

Governance of the Rural “Scattered and Polluted” Enterprises in Tianjin

Tiantian Kong¹, Zheng Wang^{1,a} and HanYang¹

¹College of Economics and Management, Tianjin Agricultural University, China

Abstract. With the rapid development of China's economy and the continuous increase in economic volume, pollution hasn't been limited to cities. The rural “scattered and polluted” enterprises, as the main source of pollution in the rural environment, affect the rural ecological environment and restrict the green and healthy development of the rural economy. Since April 2017, the Tianjin Municipal Government has issued a series of documents on the governance of “scattered and polluted” enterprises in rural areas, which has adopted targeted countermeasures and achieved obvious results, but there are also some problems. How to scientifically and effectively govern the rural “scattered and polluted” enterprises needs continuous exploration, summary and improvement.

1 Introduction

With the rapid development of China's economy and the continuous increase in economic volume, pollution hasn't been limited to cities. The rural “scattered and polluted” enterprises, as the main source of pollution in the rural environment, affect the rural ecological environment and restrict the green development of rural economy. In April 2017, the Party Central Committee and the State Council carried out the first inspection of the central environmental protection agencies nationwide. The “scattered and polluted” enterprises have become the focus of the EPA. In the nineteenth report of Communist Party of China (CCP), rural problems have been considered as important issues for china. The conference report put forward strategy of Rural Revitalization which including prosperous industry, ecological livable, local custom civilization, effective governance and rich life. In the No. 1 document issued by the central committee in 2018, the strategy of rural revitalization was put forward. The problem of rural ecological environment is prominent, and the development level of rural areas needs to be improved urgently. It is an important step in the construction of ecological civilization to remediation of the “scattered and polluted” enterprises, promote the upgrading of rural industries and accelerate the green development. In the spirit of Premier Keqiang Li's speech at the national ecological and environmental protection conference on May 19, 2018, the speech promoted the development idea of green development and prevents environmental pollution. Deepen supply-side structural reform, implement a strategy of innovation-driven development, and foster new growth drivers for new industries, new forms of business and new models. The government should actively create conditions to guide farmers to

fully protect and utilize the resources of rural areas to start their own businesses, completely solve the problems of inadequate rural development, unbalanced urban and rural development, and create favorable conditions for farmers to become rich and rural sustainable development. However, in the process of rectification, problems such as imperfect systems, unreasonable land planning, unclear rectification standards, no close cooperation among departments, lack of law enforcement power, and low level of public participation, lack of public supervision and other issues hinder the progress of governance. We will make the management of rural “scattered and polluted” enterprises work scientifically and effectively, and at the same time accelerate the upgrading and transformation of rural industries and promote the green development of the economy. It also needs constant exploration, summary and improvement.

2 Status quo of governance of rural “scattered and polluted” enterprises in Tianjin

Most the “scattered and polluted” enterprises in rural areas in Tianjin are small in scale and poor in technology. Most of them are family-owned workshops and individual industrial. And most of them are located in rural and urban-rural areas. Many of them are prosperous industry, ecological livable, local custom civilization, effective governance, rich life inconsistent with industrial layout plans in Tianjin and are not in industrial gathering areas. There have many firms in rural area which are lack of licenses and management ability. There are also many enterprises that are classified as “polluting” enterprises that are involved in gas exceeding

the standard and wastewater discharge exceeding standards, and do not install any pollution treatment equipment. The pollutants are directly discharged into the atmosphere or rivers, causing serious pollution to the surrounding environment.

In April 2017, Tianjin Municipality promulgated the "Guiding Opinions on Concentrating on Special Remediation of 'Scattered and Polluted' Enterprises" in order to smoothly carry out corporate governance of "scattered and polluted" enterprises, and the sub-districts have also launched special actions to crack down on "scattered and polluted" enterprises. All types of "scattered and polluted" enterprises are strictly governed by laws and regulations. There are three types of measures to govern the "scattered and polluted" enterprises. **First, shutting down and banning.** The one which does not complying with Tianjin's industrial policies, layout planning, land, environmental protection and other related procedures, own unqualified production equipment, lack of environmental protection facilities, excessive discharge of pollutants and no hope of rectification implements "two cuts and three cleans"(cutting off water, cutting off power, clearing of sites, clearing of equipment, clearing of products), in order to make it impossible for them to reproduce. **Second, relocation.** The one which has a certain market development prospects, with the conditions for transformation and upgrading, but are subject to geographical restrictions, or does not meet local planning and land use requirements, will all be relocated to industrial parks for upgrading. **Third, renovation.** The ones which have certain market development prospects and can be renovated in the original place will carry out in-place renovation.

Since the start of governance work, Tianjin has conducted a comprehensive network-based investigation, established a dynamic update mechanism, and implemented an account management, which has resulted in the detection of nearly 30,000 "scattered and polluted" enterprises. The government strictly enforces the first stop and then govern, with the rectification of the city's "scattered and polluted" enterprises, shutting down and banning basically completed by the end of 2017. In-place renovation and upgrading is expected to be completed in June 2018, and the relocation and upgrading plan will be completed by the end of December 2018. After more than one year of comprehensive rectification of "scattered and polluted" enterprises, the air quality in Tianjin has been significantly improved.

3 Problems in the governance of "scattered and polluted" enterprises in rural Tianjin

3.1 Unreasonable land planning and the obvious issue of "one size fits all"

The industrial parks in Tianjin mainly include the national, municipal, district, and township levels. The

village collective construction land is basically not included in the government's industrial and commercial industrial planning land. The land management department also basically does not approve the application enterprises of village collective construction land, and environmental assessment and industrial and commercial registration shall not handled. The enterprises that farmers set up on their own land have become "scattered" enterprises in a one-size-fits-all manner. Even if they meet the requirements of environmental protection, they cannot register to operate, resulting in a large amount of idle land for collective construction in rural areas, which also affects the development of rural economy and the employment of farmers.

3.2 Unclear remediation standards and inconspicuous effect of remediation

Although the Tianjin Municipality's Regulations on the administration of "scattered and polluted" enterprises is relatively comprehensive in terms of scope and requirements for rectification, the content of these provisions mainly uses language descriptions, and there is a lack of quantitative regulations on specific implementation standards. For example, for the prevention and control of atmospheric pollution, there is no specific stipulation on the standard for the emission of air pollutants, which makes the governance standards unclear and lacks guidance. Some law enforcement officials supervise "scattered and polluted" enterprises and are afraid of being held responsible for lax enforcement. So no matter what enterprises are involved in, as long as they involve air pollution and other related environmental pollution, they are counted as "scattered and polluted" enterprises and undergo comprehensive shutdowns and rectifications, caused the governance expansion.

3.3 Insufficient investment in environmental law enforcement and supervision difficulties

"Scattered and polluted" enterprises governance is a wide-ranging work, involving more departments and technical personnel. Some "scattered and polluted" enterprises have gone deep into rural areas, while rural law enforcement forces are relatively weak compared to towns, and environmental law enforcement equipment is poor. In some rural areas, there are a large number of "scattered and polluted" enterprises, serious pollution, insufficient investment in environmental law enforcement, and the lack of law enforcement officials, which make it more difficult to govern. In addition, the investment in technical equipment is insufficient. Although Tianjin has mature monitoring technologies for real-time online monitoring, these technical devices are designed for large and key enterprises. Because "scattered and polluted" enterprises are more dispersed and most of them are small-scale enterprises, they cannot use online monitoring to monitor pollution, lack proper monitoring technology, and cannot supervise them in a

timely and effective manner, the effect of rectification cannot be guaranteed.

3.4 The faultiness of linkage mechanism and the lack of close cooperation between departments

Most of the “scattered and polluted” enterprises in Tianjin not only pollute the environment, but also violate laws and regulations on land use. And they also violate safety production, food safety requirements, and industrial policies etc. In addition, “scattered and polluted” enterprises have many industries and involving a wide range of fields, after the inspection, only a single law enforcement of the environmental protection department cannot effectively carry out “scattered and polluted” enterprises governance. At this time, multiple departments need to coordinate and cooperate. In addition, some “scattered and polluted” enterprises need to go through the relevant environmental assessment and other licensing procedures in the process of governing and upgrading, but due to the lack of cooperation between departments, the handling formalities are difficult, the process is complicated and time consuming. It is difficult for enterprises to complete the processing within a short period of time, which affects the progress of the renovation work.

3.5 Insufficient public participation and lack of public supervision

As a municipality directly under the central government, Tianjin’s rural surplus labor force and many migrants will work in rural enterprises or factories. However, many of them affected by the rectification work have to stop work and stay home, which is resistant to governance. Due to the lack of public supervision and cooperation, the investigation of “scattered and polluted” enterprises in rural areas is not thorough, and law enforcement officers cannot grasp the real situation.

4 Countermeasures and Proposals

In response to the problems in the process of governing Tianjin's rural “scattered and polluted” enterprises, and drawing on the successful experience of foreign environmental governance, the following governance proposals are proposed.

4.1 Improve relevant laws and clear enforcement standards

Learn from the experience of foreign environmental governance, we must improve the legal system of pollution prevention. Formulate scientific pollution discharge standards, carry out legislation on specific pollutants for enterprises, establish industrial emissions and fuel quality standards, improve technologies, and constantly revise and update the concentration limits and recommended values of related pollutants. Formulate penalties for enterprises that exceed emissions and

strictly implement the standards. In addition, the supervision and assessment accountability system for the “scattered and polluted” enterprises rectification work should be improved. Strictly enforce it to ensure the smooth completion of the rectification work.

4.2 improving the level and strength of rural environmental law enforcement

Solutions in the case of insufficient investment in rural environmental law enforcement are followed. Firstly, a joint working group should be established with the participation of related departments. The working group may be headed by the responsible comrades of the municipal and district governments. The heads of departments of the National Development and Reform Commission, Land, Environment, and Planning departments will perform their duties, determine work tasks and division of responsibilities, and promote the rectification work; secondly, strengthening the legal restraint to the owner of these enterprises. The establishment of a person in charge of pollution control within the village can provide timely and accurate information on the governance of the “scattered and polluted” enterprises in each village, and assist the local working group in completing the supervision work; thirdly, increasing the investment in environmental law enforcement technology and equipment. Install basic pollution monitoring equipment in the rural areas, such as monitor local enterprises' pollution situation and keep abreast of the enterprise's pollution discharge status.

4.3 Rationally planning industrial layout and promoting rural industrial upgrading

The government should rationally plan the industrial layout and promote the upgrading of rural industries. First of all, we must establish the rights and obligations of village collectives for the use of rural collective construction land, so that rural collective construction land can be fully used to provide guarantees for farmers to get rich and sustainable development in rural areas. Secondly, promote the technical upgrading and industrial upgrading of local enterprises. The government should increase capital investment and build industrial parks in some towns and villages where enterprises are concentrated to bring together similarly polluting enterprises. Besides introducing talents, equipment and technology to deal with pollution, it can also optimize industrial layout. Thirdly, the government must actively implement the strategy of rejuvenating villages. For rural areas that are relatively outdated, relevant government departments at higher levels need to deploy technical personnel to guide the development of new green industries in the region and find new economic growth points so that they can take into account environmental benefits while developing the economy. Promote local industrial upgrading and green development.

4.4 Strengthening Departmental Linkage Mechanism and Regional Cooperation

Strengthen the departmental linkage mechanism and establish joint enforcement mechanisms for the departments of land, planning, market supervision, and environmental protection. The environmental protection department actively took the initiative in law enforcement, and the relevant departments such as heating, power supply, water supply, and gas supply were actively involved in cooperation. For example, in the process of rectifying the “scattered and polluted” enterprises set up an information communication mechanism between the environmental protection department and the electric power department. If an abnormally discharged enterprise is found, measures such as on-site power cuts or power cuts can be taken immediately, only through local authorities. Power can be restored only after the agreement of the local government and the environmental protection department. In addition, regional cooperation must be strengthened to achieve regional linkages. The “scattered and polluted” enterprises in rural areas are extremely fluidity. Some small workshops and small businesses can move from areas with strong supervision to areas with little supervision at any time. Regional cooperation among neighboring provinces, cities, and districts and counties should be carried out to achieve unified governance standards so as to achieve the joint prevention and control effect.

4.5 Increase social participation

Increase the participation of social groups. Because the work of rectifying the “scattered and polluted” enterprises is a long-term and arduous task and social groups play an important role in this process. First, do a good job in publicity to change rural residents’ ideology and ideas, and let the public recognize the importance of the environment for human life and promote the enthusiasm of the public to participate in rectification work through forms such as lectures or TV commercials. Second, encouraging the public oversees the “scattered and polluted” enterprises around them. The public has the most contact with the surrounding enterprises and has the advantage of discovering and supervising “scattered and polluted” enterprises. Third, encourage social groups or institutions to participate in remediation, assisting and supervising the government in carrying out rectification work, and improving the rectification effect of “scattered and polluted” enterprises.

5 Conclusions

The regulation of “scattered and polluted” enterprises in rural is a complex and important work. It is necessary to formulate practical countermeasures and measures to

solve this problem. Some strategies should be taken such as, promoting the green development, implementing the development strategy of innovation, cultivating strong new industries. Completely solve the contradiction between inadequate rural development and unbalanced urban and rural development, create favorable conditions for the peasants to get rich and sustainable rural development, and support the smooth implementation of the strategy for rural revitalization and the priority development strategy for agriculture and rural areas.

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