3), the Minister of the Environment shall hear the opinions of the before doing so. The same shall apply when the Minister of the Environment wishes to change or abolish one of these emissions standards.

第四条 都道府県は、当該都道府県の区域のうちに、その自然的、社会的条件から判断して、ばいじん又は有害物質に係る前条第一項又は第三項の排出基準によつては、人の健康を保護し、又は生活環境を保全することが十分でない認められる区域があるときは、その区域におけるばい煙発生施設において発生するこれらの物質について、政令で定めるところにより、条例で、同条第一項の排出基準にかえて適用すべき同項の排出基準で定める許容限度よりきびしい許容限度を定める排出基準を定めることができる。

Article 4 (1) When a prefecture finds, judging from natural and social conditions, that the emission standards prescribed pursuant to paragraphs (1) and (3) of the preceding Article for Soot and Dust and Hazardous Substances are not sufficient to protect human health or the living conditions within a zone in said prefecture, it may, in accordance with the provisions of a Cabinet Order,

establish, by Prefectural Ordinance, emission standards that are stricter than the prescribed maximum permissible limits for emission standards pursuant to paragraph (1) of the same Article, that must be applied to such substances generated in Facilities That Generate Soot and Smoke in that zone in lieu of the emission standards prescribed under the same paragraph.

2 前項の条例においては、あわせて当該区域の範囲を明らかにしなければならない。

(2) The Prefectural Ordinance referred to in the preceding paragraph shall also clearly indicate the scope of said zone.

3 都道府県が第一項の規定により排出基準を定める場合には、当該都道府県知事は、あらかじめ、環境大臣に通知しなければならない。

(3) Where a prefecture will establish emission standards pursuant to the provisions of paragraph (1), the relevant prefectural governor shall notify the Minister of the Environment in advance.

(排出基準に関する勧告)

(Recommendations Concerning Emission Standards)

第五条 環境大臣は、大気汚染の防止のため特に必要があると認めるときは、都道府県に対し、前条第一項の規定により排出基準を定め、又は同項の規定により定められた排出基準を変更すべきことを勧告することができる。

Article 5 When the Minister of the Environment finds it particularly necessary in order to prevent air pollution, the Minister of the Environment may recommend that a prefecture establish an emission standard pursuant to the provisions of paragraph (1) of the preceding Article or change an existing emission standard pursuant to the provisions of the same paragraph.

(総量規制基準)

(Standards for Controlling the Total Emissions)

第五条の二 都道府県知事は、工場又は事業場が集合している地域で、第三条第一項若しくは第三項又は第四条第一項の排出基準のみによつては環境基本法（平成五年法律第九十一号）第十六条第一項の規定による大気汚染に係る環境上の条件についての基準（次条第一項第三号において「大気環境基準」という。）の確保が困難であると認められる地域としていおう酸化物その他の政令で定めるばい煙（以下「指定ばい煙」という。）ごとに政令で定める地域（以下「指定地域」という。）にあつては、当該指定地域において当該指定ばい煙を排出する工場又は事業場で環境省令で定める基準に従い都道府県知事が定める規模以上のもの（以下「特定工場等」という。）において発生する当該指定ばい煙について、指定ばい煙総量削減計画を作成し、これに基づき、環境省令で定めるところにより、総量規制基準を定めなければならない。

Article 5-2 (1) In an area with a concentration of factories or workplaces that is specified by a Cabinet Order for each type of sulfur oxide or other type of Soot and Smoke designated by a Cabinet Order (hereinafter referred to as "Designated Soot and Smoke") as an area in which it is difficult to attain the



standards for environmental conditions related to air pollution pursuant to the provisions of Article 16, paragraph (1) of the Environment Basic Act (Act No. 91 of 1993) (under paragraph (1), item (iii) of the following Article, referred to hereinafter as "Air Quality Standard") using only the emission standards prescribed under Article 3, paragraphs (1) or (3) or Article 4, paragraph (1) (hereinafter such an area is referred to as a "Designated Area"), the prefectural governor shall formulate a plan for reducing the total quantity of the Designated Soot and Smoke that is generated at factories and workplaces in the Designated Area that emit said Designated Soot and Smoke and that are of at least the scale that the prefectural governor specifies in accordance with the standards prescribed by an Ordinance of the Ministry of the Environment (hereinafter referred to as "Specified Factories, etc."), and on the basis of said plan, the prefectural governor shall prescribe standards for controlling the total emissions, as prescribed by an Ordinance of the Ministry of the Environment.

2 都道府県知事は、必要があると認めるときは、当該指定地域を二以上の区域に区分し、それらの区域ごとに前項の総量規制基準を定めることができる。

(2) A prefectural governor may, when the prefectural governor finds necessary, subdivide a designated area into two or more zones, and may prescribe standards for controlling the total emissions under the preceding paragraph for each zone.

3 都道府県知事は、新たにばい煙発生施設が設置された特定工場等（工場又は事業場で、ばい煙発生施設の設置又は構造等の変更により新たに特定工場等となったものを含む。）及び新たに設置された特定工場等について、第一項の指定ばい煙総量削減計画に基づき、環境省令で定めるところにより、それぞれ同項の総量規制基準に代えて適用すべき特別の総量規制基準を定めることができる。

(3) For Specified Factories, etc. at which Facilities That Generate Soot and Smoke have been newly put in place (including a factory or workplace that has newly become a specified factory, due to Facilities That Generate Soot and Smoke having been put in place therein or due to a change in the structure, etc. thereof) and for newly established specified factories, etc., the prefectural governor may, on the basis of the plan for reducing the total quantity of Designated Soot and Smoke emissions under paragraph (1) above, establish special standards for controlling the total emissions, in accordance with an Ordinance of the Ministry of the Environment, that must be applied in lieu of each of the standards for controlling the total emissions under the same paragraph.

4 第一項又は前項の総量規制基準は、特定工場等につき当該特定工場等に設置されているすべてのばい煙発生施設において発生し、排出口から大気中に排出される当該指定ばい煙の合計量について定める許容限度とする。

(4) The standards for controlling the total emissions under paragraph (1) above

and the preceding paragraph shall be maximum permissible limits that are prescribed for specified factories, etc. in connection with the total quantity of Designated Soot and smoke generated at all the facilities that generate soot and smoke in said specified factories, etc. and emitted into the atmosphere from outlets.

5 都道府県知事は、第一項の政令で定める地域の要件に該当すると認められる一定の地域があるときは、同項の地域を定める政令の立案について、環境大臣に対し、その旨の申出をすることができる。

(5) A prefectural governor may, when a certain area is recognized as satisfying the requirements of an area set forth by a Cabinet Order pursuant to paragraph (1), propose to the Minister of the Environment the formulation of a Cabinet Order by which the area is to be so established.

6 環境大臣は、第一項の地域を定める政令の制定又は改廃の立案をしようとするときは、関係都道府県知事の意見を聴かなければならない。

(6) The Minister of the Environment shall hear the opinions of the relevant prefectural governors when the Minister wishes to propose the formulation, revision, or abolition of a Cabinet Order that has established an area under paragraph (1).

7 都道府県知事は、第一項又は第三項の総量規制基準を定めるときは、公示しなければならない。これを変更し、又は廃止するときも、同様とする。

(7) The prefectural governor shall give public notice when establishing standards for controlling the total emissions under paragraphs (1) or (3). The same shall apply when the prefectural governor changes or abolishes such standards.

(指定ばい煙総量削減計画)

(Plans for Reducing the Total Quantity of Designated Soot and Smoke)

第五条の三 前条第一項の指定ばい煙総量削減計画は、当該指定地域について、第一号に掲げる総量を第三号に掲げる総量までに削減させることを目途として、第一号に掲げる総量に占める第二号に掲げる総量の割合、工場又は事業場の規模、工場又は事業場における使用原料又は燃料の見通し、特定工場等以外の指定ばい煙の発生源における指定ばい煙の排出状況の推移等を勘案し、政令で定めるところにより、第四号及び第五号に掲げる事項を定めるものとする。この場合において、当該指定地域における大気汚染及び工場又は事業場の分布の状況により計画の達成上当該指定地域を二以上の区域に区分する必要があるときは、第一号から第三号までに掲げる総量は、区分される区域ごとのそれぞれの当該指定ばい煙の総量とする。

Article 5-3 (1) A plan for reducing the total quantity of Designated Soot and Smoke under paragraph (1) of the preceding Article shall prescribe the matters listed under items (iv) and (v) pursuant to the provisions of a Cabinet Order, with the aim of reducing the total quantity listed under item (i) below to the total quantity listed under item (iii) below for said Designated Area, by taking into consideration such matters as the ratio of the total quantity listed under

item (i) below to the total quantity listed under item (ii) below, the size of the factory or workplace, the prospects for raw materials or fuels used at the factory or workplace, and trends in Designated Soot and Smoke emissions at sources of Designated Soot and Smoke emissions other than specified factories, etc. In this case, when it is necessary to subdivide said Designated Area into two or more zones in order to achieve the plan, due to the air pollution conditions and the distribution of factories or workplaces in said Designated Area, the total quantity under items (i) through (iii) below shall be the total quantity of the Designated Soot and Smoke for each of the zones so subdivided:

一 当該指定地域における事業活動その他の人の活動に伴って発生し、大気中に排出される当該指定ばい煙の総量

(i) The total quantity of the Designated Soot and Smoke generated and emitted into the atmosphere as a result of business activity and other human activity in the Designated Area;

二 当該指定地域におけるすべての特定工場等に設置されているばい煙発生施設において発生し、排出口から大気中に排出される当該指定ばい煙の総量

(ii) The total quantity of the Designated Soot and Smoke generated and emitted into the atmosphere from Outlets at the Facilities That Generate Soot and Smoke that are in place at all of the specified factories, etc. in the designated area;

三 当該指定地域における事業活動その他の人の活動に伴って発生し、大気中に排出される当該指定ばい煙について、大気環境基準に照らし環境省令で定めるところにより算定される総量

(iii) The total quantity computed as prescribed by an Ordinance of the Ministry of the Environment in light of the air quality standards for the Designated Soot and Smoke generated and emitted into the atmosphere as a result of business activity and other human activity in the Designated Area;

四 第二号の総量についての削減目標量（中間目標としての削減目標量を定める場合にあっては、その削減目標量を含む。）

(iv) The target amount of reduction in the total quantity under item (ii) above (where a target amount of reduction is established as an interim target, that target reduction quantity is included); and

五 計画の達成の期間及び方途

(v) The term for achieving the plan and the means of doing so.

2 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めようとするときは、環境基本法第四十三条の規定により置かれる審議会その他の合議制の機関及び関係市町村長の意見を聴かなければならない。

(2) The prefectural governor shall, when the prefectural governor wishes to prescribe a plan for reducing the total quantity of Designated Soot and Smoke under paragraph (1) of the preceding Article, hear the opinions of the council established pursuant to the provisions of Article 43 of the Environment Basic

- Act, as well as other consultative bodies and the mayors of said municipalities.
- 3 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めようとするときは、あらかじめ、環境大臣に協議し、その同意を得なければならない。
- (3) The prefectural governor shall, when the prefectural governor wishes to prescribe a plan for reducing the total quantity of Designated Soot and Smoke under paragraph (1) of the preceding Article, consult with the Minister of the Environment in advance and obtain the Minister's consent.
- 4 都道府県知事は、前条第一項の指定ばい煙総量削減計画を定めたときは、第一項各号に掲げる事項を公告しなければならない。
- (4) The prefectural governor shall give public notice of the matters listed under each of the items of paragraph (1) when the prefectural governor has prescribed a plan for reducing the total quantity of Designated Soot and Smoke under paragraph (1) of the preceding Article.
- 5 都道府県知事は、当該指定地域における大気汚染の状況の変動等により必要が生じたときは、前条第一項の指定ばい煙総量削減計画を変更することができる。
- (5) The prefectural governor may change the plan for reducing the total quantity of Designated Soot and Smoke under paragraph (1) of the preceding Article when it becomes necessary due to a change in air pollution conditions, etc. in said designated area.
- 6 第二項から第四項までの規定は、前項の規定による計画の変更について準用する。
- (6) The provisions of paragraphs (2) through (4) shall apply mutatis mutandis to any change to a plan pursuant to the preceding paragraph.

(ばい煙発生施設の設置の届出)

(Notification of Setting in Place Facilities that Generate Soot and Smoke)

第六条 ばい煙を大気中に排出する者は、ばい煙発生施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 6 (1) When any person wishes to set in place Facilities That Generate Soot and Smoke, the person who will emit Soot and Smoke into the atmosphere shall submit a notification to the prefectural governor notifying of the following matters, pursuant to the provisions of an Ordinance of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) The person's name and address or the name of the representative, if the relevant person is a juridical person;

二 工場又は事業場の名称及び所在地

(ii) The name and location of the factory or workplace;

三 ばい煙発生施設の種類

(iii) The type of the relevant person's Facilities That Generate Soot and Smoke;

四 ばい煙発生施設の構造

(iv) The structure of the Facilities That Generate Soot and Smoke;

五 ばい煙発生施設の使用の方法

(v) The way in which the Facilities That Generate Soot and Smoke will be used;  
and

六 ばい煙の処理の方法

(vi) The way of disposing of the Soot and Smoke.

2 前項の規定による届出には、ばい煙発生施設において発生し、排出口から大気中に排出されるいおう酸化物若しくは特定有害物質の量（以下「ばい煙量」という。）又はばい煙発生施設において発生し、排出口から大気中に排出される排出物に含まれるばいじん若しくは有害物質（特定有害物質を除く。）の量（以下「ばい煙濃度」という。）及びばい煙の排出の方法その他の環境省令で定める事項を記載した書類を添附しなければならない。

(2) The notification pursuant to the provisions of the preceding paragraph shall be accompanied by documents stating the quantities of sulfur oxides or specified hazardous substances that will be generated by the Facilities That Generate Soot and Smoke and emitted into the atmosphere from Outlets (hereinafter referred to as "Quantity of Soot and Smoke"), or the quantity of soot and dust or hazardous substances (excluding specified hazardous substances) that will be contained in emissions generated by the Facilities That Generate Soot and Smoke and emitted into the atmosphere from Outlets (hereinafter referred to as "Concentration of Soot and Smoke"), the way in which Soot and Smoke will be emitted, and any other matters prescribed by an Ordinance of the Ministry of the Environment.

（経過措置）

(Transitional Measures)

第七条 一の施設がばい煙発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつてばい煙を大気中に排出するものは、当該施設がばい煙発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 7 (1) Any person who already has said facilities in place at the time of their designation as Facilities That Generate Soot and Smoke (including any person who is constructing such facilities) and who will emit Soot and Smoke into the atmosphere shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, submit a notification to the prefectural governor notifying of the matters listed under each item of paragraph (1) of the preceding Article within 30 days from the date that said facilities are designated as Facilities That Generate Soot and Smoke.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(ばい煙発生施設の構造等の変更の届出)

(Notification of Changes to the Structure of Facilities That Generate Soot and Smoke)

第八条 第六条第一項又は前条第一項の規定による届出をした者は、その届出に係る第六条第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

Article 8 (1) When any person who has submitted a notification pursuant to the provisions of Article 6, paragraph (1) or paragraph (1) of the preceding Article wishes to change any of the matters listed under items (iv) through (vi) of Article 6, paragraph (1), the person shall submit a notification to that effect to the prefectural governor, in accordance with the provisions of an Ordinance of the Ministry of the Environment.

2 第六条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 6, paragraph (2) shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第九条 都道府県知事は、第六条第一項又は前条第一項の規定による届出があつた場合において、その届出に係るばい煙発生施設に係るばい煙量又はばい煙濃度がそのばい煙発生施設に係る排出基準（第三条第一項の排出基準（同条第三項又は第四条第一項の規定により排出基準が定められた場合にあつては、その排出基準を含む。）をいう。以下この章において「排出基準」という。）に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係るばい煙発生施設の構造若しくは使用の方法若しくはばい煙の処理の方法に関する計画の変更（前条第一項の規定による届出に係る計画の廃止を含む。）又は第六条第一項の規定による届出に係るばい煙発生施設の設置に関する計画の廃止を命ずることができる。

Article 9 Where a notification has been submitted pursuant to the provisions of Article 6, paragraph (1) or paragraph (1) of the preceding Article, when the prefectural governor finds that the quantity of Soot and Smoke or the Concentration of Soot and Smoke will fail to conform to the emission standards (this means the emission standards under Article 3, paragraph (1) (where emission standards have been established pursuant to the provisions of paragraph (3) of that Article or Article 4, paragraph (1), such standards are included); hereinafter referred to as "Emission Standard(s)" in this Chapter), the prefectural governor may, within 60 days after the date of the governor's acceptance of the notification, order the person who submitted the notification to change the plans for the structure of the facilities that generate Soot and Smoke, the way in which the facilities will be used, or the way in which Soot and Smoke from said facilities will be disposed of (changes may include

discontinuance of the plan under the notification provided for in paragraph (1) of the preceding Article), or to discontinue the plan to set up the Facilities That Generate Soot and Smoke under the notification set forth in the provisions of Article 6, paragraph (1).

第九条の二 都道府県知事は、第六条第一項又は第八条第一項の規定による届出があつた場合において、その届出に係るばい煙発生施設が設置される特定工場等（工場又は事業場で、当該ばい煙発生施設の設置又は構造等の変更により新たに特定工場等となるものを含む。以下この項において同じ。）について、当該特定工場等に設置されるすべてのばい煙発生施設に係る当該指定ばい煙の合計量が総量規制基準に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、当該特定工場等の設置者に対し、当該特定工場等における指定ばい煙の処理の方法の改善、使用燃料の変更その他必要な措置を採るべきことを命ずることができる。

Article 9-2 Where a notification has been submitted pursuant to the provisions of Article 6, paragraph (1) or Article 8, paragraph (1), when the prefectural governor finds that the total quantity of Designated Soot and Smoke for all the Facilities That Generate Soot and Smoke that will be put in place at a specified factory, etc. (including a factory or workplace that will newly become a specified factory, etc. due to Facilities That Generate Soot and Smoke being set up or due to a change in the structure, etc.; hereinafter the same shall apply in this paragraph) under the notification will fail to conform to the standards for controlling the total emissions, he prefectural governor may, within 60 days after the date of the governor's acceptance of the notification, order the person whose specified factory, etc. to improve the way in which the Designated Soot and Smoke will be disposed of at said specified factory, etc., to change the fuel that will be used, or to take any other measures that may be necessary.

(実施の制限)

(Restrictions on Implementation)

第十条 第六条第一項の規定による届出をした者又は第八条第一項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係るばい煙発生施設を設置し、又はその届出に係るばい煙発生施設の構造若しくは使用の方法若しくはばい煙の処理の方法の変更をしてはならない。

Article 10 (1) No person who has submitted a notification pursuant to the provisions of Article 6, paragraph (1) shall set in place the Facilities That Generate Soot and Smoke under said notification, nor shall any person who has submitted a notification pursuant to the provisions of Article 8, paragraph (1) change the structure of the Facilities That Generate Soot and Smoke under said notification, the way in which those facilities are used, or the way in which Soot and Smoke is disposed of, until 60 days have elapsed since the date on which the notification was accepted.

2 都道府県知事は、第六条第一項又は第八条第一項の規定による届出に係る事項の内容が相当であると認めるときは、前項に規定する期間を短縮することができる。

(2) A prefectural governor may, when the prefectural governor finds that the contents of the matters in a notification under the provisions of Article 6, paragraph (1) or Article 8, paragraph (1) are appropriate, shorten the period prescribed in the preceding paragraph.

(氏名の変更等の届出)

(Notification of a Change of Name)

第十一条 第六条第一項又は第七条第一項の規定による届出をした者は、その届出に係る第六条第一項第一号若しくは第二号に掲げる事項に変更があつたとき、又はその届出に係るばい煙発生施設の使用を廃止したときは、その日から三十日以内に、その旨を都道府県知事に届け出なければならない。

Article 11 A person who has submitted a notification pursuant to the provisions of Article 6, paragraph (1) or Article 7, paragraph (1) shall, when there has been a change in a matter listed under Article 6, paragraph (1), item (i) or (ii) with regard to said notification, or when the person has discontinued the use of the Facilities That Generate soot and smoke under said notification, notify the prefectural governor to that effect within 30 days of the change or discontinuance.

(承継)

(Succession)

第十二条 第六条第一項又は第七条第一項の規定による届出をした者からその届出に係るばい煙発生施設を譲り受け、又は借り受けた者は、当該ばい煙発生施設に係る当該届出をした者の地位を承継する。

Article 12 (1) Any person who has been transferred or leased Facilities That Generate Soot and Smoke by the person who submitted the notification for those facilities pursuant to the provisions of Article 6, paragraph (1) or Article 7, paragraph (1) shall succeed to the status of the person who submitted the notification for said Facilities That Generate Soot and Smoke.

2 第六条第一項又は第七条第一項の規定による届出をした者について相続、合併又は分割（その届出に係るばい煙発生施設を承継させるものに限る。）があつたときは、相続人、合併後存続する法人若しくは合併により設立した法人又は分割により当該ばい煙発生施設を承継した法人は、当該届出をした者の地位を承継する。

(2) When an inheritance, a merger, or a split (limited to those that cause the Facilities That Generate Soot and smoke under said notification to be succeeded to) has taken place in connection with the person who submitted a notification pursuant to the provisions of Article 6, paragraph (1) or Article 7, paragraph (1), the heir, the juridical person surviving the merger, juridical person established in the merger, or juridical person who succeeded to the



Facilities That Generate Soot and Smoke as a result of the split, shall succeed to the status of the person who submitted said notification.

3 前二項の規定により第六条第一項又は第七条第一項の規定による届出をした者の地位を承継した者は、その承継があつた日から三十日以内に、その旨を都道府県知事に届け出なければならない。

(3) Any person who, pursuant to the provisions of the preceding two paragraphs, has succeeded to the status of the person who submitted a notification pursuant to the provisions of Article 6, paragraph (1) or Article 7, paragraph (1) shall notify the prefectural governor to that effect within 30 days of such succession.

4 工場又は事業場に設置されるすべてのばい煙発生施設について、第一項又は第二項の規定により届出をした者の地位を承継した者は、第九条の二、第十四条第三項又は第十五条の二第一項若しくは第二項の規定の適用については、工場又は事業場の設置者の地位を承継するものとする。

(4) For all Facilities That Generate Soot and Smoke that are in place at a factory or workplace, the person who has succeeded to the status of the person who submitted the notification pursuant to the provisions of paragraph (1) or (2) shall succeed to the status of the person whose factory or workplace it was as pertains to the application of the provisions of Article 9-2, Article 14, paragraph (3) and Article 15-2, paragraphs (1) and (2).

(ばい煙の排出の制限)

(Restrictions on Soot and Smoke Emissions)

第十三条 ばい煙発生施設において発生するばい煙を大気中に排出する者（以下「ばい煙排出者」という。）は、そのばい煙量又はばい煙濃度が当該ばい煙発生施設の排出口において排出基準に適合しないばい煙を排出してはならない。

Article 13 (1) Persons who emit the Soot and Smoke generated at Facilities That Generate Soot and Smoke into the atmosphere (hereinafter referred to as a "Soot and smoke Emitters") shall not emit Soot and Smoke in quantities or at concentrations that fail to conform to the emission standards for the Outlets of said Facilities That Generate Soot and Smoke.

2 前項の規定は、一の施設がばい煙発生施設となつた際現にその施設を設置している者（設置の工事を行っている者を含む。）の当該施設において発生し、大気中に排出されるばい煙については、当該施設がばい煙発生施設となつた日から六月間（当該施設が政令で定める施設である場合にあつては、一年間）は、適用しない。ただし、その者に適用されている地方公共団体の条例の規定で前項の規定に相当するものがあるとき（当該規定の違反行為に対する処罰規定がないときを除く。）は、この限りでない。

(2) For soot and smoke generated at and emitted into the atmosphere from the facilities of a person who already had those facilities in place at the time of their designation as facilities that generate soot and smoke (including a person who is constructing such facilities), the provisions of the preceding paragraph

shall not apply for six months after the date on which said facilities were designated as facilities that generate soot and smoke (or one year, where said facilities are facilities specified by a Cabinet Order). However, this shall not apply when an Ordinance of a local public entity that is applicable to the relevant person contains provisions equivalent to the provisions of the preceding paragraph (except where there are no punitive provisions for the violation thereof).

(指定ばい煙の排出の制限)

**(Restrictions on Emissions of Designated Soot and Smoke)**

第十三条の二 特定工場等に設置されているばい煙発生施設において発生する指定ばい煙に係るばい煙排出者は、当該特定工場等に設置されているすべてのばい煙発生施設の排出口から大気中に排出される当該指定ばい煙の合計量が総量規制基準に適合しない指定ばい煙を排出してはならない。

Article 13-2 (1) A Soot and Smoke 17-7mitter who emits Designated Soot and Smoke generated by Facilities That Generate Soot and Smoke that are in place at a specified factory, etc. shall not emit Designated Soot and Smoke that fails to conform to the standards for controlling the total emissions, in terms of the total quantity of Designated Soot and Smoke that is emitted into the atmosphere from the Outlets of all of the Facilities That Generate Soot and Smoke that are in place at said specified factory, etc.

2 前項の規定は、第二条第二項の政令の改正、第五条の二第一項の地域を定める政令の改正又は同項の都道府県知事が定める規模の変更により新たに特定工場等となつた工場又は事業場に設置されているばい煙発生施設において発生する指定ばい煙に係るばい煙排出者については、当該工場又は事業場が特定工場等となつた日から六月間は、適用しない。

(2) For a Soot and Smoke Emitter who emits Designated Soot and Smoke generated by Facilities That Generate Soot and Smoke that are in place at a factory or workplace that newly became a specified factory, etc. due to a revision to the Cabinet Order under Article 2, paragraph (2), a revision to the Cabinet Order that established the areas under Article 5-2, paragraph (1), or a change in the size specified by a prefectural governor under the same paragraph, the provisions of the preceding paragraph shall not apply for six months after the date said factory or workplace newly became a specified factory, etc.

(改善命令等)

**(Order for Improvement)**

第十四条 都道府県知事は、ばい煙排出者が、そのばい煙量又はばい煙濃度が排出口において排出基準に適合しないばい煙を継続して排出するおそれがある場合において、その継続的な排出により人の健康又は生活環境に係る被害を生ずると認めるときは、

その者に対し、期限を定めて当該ばい煙発生施設の構造若しくは使用の方法若しくは当該ばい煙発生施設に係るばい煙の処理の方法の改善を命じ、又は当該ばい煙発生施設の使用の一時停止を命ずることができる。

Article 14 (1) Where a Soot and Smoke Emitter is likely to continuously emit a quantity of Soot and Smoke or a concentration of Soot and smoke that fails to conform to emissions standards for its Outlets, when the prefectural governor finds that these continued emissions are likely to harm human health or living conditions, the prefectural governor may establish a time limit and order the emitter to improve the structure of said Facilities That Generates Soot and Smoke, the way that facilities are used, or the way of disposing of Soot and Smoke at said Facilities That Generates Soot and Smoke, or may order the emitter to temporarily suspend the operation of the Facilities That Generate Soot and Smoke.

2 第十三条第二項の規定は、前項の規定による命令について準用する。

(2) The provisions of Article 13, paragraph (2) shall apply mutatis mutandis to an order pursuant to the provisions of the preceding paragraph.

3 都道府県知事は、総量規制基準に適合しない指定ばい煙が継続して排出されるおそれがある場合において、その継続的な排出により人の健康又は生活環境に係る被害を生ずると認めるときは、当該指定ばい煙に係る特定工場等の設置者に対し、期限を定めて、当該特定工場等における指定ばい煙の処理の方法の改善、使用燃料の変更その他必要な措置を採るべきことを命ずることができる。

(3) Where Designated Soot and Smoke that fails to conform to the standards for controlling the total emissions is likely to be continuously emitted, when the prefectural governor finds that these continued emissions are likely to harm human health or living conditions, the prefectural governor may specify a time limit and order the person who has in place said specified factory, etc. in connection with the Designated Soot and Smoke to improve the way of disposing of the Designated Soot and Smoke at said specified factory, etc., to change the fuel that is being used, or to take any other measures that may be necessary.

4 前項の規定は、第二条第二項の政令の改正、第五条の二第一項の地域を定める政令の改正又は同項の都道府県知事が定める規模の変更により新たに特定工場等となつた工場又は事業場については、当該工場又は事業場が特定工場等となつた日から六月間は、適用しない。

(4) For a factory or workplace that newly became a specified factory, etc. due to a revision to the Cabinet Order under Article 2, paragraph (2), a revision to the Cabinet Order that specified the areas under Article 5-2, paragraph (1), or a change in the size specified by a prefectural governor under the same paragraph, the provisions of the preceding paragraph shall not apply for six months after the date said factory or workplace newly became a specified factory, etc.

(季節による燃料の使用に関する措置)

**(Measures Concerning the Seasonal Use of Fuel)**

第十五条 都道府県知事は、いおう酸化物に係るばい煙発生施設で季節により燃料の使用量に著しい変動があるものが密集して設置されている地域として政令で定める地域に係るいおう酸化物による著しい大気の汚染が生じ、又は生ずるおそれがある場合において、当該地域におけるいおう酸化物に係るばい煙発生施設において発生するいおう酸化物を大気中に排出する者が、当該ばい煙発生施設で燃料使用基準に適合しない燃料の使用をしていると認めるときは、その者に対し、期間を定めて、燃料使用基準に従うべきことを勧告することができる。

Article 15 (1) Where substantial air pollution from sulfur oxides is occurring or is likely to occur in an area specified by a Cabinet Order as an area with a concentration of Facilities That Generate Soot and Smoke in connection with sulfur oxides for which the quantity of fuel use fluctuates substantially with the season, when the prefectural governor finds that any person in said area emitting sulfur oxides generated at Facilities That Generate Soot and Smoke into the atmosphere is using any fuel at said facilities that generate Soot and smoke that fails to conform with fuel standards, the prefectural governor may issue a recommendation that the relevant person comply with the fuel standards within a specified period.

2 都道府県知事は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、期間を定めて、当該燃料使用基準に従うべきことを命ずることができる。

(2) When the prefectural governor finds that a person who has received a recommendation pursuant to the provisions of the preceding paragraph has failed to conform to said recommendation, the prefectural governor may order that person to comply with said fuel standards within a specified period.

3 第一項の燃料使用基準は、環境省令で定める燃料の種類について、環境大臣が定める基準に従い、同項の政令で定める地域ごとに都道府県知事が定める。

(3) The fuel standards referred to in paragraph (1) shall be prescribed by the prefectural governor, for each of the areas prescribed by a Cabinet Order pursuant to the same paragraph, in accordance with the standards prescribed by the Minister of the Environment, for the types of fuels prescribed by an Ordinance of Ministry of the Environment.

4 環境大臣は、第一項の政令の制定又は改廃の立案をしようとするときは、関係都道府県知事の意見をきかなければならない。

(4) When the Minister of the Environment wishes to propose the formulation, revision, or abolition of a Cabinet Order under paragraph (1), the Minister of the Environment shall hear the opinions of the prefectural governors concerned.

5 都道府県知事は、第三項の規定により燃料使用基準を定めるときは、公示しなければならない。これを変更し、又は廃止するときも、同様とする。

(5) The prefectural governor shall give public notice when establishing the fuel

standards under paragraph (1). The same shall apply when prefectural governor changes or abolishes it.

(指定地域における燃料の使用に関する措置)

(Measures Concerning the Use of Fuel in a Designated Area)

第十五条の二 都道府県知事は、いおう酸化物に係る指定地域において、特定工場等以外の工場又は事業場における燃料の使用が燃料使用基準に適合しないと認めるときは、当該工場又は事業場の設置者に対し、期限を定めて、燃料使用基準に従うべきことを勧告することができる。

Article 15-2 (1) When the prefectural governor finds that in a designated area for sulfur oxides, the use of fuel at a factory or workplace other than a specified factory, etc. fails to conform with the fuel standards, the prefectural governor may recommend that the person who established said factory or workplace comply with the fuel standards before a specified time limit.

2 都道府県知事は、前項の規定による勧告を受けた者がその勧告に従わなかつたときは、期限を定めて、当該燃料使用基準に従うべきことを命ずることができる。

(2) When a person who has received a recommendation pursuant to the provisions of the preceding paragraph has failed to comply with said recommendation, the prefectural governor may order that person to comply with said fuel standards before a specified time limit.

3 第一項の燃料使用基準は、いおう酸化物に係るばい煙発生施設が設置されている特定工場等以外の工場又は事業場について定める基準とし、環境省令で定める燃料の種類について、指定ばい煙の総量の削減に関し環境大臣が定める基準に従い、いおう酸化物に係る指定地域ごとに都道府県知事が定める。

(3) The fuel standards under paragraph (1) shall be prescribed by the prefectural governor for each designated area for sulfur oxides, in accordance with the standards prescribed by the Minister of the Environment in relation to the reduction of the total quantity of designated soot and smoke, for the types of fuel prescribed by an Ordinance of Ministry of the Environment, as the standards prescribed for factories or workplaces other than specified factories, etc., in which Facilities That Generate Soot and Smoke in connection with sulfur oxides are in place.

4 都道府県知事は、必要があると認めるときは、当該指定地域を二以上の区域に区分し、それらの区域ごとに第一項の燃料使用基準を定めることができる。

(4) A prefectural governor may, when the prefectural governor finds necessary, subdivide said designated area into two or more zones, and prescribe the fuel standards under paragraph (1) for each of such zones.

5 前条第五項の規定は、第一項の燃料使用基準について準用する。

(5) The provisions under paragraph (5) of the preceding Article shall apply mutatis mutandis to the fuel standards under paragraph (1).

(ばい煙量等の測定)

**(Measurement of the Quantity of Soot and Smoke)**

第十六条 ばい煙排出者は、環境省令で定めるところにより、当該ばい煙発生施設に係るばい煙量又はばい煙濃度を測定し、その結果を記録しておかなければならない。

Article 16 A Soot and Smoke Emitter shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, measure the quantity of Soot and Smoke or concentration of Soot and Smoke at said facilities that generate Soot and Smoke, and keep a record of the results thereof.

(事故時の措置)

**(Measures in the Event of an Accident)**

第十七条 ばい煙発生施設を設置している者又は物の合成、分解その他の化学的処理に伴い発生する物質のうち人の健康若しくは生活環境に係る被害を生ずるおそれがあるものとして政令で定めるもの（以下「特定物質」という。）を発生する施設（ばい煙発生施設を除く。以下「特定施設」という。）を工場若しくは事業場に設置している者は、ばい煙発生施設又は特定施設について故障、破損その他の事故が発生し、ばい煙又は特定物質が大気中に多量に排出されたときは、直ちに、その事故について応急の措置を講じ、かつ、その事故を速やかに復旧するように努めなければならない。

Article 17 (1) Any person who has in place Facilities That Generate Soot and Smoke or any person who has in place facilities at a factory or workplace that, in the process of synthesis, decomposition, or other chemical processes of substances, generate substances that include any substance specified by a Cabinet Order as likely to harm human health or the living environment (excluding Facilities That Generate Soot and Smoke; hereinafter referred to as "Specified Facilities") (such a substance is hereinafter referred to as a "Specified Substance(s)") shall, when a breakdown, damage, or other accident occurs at the Facilities That Generate Soot and Smoke or at the Specified Facilities and a large quantity of Soot and Smoke or a Specified Substance has been emitted into the atmosphere, immediately take emergency measures in response to said accident, and shall endeavor to carry out restoration promptly.

2 前項の場合においては、同項に規定する者は、直ちに、その事故の状況を都道府県知事に通報しなければならない。ただし、石油コンビナート等災害防止法（昭和五十年法律第八十四号）第二十三条第一項の規定による通報をした場合は、この限りでない。

(2) In the case referred to in the preceding paragraph, the person specified in the same paragraph shall immediately notify the prefectural governor of the status of the accident. However, this shall not apply where a notification has been submitted pursuant to the provisions of Article 23, paragraph (1) of the Act on the Prevention of Disasters in Petroleum Industrial Complexes and Other Petroleum Facilities (Act No. 84 of 1975).

3 都道府県知事は、第一項に規定する事故が発生した場合において、当該事故に係る

工場又は事業場の周辺の区域における人の健康が損なわれ、又は損なわれるおそれがあると認めるときは、その事故に係る同項に規定する者に対し、その事故の拡大又は再発の防止のため必要な措置をとるべきことを命ずることができる。

(3) Where an accident under paragraph (1) has occurred, when the prefectural governor finds that there has been or is likely to be damage to human health in the zone near said factory or workplace, the prefectural governor may order the person referred to in the same paragraph in connection with said accident to take the necessary measures to prevent the worsening of said accident or its recurrence.

## 第二章の二 揮発性有機化合物の排出の規制等

### Chapter II-2 Regulation of Volatile Organic Compound Emissions

(施策等の実施の指針)

(Guidelines for the Implementation of Policies)

第十七条の二 揮発性有機化合物の排出及び飛散の抑制に関する施策その他の措置は、この章に規定する揮発性有機化合物の排出の規制と事業者が自主的に行う揮発性有機化合物の排出及び飛散の抑制のための取組とを適切に組み合わせて、効果的な揮発性有機化合物の排出及び飛散の抑制を図ることを旨として、実施されなければならない。

Article 17-2 Policies and other measures related to controlling the emission and dispersal of Volatile Organic Compounds shall be implemented with the aim to effectively control the emission and dispersal of Volatile Organic Compounds, through an appropriate combination of regulations on emissions of Volatile Organic Compounds as prescribed in this Chapter, together with voluntary efforts by business operators to control the emission and dispersal of Volatile Organic Compounds.

(排出基準)

(Emissions Standards)

第十七条の三 揮発性有機化合物に係る排出基準は、揮発性有機化合物排出施設の排出口から大気中に排出される排出物に含まれる揮発性有機化合物の量（以下「揮発性有機化合物濃度」という。）について、施設の種類及び規模ごとの許容限度として、環境省令で定める。

Article 17-3 Emissions standards for Volatile Organic Compounds shall be prescribed by an Ordinance of the Ministry of the Environment as the maximum permissible limits for each type and size of the facilities, stated in terms of the quantity of Volatile Organic Compounds contained in the emissions emitted into the atmosphere from an outlet of facilities that emit Volatile Organic Compounds (hereinafter referred to as "Concentration of Volatile Organic Compounds").

(揮発性有機化合物排出施設の設置の届出)

**(Notification of Setting in Place Facilities that Emit Volatile Organic Compounds)**

第十七条の四 揮発性有機化合物を大気中に排出する者は、揮発性有機化合物排出施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

**Article 17-4 (1) Any person who emits Volatile Organic Compounds into the atmosphere shall, when the person wishes to set in place facilities that emit Volatile Organic Compounds, submit a notification to the prefectural governor notifying him/her of the following matters, pursuant to the provisions of an Ordinance of the Ministry of the Environment:**

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

**(i) The name and address, as well as the name of the representative, if the relevant person is a juridical person;**

二 工場又は事業場の名称及び所在地

**(ii) The name and location of the factory or workplace;**

三 揮発性有機化合物排出施設の種類

**(iii) The type of the relevant person's facilities that emit Volatile Organic Compounds;**

四 揮発性有機化合物排出施設の構造

**(iv) The structure of the facilities that emit Volatile Organic Compounds;**

五 揮発性有機化合物排出施設の使用の方法

**(v) The way in which the facilities that emit Volatile Organic Compounds will be used; and**

六 揮発性有機化合物の処理の方法

**(vi) The way of disposing of the Volatile Organic Compounds.**

2 前項の規定による届出には、揮発性有機化合物濃度及び揮発性有機化合物の排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

**(2) The notification pursuant to the provisions of the preceding paragraph shall be accompanied by documents stating the Concentration of Volatile Organic Compounds, the way in which the Volatile Organic Compounds will be emitted, and any other matters prescribed by an Ordinance of the Ministry of the Environment.**

(経過措置)

**(Transitional Measures)**

第十七条の五 一の施設が揮発性有機化合物排出施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつて揮発性有機化合物を大気中に排出するものは、当該施設が揮発性有機化合物排出施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。



Article 17-5 (1) Any person who already has said facilities in place at the time of their designation as facilities that emit Volatile Organic Compounds (including a person who is constructing such facilities) and who will emit Volatile Organic Compounds into the atmosphere shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, submit a notification to the prefectural governor notifying the prefectural governor of the matters listed under each item of paragraph (1) of the preceding Article, within 30 days from the date that said facilities are designated as facilities that emit Volatile Organic Compounds.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(揮発性有機化合物排出施設の構造等の変更の届出)

(Notification of a Change in the Structure of Facilities that Emit Volatile Organic Compounds)

第十七条の六 第十七条の四第一項又は前条第一項の規定による届出をした者は、その届出に係る第十七条の四第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

Article 17-6 (1) When any person who has submitted a notification pursuant to the provisions of Article 17-4, paragraph (1) or paragraph (1) of the preceding Article wishes to change any of the matters listed under items (iv) through (vi) of Article 17-4, paragraph (1), the person shall notify the prefectural governor to that effect, in accordance with the provisions of an Ordinance of the Ministry of the Environment.

2 第十七条の四第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of Article 17-4, paragraph (2) shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(計画変更命令等)

(Order to Change a Plan)

第十七条の七 都道府県知事は、第十七条の四第一項又は前条第一項の規定による届出があつた場合において、その届出に係る揮発性有機化合物排出施設に係る揮発性有機化合物濃度がその揮発性有機化合物排出施設に係る排出基準（第十七条の三の排出基準をいう。以下この章において「排出基準」という。）に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係る揮発性有機化合物排出施設の構造若しくは使用の方法若しくは揮発性有機化合物の処理の方法に関する計画の変更（前条第一項の規定による届出に係る計画の廃止を含む。）又は第十七条の四第一項の規定による届出に係る揮発性有機化合物排出施設

の設置に関する計画の廃止を命ずることができる。

Article 17-7 Where a notification has been submitted pursuant to the provisions of Article 17-4, paragraph (1) or paragraph (1) of the preceding Article, when the prefectural governor finds that the quantity of Volatile Organic Compounds or the Concentration of Volatile Organic Compounds will fail to conform with the emissions standards (meaning the emissions standards under Article 17-3; hereinafter referred to as "emissions standards" in this Chapter), the prefectural governor may, within 60 days after the date of the acceptance of the notification, order the person who submitted the notification to change the plan in terms of the structure of the facilities that emit Volatile Organic Compounds, the way in which the facilities will be used, or the way in which the Volatile Organic Compounds from said facilities will be disposed of (changes may include the discontinuance of the plan under a notification pursuant to the provisions of paragraph (1) of the preceding Article), or to discontinue the plan to set in place facilities that emit Volatile Organic Compounds under a notification pursuant to the provisions of Article 17-4, paragraph (1).

(実施の制限)

(Restrictions on Implementation)

第十七条の八 第十七条の四第一項の規定による届出をした者又は第十七条の六第一項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係る揮発性有機化合物排出施設を設置し、又はその届出に係る揮発性有機化合物排出施設の構造若しくは使用の方法若しくは揮発性有機化合物の処理の方法の変更をしてはならない。

Article 17-8 No person who has submitted a notification pursuant to the provisions of Article 17-4, paragraph (1) shall set in place the facilities that emit Volatile Organic Compounds under said notification, nor shall any person who has submitted a notification pursuant to the provisions of Article 17-6, paragraph (1) change the structure of the facilities that emit Volatile Organic Compounds under said notification, the way in which those facilities are used, or the way in which the Volatile Organic Compounds are disposed of, until 60 days have elapsed since the date on which the notification was accepted.

(排出基準の遵守義務)

(Obligation to Comply with Emissions Standards)

第十七条の九 揮発性有機化合物排出施設から揮発性有機化合物を大気中に排出する者(以下「揮発性有機化合物排出者」という。)は、その揮発性有機化合物排出施設に係る排出基準を遵守しなければならない。

Article 17-9 Any person who emits Volatile Organic Compounds into the atmosphere from facilities that emit Volatile Organic Compounds (hereinafter

referred to as a "Volatile Organic Compound Emitter") shall comply with emission standards for said facilities that emit Volatile Organic Compounds.

(改善命令等)

(Order for Improvement)

第十七条の十 都道府県知事は、揮発性有機化合物排出者が排出する揮発性有機化合物の排出口における揮発性有機化合物濃度が排出基準に適合しないと認めるときは、当該揮発性有機化合物排出者に対し、期限を定めて当該揮発性有機化合物排出施設の構造若しくは使用の方法若しくは当該揮発性有機化合物排出施設に係る揮発性有機化合物の処理の方法の改善を命じ、又は当該揮発性有機化合物排出施設の使用の一時停止を命じることができる。

Article 17-10 When the prefectural governor finds that the concentration of Volatile Organic Compounds emitted from an outlet by a Volatile Organic Compound emitter fails to conform with emissions standards, prefectural governor may specify a time limit and order the Volatile Organic Compound Emitter to make improvements in the structure of the facilities that emit Volatile Organic Compounds, the way in which those facilities are used, or the way in which the Volatile Organic Compounds are disposed of, or to temporarily suspend the use of the facilities that emit Volatile Organic Compounds.

(揮発性有機化合物濃度の測定)

(Measurement of Concentrations of Volatile Organic Compounds)

第十七条の十一 揮発性有機化合物排出者は、環境省令で定めるところにより、当該揮発性有機化合物排出施設に係る揮発性有機化合物濃度を測定し、その結果を記録しておかなければならない。

Article 17-11 A Volatile Organic Compound Emitter shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, measure the Concentration of Volatile Organic Compounds for said facilities that emit Volatile Organic compounds, and shall keep a record of the results thereof.

(準用)

(Application of Provisions)

第十七条の十二 第十条第二項の規定は、第十七条の八の規定による実施の制限について準用する。

Article 17-12 (1) The provisions of Article 10, paragraph (2) shall apply mutatis mutandis to the restrictions on implementation pursuant to the provisions of Article 17-8.

2 第十一条及び第十二条の規定は、第十七条の四第一項又は第十七条の五第一項の規定による届出をした者について準用する。

(2) The provisions of Articles 11 and 12 shall apply mutatis mutandis to a person

who has submitted a notification pursuant to the provisions of Article 17-4, paragraph (1) or Article 17-5, paragraph (1).

3 第十三条第二項の規定は、第十七条の十の規定による命令について準用する。

(3) The provisions of Article 13, paragraph (2) shall apply mutatis mutandis to an order pursuant to the provisions of Article 17-10.

(事業者の責務)

(Responsibilities of Business Operators)

第十七条の十三 事業者は、その事業活動に伴う揮発性有機化合物の大気中への排出又は飛散の状況を把握するとともに、当該排出又は飛散を抑制するために必要な措置を講ずるようにしなければならない。

Article 17-13 Business operators shall take the necessary measures for determining the status of the emission or dispersal of Volatile Organic Compounds associated with said business activities into the atmosphere, and to control that emission and dispersal.

(国民の努力)

(Efforts by the People)

第十七条の十四 何人も、その日常生活に伴う揮発性有機化合物の大気中への排出又は飛散を抑制するように努めるとともに、製品の購入に当たって揮発性有機化合物の使用量の少ない製品を選択すること等により揮発性有機化合物の排出又は飛散の抑制を促進するよう努めなければならない。

Article 17-14 Every person shall endeavor to control the emission and dispersal of Volatile Organic Compounds into the atmosphere that occurs in connection with the person's daily activities, and shall endeavor to further controls on the emission and dispersal of Volatile Organic Compounds by selecting products that use a smaller quantity of Volatile Organic Compounds, etc.

### 第二章の三 粉じんに関する規制

#### Chapter II-3 Regulations on Particulates

(一般粉じん発生施設の設置等の届出)

(Notification of Setting in Place Facilities that Generate Ordinary Particulates)

第十八条 一般粉じん発生施設を設置しようとする者は、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 18 (1) Any person who wishes to set in place Facilities That Generate Ordinary Particulates shall submit a notification to the prefectural governor notifying the prefectural governor of the following matters, pursuant to the provisions of an Ordinance of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) The name and address, as well as the name of the representative, if the

relevant person is a juridical person;

二 工場又は事業場の名称及び所在地

(ii) The name and location of the factory or workplace;

三 一般粉じん発生施設の種類

(iii) The type of the relevant person's Facilities That Generate Ordinary Particulates;

四 一般粉じん発生施設の構造

(iv) The structure of the Facilities That Generate Ordinary Particulates; and

五 一般粉じん発生施設の使用及び管理の方法

(v) The way in which the Facilities That Generate Ordinary Particulates will be used and managed.

2 前項の規定による届出には、一般粉じん発生施設の配置図その他の環境省令で定める書類を添附しなければならない。

(2) The notification pursuant to the provisions of the preceding paragraph shall be accompanied by a layout diagram of the Facilities That Generate Ordinary Particulates, and any other documents prescribed by an Ordinance of the Ministry of the Environment.

3 第一項又は次条第一項の規定による届出をした者は、その届出に係る第一項第四号及び第五号に掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

(3) When a person who has submitted a notification pursuant to the provisions of paragraph (1) above or paragraph (1) of the following Article wishes to change any of the matters listed under paragraph (1), items (iv) and (v), the person shall notify the prefectural governor to that effect, in accordance with the provisions of an Ordinance of the Ministry of the Environment.

(経過措置)

(Transitional Measures)

第十八条の二 一の施設が一般粉じん発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）は、当該施設が一般粉じん発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 18-2 (1) Any person who already has said facilities in place at the time of their designation as Facilities That Generate Ordinary Particulates (including a person who is constructing such facilities) shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, submit a notification to the prefectural governor notifying the prefectural governor of the matters listed under each item of paragraph (1) of the preceding Article within 30 days from the date that said facilities were designated as facilities that generate ordinary Particulates.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to notifications under the provisions of the preceding paragraph.

(基準遵守義務)

(Obligation to Comply with Standards)

第十八条の三 一般粉じん発生施設を設置している者は、当該一般粉じん発生施設について、環境省令で定める構造並びに使用及び管理に関する基準を遵守しなければならない。

Article 18-3 A person who has in place Facilities That Generate Ordinary Particulates shall comply with the standards prescribed by an Ordinance of the Ministry of the Environment in terms of the structure, use, and management of said Facilities That Generate Ordinary Particulates.

(基準適合命令等)

(Order to Conform to the Standards)

第十八条の四 都道府県知事は、一般粉じん発生施設を設置している者が前条の基準を遵守していないと認めるときは、その者に対し、期限を定めて当該一般粉じん発生施設について同条の基準に従うべきことを命じ、又は当該一般粉じん発生施設の使用の一時停止を命ずることができる。

Article 18-4 When a prefectural governor finds that a person who has in place Facilities That Generate Ordinary Particulate is not complying with the standards under the preceding Article, the prefectural governor may specify a time limit and order that person to comply with the standards under the same Article for the Facilities That Generate Ordinary Particulates or to temporarily suspend the use of the Facilities That Generate Ordinary Particulates.

(敷地境界基準)

(Site Boundary Standards)

第十八条の五 特定粉じん発生施設に係る隣地との敷地境界における規制基準（以下「敷地境界基準」という。）は、特定粉じん発生施設を設置する工場又は事業場における事業活動に伴い発生し、又は飛散する特定粉じんが工場又は事業場から大気中に排出され、又は飛散するものについて、特定粉じんの種類ごとに、工場又は事業場の敷地の境界線における大気中の濃度の許容限度として、環境省令で定める。

Article 18-5 Regulatory standards for site boundaries concerning the land adjacent to Facilities That Generate Specified Particulates (hereinafter referred to as "Site Boundary Standards") shall be prescribed by an Ordinance of the Ministry of the Environment, in terms of the maximum permissible limits for atmospheric concentrations at the boundary line of the site of a factory or workplace, for each type of specified particulate emitted or dispersed into the atmosphere from a factory or workplace that is generated or dispersed in connection with the business activities of a factory or workplace that has in

place Facilities That Generate Specified Particulates.

(特定粉じん発生施設の設置等の届出)

(Notification of Setting in Place Facilities That Generate Specified Particulates)

第十八条の六 特定粉じんを大気中に排出し、又は飛散させる者は、特定粉じん発生施設を設置しようとするときは、環境省令で定めるところにより、次の事項を都道府県知事に届け出なければならない。

Article 18-6 (1) Any person who will emit or cause the dispersal of a specified particulate into the atmosphere shall, when the person wishes to set in place Facilities That Generate Specified Particulates, submit a notification to the prefectural governor notifying the prefectural governor of the following matters, pursuant to the provisions of an Ordinance of the Ministry of the Environment:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) The name and address, as well as the name of the representative, if the relevant person is a juridical person;

二 工場又は事業場の名称及び所在地

(ii) The name and location of the factory or workplace;

三 特定粉じん発生施設の種類

(iii) The type of the relevant person's Facilities That Generate Specified Particulates;

四 特定粉じん発生施設の構造

(iv) The structure of the Facilities That Generate Specified Particulates; and

五 特定粉じん発生施設の使用の方法

(v) The way in which the Facilities That Generate Specified Particulates will be used; and

六 特定粉じんの処理又は飛散の防止の方法

(vi) The way of disposing of and preventing dispersal of Specified Particulates.

2 前項の規定による届出には、特定粉じん発生施設の配置図、特定粉じんの排出の方法その他の環境省令で定める事項を記載した書類を添付しなければならない。

(2) The notification pursuant to the provisions of the preceding paragraph shall be accompanied by a layout diagram of the Facilities That Generate Specified Particulates, and by documents stating the way in which the Specified Particulates will be emitted and listing any other matters prescribed by an Ordinance of the Ministry of the Environment.

3 第一項又は次条第一項の規定による届出をした者は、その届出に係る第一項第四号から第六号までに掲げる事項の変更をしようとするときは、環境省令で定めるところにより、その旨を都道府県知事に届け出なければならない。

(3) When a person who has submitted a notification pursuant to the provisions of paragraph (1) above or paragraph (1) of the following Article wishes to change any of the matters listed in paragraph (1), items (iv) and (vi) in relation to said

notification, the person shall notify the prefectural governor to that effect, in accordance with the provisions of an Ordinance of the Ministry of the Environment.

4 第二項の規定は、前項の規定による届出について準用する。

(4) The provisions of paragraph (2) shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(経過措置)

(Transitional Measures)

第十八条の七 一の施設が特定粉じん発生施設となつた際現にその施設を設置している者（設置の工事をしている者を含む。）であつて特定粉じんを大気中に排出し、又は飛散させるものは、当該施設が特定粉じん発生施設となつた日から三十日以内に、環境省令で定めるところにより、前条第一項各号に掲げる事項を都道府県知事に届け出なければならない。

Article 18-7 (1) Any person who already has said facilities in place at the time of their designation as facilities that generate Specified Particulates (including any person who is constructing such facilities) and who will emit or cause the dispersal of Specified Particulates into the atmosphere, shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, submit a notification to the prefectural governor notifying the prefectural governor of the matters listed under each item of paragraph (1) of the preceding Article within 30 days from the date that said facilities are designated as Facilities That Generate Specified Particulates.

2 前条第二項の規定は、前項の規定による届出について準用する。

(2) The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to a notification pursuant to the provisions of the preceding paragraph.

(計画変更命令等)

(Order to Change Plans)

第十八条の八 都道府県知事は、第十八条の六第一項又は第三項の規定による届出があつた場合において、その届出に係る特定粉じん発生施設が設置される工場又は事業場の敷地の境界線における大気中の特定粉じんの濃度が敷地境界基準に適合しないと認めるときは、その届出を受理した日から六十日以内に限り、その届出をした者に対し、その届出に係る特定粉じん発生施設の構造若しくは使用の方法若しくは特定粉じんの処理の方法若しくは飛散の防止の方法に関する計画の変更（同条第三項の規定による届出に係る計画の廃止を含む。）又は同条第一項の規定による届出に係る特定粉じん発生施設の設置に関する計画の廃止を命ずることができる。

Article 18-8 Where a notification has been submitted pursuant to the provisions of Article 18-6, paragraphs (1) or (3), when the prefectural governor finds that the atmospheric concentration of Specified Particulates at the boundary line of



the land adjacent to a factory or workplace that has in place Facilities That Generate Specified Particulates fails to conform with the boundary standards, the prefectural governor may, within 60 days after the date of the acceptance of the notification, order the person who submitted the notification to change the plan for the structure of the Facilities That Generate Specified Particulates, the way in which those facilities are used, or the way in which the Specified Particulates are disposed of or prevented from dispersing (such a change may include the discontinuance of a plan under notification pursuant to the provisions of paragraph (3) of the same Article), or to discontinue the plan for the establishment of the Facilities That Generate Specified Particulates under a notification pursuant to the provisions of paragraph (1) of the same Article.

(実施の制限)

**(Restrictions on Implementation)**

第十八条の九 第十八条の六第一項の規定による届出をした者又は同条第三項の規定による届出をした者は、その届出が受理された日から六十日を経過した後でなければ、それぞれ、その届出に係る特定粉じん発生施設を設置し、又はその届出に係る特定粉じん発生施設の構造若しくは使用の方法若しくは特定粉じんの処理の方法若しくは飛散の防止の方法の変更をしてはならない。

Article 18-9 No person who has submitted a notification pursuant to the provisions of Article 18-6, paragraph (1) shall set in place the Facilities That Generate Specified Particulates under that notification, nor shall any person who has submitted a notification pursuant to the provisions of paragraph (3) of the same Article change the structure of the Facilities That Generate Specified Particulates under that notification, the way in which those facilities are used, or the way in which the Specified Particulates are disposed of or their dispersal prevented, until 60 days have elapsed since the date on which the notification was accepted.

(敷地境界基準の遵守義務)

**(Obligation to Comply with Site Boundary Standards)**

第十八条の十 特定粉じん発生施設を設置する工場又は事業場における事業活動に伴い発生し、又は飛散する特定粉じんを工場又は事業場から大気中に排出し、又は飛散させる者（以下「特定粉じん排出者」という。）は、敷地境界基準を遵守しなければならない。

Article 18-10 Any person who emits or causes to be dispersed into the atmosphere from a factory or workplace the Specified Particulates generated or dispersed in connection with the business activities of a factory or workplace that has in place Facilities That Generate Specified Particulates (hereinafter referred to as a "Specified Particulate Emitter") shall comply with boundary standards.

(改善命令等)

**(Orders for Improvement)**

第十八条の十一 都道府県知事は、特定粉じん排出者が排出し、又は飛散させる特定粉じんの当該工場又は事業場の敷地の境界線における大気中の濃度が敷地境界基準に適合しないと認めるときは、当該特定粉じん排出者に対し、期限を定めて当該特定粉じん発生施設の構造若しくは使用の方法の改善若しくは特定粉じんの処理の方法若しくは飛散の防止の方法の改善を命じ、又は当該特定粉じん発生施設の使用の一時停止を命ずることができる。

Article 18-11 When the prefectural governor finds that the atmospheric concentration of Specified Particulates emitted or caused to be dispersed by a Specified Particulate Emitter at the boundary line of land adjacent to the factory or workplace of Facilities That Generate Specified Particulates, fails to conform with the boundary standards, the prefectural governor may order the Specified Particulate Emitter to make improvements to the structure of the Facilities That Generate Specified Particulates, the way in which those facilities are used, or the way in which the Specified Particulates are disposed of or their dispersal prevented, or may order said emitter to temporarily suspend the use of the Facilities That Generate Specified Particulates.

(特定粉じんの濃度の測定)

**(Measurement of Specified Particulate Concentrations)**

第十八条の十二 特定粉じん排出者は、環境省令で定めるところにより、その工場又は事業場の敷地の境界線における大気中の特定粉じんの濃度を測定し、その結果を記録しておかなければならない。

Article 18-12 A Specified Particulate Emitter shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, measure the Concentration of Specified Particulates in the atmosphere at the site boundary line of said factory or workplace, and shall keep a record of the results thereof.

(準用)

**(Application of Provisions)**

第十八条の十三 第十条第二項の規定は、第十八条の九の規定による実施の制限について準用する。

Article 18-13 (1) The provisions of Article 10, paragraph (2) shall apply mutatis mutandis to the restrictions on implementation pursuant to the provisions of Article 18-9.

2 第十一条及び第十二条の規定は、第十八条第一項、第十八条の二第一項、第十八条の六第一項又は第十八条の七第一項の規定による届出をした者について準用する。

(2) The provisions of Articles 11 and 12 shall apply mutatis mutandis to a person who submitted a notification pursuant to the provisions of Article 18,

paragraph (1), Article 18-2, paragraph (1), Article 18-6, paragraph (1), or Article 18-7 paragraph (1).

3 第十三条第二項の規定は、第十八条の四及び第十八条の十一の規定による命令について準用する。

(3) The provisions of Article 13, paragraph (2) shall apply mutatis mutandis to an order pursuant to the provisions of Articles 18-4 and 18-11.

(作業基準)

(Activity Standards)

第十八条の十四 特定粉じん排出等作業に係る規制基準（以下「作業基準」という。）は、特定粉じんの種類及び特定粉じん排出等作業の種類ごとに、特定粉じん排出等作業の方法に関する基準として、環境省令で定める。

Article 18-14 Regulatory standards for Activities That Emit, etc. Specified Particulates (hereinafter referred to as "Activity Standards") shall be prescribed by an Ordinance of the Ministry of the Environment as standards for the methods for Activities That Emit, etc. Specified Particulates are done, for each type of specified particulate, and for each type of Activity That Emits, etc. Specified Particulates.

(特定粉じん排出等作業の実施の届出)

(Notification of the Implementation of Activities that Emit, . Specified Particulates)

第十八条の十五 特定粉じん排出等作業を伴う建設工事（以下「特定工事」という。）を施工しようとする者は、特定粉じん排出等作業の開始の日の十四日前までに、環境省令で定めるところにより、次に掲げる事項を都道府県知事に届け出なければならない。ただし、災害その他非常の事態の発生により特定粉じん排出等作業を緊急に行う必要がある場合は、この限りでない。

Article 18-15 (1) A person who wishes to undertake construction work associated with Activities That Emit, etc. Specified Particulates (hereinafter referred to as "Specified Work") shall submit a notification to the prefectural governor, pursuant to the provisions of an Ordinance of the Ministry of the Environment, notifying the prefectural governor of the following matters by no later than 14 days prior to the date of commencement of the Activities That Emit, etc. Specified Particulates. However, this shall not apply when it is necessary to urgently carry out Activities That Emit, etc. Specified Particulates due to the occurrence of a disaster or other emergency.

Specified Particulates. However, this shall not apply when it is necessary to urgently carry out Activities That Emit, etc. Specified Particulates due to the occurrence of a disaster or other emergency.

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) The name and address of the person, as well as the name of the representative, if the relevant person is a juridical person;

二 特定工事の場所

(ii) The location of the specified work;

三 特定粉じん排出等作業の種類

(iii) The type of the relevant person's Activities That Emit, etc. Specified Particulates;

四 特定粉じん排出等作業の実施の期間

(iv) The implementation period for the Activities That Emit, etc. Specified Particulates;

五 特定粉じん排出等作業の対象となる建築物等の部分における特定建築材料の種類並びにその使用箇所及び使用面積

(v) The type of specified building material used in the section of the building, etc. where the Activities That Emit, etc. Specified Particulates will be undertaken, as well as the locations and amount of area used;

六 特定粉じん排出等作業の方法

(vi) The way of carrying out Activities That Emit, etc. Specified Particulates;

2 前項ただし書の場合において、当該特定粉じん排出等作業を伴う特定工事を施工する者は、速やかに、同項各号に掲げる事項を都道府県知事に届け出なければならない。

(2) In the case under the proviso to the preceding paragraph, a person undertaking Specified Work in connection with Activities That Emit, etc. Specified Particulates shall promptly submit a notification to the prefectural governor notifying the prefectural governor of the matters listed in each item of the preceding paragraph.

3 前二項の規定による届出には、当該特定粉じん排出等作業の対象となる建築物等の配置図その他の環境省令で定める事項を記載した書類を添付しなければならない。

(3) A notification pursuant to the provisions of the preceding two paragraphs shall be accompanied by a layout diagram of the building, etc. where the Activities That Emit, etc. Specified Particulates will be undertaken, and any other matters prescribed by an Ordinance of the Ministry of the Environment.

(計画変更命令)

(Order to Change Plans)

第十八条の十六 都道府県知事は、前条第一項の規定による届出があつた場合において、その届出に係る特定粉じん排出等作業の方法が作業基準に適合しないと認めるときは、その届出を受理した日から十四日以内に限り、その届出をした者に対し、その届出に係る特定粉じん排出等作業の方法に関する計画の変更を命ずることができる。

Article 18-16 Where a notification has been made pursuant to the provisions of paragraph (1) of the preceding Article, when the prefectural governor finds that the way of carrying out Activities That Emit, etc. Specified Particulates under that notification, fail to conform with Activity Standards, the prefectural governor may, within 14 days of his/her acceptance of the notification, order the person who submitted the notification to change the plan for the way of carrying out Activities That Emit, etc. Specified Particulates under that notification.

(作業基準の遵守義務)

(Obligation to Comply with Activity Standards)

第十八条の十七 特定工事を施工する者は、当該特定工事における特定粉じん排出等作業について、作業基準を遵守しなければならない。

Article 18-17 A person undertaking Specified Works shall comply with the Activity Standards for the Activities That Emit, etc. Specified Particulates in said Specified Works.

(作業基準適合命令等)

(Order to Conform to Activity Standards)

第十八条の十八 都道府県知事は、特定工事を施工する者が当該特定工事における特定粉じん排出等作業について作業基準を遵守していないと認めるときは、その者に対し、期限を定めて当該特定粉じん排出等作業について作業基準に従うべきことを命じ、又は当該特定粉じん排出等作業の一時停止を命ずることができる。

Article 18-18 When a prefectural governor finds that a person undertaking Specified Works is not conforming to Activity Standards for the Activities That Emit, etc. Specified Particulates in the Specified Works, the prefectural governor may specify a time limit and order the person to comply with the Activity Standards for the Activities That Emit, etc. Specified Particulates or to temporarily suspend the activities that emit, etc. Specified Particulates.

(注文者の配慮)

(Consideration by the Orderer)

第十八条の十九 特定工事の注文者は、当該特定工事を施工する者に対し、施工方法、工期等について、作業基準の遵守を妨げるおそれのある条件を付さないように配慮しなければならない。

Article 18-19 A person who orders Specified Works shall give due consideration to ensure that the person is not attaching conditions that may prevent the person undertaking said Specified Works from complying with Activity Standards with respect to the way in which the work is carried out, the work schedule, etc.

## 第二章の四 有害大気汚染物質対策の推進

### Chapter II-4 Promotion of Countermeasures for Hazardous Air Pollutants

(施策等の実施の指針)

(Guidelines for the Implementation of Policies)

第十八条の二十 有害大気汚染物質による大気汚染の防止に関する施策その他の措置は、科学的知見の充実の下に、将来にわたって人の健康に係る被害が未然に防止されるようにすることを旨として、実施されなければならない。

Article 18-20 Policies and other measures in connection with the prevention of air pollution by hazardous air pollutants shall be implemented with the aim of preventing future damage to human health while advancing scientific knowledge.

(事業者の責務)

(Responsibility of Business Operators)

第十八条の二十一 事業者は、その事業活動に伴う有害大気汚染物質の大気中への排出又は飛散の状況を把握するとともに、当該排出又は飛散を抑制するために必要な措置を講ずるようにしなければならない。

Article 18-21 Business operators shall take the necessary measures to determine the status of the emission and dispersal into the atmosphere of hazardous air pollutants associated with their business activities, and to control such emission and dispersal.

(国の施策)

(State Policies)

第十八条の二十二 国は、地方公共団体との連携の下に有害大気汚染物質による大気汚染の状況を把握するための調査の実施に努めるとともに、有害大気汚染物質の人の健康に及ぼす影響に関する科学的知見の充実に努めなければならない。

Article 18-22 (1) The State shall endeavor to implement studies in collaboration with local public entities in order to determine the status of air pollution by hazardous air pollutants, and shall endeavor to advance scientific knowledge concerning the effects of hazardous air pollutants on human health.

2 国は、前項の調査の実施状況及び同項の科学的知見の充実の程度に応じ、有害大気汚染物質ごとに大気汚染による人の健康に係る被害が生ずるおそれの程度を評価し、その成果を定期的に公表しなければならない。

(2) The State shall, in accordance with the implementation status of studies and the degree of advancement in scientific knowledge under the preceding paragraph, evaluate the degree of risk with regard to damage to human health from air pollution for each hazardous air pollutant, and shall periodically make public the results of such evaluation.

3 国は、事業者が前条の措置を講ずることを促進し、及び次条の地方公共団体の施策が推進されることに資するため、有害大気汚染物質の排出又は飛散の抑制のための技術に関する情報を収集整理し、及びその成果の普及を図るように努めなければならない。

(3) The State shall, in order to encourage business operators to undertake the measures under the preceding Article and contribute to the promotion of measures by local public entities under the following Article, collect and organize information on techniques and technologies for controlling the emission or dispersal of hazardous air pollutants, and endeavor to disseminate

the results thereof.

(地方公共団体の施策)

(Local Public Entity Policies)

第十八条の二十三 地方公共団体は、その区域に係る有害大気汚染物質による大気の汚染の状況を把握するための調査の実施に努めなければならない。

Article 18-23 (1) Local public entities shall endeavor to implement studies in order to determine the status of air pollution by hazardous air pollutants in each of their areas.

2 地方公共団体は、事業者に対し、第十八条の二十一の措置を講ずることを促進するために必要な情報の提供を行うように努めるとともに、住民に対し、有害大気汚染物質による大気の汚染の防止に関する知識の普及を図るように努めなければならない。

(2) Local public entities shall endeavor to provide the necessary information to business operators to encourage the undertaking of measures under Article 18-21, and shall strive to disseminate knowledge about the prevention of air pollution from hazardous air pollutants.

(国民の努力)

(Efforts by the People)

第十八条の二十四 何人も、その日常生活に伴う有害大気汚染物質の大気中への排出又は飛散を抑制するように努めなければならない。

Article 18-24 Every person shall endeavor to control the emission and dispersal into the atmosphere of hazardous air pollutants associated with the activities of the person's daily life.

### 第三章 自動車排出ガスに係る許容限度等

#### Chapter III Maximum Permissible Limits for Automobile Exhaust

(許容限度)

(Maximum Permissible Limits)

第十九条 環境大臣は、自動車が一定の条件で運行する場合に発生し、大気中に排出される排出物に含まれる自動車排出ガスの量の許容限度を定めなければならない。

Article 19 (1) The Minister of the Environment shall prescribe maximum permissible limits for the quantity of automobile exhaust contained in the emissions generated by automobiles when operated under specified conditions and emitted into the atmosphere.

2 自動車排出ガスによる大気の汚染の防止を図るため、国土交通大臣は、道路運送車両法に基づく命令で、自動車排出ガスの排出に係る規制に関し必要な事項を定める場合には、前項の許容限度が確保されるとともに次条第一項の許容限度の確保に資することとなるように考慮しなければならない。

(2) To prevent air pollution from automobile exhaust, where the Minister of Land,

Infrastructure, Transport and Tourism prescribes the necessary matters in connection with regulations on the emission of automobile exhaust in orders based on the Road Transport Vehicle Act, the Minister shall give due consideration to contributing to compliance with the maximum permissible limits under the preceding paragraph and to compliance with the maximum permissible limits under paragraph (1) of the following Article.

3 環境大臣は、特定特殊自動車（特定特殊自動車排出ガスの規制等に関する法律（平成十七年法律第五十一号）第二条第一項に規定する特定特殊自動車をいう。）が一定の条件で使用される場合に発生し、大気中に排出される排出物に含まれる特定特殊自動車排出ガス（同条第三項に規定する特定特殊自動車排出ガスをいう。次項において同じ。）の量の許容限度を定めなければならない。

(3) The Minister of the Environment shall prescribe maximum permissible limits for the quantity of emissions from non-road special motor vehicles (meaning emissions from non-road special motor vehicles as specified in Article 2, paragraph (3) of the Act on Regulation, Etc. of Emissions From Non-road Special Motor Vehicles (Act No. 51 of May 25, 2005); the same shall apply in the following paragraph) contained in emissions generated and released into the atmosphere when a non-road special motor vehicle (meaning a non-road special motor vehicle pursuant to the provisions of paragraph (1) of the same Article) is used under specified conditions.

4 特定特殊自動車排出ガスによる大気汚染の防止を図るため、特定特殊自動車排出ガスの規制等に関する法律第五条に規定する主務大臣は、同条の技術上の基準を定める場合には、前項の許容限度が確保されるように考慮しなければならない。

(4) To prevent air pollution from emissions from non-road special motor vehicles, where the competent minister specified in Article 5 of the Act on Regulation, Etc. of Emissions From Non-road Special Motor Vehicles prescribes the technical standards under the same Article, the competent minister shall give due consideration to compliance with the maximum permissible limits under the preceding paragraph.

第十九条の二 環境大臣は、前条第一項の許容限度を定めるに当たって自動車排出ガスによる大気汚染の防止を図るため必要があると認めるときは、自動車の燃料の性状に関する許容限度又は自動車の燃料に含まれる物質の量の許容限度を定めなければならない。

Article 19-2 (1) When the Minister of the Environment finds it necessary for the prevention of air pollution from automobile exhaust, in prescribing the maximum permissible limits under paragraph (1) of the preceding Article, the Minister shall prescribe maximum permissible limits for the properties of automobile fuel, or maximum permissible limits for the quantity of substances contained in automobile fuel.

2 自動車排出ガスによる大気汚染の防止を図るため、経済産業大臣は、揮発油等の



品質の確保等に関する法律（昭和五十一年法律第八十八号）に基づく命令で自動車の燃料に係る規制に関し必要な事項を定める場合には、前項の許容限度が確保されるように考慮しなければならない。

- (2) To prevent air pollution from automobile exhaust, where the Minister of Economy, Trade and Industry prescribes the necessary matters in connection with regulations on automobile fuels in an order based on the Act on Quality Control for Gasoline and Other Fuels (Act No. 88 of 1976), the Minister shall give due consideration to compliance with the maximum permissible limits under the preceding paragraph.

（自動車排出ガスの濃度の測定）

(Measurement of Concentrations of Automobile Exhaust)

第二十条 都道府県知事は、交差点等があるため自動車の交通が渋滞することにより自動車排出ガスによる大気著しい汚染が生じ、又は生ずるおそれがある道路の部分及びその周辺の区域について、大気中の自動車排出ガスの濃度の測定を行なうものとする。

Article 20 Prefectural governors shall measure the concentrations of automobile exhaust in the atmosphere, on sections of roads or areas near roads where substantial air pollution from automobile exhaust occurs or is likely to occur due to traffic congestion caused by intersections, etc.

（測定に基づく要請等）

(Request for Actions Based on Measurements)

第二十一条 都道府県知事は、前条の測定を行なった場合において、自動車排出ガスにより道路の部分及びその周辺の区域に係る大気汚染が環境省令で定める限度をこえていると認められるときは、都道府県公安委員会に対し、道路交通法（昭和三十五年法律第百五号）の規定による措置をとるべきことを要請するものとする。

Article 21 (1) Where measurements under the preceding Article have been taken, when the prefectural governor finds that air pollution from automobile exhaust on sections of the roads or areas near roads are in excess of the limits prescribed by an Ordinance of Ministry of the Environment, the prefectural governor shall request said prefectural public safety commission to take measures pursuant to the provisions of the Road Traffic Act (Act No. 105 of 1960).

2 環境大臣は、前項の環境省令を定めようとするときは、あらかじめ、国家公安委員会に協議しなければならない。

(2) The Minister of the Environment shall, when the Minister wishes to establish the Ordinance of the Ministry of the Environment under the preceding paragraph, consult with the National Public Safety Commission.

3 都道府県知事は、第一項の規定により要請する場合を除くほか、前条の測定を行なった場合において特に必要があると認めるときは、当該道路の部分の構造の改善その他

自動車排出ガスの濃度の減少に資する事項に関し、道路管理者又は関係行政機関の長に意見を述べることができる。

(3) ,In addition to requests prescribed in paragraph (1), where the measurements under the preceding Article have been taken, when the prefectural governor finds it particularly necessary, the prefectural governor may state the prefectural governor's opinion to the road administrator or heads of said administrative organs with regard to improvements in the structure of said sections of road and other matters that contribute to reduction in concentrations of automobile exhaust.

(国民の努力)

(Efforts by the People)

第二十一条の二 何人も、自動車を運転し、若しくは使用し、又は交通機関を利用するに当たっては、自動車排出ガスの排出が抑制されるように努めなければならない。

Article 21-2 Every person shall endeavor to reduce automobile exhaust from their operation or use of automobiles, and their use of the transportation system.

#### 第四章 大気の汚染の状況の監視等

#### Chapter IV Monitoring of Air Pollution Levels

(常時監視)

(Continuous Monitoring)

第二十二条 都道府県知事は、大気の汚染の状況を常時監視しなければならない。

Article 22 (1) Prefectural governors shall continuously monitor the status of air pollution.

2 都道府県知事は、前項の常時監視の結果を環境大臣に報告しなければならない。

(2) Prefectural governors shall report the results of the continuous monitoring under the preceding paragraph to the Minister of the Environment.

(緊急時の措置)

(Emergency Measures)

第二十三条 都道府県知事は、大気の汚染が著しくなり、人の健康又は生活環境に係る被害が生ずるおそれがある場合として政令で定める場合に該当する事態が発生したときは、その事態を一般に周知させるとともに、ばい煙を排出する者、揮発性有機化合物を排出し、若しくは飛散させる者又は自動車の使用者若しくは運転者であつて、当該大気の汚染をさらに著しくするおそれがあると認められるものに対し、ばい煙の排出量若しくは揮発性有機化合物の排出量若しくは飛散の量の減少又は自動車の運行の自主的制限について協力を求めなければならない。

Article 23 (1) When a situation arises as specified by a Cabinet Order wherein serious air pollution is likely to harm human health or living conditions, make

the situation broadly known to the public and, where a prefectural governor finds that persons emitting Soot and Smoke, persons emitting or causing to be dispersed Volatile Organic Compounds, or users or operators of automobiles are likely to further increase the seriousness of the air pollution, the prefectural governor shall seek their cooperation to reduce the emissions of Soot and Smoke, or emissions or dispersal of Volatile Organic Compounds, or to exercise voluntary restraint in the operation of automobiles.

2 都道府県知事は、気象状況の影響により大気の汚染が急激に著しくなり、人の健康又は生活環境に重大な被害が生ずる場合として政令で定める場合に該当する事態が発生したときは、当該事態がばい煙又は揮発性有機化合物に起因する場合にあつては、環境省令で定めるところにより、ばい煙排出者又は揮発性有機化合物排出者に対し、ばい煙量若しくはばい煙濃度又は揮発性有機化合物濃度の減少、ばい煙発生施設又は揮発性有機化合物排出施設の使用の制限その他必要な措置をとるべきことを命じ、当該事態が自動車排出ガスに起因する場合にあつては、都道府県公安委員会に対し、道路交通法の規定による措置をとるべきことを要請するものとする。

(2) When, due to meteorological conditions, a situation specified by Cabinet Order suddenly arises wherein serious air pollution is likely to seriously harm human health or living conditions, the prefectural governor shall, pursuant to the provisions of an Ordinance of the Ministry of the Environment, order Soot and Smoke emitters or Volatile Organic Compound Emitters to reduce the Soot and Smoke quantity, Soot and Smoke concentration, or Concentration of Volatile Organic Compounds, to restrict the use of facilities that generate Soot and Smoke or Volatile Organic Compound emitting facilities, and to take other necessary measures, where the situation is caused by Soot and Smoke or Volatile Organic Compounds; and shall request said prefectural public safety commission to take measures pursuant to the provisions of the Road Traffic Act, where the situation is caused by automobile emissions.

(公表)

(Public Announcements)

第二十四条 都道府県知事は、当該都道府県の区域に係る大気の汚染の状況を公表しなければならない。

Article 24 Prefectural governors shall make public the status of air pollution within the prefecture.

#### 第四章の二 損害賠償

#### Chapter IV-2 Damages

(無過失責任)

(Strict Liability)

第二十五条 工場又は事業場における事業活動に伴う健康被害物質（ばい煙、特定物質

又は粉じん、生活環境のみに係る被害を生ずるおそれがある物質として政令で定めるもの以外のものをいう。以下この章において同じ。)の大気中への排出(飛散を含む。以下この章において同じ。)により、人の生命又は身体を害したときは、当該排出に係る事業者は、これによつて生じた損害を賠償する責めに任ずる。

Article 25 (1) Where any person suffers fatal or bodily harm from the emission into the atmosphere (including dispersal; hereinafter the same shall apply in this Chapter) of any substance that is harmful to human health (meaning Soot and Smoke, specified substances, or Particulates, and excluding any substance specified by Cabinet Order as posing a risk of damage only to the living environment; hereinafter the same shall apply in this Chapter) associated with business activities at a factory or workplace, the business operator connected with said emissions shall be liable to compensate for any resulting damages.

2 一の物質が新たに健康被害物質となつた場合には、前項の規定は、その物質が健康被害物質となつた日以後の当該物質の排出による損害について適用する。

(2) Where a substance has been designated as a substance that is harmful to human health, the provisions under the preceding paragraph shall apply to the damages caused by emissions of said substance on or after the date on which said substance was designated as a substance that is harmful to human health.

第二十五条の二 前条第一項に規定する損害が二以上の事業者の健康被害物質の大気中への排出により生じ、当該損害賠償の責任について民法(明治二十九年法律第八十九号)第七百十九条第一項の規定の適用がある場合において、当該損害の発生に関しその原因となつた程度が著しく小さいと認められる事業者があるときは、裁判所は、その者の損害賠償の額を定めるについて、その事情をしんじやくすることができる。

Article 25-2 Where the damages specified under paragraph (1) of the preceding Article are caused by the emission into the atmosphere, by two or more business operators, of a substance that is harmful to human health, and where the provisions of Article 719, paragraph (1) of the Civil Code (Act No. 89 of 1896) apply to the responsibility to compensate for damages, when the amount of a business operator's emissions that caused the damages is found to be extremely small, the court may take the circumstances into consideration to determine the amount of such a person's compensation for damages.

(賠償についてのしんじやく)

(Considerations Regarding Compensation)

第二十五条の三 第二十五条第一項に規定する損害の発生に関して、天災その他の不可抗力が競合したときは、裁判所は、損害賠償の責任及び額を定めるについて、これをしんじやくすることができる。

Article 25-3 When a natural disaster or other force majeure is also involved in the occurrence of the damages specified in Article 25, paragraph (1), the court may take those factors into consideration to determine responsibility and the

amount of compensation for damages.

(消滅時効)

(Extinctive Prescription)

第二十五条の四 第二十五条第一項に規定する損害賠償の請求権は、被害者又はその法定代理人が損害及び賠償義務者を知った時から三年間行なわないときは、時効によって消滅する。損害の発生時から二十年を経過したときも、同様とする。

Article 25-4 The right to seek damages specified in Article 25, paragraph (1) shall lapse by prescription if not exercised within three years from the time when the injured party or the party's legal representative became aware of the damages and the person obligated to compensate therefor. The same shall apply when twenty years have elapsed from the time when the damages occurred.

(鉱業法の適用)

(Application of the Mining Act)

第二十五条の五 第二十五条第一項に規定する損害賠償の責任について鉱業法（昭和二十五年法律第二百八十九号）の適用があるときは、同法の定めるところによる。

Article 25-5 When the Mining Act (Act No. 289 of 1950) is applied to the responsibility to compensate for damages specified in Article 25, paragraph (1), that Act shall apply.

(適用除外)

(Exemptions)

第二十五条の六 この章の規定は、事業者が行なう事業に従事する者の業務上の負傷、疾病及び死亡に関しては、適用しない。

Article 25-6 The provisions of this Chapter shall not apply to injury, illness, or death in the course of duty by any person engaged in the business undertaken by a business operator.

## 第五章 雑則

### Chapter V Miscellaneous Provisions

(報告及び検査)

(Reporting and Inspection)

第二十六条 環境大臣又は都道府県知事は、この法律の施行に必要な限度において、政令で定めるところにより、ばい煙発生施設を設置している者、特定施設を工場若しくは事業場に設置している者、揮発性有機化合物排出施設を設置している者、一般粉じん発生施設を設置している者、特定粉じん排出者若しくは特定工事を施工する者に対し、ばい煙発生施設の状況、特定施設の事故の状況、揮発性有機化合物排出施設の状況、一般粉じん発生施設の状況、特定粉じん発生施設の状況、特定粉じん排出等作業

の状況その他必要な事項の報告を求め、又はその職員に、ばい煙発生施設を設置している者、特定施設を工場若しくは事業場に設置している者、揮発性有機化合物排出施設を設置している者、一般粉じん発生施設を設置している者若しくは特定粉じん排出者の工場若しくは事業場若しくは特定工事の場所に立ち入り、ばい煙発生施設、ばい煙処理施設、特定施設、揮発性有機化合物排出施設、一般粉じん発生施設、特定粉じん発生施設、特定工事に係る建築物等その他の物件を検査させることができる。

Article 26 (1) The Minister of the Environment or a prefectural governor may, to the extent necessary for the enforcement of this Act and in accordance with provisions of a Cabinet Order, require a person who has in place Facilities That Generate Soot and Smoke, a person who has in place Specified Facilities in a factory or workplace, any person who has in place facilities that emit Volatile Organic Compounds, a person who has in place facilities that generate ordinary Particulates, any Specified Particulate Emitter, and a person undertaking specified work, to report on the status of the Facilities That Generate Soot and Smoke, the status of accidents at the specified facilities, the status of the facilities that emit Volatile Organic Compounds, the status of the facilities that generate ordinary Particulates, the status of the facilities that generate Specified Particulates, or the status of the activities that emit, etc. Specified Particulates, and to report on any other necessary matters; and may have their officials enter the factory or workplace or specified work location of a person who has in place Facilities That Generate Soot and Smoke, a person who has in place Specified Facilities in a factory or workplace, a person who has in place facilities that emit Volatile Organic Compounds, a person who has in place facilities that generate ordinary Particulates, or a Specified Particulate Emitter, to inspect the Facilities That Generate Soot and Smoke, Soot and Smoke disposal facilities, Specified Facilities, facilities that emit Volatile Organic Compounds, facilities that generate ordinary Particulates, facilities that generate specified Particulates, building, etc. connected with specified work, or any other building.

2 前項の規定による環境大臣による報告の徴収又はその職員による立入検査は、大気の汚染により人の健康又は生活環境に係る被害が生ずることを防止するため緊急の必要があると認められる場合に行うものとする。

(2) The collection of a report by the Minister of the Environment or an on-site inspection by officials pursuant to the provisions of the preceding paragraph shall be executed where there is an urgent necessity to do so in order prevent harm to human health or living conditions due to air pollution.

3 第一項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人に提示しなければならない。

(3) Any official who conducts an on-site inspection pursuant to the provisions of paragraph (1) shall carry an identification card and present it to the persons concerned.

4 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) shall not be construed as authority granted for the purpose of criminal investigation.

(適用除外等)

(Exemptions)

第二十七条 この法律の規定は、放射性物質による大気の汚染及びその防止については、適用しない。

Article 27 (1) The provisions of this Act shall not apply to air pollution from radioactive materials or the prevention thereof.

2 電気事業法（昭和三十九年法律第七十号）第二条第一項第十六号に規定する電気工作物、ガス事業法（昭和三十九年法律第五十一号）第二条第十三項に規定するガス工作物又は鉱山保安法（昭和二十四年法律第七十号）第十三条第一項の経済産業省令で定める施設であるばい煙発生施設、特定施設、揮発性有機化合物排出施設、一般粉じん発生施設又は特定粉じん発生施設（以下「ばい煙発生施設等」という。）において発生し、又は飛散するばい煙、特定物質、揮発性有機化合物、一般粉じん又は特定粉じん（以下「ばい煙等」という。）を排出し、又は飛散させる者については、第六条から第十条まで（同条第二項にあつては、第十七条の十二第一項又は第十八条の十三第一項において準用する場合を含む。）、第十一条及び第十二条（これらの規定を第十七条の十二第二項又は第十八条の十三第二項において準用する場合を含む。）、第十七条第二項及び第三項、第十七条の四から第十七条の八まで、第十八条、第十八条の二並びに第十八条の六から第十八条の九までの規定を適用せず、電気事業法、ガス事業法又は鉱山保安法の相当規定の定めるところによる。

(2) The provisions of Articles 6 through Article 10 (for paragraph (2) of that Article, including where Article 17-12, paragraph (1) or Article 18-13, paragraph (1) are applied mutatis mutandis), Articles 11 and 12 (including where these apply mutatis mutandis to Article 17-12, paragraph (2), or Article 18-13, paragraph (2)), Article 17, paragraphs (2) and (3), Articles 17-4 through 17-8, Article 18, Article 18-2, and Articles 18-6 to 18-9 inclusive, shall not apply to any person who emits or causes the dispersal of Soot and Smoke, a specified substance, a Volatile Organic Compound, ordinary Particulates, or Specified Particulates (hereinafter referred to as "Soot and Smoke, etc.") generated at or dispersed by electrical facilities pursuant to the provisions of Article 2, paragraph (1), item (xvi) of the Electricity Business Act (Act No. 170 of 1964), gas facilities pursuant to the provisions of Article 2, paragraph (13) of the Gas Business Act (Act No. 51 of 1954), Facilities That Generate Soot and Smoke, specified facilities, facilities that emit Volatile Organic Compounds, activities that emit ordinary Particulates, and facilities that generate Specified Particulates (hereinafter referred to as a "Facilities That Generate Smoke,

etc.") that are facilities specified by the Ordinance of the Ministry Economy, Trade and Industry under Article 13, paragraph (1) of the Mine Safety Act (Act No. 70 of 1949); instead, said provisions of the Electricity Business Act, the Gas Business Act, or the Mine Safety Act shall apply.

3 前項に規定する法律に基づく権限を有する国の行政機関の長（以下この条において単に「行政機関の長」という。）は、第六条、第八条、第十一条若しくは第十二条第三項（これらの規定を第十七条の十二第二項又は第十八条の十三第二項において準用する場合を含む。）、第十七条の四、第十七条の六、第十八条又は第十八条の六の規定に相当する電気事業法、ガス事業法又は鉱山保安法の規定による前項に規定するばい煙発生施設等に係る許可若しくは認可の申請又は届出があつたときは、その許可若しくは認可の申請又は届出に係る事項のうちこれらの規定による届出事項に該当する事項を当該ばい煙発生施設等の所在地を管轄する都道府県知事に通知するものとする。

(3) Where an application for permission or approval has been filed for Facilities That Generate Smoke, etc., specified in the preceding paragraph, the head of the administrative organ of the State that has authority based on an Act specified in the preceding paragraph (hereinafter referred to as "Head of an Administrative Organ") shall, pursuant to the provisions of the Electricity Business Act, the Gas Business Act, or the Mine Safety Act and equivalent to Article 6, Article 8, Article 11, or Article 12, paragraph (3) (including cases where their provisions apply mutatis mutandis to Article 17-12, paragraph (2), or Article 18-13, paragraph (2)), and Articles 17-4, 17-6, 18, or 18-6, notify the prefectural governor with jurisdiction over the location of said Facilities That Generate Smoke, etc., of the matters that are to be included in a notification pursuant to these provisions from among matters under an application for permission or approval or under a notification.

4 都道府県知事は、第二項に規定するばい煙発生施設等において発生し、又は飛散するばい煙等に起因する大気の汚染により人の健康又は生活環境に係る被害を生ずるおそれがあると認めるときは、行政機関の長に対し、第九条、第九条の二、第十七条の七又は第十八条の八の規定に相当する電気事業法、ガス事業法又は鉱山保安法の規定による措置を執るべきことを要請することができる。

(4) Where a prefectural governor finds that air pollution caused by soot and smoke, etc., generated or dispersed at Facilities That Generate Smoke, etc. specified in paragraph (2) is likely to harm human health or living conditions, the prefectural governor may, request the Head of an Administrative Organ to take measures under provisions of the Electricity Business Act, the Gas Business Act, or the Mine Safety Act that are equivalent to the provisions of Article 9, Article 9-2, Article 17-7, or Article 18-8.

5 行政機関の長は、前項の規定による要請があつた場合において講じた措置を当該都道府県知事に通知するものとする。

(5) The Head of an Administrative Organ shall, where a request has been made pursuant to the provisions of the preceding paragraph, notify the relevant



prefectural governor about the measures taken.

6 都道府県知事は、第二項に規定するばい煙発生施設等について、第十四条第一項若しくは第三項、第十七条の十、第十八条の四又は第十八条の十一の規定による命令をしようとするときは、あらかじめ、行政機関の長に協議しなければならない。

(6) When a prefectural governor wishes to issue an order pursuant to the provisions of Article 14, paragraph (1) or (3), Article 17-10, Article 18-4 or Article 18-11, for Facilities That Generate Smoke, etc. specified in paragraph (2), the prefectural governor shall consult in advance with the Heads of Administrative Organs.

(資料の提出の要求等)

(Requests for the Submission of Materials)

第二十八条 環境大臣は、この法律の目的を達成するため必要があると認めるときは、関係地方公共団体の長に対し、必要な資料の提出及び説明を求めることができる。

Article 28 (1) The Minister of the Environment may, when the Minister finds it necessary for achieving the purposes of this Act, request the head of said local public entity to provide the necessary materials and explanations.

2 都道府県知事は、この法律の目的を達成するため必要があると認めるときは、関係行政機関の長又は関係地方公共団体の長に対し、ばい煙発生施設、揮発性有機化合物排出施設、一般粉じん発生施設、特定粉じん発生施設若しくは特定粉じん排出等作業の状況等に関する資料の送付その他の協力を求め、又はばい煙、揮発性有機化合物若しくは粉じんによる大気汚染の防止に関し意見を述べるることができる。

(2) A prefectural governor may, when the prefectural governor finds it necessary for achieving the purposes of this Act, request the Head of said Administrative Organ or the head of said local public entity to send materials concerning the status, etc. of Facilities That Generate Soot and Smoke, facilities that emit Volatile Organic Compounds, facilities that generate ordinary Particulates, facilities that generate Specified Particulates, or activities that emit, etc. Specified Particulates, and to cooperate in other ways, and may state the prefectural governor's opinion to them concerning the prevention of air pollution from Soot and Smoke, Volatile Organic Compounds, or Particulates.

(環境大臣の指示)

(Instructions from the Minister of the Environment)

第二十八条の二 環境大臣は、大気汚染により人の健康に係る被害が生ずることを防止するため緊急の必要があると認めるときは、都道府県知事又は第三十一条第一項の政令で定める市（特別区を含む。）の長に対し、次に掲げる事務に関し必要な指示をすることができる。

Article 28-2 The Minister of the Environment may, when the Minister finds it urgently necessary in order to prevent the occurrence of damage to human health from air pollution, issue the necessary instructions to the prefectural

governor or to the mayor of a city (including special wards) specified by a Cabinet Order under Article 31, paragraph (1), concerning administrative affairs listed below:

一 第九条、第九条の二、第十四条第一項及び第三項、第十五条第二項、第十五条の二第二項、第十七条第三項、第十七条の七、第十七条の十、第十八条の四、第十八条の八、第十八条の十一、第十八条の十六、第十八条の十八並びに第二十三条第二項の規定による命令に関する事務

(i) Administrative affairs related to an order pursuant to the provisions of Article 9, Article 9-2, Article 14, paragraphs (1) and (3), Article 15, paragraph (2), Article 15-2, paragraph (2), Article 17, paragraph (3), Article 17-7, Article 17-10, Article 18-4, Article 18-8, Article 18-11, Article 18-16, Article 18-18, and Article 23, paragraph (2)

二 第十五条第一項及び第十五条の二第一項の規定による勧告に関する事務

(ii) Administrative affairs related to a recommendation under the provisions of Article 15, paragraph (1) and Article 15-2, paragraph (1)

三 第二十一条第一項、第二十三条第二項及び第二十七条第四項の規定による要請に関する事務

(iii) Administrative affairs related to a request under the provisions of Article 21, paragraph (1), Article 23, paragraph (2), and Article 27, paragraph (4)

四 第二十一条第三項の規定による意見を述べることにに関する事務

(iv) Administrative affairs related to a statement of opinions under the provisions of Article 21, paragraph (3)

五 第二十三条第一項の規定による周知及び協力を求めることにに関する事務

(v) Administrative affairs related to a request to make information public and for cooperation under the provisions of Article 23, paragraph (1)

六 第二十八条第二項の規定による協力を求め、又は意見を述べることにに関する事務

(vi) Administrative affairs related to a request for cooperation or a statement of opinions under the provisions of Article 28, paragraph (2)

(国の援助)

(State Assistance)

第二十九条 国は、工場若しくは事業場における事業活動又は建築物等の解体等に伴うばい煙、揮発性有機化合物又は特定粉じんの排出等による大気汚染の防止のための施設の設置又は改善につき必要な資金のあつせん、技術的な助言その他の援助に努めるものとする。

Article 29 The State shall endeavor to provide the financial assistance, technical advice, other assistance necessary for the setting in place or improvement of facilities to prevent air pollution from emissions, etc. of Soot and Smoke, Volatile Organic Compounds, and Specified Particulates associated with business activities at a factory or workplace, or with the demolition, etc. of a building, etc.

(研究の推進等)

**(Promotion of Research)**

第三十条 国は、ばい煙、特定物質、揮発性有機化合物及び自動車排出ガスの処理に関する技術の研究、大気の汚染の人の健康又は生活環境に及ぼす影響の研究その他大気の汚染の防止に関する研究を推進し、その成果の普及に努めるものとする。

**Article 30** The State shall endeavor to promote research into technologies related to the disposal of Soot and Smoke, Specified Substances, Volatile Organic Compounds, and automobile emissions, research on the impact of air pollution on human health and living conditions, and other research related to the prevention of air pollution, and shall endeavor to make the results of such research widely known.

(経過措置)

**(Transitional Measures)**

第三十条の二 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

**Article 30-2** Where an order is established, revised, or abolished based on the provisions of this Act, the required transitional measures (including transitional measures concerning penal provisions) may be specified by said order to the extent found reasonably necessary in line with the establishment, revision, or abolition thereof.

(権限の委任)

**(Delegation of Authority)**

第三十条の三 この法律に規定する環境大臣の権限は、環境省令で定めるところにより、地方環境事務所長に委任することができる。

**Article 30-3** The authority of the Minister of the Environment prescribed in this Act may, in accordance with an Ordinance of the Ministry of the Environment, be delegated to the Director General of a Regional Environmental Affairs Office.

(政令で定める市の長による事務の処理)

**(Affairs Handled by Mayors of Cities Specified by Cabinet Order)**

第三十一条 この法律の規定により都道府県知事の権限に属する事務の一部は、政令で定めるところにより、政令で定める市（特別区を含む。以下同じ。）の長が行うこととすることができる。

**Article 31** (1) A part of the affairs that are under the authority of a prefectural governor pursuant to the provisions of this Act may be undertaken by the mayor of a city (including special wards; the same shall apply hereinafter)

specified by a Cabinet Order pursuant to the provisions of a Cabinet Order.

2 前項の政令で定める市の長は、この法律の施行に必要な事項で環境省令で定めるものを都道府県知事に通知しなければならない。

(2) The mayor of a city specified by a Cabinet Order under the preceding paragraph shall notify the prefectural governor about the matters necessary for the enforcement of this Act and specified by an Ordinance of the Ministry of the Environment.

(事務の区分)

(Classification of Administrative Affairs)

第三十一条の二 この法律の規定により都道府県が処理することとされている事務のうち、第五条の二第一項の規定により処理することとされているもの（指定ばい煙総量削減計画の作成に係るものを除く。）並びに同条第二項及び第三項、第十五条第三項、第十五条の二第三項及び第四項並びに第二十二条の規定により処理することとされているものは、地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務とする。

Article 31-2 Of the administrative affairs to be handled by a prefecture pursuant to the provisions of this Act, the administrative affairs to be handled pursuant to the provisions of Article 5-2, paragraph (1) (excluding administrative affairs related to the formulation of a plan for reducing the total quantity of Designated Soot and Smoke) and the administrative affairs to be handled pursuant to the provisions of paragraphs (2) and (3) of the same Article, Article 15, paragraph (3), Article 15-2, paragraphs (3) and (4), and Article 22 shall be the statutory entrusted administrative affairs prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

(条例との関係)

(Relationship with Ordinances)

第三十二条 この法律の規定は、地方公共団体が、ばい煙発生施設について、そのばい煙発生施設において発生するばい煙以外の物質の大気中への排出に関し、ばい煙発生施設以外のばい煙を発生し、及び排出する施設について、その施設において発生するばい煙の大気中への排出に関し、揮発性有機化合物排出施設について、その揮発性有機化合物排出施設に係る揮発性有機化合物以外の物質の大気中への排出に関し、揮発性有機化合物排出施設以外の揮発性有機化合物を排出する施設について、その施設に係る揮発性有機化合物の大気中への排出に関し、一般粉じん発生施設以外の一般粉じんを発生し、及び排出し、又は飛散させる施設について、その施設において発生し、又は飛散する一般粉じんの大気中への排出又は飛散に関し、特定粉じん発生施設について、その特定粉じん発生施設において発生し、又は飛散する特定粉じん以外の物質の大気中への排出又は飛散に関し、特定粉じん発生施設以外の特定粉じんを発生し、及び排出し、又は飛散させる施設について、その施設において発生し、又は飛散する特定粉じんの大気中への排出又は飛散に関し、並びに特定粉じん排出等作業について、

その作業に伴い発生し、又は飛散する特定粉じん以外の物質の大気中への排出又は飛散に関し、特定粉じん排出等作業以外の建築物等を解体し、改造し、又は補修する作業について、その作業に伴い発生し、又は飛散する特定粉じんの大気中への排出又は飛散に関し、条例で必要な規制を定めることを妨げるものではない。

Article 32 The provisions of this Act shall not prevent local public entities from establishing the necessary regulations by using, for Facilities That Generate Soot and Smoke, ordinances on the emission into the atmosphere of substances, other than Soot and Smoke, that are generated at those Facilities That Generate Soot and Smoke; for facilities that are generating and emitting Soot and Smoke but that are other than Facilities That Generate Soot and Smoke, ordinances on the emission into the atmosphere of Soot and Smoke generated from those facilities; for facilities that emit Volatile Organic Compounds, ordinances on the emission into the atmosphere of substances other than Volatile Organic Compounds in connection with those facilities that emit volatile organic compounds; for facilities that are emitting Volatile Organic Compounds but that are not facilities that emit Volatile Organic Compounds, ordinances on the emission into the atmosphere of Volatile Organic Compounds from those facilities; for facilities that are generating, emitting or causing the dispersal of ordinary Particulates but that are not facilities that emit ordinary Particulates, ordinances on the emission or the dispersal into the atmosphere of ordinary Particulates generated or dispersed at those facilities; for facilities that emit Specified Particulates, ordinances on the emission or dispersal into the atmosphere of substances other than Specified Particulates generated or dispersed at those specified particulate emitting facilities; for facilities that are generating, emitting, or causing the dispersal of Specified Particulates but that are not facilities that emit Specified Particulates, ordinances on the emission or dispersal into the atmosphere of Specified Particulates generated or dispersed at those facilities; for activities that emit, etc. Specified Particulates, ordinances on the emission and dispersal into the atmosphere of substances other than Specified Particulates generated or dispersed in connection with those activities; for activities other than activities that emit, etc. Specified Particulates, in which a building is demolished, altered, or repaired, ordinances on the emission or dispersal into the atmosphere of Specified Particulates generated or dispersed in connection with those activities.

## 第六章 罰則

### Chapter VI Penal Provisions

第三十三条 第九条、第九条の二、第十四条第一項若しくは第三項、第十七条の七、第十七条の十、第十八条の八又は第十八条の十一の規定による命令に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 33 Any person who has violated an order issued under Article 9, Article 9-2, Article 14, paragraphs (1) or (3), Article 17-7, Article 17-10, Article 18-8, or Article 18-11 shall be punished by imprisonment with work for up to one year or a fine of up to one million yen.

第三十三条の二 次の各号のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 33-2 (1) Any person who falls under any of the following items shall be punished by imprisonment with work for up to six months or a fine of up to five hundred thousand yen:

一 第十三条第一項又は第十三条の二第一項の規定に違反した者

(i) Any person who has violated the provisions of Article 13, paragraph (1) or Article 13-2, paragraph (1)

二 第十七条第三項、第十八条の四、第十八条の十六、第十八条の十八又は第二十三条第二項の規定による命令に違反した者

(ii) Any person who has violated an order issued under the provisions of Article 17, paragraph (3), Article 18-4, Article 18-16, Article 18-18, or Article 23, paragraph (2)

2 過失により、前項第一号の罪を犯した者は、三月以下の禁錮又は三十万円以下の罰金に処する。

(2) Any person who, through negligence, has committed an offense under item (i) of the preceding paragraph, shall be punished by imprisonment without work for up to three months or a fine of up to three hundred thousand yen.

第三十四条 次の各号のいずれかに該当する者は、三月以下の懲役又は三十万円以下の罰金に処する。

Article 34 Any person who falls under any the following items shall be punished by imprisonment with work for up to three months or a fine of up to three hundred thousand yen:

一 第六条第一項、第八条第一項、第十七条の四第一項、第十七条の六第一項、第十八条の六第一項若しくは第三項又は第十八条の十五第一項の規定による届出をせず、又は虚偽の届出をした者

(i) Any person who has failed to submit a notification under Article 6, paragraph (1), Article 8, paragraph (1), Article 17-4, paragraph (1), Article 17-6, paragraph (1), Article 18-6, paragraphs (1) or (3), or Article 18-15, paragraph (1), or who has submitted a false notification

二 第十五条第二項又は第十五条の二第二項の規定による命令に違反した者

(ii) Any person who has violated an order issued under Article 15, paragraph (2) or Article 15-2, paragraph (2)

第三十五条 次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

Article 35 Any person who falls under any the following items shall be punished by a fine of up to two hundred thousand yen:

一 第七条第一項、第十七条の五第一項、第十八条第一項若しくは第三項、第十八条の二第一項又は第十八条の七第一項の規定による届出をせず、又は虚偽の届出をした者

(i) Any person who has failed to submit a notification under Article 7, paragraph (1), Article 17-5, paragraph (1), Article 18, paragraphs (1) or (3), Article 18-2, paragraph (1), or Article 18-7, paragraph (1), or who has submitted a false notification

二 第十条第一項、第十七条の八又は第十八条の九の規定に違反した者

(ii) Any person who has violated the provisions of Article 10, paragraph (1), Article 17-8, or Article 18-9

三 第二十六条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した者

(iii) Any person who has failed to report under Article 26, paragraph (1), has made a false report, or has refused, obstructed, or evaded an inspection under the same paragraph

第三十六条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、前四条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の罰金刑を科する。

Article 36 Where the representative person of a juridical person, or an agent, employee or other worker of a juridical person or individual has committed a violation under the preceding four Articles with regard to the business of the juridical person or individual, not only shall the offender be punished, but the juridical person or individual shall also be punished, by the fines prescribed in said Articles.

第三十七条 第十一条若しくは第十二条第三項（これらの規定を第十七条の十二第二項又は第十八条の十三第二項において準用する場合を含む。）又は第十八条の十五第二項の規定による届出をせず、又は虚偽の届出をした者は、十万円以下の過料に処する。

Article 37 Any person who has failed to submit the notification specified under Article 11 or Article 12, paragraph (3) (including where these provisions apply to Article 17-12, paragraph (2) or Article 18-13, paragraph (2)) or Article 18-15, paragraph (2), or who has submitted a false notification shall be subject to a non-criminal fine of up to one hundred thousand yen.

附 則 〔抄〕

Supplementary Provisions [Extract] [Extract]

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月をこえない範囲内において政令で定める日から施行する。ただし、第四条第四項の規定は、公布の日から施行する。

(1) This Act shall come into effect as of the day on which six months have elapsed from the date of its promulgation; provided, however, that the provisions of Article 4, paragraph (4) shall come into effect as from the date of its promulgation.

(ばい煙の排出の規制等に関する法律の廃止)

(Abolition of the Act Concerning Regulation of Soot and Smoke Emissions)

2 ばい煙の排出の規制等に関する法律（昭和三十七年法律第百四十六号。以下「旧法」という。）は、廃止する。

(2) The Act Concerning Regulation of Soot and Smoke Emissions (Act No. 146 of 1962; hereinafter referred to as the "Former Act") shall be abolished.

(経過措置)

(Transitional Measures)

3 この法律の施行の際現に旧法第十二条の規定による実施の制限を受けている者についての第十条及び第十一条の規定の適用については、第十条中「その届出を受理した日」とあるのは「旧ばい煙の排出の規制等に関する法律第八条第一項又は第十条第一項の規定による届出を受理した日」と、第十一条第一項中「その届出が受理された日」とあるのは「旧ばい煙の排出の規制等に関する法律第八条第一項又は第十条第一項の規定による届出が受理された日」とする。

(3) With regard to the application of the provisions of Articles 10 and 11, for persons who at the time of enforcement of this Act are under restrictions on implementation pursuant to the provisions of Article 12 of the Former Act, "the date of acceptance of the notification" in Article 10 shall be deemed to be "the date of acceptance of the notification pursuant to the provisions of Article 8, paragraph (1) and Article 10, paragraph (1) of the former Act Concerning Regulation, etc. of Soot and Smoke Emissions," and "the date of acceptance of the notification" in Article 11, paragraph (1) shall be deemed to be "the date of acceptance of the notification pursuant to the provisions of Article 8, paragraph (1) and Article 10, paragraph (1) of the former Act Concerning Regulation, etc. of Soot and Smoke Emissions."

4 この法律の施行の際現に旧法第十六条第三項の規定により同条第一項又は第二項の規定を適用しないものとされているばい煙発生施設についての第十四条第三項の規定の適用については、同項中「同項に規定する指定地域となつた日又は同項に規定するばい煙発生施設となつた日」とあるのは「旧ばい煙の排出の規制等に関する法律第九条第一項に規定する指定地域となつた日又は同項に規定するばい煙発生施設となつた日」とする。

(4) With regard to the application of the provisions of Article 14, paragraph (3) to



Facilities That Generate Soot and Smoke for which the provisions of Article 16, paragraph (1) or (2) are deemed to not apply, pursuant to the provisions paragraph (3) of the same Article of the Former Act, at the time of enforcement of this Act, "the date the area became a designated area pursuant to the provisions of the same paragraph, or the date the facilities were designated as Facilities That Generate Soot and Smoke pursuant to the provisions of the same paragraph" in the same paragraph shall be deemed to be "the date the area became a designated area pursuant to the provisions of Article 9, paragraph (1) of the former Act Concerning Regulation, etc. of Soot and Smoke Emissions, or the date the facilities were designated as Facilities That Generate Soot and Smoke pursuant to the provisions of the same paragraph."

5 この法律の施行前に旧法第九条第一項の規定による届出をした者であつて、その届出をした日からこの法律の施行の日までの期間が六十日に満たないものの当該届出に係るばい煙発生施設についての第十四条第三項ただし書の規定の適用については、同項ただし書中「当該届出が受理された日」とあるのは、「旧ばい煙の排出の規制等に関する法律第十条第一項の規定による届出をした日」とする。

(5) For persons who have submitted a notification pursuant to the provisions of Article 9, paragraph (1) of the Former Act prior to the enforcement of this Act, with regard to the application of the provisions under the proviso to Article 14, paragraph (3) in connection with the Facilities That Generate Soot and Smoke under said notification, for which a period of no more than sixty days has elapsed between the date of said notification and the date of enforcement of this Act, "the date of the acceptance of the notification" in the proviso of the same paragraph shall be deemed to be "the date on which the notification was submitted pursuant to the provisions of Article 10, paragraph (1) of the former Act Concerning Regulation, etc. of Soot and Smoke Emissions."

6 この法律の施行の際現に旧法第二十三条第一項の規定によつて委嘱されている仲介員候補者又は同法第二十四条第一項の規定によつて指定されている仲介員は、それぞれ、第二十三条第一項の規定によつて委嘱され、又は第二十四条第一項の規定によつて指定されたものとみなす。

(6) The candidates to be commissioned as mediators in accordance with the provisions of Article 23, paragraph (1) of the Former Act, or the mediators designated in accordance with the provisions of Article 24 paragraph (1) of the same Act at the time of enforcement of this Act shall be deemed to have been commissioned in accordance with the provisions of Article 23, paragraph (1), and designated in accordance with the provisions of Article 24, paragraph (1), respectively.

7 前項に規定する場合のほか、旧法によつてした処分、手続その他の行為は、この法律中にこれに相当する規定があるときは、この法律によつてしたものとみなす。

(7) In addition to the cases specified in the preceding paragraph, where there are equivalent provisions in this Act, a disposition, procedure, or other act carried

out under the Former Act shall be deemed to have been conducted under this Act.

8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(8) With regard to the application of penal provisions to an act committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

(指定物質抑制基準)

(Designated Substance Control Standards)

9 環境大臣は、当分の間、有害大気汚染物質による大気の汚染により人の健康に係る被害が生ずることを防止するために必要があると認めるときは、有害大気汚染物質のうち人の健康に係る被害を防止するためその排出又は飛散を早急に抑制しなければならないもので政令で定めるもの（以下「指定物質」という。）を大気中に排出し、又は飛散させる施設（工場又は事業場に設置されるものに限る。）で政令で定めるもの（以下「指定物質排出施設」という。）について、指定物質の種類及び指定物質排出施設の種類ごとに排出又は飛散の抑制に関する基準（以下「指定物質抑制基準」という。）を定め、これを公表するものとする。

(9) With regard to any facilities (hereinafter referred to as "Facilities That Emit Designated Substances") that emit or cause to be dispersed into the atmosphere any substance that is a hazardous air pollutant specified by Cabinet Order as one whose emission and dispersal must be urgently controlled in order to prevent damage to human health (hereinafter referred to as a "Designated Substance"), the Minister of the Environment shall, until otherwise stipulated, when the Minister finds it necessary in order to prevent the occurrence of damage to human health from air polluted by hazardous air pollutants, establish standards for controlling the emission and dispersal of each type of Designated Substance and each type of Facilities That Emit Designated Substances (hereinafter referred to as "Standards for Controlling Designated Substances") and shall make them public.

(勧告)

(Recommendations)

10 都道府県知事は、指定物質抑制基準が定められた場合において、当該都道府県の区域において指定物質による大気の汚染により人の健康に係る被害が生ずることを防止するために必要があると認めるときは、指定物質排出施設を設置している者に対し、指定物質抑制基準を勧告して、指定物質排出施設からの指定物質の排出又は飛散の抑制について必要な勧告をすることができる。

(10) A prefectural governor may, where Standards for Controlling Designated Substances have been established and when the prefectural governor finds it necessary in order to prevent the occurrence of damage to human health within the prefecture from air polluted by a Designated Substance, make a

recommendation, taking into consideration the Standards for Controlling Designated Substances, to persons who have in place Facilities That Emit Designated Substances, regarding the control of emissions or dispersal of a Designated Substance from Facilities That Emit Designated Substances.

(報告)

(Reporting)

1 1 都道府県知事は、前項の勧告をするために必要な限度において、同項に規定する者に対し、指定物質排出施設の状況その他必要な事項に関し報告を求めることができる。

(11) A prefectural governor may, to the extent necessary to make a recommendation under the preceding paragraph, request that the person specified in the same paragraph provide a report on the status of Facilities That Emit Designated Substances, and other necessary matters.

1 2 環境大臣は、指定物質による大気汚染により人の健康に係る被害が生ずることを防止するため緊急の必要があると認めるときは、都道府県知事又は第三十一条第一項の政令で定める市の長に対し、第十項の規定による勧告に関し、必要な指示を行うことができる。

(12) The Minister of the Environment may, when the Minister finds it urgently necessary in order to prevent the occurrence of damage to human health from air polluted by a Designated Substance, issue the necessary instructions to the prefectural governor or to the mayor of a city specified by a Cabinet Order under Article 31, paragraph (1), concerning the recommendation pursuant to the provisions of paragraph (10).

1 3 環境大臣は、前項の指示をするために必要な限度において、指定物質排出施設を設置している者に対し、指定物質排出施設の状況その他必要な事項に関し報告を求めることができる。

(13) The Minister of the Environment may, to the extent necessary in order to issue an instruction under the preceding paragraph, request that any person who has in place a Facilities That Emit Designated Substances provide a report on the status of the Facilities That Emit Designated Substances, and other necessary matters.