Pollution
Information
Transparency
Index

Environmental Open Information:
Between Advance & Retreat

The 2009-2010 Pollution Information Transparency Index (PITI) Second Annual Assessment of Environmental Transparency in 113 Chinese Cities

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The Institute of Public & Environmental Affairs (IPE) is a registered non-profit organization based in Beijing. Since its establishment in May 2006, IPE has developed two pollution databases, the China Water Pollution Map and the China Air Pollution Map (www.ipe.org.cn), to monitor corporate environmental performance and to facilitate public participation in environmental governance.

Natural Resources Defense Council

The Natural Resources Defense Council (NRDC) is a non-profit environmental organization with more than 1.3 million members and online activists. Since 1970, NRDC lawyers, scientists, and other environmental specialists have worked to protect the world's natural resources, public health, and environment. NRDC has offices in New York, Washington, D.C., Los Angeles, San Francisco, Chicago, Montana, and Beijing.

NRDC was the first international environmental organization to establish a clean energy program in China. Over the last 15 years, its team of experts has helped China develop clean, efficient, and affordable energy and environmental policies, strategies, and techniques for reducing pollution. In recent years, NRDC has expanded the scope of its work to capitalize on new opportunities in environmental governance and law, health, and the promotion of green supply chains.

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Environmental Open Information: Between Advance & Retreat

Executive Summary

The Institute of Public & Environmental Affairs (IPE) and the Natural Resources Defense Council (NRDC) are pleased to announce the results of the 2009-2010 Pollution Information Transparency Index (PITI) assessment, which evaluates environmental transparency in 113 major Chinese cities.

2009 was the second year of implementation of the State Council Regulations on Open Government Information and the Ministry of Environmental Protection Measures on Open Environmental Information. The first PITI evaluation in 2008 established a baseline of performance on environmental transparency in the 113 evaluated cities against which future comparisons could be made. This second annual PITI evaluation for 2009-2010 looks at progress, or lack thereof, in the 113 cities compared to the 2008 baseline.

The 2009-2010 PITI assessment also aimed to identify best practices in environmental information disclosure from around China that can serve as examples for cities to follow. As part of this effort, the evaluation looked at differences in performance among cities in the same province, among the four municipalities directly under the State Council (Beijing, Tianjin, Shanghai, Chongqing), among cities in the same regions, and among provincial capitals. This analysis should help cities similarly situated in terms of social, economic, and geographic conditions to learn from each other.

The assessment found that in 2009-2010, environmental information disclosure in the 113 evaluated cities continued to improve overall, and some cities even showed large improvements. Cities found new ways to disclose, and sometimes reached out to environmental non-governmental organizations (NGOs) for collaboration on information disclosure. However, progress was unevenly distributed and disparities in performance have widened among the cities and regions. Disclosure of enterprise emissions data, arguably the most important type of environmental information, was still inadequate. In short, environmental transparency in China showed both progress and retreat over the past year, and many implementation challenges still remain.

This year's PITI assessment also includes, for the first time, a general discussion of recent developments in environmental information disclosure in China for 2009-2010. This information is intended to provide a broader context within which to evaluate the implications of the PITI evaluation results.

The 2009-2010 PITI report contains two main sections. The first section of this year's report presents the findings of the 2009-2010 PITI evaluation. The second section presents recent developments in environmental disclosure in China from 2009 and 2010.

Key Findings

The 2009-2010 PITI assessment shows that, although many of the 113 evaluated Chinese cities made important advances in environmental information disclosure, many challenges remain and there have been cases of backtracking. The key findings of the 2009-2010 PITI assessment are summarized below:

The Overall Level of Environmental Information Disclosure Improved

The average score of the 113 evaluated cities increased to 36 points for the 2009-2010 PITI, five points higher than the 2008 PITI average. Eighty-two (73 percent of all evaluated cities) scored higher in 2009-2010 than in 2008. The number of cities "passing" with a score of 60 points or higher[1] increased from four in 2008 to 11 in 2009-2010. Ningbo was once again the highest scoring city, and in 2009-2010 became the first city to exceed 80 points. The other ten cities with passing scores were Shenzhen, Foshan,[2] Shanghai, Taizhou, Zhongshan, Changzhou, Quanzhou, Fuzhou, Nantong, and Suzhou.

Progress in Environmental Information Disclosure is Unevenly Distributed, and There is a Growing Divergence in Performance among Cities and Regions

Sixty-five cities scored significantly higher in 2009-2010 than in 2008, but 15 cities had notable decreases in performance. This report identifies the ten cities that improved the most, and the ten cities that lost the most ground (see pp. 17-19).

The higher-performing eastern and southern coastal regions continued to do well, with Shanghai, Fujian, Jiangsu, Zhejiang, and Guangdong all scoring near the top. Meanwhile, the central and western inland regions backtracked, with Jilin, Jiangxi, Inner Mongolia, Guizhou, and Gansu all scoring near the bottom.

There were large disparities among cities within the same provinces. In nine provinces, the difference between the best and worst performing cities was more than 100 percent. Guangdong had the largest intra-province performance range of 55.7 points.

Some Major Cities Demonstrated Only Passable Performance

Among the four municipalities directly under the administration of the State Council (Beijing, Tianjin, Shanghai, Chongqing), Tianjin's disclosure was very limited, and Beijing scored significantly lower than in 2008.[3] Of the 25 provincial capitals, the bottom five (Hohhot, Guiyang, Changchun, Nanchang, and Xining) only scored about 20 points each. Eleven provincial capitals did not receive the top score for their provinces, and some provincial capitals (e.g., Hangzhou and Shijiazhuang) lagged significantly behind other cities in their provinces. This is a surprising result given the superior financial, human, and other resources that capital cities typically enjoy.

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[1] The maximum score on the PITI evaluation is 100 points. Sixty points relate to actions mandated by law, and the remaining 40 points relate to actions that improve public convenience. Therefore, we designated 60 points as the "passing" score.

[2] The 2009-2010 PITI assessment covers 2009 pollution information disclosed between January 1, 2009 and May 1, 2010. The one exception is Foshan, which on June 12-13, 2010 made a comprehensive and systematic disclosure of information regarding administrative penalties levied against enterprises in 2009. The amount of information disclosed by Foshan on June 12-13 was unusually large, so we included this information in this year's assessment.

[3] In January 2010, the Beijing environmental protection bureau began to disclose lists of entities subject to administrative penalties. The information disclosed in 2010 in this regard noticeably increased. As of December 2010 the information disclosed was already 30 times greater than information disclosed in 2009, and we expect Beijing's score to increase in the next PITI assessment.

Progress Previously Seen in Some Regions has Not Been Sustained

Prior to the 2008 Beijing Olympics, Beijing and neighboring provinces such as Shanxi and Hebei expanded campaigns against violators, and disclosed information regarding polluting enterprises. However, these good practices were not continued after the Olympics, causing the PITI scores for many cities in the region to fall in 2009-2010. The 2009 National Games in Jinan, the 2010 World Expo in Shanghai, and the 2010 Asian Games in Guangzhou all led to greater environmental information disclosure in host cities and surrounding regions. However, the question of how to sustain the environmental disclosure improvements related to such major international events remains a difficult one.

Disclosure of Enterprise-Level Emissions Data Remains Inadequate

This year, many facilities in violation of emissions and clean production standards failed to publicly disclose emissions data as required by law. Local environmental protection bureaus often failed to impose any fines or take other actions in response as required by law.

Changzhou, Tianjin Economic-Technological Development Area (a state-sponsored industrial park in Tianjin), and Xuzhou Tongshan provided rare cases of good enterprise-level emissions data disclosure practices. In October 2010, China's Ministry of Environmental Protection began to disclose detailed environmental inspection reports related to listed company refinancings that included, among other things, three years of facility-level emissions data. This practice should serve as a valuable model for China.

Some Regions are Working with Non-Governmental Organizations (NGOs) on Environmental Information Disclosure

During the PITI assessment, some cities directly communicated with environmental NGOs, including IPE and NRDC, about environmental information disclosure. Jiaxing, Beijing, Zhongshan, Yantai, Baoding, and Yinchuan were particularly active. At a May 2010 workshop in Weihai City, Shandong Province, EPB officials, NGOs, and media discussed how to advance environmental information disclosure. At a November 2010 Forum on Public Participation in Jiaixing City, Zhejiang Province, EPB officials engaged in an in-depth exchange on environmental information disclosure with NGOs, media, and community representatives. In 2010, Chongqing and the Tianjin Economic-Technological Development Area initiated NGO meetings that included discussion of environmental information disclosure. These talks have played an important role in pushing forward regional environmental information disclosure.

Disclosure of Enterprise Violations and Accidents is Still Weak, but Disclosure Upon Request has Shown Some Improvement

Though it is one of the most important types of environmental disclosure, the disclosure of enterprise violation and accident records is still the weakest link in China's environmental information disclosure. Our assessment of this metric in 2009-2010 found that only 45 cities scored above the lowest score (5.6 points). Pingdingshan and Jinzhou, for example, did not disclose any records of municipal-level violations or accidents at all in 2009. Jinzhou disclosed no provincial-level violations either, and received a score of zero for this category.

Disclosure in response to public information requests showed some improvement. The number of cities that responded rose from 44 in the 2008 PITI assessment to 49 in 2009-2010. Baoding and Jiaxing disclosed a list of administrative penalties covering the whole year, although the request submitted only asked for 2009 first quarter data.

Increase in the PITI "All-Star" Team Score Confirms the Feasibility of Information Disclosure in China

As with the 2008 PITI evaluation, we combined the top-scoring city in this year's PITI ranking in each of the eight evaluation metrics to create an "All-Star" team of Chinese environmental information disclosure. The total score for the 2009-2010 All-Star team increased to 95.3 points, up 5.8 points from 2008.

The outstanding performance of the 2009-2010 PITI All-Star team demonstrates once again that, under China's current economic and social circumstances, disclosure of pollution information is not only possible, but that a high level of performance on information disclosure is quite feasible.

Recent Developments in China's Environmental Transparency

The second section of this year's report provides a broader overview and analysis of recent developments in China's environmental transparency.

Stronger Disclosure at the Ministry-Level

Progress on information disclosure from China's Ministry of Environmental Protection (MEP) and other ministries has set a good example for information disclosure at the city level.

- For example, MEP recently took a number of positive steps, including the release of the 2009 Circular on Excessive Annual Emissions of Major Pollutants by Key State Monitored Enterprises and Waste Water Treatment Facilities. This was the first time that MEP had disclosed a list of environmental standard violations for Key State Monitored Enterprises.
- In October 2010, the MEP issued the Disclosure of Environmental Inspection on Sinopec Group in connection with a company refinancing, which disclosed a wide range of environmental information for over 100 Sinopec subsidiaries. Disclosure included three years of facility-level emissions data. MEP has since made similar disclosures for at least 14 other major enterprises.
- Other ministries have made important environmental disclosure as well. For example, on August 5, 2010, the Ministry of Industry and Information Technology (MIIT) disclosed a list of 2,087 companies in 18 industries (including iron smelters, steel smelters, and coking) required to retire outdated or backward capacity.

Zijin Mining Group's Failure to Disclose Environmental Information

The Zijin Mining Group chemical spill in July 2010 caused severe water pollution and killed almost 2,000 tons of fish. Furthermore, Zijin's incredible nine-day delay in reporting the incident was a stark reminder of the inadequacy of information disclosure by publicly listed companies. After the Zijin incident, environmental groups united to request that stock exchanges establish better environmental information disclosure regulations for listed companies. MEP also issued for public comments a draft set of Guidelines for Disclosure of Environmental Information of Listed Companies.

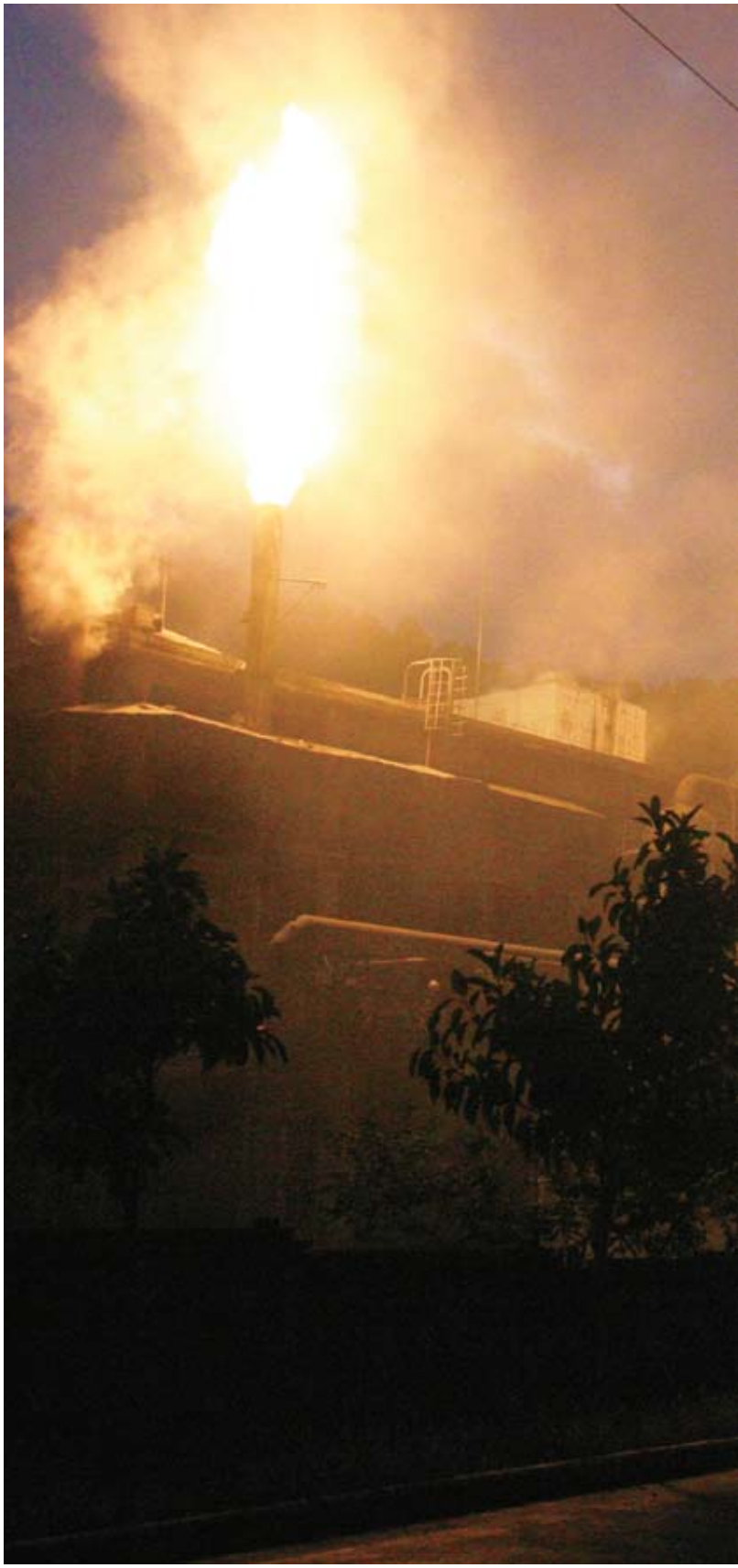
Uncertain Government Guidance and Difficulties in Obtaining Judicial Relief

Citizens have had immense difficulty in obtaining environmental information through government information requests. Moreover, the November 2009 draft of the Supreme People's Court Regulations on Administration of Open Government Information, and the January 2010 State Council Working Document on Government Information Requests both raised a number of limitations on information disclosure, such as standing requirements for requesters of information, and a narrower scope of information that can be disclosed. Many experts have raised issues and made recommendations in hopes that these documents can expand, rather than restrict, the level of environmental information disclosure in China.

China's Next Step: Enterprise-Level Disclosure of Pollutant Releases

Disclosure of information regarding enterprise-level pollutant releases is still fairly limited in China. Existing Chinese regulations only require disclosure of emissions data for a limited number of blacklisted companies, and even this requirement is often not followed.

International experience shows that establishment of a pollutant release and transfer register (PRTR) - essentially a pollutant release database - can prompt enterprises to improve environmental practices, promote public monitoring, and improve government capacity for protecting the environment and decreasing pollution. Given China's progress in environmental information disclosure, the establishment of a PRTR for China is the natural next step.



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Part I

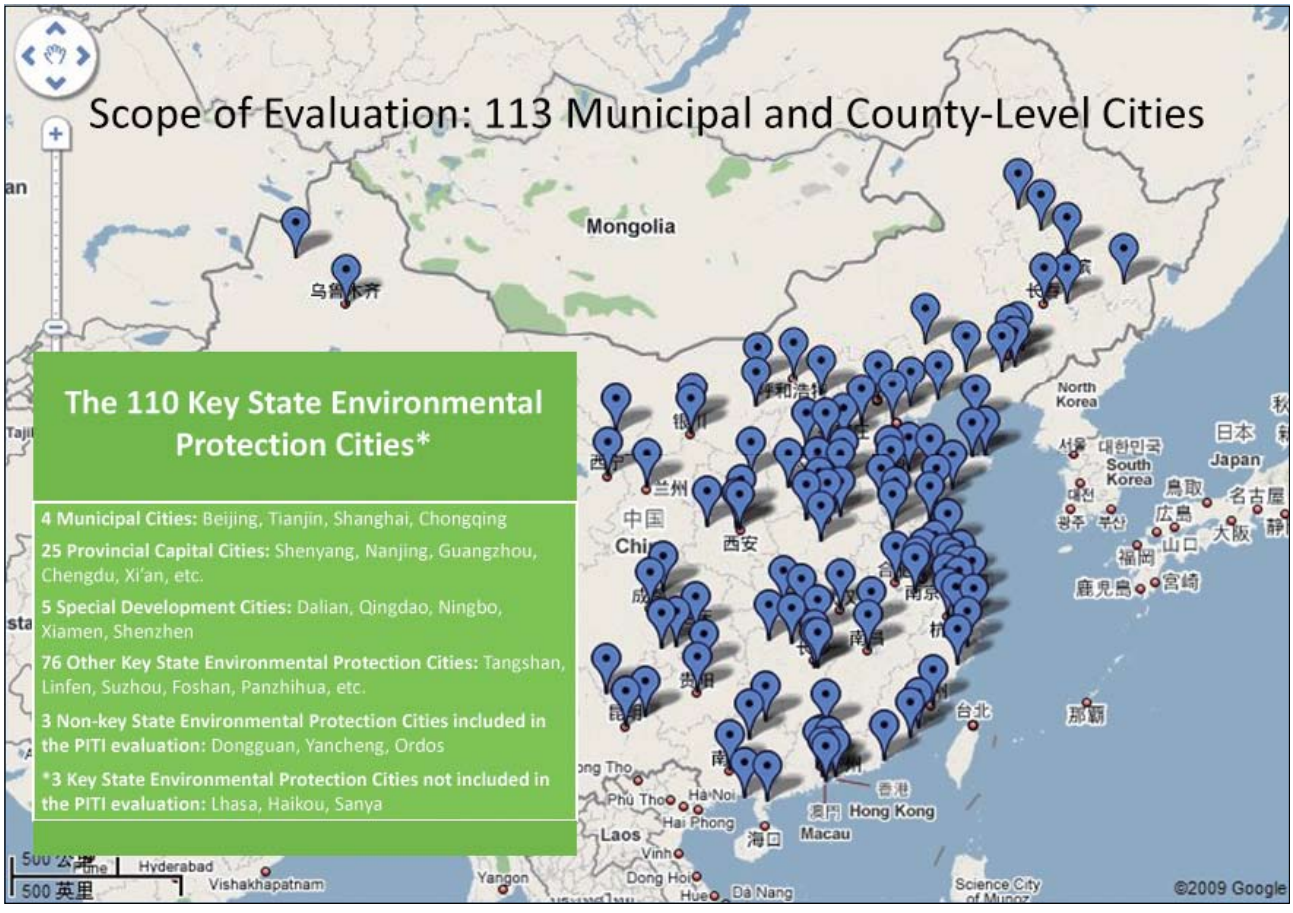
2009-2010 Pollution Information Transparency Index (PITI)

Methodology

1. Evaluating Pollution Information Transparency in 113 Cities

The 2009-2010 PITI assessment evaluated 113 Chinese cities, including 110 "key state environmental protection cities,"[4] scattered across China's eastern, central, and western regions. These were the same 113 cities evaluated in the 2008 PITI assessment.

Figure 1: Map of PITI Evaluated Cities



[4] The "Key State Environmental Protection Cities" were designated in the State Environmental Protection Administration's (now the Ministry of Environmental Protection) 11th Five-Year Plan Strategy. The three cities included in our evaluation not designated as "Key State Environmental Protection Cities" are Dongguan, Yancheng, and Ordos.

2. PITI Evaluation Criteria

The 2008 and 2009-2010 PITI evaluations used the same evaluation criteria, with a minor exception.[5] Each city was evaluated according to the following eight metrics:

- *Records of Enterprise Violations (28 points):* As required by the Ministry of Environmental Protection Measures on Open Environmental Information (MEP Measures), disclosure of records for various types of facility violations, including administrative penalties and enforcement actions taken.
- *Results of "Enforcement Campaigns" Against Polluting Facilities (8 points):* Disclosure of the results of environmental protection bureau enforcement campaigns, such as campaigns targeting specific sectors, regions, or facilities, or ordering cessation of violations by designated deadlines.
- *Clean Production Audit Information (8 points):* As required by the MEP Measures, disclosure of two types of information: (i) lists of enterprises for which the government has enforced clean production audits; (ii) emissions data from enterprises selected to undergo clean production audits, which by law must be released one month after the clean production audit. This is China's only legal requirement for disclosure of facility-level pollutant emissions/discharge data.
- *Enterprise Environmental Performance Ratings (8 points):* Disclosure of enterprise environmental performance ratings in accordance with MEP guidelines, which set forth a color-coded system representing levels of environmental performance: very good (green), good (blue), average (yellow), poor (red), and very poor (black). This system does not require disclosure of factory-level emissions data.
- *Disposition of Verified Petitions and Complaints (18 points):* As required by the MEP Measures, disclosure of information on petitions and complaints, as well as their handling, including the content, target, and result of complaints and petitions, as well as general statistics on petitions acceptances, investigations, and handling results.
- *Environmental Impact Assessment (EIA) Reports and Project Completion Approvals (8 points):* As required by the MEP Measures, disclosure of: (i) the public comment draft of EIA reports; (ii) project completion reports, which typically include useful information about allowable enterprise emissions levels.
- *Discharge Fee Data (4 points):* Disclosure of discharge fee data, including the basis for such fees, standards and procedures for fees levied, fees owed compared with actual fees collected, and any waivers or discounts granted to facilities.
- *Response to Public Information Requests (18 points):* Response to public information requests and whether the local environmental protection bureau has established a standard and comprehensive system for responding to public information requests, including disclosure of information regarding request procedures, provisions of accurate contact information, the establishment of special offices or personnel for handling public information requests, standard and timely response to requests, and efforts to improve public convenience in making information requests.

Total: 100 Points

[5] In 2008, public information requests were made about administrative penalties, and about letters and visits. In 2009-2010, requests were only made about administrative penalties.

Each of the eight metrics is scored according to four evaluation criteria:

- *Systematic Disclosure:* Rating the comprehensiveness and continuity of disclosure (e.g. gaps in disclosure – a missed quarter of disclosure – or low numbers of records/information will result in lower scores here).
- *Timeliness:* Rating whether disclosure is timely and in accordance with legal requirements regarding the timing of disclosure.
- *Comprehensiveness:* Evaluating the level of detail, or completeness, of data disclosed (e.g., whether particular records disclosed include required information – such as names of enterprises, types of pollutants, etc.).
- *User-Friendliness:* Rating whether the manner in which information is presented or provided is convenient for the public.

A detailed description of the 2009-2010 PITI evaluation criteria can be found online at:

http://www.ipe.org.cn/about/notice_de.aspx?id=9631

http://china.nrdc.org/zh-hans/library/PITI

Results and Assessment

The PITI assessment results for 113 cities in 2009-2010 are as follows:

Figure 2[6]: Overall PITI Ranking of 113 Cities in 2009-2010

Rank	City	Total PITI Score in 2009 - 2010	Change	Rank	City	Total PITI Score in 2009 - 2010	Change	Rank	City	Total PITI Score in 2009 - 2010	Change
1	Ningbo	82.1	↑	39	Jinzhou	38.7	→	77	Yan'an	25.6	↑
2	Shenzhen	74.5	↑	40	Urumqi	37.9	↑	78	Yueyang	25.4	↑
3	Foshan	70.3	↑	41	Yancheng	37.7	↑	79	Baotou	25.2	↑
4	Shanghai	67.2	↑	42	Qingdao	37.7	→	80	Xining	25	↑
5	Taizhou	66.6	↑	43	Xiamen	37.6	↑	81	Baoji	24.4	↑
6	Zhongshan	66.4	↑	44	Yinchuan	37.6	↑	82	Nanchang	24.4	→
7	Changzhou	65.8	↑	45	Luoyang	37.2	↑	83	Benxi	24	↑
8	Quanzhou	65.8	↑	46	Zhuhai	37.2	↑	84	Tongchuan	23.7	→
9	Fuzhou	62.5	→	47	Jiaozuo	36.9	→	85	Changchun	23.4	→
10	Nantong	61.9	↑	48	Nanning	36.9	→	86	Guiyang	22.4	→
11	Suzhou	60.3	↑	49	Hangzhou	36.8	↓	87	Hohhot	22	→
12	Dongguan	58.5	↑	50	Chengdu	36.5	→	88	Jilin	21.8	↑
13	Nanjing	58.4	↑	51	Xuzhou	36.4	↑	89	Zhuzhou	21.2	↓
14	Hefei	56.8	↓	52	Anyang	36.3	↑	90	Fushun	21	→
15	Wenzhou	56.5	↑	53	Changsha	35.8	↑	91	Xianyang	21	→
16	Jiaxing	54.5	↑	54	Shenyang	35.6	↓	92	Zaozhuang	20.4	→
17	Wuxi	54.3	→	55	Kunming	34.6	↓	93	Xiangtan	20.4	↑
18	Chongqing	53.9	→	56	Liuzhou	34.6	↑	94	Rizhao	20.4	→
19	Yangzhou	52.7	↑	57	Weifang	34.2	↑	95	Qinhuangdao	20	→
20	Yichang	52.2	↑	58	Shijiazhuang	34.2	↑	96	Panzhihua	19.6	→
21	Guangzhou	51.9	↑	59	Chengde	34	↑	97	Shizuishan	19.4	↑
22	Weihai	51.1	↑	60	Wuhu	34	↑	98	Zhangjiajie	19	↑
23	Zhengzhou	50	↑	61	Beihai	33.8	↑	99	Ordos	19	→
24	Shaoxing	49.8	→	62	Guilin	33.8	↑	100	Yangquan	19	→
25	Yantai	48.7	↑	63	Lianyungang	33.3	↑	101	Qujing	18.9	↓
26	Wuhan	48	↓	64	Zhenjiang	32	↑	102	Jining	18.8	→
27	Dalian	47.1	↓	65	Handan	31.2	→	103	Shaoguan	18.8	→
28	Shantou	46.9	↑	66	Xi'an	31	↑	104	Yibin	18.7	↑
29	Zibo	45.4	→	67	Anshan	30.6	↑	105	Jiujiang	17.4	→
30	Ma'anshan	44	↑	68	Mudanjiang	30.4	↓	106	Linfen	17.2	↑
31	Jinan	43.5	↑	69	Pingdingshan	30.2	↑	107	Kaifeng	17.2	→
32	Beijing	43.5	↓	70	Changzhi	30	↓	108	Jinchang	17	→
33	Baoding	43.1	↑	71	Datong	29.4	↑	109	Tai'an	15.6	→
34	Daqing	41.5	↑	72	Lanzhou	28.5	↑	110	Zunyi	15.2	→
35	Tangshan	41.5	↑	73	Huzhou	28	↓	111	Kelamayi	14.8	↑
36	Taiyuan	40.8	↓	74	Qiqiha'er	27.6	↑	112	Chifeng	14.4	↓
37	Luzhou	39.8	↑	75	Mianyang	26.5	↑	113	Jinzhou	14	↓
38	Harbin	39.8	→	76	Tianjin	26.2	→				

[6] An increase of three or more points is marked by a green "up" arrow. A decrease of three or more points is marked by a red "down" arrow. An increase or decrease of less than three points is marked by a blue "flat" arrow.

Figure 3: Sub-Scores of the Eight PITI Evaluation Metrics for All 113 Cities

Scores of Eight Metrics in 113 Cities — 2009-2010										
NO.	City	Total PITI Score (100 points)	Records of Enterprise Violations (28 points)	Results of "Enforcement Campaigns" against Polluting Enterprises (8 points)	Clean Production Audit Information (8 points)	Enterprise Evaluation Performance Ratings (8 points)	Verified Petitions and Complaints (18 points)	EIA Reports and Project Completion Approvals (8 points)	Discharge Fee Data (4 points)	Public Information Requests (18 points)
1	Beijing	43.5	5.6	4.6	0	0	15.3	2.4	2.2	13.4
2	Tianjin	26.2	5.6	6.4	0	0	3.6	0	3	7.6
3	Shijiazhuang	34.2	5.6	5.8	2.4	1.6	14.4	2.8	0	1.6
4	Tangshan	41.5	12.7	6	2.4	1.6	15.4	1.6	0	1.8
5	Qinhuangdao	20	5.6	5.8	2.4	0	0	2.8	0	3.4
6	Handan	31.2	5.6	5.2	2.4	0	7.2	2	0	8.8
7	Baoding	43.1	5.6	5.8	2.4	0	9.7	2.4	0	17.2
8	Taiyuan	40.8	10.8	3	3.2	1.6	15.4	1.6	2.8	2.4
9	Datong	29.4	5.6	5.8	3.2	2.4	7.2	0	3.2	2
10	Yangquan	19	5.6	5.8	3.2	3.4	0	0	0	1
11	Changzhi	30	5.6	0	3.2	2.4	10.8	0	3	5
12	Linfen	17.2	5.6	1.6	3.2	1.6	0	1.6	2	1.6
13	Hohhot	22	5.6	4	3.2	0	3.6	1.6	0	4
14	Baotou	25.2	5.6	1.6	3.2	0	0	1.6	0	13.2
15	Chifeng	14.4	5.6	0	3.2	0	0	1.6	0	4
16	Ordos	19	5.6	5.2	3.2	0	0	2.4	0	2.6
17	Shenyang	35.6	5.6	5.8	3.2	0	16.2	2.4	0	2.4
18	Dalian	47.1	5.6	5.8	0	0	14.7	2.8	0.2	18
19	Anshan	30.6	5.6	6	5.6	0	7.2	2.8	0	3.4
20	Fushun	21	5.6	1.6	3.2	0	7.2	2.4	0	1
21	Benxi	24	5.6	6	3.6	0	7.2	1.6	0	0
22	Jinzhou	14	0	0	3.2	0	7.2	1.6	0	2
23	Changchun	23.4	8.2	6.4	0	0	7.2	0	0	1.6
24	Jilin	21.8	5.6	5.8	0	0	7.2	1.6	0	1.6
25	Harbin	39.8	14.5	6.8	3.6	0	6.1	2.8	3.4	2.6
26	Qiqiha'er	27.6	5.6	4	3.6	0	3.6	1.6	0	9.2
27	Daqing	41.5	5.6	6.4	6.8	0	6.5	2.8	2.6	10.8
28	Mudanjiang	30.4	5.6	4.2	3.6	0	10.8	1.6	1.2	3.4
29	Shanghai	67.2	22.2	4.8	4.4	1.6	10.8	2.8	2.6	18
30	Nanjing	58.4	5.6	4	4	5.6	14.4	5.6	2	17.2
31	Wuxi	54.3	15.3	5.8	3.6	4	15.8	5.6	0.2	4
32	Xuzhou	36.4	5.6	5.8	5.2	1.6	7.2	3.6	1.4	6
33	Changzhou	65.8	18.6	7	8	4	3.6	6.4	0.2	18
34	Suzhou	60.3	11.2	5.8	3.2	4.2	16.9	0	3.4	15.6
35	Nantong	61.9	14.6	6.8	3.2	2.4	10.1	6.8	0	18
36	Lianyungang	33.3	17.9	4	3.2	3.4	0	1.6	0	3.2
37	Yangzhou	52.7	16.8	5.8	4	1.6	16.9	4.4	0	3.2
38	Yancheng	37.7	14.9	4.4	4	1.6	7.2	1.6	0	4
39	Hangzhou	36.8	5.6	4.6	3.2	5.6	7.2	3.2	3.4	4
40	Ningbo	82.1	28	2.6	4	1.6	16.9	7.6	3.4	18

41	Wenzhou	56.5	24.7	4.6	3.2	5.4	3.6	4	0.2	10.8
42	Jiaxing	54.5	16.7	6.4	3.2	0	7.2	3.6	0.2	17.2
43	Huzhou	28	5.6	0	3.2	0	0	2.8	0	16.4
44	Shaoxing	49.8	5.6	4	3.2	1.6	16.2	6.6	3.8	8.8
45	Taizhou	66.6	19	7.4	3.2	0	16.2	2.8	0	18
46	Hefei	56.8	13	4.8	1.6	0	14.4	1.6	3.4	18
47	Wuhu	34	5.6	5.2	0	0	10.8	1.6	0	10.8
48	Ma'anshan	44	5.6	4.4	3.6	2.6	16.2	0	0	11.6
49	Fuzhou	62.5	16.4	4.6	3.6	0	16.9	1.6	1.4	18
50	Xiamen	37.6	12.2	4.6	3.6	0	3.6	1.6	3.2	8.8
51	Quanzhou	65.8	19	6.2	4.4	0	15.4	2.8	0	18
52	Nanchang	24.4	5.6	4.8	0	0	3.6	3.2	3.2	4
53	Jiujiang	17.4	5.6	4.6	0	0	3.6	2	0	1.6
54	Jinan	43.5	16.8	6.4	3.2	0	6.1	2.8	3.2	5
55	Qingdao	37.7	10.1	5.2	3.6	0	3.6	2.4	0	12.8
56	Zibo	45.4	17.5	4.6	3.2	0	16.9	0	0	3.2
57	Zaozhuang	20.4	5.6	3.2	3.2	0	3.6	1.6	0	3.2
58	Yantai	48.7	5.6	3	3.2	0	16.1	1.6	2.8	16.4
59	Weifang	34.2	5.6	4.2	3.2	0	10.8	1.6	0	8.8
60	Jining	18.8	5.6	1.6	3.2	0	3.6	1.6	0	3.2
61	Tai'an	15.6	5.6	2.2	3.2	0	2.8	0	0	1.8
62	Weihai	51.1	16.8	4.2	3.2	0	16.1	0	0	10.8
63	Rizhao	20.4	5.6	1.6	3.2	0	3.6	2.4	0	4
64	Zhengzhou	50	5.6	4.8	3.2	0	15.4	1.6	1.4	18
65	Kaifeng	17.2	5.6	0	3.2	0	3.6	1.6	1.6	1.6
66	Luoyang	37.2	5.6	6	3.2	0	15.8	1.6	0	5
67	Pingdingshan	30.2	1.6	5.8	3.2	0	0	1.6	0	18
68	Anyang	36.3	5.6	0	3.2	0	6.5	1.6	1.4	18
69	Jiaozuo	36.9	5.6	5.2	3.2	0	16.9	1.6	2	2.4
70	Wuhan	48	11.2	4.8	0	0	16.2	2	2.2	11.6
71	Yichang	52.2	9.3	5.2	0	0	16.1	2	1.6	18
72	Jinzhou	38.7	8.3	5.8	1.6	0	13	2.4	3.4	4.2
73	Changsha	35.8	19	6.8	2.4	0	3.6	0	2	2
74	Zhuzhou	21.2	5.6	2	2.4	0	7.2	0	0	4
75	Xiangtan	20.4	5.6	2.4	2.4	0	0	0	0.8	9.2
76	Yueyang	25.4	5.6	4.6	2.4	0	0	0	1.8	11
77	Changde	34	5.6	1.6	2.4	0	3.6	2.8	0	18
78	Zhangjiajie	19	9.2	4.6	0	0	3.6	0	0	1.6
79	Guangzhou	51.9	13	7.4	0	3.4	6.5	6.8	3.2	11.6
80	Shaoguan	18.8	5.6	4	0	1.6	0	4.4	0	3.2
81	Shenzhen	74.5	21.3	4.6	4	5.6	12.2	6.8	2	18
82	Zhuhai	37.2	5.6	4	0.8	1.6	7.2	5.2	0	12.8
83	Shantou	46.9	10.1	4	4.4	1.6	15.4	1.6	3.4	6.4
84	Foshan	70.3	24	4.6	0	3.2	16.1	4.4	0	18
85	Zhanjiang	32	16.8	4.6	0	2.4	3.6	2.4	0.2	2
86	Zhongshan	66.4	22.4	4.8	0	3.4	15	2.8	0	18
87	Dongguan	58.5	18.2	1.6	0	2.4	16.1	2.8	0	17.4

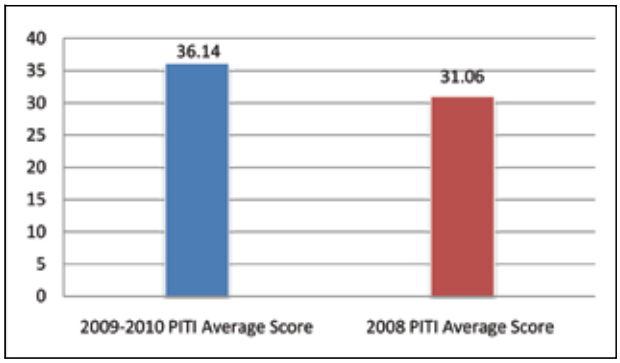
88	Nanning	36.9	5.6	6.4	3.2	0	11.1	3.2	3.4	4
89	Liuzhou	34.6	5.6	4.6	0	0	3.6	2.8	0	18
90	Guilin	33.8	5.6	1.6	0	0	3.6	5.6	3.4	14
91	Beihai	33.8	5.6	4	6.4	0	7.2	6.4	0	4.2
92	Chongqing	53.9	13	4.8	5.6	0	16.9	6.8	2.8	4
93	Chengdu	36.5	11.2	4.8	0	0	11.1	4.4	0	5
94	Panzhihua	19.6	5.6	3.6	0	0	3.6	2.8	0	4
95	Luzhou	39.8	10.1	5.4	0	0	6.5	4.4	3.4	10
96	Mianyang	26.5	5.6	3.2	0	0	6.5	2.8	0	8.4
97	Yibin	18.7	5.6	6.6	0	0	6.5	0	0	0
98	Guiyang	22.4	5.6	4.8	0.4	0	3.6	1.6	1.4	5
99	Zunyi	15.2	5.6	1.6	0.4	0	3.6	1.6	2.4	0
100	Kunming	34.6	11.2	5.4	3.6	0	7.2	4	0	3.2
101	Qujing	18.9	9.3	0	3.6	0	3.6	0	0	2.4
102	Xi'an	31	5.6	5.8	3.2	0	10.8	2.4	0	3.2
103	Tongchuan	23.7	9.3	6	3.2	0	0	1.6	0	3.6
104	Baoji	24.4	5.6	0	3.2	0	0	0	0	15.6
105	Xianyang	21	5.6	4.6	3.2	0	3.6	0	0	4
106	Yan'an	25.6	5.6	4	4	0	7.2	3.2	0	1.6
107	Lanzhou	28.5	16.7	6.4	3.6	0	0	0	0	1.8
108	Jinchang	17	5.6	4.2	3.6	0	3.6	0	0	0
109	Xining	25	11.2	4.4	3.2	0	3.6	1.6	0	1
110	Yinchuan	37.6	5.6	4	3.2	0	14.4	3.2	3	4.2
111	Shizuishan	19.4	5.6	4.6	3.2	0	3.6	2.4	0	0
112	Urumqi	37.9	9.3	6.4	0	0	1	2.8	2	16.4
113	Kelamayi	14.8	5.6	1.6	0	0	3.6	0	0	4

Below are the key findings of the 2009-2010 PITI report:

• The Overall Level of Environmental Information Disclosure Improved

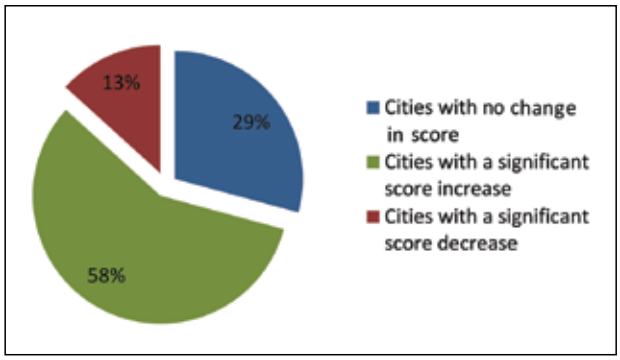
According to the 2009-2010 PITI assessment, the average score of the 113 evaluated cities increased to 36 points for the 2009-2010 PITI, five points higher than the 2008 PITI average.

Figure 4: Comparison of Average PITI Scores Between 2008 and 2009-2010



Of the 113 cities, 65 scored significantly higher in 2009-2010 compared to 2008, and 15 had significant decreases in performance.

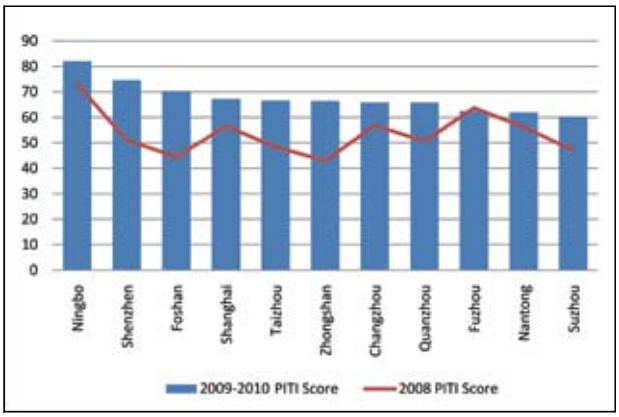
Figure 5: Breakdown of PITI Score Changes from 2008 to 2009-2010



Note: If the PITI score increased by three points or more from the previous year's score, it is considered a "significant score increase." If the PITI score increased or decreased by less than three points, it is considered "relatively the same score." If the PITI score decreased by three points or more from the previous year's score, it is considered a "significant score decrease."

The number of cities receiving a passing grade of 60 points or higher increased from four in the 2008 PITI evaluation to eleven in 2009-2010. Ningbo was once again the highest scoring city, and the only to exceed 80 points.

Figure 6: Cities with Scores Exceeding 60 Points in the 2009-2010 PITI Evaluation



Note: the sub-scores for the cities show that cities scoring over 60 points fared well in the categories of disclosure of violations and accidents, and handling of disclosure upon request.

Anatomy of a Front Runner: Ningbo

Ningbo scored 72.9 points in the 2008 PITI evaluation, the highest of all 113 evaluated cities. For 2009-2010, Ningbo scored 82.1 points, once again the highest in the PITI evaluation.

Ningbo is the only city we assessed in 2009-2010 that received a full score for disclosure of enterprise violation records. The Ningbo Municipal EPB, as well as its sub-bureaus in Zhenhai, Cixi, Ninghai, Xiangshan, Beilun, and Yuyao districts, created a special section on their websites to disclose records of enterprise violations and penalties in a relatively systematic and timely manner. The disclosure by Zhenhai district and Cixi municipality not only included names of the enterprises, violation times, and the consequences prescribed by law, it also included pollutant and monitoring data. This comprehensive disclosure is why Ningbo scored even higher on the comprehensiveness of disclosure metric than it did in 2008. Ningbo also updated its website to include a search engine, so its user-friendliness score also increased.

The new website provided a special function for making public information requests and a guidebook on open information. Users can request information via internet, fax, mail, or email. In 2008, Ningbo lost points for the systematic disclosure and comprehensiveness metrics because its response to information requests was incomplete. In 2009-2010, Ningbo responded to requests in a timely and comprehensive manner.

• Progress in Environmental Information Disclosure is Unevenly Distributed, and There is a Growing Divergence in Performance among Cities and Regions

Sixty-five cities scored significantly higher in 2009-2010 than in 2008, but 15 cities had significant decreases in performance as well. Figure 2 notes the relative performance of the 113 evaluated cities in 2009-2010 in comparison to 2008.

The top-ten most improved cities in the PITI evaluation this year exhibited significant improvements in performance.

Figure 7: Top-Ten Most Improved Cities

City	Total PITI score in 2009 - 2010	Total PITI score in 2008	Point Increase
Jiaxing	54.5	25.7	28.8
Foshan	70.3	44.4	25.9
Dongguan	58.5	34.3	24.2
Zhongshan	66.4	42.9	23.5
Shenzhen	74.5	51.1	23.4
Zhanjiang	32	10.6	21.4
Luzhou	39.8	19.2	20.6
Liuzhou	34.6	15.8	18.8
Yichang	52.2	33.7	18.5
Taizhou	66.6	48.4	18.2

Most-Improved Case Study 1: Jiaxing

Jiaxing scored 54.5 points in the 2009-2010 PITI evaluation. The 28.8 point increase over its 2008 PITI score made Jiaxing the most improved of all 113 evaluated cities. This dramatic increase is due to Jiaxing's improvements in disclosure of petitions and complaints and its response to public information requests. Jiaxing only disclosed the violation records of about 80 enterprises in the 2008 PITI evaluation period. In 2009-2010, Jiaxing disclosed information regarding 69 enterprises with serious illegal emissions in the Jiaxing Daily,[7] and the affiliated Nanhu district EPB also disclosed records of environmental violations, for a total of 358 disclosures in total for Jiaxing in 2009-2010. Since 2010, Jiaxing began to disclose the violation records monthly, including a list of enterprises subject to administrative penalties and reasons for the penalties, demonstrating improved systematic disclosure of records.

During the 2008 PITI evaluation period, the Jiaxing EPB website did not provide any information on how to request information, and provided no channel for submitting information requests. In the 2009-2010 evaluation period, Jiaxing's EPB dedicated a section of its website to public information requests, and provided appropriate contact information. The department responded to our request for information disclosure in five days.

Most-Improved Case Study 2: Foshan

Foshan's score improved by 25.9 points from 2008 to 2009-2010, making it the second most improved city this past year. Once an average-scoring city, Foshan is now one of only three cities with a PITI score exceeding 70 points.

In 2008, Foshan did not announce records of enterprise violations or accidents in a systematic, comprehensive manner. Only Shunde district of Foshan disclosed records of administrative penalties against a handful of enterprises. However, on June 12-13, 2010,[8] the Foshan EPB posted a List of Enterprises Subject to Environmental Administrative Penalties to its website, which included information on enterprises subject to administrative penalties in 2007, 2008, and 2009. A significant amount of information was disclosed, including information on more than 500 enterprises for 2009.

Foshan did not respond to the public information request in the 2008 PITI evaluation. In 2009-2010, Foshan provided the requested information, scoring a significant PITI score increase. However, Foshan still has no working online request system. The evaluation team submitted an information request online, yet the response to this submission required downloading a request form for submission in accordance with the Foshan EPB Guide to Open Government Information. After following instructions in the Guide, faxing the request, and confirming receipt via telephone, the EPB told the evaluation team that the request had not been received. In the end, the evaluation team had to make a new request.

[7] The information disclosed in the first publication: Jiaxing Environmental Protection Bureau, http://www.jiaxing.gov.cn/art/2009/1/5/art_21_3849.html.
The information disclosed in the second publication: Jiaxing Environmental Protection Bureau, http://www.jepb.gov.cn/webnews/webnewsdaily.aspx?firstid=10&secondid=29&id=19526.
The information disclosed in the third publication: Jiaxing Environmental Protection Bureau, http://www.jiaxing.gov.cn/art/2009/11/27/art_101_18754.

[8] See footnote 2.

Figure 8: Foshan Environmental Protection Bureau's List of Enterprises

(Source: Foshan Environmental Protection Bureau Website, http://www.foshanepb.gov.cn/zwgk/hbzw/hjbhf/hjxzcfqy/, last visited Dec. 9, 2010)

Most-improved Case Study 3: Zhanjiang

Zhanjiang scored extremely low in the 2008 PITI assessment, but increased by 21.4 points in the 2009-2010 evaluation. This was an increase of 201.89 percent, the largest percent change of all 113 evaluated cities.

During the 2008 PITI assessment period, Zhanjiang did not systematically release records regarding enterprise violations and accidents, and only announced the violations of three enterprises. By the end of 2009, the Zhanjiang EPB website had been modified to include a section on administrative penalties that systematically disclosed this information. In March 2010, the Zhanjiang EPB posted fourth quarter 2009 administrative penalties to its website, announcing that eleven enterprises had received penalties. Information disclosed included the names of enterprises, types of violations, specific laws and regulations violated, penalties and measures, fine amount, and time of issuance for penalty decisions. Unfortunately, no additional information has been disclosed since this one isolated event.

The ten cities with highest declines in performance had significant decreases in their PITI scores

Figure 9: Ten Cities with the Largest Decreases in Performance

City	Total PITI score in 2009 - 2010	Total PITI score in 2008	Point Decrease
Kunming	34.6	49.4	-14.8
Taiyuan	40.8	55.4	-14.6
Wuhan	48	61.2	-13.2
Changzhi	30	42.9	-12.9
Huzhou	28	40.4	-12.4
Hangzhou	36.8	48	-11.2
Hefei	56.8	66.6	-9.8
Chifeng	14.4	24.1	-9.7
Mudanjiang	30.4	38.8	-8.4
Jinzhou	14	20.4	-6.4

Performance Decline Case Study 1: Hangzhou

Hangzhou, the capital of Zhejiang Province, experienced an 11.2 point decline in performance in the 2009-2010 PITI assessment, receiving just 36.8 points. This placed Hangzhou second to last of all seven evaluated cities in the province. This decline can largely be attributed to backtracking in disclosure of records of enterprise violations and poor response to public information requests.

Hangzhou's disclosure of enterprise violation records declined in the 2009-2010 PITI evaluation compared to the previous year. In 2008, the Hangzhou EPB and the Xiaoshan District EPB disclosed 274 enterprise violation records. In 2009, neither Hangzhou nor its subsidiary district EPBs systematically disclosed enterprise violation records. Only 60 enterprise violation records could be found.[9]

Hangzhou's performance on response to public information requests declined markedly in 2009-2010. In the 2008 PITI evaluation Hangzhou responded well to public information requests, but in the 2009-2010 evaluation Hangzhou was like a black hole into which public information requests disappeared with no response.

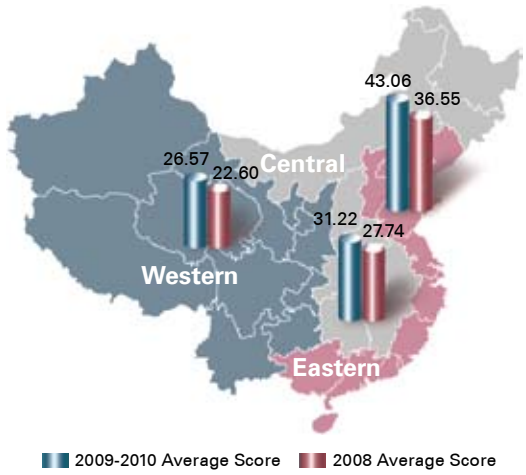
Performance Decline Case Study 2: Taiyuan

Taiyuan's 2009-2010 score of 40.8 points is a significant drop of 26.4 percent from its 2008 score of 55.4 points. Compared with 2008, Taiyuan's disclosure of enterprise violation records drastically declined. In 2008, Taiyuan monitored, inspected, and disclosed information on ten key polluting enterprises and 17 key air pollution sources through the Key Pollution Sources Monitor Quarterly. However, in 2009-2010, Taiyuan completely halted disclosure through the Quarterly. After the cessation of this good practice, Taiyuan's disclosure of enterprise violation records decreased by 31 percent from 2008 to 2009-2010. On a positive note, our assessment found that in 2009-2010, Taiyuan disclosed emissions information, including COD, BOD5, SS, and other indicators, for wastewater treatment plants. Taiyuan should extend this good disclosure to other pollution sources in the future.

[9] The situation improved in 2010, when Hangzhou started disclosing quarterly city and district level information.

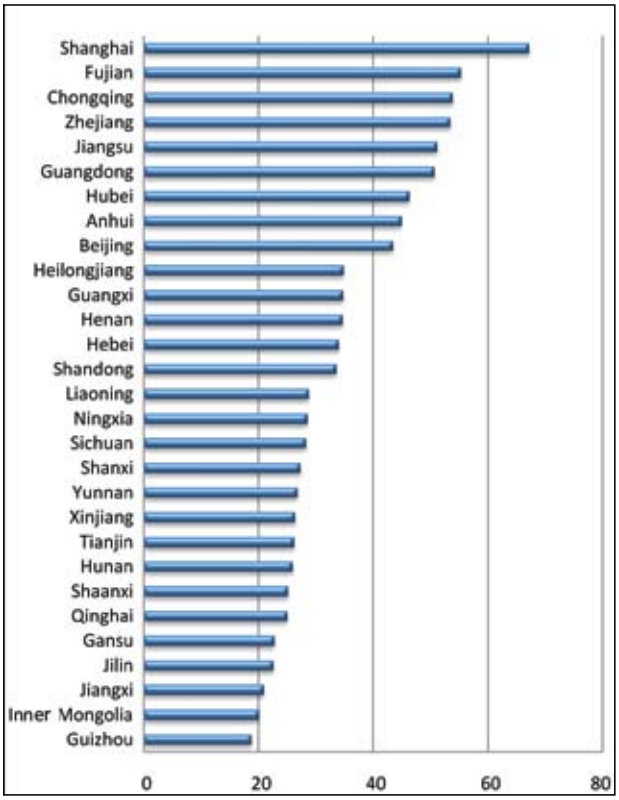
The average score of the cities in all regions (eastern, central, western) increased. Cities in the southeast coastal regions showed the most improvement.

Figure 10: Comparison of Eastern, Central, and Western Regions



The average scores of Shanghai, Fujian, Zhejiang, Jiangsu, and Guangdong in the southern and eastern coastal regions placed near the top. Guizhou, Inner Mongolia, Jiangxi, Jilin, and Gansu in the middle and western regions came in at the bottom.

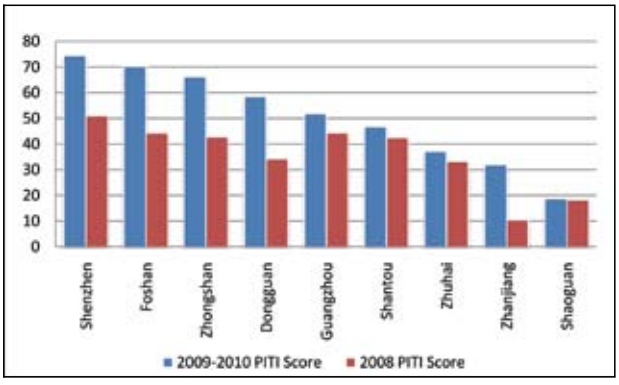
Figure 11: 2009-2010 Provincial Average PITI Scores



Most Improved Province: Guangdong

Guangdong was the most improved province. Other provinces that made progress include: Qinghai, Shanghai, Guangxi, Sichuan, Fujian, and Henan. See Appendix I for a comparison of provincial PITI scores between 2008 and 2009-2010.

Figure 12: Comparison of PITI Scores of Evaluated Cities in Guangdong in 2008 and 2009-2010



Of all the provinces, Guangdong's 2009-2010 progress was most apparent. The average score of Guangzhou's nine cities increased from 35.79 points in 2008 to the 2009-2010 average of 50.72, a 41.76 percent increase. The scores of all nine cities increased, with Foshan, Dongguan, Zhongshan, Shenzhen, and Zhanjiang improving by more than 20 points. The Pearl River Delta cities of Shenzhen, Zhongshan, and Foshan were the most outstanding performers, all with scores higher than 60 points. Shenzhen scored an impressive 72 points, putting it at second place for all 113 cities.

Guangdong Case Study 1: Zhongshan

Zhongshan scored 66.4 points in the 2009-2010 PITI, an increase of 23.5 points and over 50 percent from 2008. Zhongshan EPB's disclosure of administrative penalties in the 2008 PITI evaluation period was not particularly systematic, but starting June 11, 2009, Zhongshan EPB began releasing quarterly environmental administrative penalty statistics on the special Handling of Environmental Administrative Penalty Cases section of its website. Every listing of administrative penalties included the name of the enterprise, the specific violation, the specific laws and regulations violated, and penalty incurred.

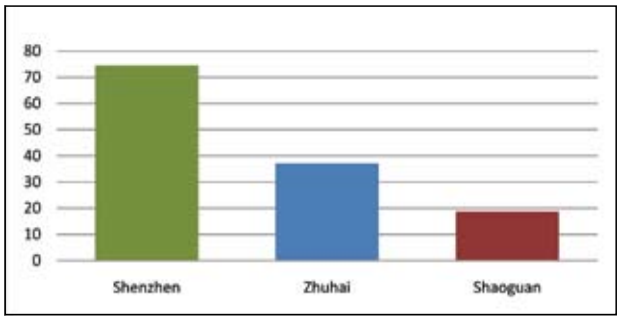
In response to public information requests, Zhongshan maintained its good performance from 2008, responding to information requests within 15 days.

Figure 13: Zhongshan EPB website's special Handling of Environmental Administrative Penalty Cases section

(Source: Zhongshan EPB website, http://www.zsepb.gov.cn/bsgk/hjcf/, last visited Dec. 9, 2010)

Although Guangdong Province's progress was the most apparent, it also had the biggest gap among cities, with a difference of 55.7 points. Zhuhai and Shenzhen, both special economic zones in Guangdong, still have a difference of 37.3 points. Other provinces with significant score differences among cities include: Liaoning, Shandong, Zhejiang, and Henan. We hope our cross comparison can help cities in the same province to learn from each other's strengths and improve together.

Figure 14: 2009-2010 Comparison of Shenzhen, Zhuhai, and Shaoguan



Guangdong Case Study 2: Shenzhen

Shenzhen scored 74.5 points in the 2009-2010 PITI assessment, placing it second only to Ningbo among all 113 evaluated cities. Its 23.4 point increase from 2008 is also the fifth highest of all the cities.

In 2008, Shenzhen only disclosed records of enterprise violations through the media. The EPB did not provide this information on its own website. In 2009-2010, Shenzhen Human Environment, an official government website, disclosed a list of enterprises with major environmental violations[10] through a quarterly environmental status bulletin. Shenzhen also released the list of violating enterprises through the Southern Metropolis Daily, Crystal News, and other media.[11]

In the 2008 PITI assessment, Shenzhen failed to disclose information regarding verified petitions and complaints. However, in 2009, the Shenzhen Human Environment website launched a special "complaint resolution" section to disclose information on verified petitions and complaints received since June 2009.

Guangdong Case Study 3: Zhuhai

For 2009-2010, Zhuhai received 37.2 points - significantly less than the 50.72 point average for Guangdong, and third to last among the nine evaluated cities in the province.

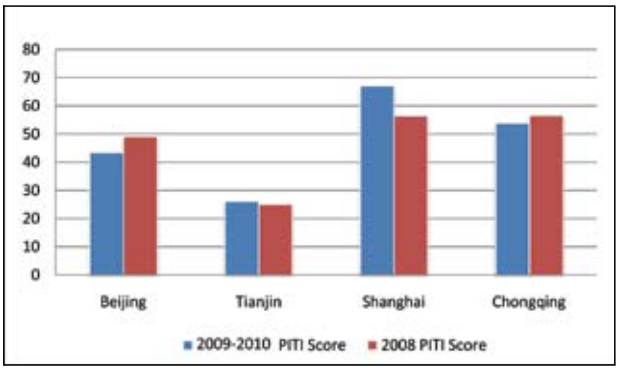
The Zhuhai EPB website has sections dedicated to Heavily-Polluting Enterprises, Enterprises with Major Pollution Incidents that Refuse to Comply with Environmental Administrative Penalties, and Environmental Administrative Penalties and Measures. However, the sections disclose general statistics without providing any enterprise-specific information. Enterprise-specific disclosure was limited to sporadic release of only 11 enterprise-monitoring records throughout the evaluation period.

In the areas of disclosure of clean production audit information, pollutant discharge fee data, and responses to public information requests, Zhuhai continued the sluggish performance it showed in the 2008 evaluation period, and failed to disclose the information in a systematic and comprehensive manner.

• Some Major Cities Demonstrated Only Passable Performance

Among the four municipalities directly under the administration of the State Council (Beijing, Tianjin, Shanghai, Chongqing), Tianjin's disclosure was very limited, and Beijing scored significantly lower than in 2008. In January 2010, the Beijing environmental protection bureau began to disclose lists of entities subject to administrative penalties. The information disclosed in 2010 in this regard noticeably increased, and by December 2010 the 2010 disclosure volume had surpassed the 2009 disclosure volume by more than 30 times. We expect to see a large improvement to Beijing's PITI score next year.

Figure 15: Comparison of 2008 and 2009-2010 PITI Scores for the Four Municipalities Directly under State Council



[10] Shenzhen Human Environment. http://www.szhec.gov.cn/xxgk/xxgkml/xxgk_4/xxgk_4_10/xxgk_4_10_4/

[11] Reposted from Southern Metropolis Daily on Anqing News Network. http://www.aqnews.com.cn/AzongheNews/ZHshehui/200901/39311.html

Major Municipality Case Study 1: Chongqing

Chongqing's performance declined between 2008 and 2009-2010. Nonetheless, it still scored 53.9 points, placing it second place among the four municipalities directly under State Council administration, and first in China's western region. The highlight of Chongqing's 2009-2010 PITI assessment was impressive progress in the disclosure of enterprise violation and accident records: records for 271 enterprises were disclosed in 2009-2010, an increase over its 2008 disclosure of 113 records. Moreover, Chongqing disclosed records for 41 Key State Monitored Enterprises in 2009, comprising 32 percent of the 128 enterprises of this type in Chongqing. In 2008, only four violation records, or 6.7 percent of the 60 Key State Monitored Enterprises at the time, were disclosed.

Another highlight was the disclosure of mandatory clean production audit information. Since the Chongqing EPB issued its 2009 notice regarding the list of enterprises subject to mandatory clean production audit, 15 enterprises have disclosed audit information through government websites, the Chongqing clean production website, or the media. Disclosed information included pollutants, emissions concentrations, status of compliance with standards, total emissions volume, and emission direction.

Chongqing's total score declined primarily because it did not respond to information requests, which resulted in a loss of 10 points from its 2008 score. Better responsiveness to public information requests will significantly enhance Chongqing's performance in the next PITI evaluation.

Major Municipality Case Study 2: Tianjin

Tianjin scored 26.2 points in the 2009-2010 PITI assessment, far lower than the average score of 47.7 points for the municipalities directly under State Council, placing it last in this group. Tianjin only disclosed 40 enterprise violations in 2009-2010, a notable decrease from the 58 records of enterprise violations it disclosed in 2008. Furthermore, Tianjin only disclosed violation records for two out of 42 Key State Monitored Enterprises, or only 4.76 percent. In 2008, Tianjin disclosed three out of 25 Key State Monitored Enterprises, or 12 percent. Tianjin's disclosure of records of violations for Key State Monitored Enterprises was weaker in 2009-2010 than it was in 2008.

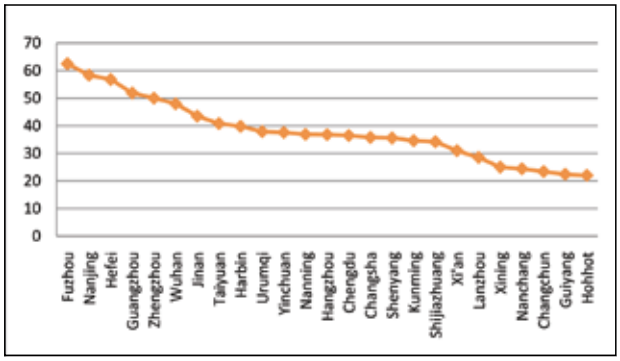
In disclosure of clean production audit data and disclosure of environmental impact assessment reports and project completion approvals, Tianjin received no points in either year of the PITI evaluation. In the area of disclosure of letters and visits and complaints, Tianjin still discloses very little information, and received the lowest score for this metric. The one bright spot in environmental information disclosure in Tianjin comes from Tianjin Economic-Technological Development Area (TEDA), whose EPB began to encourage enterprises to disclose environmental annual reports in 2009. For many enterprises, these annual reports included emissions data.[12]

[12] Please see the Tianjin TEDA EPB website. http://www.teda.gov.cn/html/hjbhj/QYHJXXGKZL12403/List/list_0.htm

A Closer Look at Provincial Capitals

Of the 25 provincial capital cities, the top four cities — Fuzhou, Nanjing, Hefei, and Guangzhou — are all in the east. The fifth, Zhengzhou, is in central China. The last five lowest-scoring provincial capitals — Hohhot, Guiyang, Changchun, Nanchang, and Xining — only score about 20 points each.

Figure 16: PITI Scores for Provincial Capitals

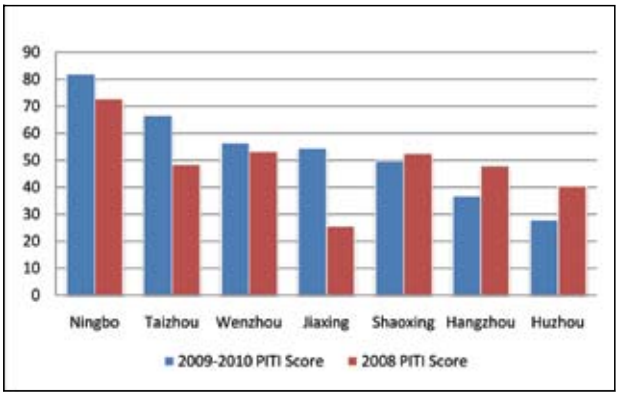


Eleven provincial capitals did not obtain the top score for their provinces, with some provincial capitals (e.g., Hangzhou and Shijiazhuang) lagging significantly behind other cities in their provinces. This is a surprising result given the superior financial, human, and other resources that capital cities typically enjoy.

Provincial Capital Under-Performance Case Study 1: Zhejiang

Of the seven evaluated cities in Zhejiang Province, the top three - Ningbo, Taizhou, and Jiaxing - had large improvements, with Ningbo surpassing 80 points. However, Hangzhou scored second to last in its province, and is in much need of improvement.

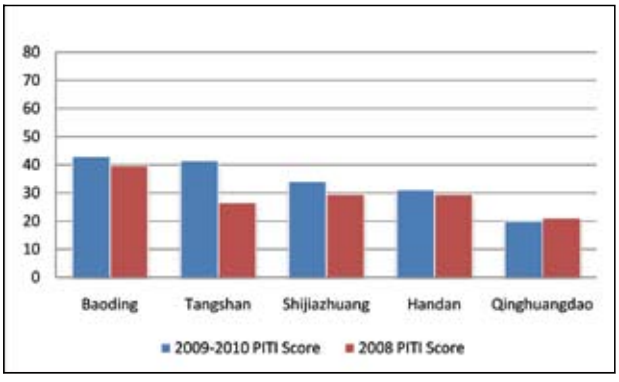
Figure 17: Comparison of PITI Scores for Seven Cities in Zhejiang Province



Provincial Capital Under-Performance Case Study 2: Hebei

In the five evaluated cities in Hebei Province, Baoding again received the highest score within the province, and Tangshan was relatively improved, especially in disclosure of violations and accident records, and complaint information. The Yutian County EPB disclosed statistics on 90 cases of 2009 administrative penalties. Shijiazhuang, the capital city, performed poorly.

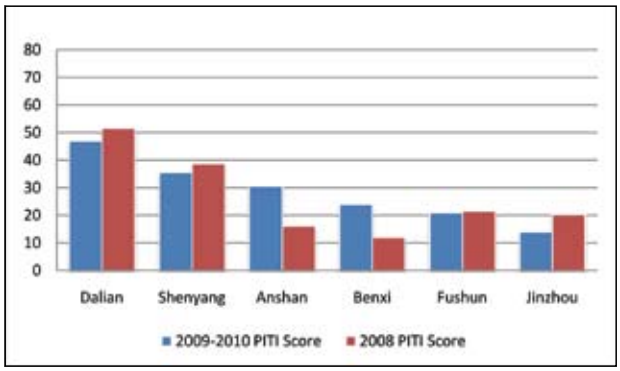
Figure 18: Comparison of PITI Scores for Five Cities in Hebei Province



Provincial Capital Under-Performance Case Study 3: Liaoning

Of the six evaluated cities in Liaoning Province, some scores went up and others declined. Dalian led other cities in the province by a large margin, but performed more poorly than in 2008. Performance in Shenyang and Jinjiang also declined. Anshan and Benxi improved.

Figure 19: Comparison of PITI Scores for Six Cities in Liaoning Province



Note: See Appendix 2 for additional inter-provincial comparisons of city performance

• Progress Previously Seen in Some Regions has Not Been Sustained

Prior to the 2008 Beijing Olympics, Beijing and neighboring provinces such as Shanxi and Hebei expanded campaigns against violators, and disclosed information regarding polluting enterprises. However, these good practices were not continued after the Olympics, causing the PITI scores for many cities in the region to fall in 2009-2010. The 2009 National Games in Jinan, the 2010 World Expo in Shanghai, and the 2010 Asian Games in Guangzhou all led to greater environmental information disclosure in host cities and surrounding regions. However, the question of how to sustain the environmental disclosure improvements related to such major international events remains a difficult one.

Figure 20: Jinan Environmental Monitor Daily Screenshot During the National Games

(Source: Jinan EPB website, http://uk.reuters.com/article/idUKTRE61G3XT20100217?pageNumber=1, last visited Dec. 20, 2010)

• Disclosure of Enterprise-Level Emissions Data Remains Inadequate

This year, many facilities in violation of emissions and clean production standards failed to publicly disclose emissions data as required by law. Local environmental protection bureaus often failed to impose any fines or take other actions in response as required by law.

Changzhou, Tianjin Economic-Technological Development Area (a state-sponsored industrial park in Tianjin), and Xuzhou Tongshan provided rare cases of good enterprise-level emissions data disclosure practices. In October 2010, China's Ministry of Environmental Protection began to disclose detailed environmental inspection reports related to listed company refinancing that included, among other things, three years of facility-level emissions data. This practice should serve as a valuable model for China.

Figure 21: Screenshot of Environmental Disclosure in Connection with Sinopec Refinancing

(Source: Ministry of Environmental Protection website, http://wfs.mep.gov.cn/gywrfz/hbhc/hcpx/201010/t20101018_195657.htm, last visited Dec. 14, 2010)

• Some Regions are Working with Non-Governmental Organizations (NGOs) on Environmental Information Disclosure

During the PITI assessment, some cities directly communicated with environmental NGOs, including IPE and NRDC, about environmental information disclosure. Jiaxing, Beijing, Zhongshan, Yantai, Baoding, and Yinchuan were particularly active. At a May 2010 workshop in Weihai City, Shandong Province, EPB officials, NGOs, and media discussed how to advance environmental information disclosure. At a November 2010 Forum on Public Participation in Jiaixing City, Zhejiang Province, EPB officials engaged in an in-depth exchange on environmental information disclosure with NGOs, media, and community representatives. In 2010, Chongqing and the Tianjin Economic-Technological Development Area initiated NGO meetings that included discussion of environmental information disclosure. These talks have played an important role in pushing forward regional environmental information disclosure.

Figure 22: National Pollution Monitoring Information Workshop, Weihai, Shangdong Province (May 2010)

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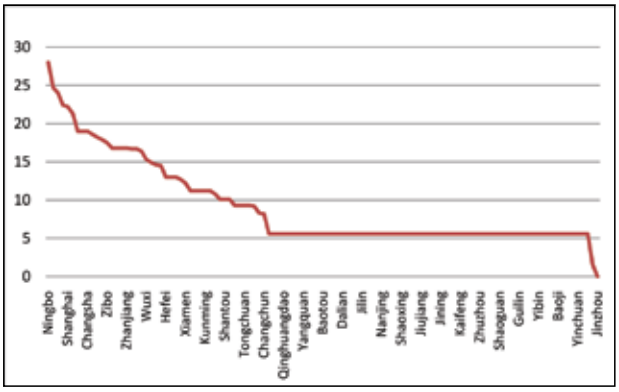
• Disclosure of Enterprise Violations and Accidents is Still Weak, but Disclosure Upon Request has Shown Some Improvement

Figure 23: Performance on Disclosure of Enterprise Violations and Accidents



Though it is one of the most important types of environmental disclosure, the disclosure of enterprise violation and accident records is still the weakest link in China's environmental information disclosure. Our assessment of this metric in 2009-2010 found that only 45 cities performed at a level higher than the lowest score of 5.6 points. Other cities performed at such a low level that they defaulted to 5.6 points, or, as in the case of Jinzhou, disclosed no information whatsoever and could not be scored.

Figure 24: Jinzhou PITI Sub-Scores for 2008 and 2009-2010

Year	2008	2009-2010
PITI Score	20.4	14
Records of Enterprise Violations	5.6	0
Results of "Enforcement Campaigns" Against Polluting Enterprises	1.6	0
Clean Production Audit Information	3.2	3.2
Enterprise Evaluation Performance Ratings	0	0
Verified Petition and Complaints	7.2	7.2
EIA Reports and Project Completion Approvals	2.8	1.6
Discharge Fee Data	0	0
Public Information Requests	0	2

In 2009-2010, Jinzhou did not disclose any records of enterprise violations, and scored a zero for this most important metric for the first time. Jinzhou also scored zero points in the evaluation metrics regarding disclosure of enforcement campaigns, enterprise evaluation performance rating, and discharge fees. As an eastern city, Jinzhou's poor performance is a surprise and shows extreme need for improvement.

Information disclosure upon request has improved since last year's evaluation. In 2009-2010, when the assessment team submitted requests to 113 cities, 49 of the EPBs responded, and 32 of them provided the requested data, accounting for 28 percent of the total number of cities approached. This is an increase of four percentage points compared with the 2008 result. Hefei, Changde, and Zhuhai not only responded to the requests, but posted all the requested information on their websites for public access. We only requested information for the first quarter of 2009, yet Baoding and Jiaxing provided information for the entire year.

In the course of making requests, the assessment team communicated with EPB staff about how to improve environmental information disclosure. As a result, some cities have started disclosing pollution information on a more regular basis.

In response to public information requests, 10 percent of the EPBs notified the claimants that "no administrative penalties were imposed or rejected" in the first quarter of 2009. These very possibly reflect situations in which environmental enforcement needs to be intensified.

Figure 25: 2008 PITI Responses to Information Requests

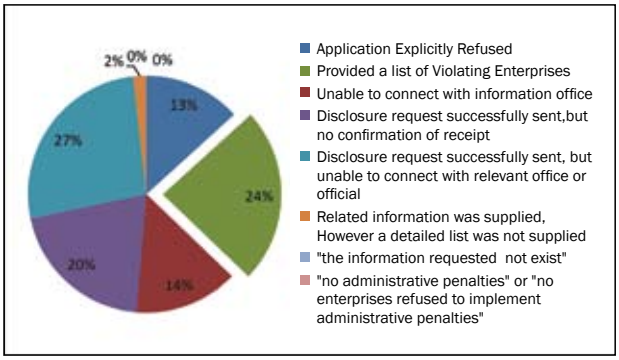
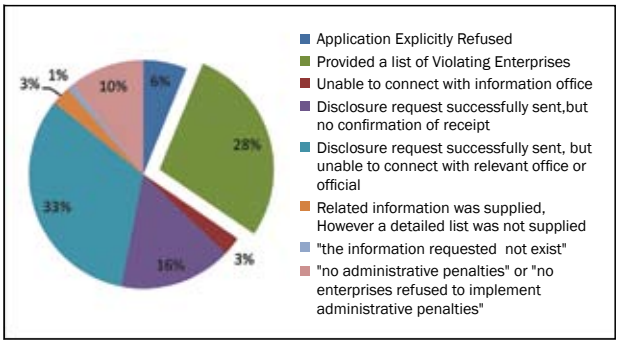


Figure 26: 2009-2010 PITI Responses to Information Requests



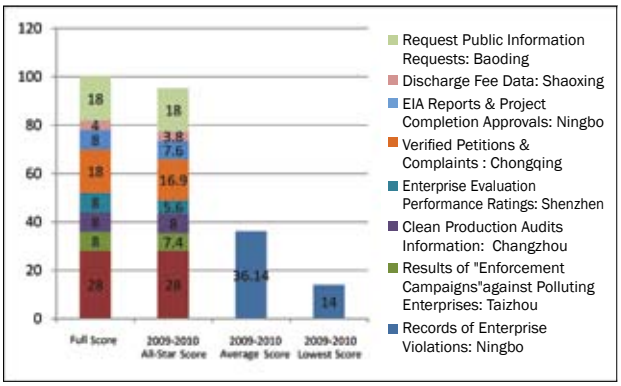
• Some Cities Not Listed as Key Environmental Protection Cities Started Disclosing Pollution Information Records Regularly

Some cities outside of the PITI assessment and not listed as key environmental protection cities have improved in pollution information disclosure this past year. The Dezhou EPB (Shandong Province) regularly released a list of enterprises in violation of emissions standards, and most of them are related to key pollution sources. An Anqing (Anhui Province) document, 2010 Initiatives for Major Pollutant Emissions Reduction, discloses five years of emissions data, much of it also related to key pollution sources. In the first quarter of 2010, the Hami (Xinjiang) environmental monitoring station monitored the waste gas from 21 enterprises listed as key pollution sources, and disclosed the results. Key environmental protection cities can learn from the good practices of cities outside the scope of our PITI assessment as well.

• Increase in PITI "All-Star" Team Score Confirms the Feasibility of Information Disclosure

As with the 2008 PITI evaluation, we combined the top-scoring city in this year's PITI ranking in each of the eight evaluation metrics to create an "All-Star" team of Chinese environmental information disclosure. The total score for the 2009-2010 All-Star team increased to 95.3 points, up 5.8 points from 2008.

Figure 27: The 2009-2010 PITI All-Star Team



Improvement in the metric for disclosure of records of enterprise violations accounted for the largest increase in 2009. Ningbo earned a full score (28 points) in this evaluation metric, an increase of 4.8 points from the 2008 All-Star city in this metric, Shanghai. An additional 0.8 point increase came from an increase in the metric regarding disclosure of clean production audit information, with Changzhou earning the highest score. Lastly, the 2009-2010 All-Star team score increased by 0.2 points due to disclosure of enterprise environmental performance ratings by Shenzhen. Ningbo, Changzhou, Chongqing, and Baoding[13] were chosen to be on the All-Star team for the first time.

The outstanding performance of the 2009-2010 PITI All-Star team demonstrates once again that, under China's current economic and social circumstances, disclosure of pollution information is not only possible, but that a high level of performance on information disclosure is quite feasible.

[13] For the "public information requests" metric, Ningbo, Hefei, Shanghai, Shenzhen, Yichang, Fuzhou, Anyang, Zhengzhou, Changzhou, Dalian, Nantong, Foshan, Quanzhou, Taizhou, Changde, Zhongshan, Liuzhou, and Pingdingshan, all obtained the same score. Among these cities, Baoding and Jiaxing stood out as good performers by disclosing the name list of administrative penalties for the entire year. In light of this good performance, and because the other cities making up the 2009 All-Star team are located in southern China, we ultimately decided to choose the northern city of Baoding to be the "winner" in the "public information requests" category to increase geographic diversity.

Part II

Recent Developments in Chinese Environmetal Transparency

Overview

China's Regulations on Open Government Information and Measures on Open Environmental Information have been in effect for over two years. Compared to the first Pollution Information Transparency Index (PITI) evaluation for 2008, environmental information disclosure in the 113 evaluated cities has made progress, but many challenges remain. The development of China's open environmental information disclosure framework overall has also shown progress as well as retreat.

Progress on information disclosure from China's Ministry of Environmental Protection (MEP) and other ministries has set a good example for city-level environmental information disclosure. Positive steps by MEP include the disclosure of a circular regarding emissions violations of Key State Monitored Enterprises and waste water treatment facilities.[14] This was the first time that MEP had disclosed a list of environmental standard violations for Key State Monitored Enterprises, and MEP has issued a new list for 2010. In October 2010, MEP issued a substantial disclosure document in connection with a Sinopec refinancing. This included disclosure of emissions data and other environmental information for over 100 Sinopec subsidiaries. MEP has since made similar disclosures for at least fourteen other major companies. Other ministries have made important environmental disclosure as well. For example, on August 5, 2010, the Ministry of Industry and Information Technology (MIIT) released a list of outdated or backward technologies at specific facilities that were required to be retired. This list included 2,087 enterprises from 18 industries, such as iron and steel, smelting, and cement. These are important steps forward for information disclosure.

Nonetheless, disclosure of environmental information in China still faces significant challenges. For example, a spate of environmental accidents over the past year has raised serious concerns about the state of enterprise pollution information disclosure in China. The July 2010 Zijin Mining Group chemical spill, which killed nearly 2000 tons[15] of fish, and Zijin's nine-day delay in reporting the accident were stark reminders of the inadequacy of information disclosure mechanisms for public companies. After the Zijin accident, environmental groups formally requested that the Shanghai and Shenzhen Stock Exchanges investigate Zijin's delay in information disclosure and establish better environmental information disclosure regulations for all listed companies. MEP also issued draft guidelines on environmental disclosure of listed companies,[16] and increased disclosure of environmental inspections. The larger question though is whether the Zijin incident will trigger more transformative change in China's requirements for disclosure of environmental risks.

Citizens have had difficulty in obtaining environmental information through government information requests, and anecdotal evidence suggests that appeals to the courts regarding information request denials are difficult cases to win. Also of some concern are recent draft and final government guidance documents from the Supreme People's Court and State Council that have hardened standing requirements for who may request information and placed other limitations on the scope of information disclosure.

Most importantly, disclosure of information regarding facility-level pollutant releases is still fairly limited in China. Chinese environmental regulations only require disclosure of facility-level pollution data for a limited number of black-listed companies, and in practice it has been difficult to get even these companies to disclose the amount of pollution they release into the environment. It is well-known in China and abroad that open disclosure of enterprise pollutant release data is critical to effective environmental management. Such disclosure has been shown time and again in countries around the world to reduce pollution by motivating companies, enhancing public monitoring and supervision, and strengthening the government's ability to prioritize and target enforcement efforts.

General public disclosure of facility-level pollutant release data, such as through the creation of a pollutant release and transfer register (basically, a pollutant release database), is a natural next step for China, given the progress it has made in environmental information disclosure in recent years. Such an effort would go a long way in helping to strengthen environmental management and reduce pollution in China.

[14] *2009 Circular on Excessive Annual Emissions of Major Pollutants by Key State Monitored Enterprises and Waste Water Treatment Facilities.*

[15] Economic Reference News reposted on China's News Network, accessed December 20, 2010, http://www.chinanews.com.cn/cj/2010/07-14/2400137.shtml.

[16] *Guidelines for Disclosure of Environmental Information of Listed Companies.* A final version of these Guidelines has not been issued as of the date of this writing.

The Difficult Road to Open Environmental Information

1. Lack of Disclosure by Zijin Mining and Implications for Open Environmental Information

The Incident

On July 3, 2010, one of Zijin Group's copper mines in the southern Chinese province of Fujian experienced a wastewater leak. The resultant water pollution killed more than 1.5 million kilograms of fish in the Ding River basin and created a disaster for the local ecosystem. The pollution itself was shocking, but as egregious was the fact that Zijin hid the information and did not issue a public announcement of the incident until nine days later[17] on July 12, 2010. Existing laws and regulations require corporations to disclose pollution incidents. How was Zijin Group able to ignore the requirements and delay disclosure?

The Laws and Regulations Regarding Disclosure of Pollution Incidents Provide Insufficient Detail for Timely Disclosure.

China has a number of laws requiring environmental disclosure in the event of accidents. Article 31 of *the Environmental Protection Law* provides that:

> Entities that have caused or may cause polluting activity through environmental incidents or other accidents must immediately adopt corrective measures, quickly notify the units and residents that may be affected, and report the incident to the local environmental administrative authorities and relevant departments for investigation.

Article 68 of the *Water Pollution Prevention and Control Law*, revised in 2008, states that:

> If enterprises or public institutions experience environmental incidents or other emergencies that cause or may cause water pollution, they must immediately… report the incidents to the local county-level or above governmental or environmental authorities. Upon receiving the reports, the environmental authorities shall report to the same-level governmental authorities in a timely manner, and copy the relevant departments…

However, the above provisions do not specify a time limit for reporting information on these incidents.

In the aftermath of the 2005 Harbin chemical spill, China's State Council issued the *State Plan for Rapid Response to Environmental Emergencies*,[18] specifies that:

> The entities and people accountable for the environmental incidents, along with the supervisory entities in charge of monitoring them, must report the incidents to the local county-level or higher government within an hour after the incident begins, simultaneously report the incidents to higher level special authorities, and immediately organize on-the-ground investigations. In emergency situations, it is possible to bypass immediate leadership and report the incidents directly to the higher levels.

[17] "Zijin Delays Disclosure of Large Scale Pollution Incident, Environmental Information Disclosure: Wherein is the Unspoken Secret?" Sohu Green, accessed on November 15, 2010, http://green.sohu.com/s2010/zijinmining/.

[18] See Part 4.3.1.

> If entities in charge of identifying environmental incidents identify Major (level II) environmental incidents, they shall report them within one hour to the relevant departments at the provincial level. Particularly Significant (level I) environmental incidents shall be immediately reported to the relevant departments of the State Council.

The State Plan provides detailed requirements for reporting to local and higher-level governments, but sets no specific time limit for public disclosure of information on environmental incidents. The only reference to *public* disclosure comes in Part 4.6, which states that "accurate and authoritative information must be released in a timely manner after the occurrence of environmental incidents to correctly guide public opinion."

The MEP *Measures on Open Environmental Information* only provide that information regarding occurrences of "environmental incidents" must be publicly disclosed in 20 working days from the time the environmental information is created or changed."[19] This provision concerns general affirmative information disclosure obligations of the government and is clearly not designed to allow for public disclosure of major environmental accidents in a timely manner.

The Shanghai Stock Exchange has applicable guidelines[20] regarding environmental disclosure of accidents, which state that:

> If listed companies experience major incidents pertaining to environmental protection, and these incidents may seriously impact the pricing of their shares and derivatives, listed companies shall disclose these incidents and their impacts to the company's managers and stakeholders within two days of occurrence.

It is not clear that Zijin has faced any meaningful consequences for violating these exchange guidelines. These shortcomings in China's environmental disclosure legal framework have allowed the government, environmental authorities, and enterprises to find excuses for non-disclosure.[21]

The government, environmental groups and others took a number of actions in response to Zijin's failure to disclose its accident. However, the larger question is whether the Zijin incident will become China's "Minamata moment,"[22] triggering a broader recognition of the costs of hidden environmental risks in China and leading to transformative change in the way pollution is regulated.

- ***Environmental groups jointly called for stock exchanges to improve the rules of information disclosure for publicly listed companies***

On July 23, 2010, 11 environmental NGOs including Friends of Nature, Green Earth Volunteers, and the Institute of Public & Environmental Affairs jointly submitted an "Open Letter on Zijin Mining Group's Deliberate Delay in Information Disclosure of Polluting Incidents" to the Shanghai and Hong Kong Stock Exchanges. The letter called for the stock exchanges to thoroughly investigate Zijin Mining Group's failure to disclose, and requested that the stock exchanges improve the information disclosure requirements of all publicly listed companies to prevent future disclosure delays and nondisclosure of major environmental risks.[23]

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[19] See MEP *Measures on Open Environmental Information,* Article 14.

[20] *Guide to Environmental Information Disclosure for Listed Companies in the Shanghai Stock Exchange.*

[21] China Environment News, "Considering the Zijin Mining Polluting Incident: One Shortcoming and Three Fears of Environmental Information Disclosure," Sohu Green, accessed November 15, 2010, http://green.sohu.com/20100719/n273600581.shtml.

[22] http://blogs.reuters.com/columns/2010/07/28/china-on-course-for-a-minamata-moment/ (referring to transformations in the Japanese environmental regulatory system in the wake of handling of the Minamata mercury poisoning case and other major environmental cases in Japan in the late 1960s).

[23] "Open Letter on Zijin Mining Group's Deliberate Delay in Information Disclosure of Polluting Incidents to the Shanghai and Hong Kong Stock Exchanges," Sohu Green, accessed November 15, 2010, http://green.sohu.com/20100719/n273600581.shtml.

- ***MEP issued for public comment draft guidelines on environmental information disclosure by public companies***

On September 14, 2010, in the aftermath of the Zijin accident, MEP presented Draft Guidelines for Environmental Information Disclosure by Publicly Listed Companies (the "draft") for public comment.[24] The media[25] and environmental NGO community responded positively to the draft's release.[26] However, there were concerns that the draft was only a low-level legal authority, lacked mandatory enforcement measures, and therefore would have little practical effect.[27]

- ***Failure of earlier MEP efforts to stop environmental violations at Zijin Mining are further evidence of the need for transformative environmental regulation***

The sorts of incremental steps that MEP and environmental groups have called for in the aftermath of the Zijin incident are unlikely to have a meaningful impact on environmental regulation in China. Indeed, prior to the incident, MEP had already targeted Zijin Mining Group for a variety of environmental violations. On May 14, 2010, just weeks before the Zijin accident, MEP released a notice regarding follow-up inspections for a list of companies that had received orders from MEP to correct environmental violations[28] discovered during MEP's 2007-2008 inspection campaign. Zijin Mining Group was one of 11 companies criticized for failure to correct violations. In the wake of the July 2010 accident, MEP was criticized for approving its follow-up inspection of Zijin Mining Group, even though Zijin had failed to correct environmental violations.[29]

On July 8, 2010 (before Zijin publicly disclosed its accident), MEP released a notice meant to strengthen environmental inspection campaigns and post-inspection supervision. This required provincial environmental protection bureaus to play a more active role in acquiring environmental information from publicly listed companies for annual reporting. The notice also emphasized that companies with existing environmental problems must correct the problems before further steps can be taken.[30]

MEP's difficulties in taking effective enforcement action against Zijin serve to highlight the need for greater transparency of pollutant releases and other information regarding environmental risk. Greater disclosure of environmental information can help to mobilize government agencies, the public, and other stakeholders, and motivate the companies themselves to strengthen compliance with environmental laws and regulations.

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[24] Ministry of Environmental Protection, Notice to openly solicit comments on "Guide for Listed Companies to Disclose Environmental Information (Draft to Solicit Comments)," September 14th, 2010, accessed November 15, 2010, http://wfs.mep.gov.cn/gywrfz/hbhc/zcfg/201009/t20100914_194483.htm.

[25] "Promoting Environmental Information Disclosure of Publicly Traded Companies," accessed November 15, 2010, http://finance.people.com.cn/GB/12747195.html, also "Environmental News Ensures Public's right to know," accessed September 15, 2010, http://www.ce.cn/cysc/newmain/jdpd/hb/201009/15/t20100915_20502915.shtml.

[26] "Friends of Nature Calls for Enhanced Environmental Regulation Over Listed Companies," Friends of Nature, accessed November 15, 2010, http://www.fon.org.cn/content.php?aid=13532 Oxfam Hong Kong, accessed November 15, 2010, http://chinainfo.oxfam.org.hk/down_s.php?id=119.

[27] "Listed Companies Need to Issue Temporary Report Within One Day After Outbreak of Environmental Incidents," National Business Daily, September 15th, 2010, accessed November 15, 2010, http://2009.nbd.com.cn/newshtml/20100915/20100915024028465.html. Also "Friends of Nature Calls for Enhanced Environmental Regulation Over Listed Companies," as noted above

[28] Ministry of Environmetal Protection,"Notice on the Supervision After the Environmental Inspection Over Listed Companies," Huanban 67 [2010], accesed November 15, 2010, http://www.mep.gov.cn/gkml/hbb/bgt/201005/t20100524_189867.htm.

[29] Gao Na and Hu Yajun, "Zijin Mining Group Took Advantage of the Timing Differences in Correction Within Limited Time, Loopholes Exist in Environmental Inspection for Listed Companies," 21st Century Business Herald, accessed November 15, 2010, http://finance.qq.com/a/20100720/001258.htm.

[30] Ministry of Environmental Protection,"Notice on Further Strengthening The System of Environmental Inspection Over Listed Companies and Enhancing the Supervision After the Environmental Inspection," Huanfa 78 [2010], accessed November 15, 2010, http://www.mep.gov.cn/gkml/hbb/bwj/201007/t20100713_192031.htm.

2. A Spark of Hope: The Ministry of Environmental Protection Expands Disclosure of Environmental Information in Connection with Corporate Refinancings.

On October 18, 2010, MEP Released a Notice of Environmental Inspection for Sinopec before Stock Listing.[31] The notice included the release of a 300-plus page report that provided detailed disclosure of environmental information regarding more than 100 Sinopec subsidiaries. Notably, the document disclosed the past three years of emissions data for these subsidiaries. The report also disclosed environmental impact assessment information, emissions registry, control of key pollutants, handling of solid waste, and a number of other categories of information.

The environmental NGO community applauded MEP for this effort.[32] However, according to investigations by several local groups, including IPE, the environmental violations of at least 11 Sinopec subsidiaries were not addressed in the document. The groups suggested that Sinopec's actions be investigated in more detail, with analysis and disclosure to the public, and that Sinopec's refinancing be delayed until this situation could be resolved.[33]

3. Scattered Breakthroughs: MEP Discloses Environmental Violations by Key Enterprises.

Figure 27: Notice on Excessive Annual Emissions of Major Pollutants from Wastewater Treatment Plants and Key Enterprises Subject to National Monitoring in 2009 (Source: http://www.mep.gov.cn/gkml/hbb/bgt/201003/t20100326_187445.htm, last visited Dec. 14, 2010)


中华人民共和国环境保护部

政府信息公开

环境保护部办公厅文件

关于2009年国家重点监控企业及污水处理厂主要污染物全年排放超标情况的通报

各省、自治区、直辖市环境保护厅（局），新疆生产建设兵团环境保护局，各环境保护督查中心：

附件：1.2009年国家重点监控企业及污水处理厂全年监测超标汇总表

2.2009年国家重点监控企业及污水处理厂全年监测超标企业名单

二〇一〇年三月二十二日

主题词：环保 企业 超标 监测 通报

抄送：中国环境监测总站。

附件一：

2009年国家重点监控企业及污水处理厂全年监测超标汇总表

省份	二氧化硫超标企业	化学需氧量超标企业	化学需氧量超标污水处理厂
北京	—	—	—
天津	—	—	—

[31] "Notice on Environmental Inspection Over Sinopec for Listing in the Stock Market," MEP, accessed November 15, 2010, http://wfs.mep.gov.cn/gywrfz/hbhc/hcpx/201010/t20101018_195657.htm.

[32] "Environmental Groups Unite Against Sinopec Subsidiaries for Environmental Violations," Yicai, October 29, 2010, accessed November 15, 2010, http://www.yicai.com/news/2010/10/583996.html.

[33] "NGOs Suggest Halting Sinopec's Refinancing," China Environment News, accesed November 15, 2010, http://gongyi.sina.com.cn/greenlife/2010-11-10/115721421.html.

On March 22, 2010, MEP released a list of enterprises in violation of emissions standards in its *Notice on Excessive Annual Emissions of Major Pollutants from Wastewater Treatment Plants and Key Enterprises Subject to National Monitoring in 2009.*[34]

- The Notice showed that 2,731 of the 7,043 key enterprises monitored by MEP, or almost 40 percent, violated pollution standards in 2009.
- This marked MEP's first ever disclosure of environmental violations by so many major enterprises. In the past, disclosure of environmental violations information was often limited to relatively powerless, small scale enterprises.[35]

Scattered progress among the provincial-level environmental protection bureaus

- The Hebei Provincial EPB issued a notice in March 2010 to disclose unusual emissions from major discharge outlets, including data on excessive emissions, no change in emissions, and lack of data.[36]
- The Hubei Provincial EPB disclosed the details of a serious environmental violation case involving Huahai Paper Company in Nanzhang County. On July 2, 2010, China Central Television's Topics in Focus program reported on the environmental violations of Huahai Paper. Xiangfan Municipal Government, which administers Nanzhang, investigated the case, with supervision from the Hubei Provincial EPB and Hubei Provincial Supervision Office. On August 20, the Hubei EPB posted the details of the case on its website, including Huahai Paper's illegal actions and administrative penalties.[37]
- In August 2010, Liaoning's EPB and provincial supervision bureau suggested that the financial bureaus cut off financing to certain polluting enterprises, and adopt measures to make a call on loans already issued.[38]

Figure 28: Liaoning Credit Website (Source: http://www.incredit.gov.cn/xygs/xypg/597782.htm, last visited Dec. 14, 2010)

[34] Ministry of Enivornmental Protection, "Notice on Annual Excessive Emissions of Major Pollutants from Wastewater Treatment Plants and Key Enterprises Subject to National Monitoring in 2009," Huanban No. 35 [2010] accessed November 15, 2010, http://www.mep.gov.cn/gkml/hbb/bgt/201003/t20100326_187445.htm.

[35] "MEP Releases Black List of Pollutants Emissions, Some SOEs Are On That List," Xinhua, accessed November 15, 2010, http://news.xinhuanet.com/fortune/2010-04/03/c_1215582.htm.

[36] "Pollution Emission Monitoring Over Key Enterprises Subject to Provincial Monitoring in March 2010," Hebei Province Environmental Protection Bureau, accessed November 15, 2010, http://www.hebhb.gov.cn/template/dispnews.asp?lmlb=T&lmdm=66&tmxh=00100000000000041000000&tmid=SUPER_20100714103545007126&linkaddr=../upfiles/xy_col66super_20100714103545007126.htm.

[37] Hebei Province Environmental Protection Bureau, "Report on the Environmental Violations of Huahai Paper Company," Huanfa No. 20 [2010], accessed December 20, 2010, http://www.hbepb.gov.cn/zwgk/zcwj/shbjwj/201008/t20100820_31728.html.

[38] "Our Province's Refinance Suspension and Loan Retrieval Efforts Against Corporations with Environmental Violations," Liaoning Credit, accessed on December 20, 2010, http://incredit.gov.cn/xygs/xypg/597782.htm.

2010 was the final year of China's Eleventh Five-Year Plan period. In connection with the achievement of plan targets, government bureaus disclosed information related to energy efficiency, marking a new frontier in transparency.

- On July 6, 2010, China's National Development and Reform Commission (NDRC) released a summary evaluation and assessment of energy saving targets in connection with its "Top-1,000" program, a government program to improve energy efficiency in China's 1,000 top energy-consuming enterprises. This included information on the progress of 901 enterprises toward the energy saving targets of the Eleventh Five-Year Plan, and whether the enterprises reached their targets for 2009.[39]
- On August 5, 2010, the Ministry of Industry and Information Technology (MIIT) released a list of 2,087 enterprises from 18 industrial sectors, including iron smelting, steel smelting, and coking, required to phase out listed outdated industrial capacity by the end of September 2010. The list included details on enterprise names, equipment model numbers, and industrial capacity.[40]

These high-profile instances of disclosure have the potential to help the public to understand environmental risks, and enable public supervision for enterprise energy efficiency and emissions reduction.

Figure 29: MIIT Release of Information Online (Source: MIIT website at http://www.miit.gov.cn/n11293472/n11293832/n11293907/n11368223/13333127.html, last visited Dec. 14, 2010).


中华人民共和国工业和信息化部

一、2010年炼铁淘汰落后产能企业名单

序号	省(区)	企业名称	淘汰生产线（设备）型号及数量	产能（万吨）
1	天津	天津[illegible]天丰钢铁有限公司	318立方米高炉×2	90
2	天津	天津天钢联合钢铁有限公司	315立方米高炉×2	50
3	河北	中冀[illegible]钢铁有限公司	300立方米高炉×2	69
4	河北	承德[illegible]钒钛股份有限公司	300立方米高炉×1	33
5	河北	张家口[illegible]钢铁有限公司	120立方米高炉×1	14
6	河北	河钢集团宣化钢铁公司	300立方米高炉×1	35
7	河北	唐山[illegible]钢铁集团有限责任公司	210立方米高炉×2	40
8	河北	唐山[illegible]钢铁（集团）有限公司	210立方米高炉×2	40
9	河北	唐山[illegible]钢铁（集团）[illegible]钢铁有限公司	210立方米高炉×1	24
10	河北	唐山[illegible]钢铁(集团)[illegible]特种钢材有限公司	210立方米高炉×1	24
11	河北	唐山[illegible]钢铁(集团)[illegible]钢铁有限公司	210立方米高炉×1	24
12	河北	唐山[illegible]钢铁(集团)[illegible]钢铁有限公司	210立方米高炉×1	24

[39] The summary evaluation and assessment, Central People's Government, accessed November 20, 2010, http://www.gov.cn/zwgk/2010-07/06/content_1646383.htm.

[40] More details at "Public Notice of List of Enterprises in the Industrial Sector to Phase Out Outdated Capacity in 2010," Ministry of Industry and Information Technology, accessed on November 20, 2010, http://www.miit.gov.cn/n11293472/n11293832/n11293907/n11368223/13333127.html.

4. An Uphill Battle: The Influence of Citizen Requests on Information Disclosure

Experiments in requesting environmental information disclosure

Southern Weekend

On May 20, 2010, Southern Weekend, a leading Chinese newspaper, delivered requests to 29 environmental protection bureaus in provincial capitals, cities directly under State Council, and autonomous regions requesting disclosure of lists of enterprises that had received environmental administrative penalties, and the reasons for the sanctions. The responses of the cities varied greatly. Of the 29 cities, twelve provided the information, three rejected the requests, one proposed unreasonable requirements, and the remaining thirteen remained completely silent, even after two rounds of requests by the journalists from Southern Weekend.

The grounds for rejection of the information requests ranged widely, including statements that the information had not yet been created (Xining), that disclosure may harm national, public, or economic security, as well as social stability (Tianjin), and that disclosure may damage the commercial reputation, commercial secrets, and personal privacy interests of family-owned businesses (Guiyang).

Zhu Xiao, Associate Professor from the Law School at Renmin University of China, and Ms. Yang Sujuan from the China University of Political Science and Law made the point that the requested information actually fell within the scope of environmental information that government bodies have the duty to affirmatively disclose.[41]

Friends of Nature

Volunteers from Friends of Nature in Shanghai established the Shanghai Water Project to apply for information from environmental protection bureaus all over Shanghai. From 2009 to 2010, the project submitted information requests more than ten times on a variety of environmental issues. Though most EPBs responded to the requests, they failed to provide enterprise information related to pollution data and environmental impact assessment reports on the grounds that such information did not exist.[42]

Administrative litigation triggered by information disclosure requests expose challenges in guaranteeing citizen right to know

Difficulties in Plaintiff Standing to Sue

On November 7, 2008, Sun Nong, a citizen from Zhuhai Special Economic Zone in Guangdong Province sent a letter requesting information on the disposal of old batteries. In the letter, Sun Nong asked about the collection, disposal, and public education outreach campaigns for battery disposal. After receiving no response, Sun Nong submitted a complaint to Xiangzhou District Court demanding that the city government disclose its battery disposal measures and the results of the measures to the media.

[41] Yuan Duanduan and Xu Nan "Why is It so difficult to disclose environmental information, predicaments of 29 copies of request form for information disclosure," accessed November 15, 2010, http://www.infzm.com/content/46698.

[42] Shanghai Water Blog, accessed November 15, 2010, http://shanghaiwater.blogbus.com/.

The first trial court ruled that Sun Nong's case was not properly an administrative litigation case, and that Sun Nong could report this case to the upper level administrative body, supervisory body or competent authorities of open government information.[43] On December 17, 2009, the municipal intermediate court ruled that the information requested by Sun Nong did not fulfill the "the special demands of production, living and research" requirement of the Regulations on Open Government Information. The ruling stated that appellant Sun is not a stakeholder in the specific administrative act that he appealed, and does not have standing for the case.[44]
The ruling demonstrates how the "standing" requirement in China's information disclosure regulations, which is not typically seen in other countries, works.

Yet More Standing Challenges

Madam Yang, a resident of Beijing's Chaoyang District, could not stand the odor from the Gao An Tun medical waste incinerator near her home. On November 9, 2009, she filed a request to the Beijing EPB for disclosure of the legal documents related to the assessment and approval of temporary permits to build the incinerator, the incinerator's annual monitoring data, and the number of times the data was submitted. However, the EPB did not disclose the data. On January 7, 2010, Yang requested again, still with no reply. Yang then brought the Beijing EPB to court.

The trial court issued its first trial ruling on May 21, 2,010 that according to the Regulations to Manage Medical Waste, the storage and treatment facilities of the centralized disposal unit for medical waste should be sited at least 800 meters away from residential communities, water resource protection zones, transportation lines, factories, and businesses. However, Yang's residence is 2.5 kilometers away from the incinerator, much farther away than the requisite 800 meters. The court therefore ruled that Yang did not have standing to sue because the manner in which the EPB responded to Yang's request did not have any impact on Yang's rights. The court ruled against Yang.[44]

Hope in the Form of a Settlement

Huang Jianxin was a villager representative selected by more than 10 villagers from Hongqiao Village, Jingfeng Town, Zhangjiagang City, Suzhou Municipality. He and many other villagers sought information from EPBs at various levels of government regarding whether the wastewater treatment plants and expansion projects of nearby textile companies had a serious effect on the surrounding environment. They requested relevant environmental reports but received no response, so they sued the Suzhou EPB, asking the court to rule in accordance with the law that The Suzhou EPB must disclose environmental impact assessment (EIA) reports for the expansion project of the textile company, and environmental impact assessment reports and

[43] Zhang Wendan,"Follow-Up of Lawyer's Accusation of Municipal EPB, the Losing Plaintiff Wants to Appeal to the Intermediary Court," accessed November 15, 2010, http://www.chinatransparency.org/newsinfo.asp?newsid=3827.
[44] Verdict of the Second Trial: "Sun Nong vs. Zhuhai Municipal EPB," China Daily, accessed November 15, 2010, http://www.ogichina.org/NewsList.asp?ClassID=74.
[45] "Citizens Accused Municipal EPB of Violating the Rules to Approve the Waste Incineration Field and Lost the Litigation,"New Sun, accessed November 15, 2010, http://news.sun0769.com/society/fz/t20100522_850149.shtml.

project completion approvals for the wastewater treatment plant. The day before the court announced the ruling, the villagers, officials, and the company (Shazhou Textile Printing and Dyeing Import Export Ltd.) from Zhangjiagang came to an agreement. Hua Jianxin obtained a copy of the EIA report for the expansion project from the textile company, and agreed to withdraw the lawsuit.[46]

In November 2009, the Supreme People's Court released draft rules regarding the trying of administrative cases concerning open government information for comment. Will these clarifications become limitations?

The *Rules of the Supreme People's Court on Trying Administrative Cases Concerning Open Government Information (comment solicitation draft)* (the "Rules") sought to clarify several major issues concerning the administrative litigation of open government information.[47] The release of the Rules triggered a flurry of responses from academia and civil society on how the rules should be revised. The comments included suggestions to confirm that enterprises are the entities responsible for disclosure of emissions data, and to define the scope of commercial secrets (including clarification that emissions data is not a commercial secret). The comments also sought a statement that the plaintiff may not be asked for a reason when requesting government information disclosure, and that the government must separate confidential information from non-confidential information and publicly disclose information not subject to exemptions from disclosure. Other comments sought to clarify that EIA reports were within the scope of government information, and that exceptions to open government information should be defined to prevent overly broad interpretations.[48]

The comments from various stakeholders reflected an interest in ensuring that the scope of government information disclosure in China was not made more narrow by the Supreme People's Court rules.

In January 2010, the State Council released *Opinions of the State Council on Improving Government Information Disclosure upon Request (the "Opinions")* [49]

The Opinions set forth a number of requirements that in the view of some commentators were far beyond the scope of the Regulations on Government Open Information, and a barrier to applicants for information – particularly, for those with applications of a public interest nature. For example a September 2010 report from Peking University's Public Participation Support Center and Yale Law School's China Law Center pointed out:[50]

- *Reiteration of standing requirement.* The Opinions reiterate that disclosure requests can be rejected on the grounds that "the claimant's request is not related to his/her own special needs, such as production, life, and scientific research."
- *One item of information per request.* The Opinions state that in cases of blanket disclosure requests, the responding government body may require the claimant to readjust the request based on the principle of "one request for one item," i.e. each single request for open government

[46] "Fake EIA, Suzhou EPB Became the Defendant in the Court," Xinhua, accessed November 15, 2010, http://invest.china.cn/industry/huanbao/txt/content_3334946.htm.

[47] "Rules of the Supreme Court on Trying Administrative Cases Concerning Open Government information (draft to solicit comments)," released November 2nd, 2010, China Court, http://www.chinacourt.org/public/detail.php?id=379436.

[48] "Comments and Suggestions Regarding 'Rules of the Supreme Court on Trying Administrative Cases Concerning Open Government Information (draft to solicit comments)," November 26, 2009, Friend of Nature, accesed November 15, 2010, http://www.fon.org.cn/content.php?aid=12211. Also Ding Ping, "Summary of Feedbacks on 'Rules of the Supreme Court on Trying Administrative Cases Concerning Open Government Information (draft to solicit comments)," Friends of Nature, accessed November 15, 2010, http://www.fon.org.cn/content.php?aid=12733.

[49] "Opinions of the State Council on Improving Government Information Disclosure Upon Request," Guofaban No. 5 [2010], January 12, 2010.

[50] China Daily, accessed December 24, 2010, http://www.chinadaily.com.cn/dfpd/tianjin/2010-10-16/content_1019845.html.

information may target only one piece of government information. This not only increases requesting costs, it penalizes claimants who do not have enough knowledge to make detailed information requests. This rule could become a barrier to applicants making general requests for categories of information when they are not familiar with the specific documents that the government possesses.

If these rules are strictly followed, it will be more difficult for the public to request information.

5. International Experience: American Scholars Analyze the 2008 PITI Results

Peter Lorentzen, Pierre Landry, and John Yasuda, scholars from the University of California at Berkeley and Yale University, analyzed the 2008 PITI results to determine what factors most tightly correlated with PITI performance.

They discovered that "the wealthier a city is and the more stable the finances of its government, the more transparent it will be." This suggests that cities with the financial resources to provide staff and other resources to the task of information disclosure will tend to be more transparent. They also found that "the dominance of a single industrial enterprise in a city's economy is a remarkably robust negative predictor of transparency." In other words, in a "company town" where a particular enterprise may exert more influence on the government, transparency levels tend to be lower. [51]

6. Environmental Information Disclosure and Public Participation

The role of environmental information disclosure in promoting public participation in environmental decision-making and supervision of polluters and government agencies is a critical one. Environmental groups are often the most vigorous users of environmental information because of their greater expertise and enthusiasm for environmental protection. Expanding the channels for these groups to take part in environmental governance will be conducive to China's environmental protection in general.

In May 2010, IPE and NRDC co-sponsored a National Workshop on Pollution Information Disclosure with Environmental Protection Magazine[52] and Wendeng City in Shandong Province. More than 50 representatives from MEP, Shandong Province, and other provincial and municipal environmental departments, and a handful of environmental law experts gathered to discuss China's system of pollution information disclosure. The purpose of the meeting was to facilitate an exchange on local pollution information disclosure, promote best practices, and improve implementation of the disclosure system. IPE and NRDC shared the results of the 2008 PITI evaluation and presented relevant international experience.

Ma Jun, director of IPE, believes that the participation of environmental groups in the meeting is itself a demonstration of the progress of public participation in China's environmental protection. Public participation and environmental transparency are mutually reinforcing. Greater public participation will help to bring about more transparency, just as greater transparency is a necessary prerequisite to improved public participation.

[51] Full report at: http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1643986.
[52] An official magazine of China's Ministry of Environmental Protection.

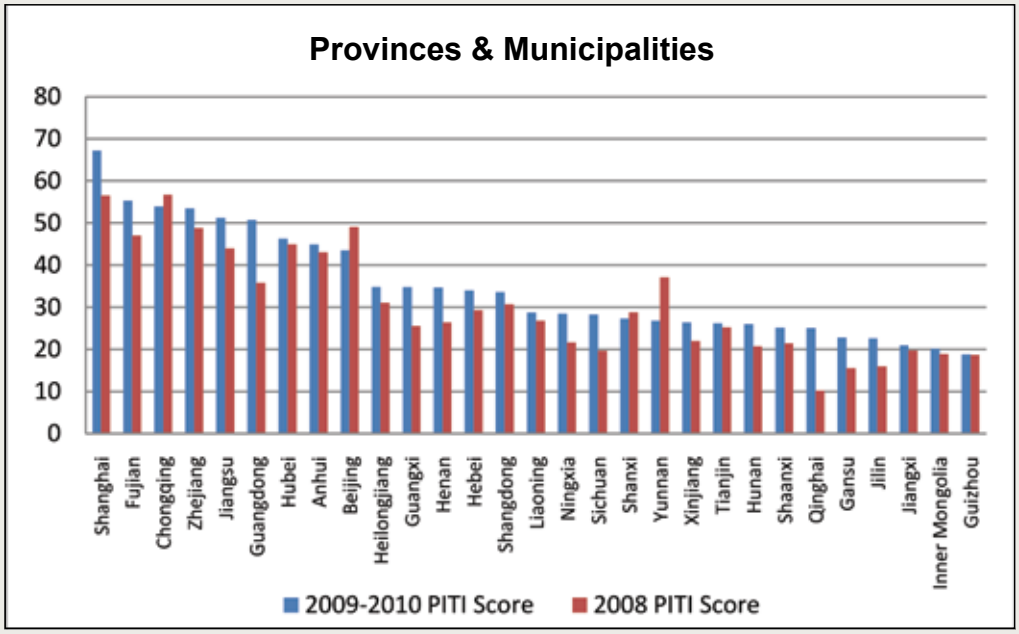
The Outlook for Environmental Transparency in China

Despite signs of improvement last year among some Chinese cities and a variety of positive steps by MEP and other government agencies in environmental information disclosure, the lasting image from 2010 will be of the Zijin Mining accident and the heavy environmental costs from Zijin's failure to disclose information about its accident for nine days. This incident and a series of similar accidents around China in 2010 threw a spotlight on the willingness of even highly-profitable, publicly-traded companies to hide major environmental problems from the government and the public. Even more, these incidents highlighted the need for China to accelerate the development of its environmental information disclosure system.

China's Ministry of Environmental Protection and other agencies have begun to disclose factory-level emissions in a limited way, such as for the most polluting enterprises under the Cleaner Production Promotion Law. A natural next step for China is to establish a nationwide pollutant release database that publicly discloses the pollution that individual facilities emit into the natural environment. This approach was first pioneered in the United States in the 1980s with the Toxics Release Inventory (TRI) as a reaction to the industrial risks highlighted by the Union Carbide chemical accident in Bhopal, India that killed several thousand people. Since that time, such pollutant databases, also known as Pollutant Release and Transfer Registers (PRTR), have become the norm in modern, advanced industrial nations. PRTRs have been shown in study after study to reduce pollution by alerting enterprises to problems, creating competition among companies to improve environmental performance, increasing public supervision of polluters, making government enforcement for efficiency, and activating a variety of other stakeholders (such as securities regulators, consumer groups, banks, etc.) in the service of environmental protection.

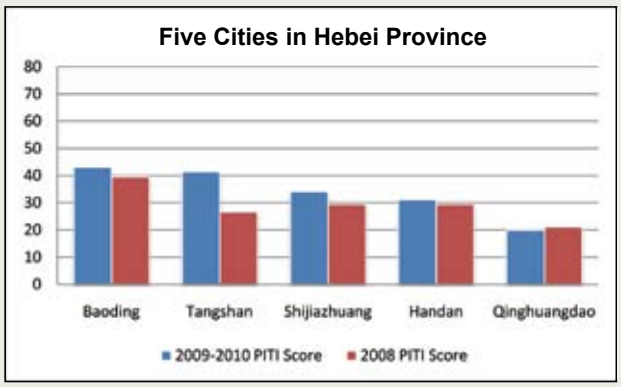
In the past, China's capacity to implement such a system was commonly raised as a barrier to implementing a Chinese PRTR. However, China is currently investing significantly in expanding monitoring networks, requiring the largest polluters to install continuous emissions monitoring, and has announced that environmental investment and the development of environmental protection industries will be a major focus in the Twelfth Five-Year Plan period. The political commitment, funding, and human resources are all in place for the implementation of a Chinese PRTR. Given the important progress that China has already made on environmental information disclosure in recent years, the establishment of a Chinese PRTR would be a natural next step China's environmental protection, and a major breakthrough for the reduction of pollution in China.

Appendix 1: Year-Over-Year Comparison of PITI Scores in Provinces, Province-Level Municipalities, and Autonomous Regions

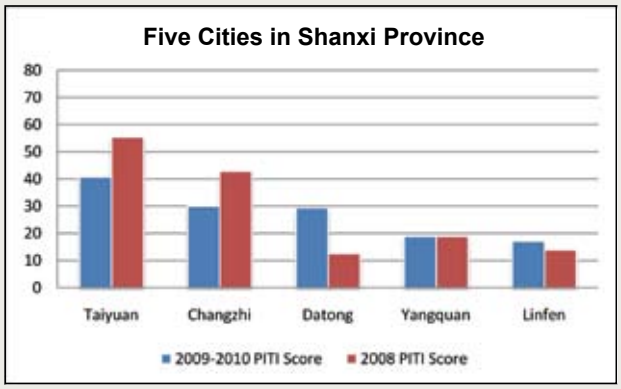


The chart above shows that Guangdong, Qinghai, Shanghai, Guangxi, Sichuan, Fujian, Henan, among others, improved in 2009-2010, while Yunnan, Beijing, Chongqing, Shanxi, Guizhou, and Tianjin received a lower score than in the previous year's evaluation.

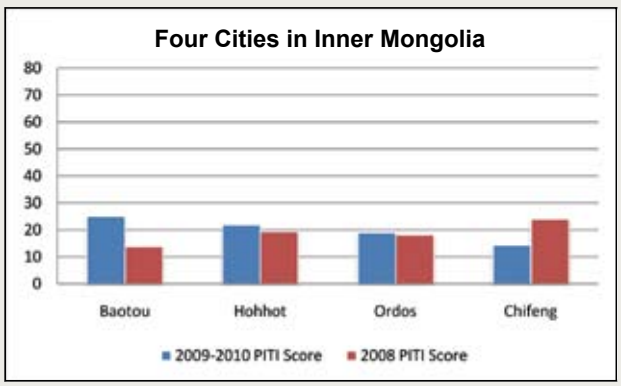
Appendix 2: Year-Over-Year Comparison of PITI Scores of Cities within Each Province



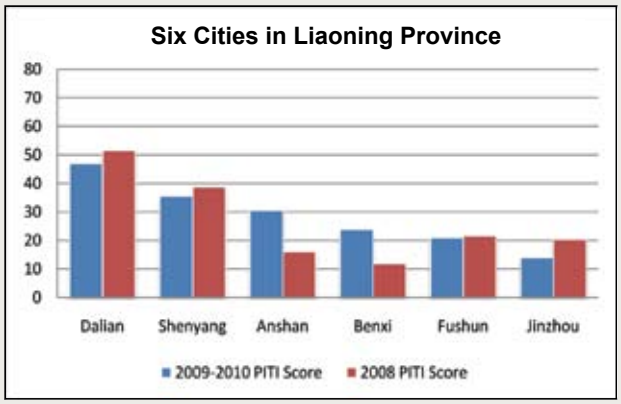
Of the five evaluated cities in Hebei Province, Baoding again received the highest score within the province, and Tangshan was relatively improved, especially in disclosure of violations and accident records, complaint information. The Yutian County EPB disclosed statistics on 90 cases of 2009 administrative penalties. Shijiazhuang, the capital city, performed poorly.



Of the five evaluated cities in Shanxi Province, Taiyuan's performance declined significantly[44], although had the top score in the province, because it failed to regularly disclose the emissions data of key pollution sources, as it did in 2008. At just over 10 points each, the scores for Linfen and Yangquan are exceedingly low.

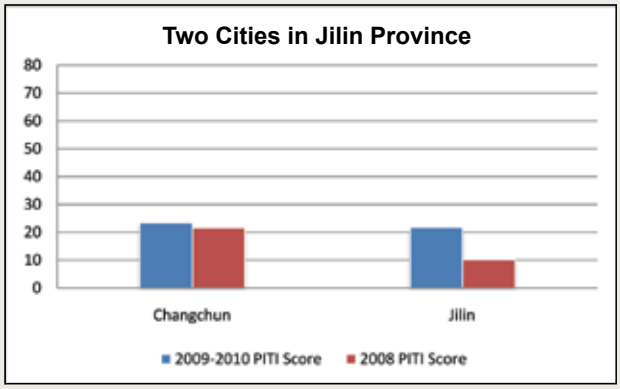


Chifeng, in the Inner Mongolia Autonomous Region, scored much lower this year. Erdos and Chifeng each received fewer than 20 points. The average score of the four cities in this region was also less than 20 points. Inner Mongolia urgently needs to improve.

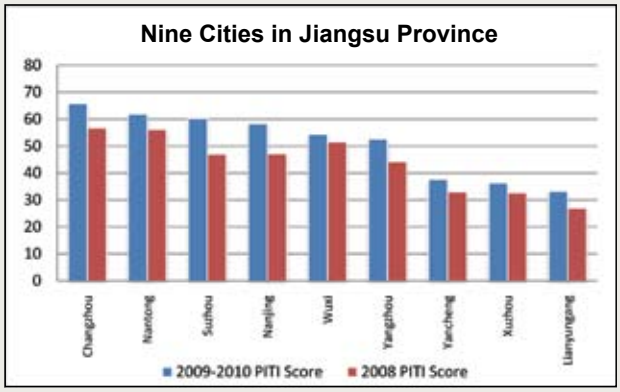


Of the six evaluated cities in Liaoning Province, some scores went up and others declined. Dalian led other cities in the province by a large margin, but performed more poorly than in 2008. Performance in Shenyang and Jinjiang also declined. Anshan and Benxi improved.

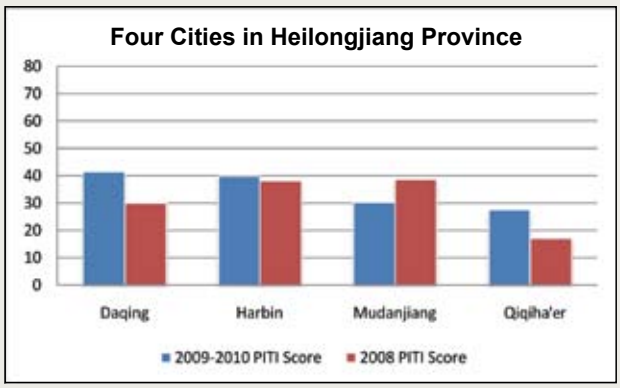
[44] Please see the Taiyuan Case Study in this report for details regarding Taiyuan's score decrease.



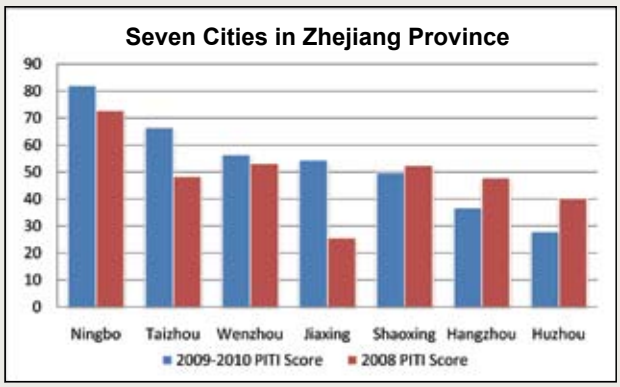
The two evaluated cities from Jilin Province (Jilin and Changchun) both showed improvement. Jilin greatly improved in the disclosure of verified petitions and complaints, and disclosure of EIA project reports. However, Jilin Province's scores, including for the provincial capital Changchun, are still much lower than the national average.



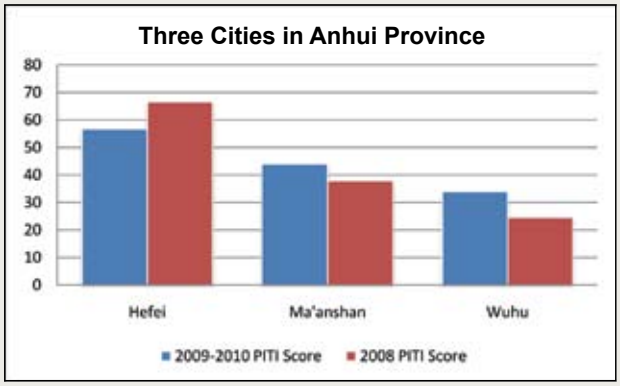
Jiangsu Province's nine evaluated cities all received higher scores in 2009-2010. The four cities in southern Jiangsu and Nantong, north of the Yangtze River, received the highest scores in the province. The scores of the five northern cities tended to get worse the farther north they were located. Lianyungang scored the lowest.



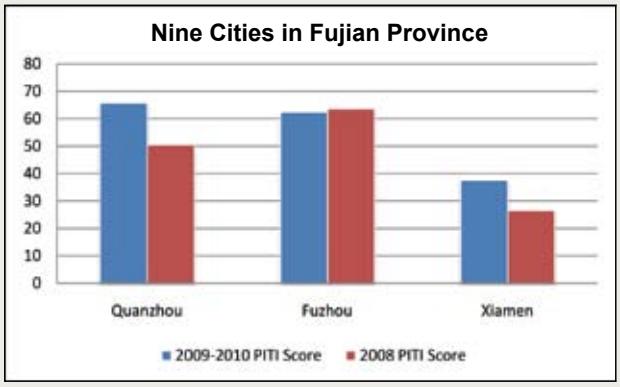
Of Heilongjiang Province's four evaluated cities, the scores of three cities improved. Only Mudanjiang saw its score decline.



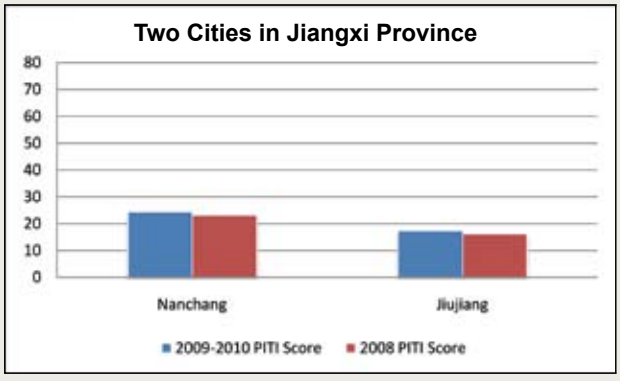
Of the seven evaluated cities in Zhejiang Province, the three top-scoring cities – Ningbo, Taizhou, and Jiaxing, all had relatively large improvements. Ningbo exceeded 80 points. However, Hangzhou's performance fell dramatically. The capital city placed second to last within Zhejiang Province, and urgently needs to improve.



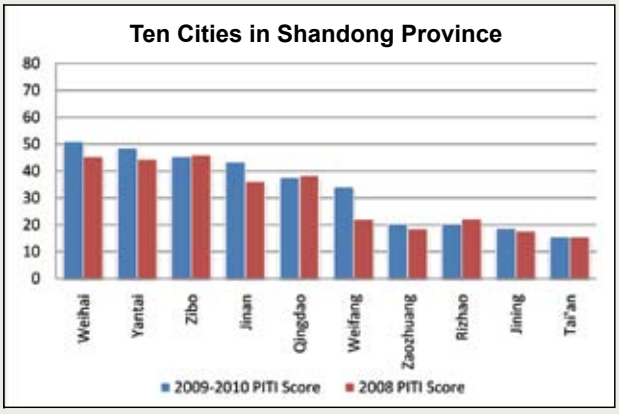
The score for Hefei, the capital of Anhui Province, declined, but was nonetheless the highest score in the province and the leader of all central Chinese cities in the PITI evaluation. Wuhu's score increased, but was in absolute terms still quite low.



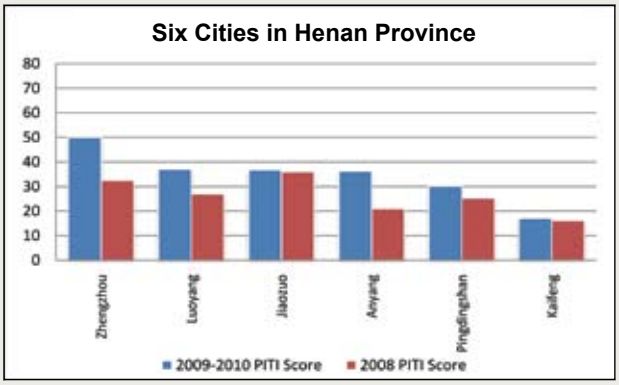
In Fujian province, Quanzhou and Fuzhou performed well, with Quanzhou showing the biggest improvement. These two cities outperformed Xiamen, which is a special economic zone.



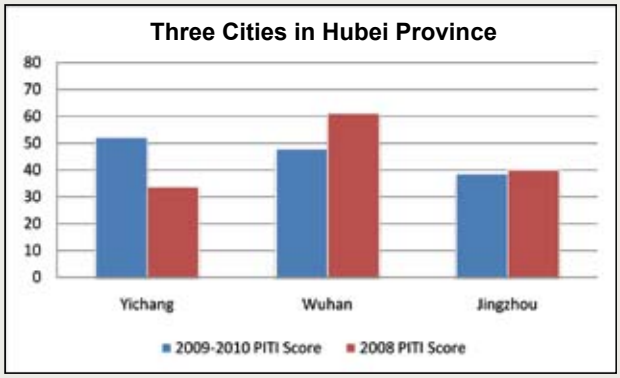
The two cities in Jiangxi Province (Nanchang and Jiujiang) both scored less than 20 points. Nanchang was the fourth lowest scoring provincial capital in the ranking. These cities urgently need to improve.



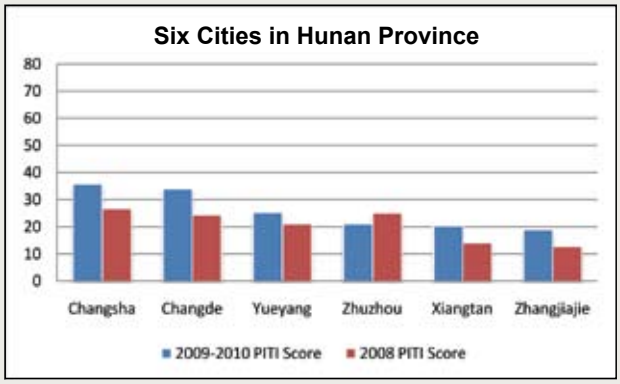
Of the ten evaluated cities in Shandong Province, Yantai and Weihai ranked at the top. Coastal city Qingdao had only average disclosure performance. Jinan's score improved this year perhaps due to its preparation for the National Games. Rizhao, Zaozhuang, Jining, and Tai'an remained poor performers, all scoring below 20 points.



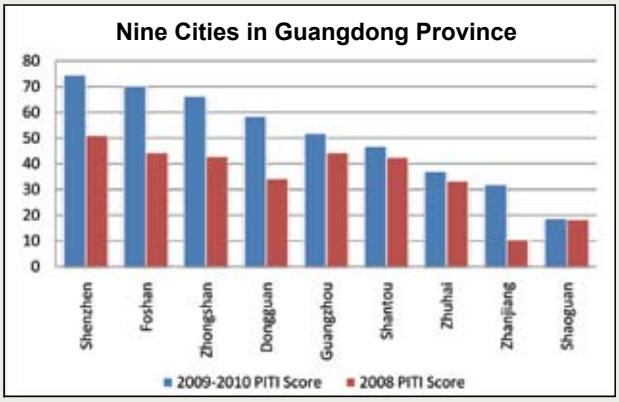
Of the six evaluated cities from Henan Province, Zhengzhou and Anyang improved their scores significantly. Kaifeng still scored below 20 points and needs to improve.



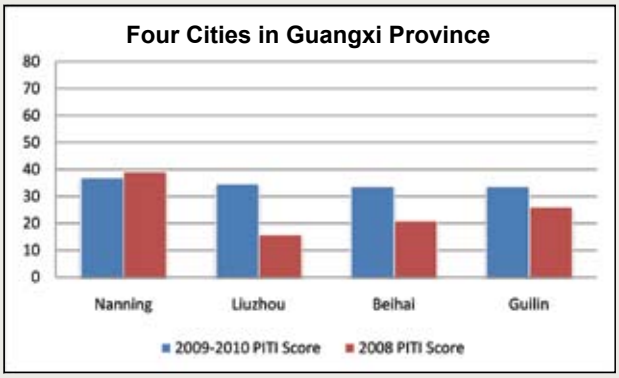
Of the three evaluated cities in Hubei Province, Yichang improved. Wuhan, the previous leader in central China, declined in performance due to score decreases for disclosure of clean production audit information and records of enterprise violations.



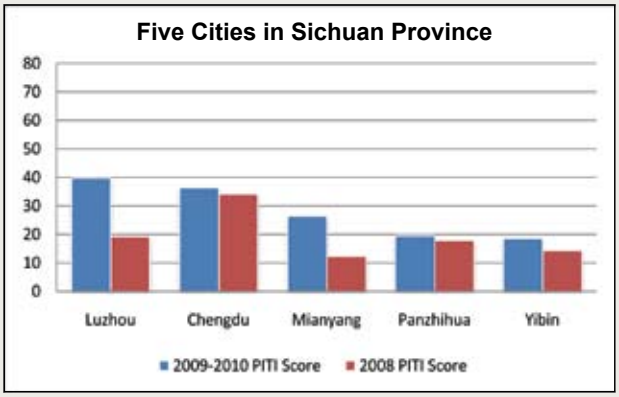
The six evaluated cities in Hunan all received scores lower than the national average. Changsha and Changde improved, but Xiangtan and Zhuzhou, both plagued by serious heavy metal pollution, only scored about 20 points.



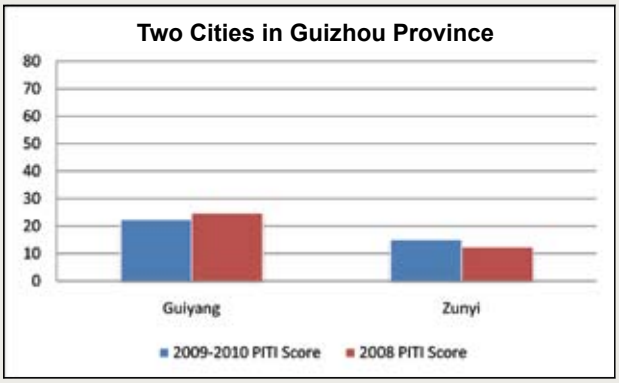
Of each of the provincial-level units, Guangdong had the most striking progress in information disclosure in the 2009-2010 period. In the 2008 PITI the average of these nine cities' evaluation was 35.79 points, which increased to 50.72 points in the current evaluation, a percent increase of 41.76%. The scores for all nine cities improved, of which Foshan, Dongguan, Zhongshan, Shenzhen, and Zhanjiang had gains of up to 20 points. The most prominent gains occurred in the Pearl River Delta in Shenzhen, Zhongshan and Foshan, with PITI scores breaking 60 points and Shenzhen with 74.5 points, placing it as the second ranked city out of the 113 cities evaluated.



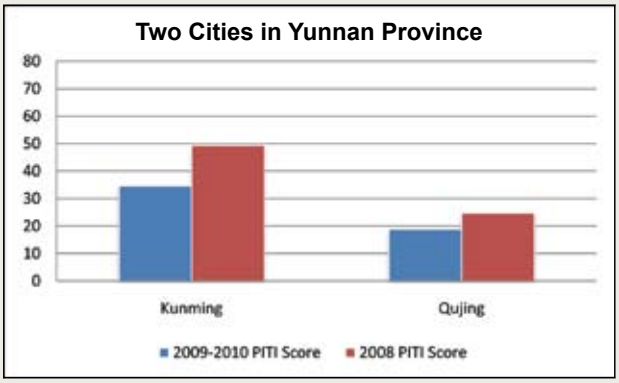
The scores were roughly similar for the four cities in Guangxi. Guilin, Liuzhou and Beihai caught up with Nanning, the capital city. However, performance on disclosure of records of enterprise violations still needs to be improved.



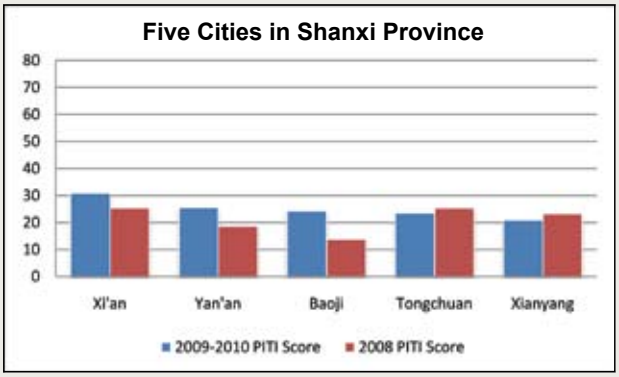
The five evaluated cities in Sichuan Province all improved. However Chengdu, the capital city of Sichuan, did not even receive 40 points. Panzhihua, Yibing and Mianyang only received around 20 points. These cities all urgently need to improve.



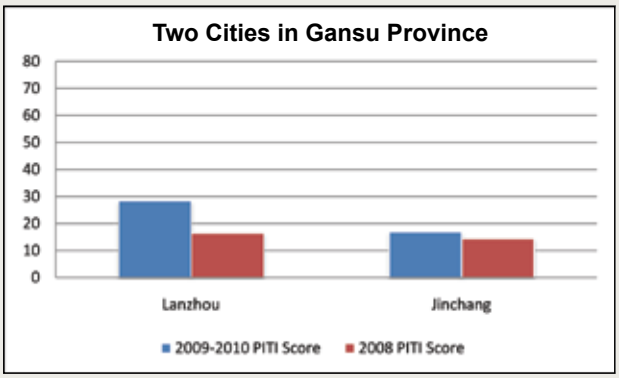
In Guizhou Province, the capital city Guiyang declined from an already low level of performance, and Zunyi only scored 15.2 points. This province must improve overall.



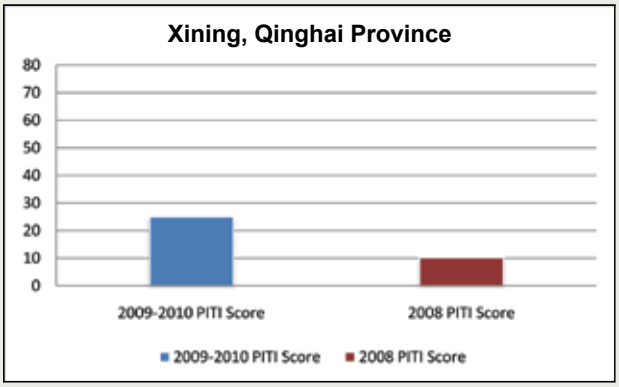
In Yunnan Province, the two evaluated cities had significant declines in performance. Qujing received fewer than 20 points.



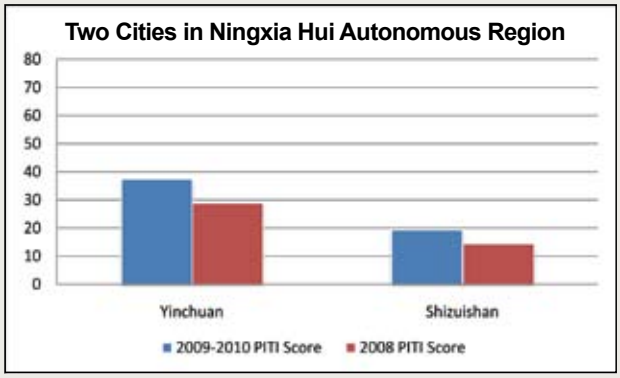
In Shaanxi Province, four of the evaluated cities received fewer than 30 points. Xi'an, the capital, obtained a mere 31 points. Both Tongchuan and Xianyang received only 20 points last year, and their scores were even lower this year.



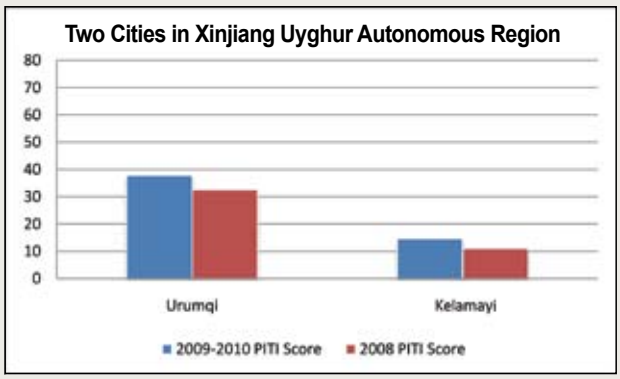
The two cities in Gansu Province each performed better in 2009-2010, but in absolute terms received scores far below the national average.



Xining, the only target city in Qinghai Province, doubled its score but still barely surpassed 20 points.

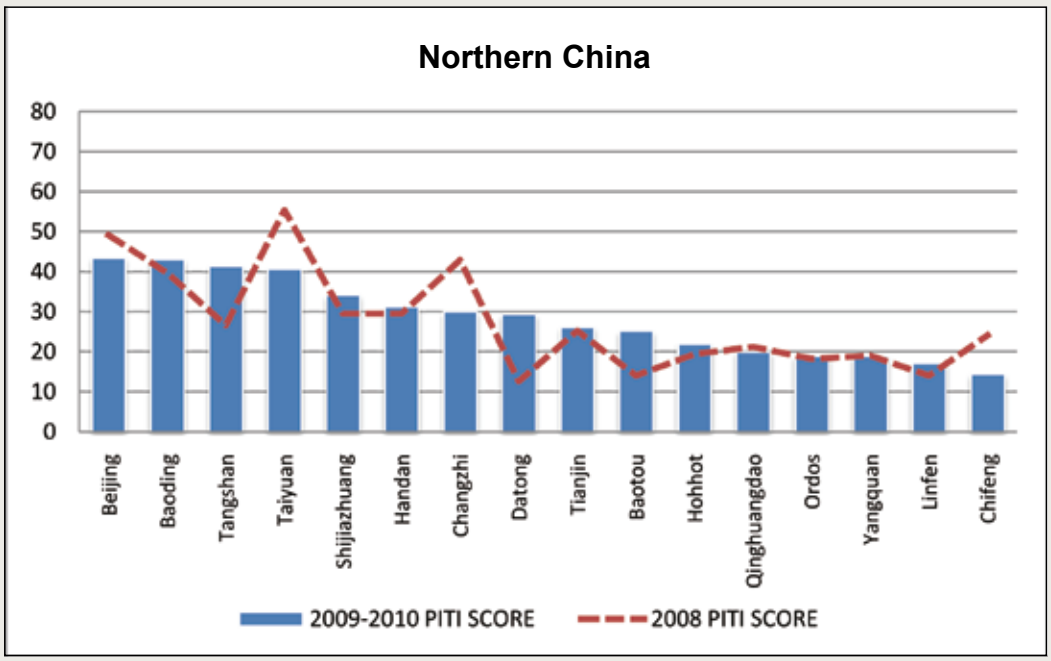


The two evaluated cities in Ningxia improved in 2009-2010. Yinchuan commenced regular disclosure of lists of enterprises in violation of emissions standards in March 2010. We expect Yinchuan to score higher in 2010-2011. The severely polluted Shizuishan received a rather low score.

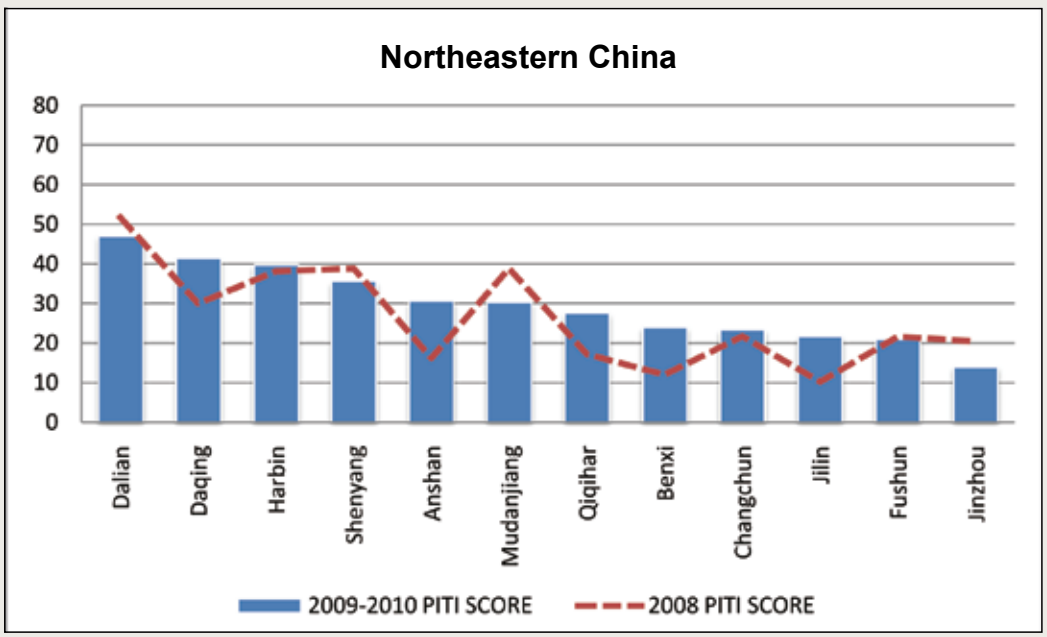


In Xinjiang, the PITI scores of the two evaluated cities increased slightly. However, Kelamayi only scored 14.8 points, making it the third to last city in the PITI evaluation.

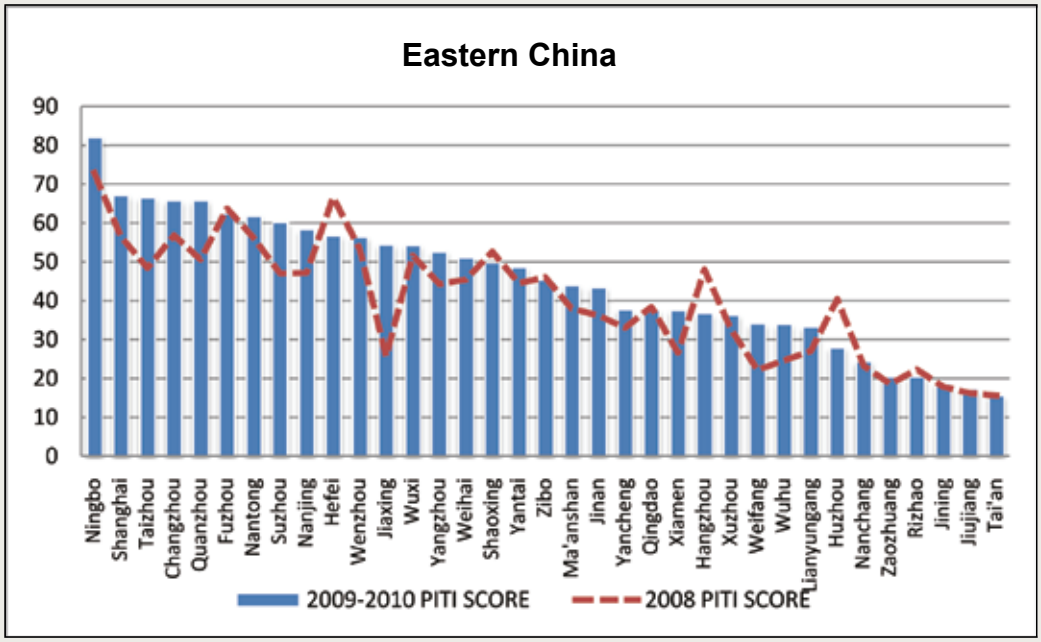
Appendix 3: Ranking of PITI Scores of Cities within Regions



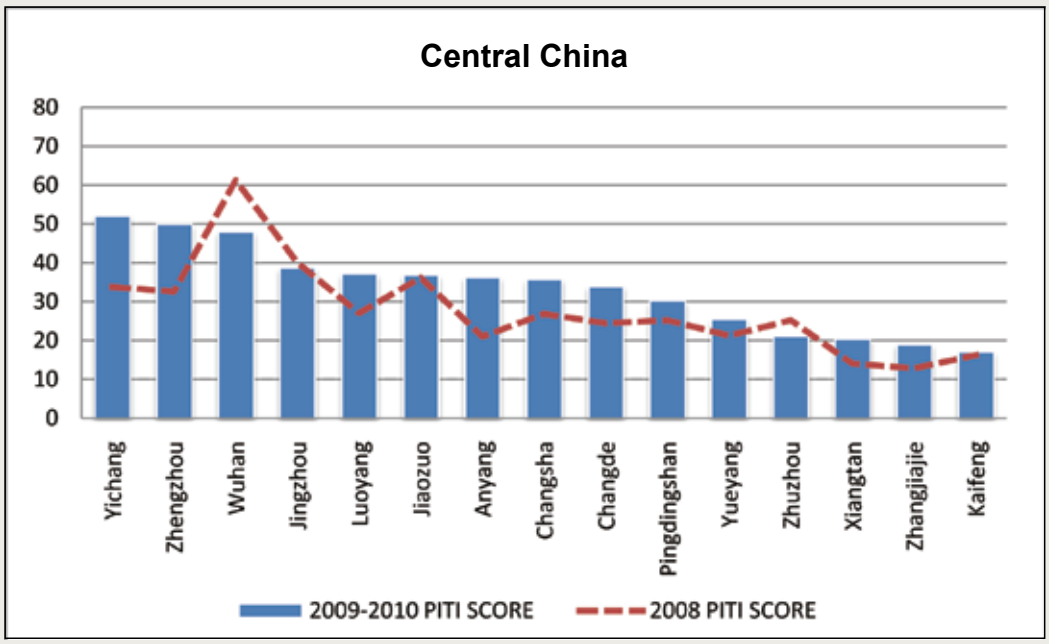
Eleven of the 16 evaluated cities in northern China declined in performance this year. Four cities in Inner Mongolia, as well as Linfen and Yangquan in Shanxi, and Qinghuangdao in Hebei received the lowest scores in this region.



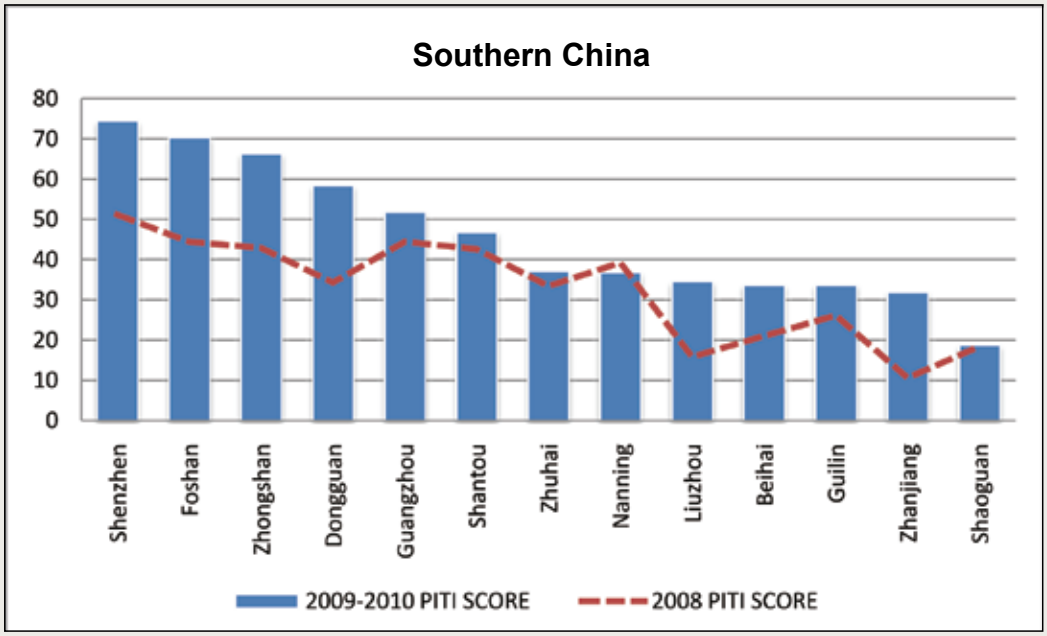
Of the 12 cities in northeastern China, Harbin and Dalian led the pack. Changchun, a capital city, received a relatively low score.



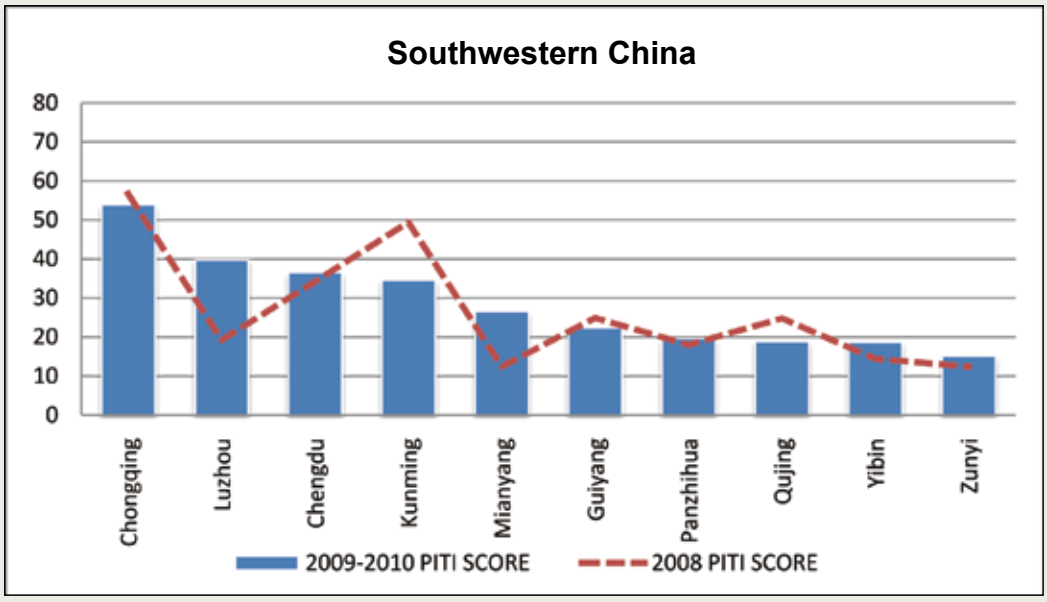
The range of performance among the 35 evaluated cities in eastern China is rather wide. The top eight cities (Ningbo, Shanghai, Taizhou, Changzhou, Quanzhou, Fuzhou, Nantong, and Suzhou) all received more than 60 points, while Shandong's Rizhao, Zaozhuang, Jining, and Tai'an, and Jiangxi's Nanchang and Jiujiang, all received fewer than 20 points.



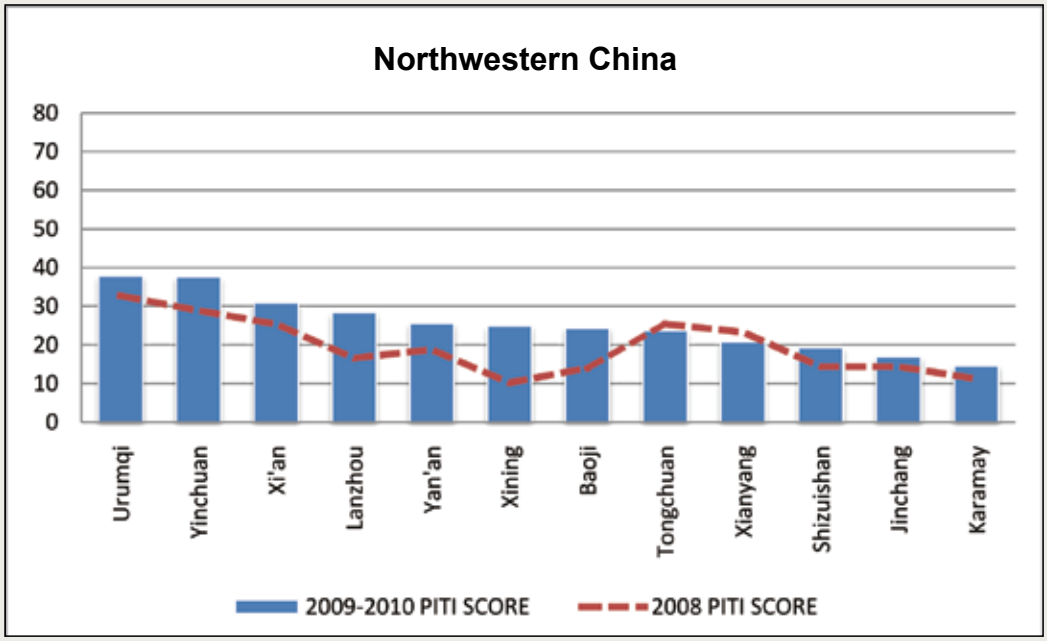
Of the 15 evaluated cities in central China, Wuhan, Yichang, and Zhengzhou were regional leaders. Xiangtan, Zhuzhou, Zhangjiajie, and Kaifeng were the worst performers.



All 13 evaluated cities in southern China improved their PITI scores. Shenzhen, Zhongshan, and Foshan rose to more than 60 points. Liuzhou, Beihai, and Zhenjiang, though ranked lower, nonetheless made some progress. Only Shaoguan received fewer than 20 points, and moreover showed no progress over the previous year.



Out of the ten evaluated cities in southwestern China, Chongqing stands head and shoulders above the rest, much higher than Chengdu and Kunming, the two capital cities in this region. Zunyi, Yibing, Qujing, and Panzhihua scored very low at fewer than 20 points. The overall performance of this region did not indicate much headway.



The 12 evaluated cities in northwestern China fared poorly, and none of them reached the national average of 35 points. Compared with 2008 scores, we can see that Xining, Lanzhou, Baoji, and Yinchuan nonetheless improved significantly. However, Shizuishan, Jinchang, and Kelamayi failed to reach 20 points. Yan'an and Xianyang both received a lower score in 2009-2010.

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