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— Abstract —

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第二届中欧社会生态与法律比较论坛

Second China-EU Social Ecological and Legal Forum

会议资料

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中国可量化低碳公路养护及其法律保障

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摘要:低碳公路养护作为低碳交通一个重要的组成部分是不可或缺的。公路养护过程中有大量的碳排放,需要准确的数据加以认定,为低碳公路养护的可量化奠定基础。不同的路面养护方法和工艺,对环境的影响以及碳排放量也各不相同。对比路面养护技术的优劣时,不但需要对路面养护效果、路面功能好坏、使用的寿命、交通影响大小、对环境的影响程度等方面进行评价,还应对养护材料应用的碳排放量,施工机械的碳排放量以及施工过程中的碳排放量等方面进行测定和评价,对路面预防性养护技术的选择进行综合分析,选择最优的方案,达到路面使用性能、经济效益、社会效益和环境效益最优。低碳公路养护应通过法律确认和推广,鼓励优胜劣汰,规范行业准则。

关键词: 低碳经济 公路养护 碳排放测量 法律

The quantizable maintenance of low-carbon highroad and its legal protection in China

Huang Yan Jiang Songhua Xu Xijuan

Abstract: The maintenance of low-carbon highroad is necessary for low-carbon transportation. The maintain process will produce large numbers of carbon emission which is needed to be accurate identified. This will lay a foundation of the quantizable maintenance of low-carbon highroad. In selecting highroad maintenance technologies, we should take carbon emissions from the maintenance process into account as well as the maintenance effect, the quality of the highroad, the useful life of the highroad

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and the environmental effect. This practice should be notarized and protected by legislations.

Key words: low-carbon economy, highroad maintenance, carbon emission measure, legislation

一、低碳公路养护必要性分析

交通运输因使用大量的化石燃料而成为城市大气污染,二氧化硫排放和温室气体排放的主要原因。特别是公路及铁路对土地的利用会使生物多样性造成损害。[1]人类出行方式不同,碳排放亦有很大不同。[®]测算表明,在等量运输下,铁路、公路、航空能耗比是 1.9:3:18.6。在运输方式中,公路和航空运输耗油最大,而铁路是耗油最少的运输方式。为了解决公路运输中因汽车尾气排放所引起的温室气体排放迅速增加等其他问题,很多学者的研究中都主张制定综合性政策以发展可持续交通。[2]我国公路的平均能耗是铁路的 5~10 倍,美国是 3 倍。我国铁路运输外部成本是每公里 1/11,货运成本则是 1/25。^{\$\frac{2}{2}\$} 动力化所引起的环境问题不仅关涉到每公里的排放量,还与运输的总量和运输模式相关。[3] 在世界银行对中国的 17 个城市的研究发现,CO,排放量的增加归咎于总出行距离的增加和逐步动力化的趋势,和低载乘的运输模式,这大大抵消了车辆使用效率和燃油性能改进所取得的减排效果。[4]面临环境的巨大压力,鉴于公路交通在我国交通系统中所占的重要地位,低碳公路的建设养护研究势在必行。

在过往的十多年间,中国每年以3千公里至4千公里惊人庞大的沥青高速公路建造速度建立全国的高速公路网,并以2020年达到全国总数为8万5千公里的目标。其中尚未计算数以百万公里计的城乡国道,这些建成的道路早己面临大中小修的时期。目前各种道路养护大都是高排碳及高重复率,每年国家耗费以数以千亿计算,2004年8月加拿大国家工程研究院院士尔玛工程博士于中国公路学会曾发表4年研究报告,统计了40条高速公路,总长约3千公里。但超过90%

不合格,若果不注重养护,每年损亏超过千亿人民币,足以建设两个世界国际性水平的机场,若以此作为基数,那便中国所有高速公路每年所亏损足以建设超过20-30个世界国际性水平的机场。而其中高碳排量更是不计其数,为了量化这些养护方法,作多方面碳排量的分析和比较,追求低碳排绿色经济的养护技术和材料,并且提议应当建立适当的环境法规,给予引导及监管。

低碳交通是指在交通出行的各个环节全面关注温室气体排放问题。在现实 中,在无大規模替代能源出现前,化石能源的使用量难以从根本上减少。因此, 发展低碳交通的前提手段是节能,其次才是使用替代能源。节能领域可覆盖到交 通建设、交通工具、交通设施、交通管理等方面。传统观点只是关注与交通运输 工具的减排, 而不重视交通基础设施的减排。但是, 作为交通运输行业重要组成 部分的交通基础设施不容忽视。相对于水路运输业的码头, 航空运输业的机场建 设,公路运输业中公路建设养护更值得人们关注。交通运输的载体是交通工具和 交通设施。对于公路运输而言,公路条件是影响交通能耗水平的重要因素。一般 的,高等级公路比低等级公路节能,目前,我国高等级公路比普通公路油耗节约 20%以上。但是,公路建设的能源消耗非常巨大,造成在建设过程中碳排放量也 很巨大。公路高路堤填筑、高边坡修筑、沥青的铺筑、桥梁、隧道的修建等等, 都需要消耗大量的原材料,这些原材料的获得是通过消耗大量化石能源和排放大 量的碳而实现。因此公路建设过程低碳化的规划和实施,是一个亟待解决的重要 课题。①低碳化公路的建设不仅包括公路工程设计、施工过程中的低碳化,还包 括公路养护过程的低碳化。目前采用的传统公路养护工艺,从根本上来说还是高 碳排放的,因而,如何减少公路养护过程中的碳排量,确立一套科学可行可量化 的低碳公路养护标准成为当务之急。所以, 低碳公路养护作为低碳交通一个重要 的组成部分是不可或缺的,公路养护过程中,不仅对环境影响巨大,而且还有大 量的碳排放,这些都需要准确的数据加以认定,为低碳公路养护的可量化奠定基 础。所以,低碳公路养护是低碳交通的一个重要的组成部分,也是促进低碳交通 的重要步骤。

在公路的建设和养护过程中,如果是采用传统模式,其程序包括了开山采石、 海青的提取、沥青混合料的拌合、公路建设材料的运输、路面的铣刨和摊铺、废

^{© 2009} 年的《世博绿色出行指南》指出,不同交通工具的温室气体排放存在较大差异。据日本对各种运输方式的二氧化碳排放比例的调查结果表明,小轿车为52%,货运车31%,航运6%。航空3%,其它5%。以欧盟为例,公路交通碳排放占交通领域碳排放的72%。铁路则以1.6%的碳排放完成了10%的运量,铁路是最环保的运输方式。英国研究机构认为,铁路运输中二氧化碳的每人每公里排放量是公路的一半,是国内短途航空的1/4。http://www.cleanair.net.cn/page 2_11_l.html, 2012-4-5 访问。

② 穆献中:《中国低碳经济与产业化发展》,石油工业出版社 2011 年版,第95 页。

①孙建卫,赵荣钦,黄贤金,陈志刚:《1995~2005年中国碳排放核算及其因素分析研究》,自然资源学报,2010年8月。

弃渣土运输等一系列过程,而这些过程中都是高碳排放量工序。①我们下面采取定量分析的方法,分析传统公路养护过程中的碳排放。开山采石中,按照目前我国每年公路养护所需的石料 5000 万吨计算,那么一个采石场中以 5 只风枪每天工作八小时计算,那么其耗电量是 800 度,每年生产石料 50 万吨就会产生 230吨的二氧化碳,那么我国每年道路养护所需石料造成的将是 2.3 万吨二氧化碳的排放。这还没有计算开山采石破坏山林能吸收的二氧化碳量。在石料运输过程中,按照目前载重卡车 30 升/百公里耗油量计算,将 5000 万吨石料运输至 10 公里外的搅拌厂,那么需要 20 吨位的卡车运输 250 万次,这将会产生 4 万吨二氧化碳排放。沥青材料的拌合中,我国公路养护每年的市场是 2.4 亿吨沥青拌合料,按照 1 吨拌合料产生 18 公斤二氧化碳排放量计算,5000吨公路养护沥青拌合料产生 90 万吨二氧化碳。将这 5000 万吨沥青拌合料运输至 10 公里外的施工现场,大约有 4 万吨的二氧化碳排放。同样,传统工艺中产生的 5000 万吨渣土运输也是由大约 4 万吨的二氧化碳。在进行公路大修中,采用传统工艺会造成车辆拥堵、车行缓慢,堵塞在途中的车辆会造成大量的碳排放。加上沥青提取、路面铣刨、路面摊铺产生的碳排放,公路养护中一年产生的二氧化碳约为 110 万吨。②

国内外就碳排放的基础性研究工作已有很大的成果,在交通运输业的碳排放研究也有初步的进展,但是就公路设施的低碳研究尚是一个空白,即迄今为止尚未看到有关公路设计、施工、运营过程中如何实现低碳化的研究成果,且国内外均未对公路设计、施工、运营过程中的碳排放做出定量的研究分析。为了使公路运输业尽快实现低碳化,对于道路的设计、施工、运营过程中的碳排放进行定量研究,进而制定出一整套评价低碳道路的可行性指标至关重要,藉此才能为公路运输的碳排放提供一套量化指标,以推进我国的低碳化道路的发展,达到节能减排的目的。

低碳经济的发展,需要低碳交通的发展。低碳交通是实现低碳经济的重要组成部分,也是具有挑战性的部分。交通运输行业不仅涉及交通运输工具的城排, 还涉及交通基础设施建设的减排; 交通运输行业不仅方式众多,而且其涉及的技术种类以及行业众多。更为重要的是,随着社会经济结构的变化,以及经济全球 化的兴起,交通运输行业对于整个社会经济的支撑作用也是越来越明显,并且其 在整个社会中的能耗以及碳排放都是逐步增长的,所以,交通运输行业减排任重 道远,低碳交通不能一蹴而就,低碳经济的实现离不开低碳交通的实现。低碳交 通的发展离不开低碳公路养护技术的支持。就目前而言,低碳公路养护技术并没 有统一的行业标准,为了将低碳公路养护技术最终定量化,进而标准化,并通过 法律加以固定,必须有强有力的数据支撑,并就低碳公路养护技术做出实证的比 较研究,为低碳公路养护行业的成熟提供实证案例。

二、公路养护碳排放测量

(一) 范围与标准

公路建设和使用过程中碳排放测试和碳排放量研究,是一个系统而庞大的工程,必须对公路建设过程中涉及的方方面面进行测试、计算,测定公路工程建设中使用原材料的碳排放量,机械设备的碳排放量以及各种构筑物施工过程中其它碳排放量,最后计算得到公路施工建设过程中的总碳排放量。①在研究的同时,也可以对比环保节能新材料、新技术、新工艺等在公路中应用的碳排放量,制定出节能环保的公路建设碳排放量标准,以此标准为基准,综合评价一条公路建设是否达到碳排放量的标准,以及研究分析减低碳排放量的对策和措施。作为对环境保护的贡献,公路建设中应该将碳排放评价作为除造价评价外的另外一项重要的评价手段,对公路建设的碳排放进行规范和要求。

在公路使用过程中,需要对路面进行养护,不同的路面养护方法和工艺,其 对环境的影响以及碳排放量也各不相同。因此,对比路面养护技术的优劣时,不 但需要对路面养护效果、路面功能好坏、使用的寿命、交通影响大小、对环境的 影响程度等方面进行评价,还应养护材料应用的碳排放量,施工机械的碳排放量 以及施工过程中的碳排放量等方面进行测定和评价,综合评价路面养护技术的社 会经济效益和环境影响。

作为对公路建设和养护施工过程中碳排放研究的初步探索,本文将对沥青路 面预防性养护技术的几种方法进行施工过程和运营过程中碳排放量的研究,比较 目前沥青路面预防性养护技术对环境(或对温室效应)的影响,为选择合适的预

① (算算公路养护碳排放这笔账),中国高速公路网,www.china-highway.com,2011年3

②《交通运输碳排放量增长率达 25%—不可忽视的低碳领域》, 2010 年 1 月 7 日中国传动网http://www.chuandong.com/about/index.asp, 2012-4-5 访问。

①杨秦:《碳排放数据困扰中国公司》,中国经济导报,2010年2月17日。

防性养护技术提供基础数据,同时为今后研究公路建设和运营中碳排放评定提供 技术的方法。

(二) 公路养护技术分类

沥青路面预防性养护是一种在路面无结构性损坏、不存在功能性缺陷的情况下采取的对现有路面进行有计划的养护措施,以达到保持或提高路面使用性能、延长路面使用寿命和减少路面养护寿命周期成本的目的,简称预养护(PPM)。实践表明,预防性公路养护及时可以延缓公路损坏,延长路面的使用寿命,延迟昂贵的路面大修和重修,是一种投入少,效果好的公路养护技术。

目前,公路沥青路面预防性养护技术主要有:沥青再生还原材料(沥青处治(还原)技术)、微表处、超薄磨耗层、雾封层等。(1)沥青再生还原技术能够很好的预防沥青路面早期病害的产生,并能使沥青各方面使用性能得到恢复。沥青再生还原处治后 4-6h 内即可开通交通。(2)沥青路面微表处技术是一种沥青路面早期预防性养护技术,该技术应用于高等级公路预防性养护时,可以明显改善路面的路用性能,延长路面的使用寿命,微表处后 1~2h 即可开放交通。(3)超薄磨耗层具有平整度好、抗滑性高及耐久、降噪等优点,施工结束后可 1~2h可以开放交通。(4)雾封层是预防性养护常用技术之一,该技术以低廉的建设成本、快速的施工过程及优良的使用性能而被高速公路建设广泛应用,经雾封处治后的路面能很快进行通车。通过这些技术处治方法在施工以及后期运营阶段CO,的排放量的检测,以对各种预防性养护技术的环保性进行评价,使公路预防性养护达到"低碳、环保"的要求。

目前,对公路建设和养护过程中碳排放量的检测还没有成熟的方法,本研究借鉴对空气中碳排放量的检测方法,对施工过程中以及通车后不同时间的碳排放量进行检测。已有研究表明,空气中温室气体(即碳排放气体)主要为CO,和CO,为了对比不同的预养护技术的碳排放量,选择CO,排放量作为评价指标。CO,排放量大的环保效果差,同时测定不同时间的CO,排放量评价不同预防性技术对环境影响的持续性。

(三) 公路养护碳排放检测方法

采用容量滴定法进行试验检测,其原理是:空气中的二氧化碳被过量的氢氧 化钡溶液吸收,生成碳酸钡沉淀,剩余的氢氧化钡溶液用标准草酸溶液滴定至酚 酞试剂红色刚褪。由容量法滴定结果和所采集的空气体积,计算空气中二氧化碳 的浓度。

该实验所需仪器及试剂为: (1) 仪器: 吸收管、空气采样器、酸式滴定管、碘量瓶; (2) 试剂: 吸收液、草酸标准溶液、酚酞指示剂、正丁醇、纯氮或经碱石灰管除去 CO,的空气。

该实验需要制作试验样品,包括两类试验样品:室内试验样品和现场试验样 品。室内试验样品的制作过程是:(1)在室内用轮碾法预先成型 3 块尺寸为 300mm ×300mm×50mm 的车辙板,成型温度为 60℃,轮压为 0.7MPa。然后在其表面按 照设计要求剂量涂抹沥再生或雾封层材料,或将微表处或超薄磨耗层材料按照设 计配比和厚度摊铺碾压在车辙板表面,对车辙板表面进行4种方式的预防性养护 处理。(2)分别在车辙板表面处治结束时以及1天、10天、30天、60天时进 行样 CO₂气体的采集。(3)采集 CO₂样本气体时取一个事先用纯氮或去除 CO₂的 净化空气驱除残留空气的吸收管,装入 50ml 氢氧化钡吸收液,以 0.3L/min 流量 采气 3L, 吸收管管口距离车辙板表面 10cm。采样后,密封吸收管的进出气口, 以免空气进入。记录采样时的温度和大气压力。2、现场试验样品的制作过程是: (1) 在沥青路面表面按照设计要求剂量涂抹沥再生或雾封层材料,或将微表处 或超薄磨耗层材料按照设计配比和厚度摊铺碾压在路面表面,对沥青路面进行4 种方式的预防性养护处理。(2)分别在路面预防性养护处理结束时(0min)、 10min、30min、1h、2h、4h、6h、12h、1d、5d、10d、30d、60d 时进行样本气 体的采集; (3) 现场试验检测时, 每隔 20m 进行一次采样, 并标定位置, 以便 之后的采样: (4) 采集 CO, 样本气体时取一个事先用纯氦或去除 CO, 的净化空气 驱除残留空气的吸收管,装入 50ml 氢氧化钡吸收液,以 0.3L/min 流量采气 3L, 吸收管管口距离路面 10cm。采样后,密封吸收管的进出气口,以免空气进入。 记录采样时的温度和大气压力。选择晴朗无风的天气以减少环境温度、湿度和大 气压力的变化对测量结果造成的影响。

试验分析过程,包括: (1) 采样后,取出中间砂芯管,加塞静置 3h,使碳酸钡沉淀完全,吸取上清液 25ml 置碘量瓶中,加入 2 滴酚酞指示剂,用草酸滴定至酚酞的红色刚褪,记录样品滴定所消耗的草酸标准液体积(ml)。(2) 在每批样品测定的同时,吸取 25ml 未采样的吸收液,按相同操作步骤作试剂空白滴定,记录空白滴定所消耗的草酸标准液的体积(ml)。(3) 计算,使用下面公式计算:

$$c = \frac{20(V_2 - V_1)}{V_0}$$

其中: c—空气中 CO,浓度, %; V2—滴定样品消耗草酸标准溶液的体积, ml; v1—滴定空白消耗草酸标准溶液的体积, ml; v0—换算成标准状况下的采用体积, ml。对各平行试验结果取平均值,以此作为不同预防性养护技术的 CO,排放量。

四、试验结果分析,通过计算得出所采样品的 CO₂浓度,并与空气中 CO₂标准浓度进行对比,以此分析评价不同预防性养护技术养护路面所产生的 CO₂是否对环境产生影响。现场取样的试验结果会因汽车尾气的影响而偏大,应用室内试验结果对其进行校正。

三、公路养护碳排放检测结果分析

(一) 测试结果

按照上节方法,对沥青处治(还原)技术、微表处、超薄磨耗层、雾封层等 4 种预防性养护技术进行了室内和沥青路面预防性养护现场测试,作为对比,也进行了室内和沥青路面施工现场的空气以及普通沥青路面表面空气样品的 CO。浓度测试。测试的结果见表 1 和表 2,不同预养护技术 CO。浓度随时间变化见图 1 和图 3,不同预养护技术 CO。浓度对比情况见图 2 和图 4。

表 1: 不同预防性养护技术室内 CO₄浓度测试结果

试验室内	NY **	不同预	防性技术试(体中 00.浓)	件表面上 10cm 度(体积比,%	·处 ()	
测试时间	试验室	测试时间	试验室	测试时间	试验量	测试时间
Omin	0.06	Omin	0.06	Omin	0.06	Omin
10min	0, 06	10min	0.06	10min	0.06	10min
30min	0.06	30min	0.06	30min	0.06	30ain
1h	0.06	1h	0.06	1h	0, 06	lh_
2h	0.06	2h	0.06	2h	0.06	2h
4h	0.06	4h	0.06	4h	0,06	4h
6h	0.06	6h	0.06	6h	0,06	6h
19h	0.06	12h	0.06	12h	0.06	124

1d	0, 06	1d	0.06	Id	0.06	1d
5d	0.06	5d	0.06	5d	0.06	5d
10d	0.06	10d	0.06	10d	0.06	100
30d	0.06	30d	0.06	30d	0.06	300
60d	0.06	60d	0.06	60d	0.06	600

表 2: 不同预防性养护技术施工现场 CO,浓度测试结里

施工路面现场				面表面上 10c 度(体积比,		
测试时间	公路 空旷处	沥青处治(还 原)技术	微表处	超薄磨耗层	雾封层	沥青路面
Omin	0.04	3.86	4. 75	6. 92	4. 59	6. 57
10min	0.04	2.04	4. 19	6. 45	4. 02	6. 02
30min	0.04	0. 54	3. 88	5. 31	3, 56	5. 14
1h	0.04	0.04	3. 42	3, 55	2.57	3. 22
2h	0.04	0, 04	3, 03	2.14	2.01	1.86
4h	0.04	0.04	2.51	0.36	0.98	0. 21
- 6h	0.04	0.04	1, 87	0.04	0.64	0.04
12h	0.04	0, 04	0.47	0.04	0.59	0.04
ld .	0.04	0.04	0.04	0.04	0.51	0.04
5d -	0.04	0.04	0.04	0.04	0.36	0.04
10d	0.04	0,04	0.04	0.04	0. 22	0. 04
30d	0.04	0.04	0.04	0.04	0.18	0. 04
60d	0. 04	0, 04	0.04	0.04	0.06	0. 04

图 1: 室内不同预养护技术 CO:浓度随时间变化图

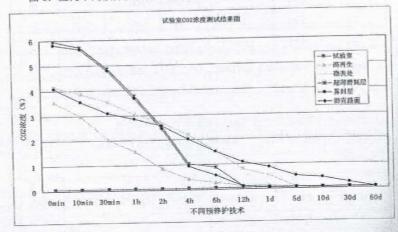


图 2: 室内不同预养护技术 CO,浓度对比情况图

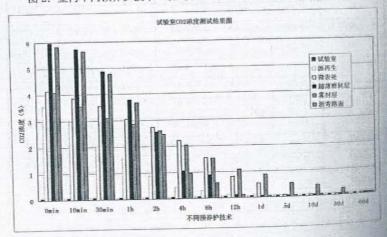


图 3: 施工现场不同预养护技术 CO,浓度随时间变化图

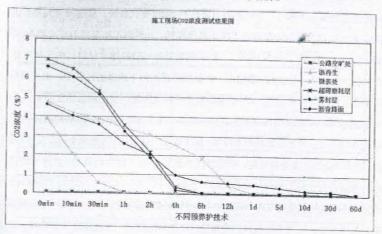
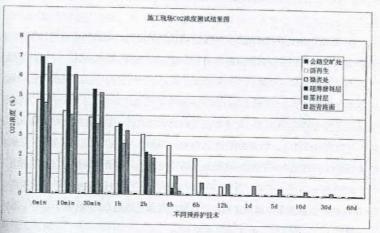


图 4: 施工现场不同预养护技术 CO。浓度对比情况图



(图表资料来源:香港中怡企业发展有限公司)

分析室内和现场测试结果, 可以看到:

1、不同预防性养护技术在施工和运营过程中,排放到空气中的 CO₂量是不同的,表现在浓度同的样品气体的浓度指标方面也各不相同。通过试验室和现场测试,施工期不同预防性养护技术的 CO₂浓度大小排序相同:超薄磨耗层>沥青路面>微表处>雾封层>沥青处治(还原)技术>环境空气。

- 2、由于材料本身的特点,随着使用时间的变化,不同预防性养护技术的 CO₂浓度变化规律各不相同。加热类的混合料 CO₂浓度变化最快,如超薄磨耗层和沥青路面,CO₂浓度随材料温度的下降而迅速降低,一般施工结束后 10min 到 4h 期间,CO₃浓度 5%~7%下降至 1%以下。对于沥青处治(还原)技术材料,由于其本身为环保型材料,排放的 CO₂量最小,在材料干燥和向下渗透的过程中,由于材料中不存在有害的有机溶剂,CO₃浓度会损失随时间降低,室内相密闭空间中,其CO₂浓度在 2h 内将达到 1%以下,在现场通风的条件下,30min 内 CO₂浓度即可下降到 0.5%左右;对于微表处和雾封层,施工过程中排放的 CO₃ 盘介于沥青处治(还原)技术和热沥青混合料之间,随着时间的推移,CO₂浓度逐渐降低,但降低的速度较热沥青混合料和沥青处治(还原)技术材料小,经过 12h 才能达到 1%的 CO₂浓度,造成这种现象的原因可能是由于这两类材料都属于反应类材料,在干燥或破乳的过程中,发生了一系列化学反应,产生新的物质,同时向空气中排放一定的 CO₃气体所致。试验室测试结果和现场测试结果均显示相同的 CO₃浓度变化规律。
- 3、通过分析试验室测试结果和现场测试结果发现,由于环境条件的不同,CO₂浓度变化快慢同。在试验室内,由于环境比较密闭,通风不畅,气体很难散失,CO₂浓度变化较现场通风良好的地方小。对于沥青处治(还原)技术材料,室内4h内CO₂浓度从3.55%降低到0.43%,而现场通风良好状况下,只需要30min就可以达到相同的CO₂浓度;对于加热类的沥青混合料,这种情况表现的更明显。室内相对密闭条件下,沥青路面和超薄磨耗层材料,需要6h才能将CO₂浓度从6%降低到0.6%左右,而在现场通风良好的情况下,只需要4h就可以将CO₂浓度从7%降低到0.3%左右;对于微表处和雾封层这类反应类材料,由于通风的原因。CO₂浓度的变化也显示出现场比室内降低快的现象,达到CO₂浓度 0.5%水平,室内需要约1d~5d 的时间,而现场只需要12h。
- 4、研究表明,二氧化碳在新鲜空气中含量约为 0,03%,这是人类可以耐要的含量值。如果二氧化碳含量过高,空气不流通,或者是室内燃烧煤气、液化有油气等使得空间氧气含量减少而产生大量二氧化碳,那么室内人员就有可能出现二氧化碳中毒现象。关于二氧化碳在室内空气中最大允许含量,各国尚无统一规定,日本规定室内空气中二氧化碳含量为 0.15%时为换气标准。表 3 为空气中 COCc 含量对人体的影响。

表 3: 空气中 CO,含量对人体的影响

空气中 CO。的含量/%	症状
2, 5	经数小时无任何症状
3.0	无意识地呼吸次数增加
4. 0	出现局部刺激症状
6. 0	呼吸量增加
8.0	呼吸困难
10.0	意识不清,不久导致死亡
20.0	数秒后瘫痪,心脏停止跳动

(图表资料来源:香港中恰企业发展有限公司)

根据表 3 的标准,以 6%作为路面施工阶段 CO,含量的上限值,以 0.5%为使用阶段 CO,含量的应上值,那么不同预防性养护技术对人体健康的影响存在不同影响,同时开放交通的时间也各不相同。在施工现场,沥青处治(还原)技术、微表处和雾封层都能满足施工阶段 CO,含量上限的要求,沥青路面和超薄磨耗层等加热类混合料 CO,浓度接近 7%,施工时对施工人员的健康有影响;而要达到可以开放交通的 0.5% CO,浓度要求,沥青处治(还原)技术需要 30min,微表处需要 12h,雾封层需要 1d,超薄磨耗层和沥青路面需要 4h。因此,出于对人体健康的考虑,应选择 CO,含量较低的材料作为预防性养护材料。

5、对于不同预防性养护材料施工和使用期 CO。总排放量的测定和评价,本研究未进行详细的试验和研究。但从表 1 和表 2,图 1 至图 4 的结果可以定性的分析,图 3 中现场 CO。含量测定中,曲线以下的面积可以间接反映 CO。总排放量,见图 5 至图 9。

图 5: 沥青处治(还原)技术 CO,总排放量间接评价图

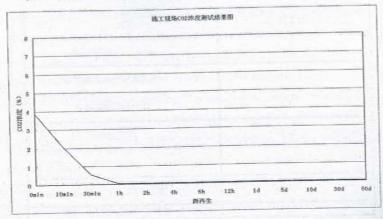


图 6: 徽表处 CO,总排放量间接评价图

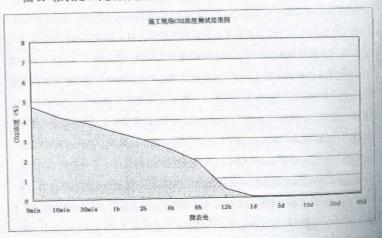


图 7: 雾封层 CO。总排放量间接评价图

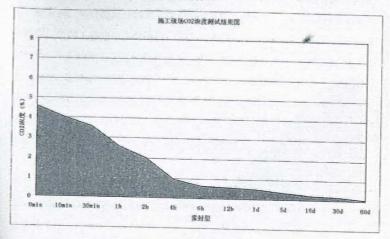


图 8、超薄磨耗层 CO,总排放量间接评价图

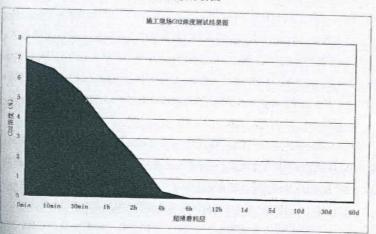
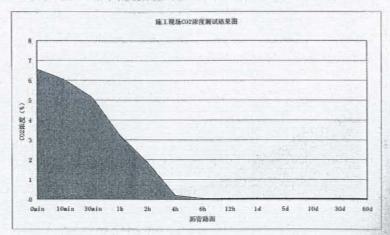


图 9: 沥青路面 CO, 总排放量间接评价图



(图表资料来源:香港中怡企业发展有限公司)

从图中的阴影面积可以定性的看到,5种预防性养护技术CO。总排放量从大到小的排序为:超薄磨耗层>沥青路面>微表处>雾封层>沥青处治(还原)技术。CO。总排放量越大,对环境的影响越大,为地球"温室效应"的贡献就越大。因此,出于保护自然环境的考虑,应该对路面预防性养护技术的选择进行综合分析,选择最优的方案,达到路面使用性能、经济效益、社会效益和环境效益最优。

(二) 公路养护碳排放检测结果分析初步结论

从前面的研究,可以得到初步的结论:

- 1、不同的预防性养护技术,排放的CO₂浓度和总量各不相同。加热类的混合料CO₂排放浓度和排放量最大,其次是反应类材料如微表处和雾封层,沥青处治(还原)技术CO₂排放浓度和排放量最小。
- 2、通风良好的地段 CO。浓度随时间降低速度快。因此在城市道路等通风不良的路段,更应选择 CO。排放浓度小的预防性养护技术,以避免 CO。的积聚,带来浓度增大,影响人身体健康。
- 3、从研究的成果可以看到,在以后的沥青路面预防性养护中,应首先选择 常温、非反应性施工材料和技术,保证在路面施工和使用过程中,(0),择放水平 始终处于较低的状态。同时尽量避免使用加热性材料。

(三)公路养护碳排放检测结果深入研究设想

此次的研究只是对公路工程建设中预防性养护技术 CO, 排放问题的初步探索性研究, 公路工程建设和使用中, CO, 排放的测试和评价牵扯到形形色色的材料和机械, 不同的施工工艺和养护技术, 对其测定和评价是一个复杂的、庞大的工程, 因此, 需要进一步细致的研究, 分析公路工程建设和使用中不同材料、不同机械、不同施工工艺和技术等在不同条件下的 CO, 排放量大小和随时间的 CO, 排放量变化规律, 为公路工程建设和使用各阶段制定出具体的 CO, 排放量测定方法和评价标准。因此, 今后主要在以下方面进行研究。

- 1、搜集公路工程建设和养护中所使用的原材料信息,包括材料的组成、制备工艺等,测试和计算出每种材料的单位 CO. 排放量:
- 2、搜集公路工程建设和养护中所使用的机械信息,测试和计算出每种机械 设备使用的台班 CO.排放量;
- 3、整理汇总公路建设和养护过程中每种构造物的工艺、技术,以及完成此工艺所需要的材料、机械和人工等数量,测试和计算出完成单位构筑物所需的 CO₂排放量;
- 4、编制 CO.排放量计算软件,根据不同的公路设计或养护情况,编制出公路 CO.排放总量;
- 5、搜集国内外公路工程中有关低碳环保方面的新材料、新工艺、新技术, 对这些新材料、新工艺和新技术进行单位碳排放量的测试;
- 6、根据尽可能应用低碳环保的新材料、新工艺、新技术原则,编制基准的 低碳环保公路碳排放量标准,即低碳环保公路标准;
- 7、根据低碳环保公路标准,研究已经设计或施工的公路碳排放量大小,对 其进行碳排放量的评价,根据评价结果,确定是否满足碳排放要求;
 - 8、研究对不满足碳排放要求公路的超碳排放原因,进行改进措施研究。

四、低碳公路养护技术的法律保障

目前,气候变化是威胁可持续发展的最紧迫因素。在自由放任的状态下,温 室气体的排放量到 2030 年将会增长 45%, 这将导致全球平均气温上升 6℃ 之多。 据斯特恩报告 (Stern 2007),气候变暖可能带来的损失,相当于全球国内生产 总值的 5-10%。由于近期经济危机和绿色政策之间的关系,现在全球范围内产生了对"新政"呼求,正如 20 世纪 30 年代一样,但这次是世界规模的,且拥有更广阔的视野。各国都在寻求大幅度地降低碳强度,以更加可持续为基础来振兴世界经济的路径。[7]法律在低碳公路养护技术方面,首先是确认其价值,低碳公路技术的推广是实现低碳交通、低碳经济发展的重要组成部分,也是人类应对气候变化、能源危机的重要手段,必须尽快予以推进;其次,法律确认低碳公路养护技术的标准,推进真正低碳技术的推广,促进整个行业的良性发展;最后,法律制定鼓励优秀技术、淘汰落后技术的规范,实现低碳公路养护行业的优胜劣汰,维护行业准则。所以,以法律推进低碳公路养护技术的发展,势在必行。

(一) 低碳公路养护技术立法目的和价值取向

低碳公路养护技术立法之终极目的在于实现环境正义,促进低碳经济发展, 实现人与自然和谐,直接目的则在于实现经济发展与自然环境和谐,推进我国低 碳公路养护事业的发展。低碳公路养护技术,可以实现经济发展与环境资源相协 调,而实现环境正义和环境公平也就成为低碳公路养护技术立法的基础目的。就 直接立法目的而言,低碳道路养护技术立法需要实现经济发展与环境保护之间的 协调和双赢,促进低碳公路养护行业的发展,从而为实现低碳交通,保证低碳经 济发展奠定基础。

低碳公路养护技术立法价值与其伦理基础及立法目的一脉相承——生态和谐,是低碳公路养护技术立法追求的目的性价值;生态效率,是低碳公路养护技术立法的工具性价值。⁶⁰低碳公路养护技术立法要实现生态的和谐,包括三方面的内容:代内生态和谐,其关注同代人之间的生态和谐问题,具体需要注意国际间的生态和谐、地区间的生态平衡和同代人之间的生态和谐;代际生态和谐,既世代人之间的纵向生态和谐,要注意当代人活动对于自然资源的开发利用和对于环境破坏的程度,当代人对于修复改善自然环境所做出的努力以及现代人对于标代人的补偿能否实现等问题;种际生态和谐,既人类与其他物种之间的生态和谐,其实,我们应该认识到的是保护自然环境就是保护人类自己,爱护其他物种就是爱护人类自身。人与自然之间的公平交易,不仅是保护环境的利益,使人类与环境之间建立一种和睦符合伦理要求的关系,也是保护环境的利益的需要,达到境之间建立一种和睦符合伦理要求的关系,也是保护人类自身利益的需要,达到

局部利益与整体利益、短期利益与长期利益之间的平衡。®

低碳公路养护技术立法之工具性价值在于实现生态效率,要求我们关注经济社会发展价值量与环境资源消耗之间的实物比,一个国家的整体生态效率可以用以下公式计算:生态效率(资源生产率)=经济社会发展(物质量,即GDP总量)/资源环境消耗量(实物量,即资源环境消耗的实物量)。对于公路养护行业,也是适用于这个原理,即如何以最小的资源消耗量和读排放量实现公路养护效果的最大化。中国的国情以及目前的环境现状都需要我们提高生态效率,而实现低碳公路养护行业的生态效率是低碳经济发展的题中之义。

(二) 法律推进低碳公路技术规范确立

低碳公路养护技术的推广是实现低碳交通的一个重要方面,而低碳交通又是 我国低碳经济的发展的一个重要组成部分。积极推进低碳公路养护技术的发展是 实现低碳交通的内在要求。低碳公路养护的推广,不仅是企业的责任,也是政府、 行业组织等各方面主体共同推进的结果。但是,要想根本上实现低碳公路养护的 推广和发展,必须要有法律作为强有力的后盾。具体目标使法律和政策手段的作 用得以明确。通常,法律和政策手段为实现具体目标提供方法而这些手段本身并 不是目的。[8]法律不仅是维护行业秩序,促进低碳公路养护良性发展的重要手 段。其对于低碳公路养护的标准化确立也是最根本的保证手段。对于低碳公路养 护,我们需要的不仅仅是口号式的作秀或者是仅仅停留在口头的宣传,而不注重 实际的效果。

低碳公路养护技术必须标准化,这是行业发展所必须的,可以促进优秀技术和优秀企业的发展,防止一些企业仅仅是拿低碳作为宣传而或者是广告,这需要法律的保障。法律可以将低碳公路养护技术标准予以确认,确定低碳公路养护的技术标准和行业规范,从而从根本上实现公路养护的低碳化。法律作为最具有强制性和权威性的规范,其在低碳公路养护的发展中应该有所作为。法律通过对于行业标准的确认以及强制标准的认证,可以促进真正低碳公路养护产业的发展,淘汰落后技术,发展先进技术,最终实现我国低碳公路养护行业的崛起,从而推进低碳交通的发展,进而实现低碳经济的发展。

(三) 法律推行量化低碳公路养护技术

低碳公路养护技术的推广需要各方面的合力。其中涉及企业、政府、行业协

[®] 参见杨泽伟主编: (发达国家新能源政策法律与政策研究),武汉大学出版社 2011 年版,第 163 页。

参见李辇拜;(经济法的生态化),法律出版社 2003 年版,第 34 页。

会等主题,但根本上还需要法律的推动。企业对于低碳公路养护技术的发展可以提供实证支持,提供数据支撑,从而为低碳公路养护技术的发展提供经验。企业可以做的,政府也可以做。低碳减排可以从行业做起,也需要政府的推广和支持。在沥青公路养护方面积累的经验和数据同样可以应用到其他的行业和领域。比如,北京市政府要实现公路养护碳减排强度降低百分之多少,每年降低百分之多少,它可以把任务交给一个专业科研能力强的单位处理,帮忙设计,怎么样把碳全部或一部份减排下来,引进技术、负责实施和组织、最后也有监督和认证,凡此种种,不一而足。这样通过可以量化的低碳减排技术以及数据的支持,最终将低碳技术推广到可以应用的行业和领域。能源是维持一个国家的经济发展的必要因素。国内生产总值/人均国内生产总值增长和国内生产总值弹性系数可以显示经济的增长,这两个因素也决定能源的消耗。人口增长,城市化和电气化等也是决定能源消耗的其他重要投入因素。[9]如果说通过能源管理实施下来,通过企业、政府有关机构找到中国节能联盟,它就可以认可你的技术,并推荐可靠的方案和技术,所以最终效益体现,应当是通过合作能源管理之后。但是要从根本上推进低碳公路养护技术的发展还是需要法律的确认。

(四) 低碳公路养护技术立法制度构建

很多减少 CO₂排放量的技术都离不开我们现存的物质生活条件。真正的挑战来源于政治环境: 所采用的技术及其实践是为确保可持续性。[10] 结合我国自然资源环境的状况以及低碳公路养护技术的实际水平,在低碳公路建设养护立法中,应着力构建以下一些相互衔接的低碳公路养护基本法律制度。

1. 鼓励、限制或者禁止名录制度

要建立低碳公路建设养护名录与循环示范制度,国务院有关部门要根据经济社会发展情况,依据相关制度制定低碳公路产业政策,不定期制定和公布国家鼓励、限制和禁止的工艺、产品目录,对于消耗高、污染重、效率低的落后工艺、设备实行强制淘汰制度。国家还应制定相关产业政策鼓励低碳公路建设养发展。定期发布关于符合国家要求的技术、工艺、设备名录。授权地方政府部门对于符合经济发展产业政策、采取国家鼓励发展的生产工艺或生产符合目录中鼓励发展工艺、产品的单位、项目进行认定。⁴与其说环境和人类健康的威胁来自人口数

量的增加,不如说是来自越来越多地使用破坏环境的技术。[11] 同时也要建立重点企业强制工艺革新制度,低碳公路建设养护作为一种新的技术方法,必然会对传统的生产经营模式提出改进要求。政府在推进新工艺技术过程中,必然会受到许多传统企业的抵触。因此,要制定标准和奖罚措施,将达不到工艺的企业列入强制名单,进行严格监管、重点突破。要求列入强制名单的企业必须按照国家规定的标准进行整改。

2. 公路养护技术市场准入制度

不同的政策及管理体制对技术创新的支持能力有显著的差异。政策及管理体 制解释及其合法性的重要因素来自政策设计中所涉及的学术领域。[12]低碳公路 建设养护离不开市场的推进,但是也要符合市场规则和环境保护等方面的市场准 入条件,主要表现为:技术和设备等是否符合国家的标准,环境影响评价结果是 否合格,产品能否再生或者再利用。实现道路建设养护的优化提升是发展低碳公 路建设养的一条基本主线,而科学完善的市场准入制度,是从源头实现低碳公路 建设养护的重要措施。首先,对生产过程管理实行环境准入,通过建立环境污染 强度指标和资源消耗指标限制,制定环境影响评价和产业指导政策等制度,对于 不合格企业实行限制,对于合格企业实行优先立项、财政补贴、投资倾斜等优惠 政策; 其次, 对产品实行环境准入管理, 达标企业进行鼓励, 不达标企业予以限 制。本制度主要从下面两个方面进行设置:一是针对高能耗、高污染技术、项目 提高市场准入门槛;二是针对低能耗、低污染企业放宽市场准入资本限制,通过 特许经营等方式吸引和规范社会资本的流向。不断加强我国市场准入制度的建 设,不仅可以促进专业化和规模化企业介入低碳公路建设养产业,促进低碳公路 建设养护,还可以确立国内市场低碳公路建设养的绿色秩序,建立自己的绿色标 准。①

3. 低碳公路养护技术规划制度

低碳公路建设养护是一种新的技术,从传统公路建设养护到新技术的过度不是一蹴而就的,需要一个较长的时间过程,为了明确低碳公路的发展目标,指导低碳公路建设养护,需要在立法中确立低碳公路建设养护的规划制度。低碳公路建设养护立法应该对低碳公路建设养护提出明确要求:一是将低碳公路建设养护纳入国家经济社会发展规划之中,把低碳公路的建设养护确立为道路建设发展的

[®] 参见乔刚:《生态文明视野下的循环经济立法研究》,浙江大学出版社 2011 年級,第 328 页。

陶伦康:(循环经济立法理念研究)人民出版社 2010 年版,第 313 页。

基本目标之一并进行全面规划;二是将低碳公路建设养护作为重要的原则,用低碳公路理念知道编制相关的专门规划,引导和加快产业结构、产品结构的调整;三是要用低碳公路建设养护的理念指导地方公路建设规划,促进地方公路建设养护的低碳化。通过规划,确立低碳公路建设养护的发展方针、分期目标、考核目标、计划性对策和重大项目等事项;解决低碳公路建设养护的发展目标、发展重点、路径选择、保障措施等;确立重点技术、重点企业名录,搭建一个全面促进低碳公路建设养护的政府平台。

4. 公路养护有毒有害物质禁止制度

有毒有害物质一旦进入环境之中就很难消除,其对于人类健康和环境的危害 将是长期性的,因而,在公路养护过程中,从源头上禁止有毒有害物质进入环境 是有效的措施。因为,在低碳公路养护技术立法中,对于公路养护技术中有毒有 害物质的名单目录以及环境容纳量进行规定,实行有毒有害物质名录制度,以从 源头上保证环境安全。[®]具体而言,对于在目前经济条件和技术条件下能够替代 的公路养护过程中需要的有毒有害物质,要采取其他产品和技术;对于目前的经 济技术条件还不能替换的公路养护有毒有害物质,应该允许其继续使用,但是应 该限制其使用的数量和范围,并采取相应的技术手段消除减小其危害。有毒有害 物质禁止制度并不只是具有禁止和限制的内容,还应该发挥鼓励替代的效果,积 极促进新技术和新产品的投入使用。可能有毒有害物质禁止制度会导致公路养护 成本的暂时加大,但是从长远来看,该制度节约了将来必然存在的巨额有毒有害 物质的处理费用,有利于经济的长远发展。

5. 公路养护技术绿色核算制度

"绿色核算"就是将企业的社会和环境责任及其行为转化成货币这一企业可以理解的唯一语言。"绿色核算"有助于将焦点从经济福利转变为社会总体福利,有助于我们认识到:人类社会是自然世界的一个组成部分。[13]无偿占有社会共有的资源环境,是传统公路建设养护的症结,也是道路建设养护中外部效应难以根除的主要原因。这不仅造成了资源的浪费,而且造成了碳的高排放。因而,发展低碳道路建设养护就必须从企业自身和国家层面建立一套绿色的公路养护技术核算制度,改变现有的公路养护核算机制,把碳排放量纳入经济考核,实行资数的有偿使用。该项制度包括两个方面:一是改变传统的国民生产总值(GDP)技

® 参见刘学敏:《循环经济与低碳经济》,现代教育出版社 2011 年版,第 187 页。

6. 低碳公路养护技术经济激励制度

低碳公路建设养护在发挥政府指导作用的同时,需要充分发挥经济杠杆作用,通过经济杠杆制度,完善低碳公路建设和养护的价格形成机制,刺激企业的行为,引导社会投资取向,形成低碳公路建设养的市场调节基础,调动企业、公众参与低碳公路建设养护的积极性。有学者研究认为,以市场为基础的经济激励越来越多地被作为一个具有成本效益的方法,但事实上这种方法存有不足。所以在更广泛的层面上,当考虑用经济激励的手段解决当前环境保护的矛盾时,我们应当谨慎地认识到,利润最大化或使目标群体极其富有不是矛盾的主要方面。[14] 故本制度主要从以下四个方面构建:一是通过价格、税收、费用等经济杠杆,合理调整低碳公路建设养护产品的比价关系,完善低碳公路建设养的价格形成机制;二是运用企业名录和押金制度,刺激企业的生产机制,改变整个公路建设养护系统的生产模式;三是利用国债、贷款、基金等经济杠杆,引导社会投资,促进低碳公路建设养的发展;四是通过政府采购和招标,扩大低碳公路建设养产品的市场消费需求,激发企业从事低碳公路建设养护的热情,引导绿色消费取向。

结论

在现有的技术条件下,对于各种公路养护技术的碳排放做出检测是必要的,也是可行的。要通过理论模型、实践检验对于不同公路养护技术的碳排量进行对比、最终得出较为稳定可信的数据,以支撑公路养护行业低碳化行业标准的确立。可量化的低碳公路养护技术是公路养护行业的发展趋势,各种公路养护技术只有经过量化的对比研究才能比较各种养护技术之间的优劣,为整个公路养护行业提供数据上的支持和行业标准,进而推进整个低碳公路养护行业的标准化和规范化。法律在低碳公路养护技术方面,首先是确认其价值;其次,确认低碳公路养

护技术的标准,推进真正低碳技术的推广,规范和促进行业的良性发展;最后, 法律制定鼓励优秀技术、淘汰落后技术的规范,实现低碳公路养护行业的可持续 发展。

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2012'上海城市发展创新论坛

--- 可持续的城市建设: 低碳·绿色·生态

论文集

上海市城市经济学会 上海市宏观经济学会 上海城市规划学会 上海市市政公路行业协会 上海市固定资产投资建设研究会 二〇一二年十月二十七日

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可测量低碳公路养护的法律保障

周 珂 黄 艳 徐希娟 蒋松华

【摘要】 低碳公路养护是低碳交通的重要组成部分。公路养护中应该将碳排 放评价作为除造价评价外的另外一项重要的评价手段,并制订和完善相关的检测规 范。中国履行气候变化国际公约及实现中国碳减排目标需要对公路养护碳减排的数 据加以准确的认定,为低碳公路养护的可量化和可测量奠定基础。低碳公路养护应 通过法律确认和推广,鼓励优胜劣汰,规范行业准则。

一、公路养护过程中碳排放的测量

气候变化是威胁可持续发展的紧迫因素。据斯特恩报告(Stern 2007),气候变暖可能带来的损失,相当于全球国内生产总值的 5-10%。各国都在寻求大幅度地降低碳强度,以更加可持续为基础来振兴世界经济的路径。

公路建设和使用过程中碳排放测试和碳排放量研究,是一个系统而庞大的工程,必须对此过程中涉及的方方面面进行测试、计算,测定公路工程建设中使用原材料的碳排放量,机械设备的碳排放量以及各种构筑物施工过程中其它碳排放量,最后计算得到公路施工建设过程中的总碳排放量。在研究的同时,也可以对比环保节能新材料、新技术、新工艺等在公路中应用的碳排放量,制定出节能环保的公路建设碳排放量标准,以此标准为基准,综合评价一条公路建设是否达到碳排放量的标准,以及研究分析减低碳排放量的对策和措施。作为对环境保护的贡献,公路建设中应该将碳排放评价作为除造价评价外的另外一项重要的评价手段,对公路建设的碳排放进行规范和要求。

沥青路面预防性养护是一种在路面无结构性损坏、不存在功能性缺陷的情况下 采取的对现有路面进行有计划的养护措施,以达到保持或提高路面使用性能、延长 路面使用寿命和减少路面养护寿命周期成本的目的,简称预养护(PPM)。实践表 明,预防性公路养护及时可以延缓公路损坏,延长路面的使用寿命,延迟昂贵的路 面大修和重修,是一种投入少,效果好的公路养护技术。 目前,公路沥青路面预防性养护技术主要有:沥青再生还原材料(沥青处治(还原)技术)、微表处、超薄磨耗层、雾封层等。(1)沥青再生还原技术能够很好的预防沥青路面早期病害的产生,并能使沥青各方面使用性能得到恢复。沥青再生还原处治后 4-6h 内即可开通交通。(2)沥青路面微表处技术是一种沥青路面早期预防性养护技术,该技术应用于高等级公路预防性养护时,可以明显改善路面的路用性能,延长路面的使用寿命,微表处后 1~2h 即可开放交通。(3)超薄磨耗层具有平整度好、抗滑性高及耐久、降噪等优点,施工结束后可 1~2h 可以开放交通。(4)雾封层是预防性养护常用技术之一,该技术以低廉的建设成本、快速的施工过程及优良的使用性能而被高速公路建设广泛应用,经雾封处治后的路面能很快进行通车。通过这些技术处治方法在施工以及后期运营阶段 CO₂的排放量的检测,以对各种预防性养护技术的环保性进行评价,使公路预防性养护达到"低碳、环保"的要求。

目前,对公路建设和养护过程中碳排放量的检测还没有成熟的方法,已有研究表明,空气中温室气体(即碳排放气体)主要为 CO_2 和 CO_2 为了对比不同的预养护技术的碳排放量,选择 CO_2 排放量作为评价指标。 CO_2 排放量大的环保效果差,同时测定不同时间的 CO_2 排放量评价不同预防性技术对环境影响的持续性。关于二氧化碳在室内空气中最大允许含量,各国尚无统一规定,日本规定室内空气中二氧化碳含量为 0.15%时为换气标准。表 1 为空气中 CO_2 含量对人体的影响。

表 1: 空气中 CO2含量对人体的影响

空气中 CO ₂ 的含量/%	症状 经数小时无任何症状 无意识地呼吸次数增加 出现局部刺激症状 呼吸量增加 呼吸困难 意识不清,不久导致死亡			
2.5				
3.0				
4.0				
6.0				
8.0				
10.0				
20.0	数秒后瘫痪,心脏停止跳动			

研究表明,二氧化碳在新鲜空气中含量约为 0.03%,这是人类可以耐受的含量值。如果二氧化碳含量过高,空气不流通,或者是室内燃烧煤气、液化石油气等使得空间氧气含量减少而产生大量二氧化碳,那么室内人员就有可能出现二氧化碳中毒现象。因此,低碳公路养护技术不仅是对气候变化应对的贡献,也是环境与人体健康的重要保证。

对沥青处治(还原)技术、微表处、超薄磨耗层、雾封层等 4 种预防性养护技术

进行了室内和沥青路面预防性养护现场测试,作为对比,也进行了室内和沥青路面施工现场的空气以及普通沥青路面表面空气样品的 CO₂浓度测试。测试结果见表 2。

表 2: 不同预防性养护技术施工现场 CO2 浓度测试结果

施工 路面现场	不同预防性技术路面表面上 10cm 处 样品气体中 CO ₂ 浓度(体积比,%)							
测试时间	公路 空旷处	沥青处治 (还原)技术	微表处	超薄 磨耗层	雾封层	沥青 路面		
0min	0.04	3.86	4.75	6.92	4.59	6.57		
10min	0.04	2.04	4.19	6.45	4.02	6.02		
30min	0.04	0.54	3.88	5.31	3.56	5.14		
1h	0.04	0.04	3.42	3.55	2.57	3.22		
2h	0.04	0.04	3.03	2.14	2.01	1.86		
4h	0.04	0.04	2.51	0.36	0.98	0.21		
6h	0.04	0.04	1.87	0.04	0.64	0.04		
12h	0.04	0.04	0.47	0.04	0.59	0.04		
1d	0.04	0.04	0.04	0.04	0.51	0.04		
5d	0.04	0.04	0.04	0.04	0.36	0.04		
10d	0.04	0.04	0.04	0.04	0.22	0.04		
30d	0.04	0.04	0.04	0.04	0.18	0.04		
60d	0.04	0.04	0.04	0.04	0.06	0.04		

根据表 1 的标准,以 4%作为路面施工阶段 CO₂含量的上限值,以 0.5%为使用阶段 CO₂含量的应上值,那么不同预防性养护技术对人体健康的影响存在不同影响,同时开放交通的时间也各不相同。在施工现场,沥青处治(还原)技术、微表处和雾封层都能满足施工阶段 CO₂含量上限的要求,沥青路面和超薄磨耗层等加热类混合料 CO₂浓度接近 7%,施工时对施工人员的健康有影响;而要达到可以开放交通的 0.5% CO₂浓度要求,沥青处治(还原)技术需要 30min,微表处需要 12h,雾封层需要 1d,超薄磨耗层和沥青路面需要 4h。因此,出于对人体健康的考虑,应选择 CO₂含量较低的材料作为预防性养护材料。

对于不同预防性养护材料施工和使用期 CO_2 总排放量的测定和评价,本研究未进行详细的试验和研究。但从图 1 和图 2 的结果可以定性的分析,曲线以下的面积可以间接反映 CO_2 总排放量,见图 3 至图 7。

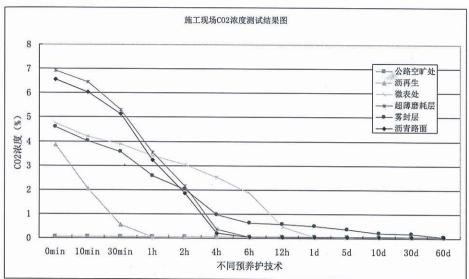


图 1 施工现场不同预养护技术 002浓度随时间变化图

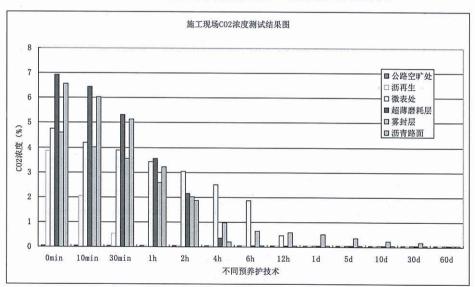


图 2 施工现场不同预养护技术 002 浓度对比情况图

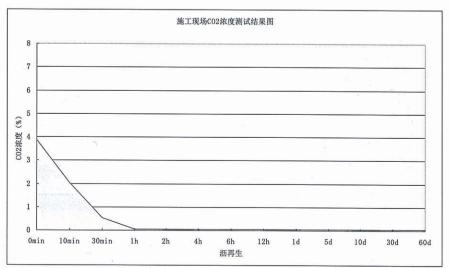


图 3 沥青处治(还原)技术 002 总排放量间接评价图

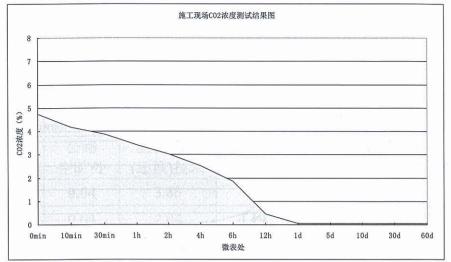


图 4 微表处 CO2 总排放量间接评价图

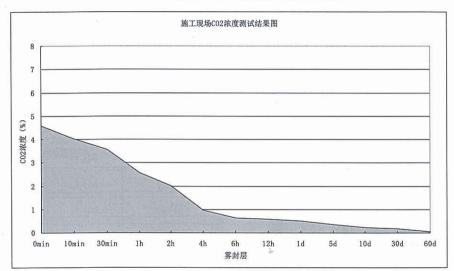


图 5 雾封层 CO2 总排放量间接评价图

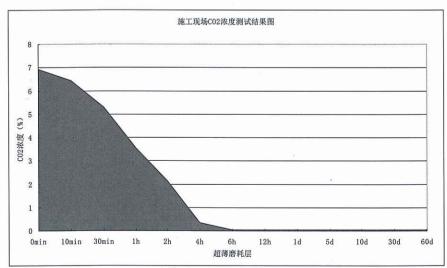


图 6 超薄磨耗层 CO2 总排放量间接评价图

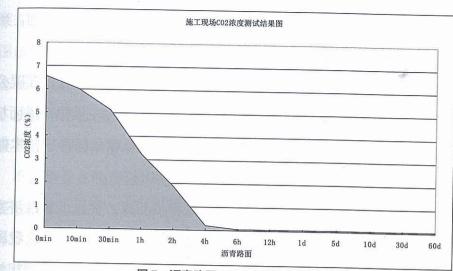


图 7 沥青路面 002 总排放量间接评价图

从图中的阴影面积可以定性的看到,5种预防性养护技术CO₂总排放量从大到小的排序为:超薄磨耗层>沥青路面>微表处>雾封层>沥青处治(还原)技术。CO₂总排放量越大,对环境的影响越大,为地球"温室效应"的影响也就越大。因此,出于保护自然环境的考虑,应该对路面预防性养护技术的选择进行综合分析,选择最优的方案,达到路面使用性能、经济效益、社会效益和环境效益最优。

公路养护碳排放检测结果分析初步结论:

- 1、采用不同的预防性养护技术,排放的 CO₂ 浓度和总量差异是明显的。排放 浓度和排放量最大的是加热类的混合料,其次是反应类材料如微表处和雾封层,沥 青处治(还原)技术的排放浓度和排放量最小。
- 2、通风良好的地段 CO₂ 浓度随时间降低速度快。因此在城市道路等通风不良的路段,更应选择 CO₂ 排放浓度小的预防性养护技术,以避免 CO₂ 的积聚,带来浓度增大,影响人身体健康。
- 3、建议在今后的沥青路面预防性养护中,应当首先选择常温、非反应性施工材料和技术,以保证在路面施工和使用过程中 CO₂ 排放水平始终处于较低的状态,并尽量避免使用加热性材料。

二、可测量低碳公路养护需要法律保障

法律在低碳公路养护技术方面,首先是确认其价值,低碳公路技术的推广是实现低碳交通、低碳经济发展的重要组成部分,也是人类应对气候变化、能源危机的重要手段,必须尽快予以推进;其次,法律确认低碳公路养护技术的标准,推进真正低碳技术的推广,促进整个行业的良性发展;最后,法律制定鼓励优秀技术、淘

汰落后技术的规范,实现低碳公路养护行业的优胜劣汰,维护行业准则。所以,以 法律推进低碳公路养护技术的发展,势在必行。

低碳交通的发展离不开低碳公路养护技术的支持。就目前而言,低碳公路养护技术并没有统一的行业标准,为了将低碳公路养护技术最终定量化,进而标准化,并通过法律加以固定,必须有强有力的数据支撑,并就低碳公路养护技术做出实证的比较研究,为低碳公路养护行业的成熟提供实证案例。

低碳公路养护技术立法之终极目的在于实现环境正义,促进低碳经济发展,实现人与自然和谐,直接目的则在于实现经济发展与自然环境和谐,推进我国低碳公路养护事业的发展。低碳公路养护技术,可以实现经济发展与环境资源相协调,而实现环境正义和环境公平也就成为低碳公路养护技术立法的基础目的。就直接立法目的而言,低碳道路养护技术立法需要实现经济发展与环境保护之间的协调和双赢,促进低碳公路养护行业的发展,从而为实现低碳交通,保证低碳经济发展奠定基础。

低碳公路养护技术立法价值与其伦理基础及立法目的一脉相承——生态和谐,是低碳公路养护技术立法追求的目的性价值;生态效率,是低碳公路养护技术立法的工具性价值。低碳公路养护技术立法要实现生态的和谐,包括三方面的内容:代内生态和谐,其关注同代人之间的生态和谐问题,具体需要注意国际间的生态和谐、地区间的生态平衡和同代人之间的生态和谐;代际生态和谐,既世代人之间的纵向生态和谐,要注意当代人活动对于自然资源的开发利用和对于环境破坏的程度,当代人对于修复改善自然环境所做出的努力以及现代人对于后代人的补偿能否实现等问题;种际生态和谐,既人类与其他物种之间的生态和谐,其实,我们应该认识到的是保护自然环境就是保护人类自己,爱护其他物种就是爱护人类自身。人与自然之间的公平交易,不仅是保护环境的利益,使人类与环境之间建立一种和睦符合伦理要求的关系,也是保护人类自身利益的需要,达到局部利益与整体利益、短期利益与长期利益之间的平衡。

低碳公路养护技术立法之工具性价值在于实现生态效率,要求我们关注经济社会发展价值量与环境资源消耗之间的实物比,一个国家的整体生态效率可以用以下公式计算:生态效率(资源生产率)=经济社会发展(物质量,即GDP总量)/资源环境消耗量(实物量,即资源环境消耗的实物量)。对于公路养护行业,也是适用

于这个原理,即如何以最小的资源消耗量和谈排放量实现公路养护效果的最大化。中国的国情以及目前的环境现状都需要我们提高生态效率,而实现低碳公路养护行业的生态效率是低碳经济发展的题中之义。

三、法律推进低碳公路技术规范确立

积极推进低碳公路养护技术的发展是实现低碳交通的内在要求。低碳公路养护的推广,不仅是企业的责任,也是政府、行业组织等各方面主体共同推进的结果。但是,要想根本上实现低碳公路养护的推广和发展,必须要有法律作为强有力的后盾。具体目标使法律和政策手段的作用得以明确。通常,法律和政策手段为实现具体目标提供方法而这些手段本身并不是目的。[8]法律不仅是维护行业秩序,促进低碳公路养护良性发展的重要手段,其对于低碳公路养护的标准化确立也是最根本的保证手段。

低碳公路养护技术必须标准化,这是行业发展所必须的,可以促进优秀技术和优秀企业的发展,防止一些企业仅仅是拿低碳作为宣传而或者是广告,这需要法律的保障。法律可以将低碳公路养护技术标准予以确认,确定低碳公路养护的技术标准和行业规范,从而从根本上实现公路养护的低碳化。法律作为最具有强制性和权威性的规范,其在低碳公路养护的发展中应该有所作为。法律通过对于行业标准的确认以及强制标准的认证,可以促进真正低碳公路养护产业的发展,淘汰落后技术,发展先进技术,最终实现我国低碳公路养护行业的崛起,从而推进低碳交通的发展,进而实现低碳经济的发展。

低碳公路养护技术的推广需要各方面的合力。其中涉及企业、政府、行业协会等主题,但根本上还需要法律的推动。企业对于低碳公路养护技术的发展可以提供的,政府也可以做。低碳减排可以从行业做起,也需要政府的推广和支持。在沥青方政府要实现公路养护碳减排强度降低百分之多少,每年降低百分之多少,它可以把任务交给一个专业科研能力强的单位处理,帮忙设计,怎么样把碳全部或一部份足。这样通过可以量化的低碳减排技术以及数据的支持,最终将低碳技术推广到可以应用的行业和领域。能源是维持一个国家的经济发展的必要因素。国内生产总值

/人均国内生产总值增长和国内生产总值弹性系数可以显示经济的增长,这两个因素也决定能源的消耗。人口增长,城市化和电气化等也是决定能源消耗的其他重要投入因素。[9]如果说通过能源管理实施下来,通过企业、政府有关机构找到中国节能联盟,它就可以认可你的技术,并推荐可靠的方案和技术,所以最终效益体现,应当是通过合作能源管理之后。但是要从根本上推进低碳公路养护技术的发展还是需要法律的确认。

四、低碳公路养护技术立法制度构建

很多减少 CO₂ 排放量的技术都离不开我们现存的物质生活条件。真正的挑战来源于政治环境: 所采用的技术及其实践是为确保可持续性。[10] 结合我国自然资源环境的状况以及低碳公路养护技术的实际水平,在低碳公路建设养护立法中,应着力构建以下一些相互衔接的低碳公路养护基本法律制度。

(一)鼓励、限制或者禁止名录制度

要建立低碳公路建设养护名录与循环示范制度,国务院有关部门要根据经济社会发展情况,依据相关制度制定低碳公路产业政策,不定期制定和公布国家鼓励、限制和禁止的工艺、产品目录,对于消耗高、污染重、效率低的落后工艺、设备实行强制淘汰制度。国家还应制定相关产业政策鼓励低碳公路建设养发展,定期发布关于符合国家要求的技术、工艺、设备名录。授权地方政府部门对于符合经济发展产业政策、采取国家鼓励发展的生产工艺或生产符合目录中鼓励发展工艺、产品的单位、项目进行认定。与其说环境和人类健康的威胁来自人口数量的增加,不如说是来自越来越多地使用破坏环境的技术。同时也要建立重点企业强制工艺革新制度,低碳公路建设养护作为一种新的技术方法,必然会对传统的生产经营模式提出改进要求。政府在推进新工艺技术过程中,必然会受到许多传统企业的抵触。因此,要制定标准和奖罚措施,将达不到工艺的企业列入强制名单,进行严格监管、重点突破。要求列入强制名单的企业必须按照国家规定的标准进行整改。

(二) 公路养护技术市场准入制度

不同的政策及管理体制对技术创新的支持能力有显著的差异。政策及管理体制解释及其合法性的重要因素来自政策设计中所涉及的学术领域。[12]低碳公路建设养护离不开市场的推进,但是也要符合市场规则和环境保护等方面的市场准入条件,主要表现为:技术和设备等是否符合国家的标准,环境影响评价结果是否合格,

产品能否再生或者再利用。实现道路建设养护的优化提升是发展低碳公路建设养的一条基本主线,而科学完善的市场准入制度,是从源头实现低碳公路建设养护的重要措施。首先,对生产过程管理实行环境准入,通过建立环境污染强度指标和资源消耗指标限制,制定环境影响评价和产业指导政策等制度,对于不合格企业实行限制,对于合格企业实行优先立项、财政补贴、投资倾斜等优惠政策;其次,对产品实行环境准入管理,达标企业进行鼓励,不达标企业予以限制。本制度主要从下面两个方面进行设置:一是针对高能耗、高污染技术、项目提高市场准入门槛;二是针对低能耗、低污染企业放宽市场准入资本限制,通过特许经营等方式吸引和规范社会资本的流向。不断加强我国市场准入制度的建设,不仅可以促进专业化和规模化企业介入低碳公路建设养产业,促进低碳公路建设养护,还可以确立国内市场低碳公路建设养的绿色秩序,建立自己的绿色标准。

(三) 低碳公路养护技术规划制度

低碳公路建设养护是一种新的技术,从传统公路建设养护到新技术的过度不是一蹴而就的,需要一个较长的时间过程,为了明确低碳公路的发展目标,指导低碳公路建设养护,需要在立法中确立低碳公路建设养护的规划制度。低碳公路建设养护立法应该对低碳公路建设养护提出明确要求:一是将低碳公路建设养护纳入国家经济社会发展规划之中,把低碳公路的建设养护确立为道路建设发展的基本目标之一并进行全面规划;二是将低碳公路建设养护作为重要的原则,用低碳公路理念知道编制相关的专门规划,引导和加快产业结构、产品结构的调整;三是要用低碳公路建设养护的理念指导地方公路建设规划,促进地方公路建设养护的低碳化。通过规划,确立低碳公路建设养护的发展方针、分期目标、考核目标、计划性对策和重大项目等事项;解决低碳公路建设养护的发展目标、发展重点、路径选择、保障措施等;确立重点技术、重点企业名录,搭建一个全面促进低碳公路建设养护的政府平台。

(四)公路养护有毒有害物质禁止制度

有毒有害物质一旦进入环境之中就很难消除,其对于人类健康和环境的危害将 是长期性的,因而,在公路养护过程中,从源头上禁止有毒有害物质进入环境是有 效的措施。因为,在低碳公路养护技术立法中,对于公路养护技术中有毒有害物质 的名单目录以及环境容纳量进行规定,实行有毒有害物质名录制度,以从源头上保 证环境安全。具体而言,对于在目前经济条件和技术条件下能够替代的公路养护过程中需要的有毒有害物质,要采取其他产品和技术;对于目前的经济技术条件还不能替换的公路养护有毒有害物质,应该允许其继续使用,但是应该限制其使用的数量和范围,并采取相应的技术手段消除减小其危害。有毒有害物质禁止制度并不只是具有禁止和限制的内容,还应该发挥鼓励替代的效果,积极促进新技术和新产品的投入使用。可能有毒有害物质禁止制度会导致公路养护成本的暂时加大,但是从长远来看,该制度节约了将来必然存在的巨额有毒有害物质的处理费用,有利于经济的长远发展。

(五) 公路养护技术绿色核算制度

"绿色核算"就是将企业的社会和环境责任及其行为转化成货币这一企业可以理解的唯一语言。"绿色核算"有助于将焦点从经济福利转变为社会总体福利,有助于我们认识到:人类社会是自然世界的一个组成部分。[13]无偿占有社会共有的资源环境,是传统公路建设养护的症结,也是道路建设养护中外部效应难以根除的主要原因。这不仅造成了资源的浪费,而且造成了碳的高排放。因而,发展低碳道路建设养护就必须从企业自身和国家层面建立一套绿色的公路养护技术核算制度,改变现有的公路养护核算机制,把碳排放量纳入经济考核,实行资源的有偿使用。该项制度包括两个方面:一是改变传统的国民生产总值(GDP)核算方法,在道路建设养护中推行绿色 GDP 制度,明确规定 GDP 的核算方法,核算范围和核算内容,建立绿色的道路养护技术核算制度;二是健全法律法规,推行绿色会计制度,依据会计准则所规定的有关环境原则设计会计制度,使绿色会计具有实际可操作性,为我国建立公路养护技术的绿色核算制度奠定可靠的微观基础。绿色公路养护技术核算制度的确立,有助于真正从数量上核算公路养护碳排放,为公路养护技术低碳化提供数据上的支持。

(六) 低碳公路养护技术经济激励制度

低碳公路建设养护在发挥政府指导作用的同时,需要充分发挥经济杠杆作用,通过经济杠杆制度,完善低碳公路建设和养护的价格形成机制,刺激企业的行为,引导社会投资取向,形成低碳公路建设养的市场调节基础,调动企业、公众参与低碳公路建设养护的积极性。有学者研究认为,以市场为基础的经济激励越来越多地被作为一个具有成本效益的方法,但事实上这种方法存有不足。所以在更广泛的层

面上,当考虑用经济激励的手段解决当前环境保护的矛盾时,我们应当谨慎地认识到,利润最大化或使目标群体极其富有不是矛盾的主要方面。[14]故本制度主要从以下四个方面构建:一是通过价格、税收、费用等经济杠杆,合理调整低碳公路建设养护产品的比价关系,完善低碳公路建设养的价格形成机制;二是运用企业名录和押金制度,刺激企业的生产机制,改变整个公路建设养护系统的生产模式;三是利用国债、贷款、基金等经济杠杆,引导社会投资,促进低碳公路建设养的发展;四是通过政府采购和招标,扩大低碳公路建设养产品的市场消费需求,激发企业从事低碳公路建设养护的热情,引导绿色消费取向。

结论

可量化的低碳公路养护技术是公路养护行业的发展趋势,各种公路养护技术只有经过量化的对比研究才能比较各种养护技术之间的优劣,为整个公路养护行业提供数据上的支持和行业标准,进而推进整个低碳公路养护行业的标准化和规范化。法律在低碳公路养护技术方面,首先是确认其价值;其次,确认低碳公路养护技术的标准,推进真正低碳技术的推广,规范和促进行业的良性发展;最后,法律制定鼓励优秀技术、淘汰落后技术的规范,实现低碳公路养护行业的可持续发展。

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QUANTITATIVE EVALUATION OF LOW CARBON ROAD MAINTENANCE AND ITS LEGISLATION

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Abstract—Low carbon highway maintenance is an integral part of a low carbon transportation network. Carbon emission evaluation is an important assessment besides the construction cost evaluation in the overall appraisal of highway maintenance. This evaluation requires a comprehensive set of measurement standards. In order for China to fulfil its obligation to the international climate change treaties and to realize the goals of carbon emission reduction in China, there is a need to accurately determine and record the level of carbon emission in road maintenance. This process must be based on accurate scientific data and derived from actual comparative studies of various low carbon highway maintenance technologies and case studies. Low carbon highway maintenance technology should be recognized by legislative measures.

Keywords-Low carbon economy; Highway maintenance; Quantitative evaluation; Legislation

I. MEASUREMENT OF CARBON EMISSION DURING THE

PROCESS HIGHWAY MAINTENANCE

The research into the testing and quantification carbon emission in highway construction and usage is a huge and systematic undertaking. The process involves testing, calculation and assaying of the carbon emission in many aspects of the construction process such as the use of raw material, emission of the deployed machinery and other quantities released during the construction process. These have to be tabulated to allow for a total carbon emission figure for the entire highway construction process. Simultaneously with this research, comparison can be made on new material, technology and application with respect to their carbon footprints, allowing the establishment of standards for carbon emission for the construction of environmentally responsible highway. These standards could also be used to evaluate whether a highway is meeting the carbon emission limits.

Preventative pavement maintenance (PPM) for asphalt road surface refers to a systematic approach to pavement maintenance before the appearance of structural damage or reduction of functionality occurs, thereby retaining or even enhancing the performance of the road surface. It also aims at extending the longevity of the road and decreasing the cost of cyclical maintenance during the life of the highway.

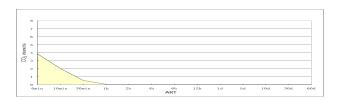
Field experience has verified that timely PPM treatment is effective in delaying road damage and prolonging the useable life of the road surface, hence postponing the costly major rehabilitation or rebuilding of the road. It could be a cost effective road maintenance technology, depending on how it is applied.

In general, there are four major PPM technologies: asphalt rejuvenation technology (ART), micro-surfacing technology (MST), hot ultrafine technology (HUT) and fog seal technology (FST). (1) ART is very effective in preventing the appearance of early defects in the asphalt surface and reviving all the functional qualities of the asphalt. Traffic can resume after 2-4 hours after ART treatment. (2) MST is also used at an early stage of the asphalt life cycle and is usually applied to high grade highways. Traffic can resume in 1-2 hours following resurfacing. (3) HUT produces a flat and even pavement. It has high anti-skid properties that are long lasting and it reduces road noise. Traffic can resume in 1 to 2 hours after application. (4) FST is a very common PPM technique used on high speed highways because of its low cost, high effectiveness and ease of application. It allows resumption of traffic very shortly after application. However, as this paper focuses on legislation in relationships with carbon emission, it is not the authors will to discuss, compare and evaluate all the foregoing methods in terms of costs, reliability and life span in this paper.

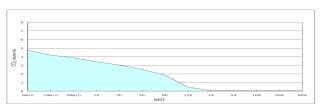
Currently there is no established testing method for carbon emission in the road construction or road maintenance processes. To compare the carbon emission of the different PPM technologies, the level of CO₂ is chosen as the carbon emission indicator. The CO₂ emission during the application process of these technologies and the subsequent emission during the operational stages could be scientifically determined and an environmental evaluation

of the techniques could be assessed to achieve the goal of finding a "low carbon" and "environmentally friendly" way of preventative pavement maintenance.

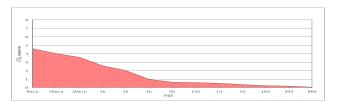
A comparative study has been performed on the four PPM technologies: ART, MST, HUT and FST, plus the general asphalt road standard paving technology (AST). The study involved laboratory tests as well as field tests on actual job sites to determine the CO₂ concentration of air samples associated with these technologies. The utilization of different PPM technologies results in significant differences in CO₂ emission concentration and absolute CO₂ quantity released. The highest emission concentration and quantity are associated with the technology employing heated mixture compounds, such as HUT. The next highest is the technologies using reactive materials such as in MST and FST. ART has the lowest level of concentration as well as absolute CO₂ quantity released [1]. Figures 1-5 illustrate the CO₂ quantity released for each technology:



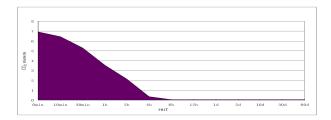
Figures 1



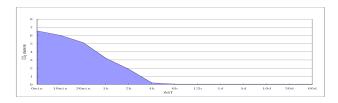
Figures 2



Figures 3



Figures 4



Figures 5

II. LOW CARBON ROAD MAINTENANCE TECHNOLOGY REQUIRES LEGISLATIVE PROTECTION

When considering legislative control over low carbon road maintenance technology, the merit of the technology must be determined. The adoption of low carbon road technology is an integral part of achieving a low carbon transportation network and hence a low carbon economy. Secondly, recognizing the standard of low carbon PPM in law reinforced with penalties and fines structure, will push for a broad adaptation of true low carbon technology and encourage the beneficial development of the whole industry. Based on this, it follows that relying on legislation to promote the healthy development in the PPM industry is essential.

The progress of a low carbon transportation network requires the support of low carbon PPM technology. Presently, there is no uniform standard for PPM technologies. In order to quantify the PPM technologies and to standardize and ultimately consolidate the standards in law, a robust set of scientific data must form the basis of this process. A comparative study on the PPM technology, especially in actual field test situations, must be conducted to provide the foundation for legislation.

The ultimate goals for PPM technology legislation are to achieve environmental righteousness, to promote low carbon economic development and to realize the balance between mankind and nature. The immediate aim is to accomplish the harmony between practical economic development and the natural environment and to further the growth of the PPM industry. Low carbon PPM technology can illustrate that practical economic development and natural resources are compatible. Law making will promote the healthy development of the PPM industry and a low carbon transportation network and contribute to the foundation of an overall low carbon economy. The principle behind low carbon PPM legislation is intimately linked to the ethical foundation and aim of such legislation.

The utility value of the low carbon PPM legislation resides in its actual effect on the habitat efficiency and the relationship between the economic output of society against the environmental cost incurred. Habitat efficiency (resource productivity quotient) = economic output (productivity, or GDP)/environmental resource consumption. This principle also applies to the highway maintenance industry, requiring the use of the least amount of resources and minimal emission to achieve the greatest effect in the maintenance process. The current national sentiment in China and the existing environment conditions both demand us to increase the habitat efficiency ratio. The realization of low carbon PPM habitat efficiency will be a pillar in the overall low carbon economic development movement.

III. LEGISLATION AS AN IMPETUS TO STANDARDIZE LOW CARBON HIGHWAY TECHNOLOGY

Active promotion of low carbon PPM technology is needed for the realization of a low carbon transportation network. The push for low carbon PPM is not only the responsibility of the industry itself, but also the joint effort of government and many organizational units. The success of

this drive will require the strong support of legislation which should be clear in its purpose whilst the development of the low carbon PPM industry requires that the technology become standardized. Many technologies about reducing CO₂ emission load are inseparable from our existing conditions of material life. The real challenge is from political environment: the technology and its practice is to ensure sustainability. [2] Legislation can also act as a shield to discourage the unscrupulous claim of low carbon by some operators in the industry.

The promotion of low carbon PPM technology needs the cooperation of all stake holders including government, industry and trade organizations. If a regional government wishes to reduce the carbon emission in road maintenance by a certain percentage each year, it could assign this task to a research institute or unit that has proven strength in this area. The unit will design a plan to reduce or eliminate the carbon emission, import the technology required, organize and implement, and ultimately supervise and verify the effectiveness. It is through this quantitative approach with data support that will allow the use of low carbon technology to other industries and sectors. Population growth, urbanization and electrification are also determining factors in the level of energy consumption. If a comprehensive energy management system is to be implemented, industries and government departments should jointly form an energy conservation coalition through which effective and reliable technologies could be disseminated. The promotion and expansion of low carbon PPM technology likewise will need recognition in law.

IV. The structure of the legislation for low Carbon PPM technology

First, confirm that you have the correct template for your paper size. This template has been tailored for output on the US-letter paper size. If you are using A4-sized paper, please

close this template and download the file for A4 paper format called "CPS_A4_forMany of the low CO₂ emission technologies already exist in our current material world. The real challenge for the continual adoption of the right technology lies in the legislative environment. The legislative consideration should take into account the current condition of the natural resource environment and the real capability of the available low carbon PPM technology as they exist currently in China. The legal framework should ensure these factors are compatible in the low carbon PPM legislation.

A. Encourage, restrict or prohibit: naming system policy

It is necessary to establish a low carbon PPM technology registry and demonstration system. The Interior Ministry and its related departments should establish a low carbon road policy according to the current socio-economic conditions in the country. Legislation should also build in a mechanism that will enforce key industries to revitalize themselves. In order to ensure environmental security, list of hazard materials and their environmental capacity should be conformed in low-carbon Road Maintenance legislation.

[3]As a relatively new technology, low carbon PPM will undoubtedly challenge the traditional operational and production model that is in existence now. Legislation will set out standards, and guidelines for encouragement and penalties.

B. Maintaining the Integrity of the Specifications Road maintenance technology market entry policy

Athough some scholar points that there are some shortcomings when we consider solving environment issues by financial incentive[4], The advances of low carbon PPM technology will have to follow market forces, but still need to adhere to the rules of the market and environmental conservation which dictate the conditions whether the technology would be allowed to compete. The main

requirements are: whether the technology and equipment are meeting standards set by the central government; whether the environmental impact is satisfactory; and whether the product can be reused or recycled. Through the establishment of an environmental impact index and a natural resource utilization index, the corporation will be measured against the allowable standards. Restrictions will be placed on the ones that do not meet the requirements whilst those with superior compliance will receive contract prevalence, subsidies or preferential considerations. This policy will increase the market entry threshold for those corporations or industries that are energy inefficient and high polluting and open the door for low energy consuming and low polluting ones to enter the market and attract investment through operating models such as franchising and licensing. This policy will strengthen the general criteria for market entry in PPM technology.

C. Low Carbon Road Maintenance Technology Planning Policy

Legislative value of low-carbon road maintenance technology is in the same strain with its ethical basis and its intent. Ecological harmony is the objective value pursued by the low carbon road maintenance technical legislation; Eco-efficiency is the instrumental value of low-carbon road maintenance legislation[5]. In order to define the objectives of the development of low carbon road system and to guide the future of low carbon road maintenance technology, legislation should be established to define the low carbon road maintenance planning policy. It is through planning that low carbon road maintenance could be assured of the right development direction, timeline objectives, standardization and contingency procedures.

D. Harmful and Poisonous Material Policy

The leakage of harmful or poisonous substances into the environment is difficult to eliminate and its effect on the human population could be long lasting. In the process of road maintenance, it is therefore more desirable to prevent the harmful or poisonous substances from invading the environment in the first place. In seeking to establish legislation to govern low carbon road maintenance, the harmful or poisonous materials should be listed and their allowable concentration in the environment has to be determined. This policy not only reduces or eliminates undesirable substances in road maintenance but also encourages the development and adoption of new technology and materials that are more environmentally friendly. In the short term, the ban or restriction of the harmful substances may increase the cost of the projects, however in the long term will generate huge benefits by greatly reducing the cost of disposal of the pollutants, which will undoubtedly contribute to future economic growth.

E. Highway Maintenance Technology "Green Index" Policy

"Green Index" is a measure through which an industry's performance in social and environmental responsibility would be gauged. Low carbon road construction and maintenance should abide by a set of green indices, set by government in conjunction with industry that replaces the current assessment criteria. Carbon emission levels would be included in the economic calculations and resource usage need to be balanced by equivalent compensation. This green index policy will have two approaches: (a) Change the traditional method of GDP calculation to include environmental impact calculations to reflect the true value of the GDP. (b) Write the green index policy into law and through legislation promote the concept of "green audit" that translates the elements of environmental impact into measureable parameters. Once these elements can be sorted in a quantifiable manner, then accounting principles could be applied to access the true environmental cost of each project or used to compare the merits of various low carbon road maintenance technologies.

F. Low Carbon Road Maintenance Technology "Economic Stimulus" Policy

The development of low-carbon road maintenance is not only the responsibility of corporate, but also the government, industry organizations and so on[6]. At the same time that government is guiding the development of low carbon road maintenance technology, government should also encourage the industry by providing economic incentives to leverage the investment from private sector to actively participate in this industry. Policy making needs to strike a balance between environment protection and basic market forces. In this policy, we suggest the inclusion of the following four elements: (a) Government adjust the cost of low carbon road maintenance contracts by leveraging subsidies financed through taxation or fees levied on environmental deficient materials and techniques. (b) By using a naming system policy in conjunction with an assurance bond system, corporations that are environmentally responsible will have an advantage over their less environmentally friendly competitors. This will eventually lift the entire industry to a higher level of environmental consciousness. (c) Government to issue bonds, loans or investment funds to lead the way for more low carbon road maintenance investment and its development. (d) Government increase its investment directly in low carbon road construction and maintenance and thereby increases the demand in this industry. The resulting competition from suppliers would allow the best players in the field to emerge with superior environmental technology that could then be widely adopted.

V. CONCLUSION

Low carbon road maintenance technology that can be quantified is the trend in road maintenance technology. The evaluation of the merits of the different technologies could only be determined by scientific quantitative analysis of the procedure and results of these technologies. Based on data from these studies, procedural and performance standards should be set for the industry which can then be regulated through government policy. In terms of legislation, the value of low carbon road maintenance technology should be recognized, and then technical standards adopted in law. Legislation should encourage superior technology to prosper and inferior ones to fade away so that the low carbon road maintenance technology could have a sustained bright future.

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