

11.5 Offensive Odor Control Law

Offensive odors are typical sensorial pollution. Offensive odor claims or complaints are often registered against, among other facilities, fish gut and bone processing plants, slaughter houses and oil refineries. An actual example of such a complaint was the problem of offensive odors which were emitted from waste matter containing mercaptan which was dumped illegally in the harbor south of Kawasaki City in August and September of 1963, and which affected a wide area extending to the vicinity of Kita-Ku, Tokyo and Naka-Ku, Yokohama City.

Nevertheless, due to the stagnation in the development of effective preventative technologies and the difficulty of making quantitative assessments of offensive odors, regulatory actions were delayed until 1971 when the Offensive Odor Control Law was enacted. The Law aims at preserving the living environment and contributing to the protection of people's health by regulating the emissions of offensive odorous substances arising from the activities of factories and business establishments. Areas to be regulated are designated by the governor of the prefecture who also regulates offensive odors by establishing control standards for the 22 offensive odorous substances in terms of atmospheric concentrations along the boundary lines of factory sites or in terms of discharged gas concentrations and concentrations in exhaust water, within ranges prescribed by Cabinet Order. The Olfactory Sense Test was adopted as a regulatory method in 1996.

11.6 Law Concerning the Improvement of Pollution Prevention Systems in Specific Factories

The basic framework of the system of environmental pollution control laws was completed with the enactment of the Air Pollution Control Law and the Noise Pollution Control Law in 1968, and the Vibration Regulation Law in 1970. Although education and training of the technical staff of government agencies involved with environmental pollution administration has been conducted by the Institute of Public Health, Ministry of Health and Public Welfare and the Agency of Industrial Science and Technology, Ministry of International Trade and Industry, since the mid-1950s, industrial enterprises that carry out actual implementation of environmental pollution controls could not follow these developments in terms of the organizational set up and were particularly behind in the area of training qualified technical staff.

The Law Concerning the Improvement of Pollution Prevention Systems in Specific Factories was thus enacted in 1971. The Law places enterprises under obligation to establish pollution prevention systems at their own factories and business establishments which emit environmental pollutants. The purpose of the Law is to develop pollution prevention systems at specified factories by introducing the system of pollution control management and creating a framework for organization-wide efforts to prevent environmental pollution. Manufacturers, and electric power, gas or heating utility suppliers over a certain size that have subject facilities are designated as "specific factories", or business establishments, subject to the Law's provisions. Each specific factory is required to make organization-wide efforts to prevent environmental pollution by appointing a pollution control supervisor, a chief manager of pollution control, and a pollution control manager, whose identities must be registered with the governor of the prefecture.

Pollution control managers and the chief managers of pollution control must be qualified individuals who have passed national examinations. Pollution control managers are categorized as follows: Class 1-4 Air: Specified Dust, Class 1-4 Water Quality, Noise, and Vibration.

11.7 Environmental Impact Assessment Law

The Environmental Impact Assessment Law was enacted on June 9, 1997. Considerable importance is attached to air quality conservation in the system prescribed under this law. This law and the environmental impact assessment system will be outlined in Chapter 12.

11.8 Law Concerning Rational Use of Energy (Energy Saving Law)

Most of the global energy needs had been met by the use of oil from the late 1950s, but the oil shortage emerged as a new reality after the onset of the first oil shock in 1978. Japan was forced to change from its former energy supply structure, characterized by a continued heavy reliance on oil. It had to pursue energy saving policies and promote the development of energy sources other than oil. In consideration of Japan's energy situation, with its heavy dependence on foreign sources, a Bill Concerning Rational Use of Energy (which became the Energy Saving Law) was introduced before the Diet in 1978 for the purpose of promoting the efficient use of fuel resources and implementing measures to ensure the rational use energy in factories, buildings and machinery. The Energy Saving Law was passed in 1979, abolishing the former Heat Control Law. To meet energy demands amid the growing awareness of global environmental problems, the Energy Saving Law, the Law Concerning Promotion of the Development and Introduction of Alternative Energies, the Law on Special Accounts for Measures Concerning Coal, Oil and Alternative Energies, were revised, and the Law on Temporary Measures to Promote the Rational Use of Energy was enacted in 1993 in order to further promote energy saving and recycling and to rationalize the use of designated chlorofluorocarbons (CFCs).