WATER QUALITY AND ECOSYSTEM CONSERVATION ACT

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)
The purpose of this Act is to prevent people’s health and environment from being exposed to harm and danger caused by water pollution and to properly manage and preserve water quality and aquatic ecosystems of the public waters, including rivers, lakes and marshes, etc. in order to enable people to enjoy benefits accruing from measures, and hand down such benefits to our future generations. (Amended by Act No. 8466, May 17, 2007)

Article 2 (Definitions)
The definitions of the terms used in this Act shall be as follows: (Amended by Act No. 8260, Jan. 19, 2007; Act No. 8370, Apr. 11, 2007; Act No. 8466, May 17, 2007)
1. The term “point pollution sources” means the wastewater discharge facilities, sewage generating facilities, cattle barns, etc., which release water-quality pollutants into certain places through conduits, waterways, etc.;
2. The term “non-point pollution sources” means the cities, roads, farmlands, mountain areas, construction sites, etc., which release water-quality pollutants into unspecified places in an unspecified manner;
3. The term “other water pollution sources” means point pollution sources and non-point pollution sources of facilities or places that release untreated water-quality pollutants, which are prescribed by Ordinance of the Ministry of Environment;
4. The term “wastewater” means water mixed with liquid or solid water-quality pollutants, that can not be used as it is for any purpose;
5. The term “rainfall outflow water” means rainwater, melting snow water, etc. that flows out after being mixed with the water-quality pollutants of non-point pollution sources;
6. The term “impermeable layers” means the asphalt-or concrete-paved roads, parking lots and sidewalks that prevent rainwater and melting snow water, etc. from permeating underground;
7. The term “water-quality pollutants” means substances that pollute water quality, which are prescribed by Ordinance of the Ministry of Environment;
8. The term “specific substances harmful to water quality” means water-quality pollutants that are feared to harm directly and indirectly human health and property as well as the raising of animals and the growth of plants, which are prescribed by Ordinance of the Ministry of Environment:
9. The term “public waters” means rivers, lakes, marshes, harbors, waters, coastal areas, waters used for public purposes and waterways used for public purposes by linking themselves with the former, which are prescribed by Ordinance of the Ministry of Environment:

10. The term “wastewater discharge facilities” means facilities, machines, equipment and other objects that release water-quality pollutants, which are prescribed by Ordinance of the Ministry of Environment: Provided, That ships and marine facilities provided for in subparagraphs 16 and 17 of Article 2 of the Marine Environment Management Act shall be excluded:

11. The term “wastewater non-discharge facilities” means wastewater discharge facilities that do not release wastewater into public waters through the treatment of wastewater from waste discharge facilities by using water pollution prevention facilities or by reusing the treated wastewater in the relevant business place:

12. The term “water pollution prevention facilities” means the facilities used to remove or reduce water-quality pollutants released by point pollution sources, non-point pollution sources and other water pollution sources, which are prescribed by Ordinance of the Ministry of Environment:

12-2. The term “reduction facilities for non-point pollution” means a kind of water pollution prevention facilities, which are used to remove or reduce water-quality pollutants released by non-point pollution sources, and prescribed by Ordinance of the Ministry of Environment:

13. The term “lake and marsh” means water and land of a full-water-level area (referring to a planned floodwater level in cases of a dam) falling under any of the following items:
   (a) A place where the flowing water of any river or any valley is stored through the construction of any dam, any dam for irrigation or any dike, etc. (excluding any erosion control facilities provided for in the Work Against Land Erosion or Collapse Act):
   (b) A place where the flowing water of any river is naturally stored:
   (c) A place where water is stored when caved in by any volcanic activity:

14. The term “water surface manager” means the person who is in charge of managing any lake and any marsh pursuant to the provisions of other Acts and subordinate statutes. In cases where two or more persons are in charge of managing the same lake and marsh, the person other than the river management authority provided for in the River Act shall be the water surface manager: and

15. The term “lake and marsh for water supply sources” means a lake and marsh where intake facilities provided for in subparagraph 17 of Article 3 of the Water Supply and Waterworks Installation Act are installed inside and outside such land and marsh (hereinafter referred to as the “intake facilities”) in order to use the water of the relevant lake and marsh as potable water, which are prescribed and published by the Minister of Environment, from among lakes and marshes located outside water supply source protection areas (hereinafter referred to as the “water supply source protection areas”) provided for in Article 7 of the Water Supply and Waterworks Installation Act and special countermeasure areas (hereinafter referred to as “special countermeasure areas”) that are designated pursuant to the provisions of Article 22 of the Framework Act on Environmental Policy in order to preserve the water quality thereof.

Article 3 (Duties)

(1) The State and local governments shall take policy steps to prevent the contamination of water quality and aquatic ecosystems, to properly control the instances of contamination
of water quality and aquatic ecosystems and to properly manage and preserve water quality and aquatic ecosystems of the public waters, including rivers, lakes and marshes, etc. in order for people to lead their lives in a healthy and comfortable environment. <Amended by Act No. 8466, May 17, 2007>

(2) All people shall vigorously participate in and cooperate with the policy steps implemented by the State and local governments to reduce water-quality pollutants that result from their daily lives and business activities and to preserve water quality and the aquatic ecosystem. <Amended by Act No. 8466, May 17, 2007>

**Article 4 (Quantity Regulation of Water-quality Pollutants)**

(1) The Minister of Environment may, with regards to a region falling under any of the following subparagraphs, regulate the total quantity of water-quality pollutants by river-system spheres of influence under Article 22 (2): Provided, That in cases of the region to which the Act on the Management of Water and Support for Residents of the Gum River System, the Act on the Management of Water and Support for Residents of the Nakdong River System, the Act on the Management of Water and Support for Residents of the Yeongsan and Seomjin River Systems and the Act on the Improvement of Water Quality and Support for Residents of the Riverhead of the Han River System (hereinafter referred to as the “Acts on four major river systems”) applies, it is governed by the relevant provisions of the Acts on four major river systems, and in cases of the region in which the quality regulation of pollutants is implemented in accordance with the Prevention of Marine Pollution Act, it is governed by the relevant provisions of the Prevention of Marine Pollution Act:

1. A region belonging to the basin of the river system that is recognized as whose target criteria may not be achieved or maintained as a result of the evaluation as to whether the target criteria of water quality and aquatic ecosystems has been achieved or maintained in accordance with Article 10-2 (2) and (3); or
2. Region belonging to the basin of the river system that is recognized as it may cause serious harm to the health or property of the residents or the aquatic ecosystem due to the water pollution.

(2) The Minister of Environment shall determine and publish the area whose total amount of water-quality pollutants to be regulated in accordance with paragraph (1) under conditions prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8466, May 17, 2007]

**Article 4-2 (Publication or Public Notice of Target Water-quality for Quantity Regulation of Pollutants and Establishment of Basic Guidelines for Quantity Regulation of Pollutants)**

(1) The Minister of Environment shall determine and publish the target water qualities for the quantity regulation of pollutants (hereinafter referred to as the “target water quality for quantity regulation of pollutants”) by sections of river system under conditions prescribed by Presidential Decree by considering the current status of use or water quality of the river system of the regions designated and published in accordance with Article 4 (2) (hereinafter referred to as the “region subject to the quantity regulation of pollutants”): Provided, That the same shall not apply to regions for which the competent Mayors of the Special Metropolitan City and the Metropolitan Cities, Do governors, and Do governor of the Special Self-governing Province (hereinafter referred to as “Mayor/Do governor”) publishes target water qualities for quantity regulation of pollutants by sections of river system located with the jurisdiction of the relevant City/Do after obtaining approval from
the Minister of Environment as prescribed by Presidential Decree with the purposes of achieving target water-quality for quantity regulation of pollutants on the border points of the Special Metropolitan City, Metropolitan Cities, Do or the Special Self-governing Province (hereinafter referred to as the “City/Do”) determined and published by the Minister of Environment.

(2) The Minister of Environment shall establish, in order to achieve and maintain the target water-quality for quantity regulation of pollutants, the basic guidelines regarding the quantity regulation of pollutants (hereinafter referred to as “basic guidelines for quantity regulation of pollutants”) in which matters prescribed by Presidential Decree are included, after going through consultation with the relevant Mayor/Do governor and notify the relevant Mayor/Do governor.

Article 4-3 (Establishment of Basic Plan for Quantity Regulation of Pollutants, etc.)

(1) The Mayor/Do governor who has jurisdiction over a region subject to the quantity regulation of pollutants shall, in compliance with the basic guidelines for quantity regulation of pollutants, establish a basic plan (hereinafter referred to as "basic plan for quantity regulation of pollutants") in which each of following matters are included and obtain approval from the Minister of Environment as prescribed by Ordinance of the Ministry of Environment. The same shall apply to cases where important matters prescribed by Presidential Decree from among the matters of the basic plan for quantity regulation of pollutants to be changed:

1. Matters on the development plan for the relevant region;
2. Allotment of the loading quantity for contamination by local governments, and by sections of river system;
3. Total quantity of the loading quantity for contamination discharged in his/her jurisdiction and a reduction plan therefor; or
4. Total quantity of the loading quantity for contamination additionally discharged as a result of the development plan for the relevant region and the reduction plan therefor.

(2) The standards for granting approval on the basic plan for quantity regulation of pollutants shall be prescribed by Ordinance of the Ministry of Environment.

Article 4-4 (Establishment and Operation of Implementation Plan for Quantity Regulation of Pollutants, etc.)

(1) The Special Metropolitan City Mayor, the Metropolitan City Mayor, the Do governor, the Special Self-governing Province governor, or the head of Si/Gun (excluding the head of Gun of the Metropolitan City: hereinafter the same shall apply in this Article) who has jurisdiction over the region whose target water-quality for quantity regulation of pollutants has not been achieved or maintained as prescribed by Ordinance of the Ministry of Environment, from among the regions subject to the quantity regulation of pollutants, shall establish the implementation plan (hereinafter referred to as “implementation plan for quantity regulation of pollutants”) in compliance with the basic plan for quantity regulation of pollutants and operate it as prescribed by Presidential Decree after obtaining approval from the Minister of Environment or the Mayor/Do governor. The same shall apply to cases where important matters prescribed by Presidential Decree from among the matters of the implementation plan for quantity regulation of pollutants to be amended.

(2) The Special Metropolitan City Mayor, the Metropolitan City Mayor, the Do governor, the Special Self-governing Province governor or the head of Si/Gun (hereinafter referred to as “head of local government in charge of quantity regulation of pollutants”) who operate the implementation plan for quantity regulation of pollutants in accordance with the provisions
of paragraph (1), shall prepare a report on which the performance of the implementation plan for quantity regulation of pollutants of the preceding year is evaluated as prescribed by Ordinance of the Ministry of Environment and submit it to the heads of local environmental administrative agencies. In such cases, the head of Si/Gun shall submit it through the competent Do governor.

(3) The heads of local environmental administrative agencies may demand the establishment and the implementation of measures or countermeasures necessary for the head of local government in charge of quantity regulation of pollutants in order to smoothly implement the implementation plan for quantity regulation of pollutants after reviewing the report submitted in accordance with paragraph (2). In such cases, the competent head of local government in charge of quantity regulation of pollutants shall comply with such request unless special grounds exist that prevent him/her from doing so.

(This Article Newly Inserted by Act No. 8466, May 17, 2007)

Article 4-5 (Allotment Loading Quantity for Contamination by Facilities, etc.)

(1) The Minister of Environment may, in cases where it is necessary to achieve and maintain the target water-quality for quantity regulation of pollutants, allot the loading quantity for contamination by final ditches and by unit periods or designate the quantity for discharge as prescribed by Ordinance of the Ministry of Environment with regards to facilities prescribed by Presidential Decree from among facilities to which any of the following standards apply. In such cases, the Minister of Environment shall hold prior consultation with the head of local government in charge of quantity regulation of pollutants:

1. Standards for the quality of water released, pursuant to Article 12 (3):
2. Standards for permitting discharge pursuant to Article 32:
3. Standards for the quality of water released, pursuant to Article 7 of the Sewerage Act:

(2) The head of local government in charge of quantity regulation of pollutants may, in cases where it is necessary to achieve and maintain the target water quality for quantity regulation of pollutants, with regards to facilities prescribed by Ordinance of the Ministry of Environment from among facilities other than those prescribed by Presidential Decree pursuant to paragraph (1), to which any standard falling under subparagraphs of paragraph (1) applies, allot the loading quantity for contamination by final ditches and by unit periods or designate the quantity for discharge as prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment or the head of local government in charge of quantity regulation of pollutants shall, when he/she allot the loading quantity for contamination or designates the quantity for discharge in accordance with the provisions of paragraph (1) or (2), hear the opinions of interested persons in advance, and take necessary measures to make the interested persons aware the contents thereof.

(4) Any person who installs or operate facilities for which the loading quantity for contamination has been allotted or the quantity for discharge has been designated in accordance with the provisions of paragraph (1) or (2) (hereinafter referred to as “person running business of allotted contamination, etc.”), shall equip and run devices which are able to measure the loading quantity for contamination and the quantity for discharge and records the results of such measurements truthfully under conditions prescribed by Presidential Decree: Provided, That the same shall not apply to cases of a person running a gauge-building business, etc. under Article 38-3.
Article 4-6 (Order to Take Measures, etc. against Person of Excessive Release)

(1) The Minister of Environment or the head of local government in charge of quantity regulation of pollutants may order any person who releases in excess of the loading quantity for contamination or the quantity for discharge allotted or designated in accordance with Article 4-5 (1) or (2) (hereinafter referred to as “allotted loading quantity for contamination, etc.”) to take necessary measures, including the improvement of water pollution prevention facilities, etc.

(2) Every person who has been issued an order to take measures in accordance with paragraph (1), shall submit a plan for improvement to the Minister of Environment or the head of local government in charge of quantity regulation of pollutants and then implement the order to take measures in accordance with paragraph (1) under conditions prescribed by Ordinance of the Ministry of Environment.

(3) The provisions of Article 45 shall apply mutatis mutandis to reports on implementation of orders to take measures in accordance with paragraph (2) and the confirmation thereof. In such cases, “the order to take measures in accordance with Article 38-4 (2), 39, 40, 42 or 44” shall be read “the order to take measures in accordance with Article 4-6 (1)”, and “the Minister of Environment” shall be deemed “the Minister of Environment or the head of local government in charge of quantity regulation of pollutants.”

(4) The Minister of Environment or the head of local government in charge of quantity regulation of pollutants may, in cases where any person who has been ordered to take measures in accordance with paragraph (1) has failed to implement such order, or he/she has implemented such order within the period for implementation but he/she has been found, as a result of survey, continuously exceeding the allotted loading quantity for contamination, etc., order to suspend, in whole or in part, the operation of the relevant facilities by fixing a period within six months or to close down the relevant facilities: Provided, That in cases where even if the measures for improving the prevention facilities, etc. have been taken, there is little chance of lowering below the allotted loading quantity for contamination, etc. and prescribed by Ordinance of the Ministry of Environment, the order to close down shall be issued.

(5) The provisions of Article 43 shall apply mutatis mutandis to dispositions of penalty surcharge imposed in lieu of the suspension of operation in accordance with paragraph (4). In such cases, “the Minister of Environment” shall be deemed “the Minister of Environment or the head of local government in charge of quantity regulation of pollutants”: “the person running business” shall be deemed “the person running business of allotted contamination, etc.”: “Article 42” shall be read as “Article 4-6 (4)”: and “precedents on dispositions taken to collect national taxes in arrears” shall be read “precedents on dispositions taken to collect national or local taxes in arrears.”

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

(1) The Minister of Environment or the head of local government in charge of quantity regulation of pollutants may impose and collect charges for release in excess of total quantity of pollutants (hereinafter referred to as “charges for release in excess of total quantity of pollutants”) from any person who has discharged in excess of the allotted loading quantity for contamination, etc.

(2) Matters necessary for the means of and criteria for calculating charges for release in excess of total quantity of pollutants, etc. shall be prescribed by Presidential Decree.

(3) When charges for release in excess of total quantity of pollutants are imposed pursuant to the provisions of paragraph (1), in cases where the discharge imposition amount under...
Article or the penalty surcharge under Article 12 of the Act on Special Measures for the Control of Environmental Offenses (limited to penalty surcharges imposed with regards to water quality) has previously been imposed, the relevant amount shall be reduced.

(4) The provisions of Article 41 of (4) through (8) apply mutatis mutandis to the imposition and collection of charges for release in excess of the total quantity of pollutants, etc. In such cases, “the Minister of Environment” shall be deemed “the Minister of Environment or the head of local government in charge of quantity regulation of pollutants.” and “the discharge imposition amount” shall be read “the charges for release in excess of the total quantity of pollutants.”

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 4-8 (Support by Local Government to Region subject to Quantity Regulation of Pollutants and Punishment against Noncompliance, etc.)

(1) The State may provide support for a part of expenses incurred in regulating the total quantity of pollutants to the local government which has established and operated an implementation plan for quantity regulation of pollutants.

(2) The heads of relevant administrative agencies shall be prohibited from granting approval, permission, etc. with regards to any of the following subparagraphs to any local government which has exceeded the loading quantity for contamination by local governments and by sections of river system in accordance with Article 4-3 (1) 2 or has failed to establish or operate, without justifiable grounds, the basic plan for quantity regulation of pollutants or the implementation plan for quantity regulation of pollutants:

1. Implementation of a project for urban development under the provisions of Article 2 (1) 2 of the Urban Development Act;
2. Development of an industrial sites under the provisions of subparagraph 5 of Article 2 of the Industrial Sites and Development Act;
3. Development of a tourist spots and the tourism complex under the provisions of subparagraphs 6 and 7 of Article 2 of the Tourism Promotion Act; or
4. Installment of structures, including buildings, of a scale not smaller than that prescribed by Presidential Decree.

(3) The Minister of Environment or the heads of relevant central administrative agencies may, in cases where the head of a relevant administrative agency has violated the provisions of paragraph (2) or the head of a local government in charge of quantity regulation of pollutants has failed to comply with the request under Article 4-4 (3) without justifiable grounds, suspend or downsize financial support or take other necessary measures.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

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

(1) The Minister of Environment may, in order to build the information system to be used for the efficient utilization of data necessary for the implementation of the quantity regulation of pollutants, request the heads of related agencies, including the heads of relevant central administrative agencies, local governments, public agencies under Article 4 of the Act on the Protection of Personal Information Maintained by Public Agencies, etc. to submit necessary data. In such cases, the heads of related agencies shall comply with such request without justifiable grounds to the contrary.

(2) The Minister of Environment may, in order to adjust pollutants subject to the quantity regulation of pollutants, and the target water qualities for quantity regulation of pollutants by sections of river system, and to perform the review, survey and research on the implementation of the quantity regulation of pollutants, organize the survey and research
team by gathering experts on related fields and operate it under conditions prescribed
by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 5 (Provision of Information)
The Minister of Environment shall build and operate a computer network for people to
gain easy access to information pertaining to the results of regular measurement and of
investigations provided for in Article 9, the results of surveys of pollution sources, as
provided for in Article 23, pollution levels, discharge quantities, etc. of the wastewater
released by waste-water discharge facilities and other information prescribed by Ordinance
of the Ministry of Environment.  (Amended by Act No. 8466, May 17, 2007)

Article 6 (Support for Civilians Involved in Preservation Activities for Water Quality and
Aquatic Ecosystems)
The State and local governments may support voluntary preservation activities for water
quality and aquatic ecosystems and monitoring activities for contamination and damage
thereof, carried out by local residents and nongovernmental organizations.  (Amended by
Act No. 8466, May 17, 2007)

Article 6-2 (Support for Survey and Research on Water Quality and Aquatic Ecosystem)
The State and local governments may support survey and research activities on water
quality and aquatic ecosystems performed by companies, universities, private organizations,
government-invested research institutions and national or public research institutions,
etc.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 7 (Support for Environment-Friendly Goods)
The Government may subsidize the producers, sellers or consumers of goods that can
serve to reduce the consumption of water or the use of synthetic chemical compounds,
including detergents, etc. or to prevent
the occurrence of water pollution in rivers, lakes and marshes by reducing the presence of
water-quality pollutants, and take policy steps to support technology development and
develop relevant industries.

Article 8 Deleted. (by Act No. 8038, Oct. 4, 2006)

CHAPTER II PRESERVATION OF WATER QUALITY AND
AQUATIC ECOSYSTEM IN PUBLIC WATERS

SECTION 1 General Provisions

Article 9 (Regular Measurements and Research on Water Quality and Aquatic Ecosystem)
(1) The Minister of Environment may, in order to ascertain the actual state of water quality
and aquatic ecosystems of rivers, lakes, marsh, and other public waters prescribed by
Ordinance of the Ministry of Environment (hereinafter referred to as “rivers, lakes and
marsh, etc.”), install a monitoring net in order to regularly measure the level of water
pollution, the current status on water quality and aquatic ecosystems of rivers, lakes and
marsh, etc. across the nation.
(2) The Minister of Environment shall, when he/she establishes the plan for surveying
the river area under Article 2 (1) 2 of the River Act, from among regions subject to research
on the actual state of the aquatic ecosystem in accordance with paragraph (1), consult
with the Minister of Land, Transport and Maritime Affairs. (Amended by Act No. 8852, Feb.
29, 2008)
(3) Each Mayor/Do governor may install a monitoring net in order to regularly measure
the level of water pollution in order to ascertain the actual state of water pollution and aquatic ecosystems or conduct research on the current status of water quality and aquatic ecosystems in his/her respective jurisdictional areas. In such cases, the regular measurement or the results of research shall be reported to the Minister of Environment.

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

[This Article Wholly Amended by Act No. 8466, May 17, 2007]

**Article 10 (Decision on and Publication of Plan for Building Measuring Networks)**

(1) The Minister of Environment shall decide on a plan for building measuring networks which specifies the locations of measuring networks provided for in Article 9 (1), measurement items and the time and frequency of measurement, etc. and publish such plan under conditions prescribed by Ordinance of the Ministry of Environment and offer drawings for public perusal. The same shall apply to a case where he/she changes the plan.

(2) The provisions of paragraph (1) shall apply mutatis mutandis to cases where the Mayor/Do governor builds any measuring network pursuant to the provisions of Article 9 (2).

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

(1) The Minister of Environment shall, when he/she shall determine and publish the target criteria for water quality and aquatic ecosystem (hereinafter referred to as “target criteria”) by river-system spheres of influence under Article 22 and by lakes and marsh subject to the survey and measurement under Article 28 by considering the purposes for using rivers, lakes and marsh, etc., the current status of the water quality and aquatic ecosystems, the current status and prospects of the pollutants.

(2) The Minister of Environment shall evaluate each of following matters and make the result thereof public:

1. Whether the target criteria has been met or not; and
2. In cases where the water pollution of rivers, lakes and marsh, etc., is feared to cause harm to people or the ecosystem, the evaluation on such hazard.

(3) The methods and procedures necessary for the determination and publication of target criteria, the evaluation of whether the target criteria has been achieved and disclosure of the results thereof, etc pursuant to paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Environment.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

**Article 10-3 (Committee for Deliberation on Policy of Water Quality and Aquatic Ecosystems)**

(1) The Committee for Deliberation on Policy of Water Quality and Aquatic Ecosystems (hereinafter referred to as the "Committee") shall be established under the Minister of Environment in order to deliberate on each of following matters:

1. Matters on long-term and short-term directions for policies for the preservation of water quality and aquatic ecosystems;
2. Matters on the management system of water quality and aquatic ecosystems;
3. Priorities for managing river systems, lakes and marshes, etc. and matters on countermeasures for management;
4. Matters on priorities for investment in public facilities under Article 12;
5. Matters on the measurement and research related to water quality and aquatic ecosystems;
6. Matters on the assessment of status of implementation of policies related to subparagraphs 1 through 5 and the evaluation of performance; or
7. Other matters related to policies for the preservation of water quality and aquatic ecosystems prescribed by Presidential Decree.

(2) The Minister of Environment shall be the chairman of the Committee, and the vice-chairman shall be appointed or commissioned by the chairman from among the committee members.

(3) The Committee shall be comprised of 20 committee members including one chairman, one vice-chairman.

(4) Committee members, other than the chairman shall be as follow: (Amended by Act No. 8852, Feb. 29, 2008)

1. The Vice Minister of Strategy and Finance, the Vice Minister for Food, Agriculture, Forestry and Fisheries, the Vice Minister of Land, Transport and Maritime Affairs and the Administrator of Korea Forest Service;

2. Three experts related to water quality and aquatic ecosystems commissioned by the Minister of Environment;

3. Three experts related to water quality and aquatic ecosystems respectively, commissioned by the Minister of Environment on the recommendation of the Minister for Food, Agriculture, Forestry and Fisheries, or the Minister of Land, Transport and Maritime Affairs; and

4. The representatives of relevant agencies or organizations prescribed by Presidential Decree who are commissioned by the Minister of Environment.

(5) Matters necessary for the operation of the Committee shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 11 (Relation with Other Acts)

(1) When the Minister of Environment or the Mayor/Do governor decides on and publishes the plan for building any measuring network pursuant to the provisions of Article 10, he/she shall be deemed to have obtained the permission falling under each of the following subparagraphs: (Amended by Act No. 8338, Apr. 6, 2007; Act No. 8976, Mar. 21, 2008)

1. Permission for implementation of river works provided for in Article 30 of the River Act, permission for occupation and use of rivers provided for in Article 33 of the same Act, and permission for use of river water provided for in Article 50 of the same Act;

2. Permission for any road occupation and use provided for in Article 38 of the Road Act; and

3. Permission for the occupation and use of any public waters provided for in the provisions of Article 5 of the Public Waters Management Act.

(2) In cases where the permission matters falling under each subparagraph of paragraph (1) are included in the plan for building a measuring network provided for in Article 10, the Minister of Environment or the Mayor/Do governor shall consult thereon with the heads of relevant agencies before he/she decides on and publishes the plan for building such measuring network.

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

(1) The Minister of Environment may, when it is deemed especially necessary to prevent the occurrence of water pollution in the public waters, get the Mayor/Do governor and the head of Si/Gun/Gu (referring to the head of the autonomous Gu; hereinafter the same shall apply) to install and upgrade sewage conduits, wastewater and sewage terminal treatment facilities or waste treatment facilities, etc. in their respective jurisdictional areas.
(2) The Minister of Environment may, when the quality of the water released by the wastewater terminal treatment facilities referred to in the provisions of paragraph (1) exceeds the standards for the water quality of released water, get anyone who installs and manages the relevant facilities to take measures necessary to upgrade his/her facilities.

(3) Water-quality standards for the water released by the wastewater terminal treatment facilities referred to in the provisions of paragraph (1) (hereinafter referred to as "standards for the water quality of released water") shall be set by Ordinance of the Ministry of Environment after consulting thereon with the heads of relevant central administrative agencies and water-quality standards for water released by sewage terminal treatment facilities or waste treatment facilities shall be governed by the Sewerage Act or the Wastes Control Act.

Article 13 (Reflection in National Land Plan)

The Mayor/Do governor or the head of Si/Gun shall, when developing the Do comprehensive plan or the Si/Gun comprehensive plan according to the Framework Act on the National Land, reflect the preventative measures provided for in Article 22 (1) and the plan for installing sewage terminal treatment facilities and excreta treatment facilities, etc. in such comprehensive plans under conditions prescribed by Presidential Decree in order to prevent water pollution of public waters.

Article 14 (Reflection in Basic Urban Planning)

The Special Metropolitan City Mayor, the Metropolitan City Mayor and the head of Si/Gun shall, if they each develop a basic urban planning pursuant to the provisions of Article 18 of the National Land Planning and Utilization Act, reflect the Do comprehensive plan provided for in Article 13 and the comprehensive plan for installing sewage terminal treatment facilities and excreta treatment facilities, etc. included in the metropolitan development project plan provided for in Article 5 of the Balanced Regional Development and Support for Local Small and Medium Enterprises Act in the relevant basic urban planning.

Article 15 (Prohibition on Release, etc.)

(1) Anyone shall be prohibited from engaging in the activities falling under any of the following subparagraphs without justifiable grounds:

1. Leaking, releasing or dumping specific substances harmful to water quality, designated wastes provided for in the Wastes Control Act, petroleum products and crude oil (excluding petroleum gas; hereinafter referred to as "oils") provided for in the Petroleum and Petroleum Substitute Fuel Business Act, toxic substances (hereinafter referred to as "toxic substances") provided for in the Toxic Chemicals Control Act and agrochemicals (hereinafter referred to as "agrochemicals") provided for in the Agrochemicals Control Act in the public waters;

2. Dumping excreta, livestock wastewater, the dead bodies of animals, wastes (excluding the designated wastes provided for in the Wastes Control Act) or sludge in the public waters;

3. Washing vehicles in rivers, lakes and marshes; and

4. Seriously polluting any water supply source, any river, any lake and any marsh by flowing or dumping a large quantity of earth and sand in the public waters.

(2) In cases where the public waters are polluted or are feared to be polluted by any activities referred to in the provisions of paragraph (1) 1 or 2, the actor, any corporation to which the actor belongs and any business operator for whom the actor works (hereinafter referred to as "actor, etc.") shall take measures to prevent pollution and remove pollutants as prescribed by Ordinance of the Ministry of Environment, including the removal of the
relevant substances (hereinafter referred to as “prevention and removal measures”). *(Amended by Act No. 8466, May 17, 2007)*

(3) In cases where the actor, etc. fails to take prevention and removal measures pursuant to the provisions of paragraph (2), the Mayor/Do governor may order the actor, etc. to take such prevention and removal measures.

(4) When anyone who is ordered to take prevention and removal measures pursuant to the provisions of paragraph (3) fails to take such prevention and removal measures or prevention and removal measures, alone, are deemed difficult to prevent water pollution or remove water pollution, the Mayor/Do governor may get the head of Si/Gun/Gu to vicariously implement the relevant prevention and removal measures.

(5) The vicarious implementation of the relevant prevention and removal measures referred to in the provisions of paragraph (4) shall be governed by the Administrative Vicarious Execution Act. In such cases, the order given by the Mayor/Do governor under the provisions of paragraph (3) shall be deemed an order issued by the head of Si/Gun/Gu.

**Article 16 (Report on Water Pollution Accident)**

When anyone who transports and stores oils, toxic substances, agrochemicals or specific substances harmful to water quality pollutes the water quality with such substances, he/she shall promptly make a report thereon to the relevant local environmental administrative agency or other administrative agencies, including the Si/Gun/Gu, etc.

**Article 17 (Restrictions on Traffic for Preserving Water Quality of Water Supply Sources)**

(1) Anyone who drives any vehicle loaded with substances feared to pollute water supply sources if and when such vehicle is overturned or plunges into such water supply sources in an accident shall be prohibited from driving his/her vehicle on the roads and sections prescribed by Ordinance of the Ministry of Environment pursuant to the provisions of paragraph (4) in an area falling under any of the following subparagraphs or any other area adjacent to the former:

1. The water supply source protection area:
2. The special countermeasure area:
3. The waterside area designated and published pursuant to the provisions of Article 4 of the Act on the Improvement of Water Quality and Support for Residents of the Riverhead of the Han River System, the provisions of Article 4 of the Act on the Management of Water and Support for Residents of the Nakdong River System, the provisions of Article 4 of the Act on the Management of Water and Support for Residents of the Gum River System and the provisions of Article 4 of the Management of Water and Support for Residents of the Yeongsan and Seomjin River Systems; and
4. The area prescribed by Ordinance of the Ministry of Environment as being feared to seriously pollute water supply sources.

(2) The term “substances that are feared to pollute water supply sources” referred to in the body of paragraph (1) means substances falling under any of the following subparagraphs:

1. Specific substances harmful to water quality:
2. Designated wastes provided for in subparagraph 4 of Article 2 of the Waste Control Act (limited to wastes in liquid state and other wastes prescribed by Ordinance of the Ministry of Environment):
3. Oils:
4. Toxic substances:
5. Agrochemicals and raw materials provided for in subparagraphs 1 and 3 of Article
6. Radioactive isotopes and radioactive wastes provided for in the provisions of subparagraphs 6 and 18 of Article 2 of the Atomic Energy Act; and
7. Other substances prescribed by Presidential Decree.

(3) The Commissioner General of the National Police Agency shall, when it is deemed necessary to restrict the traffic of vehicles pursuant to the provisions of paragraph (1), take measures falling under any of the following subparagraphs:
1. Installation of signs reading restrictions on vehicle traffic; and
2. Crackdown on vehicles that violate traffic restrictions.

(4) Necessary matters concerning roads and sections on which the vehicle traffic is prohibited and vehicles, etc. referred to in the provisions of paragraph (1) shall be prescribed by Ordinance of the Ministry of Environment after the Minister of Environment consults thereon with the Commissioner General of the National Police Agency.

Article 18 (Prevention of Water Pollution Caused by Occupation and Use of Public Waters and Tidal Flat Reclamation)

(1) Any administrative agency that intends to grant permission or authorization for occupation and use or tidal flat reclamation of public waters may attach conditions thereto that are necessary to prevent the water pollution of public waters.

(2) Necessary matters concerning details of the conditions referred to in paragraph (1) and the methods of preventing the water pollution, etc. shall be prescribed by Presidential Decree.

Article 19 (Recommendation, etc. with Respect to Growing Specific Crops)

(1) The Mayor/Do governor may, when it is deemed necessary to preserve the water quality of public waters, recommend anyone who grows crops in any river, lake and marsh area to change kinds of crops and methods of growing crops or to suspend his/her growing of crops in such area.

(2) The Mayor/Do governor may, under conditions prescribed by Presidential Decree, compensate for any loss that the grower suffers by growing the crops or suspending his/her growing of crops on the recommendation referred to in the provisions of paragraph (1).

Article 19-2 (Recommendation of Measures for Preservation of Water Quality and Aquatic Ecosystem)

(1) The Minister of Environment may, when it is found that, as a result of measurements and research, if any measure would not been taken, water quality and aquatic ecosystems of rivers, lakes, marshes, etc. may be affected by serious harm, recommend any person who manages public waters (referring to the manager of water surface, river management agency under Article 12 of the River Act, and the head of Si/Gun/Gu) to take measures necessary for the preservation of water quality and aquatic ecosystems.

(2) The Minister of Environment may partly subsidize expenses incurred in implementing recommendations pursuant to paragraph (1).

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

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

(1) The Minister of Environment may, when he/she deems it necessary for the preservation of water quality and aquatic ecosystems, purchase waterside wetland or waterside land falling under standards prescribed by Presidential Decree (hereinafter referred to as “riverine ecological zone”) or manage it by creating ecologically under conditions prescribed by Ordinance of the Ministry of Environment.

(2) The Mayor/Do governor may, in cases where it is inevitable for the protection of water supply source located with his/her jurisdiction and
prescribed by Presidential Decree purchase the riverine ecological zone in compliance with the criteria under paragraph (1) or manage it by creating ecologically under conditions prescribed by Ordinance of the Ministry of Environment.

(3) Land falling under a river area pursuant to Article 2 (1) 2 of the River Act shall be excluded from land subject to purchase.

(4) The Minister of Environment shall, when he/she intends to purchase land or select land subject to creation pursuant to paragraph (1) shall hold prior consultation with the heads of relevant central administrative agencies and the heads of competent local governments.

(5) Matters necessary for the criteria of selecting land to be subject to purchase, calculation of the purchase price, methods of purchase, procedures, etc., with regards to the purchase of land pursuant to paragraphs (1) and (2) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 20 (Restrictions on Acts of Fishing)

(1) The head of Si/Gun/Gu may designate any fishing prohibition area or any fishing-restriction area taking into account the objectives of using rivers (excluding national rivers and local rivers under Article 7 (2) and (3) of the River Act), lakes and marshes as well as the actual water quality thereof under conditions prescribed by Presidential Decree. In such cases, the head of Si/Gun/Gu shall consult thereon with the relevant water surface manager.  

(Amended by Act No. 8338, Apr. 6, 2007)

(2) Anyone who intends to fish in any fishing-restriction area referred to in the provisions of paragraph (1) shall abide by matters, including methods, time of fishing, etc. that are prescribed by Ordinance of the Ministry of Environment. In such cases, the Minister of Environment shall consult thereon with the Minister of Land, Transport and Maritime Affairs when such matters are prescribed by Ordinance of the Ministry of Environment.

(Amended by Act No. 8852, Feb. 29, 2008)

(3) The head of Si/Gun/Gu may collect fees from persons who intend to fish in a fishing-restriction area referred to in the provisions of paragraph (1) under conditions prescribed by the municipal ordinance to cover the cost of removing trash, etc. with the aim of preventing water pollution in fishing-restriction areas and surrounding areas.

Article 21 (Alert System for Water Pollution)

(1) The Minister of Environment or the Mayor/Do governor may, when water pollution is feared to cause great damage to using the water of any river, any lake or any marsh or to seriously harm the health and property of residents, the raising of animals and the growth of plants, issue an alert on the water pollution of such river, lake or marsh.

(2) and (3) Deleted.  

(Amended by Act No. 8466, May 17, 2007)

(4) The Minister of Environment may subsidize official business costs required to take measures following the issuance of an alert on water pollution within budget limit.

(5) The kinds of alerts issued on water pollution, the objects of alert issuance by kind, the subjects who issue alerts, water quality pollutants for issuing alerts, standards for issuing alerts, phases by which alerts are issued, matters concerning measures by phases of alert, standards for canceling alerts, etc. shall be prescribed by Presidential Decree.

(Amended by Act No. 8466, May 17, 2007)

Article 21-2 (Restrictions on Activities Performed on Contaminated Public Waters)

(1) The Minister of Environment may, when he/she deems that rivers, lakes, marshes, etc. have been contaminated so that waterside excursions, such as swimming, and other activities prescribed by Presidential Decree may cause serious harm to human health or livelihood, recommend the Mayor/Do governor to take measures prescribed by Ordinance
of the Ministry of Environment, including guiding interested persons, such as residents in his/her jurisdiction to exercise restraint in such activities on rivers, lakes, marsh.
(2) The Mayor/Do governor who has accepted a recommendation pursuant to paragraph (1) shall take recommended measures unless justifiable grounds exist that make it impossible for him/her to do so.
(3) Matters regarding the criteria for selecting contaminated rivers, lakes, marshes, etc. subject to recommendation pursuant to paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

SECTION 2 Preservation for Water Quality and Aquatic Ecosystems by River-System Spheres of Influence

Article 22 (Management of Water Quality and Water Ecosystems by River-system Spheres of Influence)
(1) The Minister of Environment or the head of the local government shall ascertain the current status of water quality and aquatic ecosystems in accordance with plans for preserving water quality and aquatic ecosystems by river-system spheres of influence under Articles 24 through 26 and take measures for the proper management.
(2) The Minister of Environment shall classify the river-system spheres of influence under paragraph (1) into large areas of influence, medium areas of influence and small areas of influence in compliance with standards prescribed by Ordinance of the Ministry of Environment by considering the characteristics of river basins, including area, topography, etc., and publish them.

[This Article Wholly Amended by Act No. 8466, May 17, 2007]

Article 23 (Survey of Sources of Pollution)
The Minister of Environment shall regularly survey the kinds of sources of pollution and the quantity of water-quality pollutants, etc. by river-system spheres of influence under conditions prescribed by Ordinance of the Ministry of Environment.

Article 24 (Development of Plans for Preservation of Water Quality and Aquatic Ecosystems in Large Areas of Influence)
(1) The Minister of Environment shall develop the basic plan for preserving water quality and aquatic ecosystems by large areas of influence (hereinafter referred to as the "plans for large areas of influence") every 10 years.  
(Amended by Act No. 8466, May 17, 2007)

(2) Plans for large areas of influence shall include matters falling under each of the following subparagraphs:  
(Amended by Act No. 8466, May 17, 2007)

1. Trend of water quality and aquatic ecosystems and target criteria;
2. Water supply sources and the current consumption of water;
3. The current distribution of point pollution sources, non-point pollution sources and other water pollution sources;
4. The current quantity of water-quality pollutants released by point pollution sources, non-point pollution sources and other water pollution sources;
5. Measures to prevent and reduce water pollution;
5-2. The direction for implementing the measures for preserving water quality and aquatic ecosystems; and
6. Other matters prescribed by Ordinance of the Ministry of Environment.
(3) The Minister of Environment shall, when he/she intends to develop plans for large areas of influence, consult thereon with the heads of central administrative agencies concerned
and the river system management committee concerned provided for in the Act on the Improvement of Water Quality and Support for Residents of the Riverhead of the Han River System and other Acts. The same shall apply to cases where the Minister of Environment intends to change plans for large areas of influence.

(4) The Minister of Environment shall, when he/she develops plans for large areas of influence, notify the heads of relevant central administrative agencies and the heads of relevant local governments thereof.

(5) The Minister of Environment may, in cases where five years have elapsed from the date when the plans for large areas of influence has been established or when he/she deems that the plans for large areas of influence needs to be altered, change the plans for large areas of influence after conducting the feasibility study. (Newly Inserted by Act No. 8466, May 17, 2007)

Article 25 (Development of Plan for Preserving Water Quality and Aquatic Ecosystems in Medium Influence Area)

(1) The head of Basin Environmental Office or the head of Regional Environmental Office shall develop plans for preserving water quality and aquatic ecosystems in medium areas of influence (hereinafter referred to as the “plans for medium areas of influence”) according to the plans for large areas of influence. (Amended by Act No. 8466, May 17, 2007)

(2) The head of Basin Environmental Office or the head of Regional Environmental Office shall, when he/she intends to develop plans for medium areas of influence, consult thereon with the Mayor/Do governor concerned. The same shall apply to cases where he/she intends to change the plans for medium areas of influence.

(3) The head of Basin Environmental Office or the head of Regional Environmental Office shall, when he/she develops the plans for medium areas of influence, notify the Mayor/Do governor concerned of such fact. (Amended by Act No. 8466, May 17, 2007)

Article 26 (Development of Plans for Preserving Water Quality and Aquatic Ecosystems by Small Areas of Influence)

The head of Si/Gun/Gu shall develop plans for preserving water quality and water ecosystems in small areas of influence (hereinafter referred to as the “plans for small areas of influence”) according to plans for large areas of influence and plans for medium areas of influence and implement the plans after obtaining approval therefor from the Minister of Environment. (Amended by Act No. 8466, May 17, 2007)

Article 27 (Development of Small Influence Area Plan by Minister of Environment)

(1) In cases where the head of Si/Gun/Gu fails to develop a small area of influence without justifiable grounds, the Minister of Environment may develop such small area of influence. (Amended by Act No. 8466, May 17, 2007)

(2) The head of Si/Gun/Gu shall conscientiously implement the small area of influence that is developed by the Minister of Environment. (Amended by Act No. 8466, May 17, 2007)

(3) In cases where the head of Si/Gun/Gu fails to implement the small area of influence referred to in the provisions of paragraph (1), the Minister of Environment and the heads of relevant central administrative agencies may take measures falling under each of the following subparagraphs: (Amended by Act No. 8466, May 17, 2007)

1. Suspension of or reductions in financial support and other necessary measures; and
2. Restrictions on the installation of wastewater discharge facilities (including any change to such facilities).

(4) The Minister of Environment shall, when he/she imposes the restrictions pursuant to the provisions of paragraph (3) 2, publish the facilities and the area subject to such restrictions.
SECTION 3 Preservation of Water Quality and Aquatic Ecosystem in Lakes and Marshes

Article 28 (Regular Surveys and Measurement)
The Minister of Environment and the Mayor/Do governor shall regularly survey and measure the current consumption of water of lakes and marshes, the current status of water quality and aquatic ecosystems, the current distribution of sources of pollution, and the quantity of water quality pollutants arising under conditions prescribed by Presidential Decree in order to preserve water quality and aquatic ecosystems of lakes and marshes. (Amended by Act No. 8466, May 17, 2007)

Article 29 (Prevention of Damage Caused by Algae)
The Minister of Environment may, when the occurrence of algae is deemed to seriously affect the water quality and aquatic ecosystems of lakes and marshes, order the relevant water surface manager and the relevant manager of the intake facilities or the water-purification facilities that use lakes and marshes as water sources to take measures necessary to prevent the damage caused by the occurrence of algae, etc. In such cases, the Minister of Environment may provide those managers with subsidies necessary to cover costs required for the prevention thereof within budget limits. (Amended by Act No. 8466, May 17, 2007)

Article 30 (Restrictions on Licensing Fish Farming Business)
The heads of relevant administrative agencies shall not grant any license for a fish farming business that requires a fish-holding farm in any lake and any marsh for water supply sources from among fish farming businesses provided for in Article 6 (1) of the Inland Water Fisheries Act.

Article 31 (Removal and Treatment of Trash in Lakes and Marshes)
(1) Every water surface manager shall remove trash in lakes and marshes and the head of Si/Gun/Gu having jurisdiction over the relevant lakes and marshes shall transport and treat the removed trash.

(2) Every water surface manager and the head of Si/Gun/Gu shall conclude an agreement on choosing the main body which transports and treats trash and on sharing costs required to transport and treat trash referred to in the provisions of paragraph (1).

(3) Every water surface manager and the head of Si/Gun/Gu may, when they fail to conclude the agreement referred to in the provisions of paragraph (2), file an application with the Minister of Environment for his/ her mediation. In such cases, when the Minister of Environment mediates differences between them, the agreement referred to in the provisions of paragraph (2) shall be deemed concluded.

(4) Necessary matters concerning procedures for filing applications for mediation pursuant to the provisions of paragraph (3) shall be prescribed by Ordinance of the Ministry of Environment.

CHAPTER III CONTROL OF POINT POLLUTION SOURCES

SECTION 1 Regulation of Discharge of Industrial Wastewater

Article 32 (Standards for Permitting Discharge)
(1) The standards for permitting the discharge of water-quality pollutants released by wastewater discharge facilities (hereinafter referred to as “discharge facilities”) shall be set by Ordinance of the Ministry of Environment.
(2) The Minister of Environment shall, when he/she sets standards by Ordinance of the Ministry of Environment pursuant to paragraph (1), consult thereon with the heads of relevant central administrative agencies.

(3) The City/Do may, when it is deemed difficult to maintain regional environment standards provided for in Article 10 (3) of the Framework Act on Environmental Policy, set standards for permitting discharge that are more stringent than the standards for permitting the discharge referred to in the provisions of paragraph (1) by their respective municipal ordinances: Provided, That this case shall be limited to cases where the authority of the Minister of Environment provided for in Articles 33, 37, 39 and 41 through 43 is delegated to the Mayor/Do governor pursuant to the provisions of Article 74 (1).<Amended by Act No. 8466, May 17, 2007>

(4) When standards for permitting the discharge referred to the provisions of paragraph (3) are set or changed, the Mayor/Do governor shall promptly make a report thereon to the Minister of Environment and take measures necessary to make such fact known to persons interested.

(5) The Minister of Environment may, when deemed necessary to prevent water pollution in special countermeasure areas, set standards for permitting discharge that are more stringent than the standards for permitting discharge referred to in the provisions of paragraph (1) for the discharge facilities installed in the relevant special countermeasure area and set special standards for permitting the discharge for any discharge facilities that are newly installed in the relevant special countermeasure area.

(6) In cases where any area is not subject to the application of the standards for permitting the discharge in the City/Do to which such standards for permitting the discharge provided for in the municipal ordinance are applied pursuant to the provisions of paragraph (3), the standards for permitting the discharge provided for in the municipal ordinance shall also apply to discharge facilities already installed or scheduled to be installed in such area.

(7) The provisions of paragraphs (1) through (6) shall not apply to discharge facilities falling under any of following subparagraphs: <Amended by Act No. 8466, May 17, 2007>

1. The wastewater non-discharge facilities installed in accordance with the proviso to Article 33 (1) and (2) of the said Article: or
2. The discharge facilities which do not release wastewater into public waters by reusing the whole volume of wastewater or treating it by entrusting it in whole, from among the discharge facilities prescribed by Ordinance of the Ministry of Environment.

(8) With respect to the discharge facilities that take the inflow of all of the wastewater through discharge equipment in wastewater terminal treatment facilities provided for in Article 48 or the sewage terminal treatment facilities provided for in subparagraph 5 of Article 2 of the Sewerage Act, the Minister of Environment may set and publish separate standards for permitting the discharge only for items that can be properly treated in the wastewater terminal treatment facilities or the sewage terminal treatment facilities, notwithstanding the provisions of paragraph (1).

**Article 33 (Permission for and Report on Installation of Discharge Facilities)**

(1) Anyone who intends to install discharge facilities shall obtain permission therefor from the Minister of Environment or make a report thereon to the Minister of Environment under conditions prescribed by Presidential Decree: Provided, That anyone who intends to install the wastewater non-discharge facilities pursuant to the provisions of paragraph (7) shall obtain permission therefrom from the Minister of Environment.
(2) In cases where the person who obtains permission pursuant to the provisions of paragraph 1 intends to change any important matter prescribed by Presidential Decree from among the permitted matters, he/she shall obtain permission for such change: Provided, That when he/she intends to change any other matter prescribed by Ordinance of the Ministry of Environment or when he/she has changed matter prescribed by Ordinance of the Ministry of Environment, he/she shall make a report on such change. 〈Amended by Act No. 8466, May 17, 2007〉

(3) When anyone who makes a report pursuant to the provisions of paragraph (1) intends to change any matter prescribed by Ordinance of the Ministry of Environment from among any reported matter or when he/she has changed any matter prescribed by Ordinance of the Ministry of Environment, he/she shall make a report on such change under conditions prescribed by Ordinance of the Ministry of Environment. 〈Amended by Act No. 8466, May 17, 2007〉

(4) In cases where anyone who intends to obtain permission or changed permission or to make a report or a report on any change pursuant to the provisions of paragraphs (1) through (3) falls under the provisions of the proviso of Article 35 (1) and installs or changes joint prevention facilities provided for in Article 35 (4), he/she shall submit documents that are prescribed by Ordinance of the Ministry of Environment.

(5) In cases where the water-quality pollutants released by the discharge facilities that are located in the upper stream area of the water supply source protection area, the special countermeasure area and its upper stream area and the area where the intake facilities are located and its upper stream area are feared to make it difficult to maintain environmental standards and seriously harm the health and property of residents, the raising of animals and the growth of plants, the Minister of Environment may place a restriction on the installation of the discharge facilities (including any change in the discharge facilities) after hearing the opinion of the Mayor/Do governor having jurisdiction over the area and consulting thereon with the heads of relevant central administrative agencies.

(6) The scope of the area on which the installation of the discharge facilities is restricted pursuant to the provisions of paragraph (5) shall be prescribed by Presidential Decree and the Minister of Environment shall publish the facilities subject to the restrictions by area.

(7) Even the discharge facilities release specific substances harmful to water quality that are prescribed by Ordinance of the Ministry of Environment, such facilities may be installed as wastewater non-discharge facilities in any area on which the installation of any discharge facilities are restricted, notwithstanding the provisions of paragraphs (5) and (6).

(8) The Minister of Environment shall determine and publish the area on which the installation of any discharge facilities are restricted, but the discharge facilities that release specific substances harmful to water quality may be installed as wastewater non-discharge facilities pursuant to the provisions of paragraph (7).

(9) The standards for granting permission or permission for change provided for in paragraphs (1) and (2) shall be as follows: 〈Amended by Act No. 8466, May 17, 2007〉

1. The pollutants released from the discharge facilities may be treated at a level below the standards for permitting the discharge pursuant to Article 32;
2. The provisions regarding the restriction on installing the discharge facilities pursuant to other Acts and subordinate statutes shall not be violated; or
3. In cases where wastewater non-discharge facilities are installed, the whole facilities prescribed by Presidential Decree shall be installed in compliance with the standards prescribed by Presidential Decree to prevent wastewater from flowing or discharging
into public waters.

**Article 34 (Permission for Installing Wastewater Non-Discharge Facilities)**

(1) Anyone who intends to obtain permission for installing wastewater non-discharge facilities or permission for changing the same facilities pursuant to the provisions of the proviso of Article 33 (1) and paragraph (2) of the same Article shall submit documents, including a plan for installing wastewater non-discharge facilities, etc. prescribed by Ordinance of the Ministry of Environment to the Minister of Environment.

(2) The Minister of Environment shall, upon receiving the application for the permission that is filed pursuant to the provisions of paragraph (1), hear opinions of specialized institutions that are prescribed by Ordinance of the Ministry of Environment about the appropriateness of wastewater non-discharge facilities and water pollution prevention facilities that are capable of treating water-quality pollutants without releasing wastewater.

**Article 35 (Installation of Prevention Facilities, Exemption of Installation, and Observance of Exempt, etc.)**

(1) Anyone who obtains permission or permission for any change or makes a report or a report on any change pursuant to the provisions of Article 33 (1) through (3) (hereinafter referred to as "business operator") shall, when he/she installs or changes the relevant discharge facilities, also install the water pollution prevention facilities (in cases of the wastewater non-discharge facilities, they refer to the water pollution prevention facilities capable of treating wastewater without releasing it: hereinafter the same shall apply) in order to keep the water quality pollutants released by the discharge facilities below the standards for permitting the discharge provided for in Article 32. Provided, That the same shall not apply to discharge facilities (excluding the wastewater non-discharge facilities) that fall under the standards set by Presidential Decree.

(2) Anyone who uses discharge facilities without installing the water pollution prevention facilities (hereinafter referred to as the "prevention facilities") according to the provisions of the proviso of paragraph (1) shall observe the matters concerning the management of the discharge facilities prescribed by Ordinance of the Ministry of Environment (hereinafter referred to as the "observance matters"), including the treatment of wastewater and methods of storing wastewater, etc.

(3) The Minister of Environment may, in cases where a person who installs and operates discharge facilities without installing the prevention facilities required under the provisions of the proviso of paragraph (1) violates the matters to be observed referred to in paragraph (2), revoke permission or permission for change provided for in Article 33 (1) through (3) or issue an order to close down the discharge facilities, to improve the relevant facilities, in whole or in part, or to suspend the operation of the relevant facilities by fixing a period within six months.  

(4) Business operators may install joint prevention facilities (hereinafter referred to as the "joint prevention facilities") in order to jointly treat water-quality pollutants released by the discharge facilities (excluding the wastewater non-discharge facilities). In such cases, the business operators shall be deemed to install prevention facilities against water-quality pollutants in their respective workplaces.

(5) Business operators shall, when they install and operate joint prevention facilities, establish an operational body and appoint a representative responsible therefor.

(6) Necessary matters concerning the installation and operation of joint prevention facilities shall be prescribed by Ordinance of the Ministry of Environment.

**Article 36 (Succession of Rights and Duties)**
(1) In cases where any business operator transfers his/her discharge facilities and the prevention facilities, dies or corporations are merged, any transferee, any inheritor, any surviving corporation or any corporation that is incorporated by the merger shall succeed the rights and duties of the business operator with respect to permission or permission for any change and the report or the report on any change.

(2) Anyone who takes over discharge facilities and prevention facilities of any business operator according to the auction provided for in the Civil Execution Act, the conversion provided for in the Bankruptcy Act, the sale of the seized property provided for in the National Tax Collection Act, the Customs Act or the Local Tax Act and other procedures corresponding thereto shall succeed the rights and duties of the business operator with respect to the permission or changed permission and the report or report on any change.

(3) Anyone who leases the discharge facilities and the prevention facilities shall be deemed a business operator in the application of the provisions of Articles 38 through 41 or 42 (excluding the case of the revocation of any permission), 43, 46, 47 and 68 (1).

Article 37 (Report on Commencement of Operation of Discharge Facilities, etc.)

(1) Any business operator shall, when he/she intends to operate the relevant discharge facilities and prevention facilities after completing their installations or changing the discharge facilities (in cases where he/she changes discharge facilities after making a report on the change, such change shall be limited to the changes prescribed by Presidential Decree), make a report on the commencement of their operation in advance to the Minister of Environment under conditions prescribed by Ordinance of the Ministry of Environment. In cases where he/she intends to change the reported operation commencement date, he/she shall make a report on such change to the Minister of Environment under conditions prescribed by Ordinance of the Ministry of Environment.

(2) Any business operator who makes a report on the operation commencement pursuant to the provisions of paragraph (1) shall operate the prevention facilities in order to treat water-quality pollutants released by discharge facilities (excluding the wastewater non-discharge facilities) below the standards for permitting discharge within the period set by Ordinance of the Ministry of Environment. In such cases, the provisions of Articles 39 through 40 shall not apply within the period set by Ordinance of the Ministry of Environment.

(3) The Minister of Environment shall check on the operational status of the discharge facilities and the prevention facilities within the period set by Ordinance of the Ministry of Environment beginning on the date on which the period referred to in the provisions of paragraph (2) elapses and get any testing institution that is prescribed by Ordinance of the Ministry of Environment to test the level of pollution after collecting water-quality pollutants.

(4) The Minister of Environment shall inspect the wastewater non-discharge facilities on which a report is made on the commencement of its operation pursuant to the provisions of paragraph (1) within 10 days from the date on which such report is made whether they are in conformity with the standards for granting permission or changed permission provided for in Article 33 (9).

Article 38 (Operation of Discharge Facilities and Prevention Facilities)

(1) Every business operator (excluding any business operator who obtains permission for installing the wastewater non-discharge facilities or permission for changing them pursuant to the provisions of the proviso of Article 33 (1) or paragraph (2) of the same Article) or anyone (including the representative of the operational body of the joint prevention
facilities provided for in Article 35 (5); hereinafter the same shall apply) who operates
the prevention facilities shall be prohibited from engaging in activities falling under any
of the following subparagraphs:
1. Releasing water-quality pollutants released by discharge facilities without flowing them
   into the prevention facilities or installing any facilities that are capable of releasing
   water-quality pollutants released by the discharge facilities without flowing them into
   the prevention facilities;
2. Releasing water-quality pollutants that flow into prevention facilities without causing
   them to go through the terminal outlet or installing facilities capable of releasing
   water-quality pollutants without getting them to go through the terminal outlet;
3. Treating the water-quality pollutants by mixing water that is not released in the course
   of processing the water-quality pollutants and unpolluted water that is released in
   the course of processing the water-quality pollutants or releasing water-quality pollutants
   by mixing water in order to lower the pollution level before water-quality pollutants
   in excess of the standards for permitting the discharge pass the final outlet; Provided,
   That the same shall not apply to cases where the Minister of Environment deems it
   possible to treat water-quality pollutants only when they are diluted under conditions
   prescribed by Ordinance of the Ministry of Environment and other case that is prescribed
   by Ordinance of the Ministry of Environment; and
4. Releasing water-quality pollutants in excess of the standards for permitting the discharge
   by failing to normally operate the discharge facilities and the prevention facilities without
   justifiable grounds.
(2) Any business operator who obtains permission for installing the wastewater non-discharge
facilities or permission for changing them pursuant to the provisions of the proviso of
Article 33 (1) or paragraph (2) of the same Article shall be prohibited from engaging in
activities falling under any of the following subparagraphs:
1. Shipping any wastewater released by the wastewater non-discharge facilities out of
   his/her place of business or releasing any wastewater into the public waters or installing
   facilities that are capable of releasing the wastewater;
2. Installing facilities that treat or are capable of treating the wastewater released by
   wastewater non-discharge facilities by mixing it with sewage or wastewater released
   by other discharge facilities; and
3. In cases where the wastewater released by the wastewater non-discharge facilities is reused,
   the act of reusing wastewater in other discharge facilities without reusing it in the same
   wastewater non-discharge facilities or using the wastewater as water for toilet and
   gardening or fire fighting, etc.
(3) Any business operator or anyone who operates prevention facilities shall, when they
operate discharge facilities and such prevention facilities, record the actual operation of
the discharge facilities and the prevention facilities in the course of such operation under
conditions prescribed by Ordinance of the Ministry of Environment and keep the records
thereof.
(4) Deleted. (by Act No. 8466, May 17, 2007)
Article 38-2 (Equipment of Gauges, etc.)
(1) Every person falling under any of the following subparagraphs shall, with an aim to
confirm whether released water quality pollutants conforms to the standards for permitting
the discharge pursuant to Article 32, and standards for the quality of released water pursuant
to Article 12 (3) or Article 7 of the Sewerage Act, build devices that measure the amount
and quality of something, prescribed by Presidential Decree including integrating wattmeters, integrating flowmeters, gauges for measuring the concentration of released water-quality pollutants (hereinafter referred to as “gauges”):

1. Any person who operates the place of business which releases the wastewater in excess of the discharge quantity of wastewater prescribed by Presidential Decree: Provided, That the person who runs business for which permission for establishment of the wastewater non-discharge facilities under the proviso to Article 33 (1) or paragraph (2) of the said Article or permission for change has been granted shall be excluded;

2. Any person who operates the prevention facilities (including the joint prevention facilities) with the capacity for treatment prescribed by Presidential Decree; or

3. Any person who operates wastewater terminal treatment facilities under Article 48 (1) or the public sewerage treatment facilities (hereinafter referred to as the “public sewerage treatment facilities”) under the provisions of subparagraph 9 of Article 2 of the Sewerage Act with the capacity for treatment prescribed by Presidential Decree.

(2) The necessary matters regarding the means of equipping gauges that should be attached pursuant to paragraph (1), the time of equipment and the equipment of other gauges shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 38-3 (Prohibited Activities by Person Running Gauge-Manufacturing Business, etc., Standards for Operation and Management)

(1) Any person who has equipped gauges in accordance with Article 38-2 (1) (hereinafter referred to as “person running gauge-manufacturing business, etc.”) shall, when he/she operate gauges, be prohibited from performing any of the following subparagraphs:

1. Intentionally defaulting on the operation of gauges, or on normal measurement;

2. Leaving gauges which are not in good working order due to corrosion, abrasion, malfunction or damage, unattended without justifiable ground; or

3. Omitting results from measurements or falsely preparing results from measurements.

(2) Each person running gauge-manufacturing business, etc. shall observe the standards for the operation and management of gauges prescribed by Ordinance of the Ministry of Environment in order to maintain the reliability and the level of accuracy of the results measured by the relevant gauges.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 38-4 (Order for Take Measures and for Business Suspension to Person Running Gauge-Manufacturing Business, etc.)

(1) The Minister of Environment may order any person running gauge-manufacturing business, etc. who has failed to observe the standards for operation and management under Article 38-3 (2) to take matters necessary for the gauges to be operated and managed in compliance with the standards by fixing a period under conditions prescribed by Presidential Decree.

(2) The Minister of Environment may order any person who defaults on the order to take measures pursuant to paragraph (1) to suspend the operation in whole or in part of the relevant discharge facilities, etc. by fixing a period within six months.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 38-5 (Technological Support and Exemption from Report and Inspection for Person Running Gauge-Manufacturing Business, etc.)

(1) The Minister of Environment may operate a computer network that is connected with gauges equipped by persons running gauge-manufacturing business, etc. with which the results from measurements may be computerized with the aim of the management and
analysis of the measurement data.

(2) The Minister of Environment may provide the technological support, etc. to the person running gauge-manufacturing business, etc. on account that the gauges may be normally installed, maintained, and managed. In such cases, the Minister of Environment may have the employees of relevant specialized institutions which are delegated with authorities pursuant to Article 74 (2) enter the relevant facilities or place of business of the person running gauge-manufacturing business, etc. and collect necessary water-quality pollutants or inspect related documents, facilities, equipment, etc. to properly manage the gauges.

(3) The employees of the relevant specialized institution who intends to enter and check pursuant to the latter part of paragraph (2) shall carry certificates indicating their authority and produce them to the relevant persons.

(4) The Minister of Environment may relieve the person running gauge-manufacturing business, etc. from the report or inspection under Article 68 with regards to the items to be measured by gauges under conditions prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8466, May 17, 2007]

Article 39 (Improvement Orders for Businesses Discharging in Excess of Permitted Discharge)
The Minister of Environment may, when the level of the water-quality pollutants released by the discharge facilities (excluding the wastewater non-discharge facilities) that are in operation after making a report thereon pursuant to the provisions of Article 37 (1) is deemed to be in excess of the standards for permitting the discharge provided for in the provisions of Article 32, order the relevant business operator (including the representative of the operational body of the joint prevention facilities provided for in Article 35 (5)) to take measures necessary to reduce the level of water-quality pollutants below the standards for permitting the discharge (hereinafter referred to as “improvement order”) for the fixed period under conditions prescribed by Presidential Decree.

Article 40 (Orders Issued to Suspend Operation)
When anyone who receives an improvement order pursuant to the provisions of Article 39 fails to execute such improvement order or the level of the waste-quality pollutants continues to be in excess of the standards for permitting the discharge provided for in Article 32 even though he/she executes the improvement order within the fixed period as a result of the check thereof, the Minister of Environment may order suspension, in whole or in part, of operation of the relevant discharge facilities.

Article 41 (Discharge Imposition Amount)
(1) The Minister of Environment shall levy and collect a discharge imposition amount from any business operator (including anyone who operates facilities prescribed by Ordinance of the Ministry of Environment from among wastewater terminal treatment facilities provided for in Article 48 and public sewage treatment facilities) who releases water-quality pollutants or anyone who installs or changes discharge facilities without obtaining permission therefor and permission for any change or making a report thereon or report on any change in order to prevent or reduce damage caused by the water-quality pollutants to water quality and aquatic ecosystems. In such cases, the discharge imposition amount shall be levied according to the classification falling under each case of the following subparagraphs and necessary matters concerning calculation methods and standards, etc. shall be determined by Presidential Decree: (Amended by Act No. 8466, May 17, 2007)

1. Basic discharge imposition amount:
   (a) Where the water-quality pollutants from among the wastewater, etc. that is released by the discharge facilities (excluding wastewater non-discharge facilities) are released
below the standards for permitting discharge provided for in Article 32, but are in excess of the standards for water quality of released water provided for in Article 12 (3); and

(b) Where water-quality pollutants from among the wastewater released from the wastewater terminal treatment facilities or the public sewage treatment facilities exceed the standards for the water quality of released water provided for in Article 12 (3); and

2. Excess discharge imposition amount:

(a) Where water-quality pollutants are released in excess of the standards for permitting discharge provided for in the provisions of Article 32; and

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

(2) When the discharge imposition amount is levied pursuant to paragraph (1), the matters falling under each of the following subparagraphs shall be taken into account:

1. Whether water-quality pollutants are released in excess of the standards for permitting the discharge;

2. Kinds of water-quality pollutants released;

3. The period during which the water-quality pollutants are released;

4. The quantity of water-quality pollutants released;

5. Whether the self-measurement provided for in Article 46 is performed; and

6. Other matters concerning the pollution of the water-quality environment and its improvement, as prescribed by Ordinance of the Ministry of Environment.

(3) The discharge imposition amount referred to in paragraph (1) shall not be levied on any business operator (excluding any business operator who operates the wastewater non-discharge facilities; hereafter the same shall apply in this paragraph) who releases water below the standards for water quality of released water and the imposition amount may be reduced and exempted for any business operator who releases the water-quality pollutants that are smaller than the quantity set by Presidential Decree and any other business operator who bears the cost of treating the water-quality pollutants pursuant to the provisions of other Acts. In such cases, the reduction and exemption of the discharge imposition amount for business operators who bear the cost of treating water-quality pollutants pursuant to the provisions of other Acts shall be determined within the amount of the cost of treating them, which he/she bears.

(4) When anyone who is liable to pay a discharge imposition amount pursuant to the provisions of paragraph (1) fails to pay such amount within the fixed period, the Minister of Environment shall collect the additional charge from him.

(5) The provisions of Articles 21 and 22 of the National Tax Collection Act shall apply mutatis mutandis to the additional charges referred to in the provisions of paragraph (4).

(6) The discharge imposition amount referred to in the provisions of paragraph (1) and the additional charge referred to in the provisions of paragraph (4) shall be included as the annual revenue in the special account for environment improvement provided for in the Act on the Special Accounts for Environment Improvement.

(7) In cases where the Minister of Environment delegates his/her authority to collect the discharge imposition amount and the additional charge to the Mayor/Do governor in their jurisdictional areas pursuant to the provisions of Article 74, he/she may pay part of the discharge imposition amount and the additional charge collected to the Mayor/Do governor as the collection expenses under conditions prescribed by Presidential Decree.
(8) In cases where anyone who is liable to pay the discharge imposition amount and the additional charge fails to pay them within the deadline, the Minister of Environment or the Mayor/Do governor who is delegated with the former’s authority to collect the discharge imposition amount pursuant to the provisions of paragraph (7) shall collect the discharge imposition amount and the additional charge in question pursuant to precedents on dispositions taken to collect national taxes or local taxes in arrears.

**Article 42 (Revocation of Permission, etc.)**

(1) The Minister of Environment may, when any business operator or any person who operates the prevention facilities falls under any of the following subparagraphs, revoke permission for installing discharge facilities or permission for changing them, or issue an order for the closure of discharge facilities or for the suspension of operation of his/her discharge facilities for a fixed period of not more than 6 months: Provided, That in cases falling under subparagraph 1 he/she shall revoke permission for installing the discharge facilities or permission for changing them, or order the closure of discharge facilities:

1. When he/she is found to have obtained permission or permission for any change under Article 33 (1) through (3) or to have made a report or made a report on any change by false and illegal means:
2. When he/she is found to have failed to install a discharge facility or a prevention facility within five years from the time permission has been obtained or a report has been made in accordance with Article 33 (1) without justifiable grounds, or when the destruction of the discharge facility or the closure of business has been confirmed:
3. When a person who has installed the wastewater non-discharge facilities in accordance with the proviso to Article 33 (1) is found to have operated the discharge facility without installing prevention facilities:
4. When he/she is found to have failed to obtain permission for change under Article 33 (2):
5. When he/she is found to have installed and operate the discharge facilities in the area on which the installation of the discharge facilities is restricted under Article 33 (6) without obtaining permission for installing discharge facilities (including permission for change) or filing a report pursuant to Article 33 (1) through (3):
6. When he/she is found to have installed, operated or altered the discharge facility without installing the prevention facility under the main body of Article 35 (1):
7. When a person exempted from installation of the prevention facility pursuant to the proviso to Article 35 (1) has discharged pollutants in excess of the standards for permitting the discharge:
8. When he/she is found to have worked without making a report on a start-up of operation or a report for change pursuant to Article 37 (1):
9. When he/she is found to perform any act falling under any subparagraph of Article 38 (1) or each subparagraph of paragraph (2) of the said Article:
10. When he/she is found to have failed to install the gauges under Article 38-2 (1):
11. When he/she is found to perform any act falling under any subparagraph of Article 38-3 (1):
12. When he/she is found to have failed to perform an order to suspend the operation under Article 38-4 (2), 40 or 42:
13. When he/she is found to have failed to perform an order for improvement under Article 39: or
14. When he/she is found to have removed the discharge facilities that he/she has installed
and operated in order to cease running his/her business of operating the discharge facilities.

(2) The Minister of Environment may, when any business operator or any person who operates the prevention facilities falls under any of the following subparagraphs, issue an order for the suspension of operation of his/her facilities for a fixed period of not more than 6 months:

1. When he/she is found to have failed to report for change under Article 33 (2) or (3);
2. When he/she is found to have entered false matter in the management recording regarding the operation of the discharge facility and the prevention facility under Article 38 (3) or to have failed to preserve it;
3. When he/she is found to have failed to appoint an environmental engineer under Article 47, or have appointed a disqualified environmental engineer or have employed an environmental engineer on a part-time basis.

[This Article Wholly Amended by Act No. 8466, May 17, 2007]

Article 43 (Penalty Surcharge Disposition)

(1) In cases where the Minister of Environment has to order any business operator who installs and operates the discharge facilities (excluding the wastewater non-discharge facilities) falling under any of the following subparagraphs to suspend their operations under Article 42 and the suspension of such discharge facilities is deemed feared to seriously disrupt the lives of residents and the national economy, including the nation’s international credit, employment and prices, etc. as well as the public interest, the Minister of Environment may impose a penalty surcharge not exceeding 300 million won in lieu of the disposition taken to suspend their operations:

1. The discharge facilities operated by any medical institution provided for in the Medical Service Act;
2. Facilities and equipment used for power generation in power plants;
3. The discharge facilities in schools provided for in the Elementary and Secondary Education Act and the Higher Education Act;
4. The discharge facilities used by the manufacturing business; and
5. Other discharge facilities prescribed by Presidential Decree.

(2) In cases where any business operator fails to pay the penalty surcharge referred to in the provisions of paragraph (1) by the payment deadline, the Minister of Environment shall collect the penalty surcharge in question pursuant to precedents on dispositions taken to collect the national tax in arrears.

(3) The penalty surcharge collected pursuant to the provisions of paragraph (1) shall be included as the annual revenue in the special account for environmental improvement provided for in the Act on the Special Accounts for Environment Improvement.

(4) The provisions of Article 41 (7) and (8) shall apply mutatis mutandis to the payment of collection expenses in cases where the Minister of Environment delegates his/her authority to the Mayor/Degovernor to impose and collect the penalty surcharge pursuant to the provisions of Article 74.

(5) The amount of the penalty surcharge referred to in paragraph (1) determined by categories and extent, etc. of the act of violation on which the penalty surcharge is imposed and other necessary matters shall be prescribed by Ordinance of the Ministry of Environment.

Article 44 (Closure Measures against Illegal Facilities)

With respect to anyone who installs and uses the discharge facilities without obtaining permission therefor or making a report thereon required under the provisions of Article 33 (1) through...
(3), the Minister of Environment shall order him/her to suspend using the relevant discharge facilities: Provided, That in cases where even if the relevant discharge facilities are improved or the prevention facilities are installed or improved, the level of water-quality pollutants released by the relevant discharge facilities is deemed impossible to be lowered below the standards for permitting the discharge provided for in Article 32 (in cases of the wastewater non-discharge facilities, referring to cases where the wastewater released by the discharge facilities is deemed possible to be released into public waters) or the place on which the discharge facilities are installed is a place on which the discharge facilities are prohibited from being installed pursuant to the provisions of other Acts, the Minister of Environment shall order the closure of the relevant discharge facilities.

Article 45 (Report on Execution of Order and Its Confirmation)

(1) Any person who is issued an improvement order, an operation suspension order, a use suspension order or a closure order pursuant to the provisions of Article 38-4 (2), 39, 40, 42 or 44 shall, when he/she executes such orders, promptly make a report thereon to the Minister of Environment. (Amended by Act No. 8466, May 17, 2007)

(2) The Minister of Environment shall, upon receiving the report made pursuant to the provisions of paragraph (1), get public officials in charge to confirm without delay the execution of such orders and the completion of the improvement, and if it is deemed necessary to test the level of pollution, get the relevant public officials to collect samples and instruct or ask any testing institution that is prescribed by Ordinance of the Ministry of Environment to test the level of such pollution.

Article 46 (Measurement of Water-Quality Pollutants)

Every business operator may measure the water-quality pollutants released by the discharge facilities and the prevention facilities for himself/herself, which are operated by him/her and may get any measuring business agent provided for in Article 17 of the Development of and Support for Environmental Technology Act to measure the water-quality pollutants in order to properly operate his/her discharge facilities and prevention facilities.

Article 47 (Environmental Engineers)

(1) Each business operator shall appoint environmental engineers and make a report on their appointment to the Minister of Environment under conditions prescribed by Presidential Decree in order to ensure the normal operation and management of his/her discharge facilities and prevention facilities. The same shall apply to cases where the business operator appoints any new environmental engineer after replacing any environmental engineer.

(2) Every environmental engineer shall guide and oversee persons who work in the discharge facilities and the prevention facilities in order to prevent the latter from violating this Act and any order issued under this Act and manage the discharge facilities and the prevention facilities in order to ensure their normal operation.

(3) Every business operator shall oversee management performed by environmental engineers pursuant to the provisions of paragraph (2).

(4) No business operator nor any person who works in discharge facilities and prevention facilities shall obstruct the work of environmental engineers in order to ensure the normal operation and management of such discharge facilities and such prevention facilities. When they shall, upon receiving any request from the environmental engineers for their cooperation with the latter in performing the work, comply with the request unless justifiable grounds exist that prevent them from doing so.

(5) The scope of business places that need to appoint environmental engineers pursuant to the provisions of paragraph (1) and the qualifying standards for environmental engineers
shall be prescribed by Presidential Decree.

SECTION 2 Wastewater Terminal Treatment Facilities

Article 48 (Installation of Wastewater Terminal Treatment Facilities)
(1) The State, local governments and the Environmental Management Corporation under the Environmental Management Corporation Act may, in order to jointly treat water-quality pollutants released by places of business located in areas deemed difficult to maintain environmental standards due to the worsening of water pollution or are deemed necessary to preserve the water quality and then discharge into public waters, install and operate the wastewater terminal treatment facilities (hereinafter referred to as the “terminal treatment facilities”), and the State and local governments may have a person falling under any of the following subparagraphs install and operate terminal treatment facilities. In such cases, business operators concerned and anyone who directly gives rise to the cause of the water pollution (hereinafter referred to as “causing person”) shall bear, in whole or in part, the expenses required for the installment and operation of the terminal treatment facilities: (Amended by Act No. 8209, Jan. 3, 2007)
1. The Environmental Management Corporation under the Environmental Management Corporation Act and the corporation invested by Environmental Management Corporation in accordance with Article 17-4 of the said Act;
2. The executor of the project for industrial sites development under the provisions of Article 16 (1) (excluding subparagraphs 5 and 6) of the Industrial Sites and Development Act;
3. The executor of projects under the provisions of subparagraph 7 of Article 2 of the Act on Private Participation in Infrastructure; or
4. Any person prescribed by Presidential Decree, who is able to establish and operate terminal treatment facilities and corresponds to a person who falls under any of subparagraphs 1 through 3.

(2) The kinds of terminal treatment facilities pursuant to paragraph (1) shall be prescribed by Presidential Decree.

Article 48-2 (Imposition and Collection of Charges for Installment and Operation of Terminal Treatment Facilities)
(1) Any person who installs and operates terminal treatment facilities (hereinafter referred to as “executor”) in accordance with the provisions of Article 48 may impose and collect the charges for installment and operation of the terminal treatment facilities (hereinafter referred to as “charges for the terminal treatment facilities”) from the causing person in order to finance, in whole or in part, the expenses required for such project.

(2) The total charges for the terminal treatment facilities under the provisions of paragraph (1) shall not exceed the amount reimbursed by the executor with regards to the implementation of the relevant project.

(3) The charges for the terminal treatment facilities to be imposed on the causing person shall be determined based on the kind and the scale of business run by the causing person and the level of pollutants being discharged.

(4) The State and local governments may provide tax preferences or financial support with the aim to avoid the slowing of productivity and the weakening of investment incentives of small and medium businesses as a result of the increased expenses under this Act.

(5) The methods of calculating charges for terminal treatment facilities under the provisions
of paragraphs (1) through (3), the methods for imposing and collecting the same, the procedures, and other necessary matters shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8209, Jan. 3, 2007]

Article 49 (Master Plan for Terminal Treatment Facilities)

(1) The Minister of Environment shall, when he/she intends to install the terminal treatment facilities (including making change thereto) pursuant to the provisions of Article 48 (1), develop a master plan therefor.

(2) The executor (excluding the Minister of Environment; hereinafter the same shall apply in Article 49-2 (2) and (4)) shall, in cases where he/she intends to install terminal treatment facilities (including making change thereto) in accordance with the provisions of Article 48 (1), develop a master plan for terminal treatment facilities and then obtain approval therefor from the Minister of Environment under conditions prescribed by Presidential Decree. The same shall apply to cases where he/she intends to change important matters prescribed by Ordinance of the Ministry of Environment. <Amended by Act No. 8209, Jan. 3, 2007>

(3) The Minister of Environment shall, when he/she develops or grants approval (including approval for change; hereinafter the same shall apply in this Article) for the master plan for terminal treatment facilities pursuant to the provisions of paragraphs (1) and (2), designate the area (hereinafter referred to as the “joint treatment area”) in which wastewater can be treated through terminal treatment facilities, develop a master plan for terminal treatment facilities in which the designation of the joint treatment area to be included, publish approved contents, and submit a copy of the master plan for the terminal treatment facilities to the head of Si/Gun/Gu (referred to as the autonomous Gu; hereinafter the same shall apply) who has jurisdiction over the relevant scheduled project area. <Amended by Act No. 8209, Jan. 3, 2007>

(4) The head of Si/Gun/Gu who has received the master plan for the terminal treatment facilities pursuant to the provisions of paragraph (3) shall immediately offer such plan for the perusal of interested person. <Newly Inserted by Act No. 8209, Jan. 3, 2007>

(5) Any person who intends to install terminal treatment facilities after obtaining approval for a master plan under paragraph (2) shall reflect approved matters on the basic design and implementation design of such facilities. <Newly Inserted by Act No. 8466, May 17, 2007>

Article 49-2 (Expense Funding Plan)

(1) In cases where the Minister of Environment develops a master plan in accordance with Article 49 (1), he/she shall establish a plan regarding the funding for expenses required for the relevant project (hereinafter referred to as “expense funding plan”) as prescribed by Presidential Decree and then notify the causing person thereof.

(2) When the executor has obtained approval for a master plan for terminal treatment facilities pursuant to provisions of Article 49 (2), he/she shall develop an expense funding plan as prescribed by Presidential Decree and then obtain approval therefor from the Minister of Environment. The same shall apply to cases where he/she makes changes to the plan.

(3) In cases where the Minister of Environment grants approval of or approval for change of an expense funding plan pursuant to paragraph (2), he/she shall prescribe an implementation period for the relevant project.

(4) When the executor has obtained approval of, or approval for change of an expense funding plan, he/she shall notify the causing person thereof. <This Article Newly Inserted by Act No. 8209, Jan. 3, 2007>

Article 49-3 (Succession of Rights and Duties)

Every person who has acquired by transfer any plant or place of business which is subject to the imposition of charges for terminal treatment facilities shall succeed the rights and
Article 49-4 (Expropriation and Use)

(1) The executor may expropriate or use land and buildings necessary for installing the terminal treatment facilities or articles affixed to such land as well as rights other than the ownership of the land, the buildings and the articles.

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

(3) In applying Act on the Acquisition of Land, etc. for Public Works and the Compensation Therefor in accordance with paragraph (2), approval of or approval for change of the master plan for terminal treatment facilities under Article 49 shall be deemed the project approval under Article 20 (1) of the said Act and the application for an abjudication shall, notwithstanding the provisions of Articles 23 (1) and 28 (1) of the said Act, be filed within the implementation period prescribed at the time of approval or approval for change of the expense funding plan in accordance with the provisions of Article 49-2.

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

Charges for terminal treatment facilities (limited to cases where the executor is the State) shall become the revenue of the special accounts for environmental improvement under the Act on Special Accounts for Environmental Improvement: Provided, That when the State implement the project of installing and operating the terminal treatment facilities by entrusting it in accordance with Article 48 (1), the same shall not apply and, the collected charges for the terminal treatment facilities shall be delivered to the trustee.

Article 49-6 (Forced Collection)

(1) The executor shall, in cases where a person who is liable to pay the charges for the terminal treatment facilities has failed to pay them within the payment deadline, issue a notice of arrears by prescribing a period not shorter than 10 days. In such cases, the additional dues equivalent to 5/100 of the charges shall be added on the charges for the terminal treatment facilities in arrears.

(2) In cases where any person who is served a notice of arrears has failed to pay the charges within the period in accordance with paragraph (1), they may be collected pursuant to precedents on dispositions taken to collect national or local taxes in arrears. In such cases, if the executor is a person falling under any of subparagraphs of Article 48 (1) (hereinafter referred to as the “Environmental Management Corporation, etc.”), prior approval from the Minister of Environment shall be secured.

(3) The Environmental Management Corporation, etc. may delegate the business of collection of the charges under paragraph (2) to the head of Si/Gun/Gu as prescribed by Presidential Decree, and the head of Si/Gun/ Gu entrusted with such business shall collect the charges pursuant to precedents on dispositions taken to collect local taxes in arrears. In such cases, the Environmental Management Corporation, etc. shall deliver a part of collected amount as the expenses for collection under conditions prescribed by Presidential Decree.

Article 49-7 (Report, etc.)

The executor may, in cases where it is necessary for the establishment of a basic plan under Article 49 and the expense funding plan under Article 49-2, demand the causing
person located within a joint treatment area to submit a necessary report or data. In such cases, the causing person shall comply with the request unless justifiable grounds exist that make it impossible for him/her to do so.

[This Article Newly Inserted by Act No. 8209, Jan. 3, 2007]

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

(1) Anyone who operates terminal treatment facilities shall be prohibited from engaging in activities falling under any of the following subparagraphs:

1. Releasing water-quality pollutants that flow into the drainage facilities provided for in Article 51 (1) instead of flowing them into the terminal treatment facilities without justifiable grounds, or installing facilities that are capable of releasing water-quality pollutants instead of flowing them into the terminal treatment facilities;

2. Releasing water-quality pollutants that flow into the terminal treatment facilities without getting them to go through the final outlet, or installing facilities that are capable of releasing water-quality pollutants without getting them to go through the final outlet;

3. Treating water-quality pollutants that flow into the terminal treatment facilities by mixing unpolluted water, and releasing water-quality pollutants by mixing them with water in order to lower the pollution level before water-quality pollutants that exceed the standards for the water quality of released water provided for in Article 12 (3) pass the final outlet.

(2) Anyone who operates terminal treatment facilities shall operate them properly according to the maintenance and management standards that are set by Ordinance of the Ministry of Environment.

(3) The Minister of Environment may, when the terminal treatment facilities are not operated and managed in conformity with the standards referred to in the provisions of paragraph (2), order anyone who operates the relevant facilities to take necessary measures to improve the facilities for the fixed period under conditions prescribed by Presidential Decree.

Article 51 (Installation and Management of Drainage Facilities)

(1) Anyone who intends to install drainage facilities in a joint treatment area pursuant to the provisions of Article 49 (3) and any person who is designated by Presidential Decree from among those who intend to release wastewater shall flow the wastewater that is released by the relevant place of business into the terminal treatment facilities and also install the drainage facilities and drainage conduits, etc. necessary therefor. [Amended by Act No. 8209, Jan. 3, 2007]

(2) Methods of installing drainage facilities that should be installed pursuant to the provisions of paragraph (1) and their structural standards, etc. shall be prescribed by Ordinance of the Ministry of Environment: Provided, That in cases where other Acts and subordinate statutes govern them, they shall be governed by such other Acts and subordinate statutes.

SECTION 3 Control of Living Sewage and Livestock Wastewater

Article 52 (Control of Living Sewage and Livestock Wastewater)

The control of the living sewage and livestock wastewater shall be governed by the Act on the Disposal of Sewage, Excreta and Livestock Wastewater and the Sewage Act.
Article 53 (Report on Installation of Non-point Pollution Sources, Matters for Observance and Orders for Improvement, etc.)

(1) Any person falling under any of the following subparagraphs shall report to the Minister of Environment as prescribed by Ordinance of the Ministry of Environment. The same shall apply to cases where he/she intends to change any matters prescribed by Presidential Decree from among reported matters. <Amended by Act No. 8466, May 17, 2007>

1. Anyone who intends to undertake a project aimed at developing any city and building any industrial complex the scale of which exceed the scale determined by Presidential Decree and other project that induces pollution by non-point pollutants, which is prescribed by Presidential Decree;

2. A place of business, the scale of which exceeds the scale determined by Presidential Decree, in which iron-making facilities, fiber-dyeing facilities and other wastewater discharge facilities prescribed by Presidential Decree are installed; or

3. Any person who falls under subparagraph 1 or 2 because an incident prescribed by Presidential Decree, such as the resumption of business or the enlargement of place of business, etc. has occurred.

(2) In cases where a report or a report on change has been filed in accordance with paragraph (1), the documents prescribed by Ordinance of the Ministry of Environment, including the reduction plan for non-point pollution including the plan for establishing the reduction facilities for non-point pollution, etc. shall be submitted. <Newly Inserted by Act No. 8466, May 17, 2007>

(3) Any person who has made a report or a report for change in accordance with paragraph (1) (hereinafter referred to as “businessman of report on installment of non-point pollution source”) shall install the reduction facilities for non-point pollution in accordance with criteria determined by Ordinance of the Ministry of Environment by deadline prescribed by Ordinance of the Ministry of Environment: Provided, That in cases falling under any of the following subparagraphs, the establishment of reduction facilities for non-point pollution may be omitted: <Amended by Act No. 8466, May 17, 2007>

1. Cases where the level of pollution of the rainfall outflow water released from places of business falling under paragraph (1) 2 or 3 falls always short of the standards for permitting the discharge and are recognized by the Minister of Environment as prescribed by Presidential Decree; or

2. Cases where rainfall outflow water is treated by flowing it into buffer underflow facilities provided for Article 18 of the Act on the Management of Water and Support for Residents of the Nakdong River System.

(4) In cases where the businessman of report on installment of non-point pollution source intends to run business or install and operate facilities, he/she shall observe matters falling under any of the following subparagraphs.: <Amended by Act No. 8466, May 17, 2007>

1. He/she shall execute the contents of the reduction plan for non-point pollution;

2. He/she shall operate the reduction facilities for non-point pollution as prescribed by Ordinance of the Ministry of Environment, including the maintenance in compliance with the standards for installment under paragraph (3): or

3. Other matters prescribed by Ordinance of the Ministry of Environment in order to properly manage non-point pollutants.

(5) The Minister of Environment may issue an order for a person who has failed to observe matters under paragraph (4) to implement the reduction plan for non-point pollution or to install or improve reduction facilities for non-point pollution by prescribing a period...
as determined by Presidential Decree.  

(6) The Minister of Environment may, when he/she intends to grant accreditation to any place of business which is to be exempted from the review on the reduction plan for non-point pollution pursuant to paragraph (2) or the installment of reduction facilities for non-point pollution pursuant to paragraph (3) 1, hear the opinions from related specialized agency determined by Ordinance of the Ministry of Environment regarding the appropriateness thereof.  

(7) The provisions of Article 36 shall apply mutatis mutandis to the succession of right and obligation of the businessman of report on installment of non-point pollutants. In such cases “business operator” shall be deemed “businessman of report on installment of non-point pollutants”; “discharge facility and the prevention facility” shall be deemed “non-point pollutants or reduction facilities for non-point pollution”; “permission, permission for change, a report or a report on change” shall be deemed “report or a report on change”; “letting and hiring” shall be deemed “letting and hiring or a change of the main body in charge of operation and management”; “lessee” shall be deemed “lessee or a changed main body in charge of operation and management”; and “Articles 38 through 41, 43, 46, 47 and 68 (1) 1” shall be deemed “paragraphs (4) and (5) and Article 68 (1) 3”.  

(8) The matters necessary for the means of preparing reduction plans for non-point pollution, etc. pursuant to paragraph (2) shall be prescribed by Ordinance of the Ministry of Environment.

Article 54 (Designation of Control Area, etc.)

(1) With respect to any area that seriously impede or is feared to seriously impede the objectives of using rivers, lakes and marshes, the health and properties of residents as well as the natural ecosystem due to the rainfall outflow water released by non-point pollution sources, the Minister of Environment may designate the area as the control area of non-point pollution sources (hereinafter referred to as “control area”) after consulting thereon with the Mayor/Do governor having jurisdiction over the area.

(2) With respect to any area that is in need of the control of non-point pollution sources from among the jurisdictional areas of the Mayor/Do governor, the Mayor/Do governor may request the Minister of Environment to designate such area as the control area.

(3) When the grounds of designating the control area are no longer existent, it is impossible to attain the objectives of its designation, or it is deemed necessary to cancel the designation of the control area, the Minister of Environment may cancel the designation of the whole or part of such control area.

(4) Standards for designating such control areas, procedures for designating control areas and other necessary matters shall be prescribed by Presidential Decree.

(5) The Minister of Environment shall, when he/she designates any control area or cancels his/her designation of any control area, publish the location of the control area, the area thereof, the date of his/her designation thereof, the objective of designating it, the date of his/her cancellation thereof, the grounds of cancelling his/her designation thereof and other matters that are prescribed by Ordinance of the Ministry of Environment.

Article 55 (Development of Control Measures)

(1) The Minister of Environment shall, when he/she designates and publishes any control area, develop the control measures for non-point pollution sources, including the following matters (hereinafter referred to as “control measures”) after consulting thereon with the heads of central administrative agencies concerned and the Mayor/Do governor:
1. Control goals;
2. Categories and quantity of water-quality pollutants subject to control;
3. Prevention of water-quality pollutants subject to control and ways to reduce them; and
4. Other matters that are prescribed by Ordinance of the Ministry of Environment as being necessary to properly manage control areas.

(2) The Minister of Environment shall, when he/she develops control measures, inform the Mayor/Do governor of their development.

(3) The Minister of Environment may ask the heads of relevant central administrative agencies, the Mayor/Do governor and the heads of institutions or organizations concerned to submit material necessary to develop such control measures.

Article 56 (Development of Implementation Plan)

(1) The Mayor/Do governor shall, when he/she is informed of control measures by the Minister of Environment pursuant to the provisions of Article 55 (2), develop a plan to implement the control measures (hereinafter referred to as "implementation plan") that includes the following matters and implement the plan after obtaining approval therefor from the Minister of Environment under conditions prescribed by Ordinance of the Ministry of Environment. The same shall apply to cases where the Mayor/Do governor intends to change the matters that are prescribed by Ordinance of the Ministry of Environment from among the implementation plan:

1. The current development and the development plan of the control area;
2. The current occurrence of water-quality pollutants in the control area and any change in their quantity that is expected to occur on the grounds of the community development plan;
3. The prevention of the occurrence of water-quality pollutants, such as the environment-friendly development;
4. The plan to cut back on water-quality pollutants, including the installation and operation of the prevention facilities and the reduction of impermeable layer area; and
5. Other matters that are prescribed by Ordinance of the Ministry of Environment as being necessary to implement control measures.

(2) The Mayor/Do governor shall prepare a report on the assessment of the records of the implementation plan in the preceding year under conditions prescribed by Ordinance of the Ministry of Environment and submit the report to the Minister of Environment by the end of March every year.

(3) The Minister of Environment may, if he/she deems it necessary to smoothly take the control measures and perform the implementation plan after examining the assessment report submitted pursuant to the provisions of paragraph (2), ask the Mayor/Do governor to supplement or change the implementation plan. In such cases, the Mayor/Do governor concerned shall comply with the request of the Minister of Environment unless special grounds exist that prevent him/her from doing so.

(4) The Minister of Environment may, if the Mayor/Do governor fails to comply with the request referred to in the provisions of paragraph (3), take measures to suspend or cut financial support, etc.

Article 57 (Subsidies from Budget)

The Minister of Environment may wholly or partly subsidize costs needed to develop the implementation plan and implement the plan within budget limits.

Article 58 (Standards for Permitting Agrochemical Residuals)
(1) The Minister of Environment may, when it is deemed necessary to prevent water quality or soil from being polluted, set standards for permitting the agrochemical residuals of water quality or soil.

(2) The Minister of Environment may, when agrochemical residuals in water quality and soil actually are, or are feared to, be in excess of the standards referred to in the provisions of paragraph (1), request the heads of relevant administrative agencies to take measures necessary to prohibit or change manufacturing such agrochemicals or collect and dispose of them, etc. In such cases, the heads of administrative agencies concerned shall comply with the request unless special grounds exist that make it impossible for them to do so.

Article 59 (Recommendation with Respect to Tilling Methods in High Cropland)

(1) The Mayor/Do governor may recommend anyone who tills croplands, the degree of slope of which is steeper than the degree of slope prescribed by Ordinance of the Ministry of Environment from among the croplands located in areas at an altitude above sea level, which is prescribed by Ordinance of the Ministry of Environment to change growing methods, cut back on the quantity of agrochemicals and fertilizer used and suspend his/her growing of crops.

(2) The Minister of Environment may pay compensation for any loss that is incurred to any farmer who grows crops or suspends the growing of crops on the recommendation referred to in the provisions of paragraph (1).

CHAPTER V CONTROL OF WATER POLLUTION SOURCES

Article 60 (Report on Creation of Water Pollution Sources, etc.)

(1) Anyone who intends to create and control water pollution sources shall make a report thereon to the Minister of Environment under conditions prescribed by Ordinance of the Ministry of Environment. The same shall apply to cases where he/she intends to change any reported matter.

(2) Anyone who creates and controls water pollution sources shall install facilities and take measures necessary to prevent and curb the release of water-quality pollutants under conditions prescribed by Ordinance of the Ministry of Environment.

(3) The Minister of Environment shall, when it is deemed inappropriate for the facilities to be installed and measures are taken to curb the release of water-quality pollutants under paragraph (2), order anyone who installs the facilities to take measures to improve them for the fixed period under conditions prescribed by Ordinance of the Ministry of Environment.

(4) The Minister of Environment may, when anyone who makes a he report pursuant to the provisions of paragraph (1) violates an improvement order referred to in paragraph (3), order the operation of the facilities suspended or the relevant water pollution sources closed.

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

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

(1) Anyone who opens and operates his/her golf course shall be prohibited from using agrochemicals that are prescribed by Presidential Decree as being fatally or highly poisonous (hereinafter referred to as “fatally or highly poisonous agrochemicals”) for the lawns and trees of his/her golf course from among agrochemicals provided for in subparagraph 1 of Article 2 of the Agrochemicals Control Act: Provided. That the same shall not apply to cases where the head of competent administrative agency deems it inevitable to control
harmful insects and infectious diseases of trees.

(2) The Minister of Environment shall confirm whether fatally or highly poisonous agrochemicals are used on golf courses under conditions prescribed by Ordinance of the Ministry of Environment.

CHAPTER VI  WASTEWATER TREATMENT BUSINESS

Article 62 (Registration of Wastewater Treatment Business)

(1) Anyone who intends to run the business of treating wastewater on commission (hereinafter referred to as "wastewater treatment business") shall have his/her wastewater treatment business registered with the Minister of Environment after securing technical capability, facilities and equipment under conditions prescribed by Ordinance of the Ministry of Environment. The same shall apply to cases where he/she changes any important matters prescribed by Ordinance of the Ministry of Environment from among the registered matters.

(2) Each wastewater treatment business operator shall observe the following matters:

1. He/She is required to receive a commission to treat wastewater, taking into account the capacity and possibility of treating the wastewater;
2. He/She is required to always maintain and check on his/her technical capacity, facility and equipment, etc. under paragraph (1) in order to keep the wastewater treatment business properly operational;
2-2. He/She must not install or operate the facilities which fall short of the capacity or the volume for treatment prescribed by Ordinance of the Ministry of Environment;
3. He/She is required to observe the matters that are prescribed by Ordinance of the Ministry of Environment in order to ensure the proper treatment of the commissioned wastewater.

Article 63 (Grounds of Disqualification)

Anyone who falls under any of the following subparagraphs shall be prohibited from registering his/her wastewater treatment business:

1. One who is incompetent or quasi-incompetent;
2. One who has yet to be reinstated after having been declared bankrupt;
3. One for whom 2 years have yet to pass after the registration of his/her wastewater treatment business has been revoked pursuant to the provisions of Article 64;
4. One who has actually been sentenced to punishment of imprisonment with prison labor for violating this Act, the Clean Air Conservation Act or the Noise and Vibration Control Act and for whom 2 years have yet to pass from the date on which the execution of the sentence was terminated or the exemption of the sentence was made definite; and
5. A corporation that has any officer on its payroll who falls under any of subparagraphs 1 through 4 from among its officers.

Article 64 (Revocation of Registration, etc.)

(1) In cases where any wastewater treatment business operator falls under any case of the following subparagraphs, the Minister of Environment shall revoke the registration of wastewater treatment business:

1. Where he/she falls under any subparagraphs of Article 63: Provided. That the same shall not apply to cases where any person falling under subparagraph 5 of Article 63 works for a corporation as an executive and he/she is replaced within 6 months from
the date on which he/she is found to fall under such provision;
2. Where he/she has registered by false or illegal means;
3. Where he/she fails to commence the business within 2 years from the date on which
he/she has complete the registration or has had no business results at all for a period
of not less than 2 consecutive years; or
4. Where he/she is unable to maintain the technical capacity, the facility, and the criteria
for equipment under the former part of Article 62 (1) due to the expiration of designation
period of the sea area for discharge under the Prevention of Marine Pollution Act or
the revocation of discharge business of waste into the sea.

(2) In cases where any wastewater treatment business operator falls under any case of
the following subparagraphs, the Minister of Environment may revoke his/her registration
or order him/her to suspend the business by fixing a period of not more than 6 months:
1. Where he/she lends the registration certificate to any other person;
2. Where he/she has been subject to a disposition taken to suspend the business on not
less than two occasions in a year;
3. Where he/she unconscientiously performs his/her wastewater treatment business
deliberately or by negligence; or
4. Where he/she has engaged in the business activity during he/she is under the disposition
for suspending the business.

(3) In cases where any wastewater treatment business operator falls under any case of
the following subparagraphs, the Minister of Environment may order him/her to suspend
the business by fixing a period for not more than 6 months:
1. Cases of the change registration pursuant to the latter part of Article 62 (1);
2. Where he/she has failed to perform the observance matters under Article 62 (2); or
3. Cases where impeding a technician who works in the wastewater treatment business
from participating in the training under Article 67 without justifiable grounds.

[This Article Wholly Amended by Act No. 8466, May 17, 2007]

Article 65 (Succession of Rights and Duties)
(1) When any wastewater treatment business operator transfers his/her business, dies
or corporations are merged, any transferee, any inheritor, any surviving corporation or
any corporation that is incorporated by the
merger shall succeed the right and duty of the previous wastewater treatment business
operator, which are provided for in this Act. In such cases, the transferee, the inheritor
or the corporation that falls under any of subparagraphs 1 through 4 of Article 63 may
transfer his/her or its business to any other person or any other corporation within 3
months.

(2) Anyone who takes over the facilities of the wastewater treatment business according
to the auction provided for in the Civil Execution Act, the conversion provided for in the
Bankruptcy Act, the sale of seized property provided for in the National Tax Collection
Act, the Customs Act or the Local Tax Act and other procedures corresponding thereto
shall succeed the right and duty of the previous wastewater treatment business operator:
Provided. That the same shall not apply to cases where the person who takes over the
facilities of a wastewater treatment business falls under any subparagraph of Article 63.

Article 66 (Penalty Surcharge Disposition)
(1) In cases where the Minister of Environment has to order anyone who has registered
his/her wastewater treatment business according to the provisions of Article 62 (1) to
suspend his/her business pursuant to the provisions of Article 64 and the suspension of
his/her business is deemed feared to seriously disrupt the lives of residents and undermine
the public interest, the Minister of Environment may impose a penalty surcharge not exceeding
200 million won in lieu of the disposition taken to suspend his/her business: Provided. That
the same shall not apply to cases where he/she falls under the provisions of subparagraphs
1 through 3 of Article 64 (2). (Amended by Act No. 8466, May 17, 2007)
(2) The provisions of Article 43 (2) through (5) shall apply mutatis mutandis to the imposition
and collection, etc. of penalty surcharges referred to in the provisions of paragraph (1).
(3) The amount of a penalty surcharge imposed according to the categories and extent
of the violation under the provisions of paragraph (1) and other necessary matters shall
be prescribed by Ordinance of the Ministry of Environment.

CHAPTER VII SUPPLEMENTARY PROVISIONS

Article 67 (Training for Environmental Engineers, etc.)
(1) Anyone who employs technicians or environmental engineers engaged in the wastewater
treatment business shall get them to undergo training conducted by the Minister of
Environment and the Mayor/Do governor under conditions prescribed by Ordinance of the
Ministry of Environment.
(2) The Minister of Environment and the Mayor/Do governor may collect expenses incurred
in the training referred to in paragraph (1) from the employers of such trainees under
conditions prescribed by Ordinance of the Ministry of Environment.

Article 68 (Report and Check, etc.)
(1) The Minister of Environment or the Mayor/Do governor may, in cases where the Ordinance
of the Ministry of Environment prescribes, order anyone falling under any of the following
subparagraphs to make a necessary report or get him/her to submit material or have the
relevant public officials enter the relevant facilities or relevant place of business, etc.
in order to collect water-quality pollutants and check relevant documents, facilities and
equipment, etc. for the purpose of confirming whether they meet the standards for water
quality of released water provided for in Article 12 (3), standards for permitting discharge
provided for in Article 32, standards for permission or permission for any change provided
for in Article 33, the normal operation of gauges provided for in Article 38-2 or matters
for observance provided for in Article 53 (4): (Amended by Act No. 8466, May 17, 2007)
1. Any business operator:
2. Any person who installs and operates terminal treatment facilities (including facilities
prescribed by Ordinance of the Ministry of Environment from among the public sewage
treatment facilities):
3. Any person who falls under the provisions of Article 53 (1):
4. Any person who makes a report on the water pollution sources provided for in the
provisions of Article 60:
5. Any person who runs a business of treating wastewater provided for in Article 62
(1):
6. Any person who is commissioned to perform the work of the Minister of Environment
or the Mayor/Do governor pursuant to the provisions of Article 74 (2).
(2) The Minister of Environment shall, when he/she collects water-quality pollutants in
order to confirm whether to meet the standards for permitting the discharge and the standards
for the water quality of released water or whether water-quality pollutants are released
from the wastewater non-discharge facilities, commission any testing institution that
is prescribed by Ordinance of the Ministry of Environment to test the level of pollution: Provided. That the same shall not apply to cases where it can be judged whether the water-quality pollutants prescribed by Ordinance of the Ministry of Environment are in excess of the standards for permitting the discharge or the standards for the water quality of released water on the site.

(3) The public officials who are tasked to enter and check pursuant to the provisions of paragraph (1) shall carry certificates indicated their authority and produce them to relevant persons.

Article 69 (Subsidies from National Treasury)

The State may provide local governments with subsidies used to cover costs necessary for projects undertaken to preserve water quality within budget limits.

Article 70 (Cooperation by Relevant Institutions)

The Minister of Environment may, when deemed necessary to fulfill the objectives of this Act, ask the heads of relevant institutions to take the measures falling under any of the following subparagraphs. In such cases, the heads of relevant institutions shall comply with the request unless special grounds exist that make it impossible for them to do so:

1. Improvements in the methods of preventing and exterminating noxious insects;
2. Regulation of the use of agrochemicals and fertilizer;
3. Regulation of the use of farming water;
4. The designation of green, scenic and vacant areas;
5. The installation of wastewater or sewage treatment facilities;
6. The dredging of public waters;
7. The revocation of permission for occupying and using any river, the suspension of or the change in any river work or the relocation or removal of any installations;
8. The revocation of permission for occupying and using a public water surface, the suspension of or restrictions on the use of a public water surface or the reinstallation or removal of facilities, etc.:
9. Measures taken to prevent water quality from being polluted in oil pipelines, oil storage facilities, agrochemical storage facilities and other facilities that are all feared to pollute water and the submission of material concerning current facilities; and
10. Other matters prescribed by Presidential Decree.

Article 71 (Standards for Taking Administrative Dispositions)

Standards for taking administrative disposition against violations of this Act or any order given by this Act shall be set by Ordinance of the Ministry of Environment.

Article 72 (Hearing)

The Minister of Environment shall, when he/she intends to take a disposition falling under any of the following subparagraphs, hold a hearing thereon:

1. Revocation of permission or an order given to shut down any discharge facilities pursuant to the provisions of Article 35 (3), 42 or 44;
2. An order given to close water pollution sources pursuant to the provisions of Article 60 (4); and
3. Revocation of registration pursuant to the provisions of Article 64.

Article 73 (Fees)

Anyone who intends to obtain the permission, etc. or make a report, etc. which falls under any of the following subparagraphs, shall pay fees under conditions prescribed by Ordinance of the Ministry of Environment:

1. Permission or permission for any change or the report or the report on any change
Article 74 (Delegation and Commission)

(1) The Minister of Environment may delegate part of his/her authority provided for in this Act to the Mayor/Do governor and the heads of local environmental administrative agencies under conditions prescribed by Presidential Decree.

(2) The Minister of Environment or the Mayor/Do governor may commission part of his/her work provided for in this Act to specialized institutions under conditions prescribed by Presidential Decree.

CHAPTER VIII PENAL PROVISIONS

Article 75 (Penal Provisions)

Anyone who falls under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than 7 years or by a fine not exceeding 50 million won:

1. Anyone who has installed or changed discharge facilities or operated his/her business using discharge facilities without obtaining permission or permission for any such change therefor pursuant to the provisions of Article 33 (1) or (2) or after obtaining permission or permission for any such change by false means;

2. Anyone who has installed discharge facilities or operated his/her business using discharge facilities in an area where the installation of discharge facilities is restricted pursuant to the provisions of Article 33 (5) and (6); and

3. Anyone who has engaged in activities falling under any subparagraphs of Article 38 (2).

Article 76 (Penal Provisions)

Anyone who falls under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than 5 years or by a fine not exceeding 30 million won:

1. Anyone who has failed to perform an order for suspension of operation or order for closure under Article 4-6 (4):

1-2. Anyone who has installed discharge facilities or operated his/her business using discharge facilities without making a report thereon as required under the provisions of Article 33 (1) or after making a false report:

2. Anyone who has engaged in activities falling under any subparagraphs of Article 38 (1): 

2-2. Anyone who has failed to take measures, including the equipment of gauge pursuant to Article 38-2 (1) (excluding those who have failed to affix integrating wattmeters, or integrating flowmeters):

2-3. Anyone who has engaged in an activity referred to in Article 38-3 (1) 1 or 3:

3. Anyone who has violated an order issued to suspend his/her business operation pursuant to the provisions of Article 40:

4. Anyone who has violated an order issued to suspend operation of his/her business
or close his/her place of business pursuant to the provisions of Article 42: and
5. Anyone who has engaged in activities falling under any subparagraphs of Article 50 (1).

Article 77 (Penal Provisions)
Anyone who has leaked, discharged or dumped specific water-quality pollutants, etc. in violation of the provisions of Article 15 (1) 1 shall be punished by imprisonment with prison labor for not more than 3 years or by a fine not exceeding 15 million won:

Article 78 (Penal Provisions)
Anyone who falls under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding 10 million won:  
(Amended by Act No. 8466, May 17, 2007)
1. Anyone who has violated an order issued to take measures to improve the facilities, etc. pursuant to the provisions of Article 12 (2):
2. Anyone who has leaked and discharged the specific water-quality pollutants deliberately or by negligence while performing his/her duty in violation of the provisions of Article 15 (1) 1:
3. Anyone who has dumped excreta, livestock wastewater, etc. in violation of the provisions of Article 15 (1) 2:
4. Anyone who has leaked or dumped a large quantity of earth and sand in violation of the provisions of Article 15 (1) 4:
5. Anyone who has violated an order issued to implement the prevention and removal measures pursuant to the provisions of Article 15 (3):
6. Anyone who has violated the traffic restriction provided for in the provisions of Article 17 (1):
7. Anyone who has operated his/her business without making a report on the commencement of his/her business pursuant to the provisions of Article 37 (1):
8. Anyone who has rejected, obstructed or evaded an inspection provided for in Article 37 (4):
8-2. Anyone who has failed to implement the order for suspension of business under the provisions of Article 38-4 (2):
9. Anyone who has violated an order issued to improve the facilities, etc. pursuant to the provisions of Article 50 (3):
10. Anyone who has failed to make a report required under the provisions of Article 53 (1) or to install reduction facilities for non-point pollution required under the provisions of paragraph (3) of the same Article:
11. Anyone who has violated an order for the implementation of a plan for reduction of non-point pollution or for the installment or the improvement of the reduction facilities for non-point pollution pursuant to Article 53 (5):
12. Anyone who has installed and controlled water pollution sources without making a report thereon pursuant to the provisions of Article 60 (1):
13. Anyone who has violated the order given to suspend the operation of his/her facilities or close his/her facilities pursuant to the provisions of Article 60 (4) or (5):
14. Anyone who has run a wastewater treatment business without filing registration or changed registration thereon pursuant to the provisions of Article 62 (1):
15. Any wastewater non-discharge facilities operator who has rejected, obstructed or evaded the entry and inspection by public officials in charge provided for in Article 68 (1).

Article 79 (Penal Provisions)
Anyone who falls under any of the following subparagraphs shall be punished by a fine not exceeding 5 million won: *(Amended by Act No. 8466, May 17, 2007)*

1. Anyone who has failed to implement an order to take measures pursuant to the provisions of Article 38-4 (1):
2. Any wastewater treatment business operator who has failed to observe matters for observance provided for in Article 62 (2) 1 or 2; and
3. Anyone who has rejected, obstructed and evaded the entry and inspection by public officials in charge provided for in Article 68 (1) (excluding any business operator who installs and operates the wastewater non-discharge facilities).

**Article 80 (Penal Provisions)**

Anyone who falls under any of the following subparagraphs shall be punished by a fine not exceeding 1 million won: *(Amended by Act No. 8466, May 17, 2007)*

1. Anyone who has failed to affix the integrating wattmeters, integrating flowmeters required under the provisions of Article 38-2 (1); and
2. Anyone who has interfered with the work of environmental engineers or rejected the request of any environmental engineer without justifiable grounds in violation of the provisions of Article 47 (4).

**Article 81 (Joint Penal Provisions)**

If the representative of a corporation or the agent, the employee, the employed of a corporation or an individual commits any violation of Articles 75 through 80 in connection with the business of the corporation or the individual, such corporation or such individual shall each be fined under the respective Articles in addition to the punishment of the actor.

**Article 82 (Fines for Negligence)**

(1) Anyone who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 10 million won: *(Amended by Act No. 8466, May 17, 2007)*

1. Anyone who has failed to install or operate the gauge under Article 4-5 (4):
2. Anyone who has failed to record and keep the results from measurement under Article 4-5 (4) or recorded and kept them falsely:
3. Anyone who has failed to observe the matters for observance provided for in Article 35 (2):
4. Anyone who has failed to appoint environmental engineers or failed to make a report on their appointments (including appointments after their replacing) in violation of the provisions of Article 47 (1):
5. Anyone who has used fatally or highly poisonous agrochemicals on the lawns and trees of his/her golf course in violation of the provisions of Article 61: and
6. The wastewater treatment business operator who has failed to observe the matters for observance provided for in Article 62 (2) 3.

(2) Anyone who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 3 million won: *(Amended by Act No. 8466, May 17, 2007)*

1. Anyone who has engaged in fishing in a fishing prohibition area provided for in Article 20 (1):
2. Anyone who has failed to keep records pertaining to the operation of discharge facilities in violation of the provisions of Article 38 (3) or has falsely kept such records:
3. Anyone who has perform any act falling under Article 38-3 (1) 2:
4. Anyone who has failed to observe the criteria for operation and management in violation
of Article 38-3 (2):
3. Anyone who has failed to make a report on any change required under the provisions of Article 53 (1); and
4. Anyone who has failed to install facilities or to take other necessary measures in violation of the provisions of Article 60 (2).

(3) Anyone who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding 1 million won:
1. Anyone who has violated the provisions of Article 15 (1) 3:
2. Anyone who has engaged in fishing in a fishing-restriction area in violation of the restriction matters provided for in the provisions of Article 20 (2):
3. Anyone who has failed to make a report on any change required under the provisions of Article 33 (2) or (3):
4. Anyone who has failed to make a report on any change required under the provisions of Article 60 (1):
5. Anyone who has failed to get environmental engineers, etc. to undergo the training in violation of the provisions of Article 67; and
6. Anyone who has failed to make a report required under the provisions of Article 68 (1) or made a false report or failed to submit material or submitted a false material.

(4) Fines for negligence referred to in the provisions of paragraphs (1) through (3) shall be imposed and collected by the Minister of Environment, the Mayor/Do governor or the head of Si/Gun/Gu (hereafter in this Article referred to as the “imposition authority”) under conditions prescribed by Presidential Decree.

(5) Anyone who is dissatisfied with a disposition taken to impose a fine for negligence on him/her pursuant to the provisions of paragraph (4) may raise an objection to the imposition authority within 30 days from the date on which he/she is notified of such disposition.

(6) When anyone who is subject to a disposition taken to impose a fine for negligence under the provisions of paragraph (4) raises an objection thereto pursuant to the provisions of paragraph (5), the imposition authority shall promptly notify the competent court of the fact and the competent court shall, upon receiving such notice, submit the case of fine for negligence in question to trial according to the Non-Contentious Case Litigation Procedure Act.

(7) When anyone fails to pay a fine for negligence without raising an objection thereto within the period referred to in the provisions of paragraph (5), the fine for negligence in question shall be collected pursuant to precedents on dispositions taken to collect national taxes or local taxes in arrears.

ADDENDA

Article 1 (Enforcement Date)
This Act shall enter into force one year after the date of its promulgation.

Article 2 (Application Example Concerning 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 (Application Example Concerning 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 operator who files an application for permission for or makes a report on the
installation of the wastewater discharge facilities pursuant to the provisions of Article
33 (1) and with any business operator 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 Penal Provisions, etc.)
The application of the penal provisions and fines for negligence to any activities performed prior to this Act enters into force shall be governed by the former provisions.

Article 5 Omitted.

Article 6 (Relation with Other Acts)
In cases where the provisions of the Water Quality Conservation Act are quoted by other
Acts and subordinate statutes at the time this Act enters into force and this Act has any
provisions that fall under the quoted provisions, the relevant provisions of this Act shall
be deemed quoted in lieu of the former provisions.

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 Installing Wastewater Terminal
Treatment Facilities)
The project installing the 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 installing the terminal treatment facilities
implemented in accordance with the amended provisions of Article 48.

Article 3 (Transitional Measures Concerning Master Plan for Wastewater Terminal
Treatment Facilities)
In cases where approval for the installation of the 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, approval
for a master plan for wastewater terminal treatment facilities under the amended provisions
of Article 49 shall be deemed as having been granted.

Article 4 (Transitional Measures Concerning Approval for Expense Funding Plan)
In cases where 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 Master Plan for Wastewater Terminal
Treatment Facilities, etc.)
The project of installing the terminal treatment facilities, the establishment of and approval
for a master 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 made 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 Penal Provisions, etc.)
The application of the penal provisions and the fines for negligence to any violation committed before this Act enters into force shall be governed by the former provisions.

Article 4 Omitted.

Article 5 (Relation with Other Acts)
In cases where the provisions of the Water Quality Conservation Act are cited by other Acts and subordinate statutes at the time this Act enters into force and this Act has any provisions that correspond with the cited provisions, the relevant provisions of this Act shall be deemed cited in lieu of the former provisions.

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.