

WATER QUALITY AND AQUATIC ECOSYSTEM CONSERVATION ACT

Act No. 8852, Feb. 29, 2008
Amended by Act No. 8976, Mar. 21, 2008
Act No. 9433, Feb. 6, 2009
Act No. 9697, May 21, 2009
Act No. 9770, Jun. 9, 2009
Act No. 10152, Mar. 22, 2010
Act No. 10219, Mar. 31, 2010
Act No. 10272, Apr. 15, 2010
Act No. 10599, Apr. 14, 2011
Act No. 10615, Apr. 28, 2011
Act No. 10616, Apr. 28, 2011
Act No. 10893, Jul. 21, 2011
Act No. 10911, Jul. 25, 2011
Act No. 11020, Aug. 4, 2011
Act No. 11258, Feb. 1, 2012
Act No. 11670, Mar. 22, 2013
Act No. 11690, Mar. 23, 2013
Act No. 11862, Jun. 4, 2013
Act No. 11915, Jul. 16, 2013
Act No. 11979, Jul. 30, 2013
Act No. 12248, Jan. 14, 2014
Act No. 12519, Mar. 24, 2014

Article 1 (Purpose)

The purpose of this Act is to prevent harm to citizens' health and environmental hazards due to water pollution and to appropriately manage and preserve water quality and aquatic ecosystems of public waters, including rivers, lakes and marshes, in order to enable citizens to enjoy benefits accruing from such endeavors, and leave such benefits to future generations

Article 2 (Definitions)

The terms used in this Act shall be defined as follows:

1. The term "point pollution source" means any single source of pollution from which water pollutants are discharged to a certain point through conduits, waterways, etc., such as a wastewater discharge facility, sewage-generating facility, and a pen;
2. The term "non-point pollution source" means any source from which water pollutants at unspecified places in an unspecified manner, such as a city, road, farmland, mountainous area, and a construction site;
3. The term "other water pollution source" means other facilities or places discharging water pollutants which are not managed as point pollution sources and non-point pollution sources and are prescribed by Ordinance of the Ministry of Environment;
4. The term "wastewater" means water mixed with liquid or solid water pollutants, which cannot be used as it is for any purpose;
5. The term "stormwater runoff" means rainwater, snowmelt, etc. mixed with water pollutants from non-point pollution sources that flow over the ground;
6. The term "impermeable layer" means any asphalt or concrete-paved road, parking lot, sidewalk, etc. that prevents rainwater, snowmelt, etc. from soaking into the ground;
7. The term "water pollutant" means any substance prescribed by Ordinance of the Ministry of Environment, which causes water pollution;
8. The term "specific substance harmful to water quality" means any water pollutant prescribed by Ordinance of the Ministry of Environment, which are likely to harm, either directly or indirectly, human health, property, or the growth of animals and plants;
9. The term "public waters" means rivers, lakes, marshes, harbors, coastal waters, other waters used for public purposes, and waterways prescribed by Ordinance of the Ministry of Environment which are connected to the aforesaid waters and used for public purposes;
10. The term "wastewater discharge facility" means any facility, machine, equipment, and other objects prescribed by Ordinance of the Ministry of Environment, which discharge water pollutants: Provided, That ships and maritime facilities as defined in subparagraph 16 and 17 of Article 2 of the Marine Environment Management Act shall be excluded;
11. The term "wastewater non-discharge facility" means any wastewater discharge facility which does not discharge wastewater to public waters by treating wastewater generated by wastewater discharge facilities using water pollution prevention facilities in the relevant place of business, or by reusing wastewater for the same wastewater discharge facilities;
12. The term "water pollution prevention facility" means any facility prescribed by Ordinance of the Ministry of Environment, which removes or reduces water pollutants discharged from point pollution sources, non-point pollution sources, and other water pollution sources;
13. The term "facility reducing non-point source pollution" means any facility prescribed by Ordinance of the Ministry of Environment, which removes or reduces water pollutants discharged from non-point

sources of pollution, among water pollution prevention facilities;

14. The term "lake and marsh" means water and land in any of the following full-water-level places or areas (referring to a planned floodwater level in cases of a dam):

- (a) A place where the flowing water of a river or valley is stored by constructing a dam, reservoir, dike, etc. (excluding any erosion control facilities installed under the Erosion Control Work Act);
- (b) A place where the flowing water of a river is naturally stored;
- (c) A caved in-area by any volcanic activity and filled with water;

15. The term "water manager" means any person who manages a lake and marsh pursuant to other Acts and subordinate statutes. In such cases, where at least two persons manage the same lake and marsh, the person, other than the river management authority designated under the River Act, shall be the water manager;

16. The term "lake and marsh serving as a water source" means any lake and marsh prescribed and announced by the Minister of Environment, where water intake facilities as defined in subparagraph 17 of Article 3 of the Water Supply and Waterworks Installation Act are established inside or outside such lake and marsh (hereinafter referred to as "water intake facilities") to use the water of the relevant lake and marsh as potable water, among lakes and marshes located outside water-source protection areas (hereinafter referred to as "water source protection areas") designated pursuant to Article 7 of the Water Supply and Waterworks Installation Act and special measure areas (hereinafter referred to as "special measure areas") designated pursuant to Article 38 of the Framework Act on Environmental Policy to preserve water quality.

Article 3 (Responsibilities and Duties)

(1) The State and local governments shall formulate policies to prevent the contamination or degradation of water quality and aquatic ecosystems and to properly recover contaminated or degraded water quality and aquatic ecosystems in order to manage and preserve the water quality and aquatic ecosystems of public waters, such as rivers, lakes and marshes, and further ensure that all citizens could live in a healthy and pleasant environment.

(2) All citizens shall reduce the production of water pollutants in their daily lives and business activities, and pro-actively participate and cooperate in policies implemented by the State or local governments to preserve water quality and aquatic ecosystems.

Article 4 (Quantity Regulation of Water Pollutants)

(1) The Minister of Environment may regulate the total quantity of water pollutants discharged in each sphere of influence of the river basin classified under Article 22 (2) with regard to any of the following regions: Provided, That in cases of a region subject to the Act on Water Management and Resident Support in the Geum River Basin, the Act on Water Management and Resident Support in the Nakdong River Basin, the Act on Water Management and Resident Support in the Yeongsan and Seomjin River Basins, and the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin (hereinafter referred to as "Acts on four major River Basins"), the total quantity of water pollutants

shall be regulated, as prescribed by the relevant provisions of the Acts on four major River Basins, and in cases of a region subject to total pollution loads control under the Marine Environment Management Act, the total quantity of water pollutants shall be regulated, as prescribed by the relevant provisions of the Marine Environment Management Act:

1. A region belonging to the basin of a river system where the target standards for water quality and aquatic ecosystems fail to be achieved and maintained as a result of the evaluation conducted under Article 10-2 (2) and (3);
 2. A region belonging to the basin of a river system where water pollution is deemed likely to cause serious harm to the health or property of residents or aquatic ecosystems.
- (2) The Minister of Environment shall designate and publicly announce regions, the water pollutants discharged from which are to be regulated in total quantity pursuant to paragraph (1), as prescribed by Presidential Decree.

Article 4-2 (Public Notice or Announcement of Water Quality Targets for Regulating Quantity of Pollutants and Formulation of Basic Guidelines for Quantity Regulation of Pollutants)

(1) The Minister of Environment shall determine and publicly notify the water quality targets to regulate the quantity of pollutants (hereinafter referred to as "water quality targets for regulating the quantity of pollutants") for each section of a river system, as prescribed by Presidential Decree, in consideration of the status of use and water quality of the river system of the regions designated and publicly notified under Article 4 (2) (hereinafter referred to as "region subject to quantity regulation of pollutants"): Provided, That the foregoing shall not apply to where the Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Do Governor, and the Governor of a Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") publicly announces water quality targets for regulating the quantity of pollutants for each section of a river system located within the jurisdiction of the City/Do upon obtaining approval from the Minister of Environment, as prescribed by Presidential Decree, in order to achieve water quality targets for regulating the quantity of pollutants at the boundary points of the Special Metropolitan City, the Metropolitan City, the Special Self-Governing City, the Do, and the Special Self-Governing Province (hereinafter referred to as "City/Do") determined and publicly notified by the Minister of Environment.

(2) In order to achieve and maintain the water quality targets for regulating the quantity of pollutants, the Minister of Environment shall formulate basic guidelines for quantity regulation of pollutants (hereinafter referred to as "basic guidelines for quantity regulation of pollutants") including matters prescribed by Presidential Decree, in consultation with the related Mayor/Do Governor and related agencies, and notify the related Mayor/Do Governor thereof.

Article 4-3 (Formulation, etc. of Master Plans for Quantity Regulation of Pollutants)

(1) Every Mayor/Do Governor who has jurisdiction over a region subject to quantity regulation of pollutants shall formulate a master plan, including the following matters, (hereinafter referred to as "master plan for quantity regulation of pollutants") in accordance with basic guidelines for quantity

regulation of pollutants, and obtain approval thereof from the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment. The same shall also apply where he/she amends important matters prescribed by Presidential Decree in the master plan for quantity regulation of pollutants:

1. Details of the plan to develop the relevant region;
2. Allotment of pollution loads to each local government, and each section of the river system;
3. Total quantity of pollution loads discharged in his/her jurisdictional region and a reduction plan thereof;
4. Pollution loads additionally discharged based on the plan to develop the relevant region and a reduction plan thereof.

(2) Standards for approval of master plans for quantity regulation of pollutants shall be prescribed by Ordinance of the Ministry of Environment.

Article 4-4 (Formulation, Implementation, etc. of Action Plans for Quantity Regulation of Pollutants)

(1) The Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun (excluding the head of a Gun within a Metropolitan City; hereafter the same shall apply in this Article) who has jurisdiction over the region, the water quality targets for regulating the quantity of pollutants in which is not achieved or maintained, as prescribed by Ordinance of the Ministry of Environment, among the regions subject to quantity regulation of pollutants, shall formulate an action plan in accordance with the relevant master plan for quantity regulation of pollutants (hereinafter referred to as "action plan for quantity regulation of pollutants") and implement such action plan for quantity regulation of pollutants after obtaining approval from the Minister of Environment or the competent Mayor/Do Governor, as prescribed by Presidential Decree. The same shall also apply where he/she amends important matters prescribed by Presidential Decree in the action plan for quantity regulation of pollutants.

(2) The Special Metropolitan City Mayor, the Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun who implements an action plan for quantity regulation of pollutants pursuant to paragraph (1) (hereinafter referred to as "head of a local government implementing the quantity regulation of pollutants") shall prepare a report evaluating the outcomes of implementing the action plan for quantity regulation of pollutants of the preceding year, and submit the report to the head of a regional environment office, as prescribed by Ordinance of the Ministry of Environment. In such cases, the head of a Si/Gun shall submit such report via the competent Do Governor.

(3) Where the head of a regional environment office deems it necessary to smoothly implement an action plan for quantity regulation of pollutants after having reviewed the report submitted under paragraph (2), he/she may request the head of a local government implementing the quantity regulation of pollutants to formulate and implement necessary actions or measures. In such cases, the head of the local government implementing the quantity regulation of pollutants shall comply therewith, except in exceptional circumstances.

Article 4-5 (Allotment, etc. of Pollution Loads to each Facility)

(1) Where deemed necessary to achieve and maintain the water quality targets for regulating the quantity of pollutants, the Minister of Environment may allot the pollution load or designate the discharge quantity, by final discharge outlet, and by unit period, to facilities prescribed by Presidential Decree among facilities subject to any of the following standards or limits, as prescribed by Ordinance of the Ministry of Environment. In such cases, the Minister of Environment shall consult with the head of the competent local government implementing the quantity regulation of pollutants in advance:

1. Standards for effluent water quality established under Article 12 (3);
2. Permissible discharge limits set under Article 32;
3. Standards for effluent water quality established under Article 7 of the Sewerage Act;
4. Standards for effluent water quality set under Article 13 of the Act on the Management and Use of Livestock Excreta.

(2) Where deemed necessary to achieve and maintain the water quality targets for regulating the quantity of pollutants, the head of a local government implementing the quantity regulation of pollutants may allot the pollution load or designate the discharge quantity, by final discharge outlet, and by unit period, to facilities prescribed by Ordinance of the Ministry of Environment, among facilities subject to standards and limits referred to in the subparagraphs of paragraph (1), other than the facilities prescribed by Presidential Decree under paragraph (1), as prescribed by Ordinance of the Ministry of Environment.

(3) Where the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants allots the pollution load or designates the discharge quantity pursuant to paragraph (1) or (2), he/she shall hear the opinions of interested persons in advance, and take necessary measures to inform interested persons of the details thereof.

(4) Any person who installs or operates facilities to which the pollution load or the discharge quantity has been allotted or designated pursuant to paragraph (1) or (2) (hereinafter referred to as "business operator, etc. with the allotted pollution load") shall equip such facilities with a device that can measure the pollution load and the discharge quantity and operate such device to record and keep the measurement readings honestly, as prescribed by Presidential Decree: Provided, That the foregoing shall not apply to business operators, etc. equipped with a measuring instrument under Article 38-3.

Article 4-6 (Orders, etc. to Persons Discharging in Excess of Alloted Pollution Load to Take Measures)

(1) The Minister of Environment or the head of a local government implementing the quantity regulation of pollutants may order any person who discharges in excess of the pollution load or the discharge quantity allotted or designated under Article 4-5 (1) or (2) (hereinafter referred to as "allotted pollution load, etc.") to improve the relevant water pollution prevention facilities and take necessary measures.

(2) A person subject to an order to take measures under paragraph (1) shall implement such order to take measures under paragraph (1) after he/she submits a plan for improvement to the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants, as prescribed by Ordinance of the Ministry of Environment.

(3) Article 45 shall apply mutatis mutandis to the reporting and confirmation of implementation of orders to take measures under paragraph (2). In such cases, "improvement order, order to suspend operation, order to suspend use, or order for closure under Article 38-4 (2), 39, 40, 42, or 44" shall be construed as "order to take measures under Article 4-6 (1)", and "the Minister of Environment" shall be construed as "the Minister of Environment, or the head of a local government implementing the quantity regulation of pollutants", respectively.

(4) Where any person subject to an order to take measures under paragraph (1) fails to comply with the order, or continues exceeding the allotted pollution load, etc. as a result of inspection even though he/she has complied with the order within the given period, the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants may order him/her to fully or partially suspend the operation of the relevant facilities for a prescribed period not exceeding six months, or to close such facilities: Provided, That the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants shall order the closure of the relevant facility in circumstances prescribed by Ordinance of the Ministry of Environment, where it is deemed impossible to reduce the discharge of pollutants below the allotted pollution load, etc. even if the relevant person improves water pollution prevention facilities or take necessary measures.

(5) Article 43 shall apply mutatis mutandis to penalty surcharges imposed in lieu of the suspension of operation under paragraph (4). In such cases, "the Minister of Environment" shall be construed as "the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants"; "business operator" as "business operator, etc. with the allotted pollution load"; "Article 42" as "Article 4-6 (4)"; and "in the same manner as delinquent national taxes are collected" as "in the same manner as delinquent national or local taxes are collected", respectively.

Article 4-7 (Charges for Discharge in Excess of Total Quantity of Pollutants)

(1) The Minister of Environment or the head of a local government implementing the quantity regulation of pollutants shall impose and collect charges for discharge in excess of the total quantity of pollutants (hereinafter referred to as "charges for discharge in excess of the total quantity of pollutants") from persons who have discharged pollutants in excess of the allotted pollution load, etc.

(2) Methods and criteria for calculating charges for discharge in excess of the total quantity of pollutants, and other necessary matters shall be prescribed by Presidential Decree.

(3) Where the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants imposes charges for discharge in excess of the total quantity of pollutants pursuant to paragraph (1), if an effluent charges referred to in Article 41 or a penalty surcharge (only applicable to a penalty surcharge imposed regarding water quality) under Article 12 of the Act on the Control and Aggravated Punishment of Environmental Offenses, etc. has been imposed, he/she shall reduce the amount equivalent thereto from the charges to be imposed.

(4) Article 41 (4) through (8) shall apply mutatis mutandis to the payment, collection, etc. of charges for discharge in excess of the total quantity of pollutants. In such cases, "the Minister of Environment" shall

be construed as "the Minister of Environment or the head of a local government implementing the quantity regulation of pollutants," and "effluent charge" shall be construed as "charge for discharge in excess of the total quantity of pollutants", respectively.

Article 4-8 (Support to Local Governments having Jurisdiction over Regions subject to Quantity Regulation of Pollutants, Sanctions for Noncompliance, etc.)

(1) The State may partially subsidize the expenses incurred in relation to the quantity regulation of pollutants to local governments which formulate and implement an action plan for quantity regulation of pollutants.

(2) No head of any related administrative agency shall grant approval, permission, etc. to implement, develop or install any of the following in the jurisdiction of a local government which exceed the pollution load allotted for the local government or for each section of the river system pursuant to Article 4-3 (1) 2 or fail to formulate and implement a master plan for quantity regulation of pollutants or an action plan for quantity regulation of pollutants, without exceptional circumstances:

1. An urban development project defined in Article 2 (1) 2 of the Urban Development Act;
2. An industrial site defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act;
3. A tourist destination or a tourism complex defined in subparagraph 6 or 7 of Article 2 of the Tourism Promotion Act;
4. A structure, including a building, of at least the scale prescribed by Presidential Decree.

(3) Where the head of a related administrative agency violates paragraph (2) or the head of a local government implementing the quantity regulation of pollutants fails to comply with a request made under Article 4-4 (3) without exceptional circumstances, the Minister of Environment or the heads of other related central administrative agency may suspend or reduce financial support, or take other necessary measures.

Article 4-9 (Inter-Agency Cooperation for Quantity Regulation of Pollutants and Operation, etc. of Survey and Research Team)

(1) In order to build an information system for efficiently utilizing data necessary for implementing the quantity regulation of pollutants, the Minister of Environment may request the heads of related agencies, including related central administrative agencies, local governments, and public institutions referred to in Article 4 of the Act on the Management of Public Institutions, to submit necessary data. In such cases, the heads of related agencies shall comply therewith, except in exceptional circumstances.

(2) The Minister of Environment may operate a survey and research team comprised of relevant experts, as prescribed by Ordinance of the Ministry of Environment, to adjust pollutants subject to quantity regulation, and the water quality targets for the total quantity of pollutants by each section of the river system, and to conduct reviews, surveys, and research on the implementation of the quantity regulation of pollutants.

Article 5 (Provision, etc. of Information)

(1) The Minister of Environment shall build and operate a computer network for citizens to have easy access to the results of regular measurements and surveys under Article 9, the results of surveys of pollution sources under Article 23, the level of pollution and the discharged quantity of wastewater generated from wastewater discharge facilities, and other information prescribed by Ordinance of the Ministry of Environment.

(2) The Minister of Environment may request related administrative agencies and public institutions referred to in Article 4 of the Act on the Management of Public Institutions to provide data necessary to build and operate the computer network under paragraph (1). In such cases, the head of each related administrative agency or public institution in receipt of such request shall comply therewith, except in exceptional circumstances.

Article 6 (Support for Private Sector's Activities to Preserve Water Quality and Aquatic Ecosystems)

The State and local governments may support local residents and non-governmental organizations in their voluntary activities to preserve water quality and aquatic ecosystems, and to monitor the pollution and damage thereof.

Article 6-2 (Support for Survey and Research Activities on Water Quality and Aquatic Ecosystems)

The State or local governments may support survey and research activities on water quality and aquatic ecosystems performed by companies, universities, non-governmental organizations, government-funded research institutes, national or public research institutes, etc.

Article 7 (Support for Environment-Friendly Goods)

The Government may provide subsidies, etc. to the producers, sellers, or consumers of products that could prevent water pollution of rivers, lakes and marshes, etc. by saving water, reducing the use of synthetic compounds, including detergents, or reducing the generation of water pollutants, and may formulate policies for promoting technological development and related industries.

Article 8 Deleted. <by Act No. 8038, Oct. 4, 2006>

Article 9 (Regular Measurements and Surveys of Current Status of Water Quality and Aquatic Ecosystems and Healthiness of Aquatic Ecosystems)

(1) In order to ascertain the current status of water quality and aquatic ecosystems of rivers, lakes and marshes, and other public waters prescribed by Ordinance of the Ministry of Environment (hereinafter referred to as "river, lake and marsh") on a nationwide scale, the Minister of Environment shall regularly measure the level of water pollution by building a measuring network, and may survey the current status of water quality and aquatic ecosystems, and the healthiness of ecosystems of rivers, lakes and marshes on a nationwide scale.

(2) The Minister of Environment shall consult with the Minister of Land, Infrastructure and Transport to formulate a plan to survey a river district defined in subparagraph 2 of Article 2 of the River Act among areas in which he/she intends to survey the current status of water quality and aquatic ecosystems, and the healthiness of ecosystems pursuant to paragraph (1).

(3) A Mayor/Do Governor may regularly measure the level of water pollution by building a measuring network, and survey the current status of water quality and aquatic ecosystems, and the healthiness of aquatic ecosystems in his/her jurisdiction in order to ascertain the current status of water quality and aquatic ecosystems in his/her jurisdiction. In such cases, he/she shall report the results of such regular measurements or surveys to the Minister of Environment.

(4) Matters necessary for regular measurements and reporting under paragraphs (1) and (3) shall be prescribed by Ordinance of the Ministry of Environment.

Article 10 (Determination and Public Notification of Plans for Building Measuring Networks)

(1) The Minister of Environment shall determine a plan for building a measuring network which specifies the locations of the measuring network referred to in Article 9 (1), measurement items, the time frames and frequency of surveys and publicly notify such plan, as prescribed by Ordinance of the Ministry of Environment, and make the drawings of the measuring network available for public perusal. The same shall also apply to any amendment to the plan.

(2) Paragraph (1) shall apply mutatis mutandis where a Mayor/Do Governor builds a measuring network pursuant to Article 9 (3).

Article 10-2 (Determination and Evaluation of Target Criteria for Water Quality and Aquatic Ecosystems)

(1) The Minister of Environment shall determine and publicly notify the target criteria for water quality and aquatic ecosystem (hereinafter referred to as "target criteria") of each sphere of influence of the river basin classified under Article 22 and each lake and marsh subject to surveys and measurements under Article 28, based on the use of the relevant river, lake and marsh, the current status of water quality and aquatic ecosystems, the healthiness of aquatic ecosystems, the current status of and prospects for pollution sources, etc.

(2) The Minister of Environment shall evaluate the following and disclose the results of the evaluation to the general public:

1. Whether the target criteria has been met;
2. Evaluation of hazards of potential harm to human or the ecosystem caused by water pollution of a river, lake or marsh.

(3) The determination and public notification of target criteria, the evaluation as to whether the target criteria has been met, and the disclosure of the results of the evaluation thereof under paragraphs (1) and (2), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 10-3 (Deliberative Committee on Policies Regarding Water Quality and Aquatic Ecosystems)

(1) A Deliberative Committee on Policies regarding Water Quality and Aquatic Ecosystems (hereinafter referred to as the "Committee") shall be established under the authority of the Minister of Environment to deliberate on the following matters:

1. Matters concerning the long-term and short-term policy direction for preserving water quality and aquatic ecosystems;

2. Matters concerning the systems to manage water quality and aquatic ecosystems;
 3. Matters concerning priorities in managing river systems, lakes and marshes, and measures for the management thereof;
 4. Matters concerning investment priorities of public facilities under Article 12;
 5. Matters concerning measurements and surveys related to water quality and aquatic ecosystems;
 6. Matters concerning the assessment of the execution of policies related to matters provided for in subparagraphs 1 through 5 and the evaluation of the outcomes thereof;
 7. Other matters prescribed by Presidential Decree regarding policies for preserving water quality and aquatic ecosystems.
- (2) The Minister of Environment shall be the chairperson of the Committee, and the person appointed or commissioned by the chairperson from among the members of the Committee shall be the vice-chairperson.
- (3) The Committee shall be comprised of up to 20 members, including one chairperson and one vice-chairperson, in consideration of gender.
- (4) The following persons shall be the members of the Committee, other than the chairperson:
1. Persons appointed respectively by the Minister of Strategy and Finance and the Minister of Land, Infrastructure and Transport, the Vice Minister of Agriculture from among the Vice Ministers of Strategy and Finance and the Vice Ministers of Land, Infrastructure and Transport, the Vice Minister of Agriculture, Food and Rural Affairs, and the Minister of the Korea Forest Service;
 2. Three experts in water quality and aquatic ecosystems, who are commissioned by the Minister of Environment;
 3. Three experts in water quality and aquatic ecosystems, who are commissioned by the Minister of Environment on the recommendation of the Minister of Agriculture, Food and Rural Affairs or the Minister of Land, Infrastructure and Transport;
 4. Persons commissioned by the Minister of Environment from among the representatives of related agencies or organizations prescribed by Presidential Decree.
- (5) The operation of the Committee, and other necessary matters, shall be prescribed by Presidential Decree.

Article 11 (Relationship with other Acts)

- (1) When the Minister of Environment or a Mayor/Do Governor decides on and publicly notifies a plan for building a measuring network pursuant to Article 10, he/she shall be deemed to have obtained the following permission: <Amended by Act No. 12248, Jan. 14, 2014>
1. Permission to implement river works under Article 30 of the River Act, permission to occupy and use a river under Article 33 of the aforesaid Act, and permission to use river water under Article 50 of the aforesaid Act;
 2. Permission to occupy and use a road under Article 61 of the Road Act;

3. Permission to occupy and use, or to use public waters under Article 8 of the Public Waters Management and Reclamation Act.

(2) Where matters subject to permission referred to in the subparagraphs of paragraph (1) are included in a plan for building a measuring network under Article 10, the Minister of Environment or a Mayor/Do Governor shall consult with the heads of related agencies before he/she decides on and publicly notifies the plan for building such measuring network.

Article 12 (Installation, Management, etc. of Public Facilities)

(1) Where deemed specifically necessary to prevent water pollution in public waters, the Minister of Environment may require Mayors/Do Governors or the heads of Sis/Guns/Gus (referring to the heads of autonomous Gus; hereinafter the same shall apply) to install and maintain sewer lines, a wastewater treatment facility referred to in Article 48 (1) (hereinafter referred to as "wastewater treatment facility"), a public sewage treatment facility defined in subparagraph 9 of Article 2 of the Sewerage Act (hereinafter referred to as "public sewage treatment facility"), or a waste disposal facility defined in subparagraph 8 of Article 2 of the Wastes Control Act (hereinafter referred to as "waste disposal facility"), etc. within their jurisdictional areas.

(2) Where the quality of water discharged from a wastewater treatment facility exceeds the relevant standards for effluent water quality established under paragraph (3), the Minister of Environment may require a person who installs and manages the facility to improve such facility or take other necessary measures.

(3) Quality standards of water discharged from wastewater treatment facilities (hereinafter referred to as "standards for effluent water quality") shall be prescribed by Ordinance of the Ministry of Environment after consultation with the heads of related central administrative agencies, and quality standards of water discharged from public sewage treatment facilities or waste disposal facilities shall be governed by the Sewerage Act or the Wastes Control Act.

Article 13 (Inclusion in National Land Planning)

Where a Mayor/Do Governor or the head of a Si/Gun formulates a Do comprehensive plan or Si/Gun comprehensive plan pursuant to the Framework Act on the National Land, he/she shall include management measures referred to in Article 22 (1), and a plan for building public sewage treatment facilities, human excreta treatment plants defined in subparagraph 10 of Article 2 of the Sewerage Act (hereinafter referred to as "human excreta treatment plant"), etc. in the relevant comprehensive plan in order to prevent pollution of public waters, as prescribed by Presidential Decree.

Article 14 (Inclusion in City/Gun Master Plans)

Where the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun formulates a City/Gun master plan pursuant to Article 18 of the National Land Planning and Utilization Act, he/she shall consolidate the plans for establishing public sewage treatment facilities, human excreta treatment plants, etc. included in a Do comprehensive plan referred to in Article 13 and a multi-districts

development project plan formulated under Article 5 of the Balanced Regional Development and Support for Local Small and Medium Enterprises Act, and include them in the relevant City/Gun master plan.

Article 15 (Prohibition of Discharge, etc.)

(1) No person shall commit any of the following acts without just grounds: <Amended by Act No. 11862, Jun. 4, 2013; Act No. 12519, Mar. 24, 2014>

1. Leak, discharge, or dump a specific substance harmful to water quality, designated wastes under the Wastes Control Act, a petroleum product, a fake petroleum product, petroleum substitute fuel, or crude oil (excluding petroleum gas; hereinafter referred to as "oils") defined in the Petroleum and Petroleum Substitute Fuel Business Act, a toxic substance (hereinafter referred to as "toxic substance") under the Chemicals Control Act, or a pesticide (hereinafter referred to as "pesticide") defined in the Pesticide Control Act into public waters;
2. Dump excreta, livestock excreta, animal corpses, wastes (excluding the designated wastes under the Wastes Control Act), or sludge into public waters;
3. Wash a motor vehicle in a river, lake or marsh;
4. Discharge or dump earth and sand in at least the scale prescribed by Ordinance of the Ministry of Environment into public waters.

(2) Where the conduct provided for in paragraph (1) 1, 2 or 4 has polluted or is likely to pollute public waters, the offender, a corporation to whom such offender belongs, and an employer of such offender (hereinafter referred to as "offender, etc.") shall take measures to prevent and eliminate pollution (hereinafter referred to as "prevention and elimination measures"), such as eliminating the relevant substances, as prescribed by Ordinance of the Ministry of Environment.

(3) Where an offender, etc. fails to take prevention and elimination measures as required under paragraph (2), a Mayor/Do Governor may order the offender, etc. to implement such prevention and elimination measures.

(4) Where a person subject to an order to implement prevention and elimination measures falls under any of the following, a Mayor/Do Governor may take the relevant prevention and elimination measures on his/her behalf or require the head of the competent Si/Gun/Gu to implement such prevention and elimination measures on his/her behalf:

1. Where it is deemed impracticable to prevent or eliminate water pollution upon taking the relevant prevention and elimination measures only;
2. Where he/she fails to comply with an order issued under paragraph (3);
3. Where it is deemed impracticable to prevent or eliminate water pollution through the prevention and elimination measures taken by a person in receipt of an order to take prevention and elimination measures under paragraph (3);
4. Where the relevant offender, etc. cannot take prompt prevention and elimination measures in circumstances requiring urgent prevention and elimination measures.

(5) Where the head of a Si/Gun/Gu takes prevention and elimination measures on behalf of a person subject to an order to implement prevention and elimination measures under paragraph (4), he/she may request support from the Korea Environment Corporation (hereinafter referred to as the "Korea Environment Corporation") established under the Korea Environment Corporation Act.

(6) The Korea Environment Corporation shall consult the head of the relevant Si/Gun/Gu on details of support before it provides support at the request of the head of such Si/Gun/Gu under paragraph (5),

(7) When the Korea Environment Corporation has provided support at the request of the head of a Si/Gun/Gu under paragraph (5), the head of the Si/Gun/Gu shall reimburse expenses incurred in providing such support to the Korea Environment Corporation, as prescribed by Ordinance of the Ministry of Environment.

(8) The Administrative Vicarious Execution Act shall apply to taking prevention and elimination measures on behalf of a person subject to an order to implement prevention and elimination measures under paragraph (4). In such cases, an order of a Mayor/Do Governor under paragraph (3) shall be construed as an order of the head of a Si/Gun/Gu (excluding vicarious execution by a Mayor/Do Governor).

Article 16 (Reporting of Water Pollution Incidents)

When a person who transports and stores oils, toxic substances, pesticides, or specific substances harmful to water quality pollutes water with the relevant substances, he/she shall immediately report thereon to related administrative agencies, such as a regional environment office, a City/Do or a Si/Gun/Gu (referring to an autonomous Gu).

Article 16-2 (Inspections as to whether Radioactive Materials, etc. Flow in)

(1) The Minister of Environment shall inspect rivers, lakes, marshes, etc to ascertain whether radioactive materials or radioactive wastes defined in subparagraph 5 or 18 of Article 2 of the Nuclear Safety Act flow therein.

(2) If necessary for conducting inspections under paragraph (1), the Minister of Environment may request cooperation from the heads of administrative agencies, local governments, and other related institutions. In such cases, those in receipt of such request shall comply therewith, except in exceptional circumstances.

(3) Procedures and methods for conducting inspections under paragraph (1), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 16-3 (Operation of Water Pollution Prevention Center)

(1) The Minister of Environment shall operate a water pollution prevention center (hereinafter referred to as "Prevention Center") to quickly and effectively respond to water pollution incidents in public waters. In such cases, the Minister of Environment may require the Korea Environment Corporation to operate the Prevention Center on his/her behalf, as prescribed by Presidential Decree.

(2) The Prevention Center shall perform the following tasks:

1. Monitoring water pollution incidents in public waters;
2. Supporting prevention and elimination measures under Article 15 (6);

3. Establishing and operating facilities for keeping and storing equipment, materials, chemical, etc. used for water pollution incidents;
 4. Education, training, research and development, and public relations related to technology to prevent and eliminate water pollution;
 5. Collecting and treating water pollutants when water pollution incidents occur.
- (3) The Minister of Environment may subsidize expenses incurred in operating the Prevention Center on his/her behalf, within the budgetary limits.

Article 16-4 (Building and Operating Information System on Prevention of Water Pollution)

The Prevention Center may build and operate an information system on prevention of water pollution, with which it may collect, analyze and manage information on water quality of nationwide rivers in real time, and promptly inform related administrative agencies of the occurrence of a water pollution incident.

Article 17 (Traffic Restrictions to Preserve Water Quality of Water Sources)

(1) No driver of any motor vehicle transporting a substance that could pollute water sources if an accident, such as a rollover or fall, occurs, shall drive through a road or section prescribed by Ordinance of the Ministry of Environment pursuant to paragraph (4) among the following areas or zones or adjacent areas:

1. Water source protection areas;
2. Special-measures areas;
3. Riparian zones designated and publicly notified respectively under Article 4 of the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin, Article 4 of the Act on the Management of Water and Resident Support in the Nakdong River Basin, Article 4 of the Act on Water Management and Resident Support in the Geum River Basin, and Article 4 of Water Management and Resident Support in the Yeongsan and Seomjin River Basins;
4. Areas prescribed by Ordinance of the Ministry of Environment because such areas may cause serious pollution to water sources.

(2) "Substance that could pollute water sources" referred to in paragraph (1) means any of the following substances:

1. Specific substances harmful to water quality;
2. Designated wastes as defined in subparagraph 4 of Article 2 of the Wastes Control Act (limited to liquid wastes and wastes prescribed by Ordinance of the Ministry of Environment);
3. Oils;
4. Toxic substances;
5. Pesticides and technical concentrate defined in subparagraphs 1 and 3 of Article 2 of the Pesticide Control Act;
6. Radioactive materials and radioactive wastes defined in subparagraphs 5 and 18 of Article 2 of the Nuclear Safety Act;
7. Other substances prescribed by Presidential Decree.

(3) The Commissioner General of the National Police Agency shall take the following measures if deemed necessary for placing traffic restrictions of motor vehicles under paragraph (1):

1. Installation of signs indicating traffic restrictions of motor vehicles;
2. Crackdown on motor vehicles that violate traffic restrictions.

(4) Roads, sections and motor vehicles, subject to traffic restrictions under paragraph (1), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment after consultation with the Commissioner General of the National Police Agency.

Article 18 (Prevention of Water Pollution due to Occupancy and Use, or Reclamation of Land from Public Waters)

(1) Any administrative agency that intends to permit or approve the occupancy and use of public waters or reclamation of land from public waters may attach conditions necessary to prevent the water pollution of such public waters.

(2) The details of the conditions attached under paragraph (1), methods for preventing water pollution, and other necessary matters, shall be prescribed by Presidential Decree.

Article 19 (Recommendations, etc. on Cultivation of Specific Crops)

(1) Where deemed necessary to preserve the water quality and aquatic ecosystem of public waters, a Mayor/Do Governor may recommend a person who cultivates crops in a river, lake or marsh area to change the kinds of crops intended for cultivation, and methods of cultivation, or to let such area lie fallow.

(2) The Mayor/Do Governor may compensate for losses sustained by cultivators from growing crops or letting their land lie fallow upon the recommendation made under paragraph (1).

Article 19-2 (Recommendation on Measures for Preserving Water Quality and Aquatic Ecosystems)

(1) If it is found, as a result of the measurement and survey conducted under Article 9, that the water quality and aquatic ecosystems of a river, lake and marsh could be substantially deteriorated if left neglected, the Minister of Environment may recommend any manager of public waters (referring to the water manager, the river management agency designated under Article 8 of the River Act, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, and the head of a Si/Gun/Gu) to take measures necessary for preserving water quality and aquatic ecosystems.

(2) The Minister of Environment may partially subsidize the expenses incurred in implementing recommendations under paragraph (1), within the budgetary limits.

(3) The Minister of Environment may require a person recommended to take measures to seek advice from a related specialized institution prescribed by Ordinance of the Ministry of Environment, if deemed necessary for him/her to implement the recommendation under paragraph (1).

Article 19-3 (Purchase and Creation of Riparian Ecological Zones)

(1) When deemed necessary for preserving the water quality and aquatic ecosystems of rivers, lakes and marshes, the Minister of Environment may purchase parcels of riparian wetland and riparian land meeting standards prescribed by Presidential Decree (hereinafter referred to as "riparian ecological zone") or

ecologically create and manage such riparian wetland and riparian land, as prescribed by Ordinance of the Ministry of Environment.

(2) In cases prescribed by Presidential Decree, where it is inevitable to protect water sources in the jurisdictional area, a Mayor/Do Governor may purchase a riparian ecological zone in compliance with the standards under paragraph (1) or ecologically create and manage it, as prescribed by Ordinance of the Ministry of Environment.

(3) Land that consists of a river zone defined in subparagraph 2 of Article 2 of the River Act shall be excluded from land subject to purchase under paragraph (1) or (2).

(4) The Minister of Environment shall first consult with the heads of related central administrative agencies and the heads of competent local governments when selecting land subject to purchase or creation under paragraph (1).

(5) In purchasing land pursuant to paragraphs (1) and (2), criteria for selecting land subject to purchase, calculation of the purchase price, methods and procedures for purchase, and other necessary matters, shall be prescribed by Presidential Decree.

Article 19-4 (Investigation of Vulnerability to Climate Change on Discharging Facilities and Recommendations)

(1) The Minister of Environment may investigate wastewater discharge facilities, facilities reducing non-point source pollution, wastewater treatment facilities about their vulnerability to climate change, and recommend the improvement of facilities if such facilities are found vulnerable to climate change as a result of the investigation.

(2) Specific items of investigations conducted under paragraph (1), methods and procedures therefor, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment may partially subsidize the costs necessary for, or expenses incurred in implementing recommendations under paragraph (1) for wastewater discharge facilities, facilities reducing non-point source pollution, and wastewater treatment facilities, within the budgetary limits.

Article 20 (Restrictions on Fishing)

(1) The Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu may designate “no-take” zones or fishing-restricted zones, considering the purposes and the water quality of rivers (excluding national rivers and local rivers under Article 7 (2) and (3) of the River Act), lakes and marshes, and other factors, as prescribed by Presidential Decree. In such cases, he/she shall consult with the relevant water manager.

(2) A person who intends to fish in any fishing-restricted zone designated under paragraph (1) shall comply with matters prescribed by Ordinance of the Ministry of Environment, such as methods of and allowed periods for fishing. In such cases, the Minister of Environment shall consult with the Minister of Oceans and Fisheries when enacting an Ordinance of the Ministry of Environment.

(3) The Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu may collect fees from persons who intend to fish in fishing-restricted zones

designated under paragraph (1), as prescribed by municipal ordinance, to cover the expenses incurred in collecting litters, etc. for prevent water pollution in the fishing-restricted zones designated under paragraph (1) and surrounding areas thereof.

Article 21 (Water Pollution Alert System)

(1) Where the Minister of Environment or a Mayor/Do Governor deems that water pollution is likely to cause grave damage to the use of water in a river, lake and marsh, or grave hazard to the health and property of residents, or the growth of animals and plants, he/she may issue a water pollution alert for the relevant river, lake and marsh. *<Amended by Act No. 11979, Jul. 30, 2013>*

(2) and (3) Deleted. *<by Act No. 8466, May 17, 2007>*

(4) The Minister of Environment may subsidize operating costs incurred in taking measures, etc. following the issuance of a water pollution alert within the budgetary limits. *<Amended by Act No. 11979, Jul. 30, 2013>*

(5) Types of water pollution alerts, objects of the issuance of each type of alert, issuers of water pollution alerts, water pollutants subject to water pollution alerts, standards for issuing such alerts, phases of alerts, measures to be taken in each phase of alert, standards for canceling alerts, and other necessary matters, shall be prescribed by Presidential Decree. *<Amended by Act No. 11979, Jul. 30, 2013>*

Article 21-2 (Restricted Activities in Contaminated Public Waters)

(1) Where the Minister of Environment deems that playing in the water, including swimming, or doing activities prescribed by Presidential Decree in a contaminated river, lake or marsh causes grave damage to the health or livelihood of citizens, he/she may recommend the relevant Mayor/Do Governor to take measures prescribed by Ordinance of the Ministry of Environment, such as directing residents in his/her jurisdiction, and interested persons to refrain from doing such activities in the relevant river, lake, or marsh.

(2) Upon receipt of a recommendation pursuant to paragraph (1), the Mayor/Do Governor shall take measures as recommended, except in exceptional circumstances.

(3) Criteria for selecting contaminated rivers, lakes, or marshes on which recommendations can be made under paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

Article 21-3 (Special Measures to Improve Water Quality of Water Sources)

(1) Where any of the following applies to water pollution of a water source, the Minister of Environment may order special measures, such as prohibiting the discharge of pollutants, with regard to pollutants that cause water pollution:

1. Where it is expected impracticable to meet standards for management of drinking water quality (referring to water quality standards provided for in Article 26 of the Water Supply and Waterworks Installation Act) due to water pollution of the water source;
 2. Where it is deemed that pollutants which are not included in the standards for water quality management referred to in subparagraph (1) are likely to cause grave damage to health of residents.
- (2) Procedures for taking the special measures pursuant to paragraph (1), the details of and standards for such special measures, and other necessary matters, shall be prescribed by Presidential Decree.

(3) The Minister of Environment may partially subsidize the expenses incurred in taking the special measures under paragraph (1), within budgetary limits.

Article 21-4 (Installation and Management of Buffer Storage Facilities)

(1) The Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun (excluding the head of a Gun within a Metropolitan City) having jurisdiction over an area prescribed by Ordinance of the Ministry of Environment among industrial areas designated under Article 36 (1) of the National Land Planning and Utilization Act, or an industrial complex prescribed by Ordinance of the Ministry of Environment among industrial complexes defined in subparagraph 8 of Article 2 of the Industrial Sites and Development Act shall install and operate buffer storage facilities that can temporarily store wastewater, sewage, etc. discharged from such industrial area or industrial complex.

(2) The head of a local government liable to install and operate buffer storage facilities pursuant to paragraph (1) shall formulate a plan to install and operate the buffer storage facilities, including matters prescribed by Ordinance of the Ministry of Environment, such as an implementation schedule and a place where such buffer storage facilities will be installed, and consult with the Minister of Environment. The same shall also apply where he/she intends to amend important matters prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment may fully or partially subsidize the expenses incurred in installing and operating buffer storage facilities, within the budgetary limits.

(4) Matters necessary concerning standards for installation and operation of buffer storage facilities, such as standards for calculation of the capacity of buffer storage facilities, shall be prescribed by Ordinance of the Ministry of Environment.

Article 22 (Management of Water Quality and Aquatic Ecosystems for Each Sphere of Influence of River Basin)

(1) The Minister of Environment or the head of a local government shall ascertain the current status of water quality and aquatic ecosystems, and the healthiness of aquatic ecosystems in accordance with a plan for preserving water quality and aquatic ecosystems for each sphere of influence of the river basin formulated under Articles 24 through 26, and take adequate measures for the management thereof.

(2) The Minister of Environment shall classify the spheres of influence of the river system referred to in paragraph (1) into large spheres of influence, medium spheres of influence, and small spheres of influence in compliance with standards prescribed by Ordinance of the Ministry of Environment, based on the characteristics of catchment basins, such as the surface area and geographical features, and publicly notify them.

Article 23 (Survey on Sources of Pollution)

The Minister of Environment shall regularly survey types of sources of pollution, the quantity of water pollutants generated, etc. for each area of the sphere of influence of the river basin, as prescribed by Ordinance of the Ministry of Environment.

Article 24 (Formulation of Plans for Preserving Water Quality and Aquatic Ecosystems in Large Sphere of Influence)

(1) The Minister of Environment shall formulate a master plan for preserving water quality and aquatic ecosystems in each large sphere of influence (hereinafter referred to as "plan for the large sphere of influence") every ten years.

(2) The plan for the large sphere of influence shall include the following matters:

1. Trends in change in water quality and aquatic ecosystems and target criteria therefor;
2. Current status of use of water sources and water;
3. Status of distribution of point pollution sources, non-point pollution sources, and other water pollution sources;
4. Quantity of water pollutants discharged from point pollution sources, non-point pollution sources, and other water pollution sources;
5. Measures to prevent and reduce water pollution;
6. Direction-setting for implementing measures to preserve water quality and aquatic ecosystems;
7. Measures to cope with climate change defined in subparagraph 12 of Article 2 of the Framework Act on Low Carbon, Green Growth;
8. Other matters prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment shall consult with the heads of related central administrative agencies and related River Basin Management Committees established under the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin and other Acts when formulating plans for the large sphere of influence. The same shall also apply where he/she amends the plans for the large sphere of influence.

(4) Upon having formulated a plan for the large sphere of influence, the Minister of Environment shall notify the heads of related central administrative agencies and the heads of related local governments of such plan.

(5) Where five years have elapsed from the date on which a plan for the large sphere of influence was formulated or the Minister of Environment deems it necessary to amend the plan for the large sphere of influence, he/she may amend the plan for the large sphere of influence after reviewing the validity thereof.

Article 25 (Formulation of Plans for Preserving Water Quality and Aquatic Ecosystems in Medium Areas of Influence)

(1) The head of a Basin Environmental Office or the head of a regional environmental office shall formulate a plan for preserving water quality and aquatic ecosystems in each medium sphere of influence (hereinafter referred to as "plan for the medium sphere of influence") according to the plan for the large sphere of influence.

(2) The head of a Basin Environmental Office or the head of a regional environmental office shall consult with the relevant Mayor/Do Governor to formulate the plan for the medium sphere of influence. The same shall also apply where he/she intends to amend the plan for the medium sphere of influence.

(3) Upon having formulated the plan for the medium sphere of influence, the head of a Basin Environmental Office or the head of a regional environmental office shall notify the relevant Mayor/Do Governor of such plan.

Article 26 (Formulation of Plans for Preserving Water Quality and Aquatic Ecosystems in Small Spheres of Influence)

(1) The Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu shall formulate a plan for preserving water quality and water ecosystems in each small sphere of influence (hereinafter referred to as "plan for the small sphere of influence") according to the plan for the large sphere of influence and the plan for the medium sphere of influence, and implement such plan after obtaining approval from the competent Mayor/Do Governor (excluding where the Mayor of a Special Self-Governing City or the Governor of a Special Self-Governing Province formulates a plan for the small sphere of influence).

(2) Notwithstanding paragraph (1), where an area subject to formulation of a plan for the small sphere of influence extends over at least two Cities/Dos, the relevant Mayors/Do Governors shall jointly formulate a plan for the small sphere of influence following consultation, and where an area subject to formulation of a plan for the small sphere of influence extends over at least two Sis/Guns/Gus (referring to autonomous Gus) in the jurisdiction of the same City/Do, the competent Mayor/Do Governor shall formulate a plan for the small sphere of influence after hearing opinions of the heads of relevant Sis/Gun/Gus.

(3) A Mayor/Do Governor shall consult with the Minister of Environment before he/she approves a plan for the small sphere of influence pursuant to paragraph (1) or formulates a plan for the small sphere of influence pursuant to paragraph (2).

Article 27 (Formulation of Plans for Small Spheres of Influence by Minister of Environment or Mayor/Do Governor)

(1) Where a Mayor/Do Governor fails to formulate a plan for the small sphere of influence without exceptional circumstances, the Minister of Environment may formulate such plan, and where the head of a Si/Gun/Gu fails to formulate a plan for the small sphere of influence without exceptional circumstances, the competent Mayor/Do Governor may formulate such plan.

(2) A Mayor/Do Governor or the head of a Si/Gun/Gu shall conscientiously implement the plan for the small sphere of influence formulated by the Minister of Environment or the Mayor/Do Governor.

(3) Where a Mayor/Do Governor or the head of a Si/Gun/Gu fails to implement the plan for the small sphere of influence formulated under paragraph (1), the Minister of Environment, the head of a related central administrative agency, or the competent Mayor/Do Governor may take the following measures, as prescribed by Presidential Decree:

1. Discontinue or reduce financial support, and other necessary measures;
2. Restrict the installation (including alteration) of wastewater discharge facilities.

(4) Where the Minister of Environment imposes a restriction pursuant to paragraph (3) 2, he/she shall publicly announce facilities and areas subject to such restriction.

Article 28 (Regular Surveys and Measurement)

(1) The Minister of Environment and the Mayors/Do Governors shall regularly survey and measure the status of use of water of lakes and marshes, the current status of water quality and aquatic ecosystems, the healthiness of aquatic ecosystems, the distribution of water pollution sources, and the quantity of water pollutants generated, as prescribed by Presidential Decree, in order to preserve the water quality and aquatic ecosystems of lakes and marshes.

(2) The Minister of Environment and each Mayor/Do Governor shall disclose the results of surveys and measurement conducted under paragraph (1) to the citizens, such as producing and distributing the map of each river basin, indicating the current status of water quality and aquatic ecosystems and the healthiness of aquatic ecosystems, based on the results of surveys and measurement.

Article 29 (Prevention of Damage Caused by Algae)

Where the Minister of Environment deems that the appearance, etc. of algae adversely affects the water quality and aquatic ecosystems of a lake or marsh, he/she may order special measures against the relevant source of pollution that causes water pollution pursuant to Article 21 (3), or order the water manager and the manager of water intake facilities or water purification facilities which take water from the lake or marsh to take measures necessary to prevent damage caused by the appearance, etc. of algae. In such cases, the Minister of Environment may subsidize operating costs, within budgetary limits.

Article 30 (Restrictions on Granting Licenses for Aquaculture)

No head of any administrative agency shall grant a license for aquaculture that installs a floating fish cage in a lake and marsh serving as a water source among the aquaculture provided for in Article 6 (1) of the Inland Water Fisheries Act.

Article 31 (Collection and Disposal of Litters in Lakes and Marshes)

(1) The water manager shall collect litters in a lake and marsh, and the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu having jurisdiction over the lake and marsh shall transport and dispose of the litters collected.

(2) The water manager shall conclude an agreement for selecting a main agent to transport and dispose of litters under paragraph (1), and for apportioning expenses incurred in transporting and disposing of the litters collected, with the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu.

(3) Where the water manager, and the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu fails to conclude an agreement under paragraph (2), he/she may file an application for mediation with the Minister of Environment. In such cases, if the Minister of Environment makes mediation, an agreement under paragraph (2) shall be deemed concluded.

(4) Procedures for filing applications for mediation under paragraph (3), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 31-2 (Designation, etc. of Reservoirs with Priority Management)

(1) The Minister of Environment may designate any of the following reservoirs as a reservoir with priority management through consultation with the heads of related central administrative agencies, and require the managers of the reservoir and the Mayor/Do Governor having jurisdiction over the location of the reservoir to control the water quality so that such reservoir can be used to provide water for domestic purposes as well as for tourism and leisure purposes:

1. A reservoir with the total water storage capacity of at least 10,000,000 cubic meters;
2. A reservoir in which the level of pollution exceeds the standards prescribed by Presidential Decree;
3. Other cases deemed necessary by the Minister of Environment for preserving the water quality of relevant river systems, including water sources.

(2) Where the ground for designation of a reservoir with priority management under paragraph (1) has ceased, the Minister of Environment may cancel such designation.

(3) Matters necessary for designation of reservoirs with priority management and the cancellation thereof under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Environment.

Article 31-3 (Improvement of Water Quality, etc. of Reservoirs with Priority Management)

(1) The Minister of Environment shall require the managers of reservoirs with priority management and the Mayors/Do Governors having jurisdiction over the locations of such reservoirs to formulate and promote measures to prevent water pollution and improve water quality in the reservoirs with priority management.

(2) Each Mayor/Do Governor having jurisdiction over the location of any reservoir with priority management shall prepare reports on the outcomes of conducting activities to prevent water pollution and the outcomes of implementing the plans to improve water quality for the reservoir with priority management, and submit them to the Minister of Environment each year.

(3) The Minister of Environment may fully or partially subsidize expenses incurred in managing and improving water quality of reservoirs with priority management, within budgetary limits.

Article 32 (Permissible Discharge Limits)

(1) Permissible limits for water pollutants discharged from wastewater discharge facilities (hereinafter referred to as "discharging facilities") shall be prescribed by Ordinance of the Ministry of Environment.

(2) The Minister of Environment shall consult with the heads of related central administrative agencies when enacting an Ordinance of the Ministry of Environment under paragraph (1).

(3) Where a City/Do (excluding a City with population over 500,00 among the relevant jurisdictional areas; hereafter the same shall apply in this Article) or a City with population over 500,00 (hereinafter referred to as a "large city") deems it impracticable to maintain the local environmental standards established under Article 12 (3) of the Framework Act on Environmental Policy, it may, by its municipal ordinance, set permissible discharge limits more stringent than the permissible discharge limits prescribed under paragraph (1): Provided, That the foregoing shall only apply where the authority of the Minister of Environment vested under Articles 33, 37, 39, and 41 through 43 is delegated to a Mayor/Do Governor or the Mayor of a large city pursuant to Article 74 (1).

(4) A Mayor/Do Governor or the Mayor of a large city shall immediately report to the Minister of Environment whenever he/she sets or alters permissible discharge limits under paragraph (3), and take necessary measures to inform interested persons thereof.

(5) Where the Minister of Environment deems it necessary to prevent water pollution in a special-measures area, he/she may set permissible discharge limits more stringent than the permissible discharge limits prescribed under paragraph (1) for discharging facilities installed in the relevant area, and set special permissible discharge limits for new discharging facilities installed in the relevant area.

(6) Where an area to which permissible discharge limits set under paragraph (3) do not apply exists in a City/Do or a large city subject to such permissible discharge limits, the permissible discharge limits set under paragraph (3) shall also apply to discharging facilities installed or to be installed in such area.

(7) Paragraphs (1) through (6) shall not apply to the following discharging facilities:

1. Wastewater non-discharge facilities, which are installed pursuant to the proviso to Article 33 (1), and Article 33 (2);
2. Wastewater non-discharge facilities which do not discharge wastewater into public waters by fully reusing wastewater or entrusting the treatment of all wastewater, among discharging facilities prescribed by Ordinance of the Ministry of Environment.

(8) Notwithstanding paragraph (1), the Minister of Environment may set and announce special permissible discharge limits only for items appropriately treated by wastewater treatment facilities or public sewage treatment facilities for discharging facilities which discharge all wastewater into such wastewater treatment facilities or public sewage treatment facilities via drainage facilities.

Article 33 (Permission for, and Reporting on, Installation of Discharging Facilities)

(1) Any person who intends to install discharging facilities shall obtain permission from the Minister of Environment or report thereon to the Minister of Environment, as prescribed by Presidential Decree: Provided, That any person who intends to install wastewater non-discharge facilities pursuant to paragraph (7) shall obtain permission from the Minister of Environment.

(2) Where a person who has obtained permission pursuant to paragraph (1) intends to alter any important matter prescribed by Presidential Decree among the terms and conditions of such permission, he/she shall obtain permission for alteration: Provided, That where he/she intends to alter or has altered any matter prescribed by Ordinance of the Ministry of Environment, he/she shall file a report thereon.

(3) Where a person who has reported pursuant to paragraph (1) intends to alter or has altered any matter prescribed by Ordinance of the Ministry of Environment among reported matters, he/she shall report on such alteration, as prescribed by Ordinance of the Ministry of Environment.

(4) Where a person who intends to obtain permission or permission for alteration or to file a report or a report on alteration pursuant to paragraphs (1) through (3) falls under the proviso to Article 35 (1), or intends to install or alter common prevention facilities under Article 35 (4), he/she shall submit documents prescribed by Ordinance of the Ministry of Environment.

(5) Where the Minister of Environment deems that it is impracticable to maintain environmental standards due to water pollutants discharged from discharging facilities in the upstream area of a water source protection area, a special-measures area and the upstream area thereof, an area in which water intake facilities are located, and the upstream area thereof, or that water pollutants are likely to cause grave harm to the health and property of residents or the growth of animals and plants, he/she may restrict the installation (including alteration) of discharging facilities after hearing the opinion of the competent Mayor/Do Governor and consulting with the heads of related central administrative agencies.

(6) The range of areas in which the Minister of Environment may restrict the installation of discharging facilities pursuant to paragraph (5) shall be prescribed by Presidential Decree, and the Minister of Environment shall publicly announce facilities, the installation of which is restricted in each area.

(7) Notwithstanding paragraphs (5) and (6), discharging facilities which discharge specific substances harmful to water quality prescribed by Ordinance of the Ministry of Environment may be installed as wastewater non-discharge facilities within an area in which the installation of such discharge facilities is restricted.

(8) The Minister of Environment shall determine and publicly announce areas within which wastewater non-discharge facilities may be installed and allowed facilities in the areas in which the installation of discharging facilities is restricted pursuant to paragraph (7).

(9) Criteria for granting permission or permission for alteration under paragraphs (1) and (2) shall be as follows:

1. Discharging facilities shall be capable of treating pollutants discharged therefrom below the permissible discharge limits set under Article 32;
2. Discharging facilities shall not violate any of the provisions on restrictions on installation of discharging facilities under other Acts and statutes;
3. Where a person intends to install wastewater non-discharge facilities, he/she shall install all facilities prescribed by Presidential Decree in accordance with standards prescribed by Presidential Decree to prevent flow or leak of wastewater into public waters.

Article 34 (Permission to Install Wastewater Non-Discharge Facilities)

(1) Any person who intends to obtain permission to install or to alter wastewater non-discharge facilities pursuant to the proviso to Article 33 (1) and paragraph (2) of the aforesaid Article shall submit documents prescribed by Ordinance of the Ministry of Environment, such as a plan to install the wastewater non-discharge facilities, to the Minister of Environment.

(2) Upon receipt of an application for permission under paragraph (1), the Minister of Environment shall hear the opinions of relevant specialized institutions prescribed by Ordinance of the Ministry of Environment as to whether wastewater non-discharge facilities and water pollution prevention facilities that treat water pollutants without discharging wastewater are appropriate.

Article 35 (Installation of Prevention Facilities, Exemption from Installation, and Matters, etc. to be Observed by Persons Exempt from Installation)

(1) Where any person who has obtained permission or permission for alteration, or has filed a report or a report on alteration (hereinafter referred to as "business operator") pursuant to Article 33 (1) through (3) installs or alters discharging facilities, he/she shall install water pollution prevention facilities (in cases of wastewater non-discharge facilities, referring to water pollution prevention facilities capable of treating water pollutants without discharging wastewater; hereinafter the same shall apply) capable of treating water pollutants from such discharging facilities below the permissible discharge limits set under Article 32: Provided, That the foregoing shall not apply to discharging facilities (excluding wastewater non-discharge facilities) meeting standards prescribed by Presidential Decree.

(2) Any person who uses discharging facilities without installing water pollution prevention facilities (hereinafter referred to as "prevention facilities") pursuant to the proviso to paragraph (1) shall observe matters prescribed by Ordinance of the Ministry of Environment concerning the management of discharging facilities (hereinafter referred to as "matters to be observed"), such as the methods of treating and storing wastewater.

(3) Where a person who installs and operates discharging facilities without installing prevention facilities pursuant to the proviso to paragraph (1) violates any of the matters to be observed, the Minister of Environment may revoke permission or permission for alteration under Article 33 (1) through (3), or order him/her to close the discharging facilities, fully or partially improve the discharging facilities, or suspend the operation thereof for a prescribed period not exceeding six months.

(4) Business operators may install common prevention facilities (hereinafter referred to as "common prevention facilities") to commonly treat water pollutants discharged from discharging facilities (excluding wastewater non-discharge facilities). In such cases, each business operator shall be deemed to have installed prevention facilities of water pollutants in each place of business.

(5) When business operators install and operate common prevention facilities, they shall establish an operating body of the relevant facilities and appoint the representative thereof.

(6) Other matters necessary for the installation and operation of common prevention facilities shall be prescribed by Ordinance of the Ministry of Environment.

Article 36 (Succession to Rights and Duties)

(1) Any of the following persons shall succeed to the former business operator' rights and duties vested or imposed under permission, permission for alteration granted to the former business operator, a report or a report on alteration filed by the former business operator:

1. Where the business operator dies, his/her heir;
2. Where the business operator transfers discharging facilities or prevention facilities, the transferee of such facilities;
3. Where the corporate business operator is merged with another corporation, the corporation surviving the merger or the corporation incorporated in the course of the merger.

(2) Any person who acquires discharging facilities and prevention facilities of a business operator through any of the following procedures shall succeed to the business operator' rights and duties vested or imposed

permission or permission for alteration, a report or a report on alteration:

1. Auction under the Civil Execution Act;
 2. Conversion under the Debtor Rehabilitation and Bankruptcy Act;
 3. Sale of seized property under the National Tax Collection Act, the Customs Act or the Framework Act on Local Taxes;
 4. Other procedures corresponding to any of the procedures referred to in subparagraphs 1 through 3.
- (3) For the purposes of Articles 38, 38-2 through 38-5, 39 through 41, and 42 (excluding revocation of permission), 43, 46, 47, and 68 (1) 1, a lessee of discharging facilities and prevention facilities shall be construed as a business operator.

Article 37 (Reporting on Startup Operation of Discharging Facilities, etc.)

(1) Where a business operator intends to operate discharging facilities and prevention facilities after completing the installation of the discharging facilities or prevention facilities, or completing the alteration of discharging facilities (limited to alterations prescribed by Presidential Decree where he/she alters discharging facilities after reporting the alteration thereto), he/she shall report the startup operation thereof to the Minister of Environment in advance, as prescribed by Ordinance of the Ministry of Environment. Where he/she changes the reported date of the startup operation, he/she shall report such change to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment.

(2) Any business operator who has reported startup operation under paragraph (1) shall operate prevention facilities to treat water pollutants discharged from the relevant discharging facilities (excluding wastewater non-discharge facilities) below the permissible discharge limits set under Article 32 within the period prescribed by Ordinance of the Ministry of Environment. In such cases, Articles 39 through 40 shall not apply for the period prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment shall check the operation status of discharging facilities and prevention facilities within the period prescribed by Ordinance of the Ministry of Environment following the expiration of the period determined under paragraph (2), and require any testing institution prescribed by Ordinance of the Ministry of Environment to test the level of pollution after collecting water pollutants.

(4) The Minister of Environment shall inspect whether wastewater non-discharge facility, the startup operation of which has been reported pursuant to paragraph (1), meets criteria for permission or permission for alteration under Article 33 (9) within ten days from the date of the report.

Article 38 (Operation of Discharging Facilities and Prevention Facilities)

(1) No business operator (excluding a business operator who has obtained permission to install or permission to alter wastewater non-discharge facilities pursuant to the proviso to Article 33 (1) or Article 33 (2)) or person who operates prevention facilities (including the representative of the operating body of common prevention facilities under Article 35 (5); hereinafter the same shall apply) shall engage in any of the following conduct:

1. Discharging water pollutants from discharging facilities without flowing them into prevention facilities, or installing facilities capable of discharging water pollutants without flowing them into

prevention facilities;

2. Discharging water pollutants that flow into prevention facilities without passing through the final discharge outlet, or installing facilities capable of discharging water pollutants without passing through the final discharge outlet;

3. Treating water pollutants from discharging facilities by mixing with water not discharged during the process or unpolluted water discharged during the process, or discharging water pollutants exceeding the permissible discharge limits set under Article 32 by mixing with water to lower the pollution level before such water pollutants pass through the final discharge outlet: Provided, That the foregoing shall not apply where the Minister of Environment deems that water pollutants can be treated only when they are diluted, as prescribed by Ordinance of the Ministry of Environment, and other cases prescribed by Ordinance of the Ministry of Environment;

4. Discharging water pollutants exceeding the permissible discharge limits set under Article 32 due to the business operator's failure to normally operate discharging facilities and prevention facilities without just grounds.

(2) No business operator who has obtained permission to install or permission to alter wastewater non-discharge facilities pursuant to the proviso to Article 33 (1) or paragraph (2) of the aforesaid Article shall engage in any of the following conduct:

1. Taking out wastewater discharged from wastewater non-discharge facilities out of the place of business, discharging it to public waters, or installing facilities capable of discharging such wastewater into public waters;

2. Installing facilities that treat or are capable of treating wastewater discharged from wastewater non-discharge facilities by mixing it with sewage or wastewater discharged from other discharging facilities;

3. Where wastewater discharged from wastewater non-discharge facilities is reused, reusing wastewater in other discharging facilities without reusing it in the same wastewater non-discharge facilities or using such wastewater for flushing toilets, landscaping, fire fighting, etc.

(3) Every business operator or operator of prevention facilities shall record and keep the operating status of the relevant discharging facilities and prevention facilities as they are, as prescribed by Ordinance of the Ministry of Environment when operating discharging facilities and prevention facilities.

Article 38-2 (Installation, etc. of Measuring Instruments)

(1) The following persons shall install instruments prescribed by Presidential Decree (hereinafter referred to as "measuring instruments"), such as a wattmeter, a flow meter, and an automatic water quality tester, in order to ascertain whether the discharged water pollutants meet the permissible discharge limits set under Article 32, and standards for effluent water quality established under Article 12 (3) or Article 7 of the Sewerage Act:

1. A business operator who operates a place of business discharging wastewater in excess of the quantity of discharge prescribed by Presidential Decree: Provided, That a business operator who has obtained permission to install or permission to alter wastewater non-discharge facilities under the

proviso to Article 33 (1) or Article 33 (2) shall be excluded;

2. An operator of prevention facilities (including common prevention facilities) in excess of the capacity of treatment prescribed by Presidential Decree;
3. A person who operates wastewater treatment facilities or public sewage treatment facilities in excess of the capacity of treatment prescribed by Presidential Decree.

(2) Methods for, and timing of, installing measuring instruments to be installed pursuant to paragraph (1), and other matters necessary for installing measuring instruments, shall be prescribed by Presidential Decree.

Article 38-3 (Prohibited Conduct of Business Operators, etc. Equipped with Measuring Instruments and Standards for Operation and Management)

(1) None of the persons who have installed measuring instruments pursuant to Article 38-2 (1) (hereinafter referred to as "business operator, etc. equipped with measuring instruments") shall engage in any of the following conduct when operating measuring instruments:

1. Intentionally defaulting on the operation of the measuring instruments, or on normal measurement;
2. Leaving the measuring instruments which do not work normally due to corrosion, abrasion, breakdown, or damage, unattended without just cause;
3. Omitting or falsely keeping a measurement reading.

(2) A business operator, etc. equipped with measuring instruments shall observe standards for operation and management of measuring instruments prescribed by Ordinance of the Ministry of Environment to maintain the reliability and accuracy of the measurement readings of the relevant measuring instruments.

Article 38-4 (Orders to Business Operators, etc. Equipped with Measuring Instruments to Take Measures and Suspend Operation)

(1) The Minister of Environment may order a business operator, etc. equipped with measuring instruments who fails to observe any of the standards for operation and management referred to in Article 38-3 (2) to take measures necessary for operating and managing the measuring instruments in compliance with such standards within a prescribed period, as prescribed by Presidential Decree.

(2) The Minister of Environment may order any person who fails to comply with an order to take measures under paragraph (1) to fully or partially suspend the operation of the relevant discharging facilities, etc. for a prescribed period not exceeding six months.

Article 38-5 (Technical Support to Business Operators, etc. Equipped with Measuring Instruments, and Exemption from Reporting and Inspections)

(1) The Minister of Environment may operate a computer network capable of electronically processing the measurement readings being connected with measuring instruments of business operators, etc. equipped with the measuring instruments in order to manage and analyze measurement data.

(2) The Minister of Environment may provide technical support, etc. to business operators, etc. equipped with measuring instruments to normally install, maintain, and manage measuring instruments. In such cases, the Minister of Environment may require employees of a relevant specialized institution entrusted

with the authority pursuant to Article 74 (2) to collect necessary water pollutants or inspect related documents, facilities, equipment, etc., upon gaining access to the relevant facilities or the place of business of a business operator, etc. equipped with measuring instruments, in order to adequately manage measuring instruments.

(3) An employee of a relevant specialized institution who intends to gain access or conduct inspections pursuant to the latter part of paragraph (2) shall carry a certificate of identification, indicating his/her authority, and produce it to related persons.

(4) The Minister of Environment may exempt business operators, etc. equipped with measuring instruments from reporting or undergoing inspections under Article 68 regarding items measured with measuring instruments, as prescribed by Presidential Decree.

Article 39 (Improvement Orders to Business Operators in Excess of Permissible Discharge Limits)

Where the Minister of Environment deems that the level of water pollutants from discharging facilities (excluding wastewater non-discharge facilities) in operation after filing a report under Article 37 (1) exceeds the permissible discharge limits set under Article 32, he/she may order the relevant business operator (including the representative of the operating body of common prevention facilities under Article 35 (5)) to take measures (hereinafter referred to as "improvement order") necessary for lowering the level of such water pollutants below the permissible discharge limits within a prescribed period, as prescribed by Presidential Decree.

Article 40 (Orders to Suspend Operation)

Where a person subject to an improvement order pursuant to Article 39 fails to comply with such improvement order, or has complied with the improvement order within a given period, but the result of inspection shows that the level of waste pollutants still exceeds the permissible discharge limits set under Article 32, the Minister of Environment may order him/her to fully or partially suspend the operation of the relevant discharging facilities.

Article 41 (Effluent Charges)

(1) The Minister of Environment shall levy and collect an effluent charge on and from business operators discharging water pollutants (including those who operate facilities prescribed by Ordinance of the Ministry of Environment among wastewater treatment facilities and public sewage treatment facilities) or persons who have installed or altered discharging facilities without obtaining permission or permission for alteration, or filing a report or a report on alteration under Article 33 (1) through (3), in order to prevent or reduce water pollution and damage to aquatic ecosystems due to water pollutants. In such cases, the effluent charge shall be levied according to the following classification, and methods and criteria for calculating such effluent charge, and other necessary matters, shall be prescribed by Presidential Decree:

1. Basic effluent charges:

- (a) Where water pollutants in wastewater discharged from discharging facilities (excluding wastewater non-discharge facilities) are below the permissible discharge limits set under Article 32, but exceed the standards for effluent water quality;

(b) Where water pollutants in wastewater discharged from wastewater treatment facilities or public sewage treatment facilities exceed the standards for effluent water quality;

2. Excess effluent charges:

(a) Where water pollutants are discharged in excess of the permissible discharge limits set under Article 32;

(b) Where water pollutants are discharged into public waters (limited to wastewater non-discharge facilities).

(2) The Minister of Environment shall take into account the following when levying effluent charges pursuant to paragraph (1):

1. Whether water pollutants exceed the permissible discharge limits set under Article 32;

2. Types of water pollutants discharged;

3. Period for which water pollutants are discharged;

4. Quantity of water pollutants discharged;

5. Whether self-measurements are performed under Article 46;

6. Other matters prescribed by Ordinance of the Ministry of Environment regarding the pollution of the water environment or the improvement thereof.

(3) No effluent charges referred to in paragraph (1) shall be levied on business operators (excluding business operators who operate wastewater non-discharge facilities; hereafter the same shall apply in this paragraph) who discharge water pollutants below the standards for effluent water quality, and the Minister of Environment may reduce effluent charges for business operators who discharge water pollutants below the quantity prescribed by Presidential Decree and business operators who have borne the cost of treatment of water pollutants pursuant to other Acts. In such cases, effluent charges for business operators who have borne the cost of treatment of water pollutants pursuant to other Acts shall be reduced by up to the amount of such cost.

(4) Where any person liable to pay effluent charges pursuant to paragraph (1) fails to pay such charges by the payment due date, the Minister of Environment shall collect a late-payment penalty from him/her.

(5) Article 21 of the National Tax Collection Act shall apply mutatis mutandis to late-payment penalties under paragraph (4).

(6) Effluent charges collected under paragraph (1) and late-payment penalties collected under paragraph (4) shall be deposited, as the revenue, into the special account for environmental improvement under the Framework Act on Environmental Policy.

(7) Where the Minister of Environment delegates his/her authority over the collection of effluent charges or late-payment penalties to Mayors/Do Governors in their jurisdictional areas pursuant to Article 74, he/she may pay some of the collected effluent charges and late-payment penalties to Mayors/Do Governors as collection expenses, as prescribed by Presidential Decree.

(8) Where any person liable to pay effluent charges or late-payment penalties fails to do so by the payment due date, the Minister of Environment or a Mayor/Do Governor under paragraph (7) shall collect such

charges in the same manner as delinquent national or local taxes are collected.

Article 42 (Revocation of Permission, etc.)

(1) Where a business operator or an operator of prevention facilities falls under any of the following cases, the Minister of Environment may revoke permission to install or to alter the relevant discharging facilities, or order him/her to close the relevant discharging facilities or suspend the operation thereof for up to six months: Provided, That where he/she falls under subparagraph 2, the Minister of Environment must revoke permission to install or to alter the relevant discharging facilities, or order him/her to close the relevant discharging facilities:

1. Where he/she exceeds the permissible discharge limits set under Article 32 (1);
2. Where he/she obtains permission or permission for alteration, or files a report or a report on alteration under Article 33 (1) through (3) by fraud or other illegal means;
3. Where he/she fails to install discharging facilities or prevention facilities within five years after he/she obtained permission or filed a report under Article 33 (1) without exceptional circumstances, or where the destruction of discharging facilities or the closure of his/her business has been confirmed;
4. Where a person who has installed wastewater non-discharge facilities pursuant to the proviso to Article 33 (1) operates discharging facilities without installing prevention facilities;
5. Where he/she fails to obtain permission for alteration under Article 33 (2);
6. Where he/she installs or operates discharging facilities in the area in which the installation of discharging facilities is restricted under Article 33 (6), without obtaining permission to install such discharging facilities (including permission for alteration) or filing a report under Article 33 (1) through (3);
7. Where he/she installs, operates, or alters discharging facilities without installing prevention facilities under the main sentence of Article 35 (1);
8. Where a person exempted from installation of prevention facilities pursuant to the proviso to Article 35 (1) discharges pollutants in excess of the permissible discharge limits set under Article 32;
9. Where he/she operates discharging facilities without reporting startup operation or alteration under Article 37 (1);
10. Where he/she engages in any conduct referred to the subparagraphs of Article 38 (1) or the subparagraphs of paragraph (2) of the aforesaid Article;
11. Where he/she fails to install measuring instruments under Article 38-2 (1);
12. Where he/she engages in any conduct referred to in the subparagraphs of Article 38-3 (1);
13. Where he/she fails to comply with an order to suspend operation issued under Article 38-4 (2), 40, or this Article;
14. Where he/she fails to comply with an improvement order issued under Article 39;
15. Where a business operator who installed or operated discharging facilities dismantles the relevant discharging facilities to close his/her business.

(2) Where a business operator or an operator of prevention facilities falls under any of the following cases, the Minister of Environment may order him/her to suspend the operation for up to six months:

1. Where he/she fails to report an alteration under Article 33 (2) or (3);
2. Where he/she falsely prepares or fails to keep management records regarding the operation of the discharging facilities and prevention facilities under Article 38 (3);
3. Where he/she fails to appoint an environmental engineer under Article 47 or appoints an environmental engineer not meeting qualification standard, or an environmental engineer does not work on a regular basis.

Article 43 (Imposition of Penalty Surcharges)

(1) Where the Minister of Environment must order a business operator who installs or operates any of the following discharging facilities (excluding wastewater non-discharge facilities) to suspend the operation thereof pursuant to Article 42, but he/she deems that such suspension of operation is likely to substantially hinder the livelihood of residents, the national economy, including the nation's international credit rating, employment, and prices, or the public interest, he/she may impose a penalty surcharge not exceeding 300 million won, in lieu of ordering the suspension of operation:

1. Discharging facilities of medical institutions referred to in the Medical Service Act;
2. Electricity-generating facilities and equipment of power plants;
3. Discharging facilities of schools referred to in the Elementary and Secondary Education Act and the Higher Education Act;
4. Discharging facilities of manufacturing businesses;
5. Other discharging facilities prescribed by Presidential Decree.

(2) Notwithstanding paragraph (1), the Minister of Environment shall order the suspension of operation for the following violations:

1. Where a person liable to install prevention facilities (including common prevention facilities) pursuant to Article 35 operates discharging facilities without installing prevention facilities;
2. Where a person engages in any conduct referred to in the subparagraphs of Article 38 (1) and becomes subject to suspension of operation for at least 30 days;
3. Where a person fails to comply with an improvement order issued under Article 39.

(3) Where a business operator fails to pay a penalty surcharge under paragraph (1) by the payment due date, the Minister of Environment shall collect the penalty surcharge in the same manner as delinquent national taxes are collected.

(4) Penalty surcharges collected under paragraph (1) shall be deposited, as the revenue, into the special account for environmental improvement under the Framework Act on Environmental Policy.

(5) Where the Minister of Environment delegates his/her authority over the imposition and collection of penalty surcharges to the Mayors/Do Governors pursuant to Article 74, Article 41 (7) and (8) shall apply mutatis mutandis to the payment of collection expenses.

(6) Types of violations subject to penalty surcharges under paragraph (1), the amount of penalty surcharges depending on the severity of violations, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 44 (Orders to Close Illegal Facilities, etc.)

The Minister of Environment shall order a person who installs or uses discharging facilities without obtaining permission or filing a report under Article 33 (1) through (3) to suspend the use of the relevant discharging facilities: Provided, That where the Minister of Environment deems that the improvement of the relevant discharging facilities or the installation or improvement of prevention facilities could not lower the level of water pollutants discharged from such discharging facilities below the permissible discharge limits set under Article 32 (referring to where wastewater discharged from wastewater non-discharge facilities is deemed likely to be discharged into public waters), or the place in which the discharging facilities are installed is a place subject to prohibition of the installation of the relevant discharging facilities pursuant to other Acts, the Minister of Environment shall order him/her to close such discharging facilities.

Article 45 (Reporting on, and Verification of, Compliance with Orders)

(1) Where any person subject to an improvement order, an order to suspend operation, an order to suspend use, or an order of closure under Article 38-4 (2), 39, 40, 42, or 44 complies with such order, he/she shall immediately report thereon to the Minister of Environment.

(2) Upon receipt of a report under paragraph (1), the Minister of Environment shall immediately require relevant public officials to verify the compliance with the relevant order or the completion of improvement, and where he/she deems it necessary to test the level of pollution of wastewater, he/she shall require relevant public officials to collect samples, and instruct or request a testing institution prescribed by Ordinance of the Ministry of Environment to test the level of pollution.

Article 46 (Measurement of Water Pollutants)

A business operator may conduct self-measurements of water pollutants released from discharging facilities and prevention facilities he/she operates, and may require any measuring agency business operator registered under Article 16 of the Environmental Examination and Inspection Act to measure the water pollutants, in order to properly operate his/her discharge facilities and prevention facilities.

<Amended by Act No. 10615, Apr. 28, 2011>

Article 47 (Environmental Engineers)

(1) A business operator shall appoint environmental engineers to ensure the normal operation and management of discharging facilities and prevention facilities, as prescribed by Presidential Decree.

(2) Environmental engineers shall direct and supervise persons who work in discharging facilities and prevention facilities to comply with this Act or orders issued under this Act, and manage discharging facilities and prevention facilities to operate normally.

(3) Business operators shall oversee matters managed by environmental engineers under paragraph (2).

(4) No business operator or person who works for discharging facilities and prevention facilities shall interfere with the business practices of any environmental engineer for the normal operation and management of discharging facilities and prevention facilities, and upon receipt of a request necessary to conduct business affairs from environmental engineers, he/she shall comply therewith, without just grounds.

(5) The scope of places of business that must employ environmental engineers pursuant to paragraph (1) and qualification standards for environmental engineers shall be prescribed by Presidential Decree.

Article 48 (Installation of Wastewater Treatment Facilities)

(1) In order to jointly treat water pollutants discharged from places of business in areas where it is deemed impracticable to maintain environmental standards or that it is deemed necessary to preserve water quality and aquatic ecosystems due to worsening water pollution, and discharge treated wastewater into public waters, the State, local governments, and the Korea Environment Corporation may install and operate wastewater treatment facilities, and the State and local governments may require any of the following to install or operate wastewater treatment facilities. In such cases, business operators or other persons who have directly caused water pollution (hereinafter referred to as "causer") shall fully or partially bear expenses incurred in the installation and operation of wastewater treatment facilities:

1. The Korea Environment Corporation;
2. An operator of an industrial complex development project under Article 16 (1) (excluding subparagraphs 5 and 6 of Article 16 (1)) of the Industrial Sites and Development Act;
3. A project operator defined in subparagraph 7 of Article 2 of the Act on Public-Private Partnerships in Infrastructure;
4. Any person prescribed by Presidential Decree, who is able to install or operate wastewater treatment facilities, corresponding to those referred to in subparagraphs 1 through 3.

(2) Types of wastewater treatment facilities to be installed under paragraph (1) shall be prescribed by Presidential Decree.

Article 48-2 (Imposition and Collection of Charges for Installation and Operation of Wastewater Treatment Facilities)

(1) Any person who installs and operates wastewater treatment facilities (hereinafter referred to as "operator") pursuant to Article 48 may impose and collect charges for installation or operation of wastewater treatment facilities (hereinafter referred to as "charges for wastewater treatment facilities") on and from causers in order to fully or partially cover expenses incurred in installing and operating such wastewater treatment facilities.

(2) The total amount of charges for wastewater treatment facilities shall not exceed the amount an operator spends in relation to the execution of the relevant project.

(3) Charges for wastewater treatment facilities imposed on causers shall be determined based on the type and size of business of respective causers, and the quantity of pollutants, etc. discharged.

(4) The State and local governments may take measures necessary to provide tax breaks or financial support to small and medium business entrepreneurs so that their production activities and willingness to make investments may not be discouraged due to cost burdens borne by them under this Act.

(5) Methods for calculating charges for wastewater treatment facilities under paragraphs (1) through (3), methods and procedures for imposing and collecting such charges, and other necessary matters, shall be prescribed by Presidential Decree.

Article 49 (Master Plans for Wastewater Treatment Facilities)

(1) When the Minister of Environment installs wastewater treatment facilities (including the alteration thereto) pursuant Article 48 (1), he/she shall formulate a master plan.

(2) An operator (excluding the Minister of Environment) who intends to install wastewater treatment facilities (including the alteration thereto) pursuant to Article 48 (1) shall formulate a master plan for wastewater treatment facilities and obtain approval from the Minister of Environment, as prescribed by Presidential Decree. The same shall also apply where he/she intends to alter important matters prescribed by Ordinance of the Ministry of Environment.

(3) Where the Minister of Environment has formulated or approved (including approval for alteration; hereafter the same shall apply in this Article) a master plan for wastewater treatment facilities pursuant paragraphs (1) and (2), he/she shall designate an area (hereinafter referred to as "common treatment area") in which wastewater can be treated by the wastewater treatment facilities, announce the content of the master plan for wastewater treatment facilities formulated or approved, including the designation of the common treatment area, and forward a copy of the master plan for wastewater treatment facilities to the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu having jurisdiction over the proposed project area.

(4) Upon receipt of a copy of the master plan for wastewater treatment facilities forwarded under paragraph (3), the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu shall immediately make it available to interested persons for inspection.

(5) Any person who intends to install wastewater treatment facilities after obtaining approval of a master plan pursuant to paragraph (2) shall incorporate the approved matters in the basic design and the detail design of such facilities, as prescribed by Ordinance of the Ministry of Environment.

Article 49-2 (Cost Apportionment Plans)

(1) Where the Minister of Environment formulates a master plan pursuant to Article 49 (1), he/she shall formulate a plan regarding apportionment of costs (hereinafter referred to as "cost apportionment plan") necessary for the relevant project, and notify causers of the cost apportionment plan, as prescribed by Presidential Decree.

(2) When an operator (excluding the Minister of Environment) has obtained approval of a master plan for wastewater treatment facilities pursuant to Article 49 (2), he/she shall formulate a cost apportionment plan and obtain approval from the Minister of Environment, as prescribed by Presidential Decree. The same

shall also apply where he/she intends to alter such plan.

(3) Where the Minister of Environment approves a cost apportionment plan or approves the alteration thereto pursuant to paragraph (2), he/she shall determine the implementation period of the relevant project.

(4) When an operator (excluding the Minister of Environment) has obtained approval of a cost apportionment plan or approval for an alteration thereto pursuant to paragraph (2), he/she shall notify causers of such approval.

Article 49-3 (Succession to Rights and Duties)

A person who has acquired a factory or a place of business subject to the imposition of charges for wastewater treatment facilities shall succeed to the transferor's rights and duties regarding the charges for wastewater treatment facilities imposed pursuant to this Act prior to the transfer, unless otherwise expressly agreed upon between interested parties.

Article 49-4 (Expropriation and Use)

(1) Operators may expropriate or use land, buildings or fixtures on such land necessary to install wastewater treatment facilities, or rights, other than the ownership of the land, buildings, and fixtures.

(2) The Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply to expropriation or use under paragraph (1), except as otherwise expressly provided for in this Act.

(3) Where the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects applies pursuant to paragraph (2), approval of a master plan for wastewater treatment facilities under Article 49 of this Act or approval for any alteration thereto shall be construed as project approval under Article 20 (1) of the aforesaid Act, and notwithstanding Articles 23 (1) and 28 (1) of the aforesaid Act, an application for ruling shall be filed within the implementation period of the relevant project determined when a cost apportionment plan under Article 49-2 of this Act or any alteration thereto is approved.

Article 49-5 (Payment of Charges for Wastewater Treatment Facilities)

Charges for wastewater treatment facilities (only applicable to where an operator is the State) shall be deposited, as the revenue, into the special account for environmental improvement under the Framework Act on Environmental Policy: Provided, That the foregoing shall not apply where the State entrusts an installation and operation project of wastewater treatment facilities to other entities pursuant to Article 48 (1), and it shall transfer the collected charges for wastewater treatment facilities to a trustee.

Article 49-6 (Compulsory Collection)

(1) Where a person liable to pay charges for wastewater treatment facilities fails to do so by the payment due date, an operator shall issue a demand notice to the person, specifying a period of at least ten days. In such cases, the operator shall levy a late-payment penalty equivalent to five percent of charges in arrears.

(2) Where any person in receipt of the demand notice pursuant to paragraph (1) fails to pay charges by the specified due date, an operator may collect such charges in the same manner as delinquent national or local taxes are collected. In such cases, the operator shall obtain a prior approval from the Minister of Environment if he/she is any of the entities referred to in the subparagraphs of Article 48 (1) (hereinafter referred to as "Korea Environment Corporation, etc.").

(3) The Korea Environment Corporation, etc. may entrust the collection of charges to the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree, and the Mayor of a Special Self-Governing City, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu entrusted with such collection shall collect charges in the same manner as delinquent local taxes are collected. In such cases, the Korea Environment Corporation, etc. shall pay some of the collected charges to him/her as collection expenses, as prescribed by Presidential Decree.

Article 49-7 (Reporting, etc.)

Where deemed necessary to formulate a master plan under Article 49 and a cost apportionment plan under Article 49-2, an operator may request necessary report or data from causers of a common treatment area. In such cases, the causers shall comply therewith, except in exceptional circumstances.

Article 50 (Operation, Management, etc. of Wastewater Treatment Facilities)

- (1) No person who operates wastewater treatment facilities shall engage in any of the following conduct:
1. Discharging water pollutants that flow into drainage facilities installed under Article 51 (1) without flowing them into wastewater treatment facilities without just grounds, or installing facilities that can discharge water pollutants without flowing them into wastewater treatment facilities;
 2. Discharging water pollutants that flow into wastewater treatment facilities without passing through the final discharge outlet, or installing facilities that can discharge water pollutants without passing through the final discharge outlet;
 3. Treating water pollutants that flow into wastewater treatment facilities by mixing them with unpolluted water, or discharging water pollutants by mixing them with water to lower the pollution level before water pollutants that exceed the standards for effluent water quality pass the final discharge outlet.
- (2) An operator of wastewater treatment facilities shall operate such facilities appropriately in compliance with standards for maintenance and management prescribed by Ordinance of the Ministry of Environment.
- (3) Where the Minister of Environment deems that wastewater treatment facilities are operated and managed not in compliance with standards referred to in paragraph (2), he/she may order the operator of the wastewater treatment facilities to take necessary measures, such as improving such facilities, within a given period, as prescribed by Presidential Decree.

Article 51 (Installation and Management of Drainage Facilities)

- (1) A person prescribed by Presidential Decree among those who intend to install drainage facilities and those who intend to discharge wastewater in a common treatment area shall flow wastewater discharged from the relevant place of business into wastewater treatment facilities, and install necessary drainage facilities, such as drainage conduits.
- (2) Methods of installation and structural standards of drainage facilities that should be installed under paragraph (1), and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment: Provided, That if otherwise prescribed by other Acts and statutes, such other Acts and

statutes shall apply thereto.

Article 52 (Management of Domestic Sewage and Livestock Excreta)

The management of domestic sewage and livestock excreta shall be governed by the Sewerage Act, and the Act on the Management and Use of Livestock Excreta, respectively.

Article 53 (Reporting on Installation of Non-Point Pollution Sources, Matters to be Observed, Improvement Orders, etc.)

(1) The following persons shall file a report to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment. The same shall also apply where he/she intends to alter any matters prescribed by Presidential Decree among the reported matters:

1. A person who intends to perform a project prescribed by Presidential Decree, which is to an urban development project or industrial complex creation project of at least the scale prescribed by Presidential Decree, or which causes pollution by non-point pollution sources;
2. A person who installs steelmaking facilities, fabric dyeing facilities, or other wastewater discharge facilities prescribed by Presidential Decree in a place of business of at least the scale prescribed by Presidential Decree;
3. A person who falls under subparagraph 1 or 2 due to the occurrence of circumstances prescribed by Presidential Decree, such as the resumption of business, or extension of a place of business.

(2) Where a person files a report or a report on alteration under paragraph (1), he/she shall submit documents prescribed by Ordinance of the Ministry of Environment, such as a plan for reducing non-point source pollution, including a plan for installing facilities reducing non-point source pollution.

(3) Any person who has filed a report or a report on alteration pursuant to paragraph (1) (hereinafter referred to as "business operator who reports the installation of non-point pollution source") shall install facilities reducing non-point source pollution in accordance with standards prescribed by Ordinance of the Ministry of Environment by the time prescribed by Ordinance of the Ministry of Environment: Provided, That he/she need not install facilities reducing non-point source pollution if he/she falls under any of the following: <Amended by Act No. 12519, Mar. 24, 2014>

1. Where the level of pollution of stormwater runoff at a place of business referred to in paragraph (1) 2 or 3 is always below the permissible discharge limits set under Article 31, which is acknowledged by the Minister of Environment, as prescribed by Presidential Decree;
2. Where he/she treats stormwater runoff by flowing it into buffer storage facilities installed under Article 21-4;
3. Where one site is occupied by at least persons falling under any subparagraph of paragraph (1), deemed, by the Minister of Environment, capable of properly managing non-point pollution sources, as prescribed by Ordinance of the Ministry of Environment.

(4) Every business operator who has reported the installation of a non-point pollution source shall observe the following matters in conducting his/her business, or installing and operating facilities:

1. Implementing as specified in his/her plan for reducing non-point source pollution;
2. Operating and managing facilities reducing non-point source pollution, as prescribed by Ordinance of the Ministry of Environment, including maintenance in compliance with standards for installation prescribed under paragraph (3);
3. Other matters prescribed by Ordinance of the Ministry of Environment in order to properly manage non-point pollution sources.

(5) The Minister of Environment may order a person who has failed to observe matters provided for in paragraph (4) to implement as specified in his/her plan for reducing non-point source pollution or to install or improve facilities reducing non-point source pollution within a fixed period, as prescribed by Presidential Decree.

(6) Where the Minister of Environment intends to review a plan for reducing non-point source pollution submitted under paragraph (2) or to acknowledge a place of business which does not require facilities reducing non-point source pollution pursuant to paragraph (3) 1 or 3, he/she may hear the opinions on the appropriateness thereof from relevant specialized institutions prescribed by Ordinance of the Ministry of Environment.

(7) Article 36 shall apply mutatis mutandis to succession to the rights and duties of a business operator who has reported the installation of a non-point pollution source. In such cases, "business operator" shall be construed as "business operator who has reported the installation of a non-point pollution source"; "discharging facilities and prevention facilities" as "non-point pollution source or facilities reducing non-point source pollution"; "permission, permission for alteration, a report or a report on alteration" as "report or a report on alteration"; "lease" as "lease or replacement of the main agent of operation and management"; a "lessee" shall be construed as a "lessee or a replaced operation and management body"; and "Articles 38, 38-2 through 38-5, 39 through 41, 42 (excluding revocation of permission), 43, 46, 47, and 68 (1) 1" as "paragraphs (4) and (5) and Article 68 (1) 3", respectively.

(8) Methods of preparing plans for reducing non-point source pollution under paragraph (2), and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 53-2 (Installation of Facilities for Reducing Non-Point Pollution to Ensure Water Quality of Water Sources)

(1) The State or local governments shall install facilities for reducing non-point pollution on a road prescribed by Presidential Decree among roads defined in subparagraph 1 of Article 2 of the Road Act, if such road is located in any of the following areas:

1. A water source protection area;
2. A certain area in the upstream or downstream of water intake facilities, which is within a distance prescribed by Ordinance of the Ministry of Environment in cases of areas not publicly announced as water source protection areas;
3. A special-measures area;

4. A riparian zone designated and publicly notified, respectively, under Article 4 of the Act on the Improvement of Water Quality and Support for Residents of the Han River Basin, Article 4 of the Act on the Management of Water and Resident Support in the Nakdong River Basin, Article 4 of the Act on Water Management and Resident Support in the Geum River Basin, and Article 4 of Water Management and Resident Support in the Yeongsan and Seomjin River Basins;

5. An area prescribed by Ordinance of the Ministry of Environment as it could seriously pollute the water source.

(2) The State may provide subsidies to local governments that install facilities for reducing non-point pollution as prescribed in paragraph (1).

Article 54 (Designation, etc. of Management Areas)

(1) The Minister of Environment may designate an area, in which stormwater runoff released from a non-point pollution source compromise, or is likely to compromise, the purposes of rivers, lakes and marshes, or causes or is likely to cause serious harm to the health or property of residents, or the natural ecosystems, as a non-point pollution source management area (hereinafter referred to as "management area") in consultation with the competent Mayor/Do Governor.

(2) The Mayor/Do Governor may request the Minister of Environment to designate an area within his/her jurisdiction, in which non-point pollution sources need to be managed, as a management area.

(3) Where the Minister of Environment deems it necessary to cancel the designation of a management area as the ground for designation has ceased or it is impracticable to accomplish the purposes of the designation thereof, he/she may wholly or partially cancel the designation of the management area.

(4) Criteria and procedures for designation of management areas, and other necessary matters, shall be prescribed by Presidential Decree.

(5) Where the Minister of Environment designates a management area or cancels the designation thereof, he/she shall publicly notify the location and surface area of the management area, the date of designation, the purposes of designation, the date of cancellation, grounds for cancellation, and other matters prescribed by Ordinance of the Ministry of Environment.

Article 55 (Formulation of Management Measures)

(1) Upon having designated or announced a management area, the Minister of Environment shall formulate management measures for non-point pollution sources (hereinafter referred to as "management measures"), including the following matters, in consultation with the heads of related central administrative agencies and the Mayors/Do Governors:

1. Management objectives;
2. Types and quantity of water pollutants subject to management;
3. Prevention of the generation of water pollutants subject to management and a plan to reduce them;
4. Other matters prescribed by Ordinance of the Ministry of Environment to properly manage the management area.

(2) When the Minister of Environment has formulated management measures, he/she shall notify the Mayors/Do Governors of the management measures.

(3) The Minister of Environment may request the heads of related central administrative agencies, Mayors/Do Governors, and the heads of related institutions or organizations to submit materials necessary to formulate management measures.

Article 56 (Formulation of Action Plans)

(1) Upon receipt of notice of management measures from the Minister of Environment pursuant to Article 55 (2), a Mayor/Do Governor shall formulate a plan to implement the management measures (hereinafter referred to as "action plan") including the following matters, and implement the action plan after obtaining approval from the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment. The same shall also apply where the Mayor/Do Governor intends to alter matters prescribed by Ordinance of the Ministry of Environment in the action plan:

1. Current status of, and plans for, development of the management area;
2. Current status of the generation of water pollutants subject to management measures in the management area, and expected changes in the quantity of water pollutants to be generated due to a regional development plan;
3. Prevention of the generation of water pollutants subject to management measures, such as environment-friendly development;
4. A plan to reduce water pollutants subject to management measures, including installing and operating prevention facilities and reducing the area of the impermeable layer;
5. Other matters prescribed by Ordinance of the Ministry of Environment to implement management measures.

(2) Each Mayor/Do Governor shall prepare a report assessing the outcomes of implementation of the action plan of the preceding year and submit the report to the Minister of Environment by the end of March each year, as prescribed by Ordinance of the Ministry of Environment.

(3) If deemed necessary for efficiently implementing the management measures and the action plan after reviewing the assessment report submitted pursuant to paragraph (2), the Minister of Environment may request a relevant Mayor/Do Governor to supplement or alter the action plan. In such cases, the relevant Mayor/Do Governors shall comply therewith, except in exceptional circumstances.

(4) Where the relevant Mayor/Do Governor fails to comply with a request made under paragraph (3), the Minister of Environment may take measures, such as suspending or curtailing financial support.

Article 57 (Subsidies from Budget, etc.)

The Minister of Environment may fully or partially subsidize expenses incurred in formulating or implementing action plans, within budgetary limits.

Article 57-2 (Technical Development and Research)

In order to develop and disseminate technology necessary to manage and reduce non-point pollution sources, the Minister of Environment may require a specialized research institution prescribed by

Ordinance of the Ministry of Environment to promote the research and development of such technology, and provide the specialized research institution with financial support.

Article 58 (Tolerances for Pesticide Residues)

(1) The Minister of Environment may set tolerances for pesticide residues in water or soil, if deemed necessary to prevent the pollution of water or soil.

(2) When the Minister of Environment deems that levels of pesticide residues in water or soil exceed or are likely to exceed tolerances set under paragraph (1), he/she may request the heads of related administrative agencies to take necessary measures, such as prohibiting manufacturing or alteration of the relevant pesticide, or collecting and discarding the relevant products. In such cases, the heads of the related administrative agencies shall comply therewith, except in exceptional circumstances.

Article 59 (Recommending on Methods of Cultivating Land in High Altitude Regions)

(1) In order to preserve water quality and aquatic ecosystems of public waters, the Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu may recommend persons who cultivate farmland with at least a gradient prescribed by Ordinance of the Ministry of Environment among farmland located in areas higher than the sea level prescribed by Ordinance of the Ministry of Environment to alter the methods of cultivation, reduce the use of pesticides and fertilizer, and let farmland lie fallow.

(2) The Governor of a Special Self-Governing Province, or the head of a Si/Gun/Gu may compensate for losses incurred to farmers by cultivating crops, or by letting their farmland lie fallow upon recommendation under paragraph (1), as prescribed by Presidential Decree.

Article 60 (Reporting, etc. on Installation of other Water Pollution Sources)

(1) Any person who intends to install or manage other water pollution sources shall report thereon to the Minister of Environment, as prescribed by Ordinance of the Ministry of Environment. The same shall also apply where he/she intends to alter any reported matter.

(2) Any person who installs or manages other water pollution sources shall take necessary measures, such as installing facilities to prevent or control discharge of water pollutants, as prescribed by Ordinance of the Ministry of Environment.

(3) Where the Minister of Environment deems that facilities or measures to control discharge of water pollutants under paragraph (2) are inappropriate, he/she shall order the improvement of such facilities or measures within a fixed period, as prescribed by Ordinance of the Ministry of Environment.

(4) Where a person who has filed a report pursuant to paragraph (1) violates an improvement order issued under paragraph (3), the Minister of Environment may order him/her to suspend operation or close the relevant water pollution source.

(5) Articles 36 and 44 shall apply mutatis mutandis to other water pollution sources.

Article 61 (Restrictions on Use of Pesticides on Golf Courses)

(1) No person who installs or manages a golf course shall use any pesticides prescribed by Presidential Decree, which are fatally or highly poisonous (hereinafter referred to as "fatally or highly poisonous pesticides"), among pesticides defined in subparagraph 1 of Article 2 of the Pesticide Control Act, on the

lawn and trees of the golf course: Provided, That the foregoing shall not apply where the head of the competent administrative agency deems it inevitable to prevent and exterminate harmful insects and infectious tree diseases.

(2) The Minister of Environment shall ascertain whether fatally or highly poisonous pesticides are used on golf courses, as prescribed by Ordinance of the Ministry of Environment.

Article 62 (Registration of Wastewater Treatment Business)

(1) Any person who intends to conduct a business of treating wastewater upon entrustment (hereinafter referred to as "wastewater treatment business") shall be registered with the Minister of Environment, upon being equipped with technical capability, facilities, and equipment, as prescribed by Ordinance of the Ministry of Environment. The same shall also apply where he/she alters any important matters prescribed by Ordinance of the Ministry of Environment among the registered matters.

(2) A person whose wastewater treatment business (hereinafter referred to as "wastewater treatment business operator") has been registered pursuant to paragraph (1) shall observe the following matters:

1. To be entrusted with wastewater treatment in consideration of the capacity of and potential for treating wastewater;
2. To ensure the proper operation of his/her wastewater treatment business by maintaining and inspecting his/her technical capacity, facilities, equipment, etc. under paragraph (1);
3. Not to install or operate facilities below the capability or capacity of treatment prescribed by Ordinance of the Ministry of Environment;
4. Not to re-outsource the treatment of wastewater with which he/she was entrusted to another wastewater treatment business operator: Provided, That the foregoing shall not apply where wastewater is left untreated for a period prescribed by Ordinance of the Ministry of Environment because it is impossible to normally treat wastewater due to an event, etc.;
5. Other matters prescribed by Ordinance of the Ministry of Environment to properly treat the wastewater entrusted.

Article 63 (Grounds for Disqualification)

None of the following persons shall be registered to conduct the wastewater treatment business:

1. An incompetent under adult guardianship or a quasi-incompetent under limited guardianship;
2. A person declared bankrupt but yet to be reinstated;
3. A person in whose case two years have not passed since the registration of his/her wastewater treatment business was revoked pursuant to Article 64;
4. A person in whose case two years have not passed since his/her imprisonment with labor declared by a court, for a violation of this Act, the Clean Air Conservation Act, or the Noise and Vibration Control Act, was completely executed or exempted;
5. A corporation, any of the executives of which falls under any of subparagraphs 1 through 4.

Article 64 (Revocation, etc. of Registration)

(1) Where a wastewater treatment business operator falls under any of the following, the Minister of Environment shall revoke his/her registration:

1. Where he/she falls under any of the subparagraphs of Article 63: Provided, That the foregoing shall not apply where an executive of a corporation that falls under subparagraph 5 of Article 63 is replaced with another person within six months;
2. Where he/she has been registered by fraud or other illegal means;
3. Where he/she fails to commence his/her business within two years from the date of registration or has had no business performance for at least two consecutive years;
4. Where he/she is unable to maintain standards for technical capacity, facilities, and equipment referred to in the former part of Article 62 (1) due to the expiration of the designated period of the waste discharge under the Marine Environment Management Act or the revocation of the ocean waste discharge business.

(2) Where a wastewater treatment business operator falls under any of the following, the Minister of Environment may revoke his/her registration or order him/her to suspend his/her business for a fixed period not exceeding six months:

1. Where he/she lends his/her registration certificate to any other person;
2. Where he/she has been subject to the suspension of business at least two occasions a year;
3. Where he/she conducts the wastewater treatment business unconscientiously, either intentionally or by gross negligence;
4. Where he/she engages in business activities during the suspension period of business.

(3) Where a wastewater treatment business operator falls under any of the following, the Minister of Environment may order him/her to suspend business for a fixed period not exceeding six months:

1. Where he/she fails to register an alteration pursuant to the latter part of Article 62 (1);
2. Where he/she fails to comply with any of the matters to be observed under Article 62 (2).

Article 65 (Succession to Rights and Duties)

(1) Any of the following persons shall succeed to the former wastewater treatment business operator's rights and duties vested or imposed under this Act. In such cases, a transferee, heir or corporation falling under any of subparagraphs 1 through 4 of Article 63 may transfer his/her business to a third person or corporation within three months:

1. Where a business operator dies, his/her heir;
2. Where a business operator has transferred his/her business, the transferee thereof;
3. Where a corporate business operator is merged with another corporation, a corporation surviving the merger or the corporation incorporated in the course of the merger.

(2) A person who acquires facilities for engaging in the wastewater treatment business according to any of the following procedures shall succeed to the former wastewater treatment business operator's rights and duties vested or imposed under this Act: Provided, That the foregoing shall not apply where the person who acquires facilities falls under any of the subparagraphs of Article 63:

1. Auction under the Civil execution Act;
2. Conversion under the Debtor Rehabilitation and Bankruptcy Act;
3. Sale of seized property under National Tax Collection Act, the Customs Act, or the Framework Act on Local Taxes;
4. Other procedures corresponding to any of the procedures referred to in subparagraphs 1 through 3.

Article 66 (Imposition of Penalty Surcharges)

(1) Where the Minister of Environment must order a person whose wastewater treatment business has been registered pursuant to Article 62 (1) to suspend his/her business pursuant to Article 64, and he/she deems that such suspension of business is likely to substantially hinder the livelihood of residents and the public interest, he/she may impose a penalty surcharge not exceeding 200 million won, in lieu of ordering the suspension of business: Provided, That the foregoing shall not apply where he/she falls under Article 64 (2) 1 through 3, (3) 1 or 2 (only applicable to where he/she fails to comply with any of the matters to be observed under Article 62 (2) 4).

(2) Article 43 (3) through (6) shall apply mutatis mutandis to the imposition, collection, etc. of penalty surcharges under paragraph (1).

(3) Types of violations subject to penalty surcharges under paragraph (1), the amount of penalty surcharges depending on the severity of violations, and other necessary matters, shall be prescribed by Ordinance of the Ministry of Environment.

Article 67 (Education of Environmental Engineers, etc.)

(1) Any person who employs technicians or environmental engineers engaged in the wastewater treatment business shall require such technicians or environmental engineers to receive education conducted by the Minister of Environment, the Mayor/Do Governor, or the Mayor of a large city, as prescribed by Ordinance of the Ministry of Environment.

(2) The Minister of Environment, the Mayor/Do Governor, or the Mayor of a large city may collect expenses incurred in conducting education under paragraph (1) from those who employ persons who should receive education, as prescribed by Ordinance of the Ministry of Environment.

Article 68 (Reporting, Inspections, etc.)

(1) In circumstances prescribed by Ordinance of the Ministry of Environment, the Minister of Environment or a Mayor/Do Governor may require the following persons to submit necessary reports or materials, and require related public officials to gain access to the relevant facilities, places of business, etc. to collect water pollutants and examine relevant documents, facilities, equipment, etc. in order to verify whether such facilities, places of business, etc. meet the standards for effluent water quality, permissible discharge limits set under Article 32, and standards for permission or permission for alteration under Article 33, or measuring instruments are operated normally, or matters to be observed under Article 53 (4) are observed:

1. A business operator;

2. A person who installs or operates wastewater treatment facilities (including facilities prescribed by Ordinance of the Ministry of Environment among public sewage treatment facilities);
3. A person who falls under Article 53 (1);
4. A person who has filed a report on the installation or management of other water pollution sources under Article 60;
5. A wastewater treatment business operator registered under Article 62 (1);
6. A person entrusted with the affairs of the Minister of Environment or a Mayor/Do Governor pursuant to Article 74 (2).

(2) Where the Minister of Environment requires a public official to collect water pollutants pursuant to paragraph (1) in order to verify whether the permissible discharge limits and standards for effluent water quality are met, or whether water pollutants are discharged from wastewater non-discharge facilities, he/she shall request a testing institution prescribed by Ordinance of the Ministry of Environment to test the level of pollution: Provided, That the foregoing shall not apply where it can be judged on the spot whether water pollutants prescribed by Ordinance of the Ministry of Environment exceed permissible discharge limits or standards for effluent water quality.

(3) Any public official who gains access or conducts inspections pursuant to paragraph (1) shall carry a certificate of identification, indicating his/her authority, and produce it to related persons.

Article 69 (National Subsidies)

The State may subsidize funds necessary for local governments to conduct projects for preserving water quality and aquatic ecosystems, within the budgetary limits.

Article 70 (Cooperation from Related Institutions)

Where deemed necessary to accomplish the purpose of this Act, the Minister of Environment may request the heads of related institutions to take the following measures. In such cases, the heads of the related institutions shall comply therewith, except in exceptional circumstances:

1. Improving methods for preventing and exterminating noxious insects;
2. Regulating the use of pesticides and fertilizer;
3. Regulating the use of water for farming;
4. Designating green spaces and nature prevention areas;
5. Installing wastewater treatment facilities or public sewage treatment facilities;
6. Dredging public waters;
7. Revoking permission to occupy and use a river, suspending the execution of river conservation works or an alteration therein, or relocating or removing artificial structures thereof;
8. Revoking permission to occupy and use public waters, suspending or restricting the use of public waters, or rebuilding or removing facilities, etc.;
9. Taking measures to prevent water pollution regarding facilities that could cause water pollution, such as oil pipelines, oil storage facilities, pesticide storage facilities, and submitting data on the current status of facilities;

10. Other matters prescribed by Presidential Decree.

Article 71 (Criteria for Taking Administrative Dispositions)

Criteria for taking administrative dispositions for violations of this Act or any order issued under this Act shall be prescribed by Ordinance of the Ministry of Environment.

Article 72 (Hearings)

The Minister of Environment shall hold hearings to take any of the following dispositions:

1. Revoking permission or issuing an order to close a discharging facility under Article 35 (3), 42 or 44;
2. Issuing an order to close other water pollution sources under Article 60 (4);
3. Revoking registration under Article 64.

Article 73 (Fees)

Any person who intends to obtain any of following permission, etc. or file any of the following reports, etc. shall pay fees, as prescribed by Ordinance of the Ministry of Environment:

1. Permission or permission for alteration, or reporting or reporting on alteration of discharging facilities under Article 33 (1) through (3);
2. Reporting or reporting on alteration under Article 53;
3. Reporting on installation of other water pollution sources or alteration thereto under Article 60 (1);
4. Registration of wastewater treatment business or alteration thereto under Article 62 (1).

Article 74 (Delegation and Entrustment)

(1) The Minister of Environment may delegate part of his/her authority vested under this Act to a Mayor/Do Governor, the Mayor of a large city, the head of an environment research institution under the jurisdiction of the Ministry of Environment, or the head of a regional environment office, as prescribed by Presidential Decree.

(2) The Minister of Environment or a Mayor/Do Governor may entrust part of his/her affairs under this Act to a relevant specialized institution, as prescribed by Presidential Decree.

Article 75 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than seven years, or by a fine not exceeding 70 million won: <Amended by Act No. 12519, Mar. 24, 2014>

1. A person who installs or alters a discharging facility without obtaining permission under Article 33 (1) or permission for alteration under Article 33 (2), or upon obtaining permission or permission for alteration by fraud means, or operates his/her business using such discharging facility;
2. A person who installs a restricted discharging facility in an area in which the installation of discharging facilities is restricted pursuant to Article 33 (5) and (6), or operates his/her business using such facilities;
3. A person who engages in any conduct referred to in the subparagraphs of Article 38 (2).

Article 76 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than five years, or by a fine not exceeding 50 million won: <Amended by Act No. 12519, Mar. 24, 2014>

1. A person who fails to comply with an order to suspend operation or close a facility under Article 4-6 (4);
2. A person who installs a discharging facility without filing a report under Article 33 (1), or upon filing a false report, or operates using such discharging facility;
3. A person who engages in any conduct referred to in the subparagraphs of Article 38 (1);
4. A person who fails to take a measure to install measuring instruments pursuant to Article 38-2 (1) (excluding a person who fails to install a wattmeter, or flow meter);
5. A person who engages in any conduct referred to in Article 38-3 (1) 1 or 3;
6. A person who violates an order to suspend operation under Article 40;
7. A person who violates an order to suspend operation or close a facility under Article 42;
8. A person who violates an order to suspend the use of, or close a facility under Article 44;
9. A person who engages in any conduct referred to in the subparagraphs of Article 50 (1).

Article 77 (Penal Provisions)

Any person who leaks, discharges, or dumps a specific substance harmful to water, etc., in violation of Article 15 (1) 1, shall be punished by imprisonment with labor for not more than three years, or by a fine not exceeding 30 million won. <Amended by Act No. 12519, Mar. 24, 2014>

Article 78 (Penal Provisions)

Any of the following persons shall be punished by imprisonment with labor for not more than one year, or by a fine not exceeding ten million won: <Amended by Act No. 12519, Mar. 24, 2014>

1. A person who violates an order to take measures, such as improvement of facilities, under Article 12 (2);
2. A person who leaks or discharges a specific substance harmful to water due to professional negligence or by gross negligence, in violation of Article 15 (1) 1;
3. A person who dumps human excreta, livestock excreta, etc., in violation of Article 15 (1) 2;
4. A person who discharges or dumps earth and sand exceeding standards prescribed by Ordinance of the Ministry of Environment, in violation of Article 15 (1) 4;
5. A person who violates an order to implement prevention and elimination measures under Article 15 (3);
6. A person who violates the traffic restriction imposed under Article 17 (1);
7. A person who violates an order to take special measures under Article 21-3 (1);
8. A person who operates without reporting startup operation under Article 37 (1);
9. A person who refuses, interferes with, or evades an inspection conducted under Article 37 (4);
10. A person who fails to comply with an order to suspend operation under Article 38-4 (2);
11. A person who violates an order to take measures, such as improvement of facilities, under Article 50 (3);
12. A person who fails to install a facility reducing non-point source pollution under the main body of Article 53 (3);

13. A person who violates an order to implement a plan for reducing non-point source pollution, or an order to install or improve a facility reducing non-point source pollution under Article 53 (5);
14. A person who installs or manages other water pollution sources without filing a report under Article 60 (1);
15. A person who violates an order to suspend the operation of facilities or close facilities under Article 60 (4) or (5);
16. A person who conducts the wastewater treatment business without registration or registration of alteration under Article 62 (1);
17. A business operator who installs or operates wastewater non-discharge facilities, who refuses, interferes with, or evades the access and inspections of a related public official under Article 68 (1).

Article 79 (Penal Provisions)

Any of the following persons shall be punished by a fine not exceeding five million won:

1. A person who fails to comply with an order to take measures under Article 38-4 (1);
2. A wastewater treatment business operator who fails to observe matters to be observed under Article 62 (2) 1 or 2;
3. A person who refuses, interferes with, or evades the access and inspections of a related public official under Article 68 (1) (excluding a business operator who installs or operates wastewater non-discharge facilities).

Article 80 (Penal Provisions)

Any of the following persons shall be punished by a fine not exceeding one million won:

1. A person who fails to install a wattmeter or flow meter pursuant to Article 38-2 (1);
2. A person who interferes with the business practices of an environmental engineer or refuses a request of an environmental engineer without just grounds, in violation of Article 47 (4).

Article 81 (Joint Penal Provisions)

If the representative of a corporation, or an agent, employee or other servant of a corporation or an individual commits an offence referred to in Articles 75 through 80 in connection with the business of the corporation or the individual, not only shall such offender be punished, but also the corporation or individual shall be punished by a fine under the relevant Article: Provided, That the foregoing shall not apply where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant business to prevent such offence.

Article 82 (Administrative Fines)

(1) Any of the following persons shall be punished by an administrative fine not exceeding ten million won:

1. A person who fails to install or operate a measuring instrument under Article 4-5 (4);
2. A person who fails to record or keep any of the measurement readings under Article 4-5 (4), or records or keeps false measurement readings;

3. A person who fails to observe matters to be observed under Article 35 (2);
4. A person who fails to appoint an environmental engineer, in violation of Article 47 (1);
5. A person who fails to file a report under Article 53 (1);
6. A person who uses fatally or highly poisonous pesticides on the lawns and trees of the golf course, in violation of Article 61;
7. A wastewater treatment business operator who fails to observe matters to be observed under Article 62 (2) 4 or 5.

(2) Any of the following persons shall be punished by an administrative fine not exceeding three million won:

1. A person who fishes in a “no-take” zone designated under Article 20 (1);
2. A person who fails to keep records on the operating status of discharging facilities, etc., or falsifies such records, in violation of Article 38 (3);
3. A person who engages in the conduct referred to in Article 38-3 (1) 2;
4. A person who fails to meet any of the standards for operation and management, in violation of Article 38-3 (2);
5. A person who fails to report an alteration under the latter part of Article 53 (1);
6. A person who fails to install facilities or to take other necessary measures, in violation of Article 60 (2).

(3) Any of the following persons shall be punished by an administrative fine not exceeding one million won:

1. A person who violates Article 15 (1) 3;
2. A person who fishes in a fishing-restricted zone, in violation of restrictions imposed under Article 20 (2);
3. A person who fails to report on an alteration under the proviso to Article 33 (2) or paragraph (3) of the aforesaid Article;
4. A person who fails to report on an alteration under the latter part of Article 60 (1);
5. A person who fails to require environmental engineers, etc. to receive education, in violation of Article 67;
6. A person who fails to file a report under Article 68 (1) or files a false report, or fails to submit data or submits false data.

(4) The Minister of Environment, the Mayor/Do Governor or the head of a Si/Gun/Gu shall impose and collect administrative fines under paragraphs (1) through (3), as prescribed by Presidential Decree.

ADDENDA

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Levy of Discharge Imposition)

The amended provisions of Article 41 shall apply, starting with the first discharge imposition levied after this Act enters into force.

Article 3 (Applicability to Report on Non-Point Pollution Sources)

The amended provisions of Article 53 concerning the report on the creation of non-point pollution sources shall apply, starting with the first business entity who files an application for permission for, or files a report on, the installation of the wastewater discharge facilities pursuant to the provisions of Article 33 (1) and with any business entity who submits an assessment statement pursuant to the provisions of Article 17 (1) or (2) of the Act on Assessment of Impacts of Works on Environment, Traffic, Disasters, etc. after this Act enters into force.

Article 4 (Transitional Measures concerning Application of Penalty Provisions, etc.)

The application of the penalty provisions and administrative fines to any activities performed prior to this Act enters into force shall be governed by the former provisions.

Article 5 Omitted.

Article 6 (Relationship with Other Acts)

Where the provisions of the Water Quality Conservation Act are cited by other statutes at the time this Act enters into force, the relevant provisions of this Act shall be deemed cited in lieu of the former provisions if the provisions corresponding thereto exist in this Act.

ADDENDA <Act No. 8038, Oct. 4, 2006>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 11 Omitted.

ADDENDA <Act No. 8209, Jan. 3, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force of six months after the date of its promulgation.

Article 2 (Transitional Measures concerning Projects to Install Wastewater Terminal Treatment Facilities)

The project to install terminal treatment facilities implemented in accordance with Article 12 of the Environment Improvement Expenses Liability Act at the time when this Act enters into force shall be deemed the project to install terminal treatment facilities implemented in accordance with the amended provisions of Article 48.

Article 3 (Transitional Measures concerning Basic Plan for Wastewater Terminal Treatment Facilities)

Where the approval for the installment of wastewater terminal treatment facilities and the operational project plan in accordance with Article 15 of the former Environment Improvement Expenses Liability

Act at the time when this Act enters into force, the approval for a basic plan for wastewater terminal treatment facilities under the amended provisions of Article 49 shall be deemed granted.

Article 4 (Transitional Measures concerning Approval for Expense Funding Plan)

Where the approval for an expense funding plan has been granted under Article 16 of the former Environment Improvement Expenses Liability Act at the time when this Act enters into force, it shall be deemed that approval has been granted for the expense funding plan under the amended provisions of Article 49-2.

Article 5 (Transitional Measures concerning Basic Plan for Wastewater Terminal Treatment Facilities, etc.)

The project to install the terminal treatment facilities, the establishment of, and approval for, a basic plan, the establishment of, and approval for, an expense funding plan, compulsory collection, etc. with regards to acts in progress at the time when this Act enters into force shall be deemed as being in progress in accordance with the amended provisions of Articles 48 (1), 49, 49-2 and 49-6.

Article 6 Omitted.

ADDENDA <Act No. 8260, Jan. 19, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 24 Omitted.

ADDENDA <Act No. 8338, Apr. 6, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 17 Omitted.

ADDENDA <Act No. 8370, Apr. 11, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 20 Omitted.

ADDENDA <Act No. 8466, May 17, 2007>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 (Transitional Measures concerning Submission of Reduction Plan for Non-Point Pollution)

The reduction plan for non-point pollution submitted before this Act enters into force shall be deemed the reduction plan for non-point pollution submitted in accordance with the amended provisions of Article 53 (2): Provided, That any person who has filed a report on installing non-point pollution

sources in accordance with the former provisions at the time this Act enters into force may newly submit the reduction plan for non-point pollution under the amended provisions of Article 53 (2) within three months from the date when this Act enters into force.

Article 3 (Transitional Measures concerning Application of Penalty Provisions)

The application of penalty provisions and administrative fines to any violation committed before this Act enters into force shall be governed by the former provisions.

Article 4 Omitted.

Article 5 (Relationship with other Acts)

Where the provisions of the Water Quality Conservation Act are cited by other statutes at the time this Act enters into force, the relevant provisions of this Act shall be deemed cited in lieu of the former provisions if the provisions corresponding thereto exist in this Act.

ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <Act No. 8976, Mar. 21, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 10 Omitted.

ADDENDA <Act No. 9433, Feb. 6, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2010.

Articles 2 through 11 Omitted.

ADDENDUM <Act No. 9697, May 21, 2009>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 9770, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2010.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 10152, Mar. 22, 2010>

This Act shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 10219, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 10272, Apr. 15, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 14 Omitted.

ADDENDA <Act No. 10599, Apr. 14, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation. (Proviso Omitted)

Articles 2 through 9 Omitted.

ADDENDA <Act No. 10616, Apr. 28, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <Act No. 10615, Apr. 28, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 9 Omitted.

ADDENDA <Act No. 10893, Jul. 21, 2011>

Article 1 (Enforcement Date)

This Act shall enter into one year after the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Act No. 10911, Jul. 25, 2011>

Article 1 (Enforcement Date)

This Act shall enter into three months after the date of its promulgation.

Articles 2 through 5 Omitted.

ADDENDA <Act No. 11020, Aug. 4, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 11 Omitted.

ADDENDUM <Act No. 11258, Feb. 1, 2012>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 11670, Mar. 22, 2013>

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 16-2, 17 (2) 6, and 53-2 shall enter into force on January 1, 2014.

ADDENDA <Act No. 11690, Mar. 23, 2013>

Article 1 (Enforcement Date)

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <Act No. 11862, Jun. 4, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Articles 2 through 12 Omitted.

ADDENDA <Act No. 11915, Jul. 16, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <Act No. 11979, Jul. 30, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 43 (6) and 66 (3) shall enter into force one year after the date of their promulgation.

Article 2 (General Transitional Measures)

An act done, by or against, an administrative agency under the former provisions as at the time this Act enters into force shall be deemed an act done by, or against, a corresponding administrative agency

under this Act corresponding.

Article 3 (Transitional Measures concerning Installation of Measuring Instruments)

A device for measuring the discharge concentration of water pollutants installed under the former Article 38-2 as at the time this Act enters into force shall be deemed an automatic water quality tester installed under the amended provisions of Article 38-2.

Article 4 (Transitional Measures concerning Incompetents, etc.)

A person in whose case the declaration of incompetence or quasi-incompetence remains effective pursuant to Article 2 of Addenda to the Civil Act partly amended by Act No. 10429 shall be deemed included in an incompetent under adult guardianship or a quasi-incompetent under limited guardianship referred to in the amended subparagraph 1 of Article 63.

Article 5 (Transitional Measures concerning Imposition of Penalty Surcharges)

The former provisions shall apply where a penalty surcharge is imposed on a violation committed before this Act enters into force, in lieu of suspension of business, notwithstanding the amended proviso to Article 66 (1).

Article 6 (Transitional Measures concerning Penal Provisions)

The former provisions shall apply where penal provisions apply to violations committed before this Act enters into force, notwithstanding the amended provisions of Article 78.

Article 7 Omitted.

ADDENDA <Act No. 12248, Jan. 14, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 25 Omitted.

ADDENDA <Act No. 12519, Mar. 24, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: Provided, That the amended provisions of Articles 75, 76, and 77 shall enter into force on the date of their promulgation, and the amended provisions of Article 15 (1) 4 and subparagraph 4 of Article 78 shall enter into force six months after the date of their promulgation.

Article 2 (Special Cases concerning Consultation about Installation and Operation of Buffer Storage Facilities in Existing Industrial Areas and Industrial Complexes, and Deadline for Installation)

Notwithstanding the amended provisions of Article 21-4 (1) and (2), the Special Metropolitan City Mayor, a Metropolitan City Mayor, the Mayor of a Special Self-Governing City, the Governor of Special Self-Governing Province, or the head of a Si/Gun (excluding the head of a Gun within a Metropolitan City) having jurisdiction over the location of an industrial area or industrial complex (excluding an industrial area or industrial complex in which buffer storage facilities have been installed

or are being installed) under the amended provision of Article 21-4 (1) shall survey site conditions, the characteristics of wastewater, possibility of the occurrence of water pollution incidents, etc., consult about the place to install the buffer storage facilities and the implementation schedule thereof with the Minister of Environment within one year after this Act enters into force, and install such buffer storage facilities by the deadline fixed at the time of consultation.

Article 3 (Transitional Measures concerning Installation and Operation of Buffer Storage Facilities)

Notwithstanding the amended provisions of Article 21-4, the Minister of Environment shall operate buffer storage facilities he/she has installed pursuant to Article 5 of Addenda to the Act on Water Management and Resident Support in the Nakdong River Basin partly amended by Act No. 6606, and paragraph (2) of Addenda to the Act on Water Management and Resident Support in the Nakdong River Basin partly amended by Act No. 9310 before this Act enters into force, or he/she is installing as at the time this Act enters into force.

Article 4 Omitted.

